



Handling of Customer Complaints, Comments and Compliments

Housing Services Policy Document

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1. Introduction

South Cambridgeshire District Council, Affordable Homes is committed to providing excellent customer service and aims to be a listening council, providing first class services to all. Due to changes brought about by the Localism Act 2011 from 1 April 2013 the Housing Service has reviewed its complaints policy to include the role of 'designated persons/tenant panel', which is an additional facility for the Landlord Service.

The views of our Housing Service customers are important to us; they help us shape services to support the needs of our communities. Providing insight into what we are doing well and where we can improve enables the Council to provide a responsive service that change and adapts with the needs of customers.

Committed to improving services and providing excellent customer service, the Housing Service will treat complaints, comments and compliments with respect and seek to understand the customer's point of view.

The Council will endeavour to resolve problems at the time they are brought to attention, within the constraints that apply and to the customer's satisfaction. Where this is not possible the formal complaints procedure should be applied.

In all circumstances the Housing Services department will act in accordance with its values; Trust, Mutual Respect, Customer Service, Commitment to improving services.

2. Scope

This document sets out how South Cambridgeshire District Council's Housing Service manages and responds to complaints, comments and compliments.

This policy supports the Corporate Customer Service Strategy and is linked with the Handling of Unreasonable or unreasonably Persistent Complaints Policy.

3. Complaints, comments and compliments – Definitions

3.1 Complaint

A complaint is an expression of dissatisfaction or concern, however made, about the standard of service, actions or lack of actions by the Council and its staff, affecting an individual customer or group of customers.

A complaint is not a service request. A service request is defined as a customer contact that for the first time brings a matter to the Housing Service's attention and requests a service offered by the housing department.

Anti social behaviour cannot be dealt with via the formal complaint system, and there is a specific team that can help you with this. If, however the team fail to deal with your complaint in the appropriate manner, then we may be able to deal with the maladministration under the complaints process.

3.2 Comment

A comment can be described as a volunteered personal opinion or belief, feedback or remark expressed by a customer. Unless specifically requested, there is not an automatic assumption that the service will reply to comments. However, where it is felt appropriate or where the customer indicates they expect a reply, this should be sent within 10 working days.

3.3 Compliment

A compliment is defined as a customer statement of positive recognition or praise for a service or member of staff.

4. Complaints, comments and compliments – Process

4.1 Complaints Process

The complaints process has a three stage structure. Stage one and two complaints are investigated by the Council, stage three complaints are investigated by the Housing Ombudsman Service.

Due to the introduction of the Localism Act 2011 between stage 2 and 3 the complainant may request for a 'designated persons/ tenant panel' to review their complaint. For South Cambridgeshire District Council, complainants will be referred to the 'designated person' as it was not possible to set up a tenant panel due to a lack of interest from tenants.

The designed persons are defined in the Localism Act 2011 as an MP, a local councillor for the district in which the complainants home is located, or a designated tenant panel. A designated tenant panel is defined as a group of tenant who have been recognised by a social landlord for the purpose of referring complaints to the Housing Ombudsman Service.

The formal and only legally defined role of designated person, as set out in the Localism Act is to refer complaints from social housing tenants to the ombudsman. Designated persons may refer complaints to the ombudsman at any time after the landlords complaint procedure has been exhausted. A social housing tenant may refer their complaint directly to the ombudsman (without a referral from a designated person) 8 weeks after the exhaustion of the landlords complaints procedure.

Designated persons have the power of persuasion, negotiation and conciliation. They do not have formal power other than the right to refer complaints to the ombudsman once the landlords complaints process has been exhausted. Their role is to assist in resolving complaints locally, and they will need to use appropriate diplomatic and conciliatory methods to do this, seeking to achieve consensus between tenants and landlord.

Officers responding to complaints are encouraged to speak with complainants during the investigation of the complaint to help gain a greater understanding of the complainant's point of view.

The complaints process cannot be used for customers who are requesting a review of the allocations process. In this instance a separate review will be undertaken by

the housing advice and options team. It can also not be used in regard to introductory tenancies. Please refer to the Tenancy Policy for further information.

Stage 1

Stage one complaints will be registered and acknowledged (within three working days) by the customer feedback coordinator.

Registered complaints will be passed to the appropriate Service Manager, who will review the complaint and either respond personally or arrange for the appropriate Officer to respond (within 10 working days of acknowledgement).

The Service Manager will respond directly to the complainant, and inform the customer feedback coordinator of the date contact was made and the action to be taken.

Stage 2

A complaint will enter stage two of the process if the complainant advises that they are dissatisfied with the result of stage one.

Stage two complaints will be registered and acknowledged (within three working days) by the customer feedback coordinator.

Registered complaints will be passed to the Head of Service, who will review the complaint and liaise with the appropriate Service Manager.

The Head of Service will respond directly to the complainant (within 20 working days of acknowledgement), and inform the customer feedback coordinator of the date contact was made and the action agreed.

If the complainant remains dissatisfied at this stage they can ask for 'designated persons' to review their complaint, as detailed above.

Stage 3

The Housing Ombudsman

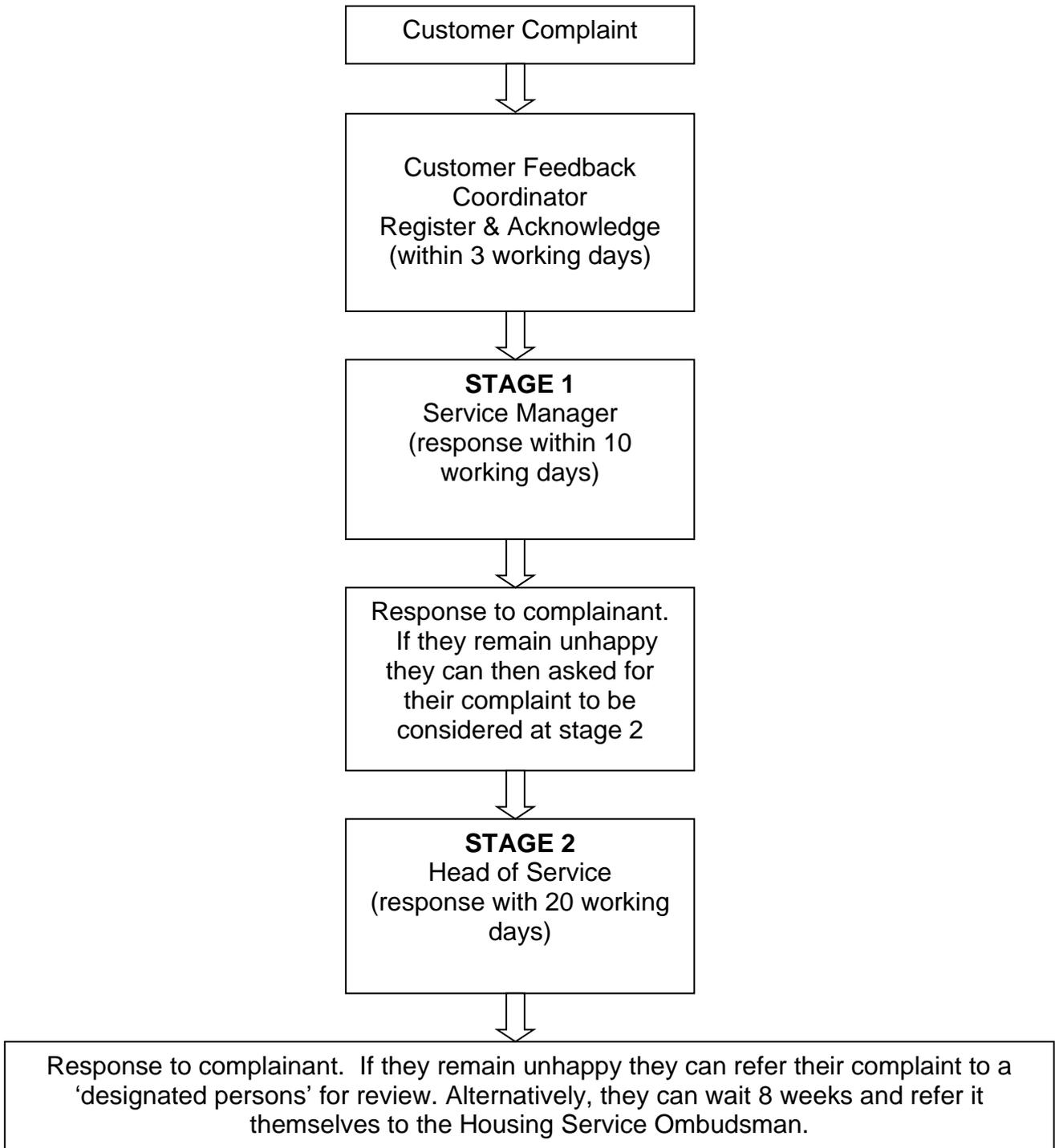
A complainant may approach the Housing Service Ombudsman at any stage of the complaints process, although the Ombudsman will not usually investigate complaints unless the Council has had an opportunity to investigate at stages one and two first.

If the complainant wishes to send their complaint direct to the Housing Ombudsman, following exhaustion of the Housing Services complaints process, they may do so, however a period of eight weeks must lapse before the Housing Ombudsman will consider their complaint. If however the complainant chooses to evoke the use of the 'designated persons' the complaint can be forwarded to the Housing Ombudsman following immediate exhaustion of the Housing Services complaints process.

The Ombudsman will then contact Housing Services for their account of the complaint, at which point they may ask for any information relevant to the case.

Following investigation, the Housing Ombudsman will write to the complainant notifying them of their decision. The Housing Service will also receive a copy of their findings, with relevant action points, if applicable.

Stage 1 & 2 Complaints Flowchart



Designated Persons

There is no clear guidance on, at which stage it is felt appropriate for a designated persons to intervene. They can, in fact be asked to get involved at any stage of the process. However, it is felt that following exhaustion of both stages of the Housing Services own complaints procedure, if the complainant remains unhappy then it would be deemed appropriate for them to contact the designated persons at this point and ask for their assistance or a referral to the Housing Services Ombudsman.

Local Government Ombudsman

The Local Government Ombudsman and Housing Service's Ombudsman are a separate function. Primarily all complaints regarding Landlord Services will be dealt with via the Housing Services Ombudsman.

The Local Government Ombudsman will still retain governance over complaints received in respect of the Housing Options and Advice service.

4.2 Comments Process

Customer comments are managed outside of the complaints process. Comments made to the customer feedback coordinator will be forwarded to the appropriate Service Manager to consider.

Unless specifically requested, there is not an automatic assumption that the Council will reply to comments. However, where it is felt appropriate or where the customer indicates they expect a reply, this should be sent within 10 working days.

Service Managers are expected to record comments relating to their Service Area.

4.3 Compliments Process

Copies of all compliments should be provided to the customer feedback coordinator, who will maintain a central register of compliments.

Compliments should be celebrated and shared amongst the service Area.

Comments and compliments will be feedback to tenants via the Annual report

5. Exceptions

The following exceptions apply to this policy:

- Under normal circumstances the Housing Service is unable to investigate complaints relating to issues that are greater than 12 months old.

- The complaints process cannot be used to complain about the conduct of Councillors or a Councillor. Complaints of this nature should be directed to the Monitoring Officer at monitoring.officer@scambs.gov.uk.
- The complaints process excludes complaints made by our suppliers, partners and other public authorities regarding our business relationships.
- Staff grievances cannot be dealt with through the complaints process. Staff grievances are covered in the Grievance Policy and Procedure.
- Where statutory procedures are in place, complainants should use these procedures to pursue their complaint.

6. Learning from complaints

The Housing service values complaints and uses the information to inform service planning that shape services that support the needs of the customer. To this end all respondents to complaints are required to complete, a 'Learning from Complaints Form'.

The Learning from Complaints Form provides an opportunity for officers to review the complaint and identify any lessons learnt and any corrective action taken. A copy of the form should accompany a copy of the response sent to the customer feedback coordinator.

Learning from complaints will be recorded centrally by the customer feedback coordinator and reported to Housing Services Management Team on a quarterly basis. Lessons learnt will be shared across the Council. The information will also be shared with the Tenant Scrutiny Panel and publicised in our tenants & leaseholders newsletter.

7. Reporting complaints and compliments

Quarterly reports are made to the Housing Services Management Team, Executive Management Teams, and the Lead Member for customer service.

These reports include the following quantitative data:

- volume of complaints
- complaints by stage
- complaints by corporate area
- acknowledge and response rate
- theme of complaints

This information will assist the Housing Service to shape the services they provide. The information gathered will be shared with members of the TPG.

The Complaints, Comments and Compliments Policy will be reviewed on an annual basis or when statutory requirements change.

8. Unreasonable or unreasonably persistent complaints

The Housing Service recognises that customers may exert pressure on the department when making a complaint, as they believe that they have failed in its service to them. Such pressure may be persistent, but in most cases this is reasonable and acceptable.

A small minority of complainants may pursue their complaints in ways that can impede the investigation of their complaint, or impose a significant and disproportionate resource requirement on the authority. Such actions can occur during the investigation of a complaint, or once investigations have been completed. In these cases, a complainant may be considered unreasonably persistent.

Unreasonable or unreasonably persistent complainants are not covered within this policy. The corporate policy for Unreasonable or Unreasonably Persistent Complainants should be used when considering restrictive measures with customers.

Violent or abusive behaviour towards staff will not be tolerated under any circumstances. Please refer to the Council's policies and reporting guides relating to health and safety and violence at work for further information.

9. Anonymous complaints

Anonymous complaints should be passed to the customer feedback coordinator who will register the complaint and pass to the Head of Service for investigation.

10. Confidentiality and Data Protection

In accordance with the 1998 Data Protection Act, the Council will maintain the confidentiality of all personal information, and not disclose it outside of South Cambridgeshire District Council without the express permission of the customer.

All personal data is subject to the Data Protection Act 1998 (DPA). All processes involving personal data must comply with the Act, and all users must ensure they follow the [Data Protection Policy](#).

If a complainant requests that the designated person refers their complaint to the ombudsman, we suggest that the request is formalised in writing, thereby ensuring that Data Protection issues regarding information sharing are adhered to

11. Role Descriptions

This section describes the roles and responsibilities of individuals and teams involved in the Complaints, Comments and Compliments Policy.

11.1 Members and Officers of the Council

Members and Officers of the Council are required, in the first instance, to forward all complaints and compliments to the customer feedback coordinator.

Members and Officers receiving customer comments should forward these comments to the appropriate Service Manager.

11.2 Customer feedback coordinator

The customer feedback coordinator will register and acknowledge all complaints within three working days. Compliments will also be registered and maintained on a central record.

Complaints and Learning from Complaints Form will be passed to the appropriate Corporate Manager. The customer feedback coordinator will also provide the response date.

Responses and Learning from Complaints Forms will be registered with the original complaint and a central record will be maintained.

Complaints and compliments will be reported in accordance with section seven of this policy.

11.3 Service Managers/Director of Service

The Director of Service is responsible for reviewing all complaints for the services under their management. The Director may respond personally to a complainant or may ask a Service Manager to respond.

11.4 Responding Officer

The responding officer is responsible for investigating and responding to the complaint in accordance with the Customer Service Standards detailed below:

- If the investigation into your complaint will not be completed within ten working days, then you will be contacted and informed of the progress and expected timescales
- If we have made a mistake, you will receive an apology.
- If we were at fault, you will be told what measures are being taken to put things right.

The investigation of a complaint should be conducted in accordance with the Housing Services values; trust, mutual respect, commitment to improving services and customer service. Investigations should be carried out objectively and responding officers should aim to resolve the complaint to the customer's satisfaction within the limitations that apply.

The response should be made direct to the complainant. The method of response can be either by personal visit, telephone, email or letter. The customer feedback coordinator must be informed of the date of contact and action agreed

Once the complaint has been dealt with, a 'learning from complaints form' must be completed by the responding officer. The purpose of this is to see if we can see a pattern and learn from trends of complaints and to see if there are re-occurring themes. These trends may well result in a review of processes and procedures if deemed necessary.