



Title: **Complaints - Housing and Support Procedure**

Business Function: **Sanctuary Housing
Sanctuary Supported Living**

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Additional Guidance

This information supports staff to handle specific types of enquiries, concerns, and complaints effectively. As these are internal working documents, which are regularly reviewed and updated, these are not published on Sanctuary's website or routinely provided to residents.

AG01 - Complaints about staff

AG02 - Complaints from third parties, including anonymous complaints

AG03 - Reasonable adjustments

AG04 - Disputes about charges

AG05 - Compensation Guidance

AG06 - Complaint Escalation Form

AG07 - Learning From Complaints Form

General Information

1. Objective of this procedure

- 1.1 This procedure underpins the [Complaints - Sanctuary Housing and Support Policy](#) and explains to staff the actions that should be taken when implementing the policy.
- 1.2 This procedure covers all customers receiving services from Sanctuary Housing and Sanctuary Supported Living, including Property Services (collectively referenced in this procedure as Sanctuary).

2. Legislative/Regulatory context

- [Housing Ombudsman Service](#)
- [Local Government and Social Care Ombudsman](#)
- [Homes and Communities Agency](#)
- [Disability Discrimination Act 1995](#)
- [Data Protection Act 2019](#)
- [Human Rights Act 1998](#)
- [Equality Act 2010](#)

3. Responsibilities for implementation

- 3.1 The Group Director - Housing is responsible for ensuring adoption of, and adherence to, this policy across Sanctuary.
- 3.2 This is supported by the Head of Case Resolution who provides guidance and support to staff and maintains independent oversight of complaints raised and that lessons are learned.
- 3.3 Managers have day to day responsibility for the implementation of the policy and associated procedure in practice. They are responsible for ensuring:
 - communication to all staff;
 - suitable and sufficient training and instruction is provided;
 - adherence to the policy by all staff; and
 - the provision of the necessary equipment, resources, and records to make sure that compliance is achieved.
- 3.4 Communication with customers is centred around the concept that all enquiries are resolved at the first point of contact wherever possible. Therefore, all staff, particularly those delivering front line services must:
 - be aware of, understand and implement this policy and associated procedure;
 - participate in any training that Sanctuary Group makes available;
 - report any issues with implementing this policy to their line manager and identify any areas for continuous improvement promptly; and
 - support the resolution of complaints at the first point of contact.

4. What's new - What's different?

4.1 November 2020 - Formal review. This procedure has been reviewed to ensure that Sanctuary delivers a complaints service that is fully compliant with the Housing Ombudsman Code, as published in July 2020.

4.2 Key changes to the complaints process are summarised as:

- confirmation that complaints may be acknowledged up to five working days after receipt;
- that conversation with customers remains at the heart of the process. However, all customers will receive a written response to their complaint at each stage of the process;
- that all escalations requests must include a completed form to ensure Investigation stage complaints can be considered effectively; and
- completion of an evaluation form wherever a complaint is fully or partially upheld to ensure that lessons are learned from the complaint.

Detailed Procedures

1. Receiving a complaint

- 1.1 Customers may raise concerns about the services provided by Sanctuary through any communication method including letter, email, telephone, social media, and face to face.
- 1.2 In the majority of cases, where a customer is dissatisfied it will be appropriate for a complaint to be raised at the first stage of the process. The exceptions to this are detailed in the [Complaints - Housing and Support Policy](#).
- 1.3 If a complaint is declined, this must be discussed with the Case Resolution Manager or Head of Case Resolution who will give advice depending on the circumstances. Customers will be advised that no complaint has been raised, the reasons why and where appropriate, signposted to an alternative process.
- 1.4 Wherever possible, staff will look to resolve the customer's complaint at the first point of contact by confirming that a complaint has been raised, what action will be taken to resolve the issue and when this will be completed.
- 1.5 If the person who received the complaint is not best placed to resolve the issue, for example where a housing officer is informed about dissatisfaction with a repair then the details of the complaint should be referred to the Front Line Resolution (FLR) team for assessment and guidance. This must be completed within 24 hours of the concern being reported to staff members.
- 1.6 The FLR team is responsible for assessing cross departmental complaints and agreeing who will lead the resolution of the complaint and provide a response. Clear records of this decision will be held on the complaint record and the customer will be advised who will respond to them and when they can expect a response.
- 1.7 In most cases, customers will contact Sanctuary direct to raise concerns, however there are occasions when individuals may choose to take an alternative approach which may include:
 - reporting complaints anonymously;
 - raising concerns with other residents or a residents' association; and/or
 - requesting that an advocate or representative pursue their complaint;
- 1.8 In such circumstances, staff will follow the complaints process as closely as they are able and will refer to the relevant guidance appended to this procedure depending on the situation that has arisen.

2. Acknowledging a complaint

- 2.1 Where a complaint cannot be resolved at the first point of contact, or where concerns are reported in writing, these will be acknowledged within five working days. Acknowledgements will usually be through a telephone call or face to face discussion, however where necessary acknowledgements will be provided in writing, either by letter or email.
- 2.2 Acknowledgements, whether verbal or in writing will focus on:
- agreeing the scope of the complaint;
 - who will handle the complaint;
 - timescales for responses; and
 - actions that can be taken to resolve the complaint.
- 2.3 Where complainants are requesting compensation, staff will also ask for any evidence required for this to be considered. It should be noted that by asking for this information, it does not imply that an offer will be made.

3. Stage 1 - Front Line Resolution

- 3.1 The first stage of the complaints process focusses empowering staff to discuss concerns and agreeing appropriate action with customers to resolve problems fairly, reasonably, and swiftly.
- 3.2 Once a complaint has been reviewed and staff are able to propose a resolution to the customer, staff are encouraged to do this verbally wherever possible. By taking this approach, it ensures that complainants can ask any questions about the proposal and agree timescales that meet the customers' needs.
- 3.3 Sanctuary aims to propose resolution to the customer within 10 working days; however, there are occasions where this is not possible. Staff will inform the customer if this the case and confirm when a response will be provided.
- 3.4 Where there is evidence that Sanctuary has failed in service, staff will consider whether compensation is appropriate.
- 3.5 All offers will be made in line with **AG01 - Compensation Guidance** and must be approved in writing by the relevant manager if this is greater than the individuals own approval level before it is made to the complainant.
- 3.6 All complainants will receive a written response, either by email or letter, that will set out formally:
- what has been considered as part of the complaint;
 - the agreed/proposed action to be taken to resolve the problem;
 - timescales for resolution where actions are required;
 - whether the complaint is upheld, partially upheld or not upheld;
 - any offer of compensation or goodwill considered appropriate; and
 - how the customer can escalate their complaint if they are dissatisfied.

- 3.7 Once a complaint has been responded to, these will remain open for up to 10 working days to allow the customer to respond to accept the proposals or to request escalation to the next stage. Complaints will then be closed, and any financial offers will remain open for three months after which the offer will be rescinded.
- 3.8 If a customer responds after 10 working days to request escalation or for further points to be considered, the complaint will only be re-opened with the approval of the Case Resolution Manager or Head of Case Resolution who will consider the individual merits of the request made and the reason for any delays.

4. Stage 2 - Investigation

- 4.1 Where a complaint cannot be resolved at the first stage, customers have the right to escalate this to the second stage of the process; Investigation.
- 4.2 For escalation to be considered, staff handling the FLR must complete the form and submit this to the Case Resolution team or appropriate Operational Manager who aim to agree or decline the escalation within 48 hours of receipt.
- 4.3 Escalations will only be declined where it is clear that there is more that can be offered as part of the FLR stage response as new information has been provided and this will be explained to the customer. If the customer remains unhappy with the second offer or formally requests escalation, this will not be declined.
- 4.4 Complainants will receive an acknowledgement from the investigating officer explaining what will be considered as part of the Investigation and when a response will be provided. This will also invite complainants to set out any additional information they feel has not been considered and to explain what they are looking for to resolve the complaint.
- 4.5 The focus of the Investigation stage is to undertake a full review into what occurred leading up to the complaint to assess whether Sanctuary's policies, procedures and associated guidance has been followed, considering the individual circumstances of the complainant.
- 4.6 All complainants will receive a written response within 20 working days of the complaint being escalated, either by email or letter, that will normally explain:
- what has been considered as part of the complaint;
 - what records/evidence has been assessed as part of the investigation;
 - the agreed/proposed action to be taken to resolve the problem;
 - timescales where actions are required;
 - whether the complaint is upheld, partially upheld or not upheld;
 - any offer of compensation or goodwill considered appropriate; and
 - the relevant external body best placed to independently review the complaint should they remain dissatisfied.

- 4.7 Where it is not possible for a full response to be provided, the complaints handler will discuss this with the customer and agree an extension to the timescale for response. If appropriate, staff will provide an interim response to the customer explaining their findings so far, and when a full response will be provided.
- 4.8 In the exceptional circumstance that a customer does not agree to an extension to the response timescale, staff must request an extension from the Case Resolution Manager or Head of Case Resolution, and agreement must be provided in writing. The complainant will then be advised of the new response date.
- 4.9 Once a final response has been issued, complaints will remain open for 10 working days to allow the customer to respond to the findings and to raise any further comments about the complaint. After this time, the complainant will be advised that their complaint has been closed.
- 4.10 Where a customer has received a final response to their complaint and continues to raise further points that they wish to be responded to, the complaint may be closed at the discretion of the Case Resolution Manager or Head of Case Resolution. The customer will be advised if this decision has been taken and the reason why.

5. Closing complaints

- 5.1 Complaints will be closed under the following circumstances:
- with the agreement of the complainant at any point of the process;
 - where no response has been received from the customer after 10 working days of a response or request;
 - where another process is more appropriate or legal action has commenced; or
 - when a final response has been provided and no further comment is appropriate, this requires approval by the Case Resolution Manager or Head of Case Resolution.
- 5.2 Once the complaint has been closed, staff will ensure that the complaint case is updated on OneSanctuary to record the outcome of the complaint. Where a complaint is found to be fully or partially upheld, staff will record the details on the Learning Outcomes Database along with recommendations to minimise a repeat failure in service. Guidance about the Learning Outcomes Database is available on the internal intranet.
- 5.3 Operational teams are responsible for considering the recommendations made and providing comments to confirm that this has been reviewed and what action has been taken, if required.
- 5.4 The Head of Case Resolution is responsible for monitoring the completion of the Learning Outcome Database and reporting the lessons learned to Sanctuary's operational and corporate management teams as appropriate.

6. External referrals

- 6.1 Customers have the right to refer their complaint to the relevant external agencies for this to be independently assessed and if appropriate, a formal investigation will be completed.
- 6.2 All final responses given at the Investigation stage of the process will refer complainants to the relevant external agency depending on the nature of the complaint.
- 6.3 Complaints relating to housing services, including property services will be referred to the Housing Ombudsman Service either directly once eight weeks have elapsed from the closure of the complaint or via a 'Designated Person'.
- 6.4 A 'Designated Person' can be an MP, a local councillor, or a recognised tenant panel. The 'Designated Person' may help resolve the complaint directly, may refer the complaint to the Housing Ombudsman Service, or may decline doing either.
- 6.5 Complaints relating to support services will be referred to the Local Government and Social Care Ombudsman, which may accept the complaint for further investigation.

7. Record keeping

- 7.1 OneSanctuary's Customer Interaction Centre (CIC) is used to record all information relating to a complaint and therefore collects the information relevant for case management and performance reporting.
- 7.2 Staff are responsible for updating the system's checklist 'in real time' to ensure that the records accurately reflect the action that has been taken and when this has been completed. This will be monitored by the Group Customer Services Manager who will oversee data quality and completion.
- 7.3 Staff are responsible for updating the complaint record to ensure that all discussions, actions and pertinent correspondence is uploaded to OneSanctuary, so that a full record is held on the customer's account.
- 7.4 The exception to this is where a complaint relates to a potentially sensitive or personal issue that the complaints handler feels should not be recorded in full in order to protect the individuals involved. Under these circumstances staff will note that the details are confidential and who holds the full details which can be made available on request.
- 7.5 Where staff receive contact or correspondence about a complaint that they are not handling themselves, a record of this must be recorded as an interaction on the OneSanctuary system. This record must include the complaint reference number of the open complaint to ensure that this is also referred to the 'Employee Responsible' as assigned on the complaint record.

8. Reasonable adjustments

- 8.1 Under the Equality Act 2010, Sanctuary must not discriminate against or treat unfairly any customer due to a disability. This means they must not be treated in a way that puts them at a disadvantage in comparison with a tenant who does not have a disability.
- 8.2 Whilst Sanctuary has a responsibility to make reasonable adjustments to those that have a disability, there are other customers that require support or adjustment to ensure that they are able to access the complaints process.
- 8.3 For more information about reasonable adjustments which may be considered as part of the complaints process, staff should refer to the additional guidance of this procedure.

9. Managing challenging or unacceptable behaviour

- 9.1 Sanctuary recognises that where customers are dissatisfied, they may become anxious or frustrated when discussing their concerns with staff. Complaints handlers will remain professional and focussed on maintaining a positive relationship with customers.
- 9.2 Should customers behave in ways that are challenging or unacceptable when raising or discussing their complaint, staff will follow the [Managing Challenging or Unacceptable Behaviour - Housing Policy and Procedure](#) in that they will:
- inform the customer that their behaviour is challenging or unacceptable;
 - implement a contact arrangement if the behaviour continues; and
 - ensure that any appeals against the contact arrangement are progressed.
- 9.3 In line with the [Managing Challenging or Unacceptable Behaviour - Housing Policy and Procedure](#), should a complainant's behaviour escalate and put staff or customers at risk, the Head of Case Resolution may implement a contact arrangement relating to complaint correspondence only.
- 9.3.1 Complainants will be informed of this decision in writing, and how this may be appealed in line with the [Managing Challenging or Unacceptable Behaviour - Housing Policy and Procedure](#).