

# Complaints Policy

<b>Summary</b>	This policy provides you with information regarding how we, Spruce Homes, will fulfil our obligations under regulatory compliance in relation to customer complaints.
<b>Who to Contact</b>	Adam.Blacklee@shgroup.org.uk
<b>Effective from</b>	December 2020
<b>Planned review date</b>	12 months post sign off and every 3 years thereafter.
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<b>Approval date</b>	
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## 1. Purpose

- 1.1 Spruce Homes aims to provide a good quality service to our residents. When we fail to meet these standards and commitments, we will apologise, take action to put this right as quickly as possible and we will use resident feedback to change and improve the way we deliver our services.
- 1.2 Our policy has been developed with due regard to the Housing Ombudsman's Complaint Handling Code and our statutory and legal duties.
- 1.3 The Housing Ombudsman requires Spruce Homes to define a complaint as being:

*“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”.*
- 1.4 The purpose of this policy is to ensure that there is a consistent and fair approach to responding to customer complaints which aims to resolve the issue at the earliest opportunity. We will manage complaints from customers in a fair, honest and consistent way.

## 2. Scope

- 2.1 This policy sets out Spruce Homes' approach to managing complaints for all customers. We will accept a complaint from anyone who receives or requests our services, including those who make an application to rent a Spruce Homes property. If the complaint is being made by an ex-occupier, then they would need to have had a legal relationship with us at the time that the issue arose that is the subject of the complaint.
- 2.2 We expect you to tell us about your complaint as soon as it arises, and we will not accept a complaint about a matter which occurred over 6 months ago. If the problem is a reoccurring issue, we will consider any older reports as background to the complaint.
- 2.3 Any reference to 'we', 'our' or 'us' refers to Spruce Homes. When we use 'you' and 'your' we mean any resident or customer as set out above.

## 3. What issues will not be dealt with through our Complaints policy

- 3.1 There are some issues which we will not deal with as a complaint and this is because we believe that there is an alternative process which is more appropriate. The following issues that will not be covered by this policy are listed below:
  - Complaints which involve a personal injury claim or third-party liability claim – valid claims are dealt with by our insurers.

- Matters subject to legal proceedings (i.e. disrepair). This would apply where we have received a 'letter before action' or a similar threat of legal proceedings. Instead, this will be passed to our solicitors at the point we become aware (either at the beginning or during the complaint).
- Dissatisfaction with the content of our policies will not be dealt with as a complaint, but we will still provide you with a response to the issue and we will consider feedback when carrying out future policy reviews. Depending on our policy, you may also have a right to appeal (which will be detailed in the policy itself). However, if your complaint is about how we dealt with your request, for example we took too long to provide you with a decision, then this will be dealt with as a complaint.
- Complaints concerning the behaviour of our residents – we have a separate policy for complaints of anti-social behaviour. However, if you are unhappy with how we have dealt with reports of anti-social behaviour then this would be dealt with as a complaint.
- Matters that have already been considered under the complaints policy and a response has been provided.
- If the complaint is being pursued in an unreasonable manner including unsubstantiated and vexatious complaints. We reserve the right to treat any complaint as vexatious if we believe this treatment is warranted in line with our Unacceptable Behaviour Policy. When we receive a complaint that we decide is vexatious we will notify the complainant of our decision and we won't engage in any further correspondence or communication on the matter. If a customer merely wishes a complaint to be noted, and for us to fix the problem, we will discuss this with the complainant as we may be able to deal with this as a service dissatisfaction if the complainant is agreeable. All feedback is used to inform our future service improvement.
- Rents levied at rent reviews and tenancy agreement renewals - we do not accept formal complaints on the level of rent levied at rent reviews and tenancy agreement renewals. Spruce will follow its contractual obligations on rent reviews and will charge the market rent for its properties on tenancy agreement renewals, as per its Rent Setting & Review Policy.

**3.2** The above list is not exhaustive and should there be a reason why we decide that an issue will not be dealt with as a complaint then an explanation will be provided setting out the reasons why. If you are not happy with this decision you will have the right to take your complaint to the Housing Ombudsman or

the Property Redress Scheme, who will instruct Spruce Homes to take on the complaint should they feel it is appropriate to do so.

#### **4. How we will resolve your complaint**

- 4.1** There are a number of different ways that you can contact us to let us know that you are unhappy. These include in person, via email, phone and letter.
- 4.2** Our complaints Policy and Procedure can be accessed and downloaded from our website, or it can be sent to you on request.
- 4.3** We will accept complaints from a representative, such as a relative or advocate, who is authorised by the complainant to make a complaint on their behalf. However, this does not include a person that you have appointed in a legal capacity unless they have been appointed due to your incapacity or disability (for example, they have a Power of Attorney or have been appointed by an authority such as the Court of Protection to act on your behalf).
- 4.4** If you need any support or assistance in making a complaint, then please let us know so that we can support you.
- 4.5** If at any point you are unhappy with how we are dealing with your complaint, then please let us know. You are also able to contact the Housing Ombudsman Service or the Property Redress Scheme at any point through the life of the complaint. The contact details of both of these services can be found on our website and on the last page of this document.
- 4.6** We have a two stage internal complaints process; Stage 1 and Stage 2. Where appropriate, when you first contact us to let us know you are unhappy, we may try to resolve the matter there and then, or if we believe the issue can be resolved with just a few straightforward actions then we will propose that this is dealt with informally as a 'Service Dissatisfaction'. The complaint handler will discuss this with the tenant to agree whether they are happy for the issue to be dealt with as a Service Dissatisfaction. Examples of service dissatisfaction would include a missed appointment, a delay in providing a response or not carrying out a scheduled task, such as cleaning.

A Service Dissatisfaction will normally be dealt with by the person who receives the report unless it falls well outside of their remit. We will ask you to explain why you are unhappy, the outcome you are seeking and how best to contact you. A case will be raised on our system and we will confirm to you what actions we will be taking and when you can expect to hear from us again. Our aim is to resolve the issue within 10 working days. If this is not possible, we will contact you and give you the option of escalating the matter to a Stage 1 complaint. Equally, if you receive the response and are unhappy with the outcome of the actions taken, including any offer of compensation, then you will also be able to ask for the matter to be considered at Stage 1 of our process.

## **5. Stage 1**

- 5.1** Stage 1 cases will be allocated to the Senior Property Manager (SPM). If you do not speak to the SPM at the time of making the complaint, then they will make contact with you within one working day of you reporting your concerns to us. If the complaint is regarding the conduct or behaviour of the Senior Property Manager, it will be referred to the Head of Service.
- 5.2** The initial contact from the complaint handler will be either on the telephone or via email, to acknowledge receipt of the complaint as well as to confirm our understanding of your complaint and to find out what resolution you are seeking. Your complaint will be logged on our system, a complaints file will be opened, and you will be provided with a reference number as well as the contact details of the SPM/HOS who will be managing your case.
- 5.3** Our aim is to provide a response within 10 working days. If we are not able to resolve the matter within 10 days, we will contact you and let you know why we are not able to do this and when we will provide you with a response. This will not exceed an additional 10 days; totalling 20 days to respond.
- 5.4** As part of our response to your complaint we will offer a remedy that reflects the extent of any service failure(s) and the level of detriment this may have caused, taking into account all of the circumstances. This may include; acknowledging where things have gone wrong, providing an explanation, apologising, taking action to correct the issue, offering compensation and using the feedback to inform service improvement or changes to policies.
- 5.5** If there are any further actions that we need to take as part of the remedy to your complaint (an action plan) your complaint will remain open until they have been completed. We will contact you if we run into any difficulties and we will revisit any offer of compensation already made at the point when all actions have been completed.
- 5.6** If you are unhappy with the response provided, then you need to let us know within 20 working days. If you do not let us know within this timeframe then we will not normally re-open your complaint unless there are exceptional circumstances.
- 5.7** If you are unhappy, then you can either speak to us to discuss your concerns so that we can explore if there is anything further that can be done, or you can request for your complaint to be escalated to Stage 2. When requesting for your complaint to be escalated we will require you to set out in writing the reasons why you are unhappy with our response and the outcome you are seeking.
- 5.8** There may be occasions when it would not be appropriate to escalate the case to Stage 2, for example if the outcome being sought was not within our power or ability to deliver. In cases such as these we will write to you and explain why the complaint will not be escalated and options are available to you.

- 5.9** Our Stage 2 process comprises two options which are; Compensation Review or Senior Manager Review.

## **6. Stage 2**

### **6.1 The Senior Manager Review**

- 6.1.1** The Senior Manager Review involves a Senior Manager, normally the Head of Service or equivalent, who has not previously been involved in the complaint, reviewing Spruce Homes' handling of the issue and your subsequent complaint.
- 6.1.2** On receipt of your request to escalate your complaint, the SPM will contact you to find out if you would like to speak to the Manager who will be undertaking the review. The purpose of this call is to provide an opportunity for you to explain your position and for the reviewing Manager to ask you to clarify any points or answer any queries which will assist them in reaching a conclusion.
- 6.1.3** The reviewing Manager will be provided with the complaint file and any other relevant information to assist them in their review. You are also able to provide them with any information that you have not yet provided to Spruce Homes.
- 6.1.4** Our aim is to provide you with a response within 20 working days of you having requested escalation of the complaint. If that is not possible, we will contact you and let you know why we are not able to do this and when we will provide the response. This will not exceed a further 10 working days; totalling 30 working days.

### **6.2 The Compensation Review**

- 6.2.1** The Compensation Review is the second stage of our process when the dissatisfaction with our response concerns compensation and an increase in the compensation is the only outcome being sought.
- 6.2.2** The Compensation Review will be undertaken by a Manager that has not previously been involved in your complaint and as part of this process they will contact you so that you can set out your position. They will then consider this along with the relevant information, including Spruce Homes' Compensation Policy and notify you of the decision in writing in 10 working days. If this is not going to be possible we will notify you and will confirm when we will provide the response, and this will not exceed a further 10 working days; 20 working days in total. We will also detail the reasons behind the decision as well as the details of what options are available to you should you remain dissatisfied with the outcome of the review.

## **7. What happens if you are unhappy with the outcome reached at Stage 2**

- 7.1** The outcome letter that is sent to you following the conclusion of Stage 2 will be Spruce Homes' final response to your complaint.

- 7.2** If you remain dissatisfied, then you can approach either the Housing Ombudsman Service (HOS) or the Property Redress Scheme (PRS) directly. You can also visit the PRS' website and fill in a complaints form.
- 7.3** Contact with either the HOS or the PRS should be done 8 weeks after the date of the final response letter.
- 7.4** Their contact details are:

**Housing Ombudsman Service**  
**PO Box 152**  
**Liverpool**  
**L33 7WQ**  
**Phone: 0300 111 3000**  
**Email: [info@housingombudsman.org.uk](mailto:info@housingombudsman.org.uk)**

**The Property Redress Scheme**  
**Premiere House, 1st Floor**  
**Elstree Way**  
**Borehamwood**  
**WD6 1JH**  
**Web: [www.theprs.co.uk](http://www.theprs.co.uk)**  
**Email: [complaints@theprs.co.uk](mailto:complaints@theprs.co.uk)**

## **8. Complaints from a group of residents or a petition**

- 8.1** If we receive a complaint or a petition from a group of residents then this would be dealt with in line with the process that we have set out above. However, we will require you to nominate a lead person who is the main point of contact and all of our correspondence will be with them. If the complaint escalates to Stage 2 we will allow one other petitioner/member to be involved in the Senior Manager Review.

## **9. Continuous learning and improvement**

- 9.1** We recognise the valuable feedback that a complaint can provide, and we have mechanisms in place to ensure that we capture this when we conclude a complaint.
- 9.2** We record and monitor all complaints that we receive, and this information is reviewed by the relevant Board, Managers and other Staff across Spruce Homes and Southern Housing Group and it is used to identify areas where we can improve our services.
- 9.3** We recognise the importance of learning from complaints and using the information to improve our services. Organisational learning and changes to policy and services resulting from complaints will be captured and shared with our Board and staff.

- 9.4** Our performance in respect of complaint handling is reviewed and this information is provided to the Executive Management Team and also with our Board. Information concerning our performance is also available to our customers and this can be viewed in Southern Housing Groups Annual Report to Residents which is available on Southern Housing Groups website.

## 10. Equality & Diversity

- 10.1** An Equality Impact Screening has been carried out as part of the development of this policy. Spruce Homes aspires to embed diversity and inclusion within all of our business activities to enable these principles to become part of our everyday processes.

## 11. Related documents

- 11.1** Compensation policy  
Unacceptable Behaviour Policy  
Reasonable Adjustment Policy

<b>Author</b>	Rebecca Mills, Senior Property Manager
<b>Approval date</b>	
<b>Approved by</b>	EMT
<b>Policy Owner</b>	Adam Blacklee, Head of Commercial Property and Private Rent

For help with translations, or if a large type, Braille or taped summary would be useful, contact the Service Centre.

<b>Arabic</b>	تلقى المساعدة في الحصول على نسخ مترجمة أو إذا كان من المفيد بالنسبة لكم تلقي نسخ مطبوعة بطباعة مكبرة، أو بطريقة برايل للمكفوفين، أو مسجلة كملخصات على شريط تسجيل صوتي، فيرجى الاتصال بمركز الخدمة Service Centre.
<b>Bengali</b>	অনুবাদে সাহায্য পেতে হলে অথবা বড় অক্ষর, ব্রেইল অথবা টেপে রেকর্ডকৃত সারসংক্ষেপ শুনতে চাইলে সার্ভিস সেন্টারকে 0300 303 1682 নাম্বারে ফোন করুন।
<b>French</b>	Contactez le Centre de services pour obtenir de l'aide sur les traductions, ou si un résumé en gros caractères, en Braille ou enregistré s'avère nécessaire.
<b>Somali</b>	Si lagaaga caawiyo turjumista ama haddii aad jeclaan lahayd farta waaweyn, farta indhoolayaasha (Braille) ama warbixin kooban oo cajilad ku duuban, la xiriir Xarunta Adeegga.
<b>Spanish</b>	Si necesita traducciones o resúmenes en letra grande, Braille o casete, póngase en contacto con el Centro de Servicios.
<b>Turkish</b>	Tercüme konusunda yardım için, veya iri puntolu, Braille körlere alfabeti ile yazılmış ya da ses kaydı olarak bir özet isterseniz, 0300 303 1683'ten Hizmet Merkezi'ni arayın.