

Policy Name:	Customer Care and Complaints Policy
Lead Directorate:	Corporate Services
Author:	Naz Ahmed, Assistant Director, Business Support
Reason for change:	Review
Date:	September 2023

APPROVAL PROCESS FOR CURRENT VERSION

Presented to:	Services Committee
Date:	June 2024
Decision:	approved

1. Care Code

Poplar HARCA (PH) residents should expect

- to be treated with respect
- to have their voice heard
- to know how PH is performing
- to live in home and neighbourhood that is safe

PH staff will listen; explain what can and can't be done; and do what they say they will.

2. When you make a complaint

You will:

- be given a reference number
- be contacted personally by the investigating officer
- be kept informed of progress
- have findings and decision explained
- be informed of any follow-up actions

3. Data Protection

PH will comply with legal and regulatory obligations.

PH will ensure staff and volunteers are trained.

PH sets out how it processes personal information on its [website](#).

4. Inclusion

PH will comply with legal and regulatory equality obligations.

PH will consider if groups may be disadvantaged by its decisions, and what reasonable adjustments can be made.

PH's Board will receive monitoring data about staff and services.

5. Complaints

PH aims to resolve upheld complaints with a remedy which means the complainant has not been disadvantaged by what has been complained about.

A complaint is an expression of dissatisfaction affecting an individual or group. It may be about the standard of service, actions, or lack of action, by the organisation, its staff, or those acting on its behalf.

A service request is a request requiring action to be taken. Service requests are not complaints.

Complaints in relation to building safety risk (structural failure or spread of fire in the building) or performance of an accountable person specifically in relation to high rise buildings is covered separately under the Higher- Risk Building Complaints Policy.

A complaint may be made in person, in writing, on the phone, and via social media. With permission of the complainant, it may be made on their behalf by a representative or advocate.

Details of our complaints policy, including information about the Ombudsman Service and Complaints Handling Code can be found on our website www.poplarharca.co.uk/about-us/complaints/ and in our resident newsletter [HARCA Life](#)

Stage 1: Resolve

Complaints will be acknowledged within two working days.

Complaints will be investigated by the manager of the service area complained about.

A decision will be notified to the complainant within 10 working days. If due to the complexity of the complaint it will take longer, an extension of no more than 10 additional working days will be notified to the complainant. A longer extension can be approved only by a Director, and only in exceptional circumstances.

The complaint will be closed if asked-for information is not received within four weeks.

Stage 2: Review

If the complainant does not agree with the finding or remedy, a review can be requested within four weeks of the resolve response being sent to them.

A review request will be acknowledged within two working days.

The Panel will include Director or Assistant Director responsible for the service; and a senior member of staff from a different directorate and/or a resident

A decision will normally be notified to the complainant within 20 working days. If due to the complexity of the complaint it will take longer, an extension of no more than 20 additional working days will be notified to the complainant. A longer extension can be approved only by a Director, and only in exceptional circumstances.

The Panel's decision will be PH's final decision and no further representations on the same matter will be considered.

The complaint review will be closed if asked-for information is not received within four weeks.

6. Petitions

PH aims to resolve upheld petitions with a remedy which means the complainants have not been disadvantaged by what has been complained about.

A petition is an expression of dissatisfaction by two or more individuals not in the same household.

It may be about the standard of service, actions, or lack of action, by the organisation, its staff, or those acting on its behalf.

The lead petitioner will receive an acknowledgement within two working days.

A decision will be notified to the lead petitioner within 10 working days. If due to the complexity of the issue it will take longer, the timescale will be agreed with the lead petitioner.

If a petition is about something PH has no control or influence over, it will consider making representations on behalf of the petitioners.

If the lead petitioner does not agree with the finding or remedy; they can request a review within one calendar month of the response being sent to them. This will follow the same policy as set out for stage 2 above.

The petition will be closed if asked-for information is not received within two weeks.

7. Exclusions not considered under this policy

- a. A service request which PH has not previously had an opportunity to respond to
- b. Can reasonably be decided by an alternative process
- c. Happened more than twelve months ago
- d. Where legal proceedings have started
- e. Is about a third party over which PH has no control
- f. Is about compliance with a law or regulation
- g. Is about PH as an employer
- h. Is about a complaint which has previously been considered (unless new evidence is presented) or which has previously been determined by a court, tribunal, or Ombudsman
- i. Is about building safety risk or performance of an accountable person set out in the Higher-Risk Building Complaints Policy.

The substance and circumstance of each complaint will be considered against the policy.

PH will explain a decision to exclude a complaint from its formal process, and provide information about alternative dispute resolution, including the Housing Ombudsman Service.

8. Financial Compensation

PH aims to resolve upheld complaints with a remedy which means the complainant has not been disadvantaged by what has been complained about. This may include financial compensation.

There are two categories of financial compensation, and money awarded will be paid within one calendar month of the decision.

Quantifiable Loss	<p>Payable when the complainant is 'out of pocket' e.g., increased electricity costs, bank charges, time off work, etc.</p> <p>The cost must be reasonable, evidence must be provided, and payment will be made direct to the complainant.</p>
Discretionary	<p>Payable to acknowledge that PH has not done what it should and so caused frustration and/or upset and/or wasted the complainant's time having to complain.</p> <p>PH will consider payment on the circumstances of the individual and the complaint: e.g., missed appointment, poor communication, delays etc.</p> <p>Payment may be used to offset money owed to PH.</p>

		PH's responsibility		
		None	Some	Full
Impact on complainant	Minimal inconvenience and/or annoyance	zero	zero	zero
	Moderate inconvenience and/or annoyance	zero	up to £100	up to £250
	Serious disturbance and/or distress	zero	up to £500	up to £1,000

A greater amount may be awarded by a member of the Corporate Management Team where it is judged that there are exceptional circumstances.

9. Councillor and MP enquiries

Only enquiries submitted using the recognised process will be responded to.

Enquiries will be treated as correspondence and responded to within 10 working days.

Enquiries not related directly to an individual PH tenant or leaseholder will not be responded to.

Where a service failure is reported, enquiries will be dealt with as a complaint.

10. Unreasonable Behaviour and Person Warnings

When someone's behaviour presents a real or imminent risk to others, PH may restrict access to staff and services, and log a warning on its databases.

Examples of this behaviour include (but are not limited to) aggression or abuse; unreasonable demands; or unreasonable persistence.

Appeals regarding a warning will be reviewed following the same policy as set out for stage 2 above.

Restrictions and warnings must be approved by an Assistant Director, or Member of the corporate Management Team.

Warnings and restrictions will be reviewed after 6 months and removed if there is no on-going risk.

Except when doing so would pose a greater risk, those about whom a warning is recorded will be told about it.

11. Policy review

Policies are reviewed every 5 years or sooner if they no longer reflect best practice.

12. Impact assessment

<p>How does the policy contribute to Poplar HARCA's aims?</p>	<p>Providing quality services is a mainstay to PH's offer to its residents and community.</p> <p>This policy sets out how PH will respond when things go wrong, and review those decisions.</p>
<p>Which group(s) of people will benefit from the policy?</p> <p>If any group could be disadvantaged, what is the mitigation or justification?</p>	<p>No group has been identified as potentially disadvantaged.</p> <p>The section on inclusion sets out that PH will consider reasonable adjustments if any are found to be disadvantaged.</p>
<p>How have residents been involved in developing the policy?</p> <p>If they have not been involved, why not?</p>	<p>The policy was informed by:</p> <ul style="list-style-type: none"> • Complaints to PH and Housing Ombudsman • Feedback from Estate Boards and Gatherings • Resident survey and focus group feedback • JEP workshop
<p>How will the policy be monitored and measured? (e.g. performance indicators?)</p>	<p>Performance is presented quarterly to Services Committee and Poplar Board, and annual report is presented to residents, Services Committee and Poplar Board.</p>
<p>If any, what are the Value for Money implications?</p>	<p>To ensure consistency, the policy sets out a framework for financial compensation.</p>
<p>Data Protection implications.</p>	<p>Personal information is collected, processed, and stored for the purposes of dealing with contacts, enquiries, and complaints.</p>