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| SUBJECT: | APPROVAL DATE: | October 2020 |
| COMPLAINTS AND APPEALS POLICY AND PROCEDURE | EFFECTIVE DATE: | October 2020 |
| | REVIEW DATE: | 2023 |

1. INTRODUCTION

For ease of reading this Policy is written with “we” referring to THA and “you” referring to the complainant who is usually but not always a tenant.

THA recognises that decisions we make can have an impact on the lives of our tenants, leaseholders and applicants on our housing waiting lists. We endeavour to provide all our service users with a service that is of a high standard and which is fair and equitable but sometimes things can go wrong and mistakes can be made. When you are unhappy with a service you have received from THA we would like to know about it and we have developed our policy and this procedure to enable you to understand the complaints process and to assist with the resolution of any grievances. This policy aims to ensure:

- That complaints are dealt with in a prompt and efficient manner and that all complainants are treated fairly and with courtesy.
- That the complainant is kept informed of the progress of the complaint during all stages of THA’s internal complaint process
- That complaints are recorded and monitored with the aim of improving services
- That complaints are dealt with in the timeframe set out within and in accordance with this policy
- That responses to complaints are constructive and effective and that lessons are taken from each complaint (where appropriate) and are used to shape service delivery and develop policy

The Association has a Tenants Service Charter which reinforces our commitment to maintaining and where possible improving the services we provide to all service users. We will continue to consult tenants about our services and seek further improvements where possible.

A summary of this Policy and Procedure is in the Tenants Handbook Section 15 “What happens when things go wrong?” and can also be found on our website.

2. WHO CAN COMPLAIN?

Our Complaints and Appeals Policy and Procedure is available to everyone who receives or requests a service from THA and people acting on their behalf. This includes:

Tenants
Leaseholders
Applicants for housing
Neighbours of THA properties
Councillors and MP's
Legal Representatives
Citizens Advice Bureau and other similar advocacy agencies

This list is not exhaustive and requests for information about complaints and who can complaint will be considered on a case by case basis.

3. WHAT IS A COMPLAINT?

A complaint is defined by the Housing Ombudsman as an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents

You can complain about any act or omission by THA that you feel has disadvantaged you. Any level of dissatisfaction may be treated as a complaint. This may include:

- Dissatisfaction with our policy or practice
- Failure by us to meet our legal duty as a landlord
- Dissatisfaction with the way THA has reached a decision or with the actions taken in implementing that decision
- Complaints about THA staff behaviour, performance or attitude
- Complaints about contractors or other representatives appointed by THA who you feel have performed below expected standards
- Complaints about our administrative process including delays in responding to your queries
- Failure to provide a service that we state we offer
- Failure to achieve the standards or quality of service we state we offer

We will not treat the following as a complaint:

- First requests for a service such as the first report of a repair
- Requests for information or explanation of THA policy or practice
- Any matter which is already being (or has been) dealt with by a solicitor or other legal body
- Complaints that have already been through the complaints process or which, in THA's opinion, are being pursued in an unreasonable manner (e.g. multiple complaints from tenants about the same matter when only one person has been directly affected)
- Matters that are being (or have been) dealt with by our insurer
- Complaints that fall outside our jurisdiction (e.g. complaints about utilities)
- Complaints being made about a service failure that should have been reported earlier (e.g. a repair was not reported until it was in a serious condition)

4. HOW TO MAKE A COMPLAINT

To make a complaint you can contact any member of the team either in person, by telephone or in writing and via e mail. If you are unsure who to contact, you can submit your complaint via e mail to the enquiries inbox and it will be passed to one of the Managers for investigation and a response.

enquiries@teachershousing.org.uk

In very serious cases (for example when you are making a complaint against a member of staff) you may ask for your complaint to move to Stage 1 straight away, details of which are outlined below.

Where a conflict of interest occurs and you are unable to report your complaint to a member of staff due to their involvement in your complaint so far, appropriate arrangements will be made to have your complaint investigated by another Housing Manager or a member of the Senior Management Team.

If you wish to complain you can do so in a way that is most convenient for you (by phone, email or writing a letter).

Anonymous complaints will be treated in the same way as any other complaint subject to the constraints imposed by the complaint being anonymous. We would prefer complainants to provide their details so we are able to fully investigate their concerns.

If you have difficulty writing, please contact us so that we can arrange appropriate assistance for you in submitting your complaint. We will respond positively to any request for a translation service whether this is written or verbal.

Where do you complain?

You can contact us at the Association's registered office at:

THA
Rugby Chambers
2 Rugby Street
London
WC1N 3QU

Telephone: 020 7440 9440

Fax: 020 7404 3322

Email: enquiries@teachershousing.org.uk

Reasonable Adjustments

THA is committed to ensuring that all tenants can access its services equally and its Equality, Diversity and Inclusion Policy sets out the ways in which we will assist tenants with reasonable adjustments where they face obstacles in accessing the services we provide.

5. HOW COMPLAINTS OR APPEALS ARE DEALT WITH

The Complaints Procedure below explains the stages of making a complaint. If we fail to respond to you within the response times stated, then you have the right to progress your complaint to the next stage of the procedure.

An Annual Report on complaints is provided to the Committee and any policy changes arising from complaints received are highlighted in this report.

In certain circumstances, THA's Management Board will consider compensating complainants. Details of this are provided in our Compensation Policy.

6. CONFIDENTIALITY

All complaints and appeals are treated in the strictest confidence. If you wish, we can conduct a face to face interview with you at your home or at one of our offices as part of our investigation in to your complaint.

7. IF YOU ARE STILL DISSATISFIED

We want to solve any complaint that you have as quickly as possible. We would hope that you contact us in the first instance to discuss any difficulties you are facing and allow us to sort the problem out as quickly as we can. We believe that normally this will be the quickest and most effective way of resolving matters.

MEDIATION

The Association will consider the use of authorised mediators to assist with the resolution of some complaints. Mediators will be appropriately trained and will only be appointed with the complainant's approval. Mediation services are available across the country and we will always seek to identify a service that is local to the complainant.

REMEDIES

There are various ways THA may seek to resolve your complaint, these include but are not limited to:

- acknowledging where things have gone wrong
- providing an explanation, assistance or reasons
- apologising
- taking action if there has been a delay
- reconsidering or changing a decision
- amending a record
- providing a financial remedy
- changing policies, procedures or practices

ADVICE

You may wish to seek advice regarding your complaint at an advice centre (such as a Citizens Advice Bureau (CAB) or Law Centre). Your advice centre may be able to assist you in making your complaint, for example they may help you by offering advice or advocating on your behalf. You should seek advice on what services are available in your local area when making your complaint.

THE COMPLAINTS PROCEDURE

Initial Contact

We hope to resolve most of our complaints at this stage. When you call the office or contact us in person you will be asked about the nature of your complaint or how you are dissatisfied. The member of THA staff dealing with your complaint will log the details of your complaint and forward this information to the most appropriate Team or person within THA. Your complaint will be dealt with within 10 working days and the outcomes reported back to you. You will be asked at this stage if you are satisfied with the conclusion and if so, your complaint will be closed. Complaints that are resolved satisfactorily at this stage will not be reported to THA's Management Board. .

Stage 1

Contact any member of the team

If you cannot resolve matters with the relevant member of staff at the initial contact stage, and you wish to escalate the matter you should notify THA via letter, phone, fax or e-mail. You should provide as much information as you can about the nature of your complaint and what you would like the Association to do about it. You should provide this information within one month of your initial contact and within six months of the issue which you wish to make a complaint about. If there are circumstances that prevent you from submitting your complaint within this timeframe, please let us know.

The complaint will normally be dealt with by one of our Managers who will investigate the complaint and provide you with a written response normally within ten working days from receipt of your complaint at Head Office. If it seems likely that your complaint will take more than ten working days to reply to, you will be written to giving the reasons for the delay and details of when you can expect a full reply which will be no more than a further ten working days from the date of the original deadline.

Stage 2

If you are not satisfied with initial decision

If you are not satisfied with the initial decision, you can progress your complaint to Stage 2. You will need to submit details of why you are dissatisfied with the Stage 1 response in writing within 3 weeks from receiving the initial decision. Complaints reaching this stage will normally be dealt with by one of our Directors.

You should set out all of the relevant points of your complaint and why you remain dissatisfied and provide documentation, photos etc. where appropriate. The investigating office will thoroughly investigate all of the points you raise and consider the initial response and may contact you to discuss your complaint in more detail.

Once this review has been concluded you will receive a written response, normally

within 20 working days. If it seems likely that your complaint will take more than 20 working days to reply to, you will be written to giving the reasons for the delay and details of when you can expect a full reply which will be no more than ten working days beyond the date of the original deadline.

In some circumstances and at the discretion of the Chief Executive, the deadline for requesting your complaint be considered at Stage 2 may be extended.

The Stage 2 response, once issued, represents the end of THA's internal complaints process. However, if you remain dissatisfied with our handling of your complaint you have the right to have your complaint reviewed by the Housing Ombudsman.

If you are not satisfied with the decision at the end of THA's internal complaints process and you wish to contact the Independent Housing Ombudsman Service you must do so within 12 months of the Stage 2 decision.

The address for Housing Ombudsman Service is:

Housing Ombudsman Service
PO Box 152
Liverpool
L33 7WQ

Residents can still contact their MP or local Councillor about a complaint, but the designated person role will not be part of our formal process. We will respond to the MP or the Councillor as per the response timeline set out in THA's internal complaints process.

Contact the Independent Housing Ombudsman Service

You can contact the Housing Ombudsman Service at any Stage of your complaint, not only at the point you have exhausted THA's Complaints and Appeals Policy. The Ombudsman's Dispute Support Advisors can assist you during the life of your complaint.

Telephone: 020 7421 3800

Email: info@housing-ombudsman.org.uk

Web site: www.ihos.org.uk

Monitoring of Complaints

THA's Management Board receive reports on the number of complaints that have progressed through the formal complaints procedure twice per year. Information relating to THA's performance regarding complaints can be found contained within our latest Annual Report, available on our website and in hard copy on request.

THA's Complaints and Appeals Policy is compliant with the Housing Ombudsman's Complaint Handling Code.