



Complaints Policy

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1. Introduction

Hope into Action: Black Country is committed to providing high quality services in an efficient, effective and economic way, and within approved budgets.

Complaints are a valuable source of feedback, helping us understand how and why things go wrong and enabling us to prevent reoccurrence. Where mistakes have been made, Hope into Action: Black Country will ensure that appropriate action is taken to rectify them.

2. Policy objectives

The objectives of the Complaints Policy are to:

- resolve complaints at the first point of contact wherever possible, without recourse to the formal procedures;
- make it easy to complain and to ensure that all those we work with know how to do so;
- ensure that the complainant (or the person acting on their behalf) has prompt and regular feedback on the progress of the complaint;
- ensure that the complainant is dealt with confidentially, effectively and fairly.
- record all complaints, identify any negative trends in service delivery and take action to maintain and improve service quality and effectiveness,
- deal effectively with vexatious or unreasonable complaints.
- Ensure we are accessible to our licencees and to reduce the risk of un-reported safeguarding issues.

3. Procedures

3.1. Definitions

A complaint is any expression of dissatisfaction about the standard of service, action or inaction by Hope into Action: Black Country, its employees, board members, contractors, partners or licencees. Examples could include:

- failure to carry out landlord responsibilities;
- failure to achieve our standards of service;
- complaints about the way our policies work;
- acting unfairly, with bias or discrimination;
- complaints about the attitudes of our staff, contractors or others working on our behalf.

a) **Formal and informal complaints**

All complaints are usually dealt with at the first point of contact with a member of staff (usually the person handling the enquiry), and the aim is to resolve the issue 'there and then'. If it cannot be resolved at that point of contact then the complaint will need to be escalated to the formal process. Staff should offer help for complaints to be made or support complainants to get advice from CAB.

Formal complaints may arise if the informal complaint process is not resolved satisfactorily, or if the complainant wishes to formally complain about a matter. In such cases the staged procedure will be followed.

All formal and informal complaints will be recorded to identify trends and make improvements to service delivery.

b) Complaints which fall outside the scope of this policy

Complaints not covered by this policy are:

- complaints about issues that are subject to on-going legal proceedings by or against Hope into Action: Black Country are outside the scope of this policy. Hope into Action: Black Country may suspend the complaints procedure in the event of legal action being threatened or initiated, pending legal advice;
- complaints by members of staff, which should be dealt with under the Grievance Procedure as outlined in the Staff Handbook;
- housing benefit assessments or payments: these are the responsibility of the local authority;
- insurance claims, which shall be referred immediately to Hope into Action: Black Country's insurers.

c) Complaints about Board Members or Staff

Where serious complaints are received about the impropriety of Board Members or members of staff, such issues may be dealt with separately under Governance or Human Resources procedures, and may also be referred to regulatory bodies or other appropriate organisations if appropriate.

d) Complaints from staff

This is covered in the staff handbook.

e) Unreasonable, persistent and vexatious complaints

Examples of complaint which Hope into Action: Black Country would consider unreasonable, persistent or vexatious could include those in which the complainant:

- has previously made the same or a similar complaint which has been investigated but not upheld, and there is no further information in support of a new complaint;
- is aggressive or abusive to staff, contractors or others working on behalf of Hope Into Action: Black Country;
- fails to engage in the complaints process or uses it as a form of protest.

In such cases the Chief Executive shall review each such complaint separately. *It will not be assumed that someone who has been unreasonable or vexatious in the past might be so with the current complaint.* The Chief Executive will decide whether the complaint falls under this definition, and write to the complainant advising him/her of this decision. Information about the procedure and the right to take the complaint to the Ombudsman will be provided. The following courses of action may be taken:

- termination of the complaint;
- restricting all communications to writing;
- declining further communication about a specific issue;
- dealing with the complaint in a different way to that outlined in the policy and guidelines.

Such complaints shall be recorded and analysed in the same way as all other complaints.

f) Anonymous complaints

The nature of all anonymous complaints will be recorded. Any anonymous complaint will only be referred for investigation or other action if it includes documentary or photographic evidence indicating a serious or significant matter.

3.2. Reporting

All complaints should be made known to Hope into Action: Black Country's Chief Executive.

All complaints shall be recorded in a share-point folder in policies and the Chief Executive shall report to the Trustee's every Trustees meeting on the complaints received.

3.3. Accessibility

a) Making sure that people know how to complain

Hope into Action: Black Country will publicise its complaints procedure in a variety of ways, including:

- information in Tenant / Licence Agreement;
- information at our offices;
- asking licencees for occasional feedback.
- [On our website](#)

Hope into Action: Black Country will arrange for the provision of translation services, audio and Braille on request.

b) Accessible complaints process

At all stages, Hope into Action: Black Country will endeavour to remove any barriers to making a complaint. Complaints may be made by the method preferred by the complainant. This may include phone, letter, email, face-to-face and using the website.

Help will be offered to those who wish to complain. This may include (but is not restricted to) a staff member taking written details, visiting the complainant or arranging translation services. An advocate (such as a relative, case worker or solicitor) may register a complaint if the complainant is unable to do so for themselves. In such cases, the complainant must give Hope into Action: Black Country authority to liaise with the third party.

3.4. Confidentiality

All complaints will be dealt with in the strictest confidence, and in line with Data Protection Act principles. There will be no adverse consequences for complainants such as the removal of a service. Information about trends and types of complaints will be published, but no individual or groups will be identifiable. Also refer to the Data Sharing Policy

3.5. Feedback and remedies

Proving a remedy to the complaint is a key element of an effective feedback system. The member of staff investigating the complaint should contact the complainant, at the earliest opportunity, to:

- discuss and clarify the complaint;
- identify facts and information to support the complaint;
- understand what remedy or resolution the complainant is seeking;
- identify if the complainant requires support (e.g. translation services etc);
- explain the procedure.

Examples of remedies or resolutions may include:

- an apology;
- assurance that the same thing will not be repeated;
- an explanation of what has gone wrong and why;
- a description of the remedial action to be taken;
- the provision of the service originally requested;
- discussion and feedback;
- compensation.

The Chief Executive shall always consider actions to prevent recurrence. These may include changes to procedures, staff training and feedback to contractors.

a) Good Will Gestures

In exceptional circumstances upon approval from the Chief Executive, Hope Into Action: Black Country may offer compensation in the form of a goodwill gesture such as a gift of flowers. Such a gesture does not imply acceptance, guilt, or responsibility for the complaint.

3.6. Timescales

A complaint should be made within 3 months of the service being delivered or requested.

Hope into Action: Black Country will register, and aim to resolve, all complaints informally at the first point of contact. Where a satisfactory solution cannot be, or has not been, achieved, the complainant may wish to escalate the matter to status of a formal complaint.

3.7 Tenant Complaints:

- Licencees will be informed about the complaints procedure during induction
- Licencees will be encouraged to resolve the issues face-to-face with the person they have a complaint against.
- Licencees will also be able to complain via e-mail to matthieu.lambert@hia.org.uk or blackcountry@hopeintoaction.org.uk

The staged procedure for dealing with formal complaints is:

STAGE	PROCESS	TIMESCALE
1.	<p>Registration and investigation of complaint. This will normally be dealt with by a front-line member of staff, as long as they are not the subject of the complaint.</p> <p>The complaint will go first to the Chief Executive and he will assign an appropriate staff member to lead on the complaint.</p>	Written response within 10 working days
2.	<p>Review by the Chief Executive if stage 1 does not resolve the complaint</p>	Written response within 5 working days.
3.	<p>Appeal to the Chair of the Trustees.</p> <p>The complainant or their representative may request a meeting with the Chair of Trustees.</p>	<p>The Chair of Trustees will make a decision within 2 weeks of receipt of the stage 3 complaint, and the complainant will be provided with details of the protocol and procedure.</p> <p>The outcome will be sent in writing within 5 days of the decision being reached.</p>
4.	<p>Referral to the Housing Ombudsman Service. 81 Aldwych. London. WC2B 4HN. Tel: 0300 111 3000 or any successor organisations, who will independently review the complaint, but only after the above process has been exhausted.</p>	The Ombudsman, or successor organisation, will advise of the timescales.

In some circumstances, timescales may be exceeded. An example would be delays as a result of the request of information from third parties. In such cases, the complaint will be acknowledged within 3 working days of being lodged, and an estimate of the likely timescale will be provided. Regular updates will be given to keep the complainant informed of any unanticipated or further delays.

Generally cases will be closed within the following timescales. This may be waived if there is a genuine reason that has been considered at Director level. In all other cases, if a fresh or related complaint is made, that is not unreasonable or vexatious, it will be recorded and dealt with as a new complaint.

Following closure of a complaint, Hope Into Action: Black Country will request feedback using a questionnaire.

Complaints will be reviewed regularly at team meetings and included in quarterly performance reports to the Board. Annually, a review of complaints will be presented to the Board with an action plan for improvements where warranted.

Appendix 1

Hope into Action: Black Country Complaints Policy

At Hope into Action: Black Country we strive for excellence when it comes to providing a service. We are committed to providing the best possible support to each one of our tenants. Hope into Action believes that all complaints are a valuable source of feedback, helping us understand how and why things go wrong and enabling us to prevent reoccurrence. Where mistakes have been made, we will ensure that appropriate action is taken to rectify them.

We would encourage any tenants wishing to make a complaint in the first instance to try and resolve the issue face to face with the person that they are making a complaint against. If this is not possible then tenants can make a formal complaint. If appropriate please feel free to speak to staff before submitting a complaint and/or ask other staff to help write and submit the complaint.

Please note this form is for tenants to make complaints against members of staff only.

How to complain

1. Complete complaint form and send it or drop it in to the office c/o Matt Lambert.
2. Email complaint to blackcountry@hopeintoaction.org.uk
3. If the complaint is about the Chief Executive then please email the complaint to our Chair of Trustees – brian.armstrong@hopeintoaction.org.uk

If you have logged a complaint with Hope into Action: Black Country it will be dealt with in the following way:

Stage 1 – Registration & Investigation; This will normally be dealt with by a front-line member of staff, as long as they are not the subject of the complaint. *Tenants making a complaint can expect to receive a written response within 10 working days.*

Stage 2 – Review; to be conducted by the Chief Executive if stage 1 does not resolve the complaint. *Tenants can expect to receive a written response within 5 working days.*

Stage 3 – Appeal; Tenants can appeal to the Chair of Trustees. The tenant or their representative may request a meeting to present their case within 2 weeks of the receipt of the appeal. *The outcome will be sent in writing within 5 days of the meeting or decision by the Chair of Trustees.*

Stage 4 - Referral to the Housing Ombudsman Service; *Ombudsman Service. 81 Aldwych. London. WC2B 4HN. Tel: 0300 111 3000 or any successor organisations, who will independently review the complaint after all above stages have been completed. The Ombudsman, or successor organisation, will advise of the timescales.*

Hope into Action: Black Country Complaint Form

Name		Date	
Address			
Incident Date		Incident time	

Please write your complaint below. Please make sure that your complaint is completed in as much detail as possible. Continue on a separate page if necessary.

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If a safeguarding issue then it will be transferred and treated as such under a different process.

Appendix 2

Stage 1 - Registration and Investigation

- Complaint to be registered and investigated by a frontline member of staff (provided that they are not the subject of the complaint)
- Complaint should be filed under share-point 'complaints' in a confidential manner
- Written response to be sent to the complainant within 10 days.
- The complainant might be notified during this period but not before telling the person who made the complaint.

Stage 2 - Review

- Complaint to be reviewed by Chief Executive a response sent to complainant within 5 working days.
- If the complaint is resolved the case will be closed.
- If the complaint is not resolved it will be taken to the next stage.

Stage 3 - Appeal

- Complaint to be considered by the chair of trustees within 2 weeks of the complaint reaching this stage.
- The complainant or their representative may request a meeting
- The chair of trustees' decision will be sent to the complainant in writing within 5 days of the panel meeting.
- If the complaint is resolved the case will be closed. If the case is not resolved it will be taken to the next stage.

Stage 4 - Referral

- Complainant to be signposted to the Housing Ombudsman, 81 Aldwych. London. WC2B 4HN. Tel: 0300 111 3000 or an alternative successor organisation for an independent case review. The timescale for a decision will be advised by the Ombudsman/successor organisation.

Case closed and filed