EKAYA HOUSING ASSOCIATION

Complaints Policy 2026

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1. INTRODUCTION

1.1. This policy outlines Ekaya's approach to dealing with and resolving complaints (except where the complaint relates to issues that are dealt with in separate statements, including for example insurance claims, complaints about use of personal data, and GDPR Subject Access Requests).

1.2. This policy covers all residents that live in Ekaya properties including household members and service users. It also applies to anyone using one of our services and members of the public.

2. POLICY SCOPE

2.1. This policy sets out how Ekaya Housing Association addresses complaints and our approach to handling complaints: which is to have a clear, simple and accessible process that ensures that complaints are resolved promptly, politely and fairly. We aim to provide a high-level framework to support effective handling and prevention alongside learning and development.

2.2. This policy is in accordance with the Housing Ombudsman's Complaint Handling Code which sets out requirements for landlords to respond to complaints effectively and fairly under the Housing Act 1988 and 1996 Schedule 2 as amended by the Localism Act 2011 and Building Safety At 2022, The Higher-Risk Buildings (Management of Safety Risks etc) (England) Regulations 2023, The Housing Ombudsman's Complaint Handling Code 2024, The Regulator of Social Housing Regulatory Standards, April 2024, Hazards in Social Housing (Prescribed Requirements) (England) Regulations 2025

2.3. Ekaya licensees, tenants and leaseholders will also be advised of their right to refer their complaints to the Housing Ombudsman Service once they have exhausted the Ekaya complaints process. The Housing Ombudsman can be contacted via their website: www.housingombudsman.org.uk or by telephone on 0300 111 3000. Their address is: Housing Ombudsman Service, PO Box 152, Liverpool, L33 7WQ.

2.4. This policy does not cover complaints that are legal matters, for example, a legal disrepair case reported through a solicitor or legal action taken by Ekaya against a resident to enforce the terms of a Tenancy Agreement, Licence or Lease or deal with disputes concerning the Tenancy Agreement, Licence or Lease.

2.5. Ekaya recognises there will be instances where a matter is both a complaint and a legal matter and, in such circumstances, Ekaya will discuss and agree with the complainant, how the issues will be dealt with and what matters will be covered by Ekaya's Complaints Policy and what will be managed through the legal proceedings. Ekaya will confirm this in writing to the resident/complainant.

2.6. Ekaya has a positive approach to receiving complaints and sees them as an important way of receiving direct feedback from customers and residents. Complaints give Ekaya valuable information which helps to assess performance and inform the review of policies, procedures and services.

2.7. Ekaya recognises that providing a high standard of service is essential. The proper handling of complaints is therefore one of Ekaya's highest priorities. Staff members are trained to perceive complaints as a valuable source of information about services and processes that, when handled in the correct manner, can assist in continuous improvement.

2.8. We will publish this Policy and our Housing Ombudsman annual self-assessment Complaint Handling Code on our website and upon request.

3. AIMS & OBJECTIVES

3.1. The aims & objectives of this policy are:

3.2. Aims

- To deliver a complaints service that meets Ekaya's service standards.
- To facilitate organisational learning from complaints.
- To ensure a 'right first time' approach is used, and complaints are resolved.
- Information on complaints and how to progress them is easy to understand by the complainant.

3.3. Objectives

- To work collaboratively internally, with partner organisations and other agencies where necessary, to coordinate comprehensive outcomes
- To take collective responsibility for any shortfalls identified through complaints, rather than blaming others
- To act within the professional standards for engaging with complaints as set by any relevant professional body
- To facilitate the effective and early resolution of complaints
- To use the analysis of complaints to help Ekaya improve services and reduce the level of complaints.
- To manage all complaints in an open and accountable way.

3.4. POLICY STATEMENT

Ekaya recognises that proper handling of complaints is essential, therefore:

- We will deal with complaints impartially, objectively and professionally.

- Making a complaint will not result in any adverse consequence such as removing the service or treating a customer or resident any differently.

- We will take ownership, apologise where we have made a mistake and aim to resolve the complaint to the customer or residents' satisfaction.

- We will be clear about timescales and inform customers throughout any investigation.

3.5. KEY DEFINITIONS

- **Comment -** A comment is positive or negative feedback about our service, which does not require a response.

- **Compliment -** A compliment is an unsolicited expression of gratitude or praise for a member of staff or service area.

- **Formal complaint -** Either a complaint that cannot be resolved quickly at the point of contact, or one where the customer or resident has requested a formal, written response.

- **Informal complaint -** A complaint that can be resolved quickly at the first point of contact, and where the customer does not seek a written response.

- **Service request -** A request for a service, such as repair or the logging of an ASB incident, which has not been made to Ekaya previously.

- **Unreasonable Complainants -** An unreasonable complainant, or unreasonably persistent and vexatious complainant, is someone who pursues their complaints or issues in a way which can either impede the investigation of their or other customers or residents' complaints or issues or can have significant resources issue for Ekaya. These actions can occur while either their complaint is being investigated, or once Ekaya has concluded the investigation.

4. WHAT IS A COMPLAINT?

4.1. We have adopted the Housing Ombudsman's definition of complaint, and 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 own staff, or those acting on its behalf, affecting an individual resident or group of residents.

4.2. You do not need to use the word 'complaint' for it to be treated as one. However, we will distinguish between a service request, comment, customer feedback, and a formal complaint.

4.3. How to make a complaint

Complaints can be made in the following ways:

- Email
- Letter
- Phone
- In person

The email address is info@ekaya.co.uk.

4.4. Service requests (What is not a complaint?)

4.5. Some issues do not fall within the definition of a complaint in this policy unless the complaint refers to Ekaya's failure to deal with the matter. For example:

- A **first request** for a service (such as repairs). It will only become a complaint if the service requested has not been performed or has been inadequately performed.

- Neighbour disputes or anti-social behaviour unless the complaint refers to Ekaya's failure to deal with the disagreement appropriately.

- An issue regarding hate crime or domestic violence will be dealt with under our relevant policies.

- Dispute against the amount of rent or service charge being accurately charged in line with policy.

- Claim being dealt with by our insurers.

- Dispute where a resident has commenced legal action against us and have served Ekaya with the required legal proceeding paperwork, in which case we will bring the complaint to a close and follow the legal process.

- An appeal against policy decisions

- The issue was not raised as a complaint within a reasonable period, which would normally be within 12 months of the issue occurring unless it relates to safeguarding or health and safety issues and other exceptional circumstances

- A Court, Tribunal or Ombudsman has already considered the matter. Please note: This is not an exhaustive list.

4.6. A complaint will be raised where the resident expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing.

4.7. The lists above are not exhaustive. Where Ekaya refuses to accept a complaint, we will write to the complainant within 10 working days from the date of receiving the

complaint, setting out the reasons for this decision, for example if the outcome being sought isn't within our power or ability to deliver. We will give the options available to you, including your right to contact the Housing Ombudsman. If the Housing Ombudsman does not agree that the exclusion has been fairly applied they may tell us to consider the complaint.

4.8. Who can complain?

4.9. Anyone who has received a service from Ekaya or an organisation or person acting on behalf of Ekaya's resident who is dissatisfied with service provision:

- residents, or prospective residents, of properties owned or managed by Ekaya.
- service users of Ekaya, including Supported housing.
- customers in receipt of services such as floating support.
- residents neighbouring Ekaya's properties.
- former customers who have been living in Ekaya's properties or who have been in receipt of any services offered by Ekaya.
- individuals who are affected by work carried out by Ekaya and its partners where those individuals would have access to the Housing Ombudsman to make a complaint about Ekaya.
- Other people such as an MP or Councillor, the Citizen's Advice Bureau or other advocate, on behalf of a customer or resident.
- This does not include legal representatives who write to us with a view to taking legal action.

4.10. Time Limit

4.11. A complaint must be made within 12 months of the matter occurring, unless it has only recently become known, concerning an on-going delay, safeguarding or health and safety issues. The time limit is in line with the Housing Ombudsman service guidance on complaints. We reserve the right to dismiss any complaint outside of this period.

5. Equality, Diversity, and Inclusion

5.1. We will apply this policy fairly and consistently and consider each complaint carefully, including the individual circumstances and/or vulnerabilities.

5.2. We will deliver all services and activities within the context of current Equality legislation including the Equality Act (2010). We will not discriminate against any person or group of people on the grounds of protected characteristics as outlined in the Equality 2010 Act (Amendment) Regulations 2023

5.3. The Equality Act 2010 (Amendment) Regulations 2023

5.4. The Equality Act 2010 (the Act) provides a legislative framework to protect the rights of individuals and equality of opportunity for all.

5.5. Under the Act the legal duty to make reasonable adjustments arises in three circumstances:

- Where a provision, criterion or practice (PCP) places a disabled person at a substantial disadvantage in relation to a relevant matter when compared with persons who are not disabled.
- Where a physical feature places a disabled person at a substantial disadvantage in relation to a relevant matter when compared with persons who are not disabled.
- Where the absence of an auxiliary aid would place a disabled person at a substantial disadvantage in relation to a relevant matter when compared with persons who are not disabled

5.6. Reasonable Adjustments

5.7. Ekaya will make reasonable adjustments to our complaints service to ensure customers with a disability are not at a disadvantage when accessing the service.

5.8. Examples of the reasonable adjustments we will make are:

- Using the customer's communication preference throughout the duration of the complaint
- We will not request a complaint to be made in writing where this presents a barrier or disadvantage to the customer due to their disability or additional needs.
- Extension of any time limits (where it is lawful to do so); and
- Provide information in alternative formats e.g. Braille, large print or on alternative paper.

Any requests for reasonable adjustments will be assessed quickly and communicated clearly to the complainant.

6. COMPLAINT RESOLUTION PROCESS

6.1. Putting things Right

6.2. Ekaya's priority is to 'Put Things Right' if a customer or resident is dissatisfied. Our 'Put things Right' step is about finding a quick and effective solution without the need for lengthy investigations. We will apologise if we get things wrong and agree to an outcome with you and confirm how long it will take to complete the task. This will be considered as an informal complaint.

6.3. Ekaya's 'Put things Right' stage will not form part of our formal complaints process. Ekaya will keep record of informal complaints, and any lessons learned for benchmarking purposes.

Ekaya expects the majority of informal complaints to be resolved in this way, where possible, if we have not 'put things right', complainants can escalate their complaint to a formal complaint in line with this policy.

6.4. Where things have gone wrong, Ekaya will acknowledge and set out actions to be taken to put things right.

Examples of where things go wrong include:

- where there was an unreasonable delay
- inaccurate or inadequate explanation was provided to the customer.
- our policy or procedure was not followed correctly.
- Unprofessional behaviour by staff.

6.5. Where failures have been identified, a number of remedies are available including:

- acknowledging where things have gone wrong.
- providing an explanation, assistance or reasons
- apologising
- taking action if there has been a delay.
- reconsidering or changing a decision
- providing a remedy to put things right such as vouchers, flowers, or financial remedy (covered via our Compensation Policy)

7. FORMAL COMPLAINT STAGES – INTERNAL REVIEW

7.1. There are two stages to Ekaya's complaints procedure. Complaints will normally be dealt with from Stage 1 of this policy.

7.2. At all stages of the complaints process, staff will liaise with the complainant to make sure Ekaya clearly understands the problem/s and how the complainant will like Ekaya to resolve the matter.

7.3. If additional complaints are raised during the investigation process these will be incorporated into stage 1 response if a response has not been issued. Otherwise, we will log it as a new complaint. If you raise multiple complaints at the same time, we will provide you with one point of contact where possible.

7.4. We will acknowledge complaints in writing within 5 working days of receipt. The acknowledgement letter will include:

- summary of the complaint setting out Ekaya's understanding of the issues

- Establish full details of what has happened.

- Find out how the complainant would like to resolve the complaint. We will be clear where the desired outcome may be unreasonable or unrealistic, but we will focus on what we can do.

7.5. At each stage of the formal complaints process (Stage 1and 2) our response will inform the customer or resident of the following:

- The complaint stage
- The complaint definition
- Our decision on the complaint
- Reasons for our decision
- Details of any remedy offered to put things right.
- Details of any outstanding or further actions required and how we will monitor progress.
- Details of how to escalate the complaint to review stage if the customer or resident is not satisfied with the outcome.

7.6. We won't accept complaints that have already been investigated or are under investigation by the Housing Ombudsman Service.

7.7. Stage 1 (Investigation & Response)

7.8. Ekaya aims to respond to complaints in a timely manner, keeping customers or residents informed throughout. We will acknowledge complaints in writing within 5 working days of receipt.

7.9. The Manager responsible for the service area will investigate and respond in writing within 10 working days from the date of acknowledgement. Where actions are required to resolve the complaint, we will work proactively with our colleagues, contractors, and partners to ensure that these are carried out as quickly as possible. Where it is not possible to respond to a complaint within 10 working days, the investigating manager will advise the complainant about this, and the reasons why, and confirm the expected response date, which will not be any longer than a further 10 working days from the original response date.

7.10. In exceptional circumstances, where it is not possible to provide a response within the timescale above. We will contact the complainant to discuss, explain why a complaint is taking longer to resolve and advise when we expect to be able to provide the complainant with a response. Where the agreement cannot be reached Ekaya will provide complainant, with the Housing Ombudsman's contact details for independent advice and support.

7.11. We will close the complaint on the system, when we have provided a written solution or a response to the complainant, all actions arising from the complaints shall be monitored until completion.

7.12. If the complainant believes we have not provided them with an adequate response or believes that our response is incorrect or failed to deliver on the resolution action plan, they can escalate the complaint to the next stage of the process.

7.13. Stage 2 (Senior Management Team Review)

7.14. Ekaya will always try to resolve complaints at stage one. However, where the complainant has requested that the complaint be escalated to the next stage,

7.14.1. the complainant needs to inform us within 20 working days of the receipt of the Stage 1 complaint closure letter that the matter is being escalated to Stage 2.

7.15. The complainant does not have to provide reasons for escalation though it will be beneficial for the respondent to be aware of the reasons for the dissatisfaction, provide additional supporting evidence and clear outcomes required.

7.16. Ekaya will acknowledge the receipt of stage 2 complaint in writing within 5 working days of receipt.

7.17. The relevant Senior Management Team (SMT) member, Panel or external provider will investigate the complaint at stage 2 and review the stage one response, and a written response will be provided within 20 working days from the date of acknowledgement.

7.18. In exceptional cases the stage 2 complaint may be reviewed by the Senior Management Team or by a Panel made up of a Senior Management Team and Customer Panel representative or by an external provider. All members will not have been involved in the previous complaint.

7.19. In exceptional cases, it may not be possible to respond within this timescale due to the complexity of the matter.

7.20. In such cases, Ekaya will respond within an additional 20 working days. We'll explain why and inform you of the expected timescale for our response. Where the complainant does not agree with Ekaya, Ekaya will provide the complainant with Housing Ombudsman's Service contact details and advise the complainant they can contact the service for independent help and advice.

7.21. The Stage 2 response letter will be set out as above (see 7.4)

7.22. Stage two of the complaint process will be the final review process. If a customer remains dissatisfied with how their individual situation has been handled

and / or with the outcome, they may refer their complaint to the 'Housing Ombudsman.'

8. EXTERNAL COMPLAINT REVIEW

8.1. In accordance with the Localism Act 2011, customers and residents have a right to independent and impartial consideration of their complaint and may refer their complaint to the Housing Ombudsman Service at any time during the process.

8.2. HOUSING OMBUDSMAN SERVICE

8.3. Complainants are able to complain directly to the Independent Housing Ombudsman after exhausting our complaints process. Complainants can contact the Housing

Ombudsman Service for advice and support at any time during the complaints process or before they have made a formal complaint.

8.4. Contact details for the Housing Ombudsman Service are as follows:

Housing Ombudsman

Phone: 0300 111 3000 and direct dial lines of the Dispute Resolution Team are recorded for training and monitoring purposes.

Email: info@housing-ombudsman.org.uk

Complaint correspondence: The Housing Ombudsman Service PO Box 1484, Unit D, Preston, PR2 0ET

8.5. Local Authorities

8.6. Where services are commissioned on behalf of a Local Authority, customers or residents can also complain to their local authority, this will apply to those in:

- temporary housing
- receipt of services such as floating support • supported housing.

9. VEXATIOUS COMPLAINTS & UNACCEPTABLE BEHAVIOUR

9.1. Ekaya defines a vexatious complainer as someone who, because of the nature, or frequency of their contact with us, hinders our ability to deal effectively with their or other customers or residents' complaints.

9.2. This applies to a very small minority of customers or residents making complaints who persist unreasonably with their complaints and refuse to accept Ekaya's response.

9.3. Some examples of this type of behaviour are:

- Refusing to specify the grounds of a complaint, despite offers of support.
- Not co-operating with the complaint's investigation process
- Changing the basis of the complaint as the investigation proceeds
- Pursuing parallel complaints on the same issue with various organisations
- Making excessive demands on the time and resources of staff with lengthy phone calls, emails to numerous staff or detailed letters every few days and expecting immediate responses
- Submitting repeat complaints with minor additions/variations and insisting they are 'new' complaints.
- Refusing to accept the decision or repeatedly arguing points with no new evidence.

9.4. Examples of unacceptable behaviour include:

- Verbal abuse, aggression, violence (this is not just limited to actual physical or verbal abuse but can include derogatory remarks, and threats of violence.)
- Malicious or otherwise inflammatory statements, or unsubstantiated allegations about our employees or other residents.
- Unreasonable demands (e.g., requesting large volumes of information, excessive volumes of letters, calls, emails or other communications, asking for responses within a short space of time, refusing to speak to an individual or insisting on speaking with another.)

9.5. Where a customer or residents' behaviour is unreasonable or excessive, Ekaya reserves the right, at any stage of the complaint's procedure, to review a complaint and put specific action in place which could include:

- Put in place a single named point of contact.
- Limited number of emails and telephones contacts.

10. MONITORING AND LEARNING

10.1. Customer satisfaction is a key measure of our performance and throughout the organisation, Ekaya takes a proactive approach to learning from any feedback, including complaints. We use feedback to shape our staff training programme, policies and procedures. We do this to drive standards up and to provide excellent customer experience as well as to incorporate learning into our improvement plans.

10.2. The progress of complaints, analysis and feedback will be regularly published to the Senior Management Team (SMT), the Committees and the Board in line with the best practice recommended by the Principles of Good Complaint Handling by Housing Ombudsman.

10.3. Ekaya has a nominated Member Responsible for Complaints (MRC) as a Board Member. This Board Member has an oversight of our complaints handling performance.

10.4. The MRC will have access to complaint related data and performance information and have direct access to the Head of Service.

10.5. We will regularly review 'lessons learned' from complaints and report this to staff, customers, committee and Board.

10.6. We will complete the Housing Ombudsman annual self-assessment against the Complaint Handling code for scrutiny and challenges.

11. LEGISLATION/STATUTORY BACKGROUND

11.1. Government legislation and the Regulator for Social Housing (RSH) have an impact on how Ekaya implements its Complaints Policy. Listed below are the key regulatory standards and statutory Acts:

- The Landlord and Tenant Act 1985
- Housing Act 1985, 1988 & 1996
- Localism Act 2011
- Data Protection Act 2018
- Equality Act 2010
- Building Safety Act 2022
- The Higher-Risk Buildings (Management of Safety Risks etc) (England) Regulations 2023
- The Housing Ombudsman's Complaint Handling Code 2024
- The Housing Ombudsman Scheme
- Housing Ombudsman: Guidance On Remedies– Good Practice
- The Regulator of Social Housing Regulatory Standards, April 2024
- Hazards in Social Housing (Prescribed Requirements) (England) Regulations 2025

12. RELATED POLICIES

12.1. This policy should be read in conjunction with the following policies:

- Compensation Policy 2026
- Anti-Social Behaviour (ASB) Policy 2025

- Domestic Violence and Abuse Policy 2025
- Equality, Diversity and Inclusivity Policy 2026
- Staff Code of Conduct Policy 2026
- Data Protection Policy and Complaints Policy
- Repairs and Maintenance Policy 2024
- Safeguarding Policy 2026

13. CONFIDENTIALITY

13.1. As part of the complaints process, we will manage any personal data in line with the General Data Protection Act Regulations (GDPR) 2018 and the Human Rights Act 1998. Staff will ensure that they only involve other agencies and share information with the consent of the individual concerned, unless:

- Ekaya is required to do so by law.
- The information is necessary for the protection of children or vulnerable adults.
- Under the Health and Safety Act

14. POLICY APPROVAL

14.1. This policy will be reviewed once every three years except where there is a need to take account of any changes to legislation, regulation or good practice.

Approval Date:	**28/10/26**
Approval By:	**Policy & Performance Committee**
Policy Owner:	**Director of Operations**
Next Review Date:	**October 2029**