

Customer Complaints Policy

Linked strategies	Live Happy
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Date approved by (State by whom and when)	EMT – March 2024
Policy level	2
Agreed by Union (If applicable)	Not applicable
Date effective	1 April 2024
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 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 complaints and service requests made by a customer or their representative (providing the customer has given authorisation for the representative to act on their behalf) including services provided on our behalf by a contractor.

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 re-opened 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 (or former tenant), leaseholder, shared owner of Greatwell Homes or an individual receiving a service from us.

Note: In line with the remit of the Housing Ombudsman Complaint Handling Code, this policy does not apply to other persons affected by the services we provide or the actions of our staff, agents, or contractors whilst they are working on Greatwell Homes business.

In instances where a person who is not a customer of Greatwell Homes wishes to make a complaint they will have their concerns assessed by the Customer Experience Manager (and in their absence the Head of Customer Excellence) who will then advise of the name and position of the most appropriate staff member within Greatwell Homes to review and respond to the issue(s) raised.

3.2 **'Service request'** – This is a request from a customer requiring action to be taken to put something right that we can be resolved quickly at an operational level and in

agreement with the customer. A complaint will be raised if a customer expresses dissatisfaction with the response to their service request. *Note: At the point of raising a service request the customer will be made aware of their right to raise a formal complaint should they wish to do so, or at any point throughout the handling of their service request, in line with the expectations laid down in the Complaint Handling Code.*

3.2.1 Service requests are not complaints, but will be recorded, monitored and reviewed regularly.

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 landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents"*.

The Housing Ombudsman's Complaint Handling Code can be found here

<https://www.housing-ombudsman.org.uk/wp-content/uploads/2024/02/2.Complaint-Handling-Code-2024.pdf>

3.4 **'Complaints Officer'** – as specified within the Housing Ombudsman Complaint Handling Code 4.1 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.

At each stage of the complaints process, complaint handlers must:

- Act sensitively and fairly when handling complaints
- Deal with complaints on their own individual merits, act independently and keep an open mind when handling the complaint
- Give the customer a fair chance to set out their complaint
- Take measures to address any actual or perceived conflict of interest
- Consider all relevant information and evidence carefully

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

- The issue giving rise to the complaint having occurred over 12 months ago (*we will apply discretion where there is good reason to accept a complaint outside this time limit in line with requirements of the Code*)
- An initial request for information
- An initial request for service
- Allocation decisions made by the local authority
- General correspondence from Councillors & MPs not related to a complaint.
- There are legal proceedings concerning a specific matter, inclusive of complaints regarding disrepair (*this applies **only** when papers such as the Claim Form and Particulars of Claim have been served in the courts*)
- If the same complaint has already been through our full complaints process

3.5.1 If we do not accept a customer complaint, having considered the individual circumstances of the complaint on its own merits an explanation will be provided in writing setting out the reasons why the matter is not suitable for the complaints process, and the right to take that decision to the Housing Ombudsman.

3.5.2 Contact details for the Housing Ombudsman are below and they can be contacted at any stage of the complaints process for free impartial advice and support:

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

3.6 **Unacceptable Behaviour - persistent and unreasonable complainants** (and/or anyone acting on their behalf)

3.6.1 We define unreasonably persistent and unreasonable 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 persistent and unreasonable may apply jointly or separately to a particular complainant.

3.6.2 Features of persistent and unreasonable 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 persistent and unreasonable 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 Policy principles. 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. We will advise any customer where we are considering this categorisation, providing them with an opportunity to address their behaviour and how we will manage their contact, should their behaviour continue in line with our Unacceptable Behaviour Policy.

4 Policy Principles

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

- Our approach to customer complaints is clear, simple, and accessible to all customers receiving a service from us, publicising our Complaints Policy on our website, customer portal, customer newsletter, and posters within our Independent Living Schemes.
- 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 the Ombudsman Complaint Handling Code
- 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 Complaint or Service Request

5.1 Our expected level of service is set out within our Customer Service standard which has 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 service requests and complaints can be made via our website, customer portal, *social media, email, telephone or in person to a staff member of Greatwell Homes. (**service requests and complaints raised via social media will be responded to via a private, direct message to ensure that confidentiality and privacy is maintained*).

5.3 A service request 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 service request within 3 working days. It will be recorded, tracked, and monitored by the Complaints Officer via our Service Request and Complaints Resolution tracker to ensure oversight is maintained until the matter is fully concluded.
- 5.5 If a service request cannot be resolved to the satisfaction of the customer the matter will be logged as a formal complaint, the issue will be recorded as a Stage 1 complaint and will be handled by a dedicated 'Complaints Officer'. Customers will be made aware of their right to log a complaint rather than the matter be dealt with as a service request at the time of raising their dissatisfaction.
- 5.6 Complaints must be made within 12 months of the event which is being complained about occurring. In exceptional circumstances where there is good reason a complaint may be accepted outside of this timeframe.

6 Reasonable Adjustments

- 6.1 Complaints may be made with the assistance of a third-party 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. We will keep a record of any reasonable adjustments agreed, as well as a record of any disabilities a customer discloses in line with General Data Protection Regulation (GDPR).
- 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 5 working days in writing of the complaint being received (*for clarity the day the complaint is received is day zero of the 5 working days*) in line with the revised Complaint Handling Code effective 1 April 2024.
- 7.1.2 A complaints officer will be allocated to investigate the complaint fully, contacting our

customer to fully understand concerns raised in the complaint and the remedy they are seeking.

- 7.1.3 The complaints officer will provide a detailed response in writing to the customer within 10 working days from the date of the complaint being acknowledged. The Stage 1 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.
 - 7.1.3.1 All points raised in the complaint will be clearly responded to in the Stage 1 response and clear reasons for decisions made will be provided, referencing where applicable policy, law and good practice. 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.
 - 7.1.3.2 In line with the Ombudsman Code, where a customer raises additional complaint(s) during the investigation these will be incorporated into the Stage 1 response. 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 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.
- 7.1.5 In circumstances where we are unable to fully respond within 10 working days to the complaint we will provide a valid reason to the customer explaining in writing the reason(s) for an extension to this timeframe, contact details for the Housing Ombudsman service and the date they can expect to receive a response to their complaint; this will not exceed a further 10 days without good reason and the reason(s) will be clearly explained in writing along with agreed intervals that we will make contact to keep our customer updated about their complaint.

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. In line with the revised Complaint Handling Code, there is no requirement for the customer to explain their reason for requesting a Stage 2 escalation.
 - 7.2.1.1 In instances where no reason is given at the point of requesting an escalation, we will make all reasonable efforts to contact the customer to understand why they are unhappy with our Stage 1 response and the remedy they are seeking.
- 7.2.3 The Stage 2 escalation will be acknowledged in writing within 5 working days of the escalation request and will be reviewed and investigated by a member of staff who has not been involved in the Stage 1 investigation to ensure fairness and impartiality and avoid any conflict of interest.

- 7.2.4 A written response will be provided within 20 working days of the complaint being acknowledged. 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.
- 7.2.5 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 along with agreed intervals that we will make contact to keep our customer updated about their complaint. This extension will not exceed a further 20 days without a good reason and will be clearly explained in writing to the customer along with contact details for the Housing Ombudsman.
- 7.2.6 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 below:

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:
- Apologising and providing a clear explanation of actions to rectify the issue(s)
 - Acknowledging where things have gone wrong
 - Providing an explanation, assistance or reasons
 - Taking action if there has been a delay
 - Re-considering or changing a decision
 - Amending a record or adding a correction or addendum
 - Providing a financial remedy in line with our Compensation Policy
 - Changing policies, procedures or practices
 - Use learning from complaints to improve our services
- 8.2 The remedy offered to address a complaint will be clearly set out in our complaint resolution letter, outlining what will happen and by when. The remedy will be tracked through to conclusion via our complaints resolution tracker.

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 learned and trends which will then be used to make positive changes in service delivery to our customers.
- Reported to the Chair of Audit & Risk Committee (member responsible for complaints)
- Reported to our Customer Assembly on a 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 and monthly e-newsletter recognising the importance of listening and acting on customer feedback and reporting back to customers the impact this has made on services delivery.

9.2 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. 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, using data collected from complaints to analyse and be used to inform key business decisions to drive service improvements. These will be reported to our Board (quarterly), Executive Management Team (EMT) and customers.

KPI - % of customers satisfied with complaint handling
Annual Complaints Performance & Improvement report

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 Resolution 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 Procedure(s) / Service Standard(s)
	Customer Concerns & Complaints Procedure
Compensation Policy	Compensation Procedure
Anti-Social Behaviour Policy	
Data Protection and Retention Policy	Customer Service Standard
Health and Safety Policy	
Equality Diversity and Inclusion Policy	

Unacceptable Behaviour Policy	
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