



HOUSING MANAGEMENT SECTION

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Complaints Policy HM-07

No.	Change	Approved by	Date	Effective
1.	Following merger 2014: Updated Association name	Board	Nov 2014	Nov 2014
2.	Reviewed to include Ombudsman new contact details.	A&R Sub Committee	May 2015	May 2015
3.	Reviewed to include further stage between IO/Director and Board	Housing Sub Committee	April 2017	April 2017
4	2 yearly review	HMSC	April 2019	April 2019
5.	Tenant Consultation 2020 No recommended changes. Ombudsman contact details updated.	HMSC	Oct 2020	Oct 2020
6	2 yearly review. No ammendments	Board	24 /11/22	24/11/2022
7	Review to account of new guidance issued by the NI Public Services Ombudsman.NIPSO	Board	17/08/2023	17/08/2023

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1. Scope

To ensure that staff fully understand the process for dealing with complaints in regard to services provided by the Association. This policy will follow the new model complaints handling procedure issued by the NIPSO effective from July 2023 which was to establish a consistent and streamlined approach to complaints handling throughout the public sector.

[NIPSO ModelComplaintsHandlingProcedure-1.pdf](#)

2. Objective

This procedure will ensure that all tenants and others impacted by our service have equal service offered and that the process for managing complaints is open, fair and transparent. The process will ensure the complaint is investigated fully, have target response time for each stage, and shall be used to improve the services offered by the Association.

3. Definitions & Abbreviations

NB Housing	North Belfast Housing Association Ltd
CEO	Chief Executive Officer
DHCS	Director of Housing & Corporate Services
IO	Investigation Officer
NIPSO	NI Public Sector Ombudsman

4. **Responsibilities**

Manager	Decision maker at Stage 1 Ensure all information is investigated, prepare report.
Director	Decision maker at Stage 2 (if complainant is dissatisfied with outcome at Stage 1, or the complaint is of a more complex nature)
All Staff	To be able to inform tenants, contractors or others in respect to the complaints process. Offer assistance to those who have requested support or assistance in completing the form.

5. **Related Documents**

Allocation & Transfer Policy HM-01
Anti-Social Behaviour Policy HM-06
Rent Recovery Policy HM-08
Introductory Tenancy Agreement
Secure Tenancy Agreement

6. **Policy Statement**

A complaint is an expression of dissatisfaction by one or more members of the public about NB Housing's action or lack of action, or about the standard of service provided by or on behalf of NB Housing.

The NI Ombudsman has suggested this definition and provides a summary of examples to assist staff with ensuring consistency in the implementation of this policy.

- Failure or refusal to provide a service, such as refusing a repair request
- Inadequate quality of service or an unreasonable delay in providing the service, again this could be for a repair or improvement, not following internal procedures correctly
- Dissatisfaction with one of our policies or its impact on the individual, an example may be managing ASB cases, choosing the correct response
- Failure to properly apply the law, procedure, Housing Orders, DfC Guidance, development design and consultation, planning and building control, etc
- Failure to follow appropriate administrative process, this would be when we do not follow our own procedures correctly
- Conduct, treatment by or attitude of a member of staff or contractor (except where there are arrangements in place for the contractor to handle the complaint themselves). This could be when staff are accused of being rude, unsympathetic, biased, etc.
- A concern about the actions or service of the association who is delivering services on behalf of NB Housing, this could be one of our joint management partners or one of our support partners
- Disagreement with a decision such as an allocation, NSP decision, etc

- Dissatisfaction with how an element of a decision was administered, again could be with an allocation, a decision to refer a case to court, etc.

These are only general examples of potential complaints and does not cover all possible reasons someone could be dissatisfied.

Staff should be mindful that not every report may be a formal complaint.

An example could be a routine first time request for a repair to be completed or that the repair should be attended to more quickly than our guidance permits.

A request for compensation only should not be considered as a complaint but should be referred to the Director of Housing & Corporate Services.

Disagreement with a decision where there is a statutory procedure for challenging that decision or an established appeals process followed throughout the sector.

A request for information under the Data Protection or Freedom of Information (NI) Acts and requests for reviews of decisions under these statutory regimes.

A grievance by a staff member or a grievance relating to employment or staff recruitment

A concern raised internally by an employee which was not about a service they received such as a whistle blowing concern.

In cases where the request is not considered a complaint then staff should explain the reasons for this and if appropriate direct them to the correct agency or other advice agencies, such as consumer council, citizens advice, etc. Any employee should seek clarity from their line manager or other senior staff member.

The Association will endeavour to ensure its systems and procedures are adequate to meet minimum standards as set out in the Tenant's Guarantee in providing housing accommodation. The Association will investigate and respond to any complaint raised by the complainant, particularly where allegations seek to show unreasonable delay, bias, failure to follow proper procedures or a decision badly made.

7. Who Can make a complaint?

Our complaints process is open to everyone who feels they have a genuine grievance about the services provided by NB Housing or how these services were administered or processed. The complaints procedure is not restricted to service users but available to any member of the public. The complaints procedure is open to contractors, their employees, or any other individual, company or other who have come into contact with or are affected by our services.

Complaints may be received by friends, relatives, councillors etc. on behalf of any person however we must be mindful to have sought permission from the complainant that any responses are being managed by that party.

8. Support for the complainant

Anyone wishing to make a complaint can do in writing or verbally including face to face or by telephone. Where a complainant has particular needs or requirements then arrangements will be made to facilitate these, such as, translation service, physical or sensory needs or anxiety. Complaints made over social media such as twitter or Facebook will not be accepted but those posting the complaint should be encouraged to make contact with the association.

NB Housing shall comply with the requirements under Section 75 of the Northern Ireland Equality Act 1998.

Staff receiving a complaint request shall offer the complainant assistance and also offer to record the complaint on their behalf.

9. Confidentiality and Data Protection

It is very important to maintain the complainant's confidentiality and that of staff, and other third parties. Employees should be mindful to comply with data protection legislation and further information may be found on the ICO website and internal policies.

10. Complaints Procedure:

Stage 1: Frontline response

Frontline responses aim to respond quickly to a complaint within 5 working days from the time the complaint was made unless where this may be out of hours or weekend so the date shall be the next working day. It is envisaged that such complaints at stage 1 should be easily resolved and are not of a complex nature. In exceptional circumstances a short extension may be necessary such as the availability of staff involved. These extensions should be exceptional and will only extend the response time to 10 working days from receipt of the complaint. Where NB Housing have failed to deliver on these deadlines the complainant will have the right to have the complaint moved to stage 2.

Frontline complaints shall be referred to Manager level in the association responsible for the area or service of the complainant. The Manager shall listen to the complainant with empathy and respond to the complainant at the earliest opportunity.

The response may be an on the spot apology and what measures will be put in place to resolve the complaint and prevent this from happening again. Where a complaint is about a particular member of staff then details of the complaint will be shared with the employee before responding but this should not delay the response.

Stage 1: Complaint response

There are a number of different approaches including face to face or telephone. Where a resolution has been achieved it is not necessary to write to the complainant but this will be left to the Manager's discretion. A record of the complaint shall be recorded on the complaints register.

NB Housing shall:

- Tell the complainant the outcome
- Explain the reasons for the decision or agree action taken to resolve the complaint
- Explain to the complainant that they can escalate their complaint to stage 2 and should do so within 30 days.
- Retain an accurate record of the complaint outcome given to the complainant. Where it is not possible to speak directly to the complainant write to them disclosing the outcome.
- Explain to the complainant they can escalate their complaint to stage 2
- Consider and review the complaint and discuss any lessons learned to amend policy or procedure and train staff.

Stage 2: Complaints process

Stage 2 is appropriate where:

The complainant is dissatisfied with stage 1 response.

Stage 2 complaints shall be dealt with by a Director. An acknowledgement of the complaint will be issued within 3 working days. Where the issues and expected outcome are clear in the complaint then it is good practice to include these in the acknowledgement and ask the complainant that their understanding is correct. Where the outcome or details are unclear then clarity should be sought.

Where the complaint involves another staff member it is appropriate to include that person in the process. The Director will

- Share the details of the complaint unless there is compelling reason not to
- Advise them how the complaint will be investigated
- Discuss their willingness to engage in alternative complaint resolution approaches
- Signpost the staff member where support may be provided

Investigating the complaint

The Director will conduct a fair and reasonable investigation into the complaint. The investigation may include a review of legislation, policy and practices, interview with staff and others.

The Director will consider whether it is necessary to interview the complainant as part of the process. Consideration will be decided where there is a need for clarity or other additional information. A written record of the meeting shall be made and shared with the complainant.

The Director will provide a response to the complainant as early as possible but no later than 20 working days. It may be permissible to extend this deadline in exceptional circumstances that has prevented an outcome being made.

Stage 2 Complaint Response

The stage 2 response will be in writing and in detail that adequately addresses the complaint raised. Unless the complainant has requested an alternative format.

The response should:

- ❖ Be clear and easy to understand and written in a person centred way
- ❖ Avoid technical terms
- ❖ Address all the issues raised in the complaint
- ❖ Include an apology where things were found to be wrong and include action to remedy the issue.
- ❖ Offer the complainant an opportunity to contact a named person to discuss the response

In this correspondence and within two weeks of the day the complaints procedure is exhausted/completed, the customer must be advised that they have exhausted the internal complaints procedure and they should be signposted to NIPSO.

11. Post closure contact

Where a complainant contacts NB Housing in regard to clarification of the Stage 2 response it is permissible to have further discussions.

12. Recording, reporting, publishing and learning

All complaints will be recorded:

- the date the complaint was received
- the complainant's name and contact details
- the issue/nature of the complaint
- the service the complaint refers to
- staff member responsible for handling the complaint
- action taken and outcome at frontline (Stage 1) response
- any extension authorised at Stage 1 (if applicable)
- the date frontline (Stage 1) response was issued
- the date request for investigation (Stage 2) was received (if applicable)
- any extensions authorised at Stage 2 (if applicable)
- action taken and outcome at investigation (Stage 2) (if applicable)

- whether the complaint was resolved, upheld, partially upheld, not upheld
- date the investigation response was issued at Stage 2 (if applicable)
- the underlying cause of the complaint and any remedial action taken
- any organisational learning as a result of the complaint
- NB Housing will consider the outcome of any NIPSO's investigation (where applicable and possible). It is good practice to record the full journey of a complaint. For example, where there are a high number of complaints 'not upheld' by the organisation but then 'upheld' by NIPSO, this could suggest that there are opportunities to improve complaints handling at a local level

13 Reporting of complaints

Reports will be prepared and shared quarterly to senior management and subcommittee.

Reports will include

- complaints performance statistics
- analysis of the trends and outcomes of complaints (this should include highlighting where there are areas where few or no complaints are received, which may indicate either good practice or that there are barriers to complaining in that area).

Organisations should also internally report every 6 months (as a minimum) information on complaints outcomes and actions taken to improve services i.e, good practice and lessons learned.

Annually publish information to include:

- complaint performance statistics
- complaint trends and the actions that have been or will be taken to improve services as a result
- lessons learned from complaints.

14 Review

This policy will be subject to systematic 2 yearly review, or as and when required.

Information to signpost complainants to NIPSO to be inserted into Stage 2 response.

Information about NIPSO The Northern Ireland Public Services Ombudsman (NIPSO) is the final stage for complaints about the majority of public services in Northern Ireland. This includes complaints about NB Housing. NIPSO is an independent organisation that investigates complaints. The service provided by NIPSO is free. It is not an advocacy or support service (but there are other organisations who can help you with advocacy or support).

If you remain dissatisfied when you have considered this response, you can ask NIPSO to look at your complaint. NIPSO generally expect complaints to be brought to it:

- *within 6 months since you received correspondence from NB Housing informing you that the complaints handling procedure is complete and of your right to refer your complaint to NIPSO.*

NIPSO will generally ask complainants to provide details of their complaint and a copy of the final response from the organisation. You can do this online at www.nipso.org.uk or call Freephone 0800 34 34 24. NIPSO's contact details are: The Northern Ireland Public Services Ombudsman 33 Wellington Place, Belfast, BT1 6HN Tel: Freephone: 0800 34 34 24

Email: nipso@nipso.org.uk

Web: www.nipso.org.uk

If you would like to visit in person, the office is open from 10am – 4pm Monday to Friday.

An appointment is recommended but not essential

A quick guide to NB Housing's Complaints Procedure

YOU CAN MAKE YOUR COMPLAINT IN PERSON, BY PHONE, BY EMAIL OR IN WRITING. WE HAVE A 2 STAGE COMPLAINTS PROCEDURE. YOUR COMPLAINT CAN BE IN REGARD TO AN ISSUE WHICH TOOK PLACE UP TO 6 MONTHS AGO. WE WILL ALWAYS TRY TO DEAL WITH YOUR COMPLAINT QUICKLY. BUT IF IT IS CLEAR THAT THE MATTER WILL NEED IN-DEPTH INVESTIGATION, WE WILL TALK TO YOU ABOUT THIS, AGREE A WAY FORWARD AND KEEP YOU UPDATED ON OUR PROGRESS.

STAGE 1: FRONTLINE RESPONSE

WE WILL ALWAYS TRY TO RESPOND TO YOUR COMPLAINT QUICKLY, WITHIN 5 WORKING DAYS IF WE CAN. IF YOU ARE DISSATISFIED WITH OUR RESPONSE, YOU CAN ASK US TO CONSIDER YOUR COMPLAINT AT STAGE 2.

STAGE 2: INVESTIGATION

WE WILL LOOK AT YOUR COMPLAINT AT THIS STAGE IF YOU ARE DISSATISFIED WITH OUR RESPONSE AT STAGE 1. WE ALSO LOOK AT SOME COMPLAINTS AT THIS STAGE, IF FOLLOWING DISCUSSION AND AGREEMENT WITH YOU, IT IS CLEAR THAT AN IN-DEPTH INVESTIGATION IS NEEDED. WE WILL ACKNOWLEDGE YOUR COMPLAINT WITHIN 3 WORKING DAYS. WE WILL CONFIRM THE ISSUES OF COMPLAINT TO BE INVESTIGATED AND WHAT YOU WANT TO ACHIEVE. WE WILL INVESTIGATE THE COMPLAINT AND GIVE YOU OUR DECISION AS SOON AS POSSIBLE. THIS WILL BE AFTER NO MORE THAN 20 WORKING DAYS UNLESS THERE IS CLEARLY A GOOD REASON FOR NEEDING MORE TIME.

IF, AFTER RECEIVING OUR FINAL DECISION ON YOUR COMPLAINT, YOU REMAIN DISSATISFIED WITH OUR DECISION OR THE WAY WE HAVE HANDLED YOUR COMPLAINT, YOU CAN ASK NIPSO TO CONSIDER IT. NIPSO WILL ASSESS WHETHER THERE IS EVIDENCE OF SERVICE FAILURE OR MALADMINISTRATION NOT IDENTIFIED BY US WHICH REQUIRES FURTHER INVESTIGATION. NIPSO WILL SIGNPOST YOU TO ALTERNATIVE INDEPENDENT REVIEWERS AND PROVIDE CONTACT DETAILS (WHERE RELEVANT).

