



Customer Complaints and Feedback Policy 2024

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1.0 Introduction

1.1 Harrogate Housing Association (HHA) is committed to delivering the best possible service for our customers and welcomes feedback from anyone who uses our services. HHA views comments, compliments and complaints as a valuable source of information about what we are doing well and what we need to improve upon. This policy sets out how we will manage our complaints and other customer feedback, including how we learn from our mistakes so that we continually improve our services.

2.0 Aims and Objectives

2.1 In developing this policy HHA aims to listen to individuals, treat them fairly, learn from what has happened and take any necessary action to put things right and prevent re-occurrence. HHA will deal with complaints impartially, objectively and professionally. Staff will take ownership, apologise where we have made a mistake and aim to resolve the complaint to the customers satisfaction.

The objectives of the policy are: -

- To encourage feedback both positive and negative about our service.
- To provide a number of different ways to give feedback to us.
- To resolve issues at the first point of contact wherever possible and if not possible we will give reasonable timescales for when we expect to be able to do so.
- Use comments, complaints and compliments to help us to improve our service.

3.0 Definitions

3.1 As part of this policy HHA will use the following definitions:-

Feedback	Definition	Action
Comments	A comment is positive or negative feedback about our service which does not require a formal response.	Noted within the comments log. HHA will investigate a comment and will take action as required. Comments will be passed on to the CLC for information.
Complaints		

Feedback	Definition	Action
	<p>A complaint is any expression of dissatisfaction, however made, about the standard of our service, actions or lack of actions by the organisation, its staff or those acting on our behalf, affecting an individual resident or group of residents.</p> <p>These are situations where we have:-</p> <ol style="list-style-type: none"> 1. Failed to do something that we should have done. 2. Failed to follow our policies and procedures. 3. Done something that we should not have done. 4. Done something badly. <p>There are 2 types of complaints (the resident does not have to use the word complaint for it to be treated as such)</p> <ul style="list-style-type: none"> • Informal complaint/ Quick fix; a complaint that can be resolved quickly at first contact. • Formal complaint. A complaint that cannot be resolved at first contact or is of a severe nature which requires a formal response under our complaints procedure 	<p>Noted on Complaints log . Actions of the officer noted. Customer can at this stage wish to make this a complaint. A record/audit trail logged on system. These are shared for information with the CLC.</p> <p>Complaints Log updated and customer advised of formal log number and date full written response is due by. The CLC will be made aware of any resolved complaints.</p>
Compliments	A compliment is an unsolicited expression of gratitude or praise for a member of staff or service.	Compliments will be passed on to staff and will be used to identify areas of

Feedback	Definition	Action
		good practice that HHA can learn from. Compliments will be shared with the CLC.
Service requests	A request for a service, such as a request requiring action to be taken to put something right such as the logging of an Nuisance/ASB incident.	The customer is advised of the process in the service area. These are recorded, monitored and reviewed.

3.2 What is not a complaint?

All complaints will be accepted unless there is a valid reason not to do so. Before a complaint is excluded, we will consider any exceptional circumstances the customer brings to our attention. HHA will **not** register a complaint under the following situations:-

- An initial request for information or an explanation.
- An appeal against action resulting in court proceedings or matters subject to ongoing court proceedings.
- Any matter in which there is an established internal or external appeals procedure allowing the complaint to be properly investigated and resolved by another route. Examples of this are service charge disputes with a homeowner and neighbour disputes (unless the complaint refers to our failure to deal with the disagreement appropriately).
- Appeals against policy decisions.
- Matters that are subject to an Insurance claim. HHA will not consider the matter under the complaints procedure until this route has been exhausted and will use its discretion in whether to log the matter as a complaint.
- Complaints which are submitted anonymously (although we may still investigate).
- Dissatisfaction expressed through satisfaction surveys (these will however be followed up and used to improve services as part of our wider response to responding to customer feedback).
- Any matter where the complaint constitutes a refusal to accept a rule of law with which HHA is complying.
- Where the event or issue took place more than 12 months before we received the complaint.
- Where it is referring to a service not provided by HHA
- The complaint has previously been through the complaints process.
- The complaint has already been made, and is under investigation, including if a representative has raised the issue.

- If the customer's behaviour is unacceptable, in which case we will follow the approach set out at Section 4.5

4.0 Making a Complaint

4.1 Anyone who receives a service from HHA can make a complaint to us; these include customers, shared owners/leaseholders, applicants for rehousing in our properties and those customers and applicants from schemes that we manage on behalf of others.

We will continue to seek complaint resolution with customers pursuing Pre Action Protocol for Housing Condition Claims in line with the Housing Ombudsman Service guidance. A complaint can be made in the following ways:-

- Email – info@hhal.org.uk
- Letter
- Phone
- In person
- Via the contact form on our website: www.hhal.org.uk

Via a friend or relative, agencies such as Citizens Advice Bureau, support workers, MPs and local councillors (HHA will need to be satisfied that anyone representing a customer has permission to act on their behalf and we will ask to have this confirmed by the customer)

Confidentiality and Privacy We will only share information in accordance with the Data Protection Act 2018 and the General Data Protection Regulation (GDPR). We will keep a full record of the complaint, any review and the outcomes of each stage, including all documents, relevant correspondence with the complainant or their representative and other parties, surveys and reports.

4.2 Equality, Diversity and Inclusion

HHA believes that Equality, Diversity and Inclusion is a core value of the Association. We will ensure that our customers, staff and partners are treated with fairness and respect and apply these principles fairly and consistently.

We will not directly or indirectly discriminate against any person or group of people because of their age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation or any other grounds.

HHA will have regard to reasonable adjustments (as defined by the Equality Act 2010) required by customers accessing our complaints service.

The Housing Ombudsman Service

Throughout the complaints process our customers are advised that they can approach the Housing Ombudsman at any point in the process for support and guidance. Similarly, HHA may also approach the Ombudsman at any point for guidance on a complaint that will assist in resolving the complaint.

4.3 Time Scales

HHA will be unable to investigate complaints relating to issues that are over 12 months old unless there are exceptional or extenuating circumstances. HHA will use its discretion in its decision to investigate these matters.

4.4 Complaints about Staff

If a complaint is made about the conduct of a member of staff, their line manager will investigate, separately from the complaints policy. Acknowledgement of the complaint will be made however the details of individual performance management will not be discussed or responded back to the complainant and will follow the Association's relevant policy and procedures

4.5 Unacceptable Behaviour

HHA staff will always treat customers with respect and expect that our staff will be treated with respect too.

Some situations are upsetting or distressing which may lead to a complaint. HHA will not necessarily view this as unacceptable behaviour.

A customer may contact HHA in connection with a complaint and whose actions or behaviour we consider unacceptable. A customer who is angry, abusive or persistent and whose actions place unreasonable demands on our staff's time or have unreasonable requests for information or on our resources, then HHA will take action to deal with such behaviour. Examples of what HHA consider to be unacceptable behaviour include: -

- **Aggressive or abusive behaviour** – behaviour which includes threats, physical violence, personal abuse, derogatory or discriminatory remarks.
- **Unreasonable demands** – these covers customers who may make what we consider to be unreasonable demands through the amount of information they want from us, the nature and scale of service they expect or the number of times they contact us. Examples of this include asking for responses in an unreasonable timescale, continual phone calls, emails or letters or repeatedly changing the substance of the complaint or raising unrelated concerns.

- **Unreasonable Persistence** – Examples of this type of behaviour include a persistent refusal to accept a decision or persistent refusal to accept explanations about what we can or cannot do. A continual re raising of the same complaint once the complaints process has been exhausted.

4.6 Managing Unacceptable Behaviour

This will depend on the nature and extent of the unacceptable behaviour but HHA retain the right, where we consider customers' behaviour to be unacceptable, to take appropriate measures that will allow us to manage the complaint and to deal with them through the complaints process, wherever possible. Examples of measures that may be put in place are: -

- **Restricting contact with complainant** – this may be through limiting the number of communications HHA will have with the customer, limiting the type of contact such as letter only. It could also involve restricting access to the office.
- **Single Point of Contact** – we may consider nominating a person who will be responsible for all communication with the complainant.
- **Complaints service standards** – it is important in order to manage unacceptable behaviour that staff deliver responses in line with our service standards and procedure.
- **Alternative dispute resolution** – HHA may consider using mediation to resolve a complaint. Any costs will be covered by HHA. The customer is not obliged to agree to this and HHA would make a decision on a case by case basis.

Decisions to restrict or change how HHA manage customers who demonstrate unacceptable behaviour will be done after careful consideration by the Operations Manager.

Actions will be regularly reviewed by the Operations Manager (Complaints Officer) and the customer will be kept informed about what action we are taking and why we are taking this action.

4.7 Reasonable Adjustments

Customers may need us to make reasonable adjustments to be able to access our complaints process. Reasonable adjustments are changes to work practices, on either a temporary or permanent basis, which aim to avoid disadvantaging someone who has a disability or other protected characteristic and to provide extra support where necessary. This term disability also relates to mental health conditions as set out in the Equality Act 2010. These adjustments could include:

- Allowing more time at each stage of the complaints process for customers to respond.
- Allowing customers to communicate in writing or verbally
- Responses and Information may be provided in a different format
- Translation for discussion or documents.

5.0 Complaints Process

5.1 The purpose of the complaints process is to support a “right first time” approach. HHA will provide each customer making a complaint with a full, fair and honest response to the issues they have raised. If HHA have got things wrong, then we will apologise to the customer. If a complaint concerns a contractor instructed by HHA, then we will take this as a complaint against their own service, the customer should not have to deal directly with the contractor.

HHA staff will take ownership of a complaint and are empowered to make reasonable decisions to resolve the matter for the customer. HHA will ensure that we maintain regular contact with our customer whilst dealing with their complaint.

5.2 The Complaint Process

A complaint about our service will be dealt with by Neighbourhood Officers. Our aim is to resolve problems and put them right with the minimum of delay, and always take into consideration the vulnerability of the complainant throughout the process. To manage our complaints we have the following process and stages:-

5.2.1 Informal Complaints

Some complaints can be resolved quickly and require only a verbal response. These informal complaints will be recorded internally for monitoring, review and learning purposes.

5.2.2 Formal Complaints – Resolution Stage

If a complaint cannot be resolved through the informal process or has been escalated to the formal process a set of service standards for formal complaints has been developed to ensure that our customers' complaints are acknowledged and responded to within set timescales.

A complaint will be acknowledged in 2 working days. The acknowledgement will contain a log number and who will be investigating the complaint, the definition of the complaint and the Ombudsman's contact details.

Our aim is to resolve the complaint within 10 working days from receipt.

In exceptional circumstances we may not be able to achieve these timescales and may have to extend the complaint response by a further 10 working days (ie 20 days from complaint receipt).

In these situations we will write to the customer with an assessment of the situation so far and advise them of the reason why we are unable to achieve the response times and provide the details of the Housing Ombudsman. For delays in excess of 20 working days this will be agreed with the customer, again details of the Ombudsman will be provided. This stage is known as the Resolution stage of the process. Where residents raise additional complaints during the investigation these will be incorporated into the Resolution stage if they are relevant, and the Resolution response has not been issued. If it has been issued or would delay the response, we will log the additional issues as a new complaint.

5.2.3 Formal Complaints – Review Stage

If a customer is dissatisfied with the outcome of their complaint they can ask for a review, giving the reasons why they are dissatisfied. This is the Review stage of the complaint process.

If the customer presents **new relevant information** at this point this may result in an investigation into the new circumstances as part of the Resolution stage. Any unrelated information will be dealt with as a new complaint.

A review of a complaint will be carried out by the Operations Manager unless they have been involved in the resolution stage. In these cases another officer not connected to the resolution stage will review the complaint. Complaints received about a tenancy related matter may be dealt with independently through the Customer Liaison Committee and customers are invited to attend to put their complaint to the panel. The Operations Manager will agree the details of the Resolution Stage and may ask for additional actions to help resolve the complaint for the customer. If the customer is happy to accept the proposed additional actions, then the complaint can be resolved. If not, the complaint moves to the Review stage of the complaint, this will be done through a meeting with a member of the Customer Liaison Committee. The customer can attend the Review meeting accompanied by one other person if they wish to do so for support.

When the review has been carried out a response in writing will be sent out in line with our service standards. If this is not possible then the reason why and new expected date for completing the review will be given.

On rare occasions HHA may refuse a request for a review of a complaint. These will be for reasons such as:-

- All actions agreed with customer have been completed or where we are completing follow on works or actions and we have communicated this to the customer.
- The customer has failed to provide 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 (see 4.3 Unacceptable Behaviour)

If we decide to take this action we will clearly explain our reasons why.

The review stage is the completion of our internal complaints process.

A complaint will be closed:

- When the customer tells us that we have resolved the complaint **OR**
- If no response is received from the customer after 14 working days of the completion of our investigation and its outcome being communicated to the customer **OR**
- Following a review.

5.5 Complaints referred to the Housing Ombudsman. The Housing Ombudsman is not a regulator but encourages positive relationships between Landlord and Customer.

A customer can approach the Ombudsman directly. The contact details of the Housing Ombudsman are as follows:

Housing Ombudsman Service
PO Box 1484
Unit D
Preston
PR2 0ET

Tel: 0300 111 3000

Email info@housing-ombudsman.org.uk

Website: www.housing-ombudsman.org.uk

HHA will provide information to all customers about the Housing Ombudsman through our website and customer leaflets.

5.6 Complaints from Homeowners – properties managed by HHA. Homeowners can use the HHA complaints procedure and approach the Housing Ombudsman if they are not satisfied with the outcome of the complaints process. Depending on the complaint the Housing Ombudsman will refer homeowners to the First - Tier Tribunal (Property Chamber) the complaints referred will be when deciding liability for payment of service charges and when settling disputes about the Landlord's choice of insurer.

6.0 Service Standards and Goodwill Gestures

6.1 As part of the process of improving our service to customers, HHA have set out a series of standards that advises clearly what our customers can expect from us. HHA will aim to resolve a complaint as quickly as possible through the informal

stage. If a complaint cannot be resolved through this stage and HHA need more time to look into it then the following service standards will apply as part of the formal complaint process:-

Process	Timescales	Action
Complaint received and acknowledged.	Within 2 working days	Admin will log complaint on the system and generate log no, provide acknowledgement to customer and advise who will be dealing with the complaint.
Written Response – <i>Resolution Stage</i>	Within 10 working days	Officer to provide a full written response to the customer.
If the complaint is not resolved, then the complaint will be reviewed by either the Operations Manager/ the Customer Liaison Committee (tenancy related matters) <i>Review stage</i>	Written response from Operations Manager within 10 working days. CLC complaint panel within 10 working days of the review investigation, if requested by the customer. Outcome of hearing will be communicated to the customer within 10 working days	Progress to review stage following confirmation from customer. Admin will set up a Complaint Panel Meeting for CLC and invite customer to attend

A satisfaction survey will be carried out after all complaints have been fully resolved.

6.2 Goodwill Gestures

6.2.1 When our repairs service fails, HHA will operate their compensation process which is highlighted in our Repairs and Maintenance Policy, a copy of which can

be found on the website, www.HHAL.org.uk. Where customers have experienced inconvenience that has resulted in a complaint being made, HHA will consider making a gesture of goodwill to the customer. These will be a reasonable offer taking into account the circumstances of each case. Goodwill gestures are not necessarily a monetary gesture and HHA will make an appropriate offer on a case to case basis.

6.2.2 Payment of any monetary gestures or compensation via our Repairs and Maintenance Policy will be off set against any other debt including rent arrears and recharges.

6.2.3 When assessing redress to the customer HHA will take into consideration: -

1. What has happened, and the time taken to resolve it?
2. What expenses have they incurred?
3. Any stress or anxiety as a result of raising the issue and /or any cumulative impact on the customer
4. Are any statutory payments due?
5. What is reasonable?

7.0 Comments and Compliments

7.1 All comments and compliments will be logged internally. The Operations Manager will ensure any actions are carried out. The Customer Liaison Committee (CLC) will be presented with any comments and compliments logged.

7.2 HHA will ensure that any good practice and service improvement issues identified by the comments or compliments process are shared and used to improve service to customers and will feedback to customers through the Customer Newsletters.

8.0 Learning from Complaints and Customer Feedback

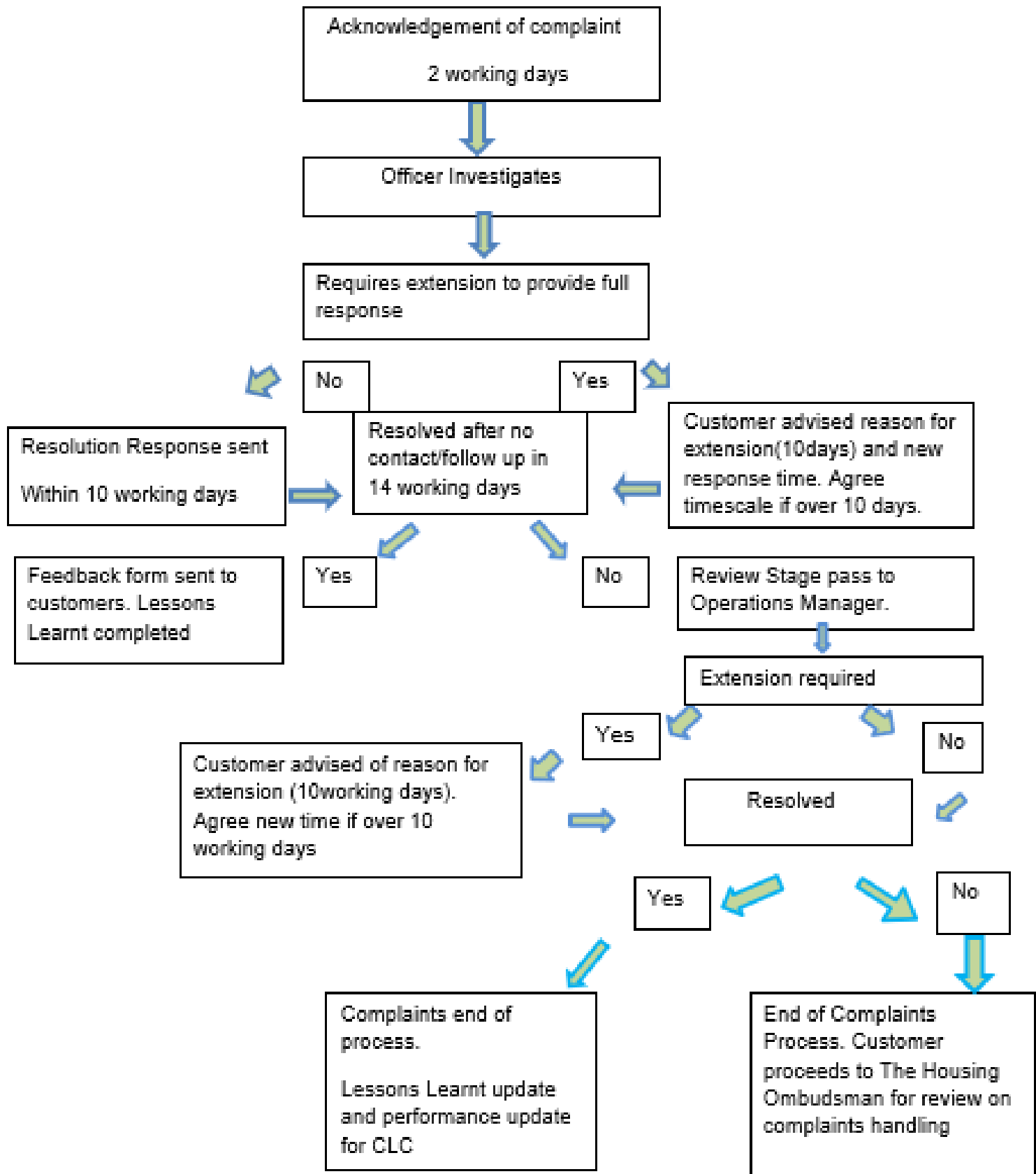
8.1 The Operations Manager will be responsible for monitoring the complaint process, trends and reporting. Completing the Self-Assessment form and publishing this to Board and the Customer Liaison Committee.

8.2 The Customer Liaison Committee will receive feedback reports on any comments, compliments and resolved informal and formal complaints. They will look at: -

- Patterns in complaints or other feedback
- Performance in dealing with complaints
- Satisfaction information about the complaints handling
- Review learning from complaints and other feedback

- Use the information to inform scrutiny service reviews.

9.0 Flowcharts for Formal Complaints



10.0 Complaints Check List 2024

Complaint Ref:

Complaint Stage	Y	N	Comments/Action
Complaint Acknowledgement			
<ul style="list-style-type: none"> Was the complaint acknowledged within 48 working hours? 			
<ul style="list-style-type: none"> Did the acknowledgement include a ref number? 			
<ul style="list-style-type: none"> Did the acknowledgement advise who would be dealing with the complaint? 			
<ul style="list-style-type: none"> Did the acknowledgement confirm when a response will be provided? 			
<ul style="list-style-type: none"> Did the acknowledgement clarify the complaint being made? 			
<ul style="list-style-type: none"> Did the customer receive the flowchart with the acknowledgement. 			
<ul style="list-style-type: none"> Did the acknowledgement confirm that they can contact the Housing Ombudsman at any stage and include details 			
<ul style="list-style-type: none"> Was the complaint log updated/ CRM updated on receipt? 			
Complaint Resolution Stage			
<ul style="list-style-type: none"> Did the customer receive a home visit to discuss the complaint? 			
<ul style="list-style-type: none"> Did the Resolution letter contain the ref number? 			
<ul style="list-style-type: none"> Was the letter provided to the customer within 10 working days? If No - Did we contact the customer to extend the response and say why? Was the letter with the extension date provided within 10 days maximum timescale? If not, what action was taken? Was the delay reasonable? Did the letter of extension provide the Ombudsman details? 			
<ul style="list-style-type: none"> Did the letter contain an apology? 			
<ul style="list-style-type: none"> Did the letter answer and propose a resolution for all elements of the complaint? 			
<ul style="list-style-type: none"> Did the letter offer any form of compensation? 			
<ul style="list-style-type: none"> Did the letter contain information on the next stage if they were not happy with the Resolution? 			
<ul style="list-style-type: none"> Did it confirm who to contact if they wished to take it to the next stage? 			
<ul style="list-style-type: none"> Did the letter confirm details of the Housing Ombudsman for contact? 			

Complaint Stage	Y	N	Comments/Action
<ul style="list-style-type: none"> Were details update on the CRM system/ Complaints log? 			
<ul style="list-style-type: none"> Was the complaint resolved? If yes did a completion letter with feedback form go out after 2 weeks of completion? If no, did it progress to Review? If resolved, was the Lesson Learnt table completed? 			
Complaint Review Stage			
Acknowledgement			
<ul style="list-style-type: none"> Was the Review request responded to in 48 working hours? 			
<ul style="list-style-type: none"> Was the reason from the customer for the Review acknowledged in the response? 			
<ul style="list-style-type: none"> Did the acknowledgement contain the ref number? 			
<ul style="list-style-type: none"> Did the acknowledgement contain the person who would be carrying out the review? 			
<ul style="list-style-type: none"> Did the acknowledgement give a timescale to receive a response? 			
Action			
<ul style="list-style-type: none"> Did the customer receive a home visit? 			
<ul style="list-style-type: none"> Did the letter have a reference number? 			
<ul style="list-style-type: none"> Was the letter provided to the customer within 10 working days? If No - Did we contact the customer to an extension was required (10 day) and explain why? Was the delay reasonable? Did the extension letter provide details of the Ombudsman 			
<ul style="list-style-type: none"> Did the letter contain an apology? 			
<ul style="list-style-type: none"> Did the letter answer and propose a solution for all elements of the complaint? 			
<ul style="list-style-type: none"> Did the letter offer any form of compensation? 			
<ul style="list-style-type: none"> Did the Review complete the complaint? Did the letter provide the Housing Ombudsman details. Was an offer of a meeting with a CLC member offered? 			
<ul style="list-style-type: none"> Did the CLC attend and resolve the complaint? 			
<ul style="list-style-type: none"> If yes did a letter confirming outcome and a letter with action following CLC visit sent to the customer within 10 working days? 			
<ul style="list-style-type: none"> Did the letter confirm that this was the end of complaint process 			

Complaint Stage	Y	N	Comments/Action
<ul style="list-style-type: none"> Has the Complaint Log/ CRM been updated of all actions. 			
<ul style="list-style-type: none"> Was a formal closing letter sent out to the customer 14 working days after completion of the complaint. Was a feedback form included with the letter? 			
<ul style="list-style-type: none"> Was the Lesson Learnt on complaints completed and log updated. 			

11.0 Housing Ombudsman Example response letter

Below is an example of a response letter. This is a generic letter that may not suit every landlord or complaint, but includes the key elements that we believe contribute to an effective and comprehensive response to a complaint:

Top Homes Housing Association
High Street
Topsham

Ms Tenant
Flat 4
Any street
Anywhere

Date:

Dear Ms Tenant

(Stage 1/ Stage 2/ Final Response) to your complaint ref: 12345

I have reviewed your complaint at stage X of our complaints procedure and am writing to provide you with Top Homes' *(response/final response)* to your complaint.

You complained to Top Homes HA on *(date/s)* about the following issues:

- *xxx (list each issue from the original complaint plus any that the landlord has since agreed to include in the complaint)*
- *xxx*

Officer X sent you our previous *(stage 1/stage 2)* response to your complaint on *(date)*. I am sorry to hear that you remain dissatisfied. I understand *(from our phone call/your email/ letter of x date)* that your reasons for dissatisfaction and your outstanding concerns are:

- *(summarise outstanding issues and reasons for dissatisfaction)*
- *xx*

I also understand that, in order to resolve your complaint, you are seeking the following outcome/s:

- *(list any outcomes sought by the complainant eg repairs, apology, compensation, change in procedure)*

To investigate and review your complaint I have *(set out steps taken eg documents reviewed, staff and contractors consulted etc)* and have made the following findings:

- *Findings and conclusions (for each element of the complaint, referencing any evidence relied upon and any relevant policies, procedures or legislation)*

- Apologies and explanations (*if appropriate, include a genuine apology and an explanation for any service failure*)
- Redress (*if warranted, provide details of appropriate redress such as compensation, repairs and/or other actions. If offering compensation, explain what it is for, provide a breakdown and refer to any compensation policy – but also use your discretion*)
- Learning (*explain what you have learnt from the complaint and what changes and improvements will be put in place as a result of that learning*)
- Signposting (*if appropriate, signpost the complainant to other services or sources of advice or support*).

This now concludes (*Stage 1/stage 2/ stage 3*) of our internal complaints process. I am sorry that you had cause to complain to Top Homes HA. I hope that this letter shows that your feedback has been fully considered and that you are satisfied with this final response.

If you are dissatisfied with our response, you

- **(applicable at early stages)** should reply within X days explaining why you remain dissatisfied and what you are seeking as an outcome. Your complaint will then be reviewed by (*name and position of staff member*) at the next stage of the internal complaints procedure. Please note you can contact the Housing Ombudsman Service at any point during the complaint process. It cannot investigate your complaint whilst your complaint is going through our internal complaints procedure however the Ombudsman may be able to help you and your landlord reach a resolution.
- **(applicable at final stage)** are entitled to refer your complaint to the Housing Ombudsman Service. *The contact details are:*
 - Tel 0300 111 3000
 - Email info@housing-ombudsman.org.uk
 - www.housing-ombudsman.org.uk
 - Housing Ombudsman Service, PO Box 152, Liverpool, L33 7WQ.

Thank you for the time you have taken in bringing your complaint to our attention.

Yours sincerely

Ms Rita Resolution – Job Title