

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 Advance Complaints Panel has been developed 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 timescales are met at all stages and they are effectively managed and monitored.



Copies of Action Plans, where required, should be sent to the complainant and uploaded to Open Housing.

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 tenants, service users and other 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 will widely publish material about its complaints procedure in tenant newsletters, on our notice boards and on our website.

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 ensure 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 about; action or lack of action; the standard of a service; policy and procedure; or staff conduct.

Who responds to a complaint?

Any officer or agent acting on Advance's behalf can receive a complaint either orally or in writing. If the complaint can be resolved straight away this should be done and the outcomes recorded. If it cannot be resolved straight away details must be recorded on Open Housing and forwarded to the Customer Service team who will allocate a Lead Officer.

What is a Vexatious Complaint?

A complaint is considered a Vexatious complaint when dealing with abusive and persistent complaints and complainants.

What is a Compliment?

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

1) 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, they should request a repair. If the repair is unsatisfactory, they can then make 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, if you are unsure ask your line manager for help:

- Enforcing Tenancy Conditions
- Anti Social Behaviour
- Harassment
- Safeguarding Adults (SOVA)

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 have several internal policies to meet these requirements, for example, the Grievance Policy or Harassment and Bullying. 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.

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 the complaints email (complaints@advanceuk.org) or through the Advance website.

PRIDE

It is our policy to welcome Complaints and Compliments and look upon them as an opportunity to learn, adapt, improve and provide better our 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 discouraged or prohibited to do 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.
- Once you have logged the complaint you must let the Customer Services team know. They will allocate the complaint to a Lead Officer who will contact the customer and seek to resolve the complaint
- If a Customer wishes to raise a complaint verbally, clarify the complaint with the customer and record as much information as possible.

You will receive an acknowledgment from Customer Services on receipt of the complaint so that you know it has been logged. Your responsibility ends when Customer Services have received and acknowledged the complaint.

The role of the Lead Officer

The role of 'Lead Officer' is taken by the person responding to the complaint. This person is responsible for:

- Resolving, investigating and responding to the complaint across teams and departments where needed within procedural timescale;
- making sure all agreed action are completed and the complainant is kept up-to-date on progress (this includes other residents 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.

COMPLAINTS PROCESS (Easy Reference Guide)

Stage One – Initial Complaint

The Lead Officer will seek to resolve the complaint. Customer Services will identify the department responsible for addressing the complaint and pass the complaint on to the Lead Officer. The Lead Officer will send an acknowledgment letter to the complainant within one day of receiving the complaint.

- Customer Services logs and identifies a Complaints Lead;
- Within 1 week of complaint receipt the Lead Officer sends a progress letter to the complainant;
- Within 15 working days of complaint receipt the complaint should be resolved. If it is not possible, the complainant should be notified.
- Complaint Closure – the Lead Officer sends out a resolution letter to the complainant with a copy of the Action Plan, if required, and feedback form. The Lead Officer should upload copies of all correspondence and any notes / minutes and/or action plans to Open Housing;
- The Lead Officer should inform his/her line manager and Customer services of the complaint outcome.
- In the first instance all complaints should be addressed wherever possible at a local level, by the member of staff ordinarily dealing with the customer, with the intention of resolving the matter to the satisfaction of the complainant.

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. This becomes a Stage Two Appeal to the Complaints Panel. The complaint passes 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
- If this is not possible then a Complaints Panel hearing will be arranged within one month. An invitation should be sent to all parties along with the Complaints Summary
- The Complaints Review Panel is made up of the following members:
 - GMT Member or Advance Chief Executive;
 - A member of the board as a Chairperson;
 - The initial Investigating Officer;
 - A representative from the funding body, if required;
 - Customer/complainant/advocate
 - PA for minuting the meeting
- The complainant should be notified the date of the hearing a minimum of 10 working days before, to include the time/place, members of the Panel, a copy of the Case Summary and their rights as a complainant for a representative/advocate to attend with them.

The Hearing

The Panel listens to details of the case presented by the first Investigating Officer, the Complainant or an advocate, and appropriate witnesses. The meeting should not last more than 3 hours. If a decision cannot be reached in this time, another meeting can be scheduled.

The role of the Panel is to draw the case to an acceptable conclusion, which can be given verbally at the Review meeting.

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, local authorities, and ALMOs will be able to ask for their complaints to be considered by a 'designated person' when their landlord's internal complaints procedure is finished.
- If a customer wants support in making a complaint then they can ask Advance to put them in touch with a Designated Person. This might be a local MP or Councillor, a resident or resident's 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 will be given details of how to 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.
- Complainants who are not applying for housing with Advance or who are not paying for a service from Advance do not have the right to appeal to the Housing Ombudsman.
- When the Ombudsman receives a complaint that has gone through our internal complaints procedure they will always ask if it has been referred to a designated person. If it has not then they will provide guidance about designated persons and how the tenant can refer their case to one.
- If a tenant is clear that they do not want to make use of that opportunity for local resolution the Ombudsman will, providing eight weeks has passed from the date of our final stage response letter, consider the case.
- 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.
- Customers who remain dissatisfied with how we have dealt with their complaint about Advance's **Employment Services** should be advised of their right to contact the Independent Case Examiner.

2) DEALING WITH ABUSIVE, PERSISTANT OR VEXATIOUS COMPLAINTS AND COMPLAINANTS

Dealing with a complaint is 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 we have finished dealing with the complaint.

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

- Using abusive or foul language on the telephone;
- Using abusive or foul language face to face;
- Sending multiple emails;
- Leaving multiple voicemails.

If a complainant behaves in a way that is unreasonably persistent or vexatious, we will follow this policy.

Definitions

Features of an unreasonably persistent and/or vexatious complainant include the following (the list is not exhaustive, nor does one single feature on its own necessarily imply that the person will be considered as being in this category).

An unreasonably persistent and/or vexatious complainant may (the list is not exhaustive, nor does one single feature on its own necessarily imply that the person will be considered as being in this category):

- 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 or 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 and racist language;
- raise subsidiary or new issues whilst a complaint is being addressed that were not part of the complaint at the start of the complaint process;
- deny statements he or she made at an earlier stage in the complaint process;
- electronically record meetings and conversations without the prior knowledge and consent of the other person involved;
- refuse to accept the outcome of the complaint process after its conclusion, repeatedly arguing the point, complaining about the outcome, and/or denying that an adequate response has been given;
- refuse to accept documented evidence as factual.

Combine some or all of these features.

Imposing Restrictions

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

In the first instance the Lead Officer or appropriate peer, will consult with the GMT 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 GMT Lead for Complaints will issue a reminder letter to the complainant advising them that the way in which they will be allowed to contact us 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 us 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:

- Banning the complainant from making contact by telephone except through a third party e.g. solicitor or friend acting on their behalf;
- Banning the complainant from sending emails to individuals and insisting they only correspond by letter;
- 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, GMT 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 Local Government Ombudsman about the fact that they have been treated as a vexatious/persistent 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 GMT 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, vexatious or persistent.

The GMT 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 unreasonably persistent or vexatious, and any restrictions imposed on our contact with him or her, will be recorded and notified to those who need to know within the Advance.

Review

The status of a complainant judged to be unreasonably persistent or vexatious will be reviewed by the GMT Lead for Complaints after three months;

- The complainant will be informed of the result of this review if the decision to apply this policy them has been changed or extended.

Referring unreasonably persistent or vexatious complainants to the Local Government Ombudsmen

In some cases, relations between 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 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 GMT 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

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

3) COMPLIMENTS

Compliments are passed by the Point of Contact to the relevant manager and the Programmes Administrator. The manager records the compliment on Open Housing/Maytas and will send a thank you letter/email on behalf of the organisation.

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.

4) MONITORING AND REVIEW OF COMPLAINT HANDLING PROCESS

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

Complaints & Compliments Panel

The Advance Complaints Panel has been developed 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. The panel will reflect on lessons learnt from complaints and will ensure that there is an annual review of complaints carried out by the National Forum.

The panel will receive monthly reports against performance and will review this information quarterly. The panel will consider the key performance indicators linked to the complaints and compliments to include:

- Location
- Satisfaction Rates
- Equality and Diversity
- Numbers of complaints upheld
- Time taken to resolve
- Themes
- Compliments

The panel will also review the quality of letters sent to complainants with the outcome of their complaints to ensure that the correspondence is accessible and of a high standard.

The panel will create a quarterly report which will be submitted to the following groups:

- Board
- GMT
- The Voice
- National and Regional Forums

The panel will also ensure that reports are submitted for both Advance Times and Advance Update.

Policy owner	Director of Housing
Date written	V3a - June 2015 V3b – November 2016
Approved by	V3a – GMT V3b – Director of Housing
Who was consulted	V3b – Marketing Manager
Date of approval	V3a - November 2015 V3b – November 2016
Related Policies	<ul style="list-style-type: none"> • Grievance Policy • Anti Social Behaviour • Harassment and Racial Harassment towards Customers • Harassment and Bullying • Safeguarding Vulnerable Adults (SOVA) • Whistleblowing Policy