

Complaints Policy

Author/s	Customer Complaints Panel
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CHS Group¹

Complaints Policy and Procedure

1.0 Purpose

CHS welcomes complaints and feedback from customers about how we provide our services, as a way to learn from and correct things where we get it wrong.

CHS Group complies with the Housing Ombudsman Complaint Handling Code (last updated 1st April 2024) and will self-assess our complaints handling against the Code every year and each time this policy is reviewed. We also adhere to any prevailing Data Protection legislation including the UK Data Protection Act 2018.

2.0 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 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 complaints
- Compensate where we have caused harm or significant inconvenience over an issue
- Apologise where we have made mistakes and/or explain a decision.
- Put things right where we have got it wrong e.g. reconsider or change decisions, correct, or amend our records, amend policies and procedures.
- Carry out internal investigations under our Anti-Fraud policy using auditors or other external specialists where a complaint indicates apparent fraud or failure to manage funds properly.
- Follow the requirements of the Housing Ombudsman's Complaint Handling Code and self-assess our compliance with it each year.

This Complaints Policy and Procedure will be reviewed every 3 years and ratified by the Customer & Homes Committee after consultation with the Tenant Committee. You can find the Complaints Policy, information about the Housing Ombudsman and also our last self-assessment against the Ombudsman's Complaint Handling Code on our website.

We will use the valuable learning and feedback received when we conclude each complaint in order to improve the services we provide. We will publish an annual complaints performance report including the number and types of complaints, the learning from these complaints, any complaints we declined to accept, and the outcome of any Housing Ombudsman investigations.

¹ CHS Group includes CHS services (housing, advice, care and support, sales / development)

CHS also appoints a Board member to act as the Member Responsible for Complaints who will promote and support a positive complaint handling culture and ensure the Board receives assurance on CHS's complaint handling performance.

3.0 What is a Complaint?

CHS Group has adopted the definition of a complaint set out by the Housing Ombudsman Service. A complaint is **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, and you do not have to use the word 'complaint' for it to be treated as such. 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 4 below.

After you make an initial contact with CHS, the stages of our Complaints process are:

- Stage 1
- Stage 2

If a complaint is about fundraising on behalf of CHS please refer to our separate Fundraising Policy.

4.0 What is not covered by this Procedure?

The following are not considered to be complaints:

- When you are reporting a repair or requesting a service (it could become a complaint if we fail to respond satisfactorily to the request).
- Complaints which are made at the same time as legal proceedings² have started 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.
- Requests for compensation not connected to a complaint (we have a separate compensation policy)
- Complaints about issues which happened (or you became aware of them) more than twelve months ago. We may consider complaints outside this timeframe where there is good reason to do so.
- Complaints that have already been considered under the complaints policy.
- Complaints about the level of rent we charge.
- Services that we are not responsible for providing.
- Complaints being made in an unreasonable manner (see section 11)
- We cannot respond to anonymous complaints and therefore will not handle them under the formal complaints process. However we will review information sent anonymously in case there is learning from it.

² Legal proceedings are defined as when a Claim Form and Particulars of Claim have been filed at court.

We will not take a blanket approach to excluding complaints; we will consider the individual circumstances of each complaint. If CHS decides not to accept a complaint there will be a valid reason which will be explained in writing to you. You are entitled to challenge this decision by contacting The Housing Ombudsman.

5.0 Complaints Panel

The purpose of the Complaints Panel is to assist CHS and its customers to resolve complaints fairly, quickly, and effectively in accordance with the Housing Ombudsman Code. The Panel consists of CHS customers who take an independent view of the complaints they review.

The Complaints Panel will:

- Review completed complaints to identify learning for CHS on the quality of complaint handling.
- Review performance information on complaint handling e.g. timescales, trends, how CHS is identifying learning from complaints and making required changes as a result.
- Contribute to regular reviews of CHS's Complaints and Compensation policies, and also the annual self-assessment against the Housing Ombudsman Code.
Help CHS to learn from good practice identified by The Housing Ombudsman and from any Ombudsman investigations involving CHS.

The Complaints Panel has formal Terms of Reference setting out its role, membership, and code of conduct. CHS offers members comprehensive training on complaint handling and the requirements of the Housing Ombudsman Code.

6.0 How to complain

You can contact any 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. You can ask a representative to deal with your complaint on your behalf, and you can be represented or accompanied at any meeting with CHS. 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
- Write: CHS Group, Endurance House, Chivers Way, Histon, Cambridge CB24 9ZR
- Speak in person with a CHS employee.
- Website: www.chsgroup.org.uk

We accept initial complaints made by social media but will then discuss the details with you privately.

We understand that some people have disabilities or health conditions which may make it difficult to be heard or communicate clearly. CHS complies with the Equality Act 2010 to ensure that there is equal access to the complaints service. We will agree with you any reasonable adjustments you need and keep a record of this. Examples of reasonable adjustments include using a customer's communication preference for the duration of the complaint and providing information in alternative formats e.g. Braille, large print or on coloured paper.

If you receive personal care from CHS, either in your own home or at one of our Housing with Care schemes or if you live in one of our Looked After Children's Services, you can raise your concerns directly with the external regulators (see section 12 for details).

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

7.0 Initial contact

If you have a problem with any aspect of our service, then please contact us. If we can resolve the issue quickly and to your satisfaction, we will record it as a 'first response' resolution and review any lessons to be learned, although we'll still offer you the choice to have your complaint investigated further at stage 1 (below). If you are dissatisfied about a repair issue, we will usually ask you to raise this directly with our contractor initially as they are often best placed to put something right.

8.0 Stage 1 complaint

If you are dissatisfied with our response or the response of our contractor to your initial contact, then get in touch with us again and we will treat your concerns as a stage 1 Complaint. This will not prevent us from working to address the ongoing issue while we handle your complaint.

We will also open a stage 1 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 acknowledge and set out our understanding of your complaint including any outcomes you are seeking and attach a copy of our Complaints Policy within 5 working days. This will include the name of the manager who is dealing with the complaint. We will explain if any parts of your complaint are not CHS's responsibility. The responsible manager will aim to give you a full written reply within a further 10 working days. You will be informed if it will take longer and we will contact you to explain the reason, with any further extension being for a justifiable reason. We would contact you at least every 10 working days to explain progress, and provide you with details of The Housing Ombudsman.

After we send a response to your complaint there may be outstanding actions for CHS to complete to address the issue. We will keep you informed of the progress of such actions however this should not prevent us from answering your complaint in the required timescale.

If you raise further relevant issues with us during our investigation, we will try to answer these at the same time so long as it does not delay the reply to your original complaint; or we will log a separate complaint.

9.0 Stage 2 complaint

If you are dissatisfied with our response to your stage 1 complaint, then contact us again to let us know and we will review the complaint at stage 2. It's helpful if you let us know the

reasons the complaint has not been resolved so that we can address this – however you do not have to do so. Your complaint may be reviewed by a senior manager or Director who has not already been involved in your complaint. CHS will acknowledge and set out our understanding of your complaint including any outcomes you are seeking, within 5 working days.

We will not unreasonably decline to escalate a complaint to stage 2. We may tell you that it is not appropriate to take your complaints any further because:

- The same issue has already been considered at this stage under our policy.
- unreasonable use of the process (see section 11 below).
- Legal proceedings have begun on the same matter.
- You are raising new issues that it would be unreasonable to add to the original complaint (which may then be considered as a separate complaint).

The stage 2 review will look at the way your complaint has been handled and provide you a full written reply within 20 working days. If it will take longer than 20 working days you will be kept informed of progress, and we will not extend the timescale without a good reason which we will explain. We will advise that your complaint has gone as far as it can within CHS, and provide the contact details for the Housing Ombudsman.

A complaint will be closed if you decide to withdraw it, or CHS has replied to you and you decide not to escalate it further, or CHS sends its final reply at stage two.

10.0 After Stage 2 – Housing Ombudsman

If you are still dissatisfied with how we have dealt with your complaint and you disagree with the response at Stage 2, you may refer your complaint directly to the Housing Ombudsman Service (although see section 12 regarding complaints about Housing with Care and Looked After Children's Services). The Ombudsman is a free, impartial, and independent organisation which provides a service for tenants and leaseholders who have a complaint about their landlord that they have not been able to resolve through their landlord's complaints procedure. The Ombudsman may work with you and CHS to resolve a dispute under their mediation procedure; or carry out an investigation.

If you are a freeholder you do not have the right to approach the Housing Ombudsman or a First Tier Tribunal. You may have the right to approach the Royal Institute of Chartered Surveyors (RICS) for a determination on your service charges, subject to the term of the property transfer.

The contact details for the Housing Ombudsman are:

Housing Ombudsman Service
PO Box 1484
Unit D
Preston
PR2 0ET
Tel. 0300 111 3000
www.housing-ombudsman.org.uk
E-mail: info@housing-ombudsman.org.uk

11.0 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 customer behaviour which sets out our approach to such behaviour more widely than in using the complaints process alone. Any restrictions placed on contact with customers under the policy will be proportionate and demonstrate regard for the provisions of the Equality Act 2010.

12.0 Complaints about Care Services or Looked after Children's Services

As well as housing services, CHS provides care services to adults and supported accommodation services to children. This policy applies to these services i.e. if you receive personal care from CHS (either in your own home or at a Housing with Care scheme) or live in one of our Looked After Children's services. In the first instance, we would prefer you to contact us if you would like to complain. However, you may also contact the Local Authority or the relevant Regulator if you feel unable to contact us about a particular issue. Their details are below:

Type of Service	Care provided in Housing with Care schemes	Looked After Children's Services
Local Authority	Cambridgeshire Adult Social Care Team - Email: feedback@Cambridgeshire.gov.uk Write: Adult Care & Support Castle Court Castle Hill Cambridge CB3 0AP	Cambridgeshire: Children's Complaints and Feedback Team: Tel: 01223 714765 or 03450 455 203 Email: ChildrensComplaintsandFeedbackTeam@cambridgeshire.gov.uk Peterborough: Tel: 01733 296331 Email: complain@peterborough.gov.uk Lincolnshire: Customer Relations: Tel: 01522 843322
Regulator		Ofsted : enquiries@ofsted.gov.uk or 0300 123 4666 (option 2 for accessibility support)

If you live in our Looked After Children services, we can assure you that :

- (a) If you complain about a particular employee they will not take part in its consideration or investigation except at the informal resolution stage if our Registered Manager considers it appropriate.

- (b) We will make sure that we record your complaint, the action taken in response and the outcome of the investigation. We will keep full records and be able to provide information on the last 12 months of complaints if required to do so.
- (c) We will ensure that you will not be penalised for making a complaint.

All complaints investigated by the Local Authority and Ofsted will be recorded by CHS, provided we are aware them.

You may also approach the **Local Government and Social Care Ombudsman** (**lgo.org.uk or 0300 0610614, Address: PO Box 4471, Coventry, CV4 0EH**) if you are not satisfied with the way that CHS has handled your complaint about our Housing with Care Services or care of Looked After Children's Services.

13.0 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 Stage 2. If you are not happy with the outcome at Stage 2 you can then contact the Housing Ombudsman Service (see section 10 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 Stage 2. If you are not happy with the outcome of your review you can then contact the Housing Ombudsman (see section 10 above).