

Compliments & Complaints Policy

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1.0 Introduction

- 1.1. BCHA is a major provider of a diverse range of housing, support and learning services for socially excluded people. This policy supports BCHA to help people take control of their own lives and offer the highest standards of support. We aim to continuously develop our services, resources and partnerships and deliver an ever-improving quality of service.
- 1.2. We aim to provide excellent standards in service delivery; however, from time to time things may go less well and this may lead to complaints being made. This policy ensures all complaints are handled fairly, promptly and consistently and that our priority is to both resolve and learn.
- 1.3. We want customers to know and be involved in what we do to put things right and to be a part of the improvement that comes from the way we solve problems together.
- 1.4. Compliments are a way of finding out what works. Customers can provide comments and compliments in the same way as complaints. We will acknowledge all compliments and comments and use the feedback to help build on what we do well and to further improve services.
- 1.5. In responding to complaints we aim to:
 - Deal with all complaints quickly, politely and within the time scales below
 - Ensure the ways a complaint can be made meet a range of service, personal and support needs
 - Provide support to anyone who needs help understanding or completing the complaints process including taking complaints in person
 - Ensure that when we are responsible for something going wrong, we will, wherever possible, put the complainant back in the position they were in before the event occurred.
- 1.6. To achieve these aims BCHA will:
 - Learn from events resulting in complaints and take steps to reduce the risk of them happening again
 - Provide training to relevant staff in carrying out this policy and related procedures
 - Analyse information about complaints so that we can make service improvements
 - Consult with complainants to find out how they would like things put right
 - Ensure that we develop a “You Said, We Did” approach in order to demonstrate how we are applying the learning from our complaints. This will be published in Tenant Talk, and on the website.

2.0 Scope

- 2.1. Our complaints policy can be used by all tenants in all property and occupation types; outreach or floating support services that do not have accommodation included; employability and skills participants; applicants for accommodation and services and any member of the public in contact with BCHA and any of its subsidiaries.

- 2.2. Complaints about abuse or neglect will be dealt with immediately under our safeguarding policy and may later be dealt with under this policy.
- 2.3. All business disputes will fall outside of this policy and will be governed by the terms and conditions set out in the appropriate contract.
- 2.4. Petitions will be dealt with as a complaint using the same process and timescales.
- 2.5. BCHA regards the lawful and correct treatment of personal information as very important to its successful operations and to maintaining confidence between our employees, residents and customers. For more information about how we deal with personal information please see our Data Protection Policy.

3.0 What We Mean by Complaints, Comments and Compliments

- 3.1 Your feedback to us could be a:
 - Complaint – telling us that you are unhappy with our service, you wish to make a complaint, and you want a response
 - Compliment – letting us know if we did something really well
 - Comment – giving us your views, for example about how you think we could improve something
- 3.2 We welcome all kinds of feedback on our services. Comments and compliments from you help us to keep our service standards high, to know what areas we are doing well in and to know where services need to improve. Equally complaints help us to improve. You can make a complaint or give us a compliment or comment by:
 - talking in person to a member of staff
 - online
 - phone

4.0 Compliments

- 4.1 If you are particularly happy with the service that you have received from BCHA we would also like to know this. Positive feedback is also an opportunity for us to learn from.
- 4.2 Compliments will be logged by Customer Services onto Open Housing. Customers are able to register these in the same way as listed below in 5.4.
- 4.3 Most compliments are given to staff directly, and when this occurs it's important that staff note this and pass this for registration to Customer Service to log onto Open Housing. This allows BCHA to fully measure its customer satisfaction levels.

5.0 Complaints

BCHA aims to provide customers with a high standard of service. Performance will be regularly monitored to ensure that this is the case. However, should standards fall below acceptable levels, our customers have the right to make a complaint.

5.1 Examples of causes of complaints include:

- Failing to do something we should have or doing something we should not have done
- Giving unclear, unsuitable or unhelpful information or advice
- Failing to fulfil statutory or contractual responsibilities (not doing something we said we would do in the tenancy agreement or our service contracts)
- Delays in our processes (not calling back when we said we would) or failing to keep appointments
- Attitude of staff or our contractors
- Poor workmanship
- Dissatisfaction with the way we reached a decision or what has happened after a decision has been made
- Unequal or biased treatment or discrimination.

5.1.1 There are circumstances which are not service complaints covered by this policy including:

- Anti-social behaviour cases where the complaint is about the behaviour and not about the service we provide
- Other first-time service requests such as a repair
- Challenges to policies and procedures rather than how they are used
- Events that occurred more than 12 months ago unless they have been continuous over that period
- Situations where either legal action is being taken, they have been referred to insurers or they are being dealt with by the Housing Ombudsman

5.2 Complaints can be made:

- In person to any member of staff or our board
- By any third party acting on your behalf with evidence of consent.
- In writing (help is available with this)
- Over the phone to any member of staff on their direct telephone number or if unavailable to Customer Services on 01202 410 500
- Via our website <https://www.bcha.org.uk/contact-us/> By email to complaints@bcha.org.uk
- Via our dedicated Facebook page using Messenger.

5.3 All complaints however they are received will be logged onto Open Housing, and all associated documents will also be stored there.

5.4 When we receive a complaint about actions of external people or organisations over which we have no control we will help the complainant to find the right contact or act on their behalf.

- 5.5 So far as we can investigate them, anonymous complaints will be dealt with using our complaints procedure and the outcome held on Open Housing and used as part of our learning process.
- 5.6 All customer-facing staff will receive training on complaint handling and resolution to ensure they understand the importance of complaints for our customers and our business. This includes training on identifying persistent and vexatious complaints.
- 5.7 No matter how informally we may respond to a service complaint, including those about our contractors, we will always acknowledge it, record it and report on it.
- 5.8 All complaints will be **acknowledged within two days working days** by Customer Services.
- 5.9 At stage one, the appropriate level of manager will be responsible to work with the customer to resolve the complaint informally. This will normally take no more than **one week** and we will always let the complainant know the outcome or if it is going to take longer and why. All case notes will again be added to our OPEN Housing IT system in order to record what has been agreed.
- 5.10 Where the complaint cannot be resolved to the customer's satisfaction informally, Customer Services will refer it at stage two, to a more a senior manager to investigate and consider if an action plan is required for resolution or if recommendations are more appropriate. This will be completed with the customer and any other staff or third party agency involved. This will normally take no more than **two weeks** and we will always let the complainant know the outcome or if it is going to take longer and why.
- 5.11 Where the customer is not satisfied with the action plan or the outcome, Customer Services will refer the complaint at stage three to a designated person. A Head of Service or Assistant Director (whichever is appropriate) will work with the designated person and the customer to achieve a satisfactory action plan. This will normally take no more than **four weeks** and we will always let the complainant know the outcome or if it is going to take longer and why.
- 5.12 Any changes to the timescales set out will be agreed with the complaint.
- 5.13 Designated persons may be one of the following:
- Member of the House of Commons (the local MP to the area where the complainant lives)
 - The Local Authority
 - The BCHA Board or Subsidiary Board.
- 5.14 Where the customer is still not satisfied, they will be advised how to refer the complaint to the Housing Ombudsman Service through a designated person.
- 5.15 BCHA may use an external mediation or arbitration service at stage three if this will improve the chances of a satisfactory outcome and both parties agree.
- 5.16 All action plans will include both resolutions and recommendations on how we can improve our service. Actions plans will not always be a standalone document, and

may be details included within the written response. All written replies will be within the timescales above and outlining how the agreed actions have been addressed.

- 5.17 On occasions there are some customers who persistently make complaints that are without foundation, repetitive and unreasonable or who make complaints that are malicious or vexatious. Managers will review the evidence to establish this and decide how these customers will be managed, taking into consideration clauses within the tenancy agreement, our Anti-Social Behaviour Policy or the Procedure for Handling Persistent and Vexatious Complaints.

6.0 Compensation

- 6.1 Where the service does not meet our usual standards or loss or inconvenience is incurred by customers due to a failure on the part of the organisation or its agents, the organisation will consider the payment of compensation to customers.
- 6.2 Compensation will be part of the consultation and action planning with the complainant at all stages.
- 6.3 Compensation claims will be considered where:
- We have failed to provide an essential service set out in the tenancy agreement
 - We have failed to keep an appointment and not made reasonable attempts to let you know in advance
 - We failed to provide correct information or advice; there was an unreasonable delay or there was discrimination or unfair treatment
 - The complaint involves loss due to damage to belongings or charges from a bank or service provider
 - Damage to goods or property by a BCHA contractor or officer. Photographs need to be taken by both contractor and customer at the time of the event and agreed that the time and date is accurate. The damaged item needs to be retained for inspection by a senior officer of BCHA before it can be disposed of
 - Customers have spent excessive time and trouble achieving a solution to a complaint.
- 6.4 Compensation will not normally be paid for:
- Lack of service or loss of facility due to circumstances beyond the control of BCHA or our agents
 - Lack of service or loss of facility due to customer negligence or failure to allow access.
- 6.5 The level of payment for minor one-off service delivery issues (such as missed appointments) will be at the standard one-off rate of £10. In more serious or long-term cases of sub-standard service, BCHA will consider the payment of goodwill compensation based on individual circumstances and the financial loss or inconvenience suffered.

- 6.6 Compensation will not be payable for nuisance or inconvenience caused by neighbours, noise caused by contractors or general stress unless this is recommended by an independent arbitrator.
- 6.7 Where compensation is payable and there are rent arrears or another outstanding debt, we will deduct the amount of compensation from the debt.

7.0 Equality and Diversity

- 7.1 The organisation is committed to ensuring that all its customers have equal access to the complaints process irrespective of their age, gender, disability, race or national origin etc. In the operation and review of this policy, the organisation will seek to remove any barriers or obstacles for certain groups to exercise their right to give feedback about the services they receive.
- 7.2 The organisation will also ensure that staff handling complaints do so in a fair, courteous and sensitive manner to individuals making complaints, in line with the organisation's Values, Customer Care and Equality and Diversity Policies.
- 7.3 Complaints of discrimination or harassment will be dealt with under the Equality and Diversity Policy or Harassment and Discrimination Policy, as appropriate.

8.0 Monitoring

- 8.1. All complaints are recorded on Open Housing by Customer Services and kept updated until they are resolved.
- 8.2. Our senior leadership team will use key results to monitor levels of contact and learning:
 - The number of complaints received at each stage and whether these were dealt with within timescales
 - The number of complaints upheld at each stage
 - The number of cases referred to the Housing Ombudsman Service and the outcome of these
 - Customer satisfaction with the way complaints were handled
 - Lessons learned and service improvements actioned
 - Compliment details
 - Compensation payments awarded and the reasons.
- 8.3. We will publicise details of our complaints and compliments performance and things we have improved because of these, on our website, in our newsletter and in our annual report.
- 8.4. Complaints learning will be a standing agenda item at team meetings and disseminated through staff team meetings.

9.0 References

- Equality Act 2010
- Tenant Empowerment and Involvement Standard 2017
- Data Protection Act 2018
- BCHA Business Plan
- Compensation for Service Users Policy
- Raising Serious Concerns Policy
- Equalities and Diversity Policy
- Data Protection Policy
- Anti-social Behaviour Policy
- Estate Management Policy
- Procedure for Handling Persistent and Vexatious Complaints.