



## **Complaints Policy**

Author/s	Customer Complaints Panel
Ratified by Operations Ctte	November 2020
Customer Ctte	October 2020
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# CHS Group<sup>1</sup>

## Complaints Policy and Procedure

### What is the Complaints Policy based on?

The Policy is based on the values of the CHS Group which are:

**Respect** - We treat everyone with fairness, respect and dignity

**Approach** - We put as much emphasis on the way we do things as on what we do

**Partnership** - We develop open communication and equal relationships with our customers, staff and partners which value their contributions and enable us to work together effectively

**Openness** - We are open, positive and flexible towards new ideas and encourage innovation and creativity that will improve the outcomes from our services

**Deliver** - We do what we say we will do and are accountable for our actions

CHS Group complies with the Housing Ombudsman Complaint Handling Code and will self-assess our complaints handling against the Code each time this policy is reviewed.

### How will we handle complaints?

We will:

- Make it easy for you to complain in the way that suits you e.g. by phone, letter, email, on our website or in person
- Do our best to find a solution as soon as possible
- Recognise every complaint is important
- Ensure you have a named officer to contact who is responsible for your formal complaint
- Keep the complaints process simple
- Deal with complaints efficiently and courteously
- Keep you informed about progress with your complaint
- Keep a record of complaints to monitor progress
- Ask for feedback on how we have handled completed formal complaints
- Compensate where we have caused harm or significant inconvenience over an issue
- Apologise where we have made mistakes
- Follow the requirements of the Housing Ombudsman's Complaint Handling Code and self-assess our compliance with it each time this Policy is reviewed.

This Complaints Policy and Procedure will be reviewed every 3 years and ratified by the Operations Committee after consultation with the Customer Committee. You can find the Complaints Policy on our website.

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<sup>1</sup> CHS Group includes CHS services (housing, nurseries, advice, care, and support), as well as Cambridge and County Developments who build our homes.

The CHS Operations Committee will receive a report on complaints every 3 months. The report will include the number and type of complaints, and the stage reached. An annual report to the Complaints Panel and Operations Committee will also set out the amount of any compensation awarded, how quickly they were handled and any lessons learnt.

### **1) What is a Complaint?**

CHS Group has adopted the definition of a complaint set out by the Housing Ombudsman Service. We consider a complaint to be 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 customer or group of customers.

You can make a complaint about any aspect of our service. Of course there are some things we cannot change, but we will always try to help. We will inform you if your complaint is about something over which we have no control. We will also let you know if your complaint is about something which is not covered by this Procedure – see section 2 below.

### **2) What complaints are not covered by this Procedure?**

This Procedure does not apply to:

- The reporting of repairs or other issues unless we fail to respond satisfactorily, when it will become a complaint.
- Complaints which are criticisms or disagreement with CHS Policies or Strategies. (Although CHS is happy to accept feedback about policies & strategies) Complaints about the way in which these Policies and Strategies have been carried out are covered by this Procedure.
- Complaints which are a disagreement with or refusal to accept a legal or statutory requirement (e.g. gas servicing). Complaints about the way in which these legal or statutory requirements have been carried out are covered by this Procedure.
- Complaints which are made at the same time as you take legal action against CHS for the same or a related matter. We may take legal advice on whether it is appropriate or not to use this Complaints Procedure in this situation. We may, at our discretion, follow this Procedure at the same time as legal action is taken.
- Complaints being made in an unreasonable manner (see section 9) or which have already been considered correctly under the policy.

If CHS decides not to accept a complaint there will be a valid reason which will be explained in writing to the customer. A customer is entitled to challenge this decision by raising their complaint with the CHS Complaints Panel and/or The Housing Ombudsman.

### **3) Complaints Panel**

The purpose of the Complaints Panel is to assist CHS and its customers to resolve complaints effectively, quickly and locally. The Panel consists of CHS customers who are members of the Customer Committee. The Panel takes an independent view of each complaint.

The Complaints Panel may:

- Act as advocates for complainants who need help to use the complaints process at any stage;
- Give informal advice to complainants at any stage of the complaint process;

- Review completed complaints to identify learning for CHS;
- When requested, to carry out the Formal Review of a complaint where the complainant is not satisfied with the outcome of a formal complaint.

The Complaints Panel may also act as a 'designated person' after a complaint has completed its progress with CHS (see section 9 below). The Complaints Panel has formal Terms of Reference setting out its role, membership and code of conduct.

#### **4) How to complain**

You must contact an employee of CHS Group to tell them that you want to complain. There are lots of ways of doing this and remember that others can make a complaint on your behalf. If someone else complains on your behalf, we will need to get your permission before we can discuss the issue with them. You can make a complaint in any way that suits you, including:

- Telephone: 0300 111 3555
- Mini-com: 01223 713784
- E-mail: [info@chsgroup.org.uk](mailto:info@chsgroup.org.uk)
- Write: CHS Group, Endurance House, Chivers Way, Histon, Cambridge CB24 9ZR
- Speak in person with a CHS employee.
- Website: [www.chsgroup.org.uk](http://www.chsgroup.org.uk)

We understand that some customers have disabilities or health conditions which may make it difficult for them to express themselves or communicate clearly. CHS complies with the Equality Act 2010 to ensure that there is equal access to the complaints service and we will make reasonable adjustments to assist any customer who needs them.

If you receive personal care from CHS, either in your own home, or at one of our Care Homes or nurseries, you can raise your concerns directly with the external regulators (see sections 10 and 11 for details). An external regulator is a government agency that oversees CHS's Older Peoples, Care Services and Nursery services.

We will provide a copy of the Complaints Policy if we fail to resolve your complaint in the first instance, or if you request one.

If you are a tenant of CHS you have the right to access the Housing Ombudsman Service at any stage of your complaint for advice and to ask the Ombudsman to investigate how your complaint has been handled by CHS.

CHS reserves the right to decline further escalation of a complaint through all the stages set out below, where it is reasonable to do so.

#### **5) Informal complaint**

If you have a problem with any aspect of our service, then please contact one of our employees and they will try to deal with it informally, if possible. If your issue cannot be resolved within 5 working days you will be contacted by the person responsible for dealing with your complaint, letting you know who they are and how long it will take to respond to your complaint. Some issues can be complex and/or rely on external input/advice e.g. from contractors, so cannot be answered in full within 5 working days. In this case we will agree a reasonable timescale with you when we inform you about progress. If are dissatisfied

about a repair issue, we will usually ask you to raise this directly with our contractor as they are often best placed to put something right – however CHS will monitor and review such complaints.

At any stage you can ask for assistance from your MP, councillor or the CHS Complaints Panel to support you in making your complaint. You can approach CHS's Complaints Panel which consists of customers and is formally recognised by CHS Group for informal advice at any stage of a complaint. Email: [ComplaintsPanel@chsgroup.org.uk](mailto:ComplaintsPanel@chsgroup.org.uk). You can also approach the Housing Ombudsman Service at any stage for advice.

## **6) Formal complaint**

If you are dissatisfied with our response to your complaint then get in touch with us again and we will treat your concerns as a Formal Complaint. You must do this within 30 working days of receiving our response about your original complaint. (We will be more flexible where there is a valid reason for taking longer to request this e.g. health reasons)

We will also treat a complaint as a formal complaint if:

- it is a problem that has happened before
- it is a complaint about a serious failure in our services
- you have asked us to treat it as a formal complaint
- it is a major complaint about a CHS employee's conduct (or Board member)

CHS will let you know within 3 working days who is dealing with the complaint and how long it will take to investigate. They will try to deal with your complaint and give you a full written reply within 10 working days. You will be informed if it will take longer and we will contact you every 10 working days to explain progress, with any further extension being for a justifiable reason.

## **7) Formal Review.**

If you are dissatisfied with our response to your formal complaint then contact us again within 30 working days of our response, letting us know why you feel the issue is not resolved and what you think should be done differently. Your complaint may be reviewed by a CHS Director who will let you know within 5 working days how long it will take to review or to advise you that no further action will be taken by CHS. They will review the way your complaint has been handled and give you a full written reply within 20 working days. If it will take longer than 20 working days they will keep you informed of progress.

We will not unreasonably decline to escalate a complaint to the next stage. Reasons we may tell you that it is not appropriate to take your complaints any further may include unreasonable use of the process, or you have not given a reason that you are not satisfied with the response you have received.

You may request that the Formal Review is carried out by the Complaints Panel, or CHS may suggest this where this would be an appropriate way to review the handling of the complaint or to help CHS learn from it. The Complaints Panel would be free to decline to accept such a referral where it believes it does not have the skills or resources to give it the proper consideration (e.g. due to legal or regulatory issues).

## **8) After Formal Review**

If you are still dissatisfied with how we have dealt with your complaint and you disagree with the response from the Formal Review, we will advise that your complaint has gone as far as it can within CHS.

If you have a tenancy with CHS you may decide to involve a 'designated person' at this stage, which may include the CHS Complaints Panel, or your MP or councillor. Any member of the Complaints Panel previously involved in the same complaint would not be involved in such a review. The designated person has the right to refer complaints to the Housing Ombudsman Service once CHS's complaints procedure has been exhausted. The role of the designated person is to assist in resolving complaints locally, and they will seek to achieve agreement between tenants and CHS. If the designated person is unable to facilitate agreement, they can then contact the Housing Ombudsman immediately who will consider your complaint. The Ombudsman may then make recommendations as a result of their involvement. The Ombudsman is an independent organisation which provides a service for tenants who have a complaint about their landlord that they have not been able to resolve through their landlord's complaints procedure.

After a minimum of 8 weeks (and within 12 months) of completing the CHS Complaints procedure, you may refer your complaint directly to the Ombudsman without having involved a 'designated person'. The address for the Ombudsman is:

Housing Ombudsman Service  
PO Box 152  
Liverpool L33 7WQ  
Tel. 0300 111 3000  
[www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk)  
E-mail: [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)

## **9) Unreasonable use of the complaints process**

Individuals with complaints about CHS have a right to pursue their concerns through a range of means. They also have the right to complain more than once if subsequent incidents or problems occur. This contact becomes unreasonable when the effect of the repeated complaints is to harass, or to prevent an organisation from pursuing a legitimate aim or implementing a legitimate decision.

We consider access to a complaints system to be important and it will only be in exceptional circumstances that we would consider such repeated use is unacceptable. In such cases we may decline further consideration of a complaint, making our reasons clear in writing. CHS has a separate policy on unacceptable behaviour which sets out our approach to such behaviour more widely than in using the complaints process alone.

## **10) Complaints about Care Services**

If you receive personal care from CHS, either in your own home, at an Extra Care Scheme, or at one of our Registered Care Homes, you can raise your concerns directly with the regulators:

**The Care Quality Commission –**  
**Email:** [enquiries@cqc.org.uk](mailto:enquiries@cqc.org.uk)  
**Telephone:** or 0300 061 6161

**Write:** Care Quality Commission  
Citygate  
Gallowgate  
Newcastle upon Tyne  
NE1 4PA

**Cambridgeshire Adult Social Care Team -**

**Email:** [feedback@Cambridgeshire.gov.uk](mailto:feedback@Cambridgeshire.gov.uk)

**Write:** Adult Care & Support  
Castle Court  
Castle Hill  
Cambridge  
CB3 0AP

All complaints investigated by the Care Quality Commission or Cambridgeshire Adult Social Care Team will be recorded by CHS, provided we are aware of them.

**11) Complaints about the Sunflower Nurseries**

If you have a complaint about the Sunflower Nurseries the process is the same as the procedure set out above up to and including Item 7 – Final Review. If you are not happy with the outcome of your appeal you need to contact the Government agency OFSTED who can investigate your complaint.

**OFSTED**

**Email:** [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

**Telephone:** 0300 123 1231

**Minicom:** 0161 618 8524

**Website:** [www.ofsted.gov.uk](http://www.ofsted.gov.uk)

All complaints investigated by OFSTED will be recorded by CHS, provided we are aware of them.

**12) Complaints about our housing managed by other agents.**

If you are a Licensee living in CHS owned supported housing managed by an Agent, and you have a complaint about **services** provided by the Agent, you can complain to the Agent. The Agent will deal with the complaint in accordance with its own Complaints Procedure. If the Agent fails to deal with the complaint you can complain to an employee of CHS, and follow the CHS Complaints Procedure set out above up to and including a Final Review. If you are not happy with the outcome of this Final Review you can then contact the Housing Ombudsman Service (see section 8 above).

If you have a complaint about a CHS service you can complain to the Agent. The Agent will check that CHS is responsible for the service and if so the Agent will help you raise the complaint with CHS, using the procedure set out above up to and including a Final Review. If you are not happy with the outcome of your review you can then contact the Housing Ombudsman (see section 8 above).