

COMPLAINTS AND COMPLIMENTS



It is Advance policy to welcome complaints, comments and compliments and look upon them as an opportunity to learn, adapt, improve and provide better services.



The Complaints and Compliments Panel is established to ensure there is a rigorous approach to reviewing complaints across the organisation. The Panel will also focus on the organisational learning from complaints raised.



No Customer or person should be discouraged by staff from making a complaint or comment, or prohibited from doing so.



Managers are responsible for ensuring that complaints are effectively managed and monitored, with timescales met at all stages. Also the complaint and associated documents are properly recorded on the complaints management system (part of Open Housing).



A written response should be sent to the complainant, detailing the findings and action taken or planned.

Key Changes (Summary):

Amended to incorporate changes identified from Advance's self-assessment against the Housing Ombudsman's Code for Complaints Handling:

- A change to the definition of a complaint, including being explicit that Advance will deal with complaints about contractors or others acting on our behalf (section 1).
- Incorporating a statement on reasonable adjustments (section 1).
- Clarifying the role of the Lead Officer (section 2) and of the Complaints and Compliments Panel as the 'Complaints Team' in the context of the Code (section 6).
- Providing an option (to the complainant) to include the customer rep from the Complaints Panel on any stage 2 appeal hearing (section 3).
- Timescales remain the same, but for stage 2 the wording has been changed to align with the Code, e.g., 20 working days rather than one month (section 3).

It is also highlighted that the 'democratic filter' prior to escalation to the Housing Ombudsman, is proposed for removal in the Building Safety Bill (section 3).

1. POLICY

Introduction

Customer satisfaction is a key measure of service quality. Excellent customer service is critical to the success of Advance, and will improve our reputation with customers, partners and stakeholders.

There will be times when our customers feel that Advance has fallen short of the standards we set. We therefore welcome and take seriously any complaints that are made to us about the quality of any service that we have provided.

For the purpose of this policy "customer" shall mean existing tenants, residents and service users, potential tenants, residents and service users, leaseholders and a representative of any of the people mentioned above, who is authorised by them to make and pursue the complaint on their behalf. This Policy will also be used to review complaints made to us by stakeholders or members of the public about our services, customers or staff.

Advance encourages local resolution of complaints. Advance promotes ways to give feedback in our customer packs, newsletter, website and on site as appropriate.

Our approach to complaints will be positive and proactive. Complaints will be viewed as valuable feedback and a means of identifying areas for service improvements. All complaints will be considered in a fair and impartial manner and staff will be approachable and helpful at all stages of the Complaints Procedure. In all cases:

- We aim to resolve problems as quickly and simply as possible.
- We will ensure that all customers are provided with a fair and consistent service.
- We will communicate with customers in a manner and format that they can understand, where possible.
- We will adapt our processes, responses, and communications to accommodate an individual's needs, particularly related to any disability, wherever it is feasible and reasonable to do so.
- We will ensure that all staff dealing with complaints have been adequately trained.
- We will treat all complaints in a confidential manner.
- We will monitor complaints in order to ensure the quality and effectiveness of our service.

What is a Complaint?

A complaint is 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 customer or group of customers.

Not every person expressing dissatisfaction wants the matter to be dealt with as a formal complaint. There are three options:

1. Deal with a minor issue there and then, particularly if it is the first time it has been brought to our attention. No need to log it as a complaint.
2. If the issue is more significant or has been reported more than once, it is better logged as a complaint. If it can be dealt with there and then, there is the option of recording it on Open Housing as 'resolved at first contact', with no further action required.
3. If the complaint requires investigation and follow up, the full process should be followed.

If in doubt, ask the customer or complainant how they would like it handled.

Who responds to a complaint?

Any officer or agent acting on Advance's behalf can receive a complaint either verbally or in writing. If the complaint can be resolved straight away this should be done and the outcome recorded on Open Housing. If it cannot be resolved straight away details must be recorded on Open Housing and a Lead Officer allocated.

What is a Vexatious Complaint?

A vexatious complaint is one (or a series of many) that is specifically being pursued in order to harass, annoy or cause financial cost to their recipient. Vexatious complaints may need to be handled differently from other complaints, but no complaint will be considered vexatious without Director-level approval. See section 4.

What is a Compliment?

A compliment is when someone wishes to praise the service and the people who provide it. See section 4.

What about Compensation?

Please refer to the Compensation Policy.

2. APPLYING THE POLICY

This policy is for use in dealing with complaints and compliments about an Advance service, our staff, agents, or our procedures. It should not be used if a customer, for example, complains that something in their home is broken, in which case they should request a repair. If the repair is unsatisfactory, that can be grounds for a complaint.

Customer Complaints

The complaints procedure **should not** be used for reporting issues between customers; this is likely to fall under one of the following policies:

- Housing Management
- Anti-Social Behaviour
- Harassment
- Safeguarding
- Incident Reporting

If you are unsure ask your line manager for help.

Staff Complaints

The complaints procedure **should not** be used by staff members wishing to complain about a colleague or if they have an issue about work. Advance has several internal policies to meet these requirements, for example, the Grievance Policy or Harassment and Bullying Policy. If you are unsure which policy is most relevant, you should contact HR for advice. If you remain dissatisfied with the response you should use the Advance Whistleblowing Policy – details can be found in 'Raise a Concern' under the 'Need to Know' section of the intranet.

Point of Contact

The person who first hears of a potential complaint or compliment is the Point of Contact. The Point of Contact can be any staff member, even if the complaint or compliment is not relevant to their department. It is accepted that complaints and compliments can be made verbally in person; by telephone, in writing; or by email to complaints@advanceuk.org; or compliments@advanceuk.org or through the Advance website.

Contact with customers should always be made in a manner and format which they are able to understand, where possible.

PRIDE

In line with Advance's PRIDE values, it is our policy to welcome complaints and compliments and look upon them as an opportunity to learn, adapt, improve and provide better services, we should not see a complaint as being negative.

If a customer wishes to make a complaint they should find the process easy and not be discouraged or prevented from doing so. Under no circumstances must a customer or person suffer any form of victimisation as the result of a complaint being received.

How to raise a complaint

- All complaints received via post, email or via the website should be logged onto Open Housing straight away by the person who has received the complaint (or by administrative support staff if available).
- As part of logging the complaint you will allocate the complaint to a Lead Officer who will contact the customer and acknowledge the complaint. The Lead Officer should be the relevant manager or member of staff depending on the nature of the complaint. Typically, the Lead Officer would be:
 - Regional Surveyor for repairs related complaints.
 - Regional Housing Officer for housing management complaints.
 - Service Manager for Support complaints.
 - Customer Services Manager for complaints related to customer services call handling etc.

The Lead Officer can be changed if necessary.

- If a customer wishes to raise a complaint verbally, clarify the complaint with the customer and record as much information as possible.

The role of the Lead Officer

The role of 'Lead Officer' is taken by the person responding to the complaint. In their role as the Lead Officer, they have the authority and autonomy to act to resolve disputes quickly and fairly. The Lead Officer is specifically responsible for:

- Investigating, resolving, and responding to the complaint within procedural timescales.
- Gathering relevant information across teams and departments if needed – and they should receive co-operation from any other relevant staff or managers to facilitate quick resolution of the complaint.
- Making sure all agreed actions are completed and the complainant is kept up to date on progress (this includes other customers who may be affected by the complaint).
 - Placing responses and evidence of actions being completed onto Open Housing within agreed timescales.
 - Completing the learning outcomes from the case and presenting the case or case information if it progresses to Stage 2 or to the Ombudsman.

The Complaints and Compliments Panel has an overall leadership role for complaints in Advance (see section 6). If the Lead Officer experiences any issues of departmental disagreement or non-engagement, they should escalate these to a member of the Complaints and Compliments Panel or the Chair (currently the Executive Director of Housing).

3. COMPLAINTS PROCESS (EASY REFERENCE GUIDE)

Stage One – Initial Complaint

- A complaint is received, logged on Open Housing and a Lead Officer is assigned.
- The Lead Officer contacts the complainant and acknowledges the complaint within one working day, updating Open Housing.
- The Lead Officer investigates and speaks further to the complainant and any other relevant parties.
- Within 15 working days of complaint receipt the complaint should be resolved. If this is not possible, the complainant should be contacted, and communication should continue regularly until the complaint can be resolved.
- Complaint Resolution – the Lead Officer sends out a resolution letter to the complainant, detailing the findings and action taken or planned. The Lead Officer should update Open Housing and upload copies of all correspondence and any notes /minutes and/or action plans.

Stage Two – Complaints Review Panel appeal

If a Customer is unhappy with the outcome of their complaint, or the manner in which the actions were carried out, they have 10 working days to appeal the decision. The complaint is passed on to a new Stage Two Lead Officer (the line manager or an appropriate peer).

The Stage Two Lead Officer will send an acknowledgment letter to the complainant by the next working day.

- The Stage Two Lead Officer will speak with the customer and seek to resolve the issue. This is preferable and achievable in most cases.
- If this is not possible then a Complaints Panel hearing will be arranged within 20 working days of the decision to escalate. The complainant should be informed of their right for a representative/ advocate to attend with them. They should also be asked if they are happy for the customer representative from the Advance Complaints and Compliments Panel to attend as an independent customer voice, which would require them to see the documentation relating to the complaint and the hearing.
- A Case Summary (e.g., chronology and relevant documents) should be prepared and circulated in advance.
- The Complaints Review Panel is made up of the following members:
 - The complainant
 - An advocate or other person whom the complainant may wish to invite
 - A member of Advance's Executive Leadership Team
 - A member of the Advance Board as Chairperson
 - The customer representative from the Advance Complaints and Compliments Panel, to act as an independent customer voice; this is optional for the complainant
 - The initial Lead Officer
 - The Stage 2 Lead Officer
 - A representative from the funding body, if required
 - PA for minuting the meeting.
- The complainant should be notified of the date of the hearing a minimum of 5 working days before, to include the time/place, members of the Panel, a copy of the Case Summary.

The Hearing

The Review Panel listens to details of the case presented by the stage 1 Lead Officer, the Complainant or an advocate, and the stage 2 Lead Officer. The meeting should not last more than 3 hours.

The role of the Review Panel is to draw the case to an acceptable conclusion, which can be given verbally at the Review Panel meeting. The complainant will be informed in writing, and/or in their preferred format, of the outcome of the review within 10 working days.

Stage Three (designated person and external review)

- Stage Three covers any form of external redress should the customer still be unsatisfied with any resolution.
- The Localism Act 2011 provides that tenants of housing associations can ask for their complaints to be considered by a 'Designated Person' when their landlord's internal complaints procedure is finished.

- A Designated Person might be a local MP, Councillor, or tenant panel. They can assist in making the complaint but primarily their role is to review the decisions made by Advance at any level of the complaints procedure and offer their impartial review of our findings.
- Advance is able to reflect on the guidance offered by the Designated Person and adjust any findings if appropriate. A Designated Person is able to refer a complaint directly to the Housing Ombudsman if they feel Advance is not dealing with the complaint within its policies and procedures.
- If the complainant remains dissatisfied, they can apply to the independent Housing Ombudsman. When a case is accepted by the Ombudsman the complainant, case manager, the relevant Director and Chief Executive will be informed by the Complaints panel. Acceptance of a case through the Ombudsman will not prevent case managers continuing to seek to resolve the complaint wherever possible.
- If a tenant does not want to make use of the opportunity for local resolution through a Designated Person, the Housing Ombudsman will, providing eight weeks has passed from the date of our final stage response letter, consider the case.
- Note that this requirement (the 'democratic filter') to go through a Designated Person or to wait 8 weeks before the Housing Ombudsman will consider the case, is proposed for removal within the Building Safety Bill. If this is passed into law as expected then complainants will be able to escalate a complaint to the Housing Ombudsman service directly, as soon as they have completed their landlord's complaints process.
- Customers who remain dissatisfied with how we have dealt with their complaint about Advance's **Support Services** should be advised of their right to contact the Local Government Ombudsman or the Care Quality Commission.

4. DEALING WITH ABUSIVE OR VEXATIOUS COMPLAINTS AND COMPLAINANTS

Dealing with a complaint is normally a straightforward process, but in a minority of cases, people pursue their complaints in a way which can impede the investigation of their complaint.

This can happen either while their complaint is being investigated, or once their complaint has been concluded.

We do not expect staff to tolerate unacceptable behaviour by complainants or any customer. Unacceptable behaviour includes behaviour which is abusive, offensive or threatening.

If a complainant behaves in a way that is abusive or vexatious, we will follow the policy as set out below.

Definitions

A vexatious complaint is one (or a series of many) that is specifically being pursued in order to harass, annoy or cause financial cost to their recipient. Vexatious complaints may need to be handled differently from other complaints, but no complaint will be considered vexatious without Director-level approval.

Sensitivity should always be applied to Advance's customers' needs, recognising that behaviour that challenges may be related to disability, mental health or neurological condition.

Vexatious complainants may:

- Have insufficient or no grounds for their complaint and be making the complaint only to annoy (or for reasons that he or she does not admit or make obvious).
- Refuse to specify the grounds of a complaint despite offers of assistance.
- Refuse to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
- Make what appears to be groundless complaints about the staff dealing with the complaints and seek to have them dismissed or replaced.
- Make an unreasonable number of contacts with us, by any means, in relation to a specific complaint or complaints.
- Make persistent and unreasonable demands or expectations of staff and/or the complaints process after the unreasonableness has been explained to the complainant (an example of this could be a complainant who insists on immediate responses to numerous, frequent and/or complex letters, faxes, telephone calls or emails).
- Harass, verbally abuse, or otherwise seek to intimidate staff dealing with their complaint, in relation to their complaint by use of foul or inappropriate language or by the use of offensive or racist language.

Imposing Restrictions

We will ensure that the complaint is being, or has been, investigated properly according to the complaint's procedure.

In the first instance the Lead Officer or appropriate peer will consult with the ELT Lead for Complaints prior to issuing a warning to the complainant. The Lead Officer will contact the complainant in writing or by email to explain why this behaviour is causing concern, and ask them to change this behaviour. The Lead Officer will explain the actions that may be taken if the behaviour does not change.

If the disruptive behaviour continues, the ELT Lead for Complaints will issue a reminder letter to the complainant advising them that the way in which they will be allowed to contact Advance in future will be restricted. The complainant should be informed in writing of what procedures have been put in place and for what period.

Any restriction that is imposed on the complainant's contact with Advance will be appropriate and proportionate and the complainant will be advised of the period of time the restriction will be in place for. In most cases restrictions will apply for between 3 and 6 months but in exceptional cases may be extended. In such cases the restrictions would be reviewed on a quarterly basis.

Restrictions will be tailored to deal with the individual circumstances of the complainant and may include:

- Restricting the complainant from making contact by telephone except through a third party e.g., solicitor or friend acting on their behalf.
- Restricting the frequency of contact and response, e.g., to weekly.

- Requiring contact to take place with one named member of staff only.
- Requiring any personal contact to take place in the presence of an appropriate witness.
- Letting the complainant know that we will not reply to or acknowledge any further contact from them on the specific topic of that complaint (in this case, a designated member of staff should be identified who will read future correspondence).

When the decision has been taken to apply a restriction to a complainant, ELT Lead for Complaints will write to the complainant to explain:

- Why we have taken the decision;
- What action we are taking;
- The duration of that action;
- The review process for the restriction, and
- The right of the complainant to contact the relevant Ombudsman about the fact that they have been treated as a vexatious complainant.

The Lead Officer will enclose a copy of this policy in the letter to the complainant.

Action to take when the Complainant continues to behave in a way which is unacceptable

Where a complainant continues to behave in a way which is unacceptable, the ELT Lead for Complaints, in consultation with the Chief Executive may decide to refuse all contact with the complainant and stop any investigation into his or her complaint.

Where the behaviour is so extreme or it threatens the immediate safety and welfare of staff, we will consider other options, for example reporting the matter to the police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

New complaints from complainants who are treated as abusive or vexatious

The ELT Lead for Complaints will decide whether any restrictions which have been applied before are still appropriate and necessary in relation to the new complaint. We do not support a “blanket policy” of ignoring genuine service requests or complaints where they are founded.

The fact that a complainant is judged to be vexatious, and any restrictions imposed on Advance’s contact with him or her, will be recorded and those within Advance who need to know will be notified.

Review

The status of a complainant judged to be unreasonably persistent or vexatious will be reviewed by the ELT Lead for Complaints after three months. The complainant will be informed of the result of this review if the decision to apply this policy to them has been changed or extended.

Referring vexatious complainants to the Ombudsman

In some cases, relations with persistent or vexatious complainants break down completely while complaints are under investigation and there is little prospect of achieving a

satisfactory outcome. In such circumstances, there may be little purpose in following all the stages of the complaints procedure. Where this occurs the relevant Ombudsman may be prepared to consider a complaint before the procedure has run its course.

Record keeping

Adequate records will be retained by the appropriate Lead Officer of the details of the case and the action that has been taken. The PA to the ELT Lead for Complaints will retain a record of:

- The name and address of each customer who is treated as abusive, vexatious, or persistent.
- When the restriction came into force and ends.
- What the restrictions are.
- When the customer and departments were advised.

ELT will be provided with an annual report giving information about customers who have been treated as vexatious/persistent as per this policy.

5. COMPLIMENTS

Compliments are as important as complaints, helping us to see when services are being provided well and to acknowledge good or exceptional performance from individual members of staff.

Compliments should be logged on Open Housing or passed to compliments@advanceuk.org for logging.

Compliments will be reviewed monthly, incorporated to the monthly reports and reviewed as part of the Complaints and Compliments Report to relevant committees and groups.

6. MONITORING AND REVIEW OF COMPLAINT HANDLING PROCESS

Managers will carry out systematic monitoring in respect of our complaints handling performance.

Customer Satisfaction with complaints handling is monitored by telephone survey at the end of each complaint.

Complaints & Compliments Panel

Advance's Complaints and Compliments Panel has been developed to ensure a rigorous approach to reviewing complaints across the organisation. The Housing Ombudsman Code refers to a 'complaints team' and insofar as the complaints team has a leadership role for complaints, the Complaints and Compliments Panel fulfils this role in Advance. The Panel also focuses on the organisational learning from complaints raised. The Panel reflects on lessons learnt from complaints and will ensure that there is an annual review of complaints, reported to Board. A copy of this report will also be shared with the Advance Customer Partnership (or equivalent) – ensuring customer representatives are made aware on an annual basis of our performance in handling complaints, comments and compliments.

The Panel receives monthly reports against performance and reviews this information at each meeting. The Panel considers the key performance indicators linked to the complaints and compliments to include:

- Sources and service areas
- Satisfaction Rates
- Equality and Diversity
- Numbers of complaints upheld
- Response and resolution times
- Themes
- Compliments

The Panel also reviews the quality of written communication to complainants, to ensure that the correspondence is accessible and of a high standard.

The Panel also ensures customer engagement opportunities in complaints policy and performance, through the various engagement and communication channels.

7. DATA PROTECTION

Where personal information of any individual is collected, shared, or otherwise processed in pursuit of the objectives of or guidance within this policy, this must be performed in accordance with the Data Protection Policy, the Information Security Policy, the General Data Protection Regulations, and any other relevant guidance on handling personal data responsibly.

8. DIVERSITY & EQUALITY

Advance will apply this policy consistently and treat all customers with fairness and respect. We recognise that we have an ethical and legal duty to promote equality of opportunity and prevent discrimination on the grounds of age, sex, sexual orientation, disability, race, religion or belief, gender reassignment, pregnancy and maternity, marriage and civil partnership.

Related Policies:	<ul style="list-style-type: none"> • Compensation Policy • Grievance Policy • Anti-Social Behaviour • Harassment and Racial Harassment towards Customers • Harassment and Bullying • Safeguarding • Whistleblowing Policy
Related Documents:	<ul style="list-style-type: none"> • Complaints Process Summary • Complaints and Appeals Process Diagram

Administrative purposes only:

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