

Complaints, Appeals and Feedback Policy

Originator:	Policy and Strategy Team
Executive Management Team Approval Date:	July 2019
Review date:	July 2020

1	Introduction
1.1	One Vision Housing (OVH) is committed to providing quality, responsive and timely services that consistently meet or exceed our customers' expectations. The customer is at the heart of everything we do and we use all forms of customer feedback to continuously improve the quality of the services that we provide.
1.2	At OVH we realise that despite our best efforts, we may not always get things right for our customers. When this happens we will act quickly to resolve a problem to the customer's satisfaction, keep the customer informed of our actions, advise of how we will learn from the experience and do things differently to prevent it happening again.
1.3	We also recognise that occasionally, customers may disagree with decisions that OVH make. To ensure fairness, we operate an appeals process to allow customers to challenge decisions and request they are reconsidered.
1.4	In addition to complaints and appeals the scope of this Policy also takes account of the ways in which OVH deals with compliments, suggestions and surveys as valuable forms of customer feedback.
1.5	<p>The application of this Policy ensures compliance with the outcomes of the Regulatory Framework for Social Housing in England adopted by the Regulator of Social Housing (RSH) as outlined below.</p> <ul style="list-style-type: none"> • Tenancy Involvement and Empowerment Standard states that registered providers shall: <ul style="list-style-type: none"> ○ provide choices, information and communication that is appropriate to the diverse needs of their tenants in the delivery of all standards ○ have an approach to complaints that is clear, simple and accessible that ensures that complaints are resolved promptly, politely and fairly • The Tenancy Standard states that in relation to Allocations and Mutual Exchanges, registered providers shall: <ul style="list-style-type: none"> ○ Have a clear application, decision making and appeals process

1.6

Definitions

1.6.1

For the purposes of this Policy the following definitions will apply:

- **Complaint** – will be defined as ‘an expression of dissatisfaction, either formally or informally, by a customer of the way in which OVH delivers its services and a request to seek some kind of redress’
- **Appeal** – will be defined as ‘a disagreement with a decision we have made in line with our published policies or procedures’
 - General Appeal – this is an appeal about general service provision where a decision has been made that the customer does not agree with
 - Statutory Appeal – this is where the right to appeal is outlined in legislation or regulation – details given in Section 3.3
- **Feedback** – will be defined as ‘any method whereby customers can express their views on how OVH delivers its services’

1.7

Access and Communication

1.7.1

OVH is committed to ensuring that our services are accessible to everyone. We will seek alternative methods of access and service delivery where barriers, perceived or real may exist, that may make it difficult for people to work for us or use our services.

1.7.2

In line with the Mental Capacity Act, we will assume that tenants have capacity to understand information given to them. Where it is suspected that customers lack capacity to understand, OVH will request an assessment by a professional practitioner and look to provide the appropriate support where capacity is deemed to be insufficient.

1.8

Equality, Diversity and Human Rights

1.8.1

OVH is committed to ensuring that no person or group of persons will be treated less favourably than another person or group of persons and will carry out our duty with positive regard for the following core strands of equality; Age, Disability, Gender, Race, Transgender, Sexual Orientation, Religion and/or Belief, Civil Partnership and Marriage, Pregnancy and Maternity.

1.8.2

OVH also recognise that some people experience disadvantage due to their socio economic circumstances, employment status, class, appearance, responsibility for dependants, unrelated criminal activities, being HIV positive or with AIDS, or any other matter which causes a person to be treated with injustice.

1.8.3

OVH will also ensure that all services and actions are delivered within the context of current Human Rights legislation. OVH will attempt to ensure staff and others with whom we work, will adhere to the central principles of the Human Rights Act (1998).

1.9

The Policy should be read in conjunction with:

- The OVH Compensation Policy
- The OVH Starter Tenancy Policy
- The OVH Tenancy Transfer, Succession and Mutual Exchange Policy
- The Property Pool Plus (Sub Regional Choice Based Lettings Policy)

2	Statement of Intent
2.1	<p>With strategic direction from the Board and Executive Management Team, OVH provide a positive approach to complaints, appeals and all forms of customer feedback. OVH is committed to using this information to deliver consistently excellent customer services.</p>
2.2	<p>OVH will ensure it provides complaints, appeals and feedback opportunities that are easy to understand and easy to access for all customers. We will facilitate this by:</p> <ul style="list-style-type: none"> • Ensuring customers can provide complaints, appeals and feedback in a variety of ways including; contact over the phone, in person with any OVH Staff member, on-line or in writing • Involving our customers in designing and approving all our 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 on request • Ensuring customers receive support from OVH staff, or via working in partnership with community support agencies and advocacy groups • Analysing complaints, appeals and feedback information against our known customer profile information and the diversity of the community where we operate, to break down any barriers that may prevent any group from accessing the services • Resolving complaints to customers' satisfaction, efficiently and learning from it to improve customer service
2.3	<p>Resources</p>
2.3.1	<p>OVH will ensure there are appropriate resources available to gather, analyse and act upon complaints, appeals and customer feedback intelligence. This aim will be achieved by:</p> <ul style="list-style-type: none"> • Ensuring staff are trained and regularly assessed in complaints, appeals and feedback handling, know how to access relevant procedures, provide prompt, consistent and direct responses to customers and take ownership of issues at the first point of contact • Ensuring the organisation's performance management framework uses complaints, appeals and customer feedback information to drive service improvement
2.4	<p>Monitoring</p>
2.4.1	<p>OVH will review and continuously monitor service standards with our customers for the ways in which we respond to complaints, appeals and feedback. To achieve this aim we will:</p> <ul style="list-style-type: none"> • Provide intelligence to our Investigating Officers, Managers, involved tenants and Board to show trends, responses provided and actions taken to improve services • Use our Tenants Inspectors to audit the quality of case handling • Set challenging but realistic targets with our customers and benchmark our performance against our peers • Regularly review best practice in complaints, appeals and feedback handling and adopt improved ways of working identified as being beneficial to OVH • Publish our performance, satisfaction and lessons learnt from complaints and feedback handling to our customers

2.5 Complaints and appeals about the operation of the Property Pool Plus (sub-regional choice based lettings) scheme will be dealt with via a separate appeals process operated in conjunction with other Scheme Partners and Administering Authorities, see www.propertypoolplus.org.uk.

3 Policy

3.1 OVH has merged its Policy response for complaints, appeals and general customer feedback into one Policy document given the similarities that exist in the stages of investigation, timescales for customer response and intention to use these forms of feedback to drive continuous improvement in service delivery.

3.1.1 Listed below are issues that are common to OVH’s approach to both the investigation and response to complaints and general appeals. Where there are differences in response these are clearly indicated:

3.1.2 If for any reason OVH are not able to resolve an issue to a customer’s satisfaction at the first point of contact or they are not satisfied with a decision that OVH has made in line with its published policies, customers may request that it is dealt with through the internal investigation process (see 3.1.4 below).

3.1.3 OVH will make a decision on the most appropriate channel to deal with the issue, based on the information supplied and will advise the customer in the acknowledgement contact or letter.

3.1.4 **Internal Complaint and General Appeal Investigation Stages**

	Complaints	General Appeals
Stage1	<p>The complaint will be acknowledged within two working days and the customer will be advised who will be investigating.</p> <p>The investigating officer will endeavor to make contact with the customer(s) or their advocate (where we have clear consent from customer(s) to deal with a third party) to obtain more details.</p> <p>A full response will be provided within ten working days (unless the investigation requires more time, in which case the customer(s) will be advised of the revised timescale). The customer (s) will receive a letter outlining OVH’s response and any actions / timescales that will apply to remedy the complaint, if applicable</p>	<p>Procedure and timescales for response to general appeals is the same as stage 1 for complaints.</p> <p>Common factors which may form grounds for general appeals include (but are not exclusive of) the following:</p> <ul style="list-style-type: none"> • Where OVH has not taken into account an individual or groups circumstances or needs when making decisions • Where OVH have not considered or had access to all relevant information • Where OVH has acted outside its stated policies • Where an individual or group is unfairly disadvantaged in any way as a result of decisions made

	<p>Where a formal complaint has been resolved quickly (i.e. within three working days) to the satisfaction of the customer, OVH will close the case and may not provide a written communication if the customer agrees.</p>	<p>Non-exhaustive examples of grounds for general appeal include:</p> <ul style="list-style-type: none"> • Appeals against ineligibility for Independent Living services following needs and risk assessment • Refusal of aids and adaptations requests • Investment works decisions • Decisions on Right to Buy or Right to Acquire applications • Decisions on service charges
<p>Stage 2</p>	<p>If the customer(s) is not satisfied with the outcome from Stage 1 they may escalate their case to Stage 2.</p> <p>The complaint will be acknowledged within two working days and customer(s) will be advised who will be investigating.</p> <p>The case will be reinvestigated by a more senior member of staff than dealt with the issue at Stage 1.</p> <p>If agreed between the investigating officer and the customer or specifically requested by the customer, a meeting may be arranged for the case to be discussed in person at an agreed location.</p> <p>Customers that chose to attend a meeting may be accompanied, as long as they advise OVH who this will be and in what capacity, two days before the meeting is due to take place. They may also submit evidence (again giving two days' notice).</p> <p>After the stage two investigations are completed the customer will normally receive a full reply normally within 10 working days (unless advised otherwise as above).</p>	<p>If the customer(s) is not satisfied with the outcome from Stage 1 they may escalate their case to Stage 2.</p> <p>The response for stage two appeals will mirror that for the stage 2 complaints (opposite).</p>

3.1.5

Where OVH believes complaints are being made in an unacceptable way such as persistent, vexatious or malicious complaints, they may manage the complaints outside of formal timescales. This may allow OVH to liaise with external support agencies such as the Housing Ombudsman and consider the best course of action to resolve a complaint. Where this

	<p>happens OVH will write to the complainant advising of their decision and what that means for their contact with the organisation. Where a customer has raised multiple complaints or appeals, a customer may be designated a single point of contact to ensure consistency.</p>
3.1.6	<p>OVH will only escalate cases when the substance of the case remains the same as Stage 1. If new elements are raised, which would result in a substantially different resolution than would have been offered at Stage 1, a new case will be opened.</p>
3.1.7	<p>Stages 1 and 2 of the complaints and general appeals process are also available in the cases of collective disputes.</p>
3.1.8	<p>Stages 1 and 2 of the complaints investigation process will be available to non-OVH customers (third parties) but they will not be able to pursue matters further via the external complaint process outlined below (see 3.2).</p>
3.1.9	<p>The general appeals process will be available to OVH customers only, with whom it has a contractual relationship and who directly access OVH services. It will not be available to third parties.</p>
3.1.10	<p>OVH will not normally investigate complaints or hear appeals that relate to matters that are found to have occurred six months or more before being reported, unless the customer can demonstrate extenuating circumstances.</p>
3.1.11	<p>Similarly OVH will not accept escalation between stages of the internal complaints and appeals process where six months or more elapses between stages, unless extenuating circumstances can be demonstrated. If exceptions are accepted these will be at the discretion of the Customer Insight and Performance Team</p>
3.2	<p>External Complaints and Appeals Process</p>
3.2.1	<p>Where the internal complaints and appeals process is exhausted and the customer (s) is not satisfied with the response they have received, they may if they choose, attempt to seek a local resolution by approaching a ‘Designated Person’.</p>
3.2.2	<p>A ‘Designated Person’ can be any one of the following:</p> <ul style="list-style-type: none"> ● A Local Councillor from the area (where the customer lives) ● A Member of Parliament (MP) for any constituency (nationally) ● A Designated Tenants Panel (recognised by OVH)
3.2.3	<p>The role of a ‘Designated Person’ is to give an independent view on whether they think OVH have acted reasonably during the handling of the case through the internal process. They may make recommendations to OVH or offer to mediate between the two parties.</p>
3.2.4	<p>OVH will provide a report of all actions taken and copies of correspondence relating to the internal process to the customer’s choice of ‘Designated Person’.</p>
3.2.5	<p>If a customer indicates they would like to engage the services of a Designated Tenants Panel, OVH will give them a means of making contact and will facilitate a meeting between the two parties, usually within 10 working days of the request being submitted (subject to availability). This will include:</p>

- Informing the customer of the date and time of the meeting
- Providing a venue for the meeting to take place
- Forwarding on any correspondence relating to the complaint or appeal, including a written account of the Panel's decision after the meeting has taken place (usually within five working days of the meeting taking place)

3.2.6 Other than the facilitating role the Designated Complaints Panel will act completely independently of OVH.

3.2.7 OVH will normally recognise only one 'Designated Tenants Panel'. To be recognised the tenant members will need to have:

- Received training on OVH's complaint, appeal and feedback handling process
- Signed a confidentiality clause agreeing not to discuss cases or customer details outside of the confines of any panel meeting
- Signed a code of conduct agreeing to act impartially and fairly when assessing complaints raised

3.2.8 If OVH become aware that any Designated Tenants Panel member is not acting in accordance with the above criteria they will be asked to take no further part in future panel meetings.

3.2.9 If a customer is still not satisfied with the response and outcome from OVH after having had their complaint reviewed by a 'Designated Person', they may take their complaint to the Independent Housing Ombudsman.

3.2.10 The Independent Housing Ombudsman will only review cases:

- That have exhausted OVH's internal complaint and appeal handling process
- Are referred by a 'Designated Person' or have the authorisation from the 'Designated Person' to be forwarded directly from the customer
- Where a 'Designated Person' has reviewed a complaint but it remains unresolved
- Where customers make direct referrals when eight weeks have elapsed from the end of the internal complaints process

3.2.11 OVH will act upon and fully implement any recommendations or determinations that are made as a result of cases that have been reviewed by the independent Housing Ombudsman.

3.3 **Statutory Appeals**

3.3.1 In addition to 'general appeals' there are a number of areas of service delivery where OVH customers have a legal right to an internal appeal, known as 'statutory appeals' (See 3.3.10 – 3.3.13 below).

3.3.2 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 OVH 48 hours' notice in advance of the meeting. All statutory appeals will be heard by a more senior officer than sanctioned the original decision.

3.3.3	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 tenant(s) representative.
3.3.4	If having requested an internal appeal hearing the tenant(s) fail to attend or inform OVH of the reasons why they cannot attend, the reviewing officer may proceed with the hearing in their absence.
3.3.5	On a discretionary basis OVH may choose to postpone a hearing if requested by the tenant(s) and there is a justifiable reason for doing so or if the person due to hear the appeal is unavailable for any reason.
3.3.6	This may, however, not always be possible if the delay would prevent OVH from taking expedient legal action to remedy a tenancy breach or it would result in hearings being outside the permitted legal framework.
3.3.7	If during the course of a hearing an adjournment is requested by either OVH, the tenant(s) or their representatives and a further meeting is necessary, OVH will give reasonable notice of the date, time and venue of the adjourned hearing.
3.3.8	<p>When hearing internal statutory appeals, the reviewing officer will assess the following:</p> <ul style="list-style-type: none"> • If the legal procedures and notice periods have been adhered to in serving of notices or letters sent to tenant(s) advising of actions to be taken • It was appropriate in terms of evidence provided • The decision will stand up to scrutiny
3.3.9	Statutory appeals and the timescales that will apply are as follows:
3.3.10	Decision to extend or terminate starter tenancies
3.3.10.1	Customers who want to appeal against this decision must inform OVH in writing within 14 days of the notice or letter being served, advising them of its decision to extend or terminate the starter tenancy.
3.3.10.2	After carrying out a review, where the appeal is against the decision to terminate a starter tenancy, OVH will notify the customer of the results in writing before the date the possession proceedings begin as specified in the notice or letter seeking possession.
3.3.10.3	If the appeal is against the decision to extend a starter tenancy, OVH will inform the customer of the outcome of the review in writing before the 12 month anniversary of the starter tenancy.
3.3.11	Decision to seek possession of a property on a demoted tenancy
3.3.11.1	Customers who want to appeal against OVH's decision to seek possession of a property on a demoted tenancy, must inform OVH in writing within 14 days of receipt of the Notice Seeking Possession being served.

3.3.11.2	OVH will give the tenant(s) no less than 5 days' notice of the hearing (giving time and venue for the meeting). OVH will inform the tenant(s) of the review results in writing before the date of which possession proceedings may begin.
3.3.12	Decision to decline applications for mutual exchange or succession
3.3.12.1	If applicants wish to appeal against a decision made concerning their mutual exchange or succession application, they should inform OVH in writing within 10 days of being informed of the decision to refuse their application. OVH will inform the applicant of the outcome within 10 working days of the hearing date of its decision.
3.3.13	Decisions to seek possession on assured tenancies under the Anti-Social Behaviour, Crime and Policing Act, 2014
3.3.13.1	Customers can request a review of OVH's decision to seek possession under the absolute ground for possession as per the Anti-Social Behaviour, Crime and Policing Act, 2014. The appeal should be made in writing within 7 days of the notice to seek possession being served on the tenant.
3.3.13.2	OVH will communicate the outcome of the review to the tenant in writing before the date on which proceedings for possession may be commenced.
3.4	Feedback
3.4.1	OVH will maximise all types of formal and informal customer feedback in order to drive service improvement.
3.4.2	The intelligence gained from of all forms of feedback including performance and satisfaction information is regularly shared with our involved tenants. The information is used to identify improvement opportunities and may trigger a service review and remedial actions when there are any dips in performance.
3.4.3	OVH's Customer Access Centre endeavors to capture all informal interactions which are not complaints, appeals, suggestions or compliments, whether positive or negative comments about the services OVH delivers.
3.4.4	OVH will use this information to identify issues that are common to a number of customers and detail the action we have taken as a result in our customer newsletters and website.
3.5	Compliments
3.5.1	OVH encourage customers to let us know when we have done something they are satisfied with, as well as areas we need to improve. OVH keeps a central register of all compliments received, they are shared with the Executive Management Team and where individual staff members are identified as having delivered excellent services, they are sent an internal message of thanks.

3.6	Suggestions
3.6.1	OVH encourage all customers to submit suggestions on how we can change and improve the ways in which we work to deliver better services. Any suggestions adopted are publicised and individually acknowledged.
3.7	Surveys
3.7.1	OVH make extensive use of surveys to gain customer intelligence and assess satisfaction with the ways in which we are delivering services. OVH 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, on-going in house surveys and one off service-specific surveys.
4	Implementation
4.1	All OVH staff have a responsibility for ensuring the effective implementation of this Policy and should take ownership of complaints, appeals and feedback handling. All OVH staff will be expected to cooperate with any internal investigations and panel meetings as required.
4.2	Where OVH receive complaints, appeals or feedback that are a result of the contents of its published policies, this will trigger a review of the policy which will take place with customer representatives (Tenant Policy Review Group) unless the policy has been reviewed within the past 6 months (in which case a reply will be sent to the customer outlining the details of the review and no further internal escalation of the complaint will be considered).
4.3	Where required, the review of OVH published policies will take place at the earliest possible opportunity, subject to the availability of customer representatives and internal resources. Where this type of review is agreed, OVH will close the case and write to the customer to inform them of the outcome and how the situation will be remedied.
4.4	After a case has been closed, OVH will keep the customer informed of actions being taken including any changes made to the policy.
4.5	If staff become aware that there are problems with the effective operation of the Policy or the procedures that support it, they should complete a 'change request' within the OVH document management system and these will be incorporated into the Policy / procedural review process.
5	Performance
5.1	OVH will monitor and report performance on the delivery of the service quarterly with Service Managers and twice yearly with the Executive Management Team and Board. OVH will also share performance information with customers that are engaged through the formal involvement structures.
5.2	The key performance indicators include: <ul style="list-style-type: none"> • Satisfaction with the complaints and appeals handling process • Performance on meeting response targets

	<ul style="list-style-type: none"> Number of escalations between stages 		
6	Consultation		
6.1	The Policy has been developed in consultation with the Tenants Policy Review Group on 5/4/2019. All OVH staff have also been consulted in the development of this Policy.		
7	Review		
7.1	The OVH Complaints, Appeals and Feedback Policy will be reviewed annually, as near as is possible from the date of Executive Management Team (EMT) approval or as required by the introduction of new legislation, regulation or as a result of OVH system audits. The review process will ensure its continuing suitability, adequacy and effectiveness.		
8			
8.1	Was a full Equality Impact Assessment (EIA) required?	Yes	
8.2	When was EIA conducted and by who?	The EIA conducted by the Policy and Strategy Officer / Complaints and Customer Insight Administrator on 17-01-13 is still relevant for this revision of the Policy	
8.3	Results of EIA	Key recommendations include: <ul style="list-style-type: none"> Monitor the outcomes of any determinations of the Independent Complaints Panel to ensure all groups are treated fairly 	
9			
9.1	Responsible committee for approving and monitoring implementation of the policy and any amendments to it	Executive Management Team	
9.2	Responsible officer for formulating policy and reporting to committee on its effective implementation	Group Director – Compliance and Governance	
9.3	Responsible officer for formulating, reviewing and monitoring implementation of procedures	Group Director – Compliance and Governance	
10	Amendment Log		
Date of revision:		Reason for revision:	Consultation record:
Record of amendments:			
1st May 2018	In line with changes to OVH business practices	See section 6	<ul style="list-style-type: none"> Differences in the process for complaints

			and appeals investigations have been more clearly distinguished
2 nd July 2019	In line with changes to OVH business practices	See section 6	<ul style="list-style-type: none"> • Change at 3.1.4:- Inclusion that, where a formal complaint has been resolved quickly to the satisfaction of the customer, OVH may not provide a written communication if the customer agrees • Change at 3.1.10 -OVH will not investigate complaints or appeals that have occurred six months (previously three months) or more before being reported. or accept escalation between complaints stages • Change at 3.1.11- OVH will not accept escalation between stages of complaints and appeals process if six months (previously three months) or more have elapsed between stages