

## **Resolving Complaints Policy**

### **1.0 Introduction**

One of Leeds & Yorkshire Housing Association's (LYHA) key strategic aims is to improve the customer experience. We do this in part by being a learning organisation that embraces customer feedback.

We encourage customers to tell us about our services. We take complaints seriously, work hard to resolve them fairly and quickly, and use them as opportunities to learn and improve the services we deliver.

Sometimes things go wrong, and customers are dissatisfied. When this happens, we aim to put things right quickly at the first point of contact. If we cannot resolve the issue quickly, the formal complaint policy and process provide a framework for resolution.

### **2.0 Scope and purpose of the policy**

This policy applies to all LYHA staff, contractors and customers and describes how we will respond to formal complaints and learn from all customer feedback and complaints.

It aims to improve our response to customer feedback, improve our overall customer satisfaction rating and our net promoter score, the measure LYHA uses to track customer loyalty.

### **3.0 Policy statement**

It is our policy to:

- Handle complaints using the process outlined at section 9 of this policy
- Effectively respond to customer complaints, ensuring customer feedback is acknowledged and acted upon at first point of contact
- Empower staff and contractors to take ownership and resolve issues raised by customers
- Where possible, successfully resolve customer complaints locally
- Respond to complaints within our published service commitments for Resolving Complaints
- Improve communication and partnership working with our contractors around complaints handling and resolution
- Record and learn from all customer feedback

### **4.0 What is a complaint?**

LYHA's definition of a complaint is consistent with that of the Housing Ombudsman Service, as an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by LYHA, our colleagues, or those acting on our behalf, affecting an individual customer or group of customers.

## **5.0 What is not a complaint**

We will not treat an initial request for a service e.g. a repair to a home, a first report about anti-social behavior, or a first request for information or an explanation of our policies/ procedures as a complaint.

A report about something that we don't control or is not our responsibility, e.g. a repair to local authority adopted street lighting will not be dealt with under this policy – where we can, we will support customers to raise it with the appropriate organisation.

A matter that has already been considered within the complaints policy.

## **6.0 Who can make a complaint?**

This policy applies to all customers of LYHA and to anonymous feedback where sufficient information has been provided to enable us to investigate.

Customers can request that someone else act on their behalf during the complaints process e.g. a family member.

## **7.0 How to make a complaint**

Customers or their representative / advocate can make a complaint in a variety of ways:

- By email to [info@lyha.co.uk](mailto:info@lyha.co.uk) or another LYHA email address
- In person face to face with a colleague or by telephoning 0113 278 3335
- Social media: via a direct message on Facebook @LeedsYorkshireHA / Twitter @LYHAtweets. Please don't post on the page as we cannot discuss individual matters on an open, public forum
- Via the form on our website - [www.lyha.co.uk](http://www.lyha.co.uk), in the "Make a Complaint" section
- In writing to LYHA at 3<sup>rd</sup> Floor, White Rose House, 8 Otley Road, Leeds, LS6 2AD

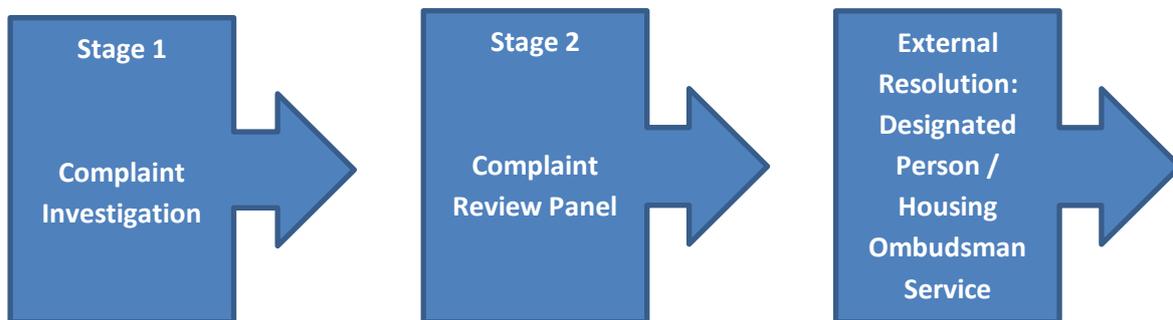
## **8.0 Resolution Remedies**

Complaints can be resolved in a number of ways and we will ensure any remedy reflects the extent of any and all service failures and considers the level of detriment to the customers as a result of the failure. Remedies may include:

- Acknowledging where things have gone wrong
- Providing an explanation or context for our decisions or actions
- Apologising
- Taking action if there has been a delay
- Reconsidering or changing a decision
- Amending a record
- Providing a financial remedy
- Changing policy, procedures or practices

## 9.0 The Resolving Complaints Process

Our complaints process has two internal stages:



### External resolution options

If a complaint remains unresolved after exhausting LYHA's two internal stages, the customer can consider the external options to resolve their complaint:

- Referral to a Designated Person
- Referral to the Housing Ombudsman Service

### Stage 1: Complaint Investigation

This is the first stage of our complaints process and investigation will often be carried out by a member of the Leadership Team who will act as complaint manager.

Our focus is complaint resolution. We will always seek to understand what resolution the complainant is seeking and achieve this wherever this is reasonable. Colleagues are expected to take ownership for resolving complaints quickly, apologising for any service failures and putting things right at the earliest opportunity.

If following a review of the complaint it is felt that a formal complaint investigation is not warranted, we will explain to the customer the reasons for this decision within the 5-day timescale.

### Service Commitments: Stage 1

- We will log on our complaints database, acknowledge and assign a complaint manager within 2 working days
- A full review and response to the customer will be provided within 5 working days following acknowledgement
- If a review cannot be completed within 5 working days, the complaint manager will contact the customer, feedback on progress and agree a revised response timeframe.

A complaint can be escalated to **Stage 2** for a **Complaint Review Panel** if it is established:

- That we have not dealt with the complaint appropriately
- If the customer provides new evidence and/or can supply valid reasons that have not been previously considered

If the customer does not contact us within 20 working days of our response, and all issues have been addressed and outstanding actions completed, the complaint will be closed.

### **Stage 2: Complaint Review Panel**

If the complaint is not resolved after a stage 1 review, the complaint may be considered by a Complaint Review Panel, made up of senior members of staff or members drawn from the governance structure. Again, if following a review of the complaint it is felt that an escalation of the complaint is not warranted, we will explain to the customer the reasons for this decision within a 10-day timescale.

If the complaint is to proceed to stage 2 then the Complaint Review Panel will be convened and made up of a minimum of two people and will include the following:

- Members from LYHA Executive Management Team and/or wider Leadership Team
- Customers who are members of the Customer Experience Committee
- Members of LYHA's Board of Management

A meeting at a mutually convenient time and date will be arranged within 20 working days or to a timetable agreed with the customer.

The complainant, with the support of an advocate (not a legal representative) if required, can either attend the meeting in person or provide supporting information to explain why they feel LYHA has not resolved their complaint and the resolution they are seeking.

Following the review, a full written response will be sent to the customer within 10 working days. If the Panel cannot respond fully to the complaint within the agreed timescales, a revised timescale will be provided.

If the customer is still dissatisfied after the Complaint Review Panel, they can ask a Designated Person or the Housing Ombudsman Service to consider their case.

### **Service Commitments: Stage 2, Complaint Review Panel**

- We will confirm receipt of an escalation request within 2 working days of receiving it
- We will confirm whether the complaint is being escalated to Stage 2 within 10 working days of us receiving the escalation request. If the complaint is not being escalated, we will explain why this is the case.
- A panel review meeting at a mutually convenient time and date will be arranged within 20 working days or to a timetable agreed with the customer
- Following the review, a full written response will be sent to the customer within 10 working days or alternatively we will advise when they can expect a response.

## **10.0 Alternative Dispute Resolution**

We aim to resolve complaints satisfactorily for all customers. However, occasionally the service provider/customer relationship breaks down and we are not able to agree a way forward that is acceptable to all parties.

When this happens, we may propose alternative dispute resolution, for instance mediation.

### **11.0 Designated Person**

If a customer remains dissatisfied after completing Stages 1 and 2 of LYHA's Resolving Complaints process, they have the right to contact a Designated Person to review their complaint. If the Designated Person cannot help or the customer chooses not to pursue this route, then the complaint can be referred to the Housing Ombudsman Service.

### **12.0 Housing Ombudsman Service**

The Housing Ombudsmen Service (HOS) is set up by law to look at complaints about housing organisations. The service is free, independent and impartial and can be accessed by customers who are not happy with the outcome of their complaint to their landlord. LYHA fully supports the work of the Housing Ombudsman and will respond to any requests for information.

### **13.0 Discretionary Compensation**

Our approach to complaints is to apologise for any service failings and to put right the situation to the customer's satisfaction as quickly as possible. Once a complaint has been investigated it may be appropriate for us to offer service recovery and/or discretionary compensation using the guidance from LYHA's Service Recovery and Compensation Policy.

### **14.0 Unreasonable Behaviour**

We recognise that service failure can cause significant distress and we believe that all customers have a right to be heard, understood and respected. We also believe that colleagues have these same rights. Therefore, we expect customers to behave appropriately when contacting us and we will not tolerate aggressive or abusive behaviour.

If customers are unnecessarily aggressive or abusive, we reserve the right to refuse to deal with the complaint and will consider further action where required to protect colleagues from unreasonable behaviour.

Where a customer's behaviour is considered unreasonable, we will consider the most appropriate actions to take. Where possible we will give the customer time to moderate their behaviour before implementing measures such as contact restrictions or legal enforcement action.

### **15.0 Vexatious Complaints**

We will always make every effort to deal with customers' complaints in a constructive manner. However, a very small number of complaints may be considered to be unreasonable or vexatious because:

- The complaint is raised in an unreasonable manner
- The customer makes repeated or frequent complaints which are not valid
- The customer requests that a complaint is escalated when we have fully responded to all points
- The customer is seeking an unreasonable or unrealistic outcome.

Where a complaint is considered to be vexatious (the complaint may have already been considered at Stage 1) then the complainant will be referred to external resolution options, including the Housing Ombudsman Service.

## 16.0 Compliments

Compliments provide valuable positive customer feedback: they are an important part of developing services and in maintaining staff morale and motivation. We will record and share compliments to learn from best practice.

## 17.0 Equality & Diversity

This policy will be applied to all customers regardless of age, disability, gender reassignment, marriage and civil partner status, pregnancy and maternity, race, religion and belief, sex and sexual orientation. Where appropriate, we will consider reasonable adjustments.

We will ensure that in delivering our services we are inclusive and representative. We will ensure that this is achieved through the delivery of LYHA's Equality and Diversity Strategy.

We will ensure that this Policy can be made available in alternative formats.

Other related policies and procedures	
<b>Related policies</b>	<ul style="list-style-type: none"> <li>• 2020 - 23 LYHA Corporate Plan</li> <li>• Service Recovery and Compensation Policy</li> </ul>

Review processes	
<b>Policy review frequency:</b> This policy will be reviewed on a: 3-yearly basis	<b>Responsibility for review:</b> This policy will be reviewed by: Neighbourhood Services Manager

Version control		Policy name: Resolving Complaints		
Version	Date approved	Next review date	Comments	Author
Version: 3	June 2018	June 2021		Head of Operations
Version: 4	January 2021	January 2024	Review triggered by release of Housing Ombudsman's Complaints Code	Neighbourhood Services Manager