

POLICY	Customer Complaints and Feedback Policy
Date Adopted	Adopted at Board November 2020 for implementation April 2021
Date of Next Review	No later than April 2024
Version	V4
Responsible Body	Group Board
Responsible Officer	Head of Customer Voice

1. Overall Policy Principles

1.1. The Housing Plus Group (HPG) is committed to providing excellent good quality services to all customers, however, we accept there will be occasions when this is not always achieved. We understand that things can go wrong, and customers may become dissatisfied and wish to complain. When this happens, we want to know so that we can try to put things right.

1.2. The purpose of this Policy, which applies group wide, is to ensure that we are fair and consistent in how complaints are investigated and that we respond in a structured and comprehensive way. We aim to have a customer friendly process that enables residents, customers and others to be heard and understood.

1.3. All complaints will be viewed positively, and we want to resolve them as quickly as possible and put right, where possible, what has gone wrong. We will use complaints and feedback to learn from any mistakes, to prevent them from happening again and we make a commitment to use them to improve our services.

1.4. As members of the Housing Ombudsman Scheme, we commit to follow the Housing Ombudsman Dispute Resolution principles of being fair, putting things right and learning from outcomes. We will at all times co-operate with the Housing Ombudsman or other regulatory body with responsibilities for oversight of complaints handling.

1.5. We also welcome positive feedback such as compliments as it is always nice to hear when we have got things right. We will use this feedback to share any good practice within the organisation.

1.6. Customers and others can also provide comments or suggestions for improving services which we will consider and we will respond to any comments that customers make.

1.7. Members of Parliament (MPs) and elected Councillors will also contact us from time to time. We will work with them and their staff to resolve matters that they might draw to our attention.

2. Feedback definitions

2.1. What is a complaint?

A complaint is defined as:

“An expression of dissatisfaction, however made, about the standards of our service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual or group of residents”

2.2. What is a compliment?

A compliment is defined as: "Providing excellent services above and beyond normal working standards or where a customer thanks us for the excellent service we provide."

2.3. What is a comment?

A comment is defined as:

"A comment about the services we provide or a suggestion for service improvement"

This will include feedback from customers who disagree with a policy provisions and will be used to inform policy reviews.

2.4. What is an MP or Councillor enquiry?

An MP or Councillor enquiry is often a request for service or an enquiry made on behalf of a constituent, that requires a written response from us. In order to respond, we may require customers to ensure we have the relevant authority to contact the elected member on their behalf. We aim to complete an enquiry that requires a written response in the same timescales as for a stage 1 complaint – see below.

3. Exclusions to this policy

3.1. Not every matter can be covered by this policy. The matters set out below are not an exhaustive list but are examples of when this policy will not apply:

- a. An initial or follow up request for service e.g. a repair, or reporting a defect
- b. If there is another means of redress or appeal process already in place for example:
 - The ending of a probationary tenancy.
 - Matters relating to an insurance or damage claim
 - Complaints about your neighbour causing nuisance or anti-social behaviour. (This will be dealt with in accordance with our Anti-social behaviour policy, unless it relates to the way that the neighbour complaint has been handled).
 - Where court proceedings are in place for the issue being complained about.
 - Chasing up defects within the first 12 months for new build properties, unless it relates to delays in resolving the defects. (Defects should be reported as service requests direct to the Development Team).
- c. If the complaint is about an issue that took place more than six months ago. If the problem is a recurring issue, we will consider any older reports as part of the background to the complaint. The only exception to this would be where there is a health and safety concern or safeguarding issue.
- d. If a complaint is received, with only minor differences to one that has been raised before and exhausted the complaints process, subject to the exercise of discretion, we will advise that the matter is closed.
- e. Personnel matters including issues about staff employment or former employment including applications for employment.

4. Who can provide feedback?

4.1. Feedback can be provided by anyone who receives or is affected by a service from a Housing Plus Group (HPG) member organisation, or from a contractor used by us, to deliver services to our customers. This includes:

- Tenants, leaseholders, and shared owners
- Private tenants, residents, or homeowners
- Applicants for housing (unless the complaint is about a housing application not handled by an HPG member organisation but by the council)
- Customers receiving care or other services from Care Plus either in their own home or in an extra care or care home setting.

5. How can feedback be made?

5.1. Comments, compliments, and complaints can be made in the following ways:

- By telephone to one of our Call Centres;
- Online - using the online form on our website;
- By Email to Feedback@housingplusgroup.co.uk;
- In person at one of our offices;
- By social media;
- By letter addressed to: Customer Complaints and Feedback Team, Housing Plus Group, Acton Court, Acton Gate, Stafford, ST18 9AP

5.2. Complaints made on our social media pages, such as Facebook, will be identified by our Customer Services Team. Where the complaint cannot be resolved at first point of contact, the Customer Services Team will send the complaint through to the Complaints Team. The complaint will then be acknowledged and responded to in line with the provisions in this policy.

5.3. Where a customer posts on Facebook or social media pages, we will ensure privacy at all times by directing the complaint to private message to ensure privacy and confidentiality. If a customer posts personal details on a public post that this will be removed to protect their privacy and confidentiality. More details about this process can be found in the Posting Policy which provides further information about privacy relating to Facebook posts.

6. Accessibility

6.1. If a customer requires additional help in making a complaint, we will provide help and support, or, if preferred, complainants can seek assistance through external agencies, for example Citizens Advice.

6.2. Customers may prefer to have a representative deal their complaint on their behalf, and to be represented and/or accompanied at any meeting with the landlord. This may be by an advocate, carer, family member, elected member, agency, or professional body. Where this is the case we must receive or hold a signed authority from the customer which authorises us to communicate with the customer's appointed advocate or representative.

6.3. A customer may contact the Ombudsman at any time throughout the course of their complaint for advice and support.

6.4. If assistance is required by way of translation of information or its provision in an alternative accessible format this is available in accordance with our accessibility policy.

7. How we will handle the complaint

7.1. Every effort will be made to resolve an issue at the first point of contact, however, if this is not possible then the formal complaints process will begin.

7.2. The HPG Customer Complaints and Feedback Team, will take responsibility of the complaint handling. The Complaints Officers within the team will be able to:

- Act sensitively and fairly
- Access staff at all levels to facilitate quick resolution of complaints
- Have the authority and autonomy to resolve disputes quickly and fairly

7.3. HPG has a two stage complaints process.

7.4. Stage one

7.4.1. The complaint will be logged and acknowledged in writing within 2 working days of receipt.

7.4.2. A written response will be sent within 10 working days of receipt.

7.4.3. There may be exceptional circumstances where we cannot meet the above timescales.. If it is anticipated that there will be a delay in providing a written response, a holding letter will be sent advising of a new response date.

7.5. Extension reasons

7.5.1. The following will be reasons as to why we may need to extend our complaint written response timescales:

- Where more information is required from the customer
- Where the customer is not available to discuss the complaint or for a site visit to inspect the problem being complained about
- Where a staff member involved in the complaint is not available
- Where an external third party or contractor is not available

7.5.2. Where we require further information from a customer, if this information is not provided within a reasonable timescale, we will assume that the matter is resolved and use our discretion to close the complaint, advising the customer that this is the case.

7.6. Stage two

7.6.1. Where the customer is dis-satisfied with the response at stage 1, the customer will have 20 working days from the date of issue of the response to request that the complaint is escalated to stage 2.

7.6.2. In requesting an escalation to stage 2, the customer needs to provide details as to why they feel the stage 1 response does not answer their complaint and what they would like HPG to do to resolve the issue.

7.6.3. The complaint escalation request will be acknowledged in writing within 2 working days of receipt.

7.6.4. A Complaint Officer will make contact with the customer to arrange a meeting to take place either by telephone, face to face, or virtually.

7.6.5. The Complaint will be investigated by a Complaint Officer within the Customer Complaints and Feedback Team together with a senior member of staff appointed at the discretion of HPG.

7.6.6. A written response will be sent within 20 working days of receipt of the escalation request.

7.6.7. There may be exceptional circumstances where we cannot meet this deadline. If it is anticipated that there will be a delay in providing a response, a holding letter will be sent advising of a new response date. (See section 7.4 above).

7.7. Discretion not to escalate a complaint

7.7.1. We will not unreasonably refuse to escalate a complaint to the next stage of the complaints procedure.

7.7.2. There may, however, under exceptional circumstances at senior management discretion, be a requirement to refuse to escalate a complaint to the next stage. This would usually only be done in the following circumstances:

- If the resolution required by the complainant, in the reasonable opinion of HPG senior management, is outside the remit or responsibility of HPG or is considered excessive given the service failure.
- Where no new evidence is provided and the stage 2 complaint relies on the same information already considered and responded to at Stage 1

7.7.3. In those circumstances, the complaint process will be treated as having been ended and the complainant will be advised accordingly in writing, including via any nominated advocate or representative as appropriate.

8. Next Steps

8.1. Once a Stage two decision has been provided, our complaints process is complete save for implementing a response outcome if this is acceptable to the customer..

8.2. If a complainant remains dissatisfied with the outcome, they will be advised that they can take their case to either:

- a. the Housing Ombudsman if the issue relates to a landlord function and they are tenants (see section 9); or
- b. to the Local Government and Social Care Ombudsman if their complaint relates to care services provided by Care Plus (see section 10).

9. Housing Ombudsman and Designated Person

9.1. The Housing Plus Group is a member of the Housing Ombudsman Scheme. Customers may approach the ombudsman direct, but they must allow eight weeks from the date of receipt of the stage 2 response letter before the Ombudsman will consider the case.

9.2. Alternatively, complainants can seek the assistance of a designated person (usually a councilor or member of parliament). Their role is to help resolve disputes between tenants and their landlords which they can do in whatever way they think is most likely to work. If the designated person cannot help, they can refer a complaint to the Housing Ombudsman on their behalf.

9.3. Residents living in our communities who are affected by services provided by HPG but do not have a landlord/tenant relationship with HPG, including home owners, can make a complaint, however they will not be able to take their complaint to the Housing Ombudsman as they do not meet the ombudsman's eligibility criteria.

10. Local Government and Social Care Ombudsman (LGSCO) & Care Quality Commission (CQC) (for customers receiving care)

10.1. The Local Government and Social Care Ombudsman (LGSCO) look at individual complaints about councils, all adult social care providers (including care homes and home care agencies). Therefore, if the complaint relates to the provision of care, either in the home or a care home setting, complainants may take their complaint to the LGSCO.

10.2. Customers who are not tenants but who receive care from us either in their own home or in a care home setting can make a complaint to us.

- a. a) If the customer self-funds the payment of care services and they remain dissatisfied with our final response to their complaint, they can take their complaint to the Local Government and Social Care Ombudsman.
- b. b) If the care services are funded by the Local Authority, the customer can complain to the Local Authority before taking their complaint to the Local Government and Social care Ombudsman.

10.3. The Care Quality Commission (CQC) is the independent regulator of health and adult social care in England. Whilst it cannot deal with formal complaints which have to be progressed with the service provider and/or the LGSCO, it encourages receivers of care to provide feedback on the care they receive in order to help it protect others.

11. Closing a complaint

11.1. A complaint will be considered closed under the following circumstances

- After requesting further information to investigate the complaint and not receiving a response (see section 7.4.2) or the customer refusing to engage in the process.
- After sending a response and there is no further contact from the customer after 20 working days from the issue of the response.
- When a resolution is agreed and HPG has delivered the agreed action.
- When a stage two investigation is complete, and the final response has been sent and any agreed resolution action has been delivered.

11.2. Once a complaint is closed, HPG will not re-open it unless in the reasonable opinion of the Complaints Manager or their nominated representative sufficient new evidence is presented.

11.3. HPG has the discretion to close a complaint early if it believes that it is better dealt with through another channel and it is in the complainant's interest to do so or where it is suspected that the complaint is based on fraudulent information and/or activity.

12. Learning from Feedback

12.1. To learn from complaints, compliments and comments and to continually improve our services to customers, we review the type of complaints we receive. We identify trends and decide what action is to be taken to improve the service we provide and our internal processes. This review process also helps prevent similar issues recurring.

12.2. Themes and trends are assessed by senior management to identify any systemic issues, serious risks or areas for improvement.

12.3. We use learning from feedback to revise policies and procedures, to train staff and contractors and to improve communication and record-keeping.

12.4. The Boards within HPG maintain general oversight of complaints and customer feedback, including customer satisfaction findings. The boards are assisted in this by customer scrutiny group work as appropriate.

12.5. Compliments are also used to identify areas of good practice that we can learn from. Compliments can also be submitted in the same way as all other feedback.

12.6. We report on wider learning and improvements from feedback to residents, managers, and staff. This will also be included in our annual report.

13. Remedies

13.1. HPG will ensure that any remedy offered for a complaint reflects the extent of any, and all, service failures, and the detriment caused to the resident as a result. This shall include as appropriate:

- Acknowledging where things have gone wrong;
- Providing an explanation, assistance or reasons;
- Apologising for the failure;
- Taking action if there has been a delay;
- Re-considering or changing a decision;
- Amending a record;
- Changing policies, procedures or practices; and
- Providing financial remedy.

13.2. HPG will consider a claim for discretionary compensation where it has failed to meet published standards and/or has been clearly negligent and this negligence has resulted in the loss or damage for which the claim is made.

13.3. The offer of discretionary compensation will be the exception and not the norm. However, a discretionary financial remedy may be offered to settle a complaint or as a gesture of goodwill following on from consideration of a complaint.

13.4. Should a complainant have suffered material loss, then the discretionary compensation or financial remedy offered will reasonably reflect this loss.

13.5. Further details of when and how we consider discretionary compensation can be found in the compensation policy.

14. Unacceptable and Unreasonable Behaviour when dealing with complaints

14.1. The Housing Plus Group is committed to ensuring that the complaints policy is open and accessible to everyone, and we are committed to dealing with all complaints fairly honestly, consistently and impartially, and to making our service as accessible as possible.

14.2. However, here are occasions when the behaviour or actions of individual/s using our complaints service make it very difficult for us to deal with the complaint. In a small number of cases the actions of individual/s become unacceptable because of the nature or frequency of their contact with the service or they involve abuse of our staff or process. It is acknowledged that a few complainants and/or their representatives may behave unreasonably and hinder the consideration of their own, or other customers cases.

14.3. If and when this happens, we have to take action to protect our staff. We also need to consider the impact of the behaviour on our ability to do our work and provide a service to others.

14.4. HPG understands that sometimes people may act out of character in times of trouble or distress. It is recognised that complainants may be upset or there may be distressing circumstances leading up to the complaint. However, generally, we consider actions that result in unreasonable demands on our service and in particular unreasonable behaviour towards HPG staff to be unacceptable. It is these actions that we aim to manage under this section of the policy.

14.5. The next section of the policy provides details of the action we may take against complainants who we consider have behaved as set out above.

14.6. Actions HPG considers as unacceptable.

14.6.1. Unreasonable behaviour is categorised into the following categories:

- Aggressive or abusive behaviour towards staff and representatives of HPG;
- Unreasonable Levels of contact;
- Unreasonable demands;
- Unreasonable refusal to co-operate; and
- Unreasonable use of the complaints process.

14.6.2. Examples of actions or behaviour that fall into these categories are listed below

14.7. Aggressive or abusive behaviour

14.7.1. We understand that complainants and/or their representatives may be angry about the issues that gave rise to their complaint, however, if that anger turns to aggression towards HPG staff we consider this unacceptable. Any violence/abuse towards staff will not be tolerated.

14.7.2. Violence is not restricted to physical harm, it also includes behaviour or language (whether verbal or written) that may cause staff to feel offended, afraid, threatened or abused.

14.7.3. Each situation will be judged individually, but we consider the following language to be unacceptable. Language that is designed to:

- Insult or degrade;
- Is racist;
- Is sexist or homophobic; or
- Which makes serious allegations that individuals have committed criminal, corrupt or perverse conduct without any evidence to support such allegations

14.7.4. We may decide that comments aimed not at us but at third parties are unacceptable because of the effect that listening or reading them may have on our staff.

14.8. Unreasonable Levels of contact

14.8.1. Sometimes the volume or duration of contact made to us by an individual complainant causes problems for the ordinary conduct of business. This contact can occur over a short period of time, for example, the number of calls in one day or one hour. It may occur over the life span of a complaint when repeatedly long telephone calls are made to us or we are inundated with copies of information that has been sent already for the matter in hand or that is irrelevant to the complaint.

14.8.2. We consider that the level of contact has become unacceptable when the amount of time spent talking to a complainant or their representative on the telephone, or responding to, reviewing and filing emails or written correspondence, impacts upon our ability to deal with that complaint, or with other customers' complaints.

14.9. Unreasonable Demands

14.9.1. A demand becomes unacceptable when it starts to (or when complying with the demand would) impact substantially upon the work of HPG.

14.9.2. Examples of this behaviour include:

- Repeatedly demanding a response within an unreasonable timescale;
- Insisting on seeing or speaking to a particular member of staff when it is not possible; and
- Repeatedly changing the substance of a complaint or raising unrelated concerns.

14.9.3. An example of such impact would be when the demand takes up an excessive amount of staff time and, in doing so, disadvantages other customers and prevents their own complaint being dealt with quickly and efficiently.

14.10. Unreasonable refusal to co-operate

14.10.1. When we are considering a complaint, we need to ask the person who has complained to work with us. This can include agreeing with us:

- The precise nature of the complaint we will look at;
- To provide us with further information, evidence or comments on request; or
- To help us by summarising their concerns and remedial action they would like taken.

14.10.2. Sometimes an individual and/or their representative will repeatedly refuse to co-operate and this makes it difficult for us to proceed. We will always seek to assist someone if they have a specific, genuine difficulty complying with a reasonable request that we have made with regard to progressing a complaint.

14.10.3. However, we will consider it to be unreasonable to bring a complaint to our attention and then not respond to reasonable requests to enable use to investigate and resolve the matter.

14.11. Unreasonable use of the complaints process

14.11.1. Individuals have the right to make a complaint about the Housing Plus Group and the services it provides. They also have the right to make more than one complaint if subsequent incidents occur.

14.11.2. Complainant contact becomes unreasonable when the effect of repeated complaints is to harass, or to prevent us from pursuing a legitimate aim and/or implementing a legitimate decision.

14.11.3. We consider access to the complaints policy to be important and it will only be in exceptional circumstances that we would consider that its repeated use is unacceptable – but we reserve the right to do so if in our reasonable opinion such circumstances exist.

14.12. Reasonable Adjustments

14.12.1. We understand that some customers have disabilities which may make it difficult for them to express themselves or communicate clearly, especially when they are anxious or upset.

14.12.2. We also recognise that some disabilities can make it difficult for a disabled customer to assess the impact that their behaviour might have on others

14.12.3. We will consider making reasonable adjustments for a disabled customer if we are asked to do so.

14.12.4. However, we do not consider it to be reasonable to expect our staff to accept being subject to aggressive, offensive or abusive actions, language or behaviour. We may use the policy if there are actions or behaviour which are having a negative effect on our staff or our work.

14.12.5. More information can be found in the reasonable adjustment policy.

14.13. Managing unreasonable behaviour

14.13.1. All incidents where physical violence is used or threatened will be reported to the police. Verbal abuse or harassment may also be reported to the police.

14.13.2. Informal action

- Where behaviour has been identified as unreasonable, we will take steps to reach a voluntary or informal agreement with the complainant before taking formal action.
- We will ensure that the complaint is being or has been investigated properly through the HPG complaints policy

- We will make contact with the individual to advise them that their behaviour is becoming unreasonable and explain the reasons why
- Mediation or advocacy through third parties will be considered especially where a customer has access to support workers or advocates who support them.
- Where the informal approach outlined above does not work and the unreasonable behaviour continues a warning letter will be sent advising them and/or their advocate that they run the risk of formal action being taken if the behaviour continues and will set out the timescale for amending their behaviour.

14.13.3. Formal actions

The decision to apply this part of the policy will be taken by a manager of senior level in consultation with the Customer Complaint Team.

Formal action will include issuing a formal letter and imposing restrictions and/or sanctions which will be set out in the letter together with the appeal process. The restrictions that could be put in place include:

- Providing a single point of contact
- Limiting contact to a single form i.e. writing, email or telephone
- Limiting contact to certain times of the day/week
- Declining to give any further consideration of an issue unless additional evidence is provided
- Only considering a certain number of issues in a specific period

The fact that a person has been deemed as unreasonable under the policy and had restrictions imposed on them, will be recorded, and notified to those who need to know within HPG. Personal information about the complaint will not normally be included in such a notification.

14.14. Regular review and Right of appeal

14.14.1. At the time that restrictions are imposed, a review period will be set out which will be either 30, 60 or 90 days depending on HPG's view of the deemed severity of the behaviour.

14.14.2. If the individuals behaviour has improved at the point of review, consideration will be given to lifting the restriction. If it has not improved, we will provide an explanation as to why the restriction will remain in place for a further period pending the next agreed review date.

14.14.3. Customers have the right to appeal any decision to impose restrictions. This should be done within 20 working days of the issue of the formal letter, the appeal being addressed to the Customer Complaints Manager, Housing Plus Group, Acton Court, Acton Gate, Staffordshire, ST18 9AP

14.14.4. The complaint manager will arrange for the review to be done by a senior manager from a different Directorate to the one who made the original decision.

14.14.5. The customer will be notified of the outcome of the appeal in writing by the Complaints Manager within 15 working days of the receipt of the appeal.

14.14.6. Following the outcome of the appeal, if the customer still does not agree or feels it is unreasonable they may refer the matter to the Housing Ombudsman.

15. Consultation

15.1. Feedback to inform this policy has been provided through the task and finish focus project with Housing Plus Group involved customers.

15.2. Customers who have used the complaints process have also taken part in surveys to inform the review of the policy content and complaints process.

16. Regulatory Issues

16.1. This section highlights the regulatory codes and legislation applicable to this policy

16.2. The Tenant involvement and Empowerment Standard of the Regulator for Social Housing requires the Housing Plus Group to have a complaint policy and to be members of the Housing Ombudsman Scheme.

16.3. Landlords have an obligation to publish a complaints policy in accordance with the terms of the Housing Ombudsman Scheme and complaint handling code and to co-operate with the Ombudsman in its investigation of complaints referred to it.

16.4. The Care Quality Commission, the regulator for the care sector, requires care service providers to have an appropriate complaints process in place.

16.5. The Local Government and Social Care Ombudsman is responsible for looking at individual complaints about councils, all adult social care providers (including care homes and home care agencies). This will include the care provided by Care Plus.

16.6. The Localism Act 2011 created a mechanism for “designated persons” to consider complaints that have exhausted a social landlord’s complaints procedure rather than being escalated directly to the Housing Ombudsman.

16.7. This policy has been written in line with the following relevant legislation

- Housing Act 1996 (schedule 2)
- Localism Act 2011
- The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014: Regulation 16
- General Data Protection Act 2018
- Equality Act 2010

17. Links to Other Policies, Procedures or Documents

17.1. The following policies are linked to the Complaints Policy:

- Safeguarding
- Health and Safety
- Data Protection
- Access to Services Policy
- Compensation Policy
- Reasonable Adjustment Policy
- Posting policy

18. Data Protection

18.1. The Housing Plus Group is committed to being open, transparent, and clear and fair with individuals regarding the data and information we collect. Protecting your information and complying with data protection legislation is taken very seriously.

18.2. Details of how we manage your data can be found in the Housing Plus Group Privacy Statement on our website.

19. Monitoring and Review

19.1. All complaints, comments, compliments, and MP enquiries are recorded. The HPG Complaints Manager is responsible for administering the system and ensuring complaints are handled in

accordance with the policy and accompanying procedure, referring complaints to the appropriate person within the stipulated timescales.

19.2. The process for managing complaints includes a range of Key Performance Indicators (KPIs) These are managed and monitored by the Complaints Manager and are reported on a quarterly basis as part of performance management reporting.

19.3. Quarterly performance will be reported for scrutiny to the Homes Board.

19.4. Performance is published in the annual report.

19.5. This policy will be reviewed not less than every three years or in line with legislative or regulatory requirements.

20. Impact Assessments

20.1. In writing this policy we have carried out an equality impact assessment. We are committed to giving an equal service to all. Any action under this policy will comply with current legislation.

20.2. The organisation is committed to equal opportunities and as such all complaints will be dealt with fairly and consistently and no one will be discriminated against.

20.3. The organisation will not treat a complainant less favourably, as a result of making a complaint.

20.4. This policy does not involve the use of personal, sensitive information so it has not been necessary to carry out a privacy impact assessment.

