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COMPLAINTS POLICY

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Summary

This policy sets out how Longhurst Group deals with customer complaints, timescales and the roles and responsibilities of colleagues.

Contents

PART ONE	1
About this Policy	1
Summary	2
Contents	2
PART TWO	3
Policy	3
Intent	3
Principles	3
Scope	3
Policy Details	3
Definition of a Complaint	3
Exclusions	3
Accessing the Complaints Service	3
Fairness in Complaint Handling	4
Reasonable Adjustments	4
Types of Complaints	4
Informal Complaints	4
Formal Complaints	5
Dissatisfaction with our Decision-Making	6
Managing Unacceptable Actions and Behaviours	6
Learning from Complaints	6
Culture and Training	7
Contractors	7
Roles and Responsibilities	7
Reporting	7
Monitoring, Evaluation and Review	7
PART THREE	9
Appendices	9
A. Policy Approval Control	9
B. Policy Development Plan	9
C. Process map(s)	9

PART TWO

Policy

Intent

The Group is committed to providing excellent customer service, addressing complaints effectively and efficiently, and using the feedback to drive service improvement.

This policy ensures we provide a consistent approach across the Group, as well as promoting a positive complaint handling culture.

Principles

Longhurst Group will provide an effective complaints service that meets both the requirements of the regulatory Tenant Involvement and Empowerment consumer standard and Housing Ombudsman's complaints handling code.

We aim to provide a complaints service that:

- ensures customers are aware of how to make a complaint and their right to access the Housing Ombudsman service;
- is fair, impartial and easily accessible to all our customers;
- is customer-focused and takes account of individual circumstances;
- puts things right (where appropriate) in a timely and effective manner; and
- uses learning from complaints to improve services.

Scope

This policy applies to all parts of the Longhurst Group ('the Group').

It applies to complaints made by any customer, or their representative, and anyone affected by a service we provide, including services provided on our behalf by a contractor.

Policy Details

Definition of a Complaint

A complaint is an expression of dissatisfaction, however made, about the standard of service, actions, or lack of action by Longhurst Group, its colleagues or those acting on its behalf, affecting an individual customer or a group of customers (Housing Ombudsman Code 1.2).

Exclusions

The complaints policy will not be used to settle a dispute that is subject to legal action or an insurance claim. This also includes complaints relating to safeguarding issues or serious allegations about a colleague or contractor. We will use other internal procedures to deal with these types of issues.

We would expect complaints to be reported within six months of the customer being aware/notified of the issue. Where the problem is a reoccurring issue, we will consider older reports as part of the background to the complaint, if this will help to resolve the issue.

If we do not accept a complaint, a detailed explanation will be provided setting out the reason why the matter is not suitable for the complaints process.

Accessing the Complaints Service

Complaints may be made:

- by phone;
- online form using our website or social media;

- in person; or
- by letter/completing a complaints form.

Any issues or enquiries received via a MP or local councillor that meet the complaint definition will be resolved using our complaints process.

The customer doesn't have to use the word complaint in order for it to be treated as such. Although, we will always ensure the customer is happy for us to record it as a complaint.

Complaints that are not made directly to an office location (such as those made to an officer on their patch, or to a colleague at a care home or sheltered housing scheme) will be passed on to the relevant team within the Customer Services department.

Fairness in Complaint Handling

A complaint investigation will be conducted in an impartial manner. To ensure fairness we will:

- deal with complaints on their merits;
- act independently and have an open mind;
- take measures to address any actual or perceived conflict of interest;
- consider all information and evidence carefully; and
- keep the complaint confidential as much as possible, with information only disclosed if necessary, to investigate the matter.

Reasonable Adjustments

Complaints may be made with the assistance of a representative acting on the customer's behalf (such as a family member, friend, support worker, MP or local councillor). The customer must provide us with consent to deal with the representative.

On request, we will also provide customers with support to make a complaint. Examples include, helping customers complete forms, write letters on their behalf or accept the complaint verbally with a written statement produced confirming details of the complaint raised. We will always ask the customer their preferred method of communication.

We will give customers the opportunity to have a representative deal with their complaint on their behalf, and to be represented and/or accompanied at any meeting with Longhurst Group upon request, and where this is reasonable.

Types of Complaints

All issues of dissatisfaction will be resolved in the right way using our complaints process. We have an informal complaints process (known as first time fix) and a formal complaints process.

All complaints will be recorded on our contact management system and a full record will be kept of the complaint, all correspondence and communication, any review and the outcomes at each stage.

At each stage of the complaints process we will inform the customer of the following:

- the complaint stage;
- the outcome of the complaint;
- the reason for any decisions made;
- the details of any remedy offered to put things right;
- details of any outstanding actions;
- details of changes made, or actions taken to prevent a reoccurrence; and
- details of how to escalate the matter if dissatisfied.

Informal Complaints

We will encourage informal complaints.

A complaint will be designated an informal complaint (first time fix) complaint where:

- the issue has not previously been dealt with as a complaint, and
- the problem can be resolved on the spot or within **2 working days** (or within a timescale that suits the customer better).

All other complaints will be recorded as formal complaints.

All informal complaints will be managed by our customer services team.

Formal Complaints

We have a 2 stage formal complaints process:

Stage 1

When a customer makes a formal complaint a complaint liaison officer will contact them within two working days to:

- discuss the details of the complaint and identify what resolution they are seeking;
- advise them of the timescale for resolving the complaint;
- agree the preferred method of communication; and
- agree when any further feedback will be provided to the customer.

Any action agreed, and the timescale for this, will be confirmed to the customer in a way that suits them.

A dedicated complaint liaison officer will be the point of contact for the customer and will work closely with the relevant operational manager throughout the complaint case. Our complaint liaison officer will act independently and fulfil an advocacy role for the customer, with the aim of investigating their complaint promptly and to a satisfactory conclusion, where possible.

We will aim to notify the customer of our decision, any action to be taken and the timescale for this within **10 working days**. Where appropriate, this resolution will include an agreed appointment for repair works to be completed by our contractors (within a reasonable timescale as agreed by Longhurst Group). The complaint liaison officer will monitor the complaint case until full resolution.

Due to exceptional circumstances, where this timescale is not possible, we will provide a valid reason to the customer. We will also regularly communicate with the customer until the complaint is fully resolved. This will not exceed a further 10 working days.

All final responses will be sent to the customer in writing.

Where appropriate, for complex complaints that need a more detailed investigation we may consult with the Executive Director of Housing Services or relevant Director.

If during the investigation of a complaint a serious incident or issue was raised by a customer, we would escalate this through the complaint process to either the Executive Leadership Team or Directors Group (depending upon the nature of the complaint) as a matter of urgency.

Within the resolution letter we will always make the customer aware of their right to escalate their complaint, if they are still unhappy with the outcome and how to do this.

Stage 2 – Appeal Review

Customers who are still unhappy with the formal complaint process at stage 1 may request an appeal review (known as stage 2). This gives a customer the opportunity to challenge any decision via an appeals process.

The customer would need to put their reasons for their appeal, in writing within one month. We will provide support to customers where this is required. A customer can only use stage 2, if one or more of the following criteria has been evidenced.

- The response received is factually inaccurate;
- The response received does not address the initial complaint; or
- There is evidence that our complaints process was not followed.

Any new complaints or issues not raised during the initial complaint would be dealt with separately and are not grounds for an appeal.

The appeal review is completed within **20 working days** by a senior manager who wasn't involved in the complaint at stage one. A senior manager will contact the customer within 2 working days to seek clarification and gain further information and evidence (where appropriate).

If this timescale is not possible due to exceptional circumstances, an explanation and a date of when our stage 2 response will be sent to the customer will be provided. This will not exceed a further 10 working days.

All final responses will be sent to the customer in writing.

Within the resolution letter we will always make the customer aware of their right to escalate their complaint, if they are still unhappy with the decision and how to do this.

Dissatisfaction with our Decision-Making

Tenants, leaseholders and housing applicants who are unhappy with the outcome of their appeal review (stage 2) can take the issue further under a process outlined in the Localism Act 2011:

- Through a 'designated person' (an MP, local councillor or independent customer panel) within eight weeks of the final decision.
- By taking the matter directly to the Housing Ombudsman (after an eight-week delay) or the Financial Ombudsman (for complaints about our Money Guidance Service).

For complaints relating to our care and support services, customers can refer their complaint to the Care Quality Commission.

Where customers are still unhappy and do not qualify under the Housing Ombudsman Scheme, they have the right to refer their complaint to their MP or local councillor.

A complaint will only be investigated by the Housing Ombudsman if the customer has completed our complaints procedure fully, or the complaint has been referred by a designated person. We will then provide the relevant information to the individual complainant or to the Housing Ombudsman upon request and within the agreed timescale of 15 days.

Managing Unacceptable Actions and Behaviours

Sometimes customers using our complaints service use behaviour, actions or general conduct that makes it very difficult for us to deal with their complaint effectively. In these instances, we have a separate procedure for colleagues to follow.

In such circumstances we reserve the right to use different communication methods for individual customers, refuse to consider the complaint or to terminate the investigation.

We will confirm this to the person making the complaint in writing, with the reasons for our decision including a review date.

Any restrictions placed on a customer's contact due to unacceptable behaviour will demonstrate regards for the provisions of the Equality Act 2010.

Learning from Complaints

We will use complaints to drive continuous learning and improvement.

Complaints will be reviewed to identify any common themes and areas for learning. Although, we will actively highlight any major service failures as a matter of urgency and

without delay. Any issues identified will be raised with the relevant service area and/or contractor to aid service improvement.

Any themes or trends will be assessed by senior management to identify systemic issues, serious risks or areas for improvement.

We will proactively use learning from complaints to revise policies and procedures, to train colleagues and contractors and to improve communication and record-keeping.

We will report back on wider learning and improvements by publishing information and evidence on our website, annual report and customer magazine.

Culture and Training

We encourage a culture that welcomes complaints and the opportunity they give to help improve our services. We fully recognise that a positive complaint handling culture is integral to the effectiveness of our ability to resolve disputes, the quality of the service provided and improve the relationship with our customers.

Training, communication and awareness will be provided to all relevant colleagues required to implement this policy. This also includes our contractors and involved customers.

Contractors

All contractors will be expected to provide the relevant information to our complaint liaison officers in a timely manner and to an agreed standard. This includes agreed appointments (kept and made) within the agreed set timescale, from the date of when the complaint was logged by Longhurst Group.

Roles and Responsibilities

Responsibility for the complaints service is held jointly by:

- Longhurst Group Chief Executive
- Executive Director of Housing Services

Operational responsibility for the complaints service is held by the Head of Customer Services and Customer Engagement Manager.

Day-to-day responsibility for the complaints service is held by:

- Complaints liaison officers
- Customer services teams

Reporting

A detailed summary of complaints will be provided to the Directors Group, Heads of Service and Operational Managers every three months.

A monthly briefing will be communicated to all operational teams.

Quarterly performance updates will be added to our website for customers to view.

Six monthly performance updates to our Group Board, including trends, learning and evidence of what we have done differently and future improvement plans.

Six monthly performance updates to our Customer Forum, including trends, learning and evidence of what we have done differently and future improvement plans.

Monitoring, Evaluation and Review

We will monitor the following:

- Number and % of complaints received – classed as informal and formal (stage 1 and 2)
- Number and % of informal complaints escalated to a formal complaint
- Number and % of complaints escalated to stage 2 (including refusals)
- The type of complaints received (i.e. service areas) and the root cause

- Performance against our stage 1 response timescale (including any extensions)
- Performance against our stage 2 response timescale (including any extensions)
- Satisfaction levels – complaint handling and outcome
- The outcome of closed complaint cases
- Number of complaints referred to the Housing Ombudsman, % of referrals completed within the agreed timescale and the outcome
- Goodwill and compensation payments
- Actions taken and changes made resulting in service improvements

In addition, complaints performance is also reviewed:

- By the Head of Customer Services and Customer Engagement Manager monthly and quarterly
- To our partner contractors every month as part of their contractual requirements

This policy will be reviewed three yearly incorporating colleague and customer feedback. In addition, it will be reviewed:

- Following information suggesting that the policy is not effective, or
- Following the introduction of relevant new legislation, regulations or guidance.

PART THREE

Appendices

- A. Policy Approval Control
- B. Policy Development Plan
- C. Process map(s)