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| <b>Policy title:</b>                 | Customer Complaints and Feedback Policy |                         |              |
| <b>Scope:</b>                        | Aspire                                  |                         |              |
| <b>Policy owner &amp; job title:</b> | Customer Relations Manager              |                         |              |
| <b>Approver:</b>                     | Executive Director of People            |                         |              |
| <b>Date:</b>                         | 1 April 2024                            | <b>Review Due Date:</b> | 1 April 2026 |

**Notes:**

*The word “customer” relates to persons who are Aspire Housing tenants, leaseholders, commercial leaseholders, and shared owners.*

**POLICY SUMMARY**

Aspire encourages a positive complaint handling culture and views each one as an opportunity to listen, learn and put things right; we want our customers to feel heard and listened to.

Our commitment is to deliver a great customer experience, however, sometimes things go wrong. When this happens, we will give priority to how a complaint is handled, ensure fairness and consistency and endeavour to put things right quickly.

This policy applies to all our customers, their representatives and applicants for properties owned by us.

**LEGAL AND REGULATORY FRAMEWORK**

- Housing Ombudsman’s Complaint Handling Code April 2024
- Tenant Satisfaction Measures
- Regulator of Social Housing’s Regulatory Framework
- Equality Act 2010
- General Data Protection Regulation 2016 (GDPR)
- Data Protection Act 2018

## RELATED POLICIES

- Equality and Diversity Policy
- Safeguarding Policy

## RELATED PROCEDURES

- Individual Rights Procedure
- Subject Access Request (SAR) Procedure
- Data Breach Procedure
- Understanding your role in effective complaints handling

## 1. POLICY STATEMENT

We value customer complaints and feedback as a way of involving customers in shaping and improving services and making sure that customers are at the heart of everything we do.

This Policy has been developed in line with the Housing Ombudsman's Complaint Handling Code and we follow the Housing Ombudsman Dispute Resolution principles of being fair, putting things right and learning from outcomes.

### Our Aims

- Provide a peoplefirst, fair, simple procedure that anyone wishing to complain or give feedback can easily use.
- Publicise the existence of our complaints procedure so that everyone knows how to contact us to give feedback or make a complaint.
- Respond to the needs of our customers in a timely, open, and transparent way.
- Handle all customer complaints in the strictest confidence, feedback promptly and courteously, agree and provide clear timeframes for action and follow up.
- Strive to resolve and repair relationships wherever possible and not treat customers differently should they need to make a complaint.
- Accurately record and analyse all complaints and feedback. Use this information to improve what we do, creating a positive complaint handling culture through continuous learning and improvement.
- Make sure everyone at Aspire knows what to do if a complaint is received.
- Ensure all our complaint handlers are trained and have pledged commitment to our complaints charter.

We will also publish an annual complaints performance and service improvement report for scrutiny and challenge, this will comprise:

- Our annual self-assessment against the Housing Ombudsman Complaint Handling Code.
- Aspire’s complaint handling performance which includes:
  - A summary of the types of complaints we have refused to accept.
  - Any findings of non-compliance with the Complaint Handling Code by the Housing Ombudsman.
  - Service improvements made because of the learning from complaints.
  - any annual report about the landlord’s performance from the Ombudsman.
  - any other relevant reports or publications produced by the Ombudsman in relation to the work of Aspire.

The report will be considered by Aspire Housing board and OASIS (customer panel); it will also be published on our website.

## 2. COMPLIMENTS, COMMENTS, SUGGESTIONS AND SERVICE REQUESTS

We value customer feedback and it’s great when customers let us know what we are doing well or make suggestions about where they think we could improve.

A **compliment** is defined as *‘a polite expression of praise, admiration or gratitude about a service, contractor or one of our colleagues’*.

A **comment or suggestion** is defined as *‘a remark expressing an opinion, reaction, or an idea, for consideration’*. We want to make it easy for customers to give us feedback and this can be done through all our communication channels, and this will be logged by our Customer Excellence Team.

Aspire recognises the difference between a service request and a complaint. A **service request** is defined as *‘a request from a customer to Aspire requiring action to be taken to put something right’*. We do not service requests as complaints, however they will be logged by our Customer Excellence Team and forwarded to the appropriate service area for action and response.

A complaint will be raised if a resident expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing. We will continue efforts to address the service request if a resident complains.

### 3. COMPLAINTS

Aspire does not view complaints as a negative but rather as an opportunity to learn from the issues raised and take steps to improve the services we provide.

A **complaint** is defined as *“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 customer does not have to use the word ‘complaint’ for it to be treated as such. Whenever a customer expresses dissatisfaction we 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 this policy.

An expression of dissatisfaction with services made through a **survey** is not defined as a complaint, though wherever possible, the person completing the survey will be made aware of how they can pursue a complaint if they wish to do so.

#### **Making a Complaint**

We want to make it easy for customers to make a complaint and will accept expressions of dissatisfaction through all our communication channels and these will be logged by our Customer Excellence Team.

We will always accommodate a customer’s needs to make a complaint, making any necessary adjustments and taking complaints from advocates as set out in section 3.3.

Complaints that are taken over the phone by the Customer Excellence Team will be acknowledged and logged immediately. For those that are received through other contact methods they will be acknowledged and logged at stage one within 5 days of receipt.

Correspondence received from MPs or councillors will be reviewed to understand whether there has been a service failure or not. Where there has been a service failure then this will be logged as a complaint and will be responded to through the formal process, with the ability to escalate when required. Otherwise, it will be recorded as an enquiry and will be responded to outside of the complaint process.

Where a complaint is received through several routes, for example, by the customer and a councillor or MP, then these will be logged separately for reporting purposes, one formal response will be drafted, and a copy sent to all parties.

## Complaint Handling

We know that sometimes things can go wrong, and customers may want to make a complaint. We are committed to resolving issues as quickly as possible and use complaints as an opportunity to improve our services to customers.

Some enquiries or complaints will be related to Data Protection and, if so, will be dealt with through one of the following:

- Subject Access Request (SAR) Procedure
- Individual Rights Procedure, covering other data subject rights under The GDPR
- Data Breach Procedure

The following principles apply to make sure we treat all complaints seriously and deal with them in an appropriate way:

- The complaint process will be led by the Customer Relations Manager, this includes liaison with the ombudsman and ensuring complaints are report to the Aspire board.
- Each service area will have a designated complaints handler, who will be trained, have the authority and autonomy to act to resolve issues quickly.
- Complaints will be looked at sensitively and fairly from the customer's point of view.
- The person making a complaint will be advised who is dealing with their complaint.
- Complaints will be dealt with promptly and in strictest confidence, only disclosing information, if necessary, to properly investigate the matter.
- Customers will be kept updated on the progress of their complaint.
- We will provide 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.
- A complaints panel with senior representatives from each service area will regularly review the learning from complaints and the performance of handlers across the business.

Where we undertake a contract on behalf of another organisation, we will adhere to their complaints policy unless this is not specified as part of the contract. If we are not responsible for dealing with an issue raised through feedback, we will aim to identify who is and refer the matter to the relevant person or organisation.

Any complaints that are received by a member of The Board or The Executive management team, including those through social media, will be dealt with using this complaints handling process and will be responded to by the person who has been allocated the complaint to investigate.

Complaints will **not** be considered for:

- Issues which are raised more than twelve months after the relevant events (unless it is an on-going issue we are aware of).
- Cases where a final decision has already been made and no further appeal is possible.
- Cases where legal proceedings have started, with the Claim Form and Particulars of Claim been filed at court, and not concluded. (Where a customer has a live complaint which is followed by a disrepair claim, resolution will continue to be sought through the complaint process alongside legal advice).
- Service requests, including those that have already been reported to the Customer Excellence Team and are currently in the process of being resolved.
- Anti-Social Behaviour reports which are investigated by the Aspire Housing Locality Team and reported separately.

If we decide not to accept a complaint, a detailed explanation will be provided to the customer setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman. If the Ombudsman does not agree that the exclusion has been fairly applied, they may instruct us to take on the complaint.

### **Advocacy & Support**

An advocate (also sometimes known as a designated person) is someone who has been asked by the person making the complaint to act on their behalf. This could include an MP, Councillor, a family member, friend, or another customer but not a legal representative.

We will accept complaints from advocates where authorisation has been given by the customer for us to discuss the matter with them on their behalf.

Our colleagues can also support customers to complain if there is no conflict of interest with their own role.

Correspondence received from MPs or Councillors will be logged as either complaints or enquiries, depending on whether there has been a service failure or a request for information or an update (see 3.1). Those that are logged as complaints will be dealt with using the three-stage process outlined in section 3.4.

### **Complaint Stages**

Formal complaints are investigated and responded to by following a two-stage process. If the issue cannot be resolved internally by us, customers have the option to refer their case to the Housing Ombudsman.

## ***Stage 1: Complaint***

We will aim to resolve reported issues as soon as possible. When an immediate solution can be found, for example, the issue can be resolved to the satisfaction of the customer within two working days and they agree that they do not require a formal letter response, then this can be closed as a 'quick fix'. The complaint will still be logged, and the details of the resolution recorded, however Aspire will not provide a formal written response.

When an immediate resolution is not possible because further investigation is required, or the person making the complaint is not satisfied with the initial response provided, it will be handled over and within the next ten working days.

If a resolution within 10 days is not possible, we will seek to agree an extended response date with the person making the complaint that does not exceed a further 10 days. If an extension beyond 20 working days is required to respond to the complaint fully, this will be agreed with the person making the complaint. If an agreement cannot be reached, then the Housing Ombudsman's contact details should be shared for the complainant to receive their support.

Cases will remain open until all the issues raised have been responded to. Where a complaint covers more than one service area the complaint handler will engage with the relevant colleagues to respond to each part. As soon as a resolution has been agreed with the customer and confirmed in writing (as required) the case can be closed. Agreed actions do not need to be completed before a case can be closed, however they must be monitored to ensure they are delivered as promised and the customer kept updated.

All complaint investigations will involve personal contact with the person making the complaint within 5 days, either by telephone, or a home visit, to understand the reasons for the complaint and what could be done to resolve it.

We will communicate with the customer using the method they have asked us to use (either telephone, email, or letter) although our response to the complaint will be made by letter (which may be sent via email if the customer agrees to this).

A written response will be provided to the customer detailing the outcome and explaining how they can appeal against this decision if they are not satisfied.

If the person making the complaint does not respond within 14 days of the written response being sent, we will assume that the outcome is accepted, the complaint will be considered closed, and no further appeal will be possible. If for some reason someone was unable to respond in 14 days due to vulnerabilities or has a valid explanation, then we would consider this on an individual basis.

## ***Stage 2: Appeal***

If the person complaining is not satisfied with the response to their complaint, they have the right to appeal within 14 days of the date of the written response. The matter can also be referred to the ombudsman at this point too.

The appeal will be considered by an independent person not previously involved in the complaint, usually a Head of Service. The decision of the appeal will be final.

In line with the Ombudsman Code, appeals will be acknowledged within 5 working days of receipt and a final response given within 20 working days of the complaint being acknowledged. If this is not possible, then we will agree a response date with the person who submitted the appeal, which should not exceed a further 10 days, if longer than this is required then this needs to be agreed with all parties. If an agreement cannot be reached, then the Housing Ombudsman's contact details should be shared for the complainant to receive their support.

A written response will be provided to the customer detailing the outcome of the appeal and explaining their options if they are not satisfied.

## **Housing Ombudsman**

If an Aspire Housing customer is not satisfied with the outcome of their appeal, they have the right to progress their complaint to the Housing Ombudsman Service as soon as our complaints process has ended.

The Housing Ombudsman is an independent service, investigating complaints and making recommendations where it thinks that the landlord may not have acted in a reasonable or fair way.

The Ombudsman may offer their 'early resolution service' to help to resolve the dispute without the need for a formal investigation.

The Housing Ombudsman can be contacted at:

The Housing Ombudsman Service  
PO Box 152  
Liverpool  
L33 7WQ  
Telephone: 0300 111 3000  
Email: [info@housing-ombudsman.co.uk](mailto:info@housing-ombudsman.co.uk)

We will fully cooperate with The Housing Ombudsman in any investigation and will provide all records and information requested. Other than in exceptional circumstances, we will also accept any recommendations made by the Housing Ombudsman and take the appropriate actions suggested by them.



## **Mediation**

Mediation is a process where a neutral third party may help resolve a situation where there is conflict between different individuals and or groups.

We may fund mediation if this is thought to be a practicable option for resolving the situation. If this is offered, the customer will still be able to progress and appeal against their complaint response using the standard procedure.

## **Complaint Resolution**

At all stages the aim is to resolve the complaint to the customers satisfaction. Where something has gone wrong, we will acknowledge this, apologise, and set out the actions we have taken, or will take to put it right and when these will happen. These can include:

- acknowledging where things have gone wrong.
- providing an explanation, assistance, or reasons.
- apologising.
- taking action if there has been a delay.
- reconsidering or changing a decision.
- amending a record.
- providing a financial remedy.
- changing policies, procedures, or practices.

Any financial remedy or compensation must reflect the extent of any service failures or detriment caused to the customer. Where customers can demonstrate a financial loss as a direct result of the service failure then we will consider compensating for all or part of the loss, taking account of the specific circumstances of the case.

Where the financial loss cannot be demonstrated, or where there has been avoidable inconvenience or distress, a financial remedy may be offered in way of apology to resolve the complaint. Where the decision to offer compensation is made the value of the offer will be decided in line with the Housing Ombudsman Service guidelines.

Compensation will not be considered when:

- Legal proceedings are underway or have taken place.
- Where a personal injury claim is being managed, unless with the express consent of our insurers.

All compensation awarded will be recorded. If the customer has debts with us, then compensation may be used to offset these.

## **Unreasonable Behaviour**

Our aim is to deal with complaints in an open, fair and impartial way. If because of their actions and behaviour, or nature and frequency of their contacts with us, a customer hinders theirs, or other people's interactions with us, or delays our ability to investigate the complaint, we will consider such behaviour to be unreasonable.

Unreasonable behaviour which can be habitual and/or vexatious includes:

- Refusing to cooperate with us 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.
- Any form of abuse towards a member of staff or third party.

For this policy, abuse, aggression or violence is defined as 'an incident in which employees feel they have been verbally abused, threatened or attacked in circumstances relating to their duties either in or out of work', including, but not limited to:

- Abusive or threatening behaviour towards one of our colleagues (including contractors) or property.
- Physical attack - whether visible injury occurs or not.
- Animal attack - when an animal is used as a threat.
- Verbal abuse - when an employee feels threatened or intimidated and the abuse is personally directed. This also includes cyber-aggression through texts, email messages or social networking sites.
- Any derogatory comments or behaviour in relation to age, disability, gender, gender identity, marriage or civil partnership, pregnancy or maternity, religion and belief, race, sexual orientation – in some cases this can constitute a hate crime.
- Attack or damage to property or belongings of our colleagues or our group.
- Any work-related incident involving a colleague, or their family, which happens away from the workplace.

If it is felt that during the management of the complaints process the relationship between the customer and our colleague has broken down to such an extent it is felt beyond repair (for example due to unreasonable behaviour), then Aspire reserve the right to cease communication with the customer and refer them to an advocate/designated person to act on their behalf as per section 3.3.

## **Equality Impact Assessment**

We are committed to equal opportunities and our aim is to make providing us with feedback easy and accessible to all our customers. We will treat everyone fairly and help those who need it and make arrangements so that everyone has an equal chance to tell us what they think in a way that is easy for them.

We will respect and cater for differences in age, gender, sexual orientation, gender reassignment, race, religion and belief, disability, marriage or civil partnership and pregnancy and maternity to ensure compliance with the Equality Act 2010.

#### **4. RESPONSIBILITIES OF EMPLOYEE**

All employees of Aspire have a responsibility to take customer complaints and feedback seriously, to record and resolve issues appropriately and in line with this Customer Feedback Policy, related procedures, and internal training.

#### **5. RESPONSIBILITY OF ASPIRE**

Aspire Housing has the responsibility to record complaints made by customers and respond to them in a timely and fair manner as laid out in this policy.

##### **Positive Feedback**

We will actively record feedback and compliments. These will be shared with service managers, who will then pass this on to the colleagues involved.

##### **Learning from complaints & reporting**

Aspire Housing will complete an annual self-assessment against the Housing Ombudsman's Complaint Handling Code, which will be signed off by both OASIS customer group and Aspire Board; this will also be made available to customers online.

The Housing Ombudsman publish an annual landlord report, detailing cases and outcomes which is available on their website: [housing-ombudsman.org.uk](http://housing-ombudsman.org.uk).

The Aspire Board will receive quarterly updates on common themes, resolution times and actions taken, plus an annual review.

Managers receive weekly reports on complaints received and resolution times in order that issues can be identified quickly, and resolution times are managed. A monthly report identifies themes, actions already taken and recommendations. All complaint information will be recorded, and performance information will be produced and provided to Senior Managers. Themes and trends will be assessed by Senior Management to identify any potential systemic issues, serious risks or policies and

procedures that may need reviewing. The themes and trends will also be used to inform training requirements for staff and contractors.

An internal complaints panel will also regularly review complaint handling performance will ensure findings are used to help us identify areas for improvement in our services.

Performance data regarding feedback and complaints, alongside service changes that have been made as a result will be included in the Annual Report to customers and included in the quarterly customer newsletters.

To help us to improve our complaint handling performance, we will regularly contact a selection of customers that have made a complaint to understand satisfaction with our process and outcomes.

Within Aspire a senior board member is nominated as lead for our complaint handling. This person will assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision.

The Member Responsible for Complaints (MRC) is responsible for ensuring the governing body receives regular information on complaints that provides insight on Aspires complaint handling performance. This person has access to suitable information and staff to perform this role and report on their findings.

As a minimum, the MRC will receive:

- regular updates on the volume, categories, and outcomes of complaints, alongside complaint handling performance
- regular reviews of issues and trends arising from complaint handling
- regular updates on the outcomes of the Ombudsman's investigations and progress made in complying with orders related to severe maladministration findings
- an annual complaints performance and service improvement report