



Operational Policy

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| Title: | COMPLAINTS POLICY |
| Originator: | Paula McGlynn |
| Approval Date: | May 2018 |
| Review date: | May 2021 |

1. INTRODUCTION

Magenta Living (ML) is committed to delivering excellent customer service that represents value for money. By learning from customer feedback and best practice we will influence change that delivers continuous improvement of our services.

This policy outlines ML's fair, accessible and clear procedures for receiving, responding to and learning from customer feedback.

2. STATEMENT OF INTENT

Through this policy ML aims to:

- Encourage feedback, both positive and negative through a well publicised and accessible procedure
- Where possible resolve all complaints at the first point of contact
- Provide a full and fair resolution within published timescales
- Learn from customer feedback to improve future service delivery
- Promote and monitor performance against agreed service standards
- Consider recompense in exceptional circumstances where loss or inconvenience can be proven, in line with ML Compensation Policy
- Comply with the Localism Act 2011 and advise how customers can access Ombudsman services

3. POLICY

Complaint definition

- 3.1 ML defines a complaint as an expression of dissatisfaction with the conduct of individuals or with a service that ML is responsible or accountable for.

Customer definition

3.2 For the purposes of this policy ML defines a customer as:

- ML tenants and leaseholders
- Members of the public
- Third parties who have permission to represent the interests of an individual

Complaints Process

3.3 Complaints managed within this policy are acknowledged within two working days through a procedure consisting of four key elements:

- **'Fix in Five'** - ML will attempt to resolve complaints at the earliest possible point. A 'Fix in Five' complaint is a concern that is addressed and resolved within five working days, by a *supervisor, team leader or manager* directly responsible for the service. Customer approval is required to close a complaint at this stage.
- **Formal Complaints** - A formal complaint is one that cannot be addressed within five working days, due to either the severity or complexity of the issue. A *manager* will respond to formal complaints in writing, either by email or post, within 15 working days of receiving the original complaint.
- **Complaint Appeals** - A customer can challenge the outcome to their complaint within 10 working days of the formal resolution. In all cases there must be a valid reason to escalate a complaint. Such cases will be reviewed by the *Customer Experience Manager* and a decision provided with 10 working days.
- **Complaint Hearings** - Where a complaint appeal has been accepted and where an amicable arrangement cannot be reached with the complainant a formal complaint hearing will take place. The customer will be invited to present their case to an independent panel consisting of residents and at least one Board Director. The panel will examine the evidence and provide recommendations for a final resolution.

The above approach will ensure that there is continuous contact with customers and that they are informed of progress with their complaint.

Ombudsman

3.4 If a customer remains unhappy with the resolution to their complaint, they may approach the Ombudsman under the following circumstances:

- they have exhausted ML's internal complaints procedure
- referral to Ombudsman by a Designated Person
- the 8 week holding period has elapsed

This will be made clear to customers once a full and final complaint resolution has been reached.

Anonymous Complaints

3.5 Anonymous complaints will be considered by ML as useful feedback. However, due to the anonymity the provisions of this policy will not apply.

Petitions

3.6 Petitions will be treated as complaints where this is appropriate. Responses will be provided to the representative lead petitioner who submitted the documents to ML. Petitions about political matters beyond ML's control or petitions about planning applications will not be considered within this policy. The definition of a complaint included within this policy will still apply.

Exclusions from this policy

3.7 There may be occasions when a complaint will not be dealt with in line with this policy they include:

- An initial request for service, such as the first report of a repair.
- Anti-Social Behaviour (ASB) or nuisance unless the complaint is in relation to staff conduct.
- Allocation of properties which are handled through the Allocations' Review process
- Complaints outside of ML's control.
- Service charge disputes, which are handled through our Policy & Home Ownership team.
- Legal cases and insurance claims.
- Any serious allegations of inappropriate conduct from a ML Board member or member of staff. These will be handled in line with ML's Human Resource (HR) policy.

Unless there are exceptional or extenuating circumstances ML will be unable to investigate complaints which have already been dealt with under this policy or are over six months old.

Unreasonable and Vexatious Complaints

3.8 Some complainants, because of the nature or frequency of their contact with an organisation, hinder the organisation's consideration of their or other people's complaints. In these cases, ML will provide a focussed approach in managing such circumstances and in affectively targeting its resources. ML will also ensure that at all times it is able to demonstrate that it acted proportionately and in accordance with this policy and related procedures.

4. IMPLEMENTATION

The policy will be effective following approval by SLT Lite, then ELT Board and fully implemented from May 2018.

Staff were made aware of the proposed key changes to the policy in March 2018. A more detailed staff training programme will commence in May/June 2018. Relevant training will also be provided to any residents involved in the Complaints process. The key principles of this operational policy will also be reinforced to managers in team meetings and copies of the policy will be available on the intranet (Yeti).

5. CONSULTATION

The views of ML Senior Leadership Team, Investigating Managers and other relevant staff in addition to views of the Customer Scrutiny Panel were incorporated in the development of this policy

6. EQUALITY ANALYSIS

We believe all people should be treated with dignity and respect regardless of their age, disability, gender reassignment, marriage and civil partnership, race, religion, belief or non belief, sex or sexuality or by association with someone with any of these characteristics or perception of having any of these characteristics.

The Equality Analysis was completed on 9 May 2018 and awarded 'Green Light' status.

7. MONITORING PERFORMANCE

The effectiveness of this policy will be measured and monitored by the Customer Experience Team (CET) through key Performance Indicators (PI's) including target response time. However the primary focus will be on quality, customer relationships and outcomes.

Learning points and implementation of improvements will be required of staff, the effectiveness of which will be monitored by the CET.

Where performance requirements are not being met, the Head of Service will take responsibility for addressing those issues and for advising the CET accordingly. Details will be included in regular monthly Complaints' reports for managers and also in Quarterly Reports to ELT Board. Any training needs will be identified by the CET in consultation with Heads of Service who will consider appropriate strategies.

ML is regulated by the Homes England against applied standards. Complaints fall within the Regulatory Consumer Standards for Tenant Involvement and Empowerment. This policy is the mechanism for ML for responding to residents' complaints in a clear and effective way that reflects the standards required of Homes England

8. SCHEME OF DELEGATION

The responsible authority for approving this operational policy is SLT Lite.

The responsible Assistant Director for formulating this policy and ensuring its effective implementation following ELT Board approval is Paula McGlynn, AD Customer Support.

The Responsible Officer for formulating, reviewing and monitoring the effective implementation of the processes is Tracy Scragg, Customer Services Manager

9. POLICY REVIEW

The policy will be reviewed every 3 years or earlier if deemed necessary though the performance monitoring process. Next full Review will be April 2021 however amendments may be made as necessary prior to that date and recorded through the amendment log.

10. AMENDMENT LOG

Validity check recording outcome of previous reviews.

| Date of revision: | Record of amendments: | Reason for revision: |
|-------------------|--|--|
| 2017 | <i>Sect.3.3. Complaint Hearing process to involve residents and one Board Member</i> | <i>Operations Committee no longer part of governance</i> |
| 2017 | <i>Sect.7 Homes and Communities Agency name change to Homes England</i> | <i>Name change</i> |
| 2018 | <i>Sect.5 Consultation includes involvement of the new Customer</i> | <i>Operations Committee no longer part of Governance for</i> |

| | | |
|-------------|---|---|
| | <i>Scrutiny Panel.</i> | <i>feedback</i> |
| <i>2018</i> | <i>Sect.7 Monitoring details changed.</i> | <i>Customer Experience Team handle complaints and will be responsible for direct liaison with Heads of Service to ensure performance issues or procedural changes are quickly addressed</i> |
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