

# Bangla Housing Association

## Complaint Procedure

**Bangla Housing Association** is committed to providing high-quality customer services.

***We value complaints and use information from them to help us improve our services***

If something goes wrong or you are dissatisfied with our services, please tell us. This leaflet describes our complaints procedure and how to make a complaint. It also tells you about our service standards and what you can expect from us.

### ***1) What is a complaint?***

We have adopted the Housing Ombudsman's definition of complaint, and a complaint is defined as:

**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.**

You do not need to use the word 'complaint' for it to be treated as one. However, we will distinguish between a service request, comment, customer feedback, and a formal complaint.

### ***2) What can I complain about?***

You can complain about things like:

- delays in responding to your enquiries and requests.
- failure to provide a service.
- our standard of service
- failure to follow our policy or procedure.
- treatment by or attitude of a member of staff.
- our failure to follow proper procedure.

If other procedures or rights of appeal can help you resolve your concerns, we will give information and advice to help you.

### ***3) Who can complain?***

Anyone who has received a service from BHA or an organisation or person acting on behalf of BHA's resident who is dissatisfied with service provision:

- residents, or prospective residents, of properties owned or managed by BHA.
- service users of BHA.
- residents neighbouring BHA's properties
- former customers who have been living in BHA's properties or who have been in receipt of any services offered by BHA.
- individuals who are affected by work carried out by BHA and its partners where those individuals would have access to the Housing Ombudsman to make a complaint about BHA.

- Other person such as an MP or Councillor, the Citizen's Advice Bureau or other advocate, on behalf of a customer or resident
- This does not include legal representatives who write to us with a view to taking legal action.

#### **4) What can't I complain about?**

Some issues do not fall within the definition of a complaint in this policy unless the complaint refers to BHA's failure to deal with the matter. For example:

- A **first request** for a service (such as a repair). It will only become a complaint if the service requested has not been performed or has been inadequately performed.
- Neighbour disputes or anti-social behaviour unless the complaint refers to BHA's failure to deal with the disagreement appropriately.
- An issue regarding hate crime or domestic violence will be dealt with under our relevant policies.
- Dispute against the amount of rent or service charge being accurately charged in line with policy. Claim being dealt with by our insurers.
- Dispute where a resident has commenced legal action against us and have served BHA with the required legal proceeding paperwork, in which case we will bring the complaint to a close and follow the legal process.
- An appeal against policy decisions
- The issue was not raised as a complaint within a reasonable period, which would normally be within 12 months of the issue occurring unless it relates to safeguarding or health and safety issues.
- A Court, Tribunal or Ombudsman has already considered the matter. Please note: This is not an exhaustive list.

Where BHA refuses to accept a complaint, we will write to the complainant within 10 working days from the date of receiving the complaint setting out the reasons for this decision.

#### **5) How do I complain?**

You can complain in person at our office, by phone, in writing, email or by using our complaints form at [www.banglaha.org.uk](http://www.banglaha.org.uk) Please note we will always reserve the right, were we have issues of communication, to insist that the complaint be put in writing rather than reported over the phone.

In line with the above comment, we would normally expect your complaint to be made in writing. This will assist us in identifying the exact nature of your complaint and what your expectation are with regards to the outcome.

Before you reach the stage of making a complaint it is easier for us to resolve concerns if you raise them quickly and directly to the member of staff responsible for the service

concerned. So please do try and talk to the member of staff responsible for the service you are complaining about. Then they can try to resolve any problems on the spot. Only if you are not satisfied then you should implement the complaints procedure.

When complaining whether in writing or by telephone, tell us:

- your full name and address
- as much as you can about the complaint
- what has gone wrong
- how you want us to resolve the matter.

### **6) How long do I have to make a complaint?**

A complaint must be made within 12 months of the matter occurring, unless it has only recently become known, concerns an on-going delay, safeguarding or health and safety issues. The time limit is in line with the Housing Ombudsman service guidance on complaints. We reserve the right to dismiss any complaint outside of this period.

### **7) Equality, Diversity, and Inclusion**

We will apply this policy fairly and consistently. We will deliver all services and activities within the context of current Equality legislation including the Equality Act (2010). We will not discriminate against any person or group of persons on the grounds of the nine protected characteristics as outlined in the Equality 2010 Act.

### **8) The Equality Act 2010**

The Equality Act 2010 (the Act) provides a legislative framework to protect the rights of individuals and equality of opportunity for all.

Under the Act the legal duty to make reasonable adjustments arises in three circumstances:

- Where there is a provision, criterion or practice which puts a disabled person at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not class as disabled.
- Where a physical feature puts a disabled person at a substantial disadvantage in comparison with persons who are not class as disabled.
- Where a disabled person would, but for the provision of an auxiliary aid, be put at a substantial disadvantage in comparison with persons who are not classed as disabled.

### **9) Reasonable Adjustments**

BHA will make reasonable adjustments to our complaints service to ensure customers with a disability are not at a disadvantage when accessing the service.

Examples of the reasonable adjustments we will make are:

- Using the customer's communication preference throughout the duration of the complaint

- We will not request a complaint to be made in writing where this presents a barrier or disadvantage to the customer due to their disability or additional needs.
- Extension of any time limits (where it is lawful to do so); and
- Provide information in alternative formats e.g. Braille, large print or on alternative paper.
- Any requests for reasonable adjustments will be assessed quickly and communicated clearly to the complainant.

## **10) COMPLAINT RESOLUTION PROCESS**

### **10.1) Putting things Right**

BHA's priority is to 'Put Things Right' if a customer or resident is dissatisfied. Our 'Put things Right' step is about finding a quick and effective solution without the need for lengthy investigations. We will apologise if we get things wrong and agree an outcome with you and confirm how long it will take to complete the task. This will be considered as an informal complaint.

BHA's 'Put things Right' stage will not form part of our formal complaints process. BHA will keep record of informal complaints and any lessons learned for benchmarking purposes.

BHA expects most informal complaints to be resolved in this way, where possible, if we have not 'put things right', complainants can escalate their complaint to a formal complaint in line with this policy.

Where things have gone wrong, BHA will acknowledge and set out actions to be taken to put things right.

Examples of where things go wrong include:

- where there was an unreasonable delay
- inaccurate or inadequate explanation was provided to the customer.
- our policy or procedure was not followed correctly.
- Unprofessional behaviour by staff.

Where failures have been identified, a number of remedies are available including:

- acknowledging where things have gone wrong.
- providing an explanation, assistance, or reasons
- apologising
- taking action if there has been a delay.
- reconsidering or changing a decision
- providing a remedy to put things right such as vouchers, flowers, or financial remedy (covered via our Compensation Policy)

Any compensation awarded will be considered in line with our Compensation Policy and take into account any statutory payments that are due, service failures identified and if any quantifiable losses have been incurred.

## **11) FORMAL COMPLAINT STAGES**

### **11.1) INTERNAL REVIEW**

There are two stages to BHA complaints procedure. Complaints will normally be dealt with from Stage 1 of this policy.

At all stages of the complaints process, staff will liaise with the complainant to make sure BHA clearly understands the problem/s and how the complainant will like BHA to resolve the matter.

We will acknowledge complaints in writing within 5 working days of receipt. The Acknowledgement letter will include:

- summary of the complaint setting out BHA's understanding of the issues
- Establish full details of what has happened.
- Find out how the complainant would like to resolve the complaint.

We will be clear where the desired outcome may be unreasonable or unrealistic, but we will focus on what we can do.

At each stage of the formal complaints process (Stage 1 and 2) our response will inform the customer or resident of the following:

- The complaint stage
- Our decision on the complaint
- Reasons for our decision
- Details of any remedy offered to put things right.
- Details of any outstanding or further actions required and how we will monitor progress.
- Details of how to escalate the complaint to review stage if the customer or resident is not satisfied with the outcome.

### **11.2) Stage 1 (Investigation & Response)**

BHA aims to respond to complaints in a timely manner, keeping customers or residents informed throughout. We will acknowledge complaints in writing within 5 working days of receipt.

The Manager responsible for the service area will investigate and respond in writing within 10 working days from the date of acknowledgement. Where actions are required to resolve the complaint, we will work proactively with our colleagues, contractors, and partners to ensure that these are carried out as quickly as possible. Where it is not possible to respond to a complaint within 10 working days, the investigating manager will advise the complainant of this, and the reasons why, and confirm the expected response date, which will not be any longer than a further 10 working days from the original response date.

In exceptional circumstances, where it is not possible to provide a response within the timescale above. We will contact the complainant to discuss, explain why a complaint is

taking longer to resolve and advise when we expect to be able to provide the complainant with a response. Where agreement cannot be reached BHA will provide the complainant, with the Housing Ombudsman's contact details for independent advice and support.

We will close the complaint on the system, when we have provided a written solution or a response to the complainant, all actions arising from the complaints shall be monitored until completion.

If the complainant believes we have not provided them with an adequate response or believes that our response is incorrect or failed to deliver on the resolution action plan, they can escalate the complaint to the next stage of the process.

### **11.3) Stage 2 (Senior Management Team Review)**

BHA will always try to resolve complaints at stage one. However, where the complainant has requested that the complaint be escalated to the next stage, the complainant needs to inform us within 20 working days from the receipt of the stage 1 complaint closure letter.

The complainant will need to state the reasons for the dissatisfaction, provide additional supporting evidence and clear outcomes required.

BHA will acknowledge the receipt of the stage 2 complaint in writing within 5 working days of receipt.

The relevant Senior Management Team (SMT) member or Panel will investigate the complaint at stage 2 and review the stage one response, and a written response will be provided within 20 working days from the date of acknowledgement.

In exceptional cases the stage 2 complaint may be reviewed by the Senior Management Team or Panel. All members will not have been involved in the previous complaint.

In exceptional cases, it may not be possible to respond within this timescale due to the complexity of the matter.

In such cases, BHA will respond within an additional 10 working days and will advise the complainant of this. Where it is not possible to respond within 30 working days, a new response time will be discussed and agreed with the complainant. Where the complainant does not agree with BHA, BHA will provide the complainant with Housing Ombudsman's Service contact details and advise the complainant they can contact the service for independent help and advice.

The Stage 2 response letter will be set out as above (see 11.1)

Stage two of the complaint process will be the final review process. If a customer remains dissatisfied with how their individual situation has been handled and / or with the outcome, they may refer their complaint to the 'Housing Ombudsman.'

## 11.4) EXTERNAL COMPLAINT REVIEW

In accordance with the Localism Act 2011, customers and residents have a right to independent and impartial consideration of their complaint and may refer their complaint to the Housing Ombudsman Service at any time during the process.

### HOUSING OMBUDSMAN SERVICE

Complainants can complain directly to the Independent Housing Ombudsman after exhausting our complaints process. Complainants can contact the Housing Ombudsman Service for advice and support at any time during the complaints process or before they have made a formal complaint.

Contact details for the Housing Ombudsman Service are as follows:

**Housing Ombudsman**  
Exchange Tower  
Harbour Exchange Square  
London E14 9GE

Tel. 0300 111 3000

[www.ombudsman-housing.org.uk](http://www.ombudsman-housing.org.uk)

Email: [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)

Complaint correspondence: Housing Ombudsman Service, PO Box 152, Liverpool L33 7WQ

## 11.5) VEXATIOUS COMPLAINTS

- BHA defines a vexatious complainer as someone who, because of the nature, or frequency of their contact with us, hinders our ability to deal effectively with their or other customers or residents' complaints.
- This applies to a very small minority of customers or residents making complaints who persist unreasonably with their complaints and refuse to accept BHA's response.

Some examples of these type of behaviour are:

- Refusing to specify the grounds of a complaint, despite offers of support.
- Not co-operating with the complaint's investigation process
- Changing the basis of the complaint as the investigation proceeds
- Pursuing parallel complaints on the same issue with various organisations
- Making excessive demands on the time and resources of staff with lengthy phone calls, emails to numerous staff or detailed letters every few days and expecting immediate responses
- Submitting repeat complaints with minor additions/variations and insisting they are 'new' complaints.
- Refusing to accept the decision or repeatedly arguing points with no new evidence.

- Where a customer or residents' behaviour is unreasonable or excessive, BHA reserves the right, at any stage of the complaint's procedure, to review a complaint and put specific action in place which could include:
- Put in place a single named point of contact. • Limited number of emails and telephones contacts.

## **12) MONITORING AND LEARNING**

- 12.1) Customer satisfaction is a key measure of our performance and throughout the organisation, BHA takes a proactive approach to learning from any feedback, including complaints. We use feedback to shape our staff training programme, policies and procedures. We do this to drive standards up and to provide excellent customer experience as well as to incorporate learning into our improvement plans.
- 12.2) The progress of complaints, analysis and feedback will be regularly published to the Senior Management Team (SMT), the Committees and the Board in line with best practice recommended by the Principles of Good Complaint Handling by Housing Ombudsman.
- 12.3) We will regularly review 'lessons learned' from complaints and report this to staff and customers.
- 12.4) We will complete the Housing Ombudsman annual self-assessment against the Complaint Handling code for scrutiny and challenges.

## **13) LEGISLATION /STATUTORY BACKGROUND**

- 13.1 Government legislation and the Regulator for Social Housing (RSH) has an impact on how BHA implements its Complaints Policy. Listed below are the key regulatory standards and statutory Acts:
- The Landlord and Tenant Act 1985
  - Housing Act 1985, 1988 & 1996
  - Localism Act 2011
  - Housing Ombudsman: Guidance On Remedies– Good Practice
  - General Data Protection Regulations 2018

## **14) RELATED POLICIES**

- 14.1) This policy should be read in conjunction with the following policies:
- Compensation policy
  - Anti-social behaviour policy
  - Domestic violent and abuse policy
  - Equality & Diversity Policy
  - Safeguarding Policy



## 15) **CONFIDENTIALITY**

15.1 As part of the complaints process, we will manage any personal data in line with the General Data Protection Act Regulations (GDPR) 2018 and the Human Rights Act 1998. Staff will ensure that they only involve other agencies and share information with the consent of the individual concerned, unless:

- BHA is required to do so by law.
- The information is necessary for the protection of children or vulnerable adults.
- Under the Health and Safety Act

If you have trouble putting your complaint in writing please tell us, so we can sign post you to an appropriate external agency where you can get assistance in dealing with your complaint.

### **Our Contact details:**

Bangla Housing Association Ltd  
100 Morning Lane  
London  
E9 6LH  
Tel: 0208 985 1124  
SMS: 07983 467 036  
Email: info@banglaha.org.uk

### ***Your Main Landlords***

If your home is managed by Bangla your main landlords will be kept informed at all stages of the complaint process and they may also contact, you and take your complaints through their internal complaint procedure to ensure you receive a fair and full response to your complaints.

We are committed to making our service easy to use for all members of the community. In line with our statutory equality duties, we will always ensure that reasonable adjustments are made to help customers access and use our services.

# Quick Guide to Our Complaints Procedure

## Complaints Procedure

You can make your complaint in person, by phone, by e-mail or in writing.

We have a **two-stage complaints procedure**. We will always try to deal with your complaint quickly. If your complaint needs a detailed investigation, we will tell you and keep you updated on our progress.



## Stage 1: Frontline Resolution

We will always try to resolve your complaint quickly, within **10 working days**. If our investigation will take longer than 10 working days, we will inform you of the revised time limits and keep you updated on progress.

If you are dissatisfied with our response, you can ask us to consider your complaint at Stage 2.



## Stage 2: Investigation

We will look at your complaint at this stage if you are dissatisfied with our response at stage 1. We also look at some complaints immediately at this stage, if it is clear that they are complex or need detailed investigation.

You will need to explain why you are not satisfied with the outcome of the Stage 1 and the outcome you are seeking. We need this in writing prior to escalating your complaint to stage 2.

We will acknowledge your complaint **within 5 working days**. We will give you our decision as soon as possible. This will be after no more than **20 working days** *unless* there is clearly a good reason for needing more time.

If our investigation will take longer than 20 working days. We will inform you of the revised time limits and keep you updated on progress.



## Housing Ombudsman

If, after receiving our final decision on your complaint, you remain dissatisfied with our decision you can complain directly to the Independent Housing Ombudsman.

You can also contact the Housing Ombudsman Service for advice and support at Any time during the complaints process or before they have made a formal complaint.

# Complaints Form

## Your details:

We want to make sure our customers are treated fairly and equally.

To do this, we would be grateful if you would provide the following information. We will keep this information confidential and it will not affect how we handle your complaint.

Your name: \_\_\_\_\_

Your address: \_\_\_\_\_

\_\_\_\_\_ Postcode: \_\_\_\_\_

Telephone numbers:

Home: \_\_\_\_\_ Work: \_\_\_\_\_

Mobile: \_\_\_\_\_ Email: \_\_\_\_\_

Please tick which of the following boxes apply to you:

### 1. What is your gender?

Male    Female    Transgender male    Transgender female    Prefer not to say

### 2. What is your age group?

Under 18    18 to 25    26 to 40    41 to 59    60+    Prefer not to say

### 3. What is your ethnic origin?

Black or Black British

- Caribbean
- African
- Other \_\_\_\_\_

Chinese or other South East Asian ethnic group

- Chinese
- Vietnamese
- Other South East Asian
- Other \_\_\_\_\_
- Prefer not to say

White

- British
- Irish
- Other \_\_\_\_\_

Mixed

- White and black Caribbean
- White and black African
- White and Asian
- Other \_\_\_\_\_

Asian or Asian British

- Bangladeshi
- Indian
- Pakistani
- Other \_\_\_\_\_

**4. What is your religion?**

- Islam                       Hindu                       Atheist / Agnostic
- Jewish                       Sikh                       Other \_\_\_\_\_
- Christian                       Buddhist                       None
- Prefer not to say

**5. Does anyone in your household have a disability?**      Yes              No

**6. Please indicate which stage of the complaints process you are taking:**

Stage 1                      Stage 2

**7. Name of any officers at Bangla who you have dealt with:**

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**8. Please give details of your complaint:**

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**9. Is there any action you would like us to take? Please specify:**

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**Your signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

Please complete and return this complaint form to us by hand, post or email:  
[info@banglaha.org.uk](mailto:info@banglaha.org.uk)

If you need a copy of this form in large print, Braille, audio form or translated into your first language, please contact the Bangla office.