

Complaints and Compliments Policy

1. What this policy is about

- 1.1 The policy sets out our approach to dealing with customer feedback whether complaints, compliments or comments that are reported to Livv Housing Group.
- 1.2 The policy applies to any customers and will include tenants, residents, leaseholders and freeholders or any advocate authorised to act on their behalf.
- 1.3 It sets out how we deal with customer complaints by aiming to resolve problems quickly, consistently, and fairly. It explains how we use complaints as an opportunity to learn, develop and use our customers' experiences and feedback to improve our services. It also sets out our approach to compensation.

2. Our approach

- 2.1 We want to hear from our customers when they feel dissatisfied with their home or the service we have provided. This policy sets out that:
 - We make it easy for our customers to tell us their concerns.
 - Feedback is important to us. We want to take the opportunity to fix a problem, rebuild trust with our customers, learn from feedback and improve our services.
 - We may offer a service failure payment where we agree we should have offered a better customer experience; and
 - We may offer compensation where a customer has incurred expenses or losses if something has gone wrong and it is our responsibility.
- 2.2 We welcome complaints made to us through all routes, including those raised over the phone or face-to-face, by letter or email, using the internet, web chat, Livv Online and social media, or by advocates or other people who are authorised to act on a customer's behalf.
- 2.3 Our complaints policy and details of how to contact the Housing Ombudsman are clearly displayed on our website.

What is a complaint?

- 2.4 We adopt the Housing Ombudsman's definition of a complaint, as "an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual customer or group of customers."

Types of complaints

- 2.5 The type of complaint we can consider may include, but is not limited to:
- Failure to provide a service when we should have.
 - Provided a poor standard of service.
 - Made a mistake in the way we provided a service.
 - Failure to meet our existing service standards or comply with our policies.
- 2.6 When a customer is unhappy, we will try to resolve their issue 'there and then' where possible. This means putting something right quickly and offering an apology where necessary. This is logged to provide a clear record of all dissatisfaction raised.

Who can make a complaint?

- 2.7 We will accept and investigate complaints in line with this policy from:
- Any of our customers including shared owners or leaseholders
 - Anyone acting as a representative of a customer where permission has been given by the customer to act on their behalf.
 - Councillors/MPs
 - Residents' groups
 - Former customers
 - Housing applicants (not including complaints about PropertyPool Plus as this managed by the Local Authority through their appeals process)

What is not a complaint?

- 2.8 Livv Housing Group does not consider any of the following as a complaint or service failure and will not investigate these:
- Reports of anti-social behaviour or breaches of tenancy
 - Complaints concerning the level of rent or service charge or the amount of the rent or service charge increase (we will accept complaints about the quality or frequency of works which are paid for through service charges)
 - Personnel matters including issues about staff employment or former employment including applications for employment.
 - Issues that are subject to legal action or proceedings are out of scope for this policy and will be managed by the solicitor appointed to act on our behalf. This would include Disrepair cases where there is a specific process in place.
 - Where a separate appeals process has been instigated
 - Insurance claims. These will be handed to the relevant legal/insurance company.
 - Things that happened more than 12 months ago which have not been raised since (there are some occasions when this will be considered if a complaint relates to safeguarding or health and safety issues)
 - Matters that have previously been considered under our Complaints Policy
 - Complaints relating to another service provider that is not a sub-contractor of Livv Housing Group cannot be investigated and will need to be directed to the



relevant provider – e.g. any complaints about services delivered by the local authority such as bin collections, or a utility supplier such as a power cut.

- A single missed appointment. This will be addressed by our there and then approach and the appointment re-arranged with you.
- Making a request for service or information.
- Anonymous complaints – These are still recorded as feedback. Although we do not treat these issues as a complaint under this procedure, we will deal with them in an appropriate manner.

2.9 If we decide not to accept a complaint, a detailed explanation will be provided to the customer setting out the reasons why the matter is not suitable for the complaints process within 10 working days of a request being made. All customers have the right to challenge our decision by bringing their complaint to the Ombudsman.

2.10 We will always look at complaints from the customer's perspective. We will seek to understand and respond to the needs of all our customers and treat people fairly and with respect. By listening, not assuming, we will find out what a customer would like to happen to resolve the issue and put things right.

Timescales and escalation

Stage One

2.11 We will acknowledge receipt of a complaint within a maximum of five working days and aim to resolve all complaints within the following ten working days.

- We will discuss the complaint with the customer to try and agree a solution.
- We will keep them updated about what we are doing to address the issue and confirm the outcome in writing.
- Sometimes, we may need a little longer to resolve a complaint; we will explain this and agree a new date with the customer. This will be up to an additional 10 working days.

2.12 If a customer is unhappy with our resolution, they can ask for their complaint to be reviewed at stage two within 8 weeks of receiving the stage one complaint review response.

Stage Two

2.13 We have 5 working days to triage the escalation to ensure that we have all the information we need. If stage two is accepted, we will confirm this with the customer and explain the stage two process.

- A person who has not previously been involved at stage one will complete an independent review within a further twenty working days from accepting the stage two complaint.
- The reviewer will work with the customer throughout this time to resolve the complaint.
- Customers can have an advocate to support them making a complaint and where possible, we will put in place any reasonable adjustments for customers with any additional requirements and requests.



- Customers may also be accompanied at any meeting.
- Sometimes we may need a little longer to fully resolve a complaint, for example, if there are several parts to the complaint escalation. In these circumstances, we will work with the customer to explain why and when a response can be expected. This will be up to an additional 10 working days.

2.14 At the end of each stage, we will summarise our position and may call the customer to explain our findings and decisions before confirming this in writing.

2.15 When we have exhausted both stages of our internal complaints process, if we are unable to resolve the issue to their satisfaction, they can refer their complaint to the Housing Ombudsman and ask for it to be investigated. Contact details for the Housing Ombudsman are supplied in our response letters and on our website.

2.16 Customers can contact the Housing Ombudsman at any point during the complaints process and they may be able to provide them with further support or advice, however they are unable to investigate until the complaint has been through our internal complaints procedure.

Compensation

2.17 We know how important it is to say sorry when we get things wrong. We will always let our customers know how we plan to put things right as a result of their complaint.

2.18 Sometimes this may involve a service failure payment, where we agree we should have provided a better customer experience and an apology alone would not be enough. Service failure payments are different to compensation payments, which are intended to recompense customers for financial loss or expenses incurred because of our actions or inactions, which can be evidenced. Any payments will be based on the Housing Ombudsman Remedies Guidance and the details are included in Appendix 1.

2.19 In the case of damage to property or decorations, we will look at each complaint individually, taking into consideration things like the age and condition of personal effects and the cost of materials for redecoration. Compensation won't apply if something has gone wrong, but it is not our fault, however, we will carry out repairs to put things right where it is our responsibility to do so, in line with our Repairs Policy.

2.20 All customers are encouraged to take out home content insurance to cover their household and personal items.

Managing unacceptable behaviour and repeat complaints.

2.21 We recognise that sometimes our service failures may cause dissatisfaction for customers. Our colleagues are trained and supported to deal with all customers in a respectful way and we want our customers to treat us in the same way. We will deal with all complaints fairly, consistently and appropriately. We recognise that all our customers have a right to be heard, understood and respected. However, if a customer behaves in a way which could be considered inappropriate, abusive, where



harassment occurs or in any instance where our colleagues feels uncomfortable dealing with the customer's behaviour, we will not be able to investigate the complaint.

What is unacceptable behaviour?

2.22 Behaviour becomes unreasonable when it involves the abuse of our colleagues, a disregard for our procedures and when it takes up a disproportionate amount of our time, preventing us from dealing with the issue in question and providing a service to others. In line with the requirements of the Housing Ombudsman's Complaint Handling Code, this policy sets out what we consider to be unreasonable behaviour and the steps we will take to manage it.

2.23 Examples of unacceptable behaviour are:

- unreasonable demands (e.g., requesting large volumes of information, asking for responses within a short space of time, refusing to speak to an individual or insisting on speaking with another)
- unreasonable persistence (refusing to accept the answer that has been provided, continuing to raise the same subject matter without providing any new evidence, continuously adding to or changing the subject matter of the complaint)
- verbal abuse, aggression, violence (this is not just limited to actual physical or verbal abuse but can include derogatory remarks, rudeness, inflammatory allegations, and threats of violence)
- overload of letters, calls, emails or contact via social media (this could include the frequency of contact as well as the volume of correspondence received as well as the frequency and length of telephone calls).
- Refusal to co-operate (this could include where a customer refuses to provide further details, information or evidence, refusal to summarise or clarify the concerns they have raised, refusal to provide access to allow inspections or work to be completed that will resolve a complaint or service request.
- Social media - we may also consider it unreasonable if a customer abuses social media in any way stated above or if they contact a colleague using their personal details or personal social media accounts or publish personal, sensitive, or private information about colleagues online.

2.24 For any customer demonstrating these behaviours, we will ask a manager to investigate. They will write to the customer setting out their findings and explaining the decision and implications for the complaint. We will always aim to come to an agreement with customers before considering any restrictions.

2.25 Arrangements that maybe put into place to address the complaint are:

- providing a single point of contact
- limiting contact to a single form i.e., letter, email or telephone only
- limiting contact to certain times or to a limited number of times per week or month
- declining to give any further consideration to an issue unless any additional evidence or information is provided.
- only considering a certain number of issues in a specific period.



- restricting access to our offices.
- limiting the number of issues that can be raised and responded to.
- drawing a line under closed complaints that we have already considered.
- only responding on the provision of new information or evidence.
- only responding on receipt of any clarification or summary requested.

2.26 We will always take into consideration individual circumstances and customer health and support needs before making any of these arrangements.

2.27 In exceptional circumstances, we may consider stopping all direct contact with a customer, taking legal action or notifying the Police. A customer will be informed of any formal restrictions in writing, including the length of time they are to be in place. A note will also be placed on our records to reflect this.

2.28 Unreasonable communication can also fall under our Antisocial Behaviour policy if considered to be a breach of a customer's tenancy. In such cases, action may be taken simultaneously under both policies.

3. Responsibilities

3.1 All colleagues are responsible for carrying out their work in line with this policy and associated procedures. Executive Director - Customer Insight is responsible for overall implementation of this policy. Specific responsibilities are set out below:

Role	Responsibility
Executive Director – Customer Insight	Final approval of the policy
Director of Customer Relationship Management	To strategically oversee the complaint and compliment process
Head of Customer Relationship Management	To ensure the policy supports the associated strategic aims and reflects the service it relates to.
Complex Queries & Complaints Manager	Managing the complaint and compliment process
Complex Queries & Complaints Team	Overseeing the complaint and compliment process
Individual Teams	Completing full investigations of complaints

4. Monitoring and review

4.1 To monitor performance, we have the key performance indicators below:

- Stage one complaints per 1000 homes.
- Stage two complaints per 1000 homes.
- Stage one complaints response time.
- Stage two complaints response time.



- 4.2 We will complete an annual Housing Ombudsman self-assessment and publish on our website.
- 4.3 We have a designated Board member responsible for Complaints and we will provide them monthly assurance reports.
- 4.4 We provide regular performance reports to the Executive Team and Customer Services Committee.
- 4.5 To ensure that we are continually improving the way in which we handle complaints, we may ask customers who have need to complain about their views on how their case was handled and what we can do to improve our service.
- 4.6 We will record where we have made improvements to our services and procedures, as a result of customer feedback, including the learning we take from complaints.
- 4.7 We will review this policy every three years, or sooner if our monitoring of the policy identifies that changes are required, for example because of changes to law, regulation or related Livv strategies and policies.



Control framework

Compliance

This policy supports compliance with:

- Regulatory Compliance, in particular the Tenant Involvement and Empowerment Standard
- Legislative Compliance, in particular the Membership of Housing Ombudsman Service and Housing Ombudsman Code 2022
- Tenant Satisfaction Measures 2023
- Building Safety Act 2023

Document control	
Version	1.0
Policy applies from	February 2024
Policy applies to	Livv Housing Group; Livv Homes; Livv Maintenance; First Ark Social Investment
Approved by	Executive Director – Customer Insight
Approved on	5 February 2024
Replacing	Complaints and Compliments Policy 2020-2023 version 3.
Next review due by	April 2024
Responsible Executive Director	Executive Director – Customer Insight
Policy author	Director - Communities
Equality Analysis	January 2024
Environmental Impact Assessment	Not required
Circulation	Intranet; Livv Housing Group website

Version control		
Version	Date of Review	Summary of changes made
1.0	February 2024	Review of previous policy in line with Group policy framework.

Appendix One - Discretionary Compensation

Every effort will be made to deliver high quality, effective services, in line with our Policies and Procedures. If a complaint investigation shows the customer has experienced unnecessary inconvenience, discretionary compensation can be awarded. We recognise that an apology and resolution may not always fully address the impact a service failure has had on a customer, and in some circumstances, it may be necessary to consider compensation as an appropriate remedy.

Customers are expected to arrange their own home contents insurance, which will cover them for loss of, or damage to, their personal possessions. Discretionary compensation is not to replace the customers responsibility to purchase home contents insurance.

Claims for actual losses or damaged goods will be considered during the formal investigation. Any claims for loss or damage must be reported as soon as is practicable and the complainant must aim to mitigate any further damage, for example, moving items out of harm's way. Damaged items must be retained until an assessment has been made by Livv Housing Group or its representatives. Where appropriate, we may direct complaints or claims for damage to its contractors or suppliers.

In all our cases we will consider the impact on the customer to understand and acknowledge the distress caused and the time and trouble incurred.

Examples used below and guidance on payments has been created in line with the Housing Ombudsman's Guidance on Remedies which can be found at

<https://www.housing-ombudsman.org.uk/wp-content/uploads/2020/11/Remedies-Guidance.pdf>

	Details	Payment Limit
Failure to meet a service standard or communication	<p>If we have failed to deliver a service or have provided incorrect information, we would normally apologise and do our best to put things right as soon as possible. e.g. a missed appointment will be rearranged, and an apology offered for the inconvenience.</p> <p>If the complainant has been particularly inconvenienced or we have taken excessive time to rectify an issue the Investigating Manager can award a discretionary payment.</p> <p>Examples include:</p> <ul style="list-style-type: none"> • failures to reply to letters or return phone calls. • not having regard to a complainant's preferred method of contact or contact requirements. 	<p>Up to a maximum of £50 for each service failure.</p> <p>Total maximum of £200</p>

	Details	Payment Limit
	<ul style="list-style-type: none"> • failure to meet service standards for actions and responses but where the failure had no significant impact. • incorrectly addressing correspondence (so as to cause offence/upset, but not a breach of data protection requirements). 	
<p>Where there have been multiple instances of service failure connected with a matter and /or loss</p>	<p>There may be no right to compensation from us where any loss or damage would normally be covered by a household contents insurance policy and where we have not been at fault. However, if we identify a failure of service that has caused the loss/cost, we will try to make good any loss or direct costs.</p> <p>There is an understanding that some repair matters will require several diagnostic visits and multiple trades to attend e.g. to identify a leak.</p> <p>However, where multiple visits have been unnecessary and cause inconvenience and/or loss. The Investigating Manager will consider each case on its own merit.</p> <p>Examples include:</p> <ul style="list-style-type: none"> • misdirection – giving contradictory, inadequate or incorrect information about a complainant’s rights (for example in relation to decants, mutual exchanges, or preserved Right To Buy) • a complainant repeatedly having to chase responses and seek correction of mistakes, necessitating unreasonable level of involvement by that complainant. • a complainant being repeatedly passed between staff and / or teams, with no one officer or department taking overall responsibility, or a landlord not taking responsibility for sub-contracted services. • failure over a considerable period of time to act in accordance with policy – for example to address repairs; to respond to antisocial behaviour; to make adequate adjustments. • serious failures but which have already been recognised and resolved by landlord, including redress for actual financial loss. • repeated failure to meaningfully engage with the substance of the complaint, or failing to address all relevant aspects of complaint, leading to considerable delay in resolving complaint. • significant failures to follow complaint procedure, escalate the matter or signpost the complainant. 	<p>Up to a maximum of £700. We may require information and evidence to support any payment.</p>

	Details	Payment Limit
Where there is significant impact and serious long term effect on the complainant	The complainant will be asked to support the investigation and provide details of significant impact and long-term impact.	Discretionary compensation, higher than the value of £700. Approval required from Director