



8. COMPLAINTS POLICY AND PROCEDURE

1.0 POLICY

1.1 Introduction

Exeter Homes Trust seeks to achieve continuous improvement in the services we provide to all our customers, and to maintain a positive working relationship with them. Our customers include licensees and applicants, neighbours, visitors, suppliers and other organisations. To assist us in reviewing and improving our standards, we positively welcome comments, suggestions and complaints about our services.

1.1.2 A key element in this process is an effective, impartial and accessible Complaints Policy and Procedure.

1.2 Application of Complaints Procedure

1.2.1 This procedure is used to consider complaints about the services provided by Exeter Homes Trust to all its customers and others affected by our activities. Care must be taken to distinguish between a request for a service and a complaint.

1.2.2 As per the Housing Ombudsman's Complaint Handling Code, Exeter Homes Trust must accept complaints referred to them within 12 months of the issue occurring or the complainant becoming aware of them, unless excluded on other grounds. If a complaint is not accepted, an explanation must be provided to the complainant setting out the reasons why the matter is not suitable for the complaints process and the right to take the decision to the Ombudsman. If the Ombudsman does not agree to the exclusion, they may instruct Exeter Homes Trust to take on the complaint.

1.2.3 Examples of the type of complaint covered by this procedure include:

- Failure to record rent and other payments properly
- Staff conduct whilst carrying out our business
- Unreasonable delays in carrying out essential repairs
- Failure to carry out what has been agreed or to meet the standards promised

1.2.4 Examples of matters that are not covered by this procedure include:

- Reporting a repair
- A neighbour dispute
- Requesting a service over and above that promised or agreed
- Employment issues raised by a member of staff
- Issues that require investigation by another body such as the police

1.3 General Matters

1.3.1 There will be times when a complaint cannot easily be resolved because of legal, financial or other constraints. For example, modernisation work may be delayed because of financial considerations. It is important that these constraints are explained to complainants.

1.3.2 Staff should complement general publicity and information by ensuring that customers are aware of the Complaints Procedure as a means of airing a grievance where appropriate.



1.3.3 Principles that underpin the Complaints policy are as follows:

- All complaints have validity
- Receipt of a complaint does not necessarily mean that Exeter Homes Trust is at fault
- We want to avoid hostile confrontation
- We aim to avoid legal action unless necessary
- Settlement of complaints should not lead to consequential claims

1.5 Harassment or Discrimination

1.5.1 Complaints alleging to harassment or discrimination by Exeter Homes Trust's policies or a member of staff are taken extremely seriously. Complaints of this nature will usually be investigated under stage 3 of this procedure.

1.5.2 Complainants must be informed of their right to lodge complaints of discrimination on the grounds of race or gender in the County Court and of their rights under the Protection from Harassment Act 1997.

1.5.3 Complaints of harassment by other residents do not fall within the scope of this procedure.

2.0 PROCEDURE

2.1 Informal Complaints

2.1.1 Exeter Homes Trust aims to be positive in its approach to all complaints. Informal complaints will normally be raised verbally with a member of staff. The vast majority should be resolved at this stage. Staff are encouraged to resolve complaints quickly and to use their initiative when doing so.

2.1.2 If an initial attempt by staff to resolve the issue is not successful, a formal complaint will be recorded.

2.2 Formal Complaint – Stage 1

2.2.1 When a customer is making a complaint staff will:

- Listen carefully to what is being said
- Clarify what the customer is complaining about and what action they would like taken to resolve the problem
- Remain calm, polite and professional whilst corresponding with the complainant

2.2.2 The complaint will be logged and the complainant will receive written acknowledgement within 5 working days.

2.2.3 The complaint will be investigated and written up in full. All complaints will be retained on the complainant's personal file or appropriate alternative should the information be highly confidential, or if the complaint relates to someone other than a licensee.

2.2.4 The complainant will receive a written response to their complaint within 10 working days. The letter should state the following:

- a summary of the complaint



- the findings of the investigation
- the decision taken
- the reason(s) for the decision
- the remedy offered and details of any actions outstanding, including timescales
- if the complainant's preferred solution was not actioned, the reasons why not
- details of how to escalate the matter to stage 2 if they are not satisfied with the response

2.2.5 Should the matter be too complex to respond within the above timescale, staff must follow up to explain why, provide a revised timescale and keep in regular contact with the complainant. Any extension must be no more than 10 working days without good reason, which will need to be clearly explained to the complainant. The complainant must also be provided with the contact details for the Ombudsman if the response time is extended for any reason.

2.3 Formal Complaint – Stage 2

2.3.1 If the matter is still not resolved once Stage 1 has been completed, the complainant is entitled to request a review or an escalation. Complaints at this stage will be dealt with by the General Manager. Complainants are also able to request that a member of the Board is involved.

2.3.2 If the complaint is escalated the General Manager will acknowledge in writing that the complaint has progressed to Stage 2 within 5 working days.

2.3.3 When a customer is making a complaint the General Manager will:

- Listen carefully to what is being said
- Review the customer's previous complaint and reason for escalation
- Allow the complainant to comment on any findings before a final decision is made
- Remain calm, polite and professional whilst corresponding with the complainant

2.3.4 The complaint will be investigated and written up in full. All complaints will be retained on the complainant's personal file or appropriate alternative should the information be highly confidential, or if the complaint relates to someone other than a licensee.

2.3.5 The General Manager will provide a written response to the complainant within 20 working days. The response should include the following:

- the findings of the investigation
- the decision taken
- the reason(s) for the decision
- the remedy offered and details of any actions outstanding, including timescales
- if the complainant's preferred solution was not actioned, the reasons why not
- details of how to escalate the matter to The Housing Ombudsman if they are not satisfied with the response

2.3.6 Should the matter be too complex to respond within this timescale, the General Manager will follow up to explain why, provide a revised timescale and keep in regular contact with the complainant. Any extension must be no more than 20 working days without good reason, which will need to be clearly explained to the



complainant. The complainant must also be provided with the contact details for the Ombudsman if the response time is extended for any reason.

2.5 Where something has gone wrong, Exeter Homes Trust must acknowledge this and set out the actions it has already taken or will undertake to put things right. This can include:

- Apologising
- Acknowledging where things went wrong
- Providing an explanation or reasoning
- Taking action to resolve the issue, if there has previously been a delay
- Changing a decision
- Amending a record or adding a correction/addendum
- Providing financial remedy
- Updating their policies and procedures

3.0 THE HOUSING OMBUDSMAN SERVICE

3.1 Exeter Homes Trust is committed to resolving customers' complaints by use of its internal complaint procedure. However, if complainants are not satisfied with the outcome of the internal procedures, they may have recourse to the Housing Ombudsman Service, an independent adjudicator appointed to investigate disputes between landlords and their tenants, leaseholders, licensees and service users.

3.2 The Housing Ombudsman will normally only investigate a complaint if the internal complaints procedure has been exhausted.

3.3 The Housing Ombudsman service aims to:

- provide an accessible, fair and effective means of resolving complaints against registered social landlords
- seek redress for complaints, where justified
- identify deficiencies in service delivery and help improve the quality of service provided by registered Housing Associations.

3.4 Exeter Homes Trust is obliged to provide information to the Housing Ombudsman, cooperate in any investigation and comply with any decisions made. This includes issuing an apology, carrying out works or paying financial compensation.

4.0 MONITORING

4.1 The General Manager is responsible for maintaining the Complaints Log at every stage of a complaint. The Log is kept on a public directory with access restricted to relevant members of staff. The Log will include a grading of the complaint to identify whether it is about:

- a matter of policy
- failure to deliver a service
- personal behaviour of staff or agent
- discrimination or harassment



- 4.2 As a member of the Housing Ombudsman Scheme, Exeter Homes Trust must comply with the Ombudsman's Complaint Handling Code which aims to achieve best practice in complaint handling. This includes an annual submission of our performance against the Code to ensure we are compliant and displaying the self-assessment on our website.
- 4.3 If, in exceptional circumstances such as a cyber incident, Exeter Homes Trust is unable to comply with the Housing Ombudsman Complaint Handling Code, we must inform the Ombudsman, provide information to affected residents and publish this on the website. A timescale for compliance must also be provided to the Housing Ombudsman.