



## PLYMOUTH COMMUNITY HOMES CUSTOMER COMPLAINTS AND COMMENTS POLICY

<b>Version:</b>	Version 6.1 <b>Effective from:</b> May 2024
<b>Lead Directorate:</b>	Corporate Services
<b>EIA:</b>	November 2020 EIA undertaken by Housing Ombudsman Service of Statutory Complaint Code 2024
<b>Approved by:</b>	Head of Customer Experience & Assurance
<b>Review Date:</b>	May 2027

### 1. Policy Statement

This policy sets out how Plymouth Community Homes (PCH) will deal with complaints and resident feedback; how it will be used to understand resident expectations and experiences, and to make changes to improve service delivery.

The way we handle complaints reflects our values; care, respect, listen and do the right thing.

Our values guide how we act as an organisation and provide a code of behaviours for our staff to live by, so we act fairly, honestly and with integrity. They ensure we behave with **care** and **respect** towards our residents, **listen** to what they tell us, and always strive to do the **right thing** – for our residents, for PCH, and for one another.

The policy applies to –

- A person who has a lease, tenancy, licence to occupy, service agreement or other arrangement to occupy premises owned or managed by PCH
- An ex-occupier, if they had a legal relationship with PCH at the time that the matter complained of arose
- An applicant for a property owned or managed by PCH
- A representative of any of the people above who is formally authorised by them to make a complaint on their behalf
- A representative of any of the people above who does not have the capacity to authorise a representative to act on their behalf. The Housing Ombudsman must be satisfied the representative has the

legitimate authority to act on their behalf

- A person with authority to make a complaint on behalf of any of the people above who are deceased.

## **2. Feedback**

Feedback in the context of this policy refers to the following:

- Compliments
- Comments and suggestions
- Complaints
- MP and councillor enquiries and those in an agreed advocacy role

The aim of this policy is that high quality, resident focused services are provided at all times, and that service failures are identified and acted upon quickly. To enable this to happen:

- Resident feedback about services will be encouraged, accepted in any format, and dealt with in a fair and timely manner
- Complaints will be resolved at the earliest opportunity
- Members of staff will be trained in how to identify feedback and respond to complaints
- Resident feedback will form part of the Performance Management Framework, being used to shape services, and reviewed by the Customer Focus Committee.

If PCH is not responsible for dealing with an issue raised through feedback we will aim to identify who is and refer the matter to the relevant organisation with agreement from the customer.

## **3. Compliments, Complaints, Comments, and Suggestions**

Compliments are usually received when a resident is very satisfied with the service they have received or when they feel that a member of staff has gone the extra mile providing that service. All residents are encouraged to tell us when they feel they have received outstanding service, or when they have suggestions for how a service can be improved. This information will be recorded and passed to the appropriate Manager of the department or staff member receiving the compliment.

## 3.1 Complaints

### Definition of a complaint

A complaint is defined in the Housing Ombudsman Service's Handling Code, providing a clear understanding of what is considered a complaint. For the purposes of this policy a complaint is –

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.

A resident does not have to use the word 'complaint' for it to be treated as such. Whenever a resident expresses dissatisfaction landlords must give them the choice to make a complaint. A complaint that is submitted via a third party or representative must be handled in line with the landlord's complaint policy.

### Service request and a complaint

A service request is a request from a resident to the landlord requiring action to be taken to put something right. Service requests are not complaints, but must be recorded, monitored, and reviewed regularly.

### Raising a complaint

A complaint must be raised when the resident expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing. PCH must not stop their efforts to address the service request if the resident complains.

We must accept a complaint unless there is a valid reason not to do so. If PCH decides not to accept a complaint, we will write to the complainant to advise of the reasons why we have taken that decision. Each complaint must be considered on its own merit.

We will accept complaints referred to us within 12 months of the issue occurring or the resident becoming aware of the issue unless they are excluded on other grounds. PCH will give consideration whether to apply discretion to accept complaints made outside this time limit where there are good reasons to do so.

Complaints made by a member of the public will be dealt with in line with the policy, however escalation to the Housing Ombudsman will not be possible.

### It should be clarified that the following are not considered to be complaints:

- A first request for a service – a service request is a request to the landlord requiring action to be taken to put something right
- A request for information about or a clearer explanation of our policies

- Contact for a further explanation of a final decision
- Cases raised by a private tenant of a leaseholder
- Requests from MPs and councillors or their advocates which will be addressed as part of a separate protocol
- An expression of dissatisfaction with services made through a survey is not defined as a complaint, though wherever possible, the person completing the survey should be made aware of how they can pursue a complaint if they wish to.

Complaints will not be considered for:

- Issues raised more than twelve months after the relevant events (unless it is an ongoing issue that PCH is aware of or illegal or improper activity that is alleged)
- Cases where a final decision has been made and no further appeal is possible
- Matters that have previously been considered under the complaints policy
- Legal proceedings have started. This is defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court.
- Cases where a Leaseholder's complaint relates to matters that are governed by the terms and respective responsibilities in the lease and are therefore a contractual matter between PCH and the Leaseholder.

Complaints relating solely to the behaviour of a staff member will be referred to the appropriate line manager for consideration under the relevant disciplinary or capability policy. The complainant will not be told the detail of internal investigations when they fall under these policies but will still receive a response to their complaint.

### **3.2 Complaint Handling**

We welcome complaints and want to make it easy for residents to make a complaint. Landlords must make it easy for residents to complain by providing different channels through which they can make a complaint. Landlords must consider their duties under the Equality Act 2010 and anticipate the needs and reasonable adjustments of residents who may need to access the complaints process.

Residents must be able to raise their complaints in any way and with any member of staff. All staff must be aware of the complaints process and be able to pass details of the complaint to the appropriate person within the landlord.

Landlords must make their complaint policy available in a clear and accessible format for all residents. This will detail the two stage process, what will happen at each stage and the timeframe for responding. The policy must also be published

on the landlord's website.

### **Getting in touch**

Residents can raise a complaint with PCH in a number of different ways. This includes:

- to a PCH staff member
- through the PCH website [www.plymouthcommunityhomes.co.uk](http://www.plymouthcommunityhomes.co.uk) – using our contact online form
- using social media
- at the Head Office - Plumer House, Tailyour Road, Crownhill, Plymouth, PL6 5DH
- by telephone – 0808 230 6500
- by email or in writing
- using MyPCH portal

Following receipt of a complaint it will be recorded and responded to in line with the Customer Complaints and Comments policy.

The following principles apply for all complaints handling:

- Complaints are dealt with as quickly as possible and within the time frames set out in this policy
- The customer is provided with a clear explanation of the outcome of our investigation including the reasons for the decision, an apology where appropriate, and what action we will take.

### **3.3 Advocacy and Support**

Landlords must give residents the opportunity to have a representative deal with their complaint on their behalf, and to be represented or accompanied at any meeting with the landlord.

An advocate is someone who acts on the complainant's behalf. They are usually used when a resident does not have the confidence or capability to complain themselves. We can engage with an advocate pursuing a complaint on the complainant's behalf as long as we have evidence that this person has their specific approval to act on their behalf, and to have information provided to them by us. This information will be required before we can discuss the matter with the advocate.

Should a complaint be made by telephone, the resident will be asked to confirm their agreement for their advocate to act on their behalf. An advocate may be a family member or friend. Staff members can also support customers to complain as long as there is no conflict of interest with their own role. If this is the case an independent advocate should be sought which PCH may be able to assist with.

### 3.4 Complaint Stages

- **Stage 1**

On receipt of a complaint about the standard of service, action, or lack of actions by PCH or our contractors, the investigating officer will contact you either by telephone or in person within 2 working days to discuss your complaint. If the complaint can be resolved at this point, an apology will be made, and the case will be closed in agreement with the resident and investigating officer. A letter will be sent confirming any agreements that have been made.

If you remain dissatisfied, the complaint will remain open and further investigation will take place by the investigating officer. We will acknowledge the complaint either in person, on the telephone or in writing. All complaints will be acknowledged within 5 working days of being received by us.

Where residents raise additional complaints during the investigation, these must be incorporated into the stage 1 response if they are related, and the stage 1 response has not been issued. Where the stage 1 response has been issued, the new issues are unrelated to the issues already being investigated or it would unreasonably delay the response, the new issues must be logged as a new complaint.

We aim to provide a full response to 100% of complaints within 10 working days.

If this is not possible, an explanation and a date by when the Stage one response will be received will be given. This will not exceed a further 10 working days without good reason.

The full complaint response will advise the resident that if they are still not satisfied, they should inform us within one month from the date of the response letter to escalate their complaint to the second stage of our internal complaint process.

- **Stage 2**

If all or part of the complaint is not resolved to the resident's satisfaction at stage 1, it must be progressed to stage 2 of the landlord's procedure. Stage 2 is the landlord's final response.

Requests for stage 2 must be acknowledged, defined, and logged at stage 2 of the complaint's procedure within five working days of the escalation request being received.

Residents must not be required to explain their reasons for requesting a stage 2 consideration. Landlords are expected to make reasonable efforts to understand why a resident remains unhappy as part of its stage 2 response.

The person considering the complaint at stage 2 must not be the same person that considered the complaint at stage 1. The timescale for the response will be within

20 working days of the complaint being acknowledged. If this is not possible, an explanation and a date by when the Stage 2 response will be received will be given. This will not exceed a further 20 working days without good reason.

The full complaint response will advise the resident that we have now completed our internal complaints process and if they are still not satisfied, they may contact the Housing Ombudsman Service should they wish to pursue the matter further outside of the PCH internal complaint process.

The Housing Ombudsman's Complaint Handling Code is available via the Housing Ombudsman website.

The Independent Housing Ombudsman can be contacted at:

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

Telephone: 0300 111 3000

Email: [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)

Website: [www.housing-ombudsman.org.uk/](http://www.housing-ombudsman.org.uk/)

#### **4. Compensation**

PCH will, at its discretion, consider compensation for residents when there has been loss or damage. This compensation would normally take the form of a rent rebate, replacement items or a shopping voucher.

Compensation will not be awarded as standard practice; each claim will be considered on its own merit. There must be evidence to support the compensation claim and receipts must be provided before any compensation is awarded. Only compensation requests made at the time of the initial complaint will be considered, and awards will only be made back to the date the service failure was first reported to PCH and only until the satisfactory resolution of the complaint.

Compensation will not be considered when:

- legal proceedings are underway or have taken place
- where PCH has not been negligent, or the loss or damage is the result of unforeseen circumstances (such as extreme weather)
- there is a current associated insurance claim against PCH.

Where damage has not been caused by PCH and the loss is covered by the

resident's own contents insurance, or the resident could reasonably have obtained such insurance, claims will not be considered.

If the resident has an outstanding debt with PCH, the compensation will be used to offset this in the first instance.

## **5. Personal Injury and Liability Claims**

If the complainant makes a suggestion or claim that a failure in service by PCH has resulted in a personal injury or liability claim, the standard complaint procedure will be halted.

In these circumstances the complaint will be dealt with by the Customer Experience and Assurance Team who will liaise with our insurers before responding to the complainant. There will be no right of internal appeal for these types of cases.

## **6. Reasonable behaviour**

We recognise that people who are unhappy about an issue may show signs of frustration when reporting a complaint; however, we will not tolerate unreasonable behaviour while trying to resolve a complaint. The PCH Reasonable Behaviour guidance outlines what will and will not be deemed acceptable and how PCH will deal with this. In essence PCH will not accept:

- Abusive or threatening behaviour towards PCH staff members or property
- Assaulting PCH staff members
- Damaging PCH property
- Refusing to cooperate with staff during the investigation
- Repeatedly contacting several members of staff about the same complaint, and making unnecessary demands on staff time
- Submitting repeat complaints, relating to the same events
- Continually raising new issues during the complaint investigation which should have been included in the original complaint.

Should the complainant fall within these categories, a decision can be made in conjunction with the Head of Customer Experience to halt the complaint process and refer directly to the Housing Ombudsman.

In these circumstances, the Investigating Officer will discuss the case with the Head of Customer Experience and Assurance and agree a course of action.

This may include restricting who the complainant can contact, how and when, or stopping the investigation into the complaint altogether. The complainant will be notified that the behaviour is unacceptable and advised of the implications before further action is taken although in exceptional cases this may not be possible or appropriate.



If it is felt that during the management of the complaints process the relationship between the resident and PCH employees has broken down to such an extent it is felt beyond repair, then PCH reserve the right to cease communication with the customer and refer them to an advocate/designated person to act on their behalf.

## **7. MP and Councillor Enquiries**

Enquiries received from an MP or councillor will be logged and processed under a separate contact protocol. A written response will be provided in these cases subject to resident authorisation.

## **8. Satisfaction Surveys**

The Customer Experience and Assurance team will collect resident feedback on the complaint process using a range of methods including telephone surveys. Customers will be asked a limited number of questions, and the information will be used for both performance reporting and quality assurance monitoring.

An expression of dissatisfaction with services made through a survey is not defined as a complaint, though wherever possible, the person completing the survey should be made aware of how they can pursue a complaint if they wish to. Where landlords ask for wider feedback about their services, they also must provide details of how residents can complain.

## **9. Associated policies and procedures:**

- Customer Service Standards
- Tenants Compensation and Payments Policy
- Reasonable Behaviour Policy
- Whistle-blowing Policy
- Anti-Social Behaviour Policy
- Equality, Diversity and Inclusion Policy
- Reasonable Adaptations Policy

## **10. Equality, Diversity and Inclusion**

PCH will apply this policy consistently and fairly and will not discriminate against anyone based on any relevant characteristics, including those set out in the Equalities Act 2010.

PCH will make this policy available in other languages and formats on request. We will carry out an equality impact assessment on this policy, in line with our corporate procedure.

## **11. Monitoring and Review**

The standard of complaint responses and learning from complaints will be quality checked in a sample of cases to ensure quality and consistency. This will ensure data collected about complaints can be analysed and used to inform key business decisions to drive improvement in service provision. This will also review if we are making fair and right decisions when it comes to complaint resolution, including compensation.

Performance management information monitoring our complaints are regularly provided to the Heads of Service, Directors, the Board and the Customer Focus Committee.

An annual self-assessment will be conducted against the requirements of the Housing Ombudsman's Complaint Handling Code.

We will monitor this policy to ensure it meets good practice and current legislation, and will review it in accordance with our review timetable for all policies.

**Version Control**

<b>Version</b>	<b>Date</b>	<b>Responsible SMT Contact</b>	<b>Details</b>
6	March 2024	Head of Customer Experience and Assurance	Full review and updated to reflect new Ombudsman Complaints Handling Code effective 1 April 2024, and now only Stage 1 and Stage 2 complaints. No longer a Stage 3 process.
6.1	May 2024	Head of Customer Experience and Assurance	Updated the Ombudsman contact address.