

COMPLAINTS POLICY

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Executive Summary:
<p>We want to deliver good, quality and fair services to all our customers. If you are unhappy with our services and wish to complain, our policy explains the steps you can take. We will always approach complaints in a non-biased way and are committed to investigating everything fairly and consistently. All feedback is welcomed and helps us to build better services for our customers.</p>

Policy Grouping/Directorate(s)	Customer Experience / Customer and Communities	
Author Name / Job Title	Phil Heron / Director of Customer Experience	
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Notes:		

1 Introduction

- 1.1 This policy outlines how we will put things right should a customer complain to us. We welcome complaints and actively encourage customers to express their dissatisfaction to us. All expressions of dissatisfaction are a positive opportunity to gather information that will help us improve our service.
- 1.2 RBH have a standard objective in relation to complaint handling for all relevant employees or third parties that reflects the need to:
- have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments.
 - take collective responsibility for any shortfalls identified through complaints, rather than blaming others.
- 1.3 Our approach follows The Housing Ombudsman’s Complaint Handling Code, March 2024, which sets out requirements to respond to complaints effectively and fairly. We acknowledge that this enables us to resolve complaints quickly and provides data and learning to drive service improvements.
- 1.4 We publicise the Complaints Handling Code and our Complaints Policy. We also promote the Housing Ombudsman Service to our customers. All this information is located on our website and in our newsletters. This policy applies to all properties and land owned by Rochdale Boroughwide Housing (RBH) It also applies to organisations providing services on behalf of RBH e.g. contractors.

2 Context

- 2.1 This policy has been developed to ensure that RBH is compliant with the Complaints Handling Code which can be seen here <https://www.rbh.org.uk/about-us/governance/policies/> (*link will need changing once approved and on the website*).
- 2.2 It takes into account the requirements of the Housing Ombudsman scheme, relevant legislation such as the Localism Act 2011, Housing Act 1996 (schedule 2), General Data Protection Act 2018, Equality Act 2010, and the Social Housing (Regulation) Act 2023.
- 2.3 RBH will take into account its duties under the Equality Act 2010 and anticipate the needs and reasonable adjustments of customers who may need to access the complaints process. RBH will keep a record of any reasonable adjustments agreed, as well as a record of any disabilities a resident has disclosed. Any agreed reasonable adjustments will be kept under active review.

3 Aims & Objectives

- 3.1 The aims of the policy are to:
- Encourage feedback – both positive and negative
 - Ensure complaints are resolved quickly, thoroughly, politely, and fairly.
 - Ensure that all customers are treated equally when making a complaint.

- Ensure that we learn from comments, complaints and compliments and use that learning to improve services.
- Ensure we provide customers and other stakeholders with information about how we are performing and to demonstrate how we have learnt from the feedback we receive.

3.2 This policy applies to all feedback received from any person using or directly affected by a service RBH deliver including where services are commissioned by RBH but delivered via a third-party contractor.

4 Policy Statement

4.1 Definition of a complaint

A complaint is “an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by RBH, including staff and those acting on our behalf, affecting customers or group of customers”. The type of complaint we can consider may include but is not limited to:

- Failure to provide a service when we should have.
- Provided a poor standard of service.
- Made a mistake in the way we provided a service.
- Not meeting our own service standards or complying with our policies.

The customer does not have to use the word ‘complaint’ for it to be treated as such. Whenever a customer expresses dissatisfaction we will give customers the choice to make a complaint.

4.2 Exclusions

Complaints will not be accepted in the following circumstances:

- Where RBH delivers services on behalf of another organisation
- Where legal action has been taken and completed against RBH.
- Legal Proceedings have started against RBH. This is defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court.
- A complaint regarding Rent reviews as we follow government guidelines.
- Complaints regarding the setting of service charges that can be referred to the First Tier Tribunal. [First-tier Tribunal \(Property Chamber\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/first-tier-tribunal/property-chamber)
- Damage caused to personal belongings due to unforeseen circumstances, e.g. leak or fire. Customers are encouraged to take out Home Contents Cover to protect their personal belongings from any such occurrences. Home Contents Cover is available at a reduced rate for customers, [click here for more information](#).
- Liability or personal injury claims.
- Issues which have already exhausted the complaints process. For example, we have completed our Stage 1 and Stage 2 process, or the customer has had a determination from the Housing Ombudsman.
- Where the issue giving rise to the complaint occurred or was first found, over 12 months ago. We may apply discretion where complaints are made outside of

this time period where there are good reasons given to do so, for example if the complaint is in relation to safeguarding or health and safety.

- An expression of dissatisfaction with services made through a survey is not defined as a complaint although our surveys contain details of how to complain should a customer wish to do so.
- The first reports of Anti-Social Behaviour (ASB), or ongoing nuisance as part of an existing ASB case. Complaints about how an existing ASB case has been handled will be logged as a complaint.
- RBH may refuse a complaint from someone who is not an RBH customer, when not acting on behalf of an RBH customer.

4.3 **Service Requests**

A service request is “a request from a customer requiring action to put something right”.

This will usually be the first time that you have made us aware of your dissatisfaction with our service. Service requests are not considered as complaints.

Where possible we will always work with our customers to try and resolve service requests quickly. Our Complaints Team will respond back to your initial service request to understand more detail and work with customers to try and find a suitable resolution. If the service request cannot be resolved promptly or our customer requests that we raise a complaint, we will do so immediately in line with our two-stage process.

The Complaints Team will record, monitor, and review all service requests they receive.

4.4 **Making a Complaint**

RBH colleagues are trained to welcome and handle complaints. Complaints can be made by phone, email, in person with any RBH colleague, through the RBH portal, through an electronic form on our website and on social media. We have supporting guidelines to let you know how we handle complaints online and we maintain [confidentiality and privacy](#)

RBH utilise translation tools if customers prefer to communicate in a language other than English. Language and accessibility tools are available on our website to ensure information about complaints can be accessed in a variety of ways e.g. large print, screen reader, dyslexia friendly font, multiple languages etc.

All feedback is recorded on our Customer Relationship Management (CRM) system. A full record will be kept 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.

Customers requiring support to make a complaint may ask someone to act as an advocate such as a family member, friend, external organisation, or Councillor/ MP. In these instances, we will treat the complaint in the same way as we do other complaints if asked to do so. Customers can ask any such advocate to represent them or accompany them at any meeting with RBH.

We will not be able to discuss the business of individual customers unless they have given their permission for us to do so, to ensure we remain compliant with Data Protection legislation (GDPR).

Where a key issue of a customer complaint relates to our legal obligations, we will set out our understanding of the customer's and our obligations as part of our complaint response.

RBH do not see a high number of complaints as negative, as they can be indicative of a well-publicised and accessible complaints process. Low complaint volumes are potentially a sign that residents are unable to complain.

4.5 **Formal – Stage 1**

In instances where RBH declines to escalate a complaint, we will clearly communicate in writing our reasons for not escalating as well as the customer's right to approach the Ombudsman about our decision. RBH will not take a blanket approach to excluding complaints; we will consider the individual circumstances of each complaint.

When a complaint is made and accepted, a member of the Complaint Resolution Team will contact the complainant to discuss and confirm the details of the complaint, including what may have caused the complaint to arise and work with the complainant to try and find a suitable remedy that meets expectations. We will set out our understanding of the complaint and the outcomes our customer is seeking in the complaint acknowledgement letter. We will refer to this as "the complaint definition". We will be clear about which aspects of the complaint we are and are not responsible for. If any aspect of the complaint is unclear, our customer will be asked for clarification.

We will acknowledge, define, and log the complaint at stage 1 of the complaint's procedure within **5 working days** of receipt.

The Complaints Resolution Officer (CRO) will be fully trained on how to handle complaints with the training reviewed regularly.

Throughout the Stage 1 complaint our CRO will:

- they will address complaints empathetically.
- have appropriate complaint handling skills and will act to ensure there are no actual or perceived conflicts of interest.
- anticipate reasonable adjustments that may be needed and communicate in a way that meets our customers preferences.
- agree with the complainant the frequency and method of communication.
- manage expectations from the outset, being clear where a desired outcome is unreasonable or unrealistic.
- deal with complaints sensitively, carefully considering all information and evidence and ensuring that our customer has a fair chance to set out their position.
- acts independently and with an open mind, taking measures to address any actual or perceived conflict of interest.
- has access to staff at all levels to facilitate the quick resolution of complaints.
- has the authority and autonomy to act to resolve disputes quickly and fairly.
- keeps the complaint confidential, as far as possible, with information only disclosed if necessary to properly investigate the matter.
- address all points raised in the complaint.
- include any additional related complaints if a response has not been issued (when this would unreasonably delay the response, we will open a new complaint).

- where a key issue of a customer complaint relates to our legal obligations, we will set out our understanding of the customer's and our obligations as part of our complaint response.
- ensure that other residents, and if applicable any staff member who is the subject of the complaint are given a fair chance to set out their position and comment on any adverse findings before a final decision is made.

Processes are in place to help us consider which complaints can be responded to as early as possible, and which require further investigation. We consider factors such as the complexity of the complaint and whether the resident is vulnerable or at risk. Most stage 1 complaints can be resolved promptly, and an explanation, apology or resolution provided to the resident.

We will respond to Stage 1 complaints within **10 working days** after acknowledgement. On occasion, due to the complexity of a complaint, we may need to extend the response date, to undertake a further investigation. The extension, in line with the Housing Ombudsman guidelines, will not exceed 10 working days without good reason.

We will **not extend beyond 20 working days, without good reason**. However, if there is good reason, this will be clearly explained to our customer. When extending beyond 20 days, we will agree suitable intervals for keeping our customer informed about their complaint and provide the Housing Ombudsman's contact details.

In our response we will address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate. All complaints at stage 1 will be formally responded to via email and/or letter, or other formats on request.

RBH will confirm the following in writing to the resident at the completion of stage 1 in clear, plain language:

- the complaint stage.
- the complaint definition.
- the decision on the complaint.
- the reasons for any decisions made.
- the details of any remedy offered to put things right.
- details of any outstanding actions.

We will clearly lay out in our response how a customer can escalate the complaint to Stage 2 if they remain dissatisfied. This must be raised within 6 weeks of the stage 1 response, although individual circumstances will be considered if a request to escalate is received outside this timescale. We will escalate all complaints to stage 2 of the process providing the content of the original complaint remains the same.

When new issues have been raised after the stage 1 response has been issued, or the new issues are unrelated, the new issues will be logged as a new complaint.

4.6 **Review (Formal – Stage 2)**

Customers that remain dissatisfied with our response at stage 1 can choose to have their complaint escalated to stage 2. No reason is required to escalate a complaint.

When escalated we will contact the complainant and work to understand the reason(s) why they remain dissatisfied and wish for the matter to be considered by us again. We will acknowledge, define, handle, and respond to the complaint in the same way as with stage 1 complaints as set out at point 4.5.

Stage 2 is our final response, and we will involve all suitable staff members needed to issue such a response. Stage 2 investigations are carried out by a different member of staff.

We will respond to Stage 2 complaints **within 20 working days** upon acknowledgement. On occasion, due to the complexity of a complaint, we may need to extend the response date, to undertake a further investigation. The extension, in line with the Housing Ombudsman guidelines, will not exceed 20 working days without good reason.

We will **not extend beyond 40 working days, without good reason**. However, if there is good reason, this will be clearly explained to our customer. When extending beyond 40 days, we will agree suitable intervals for keeping our customer informed about their complaint and provide the Housing Ombudsman's contact details.

All complaints at stage 2 will be responded to in writing by email or letter or other formats on request.

In our response we will address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate. All complaints at stage 1 will be formally responded to via email and/or letter, or other formats on request.

RBH will confirm the following in writing to the resident at the completion of stage 2 in clear, plain language:

- the complaint stage.
- the complaint definition.
- the decision on the complaint.
- the reasons for any decisions made.
- the details of any remedy offered to put things right.
- details of any outstanding actions.
- information on how to contact the Housing Ombudsman should they remain dissatisfied.

4.7 **Housing Ombudsman**

If, having been through our complaints process, a customer remains dissatisfied with the outcome of their complaint, they can choose to refer this to the Housing Ombudsman. Customers may contact the Housing Ombudsman directly. Further information can be found on the Housing Ombudsman on their website www.housing-ombudsman.org.uk or alternatively contact them on 0300 111 3000. The Complaints Service Manager is RBH's key liaison with the Housing Ombudsman Service.

4.8 Closure of Complaints

A complaint is closed once the remedy and timescale for delivery have been agreed with the complainant where appropriate. The remedy we offer will clearly set out what will happen and by when. Agreed actions are tracked and completed as soon as possible, with regular updates provided to the complainant. RBH takes account of the guidance issued by the Ombudsman when deciding on appropriate remedies.

4.9 Unreasonable or frequent complaints/complainants or contacts

On very rare occasions the behaviour of a customer making a complaint or contact may become unreasonable or unacceptable that may impact on our ability to continue delivering services to other customers. In these instances, we reserve the right to restrict or change the way in which a customer makes contact with us. Any restrictions placed on a resident's contact due to unacceptable behaviour should be appropriate to their needs and should demonstrate regard for the provisions of the Equality Act 2010. Guidance is available to support colleagues in managing such circumstances. We will evidence reasons for putting any restrictions in place and will keep restrictions under regular review.

Examples of behaviour that RBH would consider unacceptable are :

- Aggressive or abusive behaviour towards our employees or contractors including threats, physical violence, personal verbal abuse, harassment or derogatory remarks.
- Unreasonable demands which impact on our employee's time and ability to carry out their duties e.g. continually making calls, changing the content of their original complaint, or insisting on dealing with a particular employee.
- Unreasonable persistence to come to terms with an explanation or decision and continuing to pursue their complaint without providing any new information.
- Overload of calls, emails, letters or contact via social media including the frequency and length of contact, volume of contacts.

4.10 Compensation or Good Will Gesture payments

Discretionary compensation is considered on a case-by-case basis and we adopt an evidence based approach. Further guidance can be found here in the Compensation Policy. <https://www.rbh.org.uk/about-us/governance/policies/>

4.11 Compliments or Comments

We encourage positive feedback and suggestions so that we can celebrate what we have done well and also learn what we need to do more of as well as what we need to stop doing. Compliments and comments can be made through any of the same channels as with complaints and are also logged in our CRM system so that we can analyse across our services what, or who, is working well and learn from that.

5 Monitoring and learning from complaints

5.1 Where something has gone wrong, we will acknowledge this and set out the actions we have already taken, or intend to take, to put things right. These can include:

- Apologising
- Acknowledging where things have gone wrong.
- Providing an explanation, assistance or reasons.
- Taking action if there has been delay.
- Reconsidering or changing a decision.
- Amending a record or adding a correction or addendum.
- Providing a financial remedy.
- Changing policies, procedures, or practices.

- 5.2 We analyse complaints to understand where things have gone wrong and to identify what we can do to stop this happening again. Trends in complaints are shared with RBH teams to inform service improvements.
- 5.3 We also recognise the jurisdiction of The Housing Ombudsman Service and will implement recommendations resulting from their investigations. We will also record the reasons for complaints being escalated as customer feedback on how their initial complaint was handled. This will provide opportunity for learning on future complaints handling
- 5.4 On a quarterly basis the Customer Complaints Panel (made up of Customers and staff) will review a number of anonymised, recently closed formal complaints to see if they think we could have done anything better and feedback recommendations to the relevant service area(s). Should any customer wish to work with RBH in improving our services our engagement team is ready to hear from you at engagement@rbh.org.uk
- 5.5 Complaints are part of departmental meetings. Learning and service improvement will be identified and captured by Heads of Service as part of complaints reviews. Employees involved in the complaints process will be trained in this policy and related procedures. We report our complaints handling performance to RBH's Customer Services Committee each quarter and in a monthly all-employee update.
- 5.6 On resolution of a formal complaint, we will survey the customer to check satisfaction with how the complaint was handled and with the final outcome. We will also ask any customer that has been through this process if they wish to engage with RBH.
- 5.7 We will report all our performance including timeframes, escalation percentages and satisfaction through our website at [Complaints Service Performance | RBH](#)

6 Review

- 6.1 All RBH strategies, policies, service standards and procedures are reviewed on a regular basis to ensure that they are 'fit for purpose' and comply with all relevant legislation and statutory regulations.
- 6.2 This policy will go through the full policy approval process every 3 years and will undergo a desktop review annually. This is to ensure that it is fit for purpose and complies with all relevant and statutory regulations.

7 Links with Other RBH Documents

7.1 This policy links to the following policies and strategies:

- Compensation Policy
- Customer Experience Strategy
- Anti-Social Behaviour Policy
- Lettings Policy
- Code of Conduct for Employees
- Code of Conduct for Board
- Code of Conduct for Representative Body
- Complaints Handling Code
- Reasonable Adjustments Policy

Rochdale Boroughwide Housing Limited is a charitable community benefit society.
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