

Procedure for handling Complaints and Compliments

Bernicia Title: Procedure for handling Complaints and Compliments

Refers to Policy: Complaints and Compliments Policy

Date Written: March 2019

Latest Review: December 2020, March 2020, December 2022

Date for Review: March 2026

Responsibility: Head of Service (Customer Engagement and Business Intelligence)

1. Introduction

- 1.1 This procedure sets out how Bernicia will handle complaints and compliments in line with our Complaints and Compliments 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. Compliments

- 2.1 We are happy to hear when we have done things right. When a customer shares a compliment with us about an individual or a team, we will arrange for that compliment to be shared with the individual or team and notify their line manager. We also publicise some customer compliments in our internal staff communications.

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 The following may not be handled as a complaint, or the response may be delayed until the outcome is known:
 - 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 Ombudsman
 - 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. A complaint response or dialogue will not be entered into via a public forum.
- 3.5 Our complaints process will not exclude the consideration of complaints where a pre legal claim has been made. All complaints will be investigated until such point as papers are served in the court, and the claim reflects all aspects of the complaint before the complaint process is suspended.

4. Complaints process

We will always attempt to resolve a complaint at the first point of contact, using our normal practices. We will equip our customer facing staff to recognise when a customer is unhappy with our service and provide them with the tools to resolve any concerns quickly and effectively. Our staff will be equipped to deal with an unhappy customer by:

- Dealing with the customers concerns immediately where possible
- Taking responsibility for the customer concerns
- Being sympathetic
- Listening and understanding the complaint
- Taking ownership of the issue
- Letting the customer know what we will do, when they should expect it to be done and if there is a delay for any reason and the reason for the delay.
- Confirming that the customer is happy with the resolution.
- Recording the issue and outcome.

There are times when our attempts to resolve complaints 'at point of contact' are not enough to address the customer concerns and it is necessary to investigate these using our formal complaint process:

Stage 1 – Resolution

- 4.1 In such cases the complaint will be logged and acknowledged within 5 working days.
- 4.2 The customer may be contacted within this period to discuss the complaint and if more information is needed or there is potential to resolve the complaint without further investigation.
- 4.3 Such action taken must be recorded in the Housing Management/ CRM system in real time for monitoring and learning purposes. Resolution at this stage must be confirmed by the complainant.
- 4.4 If the complaint can't be resolved without investigation, this will be completed and a full or substantial response issued within 10 working days of the complaint being logged.
- 4.5 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 complaint being logged. If further time is required to fully investigate the timescale will be extended for a further 10 working days.
- 4.6 Any extension beyond 20 working days from the complaint being logged must be agreed with the complainant.
- 4.7 Following an investigation, a response will be written by the complaint handler and will include:
 - An understanding of the complaint and expected outcome.
 - The findings of the investigation against each of the component parts of the complaint and the reasons for the findings
 - Whether each of the component parts of the complaint have been upheld or not upheld
 - Details of any outstanding actions and deadlines
 - If elements of the complaint have been upheld, then what steps will be taken to correct the issues where possible
 - An apology when we have done something wrong
 - Thank the customer for their feedback about us and the opportunity to try and put things right
 - What steps that the manager might be taking to improve the service as a result of the complaint and what safeguards they will put in place so that the same mistakes do not happen again
 - A compensation payment or payment as a gesture of goodwill, if appropriate (see Compensation Policy for more details)
 - The next steps that the customer can take if they are unhappy with the outcome of the complaint investigation and timescales for doing so.

Stage 2 - Review

4.8 We hope that the complaint investigation at stage 1 resolves the customers concerns. However, in some cases a customer may be unhappy with the response from the investigation and, if this is the case, the customer can request an escalation to Stage 2 of the complaints process. This should be done within 10 working days of stage 1 response but can be extended if circumstances prevent this timescale being met by the customer.

4.9 The request for escalation should state:

- the reasons why the customer is dissatisfied with the response
- what the customer's expected outcome is.

The purpose of the complaints review is a consideration of the initial investigation and not a new investigation. 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 review will be carried out by the relevant Head of Service or Director, unless they have been involved at the resolution stage in which case another Head of Service or Director will carry out the review.

4.11 An acknowledgement will be sent within 5 working days and the full review will be carried out and a response in writing sent out within 20 working days from receipt of the request for escalation. An extension as detailed in stage 1 may be applied and / or agreed with the complainant.

As part of this review two members of the Customer Services Committee, one of which will be a tenant member will collaborate with the officer undertaking the review to agree and produce the final response.

4.12 Following a complaint review, a response will be written by the reviewing officer within 20 working days from the date the request for escalation was received and will include:

- The findings of their review against each of the component parts of the complaint with the reasons for those findings
- Whether any decisions made at investigation have been overturned
- An apology when we have done something wrong
- Thank the customer for their feedback and opportunity to put things right
- If we have made a mistake, what additional steps that the reviewing Head of Service / Director will take to correct the mistake where possible

- What additional steps that the Head of Service / Director will take to improve their service as a result of the complaint and what safeguards they will put into place so that those mistakes do not happen again
- A compensation payment or payment as a gesture of goodwill if appropriate (see compensation policy for more details)
- Confirmation that the complaints process is now exhausted and provide details of the Housing Ombudsman Service.

4.13 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 to the customer.

4.14 The completion of the review marks the end of Bernicia's complaint process. A flow chart of the complaints process is attached as Appendix 1.

4.15 We aim to resolve as many complaints as possible using our complaints process. However, if the customer remains dissatisfied with the complaint following the review stage by the Head of Service / Director, then the customer can refer their complaint to:

5. Designated Person and /or Housing Ombudsman

5.1 Customers who feel their complaint has not been resolved have the right to approach their MP or local councillor to seek a local resolution or contact the Housing Ombudsman directly at any stage of their complaint.

5.2 We will provide information to all customers about the Housing Ombudsman Service on our website and in our complaints leaflet and in stage 2 responses.

5.3 Making a referral to the Ombudsman is free and further details can be found at: <http://www.housing-ombudsman.org.uk/>

6. MP Enquiries

- 6.1 Enquires received from a MP that require a written response will be recorded on Housing Management System, as with stage 1 of the complaints process, the enquiry will initially be acknowledged to the customer and MP within 5 working days of receipt by the Customer Feedback Officer. The enquiry will then be assigned to the relevant service manager to respond. The target for a response is 10 working days from receipt of the enquiry, a response will then be provided to both customer and the MP.
- 6.2 If the customer then approaches Bernicia to access the formal complaints process and their concern has already be addressed as a MP Enquiry, a decision will be made between the Customer Feedback Officer and the relevant manager as to whether the complaint should enter the complaints process at stage 1 or stage 2. The rationale of the decision will be based on how long ago the original enquiry was addressed, the quality of the original response in addressing the customers concerns and the ability for the concerns to be addressed by a further investigation.

7. Misuse of the complaints process

- 7.1 The making of malicious complaints can be a form of harassment or anti-social behaviour whereby an innocent resident or colleague is subjected to unfounded exaggerated or dishonest complaints by someone seeking to cause detriment to the individual(s) concerned.
- 7.2 Whilst we will investigate all complaints in line with our Complaints and Compliments Policy, as part of the investigation in certain circumstances we may need to include the possibility that the complainant or complaint falls within the remit of the Unacceptable Behaviour policy.
- 7.3 If the Senior Management Team decide that someone's behaviour or complaint is to be processed under the Unacceptable Behaviour Policy, options will be considered including:
- Establishing a single point of contact
 - Removing an individual's implied license to attend our offices
 - Taking legal action under the Anti-social Behaviour, Crime and Policing Act 2014 (nuisance to landlord ground)

8. Using customer feedback

8.1 We value customer feedback that we receive, and we will use this feedback as follows:

- To identify trends from complaints and expressions of dissatisfaction and use this information on a large scale to inform our approach to our services, train our staff and how we direct our resources
- We will keep records of lessons learned on complaints and produce/review a quarterly action plan
- Managers will share information on lessons learned across the business where appropriate to maximise the impact and benefit. This will be coordinated by the Business Insight and Improvement Manager
- We will publish details of how we have improved our services because of learning from complaints
- We will use customer compliments to identify cases of excellent customer service and this can inform our approach to how we train our staff and deliver our services.

Uncontrolled if printed – This may not be the latest version of the procedure

All procedures must be printed from Connect only – please make sure it is the latest version.

Appendix 1: Formal Complaints Procedure Flowchart

