



Tell us – our complaints and compliments policy

Reviewed with the client engagement team and the contracts and performance managers

Corporate

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Issued: April 2018

Reviewed: August 2024

Next review: August 2027

POLICY

1. Policy Statement

1.1 This policy outlines how we'll manage feedback from clients, members of the public or external stakeholders that we don't have a contractual relationship with.

2. Scope

2.1 We welcome and encourage both complaints and positive feedback as an opportunity to improve service quality and efficiency. The aim of this policy is to ensure that:

- complaints are dealt with promptly, courteously, systematically and fairly
- complaints are dealt with in confidence
- complainants are kept informed of progress and the outcome of any investigation
- complaints are recorded and monitored to help the organisation to learn from its mistakes and improve service delivery
- compliments are recorded and used to help improve service delivery across the organisation

3. Definition of a complaint

3.1 According to the Housing ombudsman's complaint handling code a complaint must be 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."

3.2 The word "complaint" is not required to be considered a complaint. We consider a complaint to be any expression of dissatisfaction, raised by a client or group of clients; a member of the public; or external stakeholders where it is thought that one of our services has:

- failed to meet its published standards
- not met its responsibilities, or followed policies, or failed to provide an agreed service
- not considered the right factors when making or carrying out a decision
- acted unfairly
- behaved rudely or discourteously

3.3 The following are examples of types of complaints covered by this policy. This list is not exhaustive and there will be other types of incidents that occur which must be reported in accordance with the guidance of this policy:

- conduct of staff
- standard of support



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- anti-social behaviour
- maintenance of accommodation
- quality of catering
- standard of furnishings
- standard of cleaning
- breach of data protection
- all complaints from neighbours/local community
- bullying
- harassment
- discrimination
- safety concerns

3.4 We should recognise the difference between a service request and a complaint. A service request is a request from a client requiring action to be taken to put something right i.e., required maintenance repairs. Service requests should be recorded, monitored and reviewed regularly. A complaint should be raised when a client raises dissatisfaction with their service request.

4. Definition of compliment

- 4.1 A compliment is an expression of praise, encouragement, or thanks for a positive experience.
- 4.2 We consider a compliment to be where a service, member of staff or the organisation receives positive feedback from individuals and organisations who may be working with us but are not directly employed by us.

5. Staff responsibilities

- 5.1 All **staff** are responsible for supporting clients with recording of any complaints and compliments and reporting the initial feedback to the contracts and performance manager.
- 5.2 Our **service leaders/team leaders** are responsible for acknowledging compliments.
- 5.3 Our **contracts and performance managers** are responsible for investigating stage 1 complaints and providing a written outcome for the complainant.
- 5.4 Our **regional directors** are responsible for investigating stage 2 complaints and providing a written outcome for the complainant.
- 5.5 Our **chief executive** acts as the organisations **complaints officer** and is responsible for liaising with the Housing Ombudsman, ensuring complaints are reported to our **Board**. They may wish to delegate tasks to members of the **executive team**.



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5.6 Our **business development team** are responsible for qualitative and quantitative analysis of our complaints and compliments data and producing reports for publications. They're also responsible for completing the self-assessment against the complaints code of practice.

5.7 Our **Board** are responsible for appointing a Member Responsible for Complaints (MRC) who will have responsibility for overseeing complaints to support a positive complaint handling culture.

6. Links to other policies

6.1 This policy should be read in conjunction with our:

- [Equality and diversity policy](#)
- [Compensation policy](#)
- [Code of conduct](#)
- [Whistleblowing policy](#)
- [Confidentiality policy](#)



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PROCEDURE

7. Our procedure

7.1 Displaying our procedure

- Information leaflets about how we gather feedback will be displayed prominently at all our services and central services. Leaflets will be given and explained to clients on entry to the service. The leaflet clearly explains how clients, stakeholders or others can:
 - a. make a complaint, and
 - b. make a compliment
- Our website clearly displays how feedback can be given by clients, members of the public or external stakeholders that we don't have a contractual relationship with
- Client meetings will be used to ensure our clients are reminded quarterly of our feedback procedure. This will be achieved through resident meetings and newsletters
- Our service guide that's provided to clients, includes our complaints procedure

8. Managing complaints

8.1 Complaints may be made

- in person
- by telephone
- by text message
- by letter
- by email
- via our website

8.2 Dissatisfaction raised via social media platforms will not be managed through our complaint's procedure, where possible we will direct complainants to the correct channels.

8.3 We recognise that some clients will have support needs, for example due to language or literacy issues, mental health issues, disabilities or substance misuse and their complaint may be logged with us by a third party acting as their advocate.

8.4 We will make reasonable adjustments for clients where appropriate under the Equality Act 2010. We will keep a record of any reasonable adjustments agreed, as well as a record of any disabilities a client has disclosed. Any agreed reasonable adjustments must be kept under active review.



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- 8.5 The client's support worker will ensure the client receives any necessary support and advocacy when using the complaints procedure. This might include arranging for a relative, friend or another agency to support them, as appropriate. Complainants will also be encouraged to seek independent advice.
- 8.6 Where complaints are received from a third party on behalf of a client, we'll ensure we have permission from the client to speak to the third party before starting the investigation and responding to the third party and client. The client will be given a copy of the complaint outcome as part of this process.
- 8.7 In the first instance, complainants will be encouraged to raise any concerns or dissatisfaction they have with a local member of staff. Staff will be encouraged to resolve issues locally whenever possible. All local complaints should be recorded at service level to see if any trends and learning can be identified.
- 8.8 If a client, member of the public or external stakeholder that we don't have a contractual relationship with feels their complaint hasn't been resolved by the local staff team, they can formalise the complaint using the following procedure in section 9.
- 8.9 Complaints will only be considered if the incident took place within twelve months of the date the complaint was made unless it is raised regarding a safeguarding or health and safety issue.
- 8.10 If a complaint is more than twelve months old or there are reasonable grounds that the complaint is not accepted, then a detailed explanation must be provided to the complainant setting out reasons why the matter is not suitable for the complaints process.
- 8.11 All complaints should be logged on the complaints application system. Copies of any letters or email correspondence sent to the complainant should be uploaded to the system. Any evidence that is reviewed as part of the complaint should be clearly referenced and passed to the Business development team who will keep information in a secured folder as part of our audit trail.
- 8.12 All complaint details will be deleted in line with our data protection policy.

9. Making a formal complaint

- 9.1 We have a two-stage procedure for managing complaints, at each stage of the complaints process the responsible investigator must:
- deal with complaints on their merits, act independently, and have an open mind;
 - give the complainant a fair chance to set out their complaint;
 - take measures to address any actual perceived conflict of interest; and
 - consider all relevant information and evidence carefully, this includes speaking and collecting evidence from all relevant staff involved



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9.2 We'll consider complaints in accordance with the following stages:

- **Stage 1**

Complainants should log their complaint with the service's contracts and performance manager and make their complaint known to them including the resolution they're looking for, as part of the complaints process. The manager will confirm receipt of the complaint **within five working days** of receiving the complaint (**Appendix 1**) and advise the complainant when they can expect to receive a full response, which must be **no longer than 10 working days** from the acknowledgement of the complaint.

If the contracts and performance manager cannot resolve the complaint within this timescale when considering the complexity of the complaint, they must inform the complainant of the expected timescale for response. Any extension must be no more than 10 working days without good reason, and the reason(s) must be clearly explained to the complainant. (**Appendix 2**). This should be agreed with the Business Development and Improvement manager before any extension request is communicated with the complainant.

The complaint acknowledgement letter must set out the contracts and performance manager's understanding of the complaint and the outcomes the complainant is seeking. If any aspect is unclear, then the complainant must be asked for clarification and a full definition agreed by both parties.

The complaint should be resolved at the earliest opportunity, having assessed what evidence is needed to fully consider the issues, what outcome would resolve the matter and whether there are any urgent actions required.

The complaint must be conducted in an impartial manner, seeking sufficient, reliable information from both parties so that fair and appropriate findings and recommendations can be made.

- The contracts and performance manager must keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter.
- address all points raised in the complaint;
- respond to the complainant when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed;
- ensure all outstanding actions are tracked and actioned promptly with appropriate updates provided to the complainant.

If a complainant raises **additional complaints** during the investigation, these must be incorporated into the stage 1 response if they are related, and the stage 1 response has not been issued. Where the stage 1 response has been issued, the new complaints are unrelated to the original complaint being investigated or if it



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would cause an unreasonable delay to the response, we will treat these additional complaints as a new complaint.

The contracts and performance manager must provide a written response (**Appendix 3**) of the outcome(s) to the complainant in clear, plain language and include the following:

- the complaint stage;
- the definition of every element of the complaint;
- the decision on every element of the complaint;

provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate;

- the reasons for any decisions made;
- the details of any remedy offered to put things right;
- details of any outstanding actions;
- learning from the complaint including what we have changed
- details of how to escalate the matter to stage 2 if the complainant is not satisfied with the response.

- **Stage 2**

If the complainant is dissatisfied with the manager's response or fails to receive a response within the agreed timescale, or a satisfactory explanation for any delay, the complainant might choose to escalate their complaint to stage 2. This will be logged with the regional director. The complainant must clearly state the details of the complaint, why they're dissatisfied with the response and the resolution they're seeking. The regional director will confirm the receipt of the complaint within five working days of receiving the notice of escalation and they will inform the complainant that they will investigate the matters raised and respond **within 20 working days (Appendix 4)** of the date the notice of escalation was acknowledged. Where the regional director can't resolve the complaint within 20 working days, the complainant will be advised of the relevant timescale in writing. Any extension must be no more than 20 working days without good reason, and the reason(s) must be clearly explained to the complainant. (**Appendix 5**)

The regional director must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate. The regional director's response must involve all suitable staff members needed to issue such a response.

The regional director must provide a written response of the outcome(s) (**Appendix 6**) to the complainant in clear, plain language and include the following:

- the complaint stage;
- the definition of every element of the complaint;
- the decision on every element of the complaint;



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- the reasons for any decisions made;
- the details of any remedy offered to put things right;
- details of any outstanding actions;
- learning from the complaint and what we have changed
- details of how to escalate the matter to the Ombudsman service if the complainant is not satisfied with the response.

9.3 For complaints made by a client, the client should be offered support from a member of staff at each stage to raise, and if required escalate, their complaint.

9.4 All complaints should be recorded on Connect.

10. Managing vexatious complaints

10.1 Definition of a vexatious complaint is a complaint that is made with the intent to be retaliatory in nature and/or intended to annoy or damage the reputation of the organisation.

10.2 If a contracts and performance manager believe a complaint to be vexatious, they will refer the complaint to the business development and improvement manager who will review the nature of the complaint and determine whether we continue to investigate the complaint.

10.3 After proper investigation in line with this policy, we reserve the right to alter our procedures where it is believed that a vexatious complaint is being made. The business development and improvement manager will write to the complainant to inform them that the complaint is not accepted, provide reasons and inform them they have a right to take their decision to the Housing Ombudsman.

10.4 The business development and improvement manager will keep a record of all referred complaints and their outcome, as well as any correspondence with the complainant.

11. Independent review (the Housing Ombudsman)

11.1 If a complaint is not accepted and the complainant is a client that has an occupancy agreement, we must inform the complainant they have a right to take the decision to the Housing Ombudsman. If the Housing Ombudsman does not agree that the exclusion has been fairly applied, the Ombudsman may ask that the complaint is heard.

11.2 If an extension is requested for an investigation at any stage, we must provide the client with the contact details of the Housing Ombudsman.

11.3 Following the stage 2 decision, clients that have an occupancy agreement with us will be advised that, if they remain dissatisfied, they may seek independent investigation of their complaint by the independent Housing Ombudsman. These details will be displayed in all our accommodation services.



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- 11.4 Our complaints officer will co-operate fully with any investigations by the independent Housing Ombudsman and implement any recommendations they make to improve future service delivery.
- 11.5 Our complaints officer will consider the guidance of the housing Ombudsman when deciding on appropriate remedies.
- 11.6 Following the stage 2 decision, clients that don't have an occupancy agreement with us will be advised that, if they remain dissatisfied, they may seek independent investigation of their complaint by the relevant local authority.

12. Redress for the complainant

- 12.1 If at any stage of the complaints process it is accepted that an error or omission has occurred, the complainant will receive a written apology and an explanation of what steps will be taken as a result in their outcome letter (**Appendices 3 and 6**). Any remedy offer must clearly set out what will happen and when, in agreement with the complainant where appropriate. Any remedy proposed must be followed through to completion.
- 12.2 In cases where the complainant has suffered monetary loss or other hardship, a compensation payment may be considered, in accordance with our compensation policy.
- 12.3 On occasion, a local concern may be dealt with swiftly by providing a goodwill gesture. This can only be agreed by a contracts and performance manager and must be recorded on the complaint form as part of the resolution.

13. Performance monitoring and reporting

- 13.1 We'll maintain a record of all complaints received and report quarterly to the Board, executive team, performance team and client engagement team the following information:
- the number of complaints received by each service
 - the nature of the complaints
 - timescales taken to resolve complaints
 - the stage at which complaints are resolved
 - the number of complaints subject to independent investigation
 - the number of complaints where compensation has been paid learnings from our complaints and a record of the actions required to improve service delivery.



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13.2 We will produce an annual complaints and service improvement report for scrutiny and challenge, this must include:

- the annual self-assessment against the complaints code of practice to ensure our complaint handling policy remains in line with its requirements;
- a qualitative and quantitative analysis of our complaint handling performance, this must also include a summary of the types of complaints that we have refused to accept;
- any findings of non-compliance with the code by the Housing Ombudsman;
- the service improvements made as a result of the learning from complaints;
- any annual reports about our performance from the Housing Ombudsman; and
- any other relevant reports or publications produced by the Housing Ombudsman in relation to our work.

13.3 Our client engagement team, performance team, executive team and Board will consider an annual report, incorporating the statistical information detailed in paragraph 13.1 above and any particular service improvements identified as necessary following a complaint.

13.4 Information about our performance and our service improvement report and our Board's response will be published annually on our website.

14. Member Responsible for Complaints (MRC)

14.1 The MRC will be responsible for ensuring the Board receives regular information on complaints that provides insight into our complaint handling performance. The MRC will have access to suitable information and staff to perform this role and report on their findings.

14.2 The MRC will receive

- quarterly updates on the volume, categories and outcomes of complaints, alongside complaint handling performance;
- regular reviews of issues and trends arising from complaint handling;
- updates on the outcomes of the Housing Ombudsman's investigations and progress made in complying with orders related to severe maladministration findings; and
- annual complaints performance and service improvement report

15. Managing compliments

15.1 Compliments will be recorded via our compliment's application and the service or team leader will acknowledge each compliment in writing (**Appendix 7**).

15.2 Managers will discuss compliments in 1:1s and team meetings where appropriate.



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15.3 Managers are encouraged to acknowledge compliments through use of the “extra mile scheme”.

15.4 Each quarter, our business development assistant will provide the following information:

- the number of compliments received
- the type of compliment (whether it relates to an individual member of staff, service or organisation)
- where the compliment came from (client, stakeholder, other)

15.5 Compliments will be reviewed quarterly by our executive team and annually by our client engagement team and Board, incorporating the statistical information detailed in paragraph above and any particular service improvements identified or communicated as a result of the compliment.

16. Responsibilities

16.1 All staff have a duty to ensure this policy is carried out effectively and to ensure all clients and staff are treated with fairness, dignity and respect.

16.2 The responsibility for ensuring that this policy is upheld lies with our executive team, regional directors and contract and performance managers.

16.3 All complaints must be taken seriously and any failure of a manager to carry out responsibilities in this respect may lead to disciplinary action being taken.

16.4 Managers are responsible for ensuring that their staff are adequately trained and inducted to deal with all complaints and compliments and for checking that this policy is followed.

17. Complaints, compliments and general data protection regulations

17.1 All complaints and compliments will be recorded electronically. Access to complaints and compliments is limited to those staff who are required to carry out action under this policy and procedure. All complaints and compliments are kept on file for 6 years in line with our data protection policy.

17.2 Where we share details of complaints and compliments with external organisations such as local authorities as part of our contractual arrangements, we will not include personal data such as names, addresses or date of births without relevant consent.

18. Review

18.1 This policy and procedure will be reviewed at least every three years by the business development and improvement manager or whenever circumstances change.



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19. Appendices

- Appendix 1 - Template stage 1 acknowledgement of complaint letter
- Appendix 2 - Template stage 1 extension of investigation period letter
- Appendix 3 - Template stage 1 outcome letter
- Appendix 4 - Template stage 2 acknowledgement of complaint letter
- Appendix 5 - Template stage 2 extension of investigation period letter
- Appendix 6 - Template stage 2 outcome letter and information on independent process
- Appendix 7 - Template acknowledgement of compliment letter