



# COMPLIMENTS AND COMPLAINTS POLICY

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## 1. INTRODUCTION

1.1 Bushbury Hill EMB are required by their Management Agreement to have in place a policy detailing how we will respond to complaints and clear procedures we will follow when investigating a complaint.

1.2 This document, our Statement of Policy and Procedures, goes further than this and describes how a complaint is defined, what we class as vexatious complaints and how we will respond to complaints which we receive. We have developed this statement because we want to know how you think we are doing and we want to hear from you when things go wrong. Feedback from you, our customers, helps us to improve our service.

1.3 This statement includes a description of our Complaints Procedure. This is a formal procedure which sets out how our staff will respond to a complaint.

1.4 When our customers express dissatisfaction with any of the services we provide, we welcome and value the opportunity to address their concerns and aim to resolve their complaint with minimal formality. We recognise that effective resolution of complaints will help us to:

- Target resources better and improve service delivery;
- Maintain our credibility and image with customers;
- Improve customer satisfaction and confidence;
- Identify strengths and weaknesses in all areas of service delivery, provide opportunities for us to improve and help prevent problems.

1.5 Bushbury Hill also want to know when our customer is particularly happy with a service they have received and any compliments we receive do get reported to Board and help them to improve the services they provide.

1.6 This is a single document that shows both policy and procedural statements for clarity.

## 2. POLICY & PROCEDURE

### 2.1 Definition of a complaint:

Bushbury Hill EMB use the Housing Ombudsman's Complaints Handling Code 2020 definition of a 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.*

### 2.2 What is not a complaint:

The following are not considered complaints and would not be dealt with under this policy:

- A request for a service, such as a repair or alteration.
- Any request for a service that is a retained responsibility of City of Wolverhampton Council.
- Anonymous complaints where the complainant does not want to be associated with the complaint and we are unable to respond formally.
- A request for information.
- A matter that has been or is subject to a legal claim or an insurance claim.
- A complaint regarding an issue that arose more than 6 months previous to the complaint being made.
- A complaint that has been previously investigated and has been through our complaints process.

### 2.3 Vexatious complaints:

We treat all of our customers with respect and fairness; however we anticipate that there will be instances when our tenants or customers behaviour becomes unreasonable or they complain in an unreasonable and persistent manner. Our staff have the right to work in a safe environment free from verbal or physical abuse or threat, if a customer displays any of the below behaviours then any personal contact with the complainant will be stopped and the case will be dealt with in writing only:

- Using abusive language
- Leaving multiple voicemails
- Sending multiple unnecessary emails
- Threats of violence, either towards staff or their families

In cases where we encounter any of the following behaviours, we may consider classing the complaint as vexatious:

- Harassment of staff, threats of violence towards them or their families.
- Changing the basis of the complaint once the investigation has started.
- Asking a lot of questions not relevant and demanding responses to each one.

- Making unjustified complaints against staff involved in the complaint and requesting they are removed from the process.
- Making excessive demands on the time and the resources of staff either by repetitive phone calls, emails or in writing.
- Any behaviour which hinders the process of this policy and our ability to investigate it.
- Continuing to raise new issues alongside the original complaint or changing the nature of the original complaint and insisting it is dealt with as a new complaint.
- Repeatedly missing our response deadlines but insisting the complaint continue to be investigated.
- Denying the presence of documented evidence, or not accepting them as factual.
- Refusing to specify the grounds of the complaint.
- Refusing to co-operate with the process laid out in this policy
- Refusing to accept the decision given without new evidence to support them.

In an instance where we identify the claimant to be making a vexatious complaint we will inform them in writing that their complaint falls under this section of the policy and will no longer be investigated by BHEMB.

#### 2.4 Making a complaint:

Complaints can be reported to Bushbury Hill EMB in person, in writing, email or Online at [www.bushburyhill.co.uk/compliments-and-complaints/](http://www.bushburyhill.co.uk/compliments-and-complaints/) . Bushbury Hill EMB requires complaints to be submitted in one of the above ways to ensure complaints are recorded and reported clearly from a complainant's point of view. Bushbury Hill will comply with the equalities act 2010 and will adapt normal practices to accommodate individual needs according to our Reasonable Adjustments Policy. We will provide support and assistance to any customer who requires help in completing a complaint form (including translation service, help to fill in forms due to literacy problems or disability). Complaints will be treated in the strictest confidence.

Where Bushbury EMB receives a complaint about a service provided by the Council, we will forward this to the Council's Complaints Manager within 2 working days.

Please read the whole of this policy and if there is anything that you do not fully understand please ask to speak to a member of staff for clarity.

### **3. STAGE ONE – Senior Manager**

A complaint will initially be logged and acknowledged by the Business Services Officer, who may call you to confirm the details of your complaint which will then be investigated by a member of the Management team. If the complaint is about a member of the Management Team it will be investigated by the Chief Officer or a delegated member of the Board. The target for completion of this stage is 10

working days. Our response will include a date by which you must contact us if you don't feel your complaint has been resolved and wish to escalate it to stage 2, if we have no response from you by that date, we will mark your complaint as resolved and close your file.

#### **4. STAGE TWO – Complaint Appeal**

If the complainant still feels that their complaint has not been satisfactorily resolved they have the right to appeal to our complaints panel. All stage 2 complaints are considered by the complaints panel. You will be invited to meeting with the panel and will be allowed to bring with you a friend, relative or representative for support. The panel will consider your complaint and ask what we can do to rectify the situation. The panel will consist of a minimum of 3 people which will include at least one member of the Tenant Board and either The Chief Officer or a Senior Manager. We aim to arrange the panel within 20 days. If for any reason it is likely to take longer, we will keep you updated in writing.

The response to the complaint will be sent to you in writing within 5 working days of the panel meeting and will set out:

- Whether the complaint is upheld or not
- The reasons for the decision
- Any changes or compensation that will result from the complaint
- Details of actions put forward by the complainant to rectify the situation
- The procedure for appeal

#### **5. What if I am not satisfied with the outcome of the Stage Two?**

Stage two is the final stage of Bushbury Hill EMB's Complaints procedure. If you are still not satisfied after you have completed the complaints process, you can refer your complaint to the Housing Ombudsman. Please see appendix 1 for details on how to do this.

#### **6. Resolution of Complaint**

A lack of response from the complainant at any stage will be recorded as 'resolved' once the target deadline date is reached. If the complainant cannot respond within the target deadline date set, they should notify Bushbury Hill EMB of this and give their reasons.

For Bushbury Hill EMB the Complaints Policy is designed to ensure that it meets its service obligations and tackles poor performance at the earliest possible stage. Bushbury Hill EMB will always endeavour to provide reasonable explanations and propose reasonable solutions.

#### **7. Compliments**

Bushbury Hill EMB values not only the complaints it receives from customers but also any 'compliments' about service delivery. It is good to know when services are

being provided well and when changes in service delivery have made a positive impact on tenants. Staff at Bushbury Hill EMB will be made aware of compliments made about service delivery and these will be reported to the Board. No formal process will be set up for compliments.

***AT ANY TIME the customer can take their complaint to: Wolverhampton City Council Corporate Complaints Division in writing or by telephoning 01902 556556 and asking for Corporate complaints. The Councils Complaint Division will contact BHEMB & inform them of the complaint and give BHEMB the opportunity to resolve the matter. In this instance a copy of the response would be sent to both our customer and Corporate Complaints***

# **COMPLIMENTS AND COMPLAINTS**

## **APPENDIX 1**

Bushbury Hill EMB is a member of the Housing Ombudsman Service, which is an impartial, independent service set up to support tenants when making complaints about the service they receive from their Housing Association or Local Authority Landlords.

### **What do they do?**

The Housing Ombudsman can help you with your complaint, the advice they will offer will depend on where you are in the complaints process.

If you haven't complained to us they can assist you with making your complaint and talk to you about what you feel would put the situation right for you. If you need to see a copy of Bushbury Hill EMB's complaints procedure, please contact us so we can send this information to you. Alternatively, you can view it online at [www.bushburyhill.co.uk/compliments-and-complaints/](http://www.bushburyhill.co.uk/compliments-and-complaints/)

If your complaint is currently going through our procedures and you are waiting for a response from us, the Housing Ombudsman can contact us and find out if a formal complaint has been logged, make sure we are aware that you wish to make a formal complaint, find out what stage it is at and when you can expect a response from us.

If you have already been through our complaints process and aren't happy with our response you can contact the Ombudsman who will advise you of the next appropriate steps.

Once your complaint has been through our process you will receive a written response from us, this will confirm our decision and inform you that you can refer your complaint to a designated person, or tenant panel, or after 8 weeks you can refer it to the Housing Ombudsman.

### **What is a designated person?**

A designated person, or tenant panel could be your local MP or Councillor. Their local knowledge and experience may mean they can offer you advice to help resolve your complaint, or they could refer the complaint to the Ombudsman to investigate. You can refer your complaint to the Ombudsman directly, they can advise you but wouldn't be able to investigate it until 8 weeks after our final decision.

### **What can't they do?**

If your complaint is currently going through or has been through court or is subject to other legal proceedings the Ombudsman may not be able to help you. The Housing Ombudsman will notify you if for any reason they aren't able to assist you with your complaint, and where possibly they will signpost you to the appropriate place.

### **What will the Housing Ombudsman do?**

The support the Ombudsman will offer will depend on the individual circumstances of your complaint. After assessing the grounds of your complaint, they might signpost you to another organisation that might be better placed to help you. They could also



help you to get a response from us or escalate your complaint through our procedure. It may be that the Ombudsman can work with you and us to reach an agreement and resolve the complaint that way. Or, if you aren't happy with the way we dealt with your complaint they can investigate the way we handled your complaint and the decision that was reached.

### **How can I contact the Ombudsman?**

Website: [www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk)

Telephone: 0300 111 3000

Email: [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)

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