

Customer Feedback and Complaints Policy

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Approved By	Brighter Places Board

1. Introduction

- i. For the purposes of this policy, we have adopted the Housing Ombudsman's Code definition of a complaint 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 effecting an individual resident or group of residents'.
- ii. The individual or group of residents do not have to use the word 'complaint' in order for it to be treated as such, and it can be made verbally or in writing (i.e. email or social media or an online feedback form or a letter). A complaint that is submitted via a third party or representative will be handled in line with this Customer Feedback Policy. If further enquiries are needed to resolve the matter being raised, or if the resident/s (or their representative/s) request it, the issue will be logged as a complaint and this policy will apply.
- iii. This Policy sets out how we enable customers to make a complaint, provide comments and make suggestions.

2. Aims and Objectives

- i. We will always strive to provide high quality customer-focused service in all aspects of our work; however, we recognise that we may not always get everything right. We encourage our customers to let us know when this happens, and we will take this opportunity to put things right and learn from our mistakes so we can improve the way we do things. Those who provide us with feedback will be treated fairly and in accordance with this policy and associated procedures.
- ii. We are committed to working with customers to understand and manage their concern in a fair, impartial and timely manner. We look for and

record learning from complaints, making changes to the way we work, and therefore improving services.

- iii. We will remove barriers to customers raising their concerns, giving feedback and making a complaint. We will ensure every customer knows how to make and escalate a complaint. We will work with customers where there is a need to put things right and we will act on it without undue delay.
- iv. We will make customers aware of independent representation and support when pursuing their complaint. This will include voluntary agencies and statutory bodies like the Housing Ombudsman Scheme and designated persons.
- v. Many complaints can be resolved within the first contact. We will record this as 'feedback' from the customer and will use this as an opportunity for organisational learning.

3. Housing Ombudsman Complaint Code

- i. This policy is based on the Housing Ombudsman complaint handling code and dispute resolution principles – be fair, put things right and learn from outcomes.
- ii. We have adopted the principles of the code and have aligned our practices to reflect this, including additional measures contained within the revised complaint handling code launched in March 2022.

4. Complaint Handling

- i. Complaints are handled and managed in the first instance by the Customer Feedback Team. The team's role is to acknowledge the customer's complaint and support the rest of the business to resolve it within the timescales contained within this policy.
- ii. The Customer Feedback Team: logs, acknowledges and coordinates complaints; checks if any reasonable adjustments are required to support you through the complaints process; ensures that managers and directors have a thorough understanding of the customer's complaint; supports managers and directors to ensure responses are sent to the customer efficiently; and carries out complaints satisfaction surveys after complaints have been closed.

5. Exclusions

- i. Brighter Places is committed to a fair and transparent feedback and complaints handling service. We will not normally accept complaints or offer escalation to the next stage of our complaint's procedure in the following circumstances:

- a. A routine, first-time request for a service, for example reporting a problem that needs to be repaired or initial action on anti-social behaviour.
 - b. Where an alternative, more suitable policy would apply, e.g. for complaints about the conduct and behaviour of another resident, we would refer to our anti-social behaviour policy. However, if we fail to deal with an issue through an alternative policy, that failure can be raised as a complaint and considered within this policy. Customers will be supported to ensure the issues they are raising are appropriately directed.
 - c. Requests to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision following a stage 2 investigation.
 - d. Where legal proceedings have started. This is defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court or, in the case of a claim for alleged disrepair/housing condition, where a letter of claim has been received.
 - e. When it relates to services not provided by Brighter Places or partners acting on our behalf.
 - f. Where the Unreasonable Complainant Behaviour restrictions have been applied.
 - g. Personal injury or third-party liability claims. These claims will be dealt with by our insurers.
 - h. Compensation claims (the reason for claiming compensation may need investigation as a complaint, however the compensation claim itself is considered in line with our Compensation Policy).
 - i. Dissatisfaction with the content of our policies will not be dealt with as a complaint, but we will still provide customers with a response to the issue and we will consider feedback when carrying out future policy reviews.
 - j. We may decline to investigate a complaint about a specific incident or service failure that occurred over 6 months prior to the complaint being made. Discretion will be used, particularly if there is evidence of a longstanding or continuing problem.
- ii. If we decide not to accept a complaint, for any of the above reasons, we will explain why, and the customer will have the right to challenge this decision by bringing the matter to the Housing Ombudsman.
 - iii. If we fail to deal with an issue through an alternative policy or process, then that failure can be raised as a complaint and the matter dealt with in accordance with this policy. Customers will be supported to ensure the issues they are raising are appropriately directed.

6. Colleague Complaints

- i. Complaints received about specific colleagues will be review by an appropriate senior manager and may, if found to be justified, be progressed via Brighter Places' internal disciplinary procedures. This will include an assessment of whether issues are systemic or isolated. Any

systemic issues identified will be reviewed by the relevant service director to progress improvements.

- ii. If a complaint is progressed via Disciplinary Procedures, the customer will be informed about this, but no further information will be shared as we have a duty to operate in accordance with the Data Protection Act 2018.

7. Feedback, complaints and escalation

i. General feedback

- a. General feedback, including initial chasers from customers about a service request - is managed and completed at the first customer contact in accordance with our customer care standards to maintain a *resolution first* approach. If not satisfied, the customer may escalate their enquiry to a formal complaint. Customers are notified of how they can access the Housing Ombudsman Service at all stages of contact.
- b. Formal complaints are cases that require further input and need investigation that is not possible within the first customer contact. Customers are notified of how they can access the Housing Ombudsman Service.

ii. Stage 1 Complaint.

- a. The complaint, earlier findings and any additional feedback from the customer is formally logged and the customer is sent an acknowledgement, outlining our understanding of the complaint and the resolution sought, within 5 working days.
- b. The acknowledgement will identify the manager and/or other colleague/s that will be carrying out the investigation of their complaint and providing a formal response. This response is provided within 10 working days of the complaint being logged, regardless of when outstanding action/s required to address the issue/s are completed.
- c. If any aspect of the complaint is unclear, a member of the Customer Feedback team will make contact prior to an acknowledgment being sent. If no contact with the customer is possible within 3 days of receipt of the complaint, it will be logged, and an acknowledgement sent setting out the details of the complaint as we have understood it. The customer will be given the opportunity to make contact if further clarification is required.
- d. The relevant manager will conduct an unbiased, empathetic and thorough investigation of the complaint, making contact with the customer, addressing all points raised and providing the customer with an opportunity to comment on any adverse findings before any final decisions are made.

- e. If we're unable to progress the complaint without further input from the customer and contact has not been possible, we will close it until contact is established. We will write to the customer allowing 15 days to respond before closing their complaint. If a response is received from the customer after this period, a new complaint will be logged.
- f. Where future work is required, the investigating manager will provide an agreed schedule so the customer knows when they can expect work to take place.
- g. Where an extension is required, the investigating manager will confirm this with the customer, ensuring the Feedback Team is also notified. Extensions would usually be no more than ten working days, or in exceptional circumstances, up to 20 working days. All extensions must be with good reason. Extensions over 20 days will need to be agreed by both parties.
- h. Where agreement over an extension period of more than 20 days cannot be reached, the Housing Ombudsman's details will be provided so the customer can access support to reach a mutually agreeable outcome.
- i. If the customer is not satisfied with the outcome of the complaint at the end of stage 1 (including any extensions), they have 15 days to request an escalation to Stage 2.
- j. If agreed works or actions have yet to be undertaken, customers can request escalation to Stage Two within 15 days after those works or actions have been completed, if they remain unsatisfied.
- k. Customers are also notified of how they can access the Housing Ombudsman Service.

iii. Additional Feedback.

- a. If a complaint has been logged and is currently at Stage 1 of the complaint process, but additional complaint issues are raised by the customer, a member of the Customer Feedback team will incorporate these issues, if relevant, into the current Stage 1 investigation and subsequent response. However, if the new issues will cause an unreasonable delay to the Stage 1 response or are raised during Stage 2 or at the point of escalation, then the complaint issues raised will be logged as a new complaint. A member of the Customer Feedback team will advise customers of this action.

iv. Stage 2 Complaint.

- a. The complaint and any further feedback from earlier responses receives a further review from a relevant service director, with oversight from the Customer Services Director. The complaint will be acknowledged within 3 working days of the escalation request

and a full response will be provided within 20 working days of the request date.

- b. The relevant director will conduct an unbiased, empathetic and thorough investigation of the complaint, making contact with the customer, addressing all points raised and providing the customer with an opportunity to comment on any adverse findings before any final decisions are made.
- c. Where future work is required, the investigating director will provide an agreed schedule so the customer knows when they can expect work to take place.
- d. Where an extension is required, the investigating director will confirm this with the customer, ensuring the Feedback Team is also notified. Extensions at stage 2 would usually be no more than ten working days and must be with good reason. Extensions over 10 days would need to be agreed by both parties.
- e. Where agreement over an extension period of more than 10 days cannot be reached, the Housing Ombudsman's details will be provided so the customer can access support to reach a mutually agreeable outcome.
- f. The outcome of Stage 2 ends our complaints process.
- g. If the customer remains dissatisfied after stage 2 of our complaints process has concluded, they may take up the matter through the Housing Ombudsman Scheme. This scheme also makes provision for a designated person to consider the matter before filing. A 'designated person' may be a local MP or councillor. We will make the customer aware of their right to access this scheme at all stages of the feedback process.

8. Enabling Complaints

- i. Staff will be trained to recognise when a complaint is being made. Each will take a personal responsibility for seeking to resolve the matter at the first point of contact.
- ii. Where a complaint is received on behalf of a customer, from a third-party or designated person, it must always be reported to the Customer Feedback Team. We will make reporting a complaint easy, providing customers with accessible information about how to make a complaint. We will contact the customer if further details are required to establish the facts and to capture the background details of the situation or to confirm the resolution that is sought.
- iii. We will do this via all communication channels including online, telephone, web, social media, in person or in writing and will periodically publish learning from complaints and actions taken toward improvement including in our annual report, customer newsletter, and website.

9. Complaints Performance

- i. When we reach the end of the complaints process – either at Stage 1, or Stage 2 (if the complaint has been escalated) - we will send a complaint satisfaction form to the customer. We monitor our overall complaints performance, including volume, satisfaction, responsiveness and outcomes. We report this to our Executive team and Board monthly, sharing trends and insight with our Engagement Panel and colleagues as part of our 'Learning from complaints' process. Significant levels of customer complaints in relation to a particular service or contractor may result in a policy or service review.

10. Giving a compliment

- i. A compliment is when an individual or group of residents give feedback that they are pleased with the service they have received, or that we have done something well or they are satisfied with the way we have acted. We will acknowledge all compliments and make sure that the appropriate colleague/s or team/s know about the appreciation.

11. Making a comment or suggestion

- i. A comment or suggestion is when an individual or group of residents give us feedback about how we can improve or change something or ask us to consider new products and services. All comments or suggestions will be acknowledged, considered and where appropriate, acted upon. We will always respond to the person who has provided the comment or suggestion.

12. Compensation

- i. There may be occasions where, if we feel there has been a failure in our service, we *may* consider a financial remedy by way of compensation.
- ii. Compensation payments are governed by Brighter Places' *Compensation Policy*.

13. Managing, monitoring and reporting complaints

- i. We will manage and monitor complaints against published service standards. We will periodically review these to ensure they meet their expectations and publish performance.
- ii. We will make sure we have staff trained to handle complaints effectively.
- iii. We will organise complaints and feedback learning activities and make recommendations to drive service improvement across Brighter Places. We will publish improvements made as a result.
- iv. We will ask customers how satisfied they are with how we handled their complaint and use this feedback to improve the complaints service.

- v. We will provide complaints performance information to our Board on a monthly basis.
- vi. We will share performance and learning through the Brighter Places' Engagement Panel, to help us improve service delivery to customers.

14. Self-Assessment

- i. We will undertake a yearly self-assessment of our complaint handling process against the Housing Ombudsman complaint code, or sooner should the need arise, to gauge how we are performing and to identify learning and trends. Publication of the review shall be made available to our customers via our website.

15. Publication

- i. We will make the Customer Feedback Policy available in a clear and accessible format for customers including publicising the policy on our website and through regular correspondence with customers to ensure our customers understand how to make a complaint.
- ii. We will publish our performance in our annual report with learning outcomes.
- iii. We will share information on our internal communication channels to enable wider organisational learning.

16. Equality, Diversity & Inclusion

- i. We recognise we may need to adapt our policies, procedures or processes to accommodate the different needs of our customers. We will readily make reasonable adjustments to our ways of working to achieve equal and fair treatment of all customers. All customers will have access to this Complaints Policy and an explanation of our process, either through the customer website or on request.
- ii. We will treat all customers with fairness and respect. We recognise that we have an ethical and a legal duty (through the Equalities Act 2010) to advance equality of opportunity and prevent discrimination on the grounds of age, sex and sexual orientation, disability, race, religion or belief, gender reassignment, pregnancy and maternity, marriage and civil partnership.

17. Unreasonable Complainant Behaviour

- i. Sometimes, people make repeated complaints about the same thing even after we've carried out a review and implemented a resolution, or make unreasonable demands, or behave in a manner which we feel is unacceptable. When this occurs, we need to decide about how we handle these complaints. We may treat this as Unreasonable Complainant Behaviour and apply a restriction accordingly.

- ii. We consider people are behaving unreasonably when they:
 - a. Make repeated complaints on similar issues that have been previously considered or repeatedly change the substance of their complaint.
 - b. Make unreasonable demands upon staff in terms of what is expected, asking for timescales that cannot be achieved, insisting on only speaking to one member of staff, or the number of letters/e-mails/phone calls made risks creating an excessive workload that would negatively impact on staff time to the disadvantage of other residents.
 - c. Make threats, use derogatory remarks, are rude, use language that makes staff feel threatened or afraid, use inflammatory or unsubstantiated statements.

- iii. We will manage unreasonable actions by residents by using one or more of the following restrictions (this list is not exhaustive):
 - a. Placing limits on the number and duration of contacts with staff per week or month.
 - b. Offering a restricted time slot for necessary calls.
 - c. Limiting the complainant to only contacting us using a channel of our choice.
 - d. Requiring the complainant to communicate only with one named member of staff.
 - e. Requiring any personal contacts to take place in the presence of a witness and in a suitable location.
 - f. Refusing to register and process further complaints about the same matter.

- iv. A housing manager will contact the resident to try to reach an understanding before deciding whether unreasonable behaviour restrictions need to be applied. We aim to avoid this wherever possible. The housing manager will seek the guidance of the Customer Services Director or another director in their absence if an appeal against any decision to apply a restriction is made.

- v. If a decision is taken to apply restricted access, we will use an appropriate method of communication (usually in writing) with the customer to explain:
 - a. why the decision has been taken.
 - b. how the customer may contact the organisation during the period of restriction.
 - c. how long any limits will last; and
 - d. what the customer can do to have the decision reviewed.

- vi. When a restriction on access is imposed, a specified review date of three months will be implemented. Restrictions must be appropriate to the needs of the customer and demonstrate regard for the provisions of the Equality Act 2010. Limits should be lifted, and relationships returned to normal unless there are good grounds to extend them. If limits are to

continue, we will explain our reasons and state when the limits will next be reviewed.

18. Associated Documents

- i. Brighter Places Compensation Policy.

Policy changes:

August 2022	Complete revision of policy to align with updated Complaints Handling Code (2022) and simplify process for colleagues and customers.
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