

POLICY PURPOSE

This Policy provides guidance on how to make a complaint, comment, or compliment.

The Policy covers:

- Definitions
- How to make a complaint, give a comment or a compliment
- The complaints procedure
- Advice about the Housing Ombudsman service and the role of a designated person
- Restricted Contact
- Compensation and good will gestures
- Learning from Complaints

Document Control

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INTRODUCTION

Derby Homes aims to provide services that meet customer needs, both in terms of appropriateness and quality. If something goes wrong, we want to be able to resolve complaints at the earliest available opportunity and learn lessons to help improve our services.

We are committed to making the process of complaining as simple and straight forward as possible in line with our Customer First Strategy.

1. POLICY STATEMENT

Derby Homes aims to deliver a high quality of service and satisfaction to our customers.

We acknowledge that sometimes things go wrong, and our customers may wish to make a complaint.

This policy provides customers with a simple way of telling us when they feel dissatisfied with the service they have received.

We want customers to be able to tell us so we can respond and put things right in a fair and timely manner.

We welcome customers giving us their views and opinions and we welcome compliments and recognition when team members have done a great job.

2. AIMS OF THE POLICY

- To deliver a quality customer experience, even when things have gone wrong
- To be fair, transparent, and consistent in the way we manage complaints
- To put things right (where agreed) as swiftly as possible
- To learn from complaints
- To keep customers informed of progress throughout their complaint
- To maintain customer confidentiality
- To ensure complaints are assigned to the appropriate officer
- To enable customers to access impartial support and advice
- To recognise when individuals or services have exceeded customer expectations
- To restore relationships and building trust with residents.

- Publicise the Housing Ombudsman service

3. DEFINITIONS

3.1 Compliment

We particularly welcome feedback where our staff, services, policies, and procedures have exceeded customer expectations and delivered excellent customer satisfaction, we record these as compliments.

3.2 Comment

We welcome customer comments and ideas about how we can improve the way we deliver a service.

3.3 Complaint

A complaint shall be defined 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 customer does not have to use the word 'complaint' for it to be treated as such

Customers chasing a service request, such as a missed appointment, can often 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 must be logged as a complaint.

3.4 Group complaints

A group complaint is a complaint that has been submitted by resident's from more than one property.

A lead complainant will need to be established by the group making the complaint. Names and addresses of all members of the group complaint will be needed to show that permission has been gained and they want to be part of the group making the complaint.

We will only communicate with the lead complainant. The lead complaint will then be able to share information with other residents and individuals' who are part of the group.

If it appears that the individuals involved are raising different issues, or the circumstances vary although the issue may be similar, it may be more appropriate to deal with matters as separate complaints.

Group complaints are submitted into the complaints process dealt with through our 2 stage complaints procedure.

Group complaints have access to the ombudsman service at any time.

What is not considered a complaint

- A first request for service/ repair
- A report of Anti-Social Behaviour – unless it is a complaint about how reports of ASB have been handled.
- A request for information / explanation of our policies
- An issue raised more than 6 months after the event, unless there are exceptional circumstances
- Cases that have been referred to the insurance company, where legal action is being taken or a disrepair case has been submitted.
- Where Derby Homes can assist but the underlying issue is not within the control or remit of the organisation
- Request from Members of Parliament and Councillors will be addressed as part of a separate policy and procedure unless the customer requests this to be considered as an official complaint alongside the enquiry.

Where we 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 the complaints process. Discretion must be exercised fairly and appropriately in deciding not to consider a complaint and residents should not unreasonably be denied access to the complaint's procedure. At this point we will advise the customer how to access the housing ombudsman service.

A resident has the right to challenge this decision by taking their complaint to the Ombudsman. Where appropriate the Ombudsman will instruct the landlord to take on the complaint.

As a landlord we shall provide early advice to residents regarding their right to access the Housing Ombudsman Service as this service can be accessed at any time, not only at the point they have exhausted the landlord's complaints process.

4. WHO CAN MAKE A COMPLAINT

The policy applies to anyone who receives or requests a service from Derby Homes. Such as current tenants and leaseholders and could include people making a housing application or a former tenant or could be from a non-resident or a number of people as a group complaint.

We will accept complaints from other sources, providing the customer has authorised them to act on their behalf. A complaint that is submitted via a third party or representative must still be handled in line with the Derby Homes complaints policy.

5. HOW CAN CUSTOMERS COMPLAIN, GIVE COMMENTS OR COMPLIMENTS

Customers can contact Derby Homes to make a comment, complaint or compliment in the most convenient way for them:

By emailing: housing.complaints@derbyhomes.org

By writing to:

The Customer Experience Officer, 839 London Rd, Derby, DE24 8UZ

Via the website: www.derbyhomes.org

Via our online self-service portal: www.my.derbyhomes.org

Via social Media

In person

By telephone: 01332 888777

6. COMPLAINTS PROCEDURE

We aim to resolve complaints first time. We recognise that every complaint is different and therefore will require individual complaint investigation, whilst maintaining our commitment to fairness, transparently and consistency. We have adopted a customer first internal approach to support complaint resolution. Our Customer First strategy means that we will always try and look at things from the customer's point of view.

We have a dedicated Customer Experience team responsible for handling complaints, have the authority and autonomy to act to resolve complaints quickly and fairly.

We reserve the right to use discretion when applying this policy and may deal with a complaint differently where individual circumstances merit it. Discretion needs to be applied fairly and appropriately and that complaints should be progressed as far as possible to maximise the opportunity to resolve a dispute.

We will aim to:

- Acknowledge all complaints within 3 working days
- At the first stage of our complaints process, confirm our understanding of the complaint and the outcomes being sought with the resident.
- Investigate and respond to the customer within 10 working days or explain the reason and agree with the tenant if this timeframe needs extending. Where the extension goes beyond 20 days this needs to be in agreement with the customer. If an agreement cannot be met the customer can contact the Housing Ombudsman.
- Review all available evidence relevant to the investigation
- Address all points raised in the complaint and provide clear reasons for any decisions.
- Provide the details of any remedy offered to put things right
- List details of any outstanding actions and timescales for completion

- Discuss the outcome of the investigation with the customer and provide a written record of this
- Provide details of how to escalate the matter if dissatisfied
- Record all information on our Housing Management system

There may be times when we extend a response deadline. Customers will be kept fully updated and the reasons for any delays will be fully explained.

Customers may want to speak to other organisations for example, the Housing Ombudsman, Citizens Advice, Lease and Shelter to aid the resolution of disputes. Details of organisations can be found at the end of this policy.

In circumstances, where a complaint has not been resolved satisfactorily the resident can ask for this to be escalated to the next stage. This will be looked at by a different Investigating Officer as a stage 2 complaint. The stage 2 complaint must be requested within 20 working days from receiving the stage 1 complaint response. Exceptions can be made where actions are outstanding.

The relevant Head of Service will appoint the most appropriate manager to investigate the Stage 2 complaint. The investigating officer must be different to the officer who investigated the stage 1 complaint.

On receipt of the stage 2 complaint, we will aim to:

- Acknowledge all complaints within 3 working days
- Investigate and respond to the customer within 20 working days or explain the reason and agree with the tenant if this timeframe needs extending
- Review all available evidence relevant to the investigation
- Discuss the outcome of the investigation with the customer and provide a written record of this
- Record all information on our Housing Management system

There may be times when we extend a response deadline. Customers will be kept fully updated and the reasons for any delays will be fully explained.

Customers may want to speak to other organisations for example the Housing Ombudsman, Citizens Advice, Lease and Shelter to aid the resolution of disputes.

7. COMPLAINT CLOSURE

Once a full response to the complaint has been provided the complaint is closed. If you wish to initiate a stage 2 complaint, this must be done within 20 working days of your Stage 1 closure response being received. Exceptions can be made where actions are outstanding

8. LOCALISM ACT 2011 (DESIGNATED PERSON)

Since 1 April 2013, all registered providers have been required to adhere to guidelines as set out in the Localism Act. Tenants of registered providers are

able to request their complaints be considered by a 'designated person' once the internal complaints procedure has been completed.

A designated person can be an MP, a local Councillor or a recognised Tenant Panel.

The designated person can help resolve the complaint in one of two ways; they can try and resolve the complaint themselves or refer the complaint straight to the Housing Ombudsman.

Their role is to provide a fresh independent insight on complaints from a tenant, Councillor or MP perspective – playing a critical friend role suggesting views and approaches that may not have been considered by Derby Homes or others in handling the complaint.

The complainant may also approach the Housing Ombudsman directly if more than eight weeks have elapsed since the completion of Derby Homes complaints procedure.

9. HOUSING OMBUDSMAN SERVICE

Residents have the right to access the Housing Ombudsman Service at any time, although the Ombudsman cannot take any formal action to resolve a dispute until it has completed Derby Homes' internal complaints procedure, it can provide advice and guidance to support the early and local resolution of a case at any point in proceedings.

We will promote access to the Housing Ombudsman service at every stage and advise residents how to access the Housing Ombudsman Service.

The contact details for the Housing Ombudsman Service are:

- Online complaint form: www.housing-ombudsman.org.uk/residents/make-a-complaint/
- Phone: 0300 111 3000
- Email: info@housing-ombudsman.org.uk
- Postal address: Housing Ombudsman Service, PO Box 152, Liverpool L33 7WQ

The Housing Ombudsman Service is set up by law to look at complaints about housing organisations. The service is free, independent, and impartial.

The Housing Ombudsman has the power to consider complaints and decide what is 'fair in all circumstances of the case'.

When things go wrong, they can make orders and recommendations to put things right or to improve service failure.

10. RESTRICTED CONTACT

On occasion Derby Homes receives contact from and or complaints from customers which are deemed to be taking up a disproportionate amount of time or exhibiting unreasonable behaviours.

In these circumstances restricted contact may be required.

We define unreasonable behaviour as abusive, excessive and/or intimidating contact from customers which causes disproportionate or unjustified level of disruption, or distress.

Derby Homes will treat as abusive any behaviour that seeks to harass, verbally abuse or otherwise intimidate our employees.

Judgement will be used in determining what an “excessive number” of contacts is and this will be based on the specific circumstances of each individual case.

Derby Homes will treat ‘intimidating’ as forcing someone into or deterring someone from taking a particular course of action by inducing fear.

Derby Homes reserve the right to manage a customer’s contact in circumstances where their behaviour meets the definition of unreasonable or persistent as set out in the Restricted Contact policy and to reference that policy for further guidance. [Restricted Contact Policy Version 2.docx \(sharepoint.com\)](#)

11.COMPENSATION AND GOODWILL GESTURES

Generally, compensation will only be paid if it is concluded that Derby Homes has been negligent or neglectful and where financial disadvantage can be proved. Derby Homes may then compensate so the complaint is returned the position they were in before the event. Compensation is not remedy for the complainant to gain financially.

Occasionally in exceptional circumstances a payment in recognition of distress or inconvenience may be made.

Compensation payments will be offset against any (non reducing) debt owed by the applicant. [Compensation policy 2020.docx \(sharepoint.com\)](#)

12.PERFORMANCE MONITORING AND LEARNING

Derby Homes recognises the importance of learning from complaints, listening to comments and feedback and learning where we have done things well. We use this information to help us improve our services.

We record and analyse all complaints and their outcomes and provide quarterly reports for the Operational Board. Details of lessons learnt from complaints are contained within this report and included in the Derby Homes Annual report.

We have a Derby Homes Board Complaints Champion, to have lead responsibility for complaints to support a positive complaint handling culture. This

role will be responsible for ensuring the governing body receives regular information on complaints that provides insight to the governing body on the landlord's complaint handling performance.

13. EQUALITY AND DIVERSITY

We value diversity and are committed to promoting equality of opportunity to ensure all residents are treated fairly and are not disadvantaged.

Copies of the complaints Policy can be provided in other formats – e.g. Braille, large print, different languages as requested.

In accordance with The Equalities Act 2010, we understand that there may be situations where we need to make reasonable adjustments to accommodate individual needs. Further detail on our commitment to Equality and Diversity and Reasonable adjustments can be found in the Equalities Policy.

14. DATA PROTECTION

Derby Homes is the Data Controller for any personal information provided. Information will be used to carry out our complaint related functions of which they are intended. Information may be shared across departments within Derby Homes, relevant departments within Derby City Council or with other agencies as the function requires. More information on data protection rights can be found in our Fair Processing Notice that can be found on the Derby Homes Website or can be requested by emailing information.governance@derbyhomes.org or alternatively writing to us Information Governance, Derby Homes Ltd, 839 London Road, Derby, DE24 8UZ

The Data Protection Officer is Taranjit Lalria who can be contacted at the addresses above.

Information held on complaint files may be requested under the Freedom of Information Act 2000 or under the Data Protection Act 2018 as an Access to Records request. These requests need be forwarded to the Information Governance Manager at the addresses above.

15. THE TENANT INVOLVEMENT AND EMPOWERMENT STANDARD

Our complaints policy aims to have an approach to complaints that is clear, simple, and accessible that ensures that complaints are resolved promptly, politely, and fairly in line with The Tenant Involvement and Empowerment Consumer Standard.

16. OTHER ORGANISATIONS WHO CAN HELP IN DISPUTE RESOLUTION

Citizens Advice <https://www.citizensadvice.org.uk/>

Citizens Advice Mid Mercia <http://www.citizensadvicemidmercia.org.uk/>

Sinfin Library District Centre, Arleston Lane, Derby, DE24 3DS
Call Adviceline 0300 330 9002

Lease: <https://www.lease-advice.org/>

Fleetbank House, 2-6 Salisbury Square, London, EC4Y 8JX.

Shelter: <https://england.shelter.org.uk/>

Helpline 0808 800 4444

Direct Help and Advice: <https://www.dhadvice.org>

01332 287850

Phoenix Street, Derby DE1 2ER

Email: info@dhadvice.org

The Housing Ombudsman: <https://www.housingombudsman.org.uk>

Phone: 0300 111 3000

Email: info@housing-ombudsman.org.uk

Postal address: Housing Ombudsman Service, PO Box 152, Liverpool L33 7WQ