

# Customer Complaints & Concerns Procedure

<b>Linked policies</b>	Customer Concerns & Complaints Policy
<b>Version</b>	5
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<b>Procedure owner</b>	Customer Experience Manager



# 1 Background

## 1.1 Introduction

This procedure sets out the process and guidance to support the Customer Complaints & Concerns Policy and to ensure compliance with the revised Housing Ombudsman's Complaint Handling Code.

## 1.2 Scope

This procedure provides the working methodology for the management of all feedback including complaints, concerns, and compliments. It is designed to aid staff in ensuring customer feedback is dealt with within allocated timescales and to help us to capture trends to help shape future service provision and identify service improvements. This procedure applies to all staff and customers.

# 2 Operational Matters

## 2.1 Introduction

2.1.1 Greatwell Homes aim is 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 concerns 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.

2.1.2 Definitions as set out in the Customer Complaints & Concerns Policy are as follows:

**Customer** - A tenant, leaseholder, shared owner of Greatwell Homes or an individual receiving a service from us.

**'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 full satisfaction of our customer. 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.

**'Customer complaint'** – 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.

## 2.2 Concern Process

A concern will be referred to a nominated member of Greatwell Homes staff deemed to be the most suitable to deal with the issue (usually the service manager or their deputy in their absence), who will aim to resolve the issue as quickly as possible directly with the customer. The nominated staff member will be advised of the concern via a work item in Orchard followed with an email providing full details of the concern.

It is their responsibility to take ownership for the concern and ensure that it is responded to within 3 working days and that the customer is happy with the resolution.

It is the responsibility of the nominated staff member to update the feedback spreadsheet and Orchard notepad giving a brief outline of issue(s) and resolution agreed with the customer.

If they are unable to resolve the issue to the satisfaction of the customer within 3 working days, then they must advise the Complaints Resolution Officer who will formally log and acknowledge in writing the issue, as a formal stage 1 complaint.

The Complaints Resolution Officer has overall responsibility to undertake daily checks to ensure that all timescales are being met and whether the concern has been concluded to the customer's satisfaction. Where this is not the case, they must ensure that the concern, is formally escalated to a Stage 1 complaint.

## 2.3 Complaint Process – Stage 1

A complaint is received and logged onto the feedback spreadsheet. The \*Complaints Resolution Officer will be responsible for the day-to-day management of all Stage One complaints (designated Complaints Officer) and conduct their investigation in an impartial manner, contacting the customer to discuss their concerns.

**Note:** Where the matter raised is a **recurring issue** older reports should be

considered as part of the background to the complaint if it will assist in resolving the issue.

\*In their absence another Officer (trained in complaint handling) will lead on investigating and responding to a complaint.

The designated Complaints Officer will take full ownership of the complaint through to resolution and has the authority to exercise their discretion during their investigation and determine the most appropriate remedy to resolve the complaint, providing a clear explanation to the customer on decisions made.

Any remedy offered to resolve the complaint will reflect the extent of any service failure(s) and the level of detriment caused to the complainant as a result. It is important to manage expectations and not promise anything that cannot be delivered or would cause unfairness to other residents (refer to paragraph 2.5 for further guidance on remedies).

We will acknowledge all complaints within 3 working days and provide a full response within 10 working days of the complaint being logged. In circumstances where this timescale is not possible, we will provide a valid reason to our customer, regularly communicating 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, this should be agreed with the customer. Where agreement over an extension period cannot be reached, we will provide the customer with the Housing Ombudsman's contact details so that they can challenge our plan to respond and/or proposed timescale for response.

In line with Ombudsman Code where residents raise additional complaint(s) during the investigation these should be incorporated into the stage one response if they are relevant. Where the stage one response has been issued, **or** it would cause an unreasonable delay, the additional complaint(s) should be logged as a new one.

Our Stage One response will be sent once the resolution to the complaint is known (*not when the outstanding actions required to address the issue are completed*). 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.

All final responses 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 designed Complaints Officer will discuss their findings following their investigation with the relevant Service Manager before the Stage 1 outcome letter is issued, this is to ensure that findings, resolution and learning from the complaint is discussed with the Service Manager and to provide the opportunity for any additional information relevant to the issue to be shared. It is important to note that this must not delay the Stage 1 outcome letter being sent to the customer and that the response from the designated complaints officer remains impartial.

Outstanding actions will be recorded, tracked and monitored on the Complaints Resolution tracker to ensure oversight is maintained. Regular updates to the customer should be provided until the matter is fully resolved.

All employees involved in the handling of the complaint and subsequent investigation are required to ensure they maintain confidentiality throughout the complaints process. Where a complaint is made via social media, a personal, direct message will be sent to the complainant to obtain necessary details in order that their complaint can be acknowledged and investigated by the complaints officer.

The Customer Experience Manager is responsible for monitoring the feedback database daily to ensure they have oversight of all complaints/concerns raised and ensure compliance with all timescales laid down within the Ombudsman's Complaint Handling Code.

## 2.4 **Complaint Process – Stage 2**

If the complainant is dissatisfied with our Stage 1 response to their complaint, there is a right of appeal which may be exercised within 20 working days of our response.

The customer will be asked to explain why they feel the issue is not resolved and what should be done differently to ensure understanding of the issues outstanding and the outcome the complainant is seeking. If any aspect of the complaint is unclear, clarity should be gained, and the full definition agreed with complainant.

The complaint will be reviewed 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. A written reply will be provided within 20 working days of complaint escalation.

In exceptional cases where an extension is required to fully investigate and respond to the complaint, then an explanation to the complainant should be provided clearly outlining timeframe when the response will be received. This should **not exceed a further 10 days without a good reason.**

If an extension beyond the **additional** 10 working days is required, it should be agreed with both parties. Where an agreement over an extension period cannot be reached, the Housing Ombudsman's contact details will be provided so that the complainant can challenge the plan for responding and/or proposed timescales for response.

Our Stage 2 determination letter will be our final response. Details of the Housing Ombudsman will be provided to customers with any Stage 2 response should they remain dissatisfied.

Our Stage 2 response will be sent once the resolution to the complaint is known (not when the outstanding actions required to address the issue are completed). Outstanding actions will be recorded, tracked and monitored on the Complaints Resolution tracker to ensure oversight is maintained. **Regular updates to the customer should be provided until the matter is fully resolved.**

## 2.5 Putting things right – remedies

Complaint resolutions when things have gone wrong can include:

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

## 2.6 Escalations to the Housing Ombudsman

Where a customer has exhausted our complaints process and contacted the Housing Ombudsman, who in turn raise a formal complaint investigation on behalf of the customer, the evidence file will be collated by a Head of Service who is best placed to collate the information. A member of our Executive Management

Team will approve our response to the Housing Ombudsman in all cases.

## 2.7 Vexatious Contact

We define unreasonably persistent and vexatious complainants (and/or anyone acting on their behalf) 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.

Features of unreasonably persistent and/ or vexatious behaviour, 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 raise 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.

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.

Action may be taken when the 'business as usual' management of behaviour has not been effective, and it is deemed necessary by the relevant Head of Service or Operational Manager to formally manage and/or restrict contact or communication.

Where the complainant continues to behave in a way which is unacceptable, the Customer Experience Manager, in consultation with the relevant Head of Service, will write to the customer to detail why a decision has been made and the restricted contact arrangements.

### **3 Data and Record Management Systems**

All concerns and complaints are logged on to a central feedback spreadsheet with access limited relevant staff only. The day-to-day management and administration of the spreadsheet is the responsibility of the Customer Experience Manager.

It is the responsibility of the designated 'complaints officer' to update the feedback spreadsheet at each stage of the complaint handling process. Only information relevant and proportionate to the concern or complaint and subsequent investigation will be gathered by the investigating officer.

A numbered sub-folder will be created for each new concern or complaint and the designated officer will ensure that copies of all correspondence are saved into the sub-folder. Complaint folders that hold information relating to a complaint regarding a staff member will be held in a secure folder with access restricted to 'complaints officers'.

MP and Councillor enquiries follow a separate process with identical timescales are recorded on the feedback spreadsheet. Contact is primarily made through the Chief Executive's office and a Head of Service will be nominated accordingly to undertake the investigation and compile and send the response.

### **4 Continuous Learning and Development**

To ensure effective management and monitoring of complaints a weekly audit of complaints will be undertaken by the Customer Experience Manager.



The Complaints Resolution Officer will maintain oversight of the complaint's resolution action log, with accountability for delivery of actions noted on log until resolution.

Overview of complaints will be discussed at 6-weekly OMT meetings, to discuss trends and review action log.

The Chair of the Audit & Risk Committee (made up of Board members) will have lead responsibility for complaints to support a positive complaint handling culture to ensure compliance with paragraph 7.3 of the revised Code.

Performance information relating to the number of complaints, service areas and learning from complaints will be reported to the Customer Assembly on quarterly basis.

## **5 Assessments**

The Equality Act of 2010 makes it unlawful to discriminate, harass or victimise based on any protected characteristics (age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage & civil partnership, pregnancy & maternity). Greatwell Homes supports its principles and is committed to the values of equality of opportunity and non-discrimination.

Implications for equality have been assessed through an Equality Impact Assessments (EIA) undertaken as part of the Privacy Impact Assessment as outlined below.

A Privacy Impact Assessment (PIA) is a process which assists organisations in identifying and minimising the privacy risks of new projects or policies. Conducting a PIA involves working with people within the organisation, with partner organisations and with the people affected to identify and reduce privacy risks.

The PIA will gain assurance that we have considered the impact that it may have on our customers' and/or colleagues' privacy, and that we are compliant with GDPR.

A PIA has been carried on the Customer Complaints & Concerns Policy and is available upon request.

### **5.1 Implications for employees**

The outcomes and actions of the PIA have identified the following implications for employees:

<b>Outcome - Risk</b>	<b>Action</b>
Staff may have access to both employee related complaints and confidential information on spreadsheet	Any confidential information will not be stored on the spreadsheet. Complaint file will be saved in the 'complaint secure' folder and accessible only to nominated Complaints Officer and relevant line Manager only. In cases where a complaint is of a serious nature, only the relevant line Manager will have access to the information.
Damage and upset to customer, non-customer, or employee if someone sees their complaint and does not keep it confidential	Awareness for staff – will be covered in the complaints and concerns procedure.
Excessive complaint and concern data collected	Data collected will only be what is required for the purposes of handling the complaint. Awareness for staff – will be covered in the complaints and concerns procedure

## 6 Implications for Customers and Customer Consultation

6.1 The outcomes and actions of the PIA have identified the following implications for customers:

<b>Outcome - Risk</b>	<b>Action</b>
Damage and upset to customer, non-customer if someone sees their complaint and does not keep it confidential	Awareness for staff – will be covered in the complaints and concerns procedure

6.2 In addition, our concerns and complaints process were implemented following consultation with staff and our Customer Assembly. It was also highlighted as an area for improvement by our Customer Scrutiny Panel.

6.3 To demonstrate that Greatwell Homes have listened to customer feedback and learning from complaints, a dedicated 'feedback' section will be incorporated into

customer monthly e-newsletter with overview of both the number of complaints received and service changes as a result of customer complaints will be included. The Complaints Resolution Officer will provide information monthly to our Communications Manager who will ensure monthly inclusion in the newsletter.

## **7 Financial and Value for Money Implications**

7.1 By capturing customer comments and concerns in addition to complaints, this will enable us to monitor trends and identify service improvement opportunities which in turn will lead to financial savings.

## **8 Risk Implications and risk appetite**

8.1 This procedure sets out to mitigate against the following corporate risks:

Risk ID	Risk
Asset Health and Safety Compliance	Not responding to customer voice and not taking customer insight into account puts customers' safety at risk
Housing	Not responding to customer voice and not taking customer insight into account leads to dissatisfaction.
People	Failing to listen to understand and listen to customers will lead to dissatisfaction

## **9 Reporting and Review**

### **9.1 Reporting**

The Board and Senior Management Alliance (through Performance and Assurance Clinics) will be provided with Key Performance Information (KPIs) on a quarterly basis including the following:

- Percentage satisfaction with complaint handling

In addition, a customer feedback summary is produced every quarter and provided to the Performance and Assurance Clinic, Board, and the Customer Assembly to ensure continuous learning from complaints and identify issues and

introduce positive changes in service delivery.

## 9.2 **Review**

This procedure will be reviewed to comply with any changes in good practice, legislation, or regulation, and in line with the current policy which will be no less than once every three years.