

## Accommodation Complaints Policy

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Related Documents	Inform Accommodation Complaints log YMCA Trinity Complaints form Standard Accommodation acknowledgement letter Accommodation Guide for How to Complain (+ translated versions) Equality, Diversity & Inclusion Policy Data Protection Policy Service Delivery Specifications/Delivery Contracts <a href="https://www.housing-ombudsman.org.uk/landlords-info/complaint-handling-code/the-code-2024/">https://www.housing-ombudsman.org.uk/landlords-info/complaint-handling-code/the-code-2024/</a> Complaints Handling Code Self-Assessment Accommodation Reasonable Adjustments policy Code of Professional Conduct		
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## Introduction

YMCA Trinity Group aims to exceed the expectations of its service users and stakeholders and provide a quality service. When complaints occur we hope to use them constructively in order to develop and improve our organisation.

YMCA Trinity Group works in an open and accountable way that maintains and develops the trust and respect of all our stakeholders. We take all complaints seriously and seek to respond positively to resolve the issue satisfactorily, professionally and in a collaborative and co-operative approach for all those involved.

A complaint is defined 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.'* (Housing Ombudsman Complaint Handling Code, 2020).

The Board of Trustees and Chief Executive Officer are accountable for the implementation of this policy and relating procedure. All staff members have a responsibility for delivering a quality service and responding positively if a complaint arises.

The Policy is intended to:

- Allow YMCA Trinity Group users, and service purchasers to express their concern, or to make a complaint about the services provided by YMCA Trinity Group
- Ensure that a concern or complaint is dealt with fairly
- Maintain the dignity of all parties concerned
- Resolve the matter as far as is practicable given the resources available

Complaints will be dealt with in accordance with YMCA Trinity Group's Equality, Diversity & Inclusion and Data Protection policies; and with the YMCA Trinity Group's Accommodation complaints procedure as outlined below.

This procedure applies to all Residents of YMCA Trinity Group and of people affected by the activities of YMCA Trinity Group's Accommodation services either directly or indirectly.

There are limited exclusions for YMCA Trinity Group to not follow this procedure. These are detailed in 'Exclusions'.

This policy is not for use on staffing issues, which are dealt with through the Staff Grievance Procedure in the Staff Handbook. This policy is for residents and service purchasers.

## Our Approach

This procedure applies to **the Accommodation Department**. This procedure must be carried out in conjunction with the [Housing Ombudsman Complaint Handling Code](#). Investigation and assessment of the issue must be fair. Details of what to consider are contained within the Code at points 4.6 and 4.7.

A complaint submitted via third party or other representative will be addressed using this procedure.

YMCA Trinity Group is a mutually respectful environment. Should any party involved in the complaint's behaviour be viewed as unacceptable this will be addressed, including behaviour by any representative supporting or working on behalf of a resident. The Accommodation Behaviour Policy and Code of Professional Conduct should be adhered to throughout this procedure.

There may be cases where a resident makes a service level request or wants to raise a complaint which YMCA Trinity Group is not able to fulfil. For example, this may not be within the contract requirement, the remit of the service specification, within the logistics of the building or is a safeguarding concern.

Where we decide not to accept a complaint we will provide an explanation to the resident and provide information on referral to the Housing Ombudsman.

### Stage One: Complaints Officer

A Resident raises a complaint. The resident does not have to use the word 'complaint' for it to be treated as such.

All front facing workers are able to act as the Complaints Officer and will have attended internal Quality Assurance training annually. If there is a possibility of a conflict of interest when handling the complaint another, impartial member of the team not related to the issue would be approached to carry out the stage one actions.

YMCA Trinity Group will recognise the difference between a service request, survey feedback and a formal complaint and always take appropriate steps to resolve the issue as early as possible. Complaints received via Social Media will be escalated by the member of staff with access to the related social media account and passed on to the Accommodation Team. The date that the message or comment is seen will count as day 1 of the complaints process, not the date it was posted.

Areas listed in **Additional Information** which may help categorise the complaint area. The front facing worker should listen carefully and sympathetically. All complaints are taken seriously.

The Complaint Officer must log the complaint on In-Form and write a letter acknowledging the complaint as soon as possible. The complaint will be investigated and an outcome letter will be written and sent to the complainant within 5 working days.

Any related documentation should be scanned and saved to In-Form, including any communication with the resident and/or their representative, actions and outcomes.

In exceptional circumstances and with a logged explanation to the resident (and their representative) YMCA Trinity may require a maximum of a further 10 days to respond to the complaint. When this extension is needed YMCA Trinity will give a timeframe for when the response will be received by the resident.

All points in a complaint will be addressed. Decisions taken by YMCA Trinity Group in addressing the complaint will be detailed and communicated to the resident, with reference to policies, legislation, guidance and good practice as appropriate.

In conjunction with the resident, the Complaints Officer will carry out resolution activities within their role to find a reasonable resolution. This includes communication with relevant colleagues to assist in addressing the complaint. Involvement and communication with other team members should be restricted to those who 'need to know'. The Complaints Officer can consult with their line manager or another relevant manager as needed. They should keep the resident informed and have discussions about what a reasonable resolution could be – being clear on what is unreasonable or unrealistic.

Any related documentation should be scanned and saved to In-Form.

When a resolution to the complaint is found, a response detailing this must be sent to the resident. Any actions and their planned timescales will be detailed within the response. Timescales must be as prompt as possible. Progress of the actions will be tracked and regular, logged updates to the resident will be provided.

If relevant new complaints are raised during stage one they should be incorporated into this stage one process if the below response has not been issued. If they are not relevant to the existing investigation, they will begin a new complaints process and those timescales will apply.

The following must be confirmed in writing to the resident, in plain language and explained to the resident as needed:

- the complaint stage
- 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
- details of how to escalate the matter to stage two if the resident is not satisfied with the response

If all or part of the complaint is not resolved to the resident's satisfaction, the complainant can be escalated to the next stage. If YMCA Trinity Group feels there is grounds for exclusion for all or part of the requested escalation, they will confirm their reasoning in writing to the resident and include details for contacting the Housing Ombudsman.

## **Stage Two: Manager**

Only when stage one has been completed in full and it has not been possible to resolve the matter the complaint can progress to stage two. Dependent on the subject of the complaint, it will be escalated to the most appropriate manager.

*Ensure the Resident is aware that:*

- *the procedure can be made available in other formats.*
- *an impartial member of staff or other Representative can assist them, offering support*
- *if they have individual needs which require support during this process these can be considered in line with the Accommodation Reasonable Adjustment Policy*
- *they can contact the Housing Ombudsman for assistance*

Acting sensitively and fairly the Manager must contact the Resident on the next working day to acknowledge receipt of the complaint only.

The Manager will discuss with the Resident (who may be accompanied by an advocate) to discuss why they are unsatisfied with the solution/s carried so far. They will discuss and agree if any other action can be taken to resolve the matter, being clear where a desired outcome is unreasonable or unrealistic. If any aspect of the complaint is unclear, clarification will be sought and the full definition agreed between both parties.

The Manager will meet with staff and any other relevant parties to learn what action has been taken thus far and why. They should consider other related complaints or reports in their investigation in case this helps to find a resolution

If additional complaints are raised at this stage, they will be addressed as new complaints and dealt with at stage one.

Within 20 working days the Manager will respond formally to the Resident. If this timescale is not possible, an explanation and a date by when the stage one response will be agreed with the resident. This will not exceed a further 10 working days. If the resident does not agree to this timescale they will be given the Housing Ombudsman contact details with the specific reasoning to challenge the plan for responding and proposed timescales.

All points in the escalated complaint will be addressed. Decisions taken by YMCA Trinity Group in addressing the complaint will be detailed and communicated to the resident, with reference to policies, legislation, guidance and good practice as appropriate. The Senior Project Worker will record any discussions they have with the Resident. When a resolution to the complaint is found, a response detailing this must be sent to the resident. Any actions and their planned timescales will be detailed within the response. Timescales must be as prompt as possible. Progress of the actions will be tracked and regular, logged updates to the resident will be provided. It is important to keep the resident regularly updated and informed, even where there is no new information to provide.

Any related documentation should be scanned and saved to In-Form.

The Manager will over-see that the agreed actions are carried out and check whether the Resident is now satisfied or wishes to comment on any adverse findings before a final decision is made.

When stage two is complete the following must be confirmed in writing to the resident, in plain language and explained to the resident as needed:

- the complaint stage
- the complaint definition
- the decision on the complaint
- the reasons for any decisions made
- details of any outstanding actions

If the Resident is satisfied the Manager will update In-Form and include on the statistics for the relevant Managers team meeting & quarterly QAC report.

The residents will be written to, to advise them of the following:

- a. the complaint stage
- b. the outcome of the complaint
- c. the reasons for any decisions made
- d. the details of any remedy offered to put things right
- e. details of any outstanding actions
- f. details of how to escalate the matter if dissatisfied.

If the Resident is not satisfied, the Senior Project Worker must update In-Form with actions taken and refer the Resident on to the next stage of this procedure.

## **Resolving Complaints**

When resolving complaints, the Accommodation team will take into consideration the Housing Ombudsman's Code and apply its principles. Staff will act within the Professional Standards as set by the Chartered Institute of Housing.

YMCA Trinity Group is committed to providing the highest standard of service and views all complaints as a potential aid to the improvement of its services. We will consider and apply the principles in the Housing Ombudsman's Code when reviewing and improving services, as well as when reporting complaint data.

YMCA Trinity Group will acknowledge where policies, procedures, guidance and standards have not been met and explain actions taken or intended to address this. Where complaints are received YMCA Trinity Group will take a collective responsibility for addressing these and improving service delivery. Focus on finding the root cause of the issue is a priority, rather than apportioning blame.

We will carefully manage resident's expectations when addressing their complaint, being careful not to appear to 'promise' unrealistic outcomes, including those which would result in unfair treatment of other clients.

Any remedial action will reflect the extent of any service improvement and the impact on the resident. Any remedy or resolution will detail actions and timescales as agreed with the resident.

Where monetary compensation is agreed amounts will consider statutory payments due, quantifiable losses, time and trouble the resident has been put to as well as any distress and inconvenience caused.

## **Exclusions**

We shall accept a complaint unless there is a valid reason not to. If we decide not to accept a complaint a detailed explanation will be provided setting out the reasons why the matter is not suitable for the complaints process. Example reasons include:

- The issue giving rise to the complaint occurred over three months ago. 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. This will not be the case where complaints concern safeguarding or health and safety issues.)
- Legal proceedings have been started. We will take steps to ensure that residents are not left without a response for lengthy periods of time, for example, where a letter before action has been received or issued but no court proceedings are started or settlement agreement reached.
- Matters that have already been considered under the complaints policy.

A resident has the right to challenge this decision by bringing their complaint to the Ombudsman. Where appropriate the Ombudsman will instruct YMCA Trinity Group to take on the complaint.

Where a resident raises an issue which would be regarded as a friendship dispute the issue will be addressed by staff and a mutually respectful resolution between both

parties sought. These types of disputes will not be addressed via the complaints procedure.

Where the actions of a resident impact on the safety or safeguarding of a fellow resident, these will be recorded and dealt with using the complaints process.

## Housing Ombudsman

The Housing Ombudsman Service is a free, impartial service set up by law to look at complaints about registered providers of social housing. They can advise both the Resident and YMCA Trinity Group as landlord during our internal complaints procedure as well as deal with a complaint once our internal procedure has been exhausted.

Residents have the right to access to the Housing Ombudsman at any stage of their complaint. If the complaint has not been resolved within 8 weeks of the final decision the resident or the Head of Accommodation has the right to refer the complaint to the Housing Ombudsman Service.

Details on how to complain to the Housing Ombudsman are available from:

- Queen Anne House, Gonville Place, Cambridge, CB1 1ND.
- 2 Wellington Street, Ipswich, IP1 2NU.
- The Cresset, Bretton Peterborough, PE3 8DX.
- 101 Wellington Street, Peterborough, PE1 5DU.
- On our website
- On display in all our housing sites.

## Health and Safety Executive

A non-departmental public body responsible for the encouragement, regulation and enforcement of workplace health, safety and welfare in England and Wales and Scotland.

If a serious complaint regarding a health and safety issue is made, and, having exhausted all the procedures outlined above, a satisfactory outcome has not been achieved within the timescales outlined above, Residents may approach either the local Health & Safety Executive Inspector's Office or the Regional Office of the Health & Safety Executive.

The contact details of these organisations can be obtained from YMCA Trinity Group's Registered Offices at:

- Queen Anne House, Gonville Place, Cambridge, CB1 1ND.
- 2 Wellington Street, Ipswich, IP1 2NU.
- The Cresset, Bretton Peterborough, PE3 8DX.
- 101 Wellington Street, Peterborough, PE1 5DU.

## Reporting

Reports can be obtained via In-Form and are reviewed at Accommodation manager's meetings. Collated reports are also reported to the Quality and Client Services Committee.

## Additional Information

It is anticipated and hoped that all complaints will be dealt with at stage 1.

If a Manager is absent in the specified timescale an appropriate alternative manager from another department may become involved to ensure timescales are adhered to.

In all of its activities and services, YMCA Trinity Group aims to give client's needs, safety and well-being the highest priority. YMCA Trinity Group aims to ensure all Residents are welcomed into a safe and caring environment with a happy and friendly atmosphere. The Accommodation Reasonable Adjustment Policy details how individual needs can be considered and met.

YMCA Trinity Group recognises the need for a fair, accessible, open and accountable process that allows people to make complaints, to have their complaints taken seriously and for a process that facilitates a speedy response and wherever possible, a satisfactory resolution of any complaint.

As a minimum, accommodation staff review annually that residents are aware of the complaints procedure and work to remove barriers to complaints.

Incidents must have occurred within 3 months of complaint being raised.

Copies of the full accommodation complaints procedure are available on request.



# Appendices

## Categories of complaints

For the purposes of this procedure and in particular for the monitoring, reporting and evaluation of complaints received, complaints are divided into six main categories. These are particularly applicable to Accommodation Services:

- Housing Management
- Support Services
- Maintenance Issues
- Health & Safety Issues
- Lettings & Allocations
- Personal Issues and Well-being

If it is felt that a complaint relates to a legal obligation for any party concerned, YMCA Trinity Group will clarify this position before proceeding.

### 1.1 Housing Management

Complaints under this heading might include complaints to do with:

- The way the accommodation is managed
- Resident consultation (Accommodation issues only)
- Rent collection, rent arrears and welfare benefits
- Residents disputes
- Budgeting issues
- YMCA Trinity Group staff
- Supply of utilities (water, light, heat, etc.)
- Cleaning
- Furniture & equipment
- Communal areas

### 1.2 Support Services

Complaints under this heading might include complaints to do with:

- Support plans, assessments and reviews
- YMCA Trinity Group Support staff
- Social skills & behaviour management
- Setting up a new home
- Advice, advocacy and liaison
- Managing finances and benefit claims
- Counselling & advice
- Access to other services
- Finding other accommodation

### 1.3 Maintenance Issues

Complaints under this heading might include complaints to do with:

- Condition of Resident's accommodation (decoration, furniture and fittings)

- Condition of communal or public areas (decoration, furniture and fittings)
- Condition of laundry room(s) (fittings and equipment)
- Loss or malfunction of basic utilities (water, light, heat, etc.)
- Condition/functionality of toilets, showers, baths, etc.
- Condition/functionality of doors, locks, windows, etc.
- Maintenance response times, etc.
- Implementation of YMCA Trinity Group's Maintenance policy
- YMCA Trinity Group Maintenance staff

#### **1.4 Health & Safety Issues**

Complaints under this heading might include complaints to do with:

- Emergency equipment, fire extinguishers, emergency exits, alarms, etc.
- Storage of equipment
- Standards of cleanliness
- Electrical equipment
- Response to hazard (potential or actual) reports, etc.
- Implementation of YMCA Trinity Group's Health & Safety policy

#### **1.5 Letting & Allocations**

Complaints under this heading might include complaints to do with:

- The application for accommodation process
- Conduct of the application interview/outcome
- Allocation of accommodation
- Transfer requests
- Referral procedures
- Needs assessments
- Operation of waiting list
- Priority for accommodation given, etc.
- Implementation of YMCA Trinity Group's Equality and Diversity policy
- Implementation of YMCA Trinity Group's Lettings & Allocation policy

#### **1.6 Personal Issues and Well-being**

Complaints under this heading might include complaints to do with:

- General security of the building
- Security of individual's accommodation
- YMCA Trinity Group's Duty/security staff
- Other Residents (other than friendship related where residents will be supported to resolve amicably)
- Implementation of YMCA Trinity Group's Safeguarding policy;
- Visitors and other Residents' guests
- Discriminatory issues, harassment, etc.