



<b>Title</b>	Compliments, Comments and Complaints Policy
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## **1.0 Introduction**

Cheltenham Borough Homes is committed to providing a high standard of service to customers. As part of our continuing effort to improve services provided, we rely on feedback from our customers. We want to know when we get it right, so standards can be maintained or improved, and we want to know when someone is not happy with the service they received.

This policy has been aligned with the Housing Ombudsman Complaints Handling Code which sets out good practice that allows landlords to respond to complaints effectively and fairly.

## **2.0 Policy Statement**

CBH will recognise compliments, ensure colleagues are made aware of those received by Service Area and learn from the positive customer experience.

CBH is committed to an honest, impartial and thorough approach when dealing with comments and complaints. The policy ensures comments and complaints are handled locally, sensitively and without delay. CBH will be fair, honest, and open, will aim to put things right, will seek an effective resolution for all parties and learn from outcomes.

CBH define a complaint 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 resident or group of residents”.

The resident does not have to use the word ‘complaint’ for it to be treated as such. A complaint that is submitted via a third party or representative must still be handled in line with the landlord’s complaints policy.

The Policy is in line with relevant legislation such as the Localism Act 2011, Housing Act 1996 (schedule 2), General Data Protection Act 2018, Equality Act 2010, Housing Ombudsman Scheme, and Tenant and Involvement Empowerment Standards.

The Policy will be reviewed every three years or amended in response to changes in legislation within this timeframe.

Recommendations for any changes will be referred to the Tenant Scrutiny Improvement Panel for approval.

## **2.1 Policy Objectives**

- To ensure all compliments, comments and complaints are dealt with in accordance with Policy.
- To ensure all residents, leaseholders and colleagues are aware of the policy.
- To identify lessons learned to improve services.
- To have a policy that is simple to understand and use.
- To have a policy that is sensitive to anti-discriminatory matters in respect of age, gender, race, class, disability, culture, language, religion, or sexuality.
- To have a policy that is fair, accessible, and transparent, CBH values diversity and is committed to promoting equality of opportunity to ensure all customers are treated fairly.
- To use signposting to other organisations such as Citizens Advice, Lease and Shelter to aid the resolution of disputes.

CBH reserve the right to use discretion when applying the policy and may deal with a complaint differently where individual circumstances merit it. Any discretion will be applied fairly and appropriately, complaints will be progressed as far as possible to maximise the opportunity to resolve a dispute.

### **3.0 Complaints within scope of this Policy**

- Delays in delivering services.
- Failure to follow policies and procedures.
- Inadequate or unsatisfactory services.
- Rudeness, inappropriate or offensive behaviour.
- Unfair discrimination.
- Delays in or failure to make decisions.
- Compensation claims against CBH resulting from a complaint.
- Customer dissatisfaction with contractors/partners working on behalf of CBH.

### **Not within scope of this Policy**

- Complaints about Anti-Social Behaviour (these are dealt with through CBH ASB Policy).
- Request for a repair (unless previous requests have gone unmet).
- Complaints regarding services for which CBC is responsible.
- Complaints regarding Homeseeker Plus Policy (they have their own complaints process).
- Initial service requests from a resident to CBH requiring action to be taken to put something right
- Matters where legal proceedings have started and details of the claim have been filed at court.

**Chasers on a service request, such as a missed appointment, can be resolved 'there and then' with an apology and the provision of another appointment and may not need to enter the complaints system. However, if further enquiries are needed to resolve the matter, or if the resident requests it, the issue will be logged as a complaint**

If CBH decide not to accept a complaint, a detailed explanation will be provided to the resident setting out the reasons why the matter is not suitable for our complaints process, with an explanation that the resident has the right to take that decision to the Ombudsman.

### **4.0 Who can complain**

Any customer of CBH or their representative who has been given appropriate consent (third party authorisation will be obtained by CBH).

### **5.0 Confidentiality**

All complaints received will be dealt with confidentially and in accordance with the requirements of GDPR and Data Protection law. CBH reserve the right to discuss complaints with relevant colleagues and/or third parties. Information will only be shared to assist with the investigation and processing of complaints and not for any other reason.

## **6.0 Time Limits**

It is always better to try and resolve issues as soon as they arise, but CBH recognise this isn't always possible. A complaint should be made as soon as possible after the event and within six months of the event occurring. If more than six months has passed since the event, exceptions can be considered by the relevant Head of Service.

## **7.0 How can complaints be raised?**

CBH are committed to meeting the diverse needs of customers and will make any reasonable adjustments required on request.

CBH are keen to ensure that there are no barriers to a customer making a complaint. Compliments, comments, and complaints can be made in person, in any medium appropriate for the individual including phone, email, the CBH Website, the CBH Portal, on audiotape, in writing, in Braille and in languages other than English.

If a translation or Braille is required, the investigation time will be extended in agreement with the complainant to allow documentation to be translated.

A resident may wish to have a representative deal with their complaint on their behalf, CBH will accommodate this, but will seek third party authorisation from the resident prior to discussing the complaint with a representative.

CBH will also allow a resident to be accompanied at any complaint meeting, where it is reasonable to do so.

CBH have corporate Facebook and Twitter accounts; if complaints are received via these channels our Communications Team will contact the resident via private / direct message to acknowledge their post and to ascertain further contact details to allow the matter to be discussed in a private and confidential way. The matter will then be passed directly to the Customer Services Team Leader for follow up in stated timescales.

The Communications Team will post a reply to the post / tweet, to advise the resident that a direct / private message has been sent to them.

Email: [CBHcustomerrelations@cbh.org](mailto:CBHcustomerrelations@cbh.org)

Via: [www.cbh.org](http://www.cbh.org)

Telephone: 0800 4080000/0300 5550121

In writing: Customer Services Team Leader, Cheltenham Borough Homes Ltd, Hesters Way Resource Centre, Cassin Drive, Cheltenham, GL51 7SU

## **8.0 Complaint Stages**

There are two stages to the CBH Complaints procedure:

### **Stage 1**

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CBH will acknowledge complaints in writing within three working days. If any aspect of the complaint is unclear CBH will ask the resident for clarification and agree a full definition.

The resident will be provided with the following details:

- a unique reference number
- an expected closure date
- where possible the name of the staff member that will be investigating your complaint

CBH must respond to the complaint within 10 working days of the complaint being logged.

Exceptionally, CBH may speak with a resident to agree an extension to the stage 1 procedure, in order to respond fully to the complaint. Any agreed extension will be documented in writing to a resident, clearly stating the extended timeframe for when the response will be received. This will not exceed a further 10 days without good reason.

Where agreement over an extension period cannot be reached, CBH will provide the Housing Ombudsman's contact details so the resident can challenge the plan for responding and/or the proposed timeliness of CBH's response.

CBH will send a written complaint response when the answer to the complaint is known, addressing all points raised in the complaint, and providing clear reasons for any decisions, referencing the relevant policy, law, and good practice where appropriate.

The following details will be provided in writing to the resident at the completion of stage one in clear language:

- the complaint stage
- the complaint definition
- the decision on the complaint (upheld / upheld in part / not upheld)
- the reasons for any decisions made
- the details of any remedy offered to put things right
- details of any outstanding actions
- That if the resident does not agree with the decision, they must contact CBH within ten working days of receiving the stage 1 closure letter to request that the complaint be considered at Stage 2.

## Stage 2

If a resident believes that all or part of their complaint has not been satisfactorily resolved at stage 1 they may contact CBH within ten working days to request that their complaint be considered at Stage 2.

A complaint will be progressed to stage two of CBH's procedure, unless any of the exclusions noted in section 3.0 of this policy now apply. CBH will not unreasonably refuse to escalate a complaint to Stage 2.

If CBH declines to escalate a complaint to stage two of the procedure, a detailed written explanation will be provided to the resident setting out the reasons not to escalate, and the resident's right to take that decision to the Ombudsman.

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On receipt of the escalation request, CBH will set out their understanding of issues outstanding and the outcomes the resident is seeking.

If any aspect of the complaint is unclear, the resident must be asked for clarification and the full definition agreed between both parties.

The person considering the complaint at stage two, will not be the same person that considered the complaint at stage one.

Stage 2 complaints will be considered by a Complaints Review Panel made up of one board member, who should be a tenant board member and a member of TSIP, and either the Chief Executive, or one of CBH's Directors.

A meeting will take place, and a response provided within twenty working days of the Stage 2 complaint being accepted. The resident will be invited to the meeting and will be given the opportunity to have their say.

Exceptionally, CBH may speak with the resident to agree an extension to the Stage 2 procedure, in order to respond to the complaint fully. Any agreed extension will be documented in writing to a resident, clearly stating the extended timeframe for when the response will be received. This will not exceed a further 10 days without good reason.

Where agreement over an extension period cannot be reached, CBH will provide the Housing Ombudsman's contact details so the resident can challenge the plan for responding and/or the proposed timeliness of CBH's response.

CBH will send a written complaint response when the answer to the stage 2 complaint is known, addressing all points raised in the complaint, and providing clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.

The following details will be provided in writing to the resident at the completion of stage one in clear language:

- the complaint stage
- the complaint definition
- the decision on the complaint (upheld / upheld in part / not upheld)
- the reasons for any decisions made
- the details of any remedy offered to put things right
- details of any outstanding actions
- details of how the resident can escalate the matter to the Housing Ombudsman Service if they remain dissatisfied

## 9.0 Complaint Handling Approach

CBH's complaint handlers will:

- deal with complaints on their merits
- act independently and have an open mind
- take measures to address any actual or perceived conflict of interest
- consider all information and evidence carefully

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- keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter.

Where residents raise additional complaints during the investigation, these should be

incorporated into the stage one response if they are relevant, and the stage one response has not been issued. If a response has been issued, or the additional complaint would unreasonably delay the response, the additional complaint should be logged as a new complaint case.

Where a key issue of a complaint relates to the parties' legal obligations CBH's complaint handler will clearly set out their understanding of the obligations of both parties.

In some cases, a resident may have a legal entitlement to redress. In these circumstances a resolution will be offered where possible following legal advice.

### 10.0 Complaint correspondence

CBH will adhere to any reasonable arrangements agreed with a resident in terms of frequency and method of communication, and clearly record these in the case notes,

Complaint responses sent by CBH will:

- have an open tone and language, with no jargon and show empathy to the complainant.
- be clearly identified: Stage 1 and stage 2 response (final response).
- Address all elements of the complaint
- inform the resident of the outcome of the complaint including CBH's position and the complainant given a chance to respond and challenge any area of dispute before the final decision.
- Clearly set out findings and conclusions with any evidence.
- Refer to any relevant policy, procedure, legislation or good practice when providing a response.
- Acknowledge and apologise for any mistake or service failure and where applicable an explanation of what went wrong.
- Consider the outcome the complainant is looking for and if this can be achieved.
- Give clear details and timescales for any action CBH will take, for example timescales for repairs.
- Explain what CBH have learnt from the complaint and what changes, or improvements will happen as a result.
- Give details of any redress offered, for example compensation or other actions
- Signpost the complainant to other sources for advice or support, for example Citizens Advice Bureaux, Age UK, Leasehold advisory service.
- Provide details of how the complainant can escalate their complaint if not satisfied with the response.

**A Complaint response will be sent to the resident when the answer to their complaint is known, not when any outstanding actions required to address the issue, are completed.**

**Any outstanding actions will be tracked and actioned expeditiously with updates provided to the resident.**

### 11.0 Complaints and Disciplinary Procedures

- CBH's Complaints and Disciplinary Procedures must be kept separate. Following the

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investigation of a complaint, it falls to the investigating officer to report any possible need for referral to the following:

- an investigation under the Colleague Disciplinary Procedure; OR
  - an investigation of a criminal offence.
- Should the need for referral arise, it should be passed immediately to the Director for the Service Area and Head of HR should be notified.
  - If a decision is taken to embark upon a disciplinary investigation, any other aspects of the complaint should be investigated under the complaint's procedure. The complainant will be advised of the procedure being followed.

### **12.0 Claims for Negligence or Breach of Contract**

Should a complainant explicitly indicate an intention to take legal action in respect of the complaint, the details should immediately be passed to the Director of Service. Investigating officers should inform the customer that their complaint will be transferred to the relevant Director of Service at this point.

### **13.0 Housing Ombudsman (HO)**

- CBH will publicise the role of the Housing Ombudsman and their right to access the HO service throughout their complaint, not only when the CBH complaints procedure is exhausted.
- CBH will co-operate fully with any investigation pursued by the Housing Ombudsman. In such cases the Customer Service Experience Manager will act as the liaison for the investigation under the authority of the Director of Service or CEO.
- The Customer Service Experience Manager will act as the liaison officer when handling complaints, investigations, or enquiries from the Housing Ombudsman.
- At the end of a Stage 2 investigation, the complainant will be advised on how they may escalate the complaint following the exhaustion of CBH complaints process. This will be communicated both in writing and verbally.

### **14.0 Performance Monitoring**

- A quarterly report will be sent to The Executive and Leadership team detailing the number of compliments, comments & complaints for each area of service in addition to lessons learnt.
- Updates on compliments, comments and complaints will be included in the CBH News and published on the CBH Website. Performance updates will be included in the annual report
- Performance measures will include: the number of complaints received at each stage, % of stage 1 complaints resolved within agreed timescales, complaints not resolved within agreed timescales, the number of complaints upheld, upheld in part, the average time taken to resolve a complaint, and the feedback category of complaint.
- An annual extract on compliments, comments & complaints handling will be prepared and included in the Customer Experience update.

### **15.0 Putting Matters Right**

When CBH have upheld or upheld in part a complaint, it is important that this is acknowledged, and the appropriate form of action is taken.

An apology should be given, an explanation as to why the event occurred, what action CBH are going to take to remedy the situation and what lessons have been learnt.



In some instances, it will be appropriate to offer a gesture of goodwill or compensation. Compensatory payments (excluding purchases of goodwill gestures) should so far as is

practicable return the complainant to the position they would have been in had there been no failure on the part of CBH.

If compensation is to be offered, the Compensation Policy must be referred to.

## **16.0 Training**

Training will form part of induction training for all new colleagues. Additional training will be provided for colleagues that carry out complaint investigations

Refresher training will take places for all colleagues following any significant changes to the Housing Ombudsman Complaint Handling Code and/or internal CBH processes.