



## PLYMOUTH COMMUNITY HOMES CUSTOMER COMPLAINTS AND COMMENTS POLICY

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<b>Lead Directorate:</b>	Corporate Services
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### 1. Introduction

#### 1.1 Policy Summary

Plymouth Community Homes is a large organisation and, as we continue to grow we don't want to lose the human touch when considering and properly resolving complaints from our customers.

We value complaints and feedback as an opportunity to learn and continually improve. Where we get things wrong, we will effectively put things right and apologise. We want to create a positive relationship with our tenants and residents, as well as aiming to provide safe, decent and affordable homes.

As a result of this commitment, our approach will be ensuring that our focus is on "Putting People First", and dealing with complaints at the first point of contact as quickly as possible.

Each and every PCH staff member has a responsibility to ensure feedback, in particular negative feedback, is recorded on our complaint monitoring system so that it can be addressed appropriately. PCH intends to deal with complaints at the first point of contact and as quickly as possible.

#### 1.2 Associated policies and procedures:

- Customer Service Standards
- Tenants Compensation and Payments Policy

- Reasonable Behaviour Policy
- Whistle-blowing Policy
- Anti-Social Behaviour Policy
- Equality and Diversity Policy
- Reasonable Adaptations Policy

### 1.3 Policy Statement

This policy sets out how PCH will deal with customer feedback; how it will be used to understand customer expectations and experiences, and to improve service delivery. 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

## 2. Feedback

Customer 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, customer focused services are provided at all times, and that service failures are identified and acted upon quickly. To enable this to happen:

- Customer feedback about services will be encouraged, accepted in any format (including through social media), 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

- Customer feedback will form part of the Performance Management Framework, being used to shape services, and reviewed by the Customer Focus Committee
- Customers will be advised of how their feedback is used

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, Comments, and Suggestions**

Compliments are usually received when a customer is very satisfied with the service they have received or when they feel that a member of staff has gone the extra mile in providing that service. 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. This information will be recorded, and passed to the appropriate Manager of the department or staff member receiving the compliment.

#### **3.1 Complaints**

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

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

- A first request for a service
- 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

Complaints will also not be considered for:

- Issues raised more than six 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
- Escalation of a complaint for the purpose of an increase in compensation

- Cases where legal action is already being taken about the issue raised
- Issues relating to commercial properties owned by Plymouth Community Homes
- Cases where a Leaseholders 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.

Where there is a matter of dispute between a Leaseholder and PCH about a matter governed by the terms of the lease, the Leaseholder should in the first instance contact the Leasehold Team, who will endeavour to resolve the issue. If the matter cannot be resolved, the Leaseholder should take independent legal advice about the next steps available to them for progressing the matter.

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.

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.

## 3.2 Complaint Handling

Customers 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 social media
- at our Shop at Frankfort Gate
- at the Head Office at Plumer House
- by telephone on
- by email or in writing
  - <https://www.plymouthcommunityhomes.co.uk/contact/>

### 3.1 Complaints procedure on social media

- \* we will determine whether the enquiry is a complaint by asking the customer if they would like to make an official complaint
- \* if the answer is yes, we will forward a copy of the complaints procedure and a link to the 'contact us' form where they are able to make an official complaint
- \* if the customer would like to make a complaint via social media we will take all the relevant details and forward to the correct department, copying in the Customer Service team to log the complaint on Pentana

- \* any personal information shared publicly on our page is deleted to help protect the privacy of our customers. When we delete information, we private message the customer to tell them why and take the relevant details in a secure setting, away from public view
- \* The same process applies if a customer comments with personal details on a public post

Any PCH staff member can take a complaint, log it on our complaints system and allocate it to the right department and Investigating Officer independent to the complaint for them to respond. The Investigating Officer will look at the complaint objectively while establishing if anything has gone wrong and if any action could be taken to put it right. The Investigating Officer will also consider any learning from the complaint and notify the relevant departments.

The following principles apply for all complaints handling:

- Complaints are dealt with as quickly as possible and within the timeframes 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 & Support**

An advocate is someone who acts on the complainant's behalf. They are usually used when a customer does not have the confidence or capability to complain themselves. PCH will accept complaints from advocates although signed authorisation from the customer will be required before we can discuss the matter with them. Should a complaint be made by telephone, the customer 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**

#### **3.4.1 Stage 1**

On receipt of a complaint about the standard of service, action or lack of actions by PCH or our contractors, a Supervisor will make contact with 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 Supervisor. 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 Supervisor. We will acknowledge the complaint either in person, on the telephone or in writing. All complaints will be acknowledged within 2 working days of being received by us.

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 customer that if they are still not satisfied they have the option to escalate their complaint to the second stage of our internal complaint process.

#### **3.4.2 Stage 2 - Reviewing the complaint**

We will acknowledge the complaint either in person, on the telephone or in writing. All complaints will be acknowledged within 2 working days of being received by us.

If the resident is not satisfied with the outcome of their complaint at Stage 1, and wishes for the matter to be reviewed they should let us know at the latest within 1 month of the date of our response. The resident should clearly state the outcome, remedy and recourse they are seeking as a resolution to the issue. On receipt, the complaint will be allocated to a Senior Manager who will complete a review of the complaint. The complaint response will be agreed by the relevant Director to which the complaint refers. The timescale for the response will be 20 working days.

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 10 working days without good reason.

The response to the complaint will advise the customer that if they are still not satisfied they may request that their complaint is considered at the final stage of the PCH internal complaint process. This is conducted by a complaint review panel comprised of members of the PCH Board, and/or representatives from other housing Association Boards.

#### **3.4.3 Stage 3 – The Complaints' Panel**

We will acknowledge the complaint either in person, on the telephone or in writing. All complaints will be acknowledged within 2 working days of being received by us.

If the customer is still not satisfied they should advise PCH at the latest within 1 month of the date of our response. The Customer Experience Team will convene a complaint review panel consisting of a minimum of 3 members; members of PCH Board, and/or representatives from other Housing Association Boards. The panel

are advised by a PCH Director/Nominated Person without responsibility for the area to which the complaint refers.

The Customer Experience Team will produce a background complaint report which will also be forwarded to the complainant. Further detail or information may be requested from the customer at this stage to assist the panel in reviewing the complaint.

The customer will be invited to attend the panel to detail their complaint and the resolution they require. The customer may be accompanied by an appropriate companion who may include a friend or relative to provide support. The companion will not be able to discuss the complaint with the panel on the customer's behalf unless permission to do so has been given by the Chair of the panel prior to the meeting. Representatives cannot be someone acting in a legal capacity. Legal challenges will be addressed outside of the PCH complaints procedure by the PCH Legal Department.

Should a situation arise where the complainant is not able to attend in person; arrangements will be made for the complaint to be presented using another form of communication, e.g. in writing, or by conference call.

PCH members of staff who may have had involvement in the complaint may also be interviewed as part of the panel process to understand what action has been taken. The Chair of the Panel will write to the customer within 10 working days of the meeting to confirm the outcome. The written response will confirm details of the next steps of appeal if the complainant wishes to pursue the matter further outside of the PCH internal complaint process.

The route for further escalation is through the Housing Ombudsman.

#### **4. Designated Persons**

The Localism Act 2011 provides that PCH residents can ask for their complaint to be considered by a 'designated person' once it has exhausted PCH complaints procedure. A 'designated person' can be an MP, a local Councillor or a recognised Tenant Panel.

The 'designated person' will either try to help resolve the complaint with PCH or refer it to the Housing Ombudsman, although they have no legal authority over the internal complaints procedure. If the problem is still not resolved following the intervention of the designated person, either they or the complainant can refer the complaint to the Housing Ombudsman.

Complaints to the Ombudsman do not have to be referred by a designated person if at least 8 weeks has passed from the date of the review panel's decision letter.

#### **5. Complaints regarding debt advice**

If a complaint relates to debt advice provided by Plymouth Community Homes, the Customer can request that the Financial Ombudsman looks into their complaint provided that:

- PCH has sent its final response to the complaint; or
- PCH has not sent its final response within eight weeks of the original complaint.

A copy of the Financial Ombudsman Service leaflet 'Your complaint and the ombudsman' will be provided to the customer with their stage 3 response, and a link to the leaflet will be available on the PCH website.

## **6. Compensation**

PCH will, at its discretion, consider compensation for customers 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 customer's own contents insurance, or the customer could reasonably have obtained such insurance, claims will not be considered.

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

## **7. 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.

## **8. 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 customer 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.

## **9. Quality Checking**

The standard of complaint responses and learning from complaints will be quality checked in a sample of cases to ensure quality and consistency.

## **10. 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 customer authorisation.

## **11. Satisfaction Surveys**

The Customer Experience and Assurance team will collect customer feedback on the complaint process using a range of methods including text messaging and 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.

**12. Equality and Diversity**

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.

**13. Monitoring and Review**

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.