

Complaints Policy



1. INTRODUCTION

- 1.1. This policy sets out Clarion's approach to managing complaints. We accept complaints from Clarion residents, or those acting on your behalf with your consent, and from third parties affected by Clarion's decisions, actions, or non-actions.
- 1.2. At Clarion it is important to us that you can easily let us know when you are unhappy with the service you experience, and we can put matters right for you and improve our service for everyone.
- 1.3. Our priority is to resolve your complaint quickly and thoroughly, taking account of your personal situation and ensuring you are kept informed and understand our decision. Following feedback from our engaged residents, we will focus on quality of response rather than just timescales.
- 1.4. Complaints can be made in several different ways. We will make reasonable adjustments for those who need additional assistance. Please contact us if you would like our assistance in making a complaint.
- 1.5. Where elements of your complaint refer to a higher-risk building¹ where Clarion is the principal accountable person² and concern either a building safety risk³ and/or the performance of any duty by Clarion under the Building Safety Act 2022, our Building Safety Complaints (HRBs) Policy will apply to those aspects of your complaint.

2. DEFINITION OF A COMPLAINT

2.1. **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 resident or group of residents.'*

2.1.1 You do not have to use the word 'complaint' for it to be treated as such. Whenever a resident expresses dissatisfaction we will give them the choice to make complaint

2.2. Service Requests

2.2.1 **A service request** is *'a request from a resident to the landlord (or organisation working on their behalf) requiring action to be taken to put something right.'* This will

¹ A building having at least 7 floors or being at least 18 meters in height and containing at least 2 residential units.

² The organisation (or individual) that owns or has a legal obligation to repair the structure or exterior of the building.

³ A risk related to structural failure and/or the spread of fire in the building.

usually be the first time you have made us aware of your dissatisfaction with our service. Service requests are not considered to be complaints.

2.2.2 If you are dissatisfied with our response to a service request, then we will consider this to be a complaint and we will follow the process laid out in this policy.

2.3 We consider all complaints on their own merits and will accept a complaint unless there is a valid reason not to do so, where we do not accept a complaint, we will always explain our reasoning and your right to escalate the issue to the Housing Ombudsman.

2.4 There are some things we will not deal with through our complaint procedure.

These include:

2.4.1 Where the issue giving rise to the complaint happened, or was first found, over twelve months ago. We will apply discretion where complaints are made outside of this time period where we are given good reasons to do so.

2.4.2 Where legal action has begun. This is defined as details of the claims, such as the claim form and details of the claim, having been filed at court.

2.4.3 Matters that have already been considered under the Complaints Policy.

2.4.4 An expression of dissatisfaction with services made through a survey is not defined as a complaint, though wherever possible, the person completing the survey should be made aware of how they can pursue a complaint if they wish to. Where landlords ask for wider feedback about their services, they also must provide details of how residents can complain.

2.4.5 The first reports of anti-social behaviour (ASB), or ongoing nuisance as part of an existing ASB case. Only complaints regarding the handling of an existing ASB case by us will be logged as a complaint against Clarion.

2.4.6 An issue with a decision we have made where there is another procedure to appeal the decision. This includes a dispute about a mutual exchange or succession of tenancy.

2.4.7 A complaint regarding Rent reviews as we follow government guidelines.

2.4.8 Liability or personal injury claims

2.4.9 Complaints relating to the setting of service charges that can be referred to the First Tier Tribunal (www.gov.uk/courts-tribunals/first-tier-tribunal-property-chamber).

3. OUR PRINCIPLES

3.1 When you have cause to complain to us about our services we promise to:

- Make it easy for you to let us know when you are unhappy with our service
- Apologise when you have cause to complain
- Listen and ask questions to make sure that we understand the reasons for your dissatisfaction and what you want us to do to put things right
- Investigate your complaint thoroughly and ensure that we take your personal circumstances into account
- Be transparent and fair in our communications and decision making and, on those occasions, when we cannot resolve your complaint as quickly as we would like we will explain the reasons why
- Put things right quickly and promptly
- Learn from your feedback to ensure we improve our services.

4. ACCESSIBILITY AND AWARENESS

4.1. We welcome feedback in the form of complaints from anyone who is affected by a service we provide, or a decision taken by us, including:

4.1.1 Residents named on a Clarion tenancy for any of our properties, leaseholders, and shared owners.

4.1.2 Any third party negatively affected by our actions or decisions.

4.1.3 Any person acting on behalf of a resident (with their consent). For example, this could be a family member, advocate, neighbour, advice agency, Member of Parliament (MP), or a Councillor

4.2. A complaint can be made in the form of a petition. The complaint will be dealt with following the standard complaints process. The petition will be treated as one complaint and all correspondence will be addressed to the first signer. We will take into the account individual circumstances of all signers when dealing with a petition.

4.3. Complaints about a service which Clarion is not responsible for can be raised on behalf of our customer if requested. A resolution may not be possible by us, but we will provide support and signposting to try to affect the result on the complainant's behalf. This includes where a managing agent has been appointed by the freeholder (who is not Clarion) of the property.

4.4. Complaints about the conduct or behaviour of staff or other parties acting on our behalf will be addressed in line with human resources and contract management policies.

We will ensure that you are given relevant information about the outcome of your complaint, but personal data and employment-related information will not be shared with you in line with our duties around staff confidentiality and data protection.

4.5. We will challenge and prevent all forms of discrimination in line with the protected characteristics defined by the Equality Act 2010 and strive to ensure you experience no less favourable treatment or unacceptable behaviour as a direct or indirect result of who you are. We will fully investigate complaints about discrimination under this policy.

4.6. Complaints can be reported in the following ways:

4.4.1 **Clarion website** – www.myclarionhousing.com/contact-us/all-other-enquiries/making-a-complaint

4.4.2 **Telephone** – 0300 500 8000 – Our phone lines are open from 8:30am-5pm Monday to Friday (10am-5pm on Wednesdays)

4.4.3 **Live Chat** – from 8:30am-5pm Monday to Friday (10am-5pm on Wednesdays) – www.myclarionhousing.com

4.4.4 **Social Media** – Facebook & X (formally Twitter)

4.4.5 **Post** – Clarion Housing Group, Reed House, Peachman Way, Broadland Business Park, Norwich, NR7 0WF

4.4.6 **In Person** – at a Clarion Hub or to a member of staff or a representative of an organisation working on our behalf.

4.5 This complaints policy is accessible on our website together with the contact details for the Housing Ombudsman Service

www.myclarionhousing.com/contact-us/all-other-enquiries/making-a-complaint

5. OUR COMPLAINTS PROCEDURE

5.1. We have a two-stage procedure, in line with the Housing Ombudsman Code 2024.

5.2. Any complaint made to Clarion or an organisation acting on our behalf that is submitted via a third party or representative will still be managed in line with this two-stage procedure.

5.3. Confidentiality and data protection principles apply to the complaints process. We will not share any personal or property information gathered as part of the complaint

investigation with any third party who is not entitled to receive it, in line with our Data Protection policy.

5.4 **Stage 1** of our Complaint Procedure:

5.4.1 If our attempt to resolve your service request is unsuccessful, a formal complaint will be recorded and investigated. We will do all we can to resolve your complaint as quickly as possible and agree how we can put things right.

5.4.2 When a complaint is made, we will acknowledge, define, confirm your desired outcomes, and log your complaint within **5 working days** of your complaint being received.

5.4.3 We aim to issue a full response to your complaint within **10 working days** of its acknowledgement.

5.4.4 We will always focus on providing you with a quality resolution and if we need additional time to achieve this, we will agree this with you and aim not to extend this by more than **10 working days**. When this occurs, we will always provide you with details of the Ombudsman.

5.4.5 We will provide you with our response to your complaint as soon as it is known. If there are outstanding actions, we will continue to track and monitor through to resolution, keeping you informed.

5.4.6 Our aim is to discuss our decision with you prior to providing our formal response to your complaint in writing at the completion of Stage 1. We will use clear and plain language and address all issues raised in your complaint.

5.4.7 Where you raise additional complaints during the Stage 1 investigation, these will be incorporated into the stage 1 response if they are related, and the stage 1 response has not been issued. Where the stage 1 response has been issued, the new issues are unrelated to the issues already being investigated or it would unreasonably delay the response, the new issues will be logged as a new complaint.

5.4.8 Our formal response will include:

- Confirmation of conclusion of Stage 1 of our complaints process
- An overview of your complaint
- Our decision
- The reasons for the decisions we have made
- Details of any compensation offered to put things right
- Details of any outstanding actions
- An explanation of how to escalate the matter to Stage 2 if you are not satisfied with our response.

5.5 Stage 2 of our Complaint Procedure:

5.5.1 If at the conclusion of the Stage 1 complaint process, you remain dissatisfied with our response to all or some of your complaint then you can escalate your complaint to Stage 2 of our process where a different member of staff will consider your complaint.

5.5.2 Whilst you are not required to explain your reasons for requesting a stage 2 consideration. We will make reasonable efforts to understand why you remain unhappy as part of your stage 2 response.

5.5.3 Requests for escalation to Stage 2 must be received within **20 working days** of receiving the Stage 1 response but individual circumstances will be considered if a request to escalate is received outside of this timescale.

5.5.4 When a request to escalate a complaint to Stage 2 is made, we will acknowledge, define, confirm your desired outcomes, and log your complaint within **5 working days** of your request to escalate being received.

5.5.5 We aim to issue a full and final response to your Stage 2 complaint within **20 working days** of its acknowledgement.

5.5.6 We will always focus on providing you with a quality resolution and if we need additional time to achieve this, we will agree this with you and aim not to extend this by more than **20 working days**. When this occurs, we will always provide you with details of the Ombudsman.

5.5.7 We will provide you with our response to your complaint as soon as it is known and if there are outstanding actions we will continue to track and monitor through to resolution and keep you informed.

5.5.8 Our aim is to discuss our decision with you prior to providing our formal response to your complaint in writing at the completion of Stage 2 and we will also make sure that we use clear and plain language, and we address all points raised in your complaint.

5.5.9 Our formal response will include:

- Confirmation of conclusion of Stage 2 of our complaints process
- An overview of your complaint
- Our decision
- The reasons for the decisions we have made
- Details of any compensation offered to put things right
- Details of any outstanding actions
- An explanation of how to escalate the matter to the Ombudsman if you are not satisfied with our final response.

6. EQUITY, DIVERSITY, AND INCLUSION

- 6.1. We are committed to making our complaints process accessible and easy to use for all our customers in line with our statutory duties and our commitment to Equity, Diversity, and Inclusion.
- 6.2. If you need support in making your complaint, please tell us. All requests will be considered and – where possible – acted on in accordance with our Reasonable Adjustments Policy and the Equality Act 2010.
- 6.3. You can request a reasonable adjustment from us through the officer you are engaging with, or by contacting us through any of the channels above.
- 6.4. Examples of the support we can provide include providing information in alternative formats, adapting our communication method, and allowing more time for a complaint to be brought to our attention.
- 6.5. An Equality Impact Assessment (EIA) has been carried out for this policy, focusing particularly on the protected characteristics specified in the Equality Act 2010. We will monitor and review complaints with a view to identifying and rectifying any adverse impacts on our customers.

7. LEGISLATION AND REGULATION

7.1. The key pieces of legislation relating to this policy are the:

- Housing Ombudsman Complaint Code 2024
- Housing Act 1985, 1988, 1996 and 2004
- Building Safety Act 2022
- Localism Act 2011
- Landlord and Tenant Act 1985 as amended by the Commonhold and Leasehold Reform Act 2002
- Equality Act 2010
- Data Protection Act 2018
- Social Housing (Regulation) Act 2023

7.2. In some cases, you may remain dissatisfied after going through our two-stage internal complaints procedure. You can refer your complaint to the Housing Ombudsman Service (www.housing-ombudsman.org.uk).

7.3. You can consult the Ombudsman for advice at any time before or during the complaints process.

- 7.4. Leasehold and shared owner complaints relating to the setting of service charges can be referred to the First Tier Tribunal (www.gov.uk/courts-tribunals/first-tier-tribunal-property-chamber).

8. RESPONSIBILITIES

- 8.1. We have a dedicated complaints team who are assigned to investigate complaints. They have access to staff at all levels to facilitate the prompt resolution of complaints. They have the authority and autonomy to act to resolve disputes promptly and fairly. This team's responsibility includes liaising with the Ombudsman and escalating key issues to the Housing Association Board. In accordance with the Housing Ombudsman Complaint Handling Code 2024 this team is defined as our 'Complaint Officers'
- 8.2. The Member Responsible for Complaints (the 'MRC') is a non-executive member of the Clarion Housing Association Board. They are responsible for ensuring the Board receives regular information on complaints, providing insight on our complaint handling performance. The MRC has lead responsibility for supporting a positive complaint handling culture.
- 8.3. The Chief Customer Officer has lead executive responsibility for complaint handling and ensuring a positive complaint handling culture across Clarion. They assess any themes or trends to identify any potential systemic issues, serious risks, or policies and procedures that require revision.
- 8.4. All Clarion colleagues must be aware of the complaints process and be able to pass details of the complaint to the Complaints team.
- 8.5. As the governing body, the Clarion Housing Association Board oversees our complaint performance and has responsibility for reviewing and responding to Clarion's Annual Complaints Performance and Service Improvement report and publishing it on our website.

9. MONITORING AND COMPLIANCE

- 9.1 We record and monitor all complaints that we receive and use this information to consider and identify improvements that can be made to our services and publish our performance in our annual report.
- 9.2 This information is shared with and scrutinised by stakeholders, including our residents, staff, and relevant committees.
- 9.3 An independent Quality Monitoring team completes quality assessments on communications with our customers to make sure that we are true to our principles and comply with this policy.

9.4 Every month we seek customer feedback on the complaints we have resolved so that we can identify areas for improvement.

10. ASSOCIATED DOCUMENTS

10.1 This policy should be considered in conjunction with the following Clarion policies:

- [Vulnerable Residents Policy](#)
- [Building Safety Complaints \(HRBs\) Policy](#)
- [Reasonable Adjustments Policy](#)
- [Customer Compensation Policy](#)
- [Safeguarding Policy](#)
- [Anti-Social Behaviour Policy](#)
- [Managing Unacceptable Customer Behaviour Policy](#)
- [Data Protection Policy](#).

Date last reviewed:	April 2024
Date next review:	September 2024