

Storm Housing Group Limited (Storm) – Complaints Policy

Policy Control Sheet:

Policy Name	Complaints Policy
Policy Number	7.2d
Related Procedures	Complaints Procedure
Author	Josh Roden
Executive Summary	<p>This policy sets out Storm’s approach to managing complaints and applies to all Storm residents and any individual or group affected by the services Storm provide.</p> <p>Storm has a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments. Storm will take collective responsibility for any shortfalls identified through complaints rather than blaming others and act within the Professional Standards for engaging with complaints as set by any relevant professional body.</p>
Legal, regulatory & compliance matters	<p>Tenant involvement and Empowerment Standard</p> <p>NHF Code of Governance – Focus on resident feedback to inform decisions where appropriate.</p> <p>Localism Act 2011 - Residents of housing associations can ask for the complaint to be considered by a ‘Designated Person’ once the resident has exhausted the internal complaints procedure.</p> <p>Housing Ombudsman Service - Storm subscribes to the Housing Ombudsman Service (HOS). Complaints to the HOS can be referred by a ‘Designated Person’. The HOS will not consider a case until 8 weeks has elapsed from exhausting the complaints procedure unless it has been referred by a ‘Designated Person’.</p> <p>Equality Act 2010</p> <p>Complaint Handling Code 2024</p>
Definitions	<p>We define a complaint as 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. For example:</p> <ul style="list-style-type: none"> • Action or lack of action in response to a request for service • Behaviour of Storm staff or contractors working on behalf of Storm • Failure to follow an approved policy or procedure <p>‘Designated Persons’ are defined in the Localism Act 2011 as an MP, a local councillor or a designated tenant panel. A ‘Designated Person’ does not have formal authority but can refer complaints to the Housing Ombudsman Service.</p> <p>A service request is a request from a resident to Storm requiring action to be taken to put something right. Service requests are not complaints, but must be recorded, monitored and reviewed regularly.</p>
Risk summary	<p>Reputational risk</p> <p>Regulatory Intervention</p> <p>Financial risk regarding any compensation / remedies to complaints</p>
Approving body	Storm Housing Group Board
Approval date	March 2024
Review cycle	Annually
Review date	March 2025

Policy clauses

1. Definitions

- 1.1 Storm define a complaint as ‘an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents.’
- 1.2 The resident does not have to use the word ‘complaint’ for it to be treated as such. Whenever a resident expresses dissatisfaction we must give them the choice to make a complaint.
- 1.3 Storm positively seeks and welcomes feedback in the form of complaints from anyone who is affected by a service we provide or decision taken by us including:
- Residents named on a Storm tenancy for any of our properties
 - Any third party adversely affected by our actions or decisions
 - Any person acting on behalf of a resident with their consent for example a family member, neighbour, advice agency, member of parliament, councillor or the Housing Ombudsman.
- 1.4 A service request is a request from a resident to Storm requiring action to be taken to put something right. Service requests are not complaints, but must be recorded, monitored and reviewed regularly.
- 1.5 A complaint must be raised when a resident expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing. We will not stop our efforts to address the service request if the resident complains.

2. Exclusions

- 2.1 In order that complaints can be investigated effectively, all complaints should be submitted to Storm within twelve months of when the event occurred or it became known to the complainant. Storm may exercise discretion in exceptional circumstances when considering whether to accept a complaint submitted outside of this timescale.
- 2.2 If we decide not to accept a complaint we must keep a record of evidence for reasoning.
- 2.3 We may not accept a complaint if legal proceedings have started. This is defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court.
- 2.4 There are some things that we will not deal with through our complaint’s procedure. These include:
- A request for a service, such as the first report of a repair
 - Reports of anti-social behaviour or nuisance (not the handling of an existing ASB case)
 - Where legal or regulatory action has already been taken and a determination made
 - Insurance claims and appeals including damage to personal possessions and personal injury accidents which should be referred to the relevant insurers
 - Matters that have been determined under another Storm policy appeal process (e.g. internal transfer applications or a Housing Ombudsman determination)
 - The amount of service charge or rent increase set in line with Storm policy

If Storm do not accept a complaint, a detailed explanation will be provided to the resident setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman.

- 2.5 A complaint investigation will be conducted in an impartial manner. The complaint handler will:
- Deal with complaints on their merits
 - Act independently and have an open mind
 - Take measures to address any actual or perceived conflict of interest

- Consider all information and evidence carefully
- Keep the complain as confidential as far as possible, with information only disclosed if necessary to investigate the matter further.

3. Accessibility and Awareness

- 3.1 Complaints can be reported in different ways. These are by telephone, in person, on social media, in writing by letter or by completing the online complaints form. Full details of the complaints process and ways to contact us are detailed on our website.
- 3.2 Storm are committed to making our service easy to use for all members of the community. In line with our statutory equalities duties, we will always ensure that reasonable adjustments are made to help residents access and use our services.
- 3.3 Residents are able to raise their complaints in any way and with any member of staff. All staff must be aware of the complaints process and be able to pass details of the complaint to the appropriate person within Storm.
- 3.4 High volumes of complaints must not be seen as a negative, as they can be indicative of a well-publicised and accessible complaints process. Low complaint volumes are potentially a sign that residents are unable to complain.
- 3.5 We have fully adopted the Housing Ombudsman Complaint Handling Code and we have worked with our customers to look at our complaints procedure to ensure the good practice recommendations from the Housing Ombudsman are embedded in the way we manage your complaint. If we are unable to comply with the Code due to exceptional circumstances, such as a cyber incident, we must inform the Ombudsman, provide information to residents who may be affected, and publish this on our website. We will also provide a timescale for returning to compliance with the Code.
- 3.6 Storm will accept complaints made by advocates authorised to act on a tenant's/tenants' behalf. Where reasonable, the advocate will be permitted to attend any meetings with Storm.

4. Complaint Handling Staff

- 4.1 The Operations Director (Josh Roden) is currently the 'Complaints Officer' for Storm. As such, he is assigned to take responsibility for complaint handling, including liaison with the Ombudsman and ensuring complaints are reported to the governing body (or equivalent). The complaints officer has the authority and autonomy to act to resolve disputes promptly and fairly.
- 4.2 The CEO (Sam Roden) is Storm's Member (of governing body) Responsible for complaints (MRC). The MRC takes lead responsibility for complaints to support a positive complaint handling culture.

5. Complaints Handling Process

- 5.1 Our complaints process is comprised of two stages. Stage one will be an investigation carried out by a case manager. If the complaint is escalated to stage two, an independent review will be carried out by a senior manager. When a complaint is made, it will be acknowledged and logged at stage one of the complaints procedure within 5 working days. Please refer to the Complaints Procedure for further details on how this process works.
- 5.2 A complaint may be also made in the form of a petition. The complaint will be dealt with following the normal complaints procedure, on the address of the first signatory only. The petition will be treated as one complaint and all correspondence will be addressed to the first signatory. If the complaint reaches stage two of our complaints process and a panel meeting is convened, the first signatory may attend the complaints panel with one other signatory. Details of the outcome of the complaint will be copied to each signatory on the petition once it has been resolved.
- 5.3 When an expression of dissatisfaction is received, we would first look to resolve the matter locally via our contact centre or by the relevant housing manager or contractor. If this approach has not reached the desired resolution, or it is deemed inappropriate, it can be registered and dealt with as a formal complaint by contacting the local team or registering a formal complaint.

- 5.4 Storm is committed to responding promptly and courteously to all expressions of dissatisfaction and delivering a high standard of service to ensure that actions are carried out as quickly as possible and that communication is timely and accurate.
- 5.5 In the event a complaint response is handled by a third party (e.g. a contractor or independent adjudicator) at any stage, it must form part of the two stage complaints process set out in this Code. Residents must not be expected to go through two complaints processes.
- 5.6 Where we are using a third party managing agent, we will work with the agent to ascertain where their existing processes do not align to Storm policies. We can decide in these instances to follow the managing agent's policies where appropriate, as long as they are still aligned with the Complaints Code.
- 5.7 Within the complaint acknowledgement or escalation request, Storm will set out their understanding of the complaint, responsibilities of both parties and the outcomes the resident is seeking. If any aspect of the complaint is unclear, the resident must be asked for clarification and the full definition agreed between both parties.
- 5.8 Storm will respond to the complaint within 10 working days of the complaint being logged. Where this is not feasible for whatever reason, Storm will provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason and must be agreed by both parties.
- 5.9 Storm must respond to the stage two complaint within 20 working days of the complaint being escalated. Exceptionally, we may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason and must be agreed by both parties.
- 5.10 Storm will keep a full record of the complaint, any review and the outcomes at each stage. This includes the original complaint and the date received, all correspondence with the resident, correspondence with other parties and any reports or surveys prepared.
- 5.11 Any restrictions placed on a resident's contact due to unacceptable behaviour should be appropriate to their needs and should demonstrate regard for the provisions of the Equality Act 2010.

6. Complaint Stages

- 6.1 Storm will consider factors such as the complexity of the complaint and whether the resident is vulnerable or at risk. Most stage 1 complaints can be resolved promptly, and an explanation, apology or resolution provided to the resident. We will only escalate a complaint to stage two once it has completed stage one and at the request of the resident.
- 6.2 If all or part of the complaint is not resolved to the resident's satisfaction at stage one it must be progressed to stage two (unless an exclusion ground applies). In instances where Storm decline to escalate a complaint or if we are informing a complainant about extensions to timescales, we must clearly communicate in writing our reasons for not escalating as well as the resident's right to approach the Ombudsman about its decision.
- 6.3 The staff member assessing the complaint at stage two, must not be the same staff member that assessed the complaint at stage one.
- 6.4 Requests for stage 2 must be acknowledged, defined and logged at stage 2 of the complaints procedure within five working days of the escalation request being received.
- 6.5 Residents are not to be required to explain their reasons for requesting a stage 2 consideration. Storm must make reasonable efforts to understand why a resident remains unhappy as part of its stage 2 response.
- 6.6 Complaints should only go to a third stage if the resident has actively requested a third stage review of their complaint. Where a third stage is in place and has been requested, Storm must respond to the stage three complaint within 20 working days of the complaint being escalated. Additional time will only be justified if related to convening a panel. An explanation and a date for when the stage three response will be received will be provided to the resident.
- 6.7 Where agreement over an extension period cannot be reached, we will provide the Housing Ombudsman's contact details so the resident can challenge our plan for responding and/or the proposed timeliness of a response.

- 6.8 Storm will confirm the following in writing to the complainant at the completion of stages or where relevant:
- the complaint stage and definition
 - the decision on the complaint
 - the reasons for any decisions made
 - the details of any remedy offered to put things right
 - details of any outstanding actions and timescales
 - at stage one, details of how to escalate the matter to stage two if the resident is not satisfied with the answer
 - if it is the final stage, details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied.
- 6.9 We aim to manage complainants expectations from the outset, being clear where a desired outcome is unreasonable or unrealistic.
- 6.10 We will endeavour to resolve the complaint at the earliest opportunity, having assessed what evidence is needed to fully consider the issues, what outcome would resolve the matter for the complainant and whether there are any urgent actions required.
- 6.11 Where the problem is a recurring issue, we will consider any older reports as part of the background to the complaint if this will help to resolve the issue for the resident.
- 6.12 Where residents raise additional complaints during the investigation, these should be incorporated into the stage one response if they are relevant and the stage one response has not been issued. Where the stage one response has been issued, or it would unreasonably delay the response, the complaint should be logged as a new complaint.
- 6.13 Confidentiality and data protection apply to the complaints process; Storm will not share personal or property information gathered as part of the complaint investigation with any third party who is not entitled to receive it, in line with data protection legislation.
- 6.14 In cases where legal action is in progress, instigated either by the complainant or the landlord, separate consideration will be given as to whether a formal complaint will be recognised.
- 6.15 Complaints about a service provided by External Managing Agents (EMA) will be considered dependent upon the contractual relationship of the EMA with Storm.
- 6.16 Any dissatisfaction raised concerning Storm policies, procedures or responsibilities will not be recognised as a complaint, but will be used as feedback to consider when the relevant policy, procedure or responsibility are due for review.
- In a small minority of cases a complainant may remain dissatisfied having exhausted our internal complaints procedure. In such cases Storm, will advise complainants of any external options available to them to pursue.
- 6.17 Storm will carry out a self-assessment following a significant restructure, merger and/or change in procedures.
- 6.18 We may be asked to review and update the self-assessment following an Ombudsman investigation.
- 6.19 The complaint response will be sent to the complainant once the answer is known, regardless of outstanding actions. Outstanding actions must be tracked and actioned expeditiously with regular updates provided to the complainant.
- 6.20 Where a key issue of a complaint relates to the parties' legal obligations Storm will clearly set out our understanding of the obligations of both parties.
- 6.21 Storm will address all points raised in the complaint and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.
- 6.22 Storm will adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication.

6.23 Chasers on a service request, such as a missed appointment, can often be resolved 'there and then' with an apology and the provision of another appointment and may not need to enter the complaints system. However, if further enquiries are needed to resolve the matter, or if the resident requests it, the issue must be logged as a complaint.

6.24 Communication with the resident should not generally identify individual members of staff or contractors.

6.25 The resident, and if applicable any staff member who is the subject of the complaint, must also be given a fair chance to set out their position and comment on any adverse findings before a final decision is made.

7. Putting things right

7.1 Storm will look beyond the circumstances of the individual complaint and consider whether anything needs to be 'put right' in terms of process or systems to the benefit of all residents.

7.2 In some cases, a resident may have a legal entitlement to redress. Storm will still offer a resolution where possible, obtaining legal advice as to how any offer of resolution should be worded.

7.3 In awarding compensation, Storm will consider whether any statutory payments are due, if any quantifiable losses have been incurred, the time and trouble a resident has been put to as well as any distress and inconvenience caused. Any remedy offered must reflect the impact on the resident as a result of the fault identified.

7.4 The remedy offer must clearly set out what will happen and by when, in agreement with the resident where appropriate. Any remedy proposed must take account of Ombudsman guidance and be followed through to completion.

8. Learning and Improvement

8.1 We recognise that complaints can impact future service delivery. We will ensure that staff are supported and engaged in the complaints process, including learning that can be gained.

8.2 Storm will publish information about complaints each year, including their number and nature, the outcome of the complaints and wider learning and improvements noted. The report will be reviewed by the board of directors and include:

- a. the annual self-assessment against this Code to ensure their complaint handling policy remains in line with its requirements.
- b. a qualitative and quantitative analysis of the landlord's complaint handling performance. This must also include a summary of the types of complaints the landlord has refused to accept;
- c. any findings of non-compliance with this Code by the Ombudsman;
- d. the service improvements made as a result of the learning from complaints;
- e. any annual report about the landlord's performance from the Ombudsman; and
- f. any other relevant reports or publications produced by the Ombudsman in relation to the work of the landlord.

8.3 Themes and trends of complaints and complaint handling will be assessed by senior management to identify serious issues, serious risks or policies or procedures amendments required and to inform staff and contractor training.