

TAMIL COMMUNITY HOUSING – COMPLAINTS POLICY

Complaints Policy

Purpose and Scope

This policy sets out the arrangements for handling complaints from:

- Assured and Assured Shorthold tenants of homes owned by TCHA
- Applicants held on the waiting list by TCHA
- Former tenants of homes owned by TCHA

Tenants of properties that TCHA manages on behalf of another organisation may be required to follow the complaints policy of the owning landlord.

This policy does not apply in circumstances where the complaint is being handled through another process:

- Statutory appeal bodies or tribunals
- Legal proceedings
- Insurance claims
- Complaints about staff being investigated under the disciplinary process

Comments made about TCHA's policies or procedures will not be regarded as complaints unless the point of concern being raised is that the process has been applied unfairly.

Policy Aims and Objectives

The overall objective of this policy is to value complaints as a source of tenant feedback about the standard of service delivery, and to ensure that complaints are investigated impartially, and resolved at an early stage.

TCHA aims to:

- respond within agreed timescales
- seek to resolve complaints at the first point of contact
- investigate complaints thoroughly and impartially
- keep comprehensive records of complaint investigations
- acknowledge any identified service failure and offer an apology
- offer compensation in appropriate circumstances
- use the outcome of complaints to inform service review

Definitions

Complaint

A complaint is an expression of dissatisfaction about action or lack of action taken, or about a shortfall in the standard of service.

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Housing Ombudsman service

The independent service for the investigation of complaints made about social landlords after the organisation's own complaints procedures have been exhausted. The Housing Act 1996 (amended by the Housing & Regeneration Act 2008) requires all social housing providers to belong to the service.

Local Government Ombudsman (LGO)

Investigates complaints made about local authorities.

Content

TCHA aims to provide a consistent quality of service to an agreed standard, but recognises that sometimes service delivery may fall below expected standards, causing dissatisfaction and prompting complaints. We welcome feedback from tenants, and value information that will help us to improve our services.

TCHA aims to seek to resolve complaints informally at the first point of contact. Procedures for complaints handling will include a process to appeal against the decision made, and for the matter to be investigated by the Chief Executive. Tenants will be informed of their right to appeal at each stage and about the role of the Ombudsman service.

TCHA recognises that some tenants may experience difficulty in making a complaint due to vulnerability, language or literacy. We will offer tenants the choice to complain in person or in writing by different methods, and recognise the role of advocates in helping tenants to present their complaint, where informed consent is given.

Response timescales

We will aim to respond to formal complaints within the following target timescales:

- acknowledgment 3 working days
- stage 1 10 working days
- stage 2 20 working days
- stage 3 Housing Ombudsman

Complaints will be monitored against timescales at each stage, and performance will be reported to the TCHA board.

TCHA expects that any expression of dissatisfaction with the service should be raised promptly to enable the facts to be investigated. We will not normally investigate complaints that are raised after 6 months of the event they concern, or after six months of the end of the tenancy, without good reason being given and agreed by the Chief Executive.

Mediation

We will use alternative dispute resolution methods, including mediation and arbitration services, to help resolve complaints where appropriate.

Response standards

Complaint responses will be jargon free and written in easy to understand language.

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The responses given to complaints will include:

- A summary of the complaint (s)
- The steps taken to investigate the issues raised
- The key findings of the investigation, and whether the complaint is being upheld/not upheld in part or in full
- If the complaint is not being upheld, the reason for the decision
- An apology for any service failures identified
- Any corrective action taken, or being taken, the timescale to carry it out, and a contact name for further enquiries
- Any measures being taken to prevent a recurrence
- Any action the complainant may be expected to take
- How to appeal the outcome at the next stage

Tenants will be invited to complete a satisfaction survey about the handling of their complaint. The outcome of complaints will be reviewed to influence policy and procedure development, inform our equality and diversity policy, and form part of service review.

Unreasonably persistent or unreasonable complainant behaviour

TCHA will not consider complaints that in the opinion of the Association are being pursued in an unreasonable manner. This may include persistent or multiple complaints by one person, or a refusal to accept the outcome. TCHA will use the Ombudsman's guidance to determine whether or not the complaint may be categorised in this way, and to decide any further action.

Anonymous complaints

Anonymous complaints will be considered on their individual merits, and may be investigated where they identify issues for service review, or fraud.

Confidentiality

Complaints will be investigated and managed in accordance with the provisions of the Data Protection Act 1998 and the Freedom of Information Act 2000.

Accountability

The Chief Executive is responsible for the implementation of this policy.

The Housing Service Manager and the Finance and Resources Manager are responsible for ensuring that this policy is implemented within their service area.

References

Housing Act 1985
Housing Act 1996
Human Rights Act 1998
Data Protection Act 1998

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Freedom of Information Act 2000

<http://www.opsi.gov.uk/acts.htm>

Ombudsman service casework and good practice guidance on complaints handling

www.housing-ombudsman.org.uk or www.lgo.org.uk

Review

This policy will be reviewed every two years or more frequently to take account of changes in good practice and/or legislation.

The complaints policy will require approval of the TCHA Board.

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