

Customer Complaints & Concerns Policy

Linked strategies	Live Happy
Version	5
Date approved by (State by whom and when)	EMT – July 2023
Policy level	2
Agreed by Union (If applicable)	Not applicable
Date effective (Subject to staff consultation)	Not applicable
Date of next review	3 years from above date
Policy Owner	Head of Customer Excellence

1 Policy Statement

1.1 Greatwell Homes aim to provide great services to our customers. One of the ways in which we can ensure this, is by listening and responding to the views of our customers by responding positively to complaints and putting mistakes right when things have gone wrong. Greatwell Homes welcomes customer complaints and concerns as we see them as a great way of learning how we can do things better.

1.2 We aim to provide a complaints service that:

- Ensures customers are aware of how to make a complaint and their right to access the Housing Ombudsman service.
- Is fair, impartial, and easily accessible to all customers.
- Is customer focused and takes account of individual circumstances.
- Puts things right (where appropriate) in a timely and effective manner.
- Uses learning from complaints to improve services.

2 Scope

2.1 This policy applies to all concerns and complaints made by any customer or their representative and anyone affected by a service Greatwell Homes provide, including those services provided by a contractor working on behalf of Greatwell Homes.

2.2 Where an external appeals process is being pursued e.g., a leasehold valuation tribunal or in a court of law the complaint will be closed, and the external process will be followed. The decision of the external process will be final and a complaint on the same issue cannot be reopened or made for the first time.

2.3 This policy does not apply to staff members who wish to complain about Greatwell Homes. Staff members should refer to Greatwell Homes Grievance Policy and Procedure.

3 Definition

3.1 **Customer** - A tenant, leaseholder, shared owner of Greatwell Homes or an individual receiving a service from us. Anyone else affected by the services we provide or the actions of our staff, agents, or contractors whilst they are working on Greatwell Homes business who wishes to complain, will have their proposed complaint assessed by the Head of Customer Experience who will determine if the complaints process will be applied.

3.2 **'Customer concern'** – This is where a customer is unhappy due to something going wrong with our service delivery and we can resolve the matter quickly (within 3 working days) at an operational level with little or no investigation and to the satisfaction of our customer. In these circumstances and in agreement with the customer the contact will

be recorded as a concern. If further enquiries are needed to resolve the matter, or if the customer requests it, the issue will be logged as a formal complaint and be progressed to a Stage 1 complaint and formally acknowledged in adherence with the timescales laid down in the Complaint Handling Code.

- 3.3 **'Customer complaint'** – as defined by the Housing Ombudsman's Complaint Handling Code (1.2) a complaint is "*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*".

This is where a customer remains unhappy or is unhappy due to:

- A customer concern being unresolved
- Something going wrong with our service delivery which cannot be put right quickly at a service level and requires investigation

- 3.4 **'Complaints Officer'** – as specified within the Housing Ombudsman Complaint Handling Code 3.1 landlords must have a person or team assigned to take responsibility for complaint handling. The Code refers to that person or team as the 'complaints officer'. This role does not have to be solely dedicated to complaints.

The Complaints Officer investigating complaints will:

- Act sensitively and fairly when handling complaints
- Be trained to receive complaints and deal with distressed and upset customers
- Have access to staff at all levels to facilitate quick resolution of complaints
- Have the authority and autonomy to act to resolve complaints quickly and fairly

- 3.5 Exclusions - examples of things which we will not deal with as customer concerns or complaints are:

- An initial request for service
- An initial request for information
- Dissatisfaction with a policy
- Anti-social Behaviour (*where there is an open ASB case that is being managed and adhered to in line with our ASB policy*)
- Allocation decisions by the local authority
- Insurance claims
- Complaints by staff in relation to terms and conditions of service
- General correspondence from Councillors & MPs not directly related to a complaint.
- There are legal proceedings concerning a specific matter, inclusive of complaints regarding disrepair (*this applies **only** when papers have been served in the courts*)

- Matters that have previously been considered under the complaints policy; however, where the problem is a reoccurring issue, we will consider older reports as part of the background to the complaint

If we do not accept a customer complaint, a detailed explanation will be provided setting out the reason why the matter is not suitable for the complaints process and the right to take that decision to the Housing Ombudsman for advice and support.

3.6 **Persistent and unreasonable Vexatious Complainants** (and/or anyone acting on their behalf)

3.6.1 We define unreasonably persistent and vexatious complainants as those complainants who, because of the frequency or the nature of their contact with Greatwell Homes, hinder our consideration of theirs or other people's complaints. The description 'unreasonably persistent' or 'vexatious' may apply jointly or separately to a particular complainant.

3.6.2 Features of unreasonably persistent and/ or vexatious behaviour of complainants, may include, but are not limited to:

- They persist in pursuing a complaint when the complaints process has been properly implemented and exhausted (in such instances the complainant will have been advised of his or her right to approach the Ombudsman).
- They change the substance of a complaint or continually raising new issues or seek to prolong contact by continually raising further concerns.
- They are unwilling to accept documented evidence as being factual or deny receipt of an adequate response despite correspondence specifically answering their questions or do not accept that facts can sometimes be difficult to verify when a long period of time has elapsed.
- They do not clearly identify the precise issues which they wish to be investigated, despite reasonable efforts of staff, or focus on a trivial matter to an extent that it is out of proportion to its significance and continue to focus on this point.
- They have been verbally abusive or threatening towards a staff member or they are continually disrespectful or derogatory to other customers.
- They have, while addressing a registered complaint, made an excessive number of contacts, placing unreasonable demands on staff or display unreasonable demands or expectations and fail to accept that these may be unreasonable.

3.6.3 Where we categorise a customer as a 'vexatious complainant', we may refuse them access to our complaints process. This categorisation is at our discretion and will be made sensitively taking account of customer needs, including if we have applied our reasonable adjustment principles. We will advise any customer where we are considering this categorisation, providing them with an opportunity to address their behaviour and an action plan for how we will manage their contact, should their behaviour continue. If we believe there is an underlying health issue driving the behaviour, we will work with other

agencies and organisations who may be able to offer appropriate support to the customer.

4 Policy Principles

4.1 Through the implementation of this policy Greatwell Homes will ensure:

- Our approach to customer concerns and complaints is clear, simple, and accessible to all customers receiving a service from us.
- We are committed to supporting customers, in accessing this service where a health impairment may otherwise preclude them from doing so.
- Complaints are dealt with promptly, politely, and fairly.
- We are compliant with Regulatory Standards and relevant legislation including data protection and the Equality Act 2010.
- We put things right where they have gone wrong and learn from the outcomes.
- Customers have the opportunity to tell us how they think we have handled their complaint.
- Our performance in relation to complaint handling is transparent to our customers.
- We provide early advice to customers on their right to access the Housing Ombudsman Service.

5 Raising a Concern or Complaint

- 5.1 Our expected level of service is set out within our Customer Service standard which have been agreed with our customers. Our Landlord obligations to customers and customers obligations to us are set out clearly within the tenancy or lease agreement.
- 5.2 Customer Concerns or Complaints can be made via our website, *social media, telephone or in person to a staff member of Greatwell Homes. (*concerns and complaints raised via social media will only be responded to via a private, direct message to ensure that confidentiality and privacy is maintained).
- 5.3 A concern will be referred to a member of Greatwell Homes staff deemed to be the most suitable to deal with the issue, who will aim to resolve the issue as quickly as possible directly with the customer.
- 5.4 We would expect to be able to resolve a 'customer concern' within 3 working days.
- 5.5 If a customer concern cannot be resolved to the satisfaction of the customer and the customer wishes to make a complaint, the issue will become a formal complaint and will be handled by a dedicated 'Complaints Officer'.

- 5.6 Complaints must be lodged within 6 months of the event which is being complained about occurring.

6 Reasonable Adjustments

- 6.1 Complaints may be made with the assistance of a representative acting on a customer's behalf (such as a family member, friend, support worker, MP, or local councillor). The customer must provide us with their consent to deal with the representative.
- 6.2 When taking a complaint, we will ask for the customer's preferred contact method to help us to stay in touch throughout the complaints process. If there is any adjustments or additional support needed, we will encourage them to discuss these with our Complaints Officer.
- 6.2.1 We will take steps to accommodate any reasonable adjustments to enable access to this policy and provide assistance as may reasonably be required.

This can include but not be limited to:

- Extra time to provide additional information to support a complaint
- To be represented and /or accompanied at meetings with us
- Translation/Interpreter services

7 Complaints Process – Stage 1

- 7.1.1 We will acknowledge all complaints within 3 working days in writing.
- 7.1.2 A complaints officer will be allocated to investigate the complaint fully and provide a detailed response in writing to the customer within 10 working days. The response will set out details of the complaint, findings from the investigation and remedies to resolve the complaint where there has been a service failure. All points raised in the complaint will be clearly responded to and clear reasons for decisions made will be provided, referencing where applicable policy, law, and good practice.
- 7.1.3 In line with Ombudsman Code, where a customer raises additional complaint(s) during the investigation these will be incorporated into the Stage 1 response if they are relevant. Where the Stage 1 response has been issued, or it would cause an unreasonable delay, the additional complaint(s) will be logged as a new complaint.
- 7.1.4 Our Stage 1 response will be in writing to the customer. We will always make the customer aware of their right to appeal the decision if they are dissatisfied with our response. The response will be noted in detail on Greatwell Homes systems.

- 7.1.5 Any outstanding actions agreed as part of the Stage 1 complaint resolution will be recorded, tracked, and monitored by the Complaints Officer via our Complaints Resolution tracker to ensure oversight is maintained until the matter is fully concluded.
- 7.1.6 In circumstances where we are unable to fully respond within 10 working days to a complaint we will provide a valid reason to our customer, regularly communicating with them until the complaint is fully resolved. This should not exceed a further 10 days without good reason. If an extension beyond 20 working days is required to enable the complaint to be responded to in full, it should be agreed by both parties.
- 7.1.7 Where agreement over a proposed extension cannot be reached the Ombudsman's contact details will be provided to the customer to allow them the opportunity to challenge our proposed timeframe/plan for responding.

7.2 **Complaints Process - Stage 2**

- 7.2.1 If the customer is dissatisfied with our response to their Stage 1 complaint, there is a right of appeal (Stage 2) which may be exercised within 20 working days of our written response. The customer will be asked to explain why they feel the issue is not resolved and what should be done differently.
- 7.2.2 The Stage 2 escalation will be acknowledged in writing and will be reviewed and investigated by a Senior Manager who has not been involved in the Stage 1 investigation to ensure fairness and impartiality and avoid any conflict of interest.
- 7.2.3 A written response will be provided within 20 working days. The response will set out details of the complaint, findings from the investigation and remedies to resolve the complaint where there has been a service failure. All points raised in the Stage 2 appeal will be clearly responded to and clear reasons for decisions made will be provided, referencing where applicable policy, law, and good practice.
- 7.2.4 In exceptional cases where an extension is required to fully investigate and respond to the complaint, then an explanation to the customer will be provided clearly outlining the timeframe when the response will be received. This will not exceed a further 10 days without a good reason.
- 7.2.5 If an extension beyond a further 10 working days is required to fully respond to the complaint, it should be agreed by both parties. If agreement of the proposed extension cannot be reached the Housing Ombudsman's contact details will be provided to allow the customer the opportunity to challenge our proposed timeframe/plan for responding. Our Stage 2 determination letter will be our final response. It will advise the customer that if they remain unhappy with our decision that their next steps are to contact the Housing Ombudsman for a free, informal review.

Contact details for the Ombudsman are:

Housing Ombudsman Service, PO Box 152, Liverpool L33 7WQ

Telephone: 0300 111 3000

Email: info@housing-ombudsman.org.uk

Website: www.housing-ombudsman.org.uk

8 Putting things Right

8.1 We are committed to effective dispute resolution and putting things right when things have gone wrong and can include:

- Acknowledging where things have gone wrong
- Apologising and providing a clear explanation of actions to rectify the issue(s)
- Make a compensation payment or goodwill gesture in line with our Compensation Policy
- Use learning from complaints to improve our services

9 Monitoring Delivery

9.1 Once closed, complaints will be analysed to:

- Assess whether we have kept to our service standards.
- Assess customer satisfaction with our complaints process by undertaking a satisfaction survey with each complainant.
- Used to identify any lessons to be learnt and trends
- Reported to Chair of Audit & Risk Committee
- Reported to Customer Assembly on quarterly basis
- Reported to Senior Managers at quarterly Performance & Assurance Clinic
- Reported to Operational Managers at regular Operational Management meetings

9.2 Learning and changes made as a result of complaints are promoted to customers via our website, monthly e-newsletter and within our annual report recognising the importance of listening and acting on customer feedback and reporting back to customers the impact this has made on services delivery.

9.3 Trends are regularly reviewed by both staff and our formally involved customers and used to help inform scrutiny topics.

10 Implications for Customers

10.1 The Equality Act of 2010 makes it unlawful to discriminate against anyone on grounds of Age, Disability, Gender Reassignment, Race, Religion or Belief, Sex, Sexual Orientation, Marriage & Civil Partnership, Pregnancy & Maternity. Greatwell Homes supports its principles, and it is our aim to make this policy easy to use and accessible to all of our customers. Reasonable adjustments will be made to support access as outlined in section 6 of this policy. A Privacy Impact Assessment and Equality Impact Assessment have been completed on this policy.

11 Performance Management

11.1 We will make use of the following performance indicators to monitor and report on the effectiveness of the service. These will be reported to our Board (quarterly), Executive Management Team (EMT) and customers.

- KPI - % of customers satisfied with complaint handling

12 Responsibility and Decision Making

12.1 The table below illustrates the structure for responsibility and decision making in relation to this policy.

Person Responsible	Scope
Head of Customer Excellence	<ul style="list-style-type: none">• Overall responsibility for ensuring that all activities are undertaken, and all performance measurements are met.
Customer Experience Manager	<ul style="list-style-type: none">• Responsible for the overall day-to-day application and adherence to this policy and procedure.
Complaints Officer	<ul style="list-style-type: none">• Responsible for day-to-day application and adherence to this policy and procedure. They will be the named person handling the complaint through to conclusion, ensuring timely communication with the complainant. They will undertake an investigation of matters raised, acting quickly and fairly to resolve disputes. They will ensure all timeframes for responses laid out in the Complaint Handling Code are met.

Operational Managers	<ul style="list-style-type: none"> All managers are responsible for reading and understanding of the policy and procedure
All staff	<ul style="list-style-type: none"> All staff are responsible for reading and understanding of the policy and procedure

13 Review

13.1 This Policy will be reviewed every three years or in line with changes in legislation, whichever is the sooner, updates or recommendations for changes will be presented to EMT.

Associated Policies	Associated Procedures
Compensation Policy	Customer Complaints & Concerns Procedure
Anti-Social Behaviour Policy	Customer Service Standard
Data Protection and Retention Policy	
Health and Safety Policy	
Equality Diversity and Inclusion Policy	