

FAIROAK HOUSING ASSOCIATION COMPLAINTS AND COMPLIMENTS POLICY

Purpose of this policy

1.1 This policy sets out how Fairoak Housing Association responds to complaints to ensure that the values of the Association are always upheld. This policy is published on our website, together with an easy read version and form, to ensure that the process of making a complaint or issuing a compliment is clear, simple and accessible to all. We will make reasonable adjustments to ensure the complaints process is accessible to all tenants, in line with the Equality Act 2010.

1.2 This policy has regard to the Housing Ombudsman's Complaint Handling Code 2024 and the Regulator of Social Housing's Regulatory Framework including the Transparency, Influence and Accountability Standard (2024).

If a tenant or their representative behaves in a way that makes it difficult for us to manage contact safely or effectively, we may take steps to manage how contact takes place. This will be done in line with Appendix 1: Unacceptable Behaviour and Contact Restrictions Procedure, which explains how we do this fairly, proportionately and in a way that does not prevent access to the complaints process.

Policy Statement

2.1 At Fairoak Housing Association, we aim to provide all our tenants with the very best service possible. However, we acknowledge that sometimes things do go wrong and it is important that our tenants have an easy and accessible process to follow so that we can put things right. We recognise that complaints can be a useful source of feedback and the process of investigating and acting on them enables us to learn from our mistakes and continue to improve the service that we provide. We will accept a complaint unless there is a valid reason not to do so in line with the Housing Ombudsman's Complaint Handling Code, and we will not create unnecessary barriers to tenants raising complaints.

Fairoak will not treat a tenant or their representative less favourably, and we will not penalise anyone, because they have raised a complaint.

2.2 To ensure transparency we will publish information on our website and in our Annual Report to inform tenants and other stakeholders on the number, nature and outcomes of complaints and how we have used complaints to improve our services. We will complete and publish an annual self-assessment against the Housing Ombudsman's Complaint Handling Code and provide this to our governing body.

Definition of a complaint

3.1 We use the Housing Ombudsman's definition of a complaint; 'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by FairOak Housing Association, our staff, or those acting on our behalf, affecting an individual customer or group of customers.'

3.2 A tenant does not have to use the word complaint for it to be treated as such. All expressions of dissatisfaction will be recorded and will be recognised and logged as a complaint where the resident expresses dissatisfaction and expects a response.

3.3 A service request is a request from a resident to the landlord requiring action to be taken to put something right. Service requests are not complaints; however, we will record monitor and review these regularly. Where a resident expresses dissatisfaction with the response to a service request, this will be logged as a complaint.

Exclusions

4.1 On rare occasions, we may be unable to accept a complaint. Examples of this are:

- a. The issue occurred more than 12 months ago and there is no good reason for the delay in raising the complaint, taking into account the resident's circumstances and the Housing Ombudsman's Complaint Handling Code.
- b. Where legal proceedings have started or are pending in relation to the substance of the complaint.
- c. The complaint is in relation to a support provider who is not acting on behalf of FairOak Housing Association. We would encourage, and if necessary, assist the tenant to make the complaint in accordance with the support provider's complaints policy.

The complaint has already been considered under this policy and no new issues or evidence have been provided, or where the complaint is assessed as unreasonable in accordance with our Unreasonable Behaviour Policy.

4.2 We will consider the individual circumstances of each complaint and if we decide not to accept a complaint, we will provide an explanation with reasons why the matter cannot be considered under our complaints policy and the right to take that decision to the Ombudsman.

Procedure for making a complaint

5.1 Wherever possible we would always prefer to deal with issues informally however, tenants are not required to attempt informal resolution before making a formal complaint.

5.2 We will always ensure that complaints are dealt with promptly, politely and fairly and are thoroughly investigated and all the evidence considered. We will provide clear information on how a decision has been reached and how it may be challenged or taken further. We will confirm our understanding of the complaint and the outcomes the resident is seeking.

5.3 Complaints can be made in any of the following ways:

- a. By calling Fairoak on 01539 720082
- b. By visiting the office at 155, Highgate, Kendal LA9 4EN
- c. By emailing at enquiries@fairoakhousing.co.uk
- d. By writing to Fairoak at 155Highgate, Kendal LA9 4EN
- e. Via a representative, for example a family member, friend, advocate or support worker

5.4 Tenants can ask to escalate their complaint to Stage 2 if they remain dissatisfied. We will only refuse escalation where we have valid reasons, and we will explain these clearly in line with section 2 of the Housing Ombudsman's Complaint Handling Code. Tenants do not have to explain why they want their complaint considered at Stage 2; we will make reasonable efforts to understand what remains unresolved as part of our Stage 2 response

Fairoak has a two stage complaints process as follows:

Stage 1:

6.1 We will:

- a. Try to resolve the complaint by telephoning or visiting the tenant or their representative on the day that the complaint is received to see if we can put things right
- b. If further time is required to investigate a complaint, we will write to the complainant within 5 working days acknowledging the complaint and advising who will be managing the complaint
- c. Aim to complete our investigations and respond in writing within 10 working days of receiving the complaint. If we are unable to provide a full response within 10 working days, we may extend the timescale by up to a further 10 working days where there is good reason. We will inform the resident of the reason for the extension and the new response date.
- d. Acknowledge and triage Stage 1 complaints by confirming what we can and can't investigate and signposting where issues sit outside our remit. We will then decide whether the complaint can be resolved quickly or needs further investigation, taking account of complexity and any vulnerability or safeguarding risks. Where the complaint is upheld, we will provide a clear explanation, apology and/or practical resolution to the tenant as soon as the outcome is known.

6.2 We will also acknowledge where things have gone wrong and apologise for any mistakes; we will take any appropriate action; where appropriate we may offer compensation on an evidential basis and we will ensure that we learn from the complaint and make any changes to our policies and procedures that may be necessary. We will also advise the tenant, or their representative, that if they are still not satisfied with how their complaint has been dealt with, they can ask to progress it to Stage 2 of our complaints process. The Stage 1 response will include the complaint decision, reasons for the decision, details of any remedy offered, and information about how to escalate to Stage 2.

Stage 2:

6.3 Stage 2 will be dealt with by the Chair of the Board or a suitably senior manager or panel not involved at Stage 1 to ensure independence. The Chair will investigate the complaint and determine why it has not been resolved and whether the outcome of Stage 1 is correct. A full written response will be provided within 20 working days of receiving a request to escalate the complaint.

6.4 If additional time is required, we may extend the response time by up to a further 20 working days where there is good reason. We will explain the reason for the delay and confirm the new response date.

6.5 The Stage 2 response will confirm this is the final response and provide details of the resident's right to refer the complaint to the Housing Ombudsman.

Housing Ombudsman Review

7.1 In accordance with the Housing Ombudsman's Complaint Handling Code, FairOak will make it clear to tenants and their representatives that they have the right to contact the Housing Ombudsman at any point during the complaints process to receive any advice or assistance that they may need.

7.2 At the end of Stage 2, FairOak will advise in writing details of how to contact the Housing Ombudsman. Tenants can refer their complaint directly to the Housing Ombudsman without the need to contact a designated person.

7.3 The Housing Ombudsman can be contacted as follows:

Write to: The Housing Ombudsman Service, PO Box 1484, Unit D, Preston, PR2 0ET

Visit: www.housing-ombudsman.org.uk//make-a-complaint

Email: info@housing-ombudsman.org.uk

Call: 0300 111 3000

Confidentiality

8.1 All complaints will be treated in confidence ensuring that privacy is respected and that the Association is fair and consistent in its approach.

Personal data will be handled in accordance with UK GDPR and the Data Protection Act 2018.

Designated Complaints Officer

9.1 The designated complaints officer for the purpose of this policy is the Customer Engagement Officer who will have responsibility for complaints handling and ensuring that the policy is complied with.

9.2 At each stage of the complaints process, complaint handlers must:

a) deal with complaints on their merits, act independently, and have an open mind

- b) give the tenant a fair chance to set out their position
- c) take measures to address any actual or perceived conflict of interest
- d) consider all relevant information and evidence carefully.

The designated complaints officer will ensure compliance with the Housing Ombudsman's Complaint Handling Code and oversee the annual self-assessment.

Member Responsible for Complaints (MRC)

10.1 In addition to the designated complaints officer a member of the FairOak Board has been appointed to have lead responsibility for complaints. Our MRC is Rebecca Field. The MRC will be responsible for ensuring the governing body receives regular information on complaints that provide insight on the landlord's complaint handling performance.

Mistreatment of Vulnerable Adults

11.1 Any complaint received by FairOak that falls into the category of "mistreatment of vulnerable adults" will be actioned in accordance with multi agency safeguarding procedures agreed with the relevant local authority.

Monitoring and Learning from Complaints

12.1 FairOak will monitor and learn from complaints to improve the services we provide to our tenants in the following ways:

- a. Maintain a system to record and analyse complaints and their outcomes
- b. Measure and record satisfaction levels in complaint handling
- c. Report to the board at least biannually on complaints received and measures taken
- d. Publish information on complaints on our website and in our Newsletters and Annual Report
- e. Complete an annual complaint performance and service improvement report.
- f. Ensure learning from complaints is shared with staff and tenants.

Compliments

13.1 FairOak Housing Association aims to provide the best possible service to our tenants and when we get it right or particularly excel, we encourage tenants and their representatives to let us know.

13.2 Compliments are valuable, welcome and important. When they are received, either verbally or in writing, they will be recorded and shared with the relevant staff member or team.

13.3 Compliments can be made using the same range of methods available to make a complaint.

13.4 We will monitor compliments to identify good practice, recognise staff performance, and inform service improvement.

13.5 Summary information about compliments may be included within our annual complaints' performance reporting to the Board and published information where appropriate.

Version Control

Version	Date	Revised by	Reason for change
2.1	20/05/26	Alison Barnes	Review of Policy – updated in line with Housing Ombudsman Complaint Handling Code and The RSH Consumer Standards

Appendix 1

Unacceptable Behaviour and Contact Restrictions – Procedure

What this procedure is for

This procedure explains what we will do if a resident or their representative behaves in a way that makes it difficult for us to manage contact safely or effectively.

Our aim is to:

- Keep people safe and treated with respect
- Make sure staff can do their job properly
- Ensure complaints and service requests can still be dealt with fairly

This procedure does not stop anyone from making a complaint and is not the same as antisocial behaviour action.

Step 1: Recognising unacceptable behaviour

We will consider behaviour to be unacceptable if it:

- Is abusive, aggressive or threatening
- Causes distress to staff or others
- Involves repeated contact that is unreasonable or excessive
- Continues after we have already provided a clear response
- Prevents us from dealing with issues effectively

We will always look at:

- What has happened
- How often it has happened
- The impact on staff and services
- Any known vulnerability or support needs

Step 2: Trying to resolve things informally

Where possible, we will start with informal action.

This may include:

- Explaining which behaviour is causing concern
- Asking for contact to remain respectful
- Agreeing how and when contact should take place

We will record this, but informal action is not a restriction.

Step 3: Deciding whether contact needs to be managed

If unacceptable behaviour continues, a manager will decide whether contact needs to be managed in a different way.

Before deciding, we will:

- Review the evidence
- Consider whether the person has any disabilities or vulnerabilities
- Think about reasonable adjustments under the Equality Act 2010
- Make sure the response is proportionate to the behaviour

A decision will not be made lightly.

Step 4: Possible contact restrictions

If needed, we may put one or more of the following in place:

- Asking for contact to be through one named officer
- Limiting how often contact can take place
- Restricting contact to a specific method (for example, email or letter)
- Ending contact if language becomes abusive or threatening

Restrictions will:

- Be clear and specific
- Be time-limited where possible
- Not stop a complaint from being raised or progressed

Step 5: Recording the decision

We will complete a short decision record that includes:

- What behaviour led to the decision
- Evidence relied upon
- Equality Act and vulnerability considerations
- What restriction is being applied

- When it will be reviewed

This helps ensure decisions are fair and consistent.

Step 6: Telling the person involved

We will write to explain:

- What behaviour has caused concern
- What contact arrangements will apply
- How long these arrangements will last
- When they will be reviewed
- How they can continue to access services and the complaints process

We will use clear, respectful language and make reasonable adjustments where needed.

Step 7: Reviewing contact arrangements

All contact restrictions will be reviewed by the agreed review date.

At review we will decide whether:

- The restriction can be removed
- The restriction should continue
- The restriction should be changed

Restrictions will not stay in place automatically without review.

Step 8: Oversight and learning

- All managed contact cases are logged
- Managers review decisions to ensure consistency
- Learning is fed into complaints reporting and service improvement