Bedford Citizens' Housing Association Limited

Complaints Policy

Introduction

BCHA seeks to provide a consistently high standard of service to all people and organisations that encounter us.

However, we understand there are occasions when we might not meet expectations. This policy describes how you can let us know if you are not happy with our performance and what we will do to try and resolve your complaint.

The Board of BCHA reviews the type and number of complaints annually to ensure complaints are effectively resolved. We aim to learn from our mistakes and to address any concerns raised in accordance with guidance from our regulators and best practice.

Objective and Scope

BCHA is committed to ensuring views about our services are valued and we actively encourage feedback. Complaints, compliments, and suggestions give us the opportunity to continually improve our service. We foster a culture which welcomes customer feedback and listening and responding effectively is very important to us.

We will deal with complaints on their merits, act independently, and have an open mind. We will give the resident a fair chance to set out their position; take measures to address any actual or perceived conflict of interest; and consider all relevant information and evidence carefully.

We want to hear about anything that goes wrong so we can try to resolve the issue, improve what we do and do better in the future. This policy applies to all our services including tenancies and care.

We will try to resolve all issues and will and where possible try to provide remedies during the complaints process without the need for escalation.

We want everyone to know how to and find it easy to make a complaint, to help everyone we will:

- Publish our Complaints Policy, our complaints reporting and our self-assessment against the Housing Ombudsman code on our website

- Include information about our Complaints Policy and complaints reporting and in our Residents Magazine Citizens News

- Make reasonable adjustments for residents where appropriate under the Equality Act 2010

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Policy Statement

What is a complaint?

A complaint is defined as “an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents.”

When making a complaint, we ask complainants to let us know what the issue is, who they have contacted, what action has been taken so far and how they would like us to resolve this. If complainants are unable to do this BCHA will make reasonable efforts to understand this.

We will investigate all complaints. We will log anonymous complaints and act on them, if necessary, but prefer to solve problems jointly with complainants.

A person does not have to use the word ‘complaint’ for it to be treated as such.

What is not a complaint

BCHA are unable to deal with some issues as complaints. Examples could be:

- We do not include an initial request for a service as a complaint. A service request is a request from a customer to BCHA requiring action to be taken to put something right. (e.g., asking maintenance to be carried out or a care review to be completed) Service requests are not complaints but are recorded, monitored, and reviewed regularly.

- We do not deal with neighbours or harassment disputes via the complaint’s procedure. We handle these matters through the mechanisms set out in your resident contract or your tenancy agreement. If you consider that we are not effectively dealing with a neighbour dispute or a harassment issue, then you may wish to use the complaints procedure.

- If a matter has previously been considered under the complaints policy, we may not consider it again.

- If Legal proceedings have started. This is defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court.

- Survey feedback may not necessarily need to be treated as a complaint although where possible, the person completing the survey should be made aware of how they can pursue their dissatisfaction as a complaint if they wish to.

- If the issue giving rise to the complaint occurred over 12 months ago. In some circumstances it may not be appropriate to exclude any complaints for example

if they are concerning safeguarding or health and safety issues.

- The complaint relates to issues outside of BCHA's control. In this instance BCHA may will advise you to contact the relevant organisation. Some of the complaints we cannot deal with are:

Housing Benefit or Universal Credit	Contact Bedford Borough Council or Citizens Advice Bureau (CAB)
The level of rents set or the level of service charges set	Contact First-Tier Tribunal (Property Chamber Residential Property) or CAB see https://www.gov.uk/housingtribunals/overview

We will review each complaint individually before deciding if it should be excluded from the processes outlined in this policy. If we decide that your feedback does not fall within the scope of this policy, we will give you a detailed explanation of the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman.

Who can complain?

Anyone who is dissatisfied with BCHA can complain (except staff who have a separate internal procedure). This includes tenants i.e., people living in self-contained accommodation and paying rent, residents i.e. people living in Bedford Charter House, prospective tenants and residents or any organisation or individual with whom we do business and the relatives and friends of care home residents who feel dissatisfied with our services. Complaints can be made individually or collectively.

A person, such as a relative or advocate, can complain on behalf of a BCHA customer. A Complainant may have a representative deal with their complaint on their behalf, and to be represented or accompanied at any meeting with BCHA. Where the complainant has capacity, we may need written confirmation that they are acting on a complainant's behalf.

How to complain

You can make a complaint:

- Verbally – in person or by phone;
- In writing;
- Electronically via e-mail to enquiries@bchal.org.
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What Happens Next?

We operate a two-stage complaints procedure. At each stage we will:

- Seek to clarify what you are complaining about by defining the complaint when

we write to you. We will call this the complaint definition. When we respond to you, we will address all the points outlined in the “complaint definition”.
- If there are aspects of your complaint that we are not responsible for, where this is the case, we will re-direct you to the right organisation.

Stage One

The timescales for responses are:

Stage One acknowledgement of a complaint – within 5 working days of a complaint being received, we will tell you who is handling the complaint for you and agree arrangements for providing updates and agree a preferred method of communication with you.

Stage One decision – within 10 working days from the acknowledgement of the complaint we will write to you to let you know the outcome, unless we tell you about needing an extension.

Stage One Extension to this timescale – if an extension is required considering the complexity of the complaint, we will write to you to inform the you of the expected timescale for response. Any extension would not be more than 10 working days without good reason(s). We will also inform you about the available Ombudsman’s Services.

Stage One Outstanding actions – A complaint response will be provided to you when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions would still be tracked and actioned promptly with appropriate updates provided to you.

At the end of Stage One we will:

Write to you in clear, plain language and outline:
- the complaint stage;
- the complaint definition;
- the decision on the complaint;
- the reasons for any decisions made;
- the details of any remedy offered to put things right;
- details of any outstanding actions; and
- details of how to escalate the matter to stage 2 you not satisfied with the response.

If you remain dissatisfied with the Stage one decision

If you are not satisfied with our response to your complaint and would like to appeal our decision(s) you should inform us within 10 working days of our decision being made.

This can be done:

- Verbally – in person or by phone;
- In writing;
- Electronically via e-mail to enquiries@bchal.org

The Officer considering the complaint at stage 2 will not be the same Officer that considered the complaint at stage 1.

We will not normally refuse to escalate a complaint to stage 2 if remains a complaint we would consider under this policy. (See section headed What is not a Complaint).

Stage Two

Stage Two acknowledgement of escalation request – within 5 working days of an escalation request being received, we will tell you who is handling the complaint for you and agree arrangements for providing updates and agree a preferred method of communication with you.

Stage Two (response to any appeal made on a stage 1 decision) – within 20 working days from acknowledgement of escalation.

Stage Two Extension to this timescale – if an extension is required considering the complexity of the complaint, we will write to you to inform you of the expected timescale for response. Any extension would not be more than 20 working days without good reason(s). We will also inform you about the available Ombudsman's Services.

Stage Two Outstanding actions – A complaint response should be provided to you when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions would still be tracked and actioned promptly with appropriate updates provided to you.

Putting Things Right

When something has gone wrong, we will acknowledge this and tell you how we will put it right. We will write to you clearly setting out what will happen and by when, wherever possible we will agree this with you. Any remedy proposed must be followed through to completion. Remedies we offer will take into account the guidance issued by the Ombudsman. Remedies may include:

- Apologising
- Acknowledging where things have gone wrong;
- Providing an explanation, assistance, or reasons;
- Acting if there has been delay;
- Reconsidering or changing a decision;
- Amending a record or adding a correction or addendum;
- Makes changes where our policy or procedures are at fault
- Balance the remedy we offer to the level of detriment or inconvenience suffered

without causing unfairness to others
- We may make a gesture of goodwill or pay compensation this will be aligned to the detriment suffered because of BCHA getting things wrong.

What if you remain dissatisfied?

Bedford Charter House & Care Services at Oak Way House
Residents and relatives of residents at Bedford Charter House and Tenants receiving care at Oak Way House can contact the following organisations if they remain dissatisfied with the way a complaint has been handled:

- If your fees are partially or fully funded by the Local Authority, you can contact Social Services at Bedford Borough Council, Borough Hall, Cauldwell Street, Bedford, MK42 9AP, telephone 01234 267422.

- Alternatively, you can contact the Care Quality Commission on 0300 0616 1613, via e-mail at enquiries@cqc.org.uk or via their feedback form – details of how to do this are on the CQC's website at www.cqc.org.uk.

- If you are responsible for your own fees (commonly referred to as self-funded care), you can contact the Local Government and Social Care Ombudsman, PO Box 4771, Coventry, CV4 0EH, telephone 0300 061 0614 or by using the complaint form available on their website at www.lgo.org.uk.

Extra Care, Sheltered and General Needs Housing (all tenancies)

You have the right to access the Housing Ombudsman Service throughout your complaint, not only when our complaints process is exhausted. This gives you the opportunity to engage with the Ombudsman's dispute support advisors for impartial advice.

How to contact the Housing Ombudsman Service
- See their website at www.housing-ombudsman.org.uk
- Telephone on 0300 111 3000
- Email: info@housing-ombudsman.org.uk
- Write to the Housing Ombudsman Service, PO Box 1484, Unit D Preston. PR2 0ET

Unreasonable, persistent, or vexatious complainants

Complaints may be considered to be unreasonable, persistent or vexatious in the following circumstances:
- unreasonable demands with regards to timescales, information requests and specifying who should be dealing with the complaint
- recurring complaints with only slight amendments
- seeking an unrealistic outcome
- unacceptable and threatening behaviour towards employees or employees of partner agencies

Reporting and Compliance

BCHA wants to ensure that it takes opportunity to learn for complaints as a part of this process BCHA will:

- Produce an annual complaints performance and service improvement report for scrutiny and challenge by BCHA's Board.
- BCHA Board will make and publish a written response to the report.
- BCHA will carry out and publish an annual self-assessment against Housing Ombudsman's Complaint Handling Code.

These documents will be published on the complaints area of BCHA's website.

Responsibilities

All staff must support to facilitate the prompt reporting and resolution of complaints.
All staff must prioritise complaint handling and a culture of learning from complaints.
All relevant staff must be suitably trained in the importance of complaint handling.

The Complaints Officer is assigned to take responsibility for complaint handling, including liaison with the Ombudsman and ensuring complaints are reported to the governing body.

BCHA has appointed the Head of Business Support as the Complaints Officer they are the suitably senior lead person accountable for their complaint handling.

BCHA have lead member of BCHA's Board, Member Responsible for Complaints ('the MRC'), with responsibility for complaints to support a positive complaint handling culture.

BCHA will publicise its performance around complaints and the Housing Ombudsman Service through Citizens News & the complaints area of BCHA's website.

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