
Complaints, comments and suggestions

Policy and procedure

Document reference Housing + Support 07

Approved by Leadership team

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1 Policy statement

- 1.1 Evolve Housing + Support is committed to ensuring that complaints are handled fairly, recorded appropriately and that any issues are rectified. The organisation welcomes feedback, including comments and suggestions, and will always seek to make improvements to services based on feedback received. Complaints are viewed by all colleagues as a means of service improvement.
- 1.2 We will ensure that complaints are easy to make and that the process is understood by our customers and others that may want to make a complaint.

2 Scope

- 2.1 This procedure covers the handling of complaints, comments and suggestions received from:
 - › A customer
 - › An advocate, friend or family member of a customer
 - › Any third party (e.g. neighbours of services)
- 2.2 This policy and procedure does not cover complaints made by staff about other staff. Please refer to the Grievance policy and procedure.
- 2.3 Should a complaint concern the discrimination, harassment or bullying of customers, or raise a safeguarding issue please refer to the following procedures:
 - › Safeguarding children and young people policy and procedure
 - › Safeguarding adults policy and procedure
 - › Bullying and harassment policy and procedure
 - › Equality, Diversity and Inclusion policy

3 Principles

- 3.1 Complaints are welcomed as an opportunity to resolve dissatisfaction and to improve our services. Evolve recognises that a customer does not have to use the word complaint for it to be treated as such.
- 3.2 All colleagues will:
 - › Ensure customers know how they can make a complaint
 - › Ensure neighbours and stakeholders have service contact details and are aware of ways to contact us easily
 - › Encourage our customers to complain if they are not happy with any aspect of the service, welcome this feedback and make improvements where necessary
 - › Take verbal complaints as seriously as written ones
 - › Not treat complainants less favourably than people who have not complained
 - › Look to resolve a complaint in the most efficient way and provide excellent customer service

4 Definitions

- 4.1 A complaint: 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 customer or group of customers. A request for action is not a complaint.
- 4.2 HMRITM – Housing Management and Rental Income Team Manager
- 4.3 CMT - corporate management team which includes directors and the CEO

- 4.4 Housing Ombudsman - The Housing Ombudsman Service is set up by law to look at complaints about the housing organisations that are registered with them. The service is free, independent and impartial. They resolve disputes involving the tenants and leaseholders of social landlords.

5 How to make a complaint, comment or suggestion

- 5.1 Evolve will make it easy for customers to complain by providing various ways for a customer to make a complaint. These are listed below.
- 5.2 A complaint, comment or suggestion can be raised locally in the service in a variety of ways. These include:
- › Verbally to a member of staff
 - › By completing a Feedback form and posting into the box provided or handing to a member of staff
 - › In writing, either by letter or email
- 5.3 There are two stages to the complaints procedure:
- › Stage 1: Investigated and responded to internally by colleagues in services.
 - › Stage 2: Investigated and responded to by a manager external to the service.
- 5.4 Team Managers are responsible for ensuring that their service has a feedback box, in which customers can place completed Feedback forms, and that this box is checked and emptied daily.
- 5.5 Every attempt should be made to resolve complaints at service level.
- 5.6 If the complainant does not feel comfortable making a complaint locally to the service concerned, they can do so by contacting the Housing Management and Rental Income Team Manager(HMRITM):
- › In writing to, Complaints, Evolve Housing + Support, 16-20 Kingston Road, South Wimbledon, London, SW19 1JZ
 - › By telephone on 0207 101 9960
 - › Via email to complaints@evolvehousing.org.uk
 - › Via Evolve's social media forums
- 5.7 Evolve's social media forums are checked daily by the Communications team, who give an initial response to the complainant and pass the complaint to the Complaints team and another relevant colleague to address.
- 5.8 Complainants cannot be seen at head office. Any complainant coming to head office will be directed to the service the complaint relates to, or asked to contact the Complaints team using one of the methods above.
- 5.9 Complaints received centrally will be passed to the most appropriate person to investigate and respond.

- 5.10 Submitting a complaint centrally will not speed up the process and the complaint may be sent back to the service for a local manager to investigate.
- 5.11 Customers should be encouraged to make complaints as soon as possible after an issue has come to their attention. The sooner a complaint is made, the more likely it is that data will be available to establish the facts of the complaint, i.e. CCTV recordings.
- 5.12 All service colleagues are responsible for ensuring customers, neighbours and stakeholders are aware of how to make a complaint. This includes:
- › Distribution of complaints leaflets
 - › Giving a copy of the Complaints, comments and suggestions policy and procedure to each new customer at sign up
 - › Displaying complaints posters throughout the service, where they are easily seen by customers
 - › Ensuring neighbours and stakeholders have service contact details and are aware of ways to contact us easily
 - › Regularly reminding customers of their right to complain and the process for doing so
 - › Contributing to a culture at the service where customers feel comfortable and empowered to make a complaint
 - › Recognising customer complaints, even when the word "complaint" is not used

6 Stage one complaint

- 6.1 A complaint will first be investigated at stage one of the complaints procedure. All customer-facing colleagues are responsible for receiving, investigating, responding to and recording complaints.
- 6.2 This will usually be a manager or colleague from the service, however if the complaint involves the manager of the service or a more senior manager or Director, or if the complaint is particularly serious in nature, the HMRITM will pass it to an appropriate member of SMT or Leadership team to investigate. If the colleague receiving the complaint is unsure of who should investigate a complaint, they should discuss with the HMRITM who will advise.
- 6.3 If you are investigating a complaint:
- Keep it simple and relevant
 - Plan your investigation
 - Meet with the complainant
 - Listen carefully to what they say
 - Gather all the facts
 - Follow Confidentiality and Data Protection policies and procedures
 - Remain impartial
 - Ask for help

- Ask someone to review your investigation

If you need support with receiving and investigating a complaint, speak to your line manager or contact the HMRITM for guidance.

- 6.4 All complaints, however they are received, must be recorded on In-Form (see section 12). All details must be included, including those of any action taken.
- 6.5 Colleagues should prioritise dealing with complaints. Investigation and responding to the complainant should be done as soon as possible after receiving a complaint, and within the timeframes set out in the procedure and accompanying flowchart.
- 6.6 On receipt of a complaint, the colleague investigating should write to the complainant to acknowledge their complaint. The acknowledgement should include the colleague's name and contact details. It should explain that we will contact the customer to arrange a meeting to discuss the complaint with them and include the date that they will receive a written response to their complaint. The acknowledgement should be sent within 3 working days of when the complaint was made (see Complaint procedure checklist).
- 6.7 Wherever possible, all investigations should include a face to face meeting with the complainant to confirm the details of their complaint, the reason they are making the complaint and how they would like the complaint to be resolved.
- 6.8 Colleagues should be careful not to make any unrealistic promises when discussing the resolution to a complaint. It is okay to say that you will need to discuss any actions with a manager before you are able to agree to anything.
- 6.9 Complaint investigation and the response to the complainant should be completed within 10 working days from receipt of the complaint. The response should detail the outcome of the investigation and any action taken to resolve the complaint (see Complaint procedure checklist).
- 6.10 All complaint responses must include information about how and when a complainant can request a review of the response from Evolve, and how and when they can refer a complaint to the Housing Ombudsman.
- 6.11 If an investigation is likely to exceed the timeframes set out in the procedure, the colleague investigating should contact the complainant as soon as this is known, and before the end of the 10 working day period, to give an update on any progress and to advise a revised date that they will receive a response to their complaint. It is important that the revised date is both realistic and achievable.

7 Reviews

- 7.1 A complainant can request a review of the outcome of their complaint if they are not satisfied with the outcome or resolution they received at stage 1 of the procedure or if they believe that the procedure was not followed correctly
- 7.2 The complaint will proceed to stage two if the review finds:

- › that the investigation failed to consider all of the reasonably available evidence; or
- › that the response was not consistent with the reasonably available evidence

- 7.3 All requests for a review should be sent to the HMRITM. Requests do not need to be made in writing and verbal requests are acceptable, as are those by email or telephone. Requests from advocates acting on the complainant's behalf can be accepted, but signed consent must be obtained from the customer before any information can be disclosed (use Permission to share personal data template).
- 7.4 Requests for a review must be received within 14 working days of the date of the complaint response. Any requests received outside of this timescale will only be considered under exceptional circumstances.
- 7.5 The HMRITM will decide if a complaint should proceed to stage two using the above test and in consultation with the relevant Area Manager or Director.
- 7.6 If the request for a review is declined, the HMRITM will write to the complainant to explain the reason why it has not been escalated.

8 Stage two complaint

- 8.1 If the complaint is to proceed to the next stage the HMRITM will allocate an appropriate member of staff to investigate the complaint at stage 2.
- 8.2 Stage two complaints are investigated by Team Managers, or a member of SMT or Leadership team.
- 8.3 The colleague investigating the complaint should send a letter to the complainant to explain that they will be investigating their complaint at stage 2 of our procedure, in response to the appeal that was received. The letter should include the colleague's contact details, an invitation to a meeting to discuss the complaint and when they will receive a written response from stage 2 of the procedure. This should be done within 5 working days from when the appeal was made.
- 8.4 All emailed correspondence at stage 2 should be sent from the Complaints email address: complaints@evolvehousing.org.uk, rather than from an individual colleague's email address. The colleague investigating should send to the HMRITM who will then be able to send on to the complainant.
- 8.5 All investigations should include a face to face meeting with the complainant to understand what their complaint is, why they appealed the outcome at stage 1 and what outcome they would like to see.
- 8.6 Investigations should be completed within 15 working days of the date the appeal was received.
- 8.7 The HMRITM is available to support the investigating manager throughout the process.
- 8.8 Once the investigation is complete the investigating manager should discuss their findings with the HMRITM. A letter detailing the outcome of the

investigation and any action taken as a result should be sent to the complainant within 5 working days of the conclusion of the investigation.

- 8.9 This letter must inform the customer of the fact that this concludes the internal complaints procedure at Evolve. It should include details of who to contact if they are still unhappy with the complaint response from Evolve (see section 10).
- 8.10 If the customer wishes to complain externally, Evolve colleagues should support them to do this.
- 8.11 As part of the process at stage 2, the investigating manager should consider any learning from the complaint and how it was investigated and responded to at stage 1. A list of recommendations, where relevant, should be sent to the HMRITM who will agree an action plan with the relevant Team Manager to address any learning points.

9 Outcome letters

- 9.1 At each stage of the complaints procedure an outcome letter should be given to the complainant. Wherever possible, this should be in person.
- 9.2 Letters should detail the decision made, and how and why that decision was reached. They should explain any actions that will be taken in response to the complaint and the further actions available to the complainant if they are not satisfied with Evolve's response (See Complaint response checklist).

10 External appeals

- 10.1 If a complaint has not been resolved at the end of our internal complaints procedure our customers can either:
- › Refer the matter to a designated person or
 - › Wait 8 weeks and refer the matter directly to the Housing Ombudsman.
- 10.2 At the end of Evolve's internal complaints procedure, if a customer does not consider their complaint to have been resolved, they are able to ask for their complaint to be considered by a designated person, who can also help find a solution. The designated person can be a member of parliament (MP), a local councillor or a Tenant Panel. The role was introduced by the Government in 2011 to improve the chances of complaints about housing being resolved locally and to involve local politicians and local people in resolving local housing issues.
- 10.3 A designated person will help resolve the complaint in one of two ways: they can try to resolve the complaint themselves, or they can refer the complaint straight to the Housing Ombudsman, within 8 weeks of the final decision.
- 10.4 The designated person can try to put things right in whichever way they think may work best. If the problem is still not resolved following the intervention of the designated person either they or our customer can refer the complaint to the Housing Ombudsman. The customer can refer the complaint directly

to the Housing Ombudsman, without the intervention of a designated person, after 8 weeks of the final decision from Evolve.

10.5 See <http://www.housing-ombudsman.org.uk/directory/designated-persons/> for further details.

10.6 If someone other than one of our customers has exhausted our internal complaints process, their external method of appeal will be via the commissioning authority. Contact the HMRITM if these details are required.

10.7 The CEO will be copied into complaints that come via the Housing Ombudsman.

11 Mediation

11.1 In some circumstances mediation may be the best way to resolve a complaint. Agreement from all parties must be gained before arranging a mediator.

11.2 In most cases mediation will be an informal process involving a neutral third party. This could be a member of staff from another service or from head office.

12 Recording complaints

12.1 All colleagues are responsible for keeping appropriate records of all aspects of a complaint, including ongoing communication with complainants or advocates.

12.2 In-Form must be used to record details of all complaints, whether received in writing or verbally. Please refer to the In-Form guidance document for full details.

12.3 Where available, completed Complaints forms and written responses to complaints must be uploaded and attached to the relevant record.

12.4 If the complaint contains sensitive information, such as a serious allegation against a member of staff, only the basic details of the complaint should be recorded on In-Form. If a complaints form or written response contains sensitive information they should not be uploaded to In-Form. The record should instead direct the reader to the location of these e.g. held by manager.

12.5 Any colleagues that are unsure of what can and cannot be recorded on In-Form should speak to their line manager or contact the HMRITM.

13 Exceeding timescales

13.1 If further time is required, the complainant should be contacted within the investigation timescale and provided with an update on progress, and offered a revised date for completion.

13.2 If the complainant fails to respond after 10 working days the complaint should still be investigated with the information available and a response provided where possible.

14 Guidance for staff on handling complaints

- 14.1 All colleagues should view complaints as a positive opportunity to learn more about what our customers want from us and as an opportunity for service improvement.
- 14.2 When investigating and responding to complaints, colleagues should make every effort to meet with the complainant during the course of any investigation.
- 14.3 Colleagues investigating a complaint should take a solution-focused approach and not be defensive. The purpose is to find a satisfactory resolution and to learn and take positive action to make improvements.
- 14.4 When a local neighbour makes a complaint, Team Managers or Team Leaders must:
- › Contact the neighbour and offer to meet with them
 - › Provide reasonable contact details, such as a 24 hour project number or a direct work email address to the manager
 - › Communicate with third parties
- 14.5 Where a complaint is made on behalf of, or about a customer (e.g. by family, friend, advocate or MP), signed consent must be obtained from the customer before any information can be disclosed (use Permission to share personal data template).
- 14.6 The HMRITM should be contacted if colleagues have any questions about what information can be shared.
- 14.7 Disclosure of information without consent is a breach of our Data Protection policy and of General Data Protection Regulation, and may result in disciplinary action.

15 Advocates

- 15.1 This procedure allows for complaints to be registered by a relative, friend, or other individuals on behalf of a customer. Such complaints will be treated in the same way as those made by customers themselves.
- 15.2 Colleagues must remember to seek consent before disclosing any information (see above).
- 15.3 If an advocate/representative pursues a complaint in an unreasonable manner, we may refuse to deal with them and may ask the customer to pursue the complaint themselves or seek another advocate/representative.
- 15.4 Colleagues cannot advocate for customers with complaints against the organisation. Colleagues should guide customers through the complaints procedure and can assist them to make their complaint (e.g. by writing it down), but cannot complain on their behalf as this would create a conflict of interest.

15.5 Where an advocate is sought by a customer, staff should direct them to the Citizens Advice Bureau or a local advocacy service, and this information should be made available within each service.

16 Overcoming barriers to complaining

16.1 There are many reasons why customers will not complain, including fear of recrimination, not knowing how to complain or how the complaint will be handled, and feeling that if most of the service is good, one shouldn't complain about that part which isn't so good.

16.2 Colleagues should therefore be conscious of creating a culture where customers feel able to complain, and should provide reassurance and guidance to customers to enable them to feel more confident about making a complaint.

16.3 By having a procedure for complaints, comments & suggestions, customers have the opportunity to register their suggestions as well as their complaints, for example if their complaint relates to only one aspect of an otherwise good service.

16.4 Every service should have a complaints, comments and suggestions box so a customer can make a complaint or comment about the service anonymously if they wish to do so.

16.5 The complaints policy and procedure will be given to customers at move in and posters will be displayed in services with guidance on how to make a complaint.

16.6 Customers should be given the option to email a complaint from the service laptop or tablet.

16.7 We will comply with the Equality Act 2010 and are aware that normal policies, procedures, or processes may sometimes need to be adapted in order to accommodate an individual's needs

17 Complaints about individual members of staff

17.1 If a complaint is made about the service provided by an individual member of staff which is found to be legitimate following investigation, the line manager will work with that member of staff to ensure that the service is either revised or, if appropriate, that the area of their work which has been complained about is brought up to an agreed standard.

17.2 The situation will be used as an opportunity to learn and improve. This may involve coaching or training, and the co-operation of the staff member will be essential.

17.3 If a complaint investigation raises a concern over the conduct or capability on the part of a member of staff, further investigation will take place under the disciplinary or capability procedures.

18 Vexatious or unreasonable complaints

- 18.1 There are some circumstances when we may refuse to consider a complaint, or may deal with it in a different way from that detailed in this policy and procedure. This may be when it is more appropriate for another organisation to consider the complaint; if the complaint is vexatious in its nature, is pursued unreasonably, or where circumstances otherwise merit it.
- 18.2 Where a complaint is deemed to be vexatious or is being pursued unreasonably, colleagues should make local arrangements to effectively manage the complaint. This can include requiring the complainant to correspond only in writing (if able), and to a specified person at a specific time each week.
- 18.3 These boundaries should be clearly communicated to the complainant and consistently enforced. They should strike a balance between investigating and responding to complaints whilst limiting the impact that they have on service delivery.
- 18.4 The Area Manager should always be informed of any vexatious or unreasonable complaints at the earliest opportunity.

19 Staff training

- 19.1 Line managers are responsible for ensuring their staff receive an introduction to the role and purpose of this procedure.
- 19.2 All customer facing colleagues will receive internal complaints handling training. This is delivered by the HMRITM.
- 19.3 All colleagues should undertake the Dispute Resolution e-training available on the Housing Ombudsman Services' website at <https://hos.e-coach.co.uk/>.

20 Monitoring complaints and organisational learning

- 20.1 The Housing Management Area Manager will review complaints monthly to identify themes and issues, and to consider any changes or improvements that can be made.
- 20.2 Complaints will be monitored on a quarterly basis and an assessment of complaints provided in our annual review.
- 20.3 The organisation will review complaints annually to test the effectiveness of this procedure, and to identify learning points.
- 20.4 We will participate in external benchmarking group exercises to share best practice and data across the sector.
- 20.5 Questions around customers' experience of the complaints process at Evolve will be included as part of our annual customer satisfaction survey and internal audits.
- 20.6 The organisation's Annual Report will include information on complaints, such as volume of complaints, trends and outcomes. Learning and improvements will also be included in the report.

21 Diversity impact assessment

21.1 Complaints will be monitored annually by the demographics of the complainant to ensure fair and equal treatment across all groups.

21.2 We recognise that our customers come to us from a wide range of backgrounds, with individual beliefs, values and needs. The use of this policy and procedure will ensure consistency is applied when colleagues are dealing with customers complaints, comments and suggestions.

21.3 This policy and procedure aims to respect and value the diversity of our customers. We strive to create a positive environment where everyone is treated with dignity and respect. We will challenge any instance of inequality and ensure all our colleagues are trained in equal opportunities.

22 Relevant documents

- › Complaint procedure flowchart
- › Complaint acknowledgement and outcome letter checklist
- › Permission to share personal data
- › In-Form guidance – Complaints
- › Complaints leaflet for customers
- › Complaints poster for services

The Complaints, comments and suggestions policy and procedure was reviewed with customers in 2014 and 2018

Reviewed November 2020 to incorporate The Housing Ombudsman 2020 Complaints Code