

FEEDBACK POLICY: COMPLAINTS, COMPLIMENTS & COMMENTS

DOCUMENT CONTROL	
Policy owner:	Director of Corporate Services
Policy author:	Director of Corporate Services
Effective from date:	June 2024
Approved by:	ELT
Date approved:	June 2024
Review cycle:	3 years
Next review start date:	June 2027
This policy applies to:	Everyone who used our services or for those supporting them, including staff.
Method of delivery:	SharePoint Teams & Operational Managers Meetings

VERSION CONTROL			
DATE	AUTHOR	VERSION	REASON FOR CHANGE
28/11/2023	L Shaw	2	Update policy including changes proposed in the Housing Ombudsman Consultation document. Renumbered all sections.
28/05/2024	L Shaw	3	Update the policy to comply with the Housing Ombudsman Complaint Handling Code published February 2024.

SUMMARY OF CHANGES	
SECTION/S	CHANGE
1	Added in Section “Purpose” and Section 1.2
2	Added in Section 2 “Scope”
3	Added in Section 3 “Policy Owner”
5	Added in Section 5 “Housing Ombudsman Complaint Handling Code”
6	Added in Section 6.2 “Definitions”

8	Amended Section 8 including: Adding Sections 8.3 & 8.4 to “The Complaints Process” Added more detail to Stage 1 and Stage 2 processes Amended 2 working days to 5 working days to Stage 1 and Stage 2 processes Amended 10 working days to 20 working days
9	Added in Section 9 “Outcomes”
10	Added in Section 10 “Recording Complaints”
11	Added in Section 11 “How long is available to make a complaint?” Amended 6 months to 12 months
12	Amended role of Complaints Officer and added in Sections 12.6, 12.11, 12.12 and 12.16. Removed Section on “Designated Person” and “Financial Ombudsman Service” details.
13	Changed 6 months to 12 months
14	Added in Section 15 “Unacceptable Behaviour Policy”
15	Removed details referring to a “designated person”
19	“How Brighter Futures manages and uses complaints” – change Chair of Customer Services Committee to Chair of Board
21	Added in Section 21 “Data protection and confidentiality”
22	Added in Section 22 “Safeguarding”
23	Added in Section 23 “Reasonable adjustments”
24	Added in Section 24 “Equality, diversity and inclusion”
25	Added in Section 25 “Compensation”
26	Added in Section 26 “Communication of this policy”
27	Added in Section 27 “Whom this policy applies to”
28	Updated Section 28 “Legislative and regulatory requirements”
29	Updated Section 29 “Related policies, procedures and documents”

CONSULTATIONS		
CONSULTED WITH	VERSION	DATE
Customer and tenant engagement panels		
Staff speak out		
Volunteers		

1 Purpose

- 1.1 At Brighter Futures we believe that all feedback, including complaints, comments and compliments, gives us an opportunity to review the way we work, identify changes that we can make and lessons that we can learn to continually improve the services that we operate.

2 Policy statement

- 2.1 We will make it as easy as possible for people to give us feedback, make comments, compliments and complaints. We understand that it can be difficult for some people to make their voice heard so people can be accompanied, advised, represented, or supported by a person of their choice at any time.
- 2.2 We will make sure that we offer a range of ways for all customers to make a complaint and with any member of staff.
- 2.3 We will ensure our handling of complaints is fair and reasonable, complies with equality legislation and published timescales. We will make reasonable adjustments where possible to ensure everybody has equal access to the complaints process.
- 2.4 We aim to make sure that our actions are carried out as quickly as possible and that our communication is timely and polite. We will treat all feedback as an opportunity to build and mend relationships with residents.
- 2.5 We will provide transparent information about our complaints service, trends and data on the types and volumes received and how we are using this information to improve our service.
- 2.6 Our response to feedback is driven by our corporate values and by our compliance with the Regulator of Social Housing's Regulatory Standards and the Housing Ombudsman's Complaint Handling Code published in February 2024.

Complaints

We will:

- Listen to your feedback
- Ensure we understand your complaint
- Be open and honest about the process
- Investigate your complaint thoroughly
- Keep you up-to-date with progress
- Aim to resolve your complaint quickly and manage your expectations
- Provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate
- Address all points raised in your complaint, identify any failings and apologise for this, seek an agreeable resolution that is appropriate and proportionate to the situation
- Conduct an investigation in an independent and fair manner using the evidence available, making appropriate recommendations to resolve the complaint, providing realistic timescales and to manage complainants' expectations
- Keep the investigation confidential as far as possible and manage potential conflicts of interest
- Treat everyone fairly and respond to individual's needs, where possible unless determined by time constraints

Comments

We will use comments to influence service improvements

Compliments

We will use compliments to make sure we are recognising and celebrating the behaviours and actions of staff and volunteers that customers appreciate so they can be replicated and expanded on across the organisation

3 Scope

3.1 This policy covers:

- Expressions of dissatisfaction (complaints)
- Compliments
- Comments

3.2 This might be about the quality of service you received, how we delivered the service to you and how you were dealt with.

3.3 Brighter Futures Housing Association will consider complaints from the following people:

- Anyone who receives or requests a service from Brighter Futures Housing Association
- People seeking to use our services
- Other who could be affected by the actions of Brighter Futures Housing Association

4 Policy owner

4.1 The responsibility of the policy falls under the Director of Corporate Services.

5 Definitions used in this policy

5.1 We use the definition of a complaint included in the Housing Ombudsman's Complaint Handling Code published in February 2024:

A **complaint** is 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 of its behalf, affecting an individual resident or group of residents".

"Whenever a resident expresses dissatisfaction landlords must give them the choice to make a complaint."

5.2 A tenant does not have to use the word "complaint" for us to treat their concerns as a complaint under this policy. We will identify where a customer / tenant has expressed dissatisfaction and will respond to their complaint within the timeframes stated in this policy.

A **service request** is when a tenant contacts us to ask us to do something to their tenancy to put something right, for example, a repair. This is not a complaint but if we fail to carry out the repair this may become a complaint. Similarly, a customer may raise an enquiry to ask us for information about their rent account. This too would not be a complaint but may become one if we fail to provide the information requested.

A **compliment** is an unsolicited expression of gratitude or praise for a member of staff or service area. It's feedback that lets us know if we did something really well.

A **comment** is volunteered personal opinion or belief, feedback or remark expressed by a tenant or customer or an idea for making changes or improvements to any part of Brighter Futures' services.

Feedback is helpful information or criticism given to indicate what can be done to improve something.

An **appeal** will be defined as a "disagreement with the decision we have made in line with our published policies and procedures".

Complainant is anyone making a complaint, including customers, service users – or their representative – and other people who may be affected by our service delivery.

Advocate is someone who give a voice to someone else by supporting them and helping them express their views.

6 Anonymous complaints

- 6.1 If a complaint is made anonymously, we will still investigate it as long as we have enough information. We would prefer that customers leave their name and contact details so that we can let the customer know the outcome of their complaint.

7 The complaints process

- 7.1 Brighter Futures operates a 2 stage complaints process. The process focuses on resolving issues at an early stage. We will therefore seek to remedy issues before a formal complaint is made. We will apologise if we have got things wrong, put things right quickly and let the complainant know what we plan to do.
- 7.2 We recognise that it is sometimes more difficult to get to a resolution where everyone is satisfied, so our second stage enables the findings of the first stage to be reviewed. Our complaints process also signposts complainants to organisations and individuals that can help people make complaints and deal with appeals.
- 7.3 Staff and tenants who have had complaints made against them will be given the opportunity to give their version of events to the investigation's findings.
- 7.4 Investigations will consider previous complaints and reports made if the complaint relates to an unresolved issue.
- 7.5 Each complaint will be assigned to an investigating officer who will speak or meet with the complainant prior to issuing their response to ensure that they have fully investigated the complaint in order to resolve the complaint.
- 7.6 Once we have sorted out your complaint, we will contact you to conduct a feedback survey to find out if you were satisfied with how we handled it.
- 7.7 In each stage of our complaints process, we will inform complainants that they can contact the Housing Ombudsman service although they will not be able to investigate a complaint whilst it is going through our internal complaints process.
- 7.8 However, they will be able to provide advice on the way that a complaint is being managed. In our stage 1 response we will provide the complainant with details of how they can contact the Housing Ombudsman service for advice and guidance.
- 7.9 If the complainant is still dissatisfied with the outcome at the end of our two stage complaints process, our stage 2 response provides contact details for the Housing Ombudsman service contact so they can further escalate their complaint externally. This is an independent, impartial and free service. The Ombudsman will decide if the complaint is appropriate for them to consider.

Their contact details are:

- Website – <https://www.housing-ombudsman.org.uk/contact-us/>
- Email – info@housing-ombudsman.org.uk
- Write to – Housing Ombudsman Service, PO Box 1484, Unit D, Preston, PR2 0ET
- Telephone – 0300 111 3000

- 7.10 Local complaints about support services can be taken to the Local Government and Social Care Ombudsman. Any customer receiving care services may choose to access their local council's complaints process instead of Brighter Futures' complaints process before approaching the Ombudsman.

The Local Government and Social Care Ombudsman can be contacted at:

- Website – www.lgo.org.uk
- Write to – LGO, PO Box 47771, Coventry, CV4 0EH
- Telephone – 0300 061 0614

8 How long is available to make a complaint?

8.1 A complaint will only be considered if it is made within 12 months of the initial incident taking place. This is to ensure a thorough investigation can be completed with all relevant notes and documentation.

9 How to submit complaints, comments and feedback?

9.1 Our complaints officer is the Director of Corporate Services

9.2 Complaints can be sent by email to: complaints@brighter-futures.org.uk

9.3 Complaints can be posted to:

Brighter Futures Housing Association
Three Counties House
Festival Way, Festival Park
Hanley, Stoke-on-Trent
ST1 5PX

9.4 Complaints can be made by telephone by calling (01782) 406000

9.5 Through our website at www.brighter-futures.org.uk/contact-brighter-futures/

9.6 Completing a feedback form by asking a member of staff at any of our services for a feedback form.

9.7 Tenants, customers and others can also make complaints, comments, compliments and give feedback directly by talking to a member of the Brighter Futures staff.

9.8 Brighter Futures also acknowledges that groups of tenants and customer may submit petitions, and these will be treated as complaints.

9.9 Brighter Futures will also review comments and other forms of feedback and identify those which constitute a complaint and treat those as complaints to be managed through the complaints process.

9.10 Tenants and customers are not encouraged to make complaints by social media but to make complaints through the channels specified in this policy. This enables compliance with data protection rules, maintains privacy and reputations.

9.11 If complaints are posted through social media channels, these are directed by the Marketing and Communications Office to the Complaints Officer, to be recorded and actioned accordingly within the timeframes stated in this policy.

9.12 In the absence of the Complaints Officer and the Marketing and Communications Officer; staff have been trained to deal with complaints through the various channels to ensure that these are handled within the timeframes set out in the policy.

9.13 Tenants, customers and others can make complaints and give feedback, make comments and compliments in person or get an agent such as a friend or relative or independent advocate to make them on their behalf.

9.14 Confidentiality and data protection apply to the complaints process; Brighter Futures will not share personal, or property information gathered as part of the complaint investigation with any third party who is not entitled to receive it, in line with data protection legislation.

9.15 A complaint submitted via a third party or representative will still be handled in line with our complaints policy. We will accept a complaint unless there is a valid reason not to do so. We will always provide a detailed explanation setting out the reasons why the matter is not suitable for our complaints process and your right to escalate to the Housing Ombudsman. We will always manage your expectations from the outset being clear where your desired outcome is unreasonable or unrealistic.

10 Exemptions

10.1 Request for service

- The issues being raised is better dealt with using another Brighter Futures policy or process, anti-social behaviour or repairs, for example.
- A request for a service, such as the first report of a repair.
- Reports of anti-social behaviour or nuisance (not the handling of an existing ASB case).

10.2 Complaints already been investigated

- The complainant has made repeated complaints about the same or related matters that have been already addressed.

10.3 Legal proceedings

- The complainant is taking legal action related to their complaint.
- The complainant has or is also making a significant insurance claim (unless they want to complain about the way we handled this).

10.4 Frivolous or unreasonably persistent complaints

- The complainant has made repeated or clearly unfounded complaints.
- The complainant has made an unreasonable number of complaints over a short period of time about matter that are minor.
- The volume of contact from a resident or customer is unreasonable (in which case response times in our service standards may not apply).
- The content or tone of the contact causes a disproportionate or unjustified level of disruption.

10.5 Historic complaints

- We generally expect a complaint to be made no later than 12 months after the event occurred or 12 months after the event came to the complainant's attention and will use our discretion to accept complaints outside this time limit.

10.6 Other

- The complaint is not about Brighter Futures but about another organisation or person.
- We will use our discretion and consider the individual circumstances of each complaint before deciding if not to accept it. Where we decide not to accept a complaint, the complainant will be provided with a detailed explanation for the reasons why and will be provided with information on how the complaint can be escalated to outside organisations including the Housing Ombudsman.

11 Unacceptable behaviour policy

11.1 Where Brighter Futures believes complaints are being made in an unacceptable way including persistent, vexatious, or malicious, they may be dealt with under its unacceptable behaviour policy. This may involve Brighter Futures liaising with external bodies such as the Housing Ombudsman to resolve a complaint. Brighter Futures will consider the implications of the Equality Act when managing complaints through its Unacceptable Behaviour Policy.

12 Statutory appeals

12.1 In addition to “general appeals” there are a number of areas of service delivery where Brighter Futures’ customers have a legal right to an internal appeal, known as “statutory appeals” (as below).

- 12.2 All statutory appeals are on a 1 stage process and will be heard via an appeal meeting, at which the customer may choose to make personal representation, submit evidence, and be accompanied by a person of their choice, giving Brighter Futures 48 hours' notice in advance of the meeting. All statutory appeals will be heard by a more senior officer than sanctioned the original decision.
- 12.3 Any subsequent changes to this evidence or change of the person accompanying may result in the review being postponed, the evidence not being considered or a refusal to hear the customer(s) representative.
- 12.4 If having requested an internal appeal hearing the customer(s) fail to attend or inform Brighter Futures of the reasons why they cannot attend, the reviewing officer may proceed with the hearing in their absence.
- 12.5 On a discretionary basis, Brighter Futures may choose to postpone a hearing if requested by the customer(s) and there is a justifiable reason for doing so or if the person due to hear the appeal is unavailable for any reason.
- 12.6 This may, however, not always be possible if the delay would prevent Brighter Futures from taking expedient legal action to remedy a tenancy breach or it would result in hearings being outside the permitted legal framework.
- 12.7 If during a hearing an adjournment is requested by either Brighter Futures, the tenant, customer(s) or their representatives and a further meeting is necessary, Brighter Futures will give reasonable notice of the date, time, and venue of the adjourned hearing.
- 12.8 When hearing internal statutory appeals, the reviewing officer will assess the following:
- If the legal procedures and notice periods have been adhered to in serving of notices or letters sent to customer(s) advising of actions to be taken.
 - It was appropriate in terms of evidence provided.
 - The decision will stand up to scrutiny.

13 Putting things right

- 13.1 If our own complaint investigation or reviews by outside agencies including the Housing Ombudsman find that we have failed in our duties to our tenants, customers and other stakeholders we will seek to put things right to the satisfaction of the complainant. We will make a sincere apology, put things right and offer compensation where appropriate in line with our Compensation policy. We will seek to honour all our legal obligations for redress.
- 13.2 Brighter Futures will act upon and fully implement any recommendations or determinations that are made because of cases that have been reviewed by the independent Housing Ombudsman.

14 How Brighter Futures manages and using complaints

- 14.1 With strategic direction from the Board, Executive Leadership Team (ELT) and Senior Leadership Team (SLT), a positive approach is provided for complaints, appeals and all forms of customer feedback, with this information being used to deliver improvements in customer services.
- 14.2 The Member Responsible for Complaints (MRC) will be the lead responsibility for driving the positive complaints handling culture. They will be responsible for ensuring the governing body receives regular information on complaints that provides an insight on the landlord's complaint handling performance.
- 14.3 The MRC and the governing body must 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; and
- Annual complaints performance and service improvement report

14.4 The senior lead person is accountable for complaint handling, and they are responsible for assessing any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision.

14.5 Brighter Futures will ensure that it provides complaints, comments, compliments and feedback opportunities that are easy to understand and easy to access for all customers. This will be done by:

- Involving customers in designing and improving all information on complaints, appeals and feedback to ensure it is jargon free and easy to understand.
- Making relevant information available in alternative languages and formats such as large print, on request.
- Ensuring customers receive support from Brighter Futures staff, or via working in partnership with community support agencies and advocacy grounds.
- Analysing complaints, appeals and feedback information against our known customer profile information and the diversity of the community where Brighter Futures operates.
- Resolving complaints to customers’ satisfaction, efficiently and learning from it to improve customer service.

14.6 Brighter Futures will use appropriate resources to gather, analyse and act upon complaints, comments, compliments and feedback. We will do this by:

- Ensuring staff are trained and regularly assessment in complaints, appeals and feedback handling including being aware of the relevant policies and procedures and taking ownership of the issues with an aim to resolve at the first point of contact.
- Ensuring we use complaints, appeals and customer feedback to improve the service delivered to customers.

14.7 Brighter Futures will constantly monitor its standards of service and the way it responds to complaints / compliments and feedback. To achieve this, we will:

- Provide information to our managers, customers, and Board to show trends and responses provided and subsequent actions taken to improve the service.
- Set targets to benchmark performance against our peers.
- Undertake regular reviews of the policy and best practice in dealing with complaints, compliments and feedback to improve the service to customers.
- Publish data including lessons learned so that performance and satisfaction overall is improved.

15 Feedback

15.1 Brighter Futures will maximise all types of formal and informal customer feedback to drive service improvement. The intelligence gained from all forms of feedback including performance and satisfaction information is regularly shared with customers. The information is used to identify improvement opportunities and may trigger a service review and remedial actions when there are any dips in performance.

15.2 Brighter Futures aims to capture informal interactions which are not complaints, appeals, suggestions, or compliments, whether positive or negative comments about the service it delivers and will use this information to identify issues that are common to several customers and details the action taken as a result in customer newsletters and on the website.

- 15.3 Brighter Futures encourages customers to let us know when we have done something well, in addition to areas it needs to improve in. A register of all compliments received is maintained to improve future service delivery.
- 15.4 All customers (internal / external) are encouraged to submit suggestions on how it can change and improve the ways in which it works to deliver better services.
- 15.5 Surveys will be used to gain customer intelligence and assess satisfaction with the ways in which it is delivering services. Brighter Futures has a programme of surveys that is reviewed annually with the tenant led service review groups and includes STAR (Survey of Tenants and Residents) surveys, ongoing in-house surveys, and one-off service-specific surveys. People participating in surveys will be informed of the complaints process as a mechanism to remedy dissatisfaction with services provided by Brighter Futures.

16 Data protection and confidentiality

- 16.1 Brighter Futures will treat all complaints we receive as confidential unless we have a legal obligation to disclose information to a third party such as the police.
- 16.2 We will do our best to investigate anonymous complaints that clearly state their matters of concern. However, our ability to investigate will be greater if we are able to communicate with the person making the complaint to discuss their concerns with them.
- 16.3 The Data Protection Act sets out how we handle personal data. We are committed to safeguarding the right of our customers to confidentiality and privacy. Brighter Futures staff are required to maintain a duty of care towards information regarding our customers in line with data protection legislation and our Data Protection Policy. Our Privacy Statement Summary can be found on our website.

17 Safeguarding

- 17.1 If we receive a complaint about safeguarding, we will follow the steps set out in our safeguarding policy to address it.

18 Reasonable adjustments

- 18.1 Brighter Futures is committed to providing excellent services to all our customer and tenants enabling a fair and equal access to all of our services. We are committed to making reasonable adjustments to this policy in line with the Equality Act 2010. We encourage customers and tenants to contact us if they believe that we can make reasonable adjustments to enable them to fully access our services, including the complaints process.
- 18.2 If a complainant would like to request a reasonable adjustment, then they should notify the staff members at the initial point of contact or the complaints officer. There is no prescribed list of reasonable adjustments. These could include but are not limited to producing this policy and related information in different formats such as large print and alternative languages on request. There is an easy read how to complain guide which is available on our website. A paper copy can be provided on request.

19 Equality, diversity and inclusion

- 19.1 Brighter Futures operates an Equality, Diversity and Inclusion policy, and this applies to all aspects of our services. We will ensure that no customer, tenant or service user is treated less favourably on the grounds of age, ethnicity, religion or belief, disability, gender, gender reassignment, sexual orientation, pregnancy or maternity, marriage or civil partnership status.
- 19.2 We offer opportunities for complaints to be made in different ways that are accessible to complainants, and we will offer support in accessing this process if it is required. All decisions will be based on evidence and facts so that they are free from bias and impartial. All of our complaint responses will be clearly set out with reasons for decisions made and any further actions to be taken.

20 Compensation

20.1 Brighter Futures is committed to delivering quality services that consistently meet or exceed customers' expectations. Our Compensation Policy sets out our approach to compensation where that service falls below these expectations. It details some circumstances when compensation will be considered and what the compensation may be. It should be noted that each case will be considered on its own merit.

21 Communication of this policy

21.1 This policy will be made publicly available on our website.

21.2 The policy will be communicated to staff by publishing it on our intranet SharePoint for staff to access and will be discussed in team and operational managers' meetings.

22 Whom this policy applies to

22.1 This policy applies to everyone who uses our services and for those supporting them, including staff.

23 Legislative and regulatory requirements

- Human Rights Act 1998 (www.legislation.gov.uk)
- Localism Act 2011 (www.legislation.gov.uk)
- Housing Act 1996 (www.legislation.gov.uk)
- Data Protection Act 2018 (www.legislation.gov.uk)
- General Data Protection Regulations (GDPR)
- Equality Act 2010 (www.legislation.gov.uk)
- The Housing Ombudsman's Complaint Handling Code (www.housing-ombudsman.org.uk)
- Guidance on remedies – Housing Ombudsman Service
- Regulatory Standards

24 Related policies, procedures and documents

Policies	<ul style="list-style-type: none">• Compensation Policy• Data Protection Policy• Equality, Diversity and Inclusion Policy• Unacceptable Behaviour Policy
Forms / Guides / Leaflets	<ul style="list-style-type: none">• Brighter Futures complaint/feedback form• How to complain leaflet• How to complain accessible guide
Websites	<ul style="list-style-type: none">• Brighter Futures – www.brighter-futures.org.uk• Brighter Futures privacy statement - https://www.brighter-futures.org.uk/wp-content/uploads/2023/03/Privacy-Statement-Summary-002.pdf

25 Monitoring and review

25.1 This policy will be reviewed annually by the Director of Corporate Services unless significant changes are made to the Complaints Handling Code by the Housing Ombudsman which necessitates an earlier review.