



East Kent Housing Complaints policy

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Complaints policy

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East Kent Housing Complaints procedure (flow chart)

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1. Introduction

- 1.1 We believe that complaints should be dealt with promptly and effectively and wherever possible at the first point of contact. This Policy sets out our approach to managing complaints, enquiries and other types of feedback, and has been written in accordance with the Regulator of Social Housing's guidance on Consumer Standards.

2. Aim of this policy

- 2.1 We aim to offer a simple, clear and accessible service that ensures complaints are dealt with fairly, impartially and consistently when things go wrong.
- 2.2 We believe a complaint should be dealt with in a timely manner and, if possible, offer a 'first point resolution' to resolve the issue straightaway without the need to go through a formal process.
- 2.3 However, should you wish to make a formal complaint, we aim to ensure it is clear what you need to do, how you can be supported in making your complaint and how you can escalate your complaint if you are not satisfied with our response. This policy explains how to do this.
- 2.4 It is also an aim of this policy that complaints relating to Health and Safety concerns are prioritised ahead of other complaints so that these concerns can be addressed quickly and effectively.

3. What is a complaint?

- 3.1 We encourage you to give feedback if you are dissatisfied with the service you have received. This will help us to address the problem and prevent it from happening again. However, for the purpose of this policy, we define a complaint as being:

"An expression of dissatisfaction regarding the action, lack of action or standard of service received from East Kent Housing or any person(s) or company acting on behalf of East Kent Housing or its client Councils."

- 3.2 Examples may include:

- delays in responding to enquiries and requests
- failing to provide a service that would usually be our responsibility to provide
- failing to meet the service standards we have promised to deliver; and/or
- failing to follow our own procedures

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3.3 We will not deal with the following through this policy:

- requests for specific services (for example first reports of a repair or neighbour nuisance);
- appeals or disputes for decisions made under other EKH policies, procedures or processes;
- issues that are in court or have already been heard by a court or tribunal, or where legal action has been taken;
- insurance claims including personal injury claims, or claims that would normally be covered by home contents insurance
- complaints about contractors, where they have not had the opportunity to address the complaint in the first instance (see Contractor complaints below)

3.4 Where issues do not fall under the scope of this policy, we will explain why these will not be handled as a complaint and, where appropriate, advise you of the best course of action.

4. How we deal with complaints

All complaints received will be triaged at first point of contact. Any complaints relating to Health and Safety concerns will be acknowledged immediately and an appropriate response made within three working days. Non-Health and Safety complaints will be dealt with as follows:

4.1 First point resolution

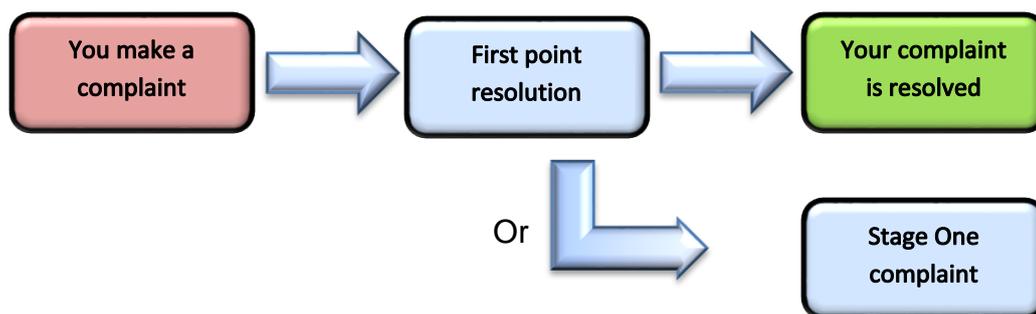
4.1.1 If you tell us you are unhappy, our priority is to put things right for you. Our 'first point resolution' is about finding a quick and effective solution without the need for lengthy investigations or correspondence. In these cases we will agree a reasonable outcome with you and inform you of any associated timescale.

4.1.2 If we think we can resolve your issue quickly, or feel a formal investigation is unnecessary, we will telephone you as soon as possible to let you know. We will treat your complaint with additional urgency if your complaint is a Health and Safety concern.

4.1.3 If we are able to put it right for you at this point we will class your complaint as resolved and no further action will be taken. However, if you tell us we have not put it right to your satisfaction, we will inform you of the next steps in-line with this policy.

4.1.4 In all instances complaints will be logged centrally to identify patterns and trends to support learning and improvements to our services.

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4.2 Stage One Complaints

4.2.1 When you submit a formal complaint, it will be recorded and acknowledged within two working days from the date of receipt. You will receive an automated response if you submitted it by email or a written postal response if you submitted it by post. Your complaint will be dealt by a dedicated complaints officer who will carry out a thorough and impartial investigation.

4.2.2 We aim to respond to you in full within ten working days from the date of receipt. If it is not possible to resolve your complaint within this time, we will keep you informed of our progress and advise you how long the investigation will take.

4.3 Stage Two Complaints

4.3.1 If you are not satisfied with our response to your complaint we will escalate it to the next stage of our complaints process. Your complaint will be reviewed by the Chief Executive or a Director independent of the initial investigation. They will make a decision and advise you of any further action they intend to take.

4.3.2 The Chief Executive or Director will aim to provide you with a full response within ten working days from the date of receipt of your stage two request. As with Stage One, if it is not possible to resolve your complaint within this time, they will keep you informed of their progress and how long the investigation will take.

4.4 Independent review

4.4.1 If you are unhappy with the outcome of your complaint or the way we have dealt with it, you can ask a 'designated person' to consider it. However, you can *only* refer your complaint to a designated person if it has already been through our two-stage complaints procedure (as listed above). Your local Councillor or MP can act as a 'designated person' and details of how to contact them can be found on your local council website.

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4.4.2 A local Councillor or MP acting as a 'designated person' may ask us to look at the complaint again or refer your complaint to the Housing Ombudsman to investigate. They do not have the power to make a decision regarding the outcome of your complaint.

You do not need to refer your complaint to a designated person and you can go straight to the Housing Ombudsman if you wish. See paragraph 4.5 below

4.5 Housing Ombudsman

4.5.1 You may also refer your complaint directly to the Housing Ombudsman service. However, they are unlikely to consider your complaint unless it has already been through our complaints process and/or a period of at least eight weeks has passed since the end of our complaint process. Details of what the Housing Ombudsman service is and what it does can be found on their website:

5. What happens next?

5.1 An opportunity to apologise and redress

If your complaint is either fully or partially upheld, a range of remedies will be considered to put things right, which may include one or more of the following:

- an apology for any failings or distress caused;
 - an explanation giving a full answer to all points raised in the complaint;
 - an assurance that every effort will be made to ensure the same thing does not happen again;
 - action taken to put things right to demonstrate that the complaint has been taken seriously;
 - a review of our policies and/or procedures;
 - staff guidance or training; and
- in *exceptional* circumstances
- financial or other forms of compensation or reimbursement (see below)

5.2 Discretionary compensation

5.2.1 Financial or other forms of compensation or reimbursement will *not* be used because something went wrong, but may be considered where we have not been able to put it right.

5.2.2 Discretionary compensation will *only* be considered where service failure has been identified that causes exceptional inconvenience, stress, disturbance or annoyance. Any offers of discretionary compensation will be made on the basis that it does not constitute an admission of legal liability.

5.2.3 No compensation will be awarded unless it has been agreed and approved by the Chief Executive or a Director of East Kent Housing.

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5.2.4 Compensation may be awarded by one of our contractors as a result of a complaint made directly to them. If this is the case it will be agreed and authorised by the contractor independently, and is not governed by this policy. (See Contractor complaints below)

6. Contractor complaints

6.1 We currently employ the services of a number of contractors to carry out work for us. If you are complaining about the conduct or service provided by one of our contractors, we ask that you refer your complaint directly to them.

6.2 We give our contractors the opportunity to respond to complaints in the first instance in order that they redress and resolve the issue(s) themselves. However, if you are unhappy with the response you have received from the contractor, then you may complaint to us direct under this policy.

7. MP and Councillor Enquiries

7.1 Complaints and enquiries from Members of Parliament or local Councillors will be logged and acknowledged in the same way as other complaints.

7.2 Where an MP or Councillor is acting on behalf of a constituent, the same opportunities for redress and learning will be applied as to other complaints outlined in this policy.

8. Persistent or vexatious complaints

8.1 A very small minority of customers make complaints that are vexatious, in that they persist unreasonably with their complaint(s) even after a decision has been made. We will always attempt to deal with these cases sensitively and professionally, but in rare cases where a complainant's behaviour is deemed to be unacceptable or unreasonably persistent, we may impose restrictions on the type and/or nature of contact with the complainant in order to manage the situation more effectively.

8.2 Should we decide to impose restrictions on you following unreasonable or persistent behaviour, we will aim to do this in a way, wherever possible, that allows your complaint to progress to completion through our complaints process. In all cases, a decision to impose restrictions will be taken by the Chief Executive or a Director, who will write to inform you of the decision and explain the reasons why.

8.3 If you have made unreasonable or persistent complaints in the past, we will not assume that your next complaint will be unreasonable. Each case will be considered on its merits and all relevant correspondence will be evaluated before any action is taken.

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9. Providing assistance

9.1 We recognise that sometimes our customers need help to raise their issue with us or to have someone act on their behalf. If you require additional assistance we will, wherever possible, make reasonable adjustments to make it easier for you to raise your complaint. Your needs will be considered on a case-by-case basis and if we are unable to provide assistance, we will provide you with advice about who may be able to help (see below).

9.2 Advocacy

9.2.1 We will refer you to relevant service or support agencies if we are not able to help or where we feel this would be more appropriate. We welcome the use of advocates or third parties to support a complainant and recognise that this may be helpful for vulnerable individuals. However, we do not accept the use of lawyers as this is then a litigation process and is excluded from our Complaints procedure.

9.2.2 If you are making a complaint through an advocate or third party, we may ask for your written consent before we deal with them directly.

9.2.3 To find out more information and make a referral, visit the [Kent Advocacy website](#).

10. Learning from complaints

10.1 We believe that a complaint is an opportunity to learn about what we need to do to improve. We therefore want to learn from all the complaints and feedback we receive to make improvements where appropriate and help shape the service we provide to you.

11. Monitoring and review

11.1 In order to do this effectively, we will record and monitor every complaint including details such as what the complaint was about, how it was resolved, how quickly it was resolved and what we learnt.

11.2 We will maintain a performance management framework that monitors, reports and reviews performance in complaints handling. We will carry out regular reviews of our policy to ensure that it meets Best Practice and reflects current procedures.

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East Kent Housing Complaints procedure

First Point Resolution

It is our intention to resolve all complaints at the earliest possible stage. If you are unhappy with the service we have provided or with the way we have dealt with you, we will try to resolve the problem immediately and put things right. If you are not satisfied we have resolved your complaint, we will investigate this at Stage 1 of our complaints procedure.

Health and Safety complaints will be acknowledged immediately and responded to within three working days

Stage 1

Stage 1 complaints will be logged and responded to by a designated complaints officer who will carry out a thorough and impartial investigation. They may discuss the problem further with you, and ask how you would like the problem to be dealt with. Your complaint will be acknowledged within **two** working days and a full response made within **ten** working days from the date of receipt.

Stage 2

If you are not satisfied with our response to your complaint we will escalate it to Stage 2. Your complaint will be reviewed by a senior manager independent of the initial investigation. They will make a decision and advise you of any further action they intend to take. Your complaint will be acknowledged within **two** working days and a full response made within **ten** working days from the date of receipt.

Independent review

If you are unhappy with the outcome of your complaint or the way we have dealt with it, you can ask a 'designated person' to consider it, but *only* if it has already been through our complaints procedure (above). A local Councillor or MP act as a 'designated person' and may ask us to look at the complaint again, or refer your complaint to the **Housing Ombudsman** to investigate.

Complaint Resolved