



## **Complaints, Compensation and Compliments Policy**

**December 2020**

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## 1. Policy Statement

- 1.1. Believe housing are committed to providing high quality modern services to our customers whilst making sure the customer is at the heart of everything we do.
- 1.2. We recognise that in some cases, we may not always meet our customers expectations and we need to ensure that there is an accessible, easy to follow and robust complaint and compensation policy in place to resolve matters as effectively as possible.
- 1.3. Our aim is to resolve complaints and put things right at the first attempt; however we recognise that in some cases we will need to investigate the situation further.
- 1.4. Complaints are extremely important to us. They help us to understand our performance and to focus on new ways of improving the services we deliver. We treat each complaint as an opportunity for learning and as such we will also ensure that any learning outcomes are captured and where appropriate, implemented.

## 2. Policy Aims

- 2.1. This policy recognises that a successful complaints service considers doing the right thing for our people, customers and business.
- 2.2. The policy is designed to meet the following aims:
  - Provide our customers with an easily accessible, clear and efficient complaints process
  - Provide clarity and achieve consistency in how we deal with complaints
  - Capture and implement any learning points identified from a complaint
  - To comply with current regulatory obligations for complaints
  - To provide a framework to offer compensation
  - To create a framework for recording compliments on a job well done

## 3. Scope

- 3.1. This policy relates to all parts of the organisation including services which may not actually deal directly with customers or third parties. The policy also applies to other organisations that provide services to our customers under contract or in partnership with us.

3.2. The policy will not apply where there is an appeal or grievance, or where legal proceedings are underway. The existing and relevant procedure, contract or agreement should be followed.

#### **4. Roles and responsibilities**

4.1. All employees are responsible for recognising and attempting to resolve an initial complaint and recording it on the housing management system at the first point of contact. Believe housing will try to resolve customer complaints at the first possible opportunity by empowering staff to “own it and sort it”. Everyone is encouraged to be honest and recognise where we may have made a mistake and focus on putting things right.

4.2. The Customer Insight team will deal with all complaints at stage one and above ensuring a co-ordinated and consistent approach. The Customer Insight team will work with the service area to understand how something has gone wrong and to find the best method of rectifying it. In addition, learning points captured during the complaints process will be cascaded across the business by the Customer Insight team to prevent them recurring in the future.

4.3. In cases where a contractor is providing a service on our behalf, the contractor will deal with any complaint directly in the first instance. Where a complaint requires formal investigation, the Customer Insight team will carry out the investigation whilst liaising with the contractor to provide a response to the customer.

#### **5. Complaints Process**

5.1. 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.”

5.2. Customers can raise a complaint by:

- via the customer app (Download from the app store or google play)
- email to [Feedback@believehousing.co.uk](mailto:Feedback@believehousing.co.uk)
- through any member of staff either in person or by telephone on 0300 1311 999.
- logging it on our website ([here](#)), or through our social media channels
- writing to us at believe housing, First floor, Spectrum 4, Spectrum Business Park, Seaham, SR7 7TT

5.3. Customers can ask for a representative to deal with a complaint on their behalf as long as they provide us with permission to discuss the complaint with this person.

- 5.4. The stages of our complaints process are designed to achieve a resolution for the customer as promptly and efficiently as possible. We will not usually investigate a complaint which has not been reported to us within six months of the issue occurring.
- 5.5. All formal complaints will be formally responded to in writing (by email or letter if the customer does not have internet access) however, other means of communication can be used in addition as required by the situation and the needs of the customer
- 5.6. We will investigate all complaints impartially, making sure that we consider evidence from all parties involved and provide the opportunity for anyone involved to provide their account of the situation.
- 5.7. We will keep a full record of the complaint, any review and the outcomes at each stage. This will include the original complaint and the date received; all correspondence with the resident, correspondence with other parties and any reports or surveys prepared.

#### **Own it sort it**

- 5.8. These informal issues can be dealt with through little or no investigation and sit outside of our complaints process. The aim of Own it Sort it is for each service area being responsible for investigating and resolving these issues to try and prevent it leading to a formal complaint. Examples of this may include missed appointments or call back requests.

#### **Stage One**

- 5.9. These complaints require formal investigation. This can be an escalation from the 'own it sort it' stage, for example if a rescheduled repair was missed again.
- 5.10. The Customer Insight team will work with the service area to understand how something has gone wrong and work together to find the best method of rectifying it. We will acknowledge all complaints within two working days and the Customer Insight Team will respond formally once the investigation is complete within ten working days.
- 5.11. We want to make sure that we provide a thorough, quality response which means that on occasions we may need further time to fully investigate a complaint. Where it is not possible to respond within 10 days, we will let customers know that we are extending this and give a date within an additional 10 days where we aim to get the response to them. We will keep customers regularly updated throughout the investigation.

## Stage Two

- 5.12. Stage two complaints are an escalation from stage one where a customer has provided further information or is still dissatisfied with the initial response during the stage one investigation.
- 5.13. These Complaints will be dealt with by the Customer Insight Team Leader or an appropriate senior employee, working with the service area. We will acknowledge all stage two complaints within two working days and aim to respond formally once the investigation is complete within 20 working days.
- 5.14. As with stage one, if we require further time to investigate the complaint we will inform the customer and advise of a revised date for response within an additional ten working days.
- 5.15. The purpose of stage two is to assess how the complaint has been investigated at stage one. We will also review any new information provided to assess the complaint. The overall aim is to make sure the complaint has been handled correctly, and to confirm whether the original decision is upheld or whether there is potential to achieve a resolution with the customer.

## 6. Housing Ombudsman/designated person

- 6.1. If at the end of this process the customer is still not satisfied, as with all stages of the complaints process we will inform them of the next steps. Stage two is the final stage in our internal complaint handling process.
- 6.2. If the customer remains dissatisfied with our investigation into their complaint they can request for the complaint to be escalated to a 'designated person' of their choice, or wait eight weeks and then refer the complaint directly to the Housing Ombudsman at:

Housing Ombudsman Service  
PO Box 152  
Liverpool  
L33 7WQ  
Telephone: 0300 111 3000  
Email [info@housingombudsman.org.uk](mailto:info@housingombudsman.org.uk)  
Online: [www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk)

- 6.3. A 'designated person' is either an MP or local councillor.

- 6.4. The designated person can review the previous decisions made at stages 1 and 2 and act on a customer's behalf in resolving their complaint.
- 6.5. If the customer decides to refer their complaint to a designated person, believe housing will supply details of how our decisions were made and any other relevant information. This will be supplied within 14 days of it being requested.
- 6.6. In order to protect the confidentiality of customer information, the customer will be asked to give permission to believe housing to release their information to the designated person.

## **7. Reasonable Adjustments**

- 7.1. We are committed to ensuring that people are not disadvantaged in accessing our services and their ability to make a complaint. This is reflected in our Equality and Diversity Framework.
- 7.2. There is no prescribed list of reasonable adjustments as this will depend on the needs of the individual customer. We will talk to the individual customer to understand any requests and seek to reach agreement on what may be reasonable in the circumstances. We will not make assumptions about whether a disabled person requires any reasonable adjustments or about what those adjustments should be.
- 7.3. Some examples of the adjustments that we can make include:
  - providing information in appropriate alternative formats (eg large print, Braille, coloured paper etc)
  - use of email or telephone in preference to hard copy letters extension of time limits (where it is lawful to do so)
  - communication through a representative or intermediary

## **8. Compensation**

- 8.1. We recognise that in some situations, an apology and a resolution may not always compensate for a situation or the impact of a lack of service a customer has received.
- 8.2. For this policy, we define compensation as;

*“To make amends for the loss, injury, service failure, breach of contract, inconvenience or offence. Compensation does not have to be of a financial nature, it can also be made by way of a gesture of goodwill or replacement”.*

- 8.3. We appreciate that at times things go wrong and we will always look at various remedies to try and resolve a complaint. We are committed to doing the right thing for our customers and these remedies may include a small gesture of goodwill.
- 8.4. Our compensation calculations are based on what we consider to be fair on each case. We do not set limits regarding minimum and maximum amounts, instead we apply discretion and judge each case on its own merits. We will, however, take into consideration regulatory guidance and case studies of similar awards.
- 8.5. We will specifically consider the following to help us determine if any compensation or remedy is appropriate:
  - What has gone wrong?
  - Can it be put right - what actions could be taken to remedy the situation?
  - What would the complainant like to happen?
  - How has the customer been adversely affected?
  - Is there an actual quantifiable financial loss – for example, has the complainant incurred costs as a result of what happened (although we will not offer compensation for loss of earnings)
  - What other impact has there been (for example distress caused)?
  - Did the customer’s actions or inactions, or those of a third party (for example a complainant’s advocate), contribute to what happened in the case?
  - What remedy would be proportionate, appropriate and reasonable based on these circumstances?
- 8.6. We will work closely with the Business and Risk Assurance Team where in addition to a complaint, there have been any claims for personal injury or damage to belongings. This may include holding the investigation until any liability is assessed.
- 8.7. Any offer of compensation will be live for 28 days from the date of offer. To accept the compensation an acceptance slip is required to be returned from the customer to the Customer Insight team at which point the compensation will be processed within seven days.
- 8.8. We will pay compensation by two methods, via bacs transfer to an account of the customers choice or if they hold a rent account with us an adjustment can be made to their account. If the customer has rent arrears any payment of compensation will be offset against their arrears.

8.9. There are some instances where we maybe required to make payments due to legal requirements. These can be for issues outside of the complaints process, although sometimes we will consider statutory payments alongside a co-ordinated investigation and response into a complaint.

## 9. Complaints relating to consumer credit advice

9.1. If a complaint relates to consumer credit activities, we are bound and regulated by the Financial Conduct Authority. As at the date of this policy those activities are limited to debt counselling and debt adjusting.

9.2. If the customer is not satisfied with our response, the next stage is to report the matter to the Financial Ombudsman Service. This needs to be within six months of the date we formally responded to the complaint, or you can contact them if we have not provided you with a written response to your complaint within 8 weeks.

9.3. We will provide you with the Financial Ombudsman's guidance leaflet to assist you with this process which can be found [here](#)

9.4. Further information and guidance can be found by contacting the Financial Ombudsman at:

The Financial Ombudsman Service  
Exchange Tower  
London  
E14 9SR

0800 023 4 567

[complaint.info@financial-ombudsman.org.uk](mailto:complaint.info@financial-ombudsman.org.uk)

[www.financial-ombudsman.org.uk/](http://www.financial-ombudsman.org.uk/)

## 10. Compliments

10.1. Compliments are a positive measure of customer satisfaction with our staff and services. We welcome feedback and compliments from our customers and we use this information to help shape the services we deliver.

10.2. Customers can log a compliment by visiting our website, logging it via the customer app, in writing or contacting any member of staff.

## 11. Unreasonably persistent complainants

11.1. Unreasonable and persistent complainants are “*those complainants who, because of the nature or frequency of their contacts with an organisation, hinder the organisation’s consideration of their, or other’s peoples, complaints*”.

11.2. In a minority of cases some customers may decide to pursue their complaints in a way that is unreasonable. They may behave unacceptably or be unreasonably persistent in their contacts with the organisation. This behaviour can impede an investigation and have a significant impact on resource.

11.3. For those customers who present unreasonable behaviour, believe housing may choose to enact the Person of Interest [policy](#) in order to reduce the impact on resources a customer has on the organisation.

## 12. Engagement and support for staff through the complaints process

12.1. We recognise the impact that being complained about can have on individual employees. We will make sure that we support and engage any employees affected during the complaints process including helping to draw any learning for future situations.

## 13. Learning from complaints and providing feedback

13.1. We will review all complaints to see if there is any learning we can take to prevent repeat mistakes. We will also look at trends in our complaints over time to identify any trends or areas for us to improve.

13.2. We will report outcomes from learning internally and to customers through our newsletter.

## 14. Legislation and Guidance

14.1. The Regulator of Social Housing (RSH) has responsibility for the regulation of social housing providers in England. The RSH has set out a regulatory framework which includes regulatory standards providers must meet.

14.2. The Tenant and Empowerment Standard sets out the required outcomes and specific expectations for complaints.

14.3. The Localism Act 2011 created a single housing watchdog, The Housing Ombudsman. The act states that complainants can only complain direct to the Ombudsman eight weeks after the last stage of the complaint’s procedure has been completed.

14.4. The key areas of legislation in this policy are;

- Data Protection Act 2018
- Equality Act 2010
- Housing Act 2004
- Landlord and Tenant Act 1985
- Localism Act 2011
- Housing Ombudsman Complaint Handling Code of Guidance 2020

## **15. Keeping information safe**

15.1. When a customer shares their personal data regarding an enquiry or a complaint on a public forum such as social media, we will take the required measures to protect that conversation. This will include but not limited to moving the conversation to a private area or channel if available, remove traces of the private conversation from the public area and where not able to do this ourselves due to technology or security limitations, contact the customer directly to advise such data is public and advise to move to another method of communication. This will ensure such conversations are kept confidential and private.

15.2. It is clearly stated in our privacy notice online that we process the information from such enquires made via public channels such as social media and this statement implements the guidance we give in our privacy notice, where we say “ We are committed to ensuring your personal information is secure and to prevent unauthorised access we have in place appropriate technical and organisational measures to secure and safeguard it.

## **16. Monitoring and review**

16.1. This Policy will be reviewed every three years unless there is a significant incident, important change in circumstances or legislation which would warrant a review being carried out at an earlier date.

## **17. Links to other policies and procedures**

17.1. This policy directly relates to all customer facing policies which set out the level of service our customers can expect. As part of a complaints investigation, we will review what information we set have out within the relevant policy and assess whether the service we have provided is in line with this.