

## Complaints Policy

Prepared by	Data Quality and Performance Manager Policy Officer
Approved by	Customer Services Committee of the Board Directors Group
Approved date	July 2023
Previous Review dates	July 2018, July 2021, March 2022
Document Owner	Head of Governance, Risk & Assurance
Date of Next Review	January 2024
Lines of Defence/how is the document audited?	<ol style="list-style-type: none"><li>1. Approval by Directors Group</li><li>2. Directors to meet to review complaints</li><li>3. DG to discuss learning from HOS complaints</li><li>4. On Internal Audit programme</li><li>5. Performance reporting to Resident Groups and Board Committees</li></ol>

## 1. Aims and scope of the policy

- 1.1 This policy applies to all Hexagon Housing Association (Hexagon) residents, applicants for housing, and those who come into contact with Hexagon services.
- 1.2 This policy applies to Hexagon staff, contractors, managing agents, and those acting on Hexagon's behalf.
- 1.3 You are entitled to make your complaint through a representative. Hexagon will accept complaints raised on your behalf so long as we receive your written consent.
- 1.4 Neighbours and other members of the public will not be able to use the complaints procedure, but we will respond to correspondence as a socially responsible organisation.
- 1.5 The policy aims to:
  - 1.5.1 Provide a fair and accessible complaints process that ensures Hexagon provides a responsible and accountable service in line with our corporate values.
  - 1.5.2 Ensure Hexagon learns from any failings and continually improves our services.
  - 1.5.3 Promote the Housing Ombudsman Service, comply with the [Housing Ombudsman Service Complaint Handling Code](#), and comply with the Regulator of Social Housing's [Tenant Involvement and Empowerment Standard](#).

## 2. Policy statement

- 2.1 Hexagon aims to provide a good service. However, when things go wrong, Hexagon wants you to make a complaint so that we have an opportunity to investigate, learn, and to put right any wrongs.
- 2.2 Hexagon uses the Housing Ombudsman's definition of a complaint as follows:

*"A complaint shall be defined as 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".*
- 2.3 You do not have to use the word "complaint" for it to be treated as such.

- 2.4 Hexagon recognises the difference between a service request and a complaint. Hexagon uses the Housing Ombudsman's definition of a service request as "a request from a resident to their landlord requiring action to be taken to put something right". Service requests will be logged, actioned, and reviewed. If we cannot resolve your service request within 5 working days, or you express dissatisfaction with our handling of your service request, this will enter our complaints process as a Stage 1 complaint.
- 2.5 If your complaint is about the behaviour of an individual member of staff, we will ensure that this person does not make the decision on the outcome of your complaint.
- 2.6 Complaints will be handled by Hexagon's Complaints team. This team will receive training and support to ensure they:
- Deal with complaints on their merits in a competent, empathetic and efficient manner.
  - Act independently, have an open mind, and consider all information and evidence carefully.
  - Take measures to address any actual or perceived conflict of interest.
  - Keep the complaint confidential as far as possible.
  - Have access to staff at all levels to facilitate quick resolution of complaints.
  - Have the authority and autonomy to resolve disputes quickly and fairly.
  - Manage expectations from the outset.
  - Keep clear records of all communications.

### **3. When we will not consider a complaint**

- 3.1 Hexagon will not consider a complaint if:
- The issue is, or has been, subject to legal proceedings. This does not include commencement of pre-action protocol; the matter will be considered 'legal' when proceedings have been issued by the court.
  - There is a liability issue that is subject to an insurance claim.
  - The event occurred more than six months before the date you raised the complaint. This constraint does not apply to complaints involving safeguarding or health and safety issues.
  - The complaint has been considered previously.
- 3.2 If Hexagon refuses to consider or escalate your complaint, we will explain why in writing and inform you of your right to take the complaint to the Housing Ombudsman (see section 7).
- 3.3 Complaints about other residents undertaking anti-social behaviour are not treated as complaints under this policy. They are handled in accordance with our [Anti-Social Behaviour Policy](#). However, if you are unhappy with the way we

have dealt with reports of anti-social behaviour, you can raise a complaint about that under this policy.

- 3.4 Hexagon will gather feedback from residents and service users through surveys to support learning and improvement of services. We will review dissatisfied responses to surveys, but they will not be considered a complaint under this policy.

## **4. How to make a complaint**

- 4.1 A complaint can be made to any Hexagon staff member. It can be made by:
- Telephone: 02087786699 or freephone on 0800393338.
  - Email: [Complaints@hexagon.org.uk](mailto:Complaints@hexagon.org.uk)
  - Letter: Complaints Team, Hexagon Housing Association, 130-136 Sydenham Road, Sydenham, London, SE26 5JY
  - verbally in person or
  - through the form on the Hexagon website
- 4.2 We are unable to accept complaints through any other channels, including social media, and online reviews. Wherever possible, if we see that you have expressed dissatisfaction about Hexagon online, we will direct you to our complaints process and encourage you to raise a complaint.

## **5. Stages of complaints**

- 5.1 The Complaints policy has two stages. If you are not satisfied with the resolution at Stage 1, you can escalate it to Stage 2. If you are unsatisfied with our final response at Stage 2, you can take your complaint to the Housing Ombudsman.

### **5.2 Stage 1 - Investigation**

Your complaint will normally be investigated by the Complaints Team at Stage 1. A complaints handler will contact you within 5 working days of receiving your complaint and provide a written acknowledgement that sets out our understanding of your complaint and the outcomes you are seeking. If any aspect of the complaint is unclear, we will ask you for clarification and ensure you agree with how we have defined your complaint.

The Complaints team will complete a fair, impartial, and thorough investigation into your complaint, including making enquiries with the involved parties, and reviewing communications and records, including older reports where the problem is a recurring issue. We will keep you regularly updated about the progress of the investigation.

You will normally receive a full response within 10 working days of submitting your complaint. If needed, we may extend this by 10 working days, and will notify you if we do so. If we require a further extension, we will explain why and request your

agreement. If you do not agree, we will provide you with the Housing Ombudsman's contact details and inform you of your right to challenge our extension with the Ombudsman.

Our response will address all points raised in the complaint and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate. We will send you a complaint response as soon as possible and will not wait until the actions required to address the issue are completed. All outstanding actions will be tracked and completed as soon as possible, with regular updates provided to you.

If you raise additional relevant complaints during the investigation, we will incorporate these into our Stage 1 response. If this would unreasonably delay our response, we will log your additional complaints as new Stage 1 complaints.

Where you have made your complaint to another member of staff outside of the Complaints Team, and they are able to resolve the issue to your satisfaction at this first point of contact, they will do so with your agreement and this will not be investigated further by the Complaints Team. This colleague will inform the Complaints Team of the complaint and the resolution, and the Complaints Team will record this and issue you with a formal response letter.

### 5.3 **Stage 2 – Review**

If you are not happy with the outcome at Stage 1, you can escalate your complaint to Stage 2. Stage 2 is not another investigation, it is a review by a Director (with the support of a complaint handler) into how your complaint was handled at Stage 1. Your Stage 2 review will never be handled by the same person who handled your case at Stage 1. You have 30 calendar days from receipt of our Stage 1 response to request an escalation.

You will need to tell us why you are not satisfied with our Stage 1 response, and what outcomes you want from this Stage 2 review. We will contact you within 5 working days of your request to escalate to Stage 2 and provide a written acknowledgment that sets out our understanding of issues outstanding and the outcomes you are seeking from the Stage 2 review. If any aspect of your complaint is unclear, we will contact you to ask for clarification and make sure you agree with how we have defined your complaint and reasons for escalation.

If we decline your request to escalate your complaint to Stage 2, we will provide you with a written explanation of our reasons and inform you of your right to take your complaint directly to the Ombudsman.

As Stage 2 is a review and not a new investigation, if your request for a Stage 2 review includes new information not provided at Stage 1, we will address this as a new Stage 1 complaint.

You will normally receive a full response to your Stage 2 complaint within 20 working days. If needed, we may extend this by 10 working days, and will notify you and explain the reasons if we do so. If we require a further extension, we will explain why and request your agreement, and if agreement cannot be reached we will signpost you to the Housing Ombudsman.

The outcome of a Stage 2 review will be to uphold, partially uphold, or overturn the Stage 1 response. Where appropriate, we may offer different or additional remedies at Stage 2.

## **6. Putting things right**

Our complaints process aims to enable you to be heard and understood. You will be given a fair chance to set out your position and comment on any adverse findings before a final decision is made. Where your complaint is upheld we will take action to put things right. This may include:

- Acknowledging where things have gone wrong
- Providing an explanation, assistance, or reasons
- Apologising
- Taking action if there has been a delay
- Reconsidering or changing a decision
- Amending a record
- Providing a financial remedy
- Changing policies, procedures or practices

Any remedy offered will reflect the extent of any service failures and the level of detriment caused to you as a result. We will also look beyond the circumstances of the individual complaint and consider whether anything needs to be put right in terms of process or systems to the benefit of all residents.

## **7. The Housing Ombudsman Service**

- 7.1 You can seek advice and guidance from the Housing Ombudsman Service at any stage of your complaint. This service is completely independent of Hexagon and is free to tenants.
- 7.2 If we fail to acknowledge or respond to your complaint within the timeframes in the policy, you can raise this with the Ombudsman. If Hexagon refuses to accept or escalate your complaint you have a right to raise this with the Ombudsman.
- 7.3 If you are dissatisfied with our Stage 2 response, you may take the case to the Housing Ombudsman Service. You will need to raise this with the Ombudsman within a year of our Stage 2 response.

- 7.4 The address of the Ombudsman is: Housing Ombudsman Service, PO Box 152, Liverpool L33 7W. Telephone No: 0300 111 3000, Fax No: 020 7831 1942, Email: [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk), Website: <https://www.housing-ombudsman.org.uk/>

## **8. Complaints from residents of co-operatives and supported housing managing agents**

- 8.1 If you live in a property managed by an agency such as a co-operative rather than Hexagon directly, you should first contact the agency about your complaint so they have the chance to investigate and if necessary put things right. (If you are not sure who manages your property, please ask us). The only exception is when your complaint relates directly to Hexagon or a member of its staff, in which case you should contact Hexagon and your complaint will be handled under this policy.
- 8.2 If you are unhappy with the response to your complaint from the managing agent or co-operative, you can request an escalation and it will join Hexagon's complaints procedure at stage 2.

## **9. Expectation of mutual respect**

- 9.1 Hexagon expects all complaints to be handled with mutual respect and reasonable behaviour. Hexagon considers all harassment, verbal abuse, aggression and violence to be unacceptable behaviour. This will not be tolerated and will be handled according to Hexagon's "Managing Unacceptable Behaviour from Complainants" Policy.

## **10. Monitoring and learning from complaints**

- 10.1 Hexagon will use complaints as a source of intelligence to identify issues and introduce positive changes in service delivery.
- 10.2 Hexagon will send residents a feedback survey following the closure of a complaint to assess their satisfaction with how the complaint was handled. Responses are used to improve our complaints processes.
- 10.3 Hexagon will ensure we are transparent and accountable in our learning from complaints. Hexagon will report on learning and improvements from complaints in our Annual Report, and more frequently to our residents, staff, and scrutiny panels. Hexagon will provide our governing body with regular performance information on our complaint handling.
- 10.4 Hexagon will complete an annual self-assessment against the Housing Ombudsman's Complaint Handling Code. Hexagon will also complete a self-assessment following any significant restructure and/or change in procedures.

Hexagon will publish our most recent self-assessment on our website, report the outcome to our governing body, and include this in our Annual Report.

- 10.5 Hexagon will review this policy every three years, with additional reviews following any changes to relevant legislation, regulation, or guidance. Hexagon will also update this policy to reflect any significant changes in our processes.

## **11. Equality and Diversity**

- 11.1 Hexagon will comply with the Equality Act 2010 and make reasonable adjustments to our Policy and processes in line with the Act. Our Complaints Team will complete appropriate training to manage complaints in line with the Act.
- 11.2 Hexagon offers, on request, a Translation Service, face-to-face meetings, documents in large print, Braille, or spoken word, and will contact you by your preferred method. Hexagon's office has an Induction Loop system and we can arrange a sign language interpreter or lip-speaker.
- 11.3 An Equality Impact Assessment Screening was completed (Appendix 1) and no negative impact was identified.

## **12. Resident Consultation**

- 12.1 Hexagon's resident involvement groups were consulted on this policy from April to June 2023, and their views helped to shape this policy.
- 12.2 Complaints performance is reviewed every three months by the Residents' Performance Review Group.

## **13. Related Hexagon Policies**

- 13.1 Compensation Policy
- 13.2 Managing Unacceptable Behaviour from Complainants Policy
- 13.3 Corporate Plan 2023-2028

## **14. Relevant regulations and legislation**

- 14.1 Equality Act 2010
- 14.2 Housing Ombudsman's Complaint Handling Code
- 14.3 The Regulator for Social Housing Tenant Involvement and Empowerment Standard
- 14.4 Data Protection Act 2018
- 14.5 Freedom of Information Act 2000



## Appendix 1: Equality Impact Assessment Screening

### Part one: Initial Screening

<b>Name of policy, service or function</b>	<b>Complaints Policy</b>
<b>Current or Proposed</b>	<b>Proposed</b>
<b>Persons completing initial screening</b>	<b>Policy Officer</b>
This policy sets out how Hexagon will handle complaints received by Hexagon residents and those who have used Hexagon services. The policy aims to comply with the Housing Ombudsman's Complaints Handling Code, reflect best practice, and ensure that Hexagon continuously improves service delivery.	

### Analysis of relevant data

Summary of Data	Analysis
Organisational Statistics	<p>Residents who have used the complaints process are sent a satisfaction feedback survey once the complaint is closed. I have reviewed all the surveys received since 01/07/22, totalling 72 surveys. There is an optional comments section in the survey and I have reviewed all comments submitted; there are no concerns raised about any discriminatory practices within the complaints process, and no concerns raised about any negative impact of the process on any protected characteristic group.</p> <p>I have also analysed the available demographic details of the respondents to the survey who expressed overall dissatisfaction with the complaints process, compared against the demographic details of all survey respondents. The available details were sex, age, ethnicity and disability. However, there were significant gaps in the data within these categories; for example we are missing ethnicity data for 25% of survey respondents. However, looking only at the available data, no particular group was disproportionately dissatisfied, and any variations were well within the margin of error.</p> <p>This suggests that the complaints process is not having a negative impact on any protected characteristic groups.</p>
National / Regional Statistics	There are no national/regional statistics available about complaint process satisfaction disaggregated by demographic details; some data regarding this may become available in 2024 when the Tenant Satisfaction Measures are benchmarked and published. This should be looked at when this policy and EQIA is next reviewed.

Qualitative data from colleagues managing/delivering the service area	Staff managing complaints have not raised any concerns that the process is exclusionary or discriminatory to any groups.
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## Resident Involvement

Method	Data
Disability Inclusion Group (DIG)	The resident Disability Inclusion Group has reviewed this policy and the EQIA. They suggested that Hexagon record and monitor the disability status of complainants and note whether their disability impacted on the complaint. DIG asked Hexagon to monitor whether there are any trends between the type of complaint and disability, and requested that this is reported to DIG. DIG also requested that Hexagon gathers equalities data relating to complainants to monitor whether Hexagon's obligations under the Equality Act 2010 are being met.

## Screening

Protected Characteristic	Say if impact is positive, negative, or none			Reason
	Positive	Negative	No Impact	
Age			X	
Disability			X	
Gender			X	
Gender reassignment			X	
Race			X	
Religion or belief			X	
Sexual orientation			X	
Socio-economic status			X	
Literacy			X	The policy allows for residents to receive all contact throughout the complaints process by their preferred method, which can be over the phone or face-to-face.

<b>What are the arrangements for monitoring the policy and its impact on customers?</b>
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| <ol style="list-style-type: none"><li>1. Performance is monitored and reported to Directors Group, the Board, and the Customer Service Committee.</li><li>2. Performance against targets and lessons learned from complaints are published annually on our website in our Annual Report.</li><li>3. Self-assessment against the Housing Ombudsman's Complaints Handling Code is completed annually and published on our website and in our Annual Report.</li><li>4. Complaints performance data is reviewed by the Resident's Performance Review Group every 3 months.</li><li>5. Residents are sent a satisfaction survey following the closure of their complaint and responses are monitored and assessed.</li><li>6. The policy will be reviewed every 3 years, or sooner if there are any changes to service delivery, regulations, or best practice.</li></ol> |
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