

Complaints Policy

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1.0 Policy Statement

1.1 Peter Bedford Housing Association (PBHA) strive to provide high quality person-centred services. On occasions, we may not get everything right and this may bring about a complaint.

1.2 This policy outlines the principles that PBHA will adopt when we receive a complaint, comment or suggestion: We will:

- take complaints seriously dealing with them on their merits,
- carry out an investigation considering all information and evidence carefully
- provide a written response detailing what to do if the complainant is not satisfied
- provide the name of the officer responsible for dealing with the complaint
- make our complaints process accessible to all
- deal with complaints quickly, fairly and confidentially as far as possible
- only disclose information if necessary to properly investigate the matter
- act independently and have an open mind
- take measures to address any actual or perceived conflicts of interest
- learn from our mistakes, apologise and seek to minimise such mistakes happening in the future
- use complaints, comments and suggestions to drive service improvements
- monitor and review complaints, comments and suggestions, reporting our performance in dealing with complaints to residents, staff and other stakeholders
- train our staff to deal with complaints efficiently and effectively
- keep our procedures under regular review

1.3 This policy refers primarily to “residents” making complaints, however the term resident is intended to also include other people who can access this policy as detailed in 2.4 below.

2.0 Introduction

2.1 Peter Bedford Housing Association (PBHA) is committed to giving the best possible service to people who receive our support or services. The aim of the Complaints Policy is to ensure that all complaints are fully investigated and

appropriate action is taken in terms of the individual complaint and making changes to PBHA policies and strategies.

- 2.2** We define a complaint as “An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by Peter Bedford HA, its own staff, or those acting on its behalf, affecting an individual resident or group of residents. A resident does not have to use the word ‘complaint’ for it to be treated as such. A complaint that is submitted via a third party or representative will still be handled in line with the PBHA’s Complaints policy. We will seek the resident’s consent to correspond with the third party.
- 2.3** Complaints are to be distinguished from a service request. A service request is where a resident may be unhappy with a situation that they wish to have rectified, whereas a complaint is about the service they have or have not received.
- 2.4** The procedure can be used by anyone receiving a service from PBHA. This includes tenants, participants, people using PBHA facilities, and people from other agencies who either provide services to or receive services from PBHA. It may also be used by anyone who wishes to make a complaint about any aspect of PBHA’s work, be they internal or external to the organisation. Anonymous complaints are not dealt with under this procedure but instead as feedback, if possible.
- 2.5** This is the procedure for dealing with complaints about:
- services offered by Peter Bedford Housing Association (including where delivered by sub-contractors)
 - decisions made by a worker, team or at a meeting
 - behaviour of workers employed by PBHA
 - policies made by, or behaviour of, members of the Board
- 2.6** We seek to learn from Comments and Suggestions to improve PBHA’s practice. We feed back to residents on how we have developed services following their complaint, comment or suggestion. We also consider if there are any systems changes we could make arising from a complaint.
- 2.7** When we receive feedback on surveys expressing dissatisfaction which could be considered a complaint, if possible we will reach out to the resident to resolve the issue, and ask them to consider making a complaint.

- 2.8** If further enquiries are needed to resolve the matter, or if the resident requests it, the issue must be logged as a complaint.
- 2.9** PBHA will comply at all times with its obligations under the Equality Act 2010. To do so, we may adapt usual policies, procedures or processes to accommodate an individual's needs. We will respond to all requests for reasonable adjustments fairly and appropriately, with complaints handlers trained specifically in this. Staff are all trained in Equality, Diversity and Inclusion. If any restrictions are placed on a resident's contact due to unacceptable behaviour, this will be appropriate to their needs and with regard to the Equality Act.

3.0 Principles Underlying Complaints Procedure

PBHA is a member of the Housing Ombudsman scheme and therefore adopts its Complaint Handling Code and its principals. Residents, ex-residents, applicants and their representatives can access this scheme.

- PBHA will self-assess against this code annually.
- All complaints will be considered and investigated fully, carefully, respectfully, fairly, and confidentially. Investigation managers will act independently and have an open mind. They will consider all information and evidence carefully.
- To keep the complaint as confidential as possible, information should only be disclosed if necessary to properly investigate the matter.
- If the complaint relates to legal obligations, PBHA will explain their understanding of these in the complaint outcome having sought legal advice on any redress. Any resident or participant using this complaints procedure can seek support from an advocate or friend at any stage in this procedure.
- Residents can approach the Housing Ombudsman for advice at any stage of the Complaints procedure for impartial advice and PBHA will signpost to the Ombudsman on its website, leaflets and newsletter.
- Complaints can be made in various media such as by letter, email, text message or via third parties acting on behalf of residents. Emailed complaints can be made to quality@peterbedford.org.uk, and written complaints can be made to

Peter Bedford Housing Association
242 Kingsland Road

London E8 4DG

- Complaints can also be made over social media channels set up to communicate with residents or by completing the Complaint Report Form and submitting to the above contact points.
- The person making the complaint will be kept fully informed of the progress of the investigation and the outcome.
- The resident will be asked their desired outcomes (e.g. an apology, a decision reversed, compensation, etc.).
- PBHA will ensure it manages residents' expectations from the outset where a desired outcome is unrealistic or unachievable.
- In addition to their Preferred Method of Contact, the resident can request how they are informed of progress and decisions.
- Written records will be kept about the complaint, the investigation, any meetings held and the conclusion.
- Summaries of all complaints, comments and suggestions made, and the conclusions reached following investigation, will be passed to the Chief Executive of Peter Bedford Housing Association.
- The resident will be asked for feedback at the end of the investigation, to see how satisfied they are with the outcome and investigation.
- The resident will be told what action they can take if they are still unhappy with the result or outcomes of the investigation, or if the problem reoccurs.
- If an outcome of a complaint results in changes/improvements being made to the service, the resident will be informed of this.
- Using these procedures appropriately will not prejudice residents' or anyone else's positions.

4.0 Where the Complaints procedure should be used

4.1 Wherever possible it is expected that attempts will have been made to resolve problems informally before using this formal procedure. For example, by directly raising the issue with the worker or department involved to try and agree a resolution to the problem. If the person making the complaint does not want to go down the formal route, the worker must make a note of their informal complaint on file and inform both their manager and the Information Project Manager at quality@peterbedford.org.uk. This demonstrates a best practice approach because keeping a record will help us to detect any hidden, potentially serious, issues.

4.2.1 If during the process of a complaint being submitted or investigated it comes to light that a criminal offence has been committed, the complainant will be immediately advised of their right to go to the police. It may be appropriate in such circumstances to halt the internal process until the police have fully investigated and dealt with the matter.

4.2.2 A small number of clients will repeatedly express dissatisfaction and this will not be in order to seek resolution but with the aim of engaging negatively or in a damaging way with Peter Bedford HA. PBHA aims to manage this behaviour so that staff are protected while carrying out their duties and resources are not wasted, hindering the efficient delivery of services for other residents. Repeated vexatious complaints about the same issue which have already been resolved may not be accepted. If we do not accept a complaint, we will give a detailed explanation of why to the resident.

If a client has made vexatious complaints in the past, we will not assume that their next enquiry is also vexatious. Each issue will be considered, and a decision made as to whether it is vexatious or genuine.

Where a resident is deemed to be vexatious, and as a last resort we may place restrictions on when and how that person can communicate with PBHA staff. The form of restriction we apply will be determined by the relevant senior manager and will be time limited, appropriate and proportionate to the client.

4.2.3 Complaints which relate to rent and service charge setting or where there is legal redress may also be considered using the PBHA Complaints procedure. This may give an early opportunity to resolve matters avoiding legal remedy.

5.0 Advocacy and Support for Complainant

5.1 At any stage the complainant may seek the support of a friend or advocate. The role of this person is to help the complainant express him/herself effectively and generally to offer support.

5.2 PBHA can signpost residents to advocacy services to assist them in using PBHA procedures, including the complaints procedure.

5.3 Residents can seek the assistance of an advocate even when not making a formal complaint.

5.4 PBHA workers cannot advocate for a complainant when a formal complaint has been made. They can help in writing down the details of the complaint.

6.0 Other Procedures

6.1 The following PBHA policies deal with different sorts of complaints. If the manager dealing with the complaint thinks one of these procedures is more appropriate then they should transfer over to that policy.

6.2 The Disciplinary policy – if the complaint is about a worker and is very serious then this should be used and started at the relevant stage.

6.3 Staff should raise concerns or problems relating to their work through the Grievance policy and procedure.

6.4 The Compensation policy – gives more details about how complaints relating, for instance, to late repairs or damage resulting from repairs are dealt with, giving guidelines about where PBHA will consider offering compensation.

6.5 The Anti-Social Behaviour Procedure - where a resident wants to make a complaint against another PBHA resident/service user.

6.6 The Harassment Procedure - where a service user or worker wishes to complain about offensive or intimidating behaviour that contravenes PBHA's Equality, Diversity and Inclusion Policy.

6.7 The Data policy – all complaints will be investigated with due regard to the confidentiality elements of this policy. We will ensure we have consent to divulge any information to third parties, unless there is an over-riding safeguarding concern.

6.8 Where the complaint relates to a contractor, this PBHA Complaint policy will be followed as the contractor is delivering a service on behalf of PBHA.

7.0 Whistle Blowing

7.1 There may be exceptional circumstances where the person making a complaint does not think the ordinary complaints procedure will work. This may be because of the extremely serious subject matter of a complaint, or because they have reason not to trust that it will be dealt with properly. In these circumstances they may wish to go straight to a senior manager, the Board or even outside the organisation. The Whistleblowing policy gives more information about where this might be necessary, as well as giving some ideas as to who to contact.

8.0 Record Keeping and Monitoring

8.1 A summary record of all complaints and decisions taken will be stored securely and regularly reviewed and monitored by the Chief Executive. The Information Project Manager is informed of all complaints received, is responsible for sending out an acknowledgement letter within five days maximum of the complaint being received and allocates all complaints to the relevant members of staff for investigation. The Investigation Manager keeps details of the complaint, the investigation, and the resulting action on the housing management system, SASSHA.

8.2 The PBHA Board annually receives a report of complaints, summarizing themes, performance information and service improvements arising from the learning gained from complaints received.

9.0 Complaints Procedure

9.1 Stage 1

- The procedure for stage 1 should be concluded within 10 working days of the Information Project Manager receiving full details of the complaint. Exceptionally, this can be extended by a further 10 days with good reason. The resident will be informed of the extension, the reason for this and their agreement sought. If it is not possible to agree this extension, details of the Housing Ombudsman will be shared with the resident.

- The complainant may give details of their complaint to any worker in any form, see section 3.0 above. The worker should establish if the complainant wishes this to be dealt with as a formal complaint. If the complaint is given verbally the worker can assist the resident to complete the Complaint Report Form and submit an electronic copy immediately to the Information Project Manager.
- The Information Project Manager will allocate the complaint to the relevant Investigating manager who will immediately acknowledge the complaint. If within 5 days of receipt this has not happened, the Information Project Manager will send the acknowledgement to the complainant. This contains brief accurate details around the complaint, who will be responsible for the investigation, how long the process should take, along with the organisation's Complaints leaflet.
- For more guidance on which member of staff or committee member is responsible for hearing and investigating complaints see the table in Appendix 1.
- If it is not clear from the written complaint, the Investigating manager will be expected to confirm if the resident's Preferred Method of Contact is correct e.g. in writing, by phone, or through their advocate and use this throughout the complaint. This will also apply to how they want to be kept informed of the progress of the investigation.
- If there is no response to contact from the Investigating manager, we will attempt to contact the resident 3 times before closing the complaint. We will use support contacts such as the Housing Worker or an external agency working with the resident to make contact if this proves difficult. If the complaint is closed, it can be re-opened if the resident makes contact in the future.
- The Investigating manager will decide on the most appropriate ways of investigating the complaint. In some cases, they may need to have meetings with workers or other parties. In some cases, it may be necessary to go through records, files or correspondence.
- The Investigating manager will then carry out the investigation, and update section 3 of the Complaint Report Form if relevant during the course of the investigation. They will update the Information Project Manager regularly with a summary of progress.
- When they have come to the end of their investigation the Investigating manager will discuss any adverse complaint outcome with the resident before concluding the complaint to give them an opportunity to have their response fully considered. This will also apply to any staff who may be the subject of a complaint.

- The Investigating manager will then write to the resident to inform them of their conclusions and the steps that will be taken to resolve the issue. This letter will be communicated to the resident using their Preferred Method of Contact. A copy of this letter will be sent to the Information Project Manager.
- This letter will state clearly:
 - The complaint stage
 - Which aspects of the complaint were upheld or not upheld
 - Why these conclusions were reached
 - What action is to follow as a result
 - Details of any outstanding actions
 - Details of how to escalate the matter to stage two if the resident is not satisfied with the outcome.
- The outcome letter will be issued within 10 working days.

9.1.1 After a complaint is closed, PBHA will seek residents’ feedback on the process through a telephone survey. This is likely to be outsourced to a partner provider. Three attempts to contact the resident will be made for this feedback.

9.1.2 If improvements to services are made as a result of the complaint then this will be communicated to the complainant.

9.1.3 The Information Project Manager will review the results of the satisfaction surveys with the CEO and any improvements to the procedure and policy will be acted upon. These will be reported annually to the Board in the Annual Complaints report.

9.2 STAGE 2

9.2.1 The procedure for stage 2 should be concluded within 20 working days of the Investigating manager receiving full details of the complaint. Exceptionally, this can be extended by a further 10 days with good reason. The resident will be informed of the extension, the reason for this and their agreement sought. If it not possible to agree this extension, details of the Housing Ombudsman will be shared with the resident.

9.2.2 To move to Stage 2 of the complaints procedure the complainant will be dissatisfied with the outcome of stage 1 and must specify on what grounds they are requesting to go to Stage 2. Appropriate grounds are:

- The complainant is not happy with the conclusions following the investigation in Stage 1
- Action agreed following the investigation has not been taken
- The problem raised in Stage 1 has not been adequately resolved, or reoccurs
- There is information relevant to the complaint that was not previously considered
- An occurrence following Stage 1 of the process has rendered the conclusions inappropriate or ineffective.
- The resident must request to move to Stage 2, PBHA cannot allocate a complaint to Stage 2 independently. To move to Stage 2, Stage 1 must have been completed.

9.2.3 If PBHA declines to escalate the complaint to Stage 2, an exclusion ground in 4.2.2 must apply. The Information Project Manager will write to clearly communicate the reasons for not escalating to the resident, and explain the resident has the right to approach the Housing Ombudsman about its decision.

9.2.4 The Chief Executive will allocate a member of the Senior Leadership Team, the Chief Executive or Board member to investigate the second stage complaint. This person must not be the same person who investigated the Stage 1 complaint. The manager will consider the complaint, and come to a provisional conclusion. However before concluding Stage 2 of the complaint's procedure, the investigation and proposed conclusions will be passed on for review to a designated manager outside the team conducting the investigation. Their consideration will be focused on adherence to Peter Bedford Housing Association's policies and procedures, and they will make suggestions and recommendations as appropriate, which the Investigating manager should fully consider. (Any irreconcilable differences between the managers at this stage should be referred to the Chief Executive).

9.2.5 The Investigating Manager will discuss any adverse outcome of the complaint with the person before concluding the complaint to give them an opportunity to have their response fully considered. This will also apply to any staff who may be the subject of a complaint.

9.2.6 When they have come to the end of their investigation the Investigating manager at Stage 2 will contact the person making the complaint, and the Information Project Manager, to inform them of their conclusions.

9.2.7 These conclusions will state clearly:

- The complaint stage
- Which aspects of the complaint were upheld or not upheld
- Why these conclusions were reached
- What action is to follow as a result
- Details of any outstanding actions
- Details of how to escalate the matter if the resident is not satisfied with the answer to the Housing Ombudsman or other external body, such as a funder (see Appendix 3).

9.2.8 The Complainant will be asked to complete a Telephone Satisfaction Survey as per Stage 1. All final documentation will be sent to the Chief Executive and Information Project Manager for review and analysis.

9.3 Complaints about staff

9.3.1 A complaint may be made about the conduct or decision of a member of staff. Complaints about staff will be allocated by the Chief Executive rather than the Information Project Manager. If this is a serious or a repeated matter, then the investigation may move immediately to investigation under the Disciplinary Policy, see 6.0 above. However, in more general circumstances, the complaint can be investigated under this Complaints Procedure.

9.3.2 No staff member or contractor will be identified wherever possible in any correspondence, as they act on behalf of PBHA.

9.3.3 PBHA will adhere to the principles of the Grievance policy to provide support to the staff member.

9.3.4 PBHA will strive to communicate effectively with the staff member and the complainant. This may involve:

- ensuring the staff member is supported,

- arranging a three-way meeting between the staff member, the Investigating manager and the resident to conclude the complaint and to ensure a good working relationship going forward,
- the Investigating manager will respectfully investigate before any conclusions are drawn.

9.4 Outstanding complaints

If any complaints are long outstanding, the Information Project Manager will be empowered to investigate and resolve these with agreement from the CEO.

10.0 Comments and Suggestions

- 10.1 PBHA is always keen to understand how it can improve its services and do more of the things we do well. Teams review comments and suggestions on a regular basis, and they consider any learning from them, or whether practice can and should change as a consequence. We monitor through monthly reporting and quarterly review.
- 10.2 We will report back to residents on action we have taken as a consequence of complaints, comments and suggestions through the website and newsletter.
- 10.3 Informal complaints or comments are recorded on file notes. Where relevant, complaints are stored on both resident or staff files, i.e. the complainant's and the subject of the complaint's files). The issues can be discussed in staff 1:1s to assist the staff member to resolve the informal complaint. Relevant line managers are informed via email. Staff work with residents to help them resolve their issues on their own or offer the opportunity to use the formal complaints procedure. House meetings are held (for situations where there is conflict in a shared house). Spot checks can be carried out to investigate any allegations made.

Appendix 1: Summary of who is involved in the complaints procedure

Complaint about	Investigating Manager at Stage 1	Investigating Manager at Stage 2
Individual Worker	Worker’s Manager	SeniorLeader
Operational Manager	Senior Leader	Chief Executive
Senior Leader or other worker line managed by CEO	Chief Executive	Chair of Board or other board member selected by the Chair
Service	Operational Manager responsible for that area of work or a manager allocated by the Information Project Manager	Senior Leader
Chief Executive	Chair of Board	Sub Committee of Board
Board Member	Chair of Board	Sub Committee of Board

Appendix 2: Getting it right first time, check list for successfully addressing a complaint

1. Contact made – get in quick to acknowledge receipt of the complaint. If you are unable to respond within 24hours, the Information Project Manager will send an acknowledgement within 5 days.
2. All issues identified - get the key events/facts right and research any unclear areas.
3. Keep the resident informed regularly on progress.
4. Structure – answer all the points clearly.
5. Discuss any adverse findings with the complainant before concluding.
6. Next stage clearly sign-posted – remember to include any requests for information.
7. Any failure(s) identified – if we made a mistake, admit it.
8. Personalised – use ‘we’, ‘our’, ‘you’ and ‘I’, rather than “The Association”, “PBHA”, etc.
9. Spelling and Grammar – does your correspondence read well?
10. Plain English – avoid jargon, acronyms and keep it short and simple.
11. Empathy – acknowledge how the situation may be affecting them.
12. Follow up – ensure any corrective action needed is carried out.
13. Talk within teams- make sure that every department involved with the resident knows about the complaint and works together to resolve it.
14. Always try to build trust.

Appendix 3: Examples of Agencies to investigate complaints beyond PBHA.

Usually outside bodies will expect a complainant to have exhausted the internal complaints procedure before approaching them.

A) Housing Ombudsman

Anyone who has had a complaint about a matter to do with their housing, or being turned down for housing, who is not satisfied with the outcome of the investigation at Stage 2 can contact the Housing Ombudsman. The person may be a current resident, an applicant, an ex-resident (including this person's representative) or the representative of a deceased resident.

The Ombudsman is an independent person whose job is to provide a fair and effective way of resolving complaints about a registered housing provider.

Contact details:

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

B) First Tier Tribunal (Property Chamber)

Complaints about rent and service charges will generally be considered by the Tribunal service instead of the Housing Ombudsman. [First-tier Tribunal \(Property Chamber\) - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

C) Local Authority, Greater London Authority, Health Authority, Other Funders

Some service users at PBHA are funded by other agencies. These service users also have the right to complain to their funding body if they are unhappy with the service provided by Peter Bedford HA.

If you are not sure who is funding your service, the Information Projects Manager at quality@peterbedford.org.uk will be able to help you find out.