

Complaints Policy

6.0 Introduction

- 6.1 Lincs Rural will comply with the Regulatory Standards approach to complaints and the Housing Ombudsman's Complaint Handling Code, (*the Code*), published in July 2020, available on <https://www.housing-ombudsman.org.uk>. The objective of compliance is to provide quality affordable housing and service for Tenants, and the fair treatment of others. Compliance and self-assessment will be in accordance with Part C of the Code.
- 6.2 Tenants, and others, will be regularly informed that the Code is a guide to what is expected from Lincs Rural when making a complaint. This Complaints Policy and accompanying flow chart provides Tenants and other parties with information on how to make a complaint, and how it is handled through Lincs Rural's internal complaints procedure. The Tenancy Manager (or Head of Tenant Services, if not available) is the member of Staff assigned to take responsibility for complaint handling.
- 6.3 The Board of Management (*the Board*) and Chief Executive will proactively work with the Code to progress culture setting and intelligence for assurance, learning, and use of information to assess performance and risks.
- 6.4 Lincs Rural commits to resolving complaints quickly and learn from complaints to drive service improvements. The process will take 20 days, or in some cases 50 days, subject to complexity of issues and extenuating circumstances.
- 6.5 Complaints information will be reported to the Board on a quarterly basis, or immediately if necessary. The Complaints and Whistleblowing (Speak Out) Policies are available on www.lrha.co.uk.

6.6 Definition of a complaint

- 6.7 A complaint is defined as ***'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by Lincs Rural, its own Staff, or those acting on its behalf, affecting an individual Tenant, or group of Tenants', or other parties.***
- 6.8 Tenants or others do not have to use the word complaint in order for it to be treated as such. Staff are trained to recognise the difference between a service request or tenancy management issue, survey feedback, and a formal complaint.
- 6.9 A complaint can be reported by: telephone; in person; text message; e-mail; letter; social media; or on the website www.lrha.co.uk.
- 6.10 A complaint may not be accepted if the matter took place over six months before the complaint was received, unless it is a safeguarding or health and safety issue. Also, if legal proceedings have been commenced, or the matter, or a form of it, has been previously considered under this Policy.

6.11 **Complaints procedure**

6.12 The procedure is a two-stage process, enabling complaints to be considered in a timely manner, with the objective of achieving a fair and transparent outcome. A flow diagram summarising the procedure is available at www.lrha.co.uk, provided to all complainants, which summarises the complaints process.

6.13 A full record will be kept and the Chief Executive informed of all complaints received. A review will be completed of the outcome at each stage, for further consideration of lessons learnt and actions taken for future avoidance of similar issues, and improvement of services and working practices.

6.14 **Stage One**

6.15 The date a complaint is received is logged as the '*receipt date*'. The Stage One process commences with a written acknowledgement within 3 working days of the '*receipt date*'. The confirmation will set out including Lincs Rural's understanding of the complaint, and the outcomes being sought by the complainant. Clarification must be requested at this stage should the circumstances of the complaint be unclear.

6.16 The complaint will be promptly considered at the *receipt date*, and investigated further if necessary, with the objective of an early mutual agreement or resolution. A response to the complainant will be sent, in writing, within 10 working days from the *receipt date* of the complaint.

6.17 Should a Stage One decision not be possible within the first 10 working days from the receipt date, a written explanation will be sent, with a date by when the Stage One response should be received. This should not exceed a further 10 working days, (*20 in total*), without good reason. If no contact is received by the complainant during the first 10 working days with a resolution, or extended timeframe, the complainant can contact the Housing Ombudsman Service.

6.18 If the complaint is not resolved to the complainant satisfaction within the first 10 day, or extended 20-day period, from the receipt date, or they remain dissatisfied with the Stage One outcome, it is progressed to Stage Two.

6.19 **Stage Two**

6.20 The complainant will be informed in writing that it has been accelerated to Stage Two. The Chief Executive will consider why the complainant is not satisfied, review previous actions and information, and conduct any further investigation necessary.

6.21 A response to the complainant will be sent in writing within 20 working days from the date it was escalated to Stage Two, (*being a maximum of 40 working days from the receipt date*).

- 6.22 Should a Stage Two decision not be possible within the 20 working days from escalation, a written explanation will be sent, with a date by when the response is to be received. This should not exceed a further 10 working days, (*being a total 50 working days from the receipt date*).
- 6.23 If the complaint is complex, or against the Chief Executive, the option of assembling a Panel is available to assist in the examination of the complaint, within the Stage Two timescales. The Panel will be selected by the Chairman of the Board of Management, dependent on the nature and circumstances of the complaint, appropriately from Board Members, Independent Members, Tenants, Tenant Representatives and / or technical advisors.
- 6.24 At the completion of the process, should an agreed resolution not be possible, and the complainant remains dissatisfied, the complaint can be referred to the Housing Ombudsman Service. This should be through a 'Designated Person' within 8 weeks of the final decision, or directly by the complainant after 8 weeks.
- 6.25 A Designated Person can be a local Councillor or Member of Parliament. They may assist in identifying a way to put things right themselves, or refer the complaint in writing directly to the Housing Ombudsman.
- 6.26 **Appropriate Remedy**
- 6.27 Complaints can be resolved in a number of ways. Any remedy offer will reflect the extent of, and all service failures, and the level of detriment caused to the complainant as a result. Possible resolutions include:
- (a) Acknowledging where things went wrong;
 - (b) Providing an explanation, assistance or reasons;
 - (c) Apologising;
 - (d) Taking action if there has been a delay;
 - (e) Reconsidering or changing a decision;
 - (f) Amending a record;
 - (g) Providing financial remedy; or
 - (h) Changing policies, procedures or practices.
- 6.28 Each complaint has factors to consider in identifying an appropriate remedy, including but not limited to:
- (a) Length of time that a situation has been ongoing;
 - (b) Frequency with which something has occurred;
 - (c) Severity of any service failure or omission;
 - (d) Number of different failures;
 - (e) Cumulative impact on the complainant.
 - (f) A complainant's particular circumstances or vulnerabilities; or
 - (g) Any quantifiable losses incurred plus time, distress and inconvenience.
- 6.29 This decision on offering a remedy is taken by the Chief Executive. If accepted, a written record of what will happen, and by when, will be provided to the complainant. The actions will be reported to the Board of Management.

6.30 **Independent Housing Ombudsman Service**

6.31 The Housing Ombudsman Service is an executive non-departmental public body, sponsored by the Ministry for Housing Communities and Local government, with the responsibility to look at complaints against housing providers, including social housing.

6.32 The Housing Ombudsman Service aim is to provide relevant information and support throughout the complaints process to Tenants and other complainants, to assist in the resolution of disputes, learn from the outcomes, and foster best practice across the housing sector.

6.33 The contact details for the Ombudsman are:

Housing Ombudsman Service,
PO Box 152
Liverpool
L33 7WQ

Tel: 0300 111 3000 E-mail: info@housing-ombudsman.org.uk

6.34 **Regulatory Compliance**

6.35 The Regulator of Social Housing (RSH) provides guidance on the management of complaints in the '*Tenant Involvement and Empowerment Standard*', which requires:

- (a) Provision of choices, information and communication that is appropriate to the diverse needs of their Tenants in the delivery of all services;
- (b) An approach to complaints that is clear, simple and accessible that ensures that complaints are resolved promptly, politely and fairly;
- (c) Offering a range of ways for Tenants to express a complaint and set out clear service standards for responding to complaints. This includes complaints about performance against the standards and details of what to do if they are unhappy with the outcome of their complaint;
- (d) Informing Tenants how they use complaints to improve their service;
- (e) Publishing information about complaints including numbers, nature and outcomes each year; and
- (f) Accepting complaints made by advocates authorised to act on Tenant's / Tenants' behalf.

End of Complaints Policy.

The following procedures are for internal use only, contained in the Housing Management Policy document.

'EXCELLENT CUSTOMER SERVICE IS DEALING WITH A TENANTS COMMUNICATION QUICKLY AND EFFICIENTLY AT THE FIRST POINT OF THEIR CONTACT. THIS SHOULD BE THE MOST IMPORTANT CUSTOMER CARE OBJECTIVE OF EVERY MEMBER OF STAFF' THE FOLLOWING DOES NOT FORM PART OF THE COMPLAINTS PROCESS.

6.36 Issues highlighted in surveys and other interactions may not automatically be considered a formal complaint. Tenants and others may be unhappy with an aspect of a service or action, but have a specific response or service request, which when completed may provide the solution or satisfaction, and alleviate the need for a formal complaint.

6.37 THE FIRST POINT OF CONTACT RESOLUTION is an important opportunity to resolve any issue and will save time and money, and most importantly improve Tenant satisfaction. First, it is important to establish an open, honest, calm conversation with any concern, acknowledging the right to be frustrated with an aspect of service or action, and to challenge directly. This interaction is an opportunity to put things right first time, swiftly, at the first point of contact.

6.38 Continuous Learning and Improvement

6.39 The Leadership Team will monitor the effectiveness of complaints handling, ensuring the culture is one that prioritises complaints, giving them the appropriate level of priority through leadership.

6.40 Each quarter the Tenancy Manager will use root cause analysis on all complaints to identify themes and trends that may lead to systematic issues, serious risks or areas for improvement of the policies and procedures. A summary is reported to the Leadership Team, discussed at the Staff Performance meeting and with the Tenant Representatives at the engagement events.

6.41 Each Tenant that registers a complaint, once they have completed the process is asked how they found the experience and if they felt the outcome was fair.

6.42 A self-assessment review against the Housing Ombudsman's Complaint Handling Code will be completed by the Tenancy Manager. The review will include identified trends and issues from analysis, the Housing Ombudsman's yearly landlord performance report and any organisational learning from complaints handling. The resulting report will initially go to the Board of Management and then will be published on www.lrha.co.uk.

6.43 Compliment Policy

6.44 A Stakeholder or Tenant of Lincs Rural can register positive feedback by the same methods as a complaint. This feedback is valued for giving a balanced picture of the services provided, it will be:

- (a) Acknowledged and Tenants thanked for taking the time to contact Lincs Rural;

(b) Provided back to the Staff or contractor; and

(c) Recorded and reported to the Board of Management.

6.45 The Leadership Team will recognise high performance appropriately at the Staff Performance Meetings.