



Complaints Policy

April 2019

Author of the Strategy/Policy:

Mara Hargreaves

Due date for review:

January 2021

Equality Analysis Completed

The information contained in this policy is available in other languages, Braille or large print on request

Contents

1	Our Policy	Page 3
2	Vision, Values and Objectives 2.1 Vision 2.2 Values 2.3 Objectives	Page 3
3	Key aims/purpose of the policy	Page 4
4	What is a complaint	Page 4
5	When the complaints process should not be used	Page 4
6	Who can provide SARH feedback?	Page 5
7	How can contact be made?	Page 5
8	Recording and Monitoring	Page 6
9	Complaint Stages	Page 6
10	Important Points to Note	Page 8
11	Compensation Payments	Page 9
12	Risk	Page 9
13	Allegations Against Staff	Page 9
14	Legal Requirements	Page 9
15	Data Protection	Page 10
16	Equality	Page 10
17	The Ombudsman	Page 10
18	Serial, Persistent and/or unreasonable complainants	Page 11
19	Unacceptable Behaviour	Page 11
20	Staff Training	Page 12
21	Roles and Responsibilities	Page 12
22	Policy Review	Page 12

1. Our Policy

SARH are committed to providing excellent services. The aim is to get it right first time; however, there are occasions when this is not always achieved. When this happens, we want to know so we can put it right. Lessons can be learnt and/or an apology can be provided if the service has not been provided to the standard it should have been. SARH Complaints Policy ensures SARH respond in a structured and comprehensive way.

2. Vision, Values and Objectives

SARH Complaints Policy has clear links to the organisational vision, values and objectives as noted below;

2.1 Vision

Creating great places to live, work and grow.

2.2 Values

Communicate – SARH acknowledges all feedback and complaints and after discussing the issue, provides a written response to the complainant.

Approachable – All SARH staff can take feedback or a complaint from a customer. Customers can provide feedback or make a complaint in a variety of ways e.g. face to face, by telephone, via the website, in writing via e-mail or letter or SARH feedback form. (SARH feedback forms are available on request.)

Respectful – SARH will handle each complaint individually and respect customer's requirements (e.g. documentation can be provided in alternative formats)

Empower – SARH encourages feedback from customers about the quality of services they have received and to make recommendations for improvements.

Supportive – An appropriate person can make a complaint on behalf of a SARH customer, however, they must have the customer's written authority to do so.

2.3 Objectives

- Homes – Invest and maintain existing Stafford and Rural Homes stock
- Build – Build new homes to meet a growing local demand
- Growth – Trade to generate profit and add value

3. Key aims/purpose of the policy

- a. The purpose of this policy is to advise SARH customers, stakeholders and staff of the feedback/complaints process. The aim is to ensure customers who are not satisfied with the service have a range of accessible, confidential and easy methods of leaving feedback/making a complaint.
- b. Customers who are dissatisfied and wish to complain about an action, lack of action or the standard of service they have received can do so in the knowledge that their issue will be dealt with professionally, thoroughly, fairly, in a timely and consistent manner and confidentially.
- c. All customer data is protected in line with GDPR. Please see SARH privacy policy www.sarh.co.uk/privacy-policy/
- d. SARH works hard to ensure that customers' views and opinions are taken into account in the way in which services are delivered.
- e. All feedback, complaints and compliments are reported and reviewed quarterly by the SARH Leadership Team and SARH Customer Board. Performance is reported in the SARH Annual Report and on www.sarh.co.uk, highlighting feedback that has been received from customers, what has been learnt and any changes made to improve service delivery as a result.

4. What is a complaint?

SARH definition of a complaint is “An expression of dissatisfaction, however made, either verbally or in writing about the standards of service, action or lack of action affecting an individual customer or group of customers”

5. When the complaints process should not be used?

- Where SARH has not had the opportunity to put the problem right.
- An initial request for information or an explanation of a decision made.
- Requests for service e.g. a repair.
- Anonymous letters, although these may be investigated if SARH have cause for concern.
- Disputes between neighbours are dealt with separately by the SARH Landlord Services Team in accordance with the SARH Anti-Social Behaviour policy and procedure www.sarh.co.uk/ASB, unless the complaint relates to how a case may have been managed.
- A complaint about a service for which SARH has no responsibility, for example, refuse collection.
- A claim for damages that should be handled as an insurance claim.

- Where it is suspected or there is evidence that the complaint is based on fraudulent information and/or activity.

6. Who can provide feedback?

Feedback is welcomed from anyone who receives a service from SARH and is affected by decisions or actions taken by SARH including;

- Customers, leaseholders and home owners
- Former customers or leaseholders
- Applicants for housing
- Residents living in SARH communities
- Applicants for employment
- Any other person or organisation affected by SARH services, including those representing such a person, including the designated person as described in the Localism Act 2011, providing the necessary authority to act has been provided

Please note, separate procedures apply for Contractors, consultants and suppliers

7. How can contact be made?

Complaints, comments or compliments can be reported via:

- telephone 0800 111 4554
- e-mail housing@sarh.co.uk
- visiting SARH offices
- letter, addressed to:
SARH, The Rurals, 1 Parker Court,
Staffordshire Technology Park, Beaconside,
Stafford ST18 0WP
- www.sarh.co.uk
- on a SARH complaints form (available on request)
- verbally to any member of SARH staff

Complaints can be made directly by the complainant or through an advocate, carer, family member, elected member, agency or professional body. (Please refer to section 15. 'Data Protection' for guidance)

Complaints that are anonymous will not be registered, however the SARH Customer Services Team will bring the complaint to the attention of the relevant service manager in order that the issue can be investigated if they consider this necessary.

8. Recording and Monitoring

All complaints, comments and compliments are recorded. The SARH Customer Services Team Leader is responsible for administering the system and ensuring complaints are handled in accordance with the policy and accompanying procedure, referring complaints to the appropriate person(s) to resolve within the stipulated timescales.

The process for managing complaints includes a range of Performance Indicators (PIs). These are managed and monitored by the SARH Customer Services Team Leader and are reported on a quarterly basis as part of Performance Management Reporting.

Heads of Service and the SARH Leadership Team will receive a detailed quarterly report highlighting individual service performance against the PI's, showing trends and learning outcomes/service improvements that have been implemented as a result of complaints.

Quarterly performance will be reported for scrutiny to the SARH Customer Board.

A complaints performance update and learning from complaint examples will be made available on the SARH website (www.sarh.co.uk).

Learning opportunities are recorded and provide the evidence gathered to support changes and improve services.

Performance is published in the Annual Report.

9. Complaint Stages

SARH has a two stage formal complaints process. However, our aim is to resolve any dissatisfaction informally when logging comments at Stage 0. It is the aim of this policy that most complaints are successfully resolved as quickly as possible at Stage 0.

Stage 0

An appropriate SARH Representative is appointed to manage the issue.

Stage 0 complainants generally express dissatisfaction about a service or suggest an improvement. These issues will be dealt with informally.

A SARH representative will contact the customer regarding issues raised and resolve issues/queries as quickly as possible, usually within 1 working day*.

*Working days are defined as Monday to Friday except when there is a public holiday. SARH will inform the complainant within agreed timescales when a full response will be sent

Stage 1

An appropriate SARH Representative is appointed to manage the complaint.

If a complaint cannot be resolved at Stage 0 and/or further investigation is required, a formal complaint is raised (Stage 1).

All formal complaints are recorded centrally by the SARH Customer Services Centre (CSC) and given a unique reference number that is shared with the customer.

An appropriate SARH representative will make contact within 1 working day to discuss the complaint and seek agreement on the way forward.

An acknowledgment letter will be sent within 1 working day outlining a brief description of the complaint, timescales to respond and confirming the name of the person appointed to handle the complaint.

The complaint will be investigated, and a full written response will be issued once the investigation is complete and within the agreed timescale confirmed with the complainant.

The written response letter will contain:

- A clear statement of the nature of the complaint that the complainant would recognise
- A clear statement of whether SARH has found the complaint justified or not
- A short, clear description of the reasoning behind the decision
- Reference to any learning points acknowledged from the complaint – including action that will be taken as a result of the complaint. Where corrective action is outside the control of SARH, appropriate support and advice will be offered to the complainant to help them achieve a satisfactory solution

- A statement of the time period after which SARH will close the complaint if nothing further is heard from the complainant. The period after which the case will be considered closed will be five working days from the date of the response letter.

An 'outcomes form' is also completed by the appointed SARH representative to include learning points, service improvements or training that has resulted from the complaint.

Stage 2

A formal SARH Complaints Panel will manage the complaint.

Complainants wishing to escalate their complaint to Stage 2 will be asked to provide evidence of issues they feel have not been considered or resolved at Stage 1.

An acknowledgement letter will be sent within 2 working days via the PA to the Chief Executive. The letter will confirm the complaint and agree a mutually convenient time for the panel and the complainant to meet. Please note, the complainant does not have to be present for the complaint to be reviewed by the Complaints Panel.

Stage 2 will involve a review of the complaint by a Complaints Panel. The panel is made up of the Chief Executive (CE) and two Board members, at least one of which is a Customer Board member.

Following the panel meeting a full written response will be issued within two working days confirming the outcome of the meeting.

This is the end of SARH internal procedure. The decision will advise of this and explain what external routes are available should the complainant still wish to pursue the matter.

10. Important Points to Note

- Once a complaint is closed, SARH will not re-open it unless there is sufficient new evidence presented.
- Complaints regarding a problem that occurred more than 12 months prior to the complaint being made will not be considered unless there is good reason to do so.

11. Compensation Payments

SARH will consider a claim for discretionary compensation if a customer;

- Can show they have incurred actual financial loss as a result of SARH action
- Has spent a considerable amount of time pursuing the matter before resolution and the complaint is found to be in the customer's favour

A decision to award compensation must be approved by a member of the SARH Extended Leadership Team.

12. Risk

A complaint received that presents a serious risk to SARH will be immediately referred to the relevant Director.

13. Allegations Against Staff

If, as part of a complaint investigation, any suggestion of misconduct or illegal behaviour is suspected by staff, a Board Member or a Contractor, then the matter will be referred to the Director of Organisational Development and dealt with under the relevant Human Resources Policy or Code of Conduct e.g. disciplinary.

14. Legal Requirements

The Regulator of Social Housing Regulatory Framework includes consumer standards that all Registered Providers must meet. The consumer standard on Tenant Involvement and Empowerment includes a requirement to have an approach to complaints that is clear, simple and accessible and ensures that complaints are resolved promptly, politely and fairly.

Provision of the Localism Act includes arrangements for complaints to be considered by a 'designated person' prior to the customer referring the complaint to the Ombudsman.

A 'designated person' means:

- a member of the House of Commons, or
- a member of the local housing authority for the district in which the property concerned is located (i.e. a local councilor), or
- a designated tenant panel for the social landlord.

The designated person can do any of the following -

- Seek to try and resolve the matter directly
- Refer the matter to the Ombudsman
- Decline to get involved

15. Data Protection

SARH Customers can ask a third party to provide feedback / a complaint on their behalf by providing written authority to SARH or signing a SARH authorisation form, which can be requested from SARH. No information will be provided to a third party unless written authorisation has been provided.

16. Equality

SARH is committed to creating a culture where all people are treated with respect and fairness, consistent with the company values. Customers, staff, Board Members and stakeholders should be treated without discrimination, harassment, victimisation or prejudice.

SARH will ensure that services reflect the diverse communities we work with and are in line with our policies on equality and diversity.

An equality analysis has been undertaken in respect of this policy to understand the impact that it may have on groups of people or individuals.

The organisation is committed to equal opportunities and as such all complaints will be dealt with fairly and consistently and no one will be discriminated against.

Following the resolution of a complaint the organisation will not treat a complainant less favourably.

17. The Ombudsman

SARH is a member of the Housing Ombudsman Service and complainants may approach the Ombudsman direct, but they must allow **eight weeks** from the date of the Stage 2 letter before the Ombudsman will consider the case.

18. Serial, Persistent and/or unreasonable complainants

a. Overall approach

Upon receipt of such complaints, the starting point is always to make an initial assessment as to whether there is substance/merit to the complaint. Someone who may have made complaints in the past is still entitled to a good service from SARH and to have service deficiencies investigated and resolved. It is also important to distinguish the substance/merit from the manner in which the complaint was presented.

b. Referral as a serial, persistent or unreasonable complainant

The decision to manage a serial, persistent or unreasonable complainant will be based on one of the following five grounds:

- The complainant's own actions prevent SARH from effectively considering the complaint
- The resources needed to deal effectively with the complaint are disproportionate to the benefit of the outcome sought
- There is nothing further SARH can reasonably do to assist
- The complainant continues to raise the same or a closely related complaint even after the complaint process has been fully exhausted

The appropriate Head of Service will review the case and decide the measures for dealing with the complainant.

19. Unacceptable Behaviour

SARH is committed to dealing with all complaints fairly and impartially. Staff are trained to respond with professionalism, patience and empathy to the needs of all those making a complaint. SARH will not tolerate any unacceptable behaviour towards its staff, contracted partners or customers. SARH will take appropriate action against anyone who behaves in an unacceptable manner, this might include legal action.

20. Staff Training

A training course for all staff has been developed. This will be delivered in a variety of ways and refresher training will be provided periodically. Complaints training is also covered in a mandatory e-learning module.

Training is made available to Customer Board members.

21. Roles and Responsibilities

This policy is a corporate document and all staff have a responsibility to review complaints.

Key roles and responsibilities are noted below;

- Customer Services Team - recording and administration of complaints at all stages, reporting performance, quality checks, acknowledging complaints throughout all stages, sharing, learning from complaint actions.
- Head of Service - completing quarterly performance feedback reports for the Leadership Team, Customer Board and Heads of Service.
- Appointed SARH Representative - responsible for responding to Stage 0 feedback and Stage 1 complaints and completion of all associated documentation.
- The SARH Customer Board - responsible for scrutinising performance

22. Policy Review

- This policy will be reviewed periodically or in line with legislative or regulatory requirements.

Information on how to provide feedback is available at:

- SARH Head Office
- SARH Website (www.sarh.co.uk)
- Independent Living Schemes
- Call 0800 111 4554