

Aster Group is the overarching brand name of Aster Group Ltd and all of its subsidiaries.

1 Scope

- 1.1 This policy is for all customers who receive a service from Aster Group or where an application is being made for a tenancy within the Aster Group. This includes where contractors or agents are providing a service on Aster's behalf. This policy does not include the provision of services by Enham Trust commercial properties.
- 1.2 The policy does not apply to complaints that are related to our commercial relationships with other parties or to appeals regarding letting decisions, which are dealt with by the relevant Lettings Manager. A complaint may follow a lettings appeal if a customer is dissatisfied with the outcome.
- 1.3 We aim to get it right first time. However, we do accept that sometimes we may fall short of what is expected, and customers may complain. We understand that complaints, and the circumstances around them may cause distress or upset for customers and we aim to deal with complaints in a sensitive and timely manner to reach an amicable resolution.
- 1.4 Customers can make a complaint to any member of staff by telephone, letter, email, a personal visit or by completing the complaints form via the website. If customers want to make a complaint by telephone, they can contact us on 0333 400 8222 or write to - Aster Group, Sarsen Court, Horton Avenue, Cannings Hill, Devizes, Wiltshire, SN10 2AZ. More information about how to complain can be found on our website [Complaints | Contact Us | Aster Group](#). Aster's complaints policy will be made available on the website and will be supplied in a different format on request. In addition to this information direct links to the Housing Ombudsman Service are also provided on the website.
- 1.5 Everyone in Aster Group is responsible for the service we deliver and when something goes wrong the way we respond to a complaint will reflect our values. We value the opportunities complaints provide us to review our processes and, where appropriate, to make any changes needed to improve the way we deliver our services.
- 1.6 Aster is a registered Restorative Organisation; this means we meet the standards of the Restorative Justice Council for applying restorative practice throughout our organisation. We will use these restorative principles in complaint resolution to build positive relationships within our communities. More information can be found on the [Restorativejustice.org.uk](https://restorativejustice.org.uk) website.
- 1.7 Our Complaints Policy, Procedure and Process is aligned to and follows the requirements and principles of the [Housing Ombudsman's Complaint Handling Code](#) and our obligations set out in the [Housing Ombudsman Scheme](#), the Transparency, Influence and Accountability Standard and the regulatory standards set by the Care Quality Commission. Complaints which are not covered by these regulatory standards or governing bodies will be referred to the appropriate governing body where required, and at the appropriate time, including Ofsted, the Charity Commission and the Fundraising Regulator and any other commissioner/contract reporting requirements.

2 Policy Statement

- 2.1 We will ensure everyone is treated fairly and honestly throughout, and following the complaints process, without discrimination, in line with Aster's Diversity and Inclusion Policy. We will always ensure that we carry out any reasonable adjustments to the complaints process for residents that require us to do so.
- 2.2 In line with the Health and Care Social Care Act, 2008, we have a duty of care for those we work with and have an obligation to fulfil Duty of Candour.
- 2.3 A complaint is defined in the Housing Ombudsman Service's Complaint Handling Code as an "Expression of dissatisfaction, however made, about the standard of service, actions, or lack of action by Aster, Aster's staff or those acting on Aster's behalf, affecting an individual customer or group of customers. This differs from a service request where a request is received from a customer requiring action to be taken to put something right."

Where we ask for wider feedback about our services, we will provide details of how a customer can complain.

- 2.4 Customers can use the complaints process to make complaints about a colleagues conduct, attitude and approach. Providing that the behaviour described falls within the definition above.
- 2.5 There are requirements in the Building Safety Act 2023 which relate to complaints in higher risk buildings. This includes buildings which have at least 7 storeys or are at least 18 metres in height and/or have at least 2 residential units.

A "relevant" complaint in the Act is defined as one that relates to:

- A "building safety risk" which is a risk to the safety of people in or about the building arising from either the spread of fire or structural failure; and
- The performance by an accountable person with regard to their duties.

Relevant complaints will be investigated in line with Aster's formal complaints process to ensure compliance with the requirements of the Act. Any person can make a complaint about higher risk buildings, this is not restricted to Aster's customers.

Where a complainant believes their safety concerns have not been adequately resolved, they will have the right to escalate their complaint to the Building Safety Regulator.

- 2.6 We will not record a complaint for matters that have previously been considered under the complaints process outside of the previous 12 months, in circumstances where legal proceedings have started, or about an issue which Aster has not previously been made aware of, for example:
- Reporting a repair
 - Reporting neighbourhood issues
 - Reporting anti-social behaviour
- 2.7 A service request is defined as, "A first request from a resident to the landlord requiring action to be taken to put something right."
- 2.8 Service requests must be recorded, monitored, and reviewed on a regular basis. If a customer is dissatisfied with the outcome of our response to their service request, the issue will be dealt with as a formal complaint.
- 2.9 A complaint can be made in the form of a petition. The complaint will be dealt with following the normal complaints process, on the address of the first to sign only. The petition will be

treated as one complaint and all correspondence will be addressed to the first signer. Details of the outcome of the complaint will be copied to each signer on the petition.

- 2.10 We will accept and record a complaint which is referred within 12 months of the issue occurring, or the customer becoming aware of the issue, unless there is a valid reason not to do so and, in these circumstances, a detailed explanation will be given setting out why the matter is not suitable for the complaints process. We may, in exceptional circumstances, accept a complaint outside of the 12 months and these will be reviewed on a case-by-case basis.
- 2.11 We will promote a positive, no-blame approach towards resolving complaints, collaborating with colleagues across teams to take collective responsibility for any shortfalls identified through complaints. We will ensure we are approachable and helpful throughout the complaint procedure. However, in the event that a colleague's behaviour falls short of the expected standard then this will be dealt with. If the breach is considered to be gross misconduct, then this will include being dealt with under formal disciplinary procedures.
- 2.12 Relevant staff will have a standard objective in relation to complaint handling. It should reflect the need to have a collaborative and cooperative approach across departments, with a collective responsibility to resolve complaints and to act within the professional standards for engaging with complaints as set by any relevant professional body.
- 2.13 We will proactively analyse complaints for trends, learnings, and service improvements, maintaining an accessible, customer-focused, and consistent resolution process.
- 2.14 Aster's Member Responsible for Complaints (the MRC) is a member of the governing body and has the lead responsibility for complaints to support a positive complaint handling culture. The Housing Ombudsman Service provides more detail regarding the role of the [Member Responsible for Complaints \(MRC\) | Housing Ombudsman](#) on their website.
- 2.15 Complaints from third parties or a representative will be dealt with in line with this policy. When a third party such as a family member, support worker, or carer acts for a customer wishing to make a complaint, we will ensure, after getting the customer's permission, that the relevant paperwork is completed and shared in line with data protection regulations. If we are unable to get permission due to lack of capacity, we can support advocates acting on behalf of our customers.
- 2.16 A third party representing a customer for a complaint may also include a solicitor. Where a complaint involves a housing or insurance claim, or potential legal proceedings, reference will be made to the Housing Ombudsman guidance to ensure our compliance with the Housing Ombudsman Code.
- 2.17 Complaints made directly to our Executive Board, including our Chief Executive Officer, or any of our Trustees, will be passed back to the complaints team and will be dealt with in line with this policy.
- 2.18 Involved customer groups will periodically review our approach to complaint management, making recommendations to improve the service where appropriate, and we will consult with customers on the formation of complaint policies.
- 2.19 We recognise that from time to time those who complain to us may behave unreasonably. In those circumstances, we will consider whether it is reasonable to persist in engaging with the complainant further. This will be considered in line with the Aster Group "Unreasonable Behaviour" policy and advice given by the Housing Ombudsman Service on their website.
- 2.20 Should a customer seek compensation for injury, this will be dealt with as a personal injury claim via our insurers and not through the Complaints Procedure.

- 2.21 Customers do not have to give a reason if they wish to escalate a complaint but will be encouraged to do so. Aster will decline to escalate a complaint for the same reasons that Aster may refuse to log a complaint. Any decision to do so will be communicated in writing and the customer will be advised of how to approach the Housing Ombudsman Service if they are dissatisfied with Aster's position.
- 2.22 We will acknowledge, log, and allocate a complaint to the relevant service area for investigation within 5 working days of receiving it.
- 2.23 There are 2 stages to our formal complaints process, each with clear time scales:

Stage 1

- A written decision will be given within 10 working days from logging and allocating the complaint.
- If this is not possible, a clear explanation for the reasons will be given, and a timeframe for a response will be given along with contact details for the Ombudsman.
- This should not exceed a further 10 working days without good reason (for example if a customer cannot be contacted; or has made a request to be contacted at specified times which are outside of the complaint response timescales).

Stage 2

- Where a customer is dissatisfied with the outcome of the stage 1 response, they will be given the opportunity to escalate the complaint to a stage 2.
 - A request to escalate to a stage 2 must be made within 12 months.
 - If a customer requests to escalate the complaint to stage 2, this will be acknowledged, defined, and logged within 5 working days of the escalation request being received.
 - A written response will be given within 20 working days.
 - If this is not possible it should not exceed a further 20 working days without good reason and reasons for an extension and the expected timescale for a response should be clearly explained to the customer along with contact details for the Ombudsman.
- 2.24 Where a response to a complaint will fall outside the timescales set out in this policy, we must agree with the customer suitable intervals for keeping them informed about their complaint.
- 2.25 If the complaint remains unresolved, and the complaint falls within the scope of the Housing Ombudsman Scheme, customers have the right to refer their complaint to the Housing Ombudsman. This can happen at any point during the investigation and details of how to do this will be included in the complaint correspondence. More information is also available on their website: [Contact us - Housing Ombudsman \(housing-ombudsman.org.uk\)](https://housing-ombudsman.org.uk) –
- 2.26 We will consider compensation on a case-by-case basis and where a complaint is upheld, in line with our Compensation Policy.
- 2.27 Customers will have up to 12 months to accept a compensation offer before it will be withdrawn.
- 2.28 Customers are still able to escalate their complaints to stage 2 or to the housing ombudsman service if they choose to accept compensation at either stage 1 or at stage 2

- 2.29 When managing the complaint, Aster will keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter.
- 2.30 Aster Group will produce an Annual Complaints Performance and Service Improvement report, this will be published on our website.
- 2.31 All complaints are managed via the internal complaints process by the dedicated Complaints Officers and investigating case managers. Aster's complaints are not investigated by third parties.

3 Monitoring and Review

- 3.1 Policy overview sessions will be delivered to relevant teams following implementation of this policy to ensure the content and responsibilities are understood.
- 3.2 The effectiveness of this policy will be continuously monitored, and the embedding of the policy scrutinised after 12 months by the *Operational Scrutiny & Assurance Panel*
- 3.3 We will regularly monitor our performance on complaints through internal audit and compliance checks, reporting these annually to the Customer Voice Committee (CVC), quarterly to involved customer groups and regularly to senior teams and service managers across the group.
- 3.4 An annual self-assessment will be conducted against the requirements of the Housing Ombudsman's Complaint Handling Code or following a significant restructure and/or change in policy or procedures.
- 3.5 Aster may be asked to review and update our self-assessment following an Ombudsman investigation and this will be conducted in consultation with the Member Responsible for Complaints.
- 3.6 If Aster is unable to comply with the Code due to exceptional circumstances, such as a cyber incident, we will notify the Ombudsman and provide information to our customers who may be affected and publish this on our website. We will provide a timescale for returning to compliance with the Code.
- 3.7 Senior leaders will be kept informed of cases referred to the Housing Ombudsman Service with details of the decision reached.
- 3.8 This policy will be reviewed in at least 3 years' time unless a change in legislation or business need prompts an earlier review.

4 Related Policies and Procedures

- 4.1 Complaints Procedure
- 4.2 Compensation Policy
- 4.3 Diversity & Inclusion Policy
- 4.4 Data Protection, Privacy & Confidentiality Policy
- 4.5 Unreasonable Behaviour Policy

5 Governance			
Effective From:	01/05/2024	Expires:	30/04/2027
Policy Owner:	Assistant Director - Customer Experience		
Policy Author:	Policy, Training & Assurance Manager		
Approved by:	<i>Customer Overview Group</i>		
Delegation Matrix Reference:	R068	Version Number:	8.04

Aster Group is our overarching company brand and comprises the following companies and charitable entities. Aster Group Limited, Aster Communities, Aster Treasury plc, Synergy Housing Limited, East Boro Housing Trust Limited, Central and Cecil Housing Trust, Enham Trust, 55 London, Aster Foundation, Aster Living, Aster 3 Limited, Aster Homes Limited, Aster LD Limited, Aster Property Limited, Aster Solar Limited, Silbury Housing Holdings Limited, Silbury Housing Limited, Central & Cecil Innovations Limited, and Central & Cecil Construction Services Limited.