

COMMENTS, COMPLIMENTS AND COMPLAINTS POLICY

1. POLICY STATEMENT

- 1.1 Erimus Housing positively welcomes feedback from anyone who uses our services. Comments, compliments and complaints are a valuable source of information about how well Erimus Housing is doing, whether we are meeting the standards that we have set and whether we are providing the services that our customers want.
- 1.2 This policy demonstrates Erimus Housing's commitment to effectively and efficiently deal with comments, compliments and complaints, and to ensure that the information received from such feedback is used to continuously improve services to our customers.
- 1.3 Erimus Housing is committed to ensuring that all complaints received are investigated swiftly and fairly. Every effort will be made to resolve the issue at the first point of contact, and, if serious service failures are identified, compensation will be offered where appropriate. Procedures are also in place to ensure that all feedback is considered in a consistent and appropriate manner.
- 1.4 This policy outlines how Erimus Housing will respond and manage feedback including comments, compliments and complaints, petitions and Ombudsman enquiries. It also sets out its approach to dealing with complaints which are malicious or persistent.
- 1.5 This policy outlines Erimus Housing's principles and approach to comments, compliments and complaints. Details of the process and implementation of the policy are contained in the comments, compliments and complaints procedure, which is available in summary format to customers.
- 1.6 This policy also informs the way in which Erimus Housing deal with internal comments, compliments and complaints i.e. those passed from one service area within the company to another.

2. REFERENCE MATERIAL

- 2.1 The publication (How) Are you being served?, September 2002, as published by the Housing Corporation, was used as reference material for this policy.
- 2.2 Advice and comments were also used as a reference from the Institute of Housing and Lesley Donnelly of Brighter Consultancy.

3 DEFINITIONS

- 3.1 **Comment** - Where a customer makes a suggestion or expresses an opinion about how a service could be improved, or expresses dissatisfaction with a policy or service standard.
- 3.2 **Compliment** – Where a compliment on a service is provided by an employee or team within Erimus Housing.
- 3.3 **Complaint** – Where a customer makes an expression of dissatisfaction arising from Erimus Housing failing to provide a service that it has said will be provided, or failing to meet published service level standards.
- 3.4 **Service Request** - Where a customer requests that Erimus Housing provides a service or makes an enquiry about a particular matter

4 POLICY CONTENT

4.1 Comments and compliments

- 4.1.1 Customers submitting a comment or compliment to Erimus Housing will receive an acknowledgement within five working days.
- 4.1.2 Comments will be considered by managers or the relevant service director to identify whether to revise policies and/or procedures, and consider where they could or should be improved. Where a comment requires a more detailed reply the relevant manager or service director will issue a response to the customer within 10 working days of receipt.
- 4.1.3 Compliments will be shared with the relevant officer or team, and notification of receipt of the compliment sent to the director responsible for the service.
- 4.1.4 Erimus Housing will ensure that any good practice and service improvement issues identified by the comments or compliments are shared across the organisation and used to improve services to customers. Where improvements have been made feedback will be given to customers.

4.2 Complaints

- 4.2.1 The aim of the policy is to ensure that all complaints are investigated quickly and fairly and, where possible, a positive resolution to a complaint is achieved at the first point of contact.
- 4.2.2 If a complaint cannot be resolved immediately and an investigation is needed, officers will provide the customer with an explanation of the complaints policy, the procedure that will be followed in order to investigate a complaint and what they can expect to happen next.
- 4.2.3 Local authority repair notices and disrepair claims will be recorded via the complaints system and follow the same procedure as complaints received from other sources.

4.3 What is not a complaint.

4.3.1 The following will not be dealt with as a complaint:

- A case where a matter is subject to court or tribunal proceedings;
- A case which is being dealt with by the company's insurers;
- Complaints which constitute a disagreement with, or refusal to accept a rule of law or Government advice which the company is applying.

4.4 Making a complaint

4.4.1 Customers can make a complaint or access the complaints system by telephone, email, online, in writing or in person at any Erimus Housing local housing office.

4.4.2 Complaints or enquiries are also accepted from local Councillors, Members of Parliament (MP), the Mayor of Middlesbrough or any other agency e.g. Citizens Advice Bureau, acting on behalf of an individual. Complaints received from any third party will be responded to with the same priority as a complaint received from a customer directly.

4.4.3 If a customer requires assistance in reporting a complaint any Erimus Housing employee can take details of the complaint and refer it to the relevant manager for investigation.

4.4.4 Where customers require assistance with translation or larger print information this will be provided.

4.5 Complaint Stages

4.5.1 Erimus Housing operates a three stage complaints process. Full details of the process for responses are set out in the comments, compliments and complaints procedure.

4.6 Stage 1

4.6.1 Stage 1 complaints will be investigated by the manager responsible for the service being complained about. A list of managers is available within the comments, compliments and complaints procedure.

4.6.2 Where a manager is unable to meet this deadline due to more in-depth investigations being required, the complainant will be notified in writing within two working days of receipt of the Stage 1 complaint.

4.6.3 The complaint will be investigated within five working days and following this investigation, the customer will be provided with a response detailing:

- Actions taken to investigate their complaint;
- Investigation findings;
- How the issue is to be resolved, or if no further action is to be taken, the customer will be advised of the reason why;
- Where compensation is to be paid to the customer, the letter will also advise the level of compensation being offered and why this is being offered (Refer to the Erimus Housing Compensation Policy);

- What action the customer can take if they are dissatisfied with the response they have received.

4.6.4 Where a customer feels their complaint has not been resolved to their satisfaction at Stage 1, they can request that the complaint be progressed to Stage 2.

4.7 Stage 2

4.7.1 Stage 2 complaints will be investigated by the director responsible for the service being complained about, with the aim of resolving and responding in full to the customer within 10 working days.

4.7.2 Where a director is unable to meet this deadline due to more in-depth investigations being required, the complainant will be notified in writing within two working days of receipt of the stage 2 complaint.

4.7.3 The complaint will be investigated within five working days and following this investigation, the customer will be provided with a response detailing:

- Actions taken to investigate their complaint;
- Investigation findings;
- How the issue is to be resolved, or if no further action is to be taken, the customer will be advised of the reason why;
- Where compensation is to be paid to the customer, the letter will also advise the level of compensation being offered and why this is being offered (Refer to Erimus Housing Compensation Policy);
- What action the customer can take if they are dissatisfied with the response they have received.

4.7.4 Where the customer feels their complaint has not been resolved to their satisfaction at Stage 2, they can request that the complaint be progressed to the final stage of the process, Stage 3.

4.8 Stage 3 (Final Stage)

4.8.1 At this stage a request can be made for the complaint to be considered by the Complaints (and Appeals) committee. The customer will be asked to state the reasons why they feel that the committee should consider the complaint and the outcome that they feel would resolve the complaint.

4.8.2 The Complaints (and Appeals) Committee will not consider cases where the decisions reached at Stage 1 and 2 of the policy have been reached and are within existing policies and procedure of Erimus Housing.

4.8.3 The Director of Corporate Services will aim to consider requests for the Complaints (and Appeals) Committee within seven working days of receipt, and decide whether the request fits into the category detailed in 4.8.2. In such cases, where the request is not to be taken to the Complaints (and Appeals) Committee, the Director of Corporate Services will aim to advise the customer of this within 10 working days and the case will be seen to have reached the end of the complaints process.

- 4.8.4 When a case is to be considered by the Complaint (and Appeals) Committee the Committee will aim to meet within 20 working days. The customer will be invited to attend the meeting and an officer will guide them through the complaints process and protocol.
- 4.8.5 Following the committee meeting, the customer will be advised of the final decision and this will be seen to be the conclusion of the complaints process.
- 4.8.6 Where the customer feels their complaint has still not been resolved to their satisfaction they can contact the Independent Housing Ombudsman.

4.9 Ombudsman Enquiries

- 4.9.1 Erimus Housing is a member of the Independent Housing Ombudsman scheme. Customers have the right to contact the Independent Housing Ombudsman at any time about a complaint although they will usually be required to have exhausted the complaints process first.
- 4.9.2 Complaints received from the Ombudsman will be responded to in full within the timescales set by the Ombudsman.

4.10 Investigating a complaint

- 4.10.1 When investigating a complaint the manager responsible for investigating the complaint will make contact with the person making the complaint, either by telephone or a home visit, in order to confirm the details of the complaint and the outcome desired. This provides an opportunity to clarify the complaints process with the customer, advise how the complaint will be investigated and jointly agree any actions needed to resolve the complaint.
- 4.10.2 In the event that personal contact cannot be made an acknowledgement letter will be sent to the customer providing a contact name and telephone number.

4.11 Complaints made by a third party

- 4.11.1 Erimus Housing recognises there are times when a complaint or enquiry will be received from an individual or agency on behalf of another person, for example council members, MPs, voluntary support agencies, solicitors.
- 4.11.2 All third party enquiries will be recorded and processed using the standard complaints procedure. However, to ensure compliance with the Data Protection Act 1998, all subsequent contact or correspondence in relation to the complaint, investigation and findings will be made directly with the person the complaint is being made on behalf of (unless there is specific written consent by the third party).
- 4.11.3 Complaints received from Middlesbrough Council's One Stop Shop system will be processed through the complaints procedure, along with enquiries from MPs or the Mayor of Middlesbrough or any other third party e.g. Citizens Advice Bureau. These will be investigated within the normal timescales of the complaints process commencing at Stage 1. An acknowledgement letter will be sent to the third party, and to the person whom the enquiry has been made on behalf of, within two working days of receipt of the enquiry being received.

4.11.4 A letter will be sent advising any third party when the complaint has been dealt with and that a full response has been sent to the person making the complaint.

4.12 Anonymous complaints

4.12.1 Erimus Housing will accept, record and investigate anonymous complaints in the same way they would complaints from a named person. Outcomes of anonymous complaints will be recorded on the Contact Management System as an anonymous client.

4.13 Repair Notices and Disrepair Claims

4.13.1 Complaints received as a result of disrepair claims or local authority repair notices will be registered as complaints but responded to and dealt with in accordance with Erimus Housing's policy and procedures.

4.14 Compensation

4.14.1 Where the customer requests compensation or the complaint is sufficiently justified to merit an offer of compensation, this will be managed as part of the complaint processing and offered in accordance with the Compensation Policy and Procedures. Advice should be taken from the Risk and Insurance team where required.

4.15 Contractors or Partners

4.15.1 Any complaints made directly to our contractors or partners will initially be recorded and investigated through their own complaints procedure. Contractors and partners are required to report back to Erimus Housing on comments, compliments and complaints received.

4.15.2 Where a customer makes a complaint directly to Erimus Housing about any of our contractors or partners this will be managed as part of our standard complaints process.

4.16 Petitions

4.16.1 Where a petition is received on behalf of a number of customers or members of the public, the complaint will be investigated by the relevant manager. An acknowledgement letter will be sent to the lead petitioner within five working days of receipt and a full response within 10 working days.

4.16.2 Where the manager investigating the petition is unable to meet this deadline due to more in-depth investigations being required, the lead petitioner will be notified in writing within seven working days..

4.16.3 The appropriate director will be informed of any petitions received by Erimus Housing.

4.17 Persistent complainants

4.17.1 Erimus Housing welcomes customer feedback and is committed to dealing with all complaints fairly and impartially. In usual circumstances, the amount of contact complainants have with officers will not usually be restricted. However, there may be occasions where action to limit contact is necessary.

4.17.2 This will usually be in cases where:

- the frequency of contacts being made is hindering investigation of the complaint;
- the customer is contacting numerous officers throughout the organisation about the same concern;
- frequent complaints are being made about an issue that has already been investigated, responded to and the complaints procedure exhausted.

4.17.3 The decision to treat an individual as a persistent complainant will only be made after records are thoroughly examined, and concerns have been discussed with the relevant service director. The director will advise officers accordingly on actions to be taken following a decision being made.

4.17.4 Where it is agreed that it is necessary to treat an individual as a persistent complainant, Erimus Housing will write to inform the individual when and how future contact with the association can be made. The customer will be provided with a named officer with whom they should make contact.

4.18 Malicious Complaints

4.18.1 Complaints of this nature are of no benefit to customers or service users, and can take up valuable resources and staff time when responding to them. Such complaints can also cause stress and anxiety to staff and third parties involved and as such are to be discouraged.

4.18.2 Complaints which Erimus Housing perceives to be unreasonable, deliberately repetitive or malicious will not be investigated or responded to.

4.18.3 The decision on whether a complaint will be viewed in this manner will be made by the relevant director, and the customer advised that the complaint is to be viewed in this way.

4.18.4 In serious cases, Erimus Housing may seek legal advice, and appropriate legal action will be taken. Where a malicious complaint is aimed towards a member of staff the Head of HR will be informed.

4.18.5 The receipt of the complaint and its rejection will be recorded as part of the complaints recording process.

4.19 Misconduct of Employees

4.19.1 Where a complaint is received which alleges potential employee misconduct, the complaint will be recorded and referred to the Business Support Manager who will liaise with appropriate managers and the Head of HR for investigation. Appropriate action will be taken in line with Erimus Housing's disciplinary policy.

4.19.2 The customer can expect to receive a response to their enquiry in line with standard complaint process timescales. Where a more in-depth investigation is required the customer will be notified of this in writing within seven working days of receipt of the Stage 2 complaint.

4.20 Unacceptable behaviour from complainants

4.20.1 Erimus Housing does not expect its employees to accept behaviour which is unacceptable, from anyone. This includes but is not restricted to abusive, offensive or threatening behaviour.

4.20.2 Incidents of unacceptable behaviour will be reported on an Assault /Violence to Staff Report form. The relevant service manager or director will make a decision on whether to restrict future contact. In all cases the customer will be advised of the reason why the behaviour has led to a restriction being placed.

4.20.3 Where serious unacceptable behaviour continues investigation into the complaint may result in legal action being taken against the customer e.g. an injunction or breach of tenancy action. This decision will be made jointly between the Director of Corporate Services and the relevant service director.

5. EQUALITY AND DIVERSITY

5.1 Erimus Housing recognises that it operates in a community within which there is wide social diversity, and is committed to providing equal opportunities and valuing diversity.

5.2 In the delivery of this policy we aim to deal with complaints from customers fairly, and with respect and professionalism regardless of their gender, race, age, disability, religion, sexual orientation and marital status.

5.3 To enable all residents to have clear information and equal access to our comments, compliments and complaints policy, Erimus Housing will publish clear information in a range of appropriate languages and formats, and through a range of media. Feedback is also accepted through a variety of different routes to reflect individual customer's preferences or needs.

5.4 Where required, assistance will be given to people who wish to make a complaint but have difficulty doing so because of their circumstances e.g. disability or English comprehension difficulties. This may be the provision of translation/interpretation services, printing of documents in large print or home visits to housebound/vulnerable people.

5.5 Erimus Housing will monitor trends among groups of customers who access the comments, compliments and complaints scheme to ensure accessibility and customer satisfaction for all members of the community. In addition, monitoring will be undertaken to identify groups of customers who are not using the process or who may be experiencing difficulty in doing so.

5.6 Full details of our approach are shown in Erimus Housing's Equality and Diversity Strategy.

6. CUSTOMER INVOLVEMENT AND CONSULTATION

- 6.1 Erimus Housing recognises the importance of working in partnership with customers to develop and continuously improve services and raise standards.
- 6.2 Erimus Housing actively involves customers at the beginning of decision making processes, and ensures that tenants are empowered to play a part in the wider consultation and involvement structures, as detailed in the Resident Involvement and Consultation Strategies.
- 6.3 To demonstrate our commitment, customers have been consulted in the development of this policy and have had the opportunity to comment and make improvements.
- 6.4 To demonstrate this ongoing commitment Erimus Housing will:
- Involve customers in the monitoring and testing of service delivery standards laid out in this policy and relevant procedures;
 - Publish information in relation to performance against the aims and standards set down by this policy;
 - Review and develop policies and procedures as a result of comments, compliments and complaints.

7 MONITORING AND REVIEW

7.1 Monitoring

7.1.1 Monitoring of the implementation of this policy and associated procedures will provide information on:

- How easily customers can access the service;
- The performance against service standards and targets set out in the procedure;
- Customer satisfaction with the process;
- The number, level and type of complaints being received.

7.1.2 This information will be reported to the Operations committee on an annual basis.

7.2 Review

7.2.1 Monitoring results will be used to inform a review of the policy in 2008. The review will consider whether:

- The policy meets legislative and regulatory requirements;
- The policy reflects current good practice;
- The aims and objectives of the policy are being met;
- The current policy outcomes meet the needs of Erimus Housing's diverse customer base;
- Service users are aware of and understand the policy, and believe it to be consistent and fair;
- The policy provides sufficient choice for customers;
- The service offers value for money;

- Partnership arrangements are working effectively.

7.2.2 Monitoring and review will be undertaken where required in consultation with:

- Officers using the policy and procedure;
- Board members;
- Existing and future service users;
- Resident and community groups;
- Partners, local voluntary agencies and other statutory services as relevant.

7.2.3 The policy will be reviewed on an annual basis or in line with legislative or regulatory changes.

8. RESPONSIBILITY

8.1 The Director of Corporate Services, on behalf of the Chief Executive, is responsible overall for the implementation of this policy.

8.2 The Business Support Manager is responsible for the operational delivery of the policy and its associated procedures.