



# Complaints, Compliments, and Feedback Policy

Date Policy Effective From:	1 April 2024
Date of Last Revision:	1 October 2022
Approved by:	Board
Date Approved:	28 March 2024
Equality Impact Assessed:	8 March 2024
Date of next review:	31 March 2027

## Complaints, Compliments and Feedback Policy

Contents	Page(s)
Introduction	2
Purpose	2
Principles	2
Definitions	2
Scope	3
Contribution to Plan A	4
Legislative and regulatory framework	4
Policy Statements	5
Roles and responsibilities	10
Related policies and procedures	11
Monitoring, assurance and review arrangements	11

## 1 Introduction

- 1.1 We are committed to ensuring that the process for customer complaints, customer feedback and claiming compensation is clear and accessible, and ensures that these are resolved promptly, politely, and fairly.
- 1.2 We will handle customer complaints and feedback in a timely and effective way and ensure that customers are listened to, and their views acted upon.

## 2 Purpose

- 2.1 The purpose of this policy is to:
  - Have a customer focused complaints process that is fair, simple and accessible
  - Put things right for our customers where we need to
  - Learn from complaints and feedback to improve outcomes for all customers

## 3 Principles

- 3.1 The principles of this policy are:
  - **Trust** - we put things right for customers to restore their trust by addressing complaints fairly, effectively and promptly
  - **Respect** - we take complaints seriously and treat people as individuals
  - **Innovate** - we use the valuable insight from complaints to find new solutions to improve services based on learning
  - **Working together** - we work with tenants and partner organisations to positively resolve complaints and we have a positive complaint handling culture

## 4 Definitions

- 4.1 The key terms used in this policy are defined below.

Customer	For this Policy our definition of customer includes all tenants,
----------	--

	prospective tenants, leaseholders or any member of the public wishing to make a complaint or provide feedback or a compliment
<b>Complaint</b>	“Any expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own employees, or those acting on its behalf, affecting an individual resident or groups of residents.”
<b>Service Request</b>	A Service Request is a request from a resident, that requires action to be taken to put something right. An example could be where a customer has not received a call back from us and to resolve it, they would like us to call them back. We then call the customer back which resolves the issue, and the customer is satisfied. If the customer is not satisfied with the action taken, this becomes a complaint.
<b>Feedback</b>	Feedback is where a customer provides us with information about their experience of our services. For example, they may complete a customer satisfaction survey about their recent experience.
<b>Compliment</b>	A compliment is where a customer gives positive feedback about their experience of service they have received.
<b>Housing Ombudsman Service</b>	The Housing Ombudsman Service looks at complaints about registered providers of social housing, for example housing associations, and other landlords, managers and agents. The service is free, independent and impartial for customers.

<b>Complaint Handling Code (The Code)</b>	The Code is statutory and forms part of the Housing Ombudsman's powers under the Housing Ombudsman Scheme. The Code aims to achieve best practice in complaints handling and provide a better service to customers
<b>Complaints Officer</b>	A person responsible for investigating and resolving a complaint.

## 5 Scope

- 5.1 The scope of this policy covers any customer accessing our services that may wish to complain or give feedback about the service received and/or actions or lack of action from employees including those working on our behalf. The customer does not have to use the word 'complaint' for it to be treated as such.
- 5.2 A complaint that is submitted via a third party or representative will still be handled in line with our complaints policy.
- 5.3 This policy applies to all Board members, employees and partners/contractors working on behalf of Livin.

### Exclusions

- 5.4 Every complaint is different, and, in some cases, this policy will not apply, and a complaint will not be opened. If this happens, we will carefully consider why a complaint should not be opened and carefully consider the individual circumstances. We will provide an explanation of this to the customer setting out the reasons why the matter is not suitable for the complaints process and advising of the right to seek support from the Housing Ombudsman. We will also provide advice to the customer on the correct route for redress, where applicable.
- 5.5 Examples of where a complaint might not be opened include:

- A matter that has previously been fully investigated through the complaints process and a full written response was given, in line with this policy
- Something which happened, or which the customer knew of, more than twelve months before contacting us
- An issue where legal proceedings have started where the Claim Form and Particulars of Claim have been filed at court
- An anonymous complaint that does not provide enough information to investigate. In these cases, the Customer Experience Manager will decide if a complaint can be opened depending on the seriousness and if it is possible to investigate it

## 6 Contribution to Plan A

- 6.1 The Transforming customer experience and digital services chapter of Plan A sets out our customer experience vision of *'seamless, reliable and convenient services that customers can influence and trust to ensure their aspirations are met'*. Responding to feedback and resolving complaints, then learning from this insight is key to achieving this vision.
- 6.2 We are committed in our strategy to delivering an effective framework for tenants to engage and influence that is meaningful, open and honest to continuously improve services. An accessible complaints and feedback service that customers trust is an important part of that framework.

## 7 Legislative and regulatory framework

- 7.1 The Transparency, Influence and Accountability (TIA) Standard sets out the following required outcomes which social housing providers must deliver:

### Complaints

Registered providers must ensure complaints are addressed fairly, effectively, and promptly.

Registered providers must ensure their approach to handling complaints is simple, accessible and publicised.

Registered providers must provide accessible information to tenants about:

- a) how tenants can make a complaint about their registered provider
- b) the registered provider's complaints policy and complaints handling process
- c) what tenants can do if they are dissatisfied with the outcome of a complaint or how a complaint was handled, and
- d) the type of complaints received and how they have learnt from complaints to continuously improve services.

7.2 The TIA Standard also sets out the importance of treating all tenants and prospective tenants with fairness and respect. This should be central to all services including complaints.

7.3 Landlords are required by law to follow the Housing Ombudsman's Complaint Handling Code (The Code). The Social Housing (Regulation) Act 2023 empowered the Housing Ombudsman (HO) to issue a code of practice about the procedures members of the Scheme should have in place for considering complaints against them following consultation on the Code. It also placed a duty on the Ombudsman to monitor compliance.

7.4 The Regulator of Social Housing (RSH) has the power to award compensation to a victim of a failure on the part of a Registered Provider. This is an enforcement power and is set out in Chapter 7 and Sections 236 to 245 of the Housing and Regeneration Act 2008 (the Act) in conjunction with the Regulatory Framework for Social Housing in England from April 2012 and The Social Housing (Regulation) Act 2023. Direct reference of a complaint or claim for compensation to the RSH can only be made in circumstances where it is believed we have acted illegally.

## 8 Policy statements

### Accessing the complaints and feedback service

- 8.1 We will collect feedback from customers in relation to:
- Complaints
  - Service requests
  - Compliments
  - General suggestions for service improvement.
- 8.2 We will offer a range of options to give feedback through the following channels:
- In person to any member of staff
  - Via telephone
  - In writing
  - Email
  - Website
  - Live Chat
  - Satisfaction Surveys
  - My Livin App
  - Social media (we will invite customers to direct message us to maintain confidentiality)
- 8.3 We will respond to reasonable adjustment requests in line with the Equality Act 2010 and we will work with customers who have specific needs and vulnerabilities to make sure they can access the service, have their views listened to and receive their complaint response in a way that meets their needs. For example, we can provide a translation service and will also accept complaints via a third party or representative such as a carer, other family member, a local councillor or a MP. This must be with the written consent of the complainant.
- 8.4 We will ensure that any personal information collected will be treated in accordance with the UK General Data Protection Regulation provisions of the Data Protection Act 2018.

### Service Requests



- 8.5 If a customer is unhappy with a situation that they wish to have rectified, we will deal with this as a service request and aim to resolve within a timeframe that is acceptable to the customer and will keep them updated on progress. If further enquiries are needed to resolve the matter, or if the customer requests it, the issue will be logged as a formal complaint.

### The complaint handling procedure

- 8.6 All complaints (see definition at 4.1) we receive will be referred to the Customer Feedback Team for oversight regardless of who the complaint is initially referred to. This will ensure that all customers receive equality of service in complaints resolution and that they are kept informed of progress.
- 8.7 Complaints will be dealt with impartially and confidentially, by a 'Complaints Officer'.
- 8.8 Our complaints procedure is made up of two stages. The complaint outcome will either be 'upheld' or 'not upheld'.

### Stage One

- 8.9 We aim to deal with all complaints promptly. We will acknowledge, define, and log the complaint within five working days of the complaint being received, and contact the customer to clarify the exact complaint definition and desired resolution.
- 8.10 The complaint will then be assigned to a complaints officer who will:
- Deal with the complaint on its merits, act independently, and have an open mind,
  - Give the customer a fair chance to set out their position,
  - Take measures to address any actual or perceived conflict of interest; and
  - Consider all relevant information and evidence carefully to decide the outcome of the complaint and how to put things right.

- 8.11 A full written response of the investigation will be issued within 10 working days of the complaint being acknowledged. All points raised in the complaint definition will be addressed, with clear reasons for the decision to uphold, or not uphold, referencing the relevant policy, law, and good practice where appropriate.
- 8.12 If there are mitigating reasons to extend this period, any extension will be at the agreement of the customer and will be no more than 10 working days without good reason. For example, the customer may be uncontactable, or the complaint may be complex. The customer will also be provided with the contact details of the Housing Ombudsman if an extension is needed.
- 8.13 The complaint response will be provided when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions will be tracked, and the customer will be kept informed.
- 8.14 A customer can raise additional complaints during the investigation, these will be incorporated into the Stage One response if they are related, and the response has not yet been issued. Where a response has not been issued but the issues are unrelated, or it would unreasonably delay the response, the new issues will be logged as a new complaint.

### Stage Two

- 8.15 If all, or part of the complaint is not resolved to the customer's satisfaction at Stage One, it will be escalated to Stage Two. We will acknowledge, define, and log the Stage Two complaint within five working days of the request being received.
- 8.16 The Complaint Officer for the Stage Two investigation will be different to Stage One and it will be given to a senior manager, independent of the service area being complained about. They will review the handling and

decision making at Stage One and make reasonable efforts to understand why the customer remains unhappy.

- 8.17 The customer will be issued a full written response within 20 working days of the complaint being acknowledged. All points raised in the complaint definition will be addressed, with clear reasons for the decision to uphold, or not uphold the complaint provided, referencing the relevant policy, law, and good practice where appropriate.
- 8.18 If there are mitigating reasons to extend this period, any extension will be with the agreement of the customer and will be no more than 20 working days. The customer will also be provided with the contact details of the Housing Ombudsman if an extension is needed.
- 8.19 The complaint response will be provided when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions will be tracked and the customer will be kept informed.
- 8.20 If new evidence or information is provided that was not presented by the customer when reporting the Stage One complaint, we reserve the right to open and investigate this as a new Stage One complaint.

### Escalation to the Housing Ombudsman

- 8.21 Stage Two is our final response to the complaint. If the customer is not satisfied with the outcome of the investigation at Stage Two, they can take their complaint to the Housing Ombudsman, who will advise if their complaint falls within its jurisdiction.
- 8.22 We will assist the Housing Ombudsman in its investigations and will act upon and fully implement any orders made following the written outcome of a case review by the Housing Ombudsman.

### Anonymous complaints

- 8.23 Complaints made anonymously are more difficult to investigate and will be considered at the discretion of the Customer Experience Manager. The factors to be considered would include:
- the seriousness of the issues raised
  - the level of information available about the complaint; and
  - the complaint can be verified by a reliable source.

### Unacceptable complainant behaviour

- 8.24 We will apply the Unacceptable Complainant Behaviour Procedure when the criteria for unacceptable behaviour are met. We will aim to make sure this does not close off routes of redress for the customer.
- 8.25 For us to investigate a complaint fairly we expect customers to 'work with us' so that we can clarify the exact complaint definition and desired resolution.
- 8.26 Where unacceptable complainant behaviour is believed to be caused by a customer's disability, illness or other vulnerability, they will be treated with sensitivity and will be offered the opportunity to appoint an advocate to act on their behalf. Any restrictions placed on contact due to unacceptable behaviour will be proportionate and in line with the Equality Act 2010 and our Customer Vulnerability Policy.
- 8.27 We consider it unacceptable for a customer to bring a complaint to us and repeatedly refuse to cooperate and respond to clear and appropriate requests by employees. We may decide to close a complaint on this basis and provide the customer with the contact details of the Housing Ombudsman.
- 8.28 Violent or threatening behaviour to our employees handling a complaint will not be tolerated and will be treated as anti-social behaviour and dealt with in accordance with our Anti-Social Behaviour Policy.

### Learning and improvement

8.29 Customer feedback from complaints is valuable to us and we will look beyond the circumstances of the individual tenant and use this as a source of intelligence to drive positive change, development, and improvement to our services.

8.30 We will ensure that we are accountable and transparent in our complaint handling and will report on wider learning and improvements to our Board, the Housing and Communities Committee, the Housing Ombudsman and customers.

### Compliments

8.31 We welcome positive feedback from customers and will refer this to the relevant service area. We will share areas of good practice to improve services and we will report analysis of compliments to the Housing and Communities Committee, Board and customers.

### Compensation

8.32 We aim to provide high quality services and to resolve any issues before the need for a compensation payment arises.

8.33 The aims of the compensation procedure are to ensure that:

- Problems are resolved quickly and efficiently
- Practical solutions are explored completely to remedy the situation
- Where financial payments are appropriate, they are proportionate to the loss or inconvenience caused
- Financial payment is considered against clear agreed guidelines, and
- All customers are treated in a fair and equitable way

8.34 This following list is an example of the types of remedy that may be made in relation to a complaint, but it is not exhaustive:

- Loss of / damage to personal possessions
- Financial loss
- Payment for distress and inconvenience

- Time and trouble

8.35 Compensation is a type of remedy we may offer but is not automatic, even where it is clear mistakes have been made. Where a practical solution would provide all or part of the remedy, this will be discussed with the customer.

### Ex gratia - full and final settlement

8.36 Any payments we make under the Compensation Procedure are referred to as ex gratia and will be in full and final settlement of the issue. This means that the complainant is accepting that the matter is resolved by taking the compensation payment and the internal complaints process is exhausted. This does not affect the complainant's right to refer their complaint to the Housing Ombudsman.

### Service standards and performance

8.37 The following service standards are monitored to make sure this policy, associated timescales and quality of service is complied with:

- Percentage of complaints handled within policy timescales
- Percentage of complainants satisfied with the way their complaint was handled
- Percentage of Stage One complaints dealt with in time
- Percentage of Stage Two complaints dealt with in time

8.38 Customers will be informed about how we perform against these service standards through our annual report to tenants and information provided on the website. Information can also be provided in alternative formats, where required.

### Communication

- 8.39 We are committed to the provision of seamless, responsive and convenient services and as such are a digital first organisation. We advocate encourage and support our tenants to engage with us via the most efficient and effective method, suitable to their needs, and will assist tenants or their advocates to engage with us digitally, where possible. Digital copies of this policy and related guidance are available on our website and in an alternative format for tenants who may not be able to access services digitally or experience other communication barriers. Information on how to access the service will be promoted across different channels to ensure all customers are aware of how to make a complaint and what their rights are.
- 8.40 Details of the Housing Ombudsman will be published on our website, in key information provided to tenants and in communications from the complaints and feedback service.

## 9 Roles and responsibilities

- 9.1 Roles and responsibilities under this policy are outlined below.

<b>Board</b>	The Board has overall responsibility for this policy including approval and will seek assurance on compliance with this Policy.
<b>Housing and Communities Committee (HACC)</b>	The HACC is responsible for seeking and receiving assurance on monitoring and compliance with this policy.
<b>Member Responsible for Complaints (MRC)</b>	The MRC is also the Chair of Housing and Communities Committee and seeks assurance that complaint handling drives service improvement and learning and also champions a positive complaint handling culture.

## Complaints, Compliments and Feedback Policy

<b>Executive Management Team (EMT)</b>	The EMT must have oversight over complaints performance, trends and learning from complaints.
<b>Director of Customer Experience and Insight</b>	The Director of Customer Experience and Insight is responsible for overseeing the implementation of this policy, including learning and improvement from complaints, and providing assurance to the HACC and Board on its effectiveness and compliance.
<b>Heads of Service</b>	Heads of Service are responsible for ensuring this policy is applied across all services within their remit, that they act on complaint findings and learning, and will also act as Complaints Officer on Stage Two complaints.
<b>Customer Experience Manager</b>	The Customer Experience Manager has responsibility for the overall implementation and monitoring of this policy, driving learning and improvement, and is the organisation's designated Complaints Officer.
<b>Managers</b>	Managers are responsible for applying this policy in the day-to-day work of their teams, acting on complaints findings and implementing learning, acting as Complaints Officer for Stage 1 complaints and ensuring their teams cooperate and assist with resolving complaints.
<b>Customer Complaints and Feedback Manager</b>	The Customer Complaints and Feedback Manager is responsible for managing the Customer Complaints and Feedback service in line with this policy and identifies and implements learning and improvements.

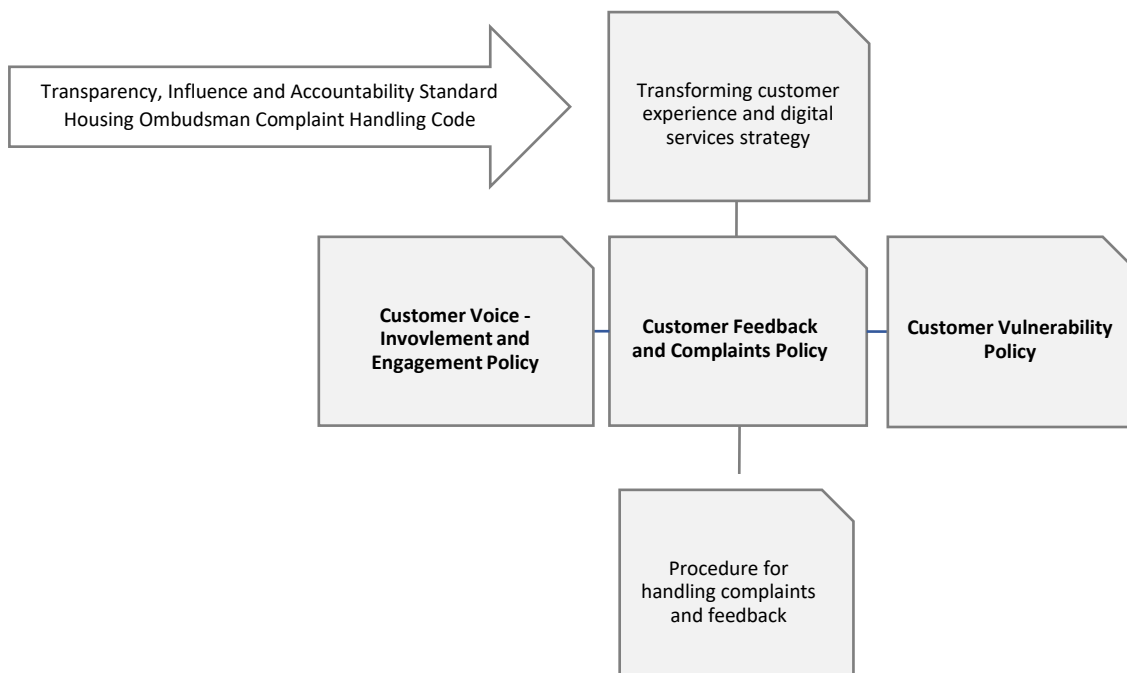


<b>Employees</b>	Employees are responsible for following this policy when a customer raises and complaint or service request and must assist the Complaints Officer in the resolving of complaints, where needed.
<b>Customer Complaints and Feedback Team</b>	The team is responsible for ensuring all team processes are delivered in line with this policy and facilitating learning and improvement from complaints.

9.2 This policy will be communicated to our employees via the Intranet and communicated to customers via our website and other formats where needed. Those who have responsibilities under this policy will be required to formally accept and confirm understanding of the policy and will receive appropriate training, advice, and/or guidance.

## 10 Related policies and procedures

10.1 This policy should be read in conjunction with the key related documents shown in the graphic below:



## 11 Monitoring, assurance and review arrangements

11.1 Assurance that the Policy is being complied with and meets its stated aims will be sought via the following reporting, monitoring and review arrangements:

Type of assurance	Key source	Frequency
Management assurance	Quality Checks on complaints Complaints and service request dashboards Performance Management Framework Complaints upheld, not upheld and complaints escalation to Stage Two and the Housing Ombudsman	Monthly Monthly Quarterly Quarterly
Corporate Oversight	Performance Management Framework Report to Board Tenant Satisfaction Measures perception survey Complaints and Case Review Learning Report to Housing and Communities Committee and Member Responsible for Complaints Customer Complaints and Feedback report to Board Performance and service improvement report to the Housing Ombudsman (also reported to Board)	Quarterly Annual Quarterly Annual Annual
Independent assurance	Complaints Audit	Every three years

- 11.2 This policy is subject to a three-year review period. The Director of Customer Experience and Insight will oversee its implementation during 2024/25 and any an early review of the Policy will take place if material changes are required.