

COMPLAINTS POLICY

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Executive Summary:
<p>We want to deliver good, quality and fair services to all our tenants. If you are unhappy with our services and wish to complain, our policy explains the steps you can take. We will always approach complaints in a non-biased way and are committed to investigating everything fairly and consistently. All feedback is welcomed and helps us to build better services for our tenants.</p>

Policy Grouping/Directorate(s)	Customer Experience / Customer and Communities	
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Notes:		

1 Introduction

- 1.1 This policy outlines how we will put things right should a tenant or customer complain to us. We welcome complaints and actively encourage tenants and customers to express their dissatisfaction to us. All expressions of dissatisfaction are a positive opportunity to gather information that will help us improve our service.
- 1.2 Our approach follows The Housing Ombudsman's Complaint Handling Code, March 2022, which sets out requirements to respond to complaints effectively and fairly. We acknowledge that this enables us to resolve complaints quickly and provides data and learning to drive service improvements.
- 1.3 We publicise the Complaints Handling Code, our policies and procedures. We also promote the Housing Ombudsman Service to our customers. All this information can be located on our website. This policy applies to all properties and land owned by Rochdale Boroughwide housing and organisations providing services on behalf of Rochdale Boroughwide Housing, will be expected to follow this Policy.
- 1.4 This policy does not apply in the following situations, and complaints will not be accepted in these circumstances:
 - Where RBH delivers services on behalf of another organisation
 - Where legal action has been taken and completed against RBH
 - Damage caused to personal belongings due to unforeseen circumstances, e.g. leak or fire. Tenants are encouraged to take out Home Contents Cover to protect their personal belongings from any such occurrences. Home Contents Cover is available at a reduced rate for tenants, [click here for more information](#).
 - Issues which have already exhausted the complaints process. For example we have completed our Stage 1 and Stage 2 process, or the tenant has had a determination from the Housing Ombudsman.
 - Where the complaint occurred over six months ago

2 Context

- 2.1 This policy has been developed to ensure that RBH is compliant with the Complaints Handling Code which can be seen here <https://www.rbh.org.uk/about-us/governance/policies/>
- 2.2 It takes into account the requirements of the Housing Ombudsman scheme, relevant legislation such as the Localism Act 2011, Housing Act 1996 (schedule 2), General Data Protection Act 2018, Equality Act 2010, and Tenant Involvement & Empowerment Standards.

3 Aims & Objectives

- 3.1 The aims of the policy are to:
 - Encourage feedback – both positive and negative
 - Ensure complaints are resolved quickly, thoroughly, politely and fairly
 - Ensure that we learn from comments, complaints and compliments and use that learning to improve services

- Ensure we provide customers and other stakeholders with information about how we are performing and to demonstrate how we have learnt from the feedback we receive.

3.2 This policy applies to all feedback received from any person using or directly affected by a service RBH deliver including where services are commissioned by RBH but delivered via a third-party contractor.

4 Policy Statement

4.1 Definition of a complaint

A complaint is “an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by RBH, including staff and those acting on our behalf, affecting customers or group of customers”.

The tenant does not have to use the word ‘complaint’ for it to be treated as such. We accept complaints within six months of the event but will use discretion to consider cases outside this timescale. A service request is “a request from a customer requiring action to put something right”, examples include reporting:

- a new repair
- a new incident of anti-social behaviour
- an appointment we or our contractors have not met
- Service requests are resolved ‘there and then’, or at most within a few hours.
- Service requests are recorded, monitored and reviewed regularly to inform service improvements.

A complaint is raised when the customer raises dissatisfaction with the response to their request or because they have asked for one to be raised. Where a complaint is in relation to safeguarding or health and safety issues we may accept complaints beyond 6 months

4.2 How complaints are handled

RBH colleagues are trained to welcome and handle complaints. Complaints can be made by phone, email, in person through appointments, through the RBH portal, through an electronic form on our website and on social media. We have supporting guidelines to let you know how we handle complaints online and we maintain [confidentiality and privacy](#)

All feedback is recorded on our Customer Relationship Management (CRM) system. A full record will be kept of the complaint, any review and the outcomes at each stage. This will include the original complaint and the date received, all correspondence with the resident, correspondence with other parties and any reports or surveys prepared.

Customers requiring support to make a complaint may ask someone to act as an advocate such as a family member, friend, external organisation or Councillor/MP. In these instances, we will treat the complaint in the same way as we do other complaints if asked to do so. We will not be able to discuss the business of individual customers unless they have given their permission for us to do so, to ensure we remain compliant with Data Protection legislation (GDPR).

Where a key issue of a customer complaint relates to our legal obligations, we will set out our understanding of the customer's and our obligations as part of our complaint response.

4.3 Resolving service issues promptly

Where possible we will always work with our customers to try and resolve dissatisfaction quickly. Our Complaints Team will respond back to your initial dissatisfaction to understand more detail and work with customers to try and find a suitable resolution. Failing this, the complaints process consists of two stages.

4.4 Formal – Stage 1

When a complaint is made, we will acknowledge and log at stage 1 of the complaints procedure within 5 working days. Our dedicated Complaint Resolution Officer (CRO) will contact the complainant to discuss and confirm the details of the complaint, including what may have caused the complaint to arise and work with complainant to try and find a suitable remedy that meets expectations. All complaints at stage 1 will be formally responded to via email or letter, containing information on how to escalate their complaint should they remain dissatisfied.

The CRO will have appropriate complaint handling skills and no conflicts of interest.

Throughout the Stage 1 complaint our CRO will:

- they will address complaints empathetically.
- agree with the complainant the frequency and method of communication.
- manage expectations from the outset, being clear where a desired outcome is unreasonable or unrealistic.
- deal with complaints sensitively and fairly, carefully considering all information and evidence.
- acts independently and with an open mind, taking measures to address any actual or perceived conflict of interest.
- has access to staff at all levels to facilitate the quick resolution of complaints.
- has the authority and autonomy to act to resolve disputes quickly and fairly.
- keeps the complaint confidential, as far as possible, with information only disclosed if necessary to properly investigate the matter.
- address all points raised in the complaint.
- will be fully trained on how to handle complaints with the training reviewed regularly.
- where a key issue of a customer complaint relates to our legal obligations, we will set out our understanding of the customer's and our obligations as part of our complaint response.
- the resident, and if applicable any staff member who is the subject of the complaint, must also be given a fair chance to set out their position and comment on any adverse findings before a final decision is made.

We will respond to Stage 1 complaints within 10 working days upon acknowledgement. On occasion we may need to extend the response in order to undertake a further investigation, we may require an extension in line with the Housing Ombudsman guidelines of 10 working days.

If an extension beyond 20 working days is required to enable us to further investigate complex complaints and allow us to respond to the complaint fully, this will be agreed by both parties. Where an agreement over an extension period

cannot be reached, we will provide the Housing Ombudsman's contact details so the customer can challenge our plan for responding and/or the proposed timeliness of a response.

If a tenant remains dissatisfied with our response at Stage 1 we will clearly lay out in our response how a tenant can escalate this to Stage 2 of our complaint process. This must be raised within 6 weeks of the stage 1 response. We will escalate all complaints to stage 2 of the process providing the content of the original complaint remains the same. Any new issues would need to be addressed at stage 1 of the process separately.

In instances where RBH declines to escalate a complaint, we will clearly communicate in writing our reasons for not escalating as well as the customers right to approach the Ombudsman about our decision.

4.5 Review (Formal – Stage 2)

Customers that remain dissatisfied with our response at stage 1 can choose to have their complaint escalated to stage 2.

When escalated we will contact the complainant and work to understand the reason(s) they remain dissatisfied and wish for the matter to be considered by us again.

Stage 2 investigations are carried out by our Senior Complaints Resolution Officer or an equivalent Senior Manager.

We will provide a full response within 20 working days. In exceptional circumstances we may need to extend the response in order to undertake a further investigation, we may require an extension in line with the Housing Ombudsman guidelines of 10 working days which will be agreed by both parties. Where an agreement over an extension period cannot be reached, we will provide the Housing Ombudsman's contact details so the customer can challenge our plan for responding and/or the proposed timeliness of a response.

All complaints at stage 2 will be responded to in writing by email or letter containing information on how to contact the Housing Ombudsman should they remain dissatisfied.

4.6 Housing Ombudsman

If, having been through our complaints process, a customer remains dissatisfied with the outcome of their complaint, they can choose to refer this to the Housing Ombudsman. Tenants may contact the Housing Ombudsman directly. Further information can be found on the Housing Ombudsman on their website www.housing-ombudsman.org.uk or alternatively contact them on 0300 111 3000.

4.7 Closure of Complaints

A complaint is closed once the remedy and timescale for delivery have been agreed with the complainant. Agreed actions are tracked and completed as soon as possible, with regular updates provided to the complainant.

4.8 Unreasonable or frequent complaints/complainants

On very rare occasions the behaviour of a customer making a complaint may become unreasonable or unacceptable that may impact on our ability to continue delivering services to other customers. In these instances we reserve the right to restrict or change the way in which a customer makes contact with us. Any

restrictions placed on a resident's contact due to unacceptable behaviour should be appropriate to their needs and should demonstrate regard for the provisions of the Equality Act 2010. Guidance is available to support colleagues in managing such circumstances.

Examples of behaviour that RBH would consider unacceptable are

- Aggressive or abusive behaviour towards our employees or contractors including threats, physical violence, personal verbal abuse, harassment or derogatory remarks.
- Unreasonable demands which impact on our employees time and ability to carry out their duties e.g. continually making calls, changing the content of their original complaint or insisting on dealing with a particular employee

Unreasonable persistence to come to terms with an explanation or decision and continuing to pursue their complaint without providing any new information

4.9 Compensation or Good Will Gesture payments

Discretionary compensation is considered on a case by case basis and we adopt an evidence based approach. Further guidance can be found here in the Compensation Policy. <https://www.rbh.org.uk/about-us/governance/policies/>

4.10 Compliments or Comments

We encourage positive feedback and suggestions so that we can celebrate what we have done well and also learn what we need to do more of as well as what we need to stop doing. Compliments and comments can be made through any of the same channels as with complaints and are also logged in our CRM system so that we can analyse across our services what, or who, is working well and learn from that.

5 Monitoring and learning from complaints

- 5.1 We analyse complaints to understand where things have gone wrong and to identify what we can do to stop this happening again. We publicise the improvements we have made as a direct result of this feedback, so tenants and customers can see how their feedback has improved standards of service.
- 5.2 We also recognise the jurisdiction of The Housing Ombudsman Service and will implement recommendations resulting from their investigations. We will also record the reasons for complaints being escalated as customer feedback on how their initial complaint was handled. This will provide opportunity for learning on future complaints handling
- 5.3 On a quarterly basis the Tenant Complaints Group (made up of tenants and staff) will review a number of anonymised, recently closed formal complaints to see if they think we could have done anything better and feedback recommendations to the relevant service area(s).
- 5.4 Complaints are part of departmental meetings. Learning and service improvement will be identified and captured by Heads of Service as part of complaints review. Employees involved in the complaints process will be trained in this policy and related procedures.

- 5.5 On resolution of a formal complaint, we will survey the tenant to check satisfaction with how the complaint was handled and with the final outcome. We will also ask any tenant that has been through this process if they wish to engage with RBH
- 5.6 We will report all our performance including timeframes, escalation percentages and satisfaction through our website at <https://www.rbh.org.uk/about-us/customer-experience/>
- 5.7 Should any tenant wish to work with RBH in improving our services our engagement team are ready to hear from you on engagement@rbh.org.uk

6 Review

- 6.1 All RBH strategies, policies, service standards and procedures are reviewed on a regular basis to ensure that they are 'fit for purpose' and comply with all relevant legislation and statutory regulations.
- 6.2 This policy will go through the full policy approval process every 3 years and will undergo a desktop review annually. This is to ensure that it is fit for purpose and complies with all relevant and statutory regulations.

7 Links with Other RBH Documents

- 7.1 This policy links to the following policies and strategies:
- Compensation Policy
 - Customer Experience Strategy
 - Anti-Social Behaviour Policy
 - Lettings Policy
 - Code of Conduct for Employees
 - Code of Conduct for Board
 - Code of Conduct for Representative Body
 - Complaints Handling Code