

**RHA**



# **Concerns and Complaints Form**



# RHA Concern/Complaint Form

Please Note: The person who experienced the problem should normally fill in this form. If you are filling this in on behalf of someone else, please fill in Section B.

## A: Your Details

Surname	Forenames(s)	Title: Mr/Mrs/Miss/Ms/ of other please state
Address and postcode		
Your e-mail address		
Daytime contact phone number		

Please state how you would prefer us to contact you:

**Your requirements:** if our usual way of dealing with complaints makes it difficult for you to use our service, for example if English or Welsh is not your first language or you need to engage with us in a particular way, please tell us so that we can discuss how we might help you.

## B: Making a complaint on behalf of someone else: Their details

Please note: We have to be satisfied that you have the authority to act on behalf of the person who has experienced the problem.

Their name in full	
Address and Postcode	
What is your relationship to them?	
Why are you making a complaint on their behalf?	

**C: About your concern/complaint**

(Please continue your answers to the following questions on a separate sheet(s) if necessary)

C.1 Name of the department/section/service you are complaining about:

C.2 What do you think they did wrong, or failed to do?

C.3 Describe how you personally have suffered or have been affected:

C.4 What do you think should be done to put things right?

C.5 When did you first become aware of the problem?

C.6 Have you already put your concern to the frontline staff responsible for delivering the service? If so, please give brief details of how and when you did so:

C.7 If it is more than six months since you first became aware of the problem, please say why you have not complained before now:

If you have any documents to support your concern/complaint, please attach them with this form.

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

**When you have completed  
this form, please send it to:**

**Corporate Assistant  
RHA Wales**

**By E-mail:  
complaints@rhawales.com**

**By Post to:  
9 Compton Road, Tonypany, CF40 1BE**

## Appendix B – Types of concern or complaint not covered by the Concerns and Complaints Policy and Procedure.

### 1. Vexatious Complaints and Complainants

RHA is committed to putting tenants at the heart of its service delivery. Dealing efficiently with service requests, providing advice and dealing with complaints is an essential part of what we do. We are committed to dealing with all complaints equitably, comprehensively, and in a timely manner. However, in a minority of cases people pursue their complaints in a way which can either impede the investigation of their complaint or can have significant resource issues for RHA.

RHA will treat as abusive, any behaviour that seeks to harass, verbally abuse or otherwise intimidate our members of staff or volunteers. This can include the use of foul or inappropriate language or the use of offensive and racist language.

Abusive behaviour may be demonstrated through:

- Using threatening, offensive or foul language on the telephone, face to face, or via voicemail.
- Sending multiple threatening or offensive letters or emails.
- The use of offensive or threatening messages or posts on social networks.

Features of an unreasonable or persistent complainant include the following:

- refusal to specify the grounds of a complaint despite offers of assistance.
- refusal to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
- refusal to accept that issues are not within the remit of the complaints policy and procedure despite having been provided with information about the scope of the policy and procedure.
- refusal to accept that issues are not within the power of RHA to change or influence (examples could be a complaint about a service delivered by another organisation).
- make an unreasonable number of contacts with us, by any means in relation to a specific complaint or complaints, which the Association has already responded to.
- change the substance or basis of the complaint without reasonable justification whilst the complaint is being addressed.
- deny statements he or she made at an earlier stage in the complaint process.

The examples used in the lists above are not exhaustive, nor does one single feature on its own necessarily imply that the person will be considered as being in this category.

In identifying vexatious complaints, RHA employees must be careful to distinguish between complainants who are raising genuine concerns and people who are simply being difficult. This can be achieved by recognising that:

- Complainants may often be aggrieved, frustrated or have other reasons for their behaviour and that therefore the focus must be on careful consideration of the merits of the case rather than the attitude of the complainant; and
- Every complaint must be considered on its merits and even if someone has made a vexatious complaint in the past, it must not be assumed that any other complaint they make will also be vexatious.

The need to consider every complaint on its merits cannot be over-emphasised.

### **Stage A**

If it is considered that any actions of an individual constitute unreasonable, persistent or harassing behaviour, a Head of Service in consultation with a Director of Service, will inform the individual that his/her behaviour is considered by RHA to be unreasonable or unacceptable, and request a changed approach with immediate effect.

### **Stage B**

If the unacceptable behaviour is not modified after Stage A has been followed, then RHA may take some or all of the actions listed below as necessary, having regard to the nature of the complainant's behaviour and the effect of this on RHA.

A copy of this Policy must be sent to the individual with a letter from the Head of Service giving details of any restrictions which will apply, which may include some or all of the following:

- All future meetings will be conducted with a third person present;
- Notes of meetings will be taken, agreed and signed by both parties;
- Restrictions on the number and specified times for telephone calls (except in cases of emergency e.g. Health and safety issues)
- Specifying who the complainant is to communicate with;
- RHA will respond only to written communication from the individual, unless there are known literacy issues. In these cases, communication will be via the phone and the details of the conversation will be recorded and saved to file.

- Informing the complainant that future correspondence will be read by the Operational Manager or his/her designated representative and placed on file but not acknowledged unless it contains any relevant new information or information which in RHA's opinion requires a response;
- We may seek legal remedies, in extreme circumstances (e.g. where there is a risk of physical harm to staff), to prevent the individual from entering RHA's main office;
- That the police may be informed;
- That legal advice may be sought;
- The letter should also state the length of time the restrictions are to apply and that any legitimate new complaint will always be considered. There will be a twelve-month review period for each case.

The complainants' identity as persistent or vexatious may be withdrawn from this status when the complainant demonstrates a more reasonable approach and contact with RHA. If they submit further complaints that appear more appropriate for the general complaints procedure, then discussions will be held with the Directors of service or Chief Executive. Subject to his/her approval, normal contact with the complainant will resume.

### **Stage C**

If the unacceptable behaviour is not modified after Stage B, we will take tenancy enforcement action proportionate to the behaviour. This may require us to seek legal remedies, which could ultimately lead to possession proceedings.

### **Anonymous complaints**

Complaints received anonymously will not be dealt with under the Complaints Policy, however RHA will consider feedback received.

### **Petitions**

If a petition received includes a complaint about RHA, the Complaints Policy will be followed, however the author (if known) alone will be involved in correspondence. Signees will not necessarily receive a response.