



Complaints Policy and Procedure

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Introduction

Empower welcomes all feedback from our customers and their representatives and recognises that this feedback provides valuable information that we can use to improve the services we offer.

A key part of this feedback is customer complaints, which allow us to learn from experiences where things may have gone wrong and make amendments to our working practices to ensure that they don't happen again. We encourage feedback by providing different channels through which customers can easily make a complaint.

The Board and Senior Managers at Empower recognise that complaint handling is an important strategic role, providing vital insight on our performance and reputation.

Empower recognises the impact of receiving a complaint on how we are performing as a landlord, can have on future service delivery. Empower will therefore ensure that their employees are supported and engaged in the complaints process, including the learning that can be gained. Performance data on complaint handling will be considered by the Board within Operations Reports and alongside other key performance indicators to provide assurance, assess any risks, identify emerging trends and learning points to improve services to customers.

Empower has completed its self-assessment against the Housing Ombudsman's Complaint Handling Code, which promotes the progressive use of complaints and provides a useful framework to support effective handling and prevention of complaints. Empower will continue to provide the Board with the Housing Ombudsman's annual report, where applicable along with the annual Self-Assessment against the Complaint Handling Code for scrutiny and challenge.

Empower will provide customers with contact information for the Housing Ombudsman as part of our regular correspondence with customers.

The Board has regular visibility of the volume, categories and outcome of complaints alongside complaint handling performance including compliance with Ombudsman's orders. Within Operational Reports Empower will provide the Board with a review of the issues and trends arising from complaint handling along with individual complaint outcomes where necessary, including where the Ombudsman made findings of severe maladministration or referrals to regulatory bodies. The implementation of management responses will also be tracked to ensure they are delivered to agreed timescales.

Empower will provide the Board with the Housing Ombudsman's annual report, where applicable along with the annual Self-Assessment against the Complaint Handling Code for scrutiny and challenge.

The Housing Manager has the lead responsibility for complaints to support a positive complaint handling culture. This Housing Manager is responsible for ensuring Empower's

Board receives regular information on complaints that provides insight to the Board on Empower's complaint handling process.

What is a Complaint - Definition

Empower recognise that effective complaint handling is a customer focused process that enables customer voices to be listened to and understood.

We have used the Housing Ombudsman definition of a complaint which is "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 resident or group of residents".

What is not a complaint - Exclusions

There are a number of circumstances in which a matter will not be considered a complaint, and which we consider to be fair and reasonable in accordance with the Housing Ombudsman's Code. These are:

- A comment, or series of comments, where the customer is making a suggestion about how we may improve or maintain our service
- A question, or series of questions, where a customer is requesting information about a service we provide
- A service request, where the customer is letting us know about a particular issue for the first time; for example reporting a repair or an incident of anti-social behaviour
- The issue giving rise to the complaint occurred over six months ago
- Legal proceedings have been started
- Matters that have already been considered under the Complaints Policy.

When we decide not to accept a complaint, we will provide an explanation setting out the reasons why the matter is not suitable for the complaints process.

Customers have the right to challenge this decision by bringing their complaint to the Housing Ombudsman.

Making a Complaint

We will always attempt to resolve a complaint at the first point of contact and empower our staff to resolve any concerns there and then. At this stage we will confirm our understanding of the complaint and the outcomes being sought with the customer.

Complaints can be made by the following means and will be dealt with in the strictest of confidence by our Housing Management Team in line with the company's Data Retention Policy:

Telephone

Visiting our offices

Emailing or writing to our Housing Management Team, or
Submitting an online form via the company website.

Empower also recognises that every customer interaction represents an opportunity for to gain feedback and insight. Tenant Satisfaction Surveys are provided annually to all our properties along with Repair Satisfaction Surveys (as and when required) allowing customers to provide feedback concerning their experience with EHA with guidance provided on how to pursue their dissatisfaction as a complaint if they wish to. Further details can also be found within EHA's Customer Feedback and Compensation Policy.

Empower will also seek to obtain feedback from the customer in relation to our complaint handling as part of our drive to encourage a positive complaint and learning culture. A Complaint Handling survey will be provided to a customer once a complaint has either been:

- resolved, or
- referred to the Housing Ombudsman

We will record all complaints on the SDM database and run regular reports from the system to identify if there are any trends in customer dissatisfaction and any lessons we can learn.

Empower have a standard objective in relation to complaint handling for their employees that reflects the need to:

- have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments
- take collective responsibility for any shortfalls identified through complaints rather than blaming others
- act within the Professional Standards for engaging with complaints as set by the Chartered Institute of Housing (CIH).

When we receive your complaint, we aim to deal with it there and then if we can. We will adhere to any reasonable arrangements agreed with customers in terms of frequency and method of communication i.e. braille, email, text where possible.

A customer and if applicable an employee of Empower who is the subject of the complaint, will also be given a fair chance to:

- Set out their position
- Comment on any adverse findings before a final decision is made

Empower will allow customers the opportunity to have a representative deal with their complaint on their behalf, and to be represented or accompanied at any meeting with Empower where this is reasonable.

If we are unable to resolve the complaint at the first point of contact, we will investigate under the formal complaints process. Empower will not unreasonably refuse to escalate a complaint through all stages of the complaints.

A formal complaint can occur when:

- A customer is unhappy about a service that they have received from Empower or the attempts that Empower has made to resolve the issue
- A customer requests that the service they have received be reviewed by a manager, or the customer has expressly asked for a complaint to enter the formal complaints process
- A member of staff has triggered the formal complaints process to reach a resolution with a customer.

A full record will be kept of the complaint, any review and the outcomes at each stage, including all correspondence with the customer, correspondence with other parties etc.

At the completion of each stage of the complaints process we will ensure that customers are communicated with and advised of the following information:

- the complaint stage
- the outcome of the complaint
- the reasons for any decisions made
- the details of any remedy offered to put things right
- details of any outstanding actions
- details of how to escalate the matter to stage 2 if the customer is not satisfied with the answer

The process has 2 stages and will be co-ordinated by our Housing Services Manager who is the dedicated Complaints Officer and Senior Management. If you are unhappy or dissatisfied with a response during the complaints process, you can appeal to the Housing Ombudsman Service.

In some cases, a customer may have a legal entitlement to redress. Empower's Customer Feedback and Compensation Policy provides further details and is easily accessible on our website or can be issued upon request.

Complaints received will be detailed within the company's Operational Reports and presented to the Directors during Board meetings to allow for actions and outcomes to be reviewed.

Stage 1 - Investigation

We will make it easy for our customers to make a complaint in a way that is the most convenient for them, this could be in writing, over the telephone, via text or email or in person to a member of Empower staff. The complaint will be acknowledged within five working days. We'll investigate the complaint and then discuss with the customer what

needs to be done to resolve the issue. Where the problem is a recurring issue, Empower will consider any older reports as part of the background to the complaint if this will help to resolve the issue for the customer.

Where customers raise additional complaints during the investigation process, these will be incorporated into the Stage 1 response if they are relevant, and the Stage 1 response has not been issued. Where the Stage 1 response has been issued, or it is found to unreasonably delay the response, complaint should be logged as a new complaint.

A complaint response will be sent to the customer when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions must still be tracked and actioned expeditiously with regular updates provided to the customer. We will provide a full written response within ten working days. If this is not possible, an explanation and a date when the stage one response will be received will be communicated. This should not exceed a further 10 working days without good reason.

Where an agreement for an extension period to Stage 1 cannot be reached Empower will provide the customer with the Housing Ombudsman's contact details to appeal the company's plan for responding and/or the proposed timelines for a response.

Stage 2 – Review

Empower will not unreasonably refuse to escalate a complaint to Stage 2 if the Stage 1 complaint is not resolved to the customer's satisfaction. The customer can request a review of the complaint within 10 days of receipt of the outcome.

A Senior Manager will consider the initial findings of the complaint investigation and may choose to take further action. The review outcome will be completed within 10 working days of the request. If this is not possible, an explanation and a date when the stage two response will be received will be communicated. This should not exceed a further 10 working days without good reason.

Where an agreement for an extension period to Stage 2 cannot be reached Empower will provide the customer with the Housing Ombudsman's contact details to appeal the company's plan for responding and/or the proposed timelines for a response.

Empower will confirm the following in writing to the customer at the completion of Stage 2 in clear, plain language:

- the complaint stage
- the complaint definition
- the decision of the complaint
- the reasons for any decisions made
- the details of any remedy offered to put things right
- details of any outstanding actions, and

- if this was the final stage, details of how to escalate the matter to the Housing Ombudsman Service if the customer remains dissatisfied.

Housing Ombudsman

If the customer remains unhappy or dissatisfied with the response to the complaint, they can appeal to the Housing Ombudsman.

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

This can either be done by the customer directly or can be co-ordinated through the Housing Services Manager . The referral must be made within eight weeks of the final decision.

Related policy, documents, legislation

Regulator of Social Housing - Consumer Standards - Tenant Involvement and Empowerment Standard

Housing Ombudsman Complaint Handling Code

Anti-Social Behaviour Policy

Equality & Diversity Policy

Customer Feedback & Compensation Policy

Reporting Structure and Learning Points

- Quarterly performance reports will be presented to the Board on the volume, category and outcome of complaints
- The Empower Annual Report will share trends arising from complaint handling and any learning or changes made as a result of complaints.
- The Board will review any orders from the Ombudsman and findings of severe maladministration of the Ombudsman, or any referrals by it to regulatory bodies
- The Board will review annually the self-assessment to confirm that the Ombudsman Complaint Handling Code is being applied