



Complaints policy

June 2016



Responsible officer: **Head of Operations (Triathlon Homes)**
(Responsibility for proposing final draft, implementation and review)

Review author: Head of Operations

Approved by: Triathlon Homes Managing Director

Date approved: June 2016

EIA review date: July 2015

Effective date: June 2016

Policy review date: December 2018

Policy Review Statement - This policy will be reviewed at the date mentioned above or following legislative, organisational, or changes to good practice if sooner.

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1. Introduction

Triathlon Homes encourages and welcomes complaints and uses them to improve services.

We aim to ensure all complaints are dealt with individually on their merits, in a clear, fair, and consistent way.

This policy sets out who can make a complaint, how they can do so, which complaints can be considered using the complaints process and how and when we aim to respond.

All new residents will be given information about the complaints process when they sign the tenancy or lease agreement for their new home.

This policy does not apply to residents who wish to complain about not being nominated to Triathlon Homes. This is a matter for the nominating organisation.

Triathlon Homes LLP ('Triathlon Homes') is the owner of 1,379 homes within East Village and is landlord to the occupiers of these properties and has appointed a Managing Agent to manage the properties on its behalf. The Managing Agent is also a member of the Housing Ombudsman Service.

All of Triathlon Homes' policies are its own, but are implemented by the Managing Agent on its behalf. Triathlon Homes' policies are required to comply with the Regulatory Standards of the Homes and Communities Agency.

2. Policy Statement

2.1 A complaint is:

An expression of dissatisfaction, however made and whether justified or not, concerning the quality of service provided by, or the actions of, Triathlon Homes, its contractors, managing agent or its staff.

2.2 The overall aim of this policy is to:

- Assess whether any complaint has a basis, and if it does, resolve it to both parties' satisfaction.
- Learn lessons from resident dissatisfaction and complaints, ensuring policy and practices are amended to take into account any lessons learnt.

To do this we will:

- Ensure customers have easy access to information about how to complain;
- Make it clear what we consider to be a complaint;
- Ensure information on complaints and how to progress them is easy to understand and use;
- Ensure Triathlon Homes is effective and efficient in handling complaints;
- Aim to resolve complaints in an informal way to help us provide solutions as quickly as possible

- Aim to make personal contact with all complaints to fully understand their complaint and attempt to resolve the complaint;
- Agree a timescale to respond to the complainant which is both realistic and reasonable, including keeping the complainant informed as to the progress of our investigation at agreed interim dates;
- Support vulnerable complainants through the complaints process and where appropriate signpost them to an advocate who can help with their complaint;
- Consider mediation if appropriate where it would assist delivery of this policy;
- Resolve the complaint, wherever possible, to the complainant's satisfaction;
- Assess any lessons to be learned and steps needed to improve the service.

2.3 Our complaints: Summary

We have a 3 stage approach to dealing with complaints. Our approach is to reach an agreement with the customer about appropriate resolution. Firstly we will seek to resolve complaints in an informal way to help us provide solutions as quickly as possible. If this is not possible, the complaint will become formal – the second stage. Where resolution cannot be reached a final review will be undertaken by the Triathlon Homes Managing Director.

2.4 Who can complain?

This policy is open to all residents and neighbours. This policy does not cover complaints relating to commercial contract arrangements.

2.5 Complaints not covered by this policy

It is not normally possible to take complaints through this policy where:

- They are submitted anonymously (although we may still investigate);
- The matter being complained about is directly linked to legal proceedings already started by the complainant or Triathlon Homes
- The resident has already made a complaint on the matter concerned and the residents' complaint has already been considered via the complaints process, the courts or another tribunal.
- Unless exceptional circumstances apply, complaints are submitted more than six months after the event being complained of;
- The complainant is an employee of Triathlon Homes (unless they occupy one of our properties and the complaint relates to issues around their tenancy/lease);
- The complaint concerns employment matters.

Although such issues will be considered on their merits it is not normally appropriate for them to be dealt with under this policy.

3. Context

Legal/Regulatory

The Regulatory Framework for Social Housing in England 2012
 Independent Housing Ombudsman Service guidance

Links to other Triathlon Policies

Compensation and Redress Policy

4. Method Statement – The process

4.1 How people can complain

Complaints can be made:

- By letter or email to our East Village office (please insert address/email);
- In any language or in Braille;
- By telephone through calling the contact centre on **0208 522 2012**, 8.30am - 8.30pm Monday to Friday;
- In person by visiting our East Village office at our published opening times (see Triathlon Homes' website) or by bringing the matter to the attention of a member of Triathlon Homes' staff at a meeting or during a home visit;
- By letter or email to the complaints@triathlonhomes.com

4.2 Advocates

We recognise that some people who wish to complain may need support in doing so. We will accept complaints made by advocates on behalf of a complainant providing that we have evidence that they have been authorised by the complainant to represent them. This will normally take the form of a signed statement from the complainant. Where, for reasons of incapacity, it is not possible for the complainant to authorise an advocate in this way, we will seek other evidence that the advocacy is legitimate.

4.3 How we handle complaints

When we receive a complaint:

- We will confirm receipt of a complaint by phone (wherever possible)
- Complaints sent in by email to complaints@triathlonhomes.com will receive an automatic response confirming receipt by return.
- You will be contacted by the Officer dealing with the complaint within one working day.
- We will try to sort out the complaint informally and as quickly as possible.

Where an informal resolution cannot be agreed, the complaint will be handled on a formal basis.

When we deal with a formal complaint

- We will provide personal contact throughout the process and this may include a face-to-face meeting
- We will investigate the root cause and identify a realistic and deliverable solution
- We aim to resolve all complaints at this stage of the process
- If matters cannot be resolved immediately an action plan may be needed.

Action plans will state:

- the steps we are going to take to resolve the complaint
- agreed appointment times for any on-going works
- an expected an expected date for the completion of works or other steps where the complaint is not related to repairs
- timescales and an agreed way for providing updates
- The Head of Operations will monitor the action plan to ensure that it is completed within the agreed timeframes
- When an action plan has been completed we will phone (wherever possible) to confirm that the complaint has finally been resolved and where necessary, reach agreement on any compensation.

Where agreement as to the necessary resolution cannot be reached with the customer and the Triathlon team directly responsible, it will be passed to the Triathlon Homes Managing Director to review.

Managing Director Review

- A summary of actions to date will be created and a copy will be sent to the customer
- The customer will have two weeks to provide any additional evidence they wish to be considered
- The Managing Director will send a final written response, detailing any compensation payable.
- If an action plan forms part of the outcome, the Head of Operations will ensure all actions are completed within agreed timescales.

This review is the final stage of the Triathlon Homes complaints process. If a customer remains dissatisfied after exhausting the full process, they may consider escalating their complaint to the Housing Ombudsman.

Triathlon Homes also reserves the right to decide that a complaint should not be escalated to a Managing Director review, if:

- The remedy looked for cannot be offered by Triathlon Homes as it is outside our remit or expertise
- The compensation policy has been fully complied with.
- The complaint has been fully upheld and put right at previous stages
- The complaint is persistent, vexatious or unreasonable

Complaining directly to the Independent Housing Ombudsman

Social housing tenants, leaseholders and market rent tenants may complain directly to the Ombudsman after exhausting the full complaints process. However, they will need to wait eight weeks from the end of the Triathlon Complaints process before approaching the Ombudsman.

4.6 Compensation

Officers will close complaints, including acceptance of compensation offers if applicable, with agreement from the complainant either in writing by letter or email, or verbally where appropriate.

In cases where the complainant is disputing the level of compensation to be made and no other aspect of their complaint, they will have the opportunity to have the decision reviewed by the Head of Operations.

4.7 Unacceptable behaviour

4.7.1 Triathlon Homes accepts that at times people may act in a way that is out of character especially in times of trouble/distress. We accept a complainant may sometimes be upset or disappointed by our action or inaction and this may be demonstrated in the way that they contact us. However, where a complaint responds in an unreasonable, angry or violent way we reserve the right to deal with the complainant as detailed in section 4.7.3.

4.7.2 Unreasonable behaviour will include behaviour or language (whether oral or written) that may cause staff to feel afraid, threatened, or abused. This will include threats, physical violence, personal verbal abuse, derogatory remarks, and rudeness. We also consider that inflammatory statements and unsubstantiated allegations can be unreasonable behaviour. Behaviour which poses a risk to our staff and contractors will be dealt with under our Resident Alert and Caution Policy and may result in access being restricted to a single member of staff.

4.7.3 Where a complainant places unreasonable demands on Triathlon Homes' staff, for example, through demanding responses within an unreasonable timescale, insisting on seeing or speaking to a particular member of staff, continual phone calls, emails, or letters, repeatedly changing the substance of the complaint or raising unrelated concerns and this is having an impact on our ability to deliver a service, we may restrict a resident's, or neighbour access to the complaints procedure, and other services e.g. by giving the resident or neighbour a named point of contact.

4.8 Mediation

We will consider using mediation where we consider it appropriate and where it would assist delivery of this policy.

5. Monitoring the policy

This policy will be monitored by the Head of Operations who will review this policy periodically as set out above capturing best practice, customer feedback and legislative changes to inform this review.

5.1 Measures of success

The success of this policy will be measured through:

- Monitoring through the use of complaints key performance indicators, including resident satisfaction.
- Monitoring and addressing complaints in one-to-one and performance monitoring reviews with staff;

6. Equality Needs Impact Assessment

An equality impact assessment of this policy was undertaken in July 2015.

7. Glossary

Advocate A person or group who has been authorised by a resident to represent them. This might include a support worker, MP, councillor, friend, solicitor or recognised advocacy group such as Citizens Advice Bureau.

The Independent Housing Ombudsman Service

The independent body which considers complaints made against certain landlords including Triathlon Homes.

Designated Persons

Under the Localism Act 2011 these are defined as an MP, a local councillor for the district in which a complainant's home is located, or a designated tenant panel.

8. Accessibility of information

The information from this policy will be available as part of the customer promises/residents pack.

Appendix 1: The Independent Housing Ombudsman Service

Address:

Housing Ombudsman Service
81 Aldwych
London
WC2B 4HN

E-mail: info@housing-ombudsman.org.uk

Telephone: 0300 111 3000

Policy Controls sheet

Date of last review, who reviewed and date approved	Main changes (i.e. change in legislation, change in internal processes)
April 2013, Policy and Project Officer	New (Original) Policy
Triathlon Board	

Date of last review, who reviewed and date approved	Main changes (i.e. change in legislation, change in internal processes)
Policy and Research Manager and Head of Operations	Stage 2 Panel removed and replaced with a review by TH Managing Director.
TH Managing Director, December 2015	

Date of last review, who reviewed and date approved	Main changes (i.e. change in legislation, change in internal processes)
Head of Operations	Officers seek to resolve complaints informally. If not successful then it becomes formal with an agreed action plan and input from Head of Operations. Action plans are monitored to completion. If the customer is still dissatisfied following an action plan, they can request an M.D review.
TH Managing Director June, 2016	