

## Customer Complaints & Feedback Policy

### Introduction

Eldonian Community Based Housing Association, (ECBHA), is committed to delivering high quality services. However, we recognise that having a clear and accessible approach to complaints and feedback is essential to ensure that, on occasions when things go wrong, that the organisation put things right and learns lessons accordingly.

### Aims

We aim to ensure that we:

- Provide accessible methods for residents and the wider public to raise complaints and other feedback.
- Record and acknowledge complaints and feedback and be clear about our intentions.
- Investigate complaints swiftly, thoroughly and appropriately.
- Recognise when things have gone wrong and apologise for errors and failures.
- Take action to put things right and agree appropriate redress.
- Ensure those providing complaints and feedback are kept informed.
- Learn from complaints and feedback to both prevent repeat occurrences and inform wider strategic and operational development.
- Respond to, record and monitor complaints and feedback in compliance with legal and regulatory requirements including compliance with the Housing Ombudsman Code.

This policy outlines our approach to achieving these aims and is supported by associated procedures, case management facilities and monitoring.

### Definitions

#### Compliments

We define a compliment as any feedback which tells us that we have provided a service well, or how helpful a member of staff (or another person acting on our behalf) has been.

#### Comments

We define a comment as an idea, suggestion, or opinion on how we can improve our services.

#### Complaints

Both the Housing Ombudsman and ECBHA define a complaint as: 'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents.'

Such expressions of dissatisfaction may relate to:

- The standard or failure of a home or service.
- Action or lack of action in response to a request for service.
- Failure to follow an approved policy or procedure.
- Perceived poor attitude or performance of ECHBA staff or contractors.

What we don't define as a complaint?

While we don't make blanket exclusions and look at each situation individually, there are some things that we usually don't define as a complaint under the scope of this policy:

- A first-time request for service or advice or making initial contact to report a fault or defect.
- An initial request for an explanation of a decision made.
- A report about a neighbour dispute, anti-social behaviour, or harassment, these are covered by a separate Anti-Social Behaviour Policy.
- A query about organisational policy.
- Where the matter being complained about is or has been the subject of legal proceedings.
- This policy does not deal with contractual disputes.
- A complaint about services provided or decisions taken by another organisation, over which ECHBA has no control.
- Attempts to have a complaint reopened and/or reconsidered which has already been through our complaints process and where a final decision has been reached.

If consider a topic to not be within the scope of this Complaints Policy, we will write to the individual expressing our reasons for this decision and outline that they can raise this with the Housing Ombudsman if they don't agree with the decision.

In addition, we highlight that:

- We will listen to and take seriously any complaints made about members of staff, which may include attitude, behaviour, misconduct, discrimination, or criminal activity. Such complaints will be investigated under separate management policies and procedures. In some cases, we may not be able to provide detailed feedback about action taken against a member of staff. However, we will attempt to provide as much information as possible following any investigation.
- We will not normally investigate complaints over matters that occurred in excess of twelve months old, unless there are exceptional circumstances (for example: if the customer has been ill, hospitalised or requires additional support or advocacy services to help them make a complaint). We will always consider each case on an individual basis. If a complaint is about a health and safety or safeguarding issue, we will investigate these, regardless of the 12-month limit.
- An expression of dissatisfaction with services made through a survey is not defined as a complaint, though wherever possible, the person completing the survey should be made aware of how they can pursue a complaint if they wish to. Where landlords ask for wider feedback about their services, they also must provide details of how residents can complain.

## Policy Positions

### General

ECBHA seeks to be a customer focused organisation, however when things go wrong, we commit to the following general policy commitments:

- Complaints, compliments, and comments are welcomed and seen as a way of gaining valuable insight into the services we offer.
- We want to know where a home or service may have fallen short of expectations so that we can put things right.
- We will listen to our customers, treat them with respect and work hard to get the right

outcome for them and the organisation.

- We are committed to fairness and equality for all and aim to have a flexible, open, and transparent approach to customer feedback.
- To offer assistance and support to enable those customers who do not feel able, for whatever reason, to make a complaint themselves.
- ECBHA makes no differentiation between ‘informal’ and ‘formal’ complaints. All complaints will be processed in the same manner.
- All staff will be aware of the complaints policy and be able to receive a complaint and pass it to staff with specific complaints handling responsibilities.
- On occasion it can be unclear if an individual is reporting a complaint. The word complaint doesn’t necessarily need to be used, however staff are empowered to seek clarification if an individual wishes for a matter to be considered a complaint.
- ECBHA, doesn’t want its complaints process to be cumbersome, therefore it has only two internal stages, the initial complaints response and the opportunity to appeal. For clarity, a complaint acknowledgment or request for clarification is not considered an initial or appeal response.
- If an individual is not satisfied with a complaints appeal response, in most circumstances there will be an opportunity for them to escalate the matter to the Housing Ombudsman. ECBHA will fully cooperate with the Housing Ombudsman.
- We will monitor the satisfaction with complaints and report both internally and externally as agreed and required. We will not see the volume of complaints as a negative or positive, however we will periodically check with residents that they are aware of the complaints procedure and how they can use it.
- If at any point ECBHA is not complying or is at risk of not complying with the Housing Ombudsman Code, we will ensure that the Ombudsman and the ECBHA Board are promptly notified of such non-compliance.

## ECHBA Principles ‘Making it Right’.

All ECHBA staff and contractors will adopt and embrace the following guiding principles:

- We will have a positive approach to all customer feedback and ensure it is welcomed. All expressions of dissatisfaction will be taken seriously and acted upon appropriately and in confidence.
- We will be responsive, approachable, and helpful at all stages of the complaint’s procedure. We want individuals to have a fair opportunity to have their complaint heard.
- No customer will suffer any disadvantage as a result of making a complaint.
- We are committed to making it easy for customers and other stakeholders to provide feedback – positive or negative – and will use this opportunity to learn about our strengths and understand our weaknesses and improve.
- We will be flexible in our approach and help our customers through the complaints process in a way that works best for them.
- We will take ownership of a complaint, act quickly to identify the problem and put it right straight away. Our focus is always on resolving issues at the first stage wherever possible. We will be mindful to Housing Ombudsman guidance regarding remedying complaints are appropriate.
- When a complaint is received, ECBHA will be conscious of potential conflicts of interests, both of the individual making the complaint and any staff or third parties that are implicated within it. If any conflicts are suspected, the Chief Operating Officer will provide a close oversight. If the Chief Operating Officer has a potential conflict, the complaint will be overseen by a different member of the Leadership Team.

- The complaint handler will be able to act sensitively and fairly and have the authority and autonomy to act to resolve disputes quickly and fairly, having access to staff at all levels to facilitate quick resolution of complaints. Telephone contact should always be our first channel of response to our customer unless the customer has stipulated differently.
- We will keep individuals informed throughout the complaints process and where the issue is complex and requires further investigation or review, we will respond within agreed timescales. We recognise that quality as well as time is important.
- If a complaint involves contractors and/or third parties' complainants will not be asked to follow separate or concurrent complaints policies and procedures. A complaint received by ECBHA regarding a contractor will be responded to by ECBHA.
- We will keep clear, transparent, and accurate records and can account for the decisions we have made. Complaints will be logged on the housing management system.
- We will have clear service standards and simple and accessible procedures to support this policy, so that customers know what to expect. We will involve our customers in reviewing processes to make sure they are inclusive and fit for purpose.
- When responding to complaints, we will provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.
- We will ask customers how satisfied they were with how we handled their complaint and how satisfied they are with the solution.
- We will monitor all comments, compliments and complaints received and provide feedback to customers about how we will use this information to improve our services.
- We will ensure that this policy and the ECBHA self-assessment against the Housing Ombudsman code will be made available in the office, on the website and will be summarised periodically in the residents newsletter. Hard copies will be made available on request.

## Who can make a complaint, compliment, or comment?

Anyone who receives or requests a service from ECHBA or is affected by a decision or action taken by ECHBA or is an advocate of such a person. These may include:

- Tenants and members of their households.
- Leaseholders and shared owners.
- Housing applicants.
- Representatives of complainants such as friends, with their written permission.
- Agreed and authorised representative and/or advocates.
- MP's and elected officials.
- Former tenants.
- Parents/Carers.
- Stakeholder.

ECHBA recognises the benefits of working with external agencies, which can provide a complainant with greater support tailored to their individual needs can be beneficial in ensuring fair access to the complaints service.

## How a complaint, compliment or comment can be made

We are happy to receive customer feedback in a variety of ways and formats to ensure fair access to all customers, including:

- By phone
- In writing

- By e-mail
- In person
- Via the ECHBA's website and resident portal.

ECBHA has a limited social media presence that is for the sharing of information only, therefore the organisation does not interact regarding complaints via social media.

## Anonymous Complaints

It is good practice to investigate all complaints even if the source of the complaint is unknown. Therefore, anonymous complaints will be recorded, along with details of any actions taken.

## Additional Complaints During Investigations

Where a resident raises 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 and the new issues are unrelated to the issues already being investigated or it would unreasonably delay the response, the new issues will be logged as a new complaint.

## Housing Ombudsman

The Housing Ombudsman Service offers free, impartial, and independent advice for the resolution of unresolved disputes between landlords and tenants. Complainants can escalate the matter to the Ombudsman service once they have exhausted this policy or if ECBHA has not reasonably complied with this policy and/or its associated procedures.

As per the definitions section of this policy, in some instances ECBHA may consider a matter raised to be outside the scope of the Complaints Policy. When this occurs, the individual has the right for this to be considered by the Ombudsman. If the Ombudsman instructs ECBHA to progress a matter as a complaint then it will abide by this instruction.

A small number of situations would instead be referred to different Ombudsman scheme for further redress. Where we believe this to be applicable, we will make you aware in our response letters.

## Compensation

Our prime focus for dealing with complaints is to resolve and learn from them and to offer compensation as the exception, not the norm. Where we recognise things have gone wrong, we may offer compensation, for example by way of a payment, reduction in charge or emotional compensation as a token of how sorry we are.

## Unreasonable and Behaviour

A separate policy, 'Managing Unreasonable Behaviour' is in place, relating to those relatively few customers whose actions or behaviour we consider unreasonable whilst making their complaint. In addressing unreasonable behaviour and requests, ECBHA will be mindful of known vulnerabilities of the individual and its responsibilities under equalities legislation.

## Responsibilities

All staff must be willing to and be aware of how to receive a complaint from residents and other parties. The ECBHA Housing Officers have a designated responsibility for the day-to-day progression of complaints cases. Their actions are overseen by the Chief Operating Officer who is also designated Complaints Officer contact with the Housing Ombudsman. Housing Officers and the Chief Operating Officer are all empowered to take actions to resolve complaints

promptly within the provision of the organisations Standing Orders and associated schedules of delegations.

The Chief Operating Officer is responsible for ensuring that responses to complaints at stage 1 and stage 2 are different members of staff.

The Housing Ombudsman Code requires a member of the governing body (or equivalent) be appointed to have lead responsibility for complaints to support a positive complaint handling culture. This person is referred to as the Member Responsible for Complaints ('the MRC'). For ECBHA this role is undertaken by the Chair on the Board. The MRC is responsible for ensuring the governing body receives regular information on complaints that provides insight on the landlord's complaint handling performance.

## Equality, diversity, and Inclusion

ECHBA is committed to ensuring that no person or group of persons will be treated less favourably than another person or group of persons. While we are aware of legal duties regarding the recognised protected characteristics of: age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion, sex, sexual orientation, we also remain conscious that some people experience disadvantage due to a range of other factors.

## Performance Management & Reporting

We will maintain detailed records of all complaints and feedback and provide reports on performance, trends and any lessons learned to meet relevant customer and stakeholder requirements. We will publish our performance, including the number, nature, and outcome of complaints on an annual basis. We will benchmark our performance measures with other organisations as appropriate.

Performance on complaints will be monitored by the senior management team and performance will be reported quarterly to ECHBA Board through measurers outlined in the organisations approved KPI suite.

If the Housing Ombudsman carries out an investigation, the outcomes will be reported to the Board and residents as appropriate. In such instances the Ombudsman may request the self-assessment against the code be reviewed, ECBHA will comply with any such requests.

## Appendix 1

### Complaints Procedure

#### Stage 1 – Initial Response

One of our designated complaints handlers will make contact within 5 working days of first raising your complaint to discuss this with you. Will also explain what will happen next. If there's a straightforward answer, we'll aim to provide a resolution there and then.

We'll acknowledge your complaint in writing, confirming our understanding of your complaint and the outcome you are seeking to put things right. We'll also let you know who your point of contact will be and provide you with a complaint reference number.

We will then investigate your concerns and agree the actions we can take to put things right. We'll respond in writing within 10 working days from acknowledging your complaint.

## Stage 2 – Appeal

Our aim is to work with you to resolve all complaints at stage 1, however if you are unhappy with all or part of our response, you can escalate your complaint to stage two of our complaint's procedure for a final response. You may want to provide further information about your complaint; however, you are not required to do so.

We will acknowledge your escalation to stage 2 within 5 working days of first raising this with us. Your complaint will then be reviewed independently by a member of our Leadership Team who will respond in writing within 20 working days with our final response.

## Housing Ombudsman

The best way to get your complaint resolved is by talking to us. However, you can also contact the Housing Ombudsman Service for help and advice at any time.

If you've exhausted our complaints process and remain unhappy with the outcome, you can refer your complaint to the Ombudsman, and they will consider investigating it for you. Their service is free independent and impartial.

## Extension of Time

If we cannot respond at Stage 1 and/or Stage 2 within the target timescale we will explain why and seek to agree with you a different timescale. An extension of time will only exceed and additional 10 working days in very exceptional circumstances. If we request an extension of time and you don't think this is reasonable, you can raise this with the Housing Ombudsman.

## Follow on Actions

When we respond to a complaint, this may not mean that all matters that need to be addressed are concluded. Follow on actions may be needed. When this happens, we will outline what still needs to happen, when it is anticipated to be completed and how we will let you know that these follow-on actions have been concluded.

You can contact the Ombudsman directly on:

Telephone: 0300 111 3000

Email: [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)

Housing Ombudsman Service, PO Box 152, Liverpool L33 7WQ

Website: [www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk)