

Complaints and compliments policy	
Document Owner: Director of ICT & Change	Document No: CE-PL-001
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1.0 Introduction

- 1.1 This policy sets out Beyond Housing’s approach to receiving and responding to complaints and compliments.
- 1.2 We are committed to proactively hearing when we get something wrong and working with customers to resolve complaints in a consistent, fair, impartial, and transparent way – in compliance with the Housing Ombudsman’s Complaint Handling Code. We also want to hear when something is great, through compliments.
- 1.3 We are keen to understand where we need to improve the service we provide. Both positive and negative feedback can help us understand what we can do differently to improve our service in the future.
- 1.4 We aim to deliver an excellent customer experience in line with our corporate strategy to provide quality services to customers. If we fail to do this, we will:
- Apologise
 - Accept responsibility where we have failed
 - If in our control, we will put things right. Where we are unable to control or influence the issue, we will explain and signpost to the relevant agencies/partners where possible
 - Listen to complaints and take effective action to prevent the same thing from happening again and learn from the experience.
- 1.5 This policy outlines:
- How we will resolve complaints
 - How a customer can escalate a complaint if they are unhappy with the decision or outcome.

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2.0 Policy objectives, key performance indicators (KPI) and reporting

2.1 Customers should expect to receive the best customer experience from Beyond Housing. When things go wrong, we will:

- Make it easy for customers to tell us when they are not happy
- Manage and resolve complaints in a timely and effective way
- Work collaboratively and with partner organisations and other external agencies to provide comprehensive and clear resolutions
- Use and understand all complaints data to help improve services and reduce the level of complaints
- Be accountable in our handling and management of complaints.

2.2 Our approach to handling complaints will be easily accessible and well publicised. It will be simple and easy to understand. Customers can raise a complaint by:

- Email
- Letter
- In person at any Beyond Housing office
- By telephone
- Via our website www.beyondhousing.co.uk
- Social media – to respect confidentiality we will utilise private messaging
- Customers can authorise someone else to raise a complaint on their behalf, such as an ‘advocate’. This could be a friend/relative or a representative from an external organisation (such as Citizens Advice or an MP).

2.3 We will publicise this policy on the Beyond Housing website and make it available in our customer facing buildings. We will promote how to complain, and the Ombudsman’s contact details on the Beyond Housing website, customer digital screens and in customer newsletters.

2.4 Beyond Housing will comply with the collection, storage, access to, provision and disclosure of data in accordance with all relevant data protection and information security legislation.

2.5 Beyond Housing is committed to the principles of diversity and inclusion, i.e. fairness, accessibility and transparency. We value diversity and are committed to promoting equality of opportunity to ensure that all customers are treated fairly.

2.6 A complaint investigation will aim to be conducted in an impartial manner, seeking sufficient, reliable information from both parties so that fair and appropriate findings and recommendations can be made.

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- 2.7 We will seek to identify customers who are vulnerable and account for their specific needs when handling their complaints by making appropriate and reasonable adjustments.
- 2.8 Following the principles of dispute resolution recommended by the Housing Ombudsman Service, Beyond Housing seeks to identify continuous improvement through understanding the themes and trends and using feedback and lessons learnt from complaints, and compliments to improve service design and delivery. These focus on our corporate strategy objective, to improve the quality of services to customers.
- 2.9 Feedback is reported to the executive, senior leadership team and the Beyond Housing board.

Key Performance Indicator	Owner (job role)	Policy objective alignment
Complaints relative to the size of the landlord - Stage 1	Complaints Manager	2.2
Complaints relative to the size of the landlord - Stage 2	Complaints Manager	2.2
Number of cases where the Housing Ombudsman determination is maladministration	Complaints Manager	2.1 & 2.4
Number of cases where the Housing Ombudsman determination is service failure	Complaints Manager	2.1 & 2.4
(%) complaints responded within timescales (S1&S2)	Complaints Manager	2.1
Satisfaction with the landlord's approach to handling complaints (TSM – TP09)	Complaints Manager	2.1

3.0 Definitions

- 3.1 **Complaint** - A formal complaint is defined 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.'

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- 3.2 **Customer** - In this policy, unless otherwise stated, the term ‘customer’ is used to describe residents (tenants and leaseholders) and service users (including Home Buyers).
- 3.3 **Complaints team** - The team responsible for the complaint policy and process, coordinating and advising responses and ensuring learning and continuous improvement are embedded.
- 3.4 **Lead officer** - This is the Beyond Housing colleague who is appointed to investigate and respond to a complaint.
- 3.5 **Housing Ombudsman Service (HOS)** - The Housing Ombudsman Service is an impartial, independent organisation that will investigate customer complaints if the customer remains unhappy with the outcome of their complaint or the handling of the complaint. The customer is responsible for referring their complaint to the HOS if they wish to.

4.0 **Legislative, regulatory and strategic alignment**

- 4.1 Landlords must carry out an annual assessment against the Housing Ombudsman’s Complaint Handling Code to ensure its complaint handling remains in line with its requirements and publish the results. Non-compliance could result in the Ombudsman issuing complaint handling failure orders.
- 4.2 The Regulator of Social Housing’s consumer standards and code of practice outlines government expectations and housing associations’ responsibilities. The Transparency, Influence and Accountability Standard requires registered providers to ensure complaints are addressed fairly, effectively, and promptly. Working alongside the Housing Ombudsman to ensure compliance and standard of service.
- 4.3 All housing associations in England are required to collect tenant satisfaction measures (TSMs) as set out by the Regulator of Social Housing. The TSMs require all registered providers to generate and report to the regulator annually. Included within the tenant perceptions measures is how satisfied tenants are with the landlord’s approach to handling complaints.

5.0 **Responsibilities**

- 5.1 It is the responsibility of the director of ICT & change to implement and oversee this policy.

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5.2 Beyond Housing has a statutory responsibility to comply with all relevant regulations and legislation in relation to dealing with and handling complaints.

5.3 The legislation and regulation applicable to this policy includes:

- The Regulator of Social Housing’s Transparency, Influence and Accountability Standard.
- Social Housing (Regulation) Act 2023
- Localism Act 2011
- Housing Act 1996
- Data Protection Act 2018 (DPA)
- General Data Protection Regulation (GDPR)
- Privacy and Electronic Communications Regulations (PECR)
- Equality Act 2010
- Housing Ombudsman Complaint Handling Code
- Consumer Standards (Code of Practice).

5.4 The Housing Ombudsman’s Complaint Handling Code sets out requirements for member landlords that will allow them to respond to complaints effectively and fairly. The purpose of the code is to enable landlords to resolve complaints raised by their residents quickly and to use the data and learning from complaints to drive service improvements.

6.0 Policy delivery

Stage one complaint

6.1 If a customer expresses dissatisfaction with a service or action/lack of action taken by the organisation, its own employees, or those acting on its behalf, we will log the issue as a stage one complaint.

6.2 Landlords must recognise the difference between a service request and a complaint. A service request is a request from a resident to the landlord requiring action to be taken to put something right. Service requests are not complaints, but must be recorded, monitored and reviewed regularly.

6.3 A resident does not have to use the word 'complaint' for it to be treated as such. Whenever a resident expresses dissatisfaction we must give them the choice to make a complaint. A complaint that is submitted via a third party or representative must be handled in line with the landlord's complaints policy.

6.4 We will acknowledge a customer stage one complaint within two working days and advise the customer of the name of the lead officer appointed to investigate and respond to the complaint.

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- 6.5 The lead officer will contact the customer to discuss the complaint by telephone, email, or a home visit - depending on the nature of the issue. If the complaint cannot be resolved within ten working days or less, from being acknowledged, they will agree a resolution date with the customer.
- 6.6 Landlords must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the resident of the expected timescale for response. Any extension must be no more than 10 working days without good reason, and the reason(s) must be clearly explained to the customer.
- 6.7 Where agreement over an extension period cannot be reached, Beyond Housing will provide the Housing Ombudsman’s contact details, so the customer can challenge our plan for responding and/or the proposed timeliness of our response.
- 6.8 Should a customer decide not to engage with the process, we may have no other option other than to close the complaint due to no contact.
- 6.9 The lead officer will provide a written response to the complaint which will include:
- The complaint stage
 - The complaint definition
 - The decision on the complaint
 - The reasons for any decisions made
 - The details of any remedy offered to put things right
 - Details of any outstanding actions
 - Details of how to escalate the matter to stage two if the customer is not satisfied with the answer.
- 6.10 A complaint response must be sent to the customer when the answer to the complaint is known, not when the outstanding actions required to address the issue, are completed. Outstanding actions will be tracked and actioned by the lead officer expeditiously with regular updates provided to the customer. The lead officer will ensure quality assurance measures are identified and embedded to prevent future incidents from arising.
- 6.11 Where customers raise additional complaints during the investigation, these will be incorporated into the stage one response if they are relevant, and the stage one response has not been issued. Where the stage one response has been issued, or it would unreasonably delay the response, the complaint will be logged as a new complaint.
- 6.12 If the customer is unhappy with the stage one response, the customer may appeal within 28 working days. If the customer does appeal, the complaint will be escalated to a stage two complaint.

Stage two complaint

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- 6.13 We will acknowledge a stage two complaint within two working days and advise the customer of the name of the senior manager appointed to investigate and respond to the appeal.
- 6.14 The senior manager will contact the customer by telephone, email, or a home visit - depending on the nature of the issue.
- 6.15 If the complaint cannot be resolved within 20 working days or less, from being acknowledged, they will agree a resolution date with the customer, but the extension cannot be more than 20 working days without good reason.
- 6.16 Where agreement over an extension period cannot be reached, Beyond Housing will provide the Housing Ombudsman’s contact details, so the customer can challenge our plan for responding and/or the proposed timeliness of our response.
- 6.17 The senior manager will provide a written response to the complaint which will include:
- The complaint stage
 - The complaint definition
 - The decision on the complaint
 - The reasons for any decisions made
 - The details of any remedy offered to put things right
 - Details of any outstanding actions
 - Details of how to escalate the matter to the Housing Ombudsman Service if the customer remains dissatisfied
- 6.18 A complaint response must be sent to the customer when the answer to the complaint is known, not when the outstanding actions required to address the issue, are completed. Outstanding actions will be tracked and actioned by the lead officer expeditiously with regular updates provided to the customer. The senior manager will ensure quality assurance measures are identified and embedded to prevent future incidents from arising.
- 6.19 The senior manager's complaint response will make it clear it represents Beyond Housing’s ‘final decision’ and marks the end of the internal complaints process. We will always aim to achieve a satisfactory resolution to the complaint. If, however, the customer disagrees with the final decision, the customer may contact the Housing Ombudsman Service to investigate how the matter was dealt with.

The contact details for the Housing Ombudsman Service are:

- Online complaint form: www.housing-ombudsman.org.uk/residents/make-a-complaint/
- Phone: 0300 111 3000

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- Email: info@housing-ombudsman.org.uk
- Postal address: Housing Ombudsman Service, PO Box 152, Liverpool L33 7WQ

6.20 Beyond Housing respects, the rights of customers to complain to these statutory bodies and will work openly with partner agencies to resolve any legitimate complaint that customers raise. We will cooperate fully with the Housing Ombudsman Service during any investigation and comply fully with the resulting decisions, which will be binding on us.

6.21 Housing Ombudsman Services can be engaged at any point in the complaints process for support and advice.

Home Buyer complaints

6.22 If the dispute between a customer and Beyond Housing falls outside our defects or damage offer, either party has the opportunity to refer the complaint to the Independent Dispute Resolution Scheme.

6.23 The Home Buyer can refer their complaint to the Independent Dispute Resolution Scheme only after 56 calendar days have passed since first raising it with the Home Builder and no later than 12 months after the Home Builder's final response.

6.24 The Home Buyer must complete an application form and send it to the Independent Dispute Resolution Scheme with their statement of evidence.

6.25 The Adjudicator will consider both submissions and decide whether or not the Home Buyer has suffered financial loss as a result of the alleged failure to comply with the Consumer Code.

6.26 The Adjudicator will make a decision and send it to both parties.

6.27 The decision may be a performance award or a financial award, or a combination of the two.

Compliment

6.28 A compliment is an expression of praise, encouragement, or thanks for a positive experience. Any compliments received will be referred to the relevant person/team.

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Exclusions

6.29 We must accept a complaint unless there is a valid reason not to do so. There may be occasions where it is not appropriate for this policy to accept or escalate a complaint, where certain aspects/issues are managed in a different process. These are:

- Matters which are or could reasonably be expected to be subject to court or tribunal proceedings, or where a complainant has submitted a compensation or liability claim
- Legal proceedings have started. This is defined as details of the claim, such as the Claim form and Particulars of Claim, having been filed in court
- Complaints from individuals who are not customers. These will be acted on but are not covered by this policy
- Complaints of anti-social behaviour are covered by Beyond Housing’s anti-social behaviour policy. A complaint will, however, be accepted if a customer is dissatisfied with how their anti-social behaviour case was handled once it has been concluded
- Services for which Beyond Housing is not responsible e.g. local authority decisions about housing benefit or nominations, and should be raised with the local authority. We will aim to sign-post customers to the most appropriate body
- Crimes such as theft or damage to personal property in an individual’s home or left in communal areas (for example car parks or bike stores)
- Issues that have exhausted our complaints procedure and no new facts or evidence have been provided
- Complaints that are reported to us twelve months after the issue occurred
- Complaints relating to serious safeguarding concerns will be investigated in accordance with the safeguarding policy
- Sub-tenants of a leaseholder are required to direct their complaint to their contracted landlord or third-party managing agent and utilise their complaints procedure
- An issue that has not been reported previously to Beyond Housing, which is considered to be a request for service.

6.30 If we decide not to accept a complaint, we will provide a detailed explanation to the customer explaining our reasons why the matter is not suitable for our complaints process and the right to take our decision to the Ombudsman.

Unreasonable behaviour

6.31 Beyond Housing will not discriminate against anyone who makes a complaint.

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6.32 If a complainant or their representative behaves inappropriately in making a complaint, we will seek to manage the behaviour in line with our vexatious or habitual complainant procedure.

Compensation

6.33 We recognise that, from time to time, we might not be able to provide the high-quality services that we have promised, and our customers expect.

6.34 Where this happens, we aim to put things right quickly, and may also offer compensation to those who have received a poor standard of service.

6.35 In these cases, we will follow the guidance in our complaint compensation procedure.

Group complaints

6.36 We will treat complaints from a group of customers in line with the complaint process. To ensure we handle the complaint efficiently, we will ask the group to nominate a single point of contact and we will work with this person to resolve the complaint.

7.0 Consultation

7.19 We encourage active customer involvement and consultation on all aspects of our complaints and compliment handling process so we have consulted with our colleagues and customers as part of the development of this policy and will do as part of the review process to continually develop good practice.

7.20 Consultation was undertaken in October 2023 with customers to establish expectations and feedback on the content of the policy. The feedback was used to inform the policy and revise the supporting procedure.

8.0 Controls and reporting

First line control	Responsible (Job role)	Reported to:
Monthly quality assurance checks to monitor standard of	Complaints Manager	Customer Insight Manager

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responses and complaint investigations		
Weekly performance monitoring & reporting - Number of case and timescales to respond	Complaints Manager	Customer Insight Manager
Customer Satisfaction surveys - Transactional survey to all complainants to establish opportunities for service improvements	Complaints Manager	Customer Insight Manager
Yearly Housing Ombudsman's Complaint Handling Code's Self Assessment	Complaints Manager	Chief Operating Officer
Cyclical internal audit	Customer Insight Manager	Director of Customer Service

9.0 Approval

- 9.1 This policy will be subject to a review every 3 years, or in response to a change in legislation or best practice, whichever is sooner.

Approval and revision Criteria		Information
Document written by:		Customer Experience and Communications Manager
Document approved by:		Governance and review committee
Version No.		3
Version no.	Revision date	Reason for revision
1	November 2020	Complaint policy approach revised to align with Housing Ombudsman Service Code
2	October 2022	To comply with the Housing Ombudsman Complaints Handling Code

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3	January 2024	Back stop review undertaken
3	May 2024	Fast track review to add further clarity around compliance with the new handling code