

complaints, compensation and compliments policy

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1. Policy statement

1.1. believe housing aims to provide high quality, modern services that put our customers at the heart of what we do.

1.2. We are committed to providing a feedback process that:

- is fair
- puts things right
- learns from outcomes
- meets the individual needs of our customers
- is easy to use and understand
- can be accessed in a range of digital and traditional ways
- resolves issues as quickly as possible.

1.3. We will ensure that this policy:

- is clear on the steps we will take when handling complaints and other comments
- ensures that the decisions made, and solutions offered are fair and reasonable and appropriate for the individual customer
- ensures that we listen to, and act upon, the comments our customers give us to improve our services
- reflects the guidance in the Housing Ombudsman's (HO) Complaints Handling Code (the Code)
- meets the requirements of the Regulator of Social Housing (RSH), as set out in the Consumer Standards.

2. Scope

2.1. This policy relates to all services provided by believe housing, and other organisations that provide services to our customers under contract or are working on our behalf.

2.2. The policy applies to all customers¹ that wish to give comments on our services including compliments and complaints.

2.3. Customers do not have to use the word 'complaint' for it to be treated as such.

¹ Tenants, leaseholders, or member of the public using our services.

2.4. Customers can ask for a representative to deal with a complaint on their behalf if they give us permission to discuss the complaint with this person². We will handle complaints made by a third party in line with this policy³.

2.5. We define a complaint 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.’*

2.6. There are times when this policy does not apply and when we will not consider opening a complaint. Where a matter is not within the remit of this policy, we will provide a detailed explanation of why, and provide details of how to refer the matter to the HO and if appropriate direct the customer to the correct process or organisation.

2.7. Examples of where we may not investigate as a complaint include:

- a first-time request for a service; for example, reporting a repair or changing an appointment
- a request for information or an explanation
- a matter that has previously been fully investigated and a written response given. In these cases, we will advise the customer of their right to refer the matter to the HO
- issues where there is a right of appeal or an alternative method of redress is available
- an anonymous complaint where we are unable to verify the credibility of the complaint. In these cases, a director will assess the seriousness of the allegation and whether we are able to undertake any investigation
- a legal case where a Claim Form and Particulars of Claim have been filed at court or a complaint about our decision to take legal action or the outcome of legal action
- a case requesting compensation, which has been considered and/or resolved by our Insurance Team⁴
- a complaint about a neighbour or antisocial behaviour will be investigated in accordance with our antisocial behaviour policy
- a complaint about a Health and Safety Incident that has been referred to the Health and Safety Executive (HSE) for review

² Examples include a family member, friend, carer, or mental health advocate.

³ Complaints received via a Member of Parliament or local Councillor will be dealt with in accordance with this policy.

⁴ We may consider complaints about the handling of a claim for example where there are allegations of significant delays or a poor customer experience.

- A complaint about services provided by individuals or companies not within our control; for example, local authorities or utility companies.

2.8. We will usually only investigate something which has occurred within the last six months, although this will be considered on an individual basis depending on the set of circumstances.

2.9. We will fast track complaints about a health and safety issue immediately to our Health and Safety Team for immediate assessment and contact with the customer. Our action will depend on the nature of the situation.

2.10. If allegations are received about the gross misconduct of an employee of believe housing (or our subcontractors), or the issue is under investigation by the police, we may decide to investigate the matter in line with the relevant Human Resources policy.

3. Comments, compliments, and complaints

3.1. We offer a range of ways for customers to give us their comments and complaints.

These include:

- In person
- By telephone and/or text message: 0300 1311 999
- Through the believe housing customer smartphone app
- Through the [believe housing customer portal](#)
- By email to feedback@believehousing.co.uk
- On our website at www.believehousing.co.uk
- Using social media, where we invite customers to report their complaint via direct message to maintain confidentiality
- In writing to: believe housing, Coast House, Spectrum Business Park, Seaham, SR7 7TT.

3.2. We welcome the following comments from customers:

- General comments and suggestions for service improvement
- Compliments
- Service requests
- Complaints.

General comments and suggestions for service improvement

3.3. We welcome customer feedback and are open to receiving suggestions to improve services. Customer feedback helps us to plan future services that meet our customer

and business needs. Customer suggestions are forwarded to the relevant service managers for consideration and action where appropriate.

Compliments

- 3.4. We like to hear, and value praise from our customers when our people and services are going well and exceeding expectations. Positive customer feedback and examples of great service delivery are shared across the whole organisation and will be used to try and replicate in other areas.

Service requests

- 3.5. We recognise that we do not always get things right and encourage our people to take responsibility and try to resolve issues the first time that we are told about them as a service request. Examples of service requests could include a contractor that has not turned up on time or the customer wants to bring an appointment forward. If further enquiries are needed to resolve the matter or the customer requests it, we will open a formal complaint if it is within the remit of this policy.

Complaints

- 3.6. All complaints will be investigated impartially and in confidence by the Customer Insight Team to ensure objectivity, equality and consistency of service.
- 3.7. Complaints will be referred to our Customer Insight Team to complete a triage process and determine how the matter should be handled, preferred communication method and any vulnerabilities/support needs. We will contact the customer within five working days of receiving the complaint to acknowledge that the issue has been received and to confirm exactly what we need to investigate and what is needed to put things right. For us to handle a complaint fairly and consistently for our customers we will ask them to work with us and be clear about:
- What we did wrong or failed to do
 - How this affected them
 - What we can do to put things right.
- 3.8. This will help us to resolve issues quickly. If the customer is unable to provide these details, we will consider any reasonable adjustments that may help them to give us this information. These adjustments will be in line with the guidance within the Equality Act.

3.9. We may consider a customer's behaviour unreasonable (see also section 5 unacceptable complaint behaviour) and decide to close a complaint, or refuse to investigate if the customer:

- will not work with us to provide the information within five working days (or at all)
- continues to repeat the complaint without providing the information needed to conduct a fair investigation
- does not confirm what is needed to put things right.

3.10. In this situation we will explain this to the customer clearly.

Stage One

3.11. Once the basis of the complaint and resolution has been fully agreed with the customer⁵ we will confirm acceptance of a formal Stage One complaint in writing, advise that the matter has been referred to an impartial investigator and that the investigation has begun. We will confirm the issues we are investigating and what is required to put things right.

3.12. The complaint investigator will contact the customer to collect evidence to support the complaint and any other relevant information to assist the investigator to make an informed decision.

3.13. We will aim to provide a full written response within 10 working days from when we send the acknowledgement to the customer unless there are valid reasons to extend this period.⁶ We want to make sure that we provide a thorough, quality response, which means that on occasions it is not possible to respond within 10 days. In these exceptional cases, 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. On rare occasions we may need a further 10 working days to investigate a complex complaint. In accordance with the Housing Ombudsman guidance, we will agree this with the customer beforehand and give our reasons. If the customer does not agree to the extension, we will advise of their right to stop the investigation and refer the matter to the HO. We will keep customers regularly updated of any delays throughout the investigation.

⁵ In accordance with section 4.2 of the Housing Ombudsman Complaints Handling Code

⁶ Examples include where the customer cannot be contacted, has delayed in providing the evidence required to make an informed decision, or the complaint is complex or about several service areas and more time is needed.

3.14. During our investigation we will give the customer and, if applicable, any employee who is the subject of the complaint or alleged service failure, the opportunity to provide their version of events and provide evidence to support this. We will also discuss our findings before issuing the final written response.

Our investigators will:

- deal with complaints on their merits
- act independently and have an open mind
- take measures to address any actual or perceived conflict of interest
- consider all information and evidence carefully
- keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter.

3.15. In the written response we will address all the points confirmed at triage stage. We will provide clear reasons for our decisions and reference the relevant policy, law and good practice if needed. We will always attempt to talk through and explain our findings before sending the final letter, which will give one of the following outcomes and reasons for our decision:

- Upheld – we agree that something has gone wrong or we have failed to take necessary action.
- Not upheld – we do not agree that something has gone wrong or that we have failed to take the necessary action.
- Inconclusive – where there is insufficient evidence to make an informed and fair decision.

3.16. In complaints where there is more than one issue being complained about, we will give a decision for each of the individual issues in our letter. If some parts of the complaint are upheld and some are not, we will give a decision of partially upheld overall.

Stage Two (appeal)

3.17. If a customer is not satisfied with a Stage One response, they may appeal against the findings and ask to escalate to Stage Two of the complaints procedure. Escalation to Stage Two is not automatic but will not be refused unreasonably. To move to Stage Two of the complaints process, the customer must request escalation to Stage Two within 10 working days of the closure of the Stage One complaint. Customers do not have to do this in writing and where necessary we can provide support.

- 3.18. The customer will be asked to answer the following questions within five working days of their request to escalate the complaint:
- What specific parts of your original complaint have we not investigated?
 - What part of our response do you disagree with and why?
 - What can we do to resolve the complaint and to put things right?
- 3.19. If the customer does not answer the above questions clearly within five working days, we reserve the right to refuse escalation of the complaint on the basis that we will not know what more to investigate. In such cases we will explain why we will not review the complaint and confirm in writing that the complaint will be closed. In our closing letter, we will provide information on how to contact the HO.
- 3.20. When we have received confirmation of which elements of the complaint the customer is not happy with, we will review the request for escalation and give our decision within 10 working days from the point of this request. If it is refused, we will write and give a full explanation of why we will not review the complaint. In our closing letter, we will provide information on how to contact the HO.
- 3.21. If the request to escalate to Stage Two is approved, we will then aim to give a formal written response on the outcome of the appeal investigation within 20 working days of the decision to investigate. If we require further time to investigate the complaint, we will inform the customer and advise of a new target date to provide our response, which is normally within an additional 10 working days. If there are exceptional reasons to delay a response by a further period beyond the additional 10 working days, this will be agreed with the customer. If this cannot be agreed, then we will provide a response based on the information available to us and provide contact information for the HO to prevent delays in accessing their service.
- 3.22. Stage two complaints will be investigated by the Customer Insight Team Leader or an appropriate senior employee who has no conflict of interest. The overall aim of a Stage Two appeal is to:
- make sure the complaint has been handled correctly
 - confirm whether the original decision at Stage One is upheld
 - review that the resolution offered is fair and reasonable
 - consider further opportunities to resolve the issue.
- 3.23. If new evidence is provided that was not made available to the investigator during the original Stage One complaint, or the allegations being made are unrelated to the original complaint, we may open a new Stage One complaint if required.

Likewise, if we receive a complaint about the handling or outcome of a complaint, we will open a new complaint and assign it to another officer to investigate independently.

- 3.24. In our Stage Two written response, we will give a detailed explanation for our findings, outline any learning and opportunities for service improvement that have been identified from the complaint. We will always attempt to talk through and explain our findings before sending the final letter.
- 3.25. In the written response we will address all the points confirmed at triage stage as needing a review. We will provide clear reasons for our decisions and reference the relevant policy, law and good practice if needed. We will also give one of the following outcomes and reasons for our decision:
- Upheld – we agree that the decision at Stage One was incorrect.
 - Not upheld – we do not agree that the decision at Stage One was incorrect.
 - Inconclusive – where there is insufficient evidence to make an informed and fair decision.
- 3.26. In complaints where there is more than one issue being complained about, we will give a decision for each of the issues in our letter. If some parts of the complaint are upheld and some are not, we will give a decision of partially upheld overall.
- 3.27. We will also outline the remedies offered to resolve the complaint and monitor these to ensure they are completed. We will also provide contact details for the HO should the customer wish to have the matter independently reviewed.

4. Putting things right

- 4.1. We sometimes get things wrong and consider various ways to try and resolve a complaint, which always includes an apology. Compensation payments are not automatic, but we are committed to doing the right thing for our customers. Some of the remedies considered may be a practical solution, but 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.
- 4.2. We always ask our customers at the beginning of the complaint what is required to put things right for them so that these expectations can be managed right from the start as there are some instances where the outcome expected by the customer is unreasonable, unrealistic and would be unfair to our other customers. Examples include, but are not restricted to:

- requiring a priority move⁷
- a full reimbursement of rent when the home is deemed habitable
- A request for further financial compensation when a claim has been settled through an insurance claim or other legal redress.

4.3. In awarding compensation, we will consider whether any statutory payments are due, if any quantifiable losses have been incurred, the impact on the individual customer⁸ and the time and trouble a customer has been put to as well as any distress and inconvenience caused.

4.4. All claims for compensation will be considered and made in accordance with our Compensation and Redress Guidance. This provides more detail on our approach to compensation decisions and is based on the guidance and best practice outlined in the HO Remedies Policy and Guidance on Remedies. We also direct customers to the HO guidance for further information.

5. Unacceptable complainant behaviour

5.1. We know that the majority of our customers behave reasonably and politely toward us when making a complaint. However, there are occasions where they pursue their complaints in a way that is unreasonable and unacceptable. This can affect our ability to provide a fair and timely service to our other customers. Examples of this behaviour are outlined in section 3.9 of this policy, but also includes:

- a) refusing to accept a decision or explanation that we have given several times
- b) making unnecessary contacts regarding the same issue over a short period of time
- c) sending excessive amounts of information unrelated to the complaint
- d) the use of foul and derogatory language
- e) homophobic and/or racist behaviour and language
- f) violent and threatening behaviour to our employees.

5.2. For those customers acting in an unreasonable and persistent manner (points a – c above) we will consider further action in line with our Person of Interest Policy.

5.3. Violent and threatening behaviour and/or language towards our employees (points d-f above) will not be tolerated and will be handled in accordance with our antisocial behaviour policy.

⁷ There is an appeals process within the Lettings Policy that considers where priority banding should be awarded and therefore is not within the remit of this policy.

⁸ We recognise that sometimes the circumstances around the complaint can affect everyone differently dependent on health and/or vulnerabilities.

5.4. Where unacceptable behaviour is caused by severe physical or mental ill health, the customer will be offered the opportunity to appoint an advocate to act on their behalf to prevent further delay to resolving the complaint.

6. Transparency and monitoring

6.1. We will publicise this policy and a leaflet on how to give feedback in Plain English. We will make this available to all customers through a variety of digital and non-digital means. Through placing this on our website, customers will be able to use the Recite Me and Translate Me tools. It will also be available on request.

6.2. We will collect, monitor, and analyse the information we receive from complaints to identify areas where we can do better. We will include this learning in our written complaints' response letter. We will also regularly publish service improvements that have been made on our website and in our annual report to tenants.

6.3. We will benchmark and publicise our performance in complaints handling annually with other landlords every year through the Regulator of Social Housing's Tenant Satisfaction Measures.

7. Legislation and guidance

Regulator of Social Housing

7.1. 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 (April 2015), which includes regulatory standards providers must meet. This includes the Tenant Involvement and Empowerment Standard, which outlines expectations for complaints handling.

Housing Ombudsman

7.2. The Localism Act 2011 created a single housing watchdog, The Housing Ombudsman (HO). Tenants and leaseholders have the right to contact the HO at any time for advice and support to resolve a complaint about their landlord.

7.3. We regularly seek guidance and advice from the HO to try and resolve issues in the right way. If the customer remains dissatisfied with our investigation into their complaint, they can also contact the HO to review our handling of it for them. We signpost customers to the HO in leaflets, newsletters, online and by placing HO posters in our communal areas. We also provide all new tenants with a leaflet on how to give feedback.

A customer can also contact the HO at any time, while going through our internal complaints process, to seek advice or guidance using the following contact details:

Housing Ombudsman Service
PO Box 152
Liverpool
L33 7WQ

Telephone: 0300 111 3000
Email: info@housing-ombudsman.org.uk
Online: www.housing-ombudsman.org.uk

Self-assessment against the HO Complaint Handling Code

7.4. As members of the HO Scheme, we are required to complete an annual self-assessment of our complaints processes to ensure compliance with the requirements of the HO Complaints Handling Code. We will publish the results of the annual self-assessment on our website.

7.5. The key areas of legislation in this policy are:

- Landlord and Tenant Act 1985
- Housing Act 2004
- Housing and Regeneration Act 2008
- The Equality Act 2010
- Localism Act 2011
- The Data Protection Act 2018
- UK General Data Protection Regulation 2021
- Housing Ombudsman Complaints Handling Code 2022
- RSH Tenant Involvement and Empowerment Standard 2017.

7.6. Policies relevant to this policy include:

- Person of Interest Policy
- Antisocial Behaviour Policy
- Health and Safety Policy
- Compensation and remedies guidance.