

Complaints Policy

1. Introduction

- 1.1 Falcon Rural Housing Limited (“the Association”) understands that sometimes it may fail to carry out actions or deliver a service for which it is responsible. This policy sets out the Association’s response and approach to managing complaints if things go wrong.
- 1.2 The aim is to ensure that the Association’s actions are carried out as quickly as possible, and that communication is clear, timely and polite.
- 1.3 The Association aims to provide a good, reliable service to all tenants and will treat all feedback as an opportunity to improve.

2 Complaint Definition

- 2.1 A complaint is defined by the Housing Ombudsman Service as *“an expression of dissatisfaction, however made, about the standard of service, actions, or lack of action by the Association, its employees or those acting on its behalf. This could affect an individual or a group of tenants”*.
- 2.2 Whenever a tenant expresses dissatisfaction which meets the definition of a complaint, they will be given the choice as to whether they wish to make a complaint. The Association will always accept a complaint unless there is a fair and valid reason not to.
- 2.3 Someone making a complaint does not have to use the word complaint for their expression of dissatisfaction to be treated as a complaint when they contact the Association.

Types of complaints covered by this policy.

- 2.4 Complaints covered by this policy include the following:

- Delays in responding to an enquiry / a request for information.
- Failure to provide a service that the Association is obliged to provide.
- Treatment by, or attitude of a member of staff, including allegations of discrimination.
- Complaints about building safety.

Exclusions

- 2.5 There are some things the Association will not deal with through its complaints procedure. These include:

- Service requests. These are first time requests for a service and will not be registered as a complaint. Examples include: reporting a repair or defect, requesting information, asking for an explanation on a point of policy.
- The first report of anti-social behaviour (ASB) or ongoing nuisance as part of an ASB case.
- Where the issue(s) occurred over twelve months ago. The Association retains its discretion to accept complaints submitted outside this timescale and will always consider the individual circumstances of each complaint.
- Where legal proceedings have started.
- A matter that has been previously considered through this Complaints Policy.
- When the complaint is reported anonymously and it is clear a thorough investigation into the circumstances will not be possible, or where the Association is unable to contact the complainant.

2.6 Service requests can become complaints if the Association fails to deal with the initial request appropriately.

2.7 A follow-up of a service request, such as a missed appointment, can often be resolved 'there and then' with an apology, and by providing another appointment. This may not need to enter the complaints system unless the tenant wishes it to do so.

If after a 'follow-up' is made but further problems occur, or the resident requests it, the issue will then be logged as a complaint.

2.8 Where an issue is not accepted as a complaint, the reasons will be explained to the complainant and the Association will attempt to find an alternative solution.

2.9 Complainants have the right to challenge this decision by raising their concerns directly with the Housing Ombudsman.

3 The Association's approach

3.1 In dealing with complaints made to the Association, it will aim to ensure that:

- 3.1.1 All relevant employees and/or third parties involved in the complaint will have a collaborative and cooperative approach towards resolving the complaint.
- 3.1.2 All relevant employees and/or third parties involved in the complaint will take collective responsibility for any shortfalls identified through complaints, rather than blaming others; and
- 3.1.3 All relevant employees and/or third parties involved in the complaint will act within the professional standards for engaging with complaints as set by any relevant professional body.

3.2 Feedback is accepted in the form of a complaint from anyone who is affected by a service the Association provides, or a decision taken by it. This includes:

- Tenants named on the Association's tenancy for any of its properties, and fixed equity owners.
- Any third party negatively affected by the Association's actions or decisions.
- A representative of any of the people above who is authorised by them to make a complaint on their behalf. In these cases, the tenant will be asked for written authority. If there is an instance where the tenant is not capable of providing this, the Association will gather evidence as to how authority was obtained such as a visit or telephone call. In most circumstances the Association will know the tenant well enough to take their word and make a sensible judgement. Either way, the Association must be satisfied that a representative has legitimate authority.

3.3 A complaint can be made in the form of a petition. The complaint will be dealt with following the normal complaints process, on the address of the first to sign only. The petition will be treated as one complaint and all correspondence will be addressed to the first signer. If the complaint reaches stage two of the complaints process (see section 3.7) and a panel meeting is convened, the first to sign may attend the complaints panel with one other signatory. Details of the outcome of the complaint will be copied to each signatory on the petition.

3.4 Tenants can raise a complaint in any way and with any member of staff, including by telephone, in person, by letter, by emailing info@falconhousing.co.uk, or by completing the Association's 'Complaint form' (which can be found on the Association's website, requested via email, WhatsApp or text and a 'hard copy' that can be requested from the office). Attachments such as pictures or letters can be attached to any complaint as further evidence. Please note that complaints will not be accepted via individual staff email addresses. If a complaint is made via email, the address to use is info@falconhousing.co.uk

3.5 The complaints process has two stages:

Stage One

3.6 The complaint will be acknowledged, in writing, within 5 working days and logged as stage 1 of the process.

The complainant will be contacted to make sure the Association has all the relevant details to ensure that it fully understands the nature of the complaint, the circumstances and how it has affected them. The outcomes being sought from the complainant will also be clarified.

The complaint will then be thoroughly investigated, and all points responded to within 10 working days. If more time is needed, the Association will provide an explanation to the tenant containing a clear timeframe for when the response will be received. This should not exceed a further ten days without good reason.

Stage Two

3.7 If, after stage one, the complaint has not been resolved it can be escalated to stage two. The stage two complaint will be reviewed by a Senior Manager within the Association.

All requests for escalation to stage two must be received within 10 working days of receiving the stage one response. The stage two response will be acknowledged within 5 working days of the escalation request being received. A full response will be provided within 20 working days of the request being acknowledged. If more time is needed, the Association will provide an explanation to the complainant containing a clear timeframe for when the response will be received. This should not exceed a further 20 days without good reason.

3.8 At any stage, the complainant can contact the Housing Ombudsman (*see section 4*).

3.9 Most complaints at stage two are reviewed by one of the Association's Senior Managers. However, at stage two the case may sometimes be reviewed by the stage two complaints panel. The panel will consist of a Senior Manager of the Association and at least two of its Board Members. If the case is to be reviewed by the panel, the complainant will be made aware of this. The Association will then hold the panel meeting as soon as is practical for the panel members, with a final response to the complaint being provided at least 10 working days following the panel meeting.

3.10 All actions that are agreed to be completed within a complaint's response will be monitored and followed through to resolution, with updates to the complainant provided as and when needed.

3.11 Confidentiality and data protection principles apply to the complaints process. The Association will not share any personal or property information gathered as part of the complaint investigation with any third party who is not entitled to receive it. This is in line with the Association's Data Protection Policy.

3.12 Where the Association finds it necessary or justified, it retains the discretion to vary the complaints policy. If this happens, it will ensure that accurate and reasonable evidence for doing so is in place and recorded. Any discretion will be applied fairly and appropriately, and complaints will be progressed as far as possible to maximise the opportunity to resolve a dispute.

4 Further options for complaints

4.1 In a small number of cases, a complainant may remain dissatisfied after going through the internal complaints procedure. In such cases, the Association will advise complainants of any external options available to them if they wish to pursue the matter further. These options are detailed below:

4.2 The Housing Ombudsman Service (HOS)

The Association subscribes to the Housing Ombudsman Service

- 4.3 A complainant can contact the HOS if they remain unhappy with the Association's final response to their complaint. They can also consult the HOS for advice at any time before or during the complaints process.

The contact details for the Housing Ombudsman are:

Housing Ombudsman Service

PO Box 152

Liverpool L33 7WQ

Tel: 0300 111 3000

E-mail: info@housing-ombudsman.org.uk

Website: www.housing-ombudsman.org.uk

- 4.4 For complaints relating to building safety, a complainant can contact the Building Safety Regulator if they remain unhappy with our final decision or during the course of a formal complaint should they wish to seek advice.

The contact details for the Building Safety Regulator are:

Building Safety Regulator

Health and Safety Executive

Redgrave Court

Merton Road

Bootle, Merseyside L20 7HS

Tel: 0300 003 1747

Website: www.hse.gov.uk/building-safety/regulator.htm

Online contact form: <https://www.gov.uk/guidance/contact-the-building-safety-regulator>

5 Access to information

- 5.1 The Association will publish on its website full details of this Policy along with its 'How to make a complaint' leaflet for tenants, the Complaints Procedural flow-chart, a copy of its most relevant Complaints self-assessment form, and details of the Housing Ombudsman Service.

- 5.2 This policy, the 'How to make a complaint' leaflet and details of the Housing Ombudsman Service will also be given to all new tenants in their new tenancy Welcome Pack.

- 5.3 All the information above is also available by contacting the Association's office on 01823 667343 or by emailing info@falconhousing.co.uk

6 Equality, Diversity and Inclusion

- 6.1 This policy aligns with the Association's Equality, Diversity and Inclusion Policy.

- 6.2 In line with its statutory duties and as set out in the Equality Act 2010, the Association is committed to making the complaints process accessible and easy to use for all tenants.

- 6.3 If a tenant needs support in putting their complaint in writing, they should contact the Association immediately. All requests made by tenants to help them make a complaint will be considered and acted on where possible.

7. General Data Protection Regulation (GDPR)

- 7.1 The Association is committed to protecting the privacy and confidentiality of those who submit complaints. It understands the importance of handling personal information in accordance with GDPR. Details can be found in the Association's Data Protection Policy, Guidance and procedure document, a copy of which is available upon request. Any personal data collected during the complaints process will be treated with the

utmost care and used solely for the purpose of addressing and resolving the complaint. Information will only be shared with relevant parties involved in the investigation and resolution of the complaint.

- 7.2 The Association will retain information for as long as necessary to fulfil its legal obligations and to address any potential follow-up inquiries. Appropriate measures will be used to safeguard the security and integrity of the personal data handled.

Policy information	
Policy owner	Managing Director
Reviewed by	Samantha Southam
Last review completed	May 2024
Next review due	June 2027
Adopted by Full Board	13 June 2024