

POLICY TITLE	Compliments, Complaints and Suggestions
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OFFICER RESPONSIBLE FOR REVIEW	Business Support Manager

COMPLIMENTS, COMPLAINTS AND SUGGESTIONS POLICY

1 POLICY STATEMENT

- 1.1 Erimus Housing (EH) and Tees Valley Housing (TVH) positively welcome feedback from anyone who uses our services. Suggestions, compliments and complaints are a valuable source of information about how well Erimus Housing and Tees Valley Housing are 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 EH and TVH's commitment to effectively and efficiently deal with suggestions, compliments and complaints, and to ensure that the information received from such feedback is used to continuously improve services to our customers.
- 1.3 EH and TVH are 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 EH and TVH will respond and manage feedback including suggestion, 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 EH and TVH's principles and approach to suggestions, compliments and complaints. Details of the process and implementation of the policy are contained in the suggestions, compliments and complaints procedure, which is available in summary format to customers.
- 1.6 This policy also informs the way in which EH and TVH deal with internal suggestions, compliments and complaints i.e. those passed from one service area within the company to another.

- 1.7 In addition, any complaints relating to Erimus Building Services external contracts will be reported to BM TRADA, where the BM TRADA Trustmark Complaint Handling and Resolution Procedure will run parallel with EH and TVH's internal procedure.

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.
- 2.3 Advice and suggestions were also used as a reference from the Institute of Housing and Lesley Donnelly of Brighter Consultancy.
- 2.4 Feedback from consultation with tenants has been taken into account when reviewing this policy.

3 DEFINITIONS

- 3.1 Suggestion – 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 EH or TVH.
- 3.3 Complaint – Where a customer makes an expression of dissatisfaction arising from EH or TVH failing/perceived failing to provide a service that it has said will be provided, or failing/perceived failing to meet published service level standards.
- 3.4 Service Request – Where a customer requests that EH or TVH provides a service or makes an enquiry about a particular matter.

4 POLICY CONTENT

4.1 Suggestions and Compliments

- 4.1.1 Any suggestions we receive will be sent to a senior manager who will make sure we use the suggestions when we study our services, policies and procedures and consider where they could or should be improved.
- 4.1.3 Compliments will be shared with the relevant officers or team, and notification of receipt of the compliment sent to the director responsible for the service. If we can use a compliment to improve services, we will make sure it is shared across the business.
- 4.1.4 EH and TVH will ensure that any good practice and service improvement issues identified by the suggestions 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 There are certain issues that cannot be dealt with through the complaints procedure, although we will always listen and provide customers with a response. 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.

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 and Tees Valley Housing employee can take details of the complaint and refer it to the relevant manager for investigation if they are unable to resolve it at the point of contact.

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

4.5 Complaint Policy

4.5.1 The majority of complaints can be sorted out by discussing the issues with the relevant officers and our policy encourages this.

- 4.5.2 Customers will be asked to work with front line officers to resolve any problems at the first point of contact and our officers will help as much as possible in resolving any issues.
- 4.5.3 If a customer feels that a manager should deal with the issues raised, a more detailed investigation is needed or the complaint is about a member for staff, the details will be taken and it will be passed to the senior manager responsible for the service being complained about to investigate and respond to.
- 4.5.4 If the complaint you make is about one of our managers, their director will investigate the matter.
- 4.5.5 Unfortunately, there are occasions when customers may not be satisfied with the outcome of a complaint. If this is the case, they can contact the Independent Housing Ombudsman service, which will investigate whether it feels that there has been any maladministration and recommend any changes needed.
- 4.6 Ombudsman Enquiries
 - 4.6.1 EH and TVH is a member of the Independent 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.
 - 4.6.2 Complaints received from the Ombudsman will be responded to in full within the timescales set by the Ombudsman.
- 4.7 Investigating a Complaint
 - 4.7.1 When a complaint is passed to a senior manager for investigation, the manager will contact the person making the complaint 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.
 - 4.7.2 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.
- 4.8 Complaints made by a third party
 - 4.8.1 EH and TVH recognises that 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, and solicitors. Also that occasionally board members may be advised by customers of a complaint.

- 4.8.2 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).
- 4.8.3 Complaints received from Middlesbrough Council's One Stop Shop system will be referred to the relevant senior manager to investigate. This will also happen, along with enquiries from MPs or the Mayor of Middlesbrough, or any other third party e.g. Citizens Advice Bureau. 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.
- 4.8.4 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.
- 4.9 Anonymous complaints
- 4.9.1 EH and TVH will 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.
- 4.10 Repair Notices and Disrepair Claims
- 4.10.1 Complaints received as a result of disrepair claims or local authority repair notices, will be registered as a complaints but responded to and dealt with in accordance with EH and TVH's policy and procedures.
- 4.11 Compensation
- 4.11.1 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.
- 4.12 Contractors or Partners
- 4.12.1 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 EH and TVH on suggestions, compliments and complaints received.
- 4.12.2 Where a customer makes a complaint directly to EH and TVH about any of our contractors or partners, this will be managed as part of our standard complaints process.

4.13 Petitions

4.13.1 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 full response within 10 working days.

4.13.2 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.

4.13.3 The appropriate director will be informed of any petitions received by EH and TVH.

4.14 Persistent complainants

4.14.1 EH and TVH 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 be restricted. However, there may be occasions where action to limit contact is necessary.

4.14.2 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.

4.14.3 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.

4.15 Malicious complaints

4.15.1 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.

4.15.2 Complaints which EH and TVH perceives to be unreasonable, deliberately repetitive or malicious, will not be investigated or responded to.

4.15.3 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.

4.15.4 In serious cases, EH and TVH 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.

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

4.16 Misconduct of Employees

4.16.1 Where a complaint is received which alleges potential employee misconduct, the complaint will be recorded and the relevant senior manager will liaise with the Head of People and Organisational Development for investigation. Appropriate action will be taken in line with EH and TVH's disciplinary policy.

4.16.2 The customer can expect to receive a response to their enquiry in-line with standard complaint process. However, due to confidentiality the full details of any disciplinary action will not be shared.

4.17 Unacceptable behaviour from complainants

4.17.1 EH and TVH do not expect their employees to accept behaviour which is unacceptable, from anyone. This includes but is not restricted to abusive, offensive or threatening behaviour.

4.17.2 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.

4.17.3 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 EH and TVH recognise that they operate 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 suggestions, compliments and complaints policy, EH and TVH will publish clear information in a range of appropriate languages and formats, and through arrange 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 EH and TVH will monitor trends among groups of customers who access the suggestions, 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 EH and TVH's Equality and Diversity Strategy.

6 CUSOMTER INVOLVEMENT AND CONSULTATION

- 6.1 EH and TVH recognise the importance of working in partnership with customers to develop and continuously improve services and raise standards.
- 6.2 EH and TVH actively involve customers at the beginning of decision making processes, and ensure 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 make suggestions and improvements. To demonstrate this ongoing commitment, EH and TVH 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 suggestions, 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 requirement;
- The policy reflects current good practice;
- The aims and objectives of the policy are being met;
- The current policy outcomes meet the needs of EH and TVH'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 procedures;
- 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 a triennial basis or in-line with legislative or regulatory changes.

8 RESPONSIBILITY

8.1 The Director of Finance and Corporate Services, on behalf of the Group Chief Executive and Managing Directors of EH and TVH, 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.