

HYELM – COMPLAINTS

Policy Statement

1.0 Introduction

- 1.1 HYELM is committed to delivering an excellent service to all its residents and values all feedback as an important learning opportunity to improve areas of service provision and operation.
- 1.2 We recognise that sometimes things do go wrong and when this happens, we have a simple and accessible complaints policy designed to ensure complaints are dealt with in a fair, impartial, consistent and prompt manner.
- 1.3 This policy, and others, if requested, are available in different formats, such as languages, large print and recorded form.

2.0 Policy Objectives

- 2.1 This policy aims to:
 - Set out a definition of a complaint that can be clearly understood by both residents and staff.
 - Provide a way of dealing with complaints that is easy to access and efficient.
 - Enable and empower our staff to take a lead in understanding when a resident is trying to make a complaint and deal with such concerns as soon as possible and in the most effective manner.
 - Help us to learn and improve service delivery.

3.0 Definition

- 3.1 A complaint is where a person is not satisfied with the standard of service or the actions or lack of action by HYELM or its staff. It is when a person contacts us to say that they are dissatisfied with a service we have provided or the way in which the service was delivered.
- 3.2 A complaint is not a first attempt to request a service or an enquiry.

A *request* is when a person contacts us to ask for something to be done within their apartment or communal areas. For example, a resident may ask for something within their apartment to be fixed. This is not a complaint. If we fail to carry out the repair this may become a complaint, although requests for improvements that are refused will not be treated as a complaint.

An *enquiry* is when a person contacts us to ask something about the property or tenancy. For example, a resident might ask for information as to why they were sent an arrears letter. This is not a complaint. If we fail to provide this information, then this could become a complaint.

- 3.3 Typically, a complaint could be about:
 - Delays in responding to enquiries and requests.
 - Failure to provide a service.
 - The standard of a service received.
 - Failure to follow procedures.

- 3.4 There are some things that can't be dealt with under this complaints policy. These include:
- Requests for specific services. For example, the first report of a repair.
 - Any matter which is already being (or has been) dealt with by a solicitor.
 - Issues that are in court or have already been heard by a court or tribunal, or where legal action has been taken.
 - Matters that are currently/have been dealt with by HYELM's insurers.
 - Insurance claims that would normally be covered by a resident's home contents insurance. Insurance claims will be referred to HYELM's insurers.
 - Issues relating to anti-social and nuisance. HYELM have special procedures for reporting and dealing with these issues and will not be dealt with under this policy unless we have failed to deliver to an agreed service standard.

4.0 Managing Complaints

- 4.1 This policy relates to complaints made by:
- Anyone living in one of our properties or receiving a service from us.
 - Applicants for housing.
 - Any person acting with the complainant's consent on their behalf, such as a family member, advocate, advice agency, Councillor, MP or other designated person as defined by the Localism Act. The complainant would need to confirm they are happy for us to liaise with the 3rd party before we would respond to the complaint.
- 4.2 HYELM reserves the right not to respond to anonymous complaints
- 4.3 Complaints will be accepted in person, via telephone (020 7336 9000), in writing (HYELM – Old Street, 43-51 New North Road, London N1 6JB) and via email (hi@hyelm.com).
- 4.4 If a complainant does not live in one of our properties, or does not receive a service from us, we will not escalate the complaint beyond Stage 1. If the complainant is not satisfied with the response and wants to pursue matters further, they will be advised to seek legal advice.

5.0 Making a Complaint

- 5.1 At any point in the complaints process we are happy to work with an advocate to help the complainant put their views across.
- 5.2 Informal Complaint
- When a person tells us that they are unhappy with something, the member of staff will take personal responsibility for taking the information and trying to resolve the complaint informally. The member of staff will try and find out what they would like to be done to resolve the matter and agree the timescale for resolution.
- 5.3 Formal Complaint – Stage One
- If the complaint is of a more serious nature, cannot be resolved to the complainant satisfaction informally or the complainant would prefer the complaint to be dealt with formally it will be treated as a formal complaint.
 - The Property Manager or (if the complaint involves the Property Manager and/or if the Property Manager is unavailable) a member of the Executive Management Team will investigate the complaint and provide a written response within 10 working days or provide a reason for the delay.

5.4 Formal Complaint – Stage Two

- If the complainant still feels that the complaint has not been resolved, they can ask for their complaint to be reviewed by a member of the Executive Management Team which consists of the Chief Executive, Finance Director and Technical & Compliance Lead. You should write to them at the address detailed in section 4.3. This request must be made within 10 working days from the date of the response being received, otherwise the complaint will be closed.
- When making a request for a review it is important that the complainant tells us what had been unfair and how they would like their complaint to be resolved.
- The review will only consider the original complaint. It will not consider additional matters or additional complaints.
- A member of the Executive Management Team will review the complaint to decide if it was handled correctly and if the outcome was fair and reasonable.
- Any person investigating a complaint at stage one will not complete the stage two review.
- They will respond within 15 working days or provide a reason for the delay.

5.5 Formal Complaint – Stage Three

- Following this, if the complainant remains dissatisfied, they can ask that HYELM's Board review their complaint. You should write them at the address detailed in section 4.3. This request must be made within 10 working days from the date of the response being received, otherwise the complaint will be closed.
- When making a request for a Board review it is important that the complainant tells us what had been unfair and how they would like their complaint to be resolved.
- The review will only consider the original complaint. It will not consider additional matters or additional complaints.
- The Board will delegate at least two of its members to form a panel to review the original complaint to decide if it was handled correctly and if the outcome was fair and reasonable.
- If the panel feel it necessary, they may contact you for additional information or invite you to attend a meeting.
- They will aim to convene the panel within one calendar month or provide a reason for the delay.
- The panel's decision will be final.

5.6 We reserve the right to escalate any complaint to any stage of this policy at any time.

6.0 Outcomes

- 6.1 At any stage a complaint may be upheld, partially upheld or not upheld and this will be clearly communicated in any outcome letter.
- 6.2 At all stages the objective is to find a positive resolution although there will be times when the complainants desired outcome is simply not possible/reasonable.
- 6.3 Where actions are agreed as part of the resolution, the complaint will be closed but the actions will remain live until they are agreed as complete.

7.0 Closing Complaints

- 7.1 Complaints will be closed if no request for a review is received by the deadline.
- 7.2 Further complaints, even if of a similar nature, will be treated as new complaints unless the complaint is due to the fact that we have not completed the agreed actions of any resolution.
- 7.3 Closed complaints will not be re-opened.

8.0 Independent Review

- 8.1 If, having exhausted our internal complaints process a claimant is still dissatisfied, they can take their complaint to a 'designated person'. A designated person can be an MP, a local Councillor or a Tenant Panel. HYELM does not currently have a tenant panel.
- 8.2 The designated person can try to resolve the complaint or refer it to the Housing Ombudsman. A designated person does not have any powers, but we will work with them positively to find an outcome that is fair and agreed by both parties.
- 8.3 At this stage we may meet with the designated person. This may be done without the complainant present.
- 8.4 If at this stage the designated person is unwilling or unable to help, then the complainant may be able to contact the Ombudsman directly.
- 8.5 If a complaint is not referred to the Ombudsman by a designated person, there must be at least 8 weeks from the end of our internal complaints process before the Ombudsman can consider the complaint.
- 8.6 For more information about designated persons or the Housing Ombudsman you can visit the Ombudsman's website www.housing-ombudsman.org.uk or contact them by telephone on 0300 111 3000.

9.0 Related Documents

- 9.1 This policy should be read in conjunction with HYELM's policies and documents:
 - Guide for Residents
 - Tenancy Agreement

10.0 Commitment to Review

- 10.1 HYELM is committed to continuously improving its practice in the direct work that it does with its residents. It is a learning organisation and where it is identified that policies or procedures could be improved, it will change them.
- 10.2 We value and respond to feedback received from residents, partner agencies and all other stakeholders, particularly in relation to good practice. This policy will be reviewed every three years or sooner where any changing legislation or workplace activity has an impact.
- 10.3 The next review of this policy is due in July 2024.