

## 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 systems (part of Open Housing and Iplanit for Support complaints).



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

### Key Changes (Summary):

- Changes to reflect 2023 version of the Complaint Handling Code from the Housing Ombudsman and the Local Government and Social Care Ombudsman.
- Response timescales altered to align exactly with those in the Code, including 10 working days target at stage 1, with option to extend by a further 10 working days.
- Stage 2 amended to be a single manager review, signed off by an Executive Director, rather than allowing for an appeal panel hearing.
- Lead responsibility for complaints on behalf of the Board moved from CEO to a Non-Executive Director

## 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.

A Non-Executive Director is appointed to have lead responsibility for complaints on behalf of the Board. This will normally be the Chair of the Service Quality Committee.

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. We promote ways to give feedback in our customer packs, newsletter, website and on site as appropriate. Details of the complaints policy and information about the relevant Ombudsman schemes are publicised on the website, customer pack and in other communications.

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.

Advance will comply with the Complaint Handling Code issued jointly by the Housing Ombudsman and the Local Government and Social Care Ombudsman. This policy has been amended to reflect that Code (2023 version).

### 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.

It is important to recognise the difference between a **service request** and a **complaint**. A service request is a request from an individual to Advance requiring action to be taken to put something right. Service requests are not complaints, but must be recorded, monitored and reviewed regularly. A complaint must be raised when the individual expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing. Advance will not stop its efforts to address the service request if the individual complains.

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 but if it is support related log this as a concern on Iplanit.

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 and Iplanit for Support complaint 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.

### Time Limits

Complaints are accepted when referred to Advance within 12 months of the issue occurring, or the individual becoming aware of the issue.

### 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/Iplanit. If it cannot be resolved straight away details must be recorded on Open Housing/Iplanit 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.

It is important to note that we do not exclude complaints about safeguarding, anti-social behaviour or health and safety issues. Safeguarding or anti-social behaviour issues should be dealt with under the safeguarding or anti-social behaviour policy, but a complaint about

**Advance's response** to these issues should still be dealt with as a complaint.

## 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](mailto:complaints@advanceuk.org); or [compliments@advanceuk.org](mailto: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/Iplanit straight away by the person who has received the complaint (or by administrative support staff if available).
- Social Media: Advance has a presence on Facebook, Linked-in, Twitter and Instagram. We proactively monitor these channels for complaints from customers. If someone posts a negative comment, we reply asking them to send us a Direct Message which we then forward to the relevant operational lead to review and then either provide an immediate response or log as a formal complaint. Once logged as a complaint, it is then dealt with according to this complaints policy and procedure.
- 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.
  - Support 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 the relevant complaint management system (Iplanit for Support complaint and Open Housing for the rest of the organisation) 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/Iplanit and a Lead Officer is assigned.
- The Lead Officer contacts the complainant and acknowledges the complaint within five working days of receipt, updating Open Housing/Iplanit.
- The Lead Officer investigates and speaks further to the complainant and any other relevant parties. Where individuals raise additional complaints during the investigation, these must be incorporated into the stage 1 response if they are related and the stage 1 response has not been issued. Where the stage 1 response has been issued, the new issues are unrelated to the issues already being investigated, or it would unreasonably delay the response, the new issues must be logged as a new complaint.
- Within 10 working days of complaint receipt the complaint should be resolved. If this is not possible, the complainant should be contacted, and the timescales can be extended by up to a further 10 working days, with an explanation as to why the extension is required. Normally it should not be necessary to extend beyond 20 working days in total, but if it is then 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/Iplanit and upload copies of all correspondence and any notes/minutes and/or action plans. The complaint response must be sent to the individual when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions must still be tracked and actioned promptly with appropriate updates provided to the individual.
- Complaint Outcome – the outcome category will be recorded on the system. If Advance has got something wrong the Lead Officer must record the complaint as being upheld, even if there are elements of the complaint not upheld. It is not appropriate to record a complaint as being partially upheld.

## **Stage Two – Complaint Review**

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 another appropriate manager). The Stage Two review will be subject to authorisation by an Executive Director, as to the adequacy of the review and the content of the final resolution letter.

- The Stage Two Lead Officer will send an acknowledgment letter to the complainant within five working days of the appeal.
- Stage 2 consideration is a review of the adequacy of the stage 1 response as well as any new and relevant information not previously considered. Stage 2 is not a more thorough, detailed investigation of the complaint.
- The Stage Two Lead Officer will speak with the customer, set out their understanding of any outstanding issues and the outcomes the individual is seeking. If any aspect of the complaint is unclear, the individual must be asked for clarification. The intention of the Stage 2 review is to seek to resolve the outstanding issues.
- Within 20 working days of the appeal, the complaint should be resolved. If this is not possible, the complainant should be contacted, and the timescales can be extended by up to a further 20 working days, with an explanation as to why the extension is required. Normally it should not be necessary to extend beyond 40 working days in total, but if it is then communication should continue regularly until the complaint can be resolved.
- Complaint Resolution – the Stage 2 Lead Officer drafts a resolution letter to the complainant, detailing the findings and action taken or planned. The Lead Officer should update Open Housing/Iplanit and upload copies of all correspondence and any notes/minutes and/or action plans.
- Before being sent out, the resolution letter must be authorised by an Executive Director.

## **Stage Three – External Review**

- If the complainant remains dissatisfied, they can apply to the independent Housing Ombudsman for Housing complaints, or the Local Government and Social Care Ombudsman for Care/ Support complaints. When a case is accepted by the Ombudsman the Lead Officer(s), the relevant Executive Director and Chief Executive will be informed. Acceptance of a case through the Ombudsman will not prevent Lead Officers continuing to seek to resolve the complaint wherever possible.

- Complainants may also choose to seek other forms of external redress, such as through their MP, the Care Quality Commission, or through legal action.

#### **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 Executive 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 complainant'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 complaint’s 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 (Iplanit for Support) 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.

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
- Lessons learned and service improvements
- 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.

The Panel 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 annual report will be published to residents and the Board's response to the report will be published alongside this.

## 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.

## EQUALITY, DIVERSITY, AND INCLUSION

In line with our organisational Values, Advance is committed to promoting positive attitudes to diversity, to encouraging inclusion and social cohesion, and fostering good relations between people with diverse characteristics. We are committed to advancing equality of opportunity, eliminating unlawful discrimination and harassment, and building a culture that values meritocracy, openness, fairness, and transparency. Advance opposes, and will not tolerate any unlawful discrimination, harassment, or victimisation on the grounds of age, cultural background, caring responsibilities, disability, ethnic origin, gender identity and sex, gender reassignment, HIV positivity, marriage and civil partnership, menopause, nationality, national origins and colour, pregnancy or maternity status, race, religion and religious belief, sexual orientation or any other grounds that cause a person to be treated with injustice.

Advance has an Equality, Diversity, and Inclusion policy which it will apply consistently and treat all customers with fairness and respect.

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

### *Administrative purposes only:*

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