

## 1 Scope

- 1.1 This policy is for all customers who receive a service from Aster Group or where an application is being made for a tenancy with Aster. This includes where contractors or agents are providing a service on Aster's behalf.
- 1.2 We aim to get it right first time. However, we do accept that sometimes we may fall short of what is expected and customers may complain. We understand that complaints, and the circumstances around them, may cause distress or upset for customers and we aim to deal with complaints in a sensitive and timely manner to reach an amicable resolution.
- 1.3 The policy does not apply to complaints that are related to our commercial relationships with other parties or to appeals regarding letting decisions, which are dealt with by the relevant Lettings Manager. A complaint may follow a lettings appeal if a customer is dissatisfied with the outcome.
- 1.4 Everyone in Aster Group is responsible for the service we deliver and when something goes wrong the way we respond to a complaint will reflect our values. We value the opportunities complaints provide us to review our processes and, where appropriate, practice, to make any changes needed to improve the way we deliver our services.
- 1.5 Aster is a registered Restorative Organisation; this means we meet the standards of the Restorative Justice Council for applying restorative practice throughout our organisation. We will use these restorative principles in complaint resolution to build positive relationships within our communities. More information can be found on the [Restorativejustice.org.uk](https://restorativejustice.org.uk) website.
- 1.6 Our Complaints Policy, Procedure and Process is aligned to and follows the requirements and principles of the [Housing Ombudsman's Complaint Handling Code](#) and our obligations set out in the [Housing Ombudsman Scheme](#), the [Tenant Involvement and Empowerment Regulatory Consumer Standard](#) and the regulatory standards set by the Care Quality Commission.

## 2 Policy Statement

- 2.1 We will ensure everyone is treated fairly and honestly throughout, and following the complaints process, without discrimination, in line with Aster's Diversity and Inclusion Policy.
- 2.2 In line with the Health and Care Social Care Act, 2008, we have a duty of care for those we work with and have an obligation to fulfil Duty of Candour.
- 2.3 A complaint is defined in the Housing Ombudsman Service's Complaint Handling Code, providing a clear understanding of what is considered a complaint. For the purposes of this policy a complaint is -

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 Aster's behalf, affecting an individual customer or group of customers

We will not record a complaint for matters that have previously been considered under the complaints process, or about an issue which Aster has not previously been told about, for example:

- Reporting a repair
- Reporting neighbourhood issues
- Reporting anti-social behaviour

- 2.4 We will accept and record a complaint unless there is a valid reason not to do so and, in these circumstances, a detailed explanation will be given setting out why the matter is not suitable for the complaints process.
- 2.5 We will promote a positive, no-blame complaint handling culture.
- 2.6 We will proactively assess and analyse complaints to identify any trends, causes or systemic issues to learn and make improvements to our services, policies, and procedures.
- 2.7 We will listen to our customers to understand where our service has not met their expectations. We will make sure the complaints process is accessible, customer focused and enables customers to have their voice heard at all points of the process to try and reach a resolution as early as possible.
- 2.8 We will ensure a consistent approach to dealing with complaints across all our teams, promoting a positive, accountable, and transparent complaints culture.
- 2.9 We will ensure colleagues are trained, empowered, and confident when responding to our customers and in accordance with our published standards and procedures.
- 2.10 When a third party such as a family member, support worker, or carer acts for a customer wishing to make a complaint, we will ensure, after getting the customer's permission, that the relevant paperwork is completed and shared in line with data protection regulations. If we are unable to get permission due to lack of capacity, we can support advocates acting on behalf of our customers. A customer may be accompanied by a representative at a meeting where this is reasonable. Where it is felt it is not reasonable for a nominated representative to attend a meeting, a full explanation will be provided for this decision, to enable the customer to consider another representative or alternative arrangements.
- 2.11 We will ensure we are approachable and helpful throughout the complaints procedure. We will always ensure that we carry out any reasonable adjustments to the complaints process for residents that require us to do so.
- 2.12 Involved customer groups will periodically review our approach to complaint management, making recommendations to improve the service where appropriate. We will consult with customers on the formation of complaint policies, and where appropriate include customers in dispute resolution through the Designated Complaints Panel.
- 2.13 Where it is assessed that a complaint can be dealt with quickly and efficiently as part of usual 'day to day' business it may be logged as an informal 'fast track' complaint and dealt with outside the formal complaints process. This approach will be taken if it is felt it will offer the best outcome for the customer. If a customer is dissatisfied with this proposed approach, or it fails to reach a resolution, the issue will be dealt with as a formal complaint.
- 2.14 We recognise that from time to time those who complain to us may behave unreasonably. In those circumstances, we will consider whether it is reasonable to persist in engaging with the

complainant further. This will be considered in line with the Unreasonable Complainers Guidance within the Complaints Procedure, and advice from the Housing Ombudsman Service where appropriate.

- 2.15 If at any point during a complaint investigation a customer (or a third party on the customer's behalf) bring any legal proceedings against Aster Group, we will stop our complaints process. This is to ensure our actions are in no way prejudicial to any such proceedings.
- 2.16 Should a customer seek compensation for injury, this will be dealt with as a personal injury claim via our insurers and not through the Complaints Procedure.
- 2.17 We will usually only investigate complaints made within six months of the event becoming evident. However, we understand that there will be instances where this is not possible and in exceptional circumstances can extend this to twelve months.
- 2.18 The Complaints Policy and Complaints Procedure will be accessible on our website and publicised where possible, including in leaflets, newsletters, and other correspondence with our customers. Copies of the Policy and the Procedure can be provided when requested.
- 2.19 We will be clear about how the process works, the steps and the timescales involved, and the escalation process should a customer remain dissatisfied with the outcome of their complaint. Requests to escalate a complaint will not be refused unreasonably and will be based on the grounds and reasons for declining to record a complaint - a commercial relationship with other parties, matters previously reported under the complaints process, seeking compensation for injury or a decision around further engagement in line with the unreasonable complainer guidance. The reasons for declining to escalate a complaint will be clearly communicated to the customer together with the right of the customer to approach the Housing Ombudsman.
- 2.20 We will acknowledge, log, and allocate a complaint to the relevant service area for investigation within 5 working days of receiving it.
- 2.21 There are 2 stages to our formal complaints process, each with clear time scales:

#### **Stage 1**

- A written decision will be given within 10 working days from logging and allocating the complaint.
- If this is not possible, an explanation and a timeframe for a response will be given.
- This should not exceed a further 10 working days without good reason (for example if a customer cannot be contacted; or has made a request to be contacted at specified times which are outside of the complaint response timescales.)

#### **Stage 2**

- When a customer is dissatisfied with the outcome of the stage 1 response, they will be given the opportunity to explain why they feel the complaint has not been resolved.
- A written response will be given within 20 working days from the request to escalate.
- If this is not possible, an explanation and a timeframe for a response will be given.
- This should not exceed a further 10 working days without good reason.

- 2.22 If a customer remains dissatisfied following the exhaustion of Aster’s complaints process as set out in 2.21, they will be provided with an opportunity for the complaint to be reviewed by the Designated Complaints Panel. For more information on the DCP see our website - <https://www.aster.co.uk/existing-customers/customer-voice>
- 2.23 Customers have the right to refer their complaint to the Housing Ombudsman at any point during the investigation and details of how to do this will be included in the complaint correspondence.
- 2.24 Care customers have the right to refer care complaints to the Local Government and Social Care Ombudsman. Customers can also raise concerns with the Care Quality Commission (CQC).
- 2.25 We will consider discretionary compensation on a case-by-case basis and where a complaint is upheld, in line with our Compensation Policy.

### 3 Monitoring and Review

- 3.1 Policy overview sessions will be delivered to relevant teams following implementation of this policy to ensure the content and responsibilities are understood.
- 3.2 The effectiveness of this policy will be scrutinised after 12 months by the Customer Experience Panel.
- 3.3 We will regularly monitor our performance on complaints through internal audit and compliance checks, reporting these annually to the Customer and Community Network, quarterly to involved customer groups and regularly to senior teams and service managers across the business.
- 3.4 An annual self-assessment will be conducted against the requirements of the Housing Ombudsman’s Complaint Handling Code or following a significant restructure and/or change in policy or procedures.
- 3.5 Senior leaders will be kept informed of cases referred to the Housing Ombudsman Service with details of the decision reached and any recommendations provided.
- 3.6 This policy will be reviewed in at least 3 years’ time unless a change in legislation or business need prompts an earlier review.

### 4 Related Policies and Procedures

- 4.1 Complaints Procedure
- 4.2 Compensation Policy
- 4.3 Unreasonable Complainers Guidance
- 4.4 Honesty Policy
- 4.5 Diversity & Inclusion Policy
- 4.6 Data Protection, Privacy & Confidentiality Policy

### 5 Governance

<b>Effective From:</b>	01/10/2022	<b>Expires:</b>	30/04/2024
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<b>Policy Owner:</b>	Chief Operating Officer		
<b>Policy Author:</b>	Policy & Assurance Officer		
<b>Approved by:</b>	<i>Customer Community Network</i>		
<b>Delegation Matrix Reference:</b>	R068	<b>Version Number:</b>	7.2