

<b>Policy Name:</b>	<b>Version:</b>	<b>3.0</b>
Complaints Policy	<b>Date approved by Board:</b>	<b>May-2021</b>
	<b>Date of next review:</b>	<b>May-2023</b>

## 1. Introduction

- 1.1. Fairplace Homes (Fairplace) is committed to providing a high-quality service for its customers and working in an open and accountable way that builds trust and respect. One of the ways in which we can continue to improve our service is by listening and responding to the views of our customers and in particular, by responding positively to complaints, and by putting mistakes right when things have gone wrong
- 1.2. The objective of the policy is for Fairplace to put mistakes right as quickly and effectively as possible.
- 1.3. To achieve this objective, this policy:
  - provides Fairplace residents with clear guidance on how to submit a complaint, and how their complaint will be processed; and
  - sets out Fairplace's approach to responding to complaints in a manner which is compliant with all relevant legislation and regulations, and which ensures that a timely and satisfactory outcome is achieved.

## 2. Legal and Regulatory Requirements (not exhaustive)

- 2.1. The Regulator of Social Housing Tenant Involvement and Empowerment standard requires Registered Providers have an approach to complaints that is clear, simple and accessible that ensures that complaints are resolved promptly, politely and fairly.
- 2.2. This policy has been developed in line with the 2020 Housing Ombudsman Service's Complaint Handling Code.
- 2.3. This policy also meets any legal obligation outlined in the following legislation:
  - Housing Act 1996
  - Localism Act 2011

## 3. Definitions

- 3.1. Complainant: any customer who makes a 'complaint' about a Fairplace company.

- 3.2. Complaint: we use the Housing Ombudsman definition and define a complaint 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. Our complaints procedure includes two kinds of complaints:
- Informal (Priority Response) complaint: Negative feedback where Fairplace's response is much quicker than in the case of a formal complaint. These complaints do not normally require an investigation or sending of formal letters but will involve ensuring the problem is resolved as quickly as possible. Informal (Quick Resolution) complaints are dealt with through a response within 2 working days of the complaint being lodged.
  - Formal complaints: complaints which require some degree of investigation and / or follow-up, and cannot therefore be resolved quickly.
- 3.3. Complaints Officer: The person responsible for complaints at Fairplace.
- 3.4. Housing Ombudsman Service: a service provided to all residents of registered providers of social housing which can assist residents throughout the life of a complaint and also be used if complaints should be escalated. Fairplace is a member of the Housing Ombudsman Scheme.

## **4. Scope**

- 4.1. Examples of complaints are:
- Where we have failed to provide a service, or there's been a delay in providing one.
  - Where we have failed to follow our policies and procedures or have been unfair or inconsistent in applying them.
  - Where we have failed to keep a customer informed through lack of or insufficient information.
  - Where there has been inappropriate behaviour or attitude from our staff.
  - If a customer is in any way unhappy about the way we've delivered a service.
- 4.2. We will not normally consider a matter a complaint if:
- The issue giving rise to the complaint occurred over six months before the complaint was raised or the issue giving rise to the complaint occurred over twelve months after the customer found out they have a reason to complain. Where the problem is a recurring issue, Fairplace will consider any older reports as part of the background to the complaint if this will help to resolve the issue for the resident;
  - Where legal proceedings have been started, we will take steps to keep the complainant informed (e.g. by letter) but will not consider a new complaint; or
  - Where matters have already been dealt with as part of the policy.

- 4.3. In exceptional circumstances, Fairplace may be able to accept a complaint after the time limit has passed. If a customer feels that the time limit should not apply, they will need to tell us why so that a decision can be made.
- 4.4. A complaint can be made by anyone who is entitled to receive a service from Fairplace or is affected by that service provision. This can also include Fairplace customers where applicable. With written consent, a family member, friend or advocate may act on behalf of a complainant.
- 4.5. Complaints can be made by phone, by email or by letter. In accordance with the Equality Act 2010, Fairplace will make reasonable adjustments to ensure residents may make a complaint.

## **5. Priority Response Process**

- 5.1. In order to try and resolve complaints as quickly as possible, we may initially deal with the problem or service failure under our 'Priority Response' process. An informal (Priority Response) complaint is dealt with much quicker than a formal complaint as we will not normally carry out an investigation or send formal letters but will look to get the problem resolved as quickly as possible. Complainants are still eligible to then proceed to a formal complaint if they wish.
- 5.2. We aim to resolve the failure in service and get it 'back on track' within 5 working days. If the complaint is determined to be an informal (Priority Response) complaint and no further clarification is required to understand the nature of the complaint, Fairplace will log the complaint and provide a response confirming its understanding of the complaint and the resolution within 5 working days.

## **6. Formal Complaints Process**

- 6.1. We operate a three-stage complaint process:
- 6.2. **Stage one** – If a customer is unhappy with a service we have provided or if we have been unable to resolve an issue to their satisfaction under our informal (Priority Response) complaint process, a complaint can be logged under stage one of our formal complaints process. In stage one:
  - a) A Fairplace Manager will take details of the complaint, either by telephone, online or written correspondence and issue complainant with a unique 12 digit reference number
  - b) Acknowledgement of the complaint will be given within 24 hours of the complaint being made.
  - c) The Manager will send full detailed response to complainant within 5-10 working days.

d) 10 days will be allowed for the complainant to respond if they are satisfied with the resolution offered.

6.3. **Stage two** – If a complainant is dissatisfied with the outcome of the stage one investigation, the Formal complaint will be reviewed by a senior manager of Fairplace. The senior manager will review the case and send the complainant a further detailed response within 10 days. If the complainant is satisfied, the complaint will be closed. If unsatisfied, the complainant must respond within 10 days and the senior manager will escalate the complaint to Managing Director

6.4. **Stage three** – The Managing Director will review the complaint along with the resolution offered and provide a full response to the complainant within 10 days. If the complainant is satisfied, the complaint will be closed.

## **7. Beyond the Three Stage Process**

7.1. If a customer would like to escalate their complaint after completing the Fairplace internal process, they can contact the following:

7.2. Designated Person – A designated person is a Councillor, MP or Tenant Panel. A designated person will help resolve the complaint in one of two ways; they can try and resolve the complaint themselves or they can refer the complaint straight to the Housing Ombudsman Service if the complaint remains unresolved.

7.3. Housing Ombudsman Service – If a complaint has not been resolved to the complainant's satisfaction eight weeks after the completion of the Fairplace two-stage process, the complainant can contact the Housing Ombudsman Service directly, or can be referred to the service by a Designated Person. Fairplace will cooperate with The Housing Ombudsman's requests for information (including providing evidence within 15 working days of it being requested if possible). The Housing Ombudsman Service can be accessed here: <http://www.housingombudsman.org.uk/home/>

## **8. Complaints relating to Fairplace contractors**

8.1. Fairplace require any contractor that provides services on our behalf to comply with this policy by:

- Recording and responding to customers' feedback within the stated timescales.
- Providing us with any information relating to a complaint when requested.
- Assisting Fairplace with complaints investigations as appropriate.

## **9. How we learn from complaints**

9.1. A complaint is seen as an opportunity to learn about what or how we need to improve our service at Fairplace. We therefore want to learn from every complaint and capture

and share the things that we learn so that improvements can be made where appropriate.

- 9.2. Fairplace views complaints as opportunities to learn about how it can improve its services. Fairplace will record and monitor every complaint, including details such as the subject of the complaint, resolution time and any learning points.
- 9.3. Fairplace will regularly review this register of complaints received in order to identify recurring subjects and continuously improve how the organisation handles complaints. Where possible, Fairplace will share with residents how learnings are being applied.
- 9.4. In addition, Fairplace will proactively monitor the effects of its complaint's procedure. Areas to be monitored will include:
  - Total number of Informal (Quick Resolution) and Formal complaints;
  - Nature of complaints (e.g. ASB, repairs issues, contactor issues);
  - Percentage of complaints resolved at the first stage of the internal process;
  - Percentage of complaints resolved at the second stage of the internal process; and
  - Percentage of complaints escalated beyond the internal process.
- 9.5. In order to do this 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.
  - Carry out regular complaint reviews in order to continuously look at how we can improve our handling of complaints and the services we provide.
  - Survey tenants on their satisfaction with the way the complaint was handled.

## **10. Training and Promotion**

- 10.1. We will publicise this policy to our staff, managing agents and tenants through:
  - Our website; and
  - Policy briefings and training.

## **11. Useful links**

- 11.1. Housing Ombudsman Service website -  
<http://www.housingombudsman.org.uk/home/>