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## **Customer Compliments and Complaints Policy**

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Approved by Board

Approved Date 17/09/2013

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## **1. Introduction**

- 1.1 This policy explains how Southway Housing Trust receives, handles and learns from the feedback it receives from its customers.
- 1.2 The policy applies to both Southway staff and contracted staff. All staff and contractors will need to ensure that they comply with this policy when delivering services to Southway customers.

## **2. Policy Objectives**

- 2.1 We will welcome and learn from all customer comments and feedback whether negative or positive. We will seek feedback from all complainants.
- 2.2 We will deal with complaints sensitively, sympathetically and in confidence and to do so in a fair and consistent manner. We will deal with complaints within our published timescales.
- 2.3 We will empower staff to take ownership of complaints, so we can resolve the complaint in the manner most satisfactory to the customer.
- 2.4 All customer facing staff will receive training on complaint handling and resolution, to ensure they understand the importance of complaints for our business.
- 2.5 We recognise that there are different types of complaints and will record the outcomes of both formal and informal complaints.
- 2.6 We will learn from our mistakes and use this to improve service provision across the organisation.
- 2.7 We will provide comprehensive reports to our Board and our customers on complaint handling performance and lessons learned, in line with the Homes and Communities Agency consumer standard on Tenant Involvement.
- 2.8 We will involve our customers in the complaints process, through the support of an internal Complaints Service Improvement Group and an external Tenants Panel.

### **3. Definition of Terms**

#### **3.1 Complaint**

A complaint is defined as an expression of dissatisfaction by a customer or their representative about action, lack of action or about the standard of service they have received.

It may include matters such as:

- Failure to keep appointments
- Unexplained delays in undertaking work
- Misleading or wrong advice
- Unequal or biased treatment
- Disagreement about the way a decision has been made
- An employee's behaviour or action that causes offence
- Discrimination

#### **3.2 Service Failure**

Southway has a number of service standards relating to all operational activities that it carries out (for instance we promise to attend emergency repairs within three hours). When we do not meet our published service standards it is classed as a service failure.

#### **3.3 Formal Complaints**

A formal complaint is one which cannot be resolved at the first point of contact and requires further investigation.

#### **3.4 Informal Complaints**

An informal complaint can be resolved at the first point of contact and does not require further investigation.

### **4. Complaint Handling**

4.1 Southway is happy to receive complaints in all formats, either directly from a complainant or from a representative on their behalf.

4.2 Southway will support complainants by giving them details of an independent Tenants Panel, representatives of which can advocate on their behalf.

4.3 Complaints received from a Councillor, MP or Southway Board Member will be dealt with in line with our Compliments and Complaints Policy, however the response will be sent to the addressee and a copy sent to the original complainant.

- 4.4 We aim to resolve informal complaints at the first point of contact. If a customer is happy to accept our apology (or compensation where appropriate) and we can resolve their complaint straight away, the feedback will be logged as an informal complaint and no further action is necessary.
- 4.5 We recognise that most customers who have experienced service failure generally want a swift resolution to the problem they initially reported and this will be our main focus. We will also apologise and record the service failure to identify possible recurring trends.
- 4.6 We recognise that in some instances complaints about Southway's contractors can be dealt with informally. We will attempt to record these informal complaints, and customers will still have full recourse to Southway's complaints procedure if they are not satisfied.
- 4.7 When Southway receives a complaint about persons or bodies over which we have no control, we will aim to assist the complainant by signposting them to the appropriate contact or, where appropriate, acting on their behalf.
- 4.8 It is good practice to investigate and respond to all complaints even if the source is unknown, therefore anonymous complaints should be dealt with using the normal complaints procedure and the outcome held on file.
- 4.9 Southway has a comprehensive policy and procedure which details how it tackles anti-social behaviour. Any complaint received from a customer about anti-social behaviour from another tenant or resident will be dealt with under the terms of that policy. Complaints about the handling of a case or failure to meet service standards will be dealt with under the terms of this Compliments and Complaints policy.

## **5. Complaint Stages and Service Standards**

- 5.1 Upon receipt of a complaint the responsible officer will decide whether it is appropriate for it to be dealt with informally (point 3.4 of the policy). If they do not believe that it can be resolved informally or the customer requests a formal investigation, it will be dealt with as a formal complaint.
- 5.2 Southway's formal complaints procedure has two internal stages and a third external appeal stage.

### 5.3 Stage 1

A customer's first complaint will be classed as a Stage 1 complaint.

Within two working days of Southway receiving the complaint, an acknowledgement will be sent to the customer including details of the officer who will be dealing with their complaint.

Under normal circumstances the complaint response will be dealt with by the relevant Head of Service. If for some reason the relevant Head of Service is not available (for example, they are on leave) then the complaint will be investigated by a manager on that team with no prior involvement in the case.

The investigating officer should ensure that personal contact is made with the complainant to ensure the full facts are known. This may take the form of a home visit or telephone call.

A response should be issued within ten working days of receipt of the initial complaint.

### 5.4 Stage 2

If a customer is unhappy with the response to their Stage 1 complaint, they have the right to refer their complaint to Stage 2.

This will be acknowledged within two working days and responded to within ten working days of receipt.

It will be responded to by any one of the Executive Directors.

### 5.5 At Stages 1 and 2 a written response will be provided to the complainant, advising of the way in which the complaint has been investigated and the outcome.

The response will also advise how to escalate the complaint, and explain that the customer must provide reasons for their continued dissatisfaction before escalation can be agreed.

If a complaint is upheld at any stage of the process, we will:

- Apologise
- Take some practical action to put things right
- Ensure that the same situation does not happen again
- Offer compensation in some circumstances

## 5.6 Stage 3 Panel Review

If a customer remains dissatisfied following the Stage 2 response, we will advise them of the opportunity to have their complaint reviewed by an independent Tenants Panel recognised by Southway Housing Trust.

The Panel will respond to the customer within five working days of receipt of the complaint and may do any of the following:

- Investigate whether the landlord has been fair and comprehensive in the management of a complaint.
- Seek redress for the customer for any mishandling of the complaint and make recommendations to prevent future service failure(s).
- Refer the complaint to the Ombudsman with the written consent of the customer.

## 6. Complaints about Policy

6.1 If a customer makes a complaint about one of Southway's published policies, and upon investigation it is clear that the policy was adhered to, the complaint will be referred to the Complaints Service Improvement Group (SIG). This is a group of tenants that meets quarterly to discuss complaints trends and performance.

6.2 If the Complaints SIG feel that a particular policy is creating justified complaints, they can recommend to Southway's Board that it be reviewed and recommend any amendments they believe necessary.

## 7. Compensation and Insurance Renewals

7.1 A separate Customer Compensation Policy is available and includes the difference between statutory and discretionary compensation.

7.2 The decision to award compensation should be made by the officer dealing with a complaint and will take into account the loss and/or level of inconvenience suffered by the complainant. Whatever form or level of compensation is decided upon this should always be accompanied by a letter of apology.

7.3 Any requests for compensation due to personal injury or for loss of damage above the relevant excess will *not* be made on a discretionary basis and will be referred to Southway's insurers for investigation. We will notify the customer of this and provide a full response at the conclusion of the investigation if necessary.

7.4 Although it is generally not appropriate for the Trust's officers to liaise directly with the customer during an insurance claim, we will support them through setting service standards that we expect our insurers to adhere to and monitoring their claims handling performance.

## **8. Unreasonable Complaints**

- 8.1 Occasionally complaints are received from people who are unwilling to accept the outcome of an investigation, even after the complaints procedure has been exhausted. There are also some customers who persistently make complaints that are without foundation.
- 8.2 All complaints will be considered carefully. If, however, the subject has already been exhausted or the complaint is deemed unreasonable, the matter will be discussed with the appropriate line manager and Director and dealt with outside the normal complaints procedure.
- 8.3 A letter of warning will be issued to the complainant advising of the consequences of this behaviour continuing. If the situation persists certain sanctions can be imposed. Options that are available include:
- Insisting that contact is in a particular form (for example by letter)
  - Requiring contact to take place with a named officer
  - Restricting contact to specified dates and times
  - Asking the complainant to enter into an agreement about their future conduct
  - In exceptional circumstances, the use of legal sanctions
- 8.4 In all cases such sanctions will be kept under review. The customer will be advised in writing of when and how to appeal against these restrictions and that full customer access can be restored if they behave more reasonably.

## **9. Praise and Compliments**

- 9.1 Southway welcomes praise and compliments from its customers. It tells us what we are doing well, where we are providing a good service and where we can make improvements.
- 9.2 All praise and compliments received will be recorded and passed on to relevant officers where they are named.

## **10. Performance Reporting**

- 10.1 The following performance information regarding complaints and compliments will be reported to Southway's Board and customers on an annual basis:
- The number of complaints received at each stage and whether these were dealt with within timescales
  - The number of complaints upheld at each stage
  - The number of cases referred to the Independent Housing Ombudsman and the outcome of these
  - Customer satisfaction with the way complaints were handled

- Lessons learned and service improvements actioned
- Compliment details
- Compensation payments awarded
- Comparative benchmarking with other RSL's to compare trends and review best practice
- The work of the Complaints Service Improvement Group
- Performance information regarding the Independent Tenant Panel

10.2 Southway will publicise details of our complaints and compliments performance and things we have improved as a result of these, on our website in Quarterly Customer Feedback reports and in Southway Stories publications.

10.3 Complaints Learning will be a standing agenda item at team meetings.

10.4 Heads of Service will carry out a quarterly review of complaints performance and determine any service improvement and policy implications.

## **11. Equality and Diversity**

11.1 Southway will ensure this policy is applied fairly to all our customers. We will not directly or indirectly discriminate against any person or group of people because of their race, religion, age, gender, sexual orientation, disability or other grounds set out in our Equality and Diversity Policy.

11.2 This policy and any other related Southway publications can be provided on request in other formats (e.g. in an alternative language, in large print or Braille, on tape).

## **12. Policy Review**

12.1 The Compliments and Complaints Policy will be reviewed every two years and reported to Southway's Board for approval.

## **13. Links to other Policies**

13.1 This policy has links with the following policies and procedures:

- Customer Care (Everyone Matters) Policy
- Repairs Policy
- Compensation Policy
- Insurance Procedures
- Compliments and Complaints Procedure



**POLICY IMPLEMENTATION AND REVIEW HISTORY**

**Date Approved:** May 2012

**Date Implemented:** May 2012

**Review Date:** 17 / 09 / 2013

**Amendment(s) Made/Reason**

Amendments made following Scrutiny Panel Review

Definition of Service Failure/Formal and Informal Complaints

Inclusion of External Stage 3 Panel.

Explanation of the role of the Complaints SIG

Change in terminology from Malicious to Unreasonable Complaints