

North and East Housing Association CLG: Complaints Policy

Version History

	Modification	Date modified
1	Initial approval of policy	Version 001 – November 2014 Version 002 - June 2019 Version 003 - September 2021 (review following complaint)
2	Most recent review and approval by Board	2/12/24
3	Date of next review by Board	2027

Amendments to policy

Old version number	Reason for updating	New version number & date of issue
003	This is a significant update to incorporate the following objectives: (a) Lessons learned from tenant feedback (b) Alignment with ICSH model complaints procedure (c) Clear delineation of policy and procedure	004

1. Purpose

North and East is an approved housing body that currently provides homes across a large number of local authority areas. We aim to deliver consistent services to achieve efficiency and improve the quality of life for our tenants. We are committed to providing new homes to help tackle the housing shortage and help those in housing need.

This policy specifically describes how North & East will deal with all complaints received, irrespective of which service the complaint refers to, and how these will be used to inform future service delivery.

The overall objective of this Complaints Policy is to ensure that North & East makes it easy for our tenants to inform us of their views on our actions and service delivery and that the feedback we receive is used positively to deliver services that meet expectations. In particular this policy is designed:

- To ensure that the services we provide meet the requirements of tenants.
- To value the contribution of tenants' feedback; and
- To learn from that feedback (and compliments and suggestions to add perspective) and improve.

In so doing, the policy assists the Association in meeting its corporate and strategic aims and priorities and is consistent with the intention of our Strategic Plan 2020-2024 (currently under review).

2. Scope

North & East aims to ensure that the services we provide meet the needs and expectations of our tenants. However, we recognise that sometimes things go wrong and the services we provide do not meet our tenants' changing needs. It is therefore important that we value all feedback including complaints, compliments and suggestions and use them to direct, or where appropriate, improve service delivery.

North & East recognises, however, that some complaints may be handled using other processes that are therefore excluded from this complaints process. These include:

- a complaint that is being dealt with or was previously dealt with by legal proceedings, or where a decision will be decided by a court e.g. re-possession
- a complaint that has not been raised within three months of the incident occurring
- a complaint about a service where North and East has no responsibility
- a complaint about a decision where a statutory appeal body or tribunal has been established to examine the case
- claims for compensation for property damage or personal injury. (These are liability claims and must be dealt with by our insurers or the relevant contractor's insurance if appropriate)
- anonymous complaints
- policies that already have a built-in appeal/review process e.g. Rents, Allocations.

This policy takes account of guidelines issued by the Irish Council for Social Housing (2022) and lessons learned through RTB mediation.

3. Definitions

For the purposes of this policy, a complaint is defined as an expression of dissatisfaction by one

or more tenants about the standard of service received or lack thereof. A tenant has a right to

complain about our service and seek resolution if they feel:

- they have been unfairly treated by North and East
- that a service to which they are entitled is not being provided
- that a service which is being provided is inadequate
- that a decision made regarding them is wrong or did not take into consideration all the facts
- that a request for a service/information has been ignored.

This list is not exhaustive. For example, a complaint may also be about:

- unfairness, bias or prejudice in service delivery
- failure to follow procedures
- lack of provision, or the provision of misleading, unsuitable or incorrect advice or information
- a repair that has not been carried out properly
- unacceptable behaviour by a member of staff, a committee member or a contractor

4. Policy Statement

The principles underpinning this Complaints Policy reflect the Association's values and are as follows:

1. We will meet and where possible exceed all legal and regulatory requirements.
2. We will be clear and transparent and open about what we can and cannot do.
3. We will communicate with tenants around their complaints using easy to understand language.
4. We will follow up proactively on complaints about contractors or other third parties acting on our behalf

5. Complaints Process

We support addressing matters of contention as soon as possible, and all complaints should be made within 28 days of the issue the tenant wishes to make the complaint about.

The headline process which will be followed is outlined below.

5.1 Receiving a Complaint

To enable tenants to make a complaint, information about how and where to complain will be well publicised through the variety of our service delivery points including our Newsletter, website, and at the Association's offices, including in our estate offices.

Complaints and all supporting documents provided during the complaints process will be accepted in a number of different ways including in person, over the phone, and in writing via email, fax (although outmoded) and/or letter (with, where appropriate, access to translating and interpreting services for non-English speaking tenants being provided).

The personal information of the complainant and any people who are the subject of a complaint will be kept confidential and only used for the purposes of addressing the complaint and any follow-up actions.

5.2 Responding to a Complaint

Complaints will be acknowledged promptly and complaints will be addressed promptly. Staff should

make themselves aware of, and adhere to, any target timelines for resolving complaints.

Complainants and, if applicable, the person who is the subject of the complaint, will be kept informed of progress and the outcome of the complaint.

Complaints will be handled objectively and fairly with appropriate confidentiality.

All finalised complaints will be reviewed for lessons learned and service improvement.

5.3 Handling a Complaint

Where possible complaints are best handled by person/s at the point of service delivery (front-line). In North & East this most obviously in the first instance is the Tenant Support Desk (TSD). More serious complaints, or complaints that cannot be satisfactorily closed by the TSD, will be escalated to the Tenant Support Officer (TSO).

5.4 Resolving a Complaint

When the investigation is complete North and East will contact the complainant and confirm the full details and findings of the investigation. We will let the complainant know what we have found and, if necessary, we will produce a longer report to explain the conclusions reached.

If the complainant is not satisfied with the response, s/he can appeal to the CEO who will investigate the matter further. Any appeal should be submitted in writing detailing the reason for the appeal and the expected resolution. This will usually be acknowledged within 10 working days of receipt and a full response will be provided as soon as is practicable. In some cases, additional time may be required to ensure a thorough and robust review. If delays are likely, the complainant will be advised of this and when an outcome is expected.

Following review, the CEO will make decision and advise the complainant accordingly, in writing, explaining how the complaint will be resolved and detailing any further actions which need to be taken.

In certain circumstances it may be appropriate for the complaint to be referred to a formal mediation or adjudication process within the Residential Tenancies Board. In addition, North and East reserves the right to handle serious complaints about staff in a different manner than the process set out above.

More detailed guidelines for relevant staff in the application of this process are contained in the Operational Guidelines document.

6. Recording of Complaints

North and East Housing will keep a record of all complaints made and the steps undertaken in responding to a complainant. Information about complaints will be collated and reported to the Board at quarterly meetings.

7. Repetitive or Unreasonable Complaints

Most complainants act responsibly. However, some complainants are difficult to satisfy and

occasionally the conduct of other individuals can be challenging because of unreasonable persistence, demands, lack of co-operation, arguments and/or behaviour. In these circumstances, while fair consideration will be given to the complainant, North & East reserves the right to exclude some complaints from the standard complaints process.

Equally, where complaints are complex or when tenants have become entrenched, North & East reserves the right to engage third party support, including mediation or conciliation services where appropriate, using suitably trained and qualified mentors to try to resolve matters and avoid escalated action.

8. Roles and Responsibilities

The Tenant Services & Engagement Manager is responsible for policy implementation, monitoring, evaluation, ensuring effectiveness and addressing any issues that arise.

The Tenant Services Officer has delegated responsibility for complaint co-ordination, investigation and response.

All staff who are involved in handling complaints will receive appropriate training.

9. Related Documentation

- Operational Guidelines for Managing and Handling a Complaint.

10. Complaints and Appeals

North and East will deal with all complaints about any perceived shortfall in the operation of this policy in accordance with its Complaints Policy (5.4: 'Resolving a Complaint', p4).

11. Legislation and Compliance

North and East owns and manages tenancies in accordance with the provisions of the Residential Tenancies Act 2004 (as revised) and the Residential Tenancy Board (RTB).

Complaints received by phone or in person will be logged and stored in North and East's housing management system database and will be retained in line with our Data Protection Policy. Under the provisions of the Data Protection Act 2018 individuals are entitled to request personal data which is held by the Association.

North and East will comply with the Equality Act 2010 which protects persons from being discriminated against. In particular, North and East will not discriminate on the grounds of age, disability, marriage and civil partnership, pregnancy and maternity, race, religion or belief, gender, gender reassignment or sexual orientation.

12. Policy Review

The Complaints Policy will be reviewed every three years, unless an earlier review is necessary following e.g.

- legislative, regulatory and good practice requirements
- learning from complaints
- the views of tenants and staff