



Complaints Policy

Ref: 703

1. Aim

We aim to provide an excellent service to all our customers. However we recognise that sometimes things go wrong, and customers may wish to make a complaint. Our aim is to resolve all problems at the first point of contact. Where this is not possible, the complaints process offers an opportunity for customer complaints to be investigated and resolved within a clear framework. It also provides us with a valuable opportunity to learn from our mistakes, understand our customer requirements and adapt our services to prevent things going wrong in the future. This policy sets out how we manage complaints

2. Scope

We provide services to tenants, residents, leaseholders, housing applicants and service users, referred to in this policy as 'customers'. Although we are committed to providing excellent services to all of these individuals sometimes things may go wrong and a robust complaints policy is required.

We subscribe to the Housing Ombudsman service and work in accordance with the Complaint Handling Code

This policy is applicable across the whole of the Pioneer Group, including to users of Compass Support and Castle Vale Stadium. However, some service users of Compass Support services and of the Castle Vale Football Stadium, may not be tenants, leaseholders, or applicants for Pioneer housing. In those circumstances, complaints will be managed in accordance with this policy, but the complainants will not have access to the services of the Housing Ombudsman. In managing complaints from service users who do not have access to the Housing Ombudsman, we will follow the essential principles set out in this policy, making adjustments as required by the circumstances of the case.

3. Legislation

Social Housing Regulation Act 2023

The Social Housing Regulation Act came into effect in July 2023. The Act empowered the Housing Ombudsman to issue a code of practice about the procedures members of the scheme should have in place for considering complaints against them. Following consultation, the Ombudsman issued its first statutory Complaint Handling Code to go live on 1 April 2024.

GDPR

We manage all data referred to in this policy in accordance within the General Data Protection Regulation. For more information on how we handle personal information, please see:

- Data Protection Policy
- Privacy Policy and privacy statement - <https://www.pioneergroup.org.uk/privacy-policy>

Equality Act 2010

We will ensure that our complaints process is accessible to all our customers, including those who are vulnerable, and we will take steps to make reasonable adjustments to meet the specific needs of customers, including those who fall within the definition of the protected characteristics specified in the Equality Act 2010.

4. Definition of a Complaint

We define a complaint as specified by the Housing Ombudsman as *an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Pioneer Group, its own staff, or those acting on its behalf, affecting a resident or group of residents.*

Complaints can be made by a customer directly, or may be through an intermediary, organisation, friend, relative or other third party, providing that they have authority from the individual to act.

Customers will be able to raise their complaints in any way and with any member of Pioneer Group staff. All staff will be regularly made aware of the complaints process and be able to pass details of the complaint to the appropriate person within the landlord.

The following may be considered as grounds for exclusion from the complaints process, although we will not take a blanket approach to this:

- An initial request for information or an explanation of a decision made;
- Requests for a service e.g. a repair
- Anonymous letters, although these may be investigated if they are a cause for concern
- Complaints of neighbour nuisance or disputes between neighbours are usually dealt with separately through our Anti-Social Behaviour Policies, unless these complaints relate to how we have dealt with the matter
- A complaint about a service where we have no responsibility, such as local authority nomination procedures
- A claim for damages that should be handled as an insurance claim
- Anything that will be dealt with by our Appeals Policy & Procedure
- Complaints that relate to things which happened over 12 months ago unless the issue has only just been identified or there is other good reason to investigate
- Where a customer refuses to provide information which is genuinely required to allow us to investigate their concerns, after we have specifically asked for further clarity
- Feedback on our services, such as recommendation for policy change
- Matters where legal proceedings have started defined as the Claim Form and Particulars of Claim having been filed at Court.

5. Stage 1 Complaints

Many complaints at stage 1 can be responded to promptly and Customer 1st staff will endeavour to achieve this wherever possible.

Complaints will be acknowledged, defined and logged within **5 working days** of the complaint being received.

An investigating officer will be appointed to look at all the issues raised and to understand what may have gone wrong. The investigating officer will be someone who is in a position to access the required information and to understand the issues that have been raised.

A full response to the complaint will be issued within **10 working days** of the complaint being acknowledged.

If an extension is required due to the complexity of the complaint then the customer will be informed and the extension will be for no longer than 10 working days. Arrangements will be made for keeping the customer informed about their complaint

The response will address all the points raised in the complaint and will provide clear reasons for any decisions.

The complaint response will be in clear language and cover the following points:

- a) The complaint stage
- b) The complaint definition
- c) The decision on the complaint
- d) The reasons for any decisions made
- e) The details of any remedy to put things right
- f) Details of any outstanding actions; and
- g) Details of how to escalate the matter to stage 2 if the customer is not satisfied

6. Stage 2 Complaints

If all or part of a complaint is not resolved to the satisfaction of the customer, it will be progressed to Stage 2 and this will be the final response.

Requests for a Stage 2 will be acknowledged, defined and logged within **5 working days** of the escalation being received.

There will be no requirement for the customer to explain their reasons for escalating to a Stage 2

A stage 2 investigating officer will be appointed. This will normally be a Senior Manager, and will not be the same person who considered the Stage 1 complaint.

A full response to the complaint will be issued within **20 working days** of the complaint being acknowledged.

If an extension to the complaint is required due to its complexity, then the customer must be informed, the reasons clearly explained, and the extension must be for no more than 20 working days. Arrangement will be made for keeping the customer informed about the complaint.

The response to the complaint will address all the points raised in the complaint and will provide clear reasons for any decisions.

The complaint response will be in clear language and cover the following points:

- h) The complaint stage
- i) The complaint definition
- j) The decision on the complaint
- k) The reasons for any decisions made
- l) The details of any remedy to put things right

- m) Details of any outstanding actions; and
- n) Details of how to escalate the matter to the Housing Ombudsman Service if the customer is still not satisfied

7. Putting things right

Where a service or other failure has been identified, our responses will set out the actions we intend to take to put things right. These may include:

- An apology
- Acknowledgement where things have gone wrong
- Providing an explanation, assistance or reasons
- Details of what action has been taken if there has been a delay
- Where appropriate the reconsideration of a decision
- If necessary confirming the amendment or correction of a record
- Provision of a financial remedy
- Details of any changes to policies, procedures or practice.

The remedies offered will reflect the impact on the resident of any fault identified and where compensation is to be provided this will take account of the guidance issued by the Housing Ombudsman and will be in accordance with the Compensation Policy.

8. Complaint Handling Staff

The lead officer for Complaints will be the Insight & Engagement Manager who will be supported by the Customer 1st Team Leader. The Customer 1st Team Leader will oversee the logging, acknowledging and assigning of complaints to investigation and review officers. The Customer 1st Team will play a key role in recognising complaints and seeking early resolution, although all staff will play a role in recognising and raising complaints. The Executive lead for Complaint handling will be the Insight & Technology Director.

Investigating and review officers will be drawn from the relevant operational service teams that on occasion generate complaints. This will include staff within the Housing and Community Regeneration Directorate, the Asset Management and Development Directorate and some staff within the Insight and Technology Directorate.

All complaint handling staff will:

- a) Deal with complaints on merit and act independently and with an open mind
- b) Give the customer a fair chance to set out their position
- c) Take measures to deal with any actual or perceived conflict of interest
- d) Consider all the relevant information and evidence carefully

Complaint Handling Staff will have the standard objective, specified in the Complaint Handling Code, included in the objectives that are set as part of the annual appraisal process.

9. Self-assessment and reporting

We will produce an annual complaints performance and service improvement report which will include:

- a) Our annual self-assessment against this code
- b) A quantitative and qualitative analysis of our compliant handling performance, including a summary of any types of complaints that we have refused to accept.
- c) Details of any findings of non-compliance by the Ombudsman
- d) Details of service improvements made as result of learning from complaints.
- e) An annual report about our performance from the Ombudsman (if received)
- f) Any other reports of publications by the Ombudsman in relation to the work of the Pioneer Group.

The Annual report will be presented to our Board and to Group Board. It will be published on our website along with the Group Board response to the report.

We will appoint a Member Responsible for Complaints (MRC) from our Group Board who will support the development of a positive complaint handling culture. We will ensure that the MRC will receive regular updates about the volume, categories and outcomes of complaints as well as regular reviews on issues and trends. The MRC will also be kept informed and updated in relation to Ombudsman investigations and progress in complying with outcomes and orders related to severe maladministration findings. The MRC will also receive and be consulted on the annual complaints performance and service improvement report.

10. Learning from Complaints

The Pioneer Group encourages a positive complaint handling culture, where learning is welcomed, and complaints are used as a valuable tool for understanding our customers and providing insight about the effectiveness of our services. The learning from complaints will be shared on a regular basis with our contractors and with service delivery teams across the organisation.

At the conclusion of all complaints, the Investigating Officer or Senior Review Officer will be required to complete a Learning Form.

The overall responsibility for collating and analysing complaints learning will be the Insight & Engagement Manager. The Executive Lead for complaints will be Insight & Technology Director and Group will appoint a Member Responsible for Complaints (MRC).

These roles will work together to ensure that the learning from complaints is shared across our governance structures. Both our Group Board and Board will receive regular reports detailing the following:

- Information about the volume, categories and outcomes of complaints
- Information about compliance with complaint handling times
- Information about satisfaction with the compliant handling process
- Regular reviews about the issues and trends emerging from complaint handling
- Updates on the outcomes of any Ombudsman investigations and progress in complying with findings

- An annual complaints performance and service improvement report.

11. Publicity, Awareness and Accessibility

We will promote the complaints process in a positive and fully accessible manner. We will ensure that we publish the outcomes of complaints, including the number we receive, satisfaction with the manner complaints were dealt with and the changes to service delivery as a result.

We will ensure that information about our complaints policy is widely available and accessible as well as being published on our website.

We will promote and share information widely with our customers about the Housing Ombudsman Service.

We will ensure that we recognise customer vulnerabilities as part of our complaint handling service. We will ensure that we are paying close attention to the circumstances of each of our customers and that we are viewing them 'in the round'. We will also ensure that we are meeting our duties under the Equality Act 2010 and that we are anticipating needs and making reasonable adjustments for customers who require them in order to access our complaints process.

12. Customer Behaviour

We recognise that the circumstances which lead to customer complaints can be difficult and frustrating. We will always treat our customers with dignity and respect and we ask that our staff are treated likewise.

We will ask customers to provide us with full details of any complaint, to provide us with information, and explain how they would like the complaint to be resolved, in order that we can work towards resolving the problem. However, we will not accept:

- Aggressive or abusive behaviour;
- Unreasonable demands which impact on our staff's time – for example continually making calls or changing the content of the complaint; insisting on only dealing with a particular person; or refusing to respond to contact from staff, which makes it difficult to investigate or resolve a complaint.
- Unreasonable persistence – persistent refusal to accept a decision or explanation, or continuing to pursue a complaint without providing any new information.

Where a complainant's behaviour is considered to be unacceptable, we reserve the right to take appropriate action for that particular situation which may include limiting who the complainant can contact or stopping the investigation into the complaint where the circumstances merit this approach.

Decisions to take action in relation to unacceptable behaviour will only be made after careful consideration by a senior manager. Where possible we will give the customer time to modify their behaviour before such a decision is taken. Customers will be advised in writing of such a decision in accordance with our Risk Alerts Policy. Customers may appeal this decision to a Director.

Any decisions taken to place restrictions will be carefully assessed to ensure that that they are proportionate and have regard to the provisions of the Equality Act 2010. Our starting point will always be to try to understand the root cause of the customer behaviour and whether it can be addressed through the provision of appropriate support.

Where a customer's behaviour prevents us from effectively carrying out an investigation into their complaint, or prevents us from fully understanding the issue, we will advise the customer of our requirements which will enable us to do so. Where a customer elects to not cooperate and we are genuinely unable to investigate then we will write to the customer formally closing the complaint and setting out our requirements which would enable us to consider the matter further. Consideration may be given to seeking support from, or advising a customer to seek support from the Ombudsman's dispute resolution service where it is felt that this could be beneficial.

13. Training

Complaint handling staff will receive regular specialist complaint handling training and we will hold regular awareness raising sessions for all staff across the organisation.

14. Monitor and Review

The Complaints procedure will be monitored on a continuous basis to ensure that the way we deal with complaints complies with this policy.

The policy will be reviewed regularly to ensure that it is effective and promotes best practice, and responds to statutory requirements, regulatory guidance or particular concerns about customer feedback about its implementation.