

COMPLAINTS HANDLING

Policy Aims & Overview

Access Community Trust actively encourages any and all complaints, comments or compliments. As a customer-led organisation Access Community Trust actively seeks feedback, both good and bad, in a number of different ways. This approach is undertaken so that Access Community Trust can continually improve the services and products available as well as recognise and reward good, outstanding staff performance.

Whilst Access Community Trust is not a member of The Housing Ombudsmen's scheme, it serves as a 'Gold Standard' which we aim to meet wherever reasonably possible.

Complaint handling performs an important strategic role for an organisation, providing vital intelligence on its health, performance and reputation.

Data on complaint handling should be considered alongside other management information to provide assurance and assess risks. The 'Housing Ombudsman's Complaint Handling' promotes the progressive use of complaints, providing a high-level framework to support effective handling and prevention alongside learning and development. The Code ensures complaint handling data is being used consistently across The Organisation's members, promotes engagement at different levels within The Organisation and sets out expectations for boards or equivalent governance, senior executives and frontline staff.

For boards or equivalent governance, the Code supports culture setting and intelligence for assurance exercises, using complaint data alongside other management information on stock, services and customer feedback to provide insight into their organisation. It is important for governance to understand the complaints their organisations are receiving and the impact of their complaint handling on customers.

For Chief Executives and Senior Managers, the Code supports learning from complaints and promotes the open and transparent use of information to assess performance and risks.

For operational staff, the Code supports excellent complaint handling and engagement with the 'Housing Ombudsman's Complaint Handling' code. If the requirements of the Code cannot be delivered this should prompt discussion about what needs to change. Information on complaints can provide essential insight for governance and should include, although not necessarily be limited to:

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- Regular updates on the volume, category and outcome of complaints, alongside complaint handling performance including timely compliance with the Ombudsman's stated response timeframe(s)
- Review, at least once a year, of issues and trends arising from complaint handling, including discussion within senior management meetings and if deemed necessary the Annual Report and/or Trustee away day. As part of this review, The Organisation needs to satisfy itself that it's adhering to the policy/expectations and that outcomes are in line with the Access Community Trust's requirements and expectations

Policy Purpose

The purpose of this policy is to provide staff and in particular Complaints Officers with information to assist them with dealing with a complaint. This policy should therefore be considered in conjunction with the organisation's "Complaints, Comments & Compliments Policy" which is published on our website for our customers.

The purpose of this policy is also to enable Access Community Trust to resolve complaints raised by their customers quickly and to use the learning from complaints to drive service improvements. It will also help to create a positive complaint handling culture amongst staff and customers. Some organisations that do not embrace change see complaints as a form of negative feedback. In fact, there are many benefits to be gained from having an effective, efficient complaints process which is why Access Community Trust embraces a feedback philosophy wherever possible. This is because:

- Complaints allow an issue to be resolved before it becomes worse. Those not resolved quickly can take significant resources and time to remedy and significant staff time.
- Involvement in complaint resolution develops staff decision-making and engagement and helps to reinforce The Organisation's ladder of engagement strategy for youths and adults.
- Complaints provide senior staff with a window into day-to-day operations allowing them to assess the effectiveness
- Good complaint handling promotes a positive organisation and customer relationship and echoes The Ombudsman's Complaint Handling Code which sets out requirements for Access Community Trust to respond to complaints effectively and fairly.
- The Code will act as a guide which is followed by Access Community Trust so that customers can understand how to make a complaint and how to progress it through

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Access Community Trusts internal complaints procedure.

Communicating with Customers

When communicating with customers, Complaints Officers shall endeavour to use plain language that is appropriate to the customer.

Complaints Officers shall address all points raised in the complaint and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.

At the completion of each stage of the complaints process, the Complaints Officer should write to the customer advising them of the following:

- The complaint outline and evidence provided along with investigation information (GDPR Sensitive)
- The outcome of the complaint
- The reasons for any decisions made
- The details of any remedy offered to put things right
- Details of any outstanding actions
- Details of how to escalate the matter if dissatisfied (Stage 1 to Stage 2)
- The presence of information that Access Community Trust cannot disclose for legal or other purposes, other than to say that such information exists cannot disclose for legal or other purposes, other than to say that such information exists
- Discretionary elements – Access Community Trust may use its discretion where actions or response(s) against an individual(s) could likely lead to an outcome with substantial negative actions which would be grossly disproportionate with the original complaint and subsequent investigation.

As part of the complaint policy the customer shall be given a fair opportunity within Stage 1 to:

- Set out their position
- Comment on any adverse findings before a final decision is made

Communication with the customer should not identify and wherever possible withhold details so as to protect individual members of staff, other customers or contractors in order to comply with GDPR legislation.

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Role of Complaints Officers

Complaints Officers are one of the most important factors in ensuring that the complaints handling works well. Complaints Officers should:

- Be able to act sensitively and fairly
 - Be trained to receive complaints and deal with distressed and upset customers
 - Have access to staff at all levels to facilitate quick resolution of complaints
 - Have the authority and autonomy to act to resolve disputes quickly and fairly.
- Customers are more likely to be satisfied with complaint handling if the person dealing with their complaint is competent, empathetic and efficient.

Any complaint investigation shall be fair. To ensure fairness, processes and procedures shall require the complaints officer to:

- Deal with complaints on their merits
- Act independently and have an open mind
- Take measures to address any actual or perceived conflict of interest
- Consider all information and evidence carefully
- Keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter.

Putting things right

Access Community Trust recognise that putting things right is the first step to repairing and rebuilding the relationship with the customer.

Effective dispute resolution requires a process designed to resolve complaints. Where something has gone wrong the Complaints Officer should acknowledge this and set out the actions it has already taken or intends to take, to put things right. Examples of where action to put things right may be required are:

- There was an unreasonable delay
- Inaccurate or inadequate advice, explanation or information was provided to the customer
- A policy or procedure was not followed correctly without good reason

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- There was a factual or legal error that impacted the outcome for the customer
- There was unprofessional behaviour by staff

On behalf of Access Community Trust, the Complaints Officer will acknowledge and apologise for any failure identified, give an explanation and, where possible, inform the customer of the changes made or actions taken to prevent the issue from happening again.

When considering what action will put things right the Complaints Officer will carefully manage the expectations of customers. The Complaints Officer will not promise anything that cannot be delivered and/or would cause unfairness to other customers.

In some cases a customer may have a legal entitlement to redress. There may be concerns about legal liability in this situation. If so, the Complaints Officer should still offer a resolution where possible, as that may remove the need for the customer to pursue legal remedies.

Access Community Trust has a duty to rectify problems for which they are responsible. However, where necessary a resolution can be offered with an explicit statement that there is no admission of liability. In such a case, legal advice as to how any offer of resolution should be worded should be obtained.

Fairness in Complaints Handling

Access Community Trust shall operate a customer-focused complaints process ensuring they are given the opportunity to explain their point of view and the outcome they are seeking before a decision is reached.

Complaints Officers will manage customers' expectations from the outset, being clear where the desired outcome is unreasonable or unrealistic.

Complaints Officers will give customers the opportunity to have a representative deal with their complaint on their behalf, and to be represented and/or accompanied at any meeting where this has been requested or offered and where this is reasonable.

Where a key issue of a complaint relates to the parties' legal obligations, the Complaints Officer should clearly set out its understanding of the obligations of both parties and seek clarification before doing so where this is not initially clear.

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The Complaints Officer will conduct an investigation into the complaint in an impartial manner, seeking sufficient reliable information from both parties so that fair and appropriate findings and recommendations can be made.

Continuous Learning and Improvement

A positive complaint handling culture is integral to the effectiveness with which Access Community Trust resolves disputes, the quality of the service provided, the ability to learn and improve, and the relationship with their customers.

Accountability and transparency should be embedded in a positive complaint handling culture, with Access Community Trust providing feedback to customers on failures in complaint handling and the actions taken to learn and improve from this.

Creating and embedding a culture that values complaints and gives them the appropriate level of priority requires strong leadership and management.

A good culture should also recognise the importance of customer involvement, through the formation of customer panels, consulting with customers on the formulation of complaints policies and procedures and including them in panel hearings as part of the dispute resolution process, where appropriate.

Access Community Trust should look beyond the circumstances of the individual complaint and consider whether anything needs to be 'put right' in terms of processor systems to the benefit of all customers.

An effective complaints process enables Access Community Trust to learn from the issues that arise for customers and to take steps to improve the services it provides and its internal processes. Access Community Trust should have a system in place to look at the complaints received, their outcome and proposed changes as part of its reporting and planning process.

Any themes or trends should be assessed by senior management to identify any systemic issues, serious risks or areas for improvement for appropriate action.

Access Community Trust should proactively use learning from complaints to revise policies and procedures, train staff and contractors and improve communication and record-keeping.

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Access Community Trust should recognise the impact that being complained about can have on future service delivery. Access Community Trust should ensure that staff are supported and engaged in the complaints process including the learning that can be gained.

Access Community Trust shall report back on wider learning and improvements from complaints to their customers, managers and staff. Feedback shall be regularly provided to relevant scrutiny panels, committees and boards and be discussed.

Appendix 1: Guidance for Investigation

- What is the complaint about?
- What evidence is needed to fully consider the issues?
- What individuals need to be involved?
- Any other forms of evidence required, such as CCTV?
- What risks does the complaint raise for Access Community Trust?
- What outcome would resolve the matter for the customer?
- Any urgent action that it needs to take, such as disciplinary action/requirements.

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