

Complaints & Compliments Policy and Procedure

Policy statement

Purpose

Orwell sincerely welcomes complaints and compliments from anybody who has received a service from Orwell. We welcome and value this feedback because, without it, we would not be able to learn from and correct our mistakes; similarly, it is good to know when we have got the service right.

Legal Obligations

The policy will comply with the Localism Act (2011), Housing Act (1996 – schedule 2), General Data Protection Act (GDPR) (2018), Equality Act (2010), Housing Ombudsman’s Complaint Handling Code, the RSH Tenant Involvement and Empowerment Standard and the Health & Social Care Act (2008) (Regulated Activities) Regulations 2014: Regulation 16.

It is important that customers understand and appreciate that Orwell will treat all complaints in the upmost confidence, complying with all aspects of the General Data Protection Act (2018).

This policy is compliant with the requirements of our Regulators, specifically the Care Quality Commission and both the Housing Ombudsman’s Service Complaints Handling Code and the Regulator for Social Housing’s Tenant Involvement Empowerment Standard.

Orwell’s Commitment

- We will ensure complaints are handled quickly and efficiently, making sure any changes to the service required are put in place.
- All complaints will be monitored to ensure that we are being fair, putting things right and learning from outcomes. An annual report produced by our lead officer for complaints will be shared with both Orwell’s Residents’ Group and the Board.
- This policy should be read in conjunction with Orwell’s Duty of Candour policy which applies to Health & Social Care providers registered with the Care Quality Commission. The Duty of Candour expects organisations to operate within a culture of openness, transparency and to continually improve services and improve safety, listening and learning.

Complaints Procedure

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 on our behalf, affecting an individual, resident or group of residents.

A customer does not have to use the word “complaint” in order for it to be treated as such.

A complaint about anti-social behaviour from an Orwell resident would not be regarded as a complaint, unless the complaint is about Orwell’s handling of the anti-social behaviour service.

Orwell recognises that not everybody is willing or able to make a complaint: some people may just be wishing to clarify their understanding of a matter or be listened to. If a customer does not receive a satisfactory answer to a query, the staff member concerned should advise the customer to escalate the matter as a complaint, and customers have the right to do that in any case.

Who can make a complaint?

Anyone can make a complaint about Orwell’s service, however Orwell may choose not to treat the matter as a complaint in certain instances (please refer to the section on exclusions below (3.9). Details on how to complain are set out below with further details contained within Orwell’s Guidance on How to Make a Complaint.

Complaints that are submitted via a third party or representative, such as an MP, will still be handled in line with our complaints policy.

How to make a complaint?

Complaints should be made to our Customer Services Team who will then decide who is the best person to handle the complaint. The complaint will then be logged, referred and monitored for quality assurance purposes. Complaints can be sent to the Customer Services Team by email, telephone, in person, through Orwell’s website or social media.

If Orwell’s normal response times for dealing with a complainant are likely to adversely affect the complainant due to their health or disability then we will make reasonable endeavours to deal with and respond to the complaint more quickly.

How the complaint will be handled?

Orwell has a simple and efficient complaints process involving just two stages. When a complaint is made, we will acknowledge and log stage 1 of the complaints procedure within 5 calendar days of receipt of complaint.

A stage one complaint will be dealt with at an officer / front-line team leader or local or scheme manager-level, who will endeavour to resolve the complaint in ten calendar days.

A stage two complaint will be dealt with at operations manager, assistant director or director level, who will endeavour to resolve the complaint in twenty calendar days.

If a complainant raises additional complaints during the investigation, these will be incorporated into the stage one response if they are relevant and the stage one response has not been issued. Where the additional complaints are not relevant, or the stage one response has been issued, or it would unreasonably delay the response, the complaint will be logged as a new complaint.

If, for whatever reason, Orwell is unable to resolve the complaint in the above timeframes, we will outline, in writing, within the time frames above, what we are intending to do to resolve the complaint, and by when. If the timeframes set out are not adhered to, the customer is then able to escalate the complaint.

In responding to the complainant, the person dealing with the matter will provide a clear explanation on how the complaint can be escalated if the customer remains dissatisfied, and will set out the timeframe for this, which is within 28 days of receipt of the concluding letter.

Exclusions

We will not normally accept complaints or offer escalation to the next stage of our internal complaints procedure in the following circumstances:

- Where the problem is a recurring issue and we consider we have previously resolved the matter.
- Where a complainant is not engaging with us and failing to provide relevant information relating to their complaint.
- Where legal proceedings have started.
- Where the complainant is behaving unreasonably.

If we decide not to accept a complaint, for any of the above or any other reason, we will explain why and the customer will have the right to challenge this decision by bringing the matter to the relevant Ombudsman.

Closing complaints

A complaint will be considered closed when Orwell has written to the complainant outlining what we have done or propose to do to resolve the complaint. Orwell will give the customer a further opportunity at this stage to provide feedback to Orwell, or to escalate the complaint accordingly.

What happens after stage two of our complaints procedure?

If a customer remains dissatisfied with the response at stage two of the procedure, they are able to refer the complaint to a Designated Person. A Designated Person is a local Councillor, MP, or a dedicated Tenant Panel made up of representative tenants. Their role is to help resolve disputes between tenants and their landlords which they can do in whatever way they think is most likely to work. If the

designated person cannot help, they can refer a complaint to the Ombudsman. If a customer has decided not to contact a designated person they can go directly to the Ombudsman eight weeks after Orwell has issued its final response to the complaint.

Complaint taking too long to resolve

If a customer considers that their complaint is taking too long to resolve at stage two of our complaints procedure, they can refer the complaint to either a Designated Person or to the Housing Ombudsman, as outlined in 3.11 above.

If the complaint is about Orwell's Support & Care Service, the customer should exhaust Orwell's internal complaints procedure first. If the complaint is not resolved to the customer's satisfaction, they can refer it to the relevant County Council, Local Authority or the Care Quality Commission as appropriate. Orwell staff will be able to advise customers on the appropriate route for their particular complaint.

Representation and support

If customers are not comfortable or confident making a complaint, we will signpost them to other organisations, such as Citizens Advice and any other appropriate agencies who may be able to advise and provide support with making a complaint.

If a customer does not have the mental capacity to make a complaint, we will accept complaints from an advocate, an Independent Mental Capacity Advocate (IMCA) or Legal Representative.

Equality and fairness

We have produced an accessible guide to our Complaints Policy and our Guidance on How to Make a Complaint, which is available to view on our website.

We aim to treat all complainants fairly and equitably, in a non-discriminatory manner and without prejudice. We seek to embed equality, fairness, inclusivity, diversity and respect in our complaints handling policy and processes.

We recognise that some of Orwell's customers may wish to be represented by a Power of Attorney or advocate. Interpreting services can also be provided on request.

Monitoring and learning from complaints

All stage 1, stage 2 and complaints made to Designated Persons, the Tenant Panel, Housing Ombudsman Service or the Care Quality Commission (CQC) will be monitored by Orwell's lead officer for complaints.

A report containing details of complaints received will be published annually and made available to Orwell's Residents' Group and Orwell's Board.

Periodically, the Residents' Group will scrutinise our complaints, compliments and compensation service.

Compliments

Any compliment received should be passed onto our Customer Services Team who will ensure that relevant staff member(s) receive(s) it. The team will also record all compliments and include these in their regular reporting to the Residents' Group and Orwell's Board.

Compensation

We will compensate anyone who has suffered a financial loss as a result of our service failure with a fair and reasonable sum. We will carefully explain how we have determined our compensation and provide customers with a reasonable period of time in order to accept that offer. If the complainant is an Orwell tenant in rent arrears, we will usually offset any financial compensation against any debt owed to Orwell.

Self-assessment

We will self-assess our performance against the Housing Ombudsman's Complaint Handling Code and publish this assessment on an annual basis.

How to make a complaint?

Via Customer Services Team



0345 60 100 30



info@orwell-housing.co.uk



@OrwellHousing



Crane Hill Lodge, 325 London Road, Ipswich, IP2 0BE



www.myorwell.co.uk - tenant portal



www.facebook.com/OrwellHousing/#

Initial Response

If you remain dissatisfied following the initial response, you can request your complaint to be escalated via Orwell's formal complaints procedure

Initial Response

If you are happy with response/action plan, then there will be no further action

Stage One Complaint

Dealt with by an officer, team leader or local or scheme manager; endeavour to resolve the complaint in **10 CALENDAR DAYS**

Stage Two Complaint

Dealt with by an operations manager, assistant director or director; endeavour to resolve the complaint in **20 CALENDAR DAYS**

Designated Person
(a local Councillor or MP)

Tenant Panel

Housing Ombudsman
www.housing-ombudsman.org.uk/

Local Government & Social Care Ombudsman
www.lgo.org.uk/

Have you incurred any loss?

Complainant:

Provide any photographic evidence to support your complaint, plus copy of receipts/bills for compensation requests for losses incurred.

Have you incurred any loss?

Orwell:

Consider all evidence provided to decide if any compensation is payable.