

Policy Summary:	
This policy covers:	How BHA will resolve any complaints about our service quickly and effectively and to the satisfaction of the person making the complaint or service request and how BHA can learn from feedback on our service. This policy complies with the Housing Ombudsman Handling code and the consumer standards
Who has overall responsibility for ensuring we comply with the policy?	Board Champion for complaints Kenny Johnson (member responsible for complaints) under the Housing Ombudsman handling code definition Operations Director as the complaint's handler for the association.
Who is involved in implementing this policy day-to-day, and how?	Operations Director – as the complaint's handler, reviewing each case and ensure completion Business Support Coordinator – to ensure the effective administration of the complaints received
The key actions we need to take under this policy are:	
The KPIs associated with this policy are:	TP09 – Tenant Satisfaction Measures - Proportion of respondents who report making a complaint in the last 12 months who are satisfied with their landlord's approach to complaints handling. CHO2 (1) Proportion of stage one complaints responded to within the Housing Ombudsman's Complaint Handling Code timescales. CHO (2) Proportion of stage two complaints responded to within the Housing Ombudsman's Complaint Handling Code timescales.
Assurance provided by:	The Housing Ombudsmen - annual review of the compliance against the Handling Code
Policy approved by: Due to be reviewed:	BHA Board approved the policy on 18 th July 2024 The Policy was reviewed in June 2025 Annual review is required, next due May 2026 in line with the reporting requirements as set out in the handling code

Related policies:

Reasonable Adjustments

Data Protection and GDPR

Safeguarding

Health and Safety

Unacceptable Behaviour

Equality

Home loss, disturbance and Compensation

1. Introduction

- I.1 BHA aims to provide quality service. If a tenant feels that the service they have received from BHA, or someone acting on BHA's behalf, has fallen below an acceptable standard, they may make a formal complaint or make a service request.
- I.2 This can also include where we did not do something we said we would, gave out incorrect information, did not follow our own processes or procedures or communicated with someone in an inappropriate way.
- I.3 Although we will always seek to follow this Policy when dealing with complaints, we reserve the right to use discretion when applying the Policy and may deal with a complaint differently where individual circumstances merit it. In these circumstances, any discretion will be applied fairly and appropriately, and the residents will be informed at the earliest opportunity of any departure from this policy. We acknowledge that any complaint should be progressed as far as possible to maximise the opportunity to resolve a dispute.
- I.4 If we do not accept the complaints as detailed above, we will advise the residents in writing and provide the details of the Housing Ombudsmen service.

2. Scope

- 2.1 The policy applies to all BHA residents, including anyone who receives a service provided by BHA, and covers actions by all BHA employees including board members, contractors, sub-contractors, agents, and volunteers.
- 2.2 We will only consider complaints from applicants for property in relation to the way their application is managed.

3. Legislation, Regulation, Guidance and Best Practice

- 3.1 The Regulator of Social Housing requires providers to have an approach to complaints that are clear, simple, and accessible.
- 3.2 This Policy incorporates the key elements of the following statutory and regulatory requirements:
 - Housing Ombudsman Service – Complaint Handling Code
 - The Transparency, Influence and Accountability Standard
 - Localism Act 2011
 - General Data Protection Regulation (GDPR) 2018
 - Equality Act 2010
 - Consumer Standards
 - Tenant Satisfaction Measures

4. Roles and responsibilities

- 4.1 Complaints can be made to any BHA staff member. All BHA staff have a duty to receive a complaint when made and will record it appropriately.
- 4.2 Complaints about the CEO should be directed to the Chair or Chair of the Audit Finance & Risk Committee.
- 4.3 The Operations Director is the designated 'Complaints Handler' and will assess these and or trends, systemic issues, risks that require intervention or revisions.
- 4.4 BHA's Business Support Co-Ordinator is responsible internally for overseeing the administration of the complaints process. They, and the rest of the team, will receive annual training in how to handle complaints effectively.
- 4.5 Complaints are reported to the board who monitor BHA's performance and compliance with the Housing Ombudsmen handling code requirements. The Residents Voice panel will also have a responsibility to scrutinize the complaint statistics and trends.
- 4.6 There is an appointed Board member champion (member responsible for complaints) who will be responsible for ensuring compliance and oversight into BHA's complaints handling performance.
- 4.7 The Board Champion will also play a key role in the positive complaints handling culture for the association and will meet regularly with the complaint handler for updates.
- 4.8 BHA will report the outcomes of complaints to BHA residents in the annual report along with information on how to make a complaint and any lessons BHA has learnt from complaints.

5. Principles

- 5.1 This policy will be applied fairly and objectively and will not discriminate against anyone based on any protected characteristic under the Equality Act 2010.
- 5.2 During the complaints process, BHA aims to:
 - Apologise and accept responsibility for where we have failed.
 - Act quickly to identify the problem and take action to put it right.
 - Ensure a fair and consistent approach to the resolution of complaints.
 - Reconsider a decision already made.
 - Amend records where needed.
 - Provide information in accessible formats.
 - Keep the residents informed throughout the complaints process, providing reasonable

timeframes, a concise explanation, and managing their expectations throughout the process.

- Listen to our residents, treat them with respect, and get the right outcome for them.
- Provide a financial remedy if required.
- Change policies and procedures.
- Make reasonable adjustments for the complainant if required.

5.3 BHA welcomes feedback about our service. BHA has a positive approach to complaints and record feedback and review complaints and service requests regularly at Leadership Team meetings. This enables the team to learn from what BHA is doing right, as well as where the service needs to improve.

6. What is a complaint?

6.1 BHA defines a complaint using the Housing Ombudsman's standard definition:

"An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by BHA, our own staff, or those acting on our behalf, affecting an individual resident or group of residents."

6.2 The resident does not need to use the word 'complaint' for us to treat the issue as a complaint. Some clarification may be sought from the resident upon receipt of a complaint or a service request.

6.3 The policy covers instances:

- about dissatisfaction with any aspect of the service we have provided.
- about dissatisfaction with the standard of service provided by our staff or someone acting on our behalf. This includes professionalism and conduct.
- where we have failed to follow our policies and procedures.
- dissatisfaction with the response to a service request

6.4 BHA will **not accept** complaints in the following circumstances:

- If the complaint is made more than **twelve months** after the matter has come to the resident's attention unless there are exceptional circumstances to this delay, for example, if the complainant was incapacitated due to ill health, if the complaint was not recorded when it should have been, or in some circumstances where the complaints concern safeguarding or health and safety issues.
- Complaints about another BHA resident. BHA's Anti-Social Behaviour (ASB) policy will be used to investigate this instead. However, BHA will investigate a complaint about how an ASB case was handled by BHA.

- If the complaint has already been dealt with as a complaint
- If a resident making a complaint refuses to engage with BHA in a reasonable manner.
- If the resident or BHA has initiated legal proceedings related to the complaint, please let us know. If BHA receives legal instruction or correspondence during the handling of a complaint, BHA reserves the right to hand over the case to our legal representative and writes to inform the residents that the complaint is closed.
- A first request for a service, like repair - this will be treated as a service request.
- A claim for damages should be handled as an insurance claim.
- About the action of an individual or organisation we have no control over.

6.5 If BHA does not accept a complaint, the residents will be made aware of the reasons and receive written confirmation of this from BHA.

6.6 Each complaint will be considered for its own merit.

6.7 If the residents wish to appeal against this decision, they will be provided with information on how to contact the Housing Ombudsman service, which may overturn BHA's decision to investigate.

7. Making a complaint

7.1 Anyone who has received a service from BHA (or those acting on behalf of BHA) who is dissatisfied with that service can make a complaint.

7.2 Where a group wishes to make a collective complaint, or where a complaint is made in the form of a petition, this should be done through a single representative. We will require written authorization from all complainants that they agree to the complaint and to the representative complaining on their behalf.

7.3 A representative or advocate can make a complaint on behalf of a resident. They must provide signed authority from the residents. This could be a friend, relative or a representative of an external organisation such as the Citizens Advice Bureau or MIND. MPs and councilors can also act on behalf of a resident. A representative can also accompany a resident throughout the complaints process.

7.4 Residents can make a complaint through any means of contacting BHA, including by phone call, email, letter, translation services and or via our website.

7.5 Complaints can also be made in person to any BHA member of staff.

Contact Details below.

Email: info@barnsbury.org

Phone: 020 7704 2324

**Address: Barnsbury Housing Association,
4-6 Colebrooke Place,
London, N1 8HZ**

If someone contacts us on our public social media pages, we will ask them to contact us directly to protect their privacy. If the complaint has been made anonymously, BHA may still investigate the matter.

- 7.6 A complainant can contact the Housing Ombudsman service for advice at any point throughout their complaint.
- 7.7 Where a resident requires support to make a complaint, BHA will provide support where possible (with permission from the resident), including encouraging the use of a representative or advocate where appropriate.
- 7.8 BHA will make any reasonable adjustments to the complaints policy and procedure to meet a resident's needs as covered in BHA's Reasonable Adjustments policy.
- 7.9 The complaint handler must:
- Deal with complaints on merit.
 - Deal with complaints quickly and fairly.
 - Act independently and have an open mind.
 - Take measures to address any actual or perceived conflict of interest.
 - Consider all the information and evidence carefully.
 - Seek clarification from the complainant if the complaint is not clear.
 - Keep the complaint confidential as far as possible.
 - Be open and transparent throughout the process.
 - Discuss and agree with any conflict of interests.
 - Assess the complaint and escalate those that can be easily resolved.
 - Risk assesses those making complaints with vulnerabilities.

8. The Complaints Process

- 8.1 When a complaint is made to a BHA member of staff, they will inform the Business Support Co-Ordinator and their manager of the complaint.
- 8.2 Any correspondence related to this complaint will be logged alongside the initial complaint. for background information for BHA's investigation.

- 8.3 BHA's Business Support Co-Ordinator will have responsibility to oversee the complaints administration process internally and they will be copied into any complaint.
- 8.4 BHA's Operations Director will have overall responsibility for complaints, and for the purpose of this policy they will be the complaints handler.
- 8.5 The complaints handler will have access to all staff and have the authority and autonomy to facilitate the resolution of complaints fairly, consistently and in a timely manner.
- 8.6 Complaints will be handled in accordance with the best practices described by the Housing Ombudsman.

9. Making a Service Request

- 9.1 When a resident informs us that they are not happy about something, we will consider whether it is something we can put right quickly, without needing to go through our formal complaints' procedure.
- 9.2 This will be classed as a service request.
- 9.3 Examples can include:
- Resolving an issue about a repair or an appointment.
 - Clarification of information previously given.
 - Clarification of how our policies and procedures are applied.
 - Apologising for missing a repair appointment.
 - Paying compensation
- 9.4 Issues that we might not consider suitable for a service request.
- Where there are multiple issues to be resolved.
 - Unhappiness about the behaviour or attitude of a member of staff or contractor.
- 9.5 If the complainant would prefer us to deal with the issue as a formal complaint straight away, then we will log it as a stage 1 complaint and discontinue the service request actions.
- 9.6 The resident has the right to escalate this to a stage 1 complaint after the outcome of a service request.
- 9.7 Throughout the process, we will ensure that residents know that they can approach the Housing Ombudsman at any stage.

10. Stage I Complaint

- 10.1 When a complaint is received at stage I, this will be looked at initially by the complaint handler who will determine the complexity of each case, making sure the vulnerabilities of the complainant have been considered when allocating the priority of the complaint.
- 10.2 BHA will provide a written acknowledgment of a complaint within five working days of its receipt and begin the investigation into the complaint, providing the name of the staff member this has been allocated to and the deadline for a formal response.
- 10.3 We may contact the complainant to discuss the complaint, to clarify responsibilities within the complaint, and to better understand the issue and the outcome the complainant is looking for.
- 10.4 If the nature of the complaint requires a home visit or meeting, then the tenant will have the right to be accompanied and / or represented by a third party with consent.
- 10.5 We will manage expectations from the outset, being clear of the desired outcome and if this is unreasonable or unrealistic.
- 10.6 A full response to the complaint will be provided within ten working days of the original complaint date. If BHA are unable to provide a full response within ten working days, the residents will be kept updated and advised when to expect a full response.
- 10.7 If we require more time to complete our investigation, we will discuss this with the complainant and may extend our response time by a further ten working days.
- 10.8 The residents will be informed of their rights at this stage to contact the Housing Ombudsman.
- 10.9 If the resident raises additional complaints during the investigation, these must be incorporated into stage I response if they are related, and the stage I response has not been issued.
- 10.10 If the stage I response has been issued and the new issues are unrelated to the issues being investigated or it would be unreasonably delayed, the new issues must be logged as a new complaint.

- 10.11 If BHA has carried out or identified any actions to be carried out to resolve this complaint, they will be detailed in BHA's response to the residents. The response will outline law and good practice where relevant.
- 10.12 The residents will be advised if their complaint is not upheld, partially upheld, or upheld. Providing clear reasons for the decision, remedies to put things right, actions and timeline, and how to escalate to stage 2 if they are not satisfied.
- 10.13 The response letter will outline the contact details for the Housing Ombudsman and the residents' rights to make contact at any stage during the process.
- 10.14 The response letter will be logged onto BHA systems and kept as part of the formal complaints process.
- 10.15 If the resident is not satisfied with BHA's response, the resident must inform BHA within 28 working days of receiving it. If the resident does not inform BHA of this within 28 working days, BHA will consider the complaint resolved. BHA will extend this only in exceptional circumstances.

11. Stage 2 Complaint

- 11.1 If the resident is not satisfied with BHA's stage 1 response, the complaint will be escalated to a Senior Manager (Chief Executive or the Operations Director to review as a stage 2 complaint.
- 11.2 None of the above staff would have been involved in stage 1 complaint process.
- 11.3 The Business Support Co-Ordinator will provide an acknowledgment that the complaint has been escalated as a stage 2 complaint within five working days.
- 11.4 The residents will be informed that this is the last stage of BHA's complaints process.
- 11.5 Residents will **not** be required to explain their reasons for requesting stage 2 consideration.
- 11.6 BHA are expected to make reasonable efforts to understand why a resident remains dissatisfied,
- 11.7 We may contact the complainant to discuss the complaint, to clarify responsibilities within the complaint, and to better understand the issue and the outcome the complainant is looking for.

- 11.8 If the complaint requires a home visit or meeting, the tenant will have the right to be accompanied and/or represented by a third party with consent.
- 11.9 If during the investigation BHA has identified any additional actions or complexities to resolve the complaint, BHA can request an extension of no more than 20 working days. This extension will be communicated to the residents clearly outlining the reasons.
- 11.10 The residents will be advised if their complaint is not upheld, partially upheld or upheld, providing clear reasons for the decision, remedies to put things right, actions and timelines.
- 11.11 The investigating manager will inform the residents of the outcome of stage 2 complaint within 20 working days of the initial request to escalate the complaint.
- 11.12 The investigating manager will then send a full written response to the complainant detailing the outcome of the stage 2 complaint. Where the decision is that no further action is required, and that all reasonable and appropriate measures have been taken, the residents will be informed that they have reached the end of the complaints process and the next available steps.
- 11.13 The final response will be logged into BHA systems and kept as part of the complaints process.
- 11.14 If the residents are not satisfied with BHA's Stage 2 Complaint response, they should be provided again with the details for the Housing Ombudsman service as detailed in the next steps below.

12. Housing Ombudsmen

- 12.1 The complainant at any stage of the complaint process as outlined above has the right to contact the Housing Ombudsman service. This includes during the period of any extensions to investigate the complaint. They will usually only investigate a complaint once our internal complaints process has been exhausted.

Housing Ombudsman Service,
PO Box 1484, Preston,
PR2 0ET

Tel: 0300 111 3000

info@housing-ombudsman.org.uk

www.housing-ombudsman.org.uk

12.2 BHA will make every effort to co-operate with any investigation into the complaint by the Housing Ombudsman service.

12.3 BHA will comply with annual handling code reviews that will be subject to the Housing Ombudsman approval.

12.4 If a complaint is escalated to the Housing Ombudsmen and is subject to a formal investigation, the Housing Ombudsmen may request a review of the handling code, BHA will comply with this request.

12.5 If BHA undergoes a major restructuring or changes in policy, then a review of the handling code will be required for submission to the Housing Ombudsman

12.6 If BHA is unable to comply with the handling code due to exceptional circumstances, BHA will advise all parties with renewed timescales.

Unreasonable behavior

12.7 There may be times where we feel that contact with us about the complaint is unreasonable. This is set out in our Unacceptable Behaviour Policy, which is proportionate and demonstrates regard for the provision of the Equality Act 2010.

12.8 In summary, behavior that we would consider unreasonable includes:

- Whether there is a likelihood that complaints are being made to intentionally cause harassment, divert resources or to disrupt the proper workings of the organisation.
- Whether there have been persistent or unreasonable demands made in the past.
- Evidence of abusive or threatening behaviour to staff or producing excessive correspondence.
- Whether the complainant or their representative displays unreasonable behaviour.
- Repeated complaints about issues that have already been considered through our complaints process where no new information is provided.
- Excessive contact with BHA staff whilst your complaint is being investigated.
- Intimidating, threatening, or using offensive or abusive language towards, or about, our

staff or contractors.

- Contacting members of staff outside of work, including through their personal social media accounts

12.9 If contact is made with the Chief Executive or any other member of the Leadership Team directly to complain, the complaint will be passed on to the complaint handler, who will triage and respond in accordance with this policy.

12.10 In these cases, while focusing on, and seeking to resolve the substance of any complaint, we will manage the behaviour in line with the following:

- Communicating through a third party.
- Limiting contact to a named member of staff or email address.
- Limiting contact to a specific communication form (e.g., via email).
- Limiting contact to specific dates and times.

12.11 Where unreasonable behaviour persists, we may stop all direct communication whilst we investigate the issues raised and reach our final decision.

12.12 We may also do this where unreasonable behaviour persists after we have made our final decision. If we stop direct communication, we will explain why in writing within five working days and advise on the next steps.

13. Learning from Feedback

13.1 BHA's Complaints Policy is a key tool for our service to improve. BHA is committed to learning and improving feedback from residents. Compliments, complaints and KPI's are regularly reported to BHA's Board and BHA's Resident Voice Panel.

13.2 Emerging themes and feedback and lessons learned are monitored by the Leadership Team on a regular basis.

13.3 BHA will regularly report the lessons learned following a complaint and the actions BHA has taken to resolve a complaint. BHA will report this in our Annual Report.

13.4 The Operations Director will be responsible for the review and compliance of the Housing Ombudsman handling code. BHA staff will regularly review complaints to identify any issues with BHA's service, and staff will receive annual training on complaint handling and unconscious bias.

- 13.5 We will send a survey once a complaint is closed to measure satisfaction with how the complaint was handled.
- 13.6 If BHA receives complaints through surveys this will not be defined as a complaint, however, that residents will be contacted and provided with information on how to make a complaint.
- 13.7 BHA will publish the complaints process and our compliance with the Housing Ombudsmen Handling code in the following ways:
- Newsletters
 - Website
 - Sign ups
 - Tenants sign up packs.
 - Surveys
 - Booklets and advice leaflets
 - Easy to read guides.

14. Data Protection and GDPR

- 14.1 BHA processes and stores personal information and data in line with the General Data Protection Regulation (GDPR) 2018. All complaints will be dealt with in line with BHA's GDPR-related policies.
- 14.2 Any third party representing a resident during the complaints process will be asked to provide a letter of authorisation to act on their behalf. Where there is no evidence to prove that they have been authorised to represent them in this way, BHA will ask for any other evidence which proves the complainant is happy to be represented by a third party.