



Customer Service and Complaints Policy & Procedure

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Introduction

Empowering People Inspiring Communities Ltd (EPIC) is committed to providing high quality services for all of our customers. —This includes all tenants, leaseholders, applicants, contractors and agents or anyone else who may use our services, or is affected by our decisions.

The policy should be used for complaints about EPIC and the service that we deliver, including contractor's performance. The policy is not to be used for complaints relating to a tenancy e.g. nuisance neighbours etc. which should be reported via the anti social behaviour route. However, it can be used to complain about our failure to deal with a tenancy appropriately.

Aims of the Policy

The aim of the policy is to ensure that EPIC has an approach to complaints that is clear, simple and accessible. We aim to resolve all complaints promptly, politely and fairly in line with the appropriate standards set by our regulators.

Definition of a complaint.

We define a complaint as :

An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its staff, or those acting on its behalf, affecting an individual resident or group of residents.

The resident does not have to use the word complaint in order for it to be treated as such. If a resident specifically requests an issue not to be treated as a complaint it will not be regarded as one.

To be clear residents can raise a complaint by any channel available, however we recommend they use the link on the website www.epichousing.co.uk.

We recommend that residents explain their point of view and the outcome they are seeking in their initial contact.

Exclusions

We shall accept complaints unless there is a valid reason not to do so, our exclusions are:

- The issue giving rise to the complaint occurred over six months ago. (N.B. we may not rely on this exclusion where complaints concern safeguarding or health and safety issues.)
- Legal proceedings have been started. We will take steps to ensure that residents are not left without a response for lengthy periods of time, for example, where a letter before action has been received or issued but no court proceedings are started or settlement agreement reached.
- The issue giving rise to the complaint is not within EPIC's estate or was wrongly directed to EPIC.

- Complaints being pursued in an unreasonable manner, including persistent, repetitive and vexatious complaints by one person, or where the complaint has already been dealt with in accordance with the complaints procedure. In the case of a vexatious complaint being made, in exceptional circumstances we may take legal action against the complainant where this would be an appropriate and proportionate response.

A resident has the right to challenge this decision not to consider a complaint by taking their complaint to the Ombudsman. If appropriate the Ombudsman will instruct EPIC to take on the complaint. If there is ever need to exercise discretion within in our policy environment, this will only be done with the consent of the Chief Executive or a Member of the Board in his absence.

Accessibility and Awareness

- EPIC operate efficient, helpful and professional customer services which are available online; our telephone and face to face services continue to be available for customers who cannot access our services digitally or for more complex queries or advice.
- EPIC provide access to this complaints policy via our website www.epichousing.co.uk
- Where our services do not meet this standard EPIC want to hear from you.
- EPIC will consider the needs of our customers and residents and stakeholders when implementing our complaints policies and procedures.
- We communicate with our customers and seek feedback via a number of methods, EPIC would encourage complaints, compliments and suggestions about our services. Customers are encouraged to submit their comments via our website at www.epichousing.co.uk.
- While we are happy to receive feedback through any channel, we would strongly recommend that you use the direct channels rather than social media for your own protection and confidentiality. If we are contacted via social media we will respond in a private environment rather than any public forum in the interests of confidentiality.

How to Make a Complaint

Stage 1

If you are not satisfied with the response from front line staff, you may complain to a member of the Management Team

If you are still dissatisfied you can go to:



Stage 2

A member of the Senior Management Team/Board Member or a panel hearing.

If you are still dissatisfied you can:



If still not satisfied.

Contact the Independent Housing Ombudsman.

www.housing-ombudsman.org.uk

Call: 0300 111 3000.

Housing Ombudsman Service, PO Box 152, Liverpool L33 7WQ.

You can also contact the Ombudsman Service at any stage of a complaint.

Equality and Diversity Statement

We will consider all complaints in line with this policy and will not discriminate on grounds such as race, religion, gender, marital status, sexual orientation, disability, age, or other any unjustifiable criteria.

EPIC will comply with the Equalities Act 2010 and will adapt normal policies and procedures as required to accommodate an individual's needs. For the purpose of complaints EPIC will make reasonable adjustments as required for individual's needs.

Complaints Procedure

Complaints will be dealt with as efficiently and effectively as possible, keeping the complainant informed fully throughout.

This procedure may be used by users of any of EPIC's services including:

- Applicants
- Tenants
- Stakeholders such as Contractors
- Leaseholders
- An advocate with written consent from an applicant or tenant.

The General Complaints Procedure has 2 stages which are:

Stage one

In all Stage one cases, a letter or email of acknowledgment must be sent to the complainant within **five working days of receipt**, outlining when a full response will be received and naming the employee who is dealing with the complaint. If the clarification of the complaint is required it shall be requested by either the Compliance Manager or investigating officer. The complainant will have the opportunity to set out their position, and comment on any adverse findings before a final decision is made.

The complaint will be received and investigated as outlined below by a Team Leader or Manager that has not been previously involved with the case. The Complainant should receive a full written response within **ten working days of receipt of the original complaint**. The complainant will have the opportunity to set out their position, and comment on any adverse findings before a final decision is made.

The response will include the following information:

1. Details of the complaint.
2. The findings of the investigating officer.
3. Any learning from the complaints.
4. The complaint stage.
5. The outcome of the complaint, including whether the complaint has been upheld or not.
6. The reasons for the decision made.
7. Details of any remedy offered to put things right.
8. Details of any outstanding actions.
9. Details of the escalation process and timeline to Stage Two if the complainant feels their complaint has not been satisfactorily resolved at Stage One.
10. The right to challenge a final decision through the Housing Ombudsman along with their contact details.
www.housing-ombudsman.org.uk
Call: 0300 111 3000.
Housing Ombudsman Service, PO Box 152, Liverpool L33 7WQ.

A full record of the complaint and all actions associated with it kept on the residents file. If a complaint is accepted from a non-resident all details will be kept in the complaints database.

Stage two

Complaints that are not resolved at Stage one will be reviewed at a senior level within the organisation. A Senior Manager will review the complaint and the customer's reasons for believing the complaint has not been resolved adequately.

- The relevant Senior Manager will make personal contact with all complainants that request a Stage Two review.
- If a hearing is convened in consultation with the complainant, we will inform the complainant of the date and location of the hearing. The complainant will have the right to be accompanied to the hearing by a representative, friend or relative to provide them with support or to help them present their case. Hearings will be held at a location agreed with the complainant. The complainant will receive a full written or emailed response within ten working days of the hearing.
- Where the complaint remains unresolved, complainants will be given the opportunity for the complaint to be considered by a panel, which will consist of a tenant representative and the appropriate Senior Manager. In addition, employees that dealt with the complaint at Stage One may also attend.

The response at Stage 2 will again include the following information:

1. Details of the complaint.
2. The findings of the investigating officer.
3. Any learning from the complaints.
4. The complaint stage.
5. The outcome of the complaint, including whether the complaint has been upheld or not.
6. The reasons for the decision made.
7. Details of any remedy offered to put things right.
8. Details of any outstanding actions.
9. The right to challenge the final decision through the Housing Ombudsman along with their contact details.

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EPIC will not unreasonably refuse to escalate a complaint through all stages of the complaints procedure and must have clear and valid reasons for taking that course of action.

When a resident seeks to escalate a complaint we will consider:

- what the escalation review will be about i.e. why the resident remains dissatisfied, and whether any part of the complaint been resolved
- who will undertake the review
- who needs to be kept informed

- what evidence needs to be gathered i.e. comments from those involved, relevant policies and contemporaneous records, inspections etc.
- how long the review will take and when it will be completed.

Where we decide not to escalate a complaint, an explanation will be given to the resident. It will make clear that the previous response was its final response to the complaint and provide information on referral to the Housing Ombudsman.

Timescales

Timeframe for responses

- Logging and acknowledgement of complaint – 5 working days
- Stage one decision – 10 working days from receipt of complaint – if this is not possible, an explanation and a date by when the stage one response should be received. This should not exceed a further 10 days without good reason
- Stage two response – 20 working days from request to escalate – if this is not possible an explanation and a date when the stage two response will be received. This should not exceed a further 10 working days without good reason. (Any additional time would usually be related to convening a panel). An explanation and a date will be provided to the resident.
- If EPIC are requested to provide information by the Ombudsman we will provide this within 15 working days or if this is not possible provide the Ombudsman with an explanation for the delay.

Where a longer period of time is necessary to investigate the complaint fully, a letter will be sent to the complainant within the timescales outlining when a full response will be received, naming the officer responsible for dealing with this.

There maybe some exceptional circumstances when we would wish to fast-track a complaint and escalate the procedure to the next or final stage. This will be agreed with the complainant

Staff should be able to recognise the difference between a service request (pre-complaint), feedback and a formal complaint. If they are unsure, they should request guidance from the Compliance Manager.

If we decide not to accept a complaint on the grounds that it is excluded, the Compliance Manager will provide a detailed explanation as to why the matter is not suitable for the complaints process. If they are unsure, guidance should be sought from the Compliance Manager. If the resident wishes to they can challenge this decision by taking their complaint to the Ombudsman – This should be clearly stated in the response.

Unreasonably persistent or vexatious complaints

We define an unreasonable and persistent complainant as:

“Complainants who, because of the frequency or nature of their contacts with EPIC, hinder our consideration of their or other people’s complaints.”

Although unreasonable or persistent, the complainant may have justified complaints which they are pursuing in inappropriate ways, therefore, before treating a complainant as such EPIC must be satisfied that:

- Their complaint is being or has been investigated in line with our procedure.
- The decision reached at the end of this was the right one.
- All communication with the complainant has been adequate and reasonable.
- The complainant is not providing any significant new information that may affect EPIC's decision.

If the above conditions have been satisfied, the decision must be taken by the Chief Executive as to whether to treat this complainant as unreasonable, persistent or vexatious. If we decide to proceed, the following steps may be taken:

- In the first instance, a warning letter will be sent (Appendix 1) explaining why their behaviour is causing concern and what actions EPIC may take if the behaviour continues.
- If the behaviour continues, a decision must be taken by the Chief Executive as to the action to be taken and a letter (Appendix 2) sent to the complainant to inform them. The following options are available:
 - Limit the complainant to one form of contact (i.e. telephone contact only).
 - Limit the complainant's access to staff (i.e. provide them with one named contact only who should deal with all communication in the first instance).
 - Refuse to register and process any further complaints from this person on the same subject and notify them that all future correspondence will go unanswered.
 - In more serious cases and where the complainant is a tenant steps could be taken to end their tenancy.
- In more serious cases and where the complainant is a contractor or other customer type, all communication may cease (i.e. end the contract, remove from the waiting list etc.).

Any restrictions imposed on complainants will be reviewed every 6 months and a decision taken as to whether to continue or lift the restrictions. All decisions must be communicated to the complainant in writing (including via email where appropriate).

The following criteria are designed to be a check list against which all potentially unreasonable, persistent or vexatious complaints are assessed (this is not an exhaustive list):

- a) Refusing to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
- b) Refusing to accept that issues are not within the power of EPIC to investigate, change or influence.

- c) Making groundless complaints about staff members investigating their complaint and seeking to have the complaint investigated by someone else.
- d) Changing the basis of the complaint during the course of the investigation or denying statements they have previously made.
- e) Introducing trivial or irrelevant information.
- f) Making unnecessary and excessive demands on the time and resources of EPIC (i.e. numerous calls, letters etc.).
- g) Submitting repeat complaints about issues already resolved / investigated and refusing to accept the decision.
- h) Making accusations against EPIC or staff members that are unfounded or found to be untrue or fictitious.

If a complaint is forwarded to the Independent Housing Ombudsman for consideration, EPIC will co-operate fully and comply with all reasonable findings or recommendations.

Any complaint even from a persistent or vexatious complainant will be reviewed to ensure that EPIC comply with legal obligations.

Putting Things Right

Where a complaint investigation identifies that things have gone wrong an appropriate remedy will be determined. Appropriate remedies include:

- An apology
- An explanation of what went wrong
- Delivery of a service
- Action to put things right or to prevent the issue from happening again
- Financial compensation in exceptional cases in line with our Compensation Policy.

When considering what action will put things right we will carefully manage the expectations of residents. We will not promise anything that cannot be delivered or would cause unfairness to other residents.

Appropriate remedy

Complaints can be resolved in a number of ways. Any remedy offered will reflect the extent of any and all service failures, and the level of detriment caused to the resident as a result. These shall include:

- acknowledging where things have gone wrong
- providing an explanation, assistance or reasons
- apologising

- taking action if there has been a delay
- reconsidering or changing a decision
- amending a record
- providing a financial remedy
- changing policies, procedures or practices.

Factors we will consider when formulating a remedy can include, but are not limited to the:

- length of time that a situation has been ongoing
- frequency with which something has occurred
- severity of any service failure or omission
- number of different failures
- cumulative impact on the resident
- a resident's particular circumstances or vulnerabilities.

When offering a remedy, EPIC will clearly set out what will happen and by when, in agreement with the resident where appropriate. Any remedy proposed must be followed through to completion.

If awarding compensation, EPIC shall consider whether any statutory payments are due, if any quantifiable losses have been incurred as well as the time and trouble a resident has been put to and any distress and inconvenience caused.

Appendix 1

Warning Letter for Unreasonable, Persistent or Vexatious Complaints:

Dear.....

Re. Your Complaint

EPIC welcomes complaints, compliments and suggestions about its services and will endeavour to treat everyone who submits such comments in a fair and equal way.

Having received your complaint, I must inform you that EPIC regard it as (unreasonable / aggressive / threatening / excessive / uncooperative etc.) and as such this is hindering us in complying with our procedure. Although your concerns will be investigated I must advise you at this point that the nature of your contact means that you are running a risk of being made an unreasonable or persistent complainant.

I must warn you that such behaviour is a breach of your tenancy agreement and where appropriate we will take further action in relation to this. In addition, such behaviour will result in the loss of your customer reward.

I enclose a copy of our Customer Care and Complaints Policy for your information, which includes our definition and procedure for handling unreasonable and persistent complaints. EPIC advise that you take note of the definitions listed within the document. Please be aware that should you continue to communicate in this manner your contacts with EPIC on this matter may be restricted.

Yours sincerely

Name
Title

Appendix 2

Action Letter for Unreasonable, Persistent or Vexatious Complaints:

Dear.....

Re. Your Complaint

Further to my letter dated XXXX you have now been identified as an unreasonable and persistent complainant. This means that your behaviour has been identified as being (unreasonable / aggressive / threatening / excessive / uncooperative etc.).

In line with our policy for dealing with unreasonable behaviour by complainants EPIC are now taking the following action:

- Explain the action being taken in line with the suggestions in the policy or any other action deemed appropriate by the Chief Executive.

I must warn you that such behaviour is a breach of your tenancy agreement and where appropriate EPIC will take further action in relation to this. In addition, such behaviour will result in the loss of your customer reward.

EPIC will review the status of these restrictions in 6 months and advise you on the outcome.

Yours sincerely

Name
Title