

# Customer Compliments, Complaints and Feedback Policy

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<b>Policy ref:</b>	Customer Complaints
<b>Procedure author /holder</b>	Director of Neighbourhoods
<b>Date approved:</b>	March 2024
<b>Approved by:</b>	Customer Services Committee
<b>Effective date:</b>	1 April 2024
<b>Review date:</b>	March 2027

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## 1 Purpose and anticipated outcome

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We welcome complaints, compliments, and comments positively 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 and Tenant Satisfaction Measures and 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.

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. We record service requests and if a customer who makes a service request also lets us know that they are dissatisfied at any time with our response or actions being taken, we will raise the concerns as a complaint and continue to work to resolve the issue being reported.

A complaint is defined as *'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents'*. Whenever a customer expresses dissatisfaction we will give them the choice of making a complaint. We will accept a complaint unless there is a valid reason not to do so.

The following matters are excluded from our complaints service:

- Complaints about issues where more than 12 months has passed, unless they form part of an ongoing issue.
- Complaints where we have no responsibility and/or are not the statutory body for decision making (such as the police, NHS or Local Authority services or courts system).
- Complaints in which legal/court proceedings have formally started (such as a Claim Form and Particulars of Claim having been filed at court) or have been issued.
- Formal claims for liability or personal injury, which need to be appropriately assessed by our insurer.
- Complaints that have previously been considered and exhausted our internal complaints process, including matters then dealt with by the Ombudsman service.
- Serious colleague complaints (concerning the conduct, behaviour and/or decision making of a LiveWest colleague where internal disciplinary or relevant procedures are in place, although we will acknowledge the concerns and explain how they are going to be investigated).
- Complaints from one resident about another, unless the complaint is about our handling of an open or ongoing Anti-Social Behaviour case.
- Stage 1 complaints relating to decisions where existing appeals processes are in place (such as decisions made about the allocation and management of our homes) these complaints could only be considered at stage 2 following the appeal process.

When reviewing any exclusions from our policy we will assess each complaint on a case by case basis and may apply discretion in considering whether to exclude or progress a complaint about issues older than 12 months.

Where we are unable to consider either an overall complaint, or any points being raised within it, we will explain why and offer advice or support to customers to try and help them resolve the issue. We will also let our customers know that they can immediately refer any decisions about exclusions to the Housing Ombudsman Service and provide them with the Service's contact details.

### **3 Accessibility**

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We will tell customers how to raise concerns with us, publicising, and explaining our complaints policy and process. Our customers will be able make a complaint in any way and with any member of staff. Our staff are aware of our complaints process and are able to pass details of the complaint to the Service Improvement Team.

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.

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. Our customers are able to be represented or accompanied by an advocate in any meetings regarding their complaint.

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.

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 also recognise that sometimes when making complaints customers will let us know that they are vulnerable, or that the concerns they are reporting are making them feel vulnerable. We will make sure that any requests for reasonable adjustments made during the complaints process are taken into account and appropriate action taken.

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 what they think we've done well and 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.

Our focus is on timely and local resolution. 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 aspects of the complaint.
- 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.

In accordance with the requirements set by the Housing Ombudsman Complaint Handling Code LiveWest operates a two stage complaints process.

At both stages of our complaints process we will:

- Provide the customer with an opportunity to set out their concerns and outcomes being sought.
- Confirm our understanding of the customer's complaint.
- Consider all relevant information and evidence in investigating the customer's concerns.

- Consider remedies at any point within the complaints process to resolve the complaint as early as possible.
- Provide a complaint response to the customer when the answer to the complaint is known not when the outstanding actions required to address the issue are completed.

### **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 unable to reach an immediate resolution 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 inform the customer about 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 the customer.

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, 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 intent 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 request for consideration under the Equality Act, and where this happens, we will agree to any reasonable requests. We do not require customers to let us know the reasons for their escalation request, but we will let them know that this can be helpful information for the stage 2 complaint investigation process.

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 our customer to consider other options, including referring the complaint directly to the Housing Ombudsman if they choose without additional delays.

When we receive a request for a complaint to progress to stage 2, we will formally acknowledge, define and escalate the complaint within five working days of the request being received. The complaint will be assigned to a senior manager who will confirm their understanding of the complaint and review the decision made at stage 1 as part of the complaint investigation. 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 to a complaint at stage 2 will normally be no more than 20 working days from the date of stage 2 formal acknowledgement. In exceptional circumstances a stage 2 review may take longer than 20 working days, in these instances we will agree this in advance with the customer and provide a full explanation.

This is the final stage of our complaints process. Customers who remain unhappy with the outcomes of their complaint are able to refer their concerns to the Housing Ombudsman Service.

## **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 a customer to progress their complaint. If the customer then does 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
- 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 or 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 also 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 action needing to be taken.

Our Unacceptable Behaviour Policy requires that any assessment will demonstrate regard for the provisions of the Equality Act 2010 and includes review arrangements for any restrictions put in place.

## **8 Redress and compensation**

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All colleagues can agree 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 will have regard to our internal Compensation Guidance and the Housing Ombudsman's Remedies Guidance in making assessments about appropriate remedies offers, including compensation payments and in some cases may need to seek legal advice.

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 will encourage our customer to seek independent legal advice to ensure that their best interests are represented. A customer can choose not to follow this route.

LiveWest cannot give any legal advice or guidance on how to make a public liability claim and it will be the customer's responsibility to deal with our insurers directly.

Customers who would like to make a claim can write to us at the below address with details of the incident related to their claim:

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. We will also signpost customers to our complaints service during any wider surveys about LiveWest's performance.

## **10 Culture and behaviours**

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We place our customers at the heart of everything that we do and our behaviours require that all colleagues listen to and take account of our customers views. We will provide training for colleagues on our approach to managing complaints to ensure that we achieve a consistent, high quality, transparent and customer-focused response across LiveWest.

We also recognise that complaints form an integral part of our business service delivery. 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. We will not treat customers differently because they have made a complaint.



## 11 Roles and Responsibilities

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Our complaint handlers will have access to staff at all levels to facilitate the prompt resolution of complaints. They have the authority and autonomy to act to resolve disputes promptly and fairly, which may include:

- Calling a complaints case conference
- Escalating issues for ownership
- Challenging statements or findings

We have appointed a member of the Board, as a member responsible for complaints (MRC). The MRC will receive a quarterly complaints performance and insight report and will meet with the Service Improvement Team who are responsible for complaints.

## 12 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. We will also produce and publish an annual Complaints Performance and Service Improvement Report.

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

## 13 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. The policy will be published on our website together with details of the Housing Ombudsman Service and the Complaint Handling Code. We will also include signposting within our complaint acknowledgment letters.

This policy meets the requirements of the Housing Act 1996 and Social Housing (Regulation) Act 2023, including the Housing Ombudsman Complaint Handling Code.

This policy also meets the requirements of the Equality Act 2010.

## 14 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

## 15 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
4	March 2024	Director of Neighbourhoods	General amendments to reflect the 2024 HOS Complaint Handling Code from 1 April 2024
4.1	May 2024	Operations Manager - Complaints and Learning	Update to Stage 2 Complaints Response times