

OUR HOUSING COMPLAINTS POLICY AND PROCEDURE



YOU HAVE RIGHTS!

Revision List

Date	Action	Author(s)	Changes	Version
January 2025	First Draft Policy Created	Lynn Collins		1.0

References:

This Policy and Procedure is informed by The Housing Ombudsman Service Complaint Handling Code, The Government/Social Housing Regulator’s ‘Standards for Social Housing Tenants and [Social housing complaints: make things right - GOV.UK](#) [accessed 21.01.25], Paragon Asra Housing Limited PA Housing Complaints Policy May 2024 [accessed 29.01.25]. Southern Housing Complaints Policy [accessed 02.02.25].

This policy should be read in conjunction with (but not limited to) the organisations’ Data Protection, Safeguarding Adults, Unreasonable and Anti-social Behaviour, Equality Diversity and Inclusion Policies, the Complaints procedure and Terms of Tenancy letter to tenants.

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1. Introduction

Newbarn Ltd and Blue Pits Housing Action (BPHA) aim to deliver a positive tenant experience by providing high quality supported housing and creating communities that are safe and secure and where our tenants are happy to live.

We are committed to listening to our tenants and dealing with their feedback, concerns and complaints, in a fair and impartial way. We are committed to ensuring fair and equal access to the process for all tenants.

To achieve this, we will:

- ✓ View complaints positively
- ✓ Treat all our tenants fairly
- ✓ Apologise when things go wrong
- ✓ Take prompt action to investigate and then put things right.
- ✓ Learn from the mistakes we make
- ✓ Commit to making improvements.

1.1 Scope and Limitations of this Policy

Anyone can make a complaint about the **housing** services we, or anyone working for us (e.g. external contractors), provide. This includes the tenant, their family or carer, Advocate, CPN, social worker, contractors. Letting Agent, or Landlord (“The Complainant” (this list is not exhaustive).

In this regard, tenants can authorise someone else to make a complaint on their behalf i.e. an ‘advocate’. This could be a friend/relative or representative from an external organisation (such as Citizens Advice, MIND etc).

As good practice, tenants should be asked if they would like an advocate to act on their behalf, or represent them at any meetings with us.

If a tenant lacks capacity under the Mental Capacity Act 2005, complaints will be accepted from a representative acting in their best interests and based on relevant consent and authority being provided.

Complaints concerning our care and support services are covered under a different policy and are monitored by the Rochdale Adult Care Quality Assurance Team and the Care Quality Commission.

1.2 Definition of a Complaint

It is important to establish a shared understanding of what constitutes a complaint.

As set out in the Housing Ombudsman's Complaint Handling Code [February 2024], a complaint must be defined as:

‘an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents.’

A tenant (or resident) does not have to use the word ‘complaint’ for it to be treated as such. Whenever a tenant expresses dissatisfaction, we, as their landlord must give them the opportunity to make complaint.

A complaint that is submitted via a third party or tenant representative must be handled in line with this policy document.

1.2 Definition of a Service Request

The Housing Ombudsman defines a service request as a ‘request from a tenant/resident to their landlord requiring action to be taken to put things right’.

Tenants can and do report and request repairs to their properties with support from their support workers and also via the Health and Safety officers who carry out monthly property inspections.

At this point, the tenant is making a service request and this differs from raising a concern or making a complaint.

When repairs or refurbishments are requested, we follow a system of prioritising the works needed and agreeing a repair timescale with the tenant. This system encourages their input and involvement.

If the repair or refurbishment work is not carried out within timescales agreed with the tenant, this may be rectified by apologising for the delay, giving an explanation of the reason for the delay (which may be outside of the organisation's control) and agreeing a further date for completion.

However, if this further date is exceeded, or, the repair or refurbishment work is not completed to a satisfactory standard, then the tenant may express dissatisfaction and this must be recorded as a complaint and a Housing Complaint Form (Appendix A) must be completed with the tenant.

(Appendix 1 – Housing Complaint Form)

2. Complaint Process

2.1 Raising a complaint

The Housing Ombudsman Service encourages the early and local resolution of disputes between Landlords and Tenants. We recognise that tenants may not wish to follow a formal process and just want an issue resolved. These issues can be dealt with as a service request.

We encourage our staff to take steps to address concerns at the first point of contact. For example, this might involve a callback from the Property Lead. For straightforward issues that require minimal or no investigation, we aim to

provide an immediate apology, explanation, or action to resolve the request on the spot, unless there are exceptional circumstances.

However, we will always give our tenants the option to access the complaints process.

A complaint can be raised by contacting any of our colleagues, however often the quickest way to put things right is to speak with the Property Lead, Michelle Reckless, or either of our Health and Safety Officers (Newbarn – Danny Lee. BPHA – Amanda Harrison).

We do appreciate that sometimes this isn't possible and so we can be contacted in any of the following ways:

Office Landline: 01706 345886 (Monday to Friday 9am - 5pm)

Email: housingcomplaints@bluepitshousingaction.com

Webform: www.bluepitshousingaction.com

All of our staff will support tenants to raise a complaint.

We **ARE UNABLE** to accept complaints via our social media pages or Website review channels.

2.2 Complaint Stages

Where a complaint is made that cannot be rectified at the service request stage, then We follow a two-stage process for complaints.

This ensures our tenants can challenge our decisions and have them re-assessed by a higher authority.

During the complaint stages, we aim to provide regular updates, even if there's no final resolution yet, to reassure tenants that their concerns and complaints are being actively dealt with.

2.2.1 Stage 1 - Complaint Investigation

When we first receive a complaint, we will formally acknowledge it in writing within 5 working days and aim to agree on a solution with the complainant within 10 working days from the date of acknowledgment.

If the complaint is particularly complex, we may occasionally require more than 10 days to resolve it. In these cases, we will keep the tenant informed and provide regular updates on the reasons for the delay.

If the tenant does not agree to an extension for the Stage 1 response, we will provide them with the Housing Ombudsman's contact details.

2.2.2 Stage 2 - Escalated Complaints

If the tenant is not satisfied with our Stage 1 decision, they can request a review at Stage 2. The timeframe to request escalation is typically 28 days, extendable in exceptional cases. At Stage 2, a different colleague will handle the case, and a higher lead staff will review the investigation.

Upon receipt of the Stage 2 escalation, an acknowledgment will be sent within 5 working days. A comprehensive response will be provided within 20 working days from the date of acknowledgment.

Following a thorough investigation of the issues raised; a final response will be provided within 20 working days. However, if the complaint is exceptionally complex, it may take longer than 20 days to resolve. In such cases, we'll keep the tenant informed about the reasons for the delay and provide regular updates. If the tenant disagrees with an extension for the Stage 2 response, we'll provide them with the contact details for the Housing Ombudsman.

2.2.3 Putting Things Right

Following receipt of a complaint, we'll take the necessary steps to make things right and offer an apology if we're at fault.

We will seek and value feedback as a tool for learning from our mistakes. If a complaint leads to changes in policy or service, we'll document this and regularly update our tenants.

We will conclude a complaint once we've agreed on a solution with the complainant, sometimes committing to delivering a service within a specific timeframe after the formal complaint response has been issued.

We will engage our Tenant Reps and others in reviewing our complaint handling performance, incorporating feedback and lessons learned to enhance services. This ensures fairness and transparency in our complaint resolution process.

2.2.4 External Escalation

If all steps outlined in this Complaints policy have been exhausted and the complainant remains dissatisfied with the outcome, they can request further escalation externally.

In these instances, the complainant has the option to contact the Housing Ombudsman Service. The Ombudsman will advise on the complainant exhausting the organisation's Complaints Policy first.

The Housing Ombudsman Service is independent, impartial, and free.

The Ombudsman will assess if the complaint falls within their scope.

The Housing Ombudsman Service contact details are as follows:

Tel: 0300 111 3000

Address: Housing Ombudsman Service, PO Box 1484, Unit D, Preston, PR2 0ET

Email: info@housing-ombudsman.org.uk

Web: www.housingombudsman.org.uk

2.2 Learning from Complaints

Tenant satisfaction is very important to us, and we use your feedback, including learning from complaints to make improvements to our services and processes.

Blue Pits Housing Action produce an annual report, and from 2025, we will include our complaints performance and how we have improved services in line with tenant feedback.

Further, we will produce an annual complaints performance and service improvement report for scrutiny and challenge, along with an annual assessment against the Housing Ombudsman's Complaint Handling Code.

2.3 Exclusions

In some cases, certain issues will not be treated as complaints and will not go through our Housing Complaints Policy and Procedure. These include:

- Initial service requests, e.g. like reporting repairs, or Antisocial Behaviour, or seeking information.
- Insurance claims or appeals related to property damage or personal injury against Newbarn Ltd or Blue Pits Housing Action
- Matters that have already been resolved through our Complaints Policy.
- Cases already in legal proceedings or once the pre-action protocol has been exhausted and legal papers have been served.

- Complaints about incidents older than twelve months, with exceptions considered on a case-by-case basis.
- Disputes concerning our landlord responsibilities which will be noted for future policy reviews.

In some cases, where a tenant or other complainant is displaying abusive or threatening behaviour or unreasonably making repeated complaints about the same issue, we may suspend the complaints procedure or limit contact with the complainant. In these circumstances, we will communicate the reasons behind this decision, adhering to our Unacceptable and Anti-Social Behaviour Policy.

3. Equality, Diversity, and Inclusion

This policy documents aligns with our broader commitment to equality, diversity, and inclusion to supporting Adults at Risk.

We aim to ensure accessibility and provide support for all tenants and complainants throughout the complaints process. We are dedicated to ensuring that our complaints procedure is accessible and user-friendly for all our tenants, in keeping with our legal obligations outlined in the Equality Act 2010.

If a tenant or other complainant requires assistance in submitting their complaint in writing, please inform us.

Appendix 1 Housing Complaint Form



HOUSING RELATED COMPLAINT FORM

Blue Pits Housing Association is committed to understanding your complaint and putting things right when we have got things wrong.

If you are not happy with the quality of your housing service, including the timing and standard of repairs carried out in your home, or the contractors who have worked in your home, then please use this form to tell us what went wrong.

This will help us deal with your complaint quickly and we will do our best to put things right as soon as possible.

Name: _____

Address: _____

Phone number: _____

Email: _____

Signature: _____ Date: _____

My Complaint is about:

When we receive your complaint, we will let you know in writing within 5 working days and aim to agree on a solution.

If we need more information, we will get in touch with you. Please let us know how you prefer to be contacted:

In person By email By telephone By letter

You can submit your complaint to us in any of the following ways:

Office Landline: 01706 345886 (Monday to Friday 9am - 5pm)

Email: housingcomplaints@bluepithousingaction.com

Webform: www.bluepithousingaction.com

By giving this form to your worker (All of our staff will support you to raise a complaint.)

The information you supply will only be used for the purpose for which it is given and will be managed in keeping with our Data Protection Policy.

For office use only:

Date form received _____

Date complaint acknowledged _____ Acknowledged by

Method of written acknowledgment (Email to complainant/by post to complainant/by hand to complainant).