Complaints Policy

Effective from:	Review:
15th September 2026	September 2029

1. Policy aims

This policy sets out how Dérive, approaches complaints. We view managing complaints effectively and quickly as an opportunity to maintain good relationships with Dérive residents. This approach reflects the requirements of the Housing Ombudsman Service (HOS) Complaint Handling Code, referred to as 'the Code'.

We will proactively publicise the ability to complain through our website, at tenancy sign up and through regular resident communications. We do not view high levels of complaints as a negative but as the sign of an accessible complaints process.

Our principles for how we manage complaints are as follows:

- Be fair – treating people fairly and following a fair process
- Put things right – where we have got things wrong, we will put them right
- Learn from the outcome of complaints – feedback on lessons learnt and actions taken to improve service delivery.

2. Policy definitions

A complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by Dérive, our staff, or those acting on our behalf, such as managing agents and other contractors, affecting an individual resident or group of residents. A resident does not have to use the word complaint for it to be treated as such.

A service request is when a resident asks Dérive to act, for the first time, for example to carry out a repair or to investigate anti-social behaviour (ASB). Service requests are not complaints. A complaint will be raised when the resident expresses dissatisfaction with the response to their service request. Logging a complaint will not prevent or delay the actions needed to resolve the service request.

An expression of dissatisfaction with services made through a survey is not defined as a complaint, though wherever possible, we will make the person completing the survey aware of how they can pursue a complaint if they wish to. Where we ask for wider feedback about services, we will provide details of how residents can complain.

3. Making a complaint

Most Dérive homes are managed by a third party managing agent. Residents are informed of the third party managing their home on behalf of Dérive as the landlord and that in the first instance complaints should be raised with this managing agent. Our Service Level Agreement with managing agents require complaints to be handled in line with the Code.

If complaints are made directly to Dérive these will be forwarded to the relevant managing agent, with the resident informed. The complaint is considered received from the date it is received by Dérive and not when forwarded and received by the managing agent.

Where there is no managing agent, Dérive will handle service requests and complaints directly.

Complaints can be made, as a minimum, by telephone, online, by letter or face to face to any member of staff.

Complaints will also be accepted from a representative appointed by the resident. The resident will be asked to confirm they approve the representative to act on their behalf. Dérive and our managing agents will only share personal information with resident representatives where residents have given explicit permission to do so, or otherwise as permitted by data protection law.

4. Exclusions

Each complaint is considered on its own merits. If it is decided not to accept a complaint, the resident will be provided with a written explanation explaining why the matter is not suitable for the complaints process and the right to take the decision to the HOS. If later instructed by the HOS, Dérive will take on the complaint.

Before a complaint is excluded (refused), any exceptional circumstances raised by the resident will be considered. For example, an extended hospital stay could lead to a delay in reporting a complaint.

Circumstances when a complaint will not be accepted will usually include:

- Where it is referring to a service which is not the responsibility of Dérive.
- The matters raised have previously been considered under this Complaint Policy or the complaint has already been made, and is under investigation, including if a resident's representative has raised the issue.
- The matter is a service request, as Dérive should have the opportunity to respond to issues reported for the first time as a service request before it is handled as a complaint.
- Where the event or issue took place more than twelve months before the complaint was received or the resident became aware of the issue.
- It is a complaint about ASB, unless it relates to how Dérive has dealt with the ASB case.
- It relates to the annual rent increase, unless there has been a mistake in the calculation of the increase.

- It relates to a service charge, unless the service hasn't been delivered in accordance with the service requirement, or there has been a mistake made in the calculation of a charge.
- Legal proceedings have started, defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court.
- Where there is linked legal action against the complainant. This is in cases where the complaint is intrinsically linked to the legal proceedings. An example would be a complaint about a staff member who is a witness in legal proceedings against the complainant.

Complaint resolution will continue to be sort with residents pursuing Pre-Action Protocol for Housing Condition Claims in line with the HOS's guidance from October 2021.

5. Complaints about Dérive employees and Dérive representatives

Where a complaint involves a member of staff, the staff member will be interviewed as part of the initial investigation and kept up to date following each stage of the process. Should any action be taken against the member of staff this will be in accordance with the relevant policy and procedure.

6. Confidentiality and privacy

Information will only be shared as outlined in accordance with the Data Protection Act 2018 and General Data Protection Regulation (UK GDPR). Where a complaint involves a member of staff, the complaint with need to be shared with them to investigate.

A full record of the complaint is kept including any review and the outcomes at each stage, including all documents, relevant correspondence with the resident or their representative and other parties, surveys and reports.

7. Complaints process

At the outset of a resident's complaint and at every stage of the complaint, clear guidance is provided to the resident including how to escalate if dissatisfied with the response. This will include details of how to access the HOS for support. A full record of the complaint, responses and correspondence with complainants is kept.

At each stage of the complaint process, we will:

- deal with complaints on their merits, act independently, and have an open mind;
- give the resident a fair chance to set out their position;
- take measures to address any actual or perceived conflict of interest; and
- consider all relevant information and evidence carefully.

Assessment

A resident who expresses dissatisfaction will be given the choice to have the issue handled as a complaint.

Each complaint will be assessed once it is received. The assessment will ensure the issue is an eligible complaint and consider whether its complexity requires an extension in line with the Code.

When considering the suitability for extensions, Dérive will consider the vulnerabilities of residents.

Acknowledging a complaint – 5 working days

Complaints will be acknowledged and logged within 5 working days of receipt. The written acknowledgement will outline the resident's complaint, clearly stating the issues for investigation, identifying which aspects of the complaint Dérive are and are not responsible for, and the resident's preferred resolution, if known.

If any aspect of the complaint is unclear, the resident will be asked for clarification and to agree exactly what the complaint is about.

Stage 1 Investigation – 10 working days

Stage 1 complaints are handled by our managing agent where there is one. Complaints are handled directly where there is no managing agent. As the landlord Dérive is responsible for ensuring all complaints are handled in line with the Code.

Stage 1 complaints are investigated, and a full written response (letter or email), is sent to the complainant within 10 working days of the complaint being acknowledged. Responses will identify any service failure, outline resolution as appropriate, and share commitments for any follow up.

If the case is complex and a response cannot be sent within 10 working days, the resident will be informed of the complaint being extended up to a further 10 working days and the reasons for this.

Where an extension takes the response to longer than the combined 20 working days, the resident will be asked to agree suitable intervals for keeping them informed about their complaint. When an extension is required, the resident will be provided with the contact details of the HOS.

A response will be issued once the outcome of the complaint is known and there will not be a delay in issuing the response whilst follow-up actions are being completed. Where actions remain outstanding at the time of the response, the resident will continue to be provided with updates until those actions are complete.

The response will include in clear plain language:

- the complaint stage
- the complaint definition
- the decision on the complaint
- the reasons for any decisions made

- the details of any remedy offered to put things right
- details of any outstanding actions
- details of how to escalate the matter to stage 2 if the resident is not satisfied with the response.

Where residents raise additional complaints during the investigation, these will be incorporated into the Stage 1 response if they are relevant and the Stage 1 response has not been issued. Where the Stage 1 response has been issued, or it would delay the response, the additional issues are logged as a new complaint.

Stage 2 Review – 20 working days

If the complainant is not satisfied with the Stage 1 response, they can escalate the complaint to Stage 2. All Stage 2 complaints are handled by Dérive. The staff member leading the Stage 2 review will not have previously been involved in the Stage 1 investigation.

Requests to escalate to Stage 2 will be logged and acknowledged within 5 working days. The written acknowledgement will outline the resident's complaint, clearly stating the issues for review. Residents do not need to provide reasons to escalate their complaint. Dérive will make reasonable efforts to understand why the resident remains unhappy as part of our Stage 2 investigation.

A response to the resident on the outcome of the review will be sent within 20 working days from the date the escalation request was acknowledged. Our response will identify any service failure, outline resolution as appropriate, and share commitments for any follow up.

If the case is complex and a response cannot be sent within 20 working days, the resident will be informed of the complaint response time being extended up to a further 20 working days and the reasons for this. Where the response is going to be longer than the combined 40 working days, we will agree with the resident suitable intervals for keeping them informed about their complaint. When an extension is required, the resident will be provided with the contact details of the HOS.

We will issue our response once the outcome of the complaint is known and there will not be a delay in issuing the response whilst follow-up actions are being completed. Where actions remain outstanding at the time of the response, we will continue to provide updates to the resident until those actions are complete.

The response will include in clear plain language:
- the complaint stage
- the complaint definition
- the decision on the complaint
- the reasons for any decisions made
- the details of any remedy offered to put things right
- details of any outstanding actions
- details of how to escalate the matter to the HOS if the resident remains dissatisfied.

8. Housing Ombudsman Service

Stage 2 is our final response. Once a resident has received their Stage 2 response, they can choose to escalate their complaint to the HOS if they remain dissatisfied with the complaint handling. The contact details for the HOS are as follows:

Address: Housing Ombudsman Service PO Box 1484, Unit D, Preston, PR2 0ET

Phone: 0300 111 3000.

Online complaint form Resident complaints | Housing Ombudsman

Website: https://www.housing-ombudsman.org.uk/residents/

9. Remedies

Where something has gone wrong, the complaint response acknowledges this and will set out the action or actions that have been or will be taken to put it right. This may include:

- Apologising
- Acknowledging where things have gone wrong
- Providing an explanation, assistance or reasons
- Taking action if there has been delay
- Reconsidering or changing a decision
- Amending a record or adding a correction
- Providing compensation
- Changing policies, procedures or practices.

10. Unacceptable behaviour

We define a resident's behaviour to be unacceptable as follows:

- Pursuing a complaint when the complaints process has been fully and properly implemented and exhausted.
- Persistently changing the substance of a complaint or seeking to prolong contact by raising further concerns about the issue without presenting any new information.
- Using abusive, inappropriate language or making threats to staff, managing agents and other contractors. Abusive behaviour includes unsubstantiated allegations.
- Refusal to accept decisions, accept that documented evidence given is factual or deny receipt of correspondence.
- Refusal to identify the precise issues that they wish to be investigated.
- Excess contact and requesting unreasonable amounts of information.

We will only restrict how the resident can engage with us in the complaints process as a last resort. A request for restrictions will be considered by the Head of Operations at Dérive with the Board informed and updated.

Before any action is taken, we will look to understand this behaviour and will consider any physical or mental health and wellbeing information we have available to help us. We will offer support, suggest advocacy, mediation or signpost to other services where appropriate. We will also work with any organisations supporting the resident.

We will always inform residents if we deem their behaviour to be unacceptable. The response will explain how and where the actions of the resident were unacceptable, any contact restrictions and a timeline for a review of these restrictions, no longer than 6 weeks.

11. Equality, Diversity and Inclusion

Dérive believes that Equality, Diversity and Inclusion is a core value of the organisation. Therefore, we ensure residents, colleagues and partners should be treated with fairness and respect. We will ensure that these principles are applied fairly and consistently to all.

We will not directly or indirectly discriminate against any person or group of people because of their age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation or on any other grounds.

Dérive will have regard to reasonable adjustments as defined by the Equality Act 2010 required by residents accessing our complaints service. Typical examples include communication in large print, braille, translation and audio formats. This may also require complaints to be extended should the complainant need more time to make their complaint, respond to queries about their complaint, involve their representatives or to arrange access to deliver remedial action.

Approval date	Approval
V1 15th September 2026	Dérive RP Board Meeting.
V2 29th October 2026	Minor amends following self-assessment. (1) Handling complaints received through surveys. (2) What will be considered at each stage of the complaint process. Board approved by email.