

Complaints Policy and Procedure

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Annual Specialist Quality Mark (SQM) review of this document to be completed by the SQM representative.

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Completed by:	Sue Hennell		

1. Introduction

- 1.1 BHT Sussex welcomes complaints and expressions of dissatisfaction as opportunities to learn, improve and develop our services and practice. We prioritise complaint handling and a culture of learning from complaints. Managers who deal with complaints are trained in the importance of complaint handling.
- 1.2 A complaint is defined as an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its employees, or those acting on its behalf, affecting an individual client, tenant or group of tenants.
- 1.3 An individual does not have to use the word 'complaint' for it to be treated as such. Whenever a client or tenant expresses dissatisfaction, BHT Sussex will give them the choice to make a complaint.
- 1.4 BHT Sussex recognises the difference between a service request and a complaint. A service request is a client or tenant's request for action to rectify an issue. These requests are recorded and monitored separately. A complaint must be raised by employees when a client or tenant has expressed their dissatisfaction with the response to a service request, even if the handling of the request is ongoing.
- 1.5 Service requests will be monitored via the relevant internal computer system. For Housing Services this will be 'Pyramid'. For other services this will be 'In-Form' or other locally used system.
- 1.6 If a complaint concerns the actions or inactions of a third party working on behalf of BHT Sussex, the investigation will be conducted by BHT Sussex. If a complaint is received directly by the third-party or contractor about their action or inaction then BHT Sussex will work with them to ensure that their response is in line with this policy.
- 1.7 Complaints will be acknowledged and logged within 5 working days. They will be addressed promptly and objectively, aiming for a fair resolution. Complaints will be treated with respect and understanding.

- 1.8 Complainants may have a representative of their choice throughout the process. If a complaint is submitted via a third party or representative, it will be handled in accordance with this Policy and Procedure.
- 1.9 BHT Sussex services conduct their own satisfaction surveys. Additionally, BHT Sussex carries out a survey every two years, which clients and tenants are invited to complete. It is noted that BHT Sussex Advice Services do not take part in this survey. During the survey process, the BHT Sussex Complaints Policy and Procedure will be made available to clients and tenants. Whilst an expression of dissatisfaction within the survey is not considered a formal complaint, we will, whenever possible, contact the individual to inform them of how they can pursue a complaint if they wish.
- 1.10 Each service will have a designated Complaints Officer, typically the Manager or Senior Manager, responsible for ensuring a thorough, fair and appropriate response to complaints. The Procedure will:
- Commit to early resolution.
 - Be easily accessible and well publicised.
 - Ensure a swift response with established time limits for action. If these cannot be met, the complainant will be informed of this and given the reason why.
 - Keep the complainant informed and updated throughout the process.
 - Conduct a full and fair investigation.
 - Adhere to the BHT Sussex Data Protection and Confidentiality Policy.
 - Address all points raised and provide an effective response and appropriate redress.
 - Ask the complainant how they would like the complaint to be resolved and what their ideal outcome would be.
 - Support complainants who are affected by incidents, including by signposting them to agencies who can give them appropriate support and assistance.
 - Provide information to help improve services.
- 1.11 A complaint should be made within 12 months of the issue arising. However, BHT Sussex will use discretion wherever possible and consider each complaint on its own merits. Complaints will generally be accepted unless there is valid reason not to. If a complaint is not accepted clear reasons will be provided to the complainant, along with details on how to contact the relevant regulatory body, such as the Housing Ombudsman, the Legal Ombudsman or the Care Quality Commission.
- 1.12 Examples of reasons why a complaint may be refused are listed below. However, the individual circumstances of each complaint will be considered.
- The issue that prompted the complaint occurred over twelve months ago.
 - Legal proceedings have commenced, defined as the filing of details, such as the Claim Form and Particulars of Claim at court.

- The matter has already been considered under the Complaints Policy and Procedure.

- 1.13 In addition to the above, BHT Sussex will not normally investigate or respond to complaints made by parties against whom the BHT Sussex Advice Service is acting.
- 1.14 At the conclusion of the process, the complainant will be asked if they are satisfied with the resolution.
- 1.15 The Complaints Policy and Procedure is set out in accordance with the Housing Ombudsman Complaint Handling Code 2024 and the BHT Sussex Advice Services Specialist Quality Mark and Solicitor's Regulation Authority. It is publicised on the BHT Sussex website, in handbooks and information leaflets.

2. Reasonable Adjustments

- 2.1 BHT Sussex employees should be sensitive to literacy or other communication and support needs, offering assistance, when appropriate. Assistance can be provided directly by BHT Sussex employees or by sign-posting complainants to other agencies, such as Citizens Advice.
- 2.2 If a complaint is not submitted in writing, the employee receiving the complaint will need to complete the complaint form, including details of the complaint and contact information for the complainant.
- 2.3 The complaint handler must keep a record of any reasonable adjustments agreed (and keep them under review) and a record of any disabilities disclosed by the client or tenant.
- 2.4 The BHT Sussex Complaints Policy and Procedure can be made available in a range of accessible formats, including large print and alternative languages, where possible. Accessibility tools and options for different formats and languages can also be found on the BHT Sussex website to ensure the policy is inclusive and easy to understand.

3. How to Make a Complaint

- 3.1 Complainants can raise a complaint through any method and to any employee. All employees will be familiar with the complaints process and be able to forward the details to the appropriate complaint handler. If a complaint is not submitted in writing, the employee receiving the complaint will need to complete the complaint form, including details of the complaint and contact information for the complainant.
- 3.2 **Stage One**
- 3.3 **Named Complaint Handler:** Each service will have a designated complaint handler at Stage One, typically the Manager or Senior Manager.
- 3.4 **Acknowledgement:** Complaints at Stage One will be acknowledged (using the standard template) within 5 working days of receipt.

- 3.5 **Risk Assessment:** In exceptional circumstances where the complainant may be at high risk, processes are in place to link with partner agencies and where appropriate carry out a multi-agency risk assessment.
- 3.6 **Resolution and Response:** Complaint handlers will carry out an assessment following receipt of a complaint and make a judgement on whether a quick resolution can be reached, or further investigation is required. The complaint handler will aim to resolve the issue promptly and provide a written response (using the standard template) within 10 working days of the complaint acknowledgment. If this is not possible, they will agree on suitable intervals to update the complainant on the progress and expected response time. Extensions beyond 10 working days will only be made for valid reasons, which will be clearly explained to the complainant along with details for the relevant Ombudsman, where this is applicable.
- 3.7 **Clarification and Responsibility:** Upon logging a complaint, we will outline our understanding of the complaint and the desired outcome. If any aspect is unclear, we will seek clarification from the complainant. We will also specify which parts of the complaint we are responsible for when acknowledging it.
- 3.8 **Communication:** The complainant will be kept informed and updated throughout the process.
- 3.9 **Fair Handling:** Complaint handlers will address complaints independently and impartially, ensuring the complainant has a fair opportunity to present their case. They will consider all relevant information and evidence carefully, addressing any actual or perceived conflicts of interest.
- 3.10 **Comprehensive Response:** The response (using the standard template) will address all points raised in the complaint, providing clear reasons for our decision, referencing relevant policies, laws, and good practices. The response will be given when the decision is made, not when all actions are completed.
- 3.11 **Additional complaints:** Where additional complaints are raised during the investigation, these will be incorporated into the Stage One response if they are related and the Stage One response has not been issued. If a Stage One response has already been issued, then any new issues will be logged as a new complaint, and a response will be provided in line with this policy.
- 3.12 **Record Keeping:** Complaint-related documentation must be saved and filed in accordance with the [BHT Sussex Complaint Record-Keeping Guide](#) to ensure consistency, data security, reliable audit trails and easy retrieval.
- 3.13 **Serious Complaints:** The Chief Executive and relevant Director will be alerted to particularly serious complaints (e.g., abuse, neglect, serious injury, or those reported to the press or elected politicians) at the earliest opportunity.
- 3.14 **Satisfaction and Escalation:** At the conclusion of Stage One, the complainant will be asked if they are satisfied with the resolution. If dissatisfied, they will be informed about the process for escalating the complaint to Stage Two. BHT Sussex will not refuse to escalate a complaint without a valid reason, this reason will be clearly

explained to the complainant along with details for the relevant Ombudsman, where this is applicable.

3.15 **Stage Two**

3.16 **Escalation Request:** If the complaint is not resolved to the complainant's satisfaction at Stage One, they can request an escalation to Stage Two via the same method used for the initial complaint.

3.17 **Named Complaint Handler:** Each service will have a designated complaint handler at Stage Two, typically the Senior Manager or Director, who will be different from the Stage One handler.

3.18 **Acknowledgement:** Requests for escalation to Stage Two will be acknowledged (using the standard template) within 5 working days of receipt. Complainants are not required to explain their reasons for requesting an escalation. The Stage Two complaint handler will request a detailed case summary from the Stage One complaint handler and detail of action taken to date.

3.19 **Clarification and Responsibility:** the Stage Two complaint handler will outline their understanding of the complaint and the desired outcome. If any aspect is unclear, we will seek clarification from the complainant. We will also specify which parts of the complaint we are responsible for when acknowledging it.

3.20 **Fair Handling:** Complaint handlers will address complaints independently and impartially, ensuring the complainant has a fair opportunity to present their case. They will consider all relevant information and evidence carefully, addressing any actual or perceived conflicts of interest.

3.21 **Final Response:** Stage Two is the BHT Sussex final response to the complaint. It must involve all employees needed to issue such a response. The Stage Two complaint handler will issue a final response within 20 working days of acknowledging the complaint. If this is not possible, they will determine suitable intervals to update the complainant on progress and expected response time. Extensions beyond 20 working days will only be made for valid reasons, which will be clearly explained to the complainant along with details for the relevant Ombudsman, where this is applicable.

3.22 **Complaint Outcome:** The final response will address all points raised in the escalation request, providing clear reasons for decisions made and details of any remedies offered. The response will be given when the decision is made, not when all actions are completed. The response will clearly set out what will happen and by when, in agreement with the complainant where appropriate. Compensation for upheld complaints will be determined in accordance with the guidance and principles set out in the Housing Ombudsman's Compensation Policy. Outstanding actions will be tracked and completed promptly, and the complainant will be kept informed of progress. The final response will be issued using the Stage Two response template letter, which is available to all managers handling Stage Two complaints.

- 3.23 **Acknowledging when things go wrong:** If the investigation by the complaint handler finds that something has gone wrong, we will apologise to the complainant and we will set out what action we have taken or intend to take to put things right.
- 3.24 **Satisfaction and Further Escalation:** At the conclusion of Stage Two, the complainant will be asked if they are satisfied with the resolution. If dissatisfied, they will be informed about the process for escalating the matter to the relevant Ombudsman, where this is applicable. A complaint to the Ombudsman can be made by completing their online form, by contacting them by telephone, post or via their website. Contact details for the relevant Ombudsman can be found at the end of this document.

4. Continuity of Complaint Handling

- 4.1 The organisation will maintain a complaints handover process to ensure continuity of complaint handling during periods of planned or unexpected staff absence.
- 4.2 Where a complaint handler is unavailable due to annual leave, sickness, or other absence, responsibility for the complaint will be formally transferred to an appropriately authorised colleague without delay. The handover will include all relevant complaint information, status, key correspondence, outstanding actions, and applicable response deadlines. Managers are responsible for monitoring complaint caseloads and ensuring that ownership of complaints is always clearly assigned.
- 4.3 Where a change in complaint handler may affect response timescales, the complainant must be kept informed in accordance with this policy and procedure.
- 4.4 This will ensure compliance with internal complaint handling timescales and the Housing Ombudsman Complaint Handling Code, minimise delays, maintain service standards, and ensure that complainants receive a timely and effective response regardless of staff availability.

5. Learning from Complaints

- 5.1 To promote continuous service improvement, all complaints will be reviewed to identify any lessons learned, recurring themes, trends, or opportunities for improvement.
- 5.2 The investigating officer will record identified lessons learned and any recommended corrective or preventative actions within the complaint record upon completion of the investigation. These findings will be reviewed by the relevant manager and added to the organisation's Complaint Learning Log.
- 5.3 Complaint data and lessons learned will be analysed quarterly at quarterly Complaint Management Team meetings to identify recurring themes, areas of risk or improvement, and undertake root cause analysis where appropriate to determine the underlying causes of the issue.

- 5.4 Significant findings and resulting actions will be shared with relevant teams, managers, and governance groups through regular reporting, team briefings or meetings, training activities, or organisational communication.
- 5.5 Progress against agreed actions will be monitored and reviewed by the Complaint Management Team to ensure improvements are implemented and embedded, thereby reducing the likelihood of similar complaints recurring and supporting compliance with regulatory and quality standards.

6. Excessive Complaints

- 6.1 BHT Sussex is committed to handling complaints in an open, transparent, fair and equal manner. However, if complaints exceed what is deemed reasonable, they may be considered excessive. Before making such a determination, we will consider our responsibilities under the Equality Act 2010 and ensure any decision to restrict contact is proportionate.
- 6.2 Some complainants, due to the frequency, nature, or tone of their contact, may adversely affect our ability to perform our duties and provide services to others. These complainants are referred to as unreasonably persistent. Unreasonable or unreasonably persistent complainants are those who:
- Make complaints without serious purpose or value.
 - Aim to cause disruption or annoyance.
 - Harass BHT Sussex or exhibit obsessive behaviour.
- 6.3 A complaint will be deemed as unreasonable only after discussion and agreement by a member of the Executive Management Team (EMT). If a complaint is deemed unreasonable, the complainant will receive a written warning. This warning will state that if their actions and behaviour continue, BHT Sussex will treat them as unreasonably persistent and future contact may be restricted.
- 6.4 Managers should implement this policy in conjunction with the relevant Director or Chief Executive. The policy will not be enforced until approved by a Director or the Chief Executive.
- 6.5 Depending on the level and nature of the complainant's contact with BHT Sussex, the following action may be taken:
- Requesting contact in a specific form (e.g. by letter only).
 - Requesting contact be made with a named officer only.
 - Limiting the number of phone calls accepted (e.g. one call per week).
 - Refusing to deal with future correspondence on the same matter if a decision has already been reached.
- 6.6 Offensive, abusive, or threatening behaviour will not be accepted.

7. Complaint against the Chief Executive

- 7.1 **Submission:** Complaints against the Chief Executive should be made in writing and addressed to the Chair of the Operations and Personnel Committee (OPC), BHT Sussex, 144 London Road, Brighton, BN1 4PH.
- 7.2 **Acknowledgement:** The OPC Chair will acknowledge receipt of the complaint within 5 working days and appoint an Investigating Officer.
- 7.3 **Investigation:** The Investigating Officer will conduct an investigation, typically including interviews with the complainant, the Chief Executive, and relevant witnesses.
- 7.4 **Panel Review:** Upon conclusion of the investigation, the Investigating Officer will report to a panel of at least two Board members appointed by the OPC Chair. The panel will make a decision and communicate it in writing to both the complainant and the Chief Executive.
- 7.5 **Timeline:** Complaints against the Chief Executive will generally be resolved within 20 working days of acknowledgment.
- 7.6 **Appeals:** Appeals against the panel's decision can be made in writing within 30 days of the decision, addressed to the Chair of the Board, BHT Sussex, 144 London Road, Brighton, BN1 4PH. The Chair will acknowledge receipt within 5 working days, review the complaint file, and typically speak with the complainant.
- 7.7 **Final Ruling:** The Chair will issue a final ruling within 20 working days of receiving the appeal and communicate it to both the complainant and the Chief Executive.
- 7.8 **Further Escalation:** If the complainant remains dissatisfied with the Chair's response, they will be advised on how to escalate the matter to the relevant Ombudsman, where this is applicable.

8. Training

- 8.1 All staff will receive appropriate training and guidance on the organisation's Complaints Policy and Procedure, including complaint awareness as part of the induction programme for all new employees.
- 8.2 Staff whose roles include investigating, managing, or formally responding to complaints are required to complete the MeLearning Complaint Handling course, or any equivalent training approved by the organisation. Managers are responsible for ensuring that relevant employees complete and maintain the required level of training and competency.

9. Monitoring and Review

- 9.1 Managers will ensure that complaint data is accurately recorded on the relevant internal computer system. This data will include the number of complaints received, their outcomes, complainant satisfaction with the outcome and response times achieved (i.e. the number resolved within the specified time, within an extended timescale, and those not resolved within time).

- 9.2 Complaint response data will be collected and reported quarterly to the BHT Sussex Operations and Personnel Committee (OPC) and annually to the BHT Sussex Board.
- 9.3 We will share quarterly reports to OPC and the Annual Complaints Performance and Service Improvement Report with the BHT Sussex Tenant Scrutiny Panel.
- 9.4 This Policy and Procedure will be reviewed annually to ensure compliance with updates to the Housing Ombudsman Complaint Handling Code and the BHT Sussex Advice Services Specialist Quality Mark and Solicitor's Regulation Authority.

10. Member Responsible for Complaints

- 10.1 The BHT Sussex Board has a Member Responsible for Complaints (MRC).

11. Ombudsman Services and Further Advice

- 11.1 The contact details for the Housing Ombudsman Service are:

- [www.housing-ombudsman.org.uk/contact us](http://www.housing-ombudsman.org.uk/contact-us)
- [Online complaint form](#)
- Individuals can call the phone line Monday, Tuesday, Wednesday, Friday 9am - 5pm and Thursday 9am - 3.30pm on 0300 111 3000.
- Housing Ombudsman Service, PO Box 1484, Unit D, Preston, PR2 0ET

- 11.2 BHT Sussex as an organisation is not regulated by the Law Society. However, each solicitor and barrister that is employed by BHT Sussex is individually regulated to the Solicitors Regulatory Authority (Solicitors) or by the Bar Standards Council (Barristers). If you have a complaint about the behaviour of a Solicitor or Barrister that you consider has not been addressed by the BHT Sussex Complaints Policy and Procedure you can contact:

The Solicitors Regulatory Authority: [Reporting a solicitor or firm to us](#)

Bar Standards Board: [Online reporting form for questions and concerns](#)

Issues that the Solicitors Regulation Authority could investigate are:

- Dishonesty or fraud
- Misuse of client money
- Sexual or violent misconduct
- Conduct relating to serious criminal offences
- Misleading the court or others (for example, about what has been done on a case or about the evidence)
- Serious concerns about the solvency of a firm (i.e., employees have not been paid)
- Abusive conduct

- Scams

The Legal Ombudsman would not usually deal with complaints from clients of unregulated entities and if they did it would only be in relation to where a Solicitor or Barrister provided the service. The contact details for the Legal Ombudsman are:

- www.legalombudsman.org.uk
- [Complain Online](#)
- Individuals who cannot use the contact form, can call the General Enquiries Team Monday to Friday from 9am to 4pm on 0300 555 0333.
- Legal Ombudsman, PO Box 6167, Slough, SL1 0EH

11.3 Further advice regarding complaints can be sought from:

- [Brighton and Hove City Council](#)
- [Care Quality Commission \(CQC\)](#)
- [Citizens Advice](#)
- [East Sussex County Council](#)
- [GOV.UK - Complain about a charity](#) - The Charity Commission
- [West Sussex County Council](#)
- [Legal Aid Agency](#)

12. Further review

12.1 The BHT Sussex website will be reviewed and updated in conjunction with the review of this policy and procedure.