



## **Complaints Policy**

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## 1. INTROUCTION

We aim to provide all our customers with good quality homes and services. However, we recognise that sometimes things go wrong and customers may be dissatisfied and wish to complain. In these instances, we aim to resolve matters locally, as quickly as possible by being open, accountable and outcome focused.

These aims are in line with the Housing Ombudsman's 'Dispute Resolution Principles' of:

- Being Fair
- Putting things Right
- Learning from Outcomes

Our commitment to customers is that complaints will be viewed positively, that prompt action will be taken to carry out an investigation and put things right and that we will learn from any mistakes by committing to making service improvements where required.

If at any time legislative changes mean any aspect of this policy does not comply with the latest current legislation then the latest legislation will override this policy. All other aspects of the policy will remain in force.

This policy is in also in line with the following relevant legislation:

- Localism Act 2011
- Housing Act 1996 (schedule 2)
- General Data Protection Act 2018
- Equality Act 2010
- Housing Ombudsman Scheme
- Tenant and Involvement Empowerment Standards

This policy meets the requirements of the Consumer Standards by committing to:

- Maintaining tenants' homes so that they are safe and of a decent standard and providing a quality service
- Handling complaints effectively where things go wrong
- Listening to tenants and support them to influence decisions
- Having a relationship with their tenants that is underpinned by shared expectations of fairness and respect and a shared understanding of their respective rights and responsibilities
- Demonstrating that they understand the diverse needs of the communities that they serve, and that their services reflect those diverse needs.

## 2. SCOPE

### 2.1 Complaint Definition

A complaint is a statement that something is unsatisfactory or unacceptable, about the standard of service, actions or lack of action by Chrysalis, our colleagues, or those acting on our behalf.

It is important to recognise the difference between a formal complaint and a service request.

Formal complaint – confirmation usually in writing or electronically, of dissatisfaction with a service or services provided by a landlord.

Service request – a request from a resident to their landlord requiring action to be taken to put something right.

Any third parties acting on behalf of the Association must apply the same requirements of the code to any complaints.

## 2.2 Confidentiality

All information received will be treated in accordance with the Data Protection Act 2018 in regard to collection, storage, access to, provision and disclosure.

## 2.3 Who can complain?

We accept complaints from our customers, and/or anyone directly impacted by our housing related or other services, including service applicants within 12 months of the incident occurring or longer by discretion. We will also accept complaints from someone acting on behalf of a customer and an appropriate customer representative to be involved in the process on their behalf or in support.

Group complaints will require a lead contact so that one line of communication can be followed. However, the same aims and processes will be followed.

We all expect to be treated with courtesy. When this doesn't happen, we might need to limit how we communicate with customers. There's more information on this in Appendix 3

## 2.4 What the policy doesn't cover

- cases where a legal claim is made against Chrysalis, including disrepair cases and insurance claims (if the claim occurs after the complaint has been raised, we will then close the complaint).
- cases where a customer is taking a matter to court, or the matter is being dealt with by another statutory agency that has the power to resolve the complaint (if the claim occurs after the complaint has been raised, we will then close the complaint)
- complaints of anti-social behaviour as these are covered by Chrysalis' Anti-Social Behaviour policy. However, a complaint will be accepted if the customer is dissatisfied with how their case was handled.
- issues which are over 6 months old unless there are exceptional circumstances.

We will provide a detailed explanation if we don't accept a complaint and a customer can approach the Ombudsman if they do not agree with this decision

Complaints relating to staff conduct will be fully investigated in line with our HR policies, but we cannot divulge the outcome of these investigations for reasons of confidentiality. We will, however, explain what our investigation involved.

### 3. PRINCIPLES OF THE COMPLAINTS POLICY

#### 3.1 How to complain

Complaints can be made in several ways:

- By phone through our general enquiries line by calling: 0300 3655 4040  
By email: [complaints@chrysalishousing.co.uk](mailto:complaints@chrysalishousing.co.uk)
- Completing the complaints form on-line at: [www.chrysalishousing.co.uk](http://www.chrysalishousing.co.uk)
- In writing to: Chrysalis Supported Association Ltd, 3 Brook Office Park, Ground Floor, Bristol, BS16 7FL.
- We do not accept or operate a reporting of complaints function via social media
- Directly to any of our colleagues in person
- Via a representative or advocate (we must have written permission from the customer with consent to discuss confidential information)

#### 3.2 What will happen?

##### **Stage One** – Complaint investigation and resolution

Where possible we aim to resolve the complaint there and then. If we can't, we will refer it to the person or department best placed to help. They will make contact by the end of the next working day. We will always acknowledge complaints within 5 working days of the complaint being received.

We will write within 10 working days after we receive a complaint to explain the outcome of our investigation, how we will resolve the complaint and the timescales. If we can't, we'll explain why and write again within a further 10 working days, providing the contact details of the ombudsman.

After we have agreed the resolution and confirmed our decision in writing, we will monitor progress until all actions are complete.

#### 3.3 Escalation

If the complainant is dissatisfied with our resolution and asks us to, we will escalate to Stage Two. We will need to know why they are dissatisfied and what will resolve the complaint.

##### **Stage Two** – Complaint review and resolution

Someone not involved at Stage One will carry out a review of the complaint, in some circumstances in partnership with a senior manager or operational Director.

We will make contact within two working days to give complainants the opportunity to explain their side of things and we will always acknowledge complaints referred to stage 2 within 5 working days of the complaint being received.

We will write with the outcome and next steps within 20 working days of the request to escalate. If we can't, we'll explain why and write again within a further 10 working days.

After we've agreed the resolution and confirmed our decision in writing, we'll monitor progress until all actions are complete.

In exceptional circumstances complaints will not be escalated to the second stage but you will always be given a full written explanation of why this decision was taken.

#### **4. RESPONSES TO COMPLAINTS**

4.1 Where something has gone wrong we will acknowledge this and set out the actions already taken, or intend to take, to put things right. These can include:

- Apologising;
- Acknowledging where things have gone wrong;
- Providing an explanation, assistance or reasons;
- Taking action if there has been delay;
- Reconsidering or changing a decision;
- Amending a record or adding a correction or addendum;
- Providing a financial remedy;
- Changing policies, procedures or practices.

#### **5. OTHER OPTIONS AVAILABLE TO CUSTOMERS**

##### **5.1 Designated person**

A social housing tenant may approach a 'designated person' (as set out in the Localism Act 2011) where they are still dissatisfied after exhausting our complaints process. These are 'designated persons':

- MP (Member of Parliament)
- Councillor
- Tenant Panel or Tenant Advocates

The role of a 'designated person' is to help resolve tenant complaints by:

- providing advice to tenants
- advocating on their behalf
- discussing matters with the landlord
- engaging with other designated persons
- carrying out other actions.

They may also refer complaints to the Housing Ombudsman if they are unable to resolve a complaint directly with us and the complainant agrees.

##### **5.2 Housing Ombudsman**

The Housing Ombudsman Service can provide advice and support to residents throughout the life of a complaint. If the complaint remains unresolved at the end of the complaint process, customers can contact them to request a review. They must wait eight weeks unless a designated person refers the complaint.

##### **Contact details:**

Housing Ombudsman Service

PO Box 152

Liverpool L33 7WQ

Telephone: 0300 111 3000

Email: [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)

Web: [www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk)

Complaints about care services (even if these are not operated by us or under our management).

Complaints about care services can be taken to the Local Government and Social Care Ombudsman.

Any customer receiving care services may choose to access their local council's complaints process instead of ours before approaching the Ombudsman.

**Contact details:**

The Local Government and Social Care Ombudsman  
PO Box 47771  
Coventry CV4 0EH  
Telephone: 0300 061 0614  
Web: [www.lgo.org.uk](http://www.lgo.org.uk)

5.3 Consumer Credit Regulated Activity

Complaints about welfare benefits advice can be taken to the Financial Ombudsman Service if you are not satisfied with our response.

**Contact details:**

The Financial Ombudsman Service Exchange Tower  
Harbour Exchange Square London  
E14 9GE  
Telephone: 0800 023 4567  
Email: [complaint.info@financial-ombudsman.org.uk](mailto:complaint.info@financial-ombudsman.org.uk)  
Web: <https://www.financial-ombudsman.org.uk/>

5.4 First-Tier Tribunal (Property Chamber – Residential Property)

Customers can apply if they are a landlord, tenant, freeholder or leaseholder. The cases that can be considered include:

- Rent increases for fair or market rates
- Leasehold disputes e.g. variable service charges
- Leasehold enfranchisement e.g. extending a lease

**Contact details:**

Web: [www.gov.uk/housing-tribunals](http://www.gov.uk/housing-tribunals)

5.5 When a Complaint is Closed

There may be circumstances where a complaint is closed early. Examples of would be when:

Investigation is complete and a response has been sent

After sending a response and attempting to make contact to discuss it, there is no further contact from the complainant after xx days

A resolution is agreed and the landlord's commitment to deliver the action

5.6 Use of Discretion

We reserve the right to use discretion when applying the policy and may deal with a compliant differently where individual circumstances merit it. However, any discretion

will be applied fairly and appropriately with complaints progressed as far as possible to maximise the opportunity to resolve a dispute.

#### 5.7 Equality and Diversity

We value diversity and are committed to promoting equality of opportunity to ensure all residents are treated fairly. Our approach is one that ensures fairness, accessibility and transparency.

#### 5.8 Representation and Support Agencies

If you would like independent advice regarding your complaint, you can contact one of the below organisations for support.

#### 5.9 Citizen's Advice

Website: [adviceguide.org.uk](http://adviceguide.org.uk)  
Helpline: 0800 144 8 444

#### 5.10 Shelter

Website: [www.shelter.org.uk](http://www.shelter.org.uk)  
Helpline: 0300 330 1234

#### 5.11 Further Reference:

- Regulator of Social Housing (RSH) – Tenant Involvement and Empowerment Standard
- Equality Act 2010

### **6. LEARNING FROM COMPLAINTS**

6.1 We treat complaints as an opportunity to learn from our mistakes and improve our service. Complaint numbers, outcomes and satisfaction inform policy reviews and the way we deliver our services.

6.2 Senior managers across the business will meet monthly to review the level and nature of complaints. This will enable trends and root causes to be identified so we don't repeat our mistakes.

6.3 Our involved residents will be encouraged to play a key role in our complaint's performance and service. They will be invited annually or earlier to review how we have managed and handled complaints.

6.4 We will report openly in our Annual Report the number, nature and outcome of all complaints.

6.5 Complaints are monitored and reported on extensively, from individual one to one meetings, team meetings, complaints reports at senior management meetings through to our Board meetings. They are a key feature of our annual Report and how we are managing our relationship with our tenants.



6.5 We regularly monitor compliance with policy and procedures through regular review and ongoing training and seek to address any weaknesses with our operational performance as appropriate.

## **7. PERSISTENT/ABUSIVE CUSTOMERS**

We accept that at times people may act in a way that is generally out of character, especially in times of trouble or distress. We accept that a customer may become upset, disappointed or frustrated by our action or inaction when contacting us. We will also review whether any reasonable adjustments are required.

However, actions of customers who are angry, demanding or persistent may result in unreasonable demands on, or unacceptable behaviour towards, our colleagues.

The following actions are considered unreasonable or vexatious:

- Aggressive or Abusive Behaviour
- Unreasonable Demands
- Unreasonable Persistence

### **7.1 Aggressive or Abusive Behaviour**

Colleagues should be treated with courtesy and respect. Anger in respect of a complaint may be understandable but it must not escalate into aggression towards our colleagues.

Physical violence; language (spoken or written) or behaviour which makes colleagues feel fearful, threatened or abused is not acceptable. Such behaviours can include making derogatory personal remarks; being rude; inflammatory statements or making unsubstantiated allegations.

### **7.2 Unreasonable Demands**

Where the demands of a customer substantially affect our colleagues causing a negative impact on other customers or workload, we will consider them unreasonable.

This can include demanding responses within an unreasonable timescale; constant contact whether by phone, email or in writing; repeatedly changing the subject of a complaint or raising unrelated issues and insisting on speaking or seeing specific colleagues.

### **7.3 Unreasonable Persistence**

We will consider actions to be unreasonably persistent when a customer refuses to accept a decision made in relation to a complaint; refuses to accept explanations relating to what we can and cannot do or continues to pursue a case without presenting any new information or evidence.

Where customers refuse to modify their behaviour when requested, a Head of Service may make the decision to deal with them outside of the complaints policy and/or restrict a customer's access to our services.

All such restrictions would be communicated to the customer in writing and must explain how the restriction has been applied and how they can continue to contact us about emergencies and urgent issues.

#### 7.4 Restricting Contact

We may channel the contact we have with customers through agreed and appropriate routes. This may include:

- Restricting contact to one of the following only:
  - In person
  - By phone
  - In writing
  - By email
- Allocating a specific person to deal with calls or correspondence, limiting the contact the customer can make with any other colleague.
- Advising the customer that we will only respond to them on a certain frequency i.e. once a week, regardless of how often they contact us.
- Where customers repeat the same issues, we will only respond to new issues; where they raise issues, we have dealt with before, we will refer them to our previous responses.
- We may ask that you appoint a representative to speak on your behalf.

We reserve the right to take legal or possession action if a customer behaves in such a way that they are breaking the law, or it breaches their tenancy or the terms of their licence.

### **8. COMMUNICATION**

This policy will be shared with all staff who will be encouraged to share the complaints policy and process and it will be published on the Association website.

#### Related documents

HM03	Anti-Social Behaviour Policy
HM06	Acceptable Behaviour Policy
CM20	Safeguarding Policy