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COMPLAINTS POLICY

Policy Statement

This complaints policy applies to any individual using or directly affected by SHS' services.

SHS provides a service for making complaints to: -

- give dissatisfied individuals a mechanism for seeking redress;
- collect feedback to enable SHS to review its performance and continuously improve services.

Defining a Complaint

A complaint is defined as:

“any dissatisfaction expressed by an individual after they have received a service from SHS or following an action by SHS which affects them. A complaint may also be about a lack of action or standard of service by SHS or person/organisation acting on its behalf.”

We encourage our staff to put things right in the first instance. Many problems can be resolved by our front line staff such as our Community Housing Services Officers (CHSO) without the need to refer the matter as a formal complaint. These are known as “Expressions of Dissatisfaction” and are recorded and monitored proactively, as with formal complaints.

However, when our staff have failed to put things right and the complainant remains dissatisfied, a complaint can be made to SHS following the SHS Complaints policy.

Policy Aims and Objectives

We aim to resolve complaints as quickly and as fairly as possible whilst working within our policies, procedures statutory duties and rules. SHS wishes to ensure that at each stage of the complaint, it is dealt with objectively and that we apologise

where SHS is at fault. We will compensate people in line with our Compensation Policy where it is warranted.

We aim to respond formally to all complaints in writing within 10 working days of a complaint being received. Where a tenant/applicant remains dissatisfied with the service, they can ask for a review by the Operations Director.

For all complaints, the complainant is provided with a named person responsible for their complaint who is their point of contact throughout the complaint.

SHS will learn from mistakes and we will publish information about complaints each year, including their number and nature, and the outcome of the complaints.

Governance

SHS' Complaints policy meets the requirements of our regulator, the HCA, Tenant Involvement and Empowerment Standard.

Where a complaint involves a third party, SHS will need to disclose some of the details about the complaint in order for it to be properly investigated e.g. with contractors. Any data shared will be done so, in line with the Data Protection Act 1998.

SHS is registered with the Housing Ombudsman Service; this service provides individuals with an independent review should they remain dissatisfied at the end of the SHS complaints process.

Circumstances not covered by the Complaints policy

A complaint is not an initial request for a service to be delivered. The Complaints policy does not apply where: -

- A tenant complains about the behaviour of another tenant. This would be dealt with under SHS's Anti-Social Behaviour policy.
- A tenant complains about their level of rent and service charge e.g. they are unhappy with the amount of increase rather than believing it has been incorrectly calculated.
- It is a complaint about the decision of the Review Panel which hears appeals arising from other procedures, e.g. Assured Shorthold tenancy extensions

where decisions have already been reviewed and the complainant has had the opportunity of making submissions.

- The issue is subject legal action or to an enforcement notice or other statutory notice.
- The complaint is received more than six months after the matter came to the complainant's attention.
- The complainant refuses to reasonably engage with SHS/the process after making the complaint, is abusive to staff or acts unreasonably.
- A number of related complaints are made which would be more effectively dealt with together rather than on an individual basis. However, in this instance the complaints will be logged, although the policy timescales may not apply depending upon the components to be investigated.
- Complaints made by SHS staff – these are dealt with under the grievance procedure through HR. However, the policy will apply if the member of staff is a SHS tenant making a complaint about SHS' service and not a colleague.

SHS reserves the right to refuse to deal with complaints, or to deal with them differently, if they are pursued unreasonably or could be handled more effectively in a different manner. Additionally, a complaint will not be re-opened at the complainant's request if, after review by SHS, it is established that no new evidence relevant to the complaint has been provided.

The Use of Advocates

Complainants may ask another person to act on their behalf in bringing their complaint to SHS' attention. This advocate may be a friend, relative or representative from an external organisation such as the Citizens Advice Bureau. An advocate may not be a solicitor or other legal professional unless they are acting in a 'lay' capacity i.e. not representing the complainant on a professional basis.

How a Complaint Can be Made

A complaint can be made in the following ways:

- Email using info@shsoc.org.uk (available for use 24/7)

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- Telephone by calling 020 8642 1500 (available for use 24/7)
 - In person by visiting the office at Pat Shaw house, 13 – 19 Ventnor Road, Sutton SM2 6AQ (available Mon – Fri 9am – 5pm)
 - In writing to the office at Pat Shaw House

SHS has 3 stages to its Complaints procedure:

- Stage 1 – investigation of the complaint: The investigation is usually carried out by the manager responsible for the person or service being complained about on a day to day basis. The target time for responding to complaints is 10 working days from the receipt date. It may not always be possible to complete all agreed actions within this time period, but the formal response would advise of any target completion date. We will however, keep in touch by telephone or other means, to let the complainant know the progress of the complaint.
- Stage 2 - reviewing the decision: If the complainant is not happy with the outcome of Stage 1, the complainant should contact the Operations Director at SHS, stating, in writing, why the outcome is not satisfactory. This must be done within 10 working days of the date of the outcome letter in Stage 1. Where appropriate, the Operations Director will review the decision in consultation with the Chief Executive. A formal response will be sent within 10 working days of the request for review being received.
- Stage 3 – Appeals Panel: If a complainant is not satisfied with the outcome from stage 2, they can appeal to the SHS Board of Management. This must be in writing and within 10 working days of the date of the decision letter from Stage 2. The Appeals Panel is made up of two Board Members; they will consider the appeal and report to the Chairman. The Panel hearing will take place within 1 month of the receipt of the appeal, ensuring the complainant has at least 5 working days' notice of the Panel Hearing.

The Housing Ombudsman Service

SHS hopes that any complaints are resolved at Stage 1 or stage 2 at the most. However, should there be an Appeals Panel hearing and should the complainant remain dissatisfied following this, they can ask for a review of the case by the Housing Ombudsman Service.

The Ombudsman will only investigate a complaint where the complainant has exhausted SHS' Complaints procedure, although this must be done within 6 months. The complainant must be an SHS tenant or an SHS applicant for housing to raise this with the Ombudsman.

Housing Ombudsman Service
81 Aldwych
London
WC2B 4HN
Tel: 0300 111 3000
Lo Call: 0845 712 5973
E-mail: info@housing-ombudsman.org.uk
Web: www.housing-ombudsman.org.uk

Petitions

A complaint made in the form of a petition on behalf of multiple tenants will be treated as one complaint, with contact via the nominated signatory.

Anonymous complaints

Anonymous complaints may not be acted upon; they will however, be brought to the appropriate managers attention and investigated if necessary.

Monitoring Complaints

All complaints are kept under review for 3 months. Assuming there are no further occurrences, the complaint will be closed at this point. The Complaints Log is reviewed on a regular basis by the Senior Management Team.

Confidentiality

All complaints are treated with confidentiality in mind and in line with the Data Protection Act 1998.

Equalities Statement

SHS will treat all complainants with fairness and respect. We value diversity and work to promote equality and tackle unlawful discrimination.

Our approach to complaints promotes openness between tenants, applicants and SHS staff in order to understand the complaint and resolve the complaint in a positive manner. We will take fully into account an individual's needs and preferences. We will offer support or tailor our approach as appropriate.