

# Complaints Procedure

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YMCA Blackburn is committed to equality and diversity. This policy has considered the Equality Act 2010 and its protected characteristics which are: race, gender, gender reassignment, disability, religion or belief, sexual orientation, age, marriage, civil marriage and partnership, and pregnancy and maternity explicitly.

We will make sure that all our communication is fully accessible and to achieve this if a policy or document needs to be available in other formats, we will provide them.

## 1. Introduction

This policy has been created in line with relevant legislation and aims to meet the requirements of the consumer standards for tenant involvement and empowerment through an approach that is clear, simple and accessible. This policy has been created in line with the Complaint Handling Code 2024.

- 1.1 YMCA attempts to provide the highest standards of service to its users, residents, applicants, or people requesting information.
- 1.2 It is recognised that there are times when users feel that they have a complaint, and this procedure has been compiled to ensure that complaints are dealt with in speedy, effective, and fair manner.
- 1.3 YMCA recognises the difference between a service request and a complaint and acknowledges that dissatisfaction is best settled quickly and that this is often achieved by early contact with the most appropriate member of staff.
- 1.4 With this in mind, the complaints procedure suggests that the person making the complaint has an informal discussion with a staff member. All staff members remain aware of the complaints procedure and are appropriately informed to be able to pass on the details of the complaint to the appropriate persons.
- 1.5 All service requests or complaints will be addressed on the individual circumstances of the complaint.

The YMCA will follow the Housing Ombudsman Principles for dispute resolution:

- Be fair – treat people fairly and follow fair process
- Put things right
- Learn from outcomes

A complaint is defined by an expression of dissatisfaction with a service delivered.

**‘an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents’**

- 1.6 Anyone who feels dissatisfied with the YMCA service is able to make a complaint via our complaint’s forms located in the communal areas, telephone or email. Whilst consideration of the YMCA’s duties to the Equality Act 2010 has been made to allow for both written and verbal communication of complaints, all reasonable adjustments will be made to support residents

to access the complaints procedure. The YMCA will make note of any reasonable adjustments requested and ensure this is in place throughout the process, any disclosed disabilities will also be recorded. Future learning may also be applied where reasonable adjustments have been requested that may not have previously been considered to enable greater access.

Whenever feedback on a service is requested, details on how to access the complaints policy will always be provided.

Within each service the service manager and the Executive Officer of YMCA Blackburn operate as the complaint's officers. The Executive Officer of YMCA Blackburn will take on responsibility for liaison with the Ombudsman and ensuring complaints are reported to the appropriate governing bodies.

## 2. Complaints by Residents

- 2.1 If a resident is dissatisfied with the level of service that YMCA is providing s/he is entitled to make a complaint and will be given the choice to make a complaint.
- 2.2 Examples of reasons why a complaint may be made are given below. The list is not meant to cover all possible complaints.
- The YMCA has broken the terms of the occupancy agreement or not performed any obligation contained in it.
  - A repair has not been attended to within the given response times.
  - Staff have not acted in accordance with agreed policies and procedures.
  - A room has not been cleaned properly.
  - Staff have behaved in a non-professional way.
  - Staff have not responded to any reasonable request.
- 2.3 It is suggested that in the first instance, residents are requested to raise their dissatisfaction with a member of staff to allow the landlord to determine the difference between a service request and a complaint.

**'A service request is a request from a resident to the landlord requiring action to put something right'**

All service requests will be recorded, monitored and reviewed regularly.

If the matter cannot be settled and the resident remains dissatisfied, the procedure for making a formal complaint is given below in part 5. All efforts to resolve the service request will not be ceased during the complaint process.

- 2.4 Any dissatisfaction expressed through tenant surveys such as the tenant satisfaction measures will not be addressed as complaints, however residents will be notified of the complaint's procedure should they wish to pursue a complaint.

### 3. Complaints from Applicants

- 3.1 If an applicant feels that they wish to make a complaint about the way their application has been handled, they are entitled to make a complaint.
- 3.2 Examples of reasons why a complaint may be made are given below. The list is not meant to cover all possible complaints.
- An application being lost
  - An application not being treated fairly
  - A delay in processing an application
  - An applicant being discriminated against for any reason, ie: sex, race, disability, colour, sexual orientation, nationality or ethnic national origin

### 4. Complaints from others

- 4.1 It is recognised that those who wish to complain to the YMCA may have no direct relationship with it.
- 4.2 YMCA understands that those people living nearby and persons who simply contact us for information may wish to complain. All complaints received via third parties will be addressed via the landlords' complaints policy. The procedure for making a formal complaint is given in part 5.
- 4.3 YMCA seeks to be a good neighbour and to treat those who enquire about its services in a polite and professional manner.

### 5. Acknowledging a complaint

- 5.1 Landlords must accept a complaint unless there is a valid reason not to do so. If landlords decide not to accept a complaint, they must be able to evidence their reasoning. Each complaint must be considered on its own merits.
- 5.2 All complaints will be considered as complaints or escalated from a service request to a complaint unless acceptable exclusions apply that are fair and reasonable to the resident.
- These include
- The issue giving rise to the complaint occurred over twelve months ago. (Any complaint exceeding this time limit will be considered on its own merits and actioned accordingly).
  - 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.

- Matters that have previously been considered under the complaints policy.

## 6. Complaints Procedure

6.1 If a person feels that s/he wishes to make a complaint, s/he shall raise the matter with the Service Manager, using the complaints form available at reception. The Service Manager shall acknowledge the complaint within 24 hours and make arrangements to meet with you to discuss the complaint.

**STAGE 1** Following discussion, if it is determined and agreed with the complainant that the complaint is a complaint and not a service request, the service manager will complete the 'complaints definition'.

This will be completed by service manager ensuring the landlords understanding of the complaint and the rectification the complainant is seeking. Following this clarification the Service Manager will investigate your complaint and give you a decision within 5 days of the commencement of the process and a written response within 10 working days detailing any remedial action. This will be notified once known and not necessarily once completed. Where rectification is not completed immediately, the landlord will continually update the complainant on timescales for resolution.

If further complaints are raised at this point during the investigation stage, these will also be considered within the same response if they are related, and the response has not yet been issued. If the new issues are not related and a response has already been issued, any further issues will be addressed as a new complaint.

If the Service Manager or appropriate service lead cannot settle the matter to the resident's satisfaction, the person making the complaint may escalate the complaint to **STAGE 2**.

If you are requesting an escalation, you should clearly set out the following-

- Why you are unhappy with the response in stage 1.
- What you would like the landlord to do to put things right.

**STAGE 2** The complaint will be reviewed by the Executive Officer or appropriate senior lead who will respond within 5 working days and issue a written response within 10 working days.

This will be the landlords final response.

- 6.2 All parties forming the complaints officer team have and will ensure all obligations within the policy are adhered to at all times. Where a third party is required to undertake a complaints stage, such as an independent adjudicator, this will be undertaken within this complaints process. There will be no requirement to escalate through a further complaints process.

Residents have a right to take complaints to the Housing Association Ombudsman if the above procedures have been exhausted. Copies of leaflets, which explain how to do this, are available from the office.

If YMCA fails to provide any of the services specified in this licence it will refund the element of the charge relating to that service.

- 6.3 Where a complaint cannot be rectified within the timescale outlined within the code the landlord will inform the complainant and continue to inform them at appropriate intervals.

Complainants will be issued with contact details for the Housing Ombudsman.

## **7. Confidentiality**

All complaints will be dealt with in strict confidence and in accordance the Data Protection Act 2018 in reference to the storage, collection, and access of all data. All information relating to the complaint will be kept as an accurate record.

## YMCA Complaints Procedure

We hope that your experience of the YMCA is a positive one, and if you have any concerns, you should ask to speak to a staff member or the Service Manager informally in order to resolve the situation. If you feel that the matter is not resolved, we have a complaints procedure, which is designed to help you to address your complaint.

1. If you wish to formally complain about the YMCA, our service, a staff member, or resident, you may raise the matter with the Service Manager by filling out the form attached. If you wish, you could make a verbal statement to a member of staff who is obliged to help you to record your statement on the form.
2. **If you are making a complaint**, the Service Manager will **acknowledge your complaint within 24 hours** of them receiving the complaint and arrange a meeting to discuss the complaint. In the time leading up to the meeting, your complaint will be investigated by our staff. For example, we may seek witness statements from other parties, monitor CCTV footage, or seek guidance from our policies and procedures (copies of our policies and procedures are available on request).
3. The meeting will be conducted on YMCA premises. In exceptional circumstances, we will consider any reasonable request that the meeting takes place at a neutral venue.
4. **STAGE 1** You will meet the Service Manager, and one other YMCA staff member to discuss the complaint. You may bring along a friend or advocate to the meeting if you wish, but we ask that you let us know in advance if anyone is coming with you. If your complaint is against a particular staff member, they will not be present at the meeting. Within the meeting you will be given advice and support relevant to the complaint.

We hope that the matter will be settled in the meeting, if not, the Service Manager will provide you with an outcome within 5 working days and a written response within 10 days. The response will set out the following:

The stage the complaint is at  
A summary of the issues you have raised  
The landlord's decision on your complaint and it's reasoning  
Any remedies or to put things right, this may include an apology or compensation  
Details of action being undertaken to put things right  
Details of how to take your complaint to the next stage if you are unhappy with the outcome

5. If the matter is settled within this time, we will make a written record of the outcome that is agreed which both you and the service manager will sign.
6. **STAGE 2** If the complaint is not settled to your satisfaction, you should ask for the matter to be passed to the Executive Officer of YMCA, who will respond to your complaint within 5 working days and a written response within 10 working days.



7. If you are requesting an escalation, you should clearly set out the following:  
  
Why you are unhappy with the response in Stage 1  
What you would like the landlord to do to put things right
8. When the complaint has been dealt with you will be asked to complete an evaluation report on how you felt the complaint was dealt with and the outcome.
9. Residents have a right to take complaints to the Independent Housing Ombudsman, Exchange Tower, Harbour Exchange Square, London E14 9GE if the above procedures have been exhausted, <https://www.housing-ombudsman.org.uk/residents/make-a-complaint/>.
10. If the YMCA fails to provide any of the services specified in the accommodation agreement, it will refund the element of the charge relating to that service.
11. If the landlord determines not to uphold the complaint, clear evidence will be given.
12. Each complaint will be judged on their own merits

## YMCA COMPLAINTS FORM

<b>Name:</b>	<b>Address:</b>
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**Please write the details of your complaint in this box, and sign and date it. If you want help, please ask a member of staff. Please continue on other sheets if you wish.**

## YMCA Complaints Procedure - Meeting

**Date of Meeting:**

**Complainant:**

**YMCA Staff Members Present:**

**Details of Meeting:**

Signed (complainant): \_\_\_\_\_

Signed (YMCA Staff): \_\_\_\_\_

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

(For Office Use)

Manager	Complaint Received	Date:
	Decision Notified	Date:
Decision and Action Taken:		

Senior Manager	Complaint Received	Date:
	Decision Notified	Date:
Decision and Action Taken:		

YMCA Executive Officer	Complaint Received	Date:
	Decision Notified	Date:

Decision and Action Taken:

## Satisfaction Survey

**YMCA is committed to ensuring that all complaints are dealt with to the satisfaction of the complainant. Please use this form to inform us how you felt the complaint was dealt with.**

Name:

Address:

Do you feel that the complaint was handled to your complete satisfaction, please give details.

In your opinion could anything have been handled in a different way, please give details.

Managers Response

Empty response box for managers.