



Compliments, Comments and Complaints Procedure

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1. Introduction

In April 2007 Nottingham City Homes (NCH) produced a new procedure for dealing with compliments, comments and complaints (3C's). The principles of the procedure remain sound but the local and national context around co-regulation and the role of tenants in complaint resolution at a local level necessitated a change in 2013. Further to the recent Green paper this is currently being reviewed following consultation and it is expected that further guidance and legislation will be issued. This will provide guidance on future policy. In addition the ambitions of Nottingham City Homes set out in the Corporate Plan, the Customer Service Strategy and the Tenant and Leaseholder involvement Strategy require this procedure to reflect those changes to deliver homes and places where people want to live and to be a first class housing organisation in the eyes of our tenants and leaseholders. This document sets out the procedure for dealing with the 3C's. Nottingham City Homes welcomes customer feedback as an opportunity to understand our customers' perception of the service we provide; when it delights them, when it fails to meet their expectations and also to capture customers' ideas and suggestions for improvement, putting customers at the heart of what we do.

2. Why have a procedure?

NCH is committed to providing clear communication so customers know how to make comments, compliments and complaints and know what to expect when they do.

NCH have a policy for compliments, comments and complaints published as part of the customer leaflet 'NCH- Compliments, comments and complaints'.

The ownership of this procedure is a corporate one with clearly defined roles. This supports the value to work as one team and one of the key objectives within our Customer Service Strategy, "to develop the existing customer focused culture within NCH so that all colleagues are committed to work together to provide a professional service, regardless of the team they work within. We will ensure consistently high customer contact standards across the company including commitments to listen to our customers, to keep our promises, and to keep customers well informed".

The aim of this procedure is to allow compliments, comments and complaints to be dealt with:

- Against acknowledged best practice principles;
- In a clear and simple non bureaucratic way;
- Transparently, with customers able to access an open and accessible procedure;

- In a way which adds value to customers and to NCH;
- With a resolution focused approach;
- Consistently, with a one team approach and clear accountability;
- Fairly and equitably, and where appropriate, with a full and impartial investigation;
- Effectively, addressing all the points at issue and providing appropriate resolutions;
- Speedily, with established time limits for action, keeping people informed of progress and keeping promises made;
- Confidentiality, for both staff and customers.

Compliments, comments or complaints may be received from people who live in a home managed by NCH, have asked to be re-housed by us, are leaseholders who pay a service charge to NCH, or are affected by services provided by NCH.

Compliments, comments or complaints may be made by:

- Telephone, through our Customer Service Centre
- Email
- Letter
- By visiting one of our offices.

Compliments, comments or complaints may also be received on behalf of a customer, for example, in correspondence from a local Councillor or partner agency.

3. How to deal with compliments, comments and complaints

3.1 How we deal with compliments

A compliment is any expression of satisfaction, pleasure or gratitude about the quality of service provided. Compliments indicate when a customer has received a service that they consider to be excellent.

They reinforce to employees why what they do and how they do it matters to customers. It is an opportunity to recognise individual contribution and for all parts of NCH to share good practice. It is important to acknowledge to employees when customers have taken the time to tell us that we have exceeded their expectations or have delivered a great service. This will be used to recognise and to celebrate both positive individual performance and behaviours and also, as an organisation to influence service delivery

When a customer gives a compliment take the details, thank the customer and assure them that their comments will be passed on to the relevant individual or team.

Process Map HS-CRT-02 3 C's Compliments sets out how to deal with a compliment.

3.2 How we deal with Comments

A comment is an idea for making changes or improvements to any part of our service. Comments, or suggestions, enable customers to feed in their thoughts and ideas for improvements and changes they believe will make NCH work better for them.

Suggestions will be thoroughly considered and customer contribution is recognised and promoted.

Process Map HS-CRT-03 3 C's Comments sets out how to deal with a comment.

3.3 How we deal with Complaints

A complaint is an expression of dissatisfaction where a response or action is required, however made these give valuable insight into where services are failing to meet customer expectations. It is the opportunity to express our regret, to learn from our mistakes and to restore customer confidence in our goal to be a first class housing organisation. **NCH is committed to delivering a “right first time” service but accept that we don’t always meet our own expectations.**

Complaints may include any of the following:

- Our quality of service;
- The actions or inactions of our staff or contractors; or
- Our failure to respond to a previous complaint.

We will not treat the following as a complaint:

- Requests for a service (e.g. the first report of a repair);
- Neighbour disputes (but we will investigate and follow our relevant procedure);
- Request for information or explanation of company policy or practice;
- Any issue which has separate provision for appeal (whether this appeal be statutory or not).
- Review of suitability of emergency temporary accommodation

- Review of suitability of permanent accommodation following a homelessness application.
- An issue over one year old that has not previously been raised (this should be considered by the Manager to determine whether there are any special circumstances; if there are not then the remark should be treated as a comment and the customer informed of the reason for this); or
- Issues which are outside the responsibility of NCH, whether relating to a Nottingham City Council service or another agency

We have a one stage complaints process giving customers a choice of two options on how they would like their complaint to be managed.

Process Map HS-CRT-01 3 C's Complaints sets out how to deal with a complaint.

For all complaints, regardless of the option chosen by the customer, keeping the customer informed is a priority. In addition, all complaints will be recorded to provide important data on areas causing customer dissatisfaction and trend analysis.

This approach has been influenced by historical and current customer intelligence that consistently identifies the outcomes that a customer expects when making a complaint. Customers accept that sometimes things go wrong and mistakes are made but how an organisation deals with these situations are critical to customer satisfaction and, ultimately, NCH's reputation as a first class organisation.

Research suggests that the top 4 factors for customer satisfaction with the resolution of complaints are consistently:

- For the issue to be put right, quickly
- To be listened to, even when they are angry
- To get an apology
- Assurance that mistakes won't be repeated

We are offering customers a choice of how they would like their complaint managed.

Option 1 - Fix and resolve: This option focuses on putting the problem right. When customers choose this option we will assume that they want to get the problem fixed as quickly as possible. This option is suitable for complaints that don't require an investigation to understand the issue and where the solution is clear, for example, a missed appointment. If customers select this option for complaints that are more complex we will advise them that this option won't be suitable for their complaint, explain why and progress their complaint through the investigation complaint process.

- We will try to find a way to fix and resolve the problem within 3 working days. We will keep in contact with the customer, usually by phone, text or email and won't normally send a letter.
- We will concentrate on finding the solution and will not carry out a full investigation.
- We will agree if the fix we have provided has resolved the problem.
- If the customer feels that the fix hasn't resolved the issue we will consider any further action required.
- We will agree with the customer if an Investigation Complaint is now appropriate or, in some circumstances, if the customer needs to refer their complaint to a Designated Person.

Option 2 - Investigation complaint: This option is intended for more complex or sensitive complaints where the solution isn't immediately understood or where we are unable to agree a solution without further fact finding. This type of complaint requires time to investigate thoroughly and robustly. A meeting will be offered to the customer if it will help NCH to understand the details of the complaint more thoroughly.

- When a customer chooses to progress their complaint in this way, we will assume that they want a thorough investigation and are prepared to wait for a properly considered response.
- We will investigate the complaint fully.
- The investigation will be conducted by a responsible employee within the relevant service area. The proposed response will then be signed off by the relevant service manager to confirm that all aspects of the complaint have been considered and investigated thoroughly and that the response is appropriate and customer focused and within 15 working days of complaint receipt.
- The Customer Relations Team (CRT) will administrate the complaints process for all areas of the organisation.

If the customer remains dissatisfied with the resolution provided they will be given the option to discuss the reasons for their dissatisfaction with the Customer Relations Team. The customer will also be advised of their right to refer their complaint to a Designated Person or, after a delay of 8 weeks, to refer their complaint to the Housing Ombudsman.

On notification to the Customer Relations Team that a complaint is going to be escalated, the Customer Relations Team will notify the department responsible for the complaint investigation.

3.4 Designated Persons

A designated person is a recognised Tenant Complaint Panel, a local Councillor or any MP.

The main role of a designated person is to assist in resolving tenant complaints. They are there to provide a fresh and independent perspective on problems. They will play a critical friend role - suggesting views and approaches that may not have been considered by tenants or NCH in the handling of the complaint. Designated persons are not intended to be a tribunal, to carry out the role of the Ombudsman or to be an additional stage in NCH's complaints procedure. Their role is to facilitate the local resolution of complaints. Their role will be impartial - acting as honest broker and constructively challenging both "sides". If the customer would like a 'designated person' to be involved, they should contact the Customer Relations Team who will advise them on how to do so.

3.5 Ownership, a "one team" approach

NCH's Customer Service Strategy commits to "Develop the existing customer focused culture within NCH so that all colleagues are committed to work together to provide a professional service, regardless of the team they work within". Ownership is about being accountable for the part you are responsible for to achieve a successful resolution for the customer and in line with this procedure. The Customer Relations Team are responsible for administrating the process but the responsibility for conducting a robust investigation and for delivering agreed solutions or approved improvements sits firmly with the relevant business area.

The 15 working day target for an investigation complaint response is set to facilitate a thorough review of the issue and to agree a customer focused resolution. All responses will be reviewed by the relevant service manager for sign off to confirm that all aspects of the complaint have been acknowledged and investigated and that the response and suggested resolution is appropriate and customer focused.

A copy of the response will be sent to the Customer Relations Team for reference *clearly confirming the date the response was issued to the customer*. The complaint will be closed on the system.

The service is designed to be easily accessible and there are a variety of ways in which a customer can report a complaint to the Customer Relations Team.

Key points to remember:

- If a person is making a complaint verbally in a face to face contact point:
 - If the customer would prefer to talk to the Customer Relations Team directly, direct the customer to call 0115 915 7333.

- Otherwise the customer can email their complaint via the feedback email address provided in the customer care, contact us, section of the company website (feedback@nottinghamcityhomes.org.uk) or by letter to Customer Relations Team, Nottingham City Homes, Loxley House, Station Street, Nottingham, NG2 3NJ.
- If the customer is complaining face to face and would like the complaint raised directly, and access to the company intranet is available, the recipient colleague can complete the intranet 3C's form which will forward the complaint to the Customer Relations Team.
- To assist the customer, identify what the problem is and explain the options to the customer and help them to decide how they wish to progress their complaint.
- Try and establish what would achieve a successful resolution for the customer. If this is clear and isn't likely to require time to investigate further, for example a missed appointment that needs to be rescheduled, it may be that the customer will choose the Fix and Resolve option. If the complaint is more complex and is likely to require further investigation the Complaint Investigation option may be more appropriate.
- Tell the customer briefly what the complaints procedure is, what will happen next and give them the Compliments, Comments and Complaints (3C's) customer leaflet if possible or refer them to website to review it, if accessible for them.
- Apologise for the concern that the customer has raised – even if you cannot apologise for the cause of the complaint;
- If a customer wants to discuss a complaint with a member of staff whilst they are out in the community, give the customer the 3C's customer leaflet to explain the ways in which they can report their complaint. Or, if the customer prefers, pass on their contact details to the Customer Relations Team, and explain that they will be contacted within the next working day.

The Customer Relations Team is the designated point for complaints and is the address on all forms and communication. However, if you receive an email complaint elsewhere then re-direct it to the Customer Relations Team immediately. If you receive a written complaint please scan the letter and allocate it to the Customer Relations Team within the same working day.

3.6 The Housing Ombudsman

If, having exhausted this procedure, the customer is still not happy with how the complaint has been dealt with they may have the right to have the matter reviewed by the Housing Ombudsman Service (HOS) or, if the complaint is related to the allocations process, the Local Government Ombudsman. Further detail is included in Appendix 4.

Their addresses are:

- Housing Ombudsman Service, Exchange Tower, Harbour Exchange Square, London E14 9GE
- Local Government Ombudsman Service, PO Box 4771, Coventry, CV4 0EH

NCH will be bound by any decision made by the Ombudsman.

The Housing Ombudsman Service (HOS) explains their role as:

The Ombudsman's power to investigate complaints is set out in the law.

Where he has power we will investigate a complaint to establish what is "fair in all the circumstances of the case." We can then make orders or recommendations to put things right – or to improve service in the future.

The Ombudsman looks at complaints after the final stage of a landlord's own complaint process. You have a right to bring your complaint to us if you are unhappy with the result of your landlord's complaint process.

We can only investigate complaints where we have the legal power to do so. In some cases this is complicated and you will need to contact us to find out if we can help.

The exact nature of an investigation by the Ombudsman will depend on the circumstances of the complaint but the HOS gives the following guidance as to what may happen:

We gather information about both sides of a case to help us reach a decision. We do not help either side make their case or find evidence to support their case. This is because we have to be impartial which means that we cannot take one side against the other.

The Ombudsman has the power to order and/or recommend remedies; however we do not use these powers to punish a landlord. We use them to put matters right where they have gone wrong. Although we cannot force them to do as we ask most landlords carry out our orders and recommendations.

The Ombudsman's decisions are final. There is no right of appeal. The Ombudsman decisions are subject to judicial review.

4. How the 3C's will support improvement and change services

Comments, Compliments and Complaints from customers provide invaluable feedback on our services.

Data from the 3C's will, aligned to the Customer Insight Strategy, provide information to support improvement. It will be included within the corporate performance reporting framework which will enable NCH to measure performance and progress.

We will feed back to our customers to show how we have used their complaints, comments and compliments to make a difference using tenants' newsletters and our web site.

5. Customer satisfaction, are we getting it right?

NCH measure customer satisfaction with complaint handling. The customer surveying process is used to assess customer satisfaction with the way in which their complaint was managed. Whilst the resolution of the complaint is the responsibility of the business area accountable, how the complaint was managed is the responsibility of the Customer Relations Team. Customer satisfaction surveying will also distinguish between the 2 complaint options, so that each can be improved independently.

6. Performance

The Customer Relations Team manages the complaints process and the responsible service areas manage the resolution, investigation and process improvements based on complaint data. Responsibility for performance targets sit with the area responsible for the complaint. The Customer Relations Team will support with the provision of data and trend analysis. Complaints should always be resolved as soon as possible. Target dates for complaints are maximum days to be used only if the extent of the investigation requires this time.

7. Involving the Risk Manager/ insurance claims

If the circumstances of a complaint could give rise to a claim for damages for personal injury or for (other than minor) financial loss, the Customer Relations Manager should be informed of the details.

Claims up to £500 will be assessed and managed by NCH Customer Relations Team, claims above £500 are managed on behalf of NCH by Nottingham City Council's Insurance and Risk Management Team.

8. Offering Compensation – Compensation and Ex Gratia Procedure

The scheme is designed to empower key employees to be effective in handling complaints and to develop our customer focused approach. In addition, we want to apply the general principle produced for guidance by the Housing Ombudsman Service that, as far as possible, the complainant should be put in the position he or she would have been had things not gone wrong. The Discretionary Compensation Policy has been reviewed to include scope whereby customers have experienced financial hardship and/or suffered loss through no fault of their actions/situation.

NB Where a payment has been agreed it is important that remedial action is taken, where possible, to avoid repeated failures. The compensation form should be completed in full with a commitment by the relevant Manager to any action to be taken. Details of compensation payments will be included in the 3C's reporting.

NCH have to be vigilant that we offer compensation to customers who have a genuine complaint or have not received adequate service. However NCH reserve the right not to offer compensation where the customer has clearly contributed to the loss or damage.

Any compensation paid will be made in accordance with Company Financial Regulations.

Non-financial Compensation – showing we are sorry

Often non-financial gestures, such as a bunch of flowers, are a great way of demonstrating our sincere apologies when we have failed a customer badly.

This is not appropriate when:

- There is a claim for or is a potential claim for compensation
- Before the resolution has been agreed. Timing is crucial. Always send flowers AFTER the customer has agreed with the solution offered or it can be misinterpreted as the solution and cause further dissatisfaction.

When compensation is not appropriate

NCH should not offer financial or non-financial compensation when the complaint is unjustified and the customer has not suffered any detriment.

9. Persistent and vexatious complaints

This section of the procedure is designed to assist staff to deal with complaints when nothing further can reasonably be done to rectify a real or perceived problem and should be implemented only in exceptional circumstances.

Before implementing this section of the procedure, the Customer Service Manager must satisfy him/herself that:

- All aspects of the relationship with the customer are known and understood
- The rest of the Complaints procedure has been followed as far as is possible; and
- No material element of a complaint has been overlooked or inadequately addressed.
- That maintaining dialogue with the customer in the normal way will serve no useful purpose.

Criteria

To be identified as persistent and/or vexatious, a complaint must satisfy certain criteria. It must be recognised that customers have a right to feel angry or frustrated if they feel that NCH has let them down and that this may be expressed in contact with the organisation. Therefore a complaint should only be categorised as a vexatious complaint after careful consideration and applied with judgement and discretion.

This complaint categorisation may apply if, during previous or current contact with NCH, the complainant has met one or more of the following criteria:

- They persist in pursuing the complaint where the procedure has been fully and properly implemented and exhausted;
- They change the substance of their complaint or continually raise new issues or seek to prolong contact by continually raising further concerns or questions. However care must be taken not to overlook new issues which are different from the original complaint. These may need to be addressed as separate complaints;
- They are unwilling to accept factual documented evidence or do not accept that facts can sometimes be difficult to verify when a long period of time has elapsed;
- They do not identify precise issues they require to be investigated and/or do not accept that the concerns are outside of NCH's remit;
- They focus on the trivial, which is out of proportion to its significance and continue to focus on this point;
- They threaten/use physical violence towards staff;
- They make an excessive number of contacts, placing unreasonable demands upon staff;
- They harass or are personally abusive or aggressive towards staff on more than one occasion; (*Please follow relevant Health and Safety process and guidance*)

- They make unauthorised recording(s) of meeting(s) or face to face/telephone conversation(s) without the prior knowledge or consent of the parties involved; and/or
- They have unreasonable demands or expectations and fail to accept that these may be unreasonable.

Options for Handling a Persistent or Vexatious Complaint

When a complaint is categorised as persistent and/or vexatious in terms of the above criteria, any action to be taken will, following discussion with relevant senior managers, be determined by the Customer Service Manager.

The Customer Service Manager may decide to handle such complaints in any of the following ways:

- Try to resolve matters before invoking other measures in this Procedure by securing a signed "agreement" with the complainant. This should set out a code of behaviour for the parties involved if NCH is to continue to process the complaint. If the agreed terms are contravened, consideration would be given to implementing other actions as described below;
- Decline contact with the complainant either in person, by telephone, by fax, by letter or any combination of these, provided that one form of contact is maintained;
- Notify the complainant in writing that the Customer Service Manager has responded fully to the points raised and has tried to resolve the complaint; and that there is nothing to add and continuing contact on the matter would serve no real purpose. The complainant should also be notified that the correspondence is at an end and that further letters will be acknowledged but not answered;
- Inform the complainant that in extreme circumstances NCH reserves the right to pass unreasonable or vexatious complaints to its solicitors;
- Temporarily suspend all contact with the complainant or investigation of a complaint whilst seeking legal advice or guidance
- The Customer Service Manager will implement the agreed action and will notify the complainant in writing of the reasons why the complaint has been classified as habitual, persistent and/or vexatious, and of the action to be taken.

NOTE- customers who engage in verbally abusive or threatening behaviour against NCH employees will be subject to investigation which could ultimately be considered a breach of tenancy and action taken accordingly.

Withdrawing 'Persistent or Vexatious Complaint' status

Having deemed a complaint to be persistent and/or vexatious, this status may be withdrawn by the Customer Service Manager. This should be exercised with discretion where, for example, the complainant demonstrates a more reasonable approach.

The Customer Service Manager will advise the complainant of the withdrawal of the persistent and/or vexatious categorisation of the complaint

Appendix 1: Hints and tips

Resolving a complaint

- All progress, actions taken and contact made should be noted on the system to maintain comprehensive records in case of query and for audit.
- For NCH to understand our data a complaint may be logged as upheld in full, in part or not upheld. However, for the customer this information is irrelevant. A customer will always feel justified in making their complaint and our stated objective evaluation of their concern if this differs can be perceived as inflammatory and can undermine efforts to restore confidence and trust in NCH. Accordingly, this terminology will not be included in any response. If NCH assesses the complaint unjustified the customer will still be offered an apology that they feel NCH has let them down.
- Any resolution needs to be appropriate to the complaint. Make sure you understand what the customer sees as a resolution to their complaint e.g. an apology, compensation, the repair fixed etc. and this will help form the resolution.
- Where a complaint has been made on a person's behalf by their representative then all correspondence or contact should be addressed to the customer but copied to their representative. If a complaint is received from a solicitor, we will respond to the solicitor accordingly.
- Check with the customer to make sure you understand their complaint, particularly if there are a number of issues.
- Where a complaint involves a legitimate dispute over an alleged debt to NCH or recovery action, such action should be put on hold for the duration of the complaints process. However lodging a complaint should not be allowed to act as a delaying tactic regarding the payment of an undisputed debt. If monies are being withheld by a complainant this should relate to the complaint being made, for example a leaseholder withholding payment of a legitimately disputed service charge bill.
- Check relevant legislation, policy, standards, procedures, etc.
- If necessary establish a chronology of events (this can help highlight gaps in information and potential questions).
- Decide who you need to speak to or request information from. When requesting information tell people their target date for a full and comprehensive response from them.
- Always base your findings on the facts and the supporting evidence available, never assume! When you respond to a complaint set out the reasons for your findings as well as the findings themselves.

- Never let a target date get in the way of a thorough investigation. It is better to respond to a complaint outside the original target time than to rush the completion of an investigation. But equally, a complaint should never be delayed because it hasn't been actioned and progressed promptly. Always keep the complainant informed of any delay, the reasons for the delay and the new target for completion.
- Before contacting the customer with your proposed resolution always take time to review. Don't be defensive. Consider the customer's perspective and consider if the response and proposed solution(s) is customer focused, covers all aspects of the complaint and represents great customer service.
- If in doubt seek advice, including legal advice where appropriate.

Problem-Solving Meetings – See appendix 2

In some cases it will be helpful to resolving a complaint by holding a problem-solving meeting with the customer either at their request or when it will help to understand the complaint or will help to reassure the customer that we are taking their concerns seriously. Always attempt to arrange the meeting at a time and location that suits the customer. **Always consider personal safety.**

Appendix 2: Problem solving meetings

In some cases it will be appropriate to respond to an Investigation Complaint by holding a problem-solving meeting involving the customer.

If a problem-solving meeting is necessary every effort should be made to arrange this within a timely manner to avoid any unnecessary delays in the investigation process.

The relevant staff member investigating the complaint will be responsible for organising a problem solving meeting at a time and venue suitable to all concerned. The customer may wish to have a friend or other representative in attendance. In addition, the NCH representative should ensure that any special needs that the customer may have are met e.g. translation service etc.

A full problem-solving meeting would normally take the following format:

- Introductions;
- Explaining the complaints procedure for the benefit of the customer;
- Attempting to arrive at a shared understanding of the current situation including previous correspondence and information provided by the customer and by NCH;
- Establishing the customer's expectations;
- Establishing any resource or statutory constraints which have a bearing on the matter of the complaint;
- Discussing options for complaint resolution;
- Selecting an acceptable option for resolution if possible; and
- At the end of the meeting the NCH representative should sum up the meeting, thank the customer for their assistance and confirm what will happen next.
- Following the meeting confirmation of the matters discussed and any agreed actions should be sent to the customer
- Records should be retained and details entered onto the system

It is important that the meeting provides a calm, objective discussion of the situation. The apportioning of blame should be avoided. A clear record should be kept of the discussion and any agreement reached.

Appendix 3: Specific remarks

Dealing with Press Enquiries

All requests from any members of the press should be referred to the NCH Marketing Team. No member of staff should discuss issues relating to NCH or particular cases with either the press or with the press office at Nottingham City Council without first consulting the Marketing Team.

Dealing with Members' Enquiries

All enquiries/complaints which come via the Members Casework (MC) system or from a Cllr should be logged on the MC system and acknowledged and responded to according to the MC process.

If an enquiry/complaint has been logged as an official complaint and has been through the internal complaints procedure and responded to, it needs to be deemed an escalation of that complaint and dealt with as such through a designated person. (Refer to 3.4 designated person)

The Service Manager for the relevant Service Area will investigate the details of the complaint and provide a full and final response to the customer and a copy saved in the MC system. If the customer is still unhappy with the outcome of the complaint, they will be advised to contact their Local Government Ombudsman who will advise them further.

Meetings customers' individual needs

The Compliments, Comments and Complaints 3C's leaflet for customers will be translated upon request. Where additional information regarding 'the 3 Cs' needs to be translated, or a customer encounters difficulty in expressing their comment verbally, staff can access AA global interpreters as necessary.

Customers have individual needs and we should tailor the delivery of services to meet those needs wherever possible. A face to face meeting is sometimes a more effective way for us to understand the details around the complaint with either a translator or other assistance present if needed. If this is going to help to reach a resolution it should be offered and, if necessary, an extension to the complaint response agreed.

Performance targets should never be a reason to limit or constrain the quality of the investigation as long as the customer is in agreement and is kept informed.

Complaints involving contractor partners

Complaints about contractors who have been appointed to carry out services by NCH are our responsibility and must be owned and handled by NCH according to the complaints process. Customers should not be referred to the contractor partner unless there is a specific process in place to do so.

Members of Parliament and Board members

If front-line employees receive compliments, comments or complaints from members of parliament or NCH Board members, this should be referred to the relevant service manager within 24 hours who will manage and record any response required.

Misdirected compliments, comments and complaints

If NCH receives compliments, comments or complaints which relate in the majority to a department within Nottingham City Council (NCC), the employee should pass the information to the relevant department at NCC.

Complaints with allegations of discrimination or harassment

If front line staff either suspect, or are certain, that a complaint has arisen due to an allegation of discrimination e.g. on the grounds of any of the nine Protected Characteristics - the complaint should be logged and referred to the relevant Departmental Manager/Section Head as soon as possible.

The nine Protected Characteristics (groups) are:

- Age
- Pregnancy and Maternity
- Sexual Orientation
- Disability
- Marriage and Civil Partnership
- Race
- Gender re-assignment
- Sex
- Religion and belief

Complaints that need the involvement of a senior manager

There may be some complaints that require the involvement of an appropriate manager for example, a complaint regarding a particular member of staff. In such cases the complaint will be assigned to the individual's line manager to respond accordingly. The line manager will consider the nature of the complaint and if the matter concerns serious misconduct will discuss the complaint with their respective line manager to ensure that any response considered is objective. This manager may decide that the complaint is best investigated by a manager from another area to ensure objectivity; this will depend on this issue raised and seniority of the staff member involved.

NB This procedure relates to external complaints regarding staff members. Internal matters will be managed through established HR procedures.

Anonymous compliments/comments/complaints

Anonymous compliments, comments and complaints should be recorded and progressed, as far as possible, according to the procedure. Whilst reasonable efforts should be made to identify the complainant if this is required to action any concern, confidentiality should be considered and preserved as is their right. It is clearly impossible to respond directly to anonymous complaints any further than this.

This should not deter any remedial actions from being taken where the cause of the complaint is identified.

Complaints out of time and exceptions to the procedure

Members of the public should raise their complaint within a reasonable timescale. The HOS's guidelines state that a complaint will not be investigated if it is about something the complainant knew about more than 12 months before contacting the Council (or, in this case, NCH) for the first time, unless it is considered that there are good reasons for the delay.

NCH applies this guideline and it is for the Customer Relations Manager to consider whether a delay of more than 12 months is justified. If not, the policy should be explained to the complainant and their remark treated as a comment. It should then be registered and processed as a comment.

Appendix 4: Ombudsman jurisdiction- allocations

Local Government Ombudsman

The Local Government Ombudsman will consider complaints that fall within the definition of an allocation in Housing Act 1996. This means it will consider complaints concerning:

- Direct applications to a Local Housing Authority for housing.
- Applications from a tenant for a transfer if applied for one of the following reasons:
 - *applicant has become homeless (for example because it is no longer reasonable for the tenant to continue to reside at the property)*
 - *applicant is occupying unsanitary/overcrowded housing, or living in unsatisfactory housing conditions*
 - *applicant needs to move on medical, welfare grounds or due to disability or needs to move to a particular area to avoid hardship.*

This will include complaints about the actions of a Housing Association where it is the agent of the Local Housing Authority, i.e. where it is a partner to an Allocation Scheme, run by, or on behalf of the Local Housing Authority.

Housing Ombudsman

The Housing Ombudsman will consider complaints about applications for a transfer that are made for any other reason. He will also consider complaints concerning succession, mutual exchange and decant accommodation from tenants and applicants.

The Housing Ombudsman will continue to have jurisdiction over complaints regarding the allocation of housing by Housing Associations, except where this is undertaken on behalf of the Local Housing Authority.

Examples

Local Government Ombudsman

Banding/award of points
The Allocation Scheme
Reasonable preference decision
Assessment of evidence
Handling of application
Information provided regarding scheme
Suitability (room size/location)

Housing Ombudsman

Type of tenancy offered
Mutual exchange
Succession
Decision to renew fixed term tenancy
Condition (repair)
All complaints regarding Housing
Association lettings that have not been made via LHA's allocation policy