CORNWALL HOUSING

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Complaints and Customer Feedback Policy

PART OF THE CORSERV GROUP
A CORNWALL COUNCIL COMPANY

Appendix A

Policy Title	Complaints and Customer Feedback Policy		
Version	1.5 – New Policy written	Status	Approved 28 February 2023
Version	1.0 – Revised Version (interim)	Status	Interim Update 15 December 2022
Date	23 January 2023	Author	Hayley Austin
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Responsible Officer:	Head of Customer Services & Business Support		
Associated documents	Compensation Policy		

1. BACKGROUND AND PURPOSE

1.1 We have designed this policy to make it easy for customers to provide us with feedback about the services they receive.

1.2 We aim to provide customer focused services that get it right first time by listening carefully, responding fully and ensuring that the customer does not need to contact us about that issue again.

1.3 We understand things can go wrong and we can make mistakes - we want to know so we can apologise, put them right and learn from them.

1.4 We also want to know when things have gone right (compliments and thanks) and share these with colleagues.

1.5 We will to:

- publicise our processes so all customers are aware of how to make a complaint or compliment
- ensure customers can make a complaint or compliment easily
- deal with complaints confidentially and fairly
- resolve complaints efficiently, politely and at the earliest opportunity (ideally, within our timescales of 10 working days and at stage one)
- put things right, where possible
- use complaints to learn and improve processes and services
- keep customers updated throughout and keep a proper record
- 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
- publicise the services of the Ombudsman from the very start of a complaint and co-operate with them to resolve complaints
- comply with the Ombudsman code and scheme (or explain where we don't comply), and any Ombudsman recommendations, determinations or Complaint Handling Failure Orders

2. DEFINITIONS:

2.1 In line with the Housing Ombudsman guidance, we define 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, affecting an individual resident or group of residents'.

2.2 In contrast, an enquiry is an initial request for service or a question about the service that we provide. Enquiries are not covered by this policy.

2.3 For clarity, there may be exclusions when we will not accept the following as a complaint:

- an enquiry or initial request for a service or information
- a report of anti-social behaviour, (unless the issue relates to how we have handled it)
- a query about a policy, (unless the issue relates to failure to comply with the policy)
- issues brought to our attention after 6 months of arising, unless there is a recurring issue or where the complaints are related to safeguarding concerns, health and safety matters, or where we agree there are exceptional circumstances (which will be considered on a case-by case-basis.)
- a complaint 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
- a complaint where the issue relates to ongoing or possible insurance claims
- issues being pursued in an unreasonable manner (see later section in this policy)
- issues the Ombudsman has already decided upon

2.4 Initial requests for service or chasing a request such as repairs reports, a follow up on a missed appointment or a report for Anti-Social Behaviour will be dealt with 'there and then' and will not form part of our complaints process. A complaint can only be made after the issue has been reported and Cornwall Housing has had an opportunity to deal with it.

2.5 Survey feedback may not necessarily need to be treated as a complaint and, where possible, the person completing the survey should be made aware of how they can pursue their dissatisfaction as a complaint if they wish.

2.6 Complaints or expressions of dissatisfaction can be raised in a number of ways:

- By telephone
- By email
- Completing our online webform
- In writing to our offices
- Directly to any of our employees
- In person when visiting our offices
- An advocate or representative on your behalf, with permission
- Local MP or councillor

2.7 We will accept complaints or expressions of dissatisfaction through our social media channels. However, we will request a private or direct message to be sent to us with further details of the complaint to maintain customer confidentiality and privacy.

3. COMPLAINTS PRINCIPLES

3.1 Customers can give permission to a third party to act as an advocate on their behalf (i.e. relatives, community leaders, MPs, councillors, external agencies, etc.)

3.2 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).

3.3 A complaint can be made by a group or from one person representing a group of people; this could be in the form of a petition or joint communication. We ask the group to nominate a spokesperson and deal with that person until the complaint is resolved.

3.4 We keep a record where the customer wishes to have an issue resolved without using the formal complaint process.

3.5 A complaint is investigated by the member of staff responsible for providing the service being complained about unless it is about the behaviour of a member of staff, in which case their line manager investigates; this is the case even when a complaint is addressed to an executive director or board member.

3.6 Where a complaint is about a member of staff, they may be interviewed as part of the initial investigation then kept up to date following each stage of the process. Should any action be taken against the member of staff this will be in accordance with the relevant human resources policies and procedures.

3.7 There are two internal stages and an independent review stage in our complaints process; we aim to resolve most complaints at stage one and within 10 working days.

3.8 If we cannot resolve the complaint within 10 working days (at stage one) or 20 working days (at stage two), we will keep the customer informed and extend response times by 10 working days where there is a good reason. Examples of a 'good reason' – as highlighted by the HOS - include

- a delay by a third party, over which we have no control, in providing information requiring further time to undertake interviews
- needing longer to acquire all the information required from multiple sources to enable us to properly investigate a long-standing, complex case
- where this involves undertaking work which may take weeks or months to complete, we provide a schedule and time frame, and monitor progress
- 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 works).
- we will provide customers with contact information for the Housing Ombudsman as part of our regular communication and our standard response letters will advise residents of their right to contact the Housing Ombudsman at any stage in the complaints process

3.9 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.

3.10 We will always try to solve a customer's complaint by fixing what went wrong in the first instance. We believe that it is important to resolve the issue and improve the service, to make sure that the same situations do not arise again, rather than using compensation as an automatic resolution. For more information, see the separate Compensation Policy.

3.11 In some cases, a customer may have a legal entitlement to redress. There may be concerns about legal liability in such a situation. If so, as the landlord, we should still offer a resolution where possible, including an explicit statement that there is no admission of liability.

3.12 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. Examples of when a complaint would be closed:

- An investigation is complete and a response is sent and there is no further contact from the customer after 20 days.
- When a resolution is agreed and we have delivered the proposed solution.
- When a resolution is agreed but we have not yet delivered the solution the complaint may still be closed but only with the customer's consent having first established and agreed what actions we will take to resolve the complaint and the associated timescales.
- We will undertake to re-open the complaint at the next appropriate stage if we fail to deliver the agreed solution(s).
- We have the discretion to close complaints early but only in very exceptional circumstances. Unless these exceptional circumstances apply, we will only close a complaint when we are certain it has been dealt with and responded to.

4. INTERNAL STAGE 1 – investigation by an appropriate staff member/team (supported by the Complaints Team)

4.1 When receiving a complaint we will:

- acknowledge within 3 working days, and advise the customer of the staff member who will investigate and respond
- explain within the acknowledgment our understanding of the complaint and the outcomes the customer is seeking, and if any aspect of the complaint is unclear, the customer must be asked for clarification and the full definition agreed between the customer and us
- call the customer to find out more about the complaint and discuss a resolution
- follow up the call with a written response within 10 working days of the complaint receipt; if it is likely to take longer, we will keep the customer updated and aim to respond within a further 10 working days of the complaint receipt

4.2 We make it clear at this stage that the customer 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.

5. INTERNAL STAGE 2 – review by a Senior Manager / Director

5.1 The customer must provide a reason for escalating their complaint within 20 working days of receiving the stage one response. On receipt of a request to escalate, the stage 1 investigating officer must consult with the complaints team and provide a handover to the stage 2 investigating manager/director.

5.2 Once a stage 2 has been accepted we will:

- acknowledge within 3 working days, and advise the customer of the staff member who will review the complaint
- explain within the acknowledgment our understanding of the complaint and the outcomes the customer is seeking, and if any aspect of the complaint is unclear, the customer must be asked for clarification and the full definition agreed between the customer and us
- call the customer to find out why the resolution offered at stage one is not satisfactory and what we can do to resolve their complaint
- respond to the customer within 20 working days of the complaint receipt; if it is likely to take longer, we will keep the customer updated and aim to respond within a further 10 working days of the complaint receipt

5.3 We will respond to all Stage 1 and Stage 2 complaints in writing. Our written responses will:

- Identify the complaint stage
- State the outcome of the complaint
- Outline the reasons for any decisions made
- List the details of any remedy offered to put things right and outline any legal obligations for either party
- Identify any outstanding actions, with timescales
- Give clear guidance on how to escalate the matter if the resident remains dissatisfied and include contact details for the Housing Ombudsman Service

6. INDEPENDENT HOUSING OMBUDSMAN

6.1 Changes to the Housing Ombudsman Scheme took effect from October 2022, including the removal of the 'Democratic Filter'**.** This change is a positive step, making it easier for residents to access the Housing Ombudsman service.

6.2 Cornwall Housing is a registered member of the Housing Ombudsman Service scheme. A condition of membership is that all members agree to be bound by the decisions and adjudications of the Housing Ombudsman's Service, regardless of whether the

member agrees with the outcome or not.

6.3 The Ombudsman may report a member's complaint handling failure to any appropriate regulatory agency and/or the board, committee, panel or senior officer of the member along with any related details as the Ombudsman sees fit. The Ombudsman may publish the fact and circumstances of a member's complaint-handling determinations, naming the member in the Ombudsman's annual report or elsewhere.

6.4 We will respond positively to all Ombudsman enquiries, investigations and recommendations and undertake to comply promptly with any determinations.

6.5 In 2022 the Housing Ombudsman Service launched their revised Complaint Handling Code. This policy and the underlying Complaints procedure have been updated to ensure our approach is consistent with all aspects of this code.

6.6 The Housing Ombudsman contact details are:

- Website: www.housing-ombudsman.org.uk
- Email: info@housingombudsman.org.uk
- Phone: 0300 111 3000
- Address: Housing Ombudsman Service, PO Box 152, Liverpool L33 7WQ

7. LEARNING FROM COMPLAINTS

7.1 Complaints are monitored and reviewed by the Complaints Team and via regular reports; emerging trends and issues are identified quickly and flagged with the appropriate service manager.

7.2 Once a complaint has been closed, we arrange to survey customers on their satisfaction with the complaint outcome and handling; the feedback is used to improve complaint handling, services and update policies and procedures.

7.3 Where a complaint results in a change in service or a service improvement, we inform the complainant, note it as a lesson learnt in our quarterly report and promote it via our customer newsletter and website.

7.4 Complaints and 'sorted at source' issues are reviewed quarterly to see whether they could have been avoided, and whether teams, services or individuals recur in the complaints. This review will identify any themes/ trends, risks and/or issues that need to be addressed.

7.5 Lessons learnt reports on complaints, compliments and compensation are reviewed by the Executive Team, Tenants Forum/Tenants Scrutiny Panel quarterly and board annually. The CHL Board's Housing Operations Committee will also review the quarterly complaints, compliments and compensation report, thereby ensuring that, as Chair of this group, we have a Board member who has the designated interest required by the HOS in our complaint service.

7.6 To promote continuous improvement, all staff have a standard objective for complaint handling to ensure a collaborative and co-operative approach to resolving complaints and working together to do this. This includes taking collective responsibility and acting within the Professional Standards for engaging with complaints as set out by the Chartered Institute of Housing.

8. UNACCEPTABLE BEHAVIOUR AND PERSISTENT CONTACTS

8.1 We recognise that sometimes customers will be upset, angry or frustrated and we will continue to engage with customers in such circumstances, but we have a duty of care to our staff and contractors, and we will not tolerate unacceptable behaviour from complainants or their representatives towards our staff or anyone providing services on our behalf.

8.2 Examples of unacceptable behaviour include:

- Verbal abuse, aggression, violence (this is not just limited to actual physical or verbal abuse, it can include derogatory remarks, and threats of violence.)
- Malicious or otherwise inflammatory statements, or unsubstantiated allegations about our employees or other customers.
- Unreasonable demands (e.g. requesting large volumes of information, overload of letters, calls, emails etc, asking for responses within a short space of time, refusing to speak to an individual or insisting on speaking with another.)

8.3 In such cases, we will advise the customer of how we need to engage with each other.

8.4 A small minority of customers make complaints and/or contacts that take up a disproportionate amount of time and this can often be distressing for both parties, this may involve:

- persisting unreasonably with complaints or other matters
- 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
- unreasonably contacting (or threatening to contact) the media.

8.5 Where a level of contact from a customer is so high it makes managing the contact unreasonably time consuming, we discuss this with a Director and write to inform the customer that we believe they are acting unreasonably and give them an opportunity to change their approach. We clearly set out our reasons why and explain the behaviour we would expect from them to avoid becoming unreasonable or persistent.

8.6 If there is no change, a Director may approve to restrict contact to a single channel/person and agree specific timeframes for responses. The customer will be advised of the action, why it has been taken and that it should be reviewed no more than two months later by a Director.

8.7 The single channel/person 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 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
- offer a limited time slot for necessary calls
- notify the customer in writing that:
  - their complaint or contact has been responded to fully and continuing contact on the matter would not result in any further outcomes
  - the correspondence is at an end and that further letters be acknowledged but not answered
  - they should take their complaint to the Ombudsman

8.8 Any restrictions placed on a customer's contact due to unacceptable behaviour will be appropriate to their needs and demonstrate our regard to the provisions of the Equality Act 2010.

8.9 We will keep in mind that a new reasonable complaint may still arise but if the customers behaviour escalates then we may consider further action in line with CHL's Unacceptable Actions and Behaviour Policy.

9. COMPLIMENTS

9.1 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.

9.2 Compliments are shared with staff and used to continuously improve. They are also reported quarterly to the Executive Team and Board.

10. MONITORING, CONSULTATION AND REVIEW

10.1 Full records are kept of all complaints, including any reviews and the outcomes at each stage.

10.2 Performance and lessons learnt reports on complaints, compliments and compensation are reviewed quarterly by the Executive Team and considered by the Board. Directors and managers receive regular reports on complaints and compensation. Our dedicated oversight tenant group will monitor our performance every quarter.

10.3 In line with our involvement policy, Cornwall Housing is committed to promoting customer engagement and participation at all levels of our business and governance arrangements, including policy development. This policy has been subject to both tenant and officer consultation.

10.4 The Head of Customer Service & Business Support is responsible for the implementation and review of this policy.

10.5 This policy will be reviewed in one year (March 2024) to assess the impact of the Ombudsman Code. Thereafter it will be reviewed every 2 years (or when good practice, regulation or legislation changes).

10.6 As part of the Housing Ombudsman Complaint Handling Code, Cornwall Housing completes an annual self-assessment to see how it measures up against the Code. This self-assessment will be reported to the Tenants Forum and Board and made available via the website.

10.7 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.

10.8 Any changes and improvements to our service, processes, policies, procedures and systems are included in training for staff and our key repairs and maintenance

contractor.

11. DIVERSITY & INCLUSION

11.1 We are committed to treating all people with fairness and respect. We aim to create an inclusive environment where people are treated with dignity, inequalities are challenged, and we anticipate and respond positively to different needs and circumstances to enable individuals to achieve their potential and foster good relations within the communities we serve. We want to be recognised as an organisation delivering fair, inclusive, accessible services and an employer and partner of choice.

11.2 When applying this policy, we act sensitively towards the diverse needs of individuals and to reduce discrimination and harassment by making reasonable adjustments such as:

- eliminating discrimination – by providing support to make a complaint to those who need it and providing information in accessible formats and languages on request; providing access to videos on making a complaint; providing information on support available from the Ombudsman at all stages of a complaint

- tailoring the policy to meet both the specific needs of the individual, including those with additional support needs, and the diverse needs of the wider community

- advancing equality of opportunity – treating all complaints fairly

- fostering good relationships – listening to customers and responding appropriately

- compliant with all aspects of Equality & Diversity legislation, and specifically the Equality Act 2010.

CORNWALL HOUSING

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Alternative formats:

If you would like this information on audio CD, audio tape, Braille, large print, any other

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