

**DATE: MARCH 2008**

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## COMPLAINTS POLICY & PROCEDURE

### 1.0 Strategic Links

South Lakeland District Council's Corporate Complaints Procedure.

### 2.0 Key Objectives

South Lakes Housing recognises that customers have a right to complain about the provision, or non-provision, of services. As such, South Lakes Housing aims to provide an accessible, fair and effective complaints procedure for tenants, leaseholders, Housing Register applicants and other customers. South Lakes Housing takes complaints seriously as an important part of a commitment to customer care.

### 3.0 Key Policy Standards

3.1 We aim to provide high quality services to our tenants and other customers at all times. However, we recognise that in any organisation service provision may not always be satisfactory, and to address this problem, a Complaints Policy is necessary.

The purpose of our Complaints Policy is to ensure that:-

- any customer who is not happy with the service received (or not received) from South Lakes Housing has an accessible and easy to use method for making a complaint, which offers rapid action and response;
- the customer can be confident that their complaint will be dealt with effectively and fairly, even if the outcome is not to their satisfaction;
- South Lakes Housing uses complaints positively, so that by listening to our customers and taking subsequent action to learn from our mistakes, we will continue to maintain and improve service provision and quality.

### 3.2 Definition of a Complaint

*A complaint is defined as when a customer expresses dissatisfaction about the work of South Lakes Housing and wants corrective action to be taken.*

It would include such matters as:-

- providing wrong or misleading advice;
- failure to act within agreed policies and procedures;
- delays in undertaking work which cannot be explained within the terms of policy and procedure;
- bias or inequality of treatment;
- rudeness;

- failure to keep appointments.

3.3 Areas where individuals may express dissatisfaction which would not be regarded as complaints would relate to:-

- the general law, unless wrongly applied;
- persons or bodies over which South Lakes Housing has no control;
- South Lakes Housing's overall policies (e.g. rent levels);
- matters which are, or could reasonably be expected to be the subject of court or tribunal proceedings, or which are in the hands of South Lakes Housing's insurers.

In cases where a complaint identifies a policy or procedural problem (i.e. not service delivery), South Lakes Housing will consider the situation and where appropriate, make every attempt to amend practice accordingly.

### 3.4 Complaints Procedure

3.4.1 Employees may receive complaints from customers about the standard or quality of service that they have provided. The first objective must be to try and resolve the matter informally. Where the matter cannot be so resolved to the satisfaction of the customer, information about the Complaints Procedure should be given. In the case of doubt, advice should be sought from the appropriate line manager. When dealing with a complaint, employees should follow South Lakes Housing's Complaints Procedure as set out below. To aid employees, guidance is also available - '*Employee Guidance on Handling Complaints*', see Appendix 1.

3.4.2 Complaints may be received on official forms, by letter, **email, via the web site**, telephone or personal visit, or via a Local Authority Councillor, Board Member or MP. When a face-to-face or telephone complaint is received, a complaint form should be completed. When a customer sends in a written complaint, this should be attached to a complaint form and treated in the same way.

3.4.3 All Complaint Forms will be formally registered, and an acknowledgement sent within two working days. The complaint form will then be forwarded to the officer responsible for dealing with the complaint. The responsible officer will:-

- investigate the complaint thoroughly;
- send a full reply within 5 working days of receipt of the complaint; or
- if further investigation is required, you will be informed when a full reply can be expected (usually within 10 working days of receipt, however, for full replies (which may involve outside organisations), a period of 28 days may be more appropriate ).

3.4.4 In all cases, it is the responsibility of the investigating officer to keep the customer up-to-date with the progress of their complaint, highlighting reasons for any delay.

3.4.5 In accordance with good practice, many complaints can be resolved by a telephone call or personal visit, rather than by protracted correspondence. Employees should not be afraid to admit mistakes, and should ensure that any lessons to be learned from complaints are acted upon and reported to the Board for policy changes, or appropriate alterations are made to procedures.

- 3.4.6 When a complaint is resolved orally, an appropriate record of the conversation must be made and then confirmed in writing. In all cases, customers must be informed of their right to appeal.
- 3.4.7 When the complaint has been dealt with, a copy of the reply must be recorded in the complaint register for monitoring purposes. Where appropriate this should also record whether the complaint has been upheld. The Chief Executive shall ensure that a designated officer within each section is responsible for monitoring the effectiveness of the complaints procedure, including chasing up any outstanding action, and for maintaining the complaints register.
- 3.4.8 The Chief Executive is the responsible officer for overall monitoring and will receive reports of complaints received and action taken on a monthly basis.

### 3.5 Appeals

- 3.5.1 If the customer is not satisfied with the answer they receive, they have the right to appeal to the Chief Executive. Appeals must be submitted within 21 days of the response being sent.

On receipt of the appeal the Chief Executive will:-

- log the appeal - an acknowledgement will be sent within 48 hours of receipt of the appeal;
- refer the complaint to a panel of nominated Board Members for a decision (the complainant will be invited to attend any meeting of the nominated group of Members);  
and
- following the decision, notify the complainant in accordance with the timescales stated above.

- 3.5.2 The Appeals Panel will carry out a thorough examination of the complaint, taking into account:-

- all the details provided by the complainant in support of their case;
- the circumstances behind the decisions made by South Lakes Housing's employees in response to the complaint, including any supporting documents provided by them;
- whether or not the complainant has been treated fairly;
- whether they have experienced any unreasonable delays;
- the relevant policies and procedures of South Lakes Housing.

- 3.5.3 Complainants who are not satisfied with the outcome will be advised that it is their right to make a formal complaint to the Independent Housing Ombudsman Scheme. They will be given details on how to proceed by the Chief Executive when a final decision has been made by South Lakes Housing.

### 3.6 Compensation

Where South Lakes Housing receives a complaint and the complaint is upheld following investigation, the Chief Executive (or, following a successful appeal, the Appeals Panel) will determine if the complainant should receive compensation and the amount, based on the inconvenience or loss suffered.

#### **4.0 Key Targets and Performance Indicators**

Tenant and customer satisfaction.

Comparative benchmarking performance indicators

Targets for response as set out in the policy.

Outcomes of periodic reports upon customer complaint statistics to the Board.

#### **5.0 Monitoring, Review and Consultation Process**

A record will be kept of the numbers and nature of complaints, as well as the information necessary to ensure response times are met.

The Chief Executive will draw monitoring information together so that the Board is provided with a strategic view of complaints. Periodic reports will be prepared by the Chief Executive for submission to the Board, highlighting any trends, which may suggest possible improvements in areas of service provision or practices.

Reports will be made to the Board on a regular basis covering performance against targets and indicators; the number, subject of and time taken to action complaints; the number of appeals with results; together with analysis of general feedback on South Lakes Housing's services.

The Chief Executive and Senior Management Team will ensure that the Complaints Procedure is implemented, maintained and reviewed on a regular basis.

#### **6.0 Service Development and Review Priority**

Changes to the service may take place as the result of the work of relevant Service Improvement Groups with tenant representation. The policy will be reviewed at least once every three years to ensure that it is meeting the current needs of the community, and to ensure that it takes into consideration any changes to legislation at any given time.

#### **7.0 Equality and Diversity**

South Lakes Housing recognises that there is a broad range of visible and non-visible differences that characterise its tenants. Some of these qualities include race, religion, culture, nationality, ethnic background, colour, disability, sex, sexual orientation, age, literacy and income level. By understanding and respecting this diversity it is able to set a policy which ensures that all tenants are able to access services provided by South Lakes Housing in an equitable manner.

South Lakes Housing is committed to providing information and services equally and without discrimination so that they meet the needs of all sections of the community who are either housed by South Lakeland District Council, living near properties managed by South Lakes Housing or seeking access to or information on housing services in the South Lakeland area. In carrying out all housing management policies, South Lakes Housing's Equality and Diversity Policy will be adhered to.

## Employee Guidance on Handling Complaints

### Do:

- give your name
- pursue their 'complaint'
- tell the person what will happen next
- act quickly
- get the complainant's details eg name, address
- get all the facts
- make notes
- listen
- accept complaints in any form
- stay calm even if the complainant is angry
- be sympathetic
- take the complainant seriously
- be honest
- let the person have their say
- apologise if a mistake has been made

### Don't:

- argue with the complainant
- get into a blame conversation
- undermine South Lakes Housing
- pass the complainant to another telephone number/officer
- accept abuse from a complainant eg swearing
- ask them to complain in writing or in person or come back later
- deter people from making a complaint about your section/department
- consider the complainant as a personal critic
- use jargon when writing back to the complainant