

2020

# Complaints Procedure

## Shian Housing Association

Giving BME people equality, dignity and hope.

1 September 2020

## **Approvals**

<b>Date approved:</b>	<b>30<sup>th</sup> September 2020</b>
<b>Date policy implemented:</b>	<b>1<sup>st</sup> November 2020</b>
<b>Date of latest review:</b>	
<b>Period for subsequent reviews:</b>	<b>3 years</b>
<b>Version 2 September 2020</b>	

## Complaints Procedure

**Shian Housing Association Ltd** is committed to providing high-quality customer services.

### *We value complaints and use information from them to help us improve our services*

If something goes wrong or you are dissatisfied with our services, please tell us. This leaflet describes our complaints procedure and how to make a complaint. It also tells you about our service standards and what you can expect from us.

### *What is a complaint?*

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

### *What can I complain about?*

You can complain about things like:

- delays in responding to your enquiries and requests
- failure to provide a service
- our standard of service
- failure to follow our policy or procedure
- treatment by or attitude of a member of staff

### *Who can complain?*

Only our tenants or their representatives can make a complaint to us using this process.

Your complaint may involve more than one of our services or be about someone working on our behalf.

### *What can't I complain about?*

There are some things we can't deal with through our complaints procedure. These include:

- a routine first-time request for a service, for example, reporting a problem that needs to be repaired
- to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision following a Stage 2 investigation
- complaints which involve a personal injury claim or third party liability claim are not dealt with under this process. Instead, they would be investigated by an appropriate member of staff and if required, they would be passed to our insurers or solicitors
- requests for compensation
- events that happened more than **12 months** ago
- our policies and procedures that have a separate right of appeal, for example, if you are dissatisfied with the level of priority you have been given when applying for a transfer, you may have the right to appeal against the decision
- issues that are in court or have already been heard by a court, a tribunal or The Independent Housing Ombudsman

### *How do I complain?*

You can complain in person at our office, by phone, in writing, email, via an authorised representative or by using our complaints online form at [www.shian.org.uk](http://www.shian.org.uk). Please note we will always reserve the right, where we have issues of communication, to insist that the complaint be put in writing rather than reported over the phone.

In line with the above comment, we would normally expect your complaint to be made in writing. This will assist us in identifying the exact nature of your complaint and what your expectation is with regards to the outcome.

Before you reach the stage of making a complaint it is easier for us to resolve concerns if you raise them quickly and directly to the member of staff responsible for the service concerned. So please do try and talk to the

member of staff responsible for the service you are complaining about. They can try to resolve any problems on the spot. Only if you are not satisfied should you then implement the complaints procedure.

When complaining whether in writing or by telephone, tell us:

- your full name and address
- as much as you can about the complaint
- what has gone wrong
- how you want us to resolve the matter.

### *How long do I have to make a complaint?*

Normally, you must make your complaint within **six months** of:

- the event you want to complain about, or
- finding out that you have a reason to complain, but no longer than **12 months** after the event itself

### *Contact details*

Shian Housing Association Ltd  
76 Mare Street  
Hackney  
London  
E8 3SG

Tel: 0208 985 7120  
Email: [housing@shian.org.uk](mailto:housing@shian.org.uk)

### *Getting help to make your complaint*

We understand that you may be unable, or reluctant, to make a complaint yourself. We accept complaints from the authorised representative of a person who is dissatisfied with our service. We can take complaints from a friend, relative, or an advocate if you have given them your written consent to complain on your behalf.

### *What happens when I have complained?*

We will always tell you who is dealing with your complaint. Our complaints procedure has two stages:

#### *Stage 1 – Frontline Resolution*

We aim to resolve complaints quickly and as close to where we provided the service. This could mean an on-the-spot apology and explanation if something has gone wrong, and immediate action to resolve the problem.

Where actions are required to resolve the complaint, we will work with our colleagues, contractors and other relevant parties to ensure that these are carried out as quickly as possible.

- We will acknowledge your complaint **within 5 working days**.
- We will give you the pre-decision of the Stage 1 - Frontline Resolution, giving you a further opportunity to submit any relevant information, before the final decision is made.

We will normally give you our decision at Stage 1 in 10 working days unless there are circumstances that mean we have to extend this period. Where we do extend the period we will advise you in writing that we intend to extend the period our response will include the actions we are taking and when you can expect the final response.

If you are dissatisfied with our Stage 1 final response, you can ask for your complaint to be investigated further through Stage 2.

You may choose to do this immediately or within **28 calendar days** after the date of our Stage 1 response.

## **Stage 2 – Investigation**

Stage 2 deals with two types of complaint: those that have not been resolved at Stage 1 and those that are complex and require detailed investigation.

We will only consider Stage 2 requests where they meet the following criteria: -

1. You must identify the area of your original complaint that you feel has not been adequately addressed.
2. You must identify where significant information provided at Stage 1 has not been fully or substantially considered (examples of this will be required).
3. You must state the outcome you are seeking.

We will need this information in writing before escalating your complaint to Stage 2.

Once we receive your request and all relevant information is received by us; we will then escalate your complaint to Stage 2.

We will

- acknowledge receipt of your complaint in writing within 5 **working days**
- where appropriate, discuss your complaint with you to understand why you remain dissatisfied and what outcome you are looking for
- We will give you the pre-decision of the Stage 2 investigation, giving you a further opportunity to submit any relevant information, before the final decision is made.
- aim to give you a full response to the complaint as soon as possible. Our target is within **20 working days**.
- If our investigation will take longer than **20 working days**, we will revise the target completion date in writing and inform you of the revised date, we will always aim to make this a reasonable. If you are informed of a revised target completion date, we will update you on the progress of your complaint.

## **Key questions when considering remedies**

Questions that may help us to decide what an appropriate remedy to a complaint includes (but are not limited to) the following; -

- What has gone wrong?
- Can it be put right – what actions could be taken to remedy the situation?
- What would the complainant like to happen?
- How has the complainant been adversely affected?
- Is there an actual quantifiable financial loss – for example, has the complainant incurred costs as a result of what happened, or not received payment that they should have?
- What other impacts have there been? (for example, distress caused)?
- Did the complainant's actions or inactions, or those of a third party (for example a complainant's advocate), contribute to what happened in the case?
- What remedy would be proportionate, appropriate and reasonable in the circumstances of the case?

## **Examples of when the complainant's own actions might mitigate the extent of any compensation being considered;**

- Failure by the complainant to communicate clearly with the landlord.
- Failure to bring individual matters to landlord's attention within a reasonable time frame.
- Refusing help to make a coherent complaint.
- Failing to respond to contact from the landlord.
- The dispute is about repairs, but the complainant has repeatedly refused to allow access to inspect the property and assess the extent of works needed.
- Where complainant's behaviour in pursuing their complaint becomes unreasonable, such as; pursuing the matter unreasonably or excessively.

### *What if I'm still dissatisfied?*

After we have fully investigated, if you are still dissatisfied with our decision or the way we dealt with your complaint, you can ask a designated panel (if one is in place) or a designated person (Member of Parliament or Local Councillor) to look into it. **Or wait 8 weeks** and ask the independent Housing Ombudsman Service (HOS) to look at it.

The Housing Ombudsman Service **cannot** normally look at:

- a complaint that has not completed our complaints procedure (**so please make sure it has done so before contacting the Housing Ombudsman Service**)
- events that happened, or that you became aware of, more than a year ago
- We reserve the right to dismiss any complaint outside of this time period.
- a matter that has been or is being considered in court.

Housing Ombudsman Service  
2<sup>nd</sup> floor 10 South Colonnades  
Canary Wharf  
London E14 4PU  
info@housing-ombudsman.org.uk  
Or you can telephone them on: 0300 111 3000  
<http://www.ombudsman-housing.org.uk>

### *For vexatious complaint*

For vexatious complainants, we will acknowledge their complaints but may not investigate the complaint if we have dealt with similar complaints in the past. We reserve the right to communicate with vexatious complainants in writing, via a nominated advocate or a representative. We may also at our discretion restrict our services in other ways, should we deem behaviour of a customer or complainant to be unacceptable. We reserve the right to determine what is unacceptable.

You can find out about advocates in your area by contacting the Citizens Advice Bureau.

Citizens Advice Bureau  
<http://www.adviceguide.org.uk/>

Or check your phone book for your local bureau.

### *Our contact details*

Please contact us by the following means:

Shian Housing Association Ltd  
76 Mare Street  
Hackney  
London  
E8 3SG

Tel: 020 8985 7120  
SMS: 07535 269269  
Email: [housing@shian.org.uk](mailto:housing@shian.org.uk)  
Skype: shianha

We are committed to making our service easy to use for all members of the community. In line with our statutory equalities duties, we will always ensure that reasonable adjustments are made to help customers access and use our services.

If you have trouble putting your complaint in writing please tell us, so we can sign post you to an appropriate external agency where you can get assistance in dealing with your complaint.

## Quick Guide to Our Complaints Procedure

You can make your complaint in person, by phone, by e-mail or in writing and via an authorised representative.

We have a **two-stage complaints procedure**. We will always try to deal with your complaint quickly. If it is clear that your complaint will need a detailed investigation, we will tell you and keep you updated on our progress.



### Stage 1: Frontline Resolution

We will always try to resolve your complaint quickly, within **5 working days**. We will acknowledge your complaint **within 5 working days and respond within 10 working days**. If our investigation will take longer than **10 working days**, we will request an extension. We will inform you of the revised time limits and keep you updated on progress.

**A pre-decision notice will be given to you, allowing submitting any further information to support your complaint**

If you are dissatisfied with our Stage 1 final response, you can ask for your complaint to be investigated further through Stage 2.



### Stage 2: Investigation

We will look at your complaint at this stage if you are dissatisfied with our response at stage 1. We also look at some complaints immediately at this stage, if it is clear that they are complex or need detailed investigation.

You will need to explain why you are not satisfied with the outcome of Stage 1 and the outcome you are seeking. We need this in writing before escalating your complaint to Stage 2.

We will acknowledge your complaint **within 5 working days**. **A pre-decision notice will be given to you, allowing submitting any further information to support your complaint**

We will give you our decision as soon as possible and with no more than **20 calendar days** *unless* there is clearly a good reason for needing more time.

If our investigation will take longer than **20 calendar days**. We will inform you and request an extension. We will inform you of the revised time limits and keep you updated on progress.