

Complaints Procedure Landlord Services

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1. Introduction

The purpose of this procedure is to provide clear guidance on how we manage complaints for our landlord and property related service services. By managing complaints in line with this procedure we will ensure we achieve the aims set out in our complaints policy and the Housing Ombudsman Complaint Handling Code.

Complaints about the provision of specialist care and support services are managed using a separate procedure.

2. Definitions

The Housing Ombudsman define a complaint as:

'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents.'

The Housing Ombudsman define a service request as: *'a request requiring action to be taken to put something right'*.

A service request is not a complaint; however, a complaint can be raised if a customer is dissatisfied with our handling of or response to their service request.

Some examples are shown below:

Contact	Service Request or Complaint
My neighbours are keeping me up all night playing loud music	Service request - this will be passed to a Housing Officer and will be managed through our anti-social behaviour (ASB) procedure.
I'm going to see my local councillor as it's the fourth appointment which has not been met by your contractor!	Complaint - the request for an appointment was the service request, our failure to attend is an expression of dissatisfaction we did not deliver the service requested.
I reported ASB to my Housing Officer six weeks ago. They told me they would come and see me, but I haven't heard anything and it's getting worse.	Complaint - the first contact to report the ASB was a service request, and the customer is dissatisfied we did not complete the agreed action.
My heating is not working	Service request – we will make an appointment for our heating team to attend.
You should see the mess the plumber has left behind; it will take me ages to clean this up.	Complaint - this is an expression of dissatisfaction about a service we have delivered.

Although service requests are not complaints it is important we record and action service requests within our published timescales and in line with our Customer Contact Procedure and ensure that they are monitored for completion.

If a customer tells us they are dissatisfied because we failed to complete a service request or did not complete it to the required standard, they should be offered the opportunity to make a complaint. We should not stop the efforts to address a service request if a customer raises a complaint.

The flow charts provided by the Housing Ombudsman to help assess whether an issue is a service request, or a complaint are included as Appendix 1.

3. Positive complaint handling

By the time customers come to us to make a complaint they may already be upset, angry or frustrated. Good complaint handling involves us ensuring:

- ◆ we act independently, and have an open mind
- ◆ we take ownership of issues and say sorry if we've made a mistake
- ◆ customers feel respected, listened to, taken seriously and given a fair chance to set out their position
- ◆ we're attentive and empathetic
- ◆ we investigate fully all the issues raised by reviewing all relevant evidence

- ◆ problems are resolved within our agreed time frames
- ◆ we learn from our mistakes and share the learning with customers and colleagues.

All colleagues are responsible for receiving complaints and managing them sensitively and confidentially when they are made.

4. Methods of complaint

Customers can complain using a range of methods and we're happy to accept and encourage complaints in any format including face to face, by phone, email, and letter.

We will take all reasonable steps to support customers to access the complaints process and ensure their voice is heard.

Subject to the relevant written consents, we will also give customers the opportunity to have a representative make the complaint on their behalf, and to be represented or accompanied at any meeting with us.

Some customers may need support to make their complaint using interpretation, signing or advocacy services for example.

We will make reasonable adjustments where required to ensure customers can access the complaints process in line with the Equality Act 2010 and our Reasonable Adjustments Policy. We must keep a record of any reasonable adjustments agreed and these must be kept under active review.

5. Process

5.1 Complaint Stages

In line with the Housing Ombudsman Complaint Handling Code our process has two stages, Stage 1 and Stage 2.

All complaints will initially be considered at Stage 1 and escalated to Stage 2 if the customer remains dissatisfied with our response at Stage 1. We will not refuse to escalate a complaint to Stage 2 of the complaints procedure unless we have a valid reason to do so.

Stage 1 complaints will usually be investigated and responded to by our dedicated Stage 1 Customer Care Team. Some complaints may be of specific complexity or sensitivity that they will be investigated and responded to by a colleague with the identified level of specialist knowledge or expertise

Stage 2 complaints will usually be responded to by our dedicated Stage 2 Customer Care Team who will have had no prior involvement in the case. As with Stage 1, there may be some exceptions where other appropriate managers are asked to undertake Stage 2 investigations due to their sensitivity or complexity.

Customers have the right to contact the Housing Ombudsman at any stage of the complaints process although the Ombudsman will generally not investigate complaints unless we have investigated and responded at both stages of our process.

Where customers raise additional complaints during the investigation, these will be incorporated into the stage 1 response if they are related and the stage 1 response has not been issued. Where the stage 1 response has been issued, the new issues are unrelated to the issues already being investigated or it would unreasonably delay the response, the new issues will be logged as a new complaint.

5.2 Exclusions

We do not have a blanket exclusion policy and will consider each complaint individually. Exclusions are set out in the Complaints Policy. Where an issue falls outside the complaints process, the reason will be clearly explained to the customer and they will be advised of their right to contact the Housing Ombudsman.

When a decision is made not to deal with an issue through our complaints process, the full reasons for this will be clearly explained to the customer and they will be advised of their right to contact the Housing Ombudsman Service regarding our decision not to investigate.

5.3 Timescales for acknowledgment and response

All timescales for acknowledging and responding to complaints are in line with the Housing Ombudsman Complaint Handling Code:

	Acknowledgement	Response
Stage 1	Within 5 working days of the complaint being received by the business	Within 10 working days of the complaint being acknowledged
Stage 2	Within 5 working days of the escalation request being received by the business	Within 20 working days of the complaint being acknowledged

The Housing Ombudsman Complaint Handling code defines acknowledgement as a complaint being acknowledged, defined and logged.

The Code refers to 'working days' and not calendar days. For the acknowledgement timescales, the day the complaint is received is day zero of the 5 working days.

If a complaint is received on a non-working day or outside of working hours, for example, a complaint received at 11pm, the date received would be counted as the next working day within

our working hours. For clarity, our working hours are 8am to 5pm Monday to Friday, excluding bank holidays.

If an extension to the response timescale is needed when considering the complexity of the complaint at Stage 1, we must inform the customer of the expected timescale for response and maintain a record of this communication on the case file. Any extension must be no more than 10 working days without good reason, and the reason(s) must be clearly explained to the customer. At Stage 2 an extension must be no more than 20 working days.

When we inform a customer about an extension to these timescales, they must be provided with the contact details of the Ombudsman.

Where a response to a complaint will fall outside the timescales set out in this procedure, we must agree with the customer suitable intervals for keeping them informed about their complaint. A record of this discussion and agreement must be kept on the case file.

5.4 “The complaint definition”

The Housing Ombudsman Complaint Handling code requires us to agree the ‘complaint definition.’

When a complaint is responded to at either stage of our process, we must include our understanding of the complaint and the outcomes the customer is seeking. If any aspect of the complaint is unclear, the customer must be asked for clarification.

When a complaint is acknowledged at either stage, we must be clear which aspects of the complaint we are and are not responsible for.

Where necessary, colleagues should contact the customer to confirm their understanding of the complaint and the outcome the customer is seeking.

5.5 Responses

Complaints responses should be written in plain English and must include the following information:

	Stage 1 Responses	Stage 2 Responses
a)	The complaint stage	The complaint stage
b)	The complaint definition	The complaint definition
c)	The decision on the complaint	The decision on the complaint
d)	The reasons for any decisions made	The reasons for any decisions made
e)	The details of any remedy offered to put things right	The details of any remedy offered to put things right
f)	Details of any outstanding actions	Details of any outstanding actions
g)	Details of how to escalate the matter to Stage 2 if the individual is not satisfied	Details of how to escalate the matter to the Ombudsman Service if the individual remains dissatisfied.

	with the response and details of how to contact the Housing Ombudsman	
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All complaint responses, at both Stage 1 and Stage 2 must:

- show empathy and respect
- address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law, and good practice where appropriate.
- be evidence based using available records
- be provided in line with any reasonable adjustments agreed
- consider any known vulnerabilities we should have considered in our service delivery and complaint handling
- consider performance against our policies, procedures, service standards or other legal or contractual obligations including obligations set out in the tenancy or occupancy agreement.

A complaint response must be provided to the customer even when the answer to the complaint is unknown, not when the outstanding actions required to address the issue are completed.

Outstanding actions will be tracked and monitored to ensure they are actioned promptly with appropriate updates provided to the customer.

Where possible, complaints should be resolved at the earliest opportunity while ensuring the complaint is formally logged and managed through this procedure.

5.6 Putting things right

Where something has gone wrong, we must acknowledge this and set out the actions we have already taken, or intend to take, to put things right.

These can include:

- Apologising and acknowledging where things have gone wrong
- Providing an explanation, assistance or reasons
- Taking action if there has been delay
- Providing a financial remedy
- Changing policies, procedures or practices

Any remedy offered must take account of the guidance issued by the Ombudsman and reflect the impact on the customer caused by any fault identified. Please refer to the Remedies and Compensation policy and procedure.

In line with the Complaint Handling Code, appropriate remedies can be provided at any point in the complaints process without the need for escalation.

5.7 Complaint Records

All complaints must be logged on the housing management system at the point they are identified, and the outcomes at each stage. This must include the original complaint, and the date received, all correspondence with the customer, correspondence with other parties, and any relevant supporting documentation such as reports, photographs or surveys.

6. External Review

If a customer exhausts our internal complaint process and is unhappy with our response at Stage 2, they can refer the matter directly to the Housing Ombudsman Service, relevant Ombudsman Service and/or First Tier Tribunal.

Customers are advised of the external review option available to them in their response letter from our Customer Care Team. The team can provide further information and support in accessing these options if required.

6.1 Housing Ombudsman Service

The Housing Ombudsman Service (HOS) is set up by law to look at complaints about the housing organisations registered with them. The service is free, independent, and impartial for customers and we are members of the scheme. We must follow the HOS Complaint Handling Code and publish our Self-Assessment on complaints our website and annually review this.

Customers are normally expected to refer their complaint to the Housing Ombudsman within six months of receiving our final response and must do so by using one of the options detailed in this section.

There is a dedicated GSA postholder for liaison with the HOS, this postholder is responsible for providing the Ombudsman with copies of policies, procedures, and relevant complaint documentation and evidence as requested within the timescales set.

We will maintain records of all enquiries from HOS and monitor all action taken in relation to the referral. Any new case documents including the Ombudsman's acknowledgement and final determination will be saved in the corresponding electronic case file, as well as in the relevant case file within the housing management system.

6.2 First Tier Tribunal

If a customer is unhappy with our complaint response specifically regarding rent or service charges, they may be able to refer the matter to the First Tier Tribunal Property Chamber. We will make details of these services available upon request.

The First Tier Tribunal Property Chamber will advise the customer when they may not be able to assist, for example, a customer with an affordable rent or intermediate rent tenancy is not entitled to have their service charge reviewed by the First Tier Tribunal Property Chamber.

6.3 Home Warranty Body

Home buyers who are not satisfied after receiving the response to their complaint can refer their complaint for further external review to the Home Warranty Body. If the complaint falls outside the Warranty dispute resolution scheme, the customer will be offered access to the Independent Dispute Resolution Scheme.

6.4 Considerate Constructors Scheme

Our construction sites and companies, and those of the partners and firms we work with, are all registered with the Considerate Constructors Scheme.

Any complaints received by the scheme will be dealt with by the Scheme's public liaison officer who will mediate between the customer and the relevant site or company manager until the matter has been satisfactorily resolved.

7 MP and Councillor Enquiries

All Member Enquiries (from MPs or Councillors) are received by and responded to by the Customer Care Team. We manage Members Enquiries in the same way as if a customer had made contact. Often, Members Enquiries start as enquiries and lead to service requests being raised.

An MP or Councillor enquiry case will be created and used to record and monitor all action taken. All relevant case documents will be saved in the electronic case file, a scanned copy of the enquiry letter and a copy of our response, for example.

If Members express dissatisfaction on behalf of a customer with our approach to resolving a service request the customer must be given an opportunity to make a complaint. The Customer Care Team will contact the customer and confirm if they want us to investigate and respond to the issue as a complaint. We should continue our efforts to resolve the service request even if a complaint has been

All third-party enquiries from MPs or Councillors for information about a customer must be made in writing to ensure the request is authentic and with the correct authority to discuss in place.

An appropriate manager or director should sign off all responses which are:

- high profile
- complex or
- involve reputational risk.

8 Complaints made by Third Parties

Where a complaint is made through or by a third party, a relative, friend or advocate for example), we need to establish the third party is acting with the consent of the individual concerned and obtain a signed authority to act form before proceeding if the complaint includes reference to personal information. The consent form is available on the intranet here [Authority to act on a customer's behalf form.pdf](#).

In cases where the person affected is assessed as lacking capacity to consent, we may ask the third party to provide evidence of an appropriate power of attorney. If they don't have the relevant power of attorney, we would make, and record, a best interest's decision as to whether the information should be shared.

Complaints made on behalf of deceased GreenSquareAccord customers will be accepted where necessary legal authorities are in place to share information (such as power of attorney) or the complainant is a personal representative of the deceased. This is a role set out in law and usually the person who holds the probate documentation (such as the Grant of Probate or Letters of Administration) or is named as executor in the deceased's will.

In the case of a child, the representative must be a parent, guardian or other adult person who has care of the child. Where the child is in the care of a local authority or a voluntary organisation, the representative must be a person authorised by the local authority or the voluntary organisation.

If authorisation is not received within two weeks the Customer Care Team will send a reminder as to why it's needed and asking for it to be returned.

9 Potential safeguarding concerns

Where a complaint relates to a potential safeguarding matter, it is important the agreed safeguarding reporting processes are followed, as detailed in our Safeguarding Policy and Procedure.

All such complaints must be logged at the point of receipt, with contact with the complainant to explain that investigations may be delayed while we await approval to proceed with our internal investigations. In matters referred to the Police, this may require Police approval.

10 Complaints about Contractors or Third Parties

As a member of the Housing Ombudsman scheme, we are responsible for ensuring any third parties handle complaints in line with the Code. In any circumstance where a complaint is made about a contractor, it will usually be investigated and managed by GSA through liaison with the contractor.

11 Unacceptable Behaviour

We have a policy and procedure in place for managing unacceptable behaviour from customers and/or their representatives.

Any restrictions placed on contact due to unacceptable behaviour must be proportionate and demonstrate regard for the provisions of the Equality Act 2010. We must be able to evidence reasons for putting any restrictions in place and must keep restrictions under regular review.

12 Learning

We want to demonstrate a culture of learning and continuous improvement. Underpinning this are principles of honesty and transparency, acknowledging where we have got things wrong and taking steps to learn from incidents to reduce the risk of recurrence. It is also important we learn lessons from cases which occur in other organisations, taking proactive action to review implications for us and taking action to address any risks or issues.

We collate and share learnings from complaints across teams, to drive service improvements and to inform changes to policies and procedures.

Evergreen sessions are used to review complex and serious complaints with those involved and collate and tracks actions necessary for service improvement.

On a quarterly basis, a thematic report will be shared across the business, focused on learning from themes identified in complaints and determinations made by the Housing Ombudsman Service. We will use operational newsletters and colleague communications including the Voice of the Customer webinars to share themes and learning.

13 Monitoring and Review

We want to know the complaints service we're providing meets our customers' needs, and the targets we set ourselves ensure we're always striving for service improvement. Performance on complaints is reported in our performance dashboard and through more detailed reporting by the Customer Care Team.

In line with the Housing Ombudsman Complaint Handling Code, we will produce an annual complaints performance and service improvement report for scrutiny and challenge, which must include:

- our annual self-assessment against the Code to ensure our complaint handling policy remains in line with its requirements.
- a qualitative and quantitative analysis of our complaint handling performance. This must also include a summary of the types of complaints we have refused to accept.
- any findings of non-compliance with the Code by the Ombudsman.
- the service improvements we have made as a result of the learning from complaints.
- any annual report about our performance from the Ombudsman; and

- any other relevant reports or publications produced by the Ombudsman in relation to our work.

We will also ensure we share complaints data with customers through our Resident Annual Report. This will include the type of complaints received and how they have learnt from complaints to continuously improve services.

In line with their new statutory powers, we will also be monitored by the Housing Ombudsman who will ensure:

- our Board has scrutinised and challenged our compliance with the Code, complaints handling performance and learning from complaints and published the outcome on our website.
- we comply with the Code in policy, and any deviations are explained and are reasonable.
- we comply with the Code in practice.

14 Training

All operational colleagues will be suitably trained in the importance of complaint handling. This training will be dependent on role and will vary from complaint awareness for all colleagues to more in-depth training for colleagues involved in complaint handling, including the Customer Care Team.

15 Responsibilities

The responsibility for the delivery of our complaints service is not limited to one team; it spans across all departments of the business and post holder levels. This table sets out the different process owners and parts they are responsible for.

Who	What
Board and Executive Team	<ul style="list-style-type: none"> • Policy approval and ensuring Code compliance. • Approval of annual Self-Assessment and Complaint Performance and Service Improvement report • Oversight of complaint performance
Operations Committee	<ul style="list-style-type: none"> • Delegated responsibility for scrutiny of complaints performance • Ensuring the voice of the customer is heard through complaints feedback • Ensuring regulatory compliance • Responsibility to escalate issues and concerns to the Board
Member Responsible for Complaints ('the MRC'); a member of the governing body	<ul style="list-style-type: none"> • The MRC is the Chair of Operations Committee and has lead responsibility for complaints to support a positive complaint handling culture

	<ul style="list-style-type: none"> The MRC is responsible for ensuring the Board has information which provides insight on complaint handling
Director of Customer Experience	<ul style="list-style-type: none"> Assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures which require revision. Oversee completion of the Annual Self-Assessment against the HOS Complaints Handling Code and annual complaints performance and service improvement report
Leadership Team	<ul style="list-style-type: none"> Promote a positive complaint culture Lead, support and implement policy change Performance scrutiny through Directors Group Legislation and regulation compliance
Director of Customer Experience/ Head of Customer Experience	<ul style="list-style-type: none"> Operational management and oversight of complaint function Annual review of Complaints Policy & Procedure
Customer Care Manager	<ul style="list-style-type: none"> Management of Customer Care team Policy and procedure compliance Performance reporting and monitoring Completion and cascade of learning dashboard. Training planning and delivery
Customer Care Team	<ul style="list-style-type: none"> Management, investigation & resolution of Stage 1 and Stage 2 complaints and Member Enquiries Customer liaison Identify and share learning outcomes
Heads of Service and Managers	<ul style="list-style-type: none"> Ensuring business area oversight of complaints management and resolution Lead and implement service area learning from complaints
Subject Matter Experts	<ul style="list-style-type: none"> Timely response to requests for information, guidance, and support regarding the resolution of complaints to ensure timescales are met
All colleagues	<ul style="list-style-type: none"> Customer focus Provision of information where required to complete complaint investigations, in line with timescales. Openness and transparency with a focus on learning and improvement

Appendix 1: Service Request or Complaint Flow Charts provided by Housing Ombudsman



