



Old Etonian Housing Association

Complaints Policy and Procedure

Date of policy (last approved) - **12th September 2024**

Date of implementation – 1st October 2024

Period for subsequent review – 1 Year

New Policy Presented for approval – 23rd September 2025

Policy Version – Final

Date of implementation of the new policy – 1st October 2025

Complaints Policy and Procedure

1. Purpose

Old Etonian Housing Association (OEHA) Ltd is committed to providing high-quality customer services. OEHA welcomes complaints and compliments from anyone who has received a service from OEHA. We welcome and value this feedback, because, without it, we would not learn from and correct our mistakes. At the same time, it is good to know when we have got the service right.

2. Legal Obligation

The policy will comply with the Housing Act (1996 – schedule 2), General Data Protection Act (GDPR) (2018), Equality Act (2010), Housing Ombudsman's Complaint Handling Code and the RSH Tenant Involvement and Empowerment Standard, as well as our internal policy and procedures.

It is important that customers understand and appreciate that OEHA will treat all complaints in the utmost confidence, complying with all aspects of the General Data Protection Act (2018).

This policy is compliant with the requirements of our Regulators, and both the Housing Ombudsman's Service Complaints Handling Code and the Regulator for Social Housing's Transparency, Influence and Accountability Standard.

3. OEHA's Commitment

We will ensure complaints are handled quickly and efficiently, making sure any changes to the service required are put in place.

All complaints will be monitored to ensure that we are being fair, putting things right, and learning from outcomes. An annual report produced by our Operations Director for complaints will be shared with residents and the Management Committee.

All complaints will be conducted impartially. The complaints handler will:

- Deal with complaints on their own merit.
- Act independently and with an open mind.
- Take measures to address any actual or perceived.

4. What is a Complaint?

An expression of dissatisfaction, however, is made about the standard of service, actions, or lack of action by the landlord, its own staff, or those acting on its behalf, affecting an individual resident, prospective resident or group of residents

Where a resident is reporting an issue for the first time, landlords may consider this as a service request. The landlord would be expected to respond by arranging appropriate action and ensuring this is delivered. This would not be recorded as a complaint, and the resident must be informed that their concern was handled as a service request.

Where a resident reports a concern for the second time, the issue is significantly affecting them. Landlords would be expected to record this as a complaint.

Any service request will be processed in accordance with relevant policy and procedure and the prescribed timescale.

5. What can I complain about?

A resident can complain about things like:

- Delays in responding to your inquiries and requests.
- Failure to provide a service either by OEHA, Shian Housing Association (SHA - the Housing Management Agent appointed by OEHA) or a third party commissioned by Shian to provide services on their behalf as per the OEHA / SHA Services Agreement.
- Our standard of service is a 3rd party commissioned by our Housing Management Agent.
- Failure to follow our policy or procedure.
- Treatment by or attitude of a member of staff or 3rd party representative commissioned by our Housing Management Agent.
- If you express dissatisfaction with a service request, this will automatically be raised as a formal complaint.

If a complaint is made about a service failure of a third party commissioned by OEHA or SHA, our Housing Management Agent, this will be investigated internally using the procedures outlined in this Complaints Policy.

6. Complaint Procedure

A customer does not have to use the word "complaint" to treat it as such. A complaint made by a third party or representative on behalf of a customer will still be handled in accordance with this Policy.

A complaint about anti-social behaviour from an OEHA resident would not be regarded as a complaint unless the complaint is about OEHA or its Housing Management Agent's handling of the anti-social behaviour service.

OEHA recognises that not everybody is willing or able to make a complaint: some people may just wish to clarify their understanding of a matter or be listened to. If a customer does not receive a satisfactory answer to a query, the staff member concerned should escalate the matter as a complaint, and customers have the right to do that in any case.

7. Who can Complain?

Anyone can make a complaint about OEHA or its Housing Management Agent's service. We will accept the complaint unless there is a valid reason not to do so (please refer to the section on exclusions below). Details on how to complain are set out below, with further details contained within OEHA's Guidance on How to Make a Complaint.

Complaints that are submitted via an authorised third party or representative, such as an MP, will still be handled in accordance with our complaints policy. We can take complaints from a friend, relative, or advocate if the customer has given them your written consent to complain on their behalf and or accompany them to any meeting.

8. How to make a Complaint

Complaints should be made to any member of the staff team, who will then decide who is the best person to handle the complaint. The complaint will then be logged, referred, and monitored for quality assurance purposes. Complaints can be sent to our Management Agent, SHA, by email, in writing, telephone, in person or through OEHA's website or social media.

9. Contact Details

OEHA, C/O Shian Housing Association Ltd 76 Mare Street, Hackney London E8 3SG

Email: housing@oldetonianha.org.uk

Website: www.oldetonianha.org.uk

Tel: 020 8525 7650

SMS: 07535 269269

Should a negative comment be received on social media, we will respond with a direct/private message to request further information and advise the reviewer of our complaint's procedure.

10. How long do I have to make a complaint?

Normally, you expect you to make your complaint within 12 months of:

- The event you want to complain about, or
- Finding out that you have a reason to complain, as mentioned previously, but no longer than **12 months** after the event itself.
- Where we receive a complaint outside this timescale, we will ask the complainant why they did not make it within the timescale above. Subject to the response, we may use our discretion to accept or reject the complaint. We will advise the complainant of their right to refer a rejection to the Housing Ombudsman Service.

11. How will the complaint be handled?

There are two stages in our complaint procedure: Stage 1 Frontline Resolution and Stage 2 Resolution. We aim to provide our service to the following timescales:

- Formal acknowledgement from a complaint handler – within 5 working days.
- Stage 1 response following formal acknowledgement – within 10 working days.
- Stage 2 review following receipt of request – within 20 working days.

Stage 1 complaints will be dealt with at a frontline officer level, who will endeavor to resolve the complaint within **10 working days** of the acknowledgement.

If we identify that we are likely to miss the agreed timeframe for handling the complaint, we will explain the reasons at the earliest opportunity, and provide you with the proposed timeframe, which should not be more than a further **10 working days**. In addition, we will give you details on how to contact the Housing Ombudsman Services.

In responding to the complainant, we will provide a clear explanation of how the complaint can be escalated to Stage 2 of the procedure if the customer remains dissatisfied. We will also set the timeframe for this, which will be within **30 working days** from receipt of the concluding letter.

Stage 2 complaints will be dealt with at a Manager or Director. But in any event, it will not be dealt with by the same person who investigated the Stage 1 complaint, who will consider requests to escalate a complaint where the complainant expresses they remain unhappy with the Stage 1 response. We will not unreasonably decline any request for escalation.

We may request the complainant to provide additional information to support the request to escalate to **Stage 2**.

If a complaint is declined to escalate to **Stage 2**, we will set out the reasons for declining the escalation – SHA's wording

If a complaint is declined from being escalated to **Stage 2**, we will set out the reasons for declining the escalation – proposed new wording

- Formal Stage 2 acknowledgement from a complaint handler – within 5 working days
- Stage 2 Resolution and response following formal acknowledgement – within 20 working days

The complaint handler will endeavour to resolve the complaint within **20 working days** of the acknowledgement.

If we identify that we are likely to miss the initial timeframe for handling the complaint, we will explain the reasons at the earliest opportunity, and provide you with the proposed timeframe, which should not be more than an additional **20 working days**. In addition, we will give you details on how to contact the Housing Ombudsman Services.

If a complainant raises additional complaints during the investigation, these will be incorporated into the Stage 1 response if they are relevant, and the Stage 1 response has not been issued. Where the additional complaints are not relevant, or the Stage 1 response has been issued, or it would unreasonably delay the response, the complaint will be logged as a new complaint. OEHA strives to keep complainants updated and respond within the timescales set out within this policy. If, for whatever reason, OEHA is unable to resolve the complaint in the above timeframes, we will contact the complainant in writing to set out what we intend to do to resolve the complaint, and by when, with new timescales for response.

We will seek the agreement of the complainant to this plan. However, if an agreement is not reached, the complainant can contact the Housing Ombudsman Services on the receipt of the notification of the extended timescale from Shian.

If the extended timeframes set out are not adhered to, the customer can escalate the complaint and will be provided with the Ombudsman's contact details.

12. Taking a Complaint to the Housing Ombudsman

Customers can contact the Housing Ombudsman for guidance and support at any stage of the process. We make this clear in our information for customers.

If the customer has exhausted our internal complaints process, they can contact the Housing Ombudsman to request a review of our complaint handling.

We have a duty to cooperate with the Housing Ombudsman, which includes providing requested evidence within a 15 working day timescale.

13. Key questions when considering remedies.

Questions that may help us decide what an appropriate remedy to a complaint include (but are not limited to) the following:

- What has gone wrong?
- Can it be put right – what actions could be taken to remedy the situation?
- What would the complainant like to happen?
- How has the complainant been adversely affected?

- Is there an actual quantifiable financial loss – for example, has the complainant incurred costs as a result of what happened, or not received payment that they should have?
- What other impacts have there been? (for example, distress caused)?
- Did the complainant's actions or inactions, or those of a third party (for example a complainant's advocate), contribute to what happened in the case?
- What remedy would be proportionate, appropriate, and reasonable in the circumstances of the case?
- Did we comply with the relevant internal policy and procedure?

14. Complaints taking too long to resolve

If a customer considers their complaint takes too long to resolve, we will offer an escalation of the complaints procedure, and we will provide them with the details of the Housing Ombudsman.

Where the outstanding issues involve undertaking work which may take weeks or months to complete, we will inform the complainant of the timescale for the works to be completed, and will track and action the outstanding work, providing regular updates to the complainant.

If these timescales are further delayed, we will advise the complainant as soon as possible, and inform them of the reason(s) for the delay.

If they are unhappy with the changes, we should agree with the complainant whether a new complaint should be opened or if **Stage 1** should be re-opened and escalated to Stage 2.

15. Goodwill Compensation Payment

We will also consider how any redress offered takes into account the impact of the time taken to resolve these issues. We will consider this case-by-case in dialogue with the complainant.

When offers of compensation are made, we will refer to our Compensation and Goodwill Policy & Procedure.

We acknowledge that accepting compensation from us at the final stage of the internal complaint procedure does not prevent the complainant from escalating their complaint to the Housing Ombudsman Services. The Complainant will be advised of this in our documentation relevant to processing payment(s).

16. What can't I complain about (Exclusions)

There are some things we can't deal with through our complaint procedure. We will not normally accept complaints or offer escalation to the next stage of our internal complaints procedure in the following circumstances:

- Where the problem is recurring, and we consider we have previously resolved the matter.
- Where a complainant is not engaging with us and fails to provide relevant information relating to their complaint, and no vulnerability or support needs are identified.

- Where legal proceedings have started and the issue has been listed for a court hearing.
- Where the complainant is behaving unreasonably and has not given any reasons for their conduct.
- Where complaints involve a personal injury claim or third-party liability claim. These are not dealt with under this process. Instead, they would be passed on to our insurers or solicitors.
- Where events that happened more than 12 months ago, unless there are good reasons to accept complaints beyond this period.
- Where complaints are about our policies and procedures, where our policy and procedures have a separate right of appeal against the decision.
- Where an issue is in court or has already been heard by a court, a tribunal, or the Housing Ombudsman

If we decide not to accept a complaint, for any of the above or other reasons, we will explain why in detail. The customer will have the right to challenge this decision by bringing the matter to the relevant Housing Ombudsman Service.

17. Closing Complaints

A complaint will be considered closed when OEHA has written to the complainant outlining what we have done or propose to do to resolve the complaint. OEHA will give the customer further opportunity to provide feedback to OEHA, or escalate the complaint accordingly.

When writing to the complainant to confirm the outcome of a complaint, we will clarify:

- The complaint stage
- The definition of the complaint
- The decision on the complaint
- Apology for the fact that a complaint has been made or on the substance of the complaint
- Provide an explanation, assistance and reasons for our decision
- The detail of any remedy, financial or otherwise, offered to put things right
- Acknowledgement of any failures
- Details of any outstanding actions taken or still required to put things right
- Anything we have learned from the complaint
- Details of how to escalate the complaint
- If it is a Stage 2 complaint, the reasons for reconsidering or changing a decision
- If we have to amend a record or add a correction or addendum
- If as a result of the Complaint, we have made changes to any policies, procedures or practices.

Any remedy offered to resolve a complaint will set clear timescales for actions and be followed through to completion. Any outstanding actions following the closure of the complaint will be tracked and monitored until completed.

We will address all points raised in the complaint and provide clear reasons for any decisions, referencing the relevant policy, law, and good practice where appropriate.

18. What happens after stage two of our complaint procedure?

If a customer remains dissatisfied with the response at stage 2 of the procedure, they can refer their complaint to the Housing Ombudsman Service. The Ombudsman's contact details will be provided in the concluding letter to the complainant.

The Housing Ombudsman Service **cannot** normally look at:

- Events that happened more than a year ago
- A matter previously addressed by the Housing Ombudsman Services or considered in court.

Housing Ombudsman Service

2nd floor 10 South Colonnades
Canary Wharf

London E14 4PU

info@housing-ombudsman.org.uk

Or you can telephone them on: 0300 111 3000
<http://www.ombudsman-housing.org.uk>

19. Vexatious complaints

If a customer displays behaviour that OEHA considers unreasonable or makes unreasonable demands, we will refer to our Unacceptable Behaviour Policy procedure. This provides guidance on what types of behaviour are vexatious, and advises colleagues on what action to take in this situation.

For vexatious complainants, we will consider their complaint case-by-case in dialogue with the complainant. We will acknowledge their complaints, but may not investigate the complaint if we have dealt with similar complaints in the past. We reserve the right to communicate with vexatious complainants in writing, via a nominated advocate or representative. We may also at our discretion restrict our services in other ways, if we deem the behaviour of a customer or complainant unacceptable. We reserve the right to determine what is unacceptable.

20. Representation and Support

If customers are not comfortable or confident in making a complaint, we will signpost them to other organisations, such as Citizens Advice and any other appropriate agencies, who may advise and support in making a complaint.

If a customer does not have the mental capacity to make a complaint, we will accept complaints from an advocate, an Independent Mental Capacity Advocate (IMCA) or Legal Representative.

21. Zero Tolerance

OEHA will ensure that any threats of violence and aggression against staff members and contractors are zero tolerance. We will not tolerate any threats, abuse, aggression, discriminatory behavior, or violence towards our colleagues and contractors. If a person behaves in this way towards those working for or on behalf of OEHA, we will take immediate action, which may also include a legal remedy.

Perpetrators may be:

- Reported to the police
- Limited to specific channels for communicating with us
- Banned from attending OEHA or its Management Agent's office, or have services temporarily withdrawn while we put measures in place to protect staff members and contractor.

22. Equality and fairness

We have produced an accessible guide to our Complaints Policy and our Guidance on How to Make a Complaint, which is available on our website.

We aim to treat all complainants fairly and equitably, in a non-discriminatory manner and without prejudice. We seek to embed equality, fairness, inclusivity, diversity, and respect in our complaints handling policy and processes.

We recognise that some of OEHA's customers may wish to be represented by a Power of Attorney or advocate.

23. Reasonable adjustments

We are committed to making our service easy to use for all members of the community. OEHA acknowledges its duties under the Equality Act 2010 (the Act). While the Act does not define what is a 'reasonable adjustment,' the Equality and Human Rights Commission recommends consideration of the following factors in determining what is 'reasonable':

- How effective the adjustment will be in avoiding the disadvantage the customer would otherwise 'experience.
- The practicality of the adjustments
- The extent of any disruption the adjustments might cause
- The financial and other costs of making the adjustment • The amount of resources already in place
- The availability of financial support or other assistance.

Where OEHA is notified of a condition or situation disadvantaging a customer, or other household members, we will seek reasonable adjustments to delivery of services. OEHA will review each case based on the facts presented, and in full consideration of OEHA's Vulnerability Policy and Aids and Adaptations Policy. OEHA will not make assumptions about customer requirements for reasonable adjustments or what those adjustments might be.

OEHA will strive to agree and deliver adjustments in a reasonable and mutually agreeable timescale.

24. Monitoring and learning from complaints

All Stage 1, Stage 2 and complaints made to the Housing Ombudsman Service will be monitored by OEHA's Operations Director for complaints.

A report giving an overview of complaints received and learning from them will be taken to the Management Committee quarterly. A designated Management Committee member will be responsible for ensuring any service improvement or learning as a result of complaints made to OEHA is implemented. This would be the Vice-Chair of the Management Committee.

An annual report containing details of complaints, performance, and service improvements will be published in June each year. The annual report will be available to OEHA's Residents and the Management Committee, and on the website.

We will review any feedback to help us learn from the complaint and contact customers who remain dissatisfied to ensure they know how to pursue their complaint if they wish to.

25. Compliments

Any compliment received should be passed onto our Operations Director, who will ensure that relevant staff member(s) receive(s) it. The team will also record all compliments and include them in their reporting to OEHA Residents and the Management Committee.

26. Compensation

Where we have found through our investigation that we are at fault, compensation can be made in rectification of the complainant's complaint about and or goodwill gesture. In some cases, compensation will also be appropriate in the form of a financial contribution to our customers, which is used to offset rent or other debt in the first instance.

Reimbursements, such as for a replacement product, or where a customer has incurred additional expenses, are paid regardless of arrears on a rent account.

Examples of when the complainant's own actions might mitigate the extent of any compensation being considered;

- Failure by the complainant to communicate clearly with the landlord.
- Failure to bring individual matters to the landlord's attention within a reasonable time frame.
- Refusing to receive help to make a coherent complaint.
- Failing to respond to contact from the landlord.
- The dispute is about repairs, but the complainant has repeatedly refused to allow access to inspect the property and assess the extent of work needed.

Where the complainant's behavior in pursuing their complaint becomes unreasonable, such as pursuing the matter unreasonably or excessively.

27. Self-Assessment

We will self-assess our performance against the Housing Ombudsman's Complaint Handling Code and publish this assessment annually. This can be found on our website. The self-assessment will be made available to, and reviewed by, the Management Committee.

Policy changes and impact summary

Document	Description
Old Complaints Policy – Oct 2024	In addition to the key content listed in the row above, we have included the following sections in the new Policy: purpose, OEHA's legal obligation and commitment, examples of a complaint, the time period in which a tenant could normally make his/her complaint, how the complaint will be handled, key questions when considering remedies, what will OEHA do if complaints take too long to resolve, goodwill and compensation payment, closing complaints, vexatious complaints, representation & support, zero tolerance, equality & fairness, self-assessment and monitoring and learning from complaints.
Updated Complaints policy presented for approval today – Sept 2025	No material changes have been made to the policy that was last approved by the OEHA Committee in October 2024.
What are the changes?	We have updated the section on how to make a complaint. The tenants can now lodge a complaint via OEHA's website.
How will the policy change impact OEHA residents?	The new policy makes it easier for OEHA tenants to make a complaint if they are dissatisfied with the service.
How will the policy change impact OEHA?	This new improved policy will provide staff with greater clarification about its purpose and how it should be applied to their daily use. We expect our staff to improve our service standards by the robust application of this Policy and the lessons learned from the complaints and compliments we receive.
Equalities impact (if applicable)	The changes made will make a positive equalities impact.
Next steps / actions	Monitor the implementation of this Policy, and any lessons learned from its daily use and application.