

## Complaints Policy

The aim of the policy is to ensure that the complaints process is flexible and responsive to the needs of individual complaints. We welcome the opportunity to make improvements to our service which may arise as a consequence of a complaint from a resident.

If you need assistance understanding this document in any way, or need help to make a complaint, please contact us using any method stated in point 5.

This policy is in line with the regulatory standards and guidance from the Housing Ombudsman Service Complaints Handling Code 2024, and the Regulator of Social Housing.

The policy seeks to ensure that:

- residents who complain are listened to and treated with courtesy and empathy
- residents will never be disadvantaged because of making a complaint
- complaints are investigated promptly, thoroughly, honestly and openly
- apologies are given as appropriate
- complaints handling will comply with confidentiality and data protection policies

### 1. Aims of the policy

- 1.1 To deliver an excellent service to our residents and to accept that sometimes things can go wrong. When they do, we are committed to ensuring an easy and high-quality service which is tailored to the complaint.



- 1.2 To put things right as quickly as possible and within the published timescales.
  - 1.3 To be fair, transparent, and consistent in the way we manage complaints.
  - 1.4 To learn from complaints and make changes to improve the way we do things.
  - 1.5 To ensure residents are kept informed throughout the process.
  - 1.6 To provide a point of contact who will take ownership of the complaint.
- 2. Definitions**
- 2.1 A formal complaint is an expression of dissatisfaction, however made, about the standard of service, actions, or lack of action by North Memorial Homes, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.
  - 2.2 A service request is a request from a resident to North Memorial Homes requiring action to be taken to put something right. Service requests are not complaints, but must be recorded, monitored, and reviewed regularly.
  - 2.3 A complaint must be raised when the resident expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing. We will not stop our efforts to address the service request if the resident raises a formal complaint.

**3. What is not considered a complaint within this Policy**

We will consider a complaint and/or escalate it unless there is a valid reason not to. If we decide not to accept a complaint, an explanation will be provided to the resident setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Housing Ombudsman.



If the Housing Ombudsman does not agree that the exclusion has been fairly applied, the complaint will be investigated.

Each complaint will be considered on its own merits. The following will not be considered within this policy: -

- 3.1 The first request for a service from us.
- 3.2 The issue occurred, or the resident was aware of the issue over twelve months ago, and the resident did not report it at the time. We will consider whether to apply discretion to accept complaints made outside this time limit where there are good reasons to do so.
- 3.3 The underlying issue is not within our remit or control.
- 3.4 An anonymous complaint. We would be unable to respond to the complainant as part of this process, however, we would carry out an investigation of the reported issues and action accordingly if sufficient detail has been provided.
- 3.5 Anti-Social Behaviour (ASB)/neighbour nuisance complaints should be dealt with in accordance with the ASB Policy and Procedure. If, however, the complaint relates to the process or our failure to deal with the concerns raised it should be dealt with under this policy.
- 3.6 Legal proceedings have started. This is defined as details of the claim, such as the Claim Form, Particulars of Claim, having been filed at court. A disrepair claim will be actioned in conjunction with a formal complaint.
- 3.7 The matters have previously been considered under the complaints policy.
- 3.8 We sometimes receive complaints that are vexatious (aggressive, abusive, or unreasonable). If we believe this is the case, we will contact the resident and explain why we have reached this decision.



3.9 Any personal injury claims. These should be referred to our insurance company.

#### 4. Who can make a complaint?

4.1 This Policy is applicable to anyone who receives or requests a service from North Memorial Homes, for example residents.

4.1.1 Complaints received with regards to the Homes' policies, will be dealt with under the same principles applicable to other complaints, however they may be referred to the Board of Trustees or representatives of it.

4.1.2 Complaints received with regards to staff or representative's conduct will be dealt with by the Board of Trustees.

4.2 Residents have the opportunity to have a representative deal with the complaint on their behalf, and to be represented or accompanied during the complaints process. The resident must have given authorisation for them to do so.

4.3 Residents do not have the right to withhold their weekly maintenance charge during the complaints process.

#### 5. How can residents complain?

5.1 Residents can complain to us by:

- Email      [enquiries@northmemorialhomes.co.uk](mailto:enquiries@northmemorialhomes.co.uk)
- Letter      c/o Charity Link, 20A Millstone Lane, Leicester LE1 5JN
- Telephone    0116 222 2200
- In person    Contact us to book an appointment



- Using an advocate    Permission must be given by the resident.  
(If a solicitor has been appointed to act on behalf of the resident, this will be referred to our solicitor and not dealt with as part of this policy)

## 6. Complaint process

- 6.1 We expect our staff, representatives, and trustees to always act in a respectful manner to our residents, and we ask that residents and their representatives also act to our staff, representatives, and trustees in a respectful manner.
- 6.2 We will try to resolve residents service requests swiftly and efficiently. For instance, where a contractor or member of staff has failed to keep an appointment, and the resident wants a second appointment to be made. Where this is the case, an apology should be offered, and the resident advised that a record will be kept of the concern. The resident should be asked if they wish this to be considered as a formal complaint. If they do, then the formal complaints procedure set out below should be followed. In all cases a record of the service request should be made on the complaints form (Appendix 1) and database for trends to be monitored, reporting purposes and lessons learned.
- 6.3 The complaints procedure document provides detail on the stages and processes involved.
- 6.4 The resident can contact the Ombudsman ([www.housingombudsman.org.uk/customers](http://www.housingombudsman.org.uk/customers)) during the process for support and advice.



**6.5 Complaint Procedure – Stage 1**

- 6.5.1 Submission of a formal complaint will not delay any action, we will ensure that responses are co-ordinated, and the resident is not troubled by inconsistent and uncoordinated communication.
- 6.5.2 Within 3 working days of receipt of a formal complaint the details will be accepted, logged on form appendix 1, and acknowledged.
- 6.5.3 A full independent investigation will be carried out by the North Memorial Homes Housing Manager and a formal response will be provided to the resident within 10 working days from the date the complaint was acknowledged.
- 6.5.4 The complaint response and a copy of the complaints log (appendix 1), will be sent to the resident when the answer to the complaint is known. It must not be delayed until any outstanding actions are completed. Outstanding actions should be tracked, and updates provided to the resident.
- 6.5.5 Where a resident raises additional complaints during the investigation, these should be incorporated into the Stage 1 response if they are related, and the stage 1 response has not been issued. Where the stage 1 response has been issued, the new issues are unrelated to the issues already being investigated or it would unreasonably delay the response, the new issues must be logged as a new complaint.

If an extension to the timescale is needed when considering the complexity of a Stage 1 complaint, the resident should be informed of the expected timescale for response.



Any extension must be no more than 10 working days without good reason, and the reason will be clearly explained to the resident. Examples of good reason are:

- a delay by a third party, over which a landlord has no control, in providing information.
- requiring further time to undertake interviews; and/or
- needing longer to acquire all the information required from multiple sources to enable a landlord to properly investigate a long-standing, complex case.

Whether an extension is required should be assessed on a case-by-case basis and the resident will be informed of the expected timescale for a response, along with suitable intervals to keep the resident informed about their complaint and contact details for the Housing Ombudsman.

## **6.6 Stage 2 - Review of Complaint**

6.6.1 If all or part of the complaint is not resolved to the resident's satisfaction at Stage 1, it must be progressed to Stage 2 of the procedure within 20 working days, this date is stated in the Stage 1 response letter.

6.6.2 The Chair of the board of trustees will review the complaint and consider any further evidence or events that have taken place which affects the nature of the complaint; or actions proposed have not resolved the issues.

6.6.3 Within 5 working days of receipt of the request for escalation to Stage 2, the details will be acknowledged, defined, and logged. The Chair of the board of trustees who doesn't have a connection to the complaint will carry out the review.

6.6.4 A review can be refused for the same reasons as stated in Section 4 of this Policy.



6.6.5 The Chair of the board of trustees who doesn't have a connection to the complaint will carry out a review and respond to the complaint within 20 working days of the complaint being acknowledged.

6.6.6 If an extension to the timescale is needed when considering the complexity of a Stage 2 complaint, the resident should be informed of the expected timescale for response. Any extension must be no more than 20 working days without good reason, and the reason will be clearly explained to the resident. Examples of good reasons are detailed in 6.5.5.

Whether an extension is required should be assessed on a case-by-case basis and the resident will be informed of the expected timescale for a response, along with suitable intervals to keep the resident informed about their complaint and contact details for the Housing Ombudsman.

#### **6.7 Referral to the Housing Ombudsman**

The resident can refer the complaint to the Housing Ombudsman if they remain dissatisfied after the Stage 2 outcome. Details will be provided to the Ombudsman on request. This service is only available to Residents of North Memorial Homes.

#### **6.8 Closing the complaint**

If at any stage of the process a full response to a complaint has been given and there has been no contact from the resident within 20 working days regarding the complaint, the complaint will be closed.

#### **6.9 Self-Assessment**

The Homes will complete a self-assessment against the code each year by 31<sup>st</sup> May, following a significant restructure and/or change in procedures, and/or a request from the Housing Ombudsman following an investigation.





## **7. Appropriate remedy**

- 7.1 If we find no basis for any appropriate remedy, we will provide a full explanation to why we have come to the conclusion.
- 7.2 Complaints can be resolved in several ways and any remedy reflects the impact on the resident as a result of any failures and inconveniences.

## **8. Performance monitoring and lessons learnt**

- 8.1 We recognise a positive complaint handling culture, accountability and transparency are integral to the effectiveness with which disputes are resolved. We will use complaints as a source of intelligence to identify issues and introduce positive changes in service delivery.

- 8.1.1 The Member Responsible for Complaints, (MRC), will report wider learning and improvements from complaints to residents, staff, and the board of trustees. The MRC ensures the governing body receives regular information on complaints that provides insight on the landlord's complaint handling performance.

The governing body will receive the following data:

- a) regular updates on the volume, categories, and outcomes of complaints, alongside complaint handling performance.
- b) regular reviews of issues and trends arising from complaint handling.
- c) regular updates on the outcomes of the Ombudsman's investigations and progress made in complying with orders related to severe maladministration findings, and the annual complaints performance and service improvement report.



In addition, the following will be produced annually for the board of trustees and be published on the website:

- a) the self-assessment against the Housing Ombudsman complaint handling code to ensure the policy remains in line with the requirements.
- b) a qualitative and quantitative analysis of North Memorial Homes complaint handling performance. This must also include a summary of the types of complaints North Memorial Homes has refused to accept.
- c) any findings of non-compliance with the complaints handling code.
- d) the service improvements made as a result of the learning from complaints.
- e) any annual report about North Memorial Homes performance from the Ombudsman; and any other relevant reports or publications produced by the Ombudsman in relation to the work of the landlord.

8.1.2 It is the responsibility of MRC, to look beyond the circumstances of the individual complaint and consider whether service improvements can be made as a result of any learning from complaints.

8.2 Any themes or trends, “should be assessed by the MRC”. To identify potential systemic issues, serious risks or policies and procedures that require revision. They should also be used to inform training.

8.3 All staff and trustees have a collaborative and co-operative approach towards resolving complaints, working with colleagues across North Memorial Homes; and a collective responsibility for any shortfalls identified through complaints, rather than blaming others; and, act within the Professional Standards for engaging with complaints as set by the Chartered Institute of Housing.



**9. Equality of access**

We will consider our duties under the Equality Act 2010 and anticipate the needs and reasonable adjustments of customers who may need to access the complaints process. We will ensure that materials are provided in easy-to-read formats and provide customers access to appropriate support.

**9.1 Some individuals may be discouraged from complaining because:**

- they have poor communication skills
- they have poor literacy skills
- they have a disability/vulnerability which makes it harder for them to communicate
- English is not their first language.

**9.2 Where an individual has particular communication difficulties it is the responsibility of North Memorial Homes to ensure that all their residents have equal access to the complaints process. For instance, it may be appropriate to take details by personal interview or by a home visit. If necessary, other forms of communication may also be considered, including:**

- translation of communications into another language
- translation of communications into braille
- use of Language Line interpretation service
- communicating with the customer's advocate, where permission has been granted.

**9.3 Where another form of communication is required, there may be an unavoidable delay in responding and we will tell you if that is the case.**

**9.4 In accordance with the Equality Act 2010, North Memorial Homes will adapt normal processes to accommodate an individual's need.**





**10. Review**

10.1 The Policy will be reviewed every three years or sooner if regulatory/legislator changes are required. We will also review the Policy if customer/user feedback requires this.

**This policy has been approved for issue by the board of trustees of North Memorial Homes**

Signature:..... MJ SOLANKI .....

Name:..... DR MARCUS J. SOLANKI. MBE. CHAIRMAN NMH. .....

Date:..... 24.09.24 .....

Reviewed September 2024



Correspondence address: The Clerk to the Trustees, North Memorial Homes  
c/o Charity Link, 20a Millstone Lane, Leicester, LE1 5JN  
Tel: 0116 222 2200

Email: [enquiries@northmemorialhomes.co.uk](mailto:enquiries@northmemorialhomes.co.uk) Web: [www.northmemorialhomes.co.uk](http://www.northmemorialhomes.co.uk)