

Procedure for handling Complaints, Compliments and Comments

Bernicia Title: Procedure for handling Complaints, Compliments and Comments

Refers to Policy: Complaints, Compliments and Comments Policy

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Responsibility: Head of Tenant Engagement

1. Introduction

- 1.1 This procedure sets out how Bernicia will handle complaints, compliments and comments in line with our Complaints, Compliments and Comments Policy.
- 1.2 The aim is to ensure that customers wishing to complain or feed back to us about a service they have received are able to do so easily, that staff respond positively to resolve any issues quickly and effectively and that we learn from the feedback our customers provide.

2. Comments and compliments

- 2.1 All customers submitting a comment to Bernicia will receive a telephone call within **2 working days** of the comment being received. Where a comment requires a reply, the relevant service manager will reply to the customer within **5 working days**.
- 2.2 All customers submitting a compliment to Bernicia will receive an acknowledgement within **5 working days**. Compliments will be shared with the relevant officer or team, and notification sent to the relevant Head of Service
- 2.3 Bernicia will ensure that any good practice and service improvement opportunities highlighted in comments or compliments are shared across the organisation and used to improve services to customers.

3. Complaints

- 3.1 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 or group of residents.
- 3.2 In addition the following will not be registered as a complaint under our Complaints, Compliments and Comments policy:
 - Any matter for which there is an established internal or external appeals procedure allowing the complaint to be properly investigated and resolved by another route
 - Any matter which, at the date of the complaint, is already the subject of court proceedings
 - Any matter where the complaint constitutes a refusal to accept a rule of law with which Bernicia is complying

- Where the customer is refusing to accept Bernicia's final decision in relation to a previous complaint or the decision of the Housing Ombudsmen
 - Matters which are subject to an insurance claim
 - Complaints which are submitted anonymously (although we may still investigate and in the case where serious / public interest arises this would be considered under our Whistleblowing Policy)
- 3.3 Our complaints process supports a 'right first time' approach. The emphasis is on resolving problems and putting them right as quickly as possible. Staff are expected to 'own' the complaint they have received and be in regular contact with the customer whilst dealing with the issue.
- 3.4 Where complaints are made via social media, the initial enquiry will in the first instance be acknowledged and responded to by same method to consider the complaint and explain the procedure. The complaint will be recorded and processed in accordance with the complaints policy and procedure. No complaint will be responded to or dialogue entered into via a public forum.

4. Complaints process

Stage 1

- 4.1 The customer will be called within **2 working days** of the complaint being received to discuss the complaint and agree what happens next. At least two attempts to phone on all numbers available must be made and recorded in QL in real time. However if they can't be contacted by phone the customer must be sent an acknowledgement letter, within **5 working days** of the date the complaint was received. This letter should ask the customer to contact the complaint handler directly to discuss the complaint further.
- 4.2 Sometimes the complaint can be resolved without investigation and if the customer wishes, a verbal response may be appropriate. The issue and action taken must be recorded in QL in real time for monitoring and learning purposes.
- 4.3 If the complaint can't be resolved without investigation, an acknowledgment letter and complaint leaflet must be issued within 5 working days of the complaint being received. The aim is to complete the investigation and respond in writing within **10 working days** of the acknowledgement letter being issued.
- 4.4 Some complaints may take longer to investigate in full, for example because there is a need to collect a large amount of information from third parties. In these cases a substantive response must still be sent in writing to the customer within **10 working days** of the acknowledgement and an update must be provided at least every **10 working days** thereafter.

Stage 2 - Review

- 4.5 If the customer is dissatisfied with the outcome of their complaint they can ask for a review, giving the reasons why they are dissatisfied and details of what their expected outcome is. If the customer presents new and relevant information at this point there may be a need to investigate the new circumstances as part of the resolution phase. Any unrelated issues raised by the customer should normally be dealt with as a new complaint.
- 4.6 A complaint review will be carried out by the relevant Head of Service, unless they have been involved at the resolution stage in which case another Head of Service or Director will carry out the review.
- 4.7 An acknowledgement will be sent within 5 working days and the full review should usually be carried out and a response in writing sent out within **10 working days**. If this is not possible, the reasons for this must be explained in writing to the customer and an expected date for completing the review should be given.
- 4.8 On rare occasions we may deny a request for a review of a complaint where:
- We have completed the actions agreed with the customer or where we are completing follow-on works or actions and we have talked to the customer about this
 - The customer has not provided specific reasons for the review
 - The solution requested by the customer relates to something outside of our ability to change or influence
 - The customer has refused to engage with our staff in resolving the complaint through reasonable actions.

If we decide to take this action we must clearly explain the reasons why to the customer.

Stage 3 - Determination

- 4.9 If the customer is dissatisfied with the outcome of their review they can ask for a determination of their complaint, giving the reasons why they are dissatisfied and confirming their expected outcome. If the customer presents new and relevant information at this point there may be a need to investigate the new circumstances as part of the resolution phase. Any unrelated issues raised by the customer should normally be dealt with as a new complaint.
- 4.10 A complaint determination will be carried out by two members of the Customer Service Committee, one of which will be a tenant member.
- 4.11 An acknowledgement will be sent within **5 working days** and the full determination should usually be carried out and a response in writing sent out within **20 working days** of the acknowledgment letter. If this is not possible, the reasons for this must be explained in writing to the customer and an expected date for completing the determination should be given.
- 4.12 The completion of the determination marks the end of Bernicia's complaint process. A flow chart of the complaints process is attached as Appendix 1.

5. Designated Person and Housing Ombudsman

- 5.1 Customers who are still not satisfied with the decision at the end of our internal complaints process have the right to approach a Designated Person to review their case. This may be a local councillor or MP.
- 5.2 The role of the Designated Person is to help resolve the complaint in one of two ways; they can try and resolve the complaint themselves or they can refer the complaint straight to the Housing Ombudsman. If the Designated Person decides not to review a complaint, or refer it to the Housing Ombudsman, customers may approach the Housing Ombudsman directly.
- 5.3 The customer can also approach the Housing Ombudsman directly without using a Designated Person route, but must wait at least 8 weeks after the completion of our internal complaint process to do so.
- 5.4 We will provide information to all customers about the Designated Person role and the Housing Ombudsman service on our website and in our complaints leaflet.

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Appendix 1: Complaints Process flowchart

