

COMPLIMENTS, SUGGESTIONS AND COMPLAINTS POLICY

This policy is available in alternative formats on request e.g. large print, audio cassette, Braille. The policy is also available in alternative languages. Requests should be forwarded to the head of Corporate Services

WHY HAVE A COMPLIMENTS, SUGGESTION AND COMPLAINTS PROCEDURE?

Clanmil Housing aims to you provide you with a first class service all of the time. There may, however, be occasions when you are not happy about our service, and, if this is the case, it is important that you let us know so that we can try and put it right.

At Clanmil our staff are encouraged to be positive about complaints and adopt a 'can do' attitude so, that when something does go wrong, we learn from our mistakes so that we're less likely to make the same mistake again.

On the other hand there will be times when you have been extremely satisfied with a particular aspect of our service and we would also like to hear of these instances.

Where a particular service is not currently provided and you feel you feel it should or, you feel a particular service could be improved the Association operates a suggestion scheme and welcomes ideas on improvements that you may have.

The aim of this policy is to give you guidance on what to do if you wish to forward a compliment, suggestion or complaint to the Association. It also gives us the chance to monitor the quality of the service we provide so that we can continually work to improve what we do.

WHO CAN USE THE COMPLIMENTS, SUGGESTIONS AND COMPLAINTS PROCEDURE?

Anyone who receives or requests a service from the Association can use the Complaints Procedure. This includes tenants and residents, people applying for housing and anyone living in neighbouring property. The procedure is also open to people acting on your behalf, such as a Councillor, Member of Parliament, Advice Agency or Solicitor (but as you will see later if you are making a complaint, we do encourage you to try to sort things out with us first).

The Northern Ireland Ombudsman has separate complaints procedures and further details are provided at Appendix 2.

COMPLIMENTS

Where you feel you have received a service which you have been extremely happy with, we would be delighted to hear from you. Forms are held at all of our schemes and at Northern Whig House. Please complete the forms and post in the boxes provided. For those of you where forms are not held (i.e. our general need schemes) please ring Northern Whig House 028 9087 6000 and a form will be posted out to you by a member of staff.

SUGGESTIONS

We are constantly looking at ways in which our service(s) can be improved and would be delighted to hear from you if you feel a service can be improved or indeed provide if this is not already the case. Suggestion forms are held at all schemes and these should be completed and placed in the boxes provided. For those of you where forms are not held (i.e. our general need schemes) please ring Northern Whig House 028 9087 6000 and a form will be posted out to you by a member of staff.

On receipt of suggestion forms they will be acknowledged by the Association and the person making the suggestion will be advised of the subsequent outcome.

DEFINITION OF A COMPLAINT

For consistency with the Northern Ireland Ombudsman's office, the Association uses the following as a definition of a complaint:-

'any oral or written expression of dissatisfaction by any person, however made, about the service, actions or inactions of a body or its officers which requires a response'

COMPLAINTS - WHAT CAN YOU COMPLAIN ABOUT?

An expression of dissatisfaction can take many forms, however, you may wish to forward a complaint about any of the following:-

- *if a repair has not been carried out properly;*
- *if you have not received information you have asked for;*
- *if you are unhappy with the way any rent arrears have been dealt with;*
- *if you feel that a member of staff, Board Member or a Contractor has not behaved reasonably towards you;*

- *if you feel that your housing application has not been handled properly;*
- *if you feel that you have been unfairly discriminated against.*

WHEN CAN YOU COMPLAIN?

It is in the best interests of everyone that any complaint is brought to the attention of the Association as soon as the facts are available. We do of course, expect any complainant to provide accurate information to us in respect of their complaint. This will allow our staff to investigate the complaint a lot quicker than if issues are brought to our attention at a later date.

As a general rule we would normally expect any complaint to be brought to our attention within six months, however, where facts only become known to someone after this period, we will of course investigate the matter in accordance with this policy.

REMEDIES TO A COMPLAINT

Remedies to complaints need to be proportionate to the wrong that has been highlighted by the complainant and may include one or more of the following:-

- an apology;
- an explanation;
- correcting the error;
- carrying out a service improvement;
- a change in policy or procedure; or
- financial compensation.

NEIGHBOUR NUISANCE/ANTI-SOCIAL BEHAVIOUR

You should note that a separate procedure exists for dealing with complaints relating to neighbour nuisance and anti social behaviour. In the event of such a problem you should first raise it with the neighbour concerned before contacting the office. However, if the problem cannot be resolved between you and your neighbour, you should write to your Housing Officer at Northern Whig House, 3 Waring Street, Belfast BT1 2DX Tel: 028 9087 6000. Alternatively, you can e-mail us at housing@clanmil.org.uk

STAGE 1

Anyone wishing to make a complaint can do so in the following ways:-

- by completing a complaints form (held at all schemes);
- by letter;
- by e-mail (using the Association's web site at www.clanmil.org);
- in person;
- by telephone;
- by textphone

When you make a complaint, it is important for you to let us know exactly what the problem is and how you would like to see it resolved. We would encourage you to do this in writing using the forms provided. However, complaints made using any of the above methods will all be handled in the same way.

Complaints at Stage 1 will be dealt with by one of the following members of staff:-

Home Manager – for all matters relating to our Housing with Care schemes

Scheme Coordinator/Housing Support Worker– for all matters relating to our Sheltered Housing and Supported Housing

Development Officer* – for all issues relating to schemes under construction

Maintenance Officer* – for all repairs and landscaping issues

Housing Officer* – for Housing Management issues and complaints from general needs tenants

Finance Officer* – for finance related matters

Health, Safety and Business Improvement Officer* – for health, safety and quality matters

Corporate Services Officer* – for personnel/employment related matters

* these staff are based at Clanmil's Head Office at Northern Whig House, 3 Waring Street, Belfast, BT1 2DX

It should be noted that where a complaint has not been resolved by Scheme Coordinators at Stage 1, and the complaint is subsequently passed to Head Office, the complaint will, on those occasions, be dealt with initially by the relevant Housing Officer.

If you have made a complaint by telephone or in person, the member of staff who notes the complaint will check with you that they have taken a correct record. A copy of this record will be read to you to ensure that everyone is clear on what the complaint is about.

ACKNOWLEDGEMENT

Whenever we have received your complaint we will write to you within three working days to acknowledge that your complaint has been received and is being dealt with. Normally we will write to you again within two weeks of receiving your complaint to let you know the outcome. Do please remember that some things may not be within our control and may be more difficult to sort out. Should we be able to resolve the matter within the published timescale, the investigating officer, or delegated member of staff, will advise you accordingly. If we are not able to resolve the matter within the published timescale, we will advise you of the reason and how long it is likely to take to resolve the matter.

STAGE 2

If you feel the response you receive at Stage 1 is not satisfactory, or you have not received a reply within the advised timescale, you may request an interview with a senior manager of the department to whom you have made a complaint – these are:-

- Director of Housing;
- Director of Property Services;
- Finance Director;
- Director of Corporate Services;
- Maintenance Manager;
- Development Manager;
- Housing Services Manager;
- Housing Manager;

You must clearly state why you are not satisfied with the response you have received and how you want the matter resolved. Your complaint will then be reviewed by one of the senior managers above and a response forwarded to you within 15 working days from the date your complaint is received.

STAGE 3

If you are dissatisfied with the response of the Senior Manager at Stage 2, you are entitled to refer the matter, in writing, to the Chief Executive, again stating clearly why you remain dissatisfied with how your complaint has been handled and what you want us to do to remedy the matter.

The Chief Executive will acknowledge receipt of your complaint and will respond to you within 15 working days from the date your complaint is received.

TAKING YOUR COMPLAINT FURTHER - APPEAL PROCEDURE

If you are still not satisfied with the response from the Chief Executive, or if you have not received a response, the matter may then be referred to the Board of Management. You should write to the Chief Executive requesting that the matter be referred to the Board of Management clearly stating the nature of the complaint. The matter will then be referred to the appropriate Board Committee for consideration. You will be advised of the likely timescale.

The Committee will review the evidence submitted and will arrange, if necessary, an interview with you to talk about the matter. In this case you are very welcome to bring along a friend or advisor. The Committee will refer back to the Board and the Board will give you its decision in writing.

WHO WILL KNOW ABOUT MY COMPLAINT?

We will, as far as possible, respect the confidentiality of your complaint. Whilst we are looking into your complaint your name will not be divulged unless it is necessary.

You will appreciate, however, that if your complaint involves another tenant or a member of staff it may be very difficult for us to look into this without talking to that tenant or staff member. We will try to respect your wishes, but if we cannot talk to the person involved, it may not be possible for us to take action to resolve the problem.

We will always try to deal with complaints sympathetically, but there are some things about which we will not be able to give you information. For example, it would be wrong for us to discuss with you the details of someone else's housing application, as this would be a breach of confidentiality. We can, of course, talk to you about how our allocation procedure works.

ANONYMOUS COMPLAINTS

Due to their very nature, we cannot of course acknowledge anonymous complaints. Any anonymous complaint received will be referred to a senior manager of staff who will review the complaint and decide if the matter needs to be investigated further.

GETTING INDEPENDENT ADVICE

We would always hope that a problem can be sorted out before you feel it is necessary to make a complaint. However, you may feel it is important to get independent advice before you decide whether to complain to us formally. Advice agencies include:-

- ***Welfare Rights Service***
- ***Housing Rights Service***
- ***Citizens Advice Bureau***
- ***Law Centre***
- ***Solicitor***

HOW DO WE RECORD AND MONITOR COMPLAINTS?

Complaints can help us as well as you! All complaints forwarded to the Association are recorded and reported to the Chief Executive. In addition to ongoing review of complaints by the Chief Executive and the Senior Management Team, a meeting is held annually to review all complaints received by the Association.

POLICY ON UNACCEPTABLE ACTIONS OR BEHAVIOUR BY COMPLAINANTS

Clanmil understands that individuals may act out of character in times of difficulty or distress. Indeed a complainant may have encountered upsetting or distressing circumstances prior to bringing a complaint to the Association. Clanmil does not therefore view actions or behaviour as unacceptable simply because a complainant is assertive or determined.

However, the actions or behaviour of complainants who are angry, demanding or persistent may result in unreasonable demands on the Association or unacceptable behaviour towards Clanmil staff. It is these actions or behaviours that the Association considers unacceptable and the Association's policy on unacceptable actions or behaviour is shown at Appendix 3.

FURTHER INFORMATION IN RESPECT OF COMPLAINTS CAN BE OBTAINED FROM THE ASSOCIATION AT:

Northern Whig House
3 Waring Street
Belfast
BT1 2DX

Tel: 028 9087 6000 Fax: 028 9087 6001 Textphone: 028 9032 9914

e-mail: housing@clanmil.org.uk Website: www.clanmil.org

COMPLAINTS UNDER OUR EQUALITY SCHEME – SECTION 75 DUTIES

From 1st April 2004, Clanmil Housing has been designated a public authority and as such has a specific responsibility under Section 75 of the Northern Ireland Act 1998 that requires the Association in carrying out all its functions, powers and duties, to have due regard to the need to promote equality of opportunity:

- between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- between men and women generally;
- between persons with a disability and persons without; and
- between persons with dependants and persons without

If you feel that you would like to highlight any Clanmil policy or procedure which, you feel, breaches the nine groups designated under the Section 75 duties, please contact the Director of Corporate Services in the first instance, in writing, clearly indicating the perceived breach. Where a complainant is unable to forward a written complaint, he/she should contact the Association and necessary arrangements will be made on behalf of the complainant.

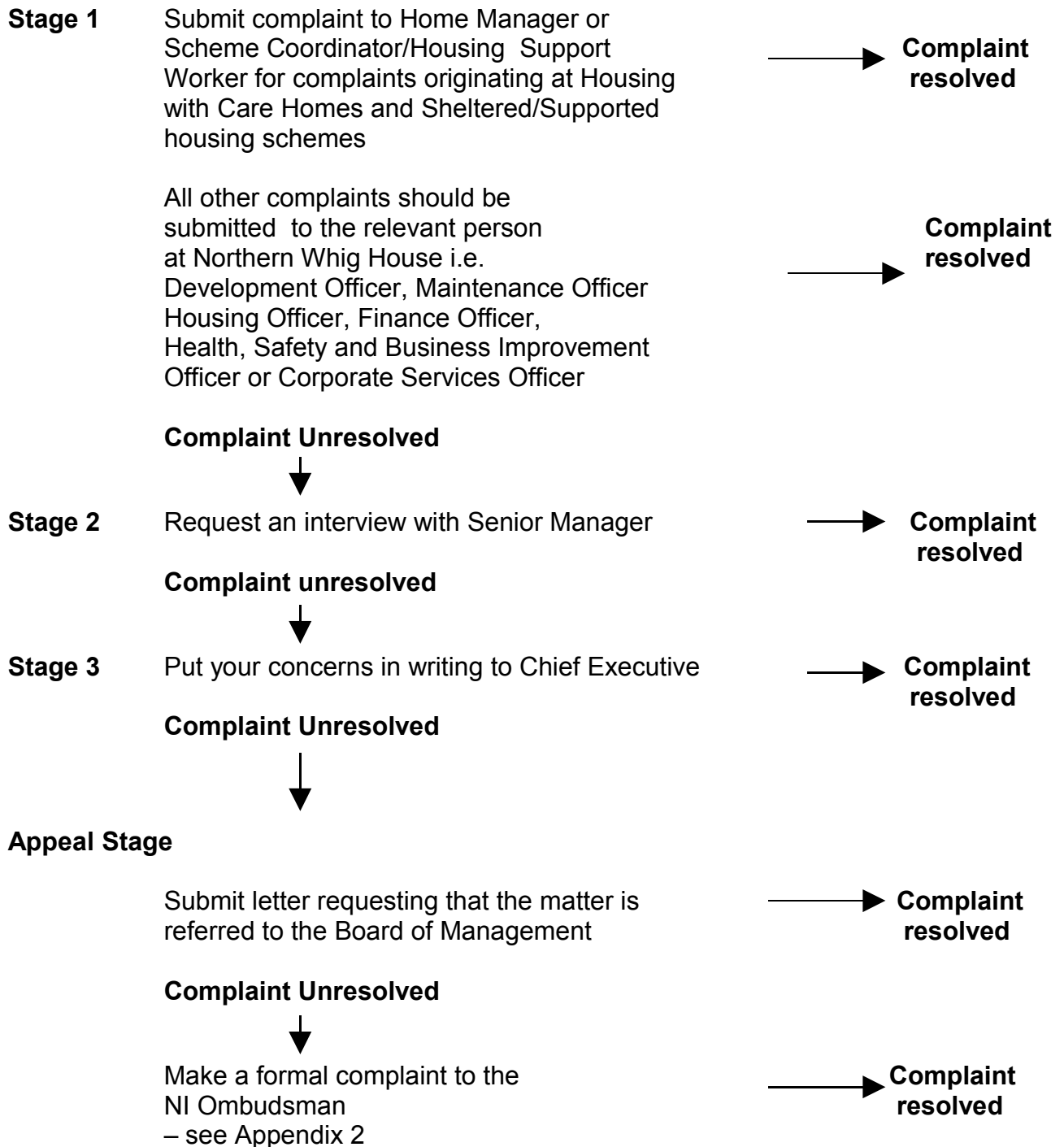
An internal investigation will be carried out and a response will be returned within one month. The complainant will be kept updated throughout the process.

If the complainant is unhappy with the outcome, he/she may speak to the Equality Commission for Northern Ireland. The Equality Commission has the power to refer the case to the Secretary of State for Northern Ireland. Clanmil Housing will cooperate fully with any investigation into the complaint.

If you require any further details please contact the Director of Corporate Services. The Equality Scheme for Clanmil Housing can be seen at its website at the following address:-

www.clanmil.org

COMPLAINT PROCESS



COMPLAINTS TO THE NORTHERN IRELAND OMBUDSMAN

The Northern Ireland Ombudsman provides an external complaints procedure for all registered Housing Association tenants/residents and applicants for tenancies including those of Clanmil Housing.

This is a free and impartial service and a leaflet is available from the Association's offices in Waring Street or from the Ombudsman's office below. It is important to note that before the Ombudsman's will normally deal with your complaint, you should first have gone through the Association's own procedure. If, however, if you are unhappy with our procedures the Ombudsman may be willing to investigate.

This procedure is open to anyone who receives a service from the Association.

The contact address of the Ombudsman's office is:

The Northern Ireland Ombudsman
33 Wellington Place
Belfast
BT1 6HN

Tel: 028 9023 3821
Fax: 028 9023 4912

e-mail ombudsman@ni-ombudsman.org.uk web www.ni-ombudsman.org.uk

POLICY ON UNACCEPTABLE ACTIONS OR BEHAVIOUR BY COMPLAINANTS

This section of our policy sets out the procedure to be adopted by staff of Clanmil Housing in dealing with the relatively few complainants whose actions or behaviour the Association considers to be unacceptable. In this policy document the term complainant includes anyone acting on behalf of a complainant or who contacts Clanmil in relation to a complaint.

AIMS

- a. To deal fairly, honestly, consistently and appropriately with all complainants, including those whose actions or behaviour it considers to be unacceptable.
 - Clanmil believes that all complainants have the right to be heard, understood and respected. However, the Association also believes that it must balance the rights of an individual to register a complaint and the recognition that, notwithstanding their actions or behaviour, they may have a legitimate complaint, with the rights of the staff of Clanmil not to be subjected to unacceptable actions or behaviour.
- b. To provide a service that is accessible to all complainants. However, Clanmil retains the right, where it considers a complainant's actions or behaviour to be unacceptable, to restrict or change access to that service.
- c. To ensure that complainants by their behaviour or conduct do not disadvantage other complainants or Clanmil staff.

DEFINING UNACCEPTABLE ACTIONS OR BEHAVIOUR

Clanmil has grouped these potentially unacceptable actions or behaviours under three broad headings:

Aggressive or Abusive Behaviour

- Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether oral or written) that may cause staff to feel afraid, threatened or abused.
- Examples of actions or behaviours grouped under this heading include threats, physical violence, personal verbal abuse, derogatory remarks and rudeness. Clanmil also considers that inflammatory statements and unsubstantiated allegations may be regarded as abusive behaviour.

- Clanmil expects its staff to be treated courteously and with respect. Violence or abuse towards staff is unacceptable. Clanmil staff understand that the anger felt by many complainants is directed towards the subject matter of their complaint. However, it is not acceptable when that anger escalates into aggression directed towards the staff of the Office.

Unreasonable Demands

- Complainants may make what Clanmil considers to be unreasonable demands through the amount of information they seek, the nature and scale of service they expect or the number of approaches they make. What amounts to unreasonable demands will always depend on the circumstances surrounding the behaviour and the seriousness of the issues raised by the complainant.
- Examples of actions grouped under this heading include vexatious complaints (see Appendix 4), demanding responses within an unreasonable time-scale, insisting on seeing or speaking to a particular member of staff who is unavailable, continual phone calls or letters, repeatedly changing the substance and focus of the complaint or raising unrelated concerns.
- Clanmil may consider such demands as unacceptable and unreasonable if they start to impact substantially on the work of Clanmil, such as taking up an excessive amount of staff time to the disadvantage of other complainants or functions.

Unreasonable Persistence

- Clanmil recognises that some complainants will not or cannot accept that its staff is unable to assist them further or provide a level of service other than that provided already. Complainants may persist in disagreeing with the action or decision taken in relation to their complaint or contact the office persistently about the same issue.
- Examples of actions grouped under this heading include vexatious complaints (see Appendix 4), persistent refusal to accept a decision made in relation to a complaint, persistent refusal to accept explanations relating to what Clanmil can or cannot do and continuing to pursue a complaint without presenting any new information. The way in which these complainants approach the Association may be entirely reasonable, but it is their persistent behaviour in continuing to do so that is not.
- Clanmil considers the actions of persistent complainants to be unacceptable when they take up what it regards as being a disproportionate amount of time and resources.
- Appendix 4 to this policy document contains guidance on the circumstances in which a persistent complainant may be regarded as a vexatious complainant.

MANAGING UNACCEPTABLE ACTIONS OR BEHAVIOUR

There are relatively few complainants whose actions or behaviour the Association will consider to be unacceptable. How the Association aims to manage those actions or behaviour depends on its nature and extent. If it adversely affects the Association's ability to do its work and provide a service to others, the Association may need to restrict complainant contact with the Association in order to manage the unacceptable actions or behaviour. The Office aims to do this in a way, wherever possible, that allows a complaint to progress to completion through the Office's normal Complaints Handling Process. The Office may restrict contact in person, by telephone, fax, letter or electronically or by any combination of these.

Clanmil will endeavour to maintain at least one form of contact. In extreme situations, the Association may inform the complainant in writing that their name is on a "no personal contact" list. This means that they must restrict contact with the Office to either written communication or through a third party.

The threat or use of physical violence, verbal abuse or harassment towards Clanmil staff is likely to result in the ending of all direct contact with the complainant. Incidents may be reported to the police. This will normally be the case if physical violence is used or threatened.

Specific guidance for staff in managing unacceptable action or behaviour is contained in separate procedures.

VEXATIOUS COMPLAINANTS

A complainant may fall into the category of habitual or vexatious where previous or current contact with them demonstrates any, but normally two or more, of the following criteria:

Where complainants:

- change the substance of a complaint or continually raise new issues or seek to prolong contact by continually raising further concerns or questions upon receipt of a response whilst the complaint is being addressed. (Care must be taken not to discard new issues that are significantly different from the original complaint. These might need to be addressed as separate complaints.) .
- are unwilling to accept documented evidence as being factual; deny receipt of an adequate response in spite of correspondence specifically answering their questions; or do not accept that facts can sometimes be difficult to verify when a long period of time has elapsed.
- do not clearly identify the precise issues which they wish to have investigated, despite reasonable efforts of staff and, where appropriate, third party advisors to help them specify their concerns; and/or where the concerns identified are not within the Association's remit to investigate.
- focus on a trivial matter to an extent that is out of proportion to its significance and continue to focus on this point. It is recognised that determining what is a "trivial" matter can be subjective and careful judgement must be used in applying this criterion.
- have, in the course of their complaint, had an excessive number of contacts with the Association placing unreasonable demands on staff. (A contact may be in person or by telephone, letter or fax. Discretion must be used in determining the precise number of 'excessive contacts' applicable under this section, using judgement based on the specific circumstances of each individual case.)
- have harassed or been personally abusive or verbally aggressive on more than one occasion towards staff dealing with their complaint. (Staff must recognise that complainants may sometimes act out of character at times of stress, anxiety, or distress and should make reasonable allowances for this. They should document all incidents of harassment.)
- are known to have recorded meetings or face-to-face/telephone conversations without the prior knowledge and consent of other parties involved.
- display unreasonable demands or expectations and fail to accept that these may be unreasonable (e.g. insist on responses to complaints or enquiries being provided more urgently than is reasonable or normal recognised practice).