

Policy

Title: **Enquiries, Complaints and Compliments**

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CONTENTS PAGE

Introduction	3
Aims / Objectives	3
Scope	3
Policy Statement	3
Responsibility	5
Service Standards	6
Performance Measures / Monitoring	7
Consultation Arrangements	7
Benchmark Analysis	7
Regulatory and/or Legal Compliance	8
Key Lines of Enquiry (KLOEs) Affected	8
Diversity Considerations	8
Links to Strategies, Procedures and Associated Documents	8
Business Impact	9

Introduction

The Trust is committed to providing services that meet the needs and aspirations of its customers. A vital part of meeting this commitment is to listen to what customers think; where this is good as well as when things have gone wrong. The Trust therefore welcomes any views or feedback on service delivery, whether good or bad.

Receiving complaints or compliments provides a valuable source of feedback, which will continue to help the Trust to improve and provide better services.

The Trust recognises that on some occasions the expectations of its customers may not be met and this can result in complaints being received. When complaints are received, the Trust will aim to resolve them as quickly and effectively as possible, within set targets, which are detailed later in this policy.

The Trust has developed an Enquiries, Complaints and Compliments (ECC) Procedure to support this policy. This is designed to be accessible and fair to customers and easy to understand. If the customer is not satisfied with the way the investigation of the complaint has been conducted, or the outcome, they have the right to complain to the Housing Ombudsman Service. However, the Trust would expect this to be used as a last resort following the conclusion of its own internal processes.

In implementing this Policy, the Trust will have due regard to any relevant regulatory standards, as well as its own policies on Diversity and Customer Care.

Aims / Objectives

By acting on the feedback from compliments received and by positively responding to and learning from complaints dealt with under this Policy, the Trust is committed to continuously improving the services it provides to its customers.

Scope

This is an overarching Policy, which all employees need to be aware of when enquiries, complaints and compliments are received about any of the Trust's service areas.

Policy Statement

Formal Enquiries

The Trust considers a formal enquiry to be a formal request from a customer for information about the progress of a particular issue, case or application via local MP's, Councillors, Board Members or Independent 3rd Party Advocates. For example, a customer contacting us through one of the above individuals to make an

enquiry about the Trust's waiting list and how long it will take for them to be rehoused.

General Enquiries

In most cases general enquiries will be forwarded to the relevant Service Areas as a first request for service e.g. a customer reporting a leaking tap for the first time.

Complaints

The Trust considers a complaint to be an expression of dissatisfaction with the standard of service, action or lack of action taken by the Trust or its employees (including any contractors/agents) that has affected an individual customer or group of customers. Examples of circumstances in which complaints can be made can include where the Trust, or someone working on its behalf, has:

- Done something wrong
- Not done something they should have done
- Not delivered a service within the time promised
- Not followed the correct policy or procedure

This list is not exhaustive but the Trust will fully investigate all complaints made about its service by customers. It has a procedure for dealing with complaints, which is well publicised and provides clear stages for the progression of any complaint.

The Trust's ECC Policy is based on the following core principles:

- Complaints will be dealt with promptly, courteously, systematically and fairly.
- Complaints will always be dealt with in confidence.
- Customers will be informed of the progress and outcome of any investigation.
- Complaints will be recorded, acknowledged and monitored.
- Customers will have the right, at their own cost, to have a friend or advocate present at any meetings.
- The Trust will use the complaints system to learn from its mistakes and to raise the level of customer satisfaction.
- The Trust will advise all dissatisfied customers of their rights to redress.
- Where mistakes have occurred, the Trust will not only apologise, but wherever possible seek to put the customer in the position they enjoyed before the mistake was made. This may include the offer of a payment for compensation. Such an offer will normally only be made where the Trust feels that the customer has suffered actual monetary loss or considerable delay in an action being carried out.
- Mediation may be offered by the Trust or made available at the request of the customer at any stage of the complaints process as a means of resolving the issues raised.
- The Trust will publish information about its performance against standards and targets set for handling complaints.
- All employees likely to be involved in handling complaints will receive appropriate training.

Full details of how complaints will be dealt with initially, as well as when they progress to the Trust's formal complaints process can be found in the Trust's ECC Procedure document. This has been developed to compliment this Policy and illustrate how the Trust will deal with complaints in practice.

The part of this Policy, which deals specifically with complaints relates to customer dissatisfaction with the service. As such, it should not and cannot be used as an appeals mechanism against action taken under any other Trust policy.

In line with guidelines issued by the Housing Ombudsman Service, the Trust will not consider complaints where customers are aware of the issue for over 12 months where no contact has been made with the Trust or where a request for review is submitted outside the 28 calendar day deadline.

Any customers whose behaviour is not in the spirit of the Trust's Customer Code of Conduct will be deemed to be unacceptable and may be excluded or conditions placed on the complaint being pursued through the complaints process. The Trust will only ever take such action(s) as a last resort but needs to take a firm but fair approach to the small minority of customers who attempt to make vexatious complaints. Specific guidelines on this particular issue have been developed to ensure a consistent approach by employees is taken and have been included in the associated procedure document that compliments this policy. Any decisions relating to this issue will be made by or in consultation with the Chief Executive or Executive Directors of the Trust.

If at any stage the Trust deems its complaints process to have been exhausted, it will refer the customer to the Housing Ombudsman Service using a 'fast track' mechanism.

Compliments

The Trust regards a compliment as an expression of satisfaction received from a customer; for something the Trust has done well, or for a service they have received. The Trust will ensure that any positive feedback on an individual's or team's performance is relayed back to them.

Responsibility

The Executive Director of Customer Services is responsible for the effective implementation of this Policy.

Leadership Team Members will be responsible for ensuring all employees are aware of and are appropriately trained in the Trust's Policy and Procedures for dealing with ECC's.

The day to day administration of issues raised under this procedure will be predominantly undertaken by the Enquiries, Complaints and Compliments (ECC) Coordinator.

The Customer Involvement Team will arrange for the reality checks outlined in the Policy to be incorporated within, and reported against the workplan for the Customer Inspectors and Customer Scrutiny Panel.

Service Standards

Formal Enquiries

- Responses to any formal enquiries received as part of the formal procedure should be made within 10 working days.
- If the issues raised are of a complicated nature and it is not possible to reply with a full response within the timescale, then the customer will be informed of an anticipated date when this can be provided.

Complaints

- Responses to any complaint received as part of the formal procedure should be made within 10 working days.
- If the issues raised are of a complicated nature and it is not possible to reply with a full response within the timescale, then the customer will be informed of an anticipated date when this can be provided.
- The Investigating Officer will arrange to carry out an in person, face to face meeting at a location of the customer's choice within three working days of receiving the complaint unless the customer states this part of the procedure is not required. The process for the selection of the Investigating Officer is covered under the ECC Procedure Guide.
- If the Investigating Officer determines the issues raised to be of a complicated nature and it is not possible to provide the customer with a full response within the above timescales, then a second holding letter will be sent to the customer. This will advise that the response will be provided within a maximum of a further five working days.
- If the issue raised as a complaint is more than 12 months old, or the customer has been aware of the issue for more than 12 months and no contact has been made with the Trust, the customer will be informed that the Trust views the matter as being time-barred and that it cannot be dealt with under this Policy.
- Customers wishing to progress to the next stage of the formal complaints procedure must make a request within 28 calendar days of receiving the decision letter of the preceding stage.
- Notification of any review meetings arranged in response to a successful request for a review will be made within 10 working days of receipt of the request. Any such notification will give the customer at least 10 working days notice of the date, time and venue of the meeting and every attempt will be made to meet the customer's preferences in setting these dates.
- At any time, the Trust may offer or agree to a request from the customer to refer the matter to mediation.
- At any stage of the complaints procedure an apology or even a payment for compensation may be offered. The Trust will normally only offer compensation where it considers the customer has suffered actual monetary loss or considerable delay in an action being carried out.

Compliments

- The Trust will ensure that any positive feedback on an individual's or team's performance is relayed to both the customer and relevant employees within three working days.
- This information will be uploaded to the employee's personal files within five working days of receipt and used as part of their PDR with their Line Manager.

Performance Measures / Monitoring

This Policy will be reviewed following the completion of three Stage 3 hearings to ensure that the revised arrangements concerning such appeals are working satisfactorily.

All complaints will be monitored. Records will be kept showing details of the date received, the nature of the complaint, the date action was taken and the nature of the action taken. The Trust will also request that customers complete a customer profile form where full data is not already held.

Under the Trust's Balanced Scorecard System a Performance Indicator has been created to specifically monitor complaints received and dealt with under this procedure. This indicator considers the total number of complaints received and dealt with including learning outcomes. These are reported on a monthly and cumulative to date basis to the Leadership Team and across the Trust on Performance Screens. First requests for service (e.g. reporting a repair) are not to be included.

In addition, complaints data is submitted to Housemark Benchmarking on a quarterly basis.

Consultation arrangements

Consultation will take place annually with a variety of customer groups and individuals generally to assess the effectiveness of the Policy. This will utilise existing frameworks such as Customer Surveys and Customer Forum Meetings as well as seeking the views and input from customers who have used the ECC Procedure.

Any consultation will be carried out in full accordance with the Trust's Customer Involvement Strategy.

Benchmark Analysis

In addition to internal performance monitoring, complaints data is submitted to Housemark Benchmarking on a quarterly basis and will be used going forward to improve the ECC process.

Regulatory and/or Legal Compliance

The current regulator for registered providers in England – the Tenant Services Authority (TSA) – issued various standards for compliance that came into force in April 2010. It is envisaged at present that these standards will continue to stay in force once the current regulatory functions of the TSA pass over to the Homes and Communities Agency (HCA).

One of these is the ‘Tenant Involvement and Empowerment Standard’. This standard sets out ‘Required Outcomes’, one of which has a direct bearing on this policy. This states that:

“Registered providers shall.... have an approach to complaints that is clear, simple and accessible that ensures that complaints are resolved promptly, politely and fairly”.

The Trust will continue to be mindful of and look to comply with the requirements of this and any other related standard as it implements this Policy.

Key Lines Of Enquiry (KLOE)s Affected

With the announcement that the Audit Commission’s housing inspection framework is to cease with effect from April 2011, a full assessment against each of the KLOEs has not been undertaken.

However the policy outcomes will feed into the Trust’s ongoing update of its self assessment documents as well as the input to our Service Improvement Framework.

This Policy covers all the key areas of the Trust’s business activities.

Diversity Considerations

An Equality Impact Assessment has been carried out on the ECC Policy, Procedure and Leaflet. It concluded that:

- The Policy is not directly or indirectly discriminatory
- The Policy does not require any increase to equality of opportunity by permitting or requiring positive action or action to redress disadvantages

Links to Strategies, Procedures and Associated Documents

The following documents are linked to this Policy:

- Customer Involvement Strategy
- Compensation Policy

- Customer Care Policy
- Customer Code of Conduct Policy
- Diversity Strategy & Diversity Policy
- Customer Involvement Policy
- Customer Handbook
- ECC Procedure Guide
- Communications Strategy
- Customer Satisfaction Policy
- Performance Strategy
- ECC Leaflet
- Data Protection Policy
- Benchmarking Policy
- Use of Warning Markers Policy
- Service Improvement Strategy
- Repairs Policy
- Construction Services Strategy
- Maintaining and Investing in our Homes Strategy
- Customer Care Strategy

Business Impact

The successful implementation of this Policy and associated Procedure Guide will have an ongoing impact on the Trust's Business Plan and general business activities through the continual learning from any complaints that the Trust receives.

By learning from any mistakes, the Trust will be able to provide a more efficient service to its customers by listening directly to their views and reviewing working practices internally.