

# Complaints & Compliments Policy and Procedure

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Document Owner: Quality Manager

Signed off by: Nicky Boland, CEO

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<b>Policy consultation with:</b>	<b>SMT and Exec Team</b>	
<b>Legal Requirements:</b>		
<b>CQC:</b>	<b>Quality and Management – Outcome 17.</b>	
<b>Other:</b>	<b>Local Government Ombudsmen, Housing Ombudsmen, Care and Support Ombudsmen – complaints compliance checklists.</b>	
<b>Related Policies:</b>	<b>Data Protection Policy</b>	
<b>Scope: This policy applies to complaints received by people we support or stakeholders. Staff wishing to log a complaint are to use the Grievance Procedure in the Human Resources Manual.</b>		
<b>Policy Equality Impact Assessed</b>		

Version number	Amendments	Reviewed by	Date
08-v2	Partially upheld outcome has been removed.	Ozcan Yaren	30/09/2024
08-v3	Response timeframes has been aligned with Housing Ombudsman requirements.	OY & EL	27/06/2025

This information can be made available in alternative formats, such as easy read or large print. Please contact 0208 980 7101 or email [info@outward.org.uk](mailto:info@outward.org.uk).

## 1. Introduction

Outward's Complaints & Compliments Policy sets standards detailing how we promote both the Complaints & Compliments procedures, deal with complaints and act upon the feedback we receive from complaints about our services. Through the Compliments procedure, we recognise and acknowledge when care and support is being delivered to a high quality, occasionally with staff going above and beyond what is expected of them.

This policy has two purposes. One is to ensure that anyone who has a complaint or concern about our services or service delivery is able to express those concerns and be assured they will be taken seriously. The second is to record compliments that Outward can promote internally to senior managers and the board of Trustees, externally to commissioners and on the internet and websites such as [CQC](#), [Housing Ombudsmen](#) and [Social Care Ombudsmen](#). This can promote the good work that is being delivered and also make improvements to service delivery.

## 2. Policy Statement

Outward is committed to high standards of quality, probity, openness and accountability. As a provider of services to vulnerable people at risk, Outward is committed to making our procedures for complaints accessible. Ensuring the people who use our services and, where applicable, their advocates or representatives understand our complaints procedures and where appropriate, make use of them. Outward will make every reasonable effort to ensure the Complaints Procedure is available in an appropriate format, and that it is explained to all users of our services and where applicable their advocates or representatives.

We value complaints and where things go wrong, Outward is committed to putting them right. Outward views complaints as a learning opportunity and, where appropriate, will use complaints and feedback to drive service improvements and quality to the services we provide.

Outward welcome compliments as these can be promoted internally to senior managers and the board of Trustees. These can also be promoted externally to commissioners, regulators and other stakeholders. This can promote the good work that is being delivered and also make improvements to service delivery.

### How we publicise this policy and procedure

- During the sign up process and subsequent meetings
- In Outwards residents handbook
- On our website
- Easy Read information in our services
- Making it available to family and friends of people we support

### 2.1 Standards

Our standards are as follows:

#### First Stage

- **Acknowledgment** -When a complaint is made, it must be acknowledged and logged at stage one of the complaints procedure within five days of receipt by Outward.
- **Full response** - to respond fully to complaints at **first** stage within 10 working days from the date the acknowledgment letter is sent.
- **Second stage** - Outward will respond within 20 working days and provide a stage two response in writing from the date the appeal is received by outward (this must be within 2 months of the date of the first stage full response).

To acknowledge and log compliments with 5 working days.

Outward performance standards - 95% of complaints will be responded within the above timeframes.

## 3. Procedure

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### 3.1 What is a Complaint?

A complaint is defined 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 a person we support, tenant, family member or other stakeholder. It is important to distinguish between a complaint and service request.

The complaint can be made by a person we support, tenant, family member or other stakeholder who wishes to go through our Complaints Procedure, if they are dissatisfied with the service Outward has provided or we have failed to sort out a problem after it was pointed out initially. A complaint can be made where the service has not met Outward's standards of service. An expression of dissatisfaction requiring our response could include:

- A policy or service that has been unfairly implemented, should not have been applied or is simply wrong.
- Failure to give accurate information.
- Lengthy delays on dealing with queries/reasonable requests and correspondence.
- Unclear or incomplete replies to enquiries.
- Not providing a service to the required standard.
- Breaking appointments, cancelling meetings without informing people we support in advance.
- Being rude/unprofessional in approach.
- Poor maintenance service from our partner registered providers or ourselves.
- A delay in something we have done.
- Not meeting published timescales.
- Where we have failed or refused to do something.
- Where we have provided a poor quality service or made a mistake.
- Giving incorrect or misleading information.
- Sharing personal data without consent, whether intentionally or by mistake

This list is not exhaustive.

If staff are unclear whether a person we support/stakeholder is actually making a complaint, staff should ask the person if they wish to go through the Complaints Process. Where applicable this can be done using the Accessible Format (Complaints Booklet Easy Read), see **appendix 1**.

### **3.2 Complaints which are exceptions to this procedure and will be dealt with via other procedures**

- Complaints against an individual member of staff by another staff member; must be dealt with through other channels, such as Supervision, Disciplinary and the Grievance Procedure.
- Complaints about the level of variable service charges that tenants pay will be dealt with through the Service Charge Appeals Process (see service charge procedure) and will not be dealt with as a standard complaint. Note: complaints about a service provided which is being paid for by a service charge will be dealt with as a standard complaint.

- Complaints that relate to abuse allegations will be logged under the Safeguarding Procedure or Child Protection Policy. The Quality team will keep a central record and monitor all potential abuse cases.
- Previously complained about issues. If a matter has already been through the complaints process, this would not normally be accepted as a new complaint. A detailed explanation should be provided to the resident setting out the reasons why the matter is not suitable for the complaints process.
- A resident has the right to challenge this decision by bringing their complaint to the Ombudsman. Where the service complained about has not yet been rectified, e.g. a repair then it would be appropriate to log a new complaint, closing the old one if it had exhausted the complaints process, making it clear the dates each complaint covers.
- Complaints from people we support or tenants about the actions of other people we support or tenants. These should be dealt with locally at the service and not logged centrally, unless the person we support is complaining about Outward's action or omission to act in relation to issues concerning another person we support or tenant e.g. Anti-Social behavior not being addressed. Complaints about ASB will be dealt with via the ASB policy and procedure.
- Complaints relating to a landlords repairs service will be dealt with following the individual landlord's complaints process.

### **3.2.1 Third Party Complaints**

On occasion, a complaint may not be about Outward but may be about a repair or service that a Registered Provider (RP) is responsible for. These complaints would go through the RP's own complaints procedure and Outward's staff should monitor the response and outcome providing support and assistance to the people we support if required. In this instance Outward staff should also be working with the RP offering assistance, where appropriate, to achieve a satisfactory outcome. If having exhausted the RP's procedure the person we support is still dissatisfied, they would have the right of appeal to the Housing Ombudsman.

The Ombudsman will not accept complaints that:

- Have not been brought to the Ombudsman's attention within 12 months after they have exhausted the member's complaints procedure.
- Have not been brought to the attention of the RP as a formal complaint within a reasonable period, which would normally be within 12 months of the matters which gave rise to the complaint;

The Housing Ombudsman Service address is:

Housing Ombudsman Service

PO Box 152 Liverpool

L33 7WQ

Telephone: **0300 111 3000** (lines are open Monday to Friday from 9:15 to 17:15)

Email: [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)

Outward is not a member of the Housing Ombudsman, therefore where Outward has exhausted its own complaints processes in relation to housing related complaints for Newlon tenants, the details of these complaints should be passed to the Newlon service improvement team along with all correspondence and notes held by Outward. The head of service improvement will review the complaint with the housing services director before advising the customer of the outcome.

A complaint could also be against an organisation that Outward subcontracts, this may include ground maintenance, cleaning contractors, white goods maintenance and so on. In this instance, the complaint should be dealt with by following the complaints procedure of the subcontractor. If the individual is still dissatisfied with the outcome then the complaint should come back to Outward and be dealt with under the 2<sup>nd</sup> stage of this procedure.

If the complaint relates to someone we employ (i.e. cleaning company), we will take the complaint through our complaints procedure.

In all cases, it remains a responsibility of Outward staff to assist the complainant to achieve a positive outcome as a result of their complaint.

### **3.2.2. Anonymous Complaints**

We will not deal with a complaint where it is received from an anonymous source. In these cases, the Quality Team will use their best endeavours to identify the source of the complaint and talk to the individual about support to make a complaint. Where the complaint is deemed to be a 'whistle-blowing' concern this will be passed to HR and dealt with confidentially under the Whistle-Blowing Policy.

### **3.2.3 Fair Policy**

Outward will not discriminate against or penalise any person we support who makes a complaint. Where complaints have been knowingly, falsely or maliciously made, specific guidance may be agreed with the particular individual and agencies involved to protect their interests and that of the organisation and the staff providing them with services. In exceptional cases individuals may be refused services in future.

### **3.2.4 Managing Unacceptable Behaviour from Complainants**

It is important to recognise the difference between a resident's frustration with a poor service, and where they are asking Outward to remedy the matter, and when a resident's behaviour may be unacceptable. Where the behaviour of a complainant is unacceptable or aggressive, it is important that the officer managing the complaint ensures that the

complainant's issues are addressed and this must be at the forefront of the officer's mind when handling the complaint. However, where the behaviour is unacceptable then these guidelines should be followed.

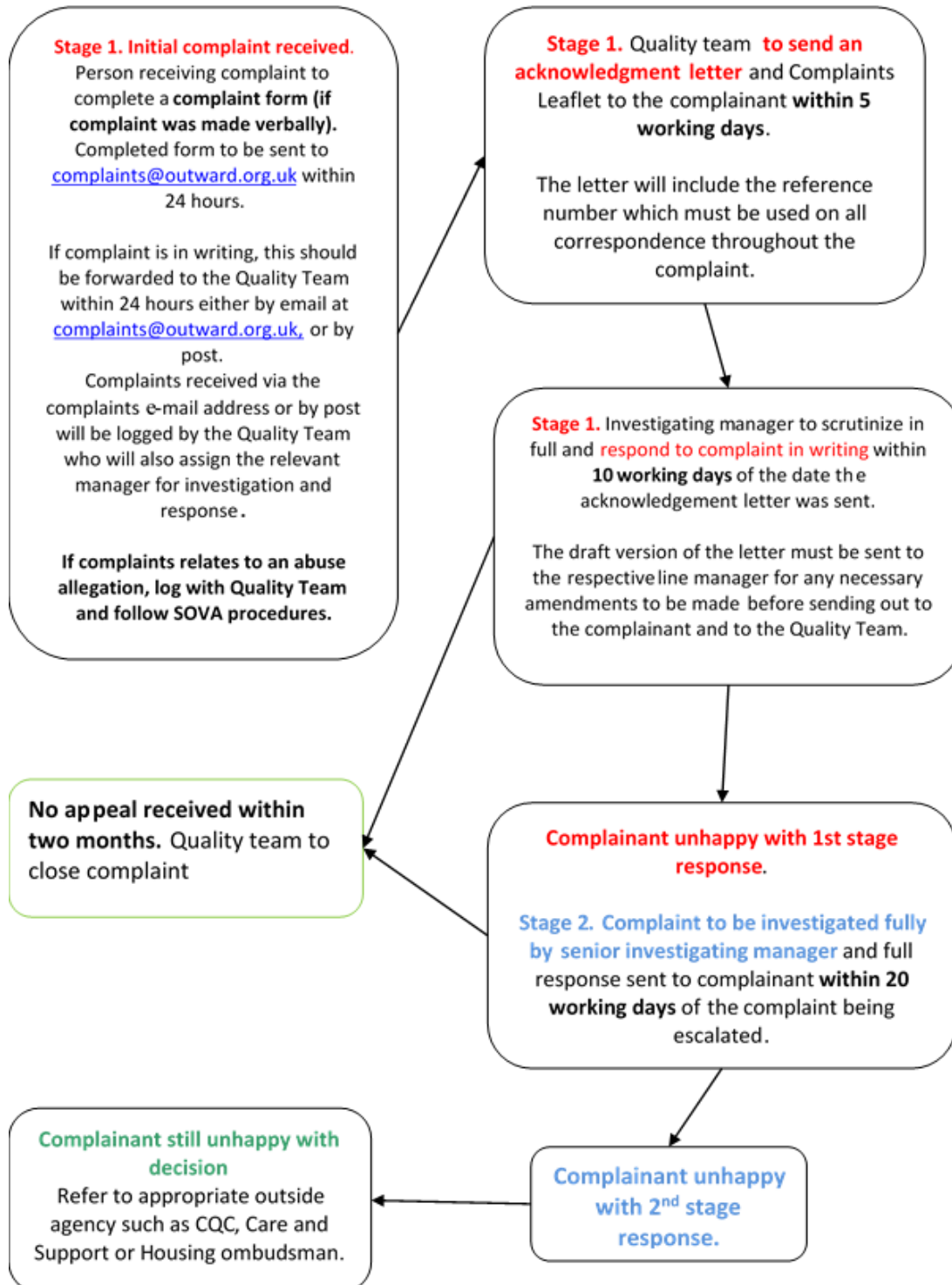
Examples of unacceptable behaviour are:

- Continual/excessive telephone calls/e-mails/letters which are disproportionate to the issue being raised.
- Persistent refusal to accept a decision made by Outward and continually returning to Outward, without presenting any new information.
- Persistent refusal to accept which services Outward can and cannot provide.
- Repeatedly changing the substance of the complaint or raising unrelated concerns.
- Asking for responses within an unrealistic timescale, which are disproportionate to the issue being raised.
- Insisting on communicating with a particular staff member (who are not responsible for areas of queries).
- Use of derogatory remarks and rudeness (in email, writing or verbally).

All of these may be considered unacceptable and unreasonable if they start to impact substantially on Outwards employees' work and wellbeing, and therefore other residents will be disadvantaged as the employee has less time to deal with their enquiries. Where a complainant's behaviour is unacceptable, the employee dealing with the complaint should discuss with their manager and consider whether the Dealing with Aggressive and Unacceptable Behaviour policy applies and follow the guidance outlined within it. This can involve restricting the person's contact with our office, whilst still allowing a specified means to communicate with Outward and a means of ensuring that the issues raised in the complaint can be addressed.

### 3.3 Process for Dealing with a Complaint

#### Complaints Process Flowchart





### **3.3.1 Step 1 – Receiving the Initial Complaint**

A person we support, tenant, family member or stakeholder can make a complaint in the following ways:

- E-mail [complaints@outward.org.uk](mailto:complaints@outward.org.uk)
- Complete the online form on our website ([www.outward.org.uk](http://www.outward.org.uk))
- Write a letter of complaint/complete complaints form (**appendix 2**)
- Speak to an Outward member of staff in person or over the phone. **020 8980 7101 (Monday – Friday: 09:00 – 17:00)**

When a complaint is received verbally, the member of staff listening to the complaint should record the complaint on a Complaints Form (**appendix 2**). This should be sent directly to [complaints@outward.org.uk](mailto:complaints@outward.org.uk) within 24 hours.

Any complaints received by e-mail must also be sent to [complaints@outward.org.uk](mailto:complaints@outward.org.uk) within 24 hours. Or by post addressed to: Quality Team, Outward, Newlon House 4 Daneland Walk, Hale Village, Tottenham Hale, London, E17 9FE.

Any complaints received through the [complaints@outward.org.uk](mailto:complaints@outward.org.uk) e-mail or by post will be received by the Quality Team who will log the complaint and collaborate with the relevant director to assign a manager to investigate the complaint within two working days.

All complaints must be sent to [complaints@outward.org.uk](mailto:complaints@outward.org.uk) within **24 hours** of being received and must be logged before any responses are sent.

### **3.3.2 Step 2 - Logging complaints and allocating an investigation manager**

Complaints are logged centrally by the Quality Team who provide a reference number to the respondent. This must be used on all correspondence to the complainant. The Quality Team will track the progress of all complaints and monitor if the responses are within timescale.

Once the Quality team has logged the complaint, they may need to request the relevant director to refer an available manager or senior manager to investigate the complaint within two working days.

- If the complaint relates to service delivery, one of the available managers from the relevant service or department will be assigned by the Quality team, unless the complaint involves the service/department's management team. In such cases, Quality will appoint a suitable manager from another team.

- If the complaint concerns staff actions/ inactions that have the potential for disciplinary action, an appropriate manager assign to the case and HR team is informed accordingly.

The respondent must follow the complaints process and must seek guidance from the Quality Team to ensure they have met all relevant standards where they have not been through the process previously.

If it is felt the complaint could result in potential litigation or an insurance case is likely, directors and senior managers must be informed.

### **3.3.3 Step 3 - Acknowledgement (Stage 1)**

Having received the complaint, the Quality Team will send an acknowledgment letter to the complainant from [complaints@outward.org.uk](mailto:complaints@outward.org.uk) and cc in the assigned Investigation Manager **within five working days** from the date the complaint was originally received by the Quality team.

The acknowledgment letter (**appendix 3**) will include, as a minimum, essential information:

- Complaint Reference Number (provided by the Quality Team)
- Recognition of the nature of the complaint
- The name and contact details of the person investigating the complaint
- Date by which a full response will be sent
- An enclosed policy leaflet with the letter (**Appendix 4**)

### **3.3.4 Step 4 - Investigating and Responding to the Complaint in Full (Stage 1)**

When investigating a complaint, the manager should keep records of the investigation (e-mails / meeting minutes etc.), together with the complaint and ensure that they are addressing all issues referenced in the original complaint. These records may be required should a complaint escalate to a second stage complaint.

A Full Response to the complaint must be sent within **10 working days** from the date the acknowledgment letter was sent out.

Support coordinators and senior support workers should not be involved in responding to complaints, however, they can assist the respondent (investigating manager) in gathering information if appropriate and needed.

In some cases, the complainant may withdraw their complaint during the investigation or leave the Outward service. In these instances, the investigation must continue to ensure that no wrongdoing occurred. The investigating manager must also ensure that any concerns are addressed.

### **3.3.5 Step 5 - The Full Response Letter (Stage 1)**

Before completing a full response to a complaint, the person responding should first check this policy and read **Appendix 5** - Guide for Responding to Complaints.

The response should be in the form of a letter (unless expressly asked for an email response and should include:

- An apology for any service failure.
- List of the issues with clearly stated outcome (i.e. was the complaint upheld or not upheld).
- What action has been or will be taken to rectify the complaint and when this will happen.
- Any lessons learnt and actions taken.
- Advice for the complainant of the Complaints Appeal Procedure.

A Full Complaint example response letter can be found as **Appendix 6**.

The draft version of the letter must be sent to the line manager and Quality for any necessary amendments to be made and this should be done within the 10 working day response time. It is important that once completed, the investigating manager or their line manager sends a PDF copy of the final Full Response to the Quality team confirming this is the final version.

In some circumstances for complaints against Housing Services compensation is a payment made to a complainant following a failure in service delivery. Where a contractor has contributed/caused the delay, such as failed appointments, the compensation due to the resident in accordance with the policy will be sought from the contractor. The Housing team will carefully consider whether and how a complainant has been adversely affected by the actions or omissions in the handling of their complaint.

Assessing compensation factors Outward may take into account when deciding the overall amount include:

- The duration of any avoidable distress or inconvenience.
- The seriousness of any other unfair impact.
- Actions by the complainant or the landlord which either mitigated or contributed to actual financial loss, distress, inconvenience or unfair impact.
- The level of rent or service charges.

### **3.3.6 Step 6 - Holding Letter (only in exceptional circumstances) (Stage 1)**

If the manager responding cannot meet the date originally given for the Full Response letter, they need to send a **Holding Letter** explaining the delay and giving a new date to

respond. This must only be done for valid reasons relating to the complaint (e.g. a staff member who needs to be consulted with is on leave) and the extended date for sending the response should be no more than a further **ten working days** maximum. Only in exceptional circumstances can this timescale be extended (i.e. if the respondent is waiting for a decision from an external party). All requests for a time extension must be presented to the Quality Team within the initial timescale and the team will decide if an extension can be given. A template for a holding letter can be found as **appendix 7**.

### **3.4 The Appeal Process (Stage 2)**

Complainants have two months to appeal the response to their complaint. If they fail to do so within this specified period the complaint will be closed.

If a complainant wishes to appeal to the next stage of the Complaints Procedure within two months, they need to clearly state why they want to progress to the next stage, what they are unhappy about and what they want done to put the matter right. If the Complainant has not done this, but stated they want to go to the next stage, the Quality Team will contact the complainant requesting that they provide this information.

#### **3.4.1 Responding to Appeal - Stage 2**

An appropriate member of staff will be assigned to be the investigating manager and investigate any Stage 2 complaints. Dependent on the seriousness of the issue this will be a manager in a role more senior to that of the manager who investigated the initial complaint, for example Area Manager or Director.

The investigation of second stage complaint must be completed within 20 working days of the complaint being escalated after the first stage. This timeframe includes the preparation of both initial and full response letters. All correspondence must also be sent to the Quality Team for logging on the central complaints database and quality checking.

The response should be in the form of a letter (unless expressly asked for an email response and should include:

- An apology for the dissatisfaction of the first stage's outcome.
- List of the appealed issues with clearly stated outcome (i.e. was the complaint upheld or not upheld).
- What action has been or will be taken to rectify the complaint and when this will happen.
- Any lessons learnt and actions taken.
- Advice for the complainant in the regulatory body's appeal process. (e.g. Housing Ombudsman, Social Care Ombudsman).

A template for a Second stage full response letter is found as **appendix 8**.

### **3.5 Closing Complaints**

The Quality Team closes each complaint once a period of two calendar months has passed from the date of the Full Response, unless an appeal has been lodged by the complainant, in which case the complaint stated as pending.

### **3.6 Record Keeping**

Each service will keep an electronic complaints folder on the server containing all relevant correspondence and records pertaining to individual complaints received by the service. These records will be kept in accordance with Outward's Data Protection Policy. The information will be kept in the designated electronic service manager's folder for confidential complaints file. Also, a central file containing the same documents relating to individual complaints will be kept by the Quality team named by the designated reference number.

A hard copy complaints folder is no longer required as this minimises the risk of confidentiality being breached. However, people we support should be asked if they wish to have a copy on their personal file which should be placed in the confidential section.

If a service is required to provide information on complaints received for example at an audit, this can be requested to the quality team who holds a central database for all complaints received.

## **4. Compliments**

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A compliment or comment can be submitted directly by the individual making the compliment or comment, or by a member of staff or associate, acting on behalf of/or involved with the individual. This should be documented; it can be a letter, card or email they have submitted. The compliment or comments can be submitted to Outward in the following ways:

- Send scanned copies of letters or forward emails to [quality@outward.org.uk](mailto:quality@outward.org.uk)
- email the compliment or comment directly to [quality@outward.org.uk](mailto:quality@outward.org.uk)

It is important to check with the individual submitting the compliment or comment if they agree for Outward to use the comment or compliment for promotional purposes. Outward will ensure personal data is not disclosed to a third party.

If a compliment or comment is received, the manager responsible for that area should ensure that it is shared with:

- The team or individual
- Line manager

- Quality team via [quality@outward.org.uk](mailto:quality@outward.org.uk) so that it can be shared with senior staff and the board.

### **3.8 Information required for compliments**

The details that are needed to ensure they are valid and can be traced for auditing purposes are:

- Name
- Contact details (address/email/phone)
- Relationship i.e. customer, customer's representative, family member, professional etc.
- Please state if professional: i.e. Care manager, neighbor, dentist, speech and language therapist etc.
- Date the compliment or comment was made
- Description of the compliment or comment - Brief summary
- If comment what do they want to happen? Outcome?
- Agreement for Outward to share this compliment or comment: Yes or No

## **5. Performance Monitoring**

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Performance in meeting timeframes for responses will be reported on a Performance Indicator report on a monthly basis. These reports will be reviewed at OPR Meetings.

An annual review of all complaints during the previous 12 months will be reviewed by the Outward Board each year. The report will include performance around meeting complaints response timeframes, categories of complaints, any trends or indicators of concern and lessons learned and changes implemented as the result of complaints.

As part of this annual review going forward Outward will carry out an annual assessment against the Housing Ombudsmen complaints handling code to ensure complaint handling remains in line with its requirements. Non-compliance could result in the Ombudsman issuing complaint handling failure orders.

### **Learning from complaints:**

Both at the monthly complaints review at OPR meeting and the annual report the focus will be upon learning lessons from complaints to ensure they do not happen again or to mitigate from similar issues occurring in other services. Therefore outcomes from complaints or any common themes will be shared in reports, managers briefings and managers forums to share learning across the organisation.

The people we support committee will also review a summary of complaints and our actions in response at least once per year.

## **6. Implementation of the Policy**

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All people we support and tenants who are new to Outward will receive an Outward handbook, which includes a summary of the complaints process. An easy read version has been designed for people with learning disabilities.

The induction program for new staff will cover the complaints policy. Training for managers on how to respond appropriately to complaints is also available.

## 7. References/Further Reading

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- <https://www.cqc.org.uk/contact-us/how-complain/complain-about-service-or-provider>
- <https://www.cqc.org.uk/contact-us/how-complain/complain-about-adult-social-care-service>
- [Residents | Social housing | Housing Ombudsman Service \(housing-ombudsman.org.uk\)](https://www.housing-ombudsman.org.uk/residents-social-housing)

## 8. Appendices

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- AP1 Complaints Booklet Easy Read
- AP2 Complaints Form
- AP3 Stage 1 Initial Response Letter
- AP4 Complaints Leaflet
- AP5 Guide for Responding To Complaints
- AP6 Stage 1 Full Response Letter
- AP7 Holding Letter
- AP8 Stage 2 Full Response Letter

## 9. General Data Protection Regulations Statement

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Outward is committed to compliance with the General Data Protection Regulations and the Data Protection Act 2018. It requires all staff and partners to respect confidentiality and data subjects' rights in line with its policies and procedures.

To ensure compliance with the Regulations staff must ensure that any personal information digitally produced or processed as part of these procedures is appropriately filed within an approved relevant filing system with role-based access control. Whilst processing paper documents, including those from third parties, these documents must be stored in secure lockable cabinets. Records will be kept for as long as they are needed to meet the operational needs of Outward, together with legal and regulatory requirements. Where there is a deviation from this principle, the reasons for this must be recorded.

A detailed breakdown of retention and deletion of records can be found in Outward's Record Management and Retention Policy. When disposing of documents containing personal data this should be done via confidential waste.

Please refer to Outward's Data Protection Policy and Procedure for more information.