Complaints, Compliments, Suggestions and Feedback Policy

Policy Details	
Policy Name	Complaints, Compliments, Suggestions and Feedback Policy
This policy is applicable to	BCT staff, customers and contractors.
Author name	Philip Pollard
Author job title	Director of Operations
Authorised by	Board
Date Authorised	
Version Number	1
Frequency of review	Every 3 years
Date of next review	December 2022
Responsible Officer(s) for implementation	Head of Housing and Communities
Key related documents	• Code of Conduct Policy • GDPR and Data Protection Policy

Document change history		
Version	**Date**	**Changed sections**
1.0 (original)	November 2019	

1. Policy Statement

1.1 This policy sets out the Byker Community Trust (BCT) approach to dealing with complaints, compliments, suggestions and feedback. It has been developed in conjunction with the Customer Scrutiny Committee (CSC) review of the BCT Complaints, Compliments and Suggestions Policy.

1.2 The policy aims to provide an effective approach to complaint resolution service that is clear, simple and accessible and ensures that complaints are resolved promptly, politely and fairly.

1.3 The policy ensures that an open, non-defensive learning culture is embedded across the organisation. It will do this by having the necessary procedures and staff training that: recognises and celebrate success; welcomes complaints as a valuable learning tool and helps meet customer expectations by being clear on roles, responsibilities and service standards.

2. Purpose of the policy

2.1 The purpose of this policy is to provide an approach for dealing with complaints, compliments, suggestions and feedback. An approach that is:

- Consistent in how BCT handle complaints, compliments, suggestions and feedback.
- Non-discriminatory.
- Easily accessible and well publicised.
- Simple to understand and use.
- Allows timely handling, with established service standards for timescales of responses and ensures customers are informed of progress.
- Ensures a full and thorough investigation.
- Respects customer confidentiality.
- Provides an effective response and appropriate recompense.
- Provides information to all BCT staff so that services can be continuously improved.
- Follows the Housing Ombudsman's dispute resolution principles.
- Meets regulatory requirements.
- Delivers a better service to customers by monitoring and measuring complaints, compliments, suggestions and feedback.

3. Policy detail - What is a complaint?

3.1 BCT operates a complaints process covering issues relating to:

- A failure to comply with policy, procedure or standards of service delivery.
- A decision, which the complainant believes, is not fair or clear to them.
- The behaviour of BCT staff or contractors.

4. How to make a complaint

4.1 BCT will make every effort to make sure all tenants are able to access the complaints process and are aware of their rights and responsibilities. Staff are trained to welcome and deal with all types of feedback both positive and negative in a supportive, non-judgemental and non-defensive manner.

BCT offer a range of ways for tenants to express a complaint:

- Face to face with any member of staff.
- By telephone.
- In writing.
- By using the website.
- Via social media Inc. Facebook/Twitter*
- Via a Councillor or MP or other third party (with authorised consent).
- By completing a Complaint Form that can be picked up in BCT reception.

**Complaints received via social media inbox will be treated in the same way as a written complaint.*

All of the above details can be found in section 20.0 Useful contacts.

4.2 BCT will accept complaints from a customer's authorised representative.

4.3 We will accept anonymous complaints, even though it can be difficult to conduct a full investigation without knowing the identity of the complainant. If a customer approaches BCT with a complaint but wishes to remain anonymous, BCT will explain the process to the complainant and ask how they want to be advised of the outcome of an investigation. Where we do not have any details of the complainant BCT staff will still log and investigate the complaint.

4.4 BCT will support the principle of customers seeking assistance and support from third parties, such as; Citizens Advice Bureau, in pursuing a complaint. All third party requests must be supported by a third party declaration form before BCT will share any information.

4.5 Customers should endeavour to be as clear as possible if submitting a complaint in writing. This will enable a timely and efficient response.

5. Who can complain?

5.1 Anyone who may have been affected by a service that BCT provide.

6. Complaints we will investigate

6.1 The following is a guide to the range of complaints that BCT will consider:

- Failure to provide a service or to achieve the required standards or quality.
- Employee's attitudes and their actions or lack of action relating to a service.
- Dissatisfaction with the way in which our standards and procedures have been adhered to.
- Dissatisfaction with our policies.
- Alleged discrimination.

7. Complaints we will not investigate

7.1 The following is a guide to what is excluded from the complaints procedure:

- A first time request for a service.
- A request for information or an explanation.

- A matter being dealt with through legal action or an insurance claim, or is currently subject to legal action, an insurance claim or a claim for damages.
- Dissatisfaction with a decision where a complainant has not used the relevant review procedure e.g. if a customer is not happy with a rent increase/decrease letter an alternative appeals procedure exists.
- Complaints about services provided by individuals/companies not within our control e.g. utility companies, Local Authorities etc.
- Expressions of dissatisfaction about our decision to take legal action or the outcome of legal action.

8. What BCT will do when a customer makes a complaint

8.1 When BCT receives a complaint it will be logged within 24 hours if received on a weekday or by close of business on a Monday if received on a Saturday or Sunday.

8.2 Informal Stage - If this is a first complaint a member of BCT staff will contact you within 24 hours with the aim of resolving the complaint immediately or as soon as practically possible. This stage is an opportunity for BCT to deal with and attempt to resolve a complaint at the first point of contact. This informal stage has a target date of being resolved within 5 working days. BCT will ensure that the complaint is investigated as quickly as possible to avoid further dissatisfaction or escalation of the complaint.

8.3 Formal Stage 1 - If a customer feels that BCT has not listened or resolved the initial complaint or if the complaint is recurring following the informal stage, it will be logged as a Formal Stage 1 complaint.

BCT will:

- Record the complaint and send out an acknowledgement within 2 working days, informing the customer who will be investigating the complaint and provide a reference number.
- Allocate the complaint to a manager who will contact the customer if appropriate and this may include a home visit.
- Fully investigate the complaint and provide a response within 10 working days.

8.4 Formal Stage 2 – If a complaint is still not resolved and a customer asks for a further review, BCT will:

- Record the complaint and send out an acknowledgement within 2 working days, informing the customer which member of staff will be investigating the complaint and provide a reference number.
- Allocate the complaint to a Director who will contact the customer if appropriate and this may include a home visit.
- Fully investigate the complaint and provide a response within 10 working days.

8.5 If a customer does not believe that their complaint has been dealt with adequately after exhausting the complaints process, they may wish to contact the Housing Ombudsman or designated person. Customers will be provided with information about this as part of the stage 2 response letter.

8.6 After exhausting stage 2 of the complaints process, complaints can be reviewed locally by a ‘designated person’ or the Ombudsman. A designated person can be an MP or a local Councillor. The designated person may help resolve the complaint directly, may refer the

complaint to the Ombudsman, or may decline doing either. In the latter case, the complainant may approach the Ombudsman for their consideration of the complaint. The complainant may also approach the Ombudsman directly if more than 8 weeks have elapsed since the completion of the internal procedure.

9. Complaint decisions

9.1 BCT categorise complaint decisions into the following:

- **Complaint upheld** – this is where BCT agree that the complaint was justified.
- **Complaint not upheld** – this is where BCT do not agree that the complaint was justified.

10. Persistent or Vexatious Complainants

10.1 BCT may refuse to deal with a persistent or vexatious complainant. This may be when difficulty is caused by unreasonably persistent behaviour that is time consuming to manage and interferes with proper consideration of the complaint.

Examples may include:

- Refusing to specify the grounds of a complaint, despite offers of help.
- Refusing to co-operate with the complaints investigation process.
- Refusing to accept that certain issues are not within the scope of a complaints procedure.
- Insisting on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- Making unjustified complaints about staff who are trying to deal with the issues, and seeking to have them replaced.
- Changing the basis of the complaint as the investigation proceeds.
- Denying or changing statements he or she made at an earlier stage.
- Introducing trivial or irrelevant new information at a later stage.
- Raising many detailed but unimportant questions, and insisting that they are all answered.
- Submitting falsified documents from themselves or others.
- Adopting a 'scatter gun' approach: pursuing parallel complaints on the same issue with various organisations.
- Making excessive demands on the time and resources of staff with lengthy phone calls, emails to numerous BCT staff, or detailed letters every few days, and expecting immediate responses.
- Submitting repeat complaints with minor additions/variations the complainant insists make these 'new' complaints.
- Refusing to accept the decision; repeatedly arguing points with no new evidence.

11. General guidelines and information

11.1 In order for a complaint to escalate to stage 2 of the procedure, the complainant must demonstrate that BCT have not:

- Fully investigated all parts of the original complaint.
- Have not provided and detailed a full response and/or disagree with the outcome.

11.2 The customer should explain what they would like the outcome of the complaint to be at each stage.

11.3 When escalating a complaint, customers may not 'add in new or additional concerns or allegations' to be investigated. Any new or additional concerns or allegations must be treated as a separate complaint (i.e. given a new reference number and investigated first at the informal stage).

11.4 If a complaint is not upheld and BCT's reason for this is not subjective, BCT will not escalate a complaint.

11.5 BCT understand that some complainants may not be able to articulate their thoughts and feelings in writing. We must always offer customers the opportunity to speak and/or meet with us so they can articulate their dissatisfaction.

11.6 If a complaint is particularly complicated or in exceptional circumstances, it may take longer to investigate than the published timescales. BCT will write to a complainant to inform them, provide a reason why and advise them of an extension and provide a new reply date. BCT must do this before the original reply timescale has elapsed. The reply date may be extended by a maximum of 10 working days.

11.7 Staff members that are the subject of a complaint cannot investigate that specific complaint.

11.8 If BCT have upheld a complaint, apologised to the customer (addressed all the issues raised) and informed them of the lessons learned in writing, then the complaint cannot be progressed to the next stage.

11.9 If a customer complains about the way in which a complaint was handled or disagrees with the complaints process (e.g. if the customer feels timescales were not met or feels that the incorrect person responded to a complaint), it will not be escalated to the next stage of the complaints process. It will be treated as a separate complaint (i.e. given a new reference number, investigated at the informal stage and investigated by a different manager).

11.10 If BCT have formally dealt with a complaint (at stage 1/stage 2), BCT will not deal with repeated submissions of the same complaint (BCT will inform the customer of this in writing).

11.11 A complaint made in the form of a petition on behalf of multiple customers will be treated as one complaint. Communications will be directed to the nominated signatory of the petition.

11.12 If a customer complains about several subjects at once (in the same piece of correspondence), the correct officer to investigate is the officer whose service area is affected most.

11.13 If legal advice/insurance advice is needed after receipt of a complaint, the complaints process may be delayed until the advice is received. The complainant must be notified of this in writing.

11.14 All complaints BCT receive are very important. Correspondence from public officials and external stakeholders should be actioned by the relevant manager. The manager must inform their Director of the complaint. The manager must obtain prior approval from their Director before any response is provided.

11.15 Public officials such as MPs and Councillors and other third party representation must always provide written consent from a customer before requesting any information on their behalf. BCT must have written consent prior to providing any information.

11.16 BCT require any contractor that provides services on our behalf to comply with this policy by:

- Recording and responding to customer feedback when required.
- Providing BCT with any information relating to a complaint when requested.
- Assisting BCT with complaints investigations as appropriate.

11.17 Complainants have a right to ask for personal information associated with their complaint. To do this they must make a Subject Access Request. There will be no charge for this service.

11.18 BCT reserve the right to deal with a complaint differently (outside this policy) if circumstances require this. In such a rare case, BCT will record why we have dealt with the complaint differently and inform the complainant accordingly in writing.

12. Timescales for escalating complaints

12.1 Complaints must be raised within 1 month or as close as possible to the point when the first issue occurred.

12.2 If a complainant wishes to proceed to the next stage, they must do this within 10 working days of receiving the prior stage response.

12.3 In cases where a complainant can demonstrate a good reason for delaying the decision to escalate a complaint then the matter may still be considered.

13. Compliments

13.1 Customer views are important to BCT and we like to know if customers have received an excellent service, or if our staff have been especially polite or helpful. This will enable BCT to thank the member of staff for treating customers well.

13.2 Compliments are important to BCT as they show when we are getting things right and recognise the hard work of people providing excellent services.

13.3 A central record of all compliments will be held on BCT's ICT system. All compliments are logged on the day that they are received (or the nearest working day) and shared with the relevant manager to cascade to their team.

13.4 BCT will reply in writing to acknowledge a written compliment and if related to a member of staff they will also be informed.

14. Suggestions

14.1 It is important to BCT to hear customer views. Especially if they are suggestions about how we can improve our services to our customers.

14.2 Customer suggestions can help us to shape the services that we deliver and bring about change to processes or a policy or even a change or addition to a service we offer.

14.3 A central record of all suggestions will be held on BCT's ICT system. All suggestions are logged on the day they are received (or the nearest working day) and shared with the relevant manager to cascade to their team.

14.4 BCT will reply in writing to acknowledge a written suggestion and let you know if we implement it.

14.5 Any suggestion from a customer that is implemented may result in them receiving a gift voucher as a way of a thank you.

15. Monitoring and Review

15.1 This policy will be reviewed at least every 3 years. The review will be brought forward if there are significant changes to good practice, regulatory or legislative requirements.

- On at least a quarterly basis complaint, compliment, suggestion and feedback information will be reported to Board and the Customer Scrutiny Committee.
- BCT will publish the number, nature and any outcomes of complaints in:
  - Our reception area on a monthly basis
  - Our quarterly newsletters
  - The Annual Report to Tenants
- Each year BCT will publish information about the number, nature and outcome of complaints (as required as part of the Regulator's Tenant Involvement and Empowerment Standard).
- The Chief Executive is responsible for delegating the monitoring, review and implementation of this policy.

16. Equality and Diversity

16.1 "This policy is implemented in line with the Equality and Diversity Policy and associated legislation. Consideration will be given to all protected characteristics under the Equality Act 2010 to eliminate discrimination, advance equality of opportunity and foster good relations.

16.2 This policy and associated documents are available in different languages and alternative formats where necessary."

17. Data Protection and Privacy

17.1 "We have a clear policy on data protection and sharing data with other partners/outside agencies under the requirements of the Data Protection Act 1998. This is clearly set out in our Data Management Policy which, along with the supporting Data Management Guidelines, which must be followed throughout the operation of this policy."

18. References

- Localism Act.
- Equality Act.
- Housing Ombudsman guidance.
- Regulatory Framework.
- Tenancy Agreement
- Tenants Handbook.

- Leaseholders Handbook.
- Tenant Involvement and Empowerment Standard

19. Useful Contacts

Byker Community Trust

Byker Community Trust Office
17 Raby Cross
Byker
Newcastle-upon-Tyne
NE6 2FF

Telephone: 0800 533 5442 (option 3)
Email: customerservices@bykerct.co.uk
Twitter: @BykerTrust
Facebook: Byker Community Trust

Ombudsman

Housing Ombudsman Service
81 Aldwych
London
WC2B 4HN

Telephone: 0300 111 3000
Fax: 020 7831 1942
Email: info@housing-ombudsman.org.uk

Local Councillors - Byker

Cllr Nick Kemp
29 Alexandra Road
Heaton
Newcastle Upon Tyne
NE6 5QS

Phone: 0191 240 3068

Mobile: 0777 621 3186
Email: nick.kemp@newcastle.gov.uk

Cllr Veronica Dunn
18 Merchants Wharf
St Peters Basin
Newcastle Upon Tyne
NE6 1TR

Phone: 0191 276 1358
Email: veronica.dunn@newcastle.gov.uk

MP

Nick Brown MP
House of Commons
London
SW1A 0AA

Telephone: 0191 261 1408
E-mail: nickbrownmp@parliament.uk