

Complaints Policy

Policy Purpose & Aim

St John & St Anne is a housing charity providing homes for older people to live independent lives within community settings. We always want to provide you with the best service we can, but sometimes things can go wrong. If you have a complaint about your home or the services we provide, please let us know so we can put things right. We will use your feedback to learn and to improve our services, which will help you and others.

We promote a positive complaint handling culture where:

- residents who complain are listened to and treated with courtesy and empathy
- residents will never be disadvantaged as a result 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
- our residents feel able to raise concerns about the services they receive from us
- we learn from complaints and make changes to improve the way we do things
- residents making a complaint will be kept informed throughout the process in line with our service standards.
- we have a clear two-stage formal complaint process with clear timescales
- we meet the requirements of the Housing Ombudsman's complaint handling code, and the regulatory requirements set out in the Regulator of Social Housing, Tenant Involvement and Empowerment Standard.

Complaints may be made by residents, their carers, families or a representative of a resident.

Definitions

St John & St Anne uses the Housing Ombudsman Service's definition of a complaint:

An expression of dissatisfaction by a resident, however made about the standard of service, action or lack of action by the organisation, its own staff or those acting on its behalf, affecting an individual resident or a group of residents.

It is also acknowledged that complaints are a positive feedback tool which promotes service review and improvement. Suggestions for improvement from residents can be made at any time without making a complaint.

If the complaint is about the CEO, then please contact the Chair of the board of Governors - Geoff.Thompson@stjohnstanne.co.uk.

Residents can appoint a representative to manage their complaint if they wish to and a copy of our complaints policy is on our website and on resident noticeboards.

What is not considered a complaint within this Policy

- A first service request from a resident to us as the landlord requiring action to be taken to put something right. Service requests are not complaints, but they will be recorded, monitored, and reviewed regularly.
- An issue occurred or the resident was aware of the issue over 12 months ago and did not report it to us at the time. We will carefully consider whether to apply discretion to accept complaints made outside this time limit, where there are good reasons to do so.
- We will not respond to concerns or complaints made anonymously, however if the concern raised meets the criteria in the whistleblowing Policy, and/or if safeguarding concerns are raised, this will be investigated and actioned appropriately.
- Any underlying issues that are not within our remit or control.
- A dispute with a neighbour which can be dealt with through the terms outlined in our resident's handbook or the Anti-Social Behaviour Policy.

We reserve the right not to process an issue as a complaint when:

- A complaint relates to a legal matter that is already being dealt with by a solicitor.
- The issue has been raised previously by the resident and was dealt with through the complaints procedure.
- The complaint has been closed, where the resident did not exercise their right to escalate the complaint.
- Where the Housing Ombudsman or other relevant body have determined on the case.
- Complaints relating to weekly maintenance costs or rent increases where the increase is driven by government guidance/regulation.
- We may 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 as there are behaviours that are unacceptable to staff or residents.

How to complain

- Face to face with one of our office staff team
- By telephoning the office on 01572 756950 between 08:30 and 16:00 Monday-Friday
- By e-mailing clerk@stjohnstannes.co.uk
- By writing to the office address at Mill House, South Street, Oakham, LE15 6HY.
- By sending us a message via our contact page on our website at www.stjohnstanne.co.uk
- If you need help making a complaint we will be happy to assist you. If you prefer, you can ask a family member/friend to help. You can also ask for further help and advice from your local councillor or MP or the Housing Ombudsman.

A. First contact informal resolution

Often complaints or issues can be resolved informally and quickly at the first point of contact and do not need to go through a formal complaint process.

Where a first contact resolution approach is assigned, we will seek to acknowledge this within 2 working days and seek to resolve within 7 working days.

This will be recorded, and our response will be in person, telephone or in writing as is relevant to the issue. If after this a resident wishes their complaint to be formally recorded, staff will do this using this policy.

B. Formal Complaint

Where a formal complaint is raised, we will acknowledge within a maximum of 5 working days of receiving it, in writing.

There are two stages to the formal Complaints Policy:

Stage 1

Once we receive the complaint the following steps are taken:

- We will acknowledge the complaint within 5 working days of receipt and include the resident's description of the cause of dissatisfaction.
- We will assign the complaint to a named member of staff. They will be the resident's main point of contact during the stage 1 process and for any follow-on enquiries after closure.
- We will review the complaint to ensure it is not subject to 'Exclusions' within this complaint policy.
- We will contact the resident to discuss the complaint further including their understanding of the complaint and the outcomes they may be seeking.
- Additional complaints will be logged with existing complaints if they are relevant, and if it would not unreasonably delay the management of the existing issue. In these circumstances, following discussion, a new complaint will be logged.
- We will keep the resident up to date throughout the process.
- We will always make reasonable adjustments for the resident during this stage, considering their circumstances.
- We will respond fully to the resident within 10 working days detailing:
 - a) the complaint stage and the complaint definition
 - b) the decision on the complaint and the reasons for any decisions made
 - c) the details of any remedy offered to put things right

d) details of any outstanding actions

e) details of how to escalate the matter to stage 2 if the resident is not satisfied with the response

- If we cannot do this within the 10-day period we will contact the resident to let them know we need more time and agree an extension in line with the Complaints Handling Code, this will not exceed a further 10 days without good reason and we will agree this with the resident. If both parties cannot agree on an extended date, we will provide the resident with the Housing Ombudsman's contact details so they can challenge our plan as the Landlord directly with them. Once we issue our full response the complaint will be closed.
- We will respond fully to the complaint once the outcome of the investigation is known. Outstanding actions including appointments/repairs or visits will be tracked by the staff member who is allocated to the complaint, who will provide regular updates to the resident and follow through until completion.
- If all or part of the complaint is not resolved to the resident's satisfaction at stage one, we will progress the complaint to stage two of our procedure, unless an exclusion ground now applies. In instances where SJSA declines to escalate a complaint, we will clearly communicate in writing our reasons for not escalating and provide the resident with information on their right to approach the Housing Ombudsman about our decision.

Stage 2

We will only escalate a complaint to stage 2 of our process at the resident's request. A resident has 12 months to escalate a complaint to stage 2. Upon receipt of a request, we will reopen and confirm our understanding of the complaint in the acknowledgement letter. The complaint will be assigned to the CEO.

- We will acknowledge the escalation of the complaint within 5 working days of receiving an escalation request.
- At stage 2, the CEO will not have been involved in investigating at stage 1
- The CEO will contact the resident within 5 working days to discuss the complaint including our initial response, their understanding of the complaint and the outcomes the resident is seeking.
- We will always make reasonable adjustments for the resident during this stage, considering their circumstances.
- We aim to take 20 working days, from escalation to the final stage.
- We will respond fully to the resident within 20 working days, detailing the following:
 - 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 offered to put things right
- f) details of any outstanding actions
- g) details of how to escalate the matter to the Housing Ombudsman Service if the complainant remains dissatisfied

We will respond fully to the complaint once the outcome of the investigation is known. Outstanding actions including appointments/repairs or visits will be efficiently tracked by the CEO who will provide regular updates to the complainant and follow through until completion.

The resident will be kept up to date throughout the process and if we need more time we will agree that with them, in line with the Complaints Handling Code. This should not exceed 20 working days without good reason and must be agreed with the complainant. If both parties cannot agree on an extended date, we will provide the Housing Ombudsman's contact details so they can challenge our plan as the Landlord directly with them.

At that point, the resident will have exhausted SJSA complaints procedure. If they are an SJSA resident, they can then approach the Housing Ombudsman if they remain unhappy or obtain independent advice from a local person such as their MP, a local Councillor or Citizens Advice.

This information will be outlined in the final response.

Housing Ombudsman Service

PO Box 1484, Unit D, Preston PR2 0ET

Telephone: 0300 111 3000

9.15am - 5.15pm Monday to Friday

<https://www.housing-ombudsman.org.uk>

Complaint decisions

Final decisions about complaints are categorised in one of two ways:

Complaint upheld: This is where we agree that the complaint was justified.

Complaint not upheld: This is where we do not agree that the complaint was justified.

SJSA aims to ensure that any remedy offered in response to a complaint reflects the extent of any and all service failures, and the level of detriment caused to the resident as a result.

These may include:

- acknowledging where things have gone wrong

- providing an explanation, assistance, or reasons why a certain approach was taken
- apologising
- taking action if there has been a delay
- reconsidering or changing a decision
- amending a record
- providing a financial remedy
- changing policies, procedures, or practices

We will provide a response when we know the decision, although this means not waiting for completion of outstanding actions (e.g. outstanding repairs), so that reasonable complaint handling timescales are achieved. Where a promise of future action has been made, we will keep residents updated and will follow this through to completion. If a resident requests a complaint to be left open until all actions are completed this would only be agreed to in exceptional circumstances.

Persistent or Vexatious Complainants

SJSA is committed to providing an accessible feedback service to all residents. However, there must be a balance between the resident's right to be heard and their responsibility to behave reasonably in making or pursuing complaints. We therefore reserve the right to restrict or change access on the rare occasion that it is identified that a resident's actions are unacceptable.

SJSA staff will respond professionally and sympathetically to all feedback. Where there are occasions when SJSA considers the behaviour or actions of a resident as unacceptable the following guidance will apply. We understand that some circumstances can be upsetting or distressing which can lead to people acting out of character, but where there are persistent unreasonable demands or angry and aggressive behaviours towards our staff, we will need to take the necessary action to manage such behaviour. This may result in a warning to the resident or placing a restriction on how or when the resident can contact us.

Aggressive or abusive behaviour

We understand sometimes residents can feel angry about the circumstances they are having to contact us about; however, it is not acceptable when that anger or aggression is directed at our staff.

Unreasonable demands

If a resident makes what we consider unreasonable demands and as such they impact substantially on our work due to the amount of information they seek or provide, the nature and scale of service they expect, or the regularity or number of approaches they make, we may take the decision to view this as unreasonable. It is persistent behaviour that we may view as unreasonable and not how the resident approaches us.

Examples of these behaviours include the following:

- Making continuous phone calls and sending lengthy emails or letters to numerous staff members, often simultaneously
- Only willing to communicate with a particular staff member including senior members of staff
- Insisting on responses or actions within an unreasonable timescale
- Refusing to engage and cooperate with the complaints process
- Changing the basis of the complaint as the investigation proceeds and adding trivial or new information at a later date
- Raising numerous detailed but unimportant questions, insisting they are all answered
- Persistent refusal to accept a decision
- Continuing to pursue a complaint case without presenting any new information
- Willfully obstructing reasonable attempts to resolve issues raised including deliberate conflation of issues

The way in which we manage unreasonable behaviour will depend on the extent and nature. We will look at each case individually and ensure that our decision is fair and proportionate and is fully explained to the resident.

Compensation

Any financial award will be reviewed and considered on a case-by-case basis and on its own merits. SJSA will consider if any statutory payments are due in-line with the Housing Ombudsman Code. Also, if any quantifiable losses have been incurred as well as the time and trouble a resident has been put to and any distress and inconvenience caused when awarding compensation. We will record all monetary offers of compensation, including vouchers, service charge and weekly maintenance contribution write-offs etc. Once the compensation figure has been agreed by both parties, we aim to process this within 10 working days.

Monitoring, Review and Evaluation

SJSA will analyse complaints received, their outcome and proposed changes as part of its reporting and planning process. A complaints survey will be undertaken after the final closure of each stage of a complaint with the complainant. SJSA will ensure feedback is provided at an operational level to staff to ensure immediate learning on individual cases – such as training or record keeping.

The Chair of the board or a governor they nominate will be the nominated member of the board responsible for complaints (MRC). They will be responsible for ensuring the board receives regular updates on the volume, categories, and outcomes of complaints, reviews any trends, annual performance and if needed service improvement reports are in place.

The CEO will also produce regular reports/self-assessments that will be shared with the MRC, the Governing Body, which will highlight themes which will allow SJSA to review and identify any trends in service failure, serious risks, or areas for organisational improvement.

Satisfaction with complaints handling is part of the tenant satisfaction measures that are collected and reported in line with the housing regulatory guidance. Regular audits will be carried out to ensure compliance with this complaints policy.

We will publish information about the complaints we receive every year on our website and in the Annual Report. This will include the number, nature, and outcome of complaints and how we learned from complaints and applied that learning to improve our services.

Each year in line with the Housing Ombudsman's Code we will self-assess our complaint handling and compliance with the statutory code. You will be able to see these documents on our website.

Policy approved by the board of St John and St Annes in 2024.

Next review in 2027 - This policy will be reviewed every three years or sooner if regulatory changes are required and after use to ensure it remains robust and compliant with Housing Ombudsman's Complaint Handling Code.