

## COMPLAINTS POLICY

<b>Date Reviewed</b>	November 2020	<b>Next Review Date</b>	November 2021
<b>Reviewed By</b>	R Malhan, A Eggington	<b>Approval By</b>	BCHG Board
<b>Consultation</b>	Leaders / Managers	<b>Responsible Officer</b>	Deputy Chief Executive
<b>Distribution</b>	Extranet / Web	<b>Version No.</b>	04

### Policy Statement

Black Country Housing Group (the Group) is committed to providing a high quality, accessible and responsive service to its customers. Listening to and responding to feedback, good or bad, is one of the ways in which we continue to improve our services to our customers.

This policy is intended to ensure that complaints are dealt with fairly, and that all feedback, regardless of its nature, is taken seriously.

The Group will listen to, acknowledge and investigate all complaints. It supports the idea that most complaints, if dealt with early, openly and honestly, can be resolved quickly and effectively between the customer and the organisation.

We operate a Duty of Candour in that we will always acknowledge where we have not met our own high standards and in such instances offer an immediate apology.

### Scope

This policy applies to all of the Group's customers and stakeholders that use or are affected by its services, whether those services are delivered by our colleagues, volunteers or third party suppliers.

Different customers will be treated in line with their own unique circumstances. All differing tenures of BCHG will have access to use the Complaints Policy.

BCHG will make reasonable adjustments to the operation of this policy to meet any unique needs of our residents.

### Related or Relevant Policy / Procedures or Other Documents

Whistleblowing Policy  
Customer Engagement Strategy  
CQC Fundamental Standards  
Duty of Candour Policy  
Transparency Policy

### Definitions

A formal complaint is

*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.*

## **Responsibilities**

The Deputy Chief Executive has overall responsibility for this policy.

The Head of Customer Voice is the lead independent officer for the delivery of this policy

The Head of Assets and Maintenance is responsible for the operation of the policy in relation to Asset Management related issues

The Head of Care is responsible for the operation of the policy in relation to Care related issues

The Head of Customer Relations is responsible for the operation of the policy in relation to all other issues

## **Aim of the Complaints Policy**

The Group aims to ensure its complaints policy delivers transparency on its actions and that we hear the voice of customers and learn from their feedback. It is also important the people who feel the need to make a complaint understand how their feedback has been acted upon.

Specifically it aims to ensure that:

1. All people to whom BCHG delivers a service are aware of how to make a complaint and that we provide easy to use opportunities for them to register their complaints
2. All complaints are fully investigated, with focus on facts and evidence, and responded to in a manner desired by the complainant
3. Complaints are dealt with quickly, fairly and sensitively, with due regard to both colleagues and customers
4. Any wrongdoing is remedied and apologies are made where complaints are upheld
5. The process itself is fair and transparent
6. Learning is captured to improve our approach

## **KEY STAGES OF THE PROCESS**

### **Informal complaint**

It is important that any potential failure in our service be highlighted at the earliest opportunity. The Group will encourage, wherever possible, that complaints are made at the point of service delivery and that our colleagues have the authority to resolve matters at the first point of contact and will still be recorded by the Group. A key success measure for the Group is how many of these informal complaints are resolved at this stage.

There is no limitation to how a complaint may be raised. Typically, we would request that complaints be made in writing via text, email, letter, social media or

web site. We will also accept verbal complaints that we will re-confirm with residents.

We will ensure residents know about our complaints process by including in all written communication with them and on our website. It will also be included in rent increase and service charge communications.

### **First stage complaint**

Where this is not possible or not appropriate then complaints should be made in the manner most appropriate to the customer to the Head of the Service concerned. If this is a verbal complaint then the Head of Service will confirm in writing back to the customer the nature of the complaint. It is important that the desired outcome be established as part of this process.

BCHG will look to resolve all first stage complaints within 10 working days. Where this is not possible then we will keep the complainant informed of likely timescales.

### **Second Stage Complaint**

Where the response to a first stage complaint is felt by the complainant to be inadequate then a second stage complaint may be made to the manager of the Head of Service. Again, the desired outcome required from the customer should be ascertained and be the focus of the second stage.

BCHG will look to resolve all second stage complaints within 10 working days. Where this is not possible then we will keep the complainant informed of likely timescales.

### **Third stage complaint**

For tenants of the Group under the Localism Act 2017 they can refer their complaint to the Group's designated body, which is normally the Tenant Scrutiny Panel (TSP). The TSP will review the matter and decide on an appropriate course of action to resolve the matter. If the complainant is not happy with this response they can then refer the matter to the Housing Ombudsman. They may also make this referral if they do not wish to appeal to the TSP but Ombudsman requires an eight-week gap between the second stage complaint outcome and such a referral.

During the Covid pandemic this third stage will be referred to the Chair of BCHG Board

For non-tenants of the Group in our care services, if they do not feel the second stage complaint outcome is satisfactory then they may refer the matter to CQC (which they have the right to any time) or the Local Government and Social Care Ombudsman.

For complainants who are not tenants of the Group or in receipt of care delivered by the Group there is no third stage to the process and they should seek their own advice in the matter.

Matters that currently or become subject to litigation including pre-court protocols are excluded from this policy and will be managed as part of the legal process.

BCHG will always take further legal advice on the management of these cases. Once determined these matters also cannot become part of any further complaint process with BCHG.

### **Consumer Credit Related Complaints**

BCHG is authorised by the Financial Conduct Authority to carry out consumer credit-related services for our tenants. These services are Not for Profit Debt Counselling or Not for Profit Debt Adjusting.

The Financial Conduct Authority requires us to have a Complaints Policy and to be a member of the Financial Ombudsman Service. On receipt of a complaint we will do all we can to resolve the complaint by the end of the next business day. If this is not possible, we will write to the customer within five working days to tell them what we have done to resolve the problem, or to acknowledge the complaint and let the customer know when they can expect a full response. The acknowledgement letter must include a copy of the complaints process, including details of the Financial Ombudsman Service and a copy of their leaflet "Your Complaint and the Ombudsman".

We will let the customer know the name and contact details of the person or team dealing with their case. If we cannot offer a full response after 5 days, we will aim to respond within 4 weeks of the date of the complaint. If, due to the complexity of the complaint this is not possible, no later than 4 weeks from the date of the original complaint, we will write to confirm when the customer can expect our final response.

Our final response should be sent in writing no later than 8 weeks from the date we originally received the complaint. If we have not issued our final response within eight weeks from the date of the complaint, or if the customer is dissatisfied with our response, they can ask the Financial Ombudsman Service for an independent review. The Financial Ombudsman Service will only consider a complaint once the customer has tried to resolve it with us.

### **Confidentiality**

All feedback will be treated confidentially. Anonymous requests will be investigated, however we will encourage that contact details be provided so that the complainant can be informed of the outcome.

### **Recording and reporting**

All complaints, compliments and comments received about any service delivered by the Group will be recorded electronically in a central location.

The Executive Team monitor complaints monthly and our performance is reported to the Group's Tenant Scrutiny Panel and BCHG Board quarterly as part of the Governance framework.

Under our Customer Engagement Framework and our compliance against the consumer standards we will report annually to customers on the outcomes of all complaints in a "you said, we did" format.

**Equality Statement**

The Group aims to handle all complaints fairly and honestly regardless of who makes them. The Group treats all members of the community equally and will not show bias to any particular individual or group.

As part of the reporting to Board, we will report on the operation of this policy by gender, race, sexuality, disability, religion and age where this information has been shared with us.