

Overarching Policies and Procedures

Complaints Policy

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Contents

Complaints Policy	3
1 Introduction	3
6 Compensation	5
7.2 Referral of complaints to Housing Ombudsman:	6
7.3 Performance indicators	6
8 Review	7
Review	14
Document Panel	14

Complaints Policy

1 Introduction

At Ability we are committed to delivering excellent customer service and consider it to be critical to our success. Customer satisfaction is therefore key to how we measure the quality of our services.

There will be times when customers feel that we have fallen short of the standards we set. We therefore welcome complaints about the quality of our services and will always look to use these in order to learn and improve.

This Policy will also be used to review complaints made to us by stakeholders or members of the public.

This policy sets out Ability Housing's approach to receiving and handling complaints, ensuring that they are dealt with in a consistent and transparent way, and in accordance with the Housing Ombudsman Complaint Handling Code.

This policy applies to all areas of the business and covers all complaints received from all residents, customers, and third parties making a complaint on their behalf.

For the purpose of this policy 'customers' means existing or potential tenants, residents and service users, leaseholders and a representative of any of the people mentioned above, who are authorised by them to make the complaint on their behalf. Ability has a detailed two stage procedure for dealing with complaints which adopts Good Practice Guidance on complaints handling.

2 Definition

For all Ability Services, a complaint is defined 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".

The customer does not have to use the word complaint for it to be treated as such.

A Service Request is defined as:

"A service request is a request from a resident to their landlord requiring action to be taken to put something right and this can be resolved with minimal effort. However, if further enquiries are needed to resolve the matter, or if the resident requests it, the issue must be logged as a complaint."

Ability will endeavour to recognise the difference between a service request, survey feedback and a formal complaint and take appropriate steps to resolve the issue for customers as early as possible.

3 Our Principles

Ability will listen to a complaint and carefully consider the customer's expectations and desired outcomes.

We will provide accessible means of giving feedback on our services.

We will aim to resolve a complaint as quickly as possible.

There are some instances where the issue raised will not be dealt with via the complaints process, these are:

- If the complaint relates to an ongoing legal matter or a claim being dealt with by our insurers. However, if the legal matter or insurance issue relates to a service failure which Ability have an accepted responsibility to resolve then this will be progressed wherever possible.

- A first request for service, information or an explanation of our policies and procedures (this should be dealt with as a service request unless customer requests it to be logged as a complaint).
- Reported cases of neighbour disputes and anti-social behaviour will not be dealt with through the complaints process, unless the complaint is about how an existing and reported case of Anti-Social Behaviour has been dealt with.
- If the complaint is directed at the contents of our policies, we may be limited in the resolution that we can come to, however we will use this information when carrying out policy reviews.

Complaints should be made within a reasonable period which would normally be within six months of the matter occurring. In exceptional circumstances we may decide to respond to a complaint outside of this timescale.

We are committed to ensuring that our staff are treated with respect. To protect our staff, we will manage any threatening or abusive behaviour, or vexatious complaints under the relevant policies.

If we are unable to accept a complaint a detailed explanation will be provided to the customer setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman.

Making a complaint will not result in any adverse changes to the services received from us.

4 Complaints Procedure:

Any person is able to express dissatisfaction about the services we provide.

Complaints can be made in person, over the telephone, by letter, by email, website or any social media platform.

All complaints will be recorded and used to help improve our services.

When a complaint is made we will aim to resolve it as quickly as possible.

If a report is received or we suspect that abuse or neglect is taking place, we will refer to our Safeguarding policies and procedures. Allegations of abuse and neglect can also be reported directly to the local authority.

5 Dealing with complaints

Anyone can make a complaint on behalf of the customer.

If a third party is making a complaint on behalf of the customer Ability will require consent from the Complainant before corresponding with them. If someone has made a complaint on behalf of a customer, Ability will respond directly to the customer and send a copy to the third party who made the complaint on their behalf.

If we receive an anonymous complaint that raises a safeguarding or whistleblowing issue, this will be dealt with under the relevant policy. Our ability to fully explore and feedback on the issue may be limited due to the nature of anonymous complaints. We will record, investigate and monitor anonymous complaints in the same way that we treat other feedback.

We will contact the complainant by their preferred method within 5 working days to acknowledge receiving their complaint.

If the timescales need to be changed for any reason, we will agree a new timescale with the complainant.

We will keep the complainant informed throughout the investigation of the complaint.

Stage 1: 10 working days from the receipt of the complaint. Where this is not possible an explanation and a date by when the stage one response should be received will be provided. This should not exceed a further 10 working days without good reason.

The written response will detail any follow up actions that are required to resolve the complaint and a timescale given for when these are expected to be complete.

Stage 2: A response will be sent within 20 working days from the request to escalate, if this is not possible an explanation and a date when the response will be given to the complainant. This will not exceed a further 10 working days without good reason

6 Compensation

In some cases, compensation may be requested by the complainant or payable to a complainant where a complaint is upheld. All compensation requests or payments will be agreed in line with the Compensation Policy.

7.1 Process:

Ability's process on complaints is as follows:

Service Request:

When the customer first contacts us, the relevant member of staff must attempt to resolve the problem.

This will usually be one of our frontline staff and they will try and resolve the issue and look for a prompt resolution.

If a prompt resolution is achievable, then this can be logged and managed as a service request and the customer advised. If they remain dissatisfied this must be escalated to a formal complaint verbally with immediate effect.

If escalated to a formal complaint the Complaints Team will contact the complainant to acknowledge the complaint and inform them of the next steps.

Formal complaint stages

Stage 1:

Ability will accept a complaint in the most suitable manner for the customer (this can be in person, in writing, by telephone, through a designated third party).

As part of the acknowledgement of the complaint the Complaints Team Member must contact the customer and confirm their understanding of the complaint and the outcomes the resident is seeking before assigning to a Lead Manager.

A Lead Manager, as defined in the procedure, will investigate and respond to the complaint in writing. The Lead Manager must make every effort to speak to the customer as part of their investigation of the complaint before providing the response.

Complainants will receive a written response within 10 working days. The written response will detail any follow up actions that are required to resolve the complaint and a timescale given for when these are expected to be complete.

Learning outcomes must be recorded, capturing any changes or improvement to services or ways of working that the matter has helped identify and learn from.

Stage 2:

On the conclusion of the stage one process if the customer remains dissatisfied the Complaints Team Member must clarify with the customer what issues are outstanding, what outcome the resident is seeking and that they wish for their complaint to be escalated to Stage 2.

The stage 2 response will be carried out by a member of the Senior Management Team (SMT) or a member of the Board with support from a Tenant Representative as required. There may also be occasions where, if appropriate, SMT and Board may nominate another suitable staff member to respond on their behalf.

The stage 2 responder will contact the customer directly to discuss the complaint and the customer will receive a final written response within 20 working days of the date of the stage one escalation. This stage 2 response concludes Ability's complaints policy and procedure.

7.2 Referral of complaints to Housing Ombudsman:

Should the customer express dissatisfaction with the Complaints process at any stage or agreement cannot be reached on how their complaint is managed they must be directed to the Ombudsman for an independent review of their complaint.

7.3 Performance indicators

A report will be presented to the Senior Management Team monthly, the Customer Panel, Board and the Customer Services Committee quarterly. It will include information on:

- number of 'Service Requests'
- the number of complaints at each stage and the outcome
- the amount of and reasons for compensation offered (if any)
- performance in meeting response targets
- complaints data by key service areas
- complaints investigated by the Independent Housing Ombudsman
- key learning outcomes
- serious complaints
- significant learnings

In addition, the Housing Ombudsman's Self-Assessment Form will be completed annually and presented to Board and published on the Ability website. We will also include detail on complaints in our annual report and customer magazine.

We will use complaints as a tool to continuously improve our services. We will discuss trends and improvement opportunities with the local managers, Senior Management Team, the Customer Panel, the Customer Services Committee and the Quality Management Review Group.

In addition, each Head of Service/Director will conduct a lessons learnt review meeting monthly to review complaint learnings, identify any trends and ensure learnings are being embedded in service delivery.

8 Review

This policy will be reviewed annually as a minimum. We will use learning and scrutiny to improve the policy prior to formal review. Date of next review November 2023.

Complaints Procedure

This Complaints Procedure explains the process we have in place to effectively handle customer complaints and should be read alongside the Complaints Policy.

When a customer reports dissatisfaction with the service provided the following course of action is applicable.

Recording and monitoring of complaints

A complaint can be made in person, over the telephone, by letter, by email, website or any social media platform.

If the complaint is received by a staff member, they should take all the details of the complaint, and complainant (full contact details).

On the working day a complaint is received, the relevant information relating to the complaint will be recorded centrally on the Complaints Case Management database (CCM), this is done by the Complaints Team member. The Complaints Team member must contact the customer and confirm their understanding of the complaint and the outcomes the resident is seeking before assigning to a Lead Manager. They will then write to the customer, acknowledging the complaint and including the detail of the content of the complaint, and informing them of who will be dealing with this including next steps (Please see appendix 2) within 5 working days.

The Complaints Team will update the Complaints Case Management database and assign to the applicable Lead Manager to resolve. All assignment of complaints must be agreed with the relevant manager before being formally assigned.

Any officer who has previously dealt with the complaint should pass any documents, images or other evidence to the Complaints Team who will add them to the case on the CCM.

All correspondence relating to the complaint will be given the same reference number and recorded in the case notes of the CCM.

Service Requests:

Any staff member who interacts with a customer should work to support or resolve the issue in the first instance and make the customer aware that the matter is being managed as a Service Request.

If you can resolve the query to the customers' satisfaction then notify the complaints team, detailing the issues of and action taken to resolve it and any lessons learnt from the issue. The complaints team will review the response and lessons learnt and keep a record of this on the CCM.

If the customer is unhappy for the issue to be dealt with as a Service Request, or you are unable to resolve the issue within five working days then this should be escalated to a stage one complaint with immediate effect.

The complaints team will then acknowledge the issue as a formal complaint and the stage one complaints process will commence.

Stage 1:

All complaints responses will be led and responded to by the relevant Lead Manager (LM). Lead Managers are:

- Area Managers in Care and Support
- Head of Property and Asset
- Housing Services Manager
- Human Resources Lead Officer

- Finance Lead Accountant
- Head of Finance

The LM will contact the complainant as part of the investigation into the complaint. An outline must be given of the complaint process, including detail of the timelines they can expect for a response.

All correspondence with the customer must also be copied to the complaints team.

A full written response must be provided to the complaint within 10 working days, and detail should be included on how the complainant can escalate their complaint should they remain dissatisfied with the response.

This written response must be approved by the complaints team prior to being sent out to the customer.

It should always be the aim to resolve a complaint as soon as possible. However, if the complaint cannot be resolved or responded to within 10 days of the complaint being received, the LM must provide the customer with an explanation as to why this is the case and provide a further date for resolution. This extension must not be outside a further ten working days unless either requested or explicitly agreed with or by the customer.

It is the responsibility of the LM to provide the customer with regular updates on the progress of their complaint during the period of investigation.

The LM will also inform the Complaints Team and keep them updated.

The LM will record 'learning' outcomes as a result of the complaint, capturing any changes or improvement to services or ways of working that the complaint has helped identify and learn from.

These learnings must be shared with the Complaints Team before the complaint can be closed.

Complaint learnings must be recorded by the Complaints team to allow for review in monthly lessons learnt meetings held by Heads of Service/Directors.

Once the stage one response has been sent this concludes the stage one complaint process.

Should the customer express dissatisfaction with the Complaints process at any stage or agreement cannot be reached on how their complaint is managed they must be directed to the Ombudsman for an independent review of their complaint.

Stage 2:

On the conclusion of the stage one decision process if the customer remains dissatisfied the Complaints Team Member must clarify with the customer what issues are outstanding, what outcome the resident is seeking and that they wish for their complaint to be escalated to Stage 2.

The complaints team will send an acknowledgement of the escalation to a stage 2 response within 5 working days. This will include the detail of the content of the complaint, and inform them of who will be dealing with this including next steps.

The stage 2 response will be carried out by either a member of the Senior Management Team (SMT) or delegated by SMT to an appropriate manager, or a member of the Board with support from a Tenant Representative as required.

The complainant will be contacted by the stage 2 respondent and provided the opportunity to discuss the reasons for their continued dissatisfaction with the handling of the issue.

A full stage 2 response should be provided within 20 working days of the complainant's request to escalate. This may be varied either by mutual agreement, or if required due to issues that arise during the investigation. However, this should not exceed a further 10 working days without good cause.

The stage 2 response must confirm that this response concludes Ability's complaints procedure and include detail of the Housing Ombudsman's contact details.

The contact details for the Housing Ombudsman are:

Housing Ombudsman Service, PO Box 152, Liverpool, L33 7WQ

Telephone: 0300 111 3000 Fax: 020 7831 1942

Email: info@housing-ombudsman.org.uk

The Ombudsman will seek to resolve complaints once Ability's own procedures have been exhausted. This service is free for the complainant.

Sources of advice and information

Multi-agency complaints involving the police or social services can sometimes be more difficult to resolve. We will ensure that the complainant is made aware of the limitations of Ability's powers as a Care and Support provider and landlord and signpost accordingly whilst supporting the customer throughout the process.

Resolution and compensation

Once the investigation is carried out the complaint will either be upheld, partially upheld or not upheld. This decision must be included in the complaint response letter to the customer along with the reason this decision has been made.

In any case where clear financial loss has been suffered by a complainant as a result of the subject of their complaint, Ability will consider giving financial compensation as per the Compensation Policy.

Where payments of compensation have been paid by Ability these will be logged formally to ensure a clear audit trail is recorded to track expenditure and any failures in service.

Service Requests

- Resolve either on first contact or on same working day and notify the customer of it being logged as Service Request
- Notify the complaints team of the Service Request, the resolution and any lessons learnt
- Complaints Team to record the Service Request on the Complaints Case Management Database (CCM)
- If the customer is unhappy with the resolution or it is not concluded in 1 working day - progress to **STAGE 1** complaint

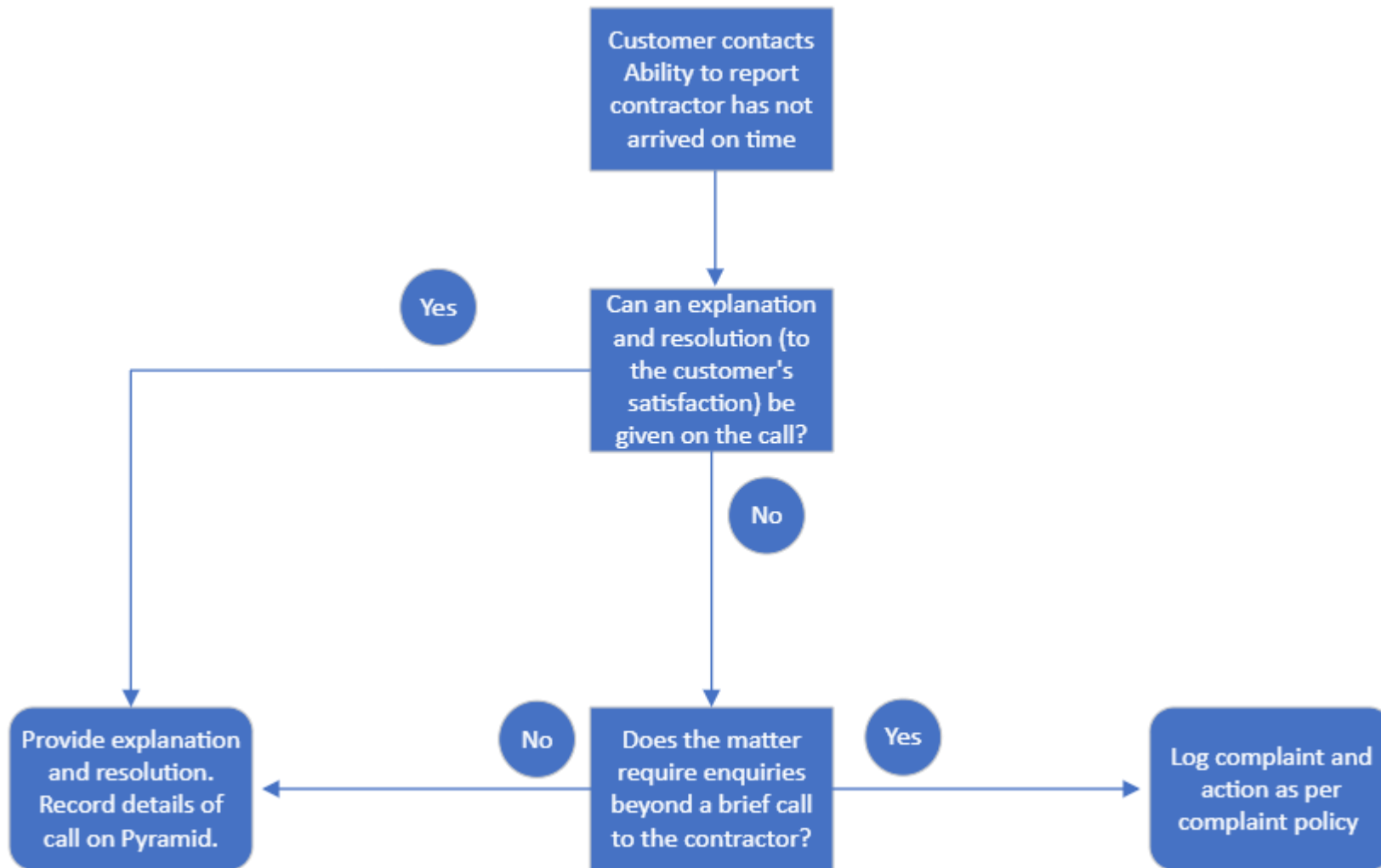
Stage 1

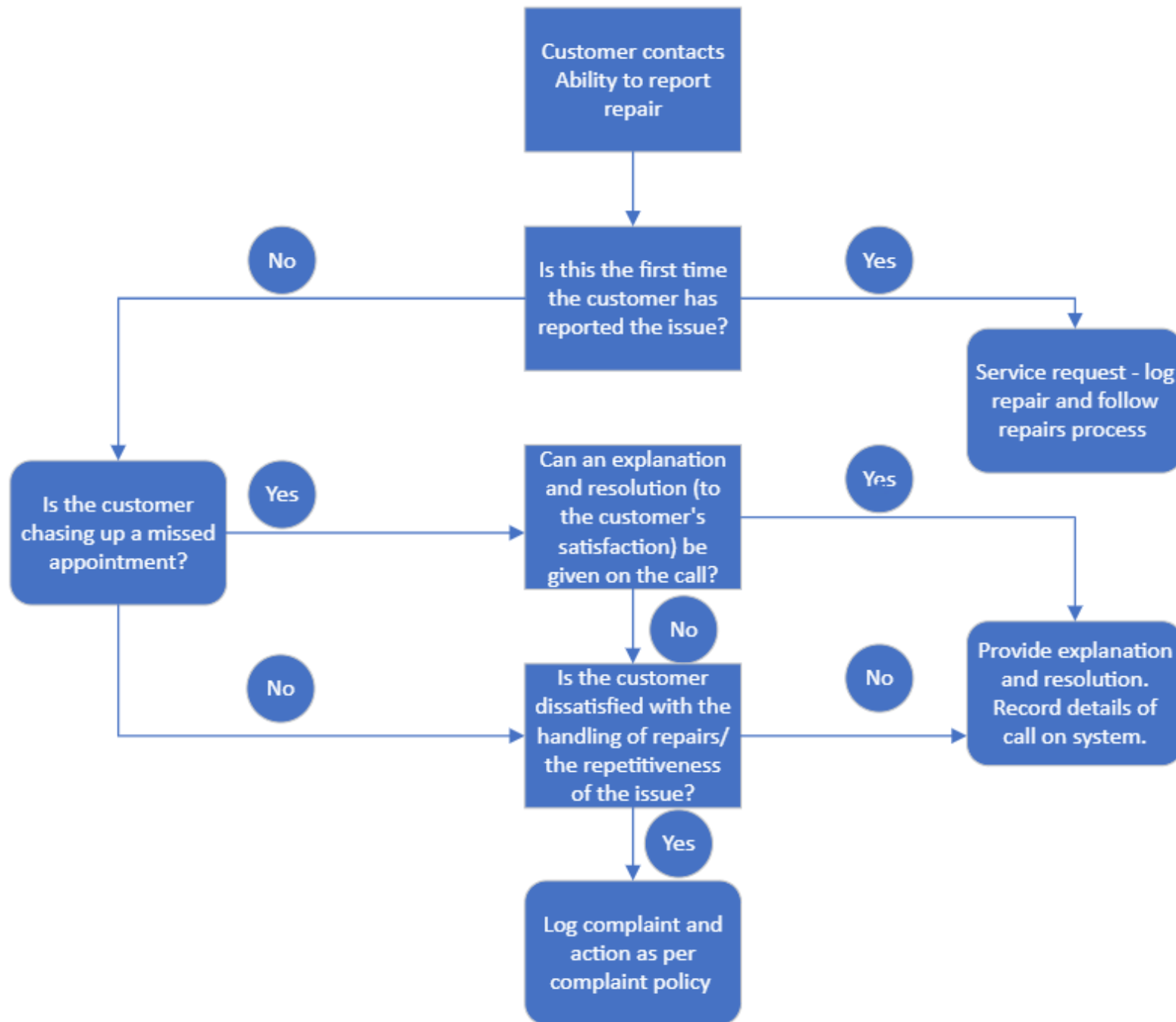
- Complaints team must record the complaint on the CCM on the day that the complaint is received
- The complaints team will assign the complaint to a Lead Manager subject to the LM's agreement.
- The Complaints Team must acknowledge the complaint within **5 working days**, confirm the detail of the complaint and inform the complainant of the name of the manager assigned to deal with the complaint
- The Lead Manager must investigate the complaint and provide a full written response within **10 working days** (response to be approved by the Complaints Team)
- If the complaint cannot be resolved in **10 days** a reason must be provided to the complainant and a new date set for resolution (regular updates to be provided)
- The Lead Manager must share the learning outcomes with the Complaints Team
- COMPLAINT CLOSED** or if not satisfied progress to **STAGE 2**

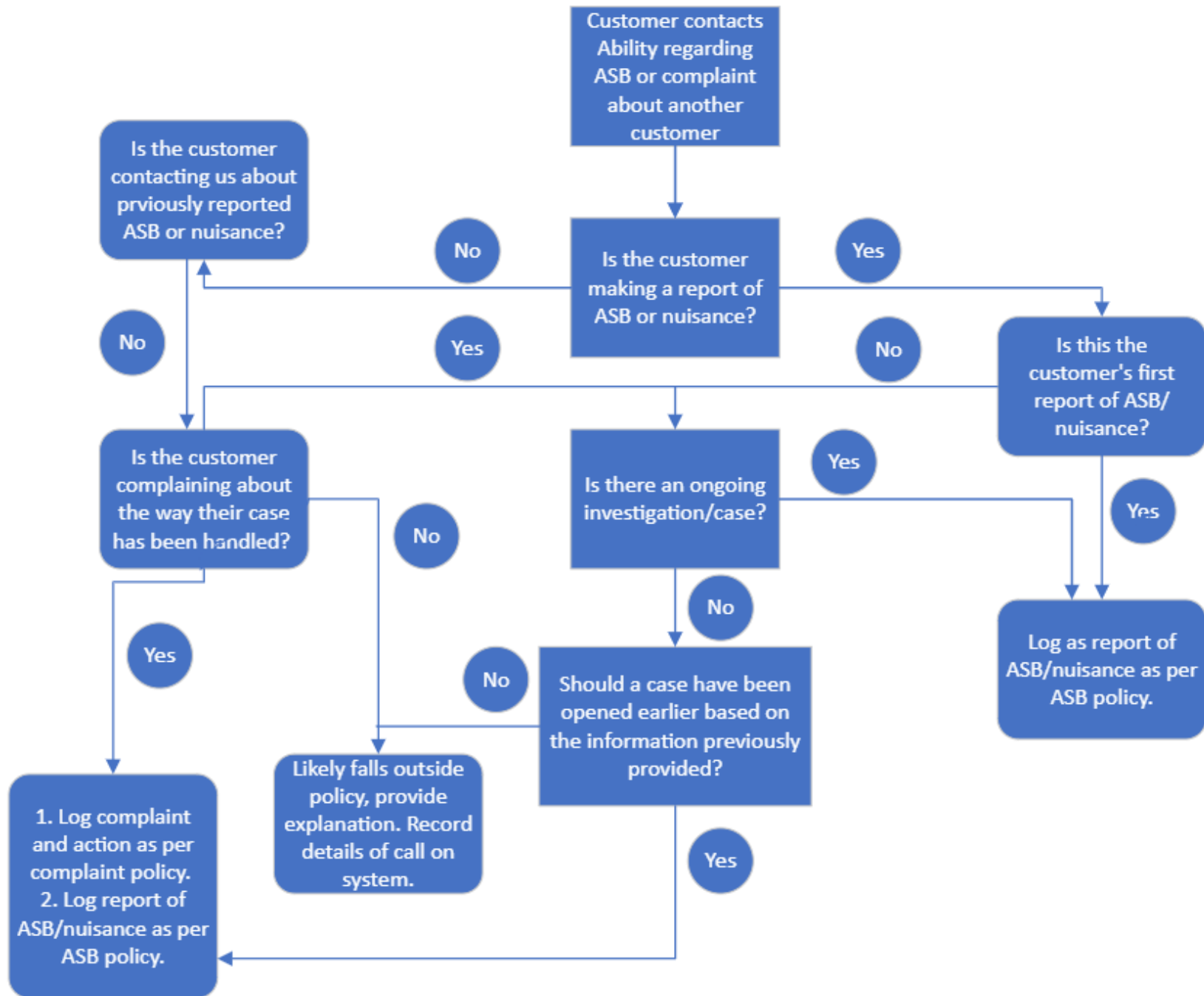
Stage 2

- The Complaints Team must confirm with customer reasons for dissatisfaction and request for escalation to stage 2 and send an acknowledgement of the escalation to **STAGE 2**
- The Complaints Team discuss the complaint with the relevant member of the Senior Management Team (SMT) to confirm who will respond to complaint.
- Stage 2 respondent will investigate the complaint
- Full **STAGE 2** response must be provided within **20 working days**
- If **20 working day response** can't be met due to issues that arise, a further extension can be agreed with customer which should not exceed an additional **10 working days**
- COMPLAINT CLOSED - this is the end of the Ability Complaints Procedure - if complainant remains dissatisfied they should be referred to the Housing Ombudsman.**

Appendix A Service Request or complaint flow charts







Review

This policy will be reviewed annually as a minimum. We will use learning and scrutiny to improve the policy prior to formal review. Date of next review November 2023.

Document Panel

Owner
Director of Operations
Related Documents
Housing Ombudsman Complaint Handling Code