

Complaints Policy

1 Our approach to complaints

- 1.1 At Octavia, we are committed to providing our customers with an exemplary service. While we always strive to be reliable, responsive, respectful, and resourceful, occasionally we may not meet our customer's expectations. When things go wrong, we welcome the opportunity to listen to and understand your concerns so that we can act quickly to put things right.
- 1.2 The purpose of this policy is to ensure you know how to make a complaint and we respond consistently, fairly, and sensitively to complaints. This policy aims to ensure we:
- Effectively manage and resolve customer complaints
 - Have a fair and effective complaint escalation and review process
 - Learn from customer feedback to evaluate and improve our services
- 1.3 This policy applies if you are an Octavia tenant, shared owner, leaseholder, service user or are affected by our work in any other way (except where the matters raised relates to employment and Octavia as an employer).
- 1.4 We recognise the significant role the Housing Ombudsman has in setting out the standards required for our complaints service. Our Complaints Policy, and Complaints Procedure have been developed in accordance with the Housing Ombudsman Complaint Handling Code, our statutory and legal duties and resident feedback.
- 1.5 Any reference to 'we,' 'our,' 'us' refers to Octavia. When we use 'you' and 'your' we mean any resident or customer set out above.

2 What we mean by complaints

- 2.1 The Housing Ombudsman defines a complaint as: **“an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by Octavia, our staff, or those acting on our behalf, effecting an individual resident or group of residents”**
- 2.2 You do not need to use the word 'complaint' for us to treat your concern as a complaint. However, we will distinguish between a service request, survey/customer feedback, and a formal complaint (see section 4 for more details). We will always take appropriate steps to resolve issues for customers as early as possible.
- 2.3 We will always seek to resolve complaints quickly to achieve a swift and satisfactory outcome for the customer.

Exclusions from this policy

2.4 There are some issues where we may not consider a complaint. We will make sure our decision is reasonable and respond to your feedback differently. We will advise you of an alternative course of action. For example, we will not consider a complaint if:

- A complaint that concerns matters that are, or have been, the subject of legal proceedings and where you have or had the opportunity to raise the subject matter of the complaint as part of those proceedings. Where legal proceedings have started, this is defined as details of the claim, such as the Claim Form and Particulars of Claim having been filed at court. In such case, please refer to your solicitor (if you have one) as we are unable to respond through the complaint process. However, we consider that the matter does not become 'legal' until court proceedings have been issued. Where we receive correspondence initiating a pre-action protocol and legal proceedings have not yet been issued, we will be clear to you on how we are handling the correspondence, whether under our complaint process, the pre-action protocol or both.
- Your complaint is about a repair, service, or action, where the timeframe for delivering that repair or action has not yet passed. We want to have the opportunity to resolve the issue first and will give you feedback and keep you updated.
- Your complaint is not about us or our contractors but about another organisation.
- Your complaint is subject to an insurance claim (unless you are unhappy about how we or the insurance company is handling a claim).
- The complaint is about anti-social behaviour (ASB) or a neighbour dispute; this is dealt with under our ASB and Neighbour Dispute Policy (unless you are unhappy about how we are responding to an ASB or neighbour dispute issue).
- Service Charges – if you contact us about an increase, or the amount that you are being charged for services, your case will be dealt with as an enquiry and responded to by the relevant person. A complaint about the standard of service or lack of service is dealt with as a complaint.
- You have made repeated, minor, and unfounded complaints. We will refer to our Unacceptable Customer Actions Policy where this is the case.
- We have already responded to the matter under our complaint process and stated that the process had been exhausted.
- The content or tone of your contact is inappropriate (for example, if the content or tone is abusive, deliberately misleading, or vexatious). We will refer to our Unacceptable Customer Actions Policy where this is the case.
- The volume of contact from you is unreasonable (where this is the case the response times set out in our service standards will not apply). Please see our Unacceptable Customer Actions Policy for further details.
- You make a complaint six months or more after the alleged incident or incidents unless it relates to safeguarding or health and safety issues. In these circumstances, you should report the issue immediately (please see our Safeguarding policy for details on how to report a safeguarding concern).

Who can make a complaint?

2.5 We will accept complaints from the following:

- A current Octavia resident (this means a tenant of ours)
- A former Octavia resident (this means someone who was a tenant of ours)

- A prospective Octavia resident (this means you have made an application for housing where we are the landlord)
- A group of residents or Resident's Association that makes a complaint or a petition. You will need to arrange a lead person who is the main point of contact for the complaint or petition.
- An MP (Member of Parliament), Councillor, or advocate acting on behalf of one of the above providing the person has given authority for them to act on their behalf. If the person does not have capacity, the representative must have legal authority to act on the person's behalf through a Lasting Power of Attorney (LPA) or have been appointed by an authority such as the Court of Protection
- Customers who use our Befriending Service
- Customers who access Octavia Foundation services

2.6 We will not accept complaints from the following as they are not considered 'customers' as defined above.

- External contractors
- Managing agents

3 What you can expect from our service

3.1 We will promote and encourage opportunities to complain and accept complaints in person, by phone, by email, by letter, via an advocate (provided you have given your consent) or using the online complaints form on our website.

3.2 We will investigate complaints in a confidential and respectful manner, agreeing with you how you will be kept informed throughout the process.

3.3 Wherever possible we will seek to resolve complaints quickly to achieve a swift and satisfactory outcome for you without the need for a formal complaint. We will offer you a choice over whether you want an informal response to put things right quickly, or to request a formal complaint investigation through our internal process.

3.4 If you raise your complaint via social media, we will reply and ask you to message us directly with further details so that we can log your complaint and maintain your privacy.

3.5 We have a dedicated Resolutions Manager who is responsible for training Octavia's staff on how to effectively investigate and resolve complaints. The Resolutions Manager is responsible for ensuring we investigate and respond in a way that clearly demonstrates how we have reached a decision. The Resolutions Manager will ensure we reference best practice, policy, and/or legal and regulatory requirements.

3.6 The Resolutions Manager will be trained to act sensitively and fairly. They will be able to respond appropriately and empathically to complaints. They have access to staff at all levels to facilitate quick resolution of complaints and will have the authority and autonomy to act to resolve disputes quickly and fairly.

3.7 If at any point you are unhappy with how things are progressing, please let us know. You can contact the Housing Ombudsman Service at any point throughout your complaint for advice. Their details are on page 6 of this document.

3.9 We can offer a mediation service free of charge during the complaints process. Meeting together with the support of a mediator can be helpful in some cases. If you feel you would like a mediation service, you can let us know at any stage of the complaints process and we will make the arrangements.

3.9 Where you need support to make a complaint, there are lots of helpful organisations who you can contact for advice. The Housing Ombudsman has provided a list [here](#).

4 Complaint stages

4.1.1 There are two stages to our complaint process. In addition, where you have raised a Service Request, we will use the opportunity to resolve requests quickly and effectively to obtain the best outcome for you.

Service Requests

What is a Service Request?	What you can expect from the service
<p>A service request is a request requiring action to be taken to put something right. Service requests are recorded, monitored and reviewed regularly.</p> <p>Examples of issues we would expect to resolve as a Service Request are:</p> <ul style="list-style-type: none"> • Scheduling a repair • Missed appointment • Missed callback • Not attending a scheduled appointment 	<p>An officer for the area you are unhappy with will listen to your concerns, offer you support and investigate your feedback. The officer will put together a plan to resolve the issue immediately. We will apologise and learn from your feedback.</p> <p>Examples of how we expect to handle service requests are:</p> <ul style="list-style-type: none"> • Booking an appointment or re-booking a missed appointment • Completing an outstanding repair • Offering a delayed service update • Reviewing how we handled your service request

Stage 1 (formal)

What is a Stage 1 (formal) complaint?	What you can expect from the service
<p>Where we have been unable to resolve your service request, you have had to make substantial further enquiries to resolve the matter, or where you choose to have your complaint handled within the formal process, the case is handled as a Stage 1 formal complaint investigation.</p> <p>If you request to raise additional complaints during the Stage 1 investigation, these will be incorporated into our Stage 1 response if they are relevant, and the Stage 1 response has not been issued. Where the Stage 1 response has been issued, or it would unreasonably delay the response, we</p>	<p>Your complaint will be assigned to an investigative officer who may also be a manager or head of service. They will listen to your concerns; offer you support and investigate your feedback.</p> <p>On receiving your formal complaint, we will:</p> <ul style="list-style-type: none"> • Acknowledge receipt of the complaint within 3 working days and provide you with the contact details of the investigating officer and the case reference number. • Contact you to confirm our understanding of the complaint and to find out what resolution you are seeking.

<p>will log the complaint(s) as a new complaint.</p>	<ul style="list-style-type: none"> • Provide a full response to you within 10 working days. We may agree an alternative timescale with you in exceptional circumstances, but this will not exceed 20 working days in total. Where agreement over an extended timescale cannot be reached, we will provide the Housing Ombudsman’s contact details so you can challenge our proposed plan for responding and/or the proposed timeliness of our response. <p>We recognise that complaints can be resolved in several different ways. When responding to your complaint we will offer a solution that takes into consideration any service failure and the overall circumstances of the complaint.</p> <p>Examples of solutions we may offer are:</p> <ul style="list-style-type: none"> • Acknowledging when we have got it wrong • Offering an apology • Providing an explanation • Taking action to resolve the issue • Reconsidering or changing a decision • Offering compensation (in line with our Compensation Policy) • Making changes or improvements to our services, policies, or procedures
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Stage 2 Internal Review (Formal)

What is a Stage 2 (Formal) Internal Review?	What you can expect from the service
<p>If you are not satisfied with our response at Stage 1, you should contact us within 20 working days to ask us to escalate to Stage 2. You should explain why you are dissatisfied and what you consider has not been resolved. We also encourage you to tell us what you expect from the resolution. Complaints will only be escalated to Stage 2 if it has been responded to at Stage 1 and it is at your request.</p> <p>Our Stage 2 process is an internal review. The review will check that the decisions at Stage 1 were fair, reasonable and in accordance with our policies. It is unlikely that we will substitute judgement in decision making where the decision was</p>	<p>Your complaint will be assigned to a senior manager. They will listen to your concerns; offer you support and investigate your feedback.</p> <p>On receiving your stage 2 complaint, we will:</p> <ul style="list-style-type: none"> • Acknowledge receipt of the complaint within 3 working days and provide you with the contact details of the investigating officer and the case reference number. • Contact you to confirm our understanding of the complaint and to further discuss what resolution you are seeking. • We will provide a full response within 20 working days. We may agree an alternative timescale with you in exceptional circumstances, but this will not exceed 30 working days in total. Where agreement over an extended timescale cannot be reached, we will

<p>reasonable at Stage 1. The person who investigates your complaint at Stage 2, will not be the same person that considered the complaint at stage 1.</p> <p>Sometimes it might not be appropriate to escalate your complaint to Stage 2. We will always set out why we think the complaint response is final and if you choose to escalate to the Housing Ombudsman, we will co-operate with its review.</p>	<p>provide the Housing Ombudsman’s contact details so you can challenge our proposed plan for responding and/or the proposed timeliness of our response.</p> <p>Before we issue our final response, we will share the proposed outcome in relation to the Internal Review and give you an opportunity to respond to the findings before formally issuing our response.</p> <p>We will always aim to reduce our response times.</p>
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5 What happens if I am still unhappy?

5.1 Housing Complaints:

5.1.1 You can ask a local MP or Councillor to review your complaint once we have issued a final response. They can choose to contact us about it, or they may advise you to refer to the Housing Ombudsman straight away.

5.1.2 A group of Octavia residents sit on our Resident Complaints Panel. The panel reviews how we handle complaints. From January 2023, you will be able to contact the panel directly after our internal complaints process has been completed if you are unhappy with the outcome or wish to provide feedback.

- Email: complaintspanel@octavia.org.uk
- Postal: Complaints Panel, Emily House, 202-208 Kensal Road, London, W10 5BN

5.1.3 You can also contact the Housing Ombudsman directly from the date of our final response letter.

The contact details for the Housing Ombudsman Service are:

- Online complaint form: www.housing-ombudsman.org.uk/residents/make-a-complaint/
- Phone: 0300 111 3000
- Email: info@housing-ombudsman.org.uk
- Postal address: Housing Ombudsman Service, PO Box 152, Liverpool L33 7WQ

5.2 Care and Support Complaints:

5.2.1 If the complaint is about a Care or Support service provided by Octavia, you can refer the complaint to the Local Authority who commission and contract care and support services.

5.2.2 If you suspect or have knowledge of an Octavia customer experiencing abuse this should be addressed via our Safeguarding Policies:

- Safeguarding - Protecting Adults at Risk of Abuse Policy
- Safeguarding - Protecting Children from Abuse Policy

5.2.3 The contact details for the Local Authorities where we provide Care or Support Services are:

- Royal Borough of Kensington and Chelsea Council hsscustomecare@rbkc.gov.uk
- Westminster Council ascustomerfeedback@westminster.gov.uk
- Hounslow Council complaints.crt@hounslow.gov.uk

6 Continuous Improvement and Lessons Learnt

6.1 We recognise the value that complaints provide, and we have processes in place to ensure we capture the details and learning when we conclude our complaints process. We will:

- Record and monitor all the complaints we receive and use this information to deliver process and service improvements. This information is shared and reviewed with relevant Octavia Committees, Managers, Octavia colleagues, and the Octavia Board.
- Have a member of our governing body who is appointed to have lead responsibility for complaints. As a minimum, we will provide our governing body with:
 - Regular updates on the volume, categories, and outcome of complaints, alongside complaint handling performance including compliance with the Ombudsman's orders
 - Regular reviews of issues and trends arising from complaint handling
 - The annual performance report produced by the Ombudsman
 - Individual complaint outcomes where necessary, including where the Ombudsman made findings of severe maladministration or referrals to regulatory bodies. The implementation of management responses will be tracked to ensure they are delivered to agreed timescales.
 - The annual self-assessment against the Complaint Handling Code for scrutiny and challenge.
 - Each year we will carry out an annual self-assessment against the Complaint Handling Code to ensure our complaint handling remains in line with the code's requirements. We will also carry out a self-assessment following significant restructures and/or change in procedures. Following each self-assessment, we will report the outcome of our self-assessment to the governing body and publish the outcome of the assessment on our website and our Annual Report.
- Apologise when our service falls short and offer the appropriate solutions to resolve your complaint.
- Use complaints as an opportunity to learn; we will identify lessons learnt and implement solutions.
- Publish the results and the changes we made in response to the learning.
- Seek feedback from you in relation to our complaint handling as part of our commitment to encourage a positive complaint and learning culture.

6.2 Our complaint handling performance is reviewed monthly and quarterly. The performance is provided to the Executive Team and the Board. We also publish our complaint handling performance in our Annual Report.

- 6.3 All our staff have clear performance objectives in relation to complaint handling which reflects the need to:
- Have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments
 - Take collective responsibility for any shortfalls identified through complaints rather than blaming others
 - Act within the Professional Standards for engaging with complaints as set by the Chartered Institute of Housing.

7 How we will manage your personal data

- 7.1 We will manage and process personal data in compliance with the Data Protection Act 2018 and UK GDPR. For further information on how we process personal data, see the Octavia Data Protection Policy, and Octavia Privacy Notice.

8 Equality, Diversity, and Inclusion

- 8.1 We will apply this policy fairly and consistently. We will deliver all services and activities within the spirit and 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 age; disability; gender reassignment; marriage or civil partnership; pregnancy or maternity; race; religion or belief; sex; sexual orientation.

9 Contact for further information

- 9.1 You can contact us in several ways:
- Talking in person to a member of staff
 - Using the online complaints form on our website
 - Phone
 - Email
 - Writing us a letter
 - Asking a relative or someone else to contact us for you (if you give them permission)

10 Associated Documents

- 10.1 This policy is implemented by the following procedures
- Complaints Procedure
- 10.2 This policy is supported by the following policies
- Compensation Policy
 - Unacceptable Customer Actions Policy
 - Translation, Interpretation and Reasonable Adjustments Policy
 - Safeguarding - Protecting Adults at Risk of Abuse Policy
 - Safeguarding - Protecting Children from Abuse Policy
 - Anti-social Behaviour and Neighbour Disputes Policy

- Complaints Panel terms of reference

Revision History		
Date	Reviser	Revision Detail
15/9/2022	Louise Alfred	Updated Section 5 regarding removal of democratic filter from 1 st October 2022.

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