

South Yorkshire Housing Association Complaints Policy*

We aim to get it right – first time and every time. However, if things go wrong, we want our customers to tell us if they are unhappy with the service they've received. We want to create a positive complaint-handling culture that listens to our customers, takes action to put things right and learns from mistakes. We will use information about complaints to identify issues and drive improvement in our services.

We aim to:

- Make it simple for our customers and others to make a complaint
- Deal with complaints fairly and consistently
- Put things right quickly in a satisfactory way
- Use the learning from complaints to improve what we do
- Respond to complaints and act in a way that builds trust and creates positive relationships.

Accessing this policy: This Complaints Policy is available on our website. We can also provide it in alternative formats on request, including paper copy, large print and other accessible formats. We will take reasonable steps to support customers who may need help to understand or use this policy, including providing translation or interpretation services and making reasonable adjustments where required. Customers can tell us about any support they need when making a complaint, and we will work with them to ensure the complaint process is accessible.

Our approach to handling complaints

1. We use the Housing Ombudsman's definition of a complaint, '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'
2. We will recognise the difference between a service request and a complaint. When we are asked to provide a service or fix a problem, we will treat these as service requests. We will use our housing management system to record service requests and use this as a source of intelligence to better understand the services requested by customers and how we deliver them.
3. We will accept and handle a complaint from anyone who receives, or is directly affected by, our services. A customer does not need to use the word 'complaint' for an issue to be treated as one. Whenever a customer expresses dissatisfaction with our service, we will give them the opportunity to have the matter handled as a complaint under this policy.
4. We will also accept and handle complaints made on behalf of a customer by an advocate, representative or third party, provided the customer has given permission for the person to act on their behalf. Complaints submitted via a representative or third party will be handled in line with this Complaints Policy. An advocate or representative acting on behalf of a customer will be given the opportunity to accompany or represent the customer at any meetings related to their complaint.

For the purposes of this policy, references to “the person making the complaint” include customers, former customers, and anyone acting on their behalf with appropriate consent (such as an advocate or representative).

5. Complaints can be shared with us in a variety of ways and with any employee of South Yorkshire Housing Association. Customers can make a complaint in the following ways, including in person, by email, on our website, by telephone, or by writing to us.
6. When a customer expresses dissatisfaction with a service they have received or are receiving, we will offer them the choice to have the issue handled as a complaint under this policy. If the customer chooses to make a complaint, it will be logged and handled in line with our complaints process. Where a complaint relates to an ongoing service issue, we will continue to progress the service request alongside the complaint, so that customers do not experience unnecessary delay while their complaint is being considered.
7. This Complaints Policy is available on our website. We will also provide information about the Housing Ombudsman and independent advice organisations, such as Citizens Advice and Shelter, at appropriate points in the complaints process, as these organisations may be able to offer further support or help to resolve disputes.
8. A complaint must be made within 12 months of the issue or the customer becoming aware of a problem. If we believe that there is a good reason why a person making a complaint couldn't let us know about their complaint in this timescale, we will respond to the complaint.
9. When a customer asks for their concern to be treated as a complaint, the complaint will be logged at **Stage 1** of our complaints process. There are no stages before Stage 1 of the complaints procedure.
10. We may seek to resolve issues as early as possible, including where matters are straightforward or can be quickly put right. However, early resolution activity will not delay the logging of a complaint at Stage 1 or the start of the complaints process where a customer has requested to make a complaint.
11. Once a complaint is logged at Stage 1, we will assign a complaint owner who will be responsible for managing the complaint, investigating the issues raised and providing a formal response in line with this policy.
12. We will acknowledge **Stage 1 and Stage 2 complaints within five working days** of the complaint being received.

The acknowledgement will:

- define the complaint being considered
- confirm the outcome the customer is seeking
- clearly set out which aspects of the complaint we are responsible for
- explain any aspects that fall outside our responsibility, or where further clarification is required
- explain the next steps and timescales in the complaints process

Where clarification is needed, we will work with the person making the complaint to agree the scope of the complaint as early as possible.

13. We will provide a **full Stage 1 complaint response within 10 working days** of the complaint being acknowledged.

In some cases, where the complaint is complex or requires further investigation, we may need to extend the response timescale. Any extension will be **no longer than a further 10 working days**, unless there is a good reason. Where an extension is needed, we will contact the person making the complaint before the original response deadline to explain:

- why more time is required
- the revised response date
- how we will keep them updated on progress

Where a Stage 1 response is extended, we will also provide the contact details for the Housing Ombudsman.

14. We will not delay issuing a Stage 1 response while outstanding actions are completed. Where actions are identified as part of the complaint response, we will clearly set these out in the response, track them internally and keep the person making the complaint informed of progress until they are completed.

If, in exceptional circumstances, it becomes clear that the response will extend beyond the agreed extended timescale, we will agree regular update intervals with the person making the complaint and provide clear information about next steps, including their right to raise the matter with the Housing Ombudsman.

15. During our investigation if the person making the complaint raises additional issue/s, we will consider including them in the complaint if they are related and doing so would not delay our response. If the issue is unrelated or would delay our response we will record a new complaint.

16. Our response will:

- address all points made in a complaint
- give clear reasons for the decisions we have made
- describe any steps taken to put it right
- set out all outstanding actions, including timescales and how we will share the progress of these
- share information on how to ask for the complaint to be reviewed

17. If the person making a complaint confirms that they are satisfied with the response, we will close the complaint.

18. If the person making the complaint is not satisfied with our Stage 1 response, they may request that their complaint is reviewed at Stage 2.

19. The person making the complaint should let us know **as soon as reasonably possible and normally within 10 working days** of receiving the Stage 1 response if they would like their complaint to be reviewed.

20. Where a request for review is received after 10 working days, we will consider whether there is a good reason why the person making the complaint could not reasonably have made contact sooner. We will consider late requests on a case-by-case basis and will not automatically refuse a request for review solely because it was made outside the normal timescale.
21. A Stage 2 complaint review will **always** be carried out by a person who was **not involved in the Stage 1 complaint** and who is **a manager or more senior** than the complaint owner. Wherever possible, the reviewer will be from a different department to ensure independence.
22. An employee from the Customer Experience department and a Director will be involved in the Stage 2 review and will sign off the final response. Where specialist or technical knowledge is required to support the review, this will be provided by relevant colleagues. However, responsibility for reviewing the complaint and issuing the Stage 2 response will remain with the appointed reviewer who was not involved at Stage 1.
23. When the person making the complaint asks for their complaint to be reviewed at Stage 2, we will log the complaint at **Stage 2 of our complaints process**.

We will acknowledge all Stage 2 escalation requests **within five working days of the escalation request being received**. The acknowledgement will:

- confirm our understanding of the complaint at Stage 2
- confirm the outcome the customer is seeking
- clearly explain which aspects of the complaint we are responsible for, and any aspects that fall outside our responsibility or require clarification
- explain the next steps and timescales for the Stage 2 review

Where appropriate, we may contact the person making the complaint to better understand why they remain dissatisfied with the Stage 1 response. This will not delay the logging or acknowledgement of the complaint at Stage 2.

24. We will provide a **full Stage 2 complaint response within 20 working days** of the complaint being acknowledged at Stage 2.

In some cases, where the complaint is particularly complex or requires further investigation, we may need to extend the response timescale. Any extension will be **no longer than a further 20 working days**, unless there is a good reason. Where an extension is required, we will contact the person making the complaint before the original response deadline to explain:

- why more time is needed
- the revised response date
- how we will keep them informed of progress

Where a Stage 2 response is extended, we will also provide the contact details of the Housing Ombudsman.

25. We will not delay issuing a Stage 2 response while outstanding actions are completed. Where actions are identified as part of the Stage 2 response, these will be clearly set out in the response, tracked internally and progressed promptly. We will keep the person making the complaint updated on these actions until they are completed.

If, in **exceptional circumstances**, it becomes clear that the response will extend beyond the agreed extended timescale, we will agree regular update intervals with the person making the complaint and provide clear information about next steps, including their right to raise the matter with the Housing Ombudsman.

26. Our response to a review will:

- address all points made in a complaint
- give clear reasons for the decisions we have made
- describe any steps taken to put it right
- set out all outstanding actions, including timescales and how we will share progress of these

27. The Stage 2 complaint review is the final step of our process and concludes South Yorkshire Housing Association's complaints process.

28. If a person making a complaint has the right to take their complaint to the Housing Ombudsman, Energy Ombudsman or Local Government and Social Care Ombudsman, we will share information about how to escalate a complaint to them as part of the complaints review.

29. Within 10 working days of a complaint being closed, or South Yorkshire Housing Association's complaints process being completed, we will contact the person making a complaint to carry out a complaint handling satisfaction survey.

30. We are committed to recognising and valuing diversity, achieving equality, and making sure that no one is disadvantaged when accessing our services. In our annual review of the complaints process, we will review the process from an equality perspective.

31. We will use our discretion to make fair, appropriate, and reasonable adjustments to our approach where:

- individual circumstances justify handling a complaint differently to this policy
- it improves accessibility for the person making a complaint
- it maintains or achieves a positive relationship with the person making a complaint, or it maximises the opportunity for resolution.

32. We will take a fair approach and consider each complaint on its own merits. We will accept all complaints and escalations through our complaints process unless there is a valid reason not to do so.

Examples of complaints we will not deal with through our complaints policy include:

- A general enquiry or service request – see point 2
- Anti-social behaviour or issues with other residents. These are dealt with under our Anti-Social Behaviour Policy (we will consider complaints about the handling of an ASB case)
- Housing applications, allocations or banding decisions which are part of a Local Authority Choice Based Lettings system

- Decisions taken by other organisations (for example, a local authority or utility company) which South Yorkshire Housing Association has no control over
 - Instances where the complaint has already been through our complaints procedure (signposting will be provided to external bodies where appropriate)
 - Complaints that are being pursued in an unreasonable manner – see point 37
 - Complaints classed as out of time – see point 7
 - Where the complaint relates to the same matter as legal proceedings, and those legal proceedings have formally started. For the purposes of this policy, legal proceedings are defined as a claim having been issued at court, including the filing of a Claim Form and Particulars of Claim.
 - Anonymous complaints, unless there is sufficient information provided to allow us to investigate the issues raised.
33. If we do not accept a complaint, or refuse to review a complaint, we will explain the reasons why and let the person who made the complaint know if they have the right to take the decision to the Housing Ombudsman.
34. Our Customer Experience department will oversee our approach to handling complaints and share learning from complaints with key areas of the business so that service improvements can be identified. We will share the changes we've made to our services or ways of working, on our website.
35. Compensation will not be an automatic outcome from the complaints procedure, but we consider it where appropriate. This will be done fairly, consistently, and proportionately.
36. We will consider any quantifiable losses, time, trouble, distress, and inconvenience. Any compensation will return the person making a complaint to the position that they would have been, had the issue not occurred.
37. We expect anyone who is making a complaint to act reasonably. If you act unreasonably, we may refuse to deal with your complaint, which the executive director within the department linked to the complaint will decide. When making this decision, we will consider both the nature of the unreasonable behaviour and the complaint. Our definition of what is considered unreasonable behaviour is available [here](#) in our Customer Behaviour Guidelines and will be shared with customers when requested or needed.
38. We will work with our customers to scrutinise how we are handling complaints and share the following on our website:
- Our Annual Complaint Performance and Service Improvement Report
 - Our Self-Assessment against the Housing Ombudsman Complaint Handling Code
 - Information about the Housing Ombudsman Service
39. We will regularly report our performance on complaint handling to South Yorkshire Housing Association's Board of Management and Executive Team.

40. We are committed to ensuring how we handle complaints reflects the Housing Ombudsman's guidance for good practice. We recognise that the person making a complaint may not receive housing services and may wish to explore any dissatisfaction with an alternative Ombudsman. We will share information about the Housing and Local Government and Social Care Ombudsman services on our website, and at appropriate points in the complaints process.
41. Complaints relating to care & support services delivered by SYHA and commissioned by the NHS that SYHA's complaint process cannot resolve should be referred to the appropriate Clinical Commissioning Group by the complaint reviewer.
42. We will keep all records about complaint handling in Cx, our Housing Management system.
43. Any personal data handled when dealing with complaints will be treated in accordance with the Data Protection Act 2018.

