



PEAKS & PLAINS
Housing Trust

The Trust

Complaints Policy

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1. INTRODUCTION

- 1.1. The Trust aims to provide an excellent service to all our customers. However, we acknowledge that sometimes things can go wrong and therefore customers may wish to make a complaint. This policy outlines what we will do to put things right.
- 1.2. This Policy outlines how Peaks and Plains (the Trust) will manage complaints and compliments, ensuring that customers are dealt with fairly and consistently.
- 1.3. This policy is to ensure that customers wishing to give feedback to us or make a complaint about a service they have received or a service the Trust offers that has been requested but not received, including concern about the safety of their home are able to do so easily. The Trust offer various ways for customers to report complaints and we will deal with issues quickly and fairly. When we do something wrong, we put it right, apologise, and improve services to avoid repeat mistakes.
- 1.4. We have a dedicated team who are responsible for coordinating all complaints and all of our investigating officers and managers are trained in how to investigate and respond to complaints.

2. SCOPE

- 2.1. The Trust welcomes all feedback in any format, from anyone who receives a service from the Trust or is affected by a decision or action taken by us, including former tenants and applicants for social housing. Additionally, we welcome complaints and feedback from anyone who represents our customers. We will keep customers making a complaint informed of progress throughout.

3. LEGAL & REGULATORY REQUIREMENTS

- 3.1. The Trust will deal with complaints in accordance with;
 - 3.1.1. • The Housing Ombudsman's Complaint Handling Code (the Code')
 - 3.1.2. • The Regulator for Social Housing's Consumer Standards (issued 29/02/2024)
 - 3.1.3. • The Social Housing (Regulation) Act 2023
 - 3.1.4. • The Equality Act 2010
- 3.2. In line with the Housing Ombudsman Service Code of Practice, the Trusts complaints policy, annual assessment against the code and performance information will be shared vis the Trust website and will be made available in other formats upon request.

4. DEFINITIONS

4.1. COMPLIMENTS, SERVICE REQUESTS AND COMPLAINTS

4.1.1. Compliments

4.1.2. We receive compliments from our customers for a job well done, or in recognition of a process that works well and exceeds expectations. This will be recorded to help us identify where our customers are happy with our service and enable us to share good practice within the Trust.

4.1.3. Service Requests

4.1.4. A *Service Request* is where the Trust has received the first notification that something has gone wrong and we have recognised that the customer has asked for action to be taken to address the issue. Such service requests are directed to the relevant Trust team to resolve this matter and they will contact the customer within three working days.

Service requests are monitored against agreed timescales and are reported as part of the Trust complaints monitoring procedure.

If a customer is dissatisfied with the response to a service request, provided by the relevant team, a Stage 1 complaint will be opened and acknowledged within five working days and responded to within 10 working days of the acknowledgement letter. A customer does not however need to wait for a service review response before a request to open a stage 1 complaint be raised. Customers can raise a formal complaint at any stage of the service request process, including when the service is request is still open.

4.1.5. Complaints

4.1.6. A complaint is defined as an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Trust, its own staff, or those acting on its behalf, affecting an individual resident or group of residents. As a customer, you do not need to use the word 'complaint' for it to be treated as one.

4.1.7. Examples of a complaint include:

- Repeated chasing of the same service request
- Service standards not met (i.e. we took longer to do something than we promised)
- Not calling you back or keeping to an appointment when we said we would
- Not delivering on a paid for service charge

4.2. EXCLUSIONS

4.2.1. In all instances the Trust will consider the individual circumstances for each complaint and exercise discretion around exclusions on a case-by-case basis.

The Trust will accept a complaint unless there is a valid reason not to do so:

- The complaint has fully exhausted the complaints process and all aspects have been investigated and addressed.

- The complaint is over 12 months old (unless the complaint relates to safeguarding or health and safety).
- We may decline to deal with a complaint through our Complaints Policy, if we deem the matter prejudicial to ongoing legal proceedings. However, in accordance with the Ombudsman’s “Guidance on Pre-Action Protocol for Housing Conditions Claims and service complaints” we remain committed to dispute resolution through our complaints process until legal proceedings have commenced. Further information is available on the Ombudsman’s website www.housing-ombudsman.org.uk
- We deem the complainant to be displaying unacceptable behaviour (see below)

4.2.2. A detailed explanation will be provided to the customer setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman. If the Ombudsman does not agree that the exclusion has been fairly applied, the Ombudsman may instruct the Trust to take on the complaint.

4.3. UNACCEPTABLE BEHAVIOUR

4.3.1. The Trust is committed to investigating and responding to all complaints fairly, comprehensively, and in a timely manner.

4.3.2. However, there are a minority of cases where a person complains in a way that prevents the Trust’s staff from investigating the complaint, including taking up a disproportionate level of resources; or behaves in a way that is unacceptable. We deem this to be “unacceptable behaviour”. For further information, please see the Trust’s unacceptable behaviour policy.

4.3.3. In such cases, we will deal with the complaint on a proportionate basis which may vary from the standards described above. Our *Unacceptable Behaviour Policy* sets out the Trust’s position fully.

5. OUR POLICY

5.1. HOW TO MAKE A COMPLAINT

5.1.1. The Trust has a two stage complaints process. We have made it easy for our customers and representatives of the customer to tell us when they are unhappy with our service, including:

- Online form via our website: [Complaints \(peaksplains.org\)](http://Complaints(peaksplains.org))
- Telephone [0800 012 1311](tel:0800 012 1311)
- Social media and live Chat (we will never ask for personal details if a complaint has been made via a public post and will request for details privately.)
- Email: complaints@peaksplains.org
- In person or by post at: Ropewalks, Newton Street, Macclesfield SK11 6QJ (please call the customer services line to book an appointment)
- Through a Trust member of staff

5.2. COMPLAINTS PROCESS

5.2.1. Investigation (Stage 1)

5.2.2. When a complaint is received, we will record it and acknowledge in writing within **5 working days** of receipt. The letter will detail who is responsible for investigating the case and the investigating manager will then contact the customer or representative (where applicable) to discuss their complaint. Where a customer makes a complaint about the safety of their home (e.g., mould and damp) we will always ask to visit the customer's home to see the problem first-hand. Additional concerns will be considered within the case if related issues arise during the investigation period.

5.2.3. We aim to investigate and respond in writing within **10 working days** of the complaint being acknowledged. However, in exceptional circumstances, depending on the nature of the complaint, it may take longer. In these cases, we will write to the customer to explain why and advise of a new response date. If a mutually agreeable extension date beyond the 10 working days cannot be agreed upon, provision of the Ombudsman's details will be provided.

5.3. Review (stage 2)

5.3.1. If the customer remains unhappy with any aspect of the stage 1 response, they can ask to escalate to Stage 2. The reason for the request to escalate does not need to be given by the customer but is preferable as may help with our investigation. The request to review the case must be received within **28 working days** of the stage 1 response letter. Requests for stage 2 will be acknowledged, defined and logged at stage 2 of the complaints procedure within **five working days** of the escalation request being received. The review will be conducted by a senior manager of the Trust.

5.3.2. The customer will be given the opportunity to further discuss their dissatisfaction about the Stage 1 response and will be invited to meet with the senior manager responding to the complaint. The customer may bring a representative to the meeting which may be a friend or relative for support.

5.3.3. We will provide a final decision in writing within **20 working days** of the complaint being acknowledged. However, in exceptional circumstances, the Trust may require extended time depending on the nature of the complaint. If this is the case, we will contact the customer to agree a revised timeline of up to 10 working days. If the Investigating Manager requires a further extension beyond the additional 10 working days and the customer is not happy with this, the Ombudsman's details will be provided.

5.4. Throughout each stage of the complaints process, the Trust will provide advice to the customer about each step of our procedure in addition to their right to access the Housing Ombudsman Service throughout their complaint.

5.5. If there are any outstanding actions at the time of response, the complaints team will monitor and continue to provide regular updates to the customer in relation to progress.

5.6. EXTERNAL REVIEW

5.6.1. If the customer remains dissatisfied, they can elect to have an external review of their case.

5.6.2. The external review will allow the customer to present their complaint to the Housing Ombudsman Service and engage with their dispute support advisors for impartial advice at any stage of the complaints process.

5.7. **THIRD PARTY COMPLAINTS**

5.7.1. Complaints received from local MP's, elected members, board members, professionals or independent third-party advocates (including a friend or relative) will be handled in line with the Trust's complaints process.

5.7.2. In cases where a complaint is reported to the Trust via a third party, friend or relative, we require consent from the customer to confirm permission to discuss details of the complaint with Trust staff on their behalf.

5.8. **COMMUNITY COMPLAINTS**

5.8.1. The Trust recognises that there will be times when customers will raise complaints that are affecting them as a community. We understand that community complaints can be more complex and require more resource and may need input from external partners. In this case, the Trust may exercise discretion and extend the published timescales for investigating and responding to a complaint.

5.8.2. When dealing with community complaints, the Trust acknowledges that they may be received in many different ways, including petitions, events, or from contact from one customer speaking on behalf of their communities. They will be responded to in accordance with the complaints procedure.

5.9. **POSSIBLE OUTCOMES**

5.9.1. Following an investigation, we will make one of the following decisions:

- Uphold the complaint (acknowledge any service failure) and put things right.
- Not uphold the complaint - if we do not identify any wrong doing.

The outcome of your complaint will be clear on the response letter

5.9.2. Where a complaint is upheld, we will acknowledge the service failure and make clear how we intend to put things right.

5.10. **WHEN A COMPLAINT IS CLOSED**

5.10.1. Examples of when a complaint would be closed:

- Investigation is complete and a response is sent.
- When a resolution is agreed and the Trust has made a commitment to carry out the action.

5.10.2. Customer satisfaction will be sought via digital or postal survey for all closed complaints and is conducted on the complaint process rather than the complaint outcome.

6. EQUALITY, DIVERSITY & INCLUSION

6.1. We recognise and value the diversity of our communities. We aim to reduce barriers to ensure that everyone has equal access to our complaints service and are committed to treating everyone fairly, complying with all relevant legislation under the Equality Act 2010. To support this objective, the Trust has a Reasonable Adjustments policy which provides guidance on how we will support complainants with practical and meaningful assistance to make their complaint, e.g. translation and interpreter services, working with professional advocates and support providers.

6.2. We will offer practical support for customers who may otherwise find it difficult to make a complaint. The Trust will ensure that its Complaints policy is accessible to its diverse customers and will take into account the different needs of people wishing to make a complaint.

6.3. We will undertake analysis of feedback and complaint performance in order to ensure understanding of how customers with the protected characteristics use the complaints service, and how satisfied they are.

6.4. An Equality Impact Assessment of the Complaints Policy has been completed.

7. CONTINUOUS LEARNING AND IMPROVEMENT

7.1 We record customer feedback, identify trends and regularly review cases to understand:

- The number and type of complaints received, at each stage and if they were resolved within timescale.
- The number of cases that are upheld and referred to the Ombudsman.
- Customer satisfaction with the complaints process.
- We will explore learning opportunities and make service improvements.

7.2 In order to continually improve our services, we will use learning outcomes from all upheld complaints.

7.3 Where learning from feedback and complaints results in a change to the way we do things, we publicise this through our publications including: amending policy and procedural documents (where applicable), the Trust's website and social media channels.

8. RESPONSIBILITIES

- 8.1 The Trust's Board is responsible for the approval of this policy and will monitor the implementation of its objectives through regular performance reports.
- 8.1.1 As a minimum these reports will include;
- regular updates on the volume, categories and outcomes of complaints, alongside complaint handling performance;
 - regular reviews of issues and trends arising from complaint handling;
 - regular updates on the outcomes of the Ombudsman's investigations and progress made in complying with orders related to severe maladministration findings; and
 - the annual complaints performance and service improvement report.
- 8.1.2 The Trust's Board appoints one of its members to have lead responsibility for complaints to support a positive complaint handling culture. This person is referred to as the Member Responsible for Complaints ('the MRC'). The MRC will be responsible for ensuring the governing body receives regular information on complaints that provides insight on the landlord's complaint handling performance.
- 8.2 The Trust's Executive Director of Operations is the lead person as accountable for our complaint handling. This person will assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision.
- 8.3 The Head of Customer Improvement and Experience will manage the operational implementation of this policy. They will do this directly – through the complaint handling team, and indirectly through the training, co-ordination and management of all Trust staff who have responsibilities under this policy.
- 8.3.1 The Customer Services Manager leads the complaint handling team and supports managers and senior managers with expert advice and guidance in complex and Review Stage complaints.
- 8.4 The Trust's service Managers will typically be responsible for conducting Investigations Stage complaints, whilst Heads of Service, Assistant Directors and other senior manager will typically be responsible for conducting Review Stage complaints.
- 8.5 All customer facing staff will need to be familiar with the principles of this policy and be able to recognise and advise when a customer wishes to make a complaint.

9. MONITORING AND REPORTING

- 9.1 Complaints and compliments performance will be reported, monitored and shared with service areas via our performance management group and the Trusts Leadership team on a monthly basis. A quarterly summary review of complaints performance will be presented to Senior Leadership, resident led Challenge Group. A comprehensive annual report on Complaint performance will be presented to the Trust's Board.

- 9.2 The Trust will produce an annual complaints performance and service improvement report for scrutiny and challenge, which will include:
- the annual self-assessment against the Code to ensure their complaint handling policy remains in line with its requirements.
 - a qualitative and quantitative analysis of the Trust’s complaint handling performance. This will also include a summary of the types of complaints the Trust has refused to accept.
 - any findings of non-compliance with the Code by the Ombudsman.
 - the service improvements made as a result of the learning from complaints.
 - any annual report about the Trust’s performance from the Ombudsman
 - any other relevant reports or publications produced by the Ombudsman in relation to the work of the Trust.

10. CONSULTATION

10.1 The Trust has fully consulted with our resident led Challenge Group on the previous version of our Complaints policy. Where we have made amendments in this version of the policy, we have again consulted with our Challenge Group to ensure that they are aware of the changes required by the Housing Ombudsman’s Complaint Handling Code.

10.2 The Trust’s senior leadership team has been consulted on this version of the Complaints policy.

11. REVIEW

11.1 This policy will be reviewed on a three yearly cycle.

11.2 The policy will be reviewed sooner if there are major legal, regulatory or other changes which make this necessary.

ASSOCIATED DOCUMENTS

- Unacceptable Behaviour Policy
- Compensation Policy
- Reasonable Adjustments Policy
- Vulnerable Persons Policy
- Equality Diversity & Inclusion Policy
- Data Protection Policy

POLICY INFORMATION

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| Policy Name: | Complaint Policy |
| Status: | |
| Approved by: | |

| | |
|-------------------|---------------------------------------------|
| Drafted By: | Head of Improvement and Customer Experience |
| Date approved: | |
| Next Review Date: | |