

# Habitare Homes Limited: Complaints Policy

<b>Version:</b>	3.0
<b>Author:</b>	Man Global Private Markets (UK) Limited
<b>Policy Owner:</b>	Board
<b>Date adopted:</b>	June 2024
<b>Date of next review:</b>	June 2026
<b>Approved by:</b>	Board

## 1 | Introduction

- 1.1. Habitare Homes Limited (“Habitare”) is committed to high standards of customer service. Unfortunately, there may be occasions when we do not meet the high standards we set for ourselves. We prioritise the resolution of complaints and have a culture of learning from complaints and the issues raised. We will try wherever possible to resolve a complaint to the customer’s satisfaction and to ensure that complaints are handled effectively.

## 2 | Scope

- 2.1. This policy applies to all residents of Habitare who have a legal relationship with us i.e. are an applicant, tenant, leaseholder, or licensee.
- 2.2. Where a Managing Agent is engaged to manage properties on behalf of Habitare;
  - The Managing Agent will apply all aspects of the Complaints Policy on our behalf, and ensure their staff are trained on the policy;
  - The Managing Agents will consult Habitare on all significant activities undertaken in fulfilment of the policy where required; and
  - The words “staff”, “we” and “us” in this policy refers to the staff of the Managing Agent with regard to all operational matters.

## 3 | Purpose

- 3.1. This policy sets out our approach to complaints and resolving any issues raised. We have a collaborative and co-operative approach towards resolving complaints and take collective responsibility for any shortfalls identified. We will always act within the professional standards for engaging with complaints as set by any relevant professional body.

- 3.2. You can complain about any services we have provided within 12 months of the issue happening. We may accept older complaints at our discretion in extenuating circumstances for example if a complaint is delayed due to ill health.
- 3.3. We aim to resolve your complaint as quickly as possible. If you make a complaint and we follow our process, we are unable to accept another complaint about the same issue. Making a complaint will not result in any adverse changes to the services that we provide you. This policy will be jointly implemented with our Managing Agents.

## 4 | Definitions

- 4.1. Service request: A service request is a request from a resident requiring action to be taken to put something right. Service requests will be recorded, monitored and reviewed regularly. A complaint will be raised when a resident raises dissatisfaction with the response to their service request.
- 4.2. Complaint: We use the Housing Ombudsman definition and define a complaint as an “expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents”. An expression of dissatisfaction does not need to include the word complaint to be handled in line with this policy. We treat multiple complaints from the same complainant as a single complaint.
- 4.3. Complainant: Anybody with a legal relationship to us (i.e. applicant, tenant, leaseholder or licensee), or a person acting on their behalf, can make a complaint about the service we or anyone working for us (including e.g. managing agents or contractors) provide. We will require your written permission before corresponding with any third party.
- 4.4. Housing Ombudsman Service: a service provided to all residents of registered providers of social housing which can assist residents throughout the life of a complaint and also be used if complaints should be escalated.
- 4.5. Complaints Handling Code: We are committed to meeting the requirements of the Housing Ombudsman’s Complaints Handling Code and undertake an annual self assessment of compliance. This is reviewed by the board and is published on our website.
- 4.6. Complaints Officer: As per the Housing Ombudsman Code, Habitare’s Asset Director will act as the Complaints Officer, and they will:
- Act sensitively and fairly;
  - Be trained to receive complaints and deal with distressed and upset residents;
  - Have access to staff at all levels to facilitate quick resolution of complaints; and
  - Have the authority and autonomy to act to resolve disputes quickly and fairly.
- 4.7. Board Member responsible for complaints: As per the Housing Ombudsman Code, Habitare have a designated board lead on complaints. Their details are published on the complaints page of our website.

## 5 | Relevant Legislation

5.1. This policy should be read in conjunction with the legal and regulatory documents listed below:

- Housing Act 1996 (schedule 2)
- Data Protection Act 2018
- Localism Act 2011
- Equality Act 2010
- Social Housing Regulation Act 2023
- Housing Ombudsman Scheme and 2024 Code
- Transparency, Influence and Accountability Standard
- We adhere to the provisions of the Equality Act 2010 and have processes in place to accommodate an individual's needs regarding access to an appropriate channel for raising a complaint.

## 6 | Our responsibility

6.1. We have a 2 stage complaints resolution process. Where something has gone wrong we will acknowledge this and set out the actions we have already taken, or intend to take, to put things right.

6.2. Stage 1:

6.2.1. If you are unhappy with a service we have provided you can raise a formal complaint. You can do this in a number of ways including online, by email, by phone or by post. We will acknowledge your complaint within 5 working days.

6.2.2. We will keep a record of all correspondence with the complainant. Where we are unable to meet the timescales set out in this process, we will provide the complainant with the reasons why this is the case, with any extension being no more than 10 working days.

6.2.3. Hopefully we can resolve everything by email or phone, if not we are happy to meet with you face to face to seek to find a solution.

6.2.4. If you refuse to engage with us to resolve the complaint in line with this complaints process, then we will have to close your complaint.

6.2.5. We will consider the individual circumstances of each complaint and will investigate your complaint and aim to give you a full written response within 10 working days. Our response will explain the outcome of our investigation together with any actions that we agree with you to resolve the complaint. If our investigation will take longer, we will let you know and agree update intervals to ensure you are regularly informed of progress.

6.2.6. We close complaints once we have sent you our written response and agreed actions with you (if appropriate) to resolve your issue. If you request a review, your complaint will stay open.

### 6.3. Stage 2

6.3.1. If you're unhappy with the decision in relation to your complaint you can ask for your complaint to be escalated to stage 2. A request for a review should be made within a reasonable timeframe. We will acknowledge your complaint within 5 working days.

6.3.2. If your case is escalated to a Stage 2 review, the complaint will be handled by an independent reviewer who has not involved in the original decision. If necessary, we may request legal advice when reviewing your complaint. We will send you with a formal written response within 20 working days. This response will reconsider the individual circumstances of each complaint and explain the outcome of our investigation together with any actions that we agree with you to resolve the complaint. In exceptional circumstances, the timescales for responding may need to be changed. If our investigation will take longer, we will let you know and agree update intervals to ensure you are regularly informed of progress.

### 6.4. Housing Ombudsman

6.4.1. At any stage during your complaint, you can approach the Housing Ombudsman for independent advice around your complaint. Once we have exhausted our internal complaints process, you can contact the Housing Ombudsman for further investigation should you remain unhappy.

6.4.2. Details of the Housing Ombudsman Service is available on their website:

<http://www.housing-ombudsman.org.uk>

6.4.3. In most cases the Housing Ombudsman Service will only accept your complaint if:

- a. You hold a legal relationship with Habitare (i.e. applicant, tenant, leaseholder or licensee);
- b. Are an advocate for an applicant, tenant, leaseholder or licensee;
- c. Live in one of our homes (and you give your consent);

AND

- d. You have followed both stages of Habitare's complaints process i.e. you made a complaint and then asked us to review it.

6.5. The following are generally not considered as complaints and will be dealt with via alternative mechanisms:

- a. Repairs which are a resident's responsibility – we can refer you to local trades bodies or e.g. Checkatrade to source a tradesperson;
- b. Legal action – if we are involved in legal action with you then we are unable to handle complaints which your or our solicitors are dealing with at the same time;
- c. Insurance claims – these are dealt with through our insurers;
- d. Services which are not our responsibility – e.g. local authority decisions about nominations or housing benefit;
- e. Service charge complaints – we manage these through our Rent and Service Charge Policy;
- f. Anti-social behaviour (ASB) – complaints regarding the behaviour of our residents should be reported direct to the housing manager for investigation under our ASB policy;
- g. Feedback about our policies and procedures or responses to surveys – we will record this and use it for the purposes of continuous improvement when the policy or procedure is next reviewed;
- h. unreasonable demands (eg requesting large volumes of information, asking for responses within a short space of time, refusing to speak to an individual or insisting on speaking with another) or unreasonable persistence (refusing to accept the answer that has been provided, continuing to raise the same subject matter without providing any new evidence). Any restrictions placed on our responses will be fair, proportionate and comply with the Equality Act 2010.

6.6. Unacceptable Behaviour – we appreciate that there may be frustrating or distressing circumstances that may have caused your complaint. Verbal abuse, aggression, violence (this is not just limited to actual physical or verbal abuse but can include derogatory remarks, rudeness, inflammatory allegations and threats of violence) will not be tolerated under any circumstances.

6.7. Learning from complaints

- 6.8. We aim to learn from complaints and use this information to improve how we work. When something changes as a result of a complaint, we will inform our residents of what has been changed and also publish information on our website about how we are using complaints to improve services.
- 6.9. We will publish our self- assessment against the Housing Ombudsman’s Code annually on our website alongside an annual report on complaints and changes to services, and the boards response to the self-assessment.
- 6.10. The board will receive quarterly reports about the volumes of complaints received, at which stage they were resolved, and any trends or themes within the complaints.

## 7 | Compensation

- 7.1. Where we uphold a complaint, we may in some circumstances and where we consider it to be appropriate, offer a discretionary compensation payment.
- 7.2. The payment offered will be proportionate to the circumstances of the failure that led to the complaint and to any shortfalls in service the impact this has had. We specifically consider:
- a. actual, proven financial loss sustained as a direct result of the maladministration or service failure, and/or
  - b. avoidable inconvenience, distress, detriment or other unfair impact of the maladministration or service failure.
- 7.3. We may also consider the following factors when deciding the overall amount:
- a. the duration of any avoidable distress or inconvenience
  - b. the seriousness of any other unfair impact
  - c. actions by the complainant which either mitigated or contributed to actual financial loss, distress, inconvenience or unfair impact
  - d. the levels of compensation we may have paid for similar cases and the guidance issued by the Housing Ombudsman on appropriate remedies.

## 8 | Policy Monitoring and Performance

- 8.1. The board is responsible for ensuring this policy is kept up to date, implemented within the organisation and monitored and evaluated. Performance on complaints will be reported to the board quarterly, with an annual complaints’ report at year end. This will

be published on our website along with a copy of our self-assessment against the Housing Ombudsman's code.

- 8.2. This policy will be reviewed every two years or when there is a change in circumstances, in work practices or the introduction of new legislation.

## Version Control

<b>Date</b>	<b>Amendment</b>	<b>Version</b>
Oct 2021	New Policy	v1.0
Sept 2022	Full review in line with Housing Ombudsman code of practice	v2.0
June 2024	Full review in line with Housing Ombudsman code of practice	v3.0

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