

# Customer compliments, complaints and feedback policy

<b>Policy ref:</b>	Customer Complaints
<b>Procedure author/holder:</b>	Executive Director of Neighbourhoods and Customer Service
<b>Date approved:</b>	August 2018
<b>Reviewed and approved by:</b>	LiveWest Customer Services committee
<b>Effective date:</b>	1 August 2022
<b>Review date:</b>	August 2025

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## **1 Purpose and anticipated outcome**

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We welcome complaints, compliments, and comments as an opportunity to listen to what our customers say is important to them, and to improve our services.

Whilst we want to provide excellent customer service, and always aim to get things right first time, we accept that sometimes things can go wrong. When that happens, we will say 'sorry', and resolve customers' concerns as quickly as possible.

Our approach to complaints is therefore to:

- Listen and understand.
- Say sorry when we have got it wrong.
- Put things right.
- Learn and improve.

This policy ensures that we consistently record, investigate, and respond to customer feedback and maintain compliance with the Housing Ombudsman's Complaint Handling Code and the Regulator for Social Housing's Tenant Involvement and Empowerment Standard.

## **2 Scope and definitions**

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This policy applies to all LiveWest customers including anyone who has applied to use, or is already using, our services. This policy also applies to members of the public if they have been affected by a decision that we have made or something that we have done or not done.

A compliment is defined as an instance when a customer goes out of their way to actively offer unsolicited praise or thanks for something that we have done.

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A service request is defined as a request from a customer that requires action to be taken to put something right. It will usually be the first time we have been contacted about an issue and have not previously had the opportunity to investigate the concerns and agree what action we will take to resolve the issue. A complaint will be raised if a customer remains dissatisfied with the response to their service request.

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'.

Some complaint elements fall outside the scope of our policy including:

- Complaints about issues where more than 12 months has passed, unless they form part of an on-going issue.
- Service requests and complaints about issues that have occurred in the preceding 12 months and were not previously notified to LiveWest.
- Complaints where we have no responsibility and/or are not the statutory body for decision making, such as police, NHS or Local Authority services or courts system.
- Complaints in which court or tribunal proceedings are about to be issued or have been issued.
- Liability, personal injury or other insurance claims.
- Complaints relating to decisions made by LiveWest in the allocation and management of our homes, where existing case reviews or appeals processes are in place.
- Complaints that have previously been considered through our internal complaints process and matters already being dealt with by the Ombudsman service.
- Serious colleague complaint concerning the conduct, behaviour and/or decision making of a LiveWest colleague where internal disciplinary or relevant procedures are in place.
- Complaints from one resident about another where customers should contact the neighbourhood housing team for advice on neighbour disputes. However, if the complaint is how we are dealing with an open or ongoing ASB case, we will deal with it through the complaints process in isolation to the ongoing case.

Where we cannot consider a complaint within our policy, we will explain why and offer advice or support to customers to try and help them resolve the issue.

### **3 Accessibility**

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We will tell customers how to raise concerns with us, publicising, and explaining our complaints policy and process.

We are happy to accept all types of feedback (including complaints, compliments, and comments) verbally, in writing and via our social media platforms. Complaints received via social media platforms will be directed via private messaging to enable us to maintain our customers confidentiality and privacy.

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We will also accept a complaint made on a customer's behalf through an advocate, for example, from a friend, support worker, relative or MP. Where complaints are made through an advocate we will, where appropriate, need to confirm this with the customer and make a record of this agreement.

We recognise that some people may find it difficult to access our complaints process or explain their concerns. We will offer advice and support on submitting a complaint, where required.

We will treat complaints received through petitions in the same way as all other complaints. If it is helpful, we are happy to meet the petitioners as a group. To manage the complaint effectively we will ask the group to nominate a representative and we will work with this person to resolve the complaint. Where we provide a written response, we will make this available to all petitioners.

All complaint information will be handled sensitively, telling only those who need to know and complying with relevant data protection requirements.

#### **4 Compliments and feedback**

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All customers are encouraged to tell us when they feel that they have received outstanding service or when they have suggestions for how a service can be improved.

Compliments are recorded to help us understand what is important to customers and so that they can be used to further improve our services in the future.

Feedback on compliments is given to colleagues and publicised in recognition of the outstanding customer service delivered by our teams.

#### **5 Complaint resolution**

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When customers raise an issue with us, we will take the time to listen to their concerns. We will provide advice and support to the customer and identify if the issue raised falls within the scope of the complaints policy as detailed in section 2.

We recognise that sometimes we make mistakes, and that great service is about putting things right as soon as we hear about them. Where we have made a mistake, we will say sorry and take the opportunity to quickly try and put things right.

When a complaint is received, we will:

- Aim to resolve it at the first point of contact. If we are not able to resolve it immediately, the complaint will be handed over to the complaints team.

- Respond quickly, in a positive, understanding way.
- Listen and treat all customers with respect and courtesy.
- Investigate fully and ensure we address all relevant aspects.
- Ask the customer for their preferred resolution.
- Be clear about what we can and cannot do, managing expectations.
- Learn from it and use it to improve our services to customer.

All complaints, comments, and feedback where a Health and Safety risk is identified will be formally recorded and immediately referred to a senior manager. The Health and Safety manager will be advised.

### **Stage 1**

In most cases we will quickly be able to resolve customer concerns; in cases where we are not able to do this, we will treat the issue as a complaint. The complaint lead will investigate, liaise with relevant colleagues, and communicate with the customer to try and reach an immediate resolution (24 hours). Where we cannot do this the complaint lead will work with the relevant manager or team leader to resolve the complaint and formally respond to the customer within 10 working days. The response provided may be a full complaint response confirming the actions we have taken to resolve the issue or a complaint response confirming the actions we will take to investigate and resolve the issue.

We recognise that some complaints may require detailed investigations; where this is the case, we will discuss this with the customer and agree the timescale in which we will respond. This will usually be no more than 20 working days from receipt of complaint. If an extension beyond 20 working days is required by us, we will agree this with you where practicable to do so.

When trying to resolve complaints, the complaint lead will try and identify what went wrong and what we need to do to put things right. We will be open and acknowledge when and why we made a mistake. We will always aim to return the customer to the position they would have been in if there was no service failure. If we cannot do this or if our delay has caused difficulty for the customer, then we will consider financial compensation in line with our compensation guidance.

There may be occasions during the complaints process when we are in disagreement with customers regarding their desired outcome. In these instances, mediation may be an appropriate way to move the complaint forwards towards a resolution and we will happily offer free mediation services to customers where appropriate.

When we receive a complaint, we will agree with the customer how they would like us to respond and how they would like to receive updates on the progress of the complaint. This may be by telephone, text, e-mail, face to face or in writing. Where complaints are made through social media chat forums, we will agree an appropriate way to respond and send a private message to the customer.

## **Stage 2 senior manager review**

A customer who is not happy with our response can request a review of their complaint. Within 10 working days of receiving the stage 1 outcome letter, the customer is required to notify us of their intention to progress the complaint to stage 2 for a senior manager review. We recognise that there may be occasions where a customer may require additional escalation time for example a complex complaint or requested reasonable adjustments under the Equality Act. Where appropriate, we will extend the escalation timescale in agreement with the customer.

In cases where the customer's preferred outcome is not permissible due to regulatory, statutory, or legal reasons, and there are no concerns about our actual handling of the complaint at stage one, we can advise the customer that their complaint will not progress to stage 2 – this will then enable them to consider other options, including contacting the Housing Ombudsman if they choose without additional delays.

The complaint will be escalated to stage 2 and assigned to a senior manager within 5 working days from receipt of escalation request. A senior manager will look at and consider the decision made at stage 1. This could involve meeting with or speaking to the customer to discuss the complaint and the possible next steps in resolving it. The timescales to respond will be agreed directly between the manager and the customer but will normally be no more than 7 working days from date of stage 2 complaint acknowledgement. If it will take longer than 7 working days, this will be agreed in advance with the customer and a full explanation provided.

## **6 Support provided through the complaint process**

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We recognise that some customers may find it difficult to engage with the complaints process and explain their concerns. We will offer advice and support to customers to ensure that the complaints process is fully accessible to customers. We will consider all requests for reasonable adjustments under the Equality Act 2010 and will implement adjustments where it is practicable to do so. We will share information in a way that meets the customers' individual needs.

We do ask that when a customer brings a complaint to us that they support us to allow the investigation and any associated actions to be completed. This will include responding to clear and appropriate requests from staff for example, a request for more information, allowing access to carry out inspections, or agreeing to extend timescales.

We will make a minimum of three attempts to contact you to progress your complaint. If you do not respond to our requests, we will either:

- Close the complaint if we have insufficient information to carry out an investigation and advise that the complaint can be re-opened at a later date on provision of additional information. Or we will
- Continue to investigate the complaint as originally detailed and provide an outcome response.

## **7 Persistent use of the complaints process**

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Complaints that have been fully considered and closed within our complaints service will generally not be discussed any further with a customer, unless requested by a designated person, the Housing Ombudsman, or within a mediation process.

Where a customer's behaviour in accessing or using the complaints process becomes unreasonable, such as refusing to accept the outcome of their complaint, refusing to allow actions to be taken, or using our complaints service to make excessively unreasonable demands, our internal guidance for managing unacceptable behaviour will apply. The Unacceptable Behaviour policy recognises that customers may require different support and that unreasonable behaviour could compromise our capacity to deliver services to other customers. Any action taken in conjunction with the Unacceptable Behaviour policy will consider the customer's behaviour, impact on the business, likely impact on other customers, and corrective action to be taken.

## **8 Redress and compensation**

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All colleagues can agree small goodwill gestures and compensation payments in line with our compensation guidance as part of the complaints process.

Financial compensation will be considered where we are unable to take action to redress an adverse impact on the customer caused by a service failure, or where the customer has incurred financial loss, or where we are under a statutory or contractual obligation to compensate a customer. We may seek specialist advice regarding appropriate compensation levels from solicitors or the Housing Ombudsman service.

Where a complaint involves personal injury, the complaint should be referred directly to our insurers. In cases where a personal injury has been sustained, we would encourage customer to seek independent legal advice to ensure that their best interests are represented. You can choose not to follow this route, and it will be your responsibility to deal with our insurers directly. LiveWest cannot give any legal advice or guidance on how to make a public liability claim. To start a new claim please write to us at the below address with details of the incident:

FAO Insurance  
LiveWest  
Skypark  
1 Wellington Way  
Clyst Honiton  
Exeter  
EX5 2FZ

## **9 Learning from complaints, compliments and feedback**

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We will have systems in place which enable us to record and analyse data from complaints, compliments, and feedback.

We will use complaints, compliments, and feedback as opportunities to learn and improve our services. We will identify the causes of service failure and use this insight to address the underlying issues and improve services. We will use the compliments and positive feedback we receive from customers to help us understand what is important and inform future service design.

Once a complaint is closed, we may contact customers to ask for their views on the handling and outcome. We will use this insight to improve our complaints process.

## **10 Culture and behaviours**

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Our colleagues will be trained on our approach to managing complaints ensuring that we achieve a consistent, high quality, transparent, customer-focussed response across the organisation.

We will make colleagues aware of the importance of customer feedback in driving continuous improvement and the impact on customer service of a positive complaints culture.

We will always treat customers with respect and courtesy, and we would expect customers to similarly treat our colleagues in the same way.

## **11 Monitoring and review**

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We will report to the Customer Services committee at agreed intervals providing an overview of complaint handling and management. Information to be provided will include:

- Complaint themes
- Complaint outcomes and recommendations
- Numbers of complaints
- Customer satisfaction with complaint handling

We will publish details of the nature of complaints we receive and how we have learnt from them to our customers at least annually.

This policy will be reviewed every three years or more regularly as required.

## 12 Legal and regulatory considerations

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This policy meets the Regulator for Social Housing's Regulatory Framework requirement to have a clear, simple, and accessible complaints process, which ensures that complaints are resolved promptly, politely, and fairly. This policy meets the requirements of the Housing Ombudsman Complaint Handling Code.

This policy also meets the requirement of the Localism Act which provides that tenants can, when their landlords' complaints procedure has been exhausted, ask for their complaints to be considered by a 'designated person'; and the Housing Act 1996 requirement that social landlords are members of the Housing Ombudsman Scheme.

This policy meets the requirements of the Equality Act 2010.

## 13 Associated policies and other references – for internal use only

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- Customer compliments, complaints, and feedback procedure
- Compensation guidance
- Data protection policy and procedures
- Vulnerable customers policy
- Health and Safety policy
- Approach to learning from complaints
- Unacceptable behaviour policy

## 14 Version Control

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Version Ref	Date of change	By Whom?	Reason
2	August 2022	Customer Experience Manager	Full Review
3	September 2023	Director of Neighbourhoods	Review of Stage 1 process – amended to 10 days in line with HOS Complaint Code