

Compliments and Complaints Policy

January 2015

Compliments

1. Positive comments (compliments) are valuable feedback and learning opportunities. Compliments will be shared with staff and where appropriate the details will be publicised within the organisation.
2. Managers will make time to recognise good work, especially if feedback is received directly from a customer.
3. Praising staff, recognising good work and providing positive feedback is as important as responding to complaints.
4. Compliments will be acknowledged and the customer thanked for taking the time to contact us.

Complaints

5. Northwards Housing welcomes complaints so that we can learn lessons and improve our performance. We will provide feedback to customers about the outcomes of different types of complaints and how we use that information to drive improvement of services.
6. This policy is designed to make the process simple and accessible to all; aiming to make the overall process a positive experience for the customer.
7. We will investigate any complaint where it is alleged that Northwards Housing is:
 - Failing to fulfil its responsibilities, carry out a policy or provide a service in line with Regulatory Framework for Social Housing in England;
 - Failing to achieve the stated local standards of service offered to customers;
 - Failing to take into account matters that ought to have been considered when coming to or implementing a decision;Acted unfairly or with bias.
8. All complaints will be considered in a fair and impartial manner. Managers have a responsibility to seek advice if needed before responding to a complaint and if appropriate will consider asking a colleague, not directly responsible for the service area that is being complained about, or at a different work location, to investigate a complaint. This could be particularly helpful if partiality or bias is being alleged, or if the complaint is about the person who would normally respond to the complaint.

9. The person responding to the complaint will be responsive, approachable and helpful at all stages of the process, making time where appropriate to contact the complainant personally by telephone or face to face to discuss their concerns prior to, or as part of their investigation.
10. Northwards Housing's close working relationships with its contractors means that when a complaint is received involving their performance, we will work together to produce a response so that all parties agree and learn lessons from the complaint. We will endeavour to make sure that any complaint involving compensation is resolved quickly between all parties.
11. Northwards Housing does not distinguish between formal and informal complaints. All complaints will be taken seriously and acted upon regardless of perceived severity. We may also carry out periodic analysis of the reasons customers complain to identify any trends in dissatisfaction with the service.
12. We will accept complaints from advocates acting on behalf of customers providing they are properly authorised to do so.
13. It is not necessary for complaints to be made in writing, although the person listening to the complaint may choose to keep a written record of the complaint in addition to recording this on the central logging system. All responses will be made or confirmed in writing (which could include email), using plain language and avoiding the use of technical jargon wherever possible. Responses will be concise. If appropriate, especially where complex issues need to be explained, we will talk directly to the complainant about the outcome of the investigation prior to sending a written response.
14. Whilst we aim to make sure that satisfaction with the complaints process is high, we recognise that not all complaints are upheld. This can have an impact upon the customer's overall perception of the way they feel their complaint has been handled. We will take this into account when reviewing satisfaction.
15. Northwards Housing recognises that it can be a daunting experience for some customers to pursue a complaint, especially if they are worried about how it will be received, or if they feel anxious about the potential outcome. We will approach complaints in a positive and proactive manner, communicating empathy and concern to the complainant. We will treat complainants with respect, taking into account individual communication needs as far as is reasonably practicable.

We will consider where appropriate the capacity of the customer to understand the process and / or the outcome of the investigation; and if necessary seek additional support for the customer to support communication e.g. working in partnership with interpreters, carers or support agencies.

16. Where complaints are received relating to the services of Manchester City Council or a third party, we will provide appropriate signposting and advice as to how to pursue the complaint.
17. The person responding to the complaint will take ownership of the complaint, agreeing with them what remedial action needs to be taken within an agreed timescale. Where agreement cannot be reached we will explain why.

18. Where it is decided that different and distinct elements of the complaint should be dealt with separately, this should be clearly communicated.
19. Complaints are treated as a valuable source of feedback and will be used to make sure lessons are learned from mistakes or omissions. We will provide explanations when something goes wrong and offer an apology if appropriate; and if appropriate also consider compensation or reimbursement in line with Northwards' policy. The numbers and type of complaints will be publicised on our website and we will monitor trends in complaints to make sure overall performance, including the work of contractors and sub contractors, continually improves, ensuring a 'right first time' approach.
20. We will advise people of their right of appeal when informing them of the outcome of their complaint.
21. Occasionally a complaint or contact arises from recent contacts initiated by the customer expressing dissatisfaction with a "live" situation that is still unresolved. In situations like this, where despite the best efforts of front facing staff the issue is proving difficult to resolve, staff are empowered to escalate the issue.
22. Complaints made via the Board or Chief Executive will be recorded on the central complaints logging system and investigated in line with this policy.
23. The quality of our complaints handling is important, and complaints will be sampled from time to time for quality, with feedback from this shared appropriately within the organisation.
24. Complaints received via Manchester City Council will be dealt with according to Northwards' Complaints Policy and Procedure; and will also be subject to any additional requirements in place at the time, such as responses being copied to a designated officer in the Council.
25. Ombudsman complaints will be dealt with according to separate arrangements agreed with Manchester City Council. Responses will always be signed off by the relevant Director.
26. We will not normally investigate complaints where the matter being complained about is or has been the subject of legal proceedings.

Vexatious Complaints

27. From time to time we receive complaints from people who are unwilling to accept the outcome of an investigation even after that decision has been reviewed and appealed. There are also some customers who persistently make complaints which are malicious and/or without foundation. In cases where people continue to complain without reasonable cause, Northwards Housing has a procedure to ensure fairness and consistency is applied across the organisation and to make sure resources are appropriately directed to dealing with genuine complaints.

Anonymous Complaints

28. It is good practice to investigate all complaints even if the source of the complaint is unknown. Therefore anonymous complaints must be dealt with using the normal complaints process and the investigating officer must keep a copy of the complaint on file together with details of the action taken. This is in case the complainant comes forward at a later date or a similar complaint is made by another customer.

Performance Standards

- We aim to resolve all complaints at the earliest possible stage.
- Complaints will be processed wherever possible within 10 working days.
- The overall service standard for responding to complaints places emphasis on doing what is right, such as reaching a mutually agreed timescale with the complainant for providing a full response where necessary, rather than providing a poor quality response to a complex complaint within 10 working days. Quality as well as time is important.
- We will communicate with complainants face to face or by telephone in all cases where it is appropriate and practicable to do so.
- We will publicise information about complaints performance.
- Complaints will be recorded and we will monitor lessons learned to ensure they are embedded in the organisation.
- Complaints activity and performance will be reported regularly to the responsible Board Sub-Committee.

Appendix A Complaints Procedure and Guidance

This procedure should be read in conjunction with the Compliments and Complaints Policy.

Our procedure is a clear step-by-step system that lays down what we do at each stage, and when we will do it. Appendix B illustrates the whole process.

Stage 1 Complaint

This can take the form of a verbal or written complaint. Attempts should be made to sort out the problem informally and straight away, but if this is not possible the complaint needs to be logged on the central logging system and a written response will need to be sent to the customer.

Complaints can be made online via the website or using the 'unhappy with our service?' form. We can also receive complaints by letter or email.

Complaints will be acknowledged within 5 working days and a full response will be provided within 10 working days.

If a response within 10 working days is not possible the customer should be contacted to explain the reason for the delay, and wherever possible be given a date when they can expect a final response.

All complaint responses will include details of how to ask for a review.

Complaints must be brought within 56 days of the action or decision being complained about.

Stage 2 Review

If a customer remains unhappy with the response they can ask for a review. They need to do this within 28 days of the decision. This review must be carried out by a senior manager. Flexibility to consider a review request received after this period is discretionary and will be made on a case by case basis.

The timescale for a response is the same at stage 1.

Stage 3 Appeal

If a customer remains unhappy with the response they can appeal against the decision or the way their complaint has been handled to a Director. This needs to be done within 28 days of the Stage 2 decision.

The timescales for a response are the same as stage 1 and 2.

If a customer is still unhappy after Stage 3 they can complain to the Housing Ombudsman (or Local Government Ombudsman if the complaint concerns allocations).

Personal Contact with the Complainant

1. Customers have told us that they appreciate personal contact when making a complaint. Therefore the general presumption is that the officer investigating the complaint will speak to the complainant, either face to face or by telephone. Exceptions to this would generally be where such contact would be inappropriate for health and safety, legal or operational reasons; or, in the case of Stage 3 complaints, where the complainant has already had an opportunity to put their case in person and in the view of the relevant Director a further discussion is unwarranted. A discussion might also be deemed unnecessary in the case of a vexatious complaint.
2. When acknowledging a complaint it is important to read it first; check if the complaint is still a live issue (e.g. no heat or hot water) and if necessary check to see if the issue is being dealt with before acknowledging it. If it is already being dealt with, then it is good practice to recognise this and make very brief reference to it in the acknowledgment. If however there is no action being taken then sending an acknowledgement may be inappropriate. Fast tracking the complaint or contacting the complainant directly to clarify the issue and then arranging access to a service would be the most helpful response in this instance, prior to sending an acknowledgment letter.
3. The initial contact should be used to clarify the complaint, but if appropriate can be used as part of the investigation: for example if it is necessary to visit the customer at home to carry out an inspection.
4. All contacts must be recorded on the central log.
5. It is important that a complainant knows the name of the person who will be dealing with their complaint, including their direct telephone number and email address. The investigating officer will be their main contact for dealing with the complaint. The main issue of a complaint is usually a good indicator for deciding who is best placed to investigate and coordinate a response.
6. Where it is decided that different and distinct elements of the complaint will be dealt with by way of separate resources, this should be clearly communicated.
7. If the complaint involves services delivered by Manchester City Council or a third party, we will provide reasonable assistance to the customer in helping them to direct their complaint to the relevant agency. This might involve contacting the Council or third party agency to pass on helpful information to avoid the customer having to repeat this. It might also include communicating specific details to the customer about who is going to be dealing with their complaint.
8. Where we receive a relevant complaint forwarded from Manchester City Council or a third party, we will deal with it in accordance with Northwards' Compliments and Complaints Policy.
9. If all or part of the complaint relates to an agency not providing services on behalf of Northwards, the investigating officer will need to decide whether to refer the complainant to that agency. If so, this needs to be clearly communicated to the complainant.

10. When a complaint is acknowledged, the name of the person leading the investigation and providing the substantive response should be clearly indicated. If at a later stage it is decided that someone else is going to carry out the investigation and write a response, this needs to be clearly communicated to the complainant.

Fast Tracking of Complaints

Some complaints refer to live service failure and the problem that led to the complaint being made is still unresolved. Although rare, they can have a serious impact on the perception of the overall service, and in serious cases where customers appear to have experienced multiple failures the complaint should be escalated immediately without a detailed investigation at stage 1 of the procedure.

All managers are empowered to escalate an issue to a higher level for urgent action if they are unable to resolve the problem locally within a reasonable timescale. This could include escalating the issue to Director level.

The key here is not to delay escalation but to escalate the matter immediately. The types of cases that might fall into this category are where 2 or more of the following apply:

- Multiple failure of a contractor or sub-contractor to complete work, where the problem is still unresolved and this is having a seriously detrimental impact
- Where particularly vulnerable customers are involved
- Where multiple households are affected
- Where there is a current risk to health and safety

Vexatious Complaints

False allegations should be dealt with firmly. If a complaint is found to be malicious then action against the complainant should be considered.

Complainants who remain dissatisfied after stage 3 but who persist in complaining, should be advised to contact the Housing Ombudsman (or Local Government Ombudsman if the complaint is about allocations). Equally if it is apparent after stage 1 that a resolution is unlikely to be achieved then the complainant may be advised to refer their complaint directly to the Ombudsman rather than be expected to go through stage 2 and 3 of the procedure. This approach is unusual and therefore needs to be authorised by the appropriate Director.

Some complainants persist in making complaints which are malicious and/or without foundation. If the persistence is unreasonable and frequent then a written warning can be authorised and issued by a senior manager. The warning should state the reasons why it is being issued and advise of the consequences if the behaviour continues. If the situation persists then appropriate and proportionate sanctions can be imposed.

Options available include:

- Insisting upon contact in a particular form (for example, letters only);

- requiring contact to take place with a named officer;
- restricting telephone calls to specified days and times.

In all cases we will write to the complainant to tell them our decision.

if someone wishes to appeal against a decision to impose sanctions, then the Director of the service area imposing the sanction will review the decision based on the evidence already available i.e. there is no requirement for an investigation at this stage to collect further evidence to support a decision.

Anonymous Complaints

From time to time we will receive anonymous complaints which will make it impossible to respond to the complainant. However any anonymous complaint received by Northwards should be investigated using the normal complaints process and a record made of the action taken.

The original complaint and a copy of the response should be kept on a file by the relevant manager. The reason for keeping and responding to anonymous complaints is in case the complainant comes forward at a later date or a similar complaint is made by another customer.

Learning Lessons from Complaints

The investigating manager is responsible for updating the central complaints log with the outcome of the complaint once it has closed.

The investigating manager is also responsible for deciding if there are any specific or wider lessons to be learned from the complaint, and for making sure that if so appropriate action is taken to reduce the chance of similar problems occurring in future. This could be about improving the performance of a particular staff member, or could be about wider issues such as communication or an anomaly having been identified in a policy or procedure. The latter could entail escalation to a more senior level for review, or discussion between colleagues from different parts of the organisation.

Sharing lessons learned is an important mechanism for improving performance. Opportunities for raising awareness and sharing information can be built into team meetings, cascade briefings, training and other communications within the organisation.

Support for complainants

Complainants will be informed of their right to take the complaint further if they remain dissatisfied with the response. They should be provided with the name of the person to contact if they wish to take the matter further.

When dealing with complaints we must be aware of individual customer needs. Wherever reasonably practicable, adjustments should be made regarding complainants' communication needs, for example:

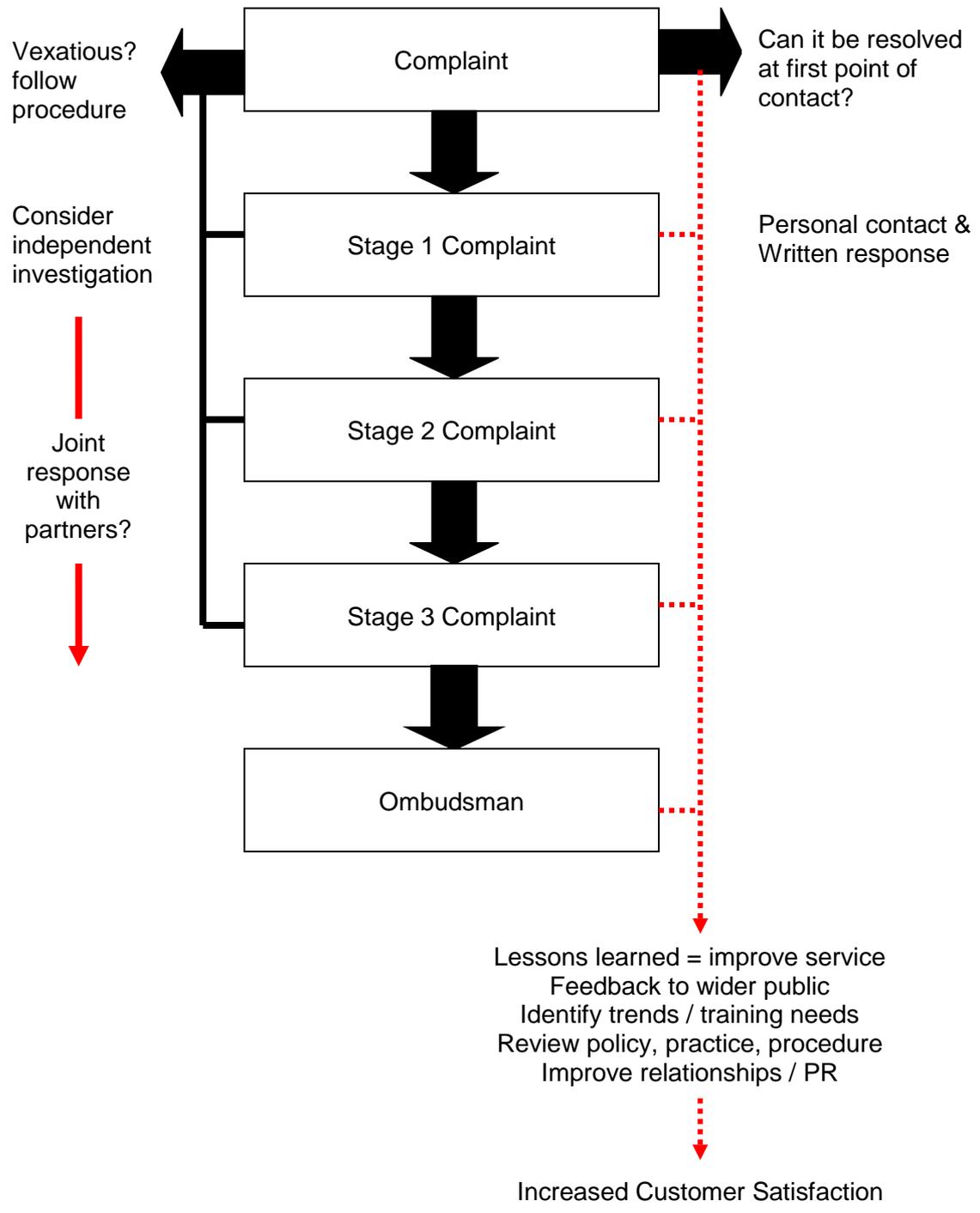
- Offering home visits where appropriate and practicable;

- Engaging and working with support or care workers, especially when meeting with customers or arranging home visits;
- Offering the services of translation and interpretation services as per Northwards' policy;
- Offering a choice of male or female investigating officer where this is practicable and the circumstances warrant it.

When dealing with complaints from someone advocating on behalf of a complainant, we need to make sure that the advocate has the authority to act on behalf of the complainant. We must take reasonable steps to verify the identity of the advocate and check with the complainant that the advocate has the authority to act for them.

Appendix B

The Complaints Process



Appendix C

Supplementary guidance for staff dealing with complaints

This guidance relates to the recording of complaints and is to be read in conjunction with the complaints policy and procedure.

- 1 Complaints should be promptly logged on to the computerised system with the date of receipt.
- 2 Enquiries and correspondence other than complaints should not be logged on the system. This includes requests for a service (eg where someone is asking us to look into something we are not already aware of; or asking us to do something for the first time; or progress-chasing something already reported). It also includes correspondence which is part of an ongoing dialogue between Northwards and a customer (even where as part of this the customer is expressing a degree of dissatisfaction or asking us to look at something again). A complaint only arises where the customer is saying that they are unhappy with a decision we have made or something we have done or failed to do; and is in effect wanting us to review the matter with a view to making a different decision or taking some kind of action to rectify what they see as having been a bad service, poor treatment or failure to do something we could reasonably be expected to have done.

If these criteria are met, then the matter needs to be looked into by an appropriate officer and that person needs to make sure that the complaint is logged and the computerised record updated as required (including when the response is issued and the complaint closed).

- 3 For the purposes of consistency, the system should be updated to say that the complaint has been responded to if one of the following applies:
 - A written reply (which could be by email) is sent to the complainant. This means a reply answering the complaint: not an acknowledgement. In this instance, the date to be entered on the system is the date the reply was sent.
 - A comprehensive verbal response is given to the complainant, either face to face or over the phone. This could consist of agreement with the complainant about the action to be taken; or could be a reply which the complainant does not agree with or accept but which we believe to be the correct reply. It needs to be followed up with written confirmation (which could be by email) confirming the outcome of the meeting or conversation. In this instance, the date to be entered on the system is the date the meeting or phone conversation took place. Again, the reply needs to answer the complaint; and not simply be an acknowledgement or agreement to look into the matter further.

In setting these criteria for when a complaint is deemed to have been responded to, it is accepted that some complaints, in particular complex matters requiring a meeting with the complainant followed by further enquiries, will take longer than the target time. Provided there isn't undue or unnecessary delay, the main priority is to provide an appropriate and good quality reply, even if that takes longer to complete. It is important however that our system for recording complaint responses provides a true record of this, even if in so doing it gives the appearance of poorer performance in terms of speed of response.

- 4 If we do take longer than the target time in replying to a complaint, it is important that we keep the complainant appropriately updated and can provide evidence of this.
- 5 The system needs to be updated to say whether the complaint was upheld, partially upheld or not upheld. This is not an exact science, and the person updating it needs to make a judgement. Clearly if the complaint is rejected in its entirety, then it should be updated as not upheld. If on the other hand it is accepted in its entirety, then it should be updated as upheld. Otherwise, apply an 80%/20% rule of thumb. So if part of the complaint is accepted, but this amounts to less than 20% of the entirety of the complaint, then it is deemed as being not upheld. Similarly, if part of the complaint is rejected, but this amounts to less than 20%, then the complaint is deemed as being upheld (on the basis that over 80% of it must have been accepted). Anything in between is partially upheld.
- 6 There is no separate work tray for complaints about the Customer Services Centre (CSC). Complaints about the CSC need to be picked up by the most appropriate manager based on what the original contact was about.
- 7 Proper paper records should be kept and need to be accessible eg in the event of a further review being required. These need to include all correspondence along with eg officers' notes and any other documents referred to in looking into the complaint.
- 8 MP and Ombudsman enquiries will be logged centrally: there is no need for reviewing officers to update the system.
- 9 Performance reports will be produced and reported to the Board. Managers will be accountable for and may be asked to explain and/or investigate performance in their service area; and will need in particular to make sure that the system is being updated in a timely manner (in particular in relation to logging responses and closing complaints down).