

Complaints Procedure

1 Procedure

Complaint Handling Framework

- 1.1 Aster's Complaints Policy and Procedure has been developed in accordance with the Housing Ombudsman Complaint Handling Code and reflects the principles of fairness, accessibility, transparency, accountability and learning from complaints. The Housing Ombudsman Service is the primary independent body responsible for investigating complaints relating to housing management and landlord services and, as such, the Housing Ombudsman Complaint Handling Code forms the principal framework upon which this procedure is based.
- 1.2 Certain complaint types may fall within the jurisdiction of alternative Ombudsman schemes, tribunals or dispute resolution services. Where applicable, customers will be signposted to the most appropriate escalation route.
- 1.3 Examples of alternative escalation routes include:
 - Housing Ombudsman Service: housing management, repairs, complaint handling and landlord services.
 - Energy Ombudsman: Heat Network complaints
 - First-tier Tribunal (Property Chamber), service charge disputes and related matters.
 - Information Commissioner's Office (ICO), data protection and information rights concerns
 - Independent Dispute Resolution Scheme: eligible complaints relating to newly built homes where Aster acts as the developer
- 1.4 Customers will normally be expected to provide Aster with the opportunity to investigate and resolve concerns through our complaints process before seeking independent review from an Ombudsman, Tribunal or Independent Dispute Resolution body, unless the requirements of the relevant scheme determine otherwise

Defining a Complaint

- 1.5 The Housing Ombudsman defines a complaint for the purposes of this procedure as:

An expression of dissatisfaction, however made, about the standard of service, actions, or lack of action by Aster, Aster's staff, or those acting on behalf of Aster, affecting an individual customer or group of customers.

This can include:

- Something we have said we would do – and did not
- The time it's taken us to sort out an issue
- A decision we have made
- Something we have done – and should not have done.

- The behaviour, approach or conduct of an Aster employee in carrying out work under the direction and control of Aster.
- 1.6 The Housing Ombudsman defines a service request as, “A *first request from a resident to the landlord requiring action to be taken to put something right.*”
- 1.7 The [Energy Ombudsman \(EO\)](#) defines a "complaint" about a heat network as a dispute covering poor service, billing errors, unfair treatment, or supplier non-compliance with obligations, including those under the Energy Bill Relief Scheme (EBRS) or Discount Scheme (EBDS).
- 1.8 A Heat Network is defined by Ofgem as ‘A network which provides heating and hot water to buildings and homes from a central source.’ This means a property connected to a heat network does not need its own separate heating system such as a combi boiler or heat pump.

There are 2 types of Heat Network:

- Communal heat networks supply customers within a single building, for example a block of flats - this is currently the most common form of heat network in the UK
 - District heat networks (District Heating) supply more than one building, for example housing developments, businesses, offices, and shops
- 1.9 A complaint is not about an issue which Aster has not previously been told about, for example:
- Reporting a repair
 - Reporting neighbourhood issues
 - Reporting anti-social behaviour
 - Issues that have already been considered under the Complaints Policy.
- 1.10 We will consider and recognise the difference between a service request and a complaint using the Housing Ombudsman’s guidance and example case studies in the Complaint Handling Code. Service requests will be recorded, monitored, and reviewed regularly. A complaint should be raised when a customer remains dissatisfied with their response to their service request.

Making a Complaint

- 1.11 Customers can make a complaint to any member of staff by telephone, letter, email, a personal visit or by completing the complaints form via the website. A customer does not have to use the word complaint in order for it to be treated as such.
- 1.12 We will accept and record a complaint which is referred within 12 months of the issue occurring, or the customer becoming aware of the issue, unless there is a valid reason not to do so. In these circumstances a detailed explanation will be given setting out why the matter is not suitable for the complaints process. We may, in exceptional circumstances, accept a complaint outside of the 12 months and these will be reviewed on a case-by-case basis.
- 1.13 This procedure applies to customers where a service is being provided by Aster or where an application is being made for a tenancy with Aster. This includes customers receiving a service from Aster, who are individuals or private owners, who are not in a Housing landlord/tenant relationship with Aster. This procedure does not include:

- Complaints made about the provision of services by Enham Trust commercial properties.
 - Complaints that are from other businesses which form part of a commercial relationship
 - Aster colleagues who wish to make a complaint about a fellow colleague, unless the aggrieved colleague is a customer of Aster and their complaint relates to an issue that has arisen as a result of the customer and landlord relationship that exists between the colleague and Aster.
- 1.14 Where a customer is seeking compensation for personal injury, the circumstances around the alleged service failure may be investigated as part of the complaints process, but complainants will be advised to contact our insurers to respond to that aspect specifically regarding the personal injury claim.
- 1.15 If an ex-customer makes a complaint, it will be dealt with via this procedure only if the customer had a legal relationship with Aster, at the time the matter complained of arose.
- 1.16 Aster colleagues who wish to make a complaint about bullying / discrimination or other behaviour by a colleague should contact HR at their earliest opportunity to discuss the issue.
- 1.17 For complaints involving customers that are in receipt of a care service delivered by one of the separate legal entities within Group, the Director of Care will be advised to ensure the requirements of appropriate regulatory body are met.
- 1.18 Any complaint made by a group will progress through the same stages as one made by an individual customer. We will not reject or discourage complaints made on behalf of a group including complaints made and progressed through a third party (such as carers, guardians, and advocacy bodies).
- 1.19 In line with GDPR, once a complaint is received, we will record details electronically about the complaint and any subsequent contact with the complainant and retain this information for at least 5 years.

Approach to complaints

- 1.20 Our aim is to:
- Be fair
 - Easy to reach and helpful at all times, with a customer friendly process that enables customers to be heard and understood
 - Try to resolve our customer's problem as quickly as possible
 - Offer help and support to our customers
 - Fully investigate formal complaints
 - Learn from our mistakes
 - We use a complaints management system to log, track and retain complaint records, ensuring compliance with the relevant Ombudsman's Code. All relevant colleagues receive training to maintain accurate records and support transparent, effective complaint handling.
 - Use complaints to improve the services we provide to our customers
- 1.21 We are committed to managing all complaints with fairness and respect, and we ask that customers do the same when engaging with our staff. Behaviour that is abusive, threatening, unreasonably persistent, or otherwise obstructive may affect our ability to

investigate or resolve a complaint effectively. In such cases, we will follow our [Unreasonable Behaviour Policy](#) and may take steps to manage interaction. Any actions taken will be reasonable, proportionate, and clearly communicated to the customer.

- 1.22 The role of the Complaints Team, and where appropriate trained Contact Centre Team colleagues, is to assess an issue raised by a customer who wishes to make a complaint. This assessment will determine if the issue raised falls within our Complaints Policy and procedure, and if so, the most appropriate way to deal with the complaint in line with our procedure, and any immediate actions that may be required.
- 1.23 Customers may seek advice from the Housing Ombudsman Service at any stage of the complaints process. Contact details for the relevant Ombudsman or external body will be included in complaint correspondence where appropriate.

Formal Complaints

- 1.24 There are two stages to our formal complaints procedure, each with clear timescales designed to comply with the Housing Ombudsman Complaint Handling Code. The Housing Ombudsman framework remains the principal complaint handling model adopted by Aster. Where alternative Ombudsman schemes or dispute resolution arrangements apply, including Heat Network complaints that may be escalated to the Energy Ombudsman, any specific variations are detailed within this procedure.
- 1.25 Formal complaints are owned by the relevant service area and investigated by Case Officers/Managers who have been trained in managing complaints and Aster's complaints process.

The Complaints Team role is to:

- Make the initial assessment of the actions required upon receipt of a complaint
- Provide oversight to ensure compliance with the Complaints Policy and Procedure
- Support Case Officers/Managers with formal written complaint responses
- Provide oversight to enable compliance with the Housing Ombudsman's Complaint Handling Code and the Housing Ombudsman dispute resolution principles
- Support our customers in navigating the complaints process and keep them updated throughout the process
- Ensure all actions are recorded and all documentation relating to the complaint is collated and stored to provide an auditable record of communication and actions taken
- Promote and record learning from complaints

- 1.26 The Complaints Team will:
- Log the complaint electronically in our Complaints System.
 - On receipt of a complaint attempt to contact the customer to discuss and define the parameters of the complaint – the 'complaint definition'
 - Assess the complaint and determine the most appropriate service area to investigate.
 - Discuss the complaint with the Case Officer/Manager and allocate for investigation
 - Acknowledge and confirm allocation with the customer, either by letter or email, within 5 working days of the complaint being received.

- Gain the correct authority for permission to share from the customer if a third party makes the complaint.

Stage 1

- 1.27 The complaint will be logged, and an acknowledgement will be sent to the Customer within (5) working days of receipt of the complaint. If this is not possible an explanation will be provided to the customer together with a date by when the complaint will be assessed.
- 1.28 A written response will be given within 10 working days of the complaint being acknowledged. If this is not possible, an explanation and a date by when the stage 1 response will be given. The response should not exceed a further 10 days without good reason.
- 1.29 Good reasons for not being able to meet these timescales may include; where a customer cannot be contacted, has made a request to be contacted at specified times which are outside of the complaint response timescales, the case is especially complex due to the nature of the complaint, or if it is multi-faceted and requires investigation with multiple departments.
- 1.30 The Housing Ombudsman Service also recognises that good reason may include especially complex cases, for example where the Case Officer/Manager needs to contact a subject matter expert or if the complaint is multi-faceted and will require a response from several departments.

At Stage 1, the Case Officer/Manager will:

- Contact the customer and where required, to assist in resolving the complaint, offer to meet with the customer
 - Fully investigate the complaint
 - Keep the customer and the Complaints Team fully informed of the progress of the complaint
 - Following consultation, and with input from the Complaints Team, send a full written response and confirmation of the agreed actions for any proposed resolution within 10 working days of the complaint being allocated
 - Progress and monitor any agreed commitments which formed part of the resolution outcome.
 - If a commitment is cancelled due to works being passed to other teams such as planned, maintenance of minor works, then a new commitment has to be raised
 - Ensure the Complaints Team is provided with all correspondence, notes, and findings.
- 1.31 The Complaints Team will:
- Where a response cannot be sent within 10 working days, the Complaints Officer will send the customer a holding response advising the reasons why and when the customer can expect a response. The holding response must include contact details of the Housing Ombudsman.
 - Close the complaint if no further contact is received from the customer after 30 working days of the resolution-being sent
- 1.32 Where customers raise additional complaints during the investigation, these must be incorporated into the stage 1 response if they are related and the stage 1 response has not been issued. Where the stage 1 response has been issued, the new issues are unrelated to

the issues already being investigated or it would unreasonably delay the response, the new issues must be logged as a new complaint. The complaints team will support Case Officers/Managers in this decision-making process and log new a complaint where required.

Stage 2

- 1.33 When a customer is dissatisfied with the outcome of the stage 1 response, they will be provided with the opportunity to escalate their complaint to stage 2 and explain why they feel the complaint has not been resolved. A request to escalate a complaint will be acknowledged, defined, and logged within 5 working days. A written response will be given within 20 working days from the date the escalation request is acknowledged. If this is not possible, an explanation and a date by when the stage 2 response will be given. This should not exceed a further 20 days without good reason.
- 1.34 For stage 2, a different Case Officer/Manager will be appointed to ensure an independent review of the stage 1 investigation. The stage 2 Case Officer/Manager will ordinarily hold a more senior role within the business, but this does not have to be a Director or Head of Service.
- 1.35 The Complaints Team will:
- Try to gain an understanding of why the customer is dissatisfied with the stage 1 response and contact the customer to clarify this if it is not clear. The customer will not be placed under pressure to give a reason for escalation if they do not wish to do so.
 - Acknowledge to the customer the complaint has been escalated to stage 2 within 5 days.
 - Prepare a stage 2 assessment pack for the relevant Case Officer/Manager, detailing the actions taken to date, the reasons for dissatisfaction, highlight any deficiencies or gaps in the stage 1 investigation response, or with the Housing Ombudsman Complaints Handling Code
 - Where a response cannot be sent within 20 working days, the Complaints Officer will send the customer a holding response advising the reasons why and when the customer can expect a response
- 1.36 The stage 2 Case Officer/Manager will:
- Investigate the complaint under stage 2 by contacting the customer and ensuring all relevant parties are consulted at the appropriate level to ensure the reason for dissatisfaction is responded to and any identified risks are managed.
 - Provide a written stage 2 response following consultation with the Complaints Team, providing Aster's final response and the options available if the customer remains dissatisfied with the complaint outcome.
 - Ensure systems are in place to monitor and track actions promised to resolve all complaints and they are completed within the appropriate timescales.
 - Ensure that any learning identified is progressed.
- 1.37 Should there be delays in being able to provide either a stage 1 or 2 response within these timescales, the Complaints Officer will ensure this is fully explained to the customer with an explanation for the delay and agree with the customer suitable intervals for keeping them informed about their complaint. The customer will be reminded of their ability to refer their complaint to the Housing Ombudsman Service, and their contact details will be provided.

- 1.38 Following the provision of the Stage 2 response and learning outcome the Complaints Team will close the complaint.

Complaints referred to External Redress Bodies

- 1.39 Following completion of Aster's complaints process, customers may refer their complaint to the appropriate external body.
- 1.40 Depending on the nature of the complaint this may include:
- Housing Ombudsman Service.
 - Energy Ombudsman.
 - First-tier Tribunal (Property Chamber).
 - Information Commissioner's Office.
 - Independent Dispute Resolution Scheme for eligible new-build complaints.
[\[hqnetwork.co.uk\]](http://hqnetwork.co.uk)

Aster will cooperate fully with all external investigation bodies and will comply with any orders, recommendations or reporting requirements arising from those investigations

- 1.41 Complaint performance will be monitored via the agreed performance mechanisms and frameworks to monitor compliance and trends. An annual Complaints report and self-assessment will be documented, reported internally, and published on Aster's corporate website.

Heat Network Complaints

- 1.42 All Heat Network complaints will be logged and managed through Aster's complaints process in the first instance.
- 1.43 Where a complaint relates to both Heat Network services and broader landlord services, Aster will respond through a single complaint response while clearly identifying the Heat Network elements separately.
- 1.44 Unlike Housing Ombudsman complaints, Heat Network complaints operate under the Energy Ombudsman framework:
- Customers must first give Aster the opportunity to resolve the issue.
 - Aster has up to 8 weeks to resolve the complaint.
 - If resolution is not achieved, a deadlock letter may be issued, allowing referral to the Energy Ombudsman.

Updates and chasing overdue responses

- 1.45 Compliance with the procedure is vital to support timely complaint resolution, maintain customer satisfaction and to comply with the published service standards. To support this the Complaints Team will apply an escalation process for overdue responses or requests for updates.
1. Overdue Response - Request for update from the Case Officer/Manager
 2. No Response - Head of Service with Head of Complaints copied in
 3. No Response – Head of Complaints to pursue via the relevant Director

- 1.46 We monitor complaint progress and performance daily through Aster's performance reporting system. Statutory and organisational reports are provided quarterly and annually to the relevant customer groups, board panels, and Regulatory bodies (including Ombudsman and RSH). Additional reporting is provided as required

2 Roles and Responsibilities

- 2.1 The Complaints Team provide a Group wide function for the oversight of complaint management. This includes the allocation and monitoring the progression of complaints via our complaints reporting system, liaison with the Housing Ombudsman Service and performance reporting.
- 2.2 Case Officers/Managers in the relevant service areas have responsibility for the investigation of complaints to establish if there has been a service failure and where identified, to propose, implement and monitor the delivery of the proposed remedy. All remedies will be known and referred to as "commitments."
- 2.3 Senior leaders will be kept informed of cases referred to both the Energy Ombudsman and Housing Ombudsman Service with details of the decision reached.
- 2.4 The Head of Complaints and Learning is responsible for completing an annual self-assessment against the requirements of the Housing Ombudsman's Complaint Handling Code or following a significant restructure and/or change in policy or procedures.
- 2.5 Aster may be asked to review and update our self-assessment following an Ombudsman investigation and this will be conducted in consultation with the Member Responsible for Complaints.
- 2.6 If Aster is unable to comply with the Code due to exceptional circumstances, such as a cyber incident, we will notify the Ombudsman and provide information to our customers who may be affected and publish this on our website. The Head of Complaints & Learning will provide a timescale for returning to compliance with the Code.
- 2.7 All service areas need to understand their roles and responsibilities when dealing with complaints via Aster's formal complaints process.
- 2.8 All service areas must ensure that team members have objectives set around complaint management and embedding learning into Operational Teams.
- 2.9 Responsibility for Heat Networks complaints sits with a Non-Executive Director and a member of the Customer Voice Committee (CVC).

3 Related Documents

- 3.1 Unreasonable Behaviour Policy
3.2 Unreasonable Behaviour Procedure
3.3 Complaints Policy
3.4 Compensation Policy
3.5 Compensation Procedure

- 3.6 Compensation Guidance
- 3.7 Managing enquiries from Elective Representatives Procedure
- 3.8 Vulnerability Policy
- 3.9 Data Protection, Privacy and Confidentiality Policy

4 Governance			
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