

1. Statement of Intent

- 1.1 The Vale of Aylesbury Housing Trust (“the Trust”) aims to provide excellent services however it is recognised that there will be times when customers express dissatisfaction. On these occasions the Trust will seek to resolve complaints promptly and effectively and wherever possible, to the satisfaction of both the customer and the organisation.
- 1.2 The objective of this policy is to set the parameters for dealing with a complaint within which the complaints procedure will operate.
- 1.3 All departments within the Trust are able to access the complaints policy and procedure and use the complaints process to learn, improve and develop services. Adherence and compliance with the policy and procedure is managed by the Service Improvement Manager within the Business Improvement Team.

2. Outline of Policy

- 2.1 The Trust defines a complaint as a clear expression of dissatisfaction, requiring a response, relating to a service provided or not provided.

Such expressions of dissatisfaction will relate to:

- the standard or failure of a service
- action or lack of action in response to a request for service
- poor attitude or performance of Trust staff or people working on behalf of the Trust
- failure to follow an approved Policy or Procedure.

- 2.2 The following issues are not classed as complaints under this policy:

- a complaint about a neighbour dispute, a report of Anti -Social Behaviour or harassment, all of which are covered by separate policies;
- a request for service e.g. informing the Trust about a responsive repair requirement for the first time;
- complaints about any party providing services which have not been commissioned by Trust staff;

- complaints about a particular policy, process or rule of law, which has been followed correctly but which the customer feels has disadvantageded them in some way e.g. rent arrears or service charge collection.
- 2.3 If a complainant wishes to pursue a personal injury accident claim or is taking legal action against the Trust or a member of its staff, or should the matter being complained about be the subject of legal action by the Trust, the case will be dealt with separately and not progressed under this policy.
- 2.4 Generally only complaints where the problem or cause occurred or came to the complainant's attention in the four months prior to the date the complaint is made will be investigated. This is to ensure that a meaningful and accurate investigation can be carried out.
- 2.5 The Trust reserves the right to deal with each case on its merits and where necessary deal with the complaint under a different but relevant policy or procedure. Appropriate service standards and target times will apply in such instances.
- 2.6 The Trust reserves the right not to progress a complaint within its internal complaints process where it is determined that the complainant has not provided valid reasons for doing so, or the Trust considers that it has resolved the complaint to the best of its ability and nothing further can be done. Such determinations will only be reached following the approval of a Trust Director.
- 2.7 The Trust has a three step formal complaints process supported by an operating procedure. Wherever possible and practical, the Trust will try to resolve any issues that are causing dissatisfaction informally at the first point of contact. If the issue is unable to be resolved satisfactorily at this point the complainant can request that their complaint is entered into the Trust's formal complaints process.
- 2.8 The following people, or groups of people, are entitled to complain if they are not happy with the standard of service they have received from the Trust:
- tenants and leaseholders or members of their families
 - Trust housing applicants
 - neighbours of Trust properties
 - people acting on behalf of any of these groups, if the complainants themselves need help understanding the process or voicing their concerns. These people are known as "advocates" and they can include such people as relatives, care providers and voluntary workers. Complainants might also wish to seek assistance from organisations such as the Citizens Advice Bureau or Aylesbury Vale Advocates. If the complainant chooses to use an advocate, they will need to confirm in writing, that they are willing for their chosen advocate to act on their behalf
 - members of the public may also complain if they are directly affected by something that the Trust has done or is planning to do

- 2.9 Complaints received via MPs or local Councillors will be treated equally but may not always be dealt with under this policy and associated procedure if they are considered general queries or service enquiries. In such cases a separate and agreed protocol will be followed. Whilst the Trust acknowledges and respects the right of the individual to complain to their MP or Local Councillor, this will not lead to a complaint being “fast-tracked”.
- 2.10 Complaints or expressions of dissatisfaction can be made in different ways:
- by phone, calling 01296 732600
 - via the website www.vaht.co.uk
 - by e-mailing complaintsgeneral@vaht.co.uk
 - by writing to the Trust at the main office address
 - using the complaints leaflet which can be downloaded from the website, can be posted on request or collected from main office reception
 - in person by visiting the main office

3. Equality and Diversity

- 3.1 In line with the Trust’s Equality and Diversity commitments all complainants will be treated fairly, equally and with respect regardless of their gender, race, age, disability, faith, marital status, sexual orientation or any other distinction.
- 3.2 Information in a different format e.g. large print, audio tape, an alternative language or where the services of a translator are required can be provided upon request.

4. Unreasonable or Persistent Complainants

- 4.1 The Trust is committed to dealing with all complaints fairly and impartially and to providing a high quality service which does not normally limit a complainant’s contact. However, on very limited occasions a complainant’s behaviour, or frequent contact with the Trust, may hinder the Trust’s consideration of their or other people’s complaints. Such people may be deemed as “unreasonable or persistent complainants”.
- 4.2 The management of such complainants will depend on the nature and extent of their actions. Should this adversely affect our operational ability to effectively provide an efficient service to others, we reserve the right to restrict the complainant’s contact with the Trust.
- 4.3 Wherever possible we will aim to do this in a way which still allows a complaint / issue to progress through our processes. We may restrict contact in person, by telephone, fax, letter or electronically or by any combination of these although we will try to maintain at least one form of contact. In extreme situations, we will tell the complainant in writing that they must restrict contact with our office to either written communication or through a third party.

4.4 Any such decisions to restrict contact will be taken in consultation with an appropriate Director. The complainant will be informed of the reasons for the restriction being imposed and how it will operate.

5. Housing Ombudsman Service

5.1 As required by the Housing Act 1996 (amended by the Housing & Regeneration Act 2008) the Trust belongs to the Housing Ombudsman Service (HOS). The Localism Act 2011 introduced changes to how complainants can contact the HOS to ask them to investigate their complaint.

5.2 If, having first exhausted the Trust's complaint process, a complainant remains dissatisfied with the outcome of their complaint he/she can request that their complaint be referred to a 'Designated Person' for review. A Designated Person is defined as either a Trust recognised 'Designated Tenant Panel', any MP in England or any Local District Councillor. The Designated Person may try to help resolve the complaint directly and/or may refer the complaint to the Ombudsman.

5.3 The Trust has a Resident Complaints Group made up from Trust residents that meet regularly to review and monitor the Complaints Service performance and information. Should the Trust be approached by a complainant wishing to take their complaint to the HOS having exhausted the Trust's complaints process, it will, if requested, arrange for a specialist Designated Tenant Panel to be convened comprising three members from the Resident Complaints Group to undertake an independent review of the case to ensure that the Trust's internal complaints process has been correctly followed and if possible, to seek an amicable resolution of the complaint. The Trust undertakes to consider carefully the outcomes of the review or any suggestions for improvement of its processes or services reported by the Designated Tenant Panel.

5.4 The complainant will be required to authorise his/her appointed 'Designated Person' to act on their behalf and agree disclosure of all relevant complaint correspondence, data and information to them.

5.5 Should the 'Designated Person' be unable to resolve the complaint to the complainant's satisfaction they may arrange for it to be forwarded to the HOS for their consideration.

5.6 The Trust recognises the right of the complainant to approach the Ombudsman directly, without the need to involve a Designated Person, after a period of eight weeks following completion of the Trust's formal complaint process

5.7 All Trust employees will cooperate fully with the Ombudsman and make all files and records available on request. The Chief Executive or an appropriate Director will act as a designated point of contact with all correspondence

issued through him/her. The Trust will ensure full compliance on receipt of the Ombudsman's "Final Determination" barring any exceptional circumstances.

6. Value for Money

- 6.1 All complaints received by the Trust will be subjected to root cause and customer journey analysis by the Service Improvement Manager. The resulting data will be used to identify areas where services may be further improved to prevent the same types of complaints recurring.
- 6.2 On closure of each complaint, the investigating manager will consider what opportunities the complaint has provided for learning from our mistakes or errors and take positive action to prevent these being repeated.
- 6.3 The Trust will regularly review the cost and quality of the complaints handling service and seek efficiencies. To assist with this process it will obtain regular benchmarking information in relation to the complaints services provided by other housing providers.

7. Consultation

- 7.1 This policy has been developed in consultation with the Resident Complaints Group, Residents Forum and Tenants Scrutiny Panel. It has been drafted in line with the Trust's vision and values and incorporates good practice as defined by the Housing Ombudsman Service, National Housing Federation, the National Tenants Organisation, Chartered Institute of Housing and the HouseMark Complaints Accreditation scheme.

8. How will the policy be implemented

- 8.1 The Service Improvement Manager will be responsible for the implementation of this policy.
- 8.2 To ensure effective implementation the Trust will work closely with the Resident Complaints Group and the Housing Ombudsman Service and under the legislation named in section 11.

9. Monitoring

- 9.1 This policy has been updated to incorporate changes in legislation, resident feedback and sector best practice. It comes into effect on 1st October 2016. It will be applied to any new complaints received after that time.
- 9.2 The policy will be kept under review by the Service Improvement Manager and will be reviewed one year from implementation to ensure that the changes to the process have been fully implemented.
- 9.3 Performance measures and targets have been developed. Internal and external feedback will be used to obtain complaints performance information

and identify progress and service improvements. These will be reported to the Board and the Tenant Scrutiny Panel.

10. Review

- 10.1 After initial annual review, the policy will then be subject to a three yearly review cycle subject to significant changes in legislation or governance arrangements.
- 10.2 At the time of the first review an Equality Impact Assessment will be undertaken based primarily on the profile data of customers that have used the service, to ensure that the service is fully accessible, meets the needs of all potential complainants and that no adverse trends are developing that would prevent the successful resolution of complaints.

11. Legislation and other documents

11.1 Legislation relevant to this policy and supporting procedure:

- The Housing Act 1996
- The Housing & Regeneration Act 2008
- The Localism Act 2011
- The Data Protection Act
- Equality Act 2010

Various approved Trust operational policies and procedures.

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