

Complaints Policy

Document Owner	Head of Governance, Risk & Assurance
Prepared by	Data Quality and Performance Manager Policy Officer
Approved by	Customer Services Committee of the Board
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Date of next review	
Monitoring, Auditing and Reporting	<ol style="list-style-type: none">1. Approval by Customer Services Committee of the Board2. Directors to meet to review complaints3. DG to discuss learning from HOS complaints4. On Internal Audit programme5. Performance reporting to Resident Groups and Board Committees

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. Hexagon will accept complaints from all registered residents of properties owned or managed by Hexagon.
- 1.2 This policy applies to Hexagon staff, contractors, managing agents, and those acting on Hexagon's behalf.
- 1.3 In this policy, 'Hexagon' refers to Hexagon Housing Association and its subsidiaries, including Horniman Housing Association.
- 1.4 You are entitled to make your complaint through a representative, and be represented or accompanied at any meeting with Hexagon. Hexagon will accept complaints raised on your behalf so long as we receive your written consent. Where correspondence is received on behalf of a customer from a Councillor, MP, or Advocacy Service, consent will be assumed.
- 1.5 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.
- 1.6 The policy aims to:
 - 1.6.1 Provide a fair and accessible complaints process that ensures Hexagon provides a responsible and accountable service in line with our corporate values.
 - 1.6.2 Ensure Hexagon learns from any failings and continually improves our services.
 - 1.6.3 Promote the Housing Ombudsman Service, comply with the [Housing Ombudsman Service Complaint Handling Code](#), and comply with the [Regulator of Social Housing Transparency, Influence and Accountability Standard](#)
 - 1.6.4 Comply with UK GDPR and the Data Protection Act 2018.
- 1.7 Hexagon has a separate Building Safety Act Complaints Policy, which defines our approach to relevant complaints under the Building Safety Act 2022.
- 1.8 Complaints covered by the Building Safety Act Complaints Policy will be handled in line with both the requirements outlined in this policy and in the Building Safety Act Complaints Policy. Where following both policies is not possible, because they directly conflict, the Building Safety Act Complaints Policy takes priority.

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 Whenever you express dissatisfaction, including when you do not use the word "complaint", we will give you the choice to make a complaint.
- 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, we will give you the choice to raise a Stage 1 complaint. We will not stop our efforts to resolve the service request if you complain.
- 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 at all stages of the process.
 - Manage expectations from the outset.
 - Keep clear records of all communications.
- 2.7 Hexagon will publicise the details of our Complaints policy, including information about the Housing Ombudsman service and Code, on our website and in our quarterly newsletter.

3. When we will not consider a complaint

- 3.1 Each complaint will be considered on its own merits and there may be times we will not consider a complaint. Hexagon may not consider a complaint at Stage 1 if:
- The event occurred (or you became aware of the event) more than twelve months before the date you raised the complaint. We will apply discretion to accept complaints outside this time limit where there are good reasons to do so. This constraint does not apply to complaints involving safeguarding or health and safety issues.
 - The complaint has been considered previously.
- 3.2 Hexagon may not consider a complaint, or may decline to escalate a complaint to Stage 2, where the issue is, or has been, subject to legal proceedings. This is defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court.
- 3.3 Hexagon will accept complaints from former residents where the issue occurred when they were a Hexagon resident, subject to the same restrictions set out above.
- 3.4 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).
- 3.5 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.
- 3.6 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. We will include information on how to make a complaint whenever we ask for resident feedback.

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
 - 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.

- 4.3 If you would like to make a complaint as a group of residents from separate households, we will ask you to identify a lead complainant to be our point of contact, and we will ask for evidence of consent from all complainants. We will assess if the complaint is best handled as a group complaint, or if it will be more effective to address your complaints individually.

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

- 5.2.1 Your complaint will normally be investigated by the Complaints Team at Stage 1. A complaints handler will log your complaint on our complaint handling system and 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, and which aspects of the complaint we are, and are not, responsible for. 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.
- 5.2.2 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.
- 5.2.3 You will normally receive a full response within 10 working days of your complaint being acknowledged. If the complaint is complex, we may need a further 10 working days to issue our response. We will not extend the timeframe any further than this without good reason.
- 5.2.4 Whenever we need more time to respond than the initial 10 working days from your complaint being acknowledged, we will always tell you, explain the reasons and tell you how to contact the Ombudsman to challenge this extension. If we have been unable to give you a full response within 10 working days of acknowledging your complaint, we will keep you updated about the progress of your complaint at regular intervals which we will agree with you.
- 5.2.5 If you raise additional related complaints during the investigation, we will incorporate these into our Stage 1 response. If this would unreasonably delay our response, or if the new issues are unrelated to the issues already being investigated, we will log your additional complaints as new Stage 1 complaints.

- 5.2.6 Where you have made your complaint by phone or in person 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. The member of staff will clarify with you our understanding of your complaint and the outcomes you are seeking, and which aspects of the complaint we are, and are not, responsible for. 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.
- 5.2.7 Where complaints are resolved at first point of contact, you will not receive an acknowledgement letter. The colleague you spoke to will inform the Complaints Team of the complaint and the resolution, and the Complaints Team will log this and issue you with a formal Stage 1 response letter within 5 working days of when you made the complaint.
- 5.2.8 When issuing a formal Stage 1 response letter, we will ensure we address all points raised in your complaint, as set out in the agreed definition of your complaint. We will also provide clear reasons for any decisions, referencing relevant policies, law, or good practice, wherever appropriate. Once you've received the formal Stage 1 response letter, if you are unsatisfied with the outcome of your complaint, you have a right to escalate your complaint to Stage 2. This applies to complaints handled at the first point of contact, as well as for complaints handled by the Complaints team.
- 5.2.9 We will issue our formal Stage 1 response letter as soon as the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions will be tracked and actioned promptly.

5.3 **Stage 2 – Review**

- 5.3.1 If you are not happy with the response to all or part of your complaint at Stage 1, you can escalate all or part of your complaint to Stage 2. Stage 2 is not another investigation, it is a review by a member of our Leadership Team (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 escalate your complaint.
- 5.3.2 It is helpful if you tell us why you are not satisfied with our Stage 1 response, and what outcomes you want from this Stage 2 review, but you do not need to. We will log your stage 2 complaint on our complaint handling system and contact you within 5 working days of your escalation 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, and which aspects of the complaint we are, and are not, responsible for. 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.

- 5.3.3 If we decline to escalate your complaint to Stage 2 under the exclusions set out in this Policy, 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. Where the exclusions do not apply, we will always accept your request to escalate your complaint to Stage 2.
- 5.3.4 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.
- 5.3.5 You will normally receive a full response to your Stage 2 complaint within 20 working days of your escalation request being acknowledged. If the complaint is complex, we may need a further 20 working days to issue our response. We will not extend the timeframe any further than this without good reason.
- 5.3.6 Whenever we need more time to respond than the initial 20 working days from your complaint being acknowledged, we will always tell you, explain the reasons and tell you how to contact the Ombudsman to challenge this extension. If we have been unable to give you a full response within 20 working days of acknowledging your complaint, we will keep you updated about the progress of your complaint at regular intervals which we will agree with you.
- 5.3.7 There may sometimes be valid reasons why we cannot respond within this timescale. If we need more time we will always tell you, explain the reasons, and tell you how to contact the Ombudsman to challenge this extension. If we have been unable to give you a full response within 20 working days, we will keep you updated about the progress of your complaint at regular intervals which we will agree with you.
- 5.3.8 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. We will issue our formal Stage 2 response letter as soon as the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions will be tracked and actioned promptly.
- 5.3.9 When issuing a formal Stage 2 response letter, we will ensure we address all points raised in your complaint, as set out in the agreed definition of your complaint. We will also provide clear reasons for any decisions, referencing relevant policies, law, or good practice, wherever appropriate.

6. Putting things right

- 6.1 Our complaints process aims to enable you to be heard and understood. You will be given a fair chance to set out your position. Where your complaint is upheld, at any stage, 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 or adding a correction or addendum
- Providing a financial remedy
- Changing policies, procedures or practices

6.2 Any remedy offered will reflect the impact on you as a result of any faults identified. We will also look beyond the circumstances of the individual complaint and consider whether service improvements can be made as a result of any learning from the complaint.

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 this 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 1484, Unit D, Preston, PR2 0ET. Telephone No: 0300 111 3000, Website: <https://www.housing-ombudsman.org.uk/>

8. Complaints from residents of co-operatives and managing agents

- 8.1 Complaints from residents of co-operatives and managing agents will be handled in line with this policy, except that the Stage 1 investigation and response will be completed by the co-operative or managing agent. If you are unhappy with the response at Stage 1, you can request a Stage 2 review which will be completed by Hexagon.
- 8.2 Co-operatives and managing agents must offer a complaints process that adheres to the timeframes, standards, and specifications of Hexagon's Complaints Policy and to provide a Stage 1 response to complaints in line with this Policy. Where complaints are escalated to Stage 2, Co-operatives and Managing Agents must send all of the relevant information to Hexagon, and Hexagon will complete a Stage 2 review of the complaint.
- 8.3 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).

- 8.4 The only exception is when your complaint relates directly to Hexagon, its contractors, or a member of Hexagon staff, in which case you should make the complaint directly to Hexagon.

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" 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 produce an annual complaints performance and service improvement report which will be reported to our governing body and published on our website. Hexagon will report on learning and improvements from complaints to our residents, staff, and relevant committees.
- 10.4 Hexagon will complete an annual self-assessment against the Housing Ombudsman's Complaint Handling Code and submit this to the Ombudsman. 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 the outcome in our Annual Report.
- 10.5 Hexagon has a Member Responsible for Complaints (MRC) appointed on the Board who has lead responsibility for complaints to support a positive complaint handling culture. The MRC is responsible for ensuring the Board receives regular information on complaints that provides insight on Hexagon's complaint handling performance. The MRC has access to suitable information and staff to perform this role and report on their findings.
- 10.6 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 will keep a record of any disabilities a resident has disclosed and any reasonable adjustments agreed. These will be kept under active review.
- 11.3 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.
- 11.4 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 UK GDPR

Appendix 1: Equality Impact Assessment Part 1 Screening

Analysis of relevant data

Summary of Data	Analysis
Hexagon's data	Residents who have used the complaints process are sent a satisfaction feedback survey once the complaint is closed. We have reviewed the feedback received and based on these we do not have concerns about any discriminatory practices within the complaints process or any negative impact of the process on any protected characteristic group.
National / Regional Statistics	Housemark's annualised 2023/24 complaints figures show a 18% rise in volumes – with a UK-wide median of 51.3 Stage 1 and 2 complaints per 1,000 properties, with a UK average of 34% of tenant's satisfied with landlord complaint's handling.
Feedback from colleagues managing/delivering the service	Staff managing complaints have not raised any concerns that the process is exclusionary or discriminatory to any groups.

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 and report on any trends. 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. These recommendations have been sent to the Complaints team and resident data working group for consideration.

Screening

Protected Characteristic	Say if impact is positive, negative, or none			Reason
	Positive	Negative	No Impact	
Age			X	No impact identified
Disability			X	No impact identified
Gender			X	No impact identified
Gender reassignment			X	No impact identified
Race			X	No impact identified
Religion or belief			X	No impact identified
Sexual orientation			X	No impact identified

As no negative impact has been identified for any group, we will not continue to part 2 of the Equality Impact Assessment.