

TENANT COMPLAINT POLICY

Date Reviewed	August 2022	Next Review Date	November 2024
Consultations	Customer voice	Reviewed by	Head of Customer Voice
Equality Impact Assessment	01/10/22	Responsible Officer	Head of Customer Voice
DPIA	01/08/22	Approval by	DCE

1. PURPOSE

The purpose of this policy is to provide good quality services to all our customers, to recognise when things go wrong, to put things right, and value complaints as feedback to learn, improve and develop our services.

Black Country Housing Group (hereafter “BCHG”) recognises that handling complaints effectively is not just about processes and time limits. It is also about the culture within our organisation and the behaviour and attitudes we display.

This Policy is designed to understand what a service complaint is and dealing with it fairly and promptly.

2. AIMS

The aims of this policy are to:

- Put the customer at the heart and health and safety at the centre of the process
- Provide an outcome as soon as possible
- Apologise when we have made a mistake, or when something has gone wrong, to put it right as soon as possible
- Keep the customer informed and do what we say we will, when we say we will do it
- Make sure we address all elements of the complaint and provide clear explanations for any decisions made or actions taken
- Share our learning from complaints and use feedback in a positive way to learn and improve services

All staff are encouraged and empowered to resolve customer issues using the Quick Fix process, putting the problem right straight away. Where they cannot do this, it will be recorded as a complaint, and we will learn change our ways so we can quick fix in the future. This is detailed in our Complaints Procedure.

3. SCOPE

This policy relates to all residents, applicants, and customers of the landlord services of BCHG. Where a member of the public makes a complaint, BCHG will investigate and respond in line with this Complaints Policy and each case will be considered on its own merits.

4. RELATED POLICY AND PROCEDURES

BCHG will deliver a complaint policy that complies with the Housing Ombudsman Service Complaint Handling Code (Revised April 2022) setting out good practice to respond to complaints effectively and fairly. Building a safer future and Social Housing Regulation Bill 2022 that sets out a health and safety based responsive approach.

The key areas of Internal policies and government legislation for this policy are:

Internally

Strategies	Policies/Procedures
<ul style="list-style-type: none"> • Asset Strategy • Customer Engagement Strategy • Equality, Diversity & Inclusion Strategy 	<ul style="list-style-type: none"> • Complaint Procedure • Reasonable Adjustment Policy • Repairs and Maintenance Policy • Lettings Policy • Anti-Social Behaviour Policy • Tenancy Agreement obligations • Good Will & Compensation Payment Policy

Externally

Legislation and Regulation
<ul style="list-style-type: none"> • Registered Providers with the Regulator of Social Housing (RSH) have a duty to become members of an Ombudsman's Scheme approved by the Secretary of State as defined by the 1996 Housing Act and 2011 Localism Act. • Equality Act 2010 not to discriminate, harass those that make a complaint • General Data Protection Act 2018 for the collection, storage, provision, and disclosure of data collated in relation to complaints • Fire Safety Act 2021 – to establish a complaint procedure to safety concerns • Building Safety Act 2022 – removal of designated person and provides a fast-track approach to safety issues. • Social Housing Regulation Bill 2022 – inspect landlords and consider systemic failures

5. DEFINITION

A complaint is defined as:

“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”.

A complaint would cover but is not limited to:

- Failure to act within policy or practice

- Unprofessional staff behaviours
- Failure to provide a service
- Failure to achieve service standard
- Health and Safety concerns
- Enactment of Pre-Protocol court process

A complaint can be verbal, over the phone and face to face or in writing by letter, electronic, or social media. BCHG will call out a complaint where a customer might have difficulty articulating it.

Where more than one service area is involved in a complaint, a customer led perspective is taken for their view. For the avoidance of doubt the service area responsible for the core part of the complaint will respond on behalf of both services.

WHAT IS NOT A COMPLAINT

There may be occasions where a customer has expressed their dissatisfaction with a service, but it is not appropriate to follow the Complaints Policy. In such instance the customer will be advised and given a detailed explanation why and alternative procedures including the right to take the decision to Ombudsman. Support will be made available through their Customer Relation Manager.

A few examples of what is excluded:

- The issue is, or has been, subject to legal proceedings
- Liability issue that is subject to an insurance claim
- The complaint is being pursued in an unreasonable manner
- The issue giving rise to the complaint occurred over six months ago, except for safeguarding or health and safety issues.

6. COMPLAINT HANDLING PRINCIPLES

BCHG will look at complaints by risk and take a responsive approach to mitigate. Our complaints process is comprised of two stages. Stage one will be an investigation carried out by a case manager from the relevant service area. If the complaint is escalated to stage two, an independent review will be carried out by 2-person panel. Please refer to the Complaints Procedure for further details on how this process works.

Summary of approach:

Stage	Definition	Responsibility	Expectation
Internal Complaint Process			
Risk Filter			
Screening	"An event assessed by anyone in the Team or individual	Appropriate Senior Manager/	Screen assessment with Customer. Agree allocated timeframe to

	resident to be at a significant health and safety risk to building or person”	Executive Team	assess risk, within 48hrs. Right to Ombudsman. BCHG will continue to try to resolve.
Stage 1			
General Complaints -	“Any dissatisfaction that cannot be recovered through Quick Fix is noted as a complaint and investigated”.	Manager/Team Leader	Agree response time with Customer, within a target to: Acknowledge within 3 working days and to respond within 10 working days. In exceptional circumstances if this cannot be done within the time, we will explain why and agree an extension by no more than 10 working days.
Stage 2			
Review	“Review of how the original complaint was handled, and whether the outcome was fair, reasonable in line with policy, legal, and statutory requirements”.	Head of Service not involved in complaint.	If a customer remains dissatisfied with a decision this can be reviewed by a 2-person panel – a Senior Manager with a Member of the Scrutiny Panel. A customer must escalate within 7 working days. The customer can be accompanied with a person of their choice. Response to a review is within 15 working days
Internal Process Ends			
Housing Ombudsman	The right to access throughout process	Ombudsman	Dispute Resolution Standards

APPROPRIATE REMEDY

When investigating a complaint, consideration will be given to a range of remedies that may be appropriate, we will:

- Apologise immediately when we have made a mistake or let people down and put things right
- Where appropriate offer financial compensation

We will respond to a complaint when the answer is known, which includes what will

happen and by when. Occasionally there may be a need to commission an external, independent investigator where there is a particularly complex issue or there is a need for an extra level of independence.

In such instances we will continue to track actions and keep the customer regularly updated until completion.

COMPLIMENTS

Compliments are important to us as they show where we are getting things right and recognise the hard work of people working to provide services. BCHG will record Compliments, give staff positive feedback, and publicise this.

CONTINUOUS LEARNING AND IMPROVEMENT

BCHG aims to support a positive complaint handling culture by placing learning and improvement at the heart of this. This will include:

- Two reports to senior managers and Board that considers the themes or trends to identify any systemic issues, serious risks, or areas for improvement for appropriate action.
- Proactively use learning from complaints to revise policies and procedures, to train staff and contractors and to improve communication and record-keeping.
- Annual completion Complaint Handling Code Self-Assessment
- Resident Scrutiny Voice Panel will receive 2 reports a year on complaints and will review any FastTrack complaints to ensure compliance with this Policy and to make recommendations for future handling and management of complaints to Management.
- Sharing learning with the complainant and widely with customers.

INDICATORS OF SUCCESS:

- Positive feedback from users of the Policy
- A continuing trend of learning and improvement
- Staff empowered to make decisions

MANAGING UNREASONABLE COMPLAINANTS

The inclusion of this section within the policy is to ensure those customers who pursue complaints in an unreasonable manner understand it is not acceptable and the right of staff to be protected.

BCHG will respond in a conciliatory way and offer appropriate support, including Mediation/Restorative Justice to resolve issues, each case will be looked at on its own merit.

DATA PROTECTION

Confidentiality and data protection apply to the complaints process; we will not share personal or property information gathered as part of the complaint investigation with any third party who is not entitled to receive it, in line with data protection legislation.

CUSTOMER CONSULTATION

BCHG consulted customers that had used the complaint service and feedback of their experience. An independent survey was undertaken to gauge customer satisfaction with the way complaints were handled. The general complaint handling principles were agreed with the Resident Scrutiny Voice Panel.

EQUALITY IMPLICATIONS

Screening equality impact assessment has been reviewed to ensure that no groups or individuals will be negatively impacted because of this policy. There is no evidence this Policy will act adversely to any group. The monitoring log of complaints will help understand this moving forward.

Where there is any potential impact on groups or an individual, we will consider what reasonable adjustments can be made, detailed in our Reasonable Adjustment Policy.

REVIEW OF POLICY

Review of this Policy is every three years led by the Head of Customer Voice