



Complaints Policy

Aims Of The Complaints Policy

The aims of the Complaints Policy are to ensure that:

- CHISEL residents have the right to complain about the provision, or non-provision of services through an accessible, confidential and easy to use procedure, which offers rapid action and response.
- Complaints are dealt with effectively and fairly, even where the complaints outcomes are not to the satisfaction of the complainant;
- Complaints are taken seriously and used positively to improve how CHISEL operates;
- The complaints procedure complies with the requirements of the Regulatory Framework, the Housing Ombudsman's Complaint Handling Code and the Equality Act 2010.

The Complaints Policy, an annual report outlining complaints and service requests received, and a self-assessment showing how CHISEL complies with the Ombudsman's code will be available on the CHISEL website and can be provided as hard copies if required.

Welcoming Complaints

- 1 CHISEL welcomes complaints from its residents and others and encourages anyone using or directly affected by our services to make complaints. A resident does not have to use the word complaint for it to be treated as a complaint, however, is advised to do so to make explicit that it is lodging a complaint.
- 2 CHISEL will also accept complaints from agencies and others representing complainants (although CHISEL needs to have written evidence that anyone representing a complainant is authorised by the

complainant to do so and act on their behalf). If we have to ask for this authorisation, the complaint will be logged from the date that it is received.

CHISEL will usually allow such representatives to attend meetings with the complainant if they so wish. Representatives must be external to CHISEL and cannot be a legal representation as at this stage, it is an internal process.

- 3 A complaint could also be anyone who is affected by a decision or action taken by the CHISEL including:
- Current and former tenants;
 - Applicants for housing;
 - Partnership organisations and agencies;
 - Contractors or consultants;
 - Neighbours to CHISEL's properties;
 - Other members of the public.

What is a Complaint?

- 4 A complaint is an expression of dissatisfaction, however made, about a standard of service, actions or lack of actions by CHISEL, by our service providers or by others acting on our behalf, affecting an individual tenant or group of residents. A complaint, whether justified or not, may be about something that CHISEL should or should not have done or has done badly or has done about a complainant feeling that they have not been treated fairly or they have been discriminated against in the provision of a service.

What is a service request?

- 4a A service request is a request from a resident to the landlord requiring action to be taken to put something right. This is usually the first time the resident is asking for something to be put right but has come through our various complaints portals. Service requests are not complaints, but will be recorded, monitored and reviewed regularly.

A complaint can be raised when the resident expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing.

5 CHISEL will accept and act on complaints, unless there is a valid reason not to do so. For example, if the police are involved, or if it falls into the categories listed below:

- Request to deal with an Anti-Social Behaviour issue which should be dealt with in accordance with the Anti-Social Behaviour Policy;
- New issues which arise during a complaints investigation unless they are relevant to the original complaint under investigation;
- Anonymous complaints;
- Matters which relate to legal proceedings which have started;
- Complaints about something more than 12 months old;
- Matters which have already been considered under the complaints policy;
- Issues relating to how CHISEL is governed.

If a complainant disagrees with the decision to not act on their complaint for any of the above reasons they will be directed to the Housing Ombudsman Service. We will log any complaints that we refuse to handle.

6 If the CHISEL chooses not to receive a complaint for one of the above reasons, this will formally be communicated in writing to the complainant setting out the reasons why – this will be done within a 5 working day window.

Complaints Procedure

7 CHISEL will manage complaints using a two-stage procedure.

Stage 1

- (a) Acknowledgement and logging - complaints will be acknowledged and logged when received within a 5 working day window;
- (b) Confirmation of complaint - using the Service Complaint Form; the complainant will confirm in writing the substance of the complaint and what outcome or resolution they are seeking.
- (c) Investigation – the Investigating Officer will investigate the complaint giving the complainant and or any other parties to the complaint the opportunity to state their account on the subject matter of the complaint.

(d) Decision – the Investigating Officer will produce a written response to the complainant within 10 working days.

Stage 2 – Appeal

(a) The complainant will have 20 working days to appeal the Stage 1 decision; they should make this appeal to the CHISEL Chief Executive in writing. If the CE has replied at Stage 1 then a Board Member will undertake the Stage 2 review.

(b) Review – the CHISEL Chief Executive will review the stage 1 investigation and decision and will give the complainant and or any other parties to the complaint the opportunity to state their account on the subject matter of the appeal

(c) Decision – the CHISEL Chief Executive will produce a final response to the complainant within 28 working days; this will be the end of the Complaints Procedure.

8 If it is not possible for the CHISEL to achieve the timescales set out above, it will communicate how much extra time is needed to the complainant and the reasons why there will be a delay. The target times for the decisions will not be exceeded by more than 10 working days without good reason.

Housing Ombudsman Service

9 CHISEL is a member of the Housing Ombudsman Service and provides tenants with contact information as part of its regular correspondence with them. Residents can access the Housing Ombudsman Service when they wish to and they can assist residents throughout the life of a complaint. The contact details for the Housing Ombudsman Service are:

PO Box 1484

Unit D

Preston

PR2 0ET

Tel: 0300 111 3000

info@housing-ombudsman.org.uk

www.housing-ombudsman.org.uk

Communication

- 10 When communicating with tenants about complaints, CHISEL will use plain language and do so in writing. CHISEL will address all points raised in the complaint and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.

Acceptable Behaviour

- 11 CHISEL is committed to providing a fair and accessible complaints procedure but in doing so requires that complainants maintain minimum standards of acceptable behaviour. CHISEL reserves the right to take action where a complainant exhibits unacceptable behaviour such as:
- Making unreasonable demands e.g. requesting large volumes of information
 - Asking for responses within short timeframes e.g. less than 7 working days
 - Unreasonable persistence overloading of emailing/calling/texting/letter writing
 - Unreasonable persistence e.g. refusing to accept the answer provided and continuing to raise the same complaint without any new evidence
 - Verbal abuse or aggression, making inflammatory or derogatory comments to officers, threatening behaviour or physical violence
 - Circulating misinformation to other CHISEL residents.
 - Changing the subject matter of the complaint

Compensation

- 12 Where appropriate, CHISEL will make two types of compensation payments:
- Discretionary compensation - which CHISEL chooses to make a payment
 - Legal compensation due to legal requirement, such as home loss, disturbance or disrepair.

