



Complaints and Compliments Policy

1. BACKGROUND AND PURPOSE

1.1. ACH aims to have an approach to complaints that is clear, simple and accessible, that ensures complaints are resolved promptly, politely and fairly.

1.2. We know that occasionally things can go wrong and this policy has been developed to ensure that we treat complaints seriously and learn from customer feedback. We aim to:

- ensure customers can make a complaint or compliment easily
- deal with complaints confidentially and fairly
- resolve complaints efficiently, politely and at the earliest opportunity (within our timescales of 10 working days and at stage one, wherever possible)
- put things right where possible
- ensure staff understand how to deal with a complaint and receive ongoing training
- empower and support staff to take ownership of complaints assigned to them
- make correspondence clear, concise and in Plain English
- use complaints to continuously improve

1.3. We define a complaint 'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation or its staff affecting an individual customer or group of customers'.

1.4. Customers are people who receive a service from us or our contractors; someone may also act on behalf of a customer with their consent.

1.5. A complaint is not:

- an enquiry
- a request for a service or information
- a report of a fault or defect
- a report of anti-social behaviour
- a query about a policy
- a dispute

1.6. All complaints and compliments are recorded on our housing management software (SalesForce).

1.7. The role of the Company Secretary is to facilitate and support complaints, compliments and compensation claims.

2. POLICY DETAIL

2.1. Compliments

2.2. It is helpful to hear from customers when they are pleased with our services or our staff/contractors; it helps us to focus on what our customers want.

2.3. Compliments are shared and used to continuously improve.

2.4. Making a complaint

2.5. A complaint can be made in person, by telephone, letter, email, text, social media and customer complaint form or via our website. Assistance in making a complaint can be provided by our staff.

2.6. Complaints can be received from any source, including those acting as advocates for customers such as relatives, community leaders, MPs, councillors, external agencies, etc, providing they have the permission of the customer.

2.7. Anonymous complaints are accepted and a response provided wherever practical and appropriate (i.e. a complaint from a block of flats – all customers in the block are provided with feedback).

2.8. A complaint can be made by a group or from one person representing a group of people. We ask the group to nominate a spokesperson and deal with that person until the complaint is resolved.

2.9. We will not normally consider a complaint about something that happened more than 12 months before and has not already been brought to our attention.

2.10. Generally, the complaint will be handled by the member of staff responsible for providing the service being complained about. The exception is where a complaint is about the behaviour of a member of staff, in which case, their line manager will investigate.

2.11. There are three stages in our complaints procedure. A complaint will not usually be escalated if we are still answering queries raised by the customer or if there are issues being resolved (such as ongoing repairs or maintenance); if this is the case, we will write to the customer within 10 working days explaining this.

2.12. Complaints addressed to our executive directors or board members go through the complaint process.

2.13. We can offer solutions, mediation and/or compensation at any stage of the complaint process. The customer has 20 working days to accept the offer, after which it is withdrawn. For more information see the separate Compensation Policy.

2.14. If we have not heard from the customer within 20 working days of our response, we will consider the matter resolved and the complaint closed.

2.15. If the customer decides to take court action related to the complaint, we may suspend the complaint until the court action is over.

2.16. **Stage 1 – investigation by an appropriate staff member/team**

2.17. We aim to resolve a complaint at stage one.

2.18. When receiving a complaint we:

- acknowledge it within 3 working days and advise the customer of the staff member who will investigate and respond
- investigate it fully; this would usually mean contacting the customer for a discussion, asking for further information or visiting to discuss the complaint
- respond to the customer within 10 working days of the acknowledgement; if it is likely to take longer, we will keep the customer informed

2.19. We will make it clear at this stage that customers must provide us with all the information that they want us to consider in dealing with their complaint as no additional information will be considered after stage one.

2.20. **Stage 2 – review by a senior manager/director**

2.21. A customer must provide a reason for escalating their complaint within 20 working days of receiving the stage one response.

2.22. We will:

- acknowledge within 3 working days and advise the customer of the staff member who will review the complaint
- ask the appropriate senior manager/director to review the complaint investigation and the decision made; this would usually mean contacting the customer for a discussion, asking for further information or visiting to discuss the complaint
- respond to the customer within 10 working days of the acknowledgement; if it is likely to take longer, we will keep the customer updated

2.23. **Stage 3 – review by independent panel hearing**

2.24. If the customer wishes to have their complaint heard by a panel they must provide the following within 20 working days of receiving the stage two response:

- why they remain dissatisfied
- what they want us to do to put the matter right

2.25. We will arrange for an review of the complaint by a panel and:

- acknowledge the customer's request for a panel meeting within 3 working days

- arrange for the panel to meet, usually within 30 working days of the request
- provide the customer and panel with details of what to expect at a panel meeting (see Stage 3 hearing guidance)
- compile a factual and unbiased report on the complaint, including copies of correspondence and other relevant documents
- give the customer the option to attend to present their case at the panel (an advocate or friend can also attend to offer support, but they are not permitted to act in a legal capacity)
- ensure a fair and balanced hearing

2.26. The panel has the following responsibilities:

- consider all facts, correspondence and discussions in an impartial, open and fair manner
- decide whether or not a complaint is upheld
- advise on any actions that could be considered by our Executive Team to prevent further complaints of a similar nature
- advise Executive Team if the customer should be considered for an ex gratia payment and the recommended amount, based on any inconvenience or loss suffered
- respond in writing to the complainant within 10 working days of the panel meeting (or other timescale agreed during the panel)
- advise the complainant of their right to take their complaint to the Housing Ombudsman Service

The Panel has no delegated responsibilities; it makes recommendations for action to Executive Team.

2.27. The panel has a note taker (a member of ACH staff) and consists:

- a member of ACH board or Housing Committee (who acts as the Panel Chair)
- a member of the tenant focus group
- an independent person or involved customer from another local housing association
- None of the panel members should know the complainant or anyone named in the complaint personally.

2.28. Complaints outside of our definition

2.29. Where customer correspondence falls outside our definition of a complaint or disagrees with a policy, it will be dealt with as a 'request for service' and a member of staff will respond accordingly.

2.30. If the person is not satisfied it can be raised as a Stage 1.

2.31. If the outcome at Stage 1 remains the same, the response letter will confirm it has completed our complaint process, and the complainant can go to the Ombudsman should they wish.

- 2.32. Designated person
- 2.33. Under the Localism Act 2011, complainants are able to ask for their complaint to be considered by a 'designated person' after their landlord's internal complaints procedure has been exhausted. A designated person can be an MP, a local councillor or a designated Tenant Panel. At ACH the panel hearing acts as the Tenant Panel.
- 2.34. The designated person can help to resolve a complaint in one of two ways – by trying to resolve the complaint themselves, or by referring it directly to the Ombudsman. A designated person has no legal authority over a landlord's policy or procedure, and the Ombudsman has no jurisdiction over a designated person.
- 2.35. Should the customer remain dissatisfied after the designated person has reviewed the complaint, the designated person can refer it to the Ombudsman. If the designated person refuses to deal with the customer, then the customer can contact the Ombudsman directly.
- 2.36. Ombudsman
- 2.37. Complaints must be received by the Ombudsman within one year of the Stage 3 panel outcome.
- 2.38. The Ombudsman details are:
Housing Ombudsman Service, Exchange Tower, Harbour Exchange Square, London, E14 9GE
0300 111 3000 info@housing-ombudsman.org.uk
<http://www.housing-ombudsman.org.uk>
- 2.39. ACH will comply with the decisions/recommendations from the Ombudsman and identify lessons learned.
- 2.40. Learning from complaints
- 2.41. Complaints will be monitored and reviewed weekly by the Governance team and emerging trends and issues are identified quickly and flagged with the appropriate service manager.
- 2.42. Where a complaint results in a change in service or a service improvement, we will inform the complainant, note it as a lesson learnt in our quarterly report and promote it via our customer newsletter and website.
- 2.43. Complaints are reviewed quarterly to see whether they could have been avoided and whether teams, services or individuals recur in the complaints.

2.44. Lessons learnt reports on complaints, compliments and compensation are reviewed by Executive Team quarterly and board annually. The Board member who chairs the panel hearing and a member from relevant committee (Housing Committee, etc.) also review the quarterly complaints, compliments and compensation report.

2.45. Vexatious and persistent

2.46. We expect staff to respond with patience and empathy to the needs of all our customers, including when they complain. We expect customers to be reasonable and need to distinguish between customers who make a number of complaints or contacts with good cause and those who are behaving unreasonably in pursuing their complaints.

2.47. A small minority of customers make complaints or contacts that are vexatious; this may involve:

- persisting unreasonably with complaints or compensation
- making serial complaints about different matters
- continuing to raise the same or similar matters over and over again
- an excessive number of contacts made about an issue
- harassing or being rude or aggressive to staff or contractors
- attempting to or actually bypassing our processes and/or contacting multiple members of staff about the same issue(s)
- changing the basis of the complaint as the investigation proceeds This is not an exhaustive list.

2.49. These types of complaints and contacts take up a disproportionate amount of staff/contractor time and can often be distressing for both the customer and us.

2.50. If a customer's pattern and nature of their correspondence/contact starts to show signs of becoming vexatious or persistent, we will discuss this with a Director/Executive Member and write to inform the customer that we believe they are acting unreasonably. We will clearly set out our reasons why and explain the behaviour we would expect from them in order to avoid becoming vexatious or persistent.

2.51. If the correspondence/contact continues, evidence of the customer's behaviour will be passed to a Director to determine whether the customer should be classed as vexatious or persistent.

2.52. If the Director agrees, the customer will be informed:

- why they have been classed as vexatious or persistent
- how future contacts/correspondence will be dealt with (usually via a designated member of staff)
- when their vexatious or persistent complainant classification will be reviewed what would change this classification

2.53. The designated member of staff may work with the customer in the following ways:

- try to resolve matters by securing a signed 'agreement' setting out a code of behaviour for the parties involved in order to continue to process a complaint
 - agree the most suitable method of contact between us and the customer (i.e. letter, email, etc.)
 - temporarily suspend all contact with the customer and the investigation of their complaint whilst seeking legal advice or guidance
 - liaise through an agreed intermediary by offering a limited time slot for necessary calls and/or notify the customer in writing that:
 - o their complaint or contact has been responded to fully
 - o there is nothing to add and continuing contact on the matter would serve no real purpose
 - o the correspondence is at an end and that further letters be acknowledged but not answered
 - o they should take their complaint to the Ombudsman (used only as a last resort)
- 2.54. Whilst dealing with the vexatious or persistent customer, we will keep in mind that a reasonable complaint may still arise.
- 2.55. A Director determines when a customer is no longer classed as a vexatious or persistent and will write to the customer. This change would be made where, for example, the customer demonstrates a more reasonable approach.
- 2.56. Complaints about level of rent/service charge
- 2.57. Depending on whether a rent/tenancy is secure/affordable/social, customer can appeal to the government about their level of rent or service charge. Customers can contact their housing officer in the first instance for more information.

3. MONITORING, CONSULTATION AND REVIEW

- 3.1. Performance in meeting timescales and lessons learnt reports on complaints, compliments and compensation are reviewed by Executive Team quarterly and board annually. Managers receive reports on complaints and compensation each week.
- 3.2. In line with our involvement policy, the Housing Committee is included in monitoring our performance and revising this policy.
- 3.3. The Housing Manager (with the support of the Company Secretary) is responsible for the implementation and review of this policy.
- 3.4. This policy is reviewed every 3 years (or when good practice, regulation or legislation changes).

- 3.5. We carry out customer service-related induction and refresher training for all staff to make sure they are aware of our commitment to good service delivery standards and targets. We use case studies for lessons learnt and training purposes.

4. EQUALITY AND ACCESS

- 4.1. ACH is committed to treating all people with fairness and respect. We aim to actively help remove barriers and open doors for our customers and staff and foster good relations within the communities we serve.
- 4.2. When applying this policy, we will act sensitively towards the diverse needs of individuals and to reduce discrimination and harassment by:
- eliminate discrimination – by providing support to make a complaint to those who need it and providing information in accessible formats and languages on request
 - advance equality of opportunity – treating all complaints fairly
 - foster good relationships – listening to customers and responding appropriately
- 4.3. This policy is available in accessible formats and languages on request.
- 4.4. This policy has undergone an Equality Analysis to ensure that ACH does not discriminate and wherever possible, positively includes, and is accessible to everyone. A copy of this assessment is available on request.

5. VERSION CONTROL AND APPROVAL DATES

Responsible Team	Date completed/reviewed	Date Completed (for review)
CoSec/Governance	04 May 2016	13 Jun 2016
CoSec/Governance	05 Jul 2018	17 Sep 2018
Cosec/Governance Housing Committee	Aug 2021	