



CUSTOMER COMPLAINTS POLICY (Legacy Rosebery)

Scope

This policy applies to the delivery of services where the legacy Rosebery part of Town and Country Housing provides the service.

1. Purpose

- 1.1 This policy explains our approach to dealing with complaints, from anyone who receives a service from us or is affected by a Town and Country Housing (Legacy Rosebery) decision or action.
- 1.2 The policy applies to all customers, contractors and other parties providing services on our behalf and we expect them to work with us in an effective manner to resolve customer complaints.
- 1.3 Our policy ensures that our staff, Board members and residents have a visible way to manage complaints about our services, as well as providing a framework for staff to deal with such feedback.
- 1.4 It also ensures that we take a positive, consistent, and always adopt a fair approach to managing complaints, setting out clearly the relevant escalation process.

2. Aims & Objectives

- 2.1 We are committed to providing excellent services for all our customers. We take pride in our work, and we operate in a fair and open manner to build trust and mutual respect. However, we appreciate that sometimes things can go wrong, but other times they can really go well.
- 2.2 In both circumstances our customers may wish to tell us about this, and we will capture and manage both complaints and compliments in a uniform way.
- 2.3 This policy sets out how we will investigate and respond to complaints, whilst ensuring lessons are learnt and used to deliver longer-term improvements to our services to customers.

This policy and related procedure do not cover:

- Matters already being dealt with or previously concluded by the Housing Ombudsman service.
- A first-time customer enquiry. It is important that we have an opportunity to provide a response or resolve our customer issues.
- Liability or personal injury claims.
- A matter directly linked to legal or enforcement action already started by the customer or Town and Country Housing (Legacy Rosebery).
- Complaints about anti-social behaviour/neighbour disputes. A complaint will be accepted if it relates to our handling of a report of anti-social behaviour.
- Disagreement with a decision we have made where there is another procedure to appeal the decision, such as dispute about service charges, succession or tenancy issues.
- Issues which are over 6 months old unless there is good reason, for example the complaint was not recorded when it should have been. Only in exceptional circumstances will a complaint be accepted outside this timescale and is at the discretion of the Customer Experience Manager or a member of Town and Country Housing (Legacy Rosebery)'s leadership team.

- There are issues ongoing related to the complaint -e.g. ASB
 - An MP or Ombudsman have asked us to review the complaint
 - Feedback about our policies and procedures from customers or other parties will be recorded and form future reviews, but complaints about how a policy has been applied or communicated can be considered.
- If the matter raised by a customer is not considered to be a complaint, we will explain the reasons why and what alternative actions will be taken. We will also provide details of the Ombudsman if the customer disagrees with the decision not to consider the matter under the complaints policy.
 - Confidentiality and data protection apply to the complaints process. We will not share personal data or property information gathered as part of the complaint investigation with any third party who is not entitled to receive it in line with current legislation. Complaints can however be made through an authorized representative of the complainant and will be handled in line with the complaints policy.
 - Any dissatisfaction raised concerning the content of Town and Country Housing (Legacy Rosebery)'s policies, procedures or responsibilities will not be raised as a complaint but will be used as feedback to consider when the relevant policy, procedure or responsibility are next due for review.

3. Legal Framework

3.1 The main pieces of legislation and regulation are as follows:

- Housing Act 1996
- Housing and Regeneration Act 2008
- Data Protection Act 2018
- General Data Protection Regulation 2018
- The Localism Act 2011
- The Equality Act 2010
- The Consumer Rights Act 2015 (Part 1, Chapter 4)
- Homes (fitness for Human Habitation) Act 2018
- The Tenant Empowerment and Involvement Standard
- The Charter for social housing residents
- The Housing Ombudsman Complaint Handling Code

4. What is a complaint?

4.1 A complaint shall be defined as 'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents'. For example:

- Action or lack of action in response to a service request
- Poor quality service
- The behavior of Town and Country Housing (Legacy Rosebery) staff or contractors working on our behalf
- Failure to follow an approved Town and Country Housing (Legacy Rosebery) policy or procedure

4.2 The difference between a service request and a complaint is that a service request is from a customer to their landlord requiring action to be taken to put something right. However, a complaint should be raised when a customer raises dissatisfaction with a

response to a service request.

- 4.2 Customers do not need to use the word complaint, for us to treat it as such.

5. Who can complain?

- 5.1 Complaints can be made by anyone receiving a service from us. This will include residents; leaseholders; those applying for housing with us or any person or organisation receiving a service from us.
- 5.2 Where a customer is unable to raise a complaint themselves, a third party can raise it on their behalf. The response will be communicated to the customer unless they have given permission for us to communicate with the third party. Where complaints are received from a third party, the third party will be contacted to confirm receipt of the complaint and how we will communicate our response.

6. How to complain?

- 6.1 Complaints can be made in writing, by email, online, over the telephone or face to face with a member of our staff.
- 6.2 Customers contacting us via social media on issues relating to a first request for service will be responded to by the Communications Team, with support from the Senior Customer Experience Officer.
- 6.3 Where the issues raised require a full investigation, this will be entered into the formal complaints process or included as further information on a complaint already being investigated.

7. How will we respond to complaints?

7.1 Acknowledgement and Communication

- 7.1.1 All complaints will be acknowledged by the Customer Experience Team within 2 working days. Where possible, this will be done by telephone and followed up with an acknowledgement letter or customer's preferred means of contact (e.g. e-mail, text message etc.).

7.2 Quick Resolution – service requests

- 7.2.1 There may be instances where a service request involving concern for an issue not previously presented to Town and Country Housing (Legacy Rosebery) can be raised and resolved quickly. Examples may include a missed appointment or delay in providing a response etc. We will agree this action with you.
- 7.2.2 If the customer would like the matter to be dealt with by quick resolution, our Customer Experience Team will be able to do this at first point of contact. The Team will aim to resolve the service request within three working days. If the customer is unhappy with the outcome of the actions taken, including any offer of compensation, then the customer can ask for this matter to be considered at Stage 1 of our complaints process.
- 7.2.3 Where we can offer a quick resolution, no written response will be provided, but we will continue to record and monitor these instances so that we continue to learn from our customers and improve service delivery. We will log the outcome of any quick

resolution achieved.

8. Timescales: Stage 1 – Formal Investigation and resolution

- 8.1 Town and Country Housing (Legacy Rosebery) has a two stage complaints process for formal complaints. All Stage 1 complaints will be assigned to the Senior Customer Experience Officer to acknowledge, investigate and respond to. All responses will be approved by the Customer Experience Manager. We will acknowledge the complaint in writing (letter or email) within 2 working days of receiving it. The Senior Customer Experience Officer or a member of the Customer Experience Team will also contact the customer within 3 working days from the acknowledgement of the complaint, to discuss the issue and agree actions that can be taken to resolve the issue.
- 8.2 Within 10 working days from acknowledging the complaint, the Senior Customer Experience Officer will confirm in writing the outcome of the investigation. Where possible this will conclude the matter having fully resolved the issues highlighted in the original complaint. In some cases, the issues will be more complex and will require further time to investigate and resolve issues fully. In such cases a complaint extension letter will be sent. We will regularly update the customer on the progress of these actions through to completion. This should not exceed a further 10 days without good reason and following the response, any agreed actions will be monitored through conclusion and completed to a satisfactory standard in agreement with the customer.
- 8.3 The response letter will state that this is a Stage 1 complaint, outline the complaint and set out the response in full.
- 8.4 We recognise that complaints can be resolved in a number of different ways and as part of our response we will, where appropriate, offer a remedy that reflects the extent of the service failure(s) and the level of detriment this may have caused having taken account of all the circumstances. This may include acknowledging where things have gone wrong, providing an explanation, apologising, taking action to correct the issue, offering compensation, and using the feedback to inform of improvements or changes to the service.
- 8.5 Where a complaint has had a full response at Stage 1, where the resolution has been agreed with the customer and the customer does not wish to escalate to Stage 2, we will close the complaint. If agreed actions are required these will be monitored until completion and regular contact will be maintained with the complainant.

9. Appeal (Stage 2) - Manager Review

- 9.1 If a customer feels we have not addressed their complaint in a reasonable or fair way and they remain dissatisfied with our response, they can request a review of their complaint case. We ask customers to request a review within 20 days of receiving our final response. All Stage 2 complaints will be acknowledged by the Customer Experience Team within 2 working days.
- 9.2 A Manager not previously involved with the complaint will carry out a robust review of the customer's complaint supported by the Senior Customer Experience Officer.
- 9.3 Initially, to ensure the focus of an escalated complaint is clear, customers will be asked to explain why they remain unhappy with our original response, their reason for wanting to progress the complaint to Stage 2 and how they would like to see the complaint resolved. Where necessary we can provide support to ensure an accurate record of the request is made.

- 9.4 When customers are not willing to do so, we will confirm, in writing within 10 working days our understanding of the escalation request and the requested outcome before the escalation is considered. Customers will be asked to confirm to us in writing within 10 working days that they accept our understanding. Where the customer does not agree with our understanding; they will be required to state specifically and in writing the reasons for their escalation and the outcome they seek before we will consider their complaint further.
- 9.5 The complaint will be assigned to a Manager for them to review. All responses will be received by the customer within 10 working days.
- 9.6 The focus of the review is to find a resolution for the customer as quickly as possible, recognising delays cause further impact on customer satisfaction and increase the costs of managing complaints.
- 9.7 The Manager will send a full written response to the customer detailing the outcome of the review. Where the decision is that no further action is required and all the reasonable and appropriate measures have been taken, the customer will be informed that they have reached the end of the complaints process and advised of the next available steps.
- 9.8 The Customer Experience Team will record and capture all the information during the Stage 2 process and will monitor all actions to completion.
- 9.9 If at any stage of the complaints process an extension cannot be agreed with the customer, we will provide details of the Housing Ombudsman to the complainant for escalation.

10. Unacceptable Behaviour

- 10.1 We use the Housing Ombudsman Service guidance on unacceptable behaviour to manage complaints where the complaint or behaviour of the complainant is unreasonable. This will include behaviour which is likely to impact on the investigation and resolution of their complaint and other complaints which may result in unreasonable use of our resources. These may be characterised by:
- Repeated complaints on an issue where the complaint procedure has already been fully implemented and exhausted.
 - Continual changes to the substance of the complaint.
 - Unwillingness to accept documented evidence.
 - Threatened or actual physical violence or verbal abuse towards staff or families or associates.
 - Persistent approaches to several people in the organisation at the same time about the same issues.
- 10.2 In these instances when the contact from the customer is unreasonably persistent, we may choose to close the complaint with a final letter outlining our actions and response to the issues originally raised by the customer.

11. Monitoring, Reporting and Continuous Improvement

- 11.1 This policy will be reviewed every 3 years unless legislation, business or sector developments require otherwise to ensure that it continues to meet the stated

objectives and takes account of best practice developments across the sector.

11.2 All complaints will be recorded, and response timescales monitored.

11.3 Performance against the standard set out in this policy will be recorded and reported to the Executive, Board and Virtual Scrutiny Panel as required.

11.4 We will ensure that through training, complaints handling will form part of the induction process and that refresher training is built into the organisational Learning & Development programme.

12. Learning from complaints

12.1 In line with the principles of dispute resolution recommended by the Housing Ombudsman Service, we will seek continuous improvements through analysis of themes, trends and using feedback from complaints received. Also, by reviewing lessons learnt from service concerns, complaints, and compliments this will help us to focus on continuous improvements, increasing effectiveness and efficiency in service delivery to our customers.

13. Equalities Statement

13.1 This policy will be implemented in accordance with our equality and diversity policy, as we believe this is of fundamental importance to all the work that we do, regardless of age, gender, beliefs, ethnic origin, disability or sexuality, everyone deserves to be treated with respect.

14. Customer Engagement

14.1 Residents have been consulted following the comprehensive review of this policy in May 2021, along with our Virtual Scrutiny Panel. The feedback received confirmed that the policy was clear and easy to understand. Residents were keen that we published regular reports on how we are performing, and lessons learnt.

14.2 Our policy and procedures have been updated to reflect the changes made by the Housing Ombudsman Service which states that residents no longer need to refer to a 'designated person(s)' and wait eight weeks if they have been through our internal procedure and remain unhappy with the outcome of their complaint. In situations where this may arise, they can now approach the Housing Ombudsman Service, immediately. As this change is not one that can be influenced by customer feedback, residents were not consulted as part of the February 2023 review.

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E-mail: info@housing-ombudsman.org.uk

Web: www.housing-ombudsman.org.uk

14.2 The Housing Ombudsman will only accept complaints where we have a contractual relationship with the complainant. They will not accept complaints from general members of the general public.

Related Documents

- Complaints Procedure
- Compensation Policy
- All other Town and Country Housing (Legacy Rosebery) policies covering operational processes and procedures
- The Housing Ombudsman's Complaints Handling Code