

# CVCLT Complaints Policy

## 1. Introduction

- 1.1. This policy was adopted by the Calder Valley Community Land Trust (CVCLT) at its meeting on February 17 2020. It will be used to deal with all complaints covered by the Scope of this policy.
- 1.2. This policy will be revised when CVCLT has employed staff.

## 2. Scope

2.1. This policy is owned by, and is subject to approval, by the CVCLT Board of Trustees. This policy is compliant with the regulatory requirements for England and the Localism Act 2011 which advocates a local approach to complaints resolution and an enhanced role for tenants, MPs and Ward Councillors. Whilst regulatory requirements are aimed at the provision of services to tenants this policy is also designed for use for complaints received from CVCLT customers or non-service users.

2.2. The Board of Trustees notes that, though the Regulator of Social Housing does not become directly involved in the resolution of individual complaints, individual complaints may raise broader issues which could potentially lead to a detrimental assessment by The Regulator. This Policy aims therefore to ensure that mechanisms are in place to identify and deal with the root cause of complaints.

The Board of Trustees, while aiming to ensure that CVCLT's practices are such that complaints are not received, views complaints as potentially of positive value, in that improvements to be made in practices and policies can be implemented as a consequence.

Complaints are welcomed from all customers, advocates on behalf of customers and non-customers (where appropriate) affected by the organisation's services or residents, including:

- Tenants – including those with starter tenancies
- Residents
- Tenants and Residents Groups
- Leaseholders
- Waiting List Applicants (unless subject to separate appeals processes)
- Neighbours of our properties
- Visitors to our properties and offices
- Board Members and Co-optees
- Members of Parliament
- Solicitors
- Citizens Advice Bureau and other similar advocacy agencies
- Those who are buying a home from us

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Other stakeholders, including contractors and funders, may also follow our complaints procedure to express their dissatisfaction. Where more appropriate appeal processes exist then these should be followed. Where the complaint is about a third-party contractor, CVCLT will retain overall responsibility for investigating and responding to the complaint.

## 3. Policy Statement

3.1. CVCLT is committed to providing excellent levels of service that represents value for money to our tenants and our other stakeholders. The Policy is designed to make it easy for customers to provide CVCLT with feedback regarding its services. Listening to customer feedback and taking appropriate action will help CVCLT to continually improve services. The Policy sets out CVCLT's approach to managing and resolving informal complaints and a two-stage process for managing and resolving more complex, formal complaints. It also sets out how customer feedback will be used to inform continuous learning and improvement.

3.2. Aims & Key Objectives: CVCLT will:

- Welcome all tenant and stakeholder feedback on service standards and make it easy for them to provide feedback;
- Resolve all complaints at the first point of contact, informally wherever possible;
- Ensure all complaints are addressed and dealt with within published timescales;
- Consider appropriate awards for proven loss or inconvenience;
- Record, monitor, and analyse feedback in order to examine service performance to improve service delivery; and,
- Learn from customer feedback and promote how feedback is used to improve services.

## 4. Implementation

4.1. Defining a complaint: CVCLT defines a complaint as:

*“An expression of dissatisfaction, whether justified or not about the standard of service, actions provided by CVCLT, affecting an individual tenant or stakeholder, or multiple tenants or stakeholders, whether expressed in writing, telephone, or in person.”*

4.2. The Policy reflects the principle within the Regulatory Framework of 'local resolution' as defined by the Housing Ombudsman Service and their approach to managing complaints. It also reflects the principles set out within the 'Involvement and Empowerment Standard for Tenant Scrutiny and Complaints'. This ensures that all complaints are resolved promptly, politely and fairly. The Policy will work in conjunction with CVCLT policies in place at the time to manage discretionary compensation and vexatious or unreasonable behaviour.

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- 4.3. Reporting a complaint. We welcome complaints and provide a range of options for tenants and stakeholders to use, including in writing, by e mail, online, or by phone, and will be received in the first instance by the Secretary. Provision will be made, once CVCLT has paid staff, for tenants or stakeholders to be able to register complaints at the CVCLT office in person. Customers who make a complaint on social media (e.g. Facebook or Twitter) will be directed to our on-line complaints form.
- 4.4. When CVCLT paid staff are in post, they will be trained in handling complaints and will be empowered to deal with complaints as and when they arise. Where CVCLT has got things wrong the Secretary will apologise and explain what went wrong and what action will be taken to put things right.
- 4.5. Formal complaints will be investigated and responded to using a two-stage process. In the first instance officers will seek to try to resolve a problem straight away. Customers will be informed of their options throughout the process. This will include the right to progress their complaint externally via the Housing Ombudsman Service or to seek assistance via local Advocacy Services.
- 4.6. CVCLT recognises that there are occasions when it is unnecessary to enter into a formal process; tenants or stakeholders may choose to raise an issue or problem but not to make a formal complaint. Therefore, issues or first-time service requests can be dealt with as appropriate by the Secretary or by other CVCLT officers.
- 4.7. CVCLT has adopted a policy of Resolve-in-Five for informal complaints and Resolve-in-Ten for formal complaints. This means that the CVCLT investigating officer is expected to resolve informal complaints in no more than five working days, and formal complaints in no more than ten working days.
- 4.8. For Resolve-in-Five informal complaints the emphasis is on communication, understanding the issue, and providing the complainant with the confidence that the issue will be resolved by a set date along with a commitment to managing their expectations and the issue through to resolution. The outcome will be communicated by phone or face to face. The decision about whether a complaint should be treated as informal or whether it requires a formal written response via the Resolve-in-Ten approach may be dependent on whether the problem has a high likelihood of being resolved within five working days, and whether the complainant would be happy with this option being used.

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- 4.9. If the informal process fails to resolve the complaint, the investigative work already undertaken would contribute towards a formal investigation and written response. The final written response would be issued by the tenth working day from the date the informal complaint was received and recorded.
- 4.10. Formal Complaints: Resolve-in-Ten procedure. The Board of Trustees recognises that not all complaints are suitable for informal resolution; some complaints will warrant a more formal investigation. The formal process will provide a greater emphasis on the investigation and resolution procedure with a formal written outcome. This allows up to ten working days to conclude the investigation and the provision of a written response detailing the outcome of the investigation. Failure to resolve complaints at this stage may result in complaints escalating to Appeal.
- 4.11. **THE APPEAL PROCESS:** The Appeal will be managed and coordinated by the CVCLT Tenant Liaison trustee. The decision about whether a complaint can be considered at Appeal will be taken in cooperation with the CVCLT Chair and Secretary. The decision will be taken based on whether there is the potential for the complaint to have an alternative outcome following an independent review of the complaint.
- 4.12. The Appeal will be the final stage in the process and involves a review by the Chair and one other nominated trustee.
- 4.13. An Appeal will be accepted where there is evidence of fault within the previous investigation process and/or where there is additional information which hasn't been previously considered.
- 4.14. Appeal hearings will be scheduled to take place at a time convenient to the complainant. Complainants should not normally have to wait longer than two weeks for their Appeal to be heard or for a date to be fixed which suits their circumstances.
- 4.15. Where a complainant is unable to put forward a coherent case for Appeal or may be vulnerable, the complainant will be directed towards local Advocacy Services.
- 4.16. Where a complainant is displaying signs of vexatious and / or persistent behaviour, officers will be directed to utilise the appropriate CVCLT Policies and procedures in place at the time to address the behaviour.
- 4.17. In consultation with the Chair, the Tenant Liaison trustee reserves the right to end the escalation of a complaint; this includes a failure to

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provide a suitable explanation to justify escalating a complaint to the next stage.

- 4.18. Referrals to Designated Persons and the Housing Ombudsman's Service: If a customer has exhausted our internal Complaint Procedures and remains dissatisfied they can present their complaint to a Designated Person, defined as a Ward Councillor, an MP or a Tenant Panel. Alternatively, they can choose to wait 8 weeks from case closure and approach the Housing Ombudsman's Service directly. The Designated Person may decide to intervene with the intention of negotiating a local resolution. If, however they decide this is not achievable they may decide to refer the complainant directly to the Housing Ombudsman).
- 4.19. Exclusions: There are times when CVCLT will not consider complaints under this Policy. These include:
- Initial request for a service, for example reporting a repair. A complaint can only be made after the issue has been reported and CVCLT has had an opportunity to respond.
  - Complaints about anti-social behaviour (ASB) or nuisance; such complaints will be handled in accordance with CVCLT's Anti-Social Behaviour Policy. Complaints will only be accepted where someone is dissatisfied with the way CVCLT has dealt with a case of ASB.
  - Complaints where the complainant is taking legal action about the same issue; legal action will supersede this Policy.
  - Complaints in relation to an issue which is over 6 months old.
  - Complaints which have already been dealt with under this Policy.
- 4.20. Any allegations about alleged inappropriate conduct of CVCLT Board Members or staff will be handled separately in accordance with regulatory good practice guidance.

## 5. Consultation/Resident Involvement

- 5.1. CVCLT is committed to promoting tenant engagement and participation at all levels of its operations and governance arrangements including policy development, in line with its Resident Involvement, Information, Consultation and Empowerment policy.

## 6. Diversity & Inclusion

- 6.1. The Policy complements CVCLT's Equality and Diversity statement.
- 6.2. This Policy looks to complement value for money principles in delivering excellent cost-effective services and protecting the investment in CVCLT properties and neighbourhoods. In recognition of this we aim to deliver a Complaints Service that is:
- Relevant and fully accessible to all

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- Tailored to meet both the specific needs of the individual, including those with additional support needs, and the diverse needs of the wider community
- Compliant with all aspects of Equality and Diversity legislation.

## 7. Performance Monitoring & Review & Service Standards

7.1. Performance is monitored regularly by the Board of Trustees.

7.2. Customer Service Standards in summary are:

| <b>The Standard</b> | <b>Outcome provided within</b> |
|---------------------|--------------------------------|
| RESOLVE-IN-FIVE     | 5 working days                 |
| RESOLVE-IN-TEN      | 10 working days                |
| APPEAL              | 20 working days                |

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## CVCLT Complaints form

You can use this form if you wish to contact CVCLT with a complaint or criticism. You can post it to us at CVCLT, Unit 23, Hebden Bridge Town Hall, St George's Street, Hebden Bridge HX7 7BY or send it as an attachment to [info@caldervalleyclt.org.uk](mailto:info@caldervalleyclt.org.uk). You can also contact our Secretary informally on 0845 250-0532.

### Your complaint or criticism, in outline:

*(You will be able to tell us more details later in the process).*

### Do you want us to treat this (a) informally or (b) as a Formal Complaint?

**Informal Complaint/ Formal Complaint** *(delete as appropriate)*

*(Our policy is to try to resolve informal complaints within five working days, and to let you know verbally our response. We try to resolve Formal Complaints within ten working days, and you will receive a written response from us. There is also in some circumstances a subsequent right of appeal.)*

**Your name:**

**Address:**

**Phone:**

**Email (if appropriate):**

**Today's date:**