



# **Hibiscus Housing Association Limited**



## **Complaints Policy 2025**

## 1. Introduction

This policy relates to the process for complaints, suggestions and compliments at Hibiscus Housing Association Limited. It has been reviewed with updates to provide further clarity if a complaint relates to the Housing Manager and also to verify the process if a tenant or a Service User feels a complaint has not been resolved to their satisfaction.

In addition, we aim to deliver a good quality service and positive customer experience. If we don't meet our service standards, we'll:

- Apologise
- Accept responsibility
- Acknowledge your expectations
- Put things right when they're in our control within reasonable timescales
- Keep you informed
- Listen to you to improve what we do.

Hibiscus Housing Association Limited provides quality sheltered housing accommodation for people aged 55 years old and it also provide care and support, including a variety of day service activities for Service Users.

Hibiscus are committed to providing safe, secure, and warm homes. We treat people how we wish to be treated, with fairness and respect.

Should our services fail to meet expectations of our customer, we will listen carefully to them to understand where our services have not met our standard and we'll identify what needs to be done to put things right.

## 2. Scope

2.1 This Policy sets out a consistent and fair approach to responding to complaints from tenants, customers, and stakeholders, which aims to resolve issues at the earliest opportunity.

We've developed this Policy in accordance with the Housing Ombudsman Complaints Handling Code, our statutory and legal duties, and residents' feedback. Our tenants work with us to resolve complaints and monitor performance.

2.2 This Policy does not apply to:

- Complaints concerning care and support services; these have their own policy and are monitored by the Care Quality Commission.  
You can contact the Housing Ombudsman Service for advice at any point throughout our process. We'll collect and store your information in line with our Data Protection policy

2.3 We'll publish this Policy, and information about the Housing Ombudsman and their Complaint Handling Code:

- On our website when it has been upgraded.
- In an easy-to-read leaflet, in Tenants Handbook and the main Notice Board.

## 3. Definition of a Complaint

3.1 Hibiscus Housing Association Limited understands complaints to be an expression of dissatisfaction requiring a response, communicated verbally, electronically, or in writing. Complaints may be made by any Service User or

tenant, their family or advocate acting on their behalf, with their consent or in their best interests:

- Hibiscus Housing Association Limited understands complaints to be an expression of dissatisfaction requiring a response, communicated verbally, electronically, or in writing. Complaints may be made by any tenant or Service User, their family or advocate acting on their behalf, with their consent or in their best interests.
- Hibiscus Housing Association Limited takes complaints seriously. We will aim to put things right that have gone wrong and learn lessons to avoid the problem happening again. This policy sets out the framework for how Hibiscus Housing Association Limited will achieve this. The detail of how Hibiscus Housing Association Limited will do this will be found in the associated procedures.
- Hibiscus Housing Association Limited will comply with legislation, national guidelines, regulation and best practice when managing complaints and suggestions. A systematic approach will be taken with all aspects of complaints and suggestions.
- Complaints made or concerns raised by staff will be addressed via the grievance process if the complaint or concern relates to them individually, or via the Whistleblowing procedure where a protected disclosure is made.
- Hibiscus Housing Association Limited understands its statutory obligations in respect of the Duty of Candour and will ensure it follows the agreed policy and procedure.

3.2 Hibiscus Housing Association Limited will ensure that its complaints and compliments process is fair and transparent and does not discriminate directly or indirectly because of the following:

- Age
- Being or becoming a transgender person
- Being married or in a civil partnership
- Being pregnant or on maternity leave
- Disability
- Race including colour, nationality, ethnic or national origin
- Religion, belief or lack of religion/belief
- Sex
- Sexual orientation

3.3 The complainant will feel free to complain without fear of reprisal and will be treated with courtesy, respect and compassion. Hibiscus Housing Association Limited will ensure that the process for how to make a complaint and the feedback given to the complainant are provided in a way that meets the Accessible Information Standard and are in a format that the Service User or tenant can understand.

3.4 Seeking views and engaging with tenants or Service Users, Hibiscus Housing Association Limited will seek out opportunities to obtain feedback from tenants, Service Users and stakeholders. Hibiscus Housing Association Limited will act with sensitivity, integrity and professionalism by treating individuals who do complain or make a

suggestion with compassion, courtesy and respect. Hibiscus Housing Association Limited will protect the tenants or Service User's right to confidentiality. Hibiscus Housing Association Limited will ensure that alternative methods of communication are available so that the complaints and suggestions procedures are accessible for tenants or Service Users who experience difficulties with communication or whose first language is not English.

Staff will undertake training on how to manage complaints in line with their roles and responsibilities.

3.5 Hibiscus Housing Association Limited understands that it can be difficult to separate a complaint from a concern and, therefore, Hibiscus Housing Association Limited will follow this policy when there is any dissatisfaction with the service.

3.6 A full record will be held of all complaints received regardless of the level of seriousness and means of communication. This approach allows an open and transparent culture around raising concerns in the earliest stage to allow resolution. A record of the complaint will also be held in the Service User's support file and will be reported in line with contractual or regulatory requirements.

### 3.7 Safeguarding Concerns

Where a complaint or concern is raised that relates to the tenant or Service User being harmed, Hibiscus Housing Association Limited will follow its Safeguarding Policy and Procedures in addition to the complaints procedures, seeking advice and guidance from the Wolverhampton Safeguarding Adults Team and escalating concerns in line with Wolverhampton procedure. Hibiscus Housing will also notify the CQC in line with its statutory duty.

### 3.8 Roles and Responsibilities

All Staff It is acknowledged that all staff working within Hibiscus Housing Association Limited may be presented with an individual wishing to raise a concern or complaint at any time. Therefore, staff need to be able to manage this in a sensitive, structured and timely manner. In order to do this, staff will:

- Be trained on induction and as a routine measure to ensure knowledge is embedded and refreshed around the complaints procedure.
- Have access to the complaints procedure.
- Be provided with the opportunity to reflect and learn from complaints as a means of developing and driving quality care.
- Appreciate that any feedback from tenants or Service Users, or their representatives that is of concern needs immediate resolution, where possible, to their satisfaction.
- Be clearly advised that, when presented with a complaint, swift escalation to management is necessary and that purposefully withholding or concealing concerns expressed by tenants, Service Users or their representatives may lead to disciplinary action.

### 3.9 Management Team at Hibiscus Housing Association Limited:

- The management team at Hibiscus Housing Association Limited is responsible for ensuring compliance with this policy, regulations, improvement planning and

for having arrangements in place to provide relevant reports and information regarding complaints.

- The Chief Executive Officer of Hibiscus (Keith Rawlings) is the Complaints Manager is the main point of contact for the receipt, investigation and management of complaints within Hibiscus Housing Association Limited. However, any member of staff will receive your complaint and you may make your complaint to anyone employed by the association who will pass it on to the Complaints Officer.
- Hibiscus Housing Association Limited will ensure the procedure for raising a complaint is accessible and displayed prominently in Hibiscus Housing Association Limited, on the website of Hibiscus Housing Association Limited and in the Tenants Handbook and Service User Information, including alternative languages and formats, available on request.

### 3.10 Compliments and Suggestions

Hibiscus Housing Association Limited welcomes compliments and suggestions and recognises their importance in celebrating and recognising the success of its service and opportunities for improvement. We will engage with a wide range of stakeholders in addition to tenants and Service Users to support service development and improvement. We will share feedback with our staff.

### 3.11 One Complaint, One Response

Hibiscus Housing Association Limited will follow the Local Government and Social Care Ombudsman Code. Where tenants or Service Users are receiving services from more than one organisation, it will ensure they make a complaint to anyone and be provided with a single response following a joint investigation.

## 4. Complaint Procedure

### 4.1 Raising Complaints

A complaint can be received by Hibiscus Housing Association Limited either verbally or in writing and can be made by:

- Tenants and Service Users.
- Someone acting on behalf of the tenants and Service User and with their written consent, e.g. an advocate, relative or a Member of Parliament.
- Someone acting on behalf of the tenant or Service User who is unable to represent his or her own interests, provided this does not conflict with the tenant or Service User's right to confidentiality or a previously expressed wish of the tenant or Service User.

Hibiscus Housing Association Limited will ensure that the tenant and Service Users are given information on how to make a complaint and the process once a complaint has been made, including any agreed timescales.

### 4.2 Time Limits for Submitting a Complaint

Complaints should be submitted within 12 months of the incident or concern arising. The time limit, however, can and should be waived, if:

- It is still practical and possible to investigate the complaint (the records still exist and the individuals concerned are still available to be questioned, etc.); and
- The complainant can demonstrate reasonable cause for delay in making the complaint.

It is at the discretion of the manager of the service if the time limit can be set aside.

### 4.3 Complaints Procedure

#### Step 1

When a complaint as defined above in 3.1, ('an expression of dissatisfaction, however made, about the standard of service, action or a lack of action by Hibiscus. Its even own stall, or those action on its behalf, affecting a tenant or group of Service Users') is raised to staff, staff will make an effort to resolve it immediately to the satisfaction of the complainant.

#### Step 2

Staff will apologise for the fact there was the need to complain in the first instance and explain the complaints process as described in the procedure steps.

#### Step 3

Staff will report the complaint to the Complaints Manager or Officer and the complaint will be logged. If the complaint relates to the Complaints Manager or Officer, he will report the complaint to the Complaints Trustee.

#### Step 4

Formal acknowledgement of all complaints received (whether verbal or written) will be sent within 5 working days to the complainant. This could be via letter or email. Hibiscus Housing Association Limited will have a local system in place to manage out-of-hours and weekend complaints received.

The acknowledgement will include:

- An invitation to meet and discuss the complaint.
- Who will be investigating the complaint.
- How the investigation will be handled – the response should state what the investigation will be focused on.
- A time limit for the investigation to be concluded. This should be 28 days. However, some cases may take longer and the complainant will be made aware of this.
- The complaints procedure and contact details of bodies that can be accessed in the event of dissatisfaction with the outcome of the investigation.

#### Step 5

Following a full investigation, a response letter will be sent and this will include the following:

- A summary of the issue from the complainant's point of view.
- Details of the evidence and sources consulted in order to investigate the issue fully and fairly.
- A presentation of the findings for each issue clearly and concisely described.
- A conclusion, stating clearly whether the issue is 'upheld', 'partially upheld' or 'not upheld'; unless it is ineligible, in which case the reason for this will be given, e.g. out of time or out of jurisdiction.
- An explanation of the outcome and whether any remedial action or learning points arise from the investigation of that issue.
- An apology where the issue is upheld and shortcomings or failings have been found.

- The complainant's rights if not satisfied with the outcome to refer to The Local Government and Social Care Ombudsman.
- A signature from the responsible individual or sent by email in their name.

## Step 6

The complaint will be closed once confirmation has been received that there is satisfaction with the outcome. In the event of dissatisfaction, Hibiscus Housing Association Limited will support the complainant to access further support. (Refer to section 4.6) and any action to be taken with timescales for completion.

Appropriate records of the decision will be recorded in the complaints register together with timescales for any action and log of action taken.

## 4.4 what happens after you've made a complaint?

We want to resolve your complaint as quickly and easily as possible. When you make a complaint, you should feel that we've listened, cared about finding a solution, and taken responsibility.

### Stage 1

We will investigate and respond to everything you raised in your complaint in 5 working days.

### Stage 2

If the complainant is not satisfied with the Stage 1 decision may request that the complaint be considered under Stage 2.

Any request for escalation to Stage 2 will be recorded by the Complaints Officer and acknowledged within 10 days of the request being received.

The stage 2 request will be considered by a person nominated by the Complaints Trustee who will issue a final response to the complaint within 20 days of the escalation being acknowledged; where for good reason it is not possible to meet this timescale Hibiscus may extend the time for response by a further 20 days explaining the reasons to the tenant or service user.

On conclusion of consideration of the Stage 2 complaint Hibiscus will:

- Set out the complaint definition.
- Its decision and reasons for the decision.
- Details of any action to be taken by Hibiscus to remedy the complaint, timescale and or compensation.
- Details of how the complainant can refer their complaint if still dissatisfied to the Local Government and Social Care Ombudsman or the as appropriate.

If you're still dissatisfied after you've been through our complaints process, you can contact the Housing Ombudsman or refer your complaint to a designated person.

You can contact the Housing Ombudsman by:

- Emailing [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)
- Visiting the [Housing Ombudsman's make a complaint page](#)
- Calling [0300 111 3000](tel:03001113000)
- Writing to the Housing Ombudsman Service, PO Box 1484, Unit D, Preston, PR2 0ET

#### 4.4 The Complaints Log

A record will be held of all complaints raised and contain the following information:

- Each complaint received
- Subject matter and outcome
- Details of any reason for delay where investigations took longer than the agreed response period
- The date the report of outcome was sent to the complainant

Where complaints relate to a particular tenant or Service User, a copy of the complaint will be held in their care records so that the Service User can reflect on the recommendations.

Where complaints are raised by telephone, the log will include the date and time of the call and this will be followed up with written confirmation of the areas discussed.

Where a complaint indicates the potential abuse of a tenant or Service User(s), safeguarding policies will be followed as per local authority expectation and necessary notifications made to the regulatory body. Where support is commissioned by Wolverhampton, their reporting procedure for notifying them of complaints will be followed.

Where complaints are to be shared as part of learning, the complaint will be anonymised so there is no identifiable tenant or Service User information, in line with UK GDPR and data protection law.

#### 4.5 Investigations

All investigations will be managed by using the following approach:

- Investigating the fact
- Assessing evidence
- Review of records
- Interviewing those involved

Where necessary, advice and support will be sourced via senior managers within the organisation. The complaint must be investigated by a member of staff with the knowledge, experience and seniority to undertake the investigation robustly.

Confidentiality of information will be considered at all times and staff will adhere to the confidentiality policies and relevant codes of practice.

If an investigation of a complaint results in disciplinary action against staff within Hibiscus Housing Association Limited, the complaint will continue to its conclusion. The complainant will be informed that the investigation has led to the disciplinary process, but the details of the outcome or ongoing investigation will remain confidential.

#### 4.6 One Complaint, One Response

Where more than one organisation is involved in the tenants or Service User's support, they or their representatives, will be able to complain to any of them and Hibiscus Housing Association Limited will contact the other organisation, carry out a joint investigation and provide a single response. Tenants or Service Users must not have to contact each organisation separately.



If someone complains and Hibiscus Housing Association Limited is not responsible for the service complained about, rather than turning the complainant away, Hibiscus Housing Association Limited will share the concerns with the correct organisation(s). It will be necessary to obtain the individuals' permission to do this.

If the person prefers that their complaint is not shared with another organisation (or organisations), Hibiscus Housing Association Limited will signpost them to the right organisation instead and provide the person with their contact details.

Hibiscus Housing Association Limited will follow LGO guidance for managing this.

#### 4.7 Who is Responsible for Complaint Resolution at Hibiscus Housing Association Limited?

All efforts will be made by the Complaints Officer to resolve all complaints within Hibiscus Housing Association Limited. If a tenant or Service User does not wish to raise a complaint directly to management within Hibiscus Housing Association Limited, in the first instance, staff will try and sensitively establish their reasons why and aim to resolve and address any concerns presented.

Hibiscus Housing Association Limited recognises the importance of tenants and Service Users being able to speak freely and raise a concern or complaint regarding anyone in the organisation, including the Chief Executive and Housing Officer. Tenants and Service Users are provided with information relating to whom to contact in the event that this is necessary.

#### 4.8 Anonymous Complaints

Anonymous complaints will be investigated in the same way as named complaints. They will be logged and any corrective action necessary will be taken and also logged.

#### 4.9 Unresolved Complaints

In the event that the Service User feels that their complaint is unresolved, there are many bodies that can support or will need to be informed to assist with this:

##### a. The Care Quality Commission

The Care Quality Commission will not investigate complaints on behalf of individuals but does like to be informed of any concerns regarding a care provider, such as poor care that has been seen or experienced. Information given to the CQC will help to prevent others from going through the same experience and can be fed back via:

- Website [www.cqc.org.uk](http://www.cqc.org.uk)
- Email [enquiries@cqc.org.uk](mailto:enquiries@cqc.org.uk)
- Address: Care Quality Commission,  
CQC National Correspondence  
PO Box 1258  
Newcastle upon Tyne  
NE99 5AU  
Tel 01234 5678912  
Fax: 01234 567 8913

##### b. The Local Government and Social Care Ombudsman (for those Service Users that are funded by local authority-funded social services care or self-funded)

Individuals have the right to raise their complaint with the Local Government and Social

Care Ombudsman.

This is a free service and individuals can contact their Local Government and Social Care Ombudsman via:

- The Local Government and Social Care Ombudsman  
PO Box 4771  
Coventry CV4 0EH  
Tel: 0300 061 0614  
Email: [advice@lgo.org.uk](mailto:advice@lgo.org.uk)  
Website: <https://www.lgo.org.uk/>  
Complaint form: <https://www.lgo.org.uk/complaint-form>

#### c. Housing Services

The Housing Ombudsman Service

You can use the online form to bring a complaint to this Service about a housing matter Online complaint form

Alternatively, you can use our phone line during the below hours:

- Monday, Tuesday, Wednesday, Friday 9am - 5pm
- Thursday 9am - 3.30pm
- Lines are closed for staff training every Thursday from 3.30pm to 5pm.
- Phone: 0300 111 3000

Calls are recorded for training and monitoring purposes.

Live chat: Available via the 'chat to us' icon at the bottom right of your screen during our phone line opening hours.

Write to:

Housing Ombudsman Service

PO Box 1484

Unit D

Preston

PR2 0ET

This is a free service.

#### d. Self-Funded Care

The Local Government Ombudsman (LGO) may investigate complaints from people who arrange their own care. Self-funders will have the right to complain to an independent and impartial Ombudsman.

Individuals must be advised that the Local Government and Social Care Ombudsman will not investigate the complaint until the provider has had the opportunity to respond and resolve the matter in the first instance.

#### 4.10 Vexatious Complaints

Occasionally, Hibiscus Housing Association Limited may receive complaints that are vexatious in that they cause considerable disruption to the work at Hibiscus Housing Association Limited, disproportionate cost and time to handle, and impact the wellbeing of staff (because of the way the complaint is made or because of its repetitive nature). Hibiscus Housing Association Limited will ensure that it meets the requirements of the Equality Act 2010 to make 'reasonable adjustments' for disabled tenants or Service Users. In some circumstances, tenants or Service Users may have a disability that makes it difficult for them to either express themselves or communicate clearly and/or

appropriately. Where there is an indication that this may be the case, Hibiscus Housing Association Limited will consider the needs and circumstances of the tenant or Service User or complainant in the first instance and use this information to inform any decisions that are made.

Where appropriate, Hibiscus Housing Association Limited will consider complaints to be vexatious but would not label an individual complainant as vexatious. Even if Hibiscus Housing Association Limited decides that an individual's complaint about the service is vexatious, that does not preclude that person from making a formal complaint. Hibiscus Housing Association Limited would still consider any such complaints in line with the usual procedures, as outlined in this policy.

To help decide whether a complaint is vexatious Hibiscus Housing Association Limited will consider the full history and context of interactions with the individual making the complaint and will look at both the nature of the complaint and the manner in which it is made. The particular issues that will inform a decision will include whether:

- The primary purpose and/or effect of the complaint is to disturb, disrupt and or/pressurise Hibiscus Housing Association Limited, its staff or an individual member of staff.
- The primary purpose and/or effect of the manner in which the complaint is made is to disturb, disrupt and or/pressurise the Hibiscus Housing Association Limited, its staff or an individual member of staff.
- The complaint is otherwise clearly unreasonable.

If at any point in the handling of a complaint a member of staff believes it meets the criteria to be deemed vexatious, it must be referred to the Registered Manager with a summary of why it is thought to be vexatious.

The Chief Executive and Housing Officer will consider the complaint, seek external advice if appropriate, and will either declare the complaint as being vexatious or not. Where a complaint is not deemed to be vexatious it will be returned to the appropriate point in the complaints handling process.

If a complaint is deemed to be vexatious, the Housing Manager will respond directly to the complainant explaining why it is thought to be so and will explain that the complaint will be closed with no further action.

#### 4.11 Compliments

Receiving compliments is an opportunity to celebrate and recognise success. Hibiscus Housing Association Limited will ensure that:

- All compliments are shared with staff and displayed in a public area to highlight good practice.
- Compliments are anonymised or permission is sought before displaying them.
- The number of compliments received is logged as part of a quality assurance programme.
- Verbal, positive feedback from Service Users and relatives is also deemed a compliment and will be recorded and shared with colleagues.
- Compliments form a core agenda item at staff, Service User and relative meetings.

#### 4.12 Suggestions

Suggestions can be made verbally or in writing and generally are in response to seeking a means of changing practice for the better suggestions are not complaints, but in some circumstances, if they are not considered or actioned, they could lead to a complaint:

- When suggestions are raised in meetings or as part of a conversation, these will be documented and then outcomes of such suggestions recorded to show consideration.
- Staff will be encouraged to share their suggestions, or suggestions received by relatives and tenants or Service Users, with Housing Officer.
- Housing Manager will consider implementing a suggestions system to encourage comments from tenants or Service Users, staff and visitors.

#### 4.13 Audit and Evaluation

Hibiscus Housing Association Limited will monitor, review and analyse all information received about the service as a means of continuously reviewing performance, quality and safety.

Hibiscus Housing Association Limited will also:

- Share themes and trends with Housing staff, Support Workers working for Hibiscus Housing Association Limited.
- Ensure that staff are trained to deal with complaints and understand the procedure for managing complaints.

### 5. Self-assessment, Governance, Reporting and Compliance

#### 5.1 Audit and Evaluation

Hibiscus Housing Association Limited will monitor, review and analyse all information received about the service as a means of continuously reviewing performance, quality and safety.

Hibiscus Housing Association Limited will also:

- Ensure that staff are trained to deal with complaints and understand the procedure for managing complaints.

## 6. Governance

6.1 Hibiscus will produce annual complaints performance and service improvement report for scrutiny and challenge, which must include:

- a) The annual self-assessment against this Code to ensure its compliant handling policy remains in line with its requirements.
- b) A qualitative and quantitative analysis of Hibiscus complaint handling performance – this must also include a summary of the types of complaints Hibiscus has refused to accept.
- c) Any findings of non-compliance made as a result of the learning from complaints.
- d) The service improvements made as a result of the learning from complaints.
- e) Any annual report about the Hibiscus's performance from the Ombudsman.
- f) Any other relevant reports or publications produced by the Ombudsman in relation to the work of Hibiscus.

6.2 The annual complaints performance and service improvement report must be reported to the Hibiscus's governing body (or equivalent) and published on the section of its website relating to complaints. The governing body's response to the report must be published alongside this.

6.3 Hibiscus may be asked to review and update the self-assessment following and Ombudsmen investigation.

6.4 If Hibiscus is unable to comply with the Code due to exceptional circumstances, such a cyber incident, they must inform the Ombudsman, provide information to tenants or Service Users affected, and publish this on their website. Hibiscus must provide a timescale for returning to compliance with the Code.

6.5 Hibiscus Board of Management will appoint a member as Complaints Trustee to report, oversee performance and report to the Board on compliance received, their management, outcomes and issues arising from complaints. The Complaints Trustee will also be responsible for appointing a suitable person to take Stage 2 Complaints within the timescales set out. The Board will be responsible for ensuring that this person is suitably trained and experienced to carry out this role.

6.6 Hibiscus Board will ensure that all relevant employees or third parties:

- a) Have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments.
- b) Take collective responsibility for any shortfalls identified through complaints, rather than blaming others.
- c) Act within the professional standards for engaging with complaints as set by any relevant professional body.

## **7. Definitions**

7.1 Compliment:

- A compliment is an expression of satisfaction about a service the Service User has received.
- Compliments are positive feedback that can be received verbally or in writing and can include expressions of praise, admiration, congratulation and encouragement.

7.2 Complaint:

- A complaint is an expression of dissatisfaction, disappointment or discontent. This could be in response to an act of omission, decision or act
- Complaints can be made in various ways and include:
  - Verbally
  - Electronically
  - Local feedback channels
  - Writing

### 7.3 Self-Funded Care:

- Self-funded care is defined as care that is paid for entirely by the person receiving it.

### 7.4 Vexatious Complaint:

- A vexatious complaint is one that is pursued, regardless of its merits, solely to harass, annoy or subdue somebody; something that is unreasonable, without foundation, frivolous, repetitive, burdensome or unwarranted.

**Name:** Herbert Griffiths

**Position:** Chairman

A handwritten signature in black ink, appearing to be 'H. Griffiths', written in a cursive style.

**Signature:**

**Date:** 26/02/2025