



Complaints Policy and Procedure



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1.0 Policy Statement

1.1 We strive to provide high quality person-centred services. On occasions, we may not get everything right and this may bring about a complaint.

1.2 This policy outlines the principles that we will adopt when we receive a complaint: We will:

- take complaints seriously, carry out an investigation and provide a written response
- provide the name of the officer responsible for dealing with the complaint
- make our complaints process accessible to all
- deal with complaints quickly, fairly and confidentially
- learn from our mistakes, apologise and seek to minimise such mistakes happening in the future
- use complaints to drive service improvements
- monitor and review complaints, reporting our performance in dealing with complaints to tenants, staff and other stakeholders
- train our staff to deal with complaints efficiently and effectively
- keep our procedures under regular review

2.0 Introduction

2.1 Peter Bedford Housing Association is committed to giving the best possible service to people who receive our support or services. The aim of the Complaints Procedure is to ensure that any complaint is fully investigated and appropriate action is taken in terms of the individual complaint and future Peter Bedford HA policies and actions.

2.2 The procedure can be used by anyone receiving a service from Peter Bedford HA. This includes tenants, workschemes participants, people using Peter Bedford HA facilities, and people from other agencies who either provide services to, or receive services from Peter Bedford HA. It may also be used by anyone who wishes to make a complaint about any aspect of Peter Bedford HA's work, be they internal or external to the organisation.

2.3 This is the procedure for dealing with complaints about:

- services offered by Peter Bedford Housing Association

- decisions made by a worker, team or at a meeting
- behaviour of workers employed by Peter Bedford HA
- policies made by or behaviour of members of the Board

2.4 Complaints about service users will be dealt with using the Anti-Social Behaviour policy and procedure or the Harassment policy and procedure. The Unacceptable Behaviour Policy may also be applied, depending on the circumstances.

3.0 Principles Underlying Complaints Procedure

- All complaints will be considered and investigated fully, carefully and impartially.
- Any participant using this complaints procedure can seek support from an advocate (including the PBHA advocate) or friend at any stage in this procedure.
- The person making the complaint will be kept fully informed of the progress of the investigation and the outcome.
- The person making the complaint can request how they are informed of progress and decisions.
- Written records will be kept about the complaint, the investigation, any meetings held and the conclusion.
- Summaries of all complaints made, and the conclusions reached following investigation, will be passed to the Chief Executive of Peter Bedford Housing Association.
- The person making the complaint will be asked their desired outcomes (e.g. an apology, a decision reversed, compensation, etc.).
- The person making the complaint will be asked for feedback at the end of the investigation, to see how satisfied they are with the outcome and investigation.
- The person making the complaint will be told what action they can take if they are still unhappy with the result or outcomes of the investigation, or if the problem reoccurs.
- If an outcome of a complaint results in changes/improvements being made to the service, the person making the complaint will be informed of this.

4.0 Where this procedure should be used

- 4.1** Wherever possible it is expected that attempts will have been made to resolve problems informally before using this formal procedure. For example by directly raising the issue with the worker or department involved to try and agree a resolution to the problem. If the person making the complaint does not want to go down the formal route, the worker must make a note of their informal complaint on file and inform their Team Leader. This demonstrates a best practice approach because keeping a record will help us to detect any hidden, potentially serious, issues.
- 4.2** If during the process of a complaint being submitted or investigated it comes to light that a criminal offence has been committed, the complainant will be immediately advised of their right to go to the police. It may be appropriate in such circumstances to halt the internal process until the police have fully investigated and dealt with the matter.

5.0 Advocacy and Support for Complainant

- 5.1** At all stages the complainant may seek the support of a friend or advocate. The role of this person is to help the complainant express him/herself effectively and generally to offer support.
- 5.2** Peter Bedford HA has arranged to make an independent advocacy service available for all Peter Bedford HA service users to assist them in using Peter Bedford HA procedures, including the complaints procedure. Information about this service is available from the Reception areas at either office.
- 5.3** Tenants and participants can seek the assistance of an advocate even if not making a formal complaint. The advocate can be contacted through PBHA's office at Legard Works.
- 5.4** PBHA Workers cannot advocate for a complainant when a formal complaint has been made. They can help in writing down the details of the complaint.

6.0 Other Procedures

6.1 The following PBHA procedures deal with different sorts of complaints. If the manager dealing with the complaint thinks one of these procedures is more appropriate then they should transfer over to that policy.

6.2 The Disciplinary Procedure – if the complaint is about a worker and is very serious then this procedure should be used and started at the relevant stage.

6.3 The Compensation policy – gives more details about how complaints relating to late repairs or damage resulting from repairs are dealt with, giving guidelines about where PBHA will consider offering compensation.

6.4 The Anti-Social Behaviour Procedure - where a tenant wants to make a complaint against another tenant living in their house.

6.5 The Harassment Procedure - where a service user or worker wishes to complain about offensive behaviour that contravenes Peter Bedford Housing Association's Equality and Diversity Policy or which is intimidating.

7.0 Whistle Blowing

7.1 There may be exceptional circumstances where the person making a complaint does not think the ordinary complaints procedure will work. This may be because of the extremely serious subject matter of a complaint, or because they have reason not to trust that it will be dealt with properly. In these circumstances they may wish to go straight to a senior manager, or even outside the organisation. The whistle-blowing policy gives more information about where this might be necessary, as well as giving some ideas as to who to contact.

8.0 Record Keeping and Monitoring

8.1 A summary record of all complaints and decisions taken will be kept centrally and regularly reviewed and monitored by the Chief Executive. The Chief Executive is informed of all complaints received and is responsible for sending out an acknowledgement letter within seven days of the complaint being

received. The responsible manager will keep details of the complaint, the investigation, and resulting action, with relevant information also being kept on service users' files.

8.2 The Peter Bedford Housing Association Board annually reviews summary and performance information about complaints received.

9.0 Procedure

9.1 Stage 1

- The procedure for stage 1 should be concluded within 20 working days of the responsible manager receiving full details of the complaint.
- The complainant may give details of their complaint to any worker. The worker should establish if the complainant wishes this to be dealt with as a formal complaint. The manager responsible for the area where the complaint falls should be notified immediately of the complaint, along with the Quality and Compliance Coordinator who should receive a copy of the completed incident form.
- The Incident Recording Form contains guidance on how to complete it and who needs to receive copies/notification of the complaint received
- For more guidance on which member of staff or committee member is responsible for hearing and investigating complaints (at both stages) see the table in Appendix 1 for a guide.
- If it is not clear from the written complaint, the responsible manager will need to ask the complainant how they want to be contacted and how they want to be kept informed of the progress of the investigation (e.g. in writing, by phone, or through the advocate).
- The responsible manager will decide on the most appropriate ways of investigating the complaint. In some cases they may need to have meetings with workers or other parties. In some cases it may be necessary to go through records, files or correspondence.
- Within five days of getting full details of the complaint, the complainant will be sent an acknowledgment letter from the CE's office. This contains brief, but accurate details around the complaint, who will be responsible for the investigation, how long the process should take, along with the organisation's policy statement on complaints.
- The responsible manager will then carry out the investigation

- When they have come to the end of their investigation the responsible manager will contact the complainant to inform them of their conclusions and, if necessary, the steps that will be taken to resolve the issue.

These conclusions will state clearly:

- Which aspects of the complaint were agreed with or disagreed with.
- Why these conclusions were reached.
- What action is to follow as a result.

9.1.1 The responsible manager will also give the complainant clear information about what they can do if they are not satisfied with these conclusions.

9.1.2 Before a complaint can be closed, the complainant needs to complete a Complaint Satisfaction Survey (see appendix 2). The member of staff carrying out the investigation will send a carbon copy of the concluding letter/statement, along with a Complaint Satisfaction Form to the complainants SHW or appropriate VCS worker to complete with the complainant.

9.1.3 If the complaint contains confidential information about a member of staff, then an appropriate member of staff will be assigned the task of completing the survey form with the complainant.

9.1.4 The completed Complaint Satisfaction form must then be returned to the member of staff responsible for the investigation. They will check for any further action required before returning this, along with all other investigation documents, to the Chief Executive of Peter Bedford Housing Association.

9.1.5 The complaint in question cannot be fully closed, and recorded as a KPI, until the Complaint Satisfaction form has been completed and fully processed by the Chief Executive's office.

9.1.6 If improvements to services are made as a result of the investigation conclusion and findings then this will be communicated to the complainant.

9.2 STAGE 2

9.2.1 The procedure for stage 2 should be concluded within 15 working days of the responsible manager receiving full details of the complaint.

9.2.2 To move to Stage 2 of the complaints procedure the complainant will need to specify on what grounds they are requesting to go to Stage 2. Appropriate grounds are:

- The complainant is not happy with the conclusions following the investigation in Stage 1
- Action agreed following the investigation has not been taken
- The problem raised in Stage 1 has not been adequately resolved, or reoccurs
- There is information relevant to the complaint that was not previously considered
- An occurrence following Stage 1 of the process has rendered the conclusions inappropriate or ineffective.

9.2.3 The manager will consider the appeal, and come to a provisional conclusion. However before concluding Stage 2 of the complaints procedure, the investigation and proposed conclusions will be passed on for reviewed to a designated manager outside the team conducting the investigation. Their consideration will be focused on adherence to Peter Bedford Housing Association's policies and procedures, and they will make suggestions and recommendations as appropriate, which the responsible manager should fully consider. (Any irreconcilable differences between the managers at this stage should be referred to the Chief Executive).

9.2.4 When they have come to the end of their investigation the responsible manager at Stage 2 will contact the person making the complaint to inform them of their conclusions.

9.2.5 These conclusions will state clearly:

- Which aspects of the decision at Stage 1 they uphold, or overturn.
- Why these conclusions were reached
- What further action is to follow as a result

9.2.6 The responsible manager will also give the complainant clear information about what they can do if they are not satisfied with these conclusions.

9.2.7 The Complainant will be asked to complete a Complaint Outcome Satisfaction Survey. This will be dealt with as per Stage 1 and all final docs will be sent to the Chief Executive.

9.3 Stage 3

9.3.1 If the complainant appeals against the decision reached at Stage 2 then they should be referred to the Housing Ombudsman Service or relevant local authority team (see Appendix 3 for information on external agencies).

10.0 Policy Review

This policy will be reviewed every three years in conjunction with new legislation and the Business Plan.

Reviewed: November 2013

Due for Review: November 2016

Lead Responsibility: Deputy Chief Executive

Appendix 1: Summary of who is involved in the complaints procedure

Complaint about	Responsible Manager at Stage 1	Responsible Manager at Stage 2
Individual Worker	Worker's Supervisor	Chief Executive or Deputy Chief Executive as appropriate
Team Leader	Worker's Supervisor	Deputy Chief Executive
Deputy Chief Executive, Head of VCS or Head of Resources or other worker line managed by C.E.	Chief Executive	Chair of Board or other board member selected by the Chair
Service	Team Leader/Manager responsible for that area of work or the manager allocated by the Chief Executive	Their manager or Deputy Chief Executive
Chief Executive	Chair of Board	Sub Committee of Board
Board Member	Chair of Board	Sub Committee of Board

Appendix 2: Getting it right first time, ten stage check list for successfully addressing a complaint

1. Contact made – get in quick, even if it’s just a letter acknowledging receipt of their complaint. If you are unable to respond within 24hours, then ask an administrator to send an acknowledgement letter.
2. All issues identified - get the key events/facts right and research any unclear areas
3. Structure – answer all the points clearly
4. Next stage clearly sign-posted – remember to include any requests for information
5. Any failure(s) identified – if we made a mistake, admit it!
6. Personalised – use ‘we’, ‘our’, ‘you’ and ‘I’, rather than “The Association”, “PBHA”, etc.
7. Spelling & Grammar – does your correspondence read well?
8. Plain English – avoid jargon, acronyms and keep it short and simple.
9. Empathy – acknowledge how the situation may be affecting them.
10. Follow up – ensure any corrective action needed is carried out.

Appendix 3 Feedback (Complaint) Investigation Satisfaction Form

This form is to be completed by the complainant with their support worker, or relevant member of staff, following the completion of the investigation.

The completed form must then be sent to the member of staff who carried out the investigation in order to close the complaint.



Complainant’s Name:

Are you satisfied with the outcome of your feedback?

Yes
No. Please explain why this is:
.....
.....
.....

Are you satisfied with the way in which the investigation was carried out?

Yes
No. Please explain why this is:
.....
.....
.....

Are you satisfied with the length of time taken to complete the investigation?

Yes
No. Please explain why this is:
.....
.....
.....

Are you satisfied that the problem has been resolved and that it will not happen again?

Yes

No. Please explain why this is:

.....

.....

.....

Would you like to discuss your complaint some more with the member of staff responsible for investigating it or someone else?

No, I am happy with the outcome

Yes, I would like to discuss things further.....

Investigation carried out by	
Form completed by	
Date form completed	
Date checked by investigating officer	
Date received by EA to CE	
Further action required?	
Complaint closed? Y/N	

Appendix 4: Examples of Agencies for Complaints at stage 3.

Usually outside bodies will expect a complainant to have exhausted the internal complaints procedure before approaching them.

A) Independent Housing Ombudsman

Anyone who has had a complaint about a matter to do with their housing, or being turned down for housing, dealt with under Stage 3 of the Peter Bedford Complaints Procedure and who is not satisfied with the outcome of the investigation can contact designated person to consider the complaint, as per the guidance issued by the Housing Ombudsman. The Localism Act 2011 provides that tenants of housing associations, local authorities, and ALMO's will be able to ask for their complaints to be considered by a 'designated person' when their landlord's internal complaints procedure is finished. This provision started on 1 April 2013.

If after a specific period the tenant remains unsatisfied, they can then refer the matter to the Independent Housing Ombudsman and ask for their complaint to be investigated.

The Ombudsman is an independent person whose job is to provide a fair and effective way of resolving complaints against a registered housing association.

Contact details:

The Independent Housing Ombudsman
81 Aldwych
London
WC2B 4HN

Tel: 0300 111 3000

Fax: 0207 831 1942

E-mail: info@housing-ombudsman.org.uk

Website: www.housing-ombudsman.org.uk

B) Supporting People Teams

Hackney

Hackney Service Centre
1 Hillman Street
London
E8 1DY
email: info@hackney.gov.uk
Tel: 020 8356 2834

Islington

23-26 St Albans Place
London
N1 0NX
email: referrals.coordinator@islington.gov.uk
Tel: 020 7527 4656/4369

C) Social Services, Health Authority, Other Funders.

Some service users at Peter Bedford are funded by other agencies. These service users also have the right to complain to their funding body if they are unhappy with the service provided by Peter Bedford HA.

If you are not sure who is funding your service the independent advocate will be able to help you find out.