



KINSMAN
HOUSING

COMPLAINTS POLICY

March 2022

Policy Document

Contents

Section	Page
1. Introduction	2
2. Aims	2
3. Legal And Regulatory Requirements	2
4. What Is a Complaint	2
5. Acceptance of Complaints	3
6. Explanation for Non-Acceptance of Complaints	4
7. Our Approach	4
8. How Do I Complain?	4
9. Priority Response Process	4
10. Informal Complaints Process	5
11. Formal Complaints Process	5
12. Beyond the Three Stage Process	6
13. Complaints Relating to KHA Contractors	7
14. Recording, Monitoring and Learning	7
15. Self-Assessment	7
16. Compensation	7
17. Confidentiality	7
18. Related Policies	8
19. Equality And Diversity	8
20. Audit And Review	8
21. Policy Change History	9

Complaints Policy

1. Introduction

- 1.1. Kinsman Housing Association (KHA) is committed to providing a high-quality service for its customers and working in an open and accountable way that builds trust and respect. One of the ways in which we can continue to improve our service is by listening and responding to the views of our customers and, by responding positively to complaints, and by putting mistakes right when things have gone wrong.
- 1.2. This policy explains how customers can make a complaint if they are not satisfied with our services and how KHA will respond to this complaint.

2. Aims

- 2.1. This policy aims to provide both our customers and tenants with all the necessary information that they will need to let us know when they believe we have not met our service standards, and to comment or make suggestions accordingly.
- 2.2. The aims of this policy include:
 - To deliver a complaints service that meets our service standards.
 - To Learn from customers/tenants and improve our delivery of service.
 - To ensure we are effective and efficient when handling complaints.
 - To ensure all complaints are investigated fairly and thoroughly.

3. Legal And Regulatory Requirements

- 3.1. The Regulator of Social Housing Tenant Involvement and Empowerment standard requires Registered Providers have an approach to complaints that is clear, simple, and accessible that ensures that complaints are resolved promptly, politely, and fairly.
- 3.2. This policy also meets any legal obligation outlined in the following legislation:
 - Housing Act 1996
 - Localism Act 2011

4. What Is A Complaint?

- 4.1. By definition a complaint is “An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents”
- 4.2. Examples of complaints are:
 - Where we have failed to provide a service, or there’s been a delay in providing one.
 - Where we have failed to follow our policies and procedures or have been unfair or inconsistent in applying them.
 - Where we have failed to keep a customer informed through lack of or insufficient information.
 - Where there has been inappropriate behaviour or attitude from our staff.
 - If a customer is in any way unhappy about the way we’ve delivered a service.

- 4.3. Normally a complaint must be received by KHA within six months of the issue taking place or the customer finding out they have a reason to complain but must be no longer than 12 months after the issue took place.
- 4.4. This time limit is in line with the Housing Ombudsman Service guidance on complaints and the timescales they operate.
- 4.5. In exceptional circumstances, KHA may be able to accept a complaint after the time limit has passed. If a customer feels that the time limit should not apply, they will need to tell us why so that a decision can be made.
- 4.6. A complaint can be made by anyone who is entitled to receive a service from KHA or is affected by that service provision. This can also include KHA customers where applicable. With written consent, a family member, friend, or advocate/representative may act on behalf of a complainant and this will be handled in accordance with this policy.
- 4.7. Complaints can be made *face to face, face, by phone, online, by email, or by letter*.
- 4.8. The complainant does not have to use the word 'complaint' for it to be treated as such.
- 4.9. If further enquiries are needed to resolve the matter, or if the resident requests it, the issue will be logged as a complaint.
- 4.10. A service request is an individual who is unhappy with a situation that they wish to have rectified. Examples include reporting:
 - New repairs.
 - New incidents of anti-social behaviour.
- 4.11. The Service requests are recorded, monitored and reviewed regularly to inform service improvements. A complaint on the other hand is raised when the customer raises dissatisfaction with the service they have/have not received.

5. Acceptance of Complaints

- 5.1. A landlord must accept a complaint unless there is a valid reason not to do so. The circumstances in which a matter will not be considered are outlined below:
 - The issue giving rise to the complaint occurred over six months ago. However, complaints concerning safeguarding or health and safety issues will not be excluded.
 - Legal proceedings have started.
 - Matters that have previously been considered under the complaints policy.
 - The complaint relates to a matter that is outside of our control or responsibility.
 - The complaint is anonymous or frivolous or does not provide sufficient information or evidence to enable an investigation or resolution.

6. Explanation for Non-Acceptance of Complaints

- 6.1. If we decide not to accept a complaint, a detailed explanation will be provided to the complainant. The explanation will set out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman.

7. Our Approach

- 7.1. At KHA we strive to deliver a great service to our tenants, customers, and others. When we get it wrong, we aim to put matters right as quickly as possible, apologise for the mistake and learn lessons from the feedback to avoiding making the same mistake again.
- 7.2. Sometimes customers tell us they are unhappy with something and may not wish to make a formal complaint but just that we put things right. These will usually be smaller issues that can be quickly sorted out. We will always agree with the customer how this will be handled and what the next steps are. If the issue is particularly serious, such as involving a health and safety issue, these will always be handled as a formal complaint.
- 7.3. To ensure equality, our processes and procedures require the Complaints Handler to:
- Deal with complaints on their merits.
 - Act independently and have an open mind.
 - Take measures to address any actual or perceived conflict of interest.
 - Consider all information and evidence carefully.
 - Keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter.

8. How Do I Complain?

You can make a complaint by:

- Phone – 0203 488 4628
- Email – info@kinsmanhousing.co.uk
- Letter – Kinsman Housing Ltd, Alpha House, 100 Borough High Street, London, SE1 1LB

When complaining, tell us:

- Your full name and address
- As much as you can about the complaint
- What has gone wrong
- How you want us to resolve the matter.

9. Priority Response Process

- 9.1. To try and resolve complaints as quickly as possible, we may initially deal with the problem or service failure under our 'Priority Response' process.
- 9.2. We aim to resolve the failure in service and get it 'back on track' within 5 working days. A priority response is dealt with much quicker than a formal complaint as we will not normally carry out an investigation or send formal letters but will look to get the problem resolved as quickly as possible. You are still eligible to then proceed to a formal complaint if you wish.

10. Informal Complaints Process

10.1. When a complainant is unhappy with our service, we will do everything we can to resolve the issue both quickly and informally. It is our intention to agree a resolution within 2 working days, and if we cannot do so to resolve the matter to the complainant's satisfaction, then we will escalate the complaint to the formal stage of the complaints procedure.

11. Formal Complaints Process

11.1. We operate a three-stage complaint process:

11.1.1. **Stage one complaint** – If a customer is unhappy with a service we have provided or if we have been unable to resolve an issue to their satisfaction under our Priority Response process, a complaint can be logged under stage one of our formal complaints processes.

11.1.2. A manager will investigate the complaint and provide a written response within 5 working days of receiving the complaint and will keep customer informed of the progress until resolution. We aim to fully resolve the complaint within 30 calendar days where it is the responsibility of KHA or one of our contractors. If longer is required, we will contact the customer to agree a new timescale. Additionally, we will ensure that a complaint response is sent to the complainant when the answer to the complaint is known, not when the outstanding actions required to address the issue, are completed.

11.1.3. If a complaint is received where actions are required by a third-party e.g., a developer in the case of defects, or a managing agent in the case of estate services or a Local Authority, we aim to fully complete the complaint within 90 calendar days.

11.1.4. The following will be outlined to the complainant (in writing) at completion of a stage one complaint:

- the complaint stage.
- 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.
- details of how to escalate the matter to stage two if the complainant is not satisfied with the answer.

11.1.5. **Stage two complaint review** – If a customer is dissatisfied with the outcome of the stage one investigation, the complaint will be reviewed by a KHA Director, or another member of staff, different to who carried out the stage one review. The facts and responses at the previous stages will be carefully reviewed and we will provide a written response within 10 working days. If longer is required, we will contact the customer to agree a new timescale.

11.1.6. We will set out our understanding of the issue in writing, along with the outcome the complainant is seeking. If there is any aspect of the complaint which is unclear to us, we will ask for clarification.

11.1.7. We will not unreasonably refuse a stage two review request and if we do refuse, we will explain why in writing and who the complainant can contact if they do not agree with this decision.

11.1.8. The following will be outlined to the complainant (in writing) at completion of a stage two complaint:

- the complaint stage.
- 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.
- details of how to escalate the matter to stage three if the complainant is not satisfied with the answer.
- if this was the final stage, details of how to escalate the matter to the Housing Ombudsman Service if the complainant remains dissatisfied.

11.1.9. **Stage three appeal panel** – If a customer is dissatisfied with the outcome of the complaint review at stage two, the customer can make a request for their complaint to be escalated to an Independent Appeal Panel hearing. The appeal panel will review the case and provide a written response to the customer within 10 working days. This is the final stage of the KHA complaints process.

11.1.10. Complaints will only proceed to a third stage review if the complainant has requested it in writing, providing reasons why they believe it is necessary. If a third stage review has been requested, we will respond to the stage three complaint within 20 working days of the complaint being escalated, unless additional time is required. In this case, we will provide an explanation and a date for when the stage three response will be sent to the complainant in writing.

11.1.11. The following will be outlined to the complainant (in writing) at completion of a stage three complaint:

- 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.
- if this was the final stage, details of how to escalate the matter to the Housing Ombudsman Service if the complainant remains dissatisfied.

12. Beyond The Three Stage Process

12.1. If a customer would like to escalate their complaint after completing the KHA internal process, they can refer the complaint to the Housing Ombudsman Service, should the matter remain unresolved. If this is the case, we also have the right to refer the complaint to the Housing Ombudsman Service.

13. Complaints Relating To KHA Contractors

13.1. KHA require any contractor that provides services on our behalf to comply with this policy by:

- Recording and responding to customer s' feedback within the stated timescales.
- Providing us with any information relating to a complaint when requested.
- Assisting KHA with complaints investigations as appropriate.

14. Recording, Monitoring And Learning

14.1. A complaint is seen as an opportunity to learn about what or how we need to improve our service at KHA. We therefore want to learn from every complaint and capture and share the things that we learn so that improvements can be made where appropriate.

14.2. To do this, we will:

- Record and monitor every complaint including details such as what the complaint was about, how it was resolved, how quickly it was resolved and what we learnt.
- Carry out regular complaint reviews to continuously look at how we can improve our handling of complaints and the services we provide.
- Survey tenants on their satisfaction with the way the complaint was handled.

15. Self-Assessment

15.1. The Complaint Handling Code, recently reviewed by the Housing Ombudsman, is designed to support landlords in addressing complaints promptly and effectively, preventing them from escalating. The code also enables landlords to learn from complaints, identify areas for service improvements, and foster a culture of positive complaint handling.

15.2. For tenants, the code serves as a helpful guide, outlining what they can expect from their landlord when making a complaint and providing information on how to initiate and progress a complaint through the landlord's internal complaints procedure.

15.3. As a member, Kinsman Housing recognizes the importance of adhering to the code's requirements to ensure consistent complaint handling across all member landlords, including housing associations, local authorities, and arm's length management organizations (ALMOs).

15.4. We welcome the new Complaints Handling Code and have carried out a self-assessment against the code as requested by the Housing Ombudsman.

16. Compensation

16.1. Where complainants have suffered a material loss they may be compensated accordingly, in line with our compensation policy.

17. Confidentiality

As part of the complaints process KHA will handle personal data which will be carried out in accordance with the General Data Protection Regulation (GDPR) 2018.

Our Data Protection Policy outlines our approach to the collection, storage, and disclosure of data in accordance with GDPR.

18. Related Policies

This policy should be read in conjunction with the following policies:

- Compensation policy
- Data Protection Policy

Useful links

Housing Ombudsman Service - <http://www.housingombudsman.org.uk/home/>

19. Equality And Diversity

This policy has undergone an equality impact assessment to make sure that we do not discriminate against anyone and that it is accessible to everyone. Reasonable adjustments will be made for residents where necessary, this may mean allowing additional time to provide information in response to enquiries etc (part of The Equality Act 2010).

20. Audit And Review

This policy forms part of the Health and Safety framework/ Management System for KHA and will be subject to an internal audit process. This policy will be reviewed by the Board every three years, or where there have been significant changes to regulation or legislation to warrant a further policy review. The Policy may also be reviewed sooner where there is a need to address operational issues, or where best practice has evolved and there is a need to incorporate this.

Review Process	
Policy review frequency:	Responsible for review:
This policy will be reviewed on a 3-yearly basis	This policy will be reviewed by: <i>Treasurer/Andy Cox</i>

Policy Change History

Version	Changed Applied	Date	By
2	Adoption of Self-assessment form	12.04.23	Treasurer/Andy Cox
3	Revision/update of policy against The Housing Ombudsman's Complaint Handling Code	11.05.23	Treasurer/Andy Cox



Providing Quality, Affordable Homes

Kinsman Housing Limited

Alpha House
100 Borough High Street
London
SE1 1LB

<http://kinsmanhousing.co.uk>
T. 0203 488 4628
F. 0208 445 5992
E. info@kinsmanhousing.co.uk