

# Customer Concerns and Complaints Policy

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<b>Approved by</b>	ELT	<b>Review Date</b>	November 2023
<b>Lead Officer</b>	John Hudson	<b>Reviewed By</b>	Karen Green

## **1. Policy Statement & Principles**

- 1.1 Arches Housing encourages and values all feedback, including compliments and complaints, from customers. We use it to tell us where we are getting things wrong, and where we are doing a good job. Our strategic priority of 'putting customers at the heart of what we do' demonstrates that we are committed to learning from feedback to improve our services,
- 1.2 This Policy ensures that our approach to receiving and responding to concerns and complaints is consistent, fair, and helps to build a positive relationship between Arches Housing and its customers.
- 1.3 We focus on outcomes, aiming to minimise bureaucracy so that we are getting things done, and providing a prompt response for customers.
- 1.4 We subscribe to the [Housing Ombudsman Dispute Resolution Principles](#) to Be Fair, Put thing right, and Learn from Outcomes. We want to resolve any issues in a way that works best for customers, and which reflects the Housing Ombudsman Complaints Handling Code, whilst maintaining the fairness and integrity of our Policies and Strategic Aims.
- 1.5 This Policy should be read in conjunction with our Compensation Policy which determines how we will recognise any detriment experienced by a complainant as a result of a service failure, or their attempts to seek redress via this Policy.

## **2. Concerns**

- 2.1 If an issue should arise following our efforts to deliver a service, that is something that we can easily and quickly resolve, we shall seek to resolve the issue informally without the need for a full and formal investigation.
- 2.2 This is not intended to prevent the customer making a formal complaint but is an opportunity for the customer to achieve satisfaction quickly following an obvious service failure, in-line with our service standards and relevant operational policies.
- 2.3 Customers wishing to make a formal complaint are not prevented from doing so should they wish to raise their concern via our Formal complaints procedure.

## **3. Concerns about Building Safety**

- 3.1 Any concern raised by a tenant regarding building safety will be treated as formal complaint as standard. This includes any issue relating to either fire or structural safety, or the potential to have an effect on such. Examples include the persistent accumulation of rubbish in escape routes, contractors not fire stopping as they progress their works, or a customer advising a neighbour completing DIY that may affect the compartmentation.

## **4. What is a Formal Complaint?**

- 4.1 The Housing Ombudsman defines 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.

- 4.2 Complaints about employees of Arches Housing will be treated seriously, and where necessary in-line with our human resource management arrangements. Due to the requirements of the General Data Protection Regulations, we reserve the right to withhold information investigation outcomes pertaining to an employee.
- 4.3 When contact is received from a Local Councillor or Member of Parliament, that a customer has asked to contact us on their behalf, we will treat this as an Enquiry. We will provide a summary of events according to our records, and a response from the organisation, which may include corrective action if fault is found. The customer will receive a copy of our correspondence with their representative directly. Customers should contact us directly if they wish to make a formal complaint should they remain dissatisfied.

## **5. How we will deal with Formal Complaints**

- 5.1 We intend to acknowledge formal complaints within 3 working days of receipt. This will include the complaint reference number, name of the investigating officer, advice on our Complaints Policy and process, and how to contact the Housing Ombudsman.
- 5.2 Formal Complaints will be allocated for investigation to a relevant Manager in the first instance. To ensure objectivity, if that Manager has already been involved in attempting to resolve the complaint at an earlier stage, then the Complaint will be allocated to the relevant Head of Service. Similarly, if a Head of Service has been involved in the case at an earlier stage, then it will be allocated to an alternative Head of Service.
- 5.3 The Housing Ombudsman will usually expect a complainant to have exhausted our Complaints Policy and process first before they will take on the case, but they can offer advice you on what we should be doing, and what complainants should expect.
- 5.4 Our Complaints process is comprised of 2 Stages:

### **Stage 1**

- 5.5 The investigator will contact the complainant to discuss their concerns and preferred outcome. The investigator will confirm their understanding of the customers' concern, what the investigation will consider, and whether there may be delays to achieving the target time for the customer to receive an outcome to their complaint.
- 5.6 Our investigation will consider the information available to us at the time, and any facts and any statements of events, in order to determine whether a failing has occurred for which Arches is responsible.
- 5.7 We aim to complete investigations at Stage 1 within 10 working days. Occasionally investigations can take longer; typically, when there is a third party involved, such as utility companies or repairs contractors we will need to gather all of the facts and take statements before deciding an appropriate course of action, in agreement with the complainant. Upon conclusion of our investigation, we will always try to explain what we have found verbally, before confirming the outcome in writing. Occasionally when

it has not been possible to establish contact, in the interests of concluding the complaint promptly, we will confirm the outcome in writing, and invite the customer to contact us to discuss the outcome as their convenience. The Outcome letter will explain what complainants can do if they remain dissatisfied, including how to appeal their complaint (Stage 2).

## Stage 2

- 5.8 If a customer is dissatisfied with the outcome they have received to their complaint at Stage 1, they can choose to have their complaint reviewed again by a more senior member of staff at Stage 2.
- 5.9 The complainant **must** set-out the reasons why they feel the outcome of the investigation was not correct
- 5.10 The complaint will be reviewed by the Director of Operations, or Chief Executive, subject to the nature of the complaint and service in question.
- 5.11 They will contact the complainant and arrange an interview in order to discuss their concerns, and how they felt the stage 1 investigation had failed. They will set-out the process and timescale.
- 5.12 The review will consider how the complaint was handled at Stage 1, whether the outcome was fair, and the reasons put forward by the complainant as the cause for dissatisfaction.
- 5.13 We aim to have completed an investigation at Stage 2 within 20 working days and will maintain communication throughout.
- 5.14** Upon conclusion of our investigation, we will explain what we have found to the complainant verbally and confirm this in writing. The Outcome letter will explain what complainants can do if they remain dissatisfied.

## Complaint Outcomes

- 5.15 Following a thorough investigation, we will find that either the complaint is:

**Upheld** – We got it wrong. We will explain what went wrong, how we propose to put it right, and what we will be doing to stop it happening again. We will consider whether financial compensation is appropriate, in-line with our Compensation Policy, and may offer a gesture of goodwill to ensure that no financial detriment is experienced as a result of our error.

**Partially Upheld** – We got some things, but not all things wrong. We will explain how we propose to put it right, and what we will be doing to stop it happening again. We will consider whether financial compensation is appropriate, in-line with our Compensation Policy, and may offer a gesture of goodwill so that no financial detriment is experienced as a result of our error.

**Not Upheld** – We acted in accordance with our Policies and procedures and did not find evidence of wrongdoing on our part.

## 6. Working with the Housing Ombudsman

- 6.1 If our Formal Complaints process has been exhausted by the customers proceeding through both stages and yet still feels dissatisfied with our decision, they can choose to contact the Housing Ombudsman who will consider the case further.
- 6.2 We will cooperate fully with the Housing Ombudsman and provide them with any information requested promptly.

## 7. Policy Exceptions

### 7.1 Legal and Insurance

Situations that are outside of this Policy include any matter subject to pending Legal proceedings, or insurance claims, and for which we are obliged to follow a separate procedure. We will advise you how we will deal with your enquiry when we receive it.

### 7.2 Timescale

We are unable to accept complaints made in respect of incidents which arose more than 6 months ago, unless the complaint is concerning health and safety of tenants and residents.

### 7.3 Unacceptable Behaviour

There are rare occasions where Arches Housing will consider the actions or behaviour of a customer unacceptable. We accept that there may have been upsetting or distressing circumstances leading up to a customer approaching Arches Housing, and recognise that this can make people act out of character. However, we expect our customers to engage with us in a manner which will enable the effective resolution of their complaint, in-line with the Housing Ombudsman Dispute Resolution Principles. Therefore, unreasonable demands or behaviour towards our staff will not be tolerated, and we will take appropriate action to manage such behaviour up to and including refusal to accept complaints if they fall into the following categories:

7.2.1 **Aggressive or abusive behaviour** - it is not acceptable when anger escalates into aggression towards our staff. Aggression is not restricted to acts that may result in physical harm, but also includes behaviour or language that may cause staff to feel afraid, threatened, or abused.

7.2.2 **Unreasonable demands** - Customers may make what we consider unreasonable demands if they impact substantially on our work through the amount of information they seek or provide, the nature and scale of service they expect, or the regularity or number of approaches they make. The way in which these customers approach us may be reasonable, but it is their persistent behaviour in continuing to do so that is not. Examples of this behaviours includes:

- asking for responses within an unreasonable timescale,
- insisting on communicating with a particular member of staff
- continual phone calls, emails, or letters,
- repeatedly changing the substance of the complaint or raising unrelated concerns
- refusal to co-operate with the complaint investigation process while still requesting their complaint be resolved
- persistent refusal to accept a decision
- persistent refusal to accept explanations relating to what Arches Housing can or cannot do

- continuing to pursue a complaint case without presenting any new information separately or in combination:

7.4 If we believe that a complainant is demonstrating unacceptable behaviour, we will first warn them of the implication of their continued behaviour. Where this fails we will then formally notify them of our decision to restrict their access. Examples of how we will restrict access include:

- 7.4.1 Restrict contact in person, by telephone, fax, letter or electronically or by any combination of these
- 7.4.2 restrict the frequency of contact
- 7.4.3 restrict access to the complaints process in future

7.5 Customers can appeal our decision to restrict access by writing to the Director of Operations.

## **8. Reasonable Adjustments**

8.1 Arches Housing is committed to ensuring that disabled people are not disadvantaged in accessing its services. To this end we will make reasonable adjustments for disabled people.

8.2 This policy does not seek to explain how we will approach every situation; it is intended as a general statement of our policy to confirm our commitment to improving accessibility for everybody that we deal with.

### **What is a reasonable adjustment?**

8.3 To make an adjustment means to make a change to work practices to avoid or correct the disadvantage to a person with a disability.

Examples of this include:

- Allowing more time than we would usually for someone to provide information that we needed; and/or,
- Providing specialist equipment or additional support such as a sign language interpreter for a workshop or event; and/or,
- Providing printed documents or correspondence in a larger font.

8.4 There is no prescribed list of reasonable adjustments; the adjustment will depend on the individual's needs. We will discuss the requirements with the person concerned and seek to reach agreement on what may be reasonable in the circumstances. We will not make assumptions about whether a disabled person requires any reasonable adjustments or about what those adjustments should be.

## **9. Regulation**

9.1 The Regulator of Social Housing requires Arches Housing to have a Policy for dealing with Complaints, and to be members of the Housing Ombudsman scheme.

9.2 The Housing Ombudsman expects Arches Housing to comply with the [Complaint Handling Code](#), to carry-out a self-assess against the code each year, and to publish the results of the self-assessment of our website in December

- 9.3 The Housing Ombudsman requires Arches Housing to report to our Board and customer information on the complaints that we receive, and how we have learned from complaints to improve our services.

## **10. Review**

- 10.1 This Policy will be subject to review every two years, or in response to significant changes to current legislation, regulations, codes of practice, or guidance.

## **11. Governance, Assurance and Reporting**

- 11.1 The Policy owner is the Director of Operations.
- 11.2 The Policy is administered by The Complaints Officer, who is the Corporate Manager.
- 11.3 Monitoring of the delivery of this Policy will be the responsibility of the Board of Management via:
- 11.3.1 Quarterly and Annual Key Performance Indicators (KPI)
  - 11.3.2 Annual detailed Customer Feedback Report
  - 11.3.3 Annual self-assessment against the Complaint Handling Code.
- 11.4 Learning from complaints is reported regularly on the Performance section of the Arches Housing website.