



# Complaints and Compliments Policy & Procedure

**GM approval: 05 December 2024 ( MC, Hexagon update 2025)**

**Review due: May 2026**

**Formal Review: May 2028**

## 1. Introduction

1.1. The purpose of this policy is to set out how we, Kirkdale Housing Co-operative (KHC), will respond to and manage complaints in a fair and consistent way.

1.2. Our aim will always be to resolve complaints as quickly as possible by taking an open, accountable and outcome focussed approach.

1.3. We recognise that all complaints represent an opportunity to rebuild trust with our residents/members as well as providing us with opportunities to learn and make service improvements. KHC will continue to review complaints to ensure the aims of this policy is being met.

1.4. We also like to know when we have done something well and exceeded your expectations. Therefore, we also monitor and respond to compliments that come into us.

1.5 This complaints policy will comply with the Housing Ombudsman's Complaint Handling Code which can be found at [www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk)

## 2. Policy Statement

### **Definition of a complaint:**

2.1. We adopt the Housing Ombudsman's definition of a complaint as follows:

*"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".*



### **Exclusion:**

2.2. We will accept a complaint unless there is a valid reason not to do so. The following matters are not classed as complaints under this policy:

- Reports of anti-social behaviour or harassment, which are covered by separate policies;
- A first-time request for service e.g. a repair request;
- Survey feedback e.g. from information you provide from our nominated feedback provider;
- Complaints about services not authorised by us;
- Matters which have already been investigated under this policy;
- Where legal proceedings (by or against us), including personal injury accident claims have been initiated, the case will be dealt with separately and not progressed under this policy;
- Complaints about any policy, process or rule of law will likely be excluded however we will review the application of these in relation to each complaint and then decide whether it is excluded or not.

2.3. If we decide not to accept a complaint, a detailed written explanation to the complainant will be provided setting out the reasons why the matter is not suitable to be treated as a complaint and the complainants right to take that decision to the Housing Ombudsman.

2.4 We will only investigate complaints relating to our services that have been provided within the previous 12 months. However, we will review historical concerns if there is evidence of a recurring problem and will also take into consideration any circumstances that may have prevented a complaint from being raised earlier.

### **Scope of Policy:**

2.5. This policy extends to all of our residents/members including individuals (or their advocates), groups of people or organisations who pay for, receive services from or hold reasonable expectations of us as a housing provider.

2.6. Members of the public may also complain if they are directly affected by something that we have done or are planning to do. We will address and resolve their complaint to the best of our ability as outlined in the policy.



2.7. Former tenants who contact us within six months of their tenancy ending will also be able to raise complaints in line with this policy.

2.8. Complaints received via MPs or local councillors will be assessed in line with our definition of a complaint and dealt with accordingly. Whilst respecting the role played by MPs and local councillors, this will not lead to a complaint being 'fast tracked'.

2.9. A complainant does not need to use the word 'complaint' for it to be treated as a complaint. A complaint which is submitted via a third party or representative will still be handled in accordance with this policy.

### **Complaint Process:**

2.10. We will deal with each complaint case on its merits and where necessary deal with the complaint under a different but relevant policy or procedure. We will make this clear to you following our initial assessment of the complaint.

2.11. Complaints can be made via email or by post.

2.12. All complaints however made will be processed in accordance with this policy and procedure.

2.13. We will always aim to resolve any issues without needing to raise a formal complaint. However, you will always have the right to enter your concerns into our formal process if that is your preferred option.

2.14. We will set out clear timeframes for responding to complaints and how a complaint can be escalated.

2.15. If further enquiries are needed by either party, or the other party requests for further enquiries to be made, the issue will still be logged as a complaint.

2.16. In some circumstances, it may be more appropriate for KHC to seek independent legal advice or to obtain the recommendations of an external consultant at any stage of the process.

2.17. The costs associated with seeking external advice or recommendations will not be passed on to the Complainant.



### **3. Compliments**

- 3.1 We accept the Cambridge Dictionary definition of a compliment: *“a remark that expresses approval, admiration, or respect”*
- 3.2 Compliments can be made via email or by post.
- 3.3 When we receive a compliment, we shall acknowledge the compliment, and these will be shared and recorded with the Management Committee.
- 3.4 We shall monitor the volume of compliments received and report on it quarterly to the Management Committee.

### **4. Unreasonable or Persistent Complainants**

- 4.1 Should the behaviour of a complainant adversely affect our ability to adequately support other complaint investigations then such behaviour may be deemed as “unreasonable or persistent”. Whilst always a last resort, in a small number of cases we may decide to restrict the complainant’s contact with us.
- 4.2 Such restrictions will require the approval of the Management Committee and may include limiting contact to a specific member of staff and/or agreeing that communication is restricted to a single method such as phone, email or letter. (We will aim to agree an appropriate method with the complainant and confirm this formally in writing). Any such decisions will demonstrate regard for the Equality Act 2010.
- 4.3 We will still aim to resolve the original complaint in line with our Complaints Procedure.

### **5. Housing Ombudsman Service (HOS)**

- 5.1 Membership of the Housing Ombudsman Scheme is mandatory.
- 5.2 The purpose of the Scheme is to enable residents/members and other individuals to have complaints about member landlords investigated by a Housing Ombudsman. The role of the Ombudsman is to resolve disputes involving members of the Scheme, including making awards of compensation or other remedies where appropriate, as well as to support effective dispute resolution.
- 5.3 As a condition of membership of the Scheme, KHC must:
  - Agree to be bound by the terms of the Scheme



- Establish and maintain a complaints procedure in accordance with good practice recommended by the Ombudsman
- Inform residents of their right to bring complaints to the Ombudsman
- Publish their complaints procedure, and membership of the Scheme, and make information about these accessible to those entitled to complain
- Manage complaints from residents in accordance with their published procedures or, where this is not possible, within a reasonable timescale
- Respond promptly to information requests made by the Ombudsman.

5.4. At any point during the complaints process, residents/members have the right to refer their complaint to the Housing Ombudsman without the need to exhaust the landlord's complaints process. However, KHC shall remain committed to resolving all complaints on an informal basis where possible.

5.5. The Complaint Handling Code sets out requirements for member landlords that will allow them to respond to complaints effectively and fairly. Some elements of the Code are prescriptive, whilst in some areas, landlords are able to use their discretion. The purpose of the Code is to enable landlords to resolve complaints by residents quickly and to use the learning from complaints to drive service improvements. It also aims to help create a positive complaint handling culture amongst staff and residents/members, while ensuring complaints are handled sensitively and in accordance with strict timescales.

5.6. We are required to self-assess against the Code to ensure our complaints handling practices are in accordance with legal requirements. We must then publish these results to our residents/members annually. Non-compliance could result in the Ombudsman issuing a complaint handling failure order.

5.7. As a member of the HOS (as required by the Housing Act 1996 (amended by the Housing Regeneration Act 2008)) we will cooperate fully with the Ombudsman making all files and records available on request. Actions required as a result of any determinations will be overseen by the Management Committee. We will ensure full compliance of the Ombudsman's "Final Determination" barring any exceptional circumstances.

## **6. Roles and Responsibilities**

6.1. No Member of the Management Committee shall attend any meeting or be involved in the investigation or handling of any complaint where that Member is related or otherwise associated with the complainant.



6.2. Where a conflict of interest arises in relation to any Member of the Management Committee, that member shall be temporarily removed from that sub-committee on a case-by-case basis.

6.3. The role of the Housing Manager is to investigate and respond to all Stage 1 complaints. The role of the Secretary is to investigate and respond to all Stage 2 complaints. No Member or employee shall investigate or respond to any complaint which they are the source or have been made subject to such complaint, and in this scenario, the role of complaints officer will be replaced by another officer / management committee member or independent from an outside agency specially bought in for this purpose.

## **7. Monitoring**

7.1. This policy will be reviewed every three years subject to any changes in legislation, regulation or governance arrangements that require an immediate

7.2. Performance measures and targets have been developed to help determine the efficiency and effectiveness of our complaint service. Internal and external feedback will be used to obtain complaints performance information and identify progress and service improvements. Alongside the self-assessment, these will be reported to the Management Committee within the organisation and details of this will be made available to members annually.

## **8. Impacts**

8.1. All staff and members of the Management Committee are responsible for the implementation of this policy

8.2. We will engage with the Housing Ombudsman and maintain relevant compliance under the current legislation

8.3. In line with our Equality and Diversity commitments all complainants will be treated fairly, equally and with respect regardless of their gender, race, age, disability, faith, marital status, sexual orientation or any other distinction. Reasonable adjustments in line with the Equalities Act such as accessibility to discuss complaints with staff and the provision of information in a different format e.g. large print, audio tape, an alternative language or where the services of a translator are required can be provided upon request.

8.4. All Stage 2 complaints will be subject to review by the Sub-Committee who will ensure that potential opportunities for improvement are identified.



8.5. In certain cases, there may be times when residents/members or customers may suffer some disadvantage or loss as a result of actions, error or mistakes made by us. In these instances, compensation may be considered in accordance with our compensation policy.

8.6. We will regularly review the cost and quality of the complaints handling service and seek efficiencies.

8.7. All due care is taken to protect data held by us and in particular, ensure we keep all Resident Data secure and meet with Data Protection requirements.

8.8. We look to ensure that our residents are safe in their home by supporting the provision of well-maintained homes which are in line with legislative and regulatory requirements.

8.9. Residents can communicate concerns through our formal channels as detailed in this document.

For more information about this policy please contact [info@kirkdale-housing.org.uk](mailto:info@kirkdale-housing.org.uk)



# Complaints procedure

## 1. Purpose

1.1 The aim of this document is to provide a clear explanation of how to access and use our Complaints Procedure and what will happen at each Stage of the process.

## 2. The Complaints Process

### Complaint Acknowledgement

2.1 We will acknowledge the complaint within 5 business days and aim to discuss the complaint with the complainant. This is required to ensure the complaint falls within the definition of the complaints policy.

2.2 Where the complaint meets the definition of the complaints policy, the complaint will enter Stage 1.

### Stage 1

2.3 This stage is an informal part of the process and shall be investigated by a housing manager for KHC.

2.4 We aim to investigate and respond in writing detailing the outcome of the complaint within 10 working days of the complaint being made.

2.5 The complainant may then decide whether to accept the response of the complaint or request that the complaint is escalated to Stage 2. If the complainant wishes to escalate the complaint to Stage 2 (or if the complainant is a Hexagon housing Association tenant, the complaint will be escalated to Hexagon Housing Association), the complainant must do this within 20 business days of the Stage 1 response being made.

### Stage 2

2.4 We will contact the complainant within 5 business days to acknowledge the complaint and where possible to discuss the reasons to escalate the complaint to Stage 2.

2.5 All stage 2 complaints will be investigated and responded to by the Secretary.



2.6 We aim to investigate and respond in writing within 20 working days of confirming that we have accepted the request to escalate.

2.7 Where the complaint cannot be resolved at Stage 1 or Stage 2, the internal complaints procedure shall end, and the complainant's entitlement to contact the Housing Ombudsman shall continue.

2.8 Our two-stage complaint process can be seen below:

Stage	Officer managing complaint	Timeline	Next steps for complainant
Stage 1	Investigation and response to be conducted by the Housing Manager (Complaints Officer)	Acknowledgement of Complaint within 5 days. Decision - 10 working days from receipt of complaint*	<ul style="list-style-type: none"> <li>• Satisfied with outcome</li> <li>• Request to escalate</li> <li>• Contact Housing Ombudsman</li> </ul>
Stage 2	Independent Review of appeal – Investigation and response to be conducted by the Secretary.	Decision – 20 working days from request to escalate*	<ul style="list-style-type: none"> <li>• Satisfied with outcome</li> <li>• Request to escalate</li> <li>• Contact Housing Ombudsman</li> </ul>

\*Can be extended by a further 10 working days if required – complainants will be communicated with of any extensions of time required. Stage 2 complaints will be recorded with the Management Committee.

### 3. Appeal to the Housing Ombudsman

At any point during the complaints process, the complainant can refer their complaint to the Housing Ombudsman. Their contact details are:

Housing Ombudsman Service

PO Box 152

Liverpool

L33 7WQ



Telephone: 0330 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)

#### **4. Improvement Opportunities**

4. Improvement opportunities are identified by reviewing complaints on a regular basis to ensure lessons learnt are captured, where applicable changes made to processes and effectiveness of improvements monitored.

#### **5. Monitoring and Review**

5.1 As part of our ongoing commitment to continuous improvement our Management Committee will be responsible for reviewing this procedure and updating as required every 12 months. In addition, the process will be formally reviewed every three years in order to reflect good practice and/or changes in legislation.

#### **6. Compensation**

6.1 There may be occasions where the complainant is entitled to compensation due to poor service delivery. Please see our Compensation Policy for details.

#### **7. Legislation and related documents**

- The Housing Act 1996
- The Housing & Regeneration Act 2008
- The Localism Act 2011
- The Data Protection Act 2018
- Equality Act 2010
- Membership of the Housing Ombudsman Scheme is mandatory
- Compensation Policy
- All our Policies covering operational process and procedures