


Title:	Complaints Policy	
Section:	Quality & Performance Team	
Policy Ref:	TSA Tenant Involvement & Empowerment	
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# GGHT Complaints Policy

## **1. Introduction**

- 1.1 GGHT is committed to delivering the best possible services at all times. If things do go wrong, GGHT aim to make sure that all complaints are dealt with and resolved as quickly and effectively as possible.
- 1.2 This policy sets out how customers can complain about the services provided, how complaints will be dealt with and lessons learnt and when consideration will be given to offering a form of compensation.
- 1.3 The policy has been developed jointly by staff, the Customer Consultative panel and members of the Board.
- 1.4 The policy has undergone an Equality Impact Assessment.

## **2. Policy statement**

### **2.1 GGHT definition of a complaint**

A complaint is “An expression of dissatisfaction by anyone, about any aspect of the service GGHT or anybody acting on its behalf provide or have provided”.

### **2.2 Examples of a complaint can include where the complainant believes GGHT have:**

- failed to do something that should have been done;
- failed to meet service standards, for example, replying to a letter within 10 working days; or
- treated a customer rudely or unfairly

### **2.3 A request for a service, information or an explanation will not be treated as a complaint.**

### **2.4 An issue that has already been resolved through the GGHT complaints procedure will not be treated as a complaint (refer to section 9.)**

## **3. Principles of the policy**

### **3.1 A complaint can be made by anyone and by a variety of methods, anonymous complaints will be accepted (refer to section 4.)**

### **3.2 The Housing Ombudsman says there is no difference between a formal and informal complaint as both should be considered an expression of dissatisfaction that requires a response.**

### **3.3 Complaints resolved at the first point of contact are entitled informal complaints. These complaints do not follow the formal procedure but are recorded, investigated and reported upon.**

- 3.4 All customers will receive high quality services, irrespective of their race, gender, age, sexual orientation, disability, religion or belief, transgender status, marriage or civil partnership status or, pregnancy or maternity status.
- 3.5 All customers will be treated with respect and dignity.
- 3.6 All staff should be treated with respect by customers.
- 3.7 The policy will be well advertised, easily accessible and easy to understand.
- 3.8 Investigations will be fair, thorough and carried out in line with published timescales.
- 3.9 Where a mistake has been made GGHT will always offer an apology.
- 3.10 GGHT will use the complaints system to learn from its mistakes and to raise the level of customer satisfaction.
- 3.11 GGHT will comply with codes of guidance and best practice on handling complaints, and with the TSA regulatory framework.
- 3.12 Complaints relating to a Board Member or the Chief Executive will be passed for investigation by a panel of 3 Board Members (stage 3).
- 3.13 The TSA will be informed if it is found that a Senior Manager or Board Member has acted illegally.

#### **4. Making a complaint**

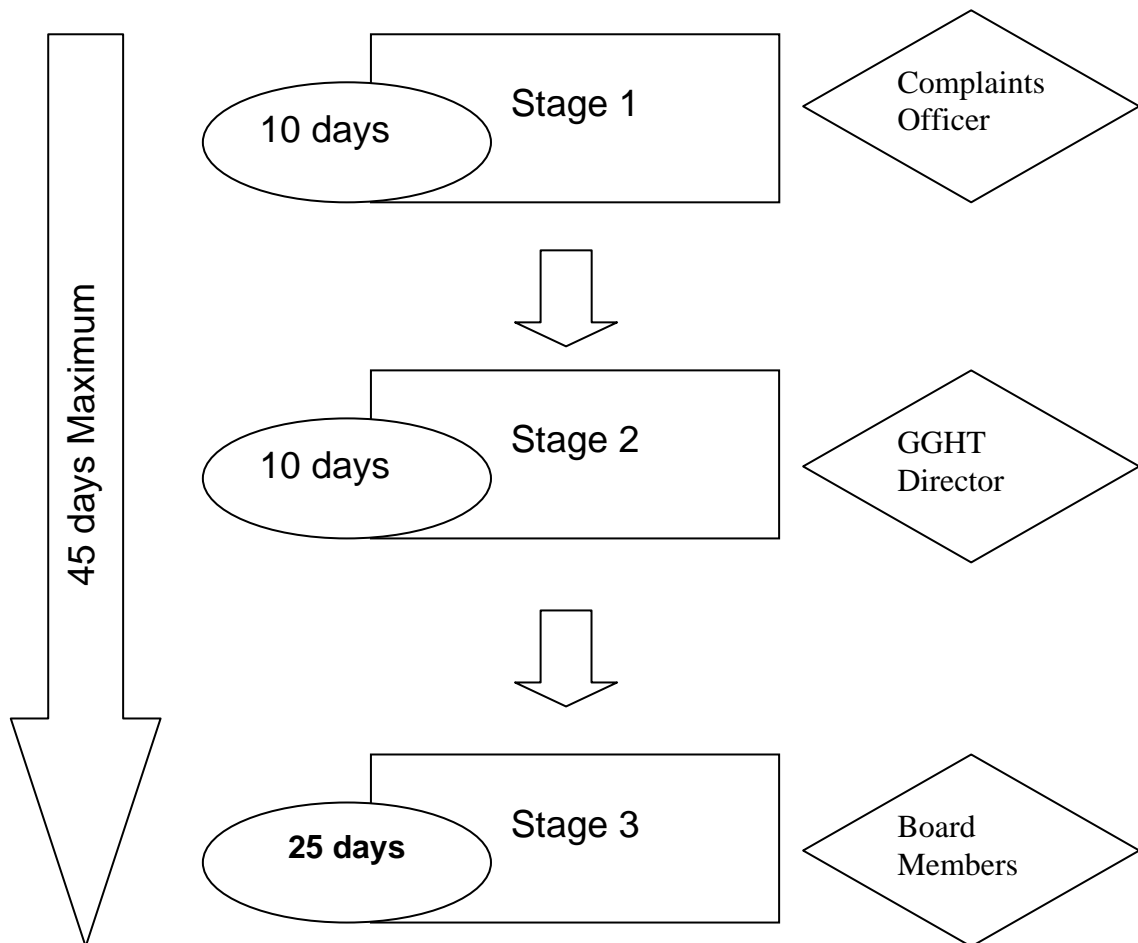
- 4.1 A leaflet is available through GGHT offices, complaints officers and its website, setting out how to complain, give praise or make a suggestion. The leaflet tells customers:
- how they can make a complaint (or give praise or make a suggestion)
  - the stages in the procedure for dealing with complaints
  - the target response times for dealing with complaints
- 4.2 Customers can also complain (or give praise or make a suggestion)
- over the phone to GGD on 0800 25 26 27
  - in person
  - by visiting the GGHT web site
  - by letter
  - by fax
  - by email
  - or by asking a friend, a relative, local councillor, MP or any representative to contact us.
- 4.3 Translation services are available as GGHT is a member of Applied Languages who offer interpreting services over the phone. Customers can also get leaflets translated into a language of their choice.

4.4 GGHT will investigate **Petitions**, these being complaints by a group of people about the same issue, through its complaints procedure. The petition group should nominate a spokesperson with whom GGHT will work directly with.

## 5.0 Complaints procedure

5.1 GGHT aim to resolve complaints, where possible, informally over the phone or in person. If this is not possible the complaint will be dealt with through a 3 stage formal procedure. Figure 1 below shows the number of working days granted to respond to the complaint from it being received.

Fig1.



### 5.2 Stage 1

5.2 If the complaint cannot be resolved informally, then the staff member who initially receives the complaint will trigger the complaints process and pass it to the

complaints officer in the appropriate department who will thoroughly investigate the complaint.

GGHT complaints officers are:

- James Bacon, Estate Management
- Tom Rowlands, Income Management and Money Advice
- Donna Wilkinson, Golden Gates Direct
- Fiona Graham, Tenant Participation
- Chris Downing, Leaseholders
- Mark Burrows, Gas Heating
- Clair Philips, Response Repairs
- Andrew Smith, Programmed and Environmental Repairs
- Carl Talbot Davies, Decent Homes and Capital Improvements
- Ian Robinson, New Business and Service Development

5.3 If the complaint is in relation to more than one service area then in the first instance, whoever is the initial recipient of the complaint should take lead responsibility for a response. This is unless the complaint is not in relation to their service area and then it can be re-assigned to the appropriate complaints officer.

5.4 The complaints officer will send the customer an acknowledgement letter and a copy of the complaints leaflet within 5 working days of receiving the complaint.

5.6 Complaints will be investigated and a full response sent within the published timescale of 10 working days. Where necessary responses sought from third parties will be included in the overall response. Where other complaints officers are asked for information, it is advisable for staff to inform them of the deadline for responses to achieve the 10 day turnaround.

However, when a complaint raises issues which require more extensive consideration the complaints officer should approach the complainant to explain that it will take more than 10 days, and to give a new timescale if possible. Overall, what is important is to keep the complainant informed of the progress of the complaint, particularly if there is a long delay.

## 5.7 **Stage 2**

5.8 If the customer says that the problem is not resolved at stage 1 they can request that GGHT carries out a management review. The complainant should state the specific reasons why the problem has not been resolved and where appropriate present new information. The second stage review will be done by a GGHT Director and must be requested within 2 calendar months of the stage 1 response.

5.9 The Director will review the initial investigation, and consider any new information that has been received. An acknowledgement letter will be sent within 5 working days and a full response within 10 working days.

However, when a complaint raises issues which require more extensive consideration the complaints officer should approach the complainant to explain that it will take more than 10 days, and to give a new timescale if possible. Overall, what is important is to keep the complainant informed of the progress of the complaint, particularly if there is a long delay.

### 5.10 **Stage 3**

- 5.11 If the customer says that the problem is not resolved at stage 2 they can request that a panel review is carried out. The complainant should present factual information and possibly new evidence if the Board are to review the complaint.
- 5.12 The request should be made to the relevant Director. The Board Support & Development Officer will then organise a panel of 3 Board members to review the complaint and this must be requested within 2 calendar months of the stage 2 response.
- 5.13 The complaint will be acknowledged within 5 working days.
- 5.14 Papers prepared for the review panel will be copied to the complainant in advance of the review so that they have the opportunity to comment, and send those comments to the panel before the meeting.
- 5.15 The panel will endeavour to convene within 20 working days of the complaint being received and will review the complaint details and consider any new information they have received. The complainant will be invited to attend the meeting.
- 5.16 The panel will seek to determine the following matters:
- ensure the procedure has been followed correctly
  - ensure the investigation has been conducted thoroughly
  - ensure the complainant has been treated fairly
  - ensure the GGHT response was reasonable
  - attempt to reach a final agreement with the customer.
- 5.17 A full and final written response stating the outcome of the panel's decision will be provided within 5 working days of the panel meeting.

## **6. The Housing Ombudsman Service (HOS).**

- 6.1 If the customer says that the problem has still not been resolved at stage 3 of the complaints procedure, they may approach the Ombudsman. The address is:

Housing Ombudsman Service  
81 Aldwych House, London, WC2B 4HN  
Phone: 0300 111 3000  
Fax: 020 7831 1942  
Email: [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)

## **7. Leaseholder complaints**

- 7.1 Leaseholders can also access the 3 stage complaints procedure and then the HOS if they are still not satisfied. The HOS in certain circumstances might refer the complainant to a local Leasehold Valuation Tribunal (LVT) which has the authority to settle disputes involving leasehold properties.

7.2 Examples of when a complaint will be referred to the LVT are;

- when deciding liability for payment of service charges; and
- when settling disputes about the landlord's choice of insurer.

7.3 Details of the LVT and its procedures can be found on the Residential Property Tribunal Service website address [www.rpts.gov.uk/index.htm](http://www.rpts.gov.uk/index.htm)

## **8. Role of the Tenant Services Authority (TSA)**

8.1 The HOS in certain circumstances will refer complaints to the TSA, the regulator for affordable housing. The TSA will review complaints where there is;

- a potential for system failure against the set national and local standards
- an allegation of mismanagement or fraud
- a significant risk to the reputation of the sector.

8.2 Details of the TSA and its responsibilities can be found at [www.tenantservicesauthority.org](http://www.tenantservicesauthority.org)

## **9. Complaints made unreasonably.**

9.1 GGHT defines a complaint as unreasonable if:

- The complainant has previously made the same complaint that was investigated but not upheld and there is no further information in support of a new complaint.
- The complainant is deemed to be vexatious due to the excessive number of complaints submitted and not upheld
- The complainant is aggressive or abusive to staff.

9.2 GGHT may consider the following actions when dealing with unreasonable complaints, any course of action will approved by a Business Manager or Director:

- Terminating a complaint early
- Communicating in writing only
- Declining further communication about a specific issue
- Passing the matter to GGHT solicitors

9.3 Complainants will be reminded of the complaints policy and procedure and their right after progressing through the 3 stage process to take their complaint to the Housing Ombudsman.

9.4 At all times the GGHT position will be communicated in writing.

## **10. Responding to a complainant**

10.1 All replies to customers will be in writing even if the complaint has been resolved verbally on the phone.

10.2 The response letter should:

- be clear
- be written in plain english
- offer an apology where appropriate
- detail what the complaint was about
- detail the outcome of the complaint.

For staff there is letter writing guidance available on the intranet.

10.3 Letters will be written or checked by the relevant complaints officer and sent out in the complaints officer's name. A copy of the complaints leaflet and a feedback form should also be sent out with the response.

## **11. Learning from complaints**

11.1 GGHT will know if the complaints procedure is working by:

- monitoring and reporting performance, including the number of complaints received and performance against target response times;
- analysing and assessing complaints by performance, nature and service area; and
- evaluating customer feedback – through a feedback form.
- Assessing the cost of complaints.

## **12. Making financial awards.**

12.1 A compensation policy has been developed incorporating guidance from the Housing Ombudsman.

12.2 In the case of any justified complaint, GGHT should aim to put the complainant back into the position he or she would have been but for the fault. Where this cannot be achieved, financial compensation may be the only approach.

12.3 Where the injustice is due to a failure to take specific action, GGHT will attempt to resolve by taking any necessary action for example, completing the necessary repairs or offering a transfer to the complainant.

12.4 Financial compensation or loss and damage should be payable:

- where a contractor has failed to attend an appointment, £20 payable
- where there is quantifiable loss, the monies of all losses should be covered in full.
- where there is a loss of financial benefit, for example, loss of earnings waiting for an appointment and appointment not kept – proof required of loss of earnings – payable up to a maximum of £50.

12.5 Payment of any compensation will be off-set against any other debt including rent arrears or recharges, but loss and damage payments will not be.

12.6 All final decisions on action to be taken / compensation payable is to be approved by a Business Manager.

### **13. Complaints reporting**

13.1 GGHT Board and customers will receive quarterly updates on complaints and the TSA will receive an annual report, both covering;

- the number of complaints received
- the nature of complaints
- the cost of complaints
- achievement against agreed timescales
- lessons learnt
- outcomes
- recommendations

13.2 Complaints performance is discussed at Senior Management Team monthly meetings and with the Extended Management Team on a quarterly basis. Monthly monitoring reports are circulated to all managers and team leaders.

### **14. Resource implications**

14.1 Complaints, praise or suggestions may lead to service improvements with the possibility of savings and making better use of resources.

14.2 The policy produces potential cost implications, these being;

- an increase in the number of complaints, resulting in an increase in staff time to deal effectively and quickly with complaints
- an increase in the number of suggestions, resulting in an increase in staff time to investigate, possibly implement and feedback
- increased expenditure in relation to any approved and implemented suggestions
- increased compensation payments due to the policy being adopted.

14.3 The cost of investigating and responding to a complaint at each stage is known and the total cost will be monitored monthly and reported to the Board.

### **15. Independent sources of help**

15.1 If customers need help or advice in making a complaint or want someone to act on their behalf, there are independent sources of help such as:

- Citizens Advice Bureau, [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)
- Freedom of Information Act, [www.freedomofinformation.co.uk](http://www.freedomofinformation.co.uk)
- Your local tenants and residents group, [www.goldengateshousing.org.uk](http://www.goldengateshousing.org.uk)
- Your local councillor or Member of Parliament.

### **16. Equality and Diversity**

16.1 GGHT aims to ensure that its Complaints management respects and upholds the

organisation's commitment to equality and diversity and in a manner that is fair to all customers regardless of their;

- age
- religion & belief
- disability
- gender
- race
- sexual orientation
- transgender status
- marriage & civil partnership
- pregnancy & maternity
- or any other issue that may cause potential discrimination in service delivery

16.2 GGHT will ensure that where necessary it assists all customers to access its complaints policy. This may include assisting customers to access translation services, type-talk and providing literature in a range of formats notably in Picture and Braille formats.

## 17. Review

17.1 GGHT Board will formally review this policy on a annual basis unless there is a change in legislation, regulation or operations that requires amendment to achieve compliance.

## 18. Approvals

Date approved by Customer Consultative Panel: April 2010

Date approved by the Board: July 2010

Date for review of the policy: July 2011

Responsible officer: Adam Timothy

<b>Approval Process</b>	<b>When</b>
Customer Consultative Panel	April 2010
Staff	April 2010
Stakeholders	May 2010
Equality Impact Assessment completed and signed off by scrutiny panel	June 2010
Board	2010