

Complaints Policy and Procedure

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1. Introduction

Tower Hamlets Homes (THH) is an Arm's Length Management Organisation set up to manage homes owned by the London Borough of Tower Hamlets. This policy sets out how Tower Hamlets Homes will manage and resolve complaints.

2. Purpose and aim of the Policy

2.1 The purpose of this policy is to set out our approach to complaints and resolving disputes.

2.2 Tower Hamlets Homes is committed to providing excellent levels of customer care and aims to deliver a positive customer experience. When things go wrong, we aim to provide an early resolution to prevent a formal complaint and respond speedily to put the issue right. This policy aims to provide customers, stakeholders and staff with clear guidance to ensure that the administration and management of complaints is fair and consistent.

As part of our complaints handling procedure, we will:

- Apologise
- Accept responsibility
- Put things right when they are in our control
- Use feedback from complaints to improve services.

3. What is a complaint?

3.1 Tower Hamlets Homes uses the definition of a complaint as provided by the Housing Ombudsman. For the purposes of this policy a complaint shall be defined as:

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

4. Who can make a complaint?

4.1 Anyone can make a complaint about the services they receive from Tower Hamlets Homes. This includes services we may deliver directly or those delivered through partners working for us (e.g. Repairs Partner or Major Works contractor). The right to escalate to the review stage is restricted to complainants who have a legal relationship with us (applicant, tenant, leaseholder and licensee).

Complaints through an advocate

4.2 When receiving a complaint from someone acting on behalf of a service user, we will contact the service user to check that they are happy to be represented. There must be signed consent on file if the service user wants Tower Hamlets Homes to liaise directly with the support person or advocate.

4.3 Where we are contacted by an elected member, such as a MP or Councillor, we will advise the MP/Member that the service area will respond directly to the complainant.

4.4 Where a complaint is received through a legal representative, we will check to see whether this can be handled as a complaint. Where appropriate, we may seek legal advice. This could affect the stated timelines for providing a response. The service user will be formally notified if additional time is required.

5. Matters that cannot be dealt with under this policy

5.1 Tower Hamlets Homes may refuse to accept a complaint based on the exclusions outlined below. If THH decides not to accept a complaint, we will provide a detailed explanation to the service user setting out the reasons why the matter is not suitable for the complaints process. Complainants have the right to challenge this decision by bringing their complaint to the Housing Ombudsman.

Exclusion	Description
Legal action and Disrepair	Where the London Borough of Tower Hamlets is taking legal action, the complainant will need to use the legal process to oppose the claim. Where the complainant is taking legal action against the London Borough of Tower Hamlets, this will not be dealt with under the Complaints Procedure. The Ombudsman’s jurisdiction does not extend to matters where the parties have started legal action or matters relating to the level of service charge. In these circumstances a complaint will not be progressed through the complaint’s procedure. The complainant or their legal representative must follow the Court or First-tier Property Tribunal procedures as appropriate. In cases where a pre-action letter or letter of claim is received, the matter will be passed to the Council’s legal department to provide a response.
Service charge disputes	These are managed through our Leasehold Arrears Recovery Procedure (section 10)
A service request	Initial services requests made in the form of a complaint, such as reporting a repair or anti-social behaviour will not be treated as a complaint
Disputes between tenants	THH will not address complaints relating to disputes between tenants unless this relates to how THH has provided a service or handled a dispute.
The cause of the complaint is more than 6 months old	Where a cause of a complaint is more than 6 months old and is only reported after 6 months, this will not be accepted unless in the opinion of THH there is good reason for delay.

Repairs	Complaints about repairs which have been resolved within target times will not be considered unless this relates to quality or issues with the conduct of the contractor
Failure to provide a service that has been remedied through application of the Compensation Policy	Issues such as Communal Central Heating breakdown where THH has paid out compensation for loss of service will not be dealt with as a complaint.
Rent increases	Our Rent Accounting team deal with these and/or refer concerns to the Resident Property Tribunal
Insurance claims	Matters related to claims on building or public liability insurance are dealt with by Tower Hamlets Council. Queries should be directed to the Council's Insurance Team.
Act of God	Incidents that can be regarded as unforeseeable- i.e. "act of God i.e. storm/flood/fire
Vexatious complaints	We will initially agree one point of contact to deal with concerns in a consistent manner
Matters which have already been dealt with	THH will not re-visit or log new complaints on issues which have been previously dealt with through the complaints, appeals or dispute procedures
Defects in new-build homes	Service requests for faults need to be raised with the Housing Service Centre. A complaint will only be logged where a complaint user has already made a service request and THH has failed to fulfil the request.
Traffic Management Orders	Representations received in regard to the roll out of Traffic Management Orders will be considered under the statutory Traffic Management Order consultation framework. Representations will be forwarded to the Council for review and will be fully considered by the Council prior to deciding on the scheme. It is THH's role to collect these representations and forward them to the Council for review.

6. How to Complain

6.1 Tower Hamlets Homes recognises the importance of offering a range of ways for service users to make a complaint. Complaints can be raised by using the following methods:

Website: www.towerhamletshomes.org.uk

Email: contactus@thh.org.uk

Telephone: 0207 364 5015

Post: Tower Hamlets Homes

PO Box 66355

London E14 1GU

6.2 Complainants may also choose to reach out on social media via Twitter (@THHomes) or Facebook (@towerhamletshomes). Whilst we may acknowledge complaints made on social media, these platforms are not intended to serve as customer service channels. For the purposes of privacy and data protection, we will directly message a user and redirect them to one of our established contact methods in order to discuss their complaint and agree a resolution.

7. Time Scales

Acknowledgements	Tower Hamlets Homes will acknowledge receipt of a formal complaint within 48 hours .
Queries/Informal Complaints	We aim to respond within 5 working days .
Stage 1 Complaints	We aim to respond to Stage 1 complaints within 20 working days . This is in line with Tower Hamlets Council's Corporate Complaints Policy with which THH is required to be in alignment. We will however endeavour to respond to as many complaints as possible within 10 working days in line with the principles of the Housing Ombudsman's Complaints Code. In more complex cases we may extend the timescales by a further 10 working days in consultation with the complainant .
Stage 2 Complaints	Stage 2 complaints are reviewed and responded to by Tower Hamlets Council. These will generally be responded to within 20 working days . In more complex cases, the Council may extend the timeline by a further 10 working days .

8. Complaint Stages

Informal Complaint – (Queries)

8.1 We record informal complaints internally as a 'Query' on the Council's complaint management system (iCasework).

- **Within 24 - 48 hours** – The allocated case handler will phone the complainant to agree a plan of action to resolve the case informally, with the emphasis on delivering a quick resolution
- **Within 3 - 5 days** – The case handler will send a response via the complaints system, then close the case, and record any corrective actions if needed which would be monitored by the case owner until the issue is resolved.

8.2 If we cannot resolve the problem informally within a timescale agreed with the service user, we will log a formal complaint, linking the query to the case.

Stage 1 - Complaints Investigation

- 8.3 A Housing Service Advisor records the complaint on iCasework. Each complaint is given a unique reference number. Once the case is assessed, an acknowledgement letter is sent, and the case assigned to the service area responsible for providing the service.
- 8.4 If the complaint covers more than one service area, responsibility will normally reside with the service that has a greater share of the complaint. The Customer Relations Team (CRT) will determine this. The CRT will request input through the 'Get Comments' function on iCasework from other service areas to ensure that all information required to provide a response can be collated. If more time is needed to provide a comprehensive response, the service area must discuss this with the Customer Relations Team and notify the resident before the team authorises an extension on iCasework.
- 8.5 A Senior Officer or Team Leader will review the case and allocate a named case handler.
- 8.6 The case handler **must telephone the complainant within 48 working hours** where a valid number is available to agree a plan of action to resolve the problem and agree a timescale within which it should be resolved. Where we do not have a valid telephone number for you, we will try to contact you by email.
- 8.7 Where a complaint can be resolved within **5 working days** without the need for an investigation (subject to agreement from the complainant), the resolution will be confirmed in writing, using the Stage 1 response template and can be authorised by a Team Leader or Manager. Cases that needed an investigation and cannot be responded to within 5 working days will need to be approved by the Head of Service. This will be closely monitored by the Customer Relations Team.
- 8.8 Responses should be an assessment and evaluation of the events that led up to the complaint being registered. The case handler should confirm what was agreed with the resident to put things right. Where this involves undertaking work which may take weeks or months to complete, they will provide a schedule and time frame and the case owner will monitor progress and will continue to be the complainants key point of contact until the complaint is resolved or agreed otherwise in discussion with the Team Leader or Manager.

Stage 2 – Review

- 8.9 If the service user is not satisfied with our response at Stage 1, they can either contact Tower Hamlets Homes via the complaints system or via contactus@thh.org.uk so that we (THH) can consider what additional steps can be taken to ensure that the complaint is fully resolved. Alternatively, the complainant can ask the Council's Corporate Information Governance and Complaints Team to review their complaint. The complainant should state either verbally or in writing why they are dissatisfied with the Stage 1 response, the specific grounds on which they wish to escalate and the resolution they are seeking.
- 8.10 The case will be allocated to one of the Council's Senior Information Governance

and Complaints Officer's to investigate and review the complaint. The Officer will contact the relevant service areas in Tower Hamlets Homes where the complaint originated from as part of the review to establish findings, conclusions and identify any learning. As part of the review, where there is scope for resolving the complaint, and where time permits, the Information Governance and Complaints Officer in conjunction with THH will attempt resolution.

- 8.11 The Council will send an acknowledgement within 48 hours and the Chief Executive of the Council will send a final response within 20 working days.
- 8.12 Should the Council consider that there is no merit in a Stage 2 review, a final response will be sent by the Corporate Complaints Team advising of any appropriate external escalation process.
- 8.13 The Customer Relations Team will monitor, audit and track high profile cases to ensure any follow-up actions agreed as part of the response are recorded, actioned and completed in the Council's complaint management system (iCasework). Performance in following up on complaints will be reviewed on a quarterly basis by THH's Management Team and the Board.

9. Monitoring responses and tracking promises made

- 9.1 The Customer Relations Team will:
 - Track that responses are sent to residents on time and will prompt service areas to help prevent cases going overdue
 - Track promises made in complaint responses so that we resolve complaints quickly, improve the customer experience and prevent escalations

10. Beyond THH Complaints Policy

- 10.1 If a service user disagrees with the Council's Chief Executive's decision, they can contact either the Housing Ombudsman or the Local Government and Social Care Ombudsman.

Ombudsman	Suitable for	Example Subject Areas
Housing Ombudsman info@housing-ombudsman.org.uk PO Box 152 Liverpool L33 7WQ	Tenants and Leaseholders of Tower Hamlets Homes	Tenancy management Estates Repairs and Maintenance Rent and recharges
Local Government and Social Care Ombudsman http://www.lgo.uk/contact-us PO Box 4771 Coventry CV4 0EH	Tenants and Leaseholders of Tower Hamlets Homes	Homechoice Register administration Housing Options Right to Buy

10.2 Complainants can take service charge disputes to the First Tier Tribunal (Property Chamber)

11. Petitions

11.1 We treat complaints received as petitions in the same way as all complaints. We are happy to meet the petitioners as a group. To help us handle the complaint efficiently, we will ask the group to nominate a single point of contact and we will work with this person to resolve the complaint. Petitions will be logged onto iCasework as a Stage 1 Complaint but marked as a Petition. **See Petitions Procedure.**

12. Learning from the complaint

12.1 We want to learn from complaints in order to help us improve our services. This could be: changing our processes, reviewing our policies or training for staff. To achieve this, the Customer Relations Team will play an active role in helping services across Tower Hamlets Homes to identify learning and embed this in how they deliver services. The team will be responsible for:

- Monitoring complaints to ensure that response times are achieved
- Reviewing outcomes of complaints, identifying trends, best practice and highlighting lessons learnt in conjunction with service areas.
- Capturing feedback on the complaints handling process
- Supporting service areas to track and deliver on commitments made, and explore options for a resolution with residents at the point of receiving a request for an escalation
- Producing a frequent report highlighting performance trends, compliance with policy, causes for complaints escalations and learning which will be fed back to the THH Board, Executive Team and Residents' Panel
- Publishing quarterly information on complaints and performance in customer newsletters
- Quality assessing a sample of responses from each service area to ensure that the policy is being applied consistently across the service
- Supporting the Council to swiftly resolve Stage 2 complaints and monitor performance
- Act as key point of contact for the Housing Ombudsman on cases that have already or are yet to exhaust our complaints procedure. We will also be proactively monitoring decisions made by the Ombudsman and ensure THH is able to learn from them.

13. Consultation and tenant involvement

13.1 We recognise the importance of working in partnership with our residents to develop and continuously improve our services. We will involve our residents in reviewing and learning from complaints.

13.2 Where appropriate we may invite residents to take part in focus groups and workshops to provide feedback and serve as case studies that can be used to assist with the review of our policies and working practices.

14. Reasonable Adjustment Policy

14.1 THH is committed to ensuring that disabled people are not disadvantaged in accessing our services. We will make reasonable adjustments for disabled people. Further details of our reasonable adjustment policy can be found in our Equality and Diversity Policy.