

**Policy**

**Complaints Policy - Group**

<b>Summary of Document</b>	This policy aims to set a consistent and fair mechanism for dealing with complaints from customers, applicants and other service users about the services we provideAll Group colleagues and customers
<b>Who Does It Apply To?</b>	Bromford Living (plus Bromford Living stock managed by Fosseway Living) Fosseway Living HomeZone Living Bromford Support – Bromford Living Bromford Support – Fosseway Living Bromford Support – HomeZone Living Bromford Maintain Bromford Homes Group Home Ownership Services Group Services – BCHA Group Services – Fosseway Group Services – HomeZone
<b>Effective Date</b>	1 June 2008
<b>Policy Author(s)</b>	Julia Kelly. (Group Policy Holder: Paul Taylor)
<b>Reference Documents</b>	Housing Ombudsman Good Practice Guidance Audit Commission KLOE Customer Care and Access
<b>Approved by</b>	Member Association Meeting
<b>Date of Approval</b>	31 March 2008

**Our Space / SharePoint Key Documents / Policies / Customer Service**

**Table of contents** (insert table of contents after you have completed your headings)

1.	Introduction.....	3
2.	Equality and Diversity.....	3
3.	Scope of Policy.....	3
4.	Definition of a complaint.....	4
5.	Complaint Handling.....	4
6.	Initial Contact.....	5
7.	Formal Complaints.....	5
8.	Timescales.....	8
9.	Restricting or changing access for complainants.....	8
10.	Group Customer Relations Manager Review.....	9
11.	Monitoring Complaints and Learning Lessons.....	9
12.	Review.....	10

## **1. Introduction**

### **Aims and Purpose**

- 1.1 We believe that Customer satisfaction is a key measure of service quality.
- 1.2 Excellent customer service is critical to our success and will improve our reputation with our customers. As a learning organisation, we treat complaints seriously and we learn from our service failures. Where a service has failed we will identify the problem, put it right and improve the way we do things. This way we aim to recover the situation, learn from it and win back customer loyalty.
- 1.3 Hence this policy seeks to
  - Provide a consistent and fair mechanism for dealing with complaints from customers about the services they receive from us
  - Ensure mistakes are corrected as soon as possible.
  - Ensure action is taken to prevent a similar service failures arising again

## **2. Equality and Diversity**

- 2.1 Customers have a right to express dissatisfaction with the services they receive from the Group and it's members without fear of recrimination or reprisal.
- 2.2 The Group has an equality and diversity policy that covers all aspects of equalities. This policy has been subject to an Equality Impact Assessment. The Group is taking action to ensure that this policy is accessible to all customers and service users. Customers using this policy can expect to be treated fairly and without discrimination.

## **3. Scope of Policy**

- 3.1 This policy covers complaints made to members of Bromford Group from their customers.
- 3.2 Bromford Group has several members; Bromford Carinthia Housing Association, Bromford Charitable Housing Association, Bromford Assured Homes, Fosseway Housing Association, Homezone Housing Association, Bromford Support, Bromford Group Home Ownership Services and Bromford Group Homes. The term Bromford Group or the Group in this policy refers to the members collectively.

## **4. Definition of a complaint**

- 4.1 **A complaint is when a customer tells us that they are unhappy with something that we have done or not done, and we have not put things right.**
- 4.2 For example, a customer contacting us on a second occasion about a previous request or enquiry that we have not dealt with to their satisfaction. It is a customer's right to complain whether or not their complaint is justified.
- 4.3 We will handle complaints about neighbour nuisance, harassment and anti social behaviour in line with our Anti Social Behaviour and Racial Harassment Policies and Procedures. If, however, we fail to deal with the issue in line with our policies, then any complaint about the failure in our service will be dealt with under the Complaints Policy. Generally we will not consider a complaint about the way we have handled a report of anti social behaviour until the case is exhausted, although we may carry out a case review. (See our Anti Social Behaviour Policy.)
- 4.4 In addition to the above there are some circumstances where use of this policy is not appropriate. These exceptions to the policy include:
- Complaints about another service provider
  - Complaints where there is another established route or process for handling them, for example, disrepair, Leasehold Valuation Tribunal, Compensation claims, Insurance Claims etc
  - Situations where a solicitor has been engaged to resolve a dispute or there is a mutually agreed legally binding contract in place.
  - Where a customer asks for a case to be re-opened and no new evidence is submitted.

## **5. Complaint Handling**

- 5.1 We aim to provide an efficient and fair complaints service for our customers by:
- Publishing and promoting our policy in all our offices reception areas, in customer's newsletters and to new customers in their welcome pack.
  - Accepting complaints in any format that is deemed appropriate by the complainant, including: letters, e-mail, fax, phone, in person or in writing. We want to make it easy for a customer to make a complaint.

- Accepting complaints from a third party acting on a customer's behalf.
- Treating all complaints in confidence
- Encouraging customers to seek independent advice from a citizen's advice bureau, or other advice service.
- Ensuring that if a complaint is made about an individual or team, then a different individual (usually the individual's line manager) or team will handle the investigation and response, if appropriate.

## **6. Initial Contact**

- 6.1 In the first instance customers will alert their point of contact within the Group about a complaint. Front line colleagues are responsible for resolving complaints.
- 6.2 All colleagues will attempt to deal with complaints on the day they receive them. If that is not possible they will acknowledge the complaint verbally and resolve it within 5 working days or in a mutually agreed timescale. There is no need to respond formally in writing at this stage unless the customer requests this.
- 6.3 If we are unable to resolve a complaint at this stage the complainant will be referred to an appropriate colleague (usually that person's manager) as a formal Stage 1 complaint.
- 6.4 Details of complaints received from initial contact onwards should be recorded.

## **7. Formal Complaints**

### **General**

- 7.1 There are three stages in our formal complaints policy. We will always aim to resolve a complaint at the earliest possible stage. Colleagues will not unnecessarily delay a complaints progress through the policy.
- 7.2 At each stage the complainant will be able to discuss their complaint in person and will receive a written response to their complaint. Where a written response does not meet with the complainant's communication preferences and or needs, we will ensure that, wherever possible, our response is provided in alternative formats. The response should give the decision, the reason for that decision and explain whom the complainant should contact if they wish to move to the next stage.
- 7.3 If the complaint crosses two or more areas of service, one manager will take responsibility for responding to all the issues raised.

#### **Mediation – a tool for resolution**

- 7.4 The responsible manager should consider whether the complaint could be resolved informally using dispute resolution techniques via mediation. In appropriate circumstances, this may reduce the time and cost of managing a complaint and ultimately lead to a more effective resolution.
- 7.5 Where the manager feels this is appropriate the complainant should be asked if they are happy to resolve the complaint using mediation. The complainant can, of course, refuse mediation and insist that the complaint be dealt with through the formal procedure. Where a complainant refuses mediation this should be documented together with the reasons for refusal.
- 7.6 If mediation is accepted the responsible manager will establish the appropriate links for mediation services in their area of the business and make the initial contact with the relevant service provider. The manager will then monitor the progress of mediation and report on the outcome when resolved.

#### **Stage 1**

- 7.3 At stage 1 the Manager of the appropriate service will investigate and respond to the complaint. If, at this stage the manager feels that the complainant should be dealt with under the high frequency complaints route (see section 9) the approval of the relevant Managing Director should be sought.

- 7.4 Complaints should be acknowledged within 2 working days and responded to in full within 14 days of receipt or longer if the complaint is to be handled via mediation.

### **Stage 2**

- 7.5 At stage 2 a Senior Manager will review, investigate and respond to the complaint.
- 7.6 Complaints should be acknowledged within 2 working days by phone or in writing and responded to in full within 14 days of receipt or longer, if the complaint is to be handled by mediation.

### **Stage 3 – Board Review**

- 7.7 Stage 3 complaints should be acknowledged within 2 working days.
- 7.8 At stage 3 complainants have the opportunity to talk to a Board Member and Managing Director to discuss their complaint. Where possible, this will be the Managing Director and Board Member of the customer's member organisation. This discussion will be designed around a customer's needs or preferences.
- 7.9 The discussion will be arranged within 14 days of request at a mutually convenient time. In view of the geography of the Groups homes we will offer customers a choice of venues if they want a meeting, including the option to visit them in their home, meet at a neutral venue nearby etc. Alternatively a discussion by conference call or video link can be organised. The review will be conducted informally and the complainant will be able to bring along an advocate or friend for support. Where it would assist a complainants advocate or friend to understand the history of a complaint a chronology of the complaint to date can be compiled for their reference.
- 7.10 If the Managing Director of the service has been involved in earlier stages, then another Director will sit on the complaints panel. This other Director may be from anywhere in the Group.
- 7.11 Once the review discussion has taken place a final response letter should be sent within 7 days in clear, plain language. Where a written response does not meet with an individual's communication preferences and or needs we will ensure that any written response is provided in alternative formats, wherever possible. The final response should be a comprehensive summary of the complaint. It should stand-alone i.e. if you could only read this letter you would understand the complaint from start to finish and avoid

reference to previous correspondence. Final letters will include:

- An apology or if an apology would not be appropriate, an expression of regret that a complaint was necessary to raise an issue – whether the complaint was justified or not;
- A summary of the complaint
- Whether we acknowledge we have been at fault in some way
- Any offer made to settle the complaint and how long the offer will remain open
- A summary of the outcome of our investigation
- A clear statement that the letter is a final response and those complainants who are dissatisfied with the final response may refer the matter to the Ombudsman within twelve months of the decision.

## **8. Timescales**

- 8.1 We aim to complete all internal stages within eight weeks. The speed with which we turn around complaints is crucial. The longer a complaint runs on, the more dissatisfied customers get.

## **9. Restricting or changing access for complainants**

- 9.1 We believe that every customer who approaches us with a complaint has the right to be heard, understood and respected. People may act out of character in times of trouble and distress. There may have been upsetting or distressing circumstances leading up to a complaint. Just because someone is forceful or determined does not make his or her behaviour unacceptable. In fact, we accept that being persistent can be a positive advantage when pursuing a complaint.
- 9.2 There are, however, very rare occasions when we receive a complaint from a customer whose actions or behaviour we consider to be unacceptable. Accordingly in these few cases we retain the right to restrict or change access to ensure the most effective resolution for both parties. Definitions of unacceptable behaviour and how we may manage complainants exhibiting this behaviour are contained in Appendix 1.

- 9.3 The decision to restrict or change access to our service should be taken by the relevant manager and their Managing Director after careful consideration of the situation. Wherever possible we will give a complainant opportunity to modify their behaviour or action before this decision is taken.
- 9.4 Complainants will be told in writing why a decision has been made to restrict future contact, the restricted contact arrangements and, if relevant, the length of time that these restrictions will be in place. Complainants may appeal against this decision. Another Managing Director whose decision will be final will review the decision.

## **10. Group Customer Relations Manager Review**

- 10.1 If at any stage of the complaint procedure before stage 3, the complainant feels that we are not dealing with their complaint in line with our complaints policy they may request a review by the Group Customer Relations Manager.
- 10.2 The Group Customer Relations Manager will review the case against our Complaints Policy and procedures and determine an appropriate way forward, in agreement with the complainant, within 5 working days.
- 10.3 Where we have made a decision to restrict or change access to ensure the most effective solution to their complaint will not be able to seek an independent review unless the relevant Managing Director agrees it.

## **11. Monitoring Complaints and Learning Lessons**

- 11.1 All complaints (from informal complaints onwards) will be recorded. Nominated managers within Bromford Living, Bromford Group Home Ownership Services, Bromford Homes Fosseway Living, HomeZone Living and Bromford Support are responsible for monitoring the data and ensuring its completeness.
- 11.2 All formal complaints (stage 1-3) will when resolved or complete receive a confidential customer satisfaction check from Customer Services Network, an independent company employed by the Group. Completion of the questionnaire is voluntary. The aim is to record satisfaction with our complaints policy and handling to help us improve performance.
- 11.3 On a Quarterly basis each member will produce a report summarising members complaints activity, customer satisfaction with complaints handling and any trends for discussion at an appropriate senior management team

meeting. This will include advising policyholders on any emerging feedback on their policy/service areas and recommendations on any service improvements identified as a result.

11.4 On an annual basis;

- Each member will collate the quarterly reports into an annual report for discussion by their respective Board's. A summary of this information will be published for customer's information.
- The Advance Team will produce an overarching report on complaints activity within the Group, customer satisfaction with complaints handling and any trends for discussion by the Executive Team. This annual review will inform the annual policy review.

## **12. Review**

12.1 This policy will be reviewed annually by the Group Policy Holder in consultation with our customers and nominated stakeholders from each member of the Group.

## Appendix 1

### Restricting or changing access for complainants.

- 1.1 For the purposes of this policy unacceptable behaviour is defined as follows;
- Aggressive or abusive behaviour, for example threats, physical violence, personal verbal abuse and derogatory remarks. We expect our colleagues to be treated courteously and with respect.
  - Unreasonable demands, for example demanding responses within unreasonable timescales, insisting on seeing or speaking to a particular colleague, continual phone calls, e mails, or letters, repeatedly changing the substance of the complaint or raising unrelated concerns. We consider these demands unacceptable if they start to take up excessive amounts of staff time to the disadvantage of other customers.
  - Unreasonable persistence, for example persistent refusal to accept a decision made in relation to a complaint, persistent refusals to accept explanations relating to what we can or cannot do, and continuing to pursue a case without presenting any new information. As above we consider these demands unacceptable when they take up disproportionate amounts of time and resources.
- 1.2 How we aim to manage these actions depends on their nature and extent. Options include:
- Restricting a complainants access to one individual who is fully conversant with every aspect of the complaint,
  - Restricting a complainants contact with us to specific days and times and or in specific formats e.g. in person, phone, letter, e-mail or fax.
  - Limiting or focusing excessive requests by advising the complainant that we will only deal with a limited number of issues in a given period.
- 1.3 The threat or use of physical violence, verbal abuse or harassment towards any colleague may result in us ending all contact with a customer and incidents reported to the police. Contact through a third party may then be required. In all

cases we will ask customers to stop using offensive language and not respond to them if they do not stop.

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