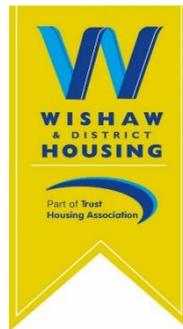


# Trust

## Housing, Care & Support Provider



### Trust Housing Association and Wishaw & District Housing

<b>Title of procedure:</b>	CE003 – Complaints Handling
<b>Date of last review:</b>	April 2019
<b>Lead officer:</b>	Business Improvement Officer
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<b>Housing Charter outcomes:</b>	1 – Equalities 2 – Communication
<b>Regulatory Standards of Governance and Financial Management:</b>	None

# **Trust Housing Association Ltd and Wishaw & District Housing CE003 - Complaints Handling Procedure**

*All references to 'Trust Housing Association' throughout this policy/procedure are inclusive of Wishaw & District Housing.*

## **Foreword**

Our Complaints Handling Procedure (CHP) reflects Trust's commitment to valuing complaints. It seeks to resolve customer dissatisfaction as close as possible to the point of service delivery and to conduct thorough, impartial and fair investigations of customer complaints so that, where appropriate, we can make evidence-based decisions on the facts of the case.

This procedure aims to help us 'get it right first time'. We want a quicker, simpler and more streamlined complaints process with local, early resolution by capable, well-trained staff. By resolving complaints early, we can save money and create better customer relations. By resolving complaints locally and quickly, they are less likely to escalate. Complaints that we do not resolve swiftly can greatly add to our workload.

Complaints supply us with valuable information to continuously improve services and improve customer satisfaction. Our CHP will enable us to address dissatisfaction promptly and may also help prevent similar problems arising again. Handled well, complaints can give our customers a form of redress. For staff, complaints provide a first-hand account of the service user's views and experience and can highlight problems which we may otherwise miss.

Our CHP will help us do our job better, improve relationships with our service users and enhance public perception of Trust Housing Association. It will help us keep the customer at the heart of the process, while enabling us to better understand how to improve our services by learning from experience.

The procedure has been developed in line with the Scottish Public Services Ombudsman (SPSO) and complies with their Model Complaints Handling Procedure.

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## What is a complaint?

Trust Housing Association's definition of a complaint is:

*'An expression of dissatisfaction by one or more members of the public about Trust Housing Association's action or lack of action, or about the standard of service provided by or on behalf of Trust Housing Association.'*

A complaint may relate to:

- Failure to provide a service
- Inadequate standard of service
- Dissatisfaction with our policy
- Disagreement with a decision where the customer cannot use another procedure (for example an appeal) to resolve the matter
- Treatment by or attitude of a member of staff
- Our failure to follow the appropriate administrative process
- Delays in responding to enquiries and requests.

This list does not cover everything. For example, complaints may also be about:

- Unfairness, bias or prejudice in service delivery
- Failure to follow procedures
- Lack of provision, or the provision of misleading, unsuitable or incorrect advice or information
- A repair that has not been carried out properly
- Unacceptable behaviour by a member of staff, a committee member or a contractor.

[Appendix 1](#) provides a range of examples of complaints we may receive, and how these may be handled.

A complaint is **not**:

- A routine first-time request for a service
- A request for compensation only
- Issues that are in court or have already been heard by a court or a tribunal
- An appeal against a decision where there is an established appeal route; these should be heard through the appropriate appeal process
- An attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our **final** decision.

[Appendix 2](#) gives more examples of 'what is not a complaint'.

## **Handling anonymous complaints**

We value all complaints. This means we treat all complaints including anonymous complaints seriously and will act to consider them further, wherever this is appropriate. Generally, we will consider anonymous complaints if there is enough information in the complaint to enable us to make further enquiries. If, however, an anonymous complaint does not provide enough information to enable us to take further action, we may decide not to pursue it. Any decision not to pursue an anonymous complaint must be authorised by a senior manager.

If an anonymous complaint makes serious allegations, we will refer it to the relevant department senior manager immediately.

If we pursue an anonymous complaint, we will record the issues as an anonymous complaint on the system. This will help to ensure that the complaints data we record is comprehensive.

## **What if the customer doesn't want to complain?**

If a customer has expressed dissatisfaction in line with our definition of a complaint but does not want to complain, explain to them that we do consider all expressions of dissatisfaction, and that customer complaints offer us the opportunity to improve services where things have gone wrong. Encourage the customer to submit their complaint and allow us to deal with it through the CHP. This will ensure that the customer is updated on the action taken and gets a response to their complaint.

If, however, the customer insists they do not wish to complain, record the issue as an anonymous complaint. This will ensure that the customer's details are not recorded on the complaints database, and that they receive no further contact about the matter. Please refer to the example in **Appendix 1** for further guidance.

## **Who can make a complaint?**

Anyone who receives, requests or is affected by our services can make a complaint. This can include a member of the public who has access to or is affected by our services. Sometimes a customer may be unable or reluctant to make a complaint on their own. We will accept complaints brought by third parties if the customer has given their personal consent. These complaints are treated in the same way as any other, regardless of who has logged the complaint.

## Complaints Involving more than one Service or Organisation

If a complaint relates to the actions of two or more of our services, please advise the customer who will take the lead in dealing with the complaint, that they will only receive one response which covers all of the raised issues.

If a customer complains to us about the service of another agency or public service provider, but we are not involved in the issue, you should advise the customer to contact that organisation directly.

If the complaint relates to one of our services and includes one or more of our contractors, we would normally deal with the complaint, however, depending on circumstances we may agree with the contractor who will take the lead. Where this happens, we will work together to investigate all the matters simultaneously, in line with this CHP. However, if a complaint relates to our service **and** the service of another agency or public service provider (for example a local authority or a government department), and we have a direct interest in the issue, you must handle the complaint about our service through the CHP. If you need to make enquiries to an outside agency in relation to the complaint always take account of General Data Protection Regulation.

Such complaints may include:

- a complaint to us about rent arrears that is partly caused by problems with a claim for Housing Benefit to the Department for Work and Pensions

## Care Complaints

Anyone receiving care services from us has the right to either complain direct to the Care Inspectorate or to us.

Customers may also receive care or support from other agencies under a contract with us. They may complain about these services either to us (as per our CHP) or directly to the Care Inspectorate.

### The Care Inspectorate:

Telephone - 0345 600 9527

Website: <http://www.careinspectorate.com/index.php/complaints>

Online Complaints Form: <http://www.careinspectorate.com/index.php/online-complaint-form>

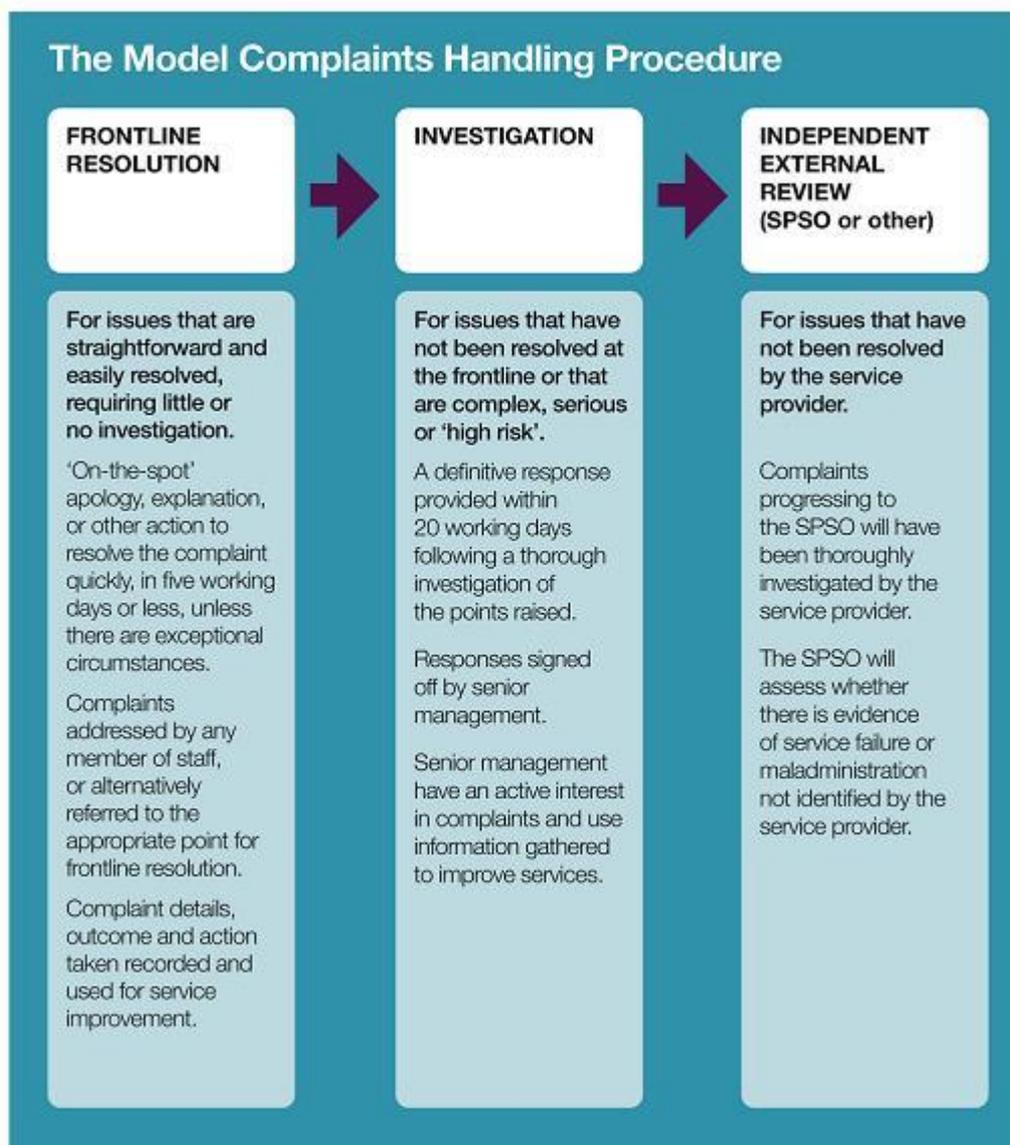
Email - [enquiries@careinspectorate.com](mailto:enquiries@careinspectorate.com)

## The Complaints Handling Process (CHP)

Our CHP aims to provide a quick, simple and streamlined process for resolving complaints early and locally by capable, well-trained staff.

Our complaints process provides two opportunities to resolve complaints internally:

1. **Frontline Resolution**, and
2. **Investigation**.



## Stage One: Frontline Resolution

Frontline resolution aims to quickly resolve straightforward customer complaints that require little or no investigation. Any member of staff may deal with complaints at this stage.

The main principle is to seek early resolution, resolving complaints at the earliest opportunity and as close to the point of service delivery as possible. This may mean a face-to-face discussion with the customer or asking an appropriate member of staff to deal directly with the complaint.

[Appendix 1](#) gives examples of the types of complaint we may consider at this stage, with suggestions on how to resolve them.

In practice, frontline resolution means resolving the complaint at the first point of contact with the customer, either by the member of staff receiving the complaint or other identified staff.

In either case, you may settle the complaint by providing an on-the-spot apology where appropriate, or explaining why the issue occurred and, where possible, what will be done to stop this happening again. You may also explain that, as an organisation that values complaints, we may use the information given when we review service standards in the future.

A customer can make a complaint in writing, in person, by telephone, by email or online, or by having someone complain on their behalf. You should always consider frontline resolution, regardless of how you have received the customer's complaint.

### What to do when you receive a complaint

- 1 On receiving a complaint, you must first decide whether the issue can indeed be defined as a complaint. The customer may express dissatisfaction about more than one issue. This may mean you should treat one element as a complaint, while directing the customer to pursue another element through an alternative route (see [Appendix 2](#)).
- 2 If you have received and identified a complaint, record the details on our complaints system.
- 3 Next decide whether the complaint is suitable for frontline resolution. Some complaints will need to be fully investigated before you can give the customer a suitable response. You must escalate these complaints immediately to the investigation stage.
- 4 Where you think frontline resolution is appropriate, you must consider four key questions:

**What exactly is the customer's complaint (or complaints)?**

It is important to be clear about exactly what the customer is complaining of. You may need to ask the customer for more information to get a full picture.

**What does the customer want to achieve by complaining?**

At the outset, clarify the outcome the customer wants. Of course, the customer may not be clear about this, and you may need to probe further to find out what they expect, and whether they can be satisfied.

**Can I achieve this, or explain why not?**

If you can achieve the expected outcome by providing an on-the-spot apology, or explain why you can't achieve what the customer wants, you should do so:

The customer may expect more than we can provide. If so, you must tell them as soon as possible. An example would be where the customer is so dissatisfied with a kitchen refurbishment that they demand a new kitchen, but we are only willing to repair any broken units.

You are likely to have to convey the decision face to face or on the telephone. If you do so face to face, by telephone or by email, you are not required to write to the customer as well, although you may choose to do so, or the customer may ask you to. It is important, however, to keep a full and accurate record of the decision reached and passed to the customer.

**If I can't resolve this, who can help with frontline resolution?**

If you cannot deal with the complaint because, for example, you are unfamiliar with the issues or area of service involved, you should be able to pass details of the complaint immediately to someone who can attempt to resolve it.

## Timelines

Frontline resolution should be completed within **five working days**, although in practice we would often expect to resolve the complaint much sooner.

You may need to get more information from other services to resolve the complaint at this stage. However, it is important to respond to the customer within five working days, either resolving the matter or explaining that their complaint is to be investigated.

## Extension to the Timeline

In exceptional circumstances, where there are clear and justifiable reasons for doing so, you may agree an extension of no more than five working days with the customer. This must only happen when an extension will make it more likely that the complaint will be resolved at the frontline resolution stage.

When you ask for an extension, you must get authorisation from the appropriate senior manager who will decide whether you need an extension to effectively resolve the complaint. Examples of when this may be appropriate include staff or contractors being temporarily unavailable. If, however, the issues are so complex that they cannot be resolved in five days, it may be more appropriate to escalate the complaint straight to the investigation stage. You must tell the customer about the reasons for the delay, and when they can expect your response.

If the customer does not agree to an extension but it is unavoidable and reasonable, the appropriate senior manager should decide on the extension. You must then tell the customer about the delay and explain the reason for the decision to grant the extension.

It is important that such extensions do not become the norm. All attempts to resolve the complaint at this stage must take no longer than **ten working days** from the date you receive the complaint.

[Appendix 3](#) provides further information on timelines.

## Closing the Complaint at Frontline Resolution Stage

When you have informed the customer of the outcome, you are not obliged to write to the customer, although you may choose to do so, or the customer may ask you to. You must ensure that our response to the complaint addresses all areas that we are responsible for and explains the reasons for our decision. It is also important to keep a full and accurate record of the decision reached and given to the customer. The complaint should then be closed, and the complaints system updated accordingly.

## When to Escalate to the Investigation Stage

A complaint should be escalated to the investigation stage when:

- Frontline resolution was tried but the customer remains dissatisfied and requests an investigation into the complaint. This may be immediately on communicating the decision at the frontline stage or could be some time later (in which case the complaint will need to be re-opened on receipt of the request for investigation)
- The customer refuses to take part in the frontline resolution process
- The issues raised are complex and will require detailed investigation
- The complaint relates to serious, high risk or high-profile issues.

When a previously closed complaint is escalated from the frontline resolution stage, the complaint should be re-opened on the complaints system.

Take particular care to identify complaints that might be considered serious, high risk or high profile, as these may require particular action or raise critical issues that need senior management's direct input. The SPSO defines potential high risk or high-profile complaints as those that may:

- involve a death or terminal illness
- involve serious service failure, for example major delays in providing, or repeated failures to provide, a service
- generate significant and ongoing press interest
- pose a serious risk to our operations
- present issues of a highly sensitive nature, for example concerning:
  - immediate homelessness
  - a particularly vulnerable person
  - child protection.

## Stage Two: Investigation

Not all complaints are suitable for frontline resolution and not all complaints will be satisfactorily resolved at that stage. Complaints handled at the investigation stage of the CHP are typically complex or require a detailed examination before we can state our position. An investigation aims to establish all the facts relevant to the points made in the complaint and to give the customer a full, objective and proportionate response that represents Trust final position.

### What to do when you Receive a Complaint for Investigation

It is important to be clear from the start of the investigation stage about what exactly you are investigating, and to ensure that everyone involved understands the scope of the investigation.

It may be helpful to discuss and confirm these points with the customer at the outset, to establish why they are dissatisfied and whether the outcome they are looking for sounds realistic. In discussing the complaint with the customer, you should consider three key questions:

1. What specifically is the customer's complaint or complaints?
2. What does the customer want to achieve by complaining?
3. Are the customer's expectations realistic and achievable?

It may be that the customer expects more than we can provide. If so, you must make this clear to the customer as soon as possible.

Where possible you should also clarify what additional information you will need to investigate the complaint. The customer may need to provide more evidence to help us reach a decision.

Details of the complaint must be recorded on the system for recording complaints. Where appropriate, this will be done as a continuation of the frontline resolution action. The details must be updated when the investigation ends.

If the investigation stage follows attempted frontline resolution, you must hand over all case notes and associated information to the officer responsible for the investigation, and record that you have done so.

### Timelines

The following deadlines apply to cases at the investigation stage:

- complaints must be acknowledged within **three working days**
- You should provide a full response to the complaint as soon as possible but not later than **20 working days** from the time you received the complaint for investigation.

## Extension to the Timeline

Not all investigations will be able to meet this deadline. For example, some complaints are so complex that they require careful consideration and detailed investigation beyond the 20-day limit. However, these would be the exception and you must always try to deliver a final response to a complaint within 20 working days.

If there are clear and justifiable reasons for extending the timescale, the relevant department senior management will set time limits on any extended investigation, as long as the customer agrees. You must keep the customer updated on the reason for the delay and give them a revised timescale for completion. If the customer does not agree to an extension but it is unavoidable and reasonable, then senior management should consider and confirm the extension. The reasons for an extension might include the following:

- essential accounts or statements, crucial to establishing the circumstances of the case, are needed from staff, customers or others but they cannot help because of long-term sickness or leave
- you cannot obtain further essential information within normal timescales
- operations are disrupted by unforeseen or unavoidable operational circumstances, for example industrial action or severe weather
- The customer has agreed to mediation as a potential route for resolution.

These are only a few examples, and you must judge the matter in relation to each complaint. However, an extension would be the exception and you must always try to deliver a final response to the complaint within 20 working days.

[Appendix 3](#) provides further information on timelines.

## Closing the Complaint at the Investigation Stage

You must let the customer know the outcome of the investigation, in writing or by their preferred method of contact. Our response to the complaint must address all areas that we are responsible for and explain the reasons for our decision. You must record the decision, and details of how it was communicated to the customer, on the system for recording complaints. You must also make clear to the customer:

- their right to ask the SPSO to consider the complaint
- the time limit for doing so, and
- How to contact the SPSO.

## Independent External Review

Once the investigation stage has been completed, the customer has the right to approach the SPSO if they remain dissatisfied.

The SPSO looks at issues such as service failure and maladministration, as well as the way we have handled the complaint.

Leaflets are available on the SPSO website which you may find helpful in deciding how and when to refer someone to the SPSO. The following wording is recommended by the SPSO for informing customers of their right to ask SPSO to consider the complaint:

*The Scottish Public Services Ombudsman (SPSO) is the final stage for complaints about public services in Scotland. This includes complaints about Scottish housing associations or co-operatives. If you remain dissatisfied with a housing association or co-operative after its complaints process, you can ask the SPSO to look at your complaint. The SPSO cannot normally look at complaints:*

- *where you have not gone all the way through the housing association's or co-operative's complaints handling procedure*
- *more than 12 months after you became aware of the matter you want to complain about, or*
- *that have been or are being considered in court.*

### SPSO's Contact Details

SPSO  
Bridgeside House  
99 McDonald Road  
Edinburgh  
EH7 4NS

Post: **Freepost SPSO** (This is all you need to write on the envelope, and you don't need to use a stamp.)

Freephone: 0800 377 7330 or call 0131 225 5300

Online contact [www.spsso.org.uk/contact-us](http://www.spsso.org.uk/contact-us)

Website: [www.spsso.org.uk](http://www.spsso.org.uk)

## **Governance of the Complaints Handling Procedure**

### **Roles and Responsibilities**

Overall responsibility and accountability for the management of complaints lies with our Chief Executive and Board of Management.

Our final position on the complaint is signed off by a Director or Head of Service and we will confirm that this is our final response. This ensures that our senior management are accountable for these decisions. It also reassures the customer that their concerns have been taken seriously.

### **Recording, Reporting, Learning and Publicising**

Complaints provide valuable customer feedback. One of the aims of the CHP is to identify opportunities to improve services across our business. We must record all complaints in a systematic way so that we can use the complaints data for analysis and management reporting. By recording and using complaints information in this way, we can identify and address the causes of complaints and, where appropriate, identify training opportunities and introduce service improvements.

### **Recording complaints**

To collect suitable data, it is essential to record all complaints in line with SPSO minimum requirements, as follows:

- the customer's name and address
- the date the complaint was received
- the nature of the complaint
- how the complaint was received (for example by email, post etc)
- the service the complaint refers to
- the date the complaint was closed at the frontline resolution stage (where appropriate)
- the date the complaint was escalated to the investigation stage (where appropriate)
- action taken at the investigation stage (where appropriate)
- the outcome of the complaint at each stage
- the date the complaint was closed at the investigation stage (where appropriate)
- the underlying cause of the complaint and any remedial action taken.

We have a system for recording complaints, their outcomes and any resulting action. This provides a detailed record of services that have failed to satisfy customers.

## Reporting of Complaints

Complaints details are analysed for trend information to ensure we identify service failures and take appropriate action. Regularly reporting the analysis of complaints information helps to inform management of where services need to improve. It will also help us report efficiently on the Annual Return on the Charter (the ARC).

## Learning from Complaints

At the earliest opportunity after the closure of the complaint, the complaint handler makes sure that the service user and staff of the department involved understand the findings of the investigation and any recommendations made.

Our strategic management group will regularly review the information gathered from complaints and consider whether our services could be improved, or internal policies and procedures updated.

As a minimum, we must:

- use complaints data to identify the root cause of complaints
- take action to reduce the risk of recurrence
- record the details of corrective action in the complaints file
- systematically review complaints performance reports to improve service delivery.

Where we have identified the need for service improvement:

- the action needed to improve services should be authorised
- a target date must be set for the action
- where appropriate, performance in the service area must be monitored to ensure that the issue has been resolved
- we must ensure that staff and management all learn from complaints.

## Managing Unacceptable Behaviour

People may act out of character in times of trouble or distress. The circumstances leading to a complaint may result in the customer acting in an unacceptable way. Customers who have a history of challenging or inappropriate behaviour, or have difficulty expressing themselves, may still have a legitimate grievance.

A customer's reasons for complaining may contribute to the way in which they present their complaint. Regardless of this, we must treat all complaints seriously and properly assess them. However, we also recognise that the action of customers who are angry, demanding or persistent may result in unreasonable demands on time and resources or unacceptable behaviour towards our staff. We will, therefore, apply our policies and procedures to protect staff from unacceptable behaviour such as unreasonable persistence, threats or offensive behaviour from customers.

Where we decide to restrict access to a customer under the terms of an unacceptable actions policy, we have a procedure in place to communicate that decision, notify the customer of a right of appeal, and review any decision to restrict contact with us. We will allow the customer to demonstrate a more reasonable approach later. We must also make clear to the customer that they can still request other services such as repairs while their access is restricted.

## **Supporting the Customer**

All members of the community have the right to equal access to our CHP. Customers who do not have English as a first language may need help with interpretation and translation services, and other customers may have specific needs that we will seek to address to ensure easy access to the CHP.

We must always take into account our commitment and responsibilities to equality. This includes making reasonable adjustments to our service to help the customer where appropriate.

Several support and advocacy groups are available to support customers in pursuing a complaint and customers should be signposted to these as appropriate.

## **Time Limit for Making Complaints**

This model CHP sets a time limit of six months from when the customer first knew of the problem, within which time they may ask us to consider the complaint, unless there are special circumstances for considering complaints beyond this time.

We will apply this time limit with discretion. In decision making we will take account of the Scottish Public Services Ombudsman Act 2002 (Section 10(1)), which sets out the time limit within which a member of the public can normally ask the SPSO to consider complaints. The limit is one year from when the person first knew of the problem they are complaining about, unless there are special circumstances for considering complaints beyond this time.

If it is clear that a decision not to investigate a customer's complaint will lead to a request for external review of the matter, we may decide that this satisfies the special circumstances criteria. This will enable us to consider the complaint and try to resolve it.

## Appendix 1 – Complaints at Frontline Resolution

The following tables give examples of complaints that may be considered at the frontline stage and suggests possible actions to achieve resolution.

<b>Complaint</b>	<b>Possible actions to achieve resolution</b>
The customer complains that their rent payment direct debit has been set up wrongly.	<ul style="list-style-type: none"> <li>• Apologise to the customer and resolve the issue by properly updating the direct debit details.</li> <li>• Record the complaint on the complaints database.</li> </ul>
The customer complains that a staff member did not attend to carry out a housing repair as we had agreed.	<ul style="list-style-type: none"> <li>• Speak to the worker, the service or the service manager to explain the customer's complaint and to agree how to resolve the issue, for example by arranging a new time and date to do the repair.</li> <li>• Explain the reasons for the failed appointment and apologise to the customer.</li> <li>• Record the complaint on the complaints database.</li> </ul>
The customer complains that the quality of a repair carried out by us or our contractor is not satisfactory.	<ul style="list-style-type: none"> <li>• Ask the service department to examine the repair to assess whether or not it is acceptable.</li> <li>• If it is not acceptable, agree that the service department should do more work to resolve the matter.</li> <li>• Explain and apologise to the customer.</li> <li>• Record the complaint on the complaints database.</li> <li>• Obtain a report from the service or contractor to confirm that the repair is now complete.</li> <li>• Feed back the lessons learned from the complaint into a service improvement plan.</li> </ul>

Complaint	Possible actions to achieve resolution
The customer complains that their support worker turned up late and was smoking.	<ul style="list-style-type: none"> <li>• Contact the care service to discuss the matter with a service manager.</li> <li>• The care service checks the timetable for visits and discusses with the home carer the complaint about smoking. The care service should let you know the outcome.</li> <li>• You in turn contact the customer to explain the policy, confirm the timing of visits (for example. between 8am and 12 noon) and where appropriate apologise for the inconvenience.</li> <li>• Record the complaint on the complaints database.</li> </ul>
The customer expresses dissatisfaction in line with the definition of a complaint but says he/she doesn't want to complain – just wants to tell us about the matter.	<ul style="list-style-type: none"> <li>• Tell the customer that we value complaints because they help to improve services. Encourage her to submit the complaint.</li> <li>• To improve our service and learn from mistakes, we need to record, evaluate and act upon customer feedback like this. Therefore, if the customer still insists that they do not want to complain, record the matter as an anonymous complaint. This will avoid breaching the complaints handling procedure. Reassure the customer that they will not be contacted again about the matter.</li> </ul>
Dissatisfaction with a planned maintenance programme	<ul style="list-style-type: none"> <li>• Take details of the complaint and pass them to the team involved in planned maintenance. Tell the customer about the timescales for planning such work, and that we will take their views into account for future work.</li> <li>• Record the complaint on the complaints database.</li> </ul>

## Appendix 2 - What is not a complaint

A concern may not necessarily be a complaint. For example, a customer might make a routine first-time request for a service. This is not a complaint, but the issue may escalate into a complaint if it is not handled effectively and the customer has to keep asking for service.

A customer may also be concerned about the various decisions we make. These decisions may have their own specific review or appeal procedures, and, where appropriate, we should direct customers to the relevant procedure. However, if a customer expresses dissatisfaction with the administrative process we have followed to arrive at a decision, we should treat this as a complaint. This distinction is shown in the example below about how an allocations policy applies.

The following paragraphs provide examples of the types of issues or concerns that should not be handled through the complaints handling procedure. This is not a full list, and you should decide the best route for resolution based on the individual case.

### Example 1: Housing allocation decisions

Decisions about the allocation of homes follow a specific internal policy, in line with legal requirements. You should steer customers who are dissatisfied with an allocation decision towards the associated appeals process.

*Customer A complains that they were not given enough priority for housing, given their current housing circumstances and health needs.*

Steer the customer towards the appeals process for allocation decisions.

However, if the customer is dissatisfied about how we applied the policy or administered the process, the complaint can go through this CHP.

*Customer B complains that a home was allocated to someone else, who they knew were in less need than them, and had not been on the waiting list as long.*

Record the customer's complaint. Explain that personal details are not disclosed, so we cannot discuss the other applicant's details. The customer will also need to be clear that we will review the basis for the decision to see if we are at fault.

If we find that the decision was based on sound evidence of need, inform the customer of the outcome. But if there is evidence that there was maladministration (fault) in the process followed to reach our decision, we must take suitable action and inform Customer B.

Update the complaint as appropriate and consider whether to report the case to senior management/ the management committee.

Customer B can also request a review of their circumstances or may appeal their points through the appeals process.

### **Example 2: Claims for compensation**

A customer may seek compensation from us if they consider us liable. This includes issues such as personal injury or loss of or damage to property. Claims for compensation only are not complaints, so you should not handle them through the complaints handling procedure. However, where a customer wants to complain about the matter leading to their request for compensation, for example workmen damaging their home, you may consider that matter as a complaint, but deal with the request for compensation separately. You may decide to suspend complaint action pending the outcome of the claim for compensation. If you do this, you should notify the customer and explain that the complaint will be fully considered when the compensation claim has been resolved.

If you receive a compensation claim, you should explain to the customer the process for seeking resolution in line with our policy on these claims.

You can still make 'time and trouble' payments for inconvenience suffered by customers, in line with our policy on such matters. This is distinct from compensation claims.

### **Example 3: Anti-Social behaviour complaints**

We must respond well to concerns or dissatisfaction about our tenants' behaviour from a neighbour or a member of the public (for example, a home owner living near by). We initially handle such concerns through our Anti-Social Behaviour policy; however, someone may complain about the way we have handled an anti social behaviour complaint.

*Mr A complains that his neighbour has been playing music late at night for the last three nights. This is the first time he has phoned to complain.*

We should handle this through our anti social behaviour policy. We should fully explain our process to Mr A, and say what he should do if the situation continues.

*Ms B complains she has reported her neighbour's barking dog several times over the last year, and nothing has been done about it.*

We should handle this as a complaint and pass it to the right team to establish what has happened so far and update Ms B. We should consider whether we applied our policy properly, and whether we could do anything else to resolve the situation. We should record the complaint on the complaints system.



of receipt, either by resolving the complaint or by escalating it to the investigation stage.

## Transferring Cases from Frontline Resolution to Investigation

If frontline resolution was tried but the customer remains dissatisfied, they can ask for their complaint to be investigated. This may be immediately on communicating the decision at the frontline stage or could be some time later, in which case the complaint will need to be re-opened on receiving the request for investigation. As soon as this request is received, the complaint should be passed for investigation.

## Timelines at Investigation

You may consider a complaint at the investigation stage either:

- after attempted frontline resolution, or
- Immediately on receipt if you believe the matter to be sufficiently complex, serious or appropriate to merit a full investigation from the outset.

## Acknowledgement

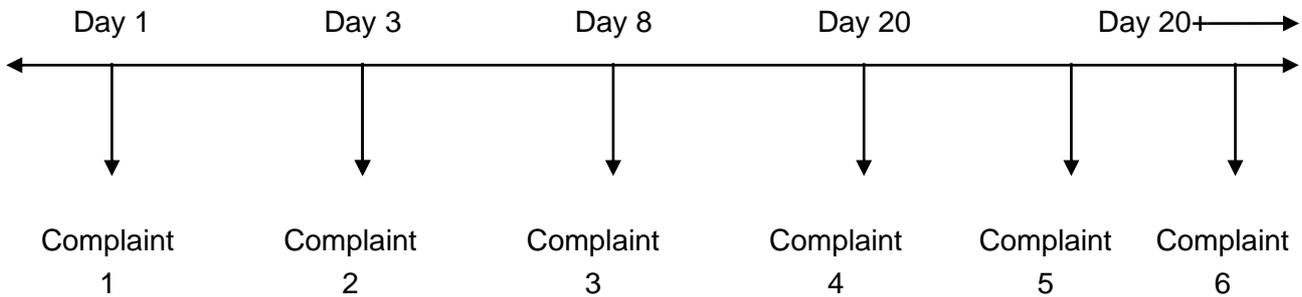
All complaints considered at the investigation stage must be acknowledged within **three working days** of receipt. The date of receipt is:

- the day the case is transferred from the frontline stage to the investigation stage, where it is clear that the case requires investigation, or
- the day the customer asks for an investigation after a decision at the frontline resolution stage. You should note that a customer may not always ask for an investigation immediately after attempts at frontline resolution, or
- the date you receive the complaint, if you think it sufficiently complex, serious or appropriate to merit a full investigation from the outset.



## Timeline Examples

The following illustration provides examples of the point at which we conclude our consideration of a complaint. It is intended to show the different stages and times at which a complaint may be resolved.



The circumstances of each complaint are explained below:

**Complaint 1** – is straightforward and we can resolve it by an on-the-spot explanation and, if appropriate, an apology. Such a complaint can be resolved on day 1.

**Complaint 2** – is also straightforward and needs little or no investigation. Resolution is reached at day three of the frontline resolution stage.

**Complaint 3** – refers to a complaint that we considered appropriate for frontline resolution. We did not resolve it in the required time of five working days. However, we authorised an extension because there was a clear and demonstrable expectation that the complaint would be satisfactorily resolved within a further five days. We resolved the complaint at the frontline resolution stage in a total of eight days.

**Complaint 4** – was suitably complex or serious enough to pass to the investigation stage from the outset. We did not try frontline resolution; rather we investigated the case immediately. We issued a final decision to the customer within the 20-day limit.

**Complaint 5** – we considered complaint 5 at the frontline resolution stage but a 5-day extension was authorised. At the end of the frontline stage the customer was still dissatisfied. At their request, we conducted an investigation and issued our final response within 20 working days. Although the end-to-end timeline was 30 working days, we still met the combined time targets for frontline resolution and investigation.

**Complaint 6** – we considered complaint 6 at both the frontline resolution stage and the investigation stage. We did not complete the investigation within the 20-day limit, so we agreed a revised timescale with the customer for concluding the investigation beyond the 20-day limit.

### Appendix 4 - The complaints handling procedure flow chart

