

## POLICY DOCUMENT

### **POLICY:** Complaints and Compliments Policy

#### 1 POLICY INFORMATION

<b>DATE APPROVED:</b> 26.10.20 (For Launch 1 <sup>st</sup> January 2021)
<b>APPROVED BY:</b> Homes and Places Committee
<b>NEXT APPROVAL DEADLINE:</b> October 2023
<b>REPLACING/UPDATING/NEW:</b> Updating
<b>LAST APPROVED DATE:</b> October 2017
<b>CONSULTATION/SCRUTINY:</b> Customer Consultation Focus Group, Managers Focus Groups and Heads of Service Focus Group.
<b>LEGAL AND/OR REGULATORY REQUIREMENTS:</b> Regulator for Social Housing Involvement and Engagement Standard and Housing Ombudsman Complaint Handling Code
<b>AUTHOR:</b> Customer Insight and Engagement Manager
<b>OWNER:</b> Director of Customer Service Delivery
<b>CIRCULATION:</b> Yoho Plus, Yorkshire Housing Website, Starter Tenancy Pack
<b>THIS POLICY MAY ALSO NEED TO BE READ IN CONJUNCTION WITH THE FOLLOWING POLICIES:</b> Unreasonable, Intensive and Vexatious Complaints Policy Reasonable Adjustments Policy

**Key Changes:-**

Redraft of whole policy in order to comply with the Housing Ombudsman Complaint Handling Code and to update in-line with new organisational aims and objectives.

**2. POLICY STATEMENT**

This policy outlines Yorkshire Housing's approach to offering a simple and accessible way for customers to provide feedback, with processes that ensure that complaints are dealt with quickly, effectively, fairly and consistently.

We recognise that on occasion our service delivery can fall short of both our own and our customers' expectations. We will promote a positive complaints culture where we will proactively put things right and where feedback is used to continually provide learning to shape and enhance the quality of our services and consistently deliver a great customer experience.

Yorkshire Housing colleagues should use this policy in conjunction with the Internal Complaints Guidelines.

This policy should also be used in relation to homes covered under the Space Homes brand.

**3. POLICY AIMS**

To promote a positive complaints handling culture at Yorkshire Housing where:

- Customer feedback, both positive and negative, is encouraged.
- Complaints are resolved at the first point of contact where possible.
- Complaints are resolved quickly and effectively.
- All complaints are treated as an opportunity to re-build trust with customers.
- Colleagues understand their responsibilities and the actions that are required when dealing with feedback.
- Yorkshire Housing demonstrates a commitment to ongoing training of all colleagues in regards to handling and investigation of complaints.
- A degree of flexibility is applied under the right circumstances.
- Insight and learning from complaints is used to positively influence customer service improvements across Yorkshire Housing.

To embed the key dispute resolution principles as set out by the Housing Ombudsman:

- Being fair and following a fair process.
- Putting things right.
- Learning from outcomes.

## **4. THE POLICY**

### **4.1 Definition**

We define a complaint as:

“An expression of dissatisfaction however made, which is affecting a customer or group of customers, made about the standard of service, actions or lack of action by Yorkshire Housing, our own colleagues, or those acting on our behalf”.

We define a compliment as:

“An appreciation of the service received (via any communication method), a thank you to an individual or team working for or on behalf of Yorkshire Housing”.

### **4.2 How a Customer Can Complain**

We will accept a complaint via any colleague, either face to face or by any contact method that the customer deems most appropriate to their needs. Contact methods include:

- Email: [customerservices@yorkshirehousing.co.uk](mailto:customerservices@yorkshirehousing.co.uk)
- Website: [www.yorkshirehousing.co.uk](http://www.yorkshirehousing.co.uk)
- Telephone: 0345 3664404
- Postal address: Dysons Chambers, 12-14 Briggate, Leeds, LS1 6ER.
- Social media (Twitter and Facebook): @yhousing
- Via a local Councillor or Member of Parliament

If a customer so wishes and where this is reasonable, they can nominate a representative to deal with their complaint on their behalf and/or be accompanied at any meeting. There may be occasions where we will need to request authority to discuss the customers complaint with the representative. An example representative could be a family member, friend, social worker or support worker (this list is not exhaustive).

### **4.3 What a Customer Can and Can't Complaint About**

#### **4.3.1 Examples of What We Consider as a Complaint:**

- There was an unreasonable delay.
- Inaccurate or inadequate advice, explanation or information was provided.
- Our policies or procedures were not followed correctly without good reason.
- There was a factual or legal error that impacted on the outcome for the customer.

- There was unprofessional behaviour by our colleagues or by the staff of contractors and organisations working on our behalf.

#### **4.3.2. What We Don't Consider as a Complaint:**

- An initial request for service or information (e.g. a repair request).
- Issues of anti-social behaviour or an issue with other residents in the neighbourhood. These will be dealt under the Anti-Social Behaviour Policy and Procedures.
- Where there is a legal solution (e.g. a claim for damages that should be handled as a public liability insurance claim, or matters undergoing court proceedings).
- A decision or request for review about a housing application that is subject to procedures as part of a Local Authority Choice Based Lettings system (e.g. the banding that has been given when applying for housing).
- Complaints about decisions taken by external organisations or bodies over which Yorkshire Housing have no control (e.g. a Local Council or a utility company).

Complaints from customers who reside in a Leeds City Council property are not covered under this policy. These will be dealt with by the Swarcliffe PFI Team, following the Swarcliffe PFI Complaints Good Practice Notes. Customers should still contact Yorkshire Housing using the contact methods as set out in section 4.2.

#### **4.3.3. Feedback about Yorkshire Housing Policies**

Whilst customer views and feedback in relation to existing Yorkshire Housing policies are welcomed, a complaint which seeks to raise issues about an existing policy, e.g. repair timescales as set out in the repairs policy, will not be dealt with as part of the complaints process but instead will be recorded on our internal systems as a suggestion. Feedback and suggestions on existing policy will be considered separately during the policy review process, which should include a full customer consultation programme.

We reserve the right to temporarily amend certain elements within an existing policy where exceptional circumstances dictate such as during extreme weather conditions or during a pandemic, e.g. it may be necessary for us to cancel and rearrange appointments that are outside of policy repair timescales as a result of a national lockdown and government restrictions which are preventing us from carrying out normal working duties. During such times, any feedback received about the temporary change in policy will again be treated as a feedback suggestion and used for continual learning and service development.

We will collate all policy feedback suggestions through our internal systems and will report on these on a monthly basis in-line with other reporting requirements. All suggestions will used to shape and develop our approach at the next

periodic policy review stage. In some circumstances, we may carry out an urgent review of a policy where it is having a detrimental impact on customers that was not foreseen during the policy development, for example, where an element of a policy is resulting in direct or indirect discrimination of a particular demographic of customer.

#### **4.4. The Complaints Process**

##### **4.4.1. De-escalation of Complaints**

The person or team receiving an initial expression of dissatisfaction via any method of customer communication, is empowered to do everything they can to resolve the complaint to a satisfactory conclusion at the first point of contact. De-escalations do not form part of our formal complaints process, but all de-escalated complaints are recorded and are utilised to identify areas of learning so that we can continually improve our services.

##### **4.4.2. Stage 1 – Formal Process**

A Stage 1 complaint must be made within 3 months of the event giving rise to the complaint. However, in exceptional circumstances and with internal approval from the Customer Resolution Team, we will consider all complaints on a case by case basis.

We will issue an acknowledgement within 2 working days and aim to respond to all Stage 1 complaints within 10 working days of receipt. If a complaint is received after 1 pm, then the next working day will be counted as the first day in the process.

The complaint will be investigated by a Complaints Officer from within the relevant service area who will:

- Investigate the complaint thoroughly.
- Provide a full response within the agreed timescales.
- Keep the customer fully up to date with the progress of their complaint.

The Complaints Officer dealing with the complaint will contact the customer before completing their investigations in order to give them a fair opportunity to set out their position and comment on any findings before a decision is made.

Customers will be asked to indicate within 8 weeks of the date of the Stage 1 full response whether they are satisfied with the outcome or 8 weeks after the final proposed action or resolution identified in the Stage 1 response (whichever is longer).

A customer can escalate their complaint by any of the contact methods as set out in the section “How a Customer Can Complain” or via the Complaints Officer for the case.

#### **4.4.3. Stage 2 Review – Formal Process**

We will issue an acknowledgement within 2 working days and aim to respond to all Stage 2 complaints within 20 working days of receipt. If a Stage 2 complaint is received after 1 pm, then the next working day will be counted as the first day in the process.

We will ask the customer why they are not satisfied with the response at Stage 1 and what they are seeking as a resolution. We will also ask them to detail any additional and new evidence that supports the original complaint that may not have been considered at Stage 1.

Additional or new evidence that brings to light anything that was not in the original Stage 1 complaint will not be considered as part of the Stage 2 review and will be referred separately to the appropriate team to either de-escalate or to log a new Stage 1 complaint.

The complaint will be reviewed by a Head of Service which may not be the from the service area which investigated the Stage 1 complaint. The Head of Service investigating the complaint will:

- Thoroughly review the full Stage 1 investigation.
- Consider and investigate any new and additional evidence that relates to the original Stage 1 complaint.
- Provide a final response letter within the agreed timescales.
- Keep the customer fully up to date with the progress of their complaint.
- Advise the customer of their rights to have their complaint investigated by the Housing Ombudsman.

The Stage 2 review concludes our internal complaints process.

#### **4.4.4. Housing Ombudsman**

The Housing Ombudsman Service will provide customers with an independent review of their complaint and also offer advice to customers should they be dissatisfied at any point in the complaints process.

If the customer remains dissatisfied following the internal Stage 2 complaint review then they can ask the Housing Ombudsman Service to investigate how we dealt with the matter. The complaint will only be considered after 8 weeks of the completion of the internal complaints process.

The customer can contact the Housing Ombudsman directly via the following methods:

- Online complaint form: [www.housing-ombudsman.org.uk/residents/make-a-complaint/](http://www.housing-ombudsman.org.uk/residents/make-a-complaint/)
- Phone: 0300 111 3000.
- Email: [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)
- Postal address: Housing Ombudsman Service, PO Box 152, Liverpool L3 7WQ.

Customers and colleagues at Yorkshire Housing can contact the Housing Ombudsman at any point in the internal complaints process for advice and to help find a resolution.

#### **4.4.5. Learning from Complaints**

Every closed complaint requires a review of internal lessons learnt to identify areas of improvement within Yorkshire Housing services.

Lessons learnt are reviewed and monitored by the Yorkshire Housing Complaints Forum every two months, where trends are identified and reported to the relevant Head of Service as recommendations. Heads of Service are then required to report back to the Complaints Forum with the actions taken to remedy the service failures.

The Customer Voice and Review Committee will receive reports on a quarterly basis on complaints performance, lessons learnt, and business service improvements in order to progress towards achieving Yorkshire Housing's Business Strategy, in particular the Great Customer Experience Strategy and Homes and Places to Be Proud of. The Committee will obtain and assess assurance on the quality of complaints performance, identifying and escalating any significant areas of under-performance to the Homes and Places Committee.

#### **4.4.6. Time Extensions – “Stop the Clock”**

Where possible, we will respond to all complaints within the timescales as set out in this policy, however, there may be times where we will use discretion on a case by case basis to extend the timescale of a complaint. In such circumstances and in agreement with the customer and the Customer Resolution Team, a time extension of up to 10 working days will be approved and the complaint placed on “Stop the Clock”. This extension will be confirmed in writing via letter or email to the customer.

A longer period of extension will be approved where there is good reason to do so. A good reason could be:

- The customer is unavailable and therefore unable to provide evidence to support the investigation i.e. they are in hospital or on holiday.
- A delay by a third party, over which we have no control, in providing information to us or the customer.
- We require further time to undertake interviews that support the investigation.
- Needing longer to acquire all the information required from multiple sources to enable thorough investigation of a long standing, complex case.

Complaints will not be granted a time extension where the resolution requires undertaking works which may take weeks or months to complete. In this case, we will provide the customer with a schedule of works and a time frame in the complaint response. If a customer is dissatisfied with the response or we do not comply with our own promises, then they will be given the opportunity to escalate their complaint to the next stage in the process.

#### **4.4.7. The Housing Ombudsman Complaint Handling Code**

We follow the requirements in the Housing Ombudsman Complaint Handling Code. The purpose of the Code is to enable landlords to resolve complaints raised by their customers quickly and to use learning from complaints to drive service improvements. It also helps to create a positive complaint handling culture amongst colleagues and customers.

The Code acts as a guide for customers, setting out what they can and should expect from Yorkshire Housing when they complain. The Code also supports the regulatory approach to complaints ensuring that our approach is clear, simple and accessible and ensures that complaints are resolved promptly, politely and fairly.

Yorkshire Housing will carry out ongoing self-assessment of the Code on a comply and explain basis. Non-compliance could result in the Housing Ombudsman issuing a complaint handling failure order.

More Information on the Complaint Handling Code can be found [here](#).

#### **4.4.8. Anonymous Complaints**

Anonymous complaints are not dealt with through the Complaints and Compliments Policy but will be referred to the Customer Resolution Team to record. Depending on the nature of the complaint, it may then be necessary to investigate the matter in order to protect ours and our customer's interests, especially if the matter could cause serious detriment. If this is the case, then the matter will be referred to the Manager of the appropriate service for full investigation and to implement any necessary actions. All anonymous



complaints will be referred to the Yorkshire Housing Complaints Forum to review any lessons learnt and to make recommendations to the Customer Voice and Review Committee as set out in section 4.4.5 of the policy.

#### **4.4.9. Petitions**

Complaints or petitions from groups of customers will be accepted. The response will be sent to all members of the group who are named in the complaint unless there is a specific request to coordinate through one lead complainant. Details of petitions and group complaints will be reported to the Yorkshire Housing Complaints Forum so that they can review and make recommendations to the Customer Voice and Review Committee as necessary. The role of the Complaints forum and the Customer Voice and Review Committee are set out in section 4.4.5 of the policy.

#### **4.4.10. Statutory & Regulatory Responsibility**

The Complaints and Compliments Policy includes the arrangements for complaints under the Localism Act 2011.

Where a complaint involves a third party, for example the conduct of a contractor, it will be necessary for Yorkshire Housing to disclose some of the details about a complaint to the contractor in order for us to investigate. Where the information is of a sensitive nature, we will discuss this with the customer before we share any data. Any data shared will be done so in-line with the Data Protection Act 2018.

We are committed to ensuring that all personal data obtained and processed by Yorkshire Housing is managed in accordance with the law, along with any associated regulations and codes of conduct laid down by the Supervisory Authority and local law. We are dedicated to ensuring the safe, secure, ethical and transparent use of all personal data and to upholding the highest standards of data processing. Our Data Protection and Privacy Policy is available upon request.

This policy ensures that Yorkshire Housing meets the regulatory obligations as set out in the Tenant Involvement and Empowerment Standard. We also adhere to the requirements in the Independent Housing Ombudsman Code of Practice.

#### **4.4.11. Compensation**

Compensation is not an automatic outcome from the Complaints and Compliments Policy, however, it may be considered where appropriate and will be applied fairly, honestly, consistently and proportionally. We will consider any quantifiable losses, time, trouble, distress and inconvenience and any payment that will put the customer back in the position that they would have been had the issue not occurred.

#### **4.4.12. Unreasonable, Intensive and Vexatious Complainants**

Yorkshire Housing does not tolerate any form of abusive or threatening behaviour from complainants. There may also be circumstances in which we may treat a complaint as vexatious or a complainant as unreasonably persistent. We aim to establish a working environment for our colleagues where their exposure to unnecessary stress due to the unacceptable behaviour of others is managed.

We define unreasonable, intensive and vexatious complaints as those that, because of the frequency or nature of a complainant's contact with our colleagues, hinder our consideration of their (or other people's) complaints. The description 'unreasonably persistent' and 'vexatious' may apply separately or jointly to a particular complaint.

We will treat as abusive, any behaviour that seeks to harass, verbally abuse or otherwise intimidate our colleagues. This can include the use of foul or inappropriate language or the use of offensive and racist language.

Abusive behaviour may be demonstrated through:

- Using threatening, offensive or foul language on the telephone or face to face.
- Sending multiple threatening or offensive emails.
- Leaving multiple threatening or offensive voicemails.
- The use of offensive or threatening posts on social networks.

Any customer who is deemed to fall into any of these categories will be referred to the Customer Services Delivery Manager for appropriate and proportionate action to be taken.

## **5. REPORTING/MONITORING**

We have an established hierarchy of reporting and regularly report on the following to customers, management teams, YH Board, Homes and Places Committee and Customer Voice and Review Committee:

- Number of complaints broken down by stages, upheld/not upheld, type and service area.
- Number of compliments broken down by service area.
- Number of de-escalations broken down by service area.
- Compliments for individuals or teams are shared internally via the intranet.
- Number of Housing Ombudsman enquiries and determinations broken down by service area.

- Number of and type of suggestions, including any suggestions about existing policies.
- Performance against timescales as set out in this policy.
- Lessons learnt and service improvements as a result of customer feedback.
- Customer satisfaction with complaints.

### 5.1. Customer Satisfaction

Customer satisfaction with the complaints process is sought following the closure of each stage of the complaint where the customer will automatically receive a text or email asking them to complete a short questionnaire.

All customer satisfaction results will be reported to the Yorkshire Housing Complaints Forum for review and analysis, with recommendations for improvements being reported to the relevant service area and summary reports submitted to the Customer Voice and Review Committee.

## 6. EQUALITY AND DIVERSITY IMPLICATIONS

<b>Action Plan</b>		
Decide whether any action plan is needed in order to eliminate or mitigate any current or potential negative or adverse impacts and to promote equality. This should be reviewed by the Policy Lead to make sure any actions are being done.		
Age	<b>No</b>	If Yes, How & Actions Identified (include name of owner)
Disability	<b>No</b>	If Yes, How & Actions Identified (include name of owner)
Gender Reassignment	<b>No</b>	If Yes, How & Actions Identified (include name of owner)
Marriage and Civil Partnership	<b>No</b>	If Yes, How & Actions Identified (include name of owner)
Pregnancy and Maternity	<b>No</b>	If Yes, How & Actions Identified (include name of owner)
Race	<b>No</b>	If Yes, How & Actions Identified (include name of owner)

Religion or Belief	<b>No</b>	If Yes, How & Actions Identified (include name of owner)
Sex, Sexual Orientation	<b>No</b>	If Yes, How & Actions Identified (include name of owner)

**Please provide an explanation if the answer to any of the above is 'No':**

Fairness and accessibility is a key aim of this policy. There are no parts of this policy that have equality and diversity implications on any particular demographic of customer.

Within the policy there is a mitigation of risk in regards to suggestions about existing Yorkshire Housing policies, to ensure that all suggestions are recorded and reported on a regular basis, with any that have an impact on indirect or direct discrimination of a particular customer demographic being reported to the Leadership Team as a request for an urgent policy review.