

# Customer Complaints Procedure

<b>Linked policies</b>	Customer Complaints Policy Unacceptable Behaviour Policy
<b>Version</b>	6
<b>Date approved by</b> (State by whom and when)	Head of Customer Excellence April 2024
<b>Date effective from</b>	April 2024
<b>Date of next review</b> (Three years from approved date)	April 2027
<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 Policy and to ensure compliance with the revised Housing Ombudsman's Complaint Handling Code which became statutory on 1 April 2024.

### 1.2 Scope

This procedure provides the working methodology for the management of service requests and complaints. 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 service requests and complaints and putting mistakes right when things have gone wrong. Greatwell Homes welcomes customer service requests and complaints 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 Policy (V6) are as follows:

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

**‘Service request** – This is a request from a customer requiring action to be taken to put something right that can be resolved quickly at an operational level, usually within 3 working days. In line with the revised Complaint Handling Code, the customer should be given the choice to log a complaint rather than a service request.

**‘Customer complaint’** – This is where a customer expresses dissatisfaction about the standard of service, actions or lack of action by Greatwell Homes, our staff or others action on our behalf.

## 2.2 Service Request Process

A service request 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 service request via a work item in Orchard followed with an email providing full details of the request.

It is their responsibility to take ownership for the request and ensure that it is responded to as quickly as possible, ordinarily within 3 working days (unless the customer agrees an alternative timescale) 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.

**Note:** Service requests will be monitored and reviewed and overview reported to Board on a quarterly basis, with a full summary published in an annual Complaints Performance and Improvement report that will be shared with Board for scrutiny and challenge and published on our website within ‘complaints section’.

If we are unable to resolve the service request to the satisfaction of the customer, then the nominated staff member dealing with the service request **must** advise the Complaints Resolution Officer who will formally log and acknowledge in writing the issue, as a formal stage 1 complaint.

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

1 complaint.

## **Complaint Process – Stage 1**

**Logging a complaint:** Complaints will be logged onto our Customer Complaints & Service Request 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.

\*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.

**Acknowledgement:** 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. Our acknowledgement will clearly outline the customer's right to contact the Housing Ombudsman for free impartial advice and support throughout our complaints process.

A complaints officer will be allocated to investigate the complaint, contacting our customer to fully understand the concern(s) raised in the complaint and the remedy they are seeking. **Note:** Where the matter raised is a **recurring issue** older reports will be considered as part of the background to the complaint if it will assist in resolving the issue.

**Investigation:** the Complaints Officer will conduct a thorough investigation and provide a detailed response in writing to the customer within **10 working days from the date of the complaint being acknowledged.**

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.

In line with the Housing Ombudsman Complaint Handling 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.

**Stage 1 response:** The response will clearly set out details of the complaint, findings from the investigation, and be sent to the customer once the resolution to the complaint is known (*not when any outstanding actions required to address the issue are completed*).

The response will reference where applicable any policy, law and good practice and \*remedies to resolve the complaint where there has been a service failure. 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.

*\* Note: 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 <https://www.housing-ombudsman.org.uk/wp-content/uploads/2023/10/04.-Guidance-Remedies-1.pdf> for guidance on remedies*

**Follow on actions (resolutions)** - 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.

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.

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/service requests raised and ensure compliance with all timescales laid down within the Ombudsman's Complaint Handling Code.

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

**Appeal** - 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. If any aspect of the complaint is unclear, clarity should be gained, and the full definition agreed with the complainant.

**Note:** *The customer at the point of requesting an escalation does not have to specify the reason(s) for this.* In these instances, we should make all reasonable efforts to contact our customer to ascertain 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.

**Acknowledgement:** upon receipt of an escalation request, it will be formally logged and acknowledged within 5 working days of the request being received.

**Investigation:** The complaint will be reviewed by an appropriate member of staff who has not been involved in the Stage 1 investigation to ensure fairness and impartiality and avoid any conflict of interest.

The designated staff member will contact the customer to ensure they are clear on the issue(s) that the customer wishes to be reviewed from our Stage 1 response.

**Stage 2 response:** 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.

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 20 days** without a good reason and this will be clearly explained in writing to the customer along with contact details for the Housing Ombudsman.

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 to our customer 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:

- 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

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.

Please refer to the Housing Ombudsman guidance on remedies to ensure they are fair and proportionate <https://www.housing-ombudsman.org.uk/wp-content/uploads/2023/10/04.-Guidance-Remedies-1.pdf>

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

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

Features of persistent and unreasonable 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 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.

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**.

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

All service requests 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 service failure 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 are primarily made through the Chief Executive's office and a Manager / Head of Service will be nominated to acknowledge and undertake the investigation and compile and send the response.

**Where an \*MP or Councillor raises a complaint on behalf of a customer, this will be logged and responded to in line with our full complaints process i.e. Stage 1 / 2.**

\*Note: in all instances, AFD will need to be obtained before any information can be shared with the third party.

#### **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.

An update will be provided to ARC on a quarterly basis which will include details of the volume, categories and trends and outcomes of complaint, alongside complaint handling performance including where applicable outcomes of any Ombudsman's investigations and progress with orders made in complying with orders relating to severe maladministration findings.

In addition, an annual Complaints and Service improvement report will be presented to the Chair of ARC (May meeting) alongside the annual self-

assessment against the complaint handling code. The Chair of ARC in turn will present the report to the main Board (May meeting) who are required to review and provide a written response to the report.

Both reports alongside the annual-self assessment will be submitted to the Housing Ombudsman via an on-line link (Ombudsman will be setting upon their website) annually by the 30 June (*in line with TSM submission*).

In addition, 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, complaints process was implemented following consultation with staff and our Customer Assembly.

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 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.