



Handling of Customer Compliments, comments and complaints

Affordable Homes 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 complaints policy has been reviewed to include the role of 'designated person/tenant panel', which is an additional facility for the Landlord Service.

The views of our 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 changes and adapts with the needs of customers.

Affordable Homes will treat compliments, comments and complaints 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.

Our values are:

- Trust
- Mutual Respect
- Customer Service
- Commitment to improving services.

2. Scope

This document sets out how the Affordable Homes Service within the Council responds to compliments, comments and complaints.

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

Compliments, comments and complaints – Definitions

All compliments, comments and complaints will be monitored by the Data Quality Officer in Affordable Homes and reported through the internal performance management process. This will form part of our feedback to tenants through the Annual Report/Tenants Newsletter and inform Tenant Scrutiny.

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.

Any of our customers wishing to make a complaint can do so freely in an easy and simple way by:

- Email or write to us – this is the preferred method as it means you can include as much detail as you feel necessary
- You can fill in the online complaints and compliments form at www.scambs.gov.uk/complaints
- Alternatively you can fill in a form at reception in our Cambourne offices
- You can ring us and we will note your complaint

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 Affordable Homes 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 neighbourhood support 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.

The complaints process should not be used for customers who are requesting a review in relation to:

- The termination or extension of an introductory tenancy
- The offer of a fixed-term flexible tenancy
- The decision not to offer a further tenancy at the end of a fixed term flexible tenancy
- The decision of a homeless application
- Allocation appeal

In these circumstances there is a separate review process to be followed. If, however, you are not happy with the way your review has been conducted, then you are entitled to submit a complaint through 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.

Customer comments are managed outside of the complaints process. All comments for Affordable Homes will be monitored and reported to the appropriate Service Manager/Team Leader.

3.3 Compliment

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

Compliments will be celebrated within Affordable Homes and shared as good practice as part of the Affordable Homes performance management process.

4. 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 or the Local Government Ombudsman

For all landlord services, tenants may wish to involve a designated person once stage 2 of the procedure has been exhausted. In practice this means that if a complaint is not resolved at the end of the landlord's complaints procedure, the tenant can:

- refer the matter to a designated person OR
- wait 8 weeks and refer the matter directly to the Ombudsman.

A designated person has no legal authority over a landlord's policy or procedure.

Complaints relating to strategic housing, such as housing advice or homelessness should be referred to the Local Government Ombudsman by the complainant.

Stage 1

Stage one complaints will be registered and acknowledged within three working days by the Data Quality Officer, Affordable Homes. Customers will be kept fully informed about who is handling their complaint, how to contact them and what will happen next and by when.

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

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. We will endeavour to resolve complaints at the first stage wherever possible.

All stage one responses will be signed by the Service Manager/Team Leader, or in their absence by the Head of Service.

The Service Manager/Team Leader will send the response directly to the complainant, providing a copy of the response to the Data Quality Officer.

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 Data Quality Officer.

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

The Head of Service will send the response directly to the complainant within 20 working days of acknowledgement, providing a copy of the response to the Data Quality Officer.

All stage two responses will be signed by the Head of Service.

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

4.1 Designated Persons

The Localism Act 2011 provides that council tenants are able to ask for their complaints to be considered by a 'designated person' when the Council's complaints procedure has been exhausted. This provision will start on 1st April 2013.

The designated persons are defined in the Localism Act as

- an MP
- A local councillor for the district in which the complainant's home is located
- A designated tenant panel.

The introduction of designated persons is intended to involve local politicians and local people in resolving local housing issues. A designated person will help resolve the complaint in one of two ways; they can try and resolve the complaint themselves or they can refer the complaint straight to the Housing Ombudsman.

Designated persons have no legal authority over a landlord's policy or procedure.

MPs and local councillors have always been involved in complaints procedures as advocates for tenants and they will continue to have that role. The specific role as designated persons is different as they play a more specific part in helping to resolve the complaint locally through negotiation and conciliation.

The formal and only legally defined role of a designated person, as set out in the Localism Act, is to refer complaints from tenants to the Housing Ombudsman.

If the complaint is still not resolved following the intervention of the designated person either they or the tenant can refer the complaint to the Housing Ombudsman. Designated persons may refer complaints to the Ombudsman at any time after the Affordable Homes complaint procedure has been exhausted. This must be done in writing. A tenant may refer their complaint directly to the ombudsman (without a referral from a designated person) 8 weeks after the exhaustion of the complaints procedure

4.2 Designated Tenant Panels

A designated tenant panel is defined as a group of tenants who have been recognised by a social landlord for the purpose of acting as a 'designated person'.

Landlords do not have to set up a designated tenant panel. They can work with their tenants to establish a panel, or tenants can form a panel themselves. For a designated tenant panel to be effective in the role it is essential that landlord and tenants work together to establish one that will work for them both.

Designated Tenant Panels fulfil the same role as the designated person. They can help to resolve a complaint in two ways; by working with the Council to resolve the complaint or referring the complaint straight to the Housing Ombudsman. The tenant panel can try to put things right in whichever way it thinks will work best. This could be for example, by acting as an advocate for the complainant, by giving advice, providing a review of the way the complaint has been handled or being more proactive and suggesting a solution.

Tenant panels are required to be recognised by the Council and as such registered with the Housing Ombudsman.

Stage 3

The Housing Ombudsman

A complainant may approach the Housing 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 Affordable Homes 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 person/tenant panel' the complaint can be forwarded in writing to the Housing Ombudsman following immediate exhaustion of the Affordable Homes complaints process.

The Ombudsman will then contact the Council 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 Council will also receive a copy of their findings, with relevant action points, if applicable.

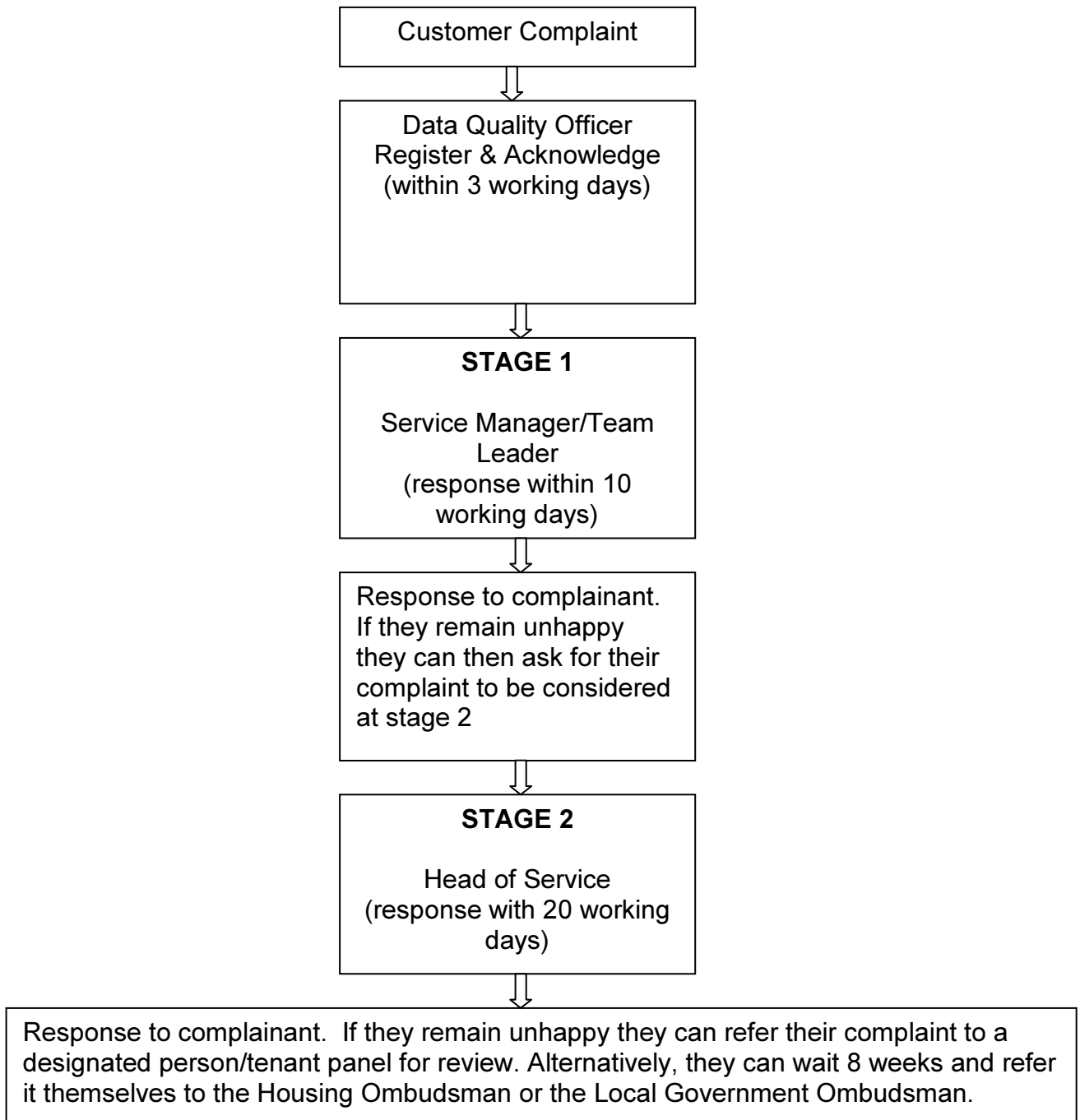
Local Government Ombudsman

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

The Local Government Ombudsman will still retain governance over complaints received in respect of the strategic housing service, such as housing advice or homelessness.

Although the designated person/designated tenant panel has no powers to refer to the Local Government Ombudsman, the complainant can still approach them for advice/assistance.

Stage 1 & 2 Complaints Flowchart



5. Exceptions

The following exceptions apply to this policy:

- Under normal circumstances Affordable Homes 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. 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.

6. Learning from complaints

Affordable Homes 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 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.

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 Data Quality Officer.

Learning from complaints will be recorded centrally by the Data Quality Officer and reported to the Housing Portfolio Holder and feed into the Affordable Homes performance management process, including Tenant Scrutiny and publicised through the Annual Report to Tenants/Tenants Newsletter. This will also be reported corporately to the Executive Management Team and the Lead Member on a quarterly basis.

7. Reporting complaints and compliments

Quarterly reports will be published as part of the Affordable Homes performance management process and compared against other social landlords. These reports include the following quantitative data:

- Volume of complaints
- Complaints by stage
- Theme of complaints
- Acknowledgement and response rates
- Satisfaction rates
- Number of services changed, improved or withdrawn resulting from 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 and any recognised Tenant Panel.

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

This information will also be included as part of the corporate monitoring of complaints by the Executive Management Team and the Lead Member for customer service.

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 Data Quality Officer who will register the complaint and pass to the appropriate Service Manager/Team Leader 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 complainant.

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](#).

11. Role Descriptions

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

11.1 Members and Officers of the Council

Members and Officers of the Council are required, in the first instance, to forward all compliments, comments and complaints relating to the Affordable Homes service to the Data Quality Officer.

1.2 Data Quality Officer

The Data Quality Officer in Affordable Homes will be responsible for monitoring all compliments, comments and complaints to ensure the appropriate Service Manager/Team Leader or Head of Service deals with the complaint in a timely manner. Quarterly information will be collated and reported as part of the performance management process.

1.2 Service Manager/Team Leaders

The Service Manager/Team Leaders within Affordable Homes will deal with all Stage One complaints.

Service Manager/Team Leader	Responsible Area
Housing Services Team Leader	Tenancy Management
Housing Options and Allocations Team Leader	Allocations, including management of the Housing Register
Housing Advice & Options Team Leader	Housing advice and homelessness applications
Asset Manager	Administrator or Orchard and Keystone to ensure information held on Council properties is correct at all times
Supported Housing Manager	Supported Housing function and associated communal rooms
Planned Maintenance Manager	Scheduled works on Council properties
Repairs & Quality Assurance Manager	Third party contract issues
Resident Involvement Team Leader	Tenant involvement including tenant publications such as Annual Report and Tenants Newsletter
Housing Performance Improvement Team Leader	Housing strategy, policy development, performance monitoring, empty homes (private sector)

Designated Person/Tenant Panel	<p>A list of all local councillors can be found at www.scambs.gov.uk/content/councillors-wards-and-parishes.</p> <p>We are consulting our tenants on the options for a tenant panel.</p>
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11.3 Head of Service

The Head of Service within Affordable Homes will deal with all Stage Two complaints.

Head of Service	Responsible Area
Head of Housing Services	Tenancy management, supported housing, Gypsy & Traveller management and property services, including repairs, capital improvement programme and leasehold services
Head of Housing Advice & Options	Housing advice, homelessness and choice based lettings
Head of Housing Strategy & Development	Housing strategy, development, policy development, service improvement and resident involvement

11.3 Director of Service

The Director of Housing, is responsible for overseeing all complaints for the Affordable Homes service as part of the performance management process.

11.4 Responding Officer

The responding officer, either the Service Manager/Team Leader at Stage One or Head of Service at Stage Two, 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, you will receive a letter informing you 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.

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 sent direct to the complainant and a copy provided to the Data Quality Officer.

