

COMPLAINTS AND COMPENSATION POLICY

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1 Statement of Intent

- 1.1 The Group is committed to delivering a high quality service to its customers and to continually improve its service. The Group recognises that things can go wrong and welcomes complaints and comments from customers about its service.
- 1.2 The Group is committed to listening to its customers, and views complaints as free feedback about its service. We will aim to use comments and complaints, where possible, to improve service.

2 Introduction

- 2.1 The Group is committed to investigating all complaints fully and fairly and has established a procedure for dealing with complaints which provides clear stages for progression of a complaint.
- 2.2 This policy sets out a framework for complaints to be made and dealt with and lays out:
 - The Group's approach for dealing with complaints.
 - Who can complain?
 - The Group's definition of a complaint.
 - How the Group will publicise its complaints policy.
 - Recording complaints.
 - The Group's complaints and compensation procedures.

3 Our approach to dealing with complaints:

- To investigate all complaints fully and fairly.
- To provide a remedy based, where possible, on what the customer wants.
- To restore the customer's confidence in us for the future.
- To view complaints positively and as an opportunity to listen to our customers and improve services or systems.
- To encourage staff to 'own' complaints and to deal with them quickly.

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- To recognise that handling complaints is an important part of customer care and of each member of staff's job.
- To record complaints consistently and in detail, to learn from them and to take the opportunity to improve our services. An emphasis on learning not blaming.
- To widely publicise our policy and to make it accessible offering customers a range of options when complaining including in person, by phone, in writing, or via a third party.

4 **Who can complain?**

4.1 The Group's policy applies to:

- a) anyone who receives a service from the Group including tenants, leaseholders, applicants or ex-tenants.
- b) anyone who is affected by the Group's decisions or actions including non-tenant neighbours and job applicants. Such complainants, i.e. those people not included in (a) above, will not be able to proceed beyond Stage Two of the Complaints Procedure.

4.2 Complaints will normally only be accepted within six months of the source of the initial dissatisfaction, or within six months of the dissatisfaction being brought to the attention of the complainant.

4.3 The Group reserves the right to deal with complaints in a different way, or to refuse to deal with them altogether if they are pursued unreasonably, or in an unacceptable manner, e.g. if the complainant acts in an aggressive or abusive manner towards staff whilst making the complaint. Any such decision will be conveyed in writing by a director or senior manager, to the complainant. It will not normally affect the complainant's right to submit future complaints.

4.4 This policy does not cover anonymous complaints or internal Group complaints.

5 **What is a complaint?**

5.1 The Group's definition of a complaint is:

Any dissatisfaction expressed by a service user, or someone affected by our actions / decisions, about an aspect of our service, policies, or actions / decisions which they want us to treat as a complaint.

5.2 A complaint could be a report to the Group that:

- we have failed to respond to their initial enquiries
- our staff were unhelpful or discourteous

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- we have failed to meet one of our guarantees in the Group's Customer Charter
- we gave erroneous, misleading or unsuitable advice
- our policies / procedures are defective or unfair
- they feel aggrieved by our actions / decisions

5.3 Maidenhead & District Housing Residents' Association Executive Committee must ensure that they comply with their Code of Conduct. This can be found on the neighboursandneighbourhoods.co.uk website. Complaints of malpractice or allegations of impropriety under this code of conduct or its intent should be made in the first instance to the Chair and the Secretary of the Residents' Association and then dealt with by the whole Residents' Executive Committee.

5.4 A distinction must be made between a request for a service, or an enquiry and a complaint.

5.5 We recognise that some complaints can easily be solved when we are made aware of the problem by the complainant. Where a complainant does not wish a complaint to be treated as a formal complaint it will still be logged as an 'informal complaint' to ensure that the Group can monitor trends and learning.

6 Publicising our complaints policy

6.1 We will widely publicise our complaints policy & procedures through:

- a complaints leaflet
- posters in reception and other public areas
- publicity in our residents' newsletter - Streets Ahead.

We will make it as accessible as possible for complainants offering a range of options for reporting complaints including:

- the phone
- in person
- in writing
- by fax
- e-mail
- through a third party.

7 Recording complaints

7.2 The Group wants to learn from and take the opportunity to improve its services and will consistently record and monitor every complaint received including:

- the nature of the complaint,
- the action taken, (including how quickly we dealt with it),

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- the outcome and lessons learnt,
- household details.

7.3 An annual summary of all complaints will be produced for both tenants and board members. This will include information on:

- the number and type of complaints,
- how quickly they were dealt with,
- actions taken as a result of complaints,
- lessons learnt.

8 Complaints procedures

8.3 The Group's complaints procedures establishes:

- a three stage approach for handling complaints with timescales,
- complaints co-ordinators and deputy co-ordinators for each team to record and monitor complaints,
- a system for recording and monitoring complaints,
- some dos and don'ts.

8.4 The Complaints Procedure is attached at Appendix One.

9 Compensation

9.3 The Group believes that compensation should be available to those customers who have been substantially affected by failures in our service delivery. The award of compensation will be considered where financial loss or severe inconvenience is caused by that service delivery failure. This compensation may be financial or non-financial. Awards will normally be made subject to a clear rent account. If there are arrears on the account, any compensation will normally be credited to the rent account.

9.4 We are committed to managing our resources effectively. We will endeavour to keep the costs of running our compensation scheme to a minimum, whilst at the same time ensuring that all claims are dealt with fairly and equitably.

9.5 To achieve this we will:

- learn from the situations when we have paid compensation and take steps to reduce the risk of them happening again
- ensure the size of payments are kept to fair and reasonable levels
- offer other sources of redress when appropriate.

9.6 This policy does not replace:

- The Compensation for failure to repair policy

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- Payment for improvements
- Payments due under home loss and disturbance allowances

9.7 The Group's compensation procedure sets out:

- the circumstances in which we will award compensation,
- the types of and limits on the amount of compensation available.

9.8 The Compensation Procedure is attached at Appendix 2.

10 Training

10.1 All new employers to the Group will receive training on 'our approach to complaints' at induction.

10.2 Group employees and Board members will receive complaints refresher training at two-yearly intervals, or as required if procedures change.

11 Equality & Diversity

11.2 Housing Solutions Group is committed to a policy of fair and equal treatment for all its members, tenants, employees and applicants, regardless of religion, sexual orientation, age, class, racial origin, sex, disability or marital status as determined in the Equal Opportunities Strategy.

12 Review

12.2 The Group will continue to monitor the effectiveness of its Complaints and Compensation policy. The Complaints and Compensation Policy will be reviewed on a three yearly basis or in response to changes in legislation, regulatory guidance, good practice or changes in other relevant Housing Solutions Group policy.

Complaints & Compensation Policy - Appendix 1 Complaints Procedure

1 Recording and monitoring complaints

- 1.1 The Service Performance Assistant acts as the **central complaints co-ordinator**, and in this role monitors the progress of all complaints through the system, to ensure they are dealt with within the allotted timescale. The Service Performance Assistant also monitors and reports on complaints by 'type', department, and self profile of complainant, to ensure that any service areas that require review are highlighted. The Service Performance Assistant issues and analyses feedback obtained from the Complaint Feedback Form's, to assess the effectiveness of the policy and procedures, and our performance in handling complaints. The Service Performance Assistant will co-ordinate and facilitate induction and refresher training.
- 1.2 Each team has a nominated **complaints co-ordinator** and a **deputy complaints co-ordinator**, responsible for recording and monitoring the progress of all complaints to their department, and ensuring that a response is made to the complainant within the agreed timescale. Departmental complaints co-ordinators are also responsible for liaising with other teams in the event of a complaint that involves more than one team, and will regularly raise the profile of complaints performance and good practice at team meetings.
- 1.3 Names and contact details of the complaints co-ordinators and deputy co-ordinators can be found on the Service Performance page of the intranet and is made available to all new staff as part of the induction process.
- 1.4 The role of the complaints co-ordinators is:
- to log complaints received in their service area;
 - to monitor the case and feedback information to the central complaints co-ordinator, including:
 - the action taken,
 - the stage it has reached,
 - the date resolved,
 - the outcome;
 - to collate the details on each complaint on the complaints database.
- Their role is not, however, to resolve the complaint.**
- 1.5 If the staff member dealing with the complaint leaves the company or takes leave during the investigation the complaints co-ordinator should re-allocate the complaint and advise the complainant.

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- 1.6 If a customer requires help with their complaint i.e. they are having difficulties understanding the procedure / not sure who to contact, they should be referred to the Community Liaison Officer.

2 How our complaints procedure works

2 STAGE ONE

- 2.1 It is recognised that the people who are best able to deal with a complaint are those who provide the service and it is anticipated that the majority of complaints will be resolved at this stage.

- 2.2 We are happy for customers to contact us:

- by phone,
- in person,
- via e-mail
- in writing,
- through a third party.

- 2.3 The customer's authorisation must be obtained before discussing any complaint with a third party.

- 2.4 Designated staff responsible for investigating and replying to stage one complaints are:

Accounts Supervisor	Financial Controller
Planned Maintenance Manager	Home Ownership Manager
Gas and Plumbing Manager	Lettings Manager
Electrical Manager	Head of Housing Services
Customer Services Manager	HR Manager
Development Project Manager	PR and Marketing Manager
Senior Development Project Manager	Income Management Co-operative & External Contracts Manager
Bridgewater Housing Manager	Senior Financial Accountant
Facilities Team Leader	Contract Services Manager
Community Liaison Officer	

- 2.5 All complaints, whether reported in writing or verbally, will be recorded.

3 Recording complaints

- 3.1 A copy of the complaints letter should be made and passed to the complaints co-ordinator within 24 hours.
- 3.2 If the complaint was made verbally or by a third party, details should be recorded onto a complaint monitoring form and a copy supplied to the

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complaints co-ordinator within 24 hours of the complaint being received.

- 3.3 The complaints co-ordinator will input details of the complaint onto the central complaints database (see appendix 5 for database procedures), and the complaint will be assigned a unique reference number. Details of complaints logged on the database should be factually accurate and free from subjective comments. No judgement on the merits or otherwise of the complaint or complainant should be recorded on the database.
- 3.4 The complainant should also receive a phone call and an acknowledgement letter (see appendix 3) within 3 days advising them:
 - that we have received their complaint
 - who is dealing with their complaint,
 - when they can expect a full response.
- 3.5 A phone call can also be a good opportunity to clarify any points we may be unsure about.
- 3.6 If the complaint covers **more than one service area** it is important that complaints co-ordinators liaise with the other department (s) and agree together how we will approach it. e.g. who will respond?
- 3.7 **We aim to provide a full response within 15 working days** (using the letter template in appendix 3).
- 3.8 If it is not possible to reply within 15 days, we will advise the customer of the delay and when they can expect a reply.
- 3.9 The outcome of the investigation must be recorded and copies passed to the relevant complaints co-ordinator.
- 3.10 **Remember:** Picking up the phone can be a quicker, cheaper and more effective way of dealing with a complaint. It can also be a useful way to clarify any aspect of the complaint or the outcome sought.
- 3.11 **If contact is made by phone:**
 - Remember to record details of the call straight away.
 - please ensure that these notes are passed onto the complaints co-ordinator.
 - In all cases a letter confirming the details of the telephone call (i.e. the Association's response to the complaint) should also be sent.
- 3.12 **If a response is made in writing:**
 - ensure that a copy of the letter is passed to the Departmental Complaints Co-ordinator.

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- The Departmental Complaints Co-ordinator should send a copy of the letter to the Central Complaints Co-ordinator when notifying them that the complaint has closed.
- 3.13 If the complainant remains unhappy and wishes to proceed to the next stage in the complaints procedure, they must contact the Group within one calendar month of receiving the response to their complaint at Stage One. If no such request to escalate the complaint is made within one calendar month, the complaints co-ordinator will close the complaint. If the complainant seeks to take the complaint to the next stage but does so after the deadline for their response, they will normally be required to take their complaint back to the beginning of the complaints procedure.

4 STAGE TWO

- 4.1 The appropriate Head of Service, Director, or the Chief Executive, will investigate and reply to stage 2 complaints
- 4.2 All stage 2 complaints, whether reported in writing or verbally, must be:
- recorded and information supplied to the complaints co-ordinator within 24 hours of the complaint being received;
 - the complaints co-ordinator will have all the paperwork from stage 1;
 - the complaints co-ordinator should check to ensure that the complaint has been through stage one. If not, the complaint must be referred to the first stage and the complainant advised.

5 Recording complaints

- 5.1 A copy of the complaints letter should be made and passed to the complaints co-ordinator within 24 hours.
- 5.2 If the complaint was made verbally or by a third party, details should be recorded onto a complaint monitoring form and a copy supplied to the complaints co-ordinator within 24 hours of the complaint being received.
- 5.3 The complaints co-ordinator will update details of the complaint on the central complaints database, and the stage will be amended. The complaint will keep the unique reference number it held at Stage One.
- 5.4 The complainant should also receive either a phone call or an acknowledgement letter (using template letter in appendix 3) within 3 days advising them:
- that we have received their request for their complaint to be investigated at the next stage, and have progressed it to Stage 2 of our complaints procedure
 - who is dealing with their complaint,

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- when they can expect a full response.
- 5.5 If the complaint covers **more than one service area** it is important that complaints co-ordinators liaise with the other department (s) and agree together how we will approach it. e.g. who will respond?
- 5.6 **We aim to provide a full response within 15 working days** (using template letter in appendix 3).
- 5.7 If it is not possible to reply within 15 days, we will advise the customer of the delay and when they can expect a reply.
- 5.8 The outcome of the investigation must be recorded and copies passed to the relevant complaints co-ordinator.
- 5.9 If the complainant remains unhappy and wishes to proceed to the next stage in the complaints procedure, they must contact the Group within one calendar month of receiving the response to their complaint at Stage Two. If no such request to escalate the complaint is made within one calendar month, the complaints co-ordinator will close the complaint. If the complainant seeks to take the complaint to the next stage but does so after the deadline for their response, they will normally be required to take their complaint back to the beginning of the complaints procedure.

6 STAGE THREE

- 6.1 If the customer is still not satisfied, they may request the matter be considered by the Groups Appeals Panel.
- 6.2 The Chief Executive's P.A. will arrange a meeting of the Board's Appeals Panel as soon as possible.
- 6.3 Membership of the Appeals Panel: The membership of the Panel will normally comprise at least 4 Board Members, at least one of which must be a Tenant Board Member, and a quorum will be 2 Members. Substitute Members will be permitted with the Board or Panel Chairman's prior agreement in the case of Member unavailability.
- 6.4 A Secretary will be appointed, and will be in attendance to take minutes and advise all parties on procedural issues. The Secretary will be a Director of the Association or nominated Senior Manager, who must not have been involved in the case during the previous stages.
- 6.5 A Director of the Group or nominated Manager will be invited to attend the Appeals Panel meeting to present the Groups case. The complainant will be invited to attend the Appeals Panel meeting to present their case.

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- 6.6 The Panel may invite any staff member of the Group to the Appeals Panel meeting to give evidence. The staff member giving evidence will attend the Appeals Panel meeting only for the purpose of giving such evidence, and will be asked to leave as soon as they have done so.
- 6.7 The outcome of the investigation must be recorded and copies passed to the relevant complaints co-ordinator.
- 6.8 The Appeals Panel will aim to set out their conclusions in writing to the complainant within 10 working days of the hearing. As soon as the final decision has been issued, the complaints co-ordinator will close the case.
- 6.9 The Appeals Panel Procedure is attached at Appendix Four.
- 6.10 This is the end of our Complaints Process**
- 6.11 If the customer is still unhappy with the outcome, they can refer the matter to The Housing Ombudsman Service. **The Ombudsman will not normally investigate the complaint until our own procedure has been exhausted.**
- 6.12 The Independent Housing Ombudsman can be contacted at:
020 7421 3800 or info@housing-ombudsman.org.uk
More information can be found on the website <http://www.ihos.org.uk>

Complaints & Compensation Policy - Appendix 2

Compensation Procedures

1 Types of Compensation

1.1 Set Payments

1.1.1 Set compensation will be made in recognition of the inconvenience caused to a customer and will be paid in the following circumstances:

- Officers' failure to keep appointments
- Tradespersons' failure to keep appointments
- Contractors' failure to keep appointments.

1.1.2 We will pay £10 where our staff or contractors, unreasonably, fail to keep an appointment.

1.2 Discretionary payments

1.2.1 In some instances, following investigations of a complaint, the Association may decide to offer discretionary payments. Payments will be considered under the following circumstances, where this gives rise to a financial loss or severe inconvenience to the customer:

- officers/tradesmen's failure to keep appointments
- continued failure to keep customers informed when there is a delay in providing a service
- failure to respond to a complaint within specified timescales
- Failure of staff to follow published procedures
- Failure of staff to act in a reasonable manner
- Failure on the part of any contractor or agent acting on behalf of the Association.

1.2.2 Levels of compensation will be at the discretion of the relevant person considering the complaint as detailed below:

- a) Up to £25.00 – Any officer responsible for the case
- b) Up to £500.00 – The Manager investigating the complaint
- c) Up to £1000 – Group Directors
- d) Over £1000 – Group Chief Executive

1.3 Recording

1.3.1 If an investigating officer feels it is appropriate to make an offer of a discretionary compensation payment, the complaints co-ordinator must firstly log the details of the complaint (or situation which warrants a compensation payment) onto the central complaints database.

1.3.2 Complaints co-ordinators must liaise with managers to ensure that we are not incurring any liability in cases which may proceed to an insurance claim, **before** any discretionary compensation payments are offered or made.

1.3.3 Complaints co-ordinators are then responsible for obtaining the payment from the Finance Department, and can then pass it to the investigating officer for sending out with a covering letter.

1.4 **Reporting**

1.4.1 The number of payments made will be recorded by department and service area, and will be reported monthly alongside the complaints report.

Complaints & Compensation Policy - Appendix 3 Standard Letters

COMPLAINT LETTER – STAGE ONE ACKNOWLEDGEMENT

Date

Title Name

Address

Address

Address

Address

Dear Title Name

RE: Complaint Reference (No.) – Stage One

Thank you for (a) your letter of (b) your telephone call of (c) your email of (d) raising your concerns with us when we visited you/you visited us on (date).

I regret that you have had to complain about our services/policies/staff and can assure you that the matter will receive our full attention.

(Name of investigating officer) will be investigating the issues raised and will write back to you with his/her findings. We aim to give a full response by (date response expected). If a full response is likely to take longer we will contact you to agree a revised date.

I would like to emphasize that we value all complaints and aim to continually improve our service.

The matter has been recorded under Reference (No.) at Stage One of our Complaints Procedure and I attach a leaflet which summarises the procedure for your information.

If you would like to discuss this letter further or have any queries about the process, please do not hesitate to contact me on (freephone no.)

Yours sincerely

COMPLAINTS COORDINATOR NAME

Complaints Coordinator job title

Tel: 01628 ??????

Fax: 01628 ??????

Email:

Stage 1 Response Letter

Date

Name

Address

Town

County

Postcode

Dear Mr/Mrs/Miss/Ms

Thank you for taking the time to make a formal complaint and informing us that you [have not received... / you are not happy with the condition of... / you do not feel you have been treated fairly because...]

Please accept my sincere apologies as I understand that [this situation] has caused you much inconvenience. I can assure you that I [have spoken to... / taken action to...] in order to fully investigate your complaint and its implications for our service. [Brief and unlaboured explanation of how situation occurred, supported by relevant information – N.B. do not make this defensive].

[I can guarantee that/ I am pleased to tell you that] [you are to receive [XXX] in compensation/ our contractors will be out this afternoon to carry out [the service] that you have found unsatisfactory/ I will closely monitor [this service] as a result of your complaint/ I have spoken to the member of staff that you felt treated you unfairly...]

As an organisation we work very hard to continually improve our service based on what we can learn from complaints. As a result of your complaint we will be [introducing a procedure(s) [brief description] / making [relevant information] more accessible to residents / making [this service] more flexible so as to accommodate our residents that work in the [day/evening/night]. We hope that once fully implemented this [procedure / change in our service] will prevent the situation that led to your complaint occurring again in the future.

I hope that my actions go some way to repairing our customer service relationship and if I can be of any further assistance please contact me on the number shown below.

If however you remain unhappy and would like to proceed to Stage Two of our complaints procedure, our policy requires you to contact us within one calendar month of the date of this letter. Therefore, if I do not hear from you by [XXth Month 200X] your complaint will be considered closed.

Thank you and best wishes.

Yours sincerely

Name

Job Title

Contact number

STAGE TWO ACKNOWLEDGEMENT LETTER

Date

Title Name

Address

Address

Address

Dear Title Name

RE: Complaint Reference (No.) – Stage Two

Thank you for your letter/telephone call/email requesting that your complaint is progressed to Stage Two of our complaints procedure, I am sorry that you were not satisfied with the response in our letter of (date).

As a result, (relevant director's name) our (directors job title), will fully review all the points raised and will respond to you by (date). We aim to give a full response within 15 working days. If a full response is likely to take longer we will contact you to agree a revised date.

If you would like to discuss this letter further or have any queries about the process, please do not hesitate to contact me on (freephone no.).

Yours sincerely

COMPLAINTS COORDINATOR NAME

Coordinators Job Title

Tel: 01628 ??????

Fax: 01628 ??????

Email:

STAGE TWO RESPONSE LETTER

Date

[Name
Address 1
Address 2
Address 4
Postcode]

Dear [Name]

RE: Complaint Reference [xxx] – Stage Two

As promised in (complaint coordinator's name)'s letter of (date), I am glad to be able to respond to your appeal against our initial findings to your complaint dated [date].

I was naturally concerned that you were not satisfied with the outcome of our initial investigation at Stage One as customer satisfaction is of great importance to us. I have carefully reviewed your complaint and our initial findings and am able to draw the following conclusions:-

[insert text detailing findings of stage 2 investigation explaining why any conclusions have changed or remained the same from stage 1. If offering any compensation state clearly what it is for].

I very much hope that you will be satisfied with this outcome, but if you remain dissatisfied then you may proceed to Stage Three of our complaints procedure. If you wish to do this, please contact us within one calendar month of the date of this letter explaining why you are unhappy with the above outcome.

We will assume that you are happy that the matter is resolved if we do not hear from you by (date one calendar month from date of this letter) and will close the case.

Please do not hesitate to contact me on [telephone number] if you have a further query about the matter.

Yours sincerely

[Name]
[Position]
Tel: [tel]
Fax: [fax]
Email:[email]

Complaints & Compensation Policy - Appendix Four Appeals Panel Procedure

1. Upon receipt of a request for a matter to be heard by the Board's Appeals Panel, the Chief Executives P.A. will arrange a meeting of the Appeals Panel. This meeting must be arranged as soon as possible after the final complaint has been made.
2. Prior to the meeting of the Appeals Panel, papers will be forwarded and copied to the Complainant, to allow them the opportunity to comment and forward comments to the panel before the meeting.
3. The Complainant will be invited to bring along one adviser or friend to the Appeals Panel meeting.
4. At the start of the Appeals Panel meeting, the Chair of the Appeals Panel will introduce all Members of the Panel and the Secretary, and will explain the procedure to the Complainant.
5. The Complainant will be asked to introduce him / herself together with any adviser or friend.
6. The Chair of the Appeals Panel will invite the Complainant and / or adviser / friend to state the case based on earlier written submission. A maximum of 30 minutes will be allowed, or longer at the Panel's discretion.
7. The Panel may ask questions of the Complainant / adviser / friend.
8. The relevant Director / Senior Manager of the Association will reply to the case as set out in writing and just stated. A maximum of 30 minutes will be allowed, or longer at the Panel's discretion.
9. The Panel may ask questions of the Association Director / Senior Manager.
10. Complainant and / or adviser / friend will be invited to comment on the Association's case. A maximum of 10 minutes will be allowed.
11. The Complainant and any adviser / friend and the Association's Director / Senior Manager leave the meeting.
12. The Appeals Panel deliberates on all the circumstances of the case and reaches their conclusion.
13. Their conclusions and reasons will be set out in writing and forwarded to the Complainant within 10 working days. If the Panel has not found in the favour of the Complainant, then he / she will be advised that they have the further right of appeal to the Independent Housing Ombudsman.