

Complaints Property Management Procedure

Spruce

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What is a Complaint?

We 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”.

Purpose

This purpose of this procedure 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. This should be used in conjunction with Spruce Homes Complaints Policy.

Does the issue fall under the Complaints policy?

Please refer to the policy to determine whether the issue being reported should be dealt with as a complaint or whether this should be dealt with as a general enquiry or under an alternative policy. Please note that if the complaint is dealt with as a service dissatisfaction, this needs to be agreed with the complainant first.

Should there be a reason why we decide that an issue will not be dealt with as a complaint then an explanation should be provided to the complainant setting out the reasons why. If the complainant is not happy with this decision the complaint handler should inform them that they have the right to take the complaint to the Housing Ombudsman, who will determine whether we should deal with this under the Complaints Policy and Procedure.

Receiving a complaint

We will accept a complaint from any customer who receives or requests our services and a complaint can be made in a number of different ways. These include in person, via email, phone or letter.

When a complaint is received via any of the above formats it must be passed on to the Senior Property Manager (SPM) or Head of Service (HoS) accordingly. The SPM or HoS must decide whether the complaint should be dealt with in line with our Complaints Policy.

The complaint handler must log it on the **Spruce Complaints Log Spreadsheet** (found on the shared Y drive) completing the following columns:

- Complaints reference
- Status
- Stage
- Handler
- Complainant
- Address
- Complaint received

A sub-folder should also be opened on the Y drive, under the 'Complaints' folder. The folder should be titled with the address and the complaint reference number (i.e '1Essex Brewery – SPRUCE001'). All correspondence and files regarding the complaint should be saved in this folder as well as in Yardi under the tenancy file.

If the SPM or HoS did not speak to the resident at the time of complaint, then contact should be made with the resident **within 1 working day of receiving the complaint**; this can be either via email or over the phone. You should acknowledge receipt of the complaint, obtain further details of the issues the resident is reporting and find out what resolution they are seeking. The complainant should be advised that they can contact the Housing Ombudsman at any time throughout the complaint to obtain advice. The resident must also be provided with the complaint reference number.

Contact has been made and further information on the complaint obtained the 'Date complaint acknowledged' and 'Summary of complaint' tabs should be completed on the Complaints Log Spreadsheet as well as the 'Met HOS acknowledgment timeframe' tab; this should be marked yes if an acknowledgement was sent within 3 working days of when the complaint was received or 'no' if it was not and an explanation of why this was not achieved.

Complaint: Stage 1

Once the complaint has been logged and acknowledgement has been provided to the complainant, the complaint handler has 10 working days to provide a response to the resident.

The complaint handler must investigate all issues that are raised within the complaint, conducting the investigation in an impartial manner, seeking sufficient information from all members of staff, departments or contractors involved in the case.

All information and evidence should be carefully considered. If the complaint handler finds that something has gone wrong then we need to acknowledge this and act to put things right, example of where this may be required are as follows:

- there was an unreasonable delay
- inaccurate or inadequate advice, explanation or information was provided to the resident
- Spruce Homes policy or procedure was not followed correctly without good reason
- there was a factual or legal error that impacted on the outcome for the resident
- there was unprofessional behaviour by staff
- if there was a service failure by Spruce Homes, Southern Housing Group or one of our contractors

Once the investigation has been carried out and the conclusion has been determined the complaint handler must form a response to the resident. The response should cover the following:

- All points raised within the complaint
- Details of your investigation
- Any necessary acknowledgment of where things have gone wrong / service failures
- An explanation of why things went wrong / service failures occurred
- Apologies to the complainant as necessary
- Any action Spruce have/are going to take to correct the issue and a clear explanation for any decisions made referencing the relevant policy, law and good practice where appropriate.
- An offer of compensation accordingly in line with Spruce Homes compensation framework
- Learning or service improvements being made as a result of the complaint
- Details of how the complaint can be escalated to Stage 2 if the resident remains unhappy with the response

If you are unable to provide a response to the tenant (for example if further investigations need to be carried out) then you must contact the complainant within the 10 working days timeframe to advise them of this. You must explain the reasons behind why you are unable to provide them with a complaint within the original timeframe as well as informing them of when a response will be provided with them. This must be no more than an additional 10 working days.

The complaint and the response must be saved as attachments on the resident's Yardi file and the complaints folder on the Y drive.

If there are any further actions that Spruce are required to carry out as part of the response, then the complaint should remain open until all actions have been completed. The complaint handler should regularly update the resident on the progress of the action plan (weekly contact should be made unless other timeframes are agreed). Should there be any delays in the action plan provided in the Stage 1 response then the offer of compensation should be reviewed as necessary.

The complaint handler should then complete the following fields accordingly on the **Spruce Complaints Log Spreadsheet:**

- Date response was sent
- Response extension required & why?
- Met HOS code response timeframe?
- Complaint response summary
- Compensation paid & reasons under framework

If the complainant does not contact Spruce Homes within 20 working days to escalate the case, we will assume that they are satisfied with the response provided and the case can be closed on the log spreadsheet.

Complaint: Stage 2

The tenant is required to inform the complaint handler when they wish for their complaint to be escalated to Stage 2. The resident should set out the reasons for their request to escalate the complaint in writing, providing Spruce Homes with the reasons why they remain unhappy and details of the outcome they are seeking.

Once the escalation to Stage 2 is received from the resident the complaint handler from Stage 1 should pass the case over, along with all necessary information, documents and communication to a Senior Manager who has not previously been involved in the complaint; this should either be the Head of Service or the Executive Director.

The Stage 2 complaint handler should make contact with the complainant to see if they wish to discuss their concerns further, to better understand their reasoning behind the complaint escalation, to clarify any particular points in the complaint so far and to answer any queries they might have about the Stage 2 escalation.

The following columns should be completed on the log spreadsheet, making sure that it is noted whether the tenant is seeking a Manager Review or a Compensation Review as part of the complaint escalation:

- Complaint escalated to Stage 2
- Date escalation request received
- Stage 2 escalation details
- Stage 2 complaint handler

The Senior Manager should review all the information they are provided with to ascertain whether the Stage 1 response and actions were appropriate or whether they would have provided an alternative or more substantial response or solution to the issues raised.

Once the investigation has been carried out and the conclusion has been determined the complaint handler must form a response to the resident. The response should cover the following:

- The outcome of the stage 1 complaint
- The reasons why the complainant remains unsatisfied
- The review carried out as part of the Stage 2
- The Stage 2 case handlers conclusion of the review
- Any remedies, redress or compensation to be applied to the case

Reference must also be made to the Housing Ombudsman & Property Redress Scheme, along with their contact details and instructions on when the resident should contact them, should they remain unsatisfied with the Stage 2 response.

A response should be provided to the complainant **within 20 working days** of the complaint escalation request being received. If that is not possible then the Senior Manager should contact the resident within this timeframe to explain why they are unable to provide a response and when they will provide a response. This cannot exceed an additional 10 working days; 30 working days in total.

The escalation request and response must be saved as attachments on the resident's Yardi file and the complaints file on the Y drive.

Once a response is provided to the resident the Senior Manager must fill in the following columns on the log spreadsheet:

- Date Stage 2 response provided
- Stage 2 response extension required
- Stage 2 HOS code timeframe met?
- Details of Stage 2 response

If the Senior Manager has found organisational learning or service adjustments should be made to Spruce's processes as a result of their review, they should also log this in the appropriate column on the log spreadsheet.

Escalation if the complainant remains unsatisfied

If the resident remains unsatisfied and Spruce Homes Stage 1 and Stage 2 of the complaint's procedure have been exhausted, then the complaint must be referred to either the Housing Ombudsman or the Property Redress Scheme.

It is the complainant's responsibility to escalate the case to either the HOS or the PRS and it is up to the complainant to decide which organisation they chose to deal with the escalation.

The resident should be reminded that they are responsible for referring the case to either of these bodies if they contact Spruce Homes to escalate the case following the Stage 2 response. The customer can contact the Ombudsman at any stage within the complaint however, we should advise that they can only refer the case to either the Housing Ombudsman or the Housing Redress Scheme for a formal investigation if the following terms are met:

- It is 8 weeks from the date of your Stage 2 written response
- It is still within one year from the last communication with you regarding this complaint

Co-operation with the Housing Ombudsman

If the case is referred to the Housing Ombudsman, then we must co-operate with their request and provide them with all evidence concerning the case within 15 working days; this includes any relevant information held by a third party such as contractors or estate agents.

The complaint handler should also ensure that they are responding promptly and within any timeframe gives by the HOS should they request further information as part of the ongoing investigation into the complaint.

If there are exceptional circumstances where we are unable to provide the documentation within this timeframe then we must provide the Ombudsman with an explanation for the delay. The Ombudsman will agree to a revised date if the explanation is reasonable.

If the complaint handler fails to provide the Ombudsman with the required evidence in a timely manner it may result in Spruce Homes being issued with a complaint handling failure order.

Once a response is received from the Housing Ombudsman it will specifically refer to the code as part of its findings. If the HOS determine there has been maladministration in a case, the complaint handler must comply with any orders or recommendations made by the HOS.

Continuous learning and improvement

Any organisational learning that is obtained or changes to our policy or services; either from Spruce’s own internal review of a case at Stage 1 & 2 or from the Housing Ombudsman or Property Redress Scheme, must be reported.

A record and details of the learning/changes must be made on the Spreadsheet Log and an email sent to the Senior Property Manager and the Head of Service.

The Head of Service will report this in the monthly EMT performance reports and Spruce Board Performance Report.

The information concerning Spruce’s performance must also be provided to Southern Housing Group so that our customers is available and can be viewed in Southern Housing Groups Annual Report to Residents, which will be available on Southern Housing Group’s website.

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