

## **Beer Community Land Trust**

### **Complaints Policy and process (including Service Request process)**

This policy and its related processes are applicable to rental tenants.

The following Beer CLT policy and explanation document should be read in conjunction with the Housing Ombudsman's Complain Handling Code where additional explanation or guidance is required.

#### **Complaint and tenant satisfaction policy.**

1. The CLT management will have a positive complaint handling ethos with the intention of responding to and resolving service requests or complaints quickly and directly with the tenant.
2. The CLT management will set out clear pathways of communication, encouraging and enabling tenants to make direct contact with the appropriate person for service requests or complaints in order to achieve quick, appropriate and acceptable resolution.
3. The CLT management will encourage tenants to engage with them on all issues especially where a tenant has general ideas that may improve the operation of the CLT or occupancy experience of the tenant.
4. The CLT management will maintain records of all service requests or complaints made, with details of action taken and resolution. An annual anonymised summary showing the performance of the CLT with regard to service provided and complaints handling will be accessible to the public on the CLT web site.
5. Tenants will have access to their individual files relating to any requests, complaints and works undertaken.
6. The CLT management will undertake a "tenant satisfaction survey" on an annual basis. The draft results will be presented at the AGM and a final report with any additional AGM input, measures taken and management board self-assessment, will be available on the web site.
7. The CLT management will make all the required submissions to the Housing Ombudsman. (HO)

#### **Definition of a Service request and complaint.**

1. A service request is a request by the tenant requiring action to be taken to put something right. All reasonable and appropriate requests will be actioned giving a time scale and brief description of the actions agreed. This will be recorded on the individual maintenance record. The CLT will respond to all requests, however there may be situations where the request is for something the CLT does not feel is covered by its obligations under the tenancy agreement. In this case the CLT will explain why the request is not considered CLT responsibility and suggest the tenant attends to it them selves, providing any works are permitted within the tenancy agreement.
2. If the tenant does not agree or accept the response to a service request, the CLT will first liaise with the tenant to try to identify an acceptable way forward to achieve resolution of the service request.
3. A complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of action or response by the CLT, or those acting on its behalf,

affecting a tenant or group of tenants. A complaint may result from a service request or other issue not being addressed to the tenants satisfaction

4. The complaint will be logged as a complaint separate to associated service request.
5. Service requests and complaints must be made through the agreed procedure, service requests or complaints made through a survey will not be directly responded to.
6. Tenants may initially make a verbal service request, especially with regard to any emergency work. In all cases they may request a copy of the written logged service request detailing the response and action agreed, within 72hrs. If the initial request has not been actioned or they have not received a logged request form detailing the action, they may raise a complaint, ensuring it is duly logged.
7. Complaints must relate to issues raised in the past 12 months. The CLT will consider all complaints. If a complaint is accepted the CLT will set out how it intends addressing the situation through additional works, changes in policy and procedure or compensation for harm or loss.
8. If the complaint is not accepted the CLT will set out the reasons why the complaint is not suitable for the complaints process. The CLT will inform the tenant of their right to take the complaint to the HO. If the HO upholds the tenants right to complain then the HO will advise the CLT to accept the complaint and attend to the issues.
9. The CLT will consider all complaints on an individual basis.

### **Service request process**

1. Service requests may initially be raised in writing or verbally with any CLT board member or person employed or assigned by the CLT. Service requests will however be more directly attended to if requests are made to the nominated CLT officers or nominated people.
2. If a service request is made to a non-assigned person then the tenant should request a copy of the logged request.
3. Service requests will be acknowledged within 72hrs
4. Service request actions will be set out within 5 working days of the acknowledgment although it is accepted that in some cases time is of the essence and works may be undertaken before formal response.

## Complaints process

### Stage 1

1. The CLT must have processes in place to consider which complaints can be responded to as early as possible, and which require further investigation. The CLT must consider factors such as the complexity of the complaint and whether the tenant is vulnerable or at risk. Most stage 1 complaints can be resolved promptly, and an explanation, apology or resolution provided to the tenant.
2. Complaints must be acknowledged, defined and logged at stage 1 of the complaints procedure within 5 working days of the complaint being received.
3. The CLT must issue a full response to stage 1 complaints within 10 working days of the complaint being acknowledged.
4. The CLT must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the tenant of the expected timescale for response. Any extension must be no more than 10 working days without good reason, and the reason(s) must be clearly explained to the tenant.
5. When an organisation informs a tenant about an extension to these timescales, they must be provided with the contact details of the Ombudsman.
6. A complaint response must be provided to the tenant when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions must still be tracked and actioned promptly with appropriate updates provided to the tenant.
7. The CLT must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.
8. Where tenants raise additional complaints during the investigation, these must be incorporated into the stage 1 response if they are related, and the stage 1 response has not been issued. Where the stage 1 response has been issued, the new issues are unrelated to the issues already being investigated or it would unreasonably delay the response, the new issues must be logged as a new complaint.
9. The CLT must confirm the following in writing to the tenant at the completion of stage 1 in clear, plain language:
  - 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 stage 2 if the individual is not satisfied with the response

## Stage 2

1. If all or part of the complaint is not resolved to the tenant's satisfaction at stage 1, it must be progressed to stage 2 of the CLT's procedure. Stage 2 is the CLT's final response.
2. Requests for stage 2 must be acknowledged, defined, and logged at stage 2 of the complaint procedure within 5 working days of the escalation request being received.
3. Tenants must not be required to explain their reasons for requesting a stage 2 consideration. The CLT is expected to make reasonable efforts to understand why a tenant remains unhappy as part of its stage 2 response.
4. The person considering the complaint at stage 2 must not be the same person that considered the complaint at stage 1.
5. The CLT must issue a final response to the stage 2 within 20 working days of the complaint being acknowledged.
6. The CLT must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the tenant of the expected timescale for response. Any extension must be no more than 20 working days without good reason, and the reason(s) must be clearly explained to the tenant.
7. When an organisation informs a tenant about an extension to these timescales, they must be provided with the contact details of the Ombudsman.
8. A complaint response must be provided to the tenant when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions must still be tracked and actioned promptly with appropriate updates provided to the tenant.
9. The CLT must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.
10. The CLT must confirm the following in writing to the tenant at the completion of stage 2 in clear, plain language:
  - 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 Ombudsman Service if the individual remains dissatisfied
11. Stage 2 is the CLT's final response and must involve all suitable staff members needed to issue such a response.

### **Outcomes, putting things right.**

The aim of the complaints process is to provide tenants with a simple, robust and speedy pathway to submit a complaint which promotes speedy dialogue with the CLT and achieves satisfactory outcomes for the tenant and the CLT.

Where the CLT is at fault or its systems and procedures not suited to purpose, the CLT will look to provide to appropriate action which may include the following;

- a. apologising
- b. acknowledging where things have gone wrong
- c. providing an explanation, assistance, or reasons
- d. taking action if there has been delay
- e. reconsidering or changing a decision
- f. amending a record or adding a correction or addendum
- g. providing a financial remedy
- h. changing policies, procedures, or practices

### **Reporting and continuous learning**

The CLT will prepare an annual report of complaint and outcomes to enable it to assess its overall performance.

The CLT must look beyond the circumstances of individual complaints and consider whether service improvements can be made as a result of any learning from the complaint.

In reviewing its performance related to complaints handling the CLT will also undertake self assessment as a management board to demonstrate its understanding of the processes and factors leading to a complaint and the subsequent handling of a complaint.

**Service Request Form**

Reference (SR#)	
Name	
Property	
Date	
CLT Person Contacted	
Nature of Service Request	
Is there a dangerous fault or something needing urgent attention	
Are there any other factors to be consider	
Has this been reported to anyone else or any action taken to date	

**Beer CLT to Complete**

SR acknowledged within 72 hours, logged, defined and responded within 5 days	
Are the works Beer CLT responsibility	
If no, respond to tenant and agree how to proceed	
Identify remedial action to be taken where CLT responsibility	
Action to be taken reported to tenant	
If cost estimated to be over £500 has the Chair given approval	
If cost estimated to be over £1000 has the board given approval	
Has the work been ordered, and date	
Who will do the work	
Has the work been completed satisfactorily	
Is the tenant satisfied with the outcome	
Has the tenant any comments on the work	

**Complaint Form**

Reference (C#)	
Name	
Property	
Date	
CLT Person Contacted	
Nature of Complaint	
Is there a dangerous fault or something needing urgent attention	
Are there any other factors to be consider	
Has this been reported to anyone else or any action taken to date	

**Beer CLT to Complete**

Complaint acknowledged, logged, defined and responded as Stage 1 to the complainant within 5 days	
Are there any reasons why Stage 1 response needs additional time	
Full Stage 1 response within 10 days of acknowledgement	
Does the tenant accept the full stage 1 findings? (If not proceed to stage 2)	
Stage 2 acknowledged within 5 days	
Stage 2 full report within 20 days	
Does the tenant accept the Stage 2 findings	
If not ensure tenant knows they can refer the complaint to the HO and assist as necessary	
Is the tenant going to refer the complaint to the HO	

**Outcome of the Complaint**

Action	
Cost	
Learning	
Changes recommended to procedures	