

Policy Name	Complaints Policy
Version No.	V4
Approval Date	
Category	Corporate
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Version Control

Version	Date	Description	Updated By	Approved By
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1. Policy Purpose & Aim

ExtraCare is committed to:

- Promoting a culture where our residents and non-residents feel able to raise concerns or complaints about the service that they receive from ExtraCare;
- Ensuring that complaints are put right at the earliest opportunity, through being responded to in a positive manner and with appropriate steps are taken to address the issue;
- Assuring residents and non-residents that any concern or complaint raised will be responded to appropriately and handled in a fair, reasonable and timely manner;
- Promoting a positive complaint-handling culture where confidentiality will be respected; support will be offered, and where there will be no detriment to those bringing valid concerns or complaints to our attention.

This policy sets the how we define a complaint; outlines the ways in which a complaint can be made; provides clarity on how concerns or complaints are responded to; and how redress may be sought if we are unable to resolve the concern or complaint.

This policy also aims to ensure that we comply with our regulatory, legal and voluntary obligations for having an effective complaint handling process.

2. Objectives

The objectives of this policy are for ExtraCare:

- To provide a clear definition of a complaint, including how we make the distinction between a concern and a formal complaint;
- To seek to resolve concerns or complaints at the earliest opportunity by taking reasonable steps to put things right;
- To have a clear, two-stage formal complaint process with clear timescales;
- To communicate effectively with residents through the complaints process and advise them of their rights and obligations as appropriate;
- To ensure residents have the opportunity for appropriate support to raise a concern or make a complaint including making reasonable adjustments;
- To outline the basis on which issues may not be treated as a complaint;
- To demonstrate how we learn from complaints;
- To ensure that we meet our Health & Safety obligations through ensuring residents can raise such issues;
- To meet the requirements of the Housing Ombudsman's complaint handling code;
- To meet our regulatory requirements set out in the Regulator of Social Housing Tenant Involvement & Empowerment Standard; and
- To meet the CQC's expectations that our care service is safe, effective, caring, responsive and well-led;
- To meet our voluntary requirements of the Associated Retirement Community Operator's Consumer Code.

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3. Scope of Policy

This policy applies to all residents and potential residents of ExtraCare. By resident, we mean any prospective or current tenant or leaseholder (outright owner / shared owner) in one of our ExtraCare-owned locations, or locations that we manage on behalf of another landlord ('partner landlord'). Where the location's landlord function is managed by the partner landlord, housing-related complaints may be referred to the partner landlord as appropriate.

This policy also makes clear how concerns or complaints raised by non-residents will be processed.

This policy does not apply to staff who wish to raise a complaint about ExtraCare, as this should be pursued through Human Resources (HR). Issues relating specifically to volunteers of ExtraCare will be dealt with under the principles of our Volunteering Policy and the Volunteering Toolkit that supports that policy.

4. Responsibilities

All staff are responsible for following this policy and ensuring that concerns raised, or complaints made, are handled appropriately and according to the principles of putting things right at the earliest opportunity.

Detailed responsibilities:

Board of Trustees	The Board of Trustees are responsible for ensuring that they receive the appropriate reporting information on complaints, concerns and feedback from residents to be assured that complaints are being dealt with effectively. This is to comply with the Housing Ombudsman's complaint handling code which states that <i>"it is important for governance to understand the complaints their organisations are receiving and the impact of their complaint handling on residents."</i> A quarterly report to Operations Committee will be submitted to provide the relevant information to ensure the relevant oversight and insight into complaints, including a summary of feedback from residents on complaint handling. Complaints made direct to Trustees will be referred to the most relevant member of staff to resolve.
Executive Leadership Team	The Executive Leadership Team (ELT) are responsible for ensuring that there is <i>"learning from complaints and to promote the open and transparent use of (complaints) information....to assess performance and risks"</i> (from: Housing Ombudsman complaints handling code). ELT are to ensure that within their respective directorate, teams take ownership of complaints handling to ensure that the principles of this policy are embedded within their teams. ELT are also responsible for ensuring compliance with the Housing Ombudsman's complaint handling code, including the publishing of a self-assessment against the code on an annual basis (by December each year). Further, to ensure that information on

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	complaint handling – and learning from complaints – is included in the annual report to residents.
Senior Management Team / Department Heads	<p>The Senior Management Team / Department Heads are responsible for ensuring that the teams are supported to provide “<i>excellent complaint handling and engagement with the Housing Ombudsman where this is required.</i>” (from: Housing Ombudsman complaints handling code). If the requirements of this policy cannot be delivered, the Senior Manager should assess what needs to change and address organisational blockages that are preventing the efficient resolution of complaints.</p> <p>They are to ensure that the appropriate investigation and responses are provided. Also, to ensure that all measures have been taken to reduce the risk of a complaint handling failure notice (or similar notice from another regulatory authority e.g. Local Government & Social Care Ombudsman). This includes providing complaint responses where this is required.</p> <p>They are to consider and approve / reject requests for the Exclusions section within this policy (s7.3), following recommendation by the Housing & Resident Engagement Manager.</p>
All Managers	<p>Managers are responsible for ensuring that the principles of this policy are applied in practice, specifically to ensure that a positive complaints-handling culture is promoted within their teams. They have a responsibility to ensure that concerns or complaints are appropriately recorded and responded to as per the guidelines within this policy. Managers should ensure that where a complaint investigation is assigned to them, such an investigation is carried out with appropriate diligence and that the complaint response outlines the outcome of the investigation and explains the decision(s) made. Managers should seek to resolve complaints through arbitration or mediation where this may be appropriate.</p> <p>Managers wishing to invoke the Exclusions section of this policy (s7.3) should refer this to the Housing & Resident Engagement Manager in the first instance.</p>
Housing and Resident Engagement Manager	<p>The Housing and Resident Engagement Manager is the lead for complaints handling and will highlight to Senior Managers / Departmental Leads / ELT any organisational learning and recommendations from complaints handling to improve service delivery. They have further responsibility for supporting managers with complaint handling as required. They have a responsibility to provide the relevant report to Operations Committee, ELT and Senior Management Team as required. They are responsible for responding to escalated complaints at stage 2 of the complaint procedure where this is appropriate to the complaint; for providing advice and guidance to assist with complaint responses generally, and for reviewing complaints that may be deemed unacceptable for appropriate action. They will also support the promotion of this Policy to our residents.</p>

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	They are to ensure transparency on complaint handling to residents through providing performance information on an annual basis, through a report to the Resident Forum and an annual report to residents.
Complaints Officer / Housing Standards & Performance Officer	The Complaints Officer is responsible for ensuring that all concerns and complaints are being appropriately recorded, to monitor the progress of complaints to ensure that they are handled within agreed timescales and to record learning from complaints. The Complaints Officer has the authority to recommend actions to other staff to ensure effective complaint resolution and to escalate any concerns relating to complaint handling to the Housing and Resident Engagement Manager. The Complaints Officer will also seek feedback from residents in relation to the complaint handling process. The Housing Standards and Performance Officer shall support the Complaints Officer in ensuring that complaints are being appropriately recorded and to provide relevant information to support performance reports to Operations Committee, Resident Forum and an annual report to residents on complaint handling.
All Staff	All staff are responsible for promoting the complaints policy and, where appropriate, supporting residents to raise a concern or make a complaint and will advise residents of the principles of this policy.

5. Monitoring & Review

This policy will be subject to a full review by the Residents Forum every three years. We will assess the effectiveness of the policy by the criteria set out in the policy objectives. We will publish an overview of how we are handling complaints each year, through an annual report to residents.

6. Risk Management

We have a low risk appetite for non-compliance with legal and regulatory requirements and this is reflected in our strategic and corporate risk registers.

Adherence to this policy mitigates the risks of the residents' voice not being heard, and the risk of ExtraCare not responding appropriately to legitimately raised issues from residents. These risks include:

- Not delivering services that meet needs of residents, customers or volunteers;
- Missing opportunities to improve services and deliver value for money;
- Not meeting our legal requirements (e.g. health & safety);
- Loss of trust in ExtraCare, and
- Not meeting our regulatory requirements to ensure an effective complaint handling process, including the risk of a complaint handling failure order.

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7. Statement of Commitment

ExtraCare recognises that its aims are at the core of its mission of “Better lives for older people”. This policy aligns with our values of empowerment, collaboration, compassion, and transparency.

ExtraCare commits to ensuring that they provide clear guidance to residents and staff to enable complaints to be dealt with appropriately and at the earliest opportunity.

The Complaints Officer will work collaboratively with managers support compliance. Management will lead by example and conscious non-compliance may be treated as a disciplinary matter.

8.1 Complaints:

8.1.1 Definition of a Complaint

We use the Housing Ombudsman Service’s definition of a complaint:

“An expression of dissatisfaction, however made, about the standard of service, action or lack of action by the organisation, its own staff or those acting on its behalf, affecting an individual resident or group of residents.”

Our primary aim when we receive an expression of dissatisfaction is to put the issue right. We will assign the issue to one of two categories:

a. First contact resolution / informal complaint

Where expressions of dissatisfaction can be reasonably interpreted by us as a concern; a request for service (e.g. repair request); or a request for information / clarification, or as an informal complaint we will log the issue as a ‘first-contact resolution’. This means that we will seek to resolve the issue directly with the person to provide the appropriate advice or response.

b. Formal complaint

Issues that are in relation to a failure in service; action (or inaction) by ExtraCare; or the conduct of staff acting on our behalf - that are unable to be resolved through the first contact resolution approach – will be logged as a formal complaint.

Classifying complaints – an example:

Where we receive an expression of dissatisfaction that states “I want to make a complaint about my shower leaking” we are likely to class this as a request for service and resolve under a first contact resolution approach by arranging for the leak to be assessed & remedied.

Where we receive an expression of dissatisfaction that states “My shower has been fixed but the tradesperson left the shower room in a mess and was impolite to me whilst carrying out the work” we are likely to treat this a service failure; as such, it would be logged as formal complaint to investigate and respond to accordingly.

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8.1.2 Making a complaint

Complaints from residents

Any expression of dissatisfaction does not have to be in writing for us to process it as a complaint – it can be stated orally.

We will accept expressions of dissatisfaction from either an individual resident or a group of residents (for example, from a Resident Association).

Where a resident raises the same issue both directly with us and through a recognised Resident Association, we reserve the right to formulate one response only.

Where a resident is unable (e.g. for health reasons) to raise a concern or complaint and requires support from someone else to do so then we will accept this on their behalf from a non-resident. This is provided we have the resident's express consent. In situations where a resident has an active Power of Attorney or solicitor is acting on their behalf (and we have evidence of this), we will accept a complaint on the resident's behalf (provided the issue falls within their remit). Where appropriate do so, our staff will also support residents to raise a concern or complaint, or we will take reasonable steps to ensure that they have a third-party advocate if one is required.

Complaints from non-residents

Complaints from potential residents in relation to our handling of their housing application will be processed as a complaint.

Where we receive a complaint from a non-resident we will process this through the first-contact resolution approach.

We will process a request from a non-resident as a formal complaint only where they are acting with the consent of the resident and that we have confirmation of this from the resident. Where the resident has an active lasting Power of Attorney in place, we will respond to the Power of Attorney provided we have evidence of this, and that the issue being raised by the Power of Attorney is within the remit of their Attorneyship.

Where the complaint is from a non-resident and does not directly relate to a resident, please refer to Section 8 of this policy.

We will consider accepting a formal complaint in the situation of a deceased resident, where the person authorised to administer their estate wishes to raise a legitimate issue that is directly related to the interests of the deceased.

Scope of complaints

We will process expressions of dissatisfaction about any services provided either directly by ExtraCare or provided on our behalf by one of our third-party contractors (for example, repairs or catering that may be provided by a contractor on our behalf).

Where we receive complaints in relation to care to a resident, we reserve the right to involve Social Services in resolving such issues. This may include seeking a best-interests assessment or pursuing a safeguarding referral if appropriate.

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Complaints from residents about services provided by independent traders concerning the standard of their service will be directed to the traders themselves. Only in situations where the service provided by independent traders to a resident has been unsafe, discriminatory, or otherwise in breach of their trading arrangements with us will we process this as formal complaint.

We will process formal complaints from applicants for housing to ExtraCare (either sales or rentals) through this complaint policy, with reference to the appeals process outlined in ExtraCare's Lettings, New Village Sales or Re-Sales Policies.

We will process any complaints made from applicants or residents which may be as a result of an alleged breach of the Associated Retirement Community Operators (ARCO) Consumer Code in line with this Policy. All such complaints would fall under the remit of either the Housing Ombudsman Service or Local Government & Social Care Ombudsman to adjudicate (rather than ARCO).

Complaints in relation to anti-social behaviour (ASB) will be dealt with under our Anti-Social Behaviour Policy, unless it is a complaint about how we have handled a report of ASB. Complaints in relation to our handling of ASB will be dealt with under this Complaint Policy.

Raising a complaint

Concerns or complaints can be made in the following way:

- Complete our 'Tell Us Your Concern' form available at our locations and submitted to the location manager
- In writing (by letter or email) addressed to the location manager, a member of staff, or to our Head Office
- By email to complaints@extracare.org.uk
- Orally to any member of staff, in person or by telephone to the location or to our Head Office

We will exercise reasonable judgement in responding to expressions of dissatisfaction raised through other means, such as on our social media sites or through 'one-star' feedback given through 'We're Listening', as either formal or informal complaints.

In general terms, we will respond to issues raised with us in writing as formal complaints, and we will respond accordingly in writing. However, we reserve the right to apply reasonable discretion depending on the nature of the issue being raised, and the most appropriate means of resolving the issue.

Issues raised at resident meetings within our locations ('street meetings') may be addressed during the meeting or in follow-up meetings; where appropriate we will record these as either first contact resolution or formal complaint.

Letters of complaint addressed to the Chief Executive, Executive Directors or Trustees will be assigned to the appropriate member of staff.

We will ensure that we record the date of all complaints received; the date the complaint is acknowledged; the date that the complaint has been responded to; and record the actions taken. We will provide quarterly Complaints report to ExtraCare's Operations Committee, so that there is governance oversight of complaint handling performance.

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All concerns or complaints made should be made in line with our Acceptable Behaviour Policy, and with reference to section 7.3 of this Policy below.

We will respect the confidentiality of those wishing to raise a concern or complaint in line with our Data Protection Policy.

8.1.3 Exclusions

We will not respond to concerns or complaints that are raised anonymously.

We reserve the right not to process an issue as a formal complaint if it is being brought to our attention for the first time over 12 months from the original incident / occurrence. If there are specific reasons why the complainant was unable to raise the issue within 12 months, then we will review whether to apply appropriate discretion. This will be reviewed by the Housing & Resident Engagement Manager and approved by the relevant Senior Manager.

We reserve the right not to process an issue as a complaint if the issue has been raised previously by the complainant, the complaint has been closed and where the complainant did not exercise their right to escalate the complaint (or where the Housing Ombudsman or other relevant body have determined on the case).

In general terms we will escalate complaints where the complainant remains dissatisfied after our Stage 1 response. We will seek to clarify the basis for escalating the complaint and seek to address the issues that remain in dispute through our Stage 2 response. In exceptional circumstances, we may assess that escalating the complaint to Stage 2 would not be appropriate in the circumstance of that complaint, and we would give clear reasons for not escalating. In such circumstances, we will consider offering a means of alternative dispute resolution (e.g. mediation) and advise the complainant of their right to seek advice from the Housing Ombudsman Service (or other relevant external adjudicator).

We reserve the right to assign any new issues raised by the complainant through the escalation process back to Stage 1 of the complaints process. This would not prevent us from seeking to resolve the original issue(s) raised through Stage 2. In situations where multiple issues are raised by the complainant, we reserve the right to 'batch' these issues into one complaint. The approach we take will be based on the most reasonable course of action for us to seek to resolve the issue(s).

We will not process an issue as a complaint where it is the subject of legal action, or potential legal action; or the subject of review by a statutory body (for example, First Tier Tribunal in relation to variable service charges). Such issues will be referred to our legal officer or solicitor as appropriate.

Claims for personal injury will be dealt with by our insurers.

We will not respond to concerns or complaints about services, organisations or individuals for whom we have no responsibility.

Acceptable Behaviour

We will seek to ensure that we respond to all complaints however made and expressed. We will not discriminate against anyone who makes a complaint. If a complainant behaves inappropriately in making a complaint, we will seek to manage that behaviour as necessary, while treating the complaint like any other. Where there may be occasions that the expression of the complaint

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breaches our Acceptable Behaviour Policy, we will make reasonable efforts to support a resident to raise a concern or complaint in a way that complies with our Acceptable Behaviour Policy.

This could include situations where the complainant is:

- making unreasonable demands;
- making the complaint in a threatening or aggressive manner;
- being overly persistent;
- overloading complaint channels (including social media) with their issue;
- not making the issue at stake clear, despite our reasonable attempts to clarify;
- repeatedly changing the issue or seeking to add further unrelated issues unreasonably;
- refusing to deal with a specific member of staff without good reason; and
- refusing to accept the reasonable evidence relied on by us in order to reach a determination.

We will advise the complainant of the specific breach of our Acceptable Behaviour Policy; the remedy that we require them to make; and offer support to enable them to make a complaint in an appropriate way.

In situations where, despite our best efforts to support a resident to make a complaint in a way that complies with our Acceptable Behaviour Policy, we reserve the right to decline to consider a complaint further or restrict further contact with the complainant in relation to the complaint. Any such restriction will be subject to a review after 3 months (and in subsequent 3-month periods if the restrictions are to remain in place).

In extreme circumstances, we will consider Police and / or legal action to prevent a complainant from behaviours such as threatening staff or spreading unfounded or malicious information in relation to the complaint.

8.1.4 Timescales

The timescales listed below are those that are required by the Housing Ombudsman’s Complaint Handling Code. These are the maximum timescales under the Code. However, our commitment as part of our membership of our trade body – ARCO – means that we commit to sending a final response within 56 calendar days of the initial complaint being received. This does not include time taken by the complainant to consider whether they wish to escalate their complaint.

Note: a ‘working day’ is Monday-Friday (excluding Bank Holidays). Where we state that responses by us will be in writing, this means it may be by letter or by email.

a. First contact resolution / informal complaint

Where we assign a complaint to the first-contact resolution approach, we will seek to respond to this within **1 working day** (and no longer than **7 working days**). This will be recorded by us as a ‘first contact resolution’ and our response will be in person, by telephone, or in writing as relevant to the issue.

b. Formal complaint

Where a formal complaint is raised, we will acknowledge the complaint within a maximum of **5 working days** of receiving it **in writing**.

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Stage 1: The complaint will be assigned to the appropriate member of staff for investigation – usually the relevant manager. In most cases this is likely to be the location manager (or if a care-specific issue, the location care manager). The complaint will be responded to formally in writing (by letter or email) within a maximum of **10 working days** of us receiving the complaint.

We will respond by providing the complainant with a summary of our investigation which states the reasons for our decision and the steps that we have taken / will take to resolve the issue. We will also explain their rights to escalation and provide relevant advice (such as referring them to information provided by the Housing Ombudsman Service) to assist in resolving the complaint.

Where we legitimately need more time to respond, we must agree a new deadline with the complainant. If we require further time to resolve the issue at Stage 1, we will write to the complainant to agree to this. This would only be done in the situation where further evidence is required or for other good reason which we will specify to the complainant. The aim will be to ensure that we provide a full response as quickly as possible, and within a maximum of **10 working days**.

Stage 2: If, after receipt of our Stage 1 response the complainant remains dissatisfied, the complaint will then be escalated to a senior manager (e.g. Regional Operations Manager / Head of Service / Housing and Resident Engagement Manager) for review. The complainant will then receive a response within a maximum of a further **20 working days** from the date that they have requested the complaint to be escalated.

If further evidence is required, then the Housing Ombudsman’s Complaint Handling Code allows for an extension of a maximum of a further 10 working days. Such an extension may mean that the complaint is at risk of being processed beyond the timescale of our voluntary commitment under the ARCO Consumer Code. Therefore, we would seek to avoid this situation arising through the complaint handling process by ensuring that the aggregate response time does not exceed 56 calendar days.

All requests for extensions of time by us will be made with the agreement of the complainant.

8.1.5 Upheld complaints

Complaints that are upheld will receive an apology, an explanation of why the service failure occurred; and an overview of how we will learn from the issue. We will record the learning from the complaint and ensure that this is shared with all relevant managers. Such learning will also be shared with the Resident Forum and in an annual report to residents.

8.1.6 External adjudication

If, after stage 2, the complainant remains dissatisfied, then the complaint can be further escalated as follows.

a. Housing-related complaints

Where the complaint relates to our landlord function, facilities or repairs service, these can be escalated to a designated person such as an MP or local councillor for review, immediately after Stage 2 has been completed. We will help in arranging this if required.

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If the complainant chooses not to pursue this option, the complaint can be referred direct to the Housing Ombudsman Service after 8 weeks of the complaint being concluded by us: <https://www.housing-ombudsman.org.uk/>

In line with our commitments under the ARCO Code, we will co-operate fully with the relevant Ombudsman Service during any investigation and comply fully with the Ombudsman’s final decision, which will be binding on us.

b. Care-related complaints

Where the complaint relates to care or our well-being services, these may be escalated to the Local Government & Social Care Ombudsmen: <https://www.lgo.org.uk/>

Please note that the Care Quality Commission (CQC) do not accept escalated complaints.

c. Breaches of ARCO Consumer Code

As an ARCO Approved Operator, we seek at all times to comply with the Consumer Code of the Associated Retirement Community Operators (ARCO). ARCO itself does not investigate complaints made about Approved Operators. Any complaints which are received by ARCO are passed to the relevant operator who are asked to handle the complaint through its own procedure. ARCO has an annual assessment programme where it checks that Approved Operators are complying with all aspects of its Consumer Code. Where there is evidence that an Approved Operator may not be complying with the Code at one or more of its Retirement Communities, ARCO may require an urgent inspection or investigation.

8.1.7 Reasonable adjustments

We will ensure that residents are able to make a complaint, and support them through the complaints process, by ensuring that we make reasonable adjustments for them to do so. These will be made in line with our Equality & Diversity Policy. Such reasonable adjustments may include:

- Seeking an advocate to act on the resident’s behalf, or a multi-agency approach to resolution;
- Involving a recognised Resident Association to support the complainant;
- Seeking the involvement of statutory and voluntary agencies where a support need is identified through the complaints process;
- Offering alternative dispute resolution options (e.g. mediation / arbitration);
- Arranging translation (including in writing) or similar services, and
- Hosting meetings to discuss issues in an environment that is appropriate to the complainant.

8.1.8 Compensation

Residents should not withhold rent or the payment of other charges in relation to a complaint or dispute with us. All charges should be paid as per the terms of the tenancy or lease.

We will consider offering fair and reasonable compensation to those who have been adversely affected by an issue where this is appropriate. Each case will be assessed on its merits, and discretion applied. In considering compensation, we will consider the actions we have taken to resolve the issue and whether these actions have sufficiently restored the resident to a position had the service failure not occurred. In some circumstances we may consider that financial compensation is appropriate to achieve this. This may be considered in the following circumstances:

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- **Mandatory** - such as statutory home loss payments under the Home Loss Payments (Prescribed Amounts) (England) Regulations 2020; ExtraCare do not operate the Right to Repair Scheme – residents in our locations where there is a partner landlord should contact the partner landlord under their complaint policy if they are seeking compensation under the Right to Repair;
- **Quantifiable loss** – where there is evidence of an actual loss as a direct result of our actions / inaction. This would need to include receipts to demonstrate that costs in excess of those normally incurred have occurred. We will assess whether these have been reasonably incurred; and
- **Discretionary payments** – for time, trouble and stress / inconvenience caused. This may be applied in cases where we have handled the complaint poorly, taken an unreasonable amount of time to resolve a situation; or failed to provide a service (or reasonable alternative) that has been charged for that as a result has had a detrimental impact on the resident as a result.

In addition, we may offer gestures of good will in order to resolve the issue, such as offers to provide an additional service (e.g. redecoration) or flowers, vouchers in order to express our regret.

In considering amounts to be paid in compensation, we will use the following criteria

- Minor: up to £100 and agreed by relevant manager
- Moderate: up to £500 and agreed by relevant Head of Service
- Severe: over £500 and agreed by relevant Executive Director

We will consider any specific vulnerabilities that any impact has had (e.g. disability) in our assessment of compensation.

We will not pay compensation under this Complaints Policy in the following circumstances:

- claims for personal injury;
- claims for damage caused by circumstances beyond our control;
- problems caused by a third party not working for the landlord;
- problems resulting from another resident’s lifestyle choice, and
- problems that should be resolved through a claim on the residents’ contents insurance

Any claims for compensation for the above situations would be dealt with by our insurers.

Any compensation payment made under this Complaints Policy will be accompanied by an apology; an explanation of why the service failure occurred; and an overview of how we will learn from the issue.

Compensation requests will be considered in line with our complaint timescales. We will not consider compensation payments longer than 12 months after the issue occurred, unless there is a demonstrable good reason. Where a resident is in arrears with rent or charges with us, we reserve the right to offset any compensation payment against such arrears.

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8.2 Non-resident related complaints: further guidance

8.2.1 Definition

If we receive a complaint in relation to an issue that is not directly related to a resident or prospective resident, we will accept the complaint if it is *“an expression of dissatisfaction in relation to either staff conduct; services provided by ExtraCare direct to external customers; our retail shops; or to commercial lease or licence arrangements where there is a potential breach of such agreements”*. These are likely to be complaints from (for example) visitors to our locations who wish to complain about an aspect of the service or environment that they have experienced.

8.2.2 Resolution

We will seek to resolve such complaints initially through a first-contact resolution approach, by referring the issue to the most appropriate member of staff to resolve. We will seek to make contact and resolve within **7 working days**.

If the complainant remains dissatisfied, then we will consider referral to the relevant Senior Manager. If we do not escalate the complaint further, we will give clear reasons to the complainant as to the reasons why. If referred further, the Senior Manager will seek to investigate and resolve the issue within **20 working days**.

Non-resident related complaints are unable to be escalated to an external adjudicator such as the Housing Ombudsman Service (unless it is in relation to an application for housing, in which case this can be referred to the Housing Ombudsman). If the issue remains unresolved after exhausting this process, the complainant will be advised to seek independent advice from the Citizens Advice Bureau, local council, or solicitor.

In seeking to resolve complaints in relation to non-resident related issues, we will apply the general principles for resolving resident complaints. This includes the applying the guidance within the policy in relation to exclusions, reasonable adjustments and compensation.

If we receive a non-resident related complaint that is in reference to a contract or agreement that we have with a third party, we will consider mediation / arbitration to resolve the issue with that third party. We also reserve the right to refer the matter to our solicitors for resolution.

8.3 Information, Training and Support

We will take all reasonable steps to publicise this Policy to residents, including through Resident ('Street') Meetings, with the aim of ensuring that their rights and obligations under this Policy are explained.

We will promote a positive complaint handling culture in the following ways:

8.3.1 Learning from complaints

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We will advise the complainant in our complaint responses of any relevant learning as a result of them raising an issue with us. We will record such learning on an internal Learning Log to be shared with all relevant managers.

We will contact a random sample of residents every three months to ask their experience of how we handled their complaint. Relevant feedback from this will also be recorded and shared with relevant managers (including location managers) and used to inform further staff training. We will provide a summary of this feedback to Operations Committee as part of their report.

We will report on complaints handling at least annually to our Resident Forum.

We will publish a summary of our complaint handling in our Annual Report.

We will self – assess our complaint handling against the Housing Ombudsman complaint handling code each year in December and publish compliance annually on our website.

We will provide residents at each location with an annual overview of complaints handled at their location in the form of a summary to each location, to be delivered through a Resident ('Street') Meeting.

8.3.2 Training

We will provide relevant training to all staff in relation to the principles of this policy to ensure that they are applied across ExtraCare.

We will provide additional training to staff involved in complaint investigations to ensure that these are carried out effectively. We will also provide training to assist relevant staff to respond appropriately in writing to complaints.

8.3.3 Further support

We will develop letter templates to support appropriate complaint responses in line with this Policy.

We will develop internal procedures for staff to support the implementation of this Policy

9. Other Relevant ExtraCare Policies & Documents

General	<ul style="list-style-type: none"> • Acceptable Behaviour Policy • Lettings Policy • New Village Sales Policy • Re-Sales Policy • Data Protection Policy • Information Security Policy • Equality & Diversity Policy • Volunteering Policy
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10. Relevant Legislative & Regulatory Requirements

Legislation	Regulation	Guidance
General Data Protection Regulation (UK GDPR)	RSH Standards (especially Governance & Financial Viability and Tenant Involvement and Empowerment standards)	ARCO Consumer Code
The Data Protection Act 2018 (DPA 2018)	Housing Ombudsman Complaint Handling Code	
Localism Act 2011	Local Government & Social Care Ombudsman Guidance on Complaint Handling	
Equality Act 2010	NHF Code of Governance 2020	
Housing Act 1996	NHF Together with Tenants	