

Complaints and Compensation Policy

1. This policy sets out how we will deal with complaints by aiming to resolve problems quickly, consistently and fairly for our customers. It also explains our approach to compensation and goodwill gestures. The policy applies to all our customers, including anyone who receives a service provided by us (including Guinness Care), and covers actions by all Guinness employees including contractors, sub-contractors and agents and volunteers.

The Guinness Policy

2. Our policy is that:
 - we want to hear from our customers when they feel dissatisfied about their home or a service provided by Guinness or any contractor or agent acting on our behalf. We will make it easy for our customers to tell us their concerns in the way that is most convenient to them;
 - we welcome complaints because they are really important to us. We want to take the opportunity to fix an immediate problem, rebuild our relations with customers, learn from this and improve our services. We will always try to resolve a customer's complaint;
 - we may offer a gesture of goodwill 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.

Background

3. The policy supports our commitment to provide great customer service and meet our legal and regulatory requirements (in particular our obligations under the Social Housing Regulator's regulatory standards and as members of the Housing Ombudsman Scheme.)

Further detail

4. We welcome complaints made to us through all routes, including raised with employees over the phone or face-to-face, by way of written letters or emails, using the internet and social media, or by advocates or other people who are authorised to act on a customer's behalf.
5. Sometimes we will be told about something that is actually a request for service and not a complaint. When this happens we will make sure the customer understands this and we will seek to resolve the request quickly and effectively. In all cases, if the customer specifically asks for the issue raised to be treated as a complaint, then we will accept this and investigate their issue as a complaint.

Effective communication

6. We will view 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. We will comply with the Regulator's Tenant Involvement and Empowerment standard. By listening, not assuming, we will find out what the customer would like to happen in order to inform resolution of the issue and putting things right.

Compliance

7. When investigating a complaint and providing a resolution, we will abide by the law and relevant regulatory standards, and take into account Guinness's policies and service standards. We aim to only make promises we know we can keep. If resolving the complaint to the customer's satisfaction would require us to depart from policies and service standards, we will do so if the solution is agreed by the Head of Service or a Director.

Timescales and escalation

8. Unless there are exceptional circumstances, we will only accept and respond to complaints that are made within six months of the event to which the complaint relates. Similarly, we will only review a closed complaint within six months of the closure.
9. We aim to resolve all complaints within ten working days of receiving them. This is the first stage of our process. We will discuss the complaint with the customer to try and agree an effective solution. We will keep customers informed at regular intervals about what we are doing to fix the problem. If the customers are dissatisfied with the proposed solution, they can move to the second stage where a manager who has not previously been involved in the complaint will complete a review within a further ten working days. Normally, we will only conduct a review of a complaint within six months of the complaint being received.
10. When we have exhausted both stages of our internal complaints process, if we are unable to resolve the issue to the customer's satisfaction, we will explain all the other options available to the customer. This includes seeking advice from a "designated person", such as an MP or local councillor, or referring the matter directly to the Housing Ombudsman which, according to the Housing Ombudsman's protocols, can be done after eight weeks have lapsed since exhausting the Guinness complaints process.

Compensation and goodwill

11. We know how important it is to be honest and say sorry when we get things wrong. We also know we should let our customers know how we plan to put things right and we will always do so.
12. Sometimes this may involve a goodwill gesture or compensation. A goodwill gesture may be given where we agree we should have provided a better customer experience and we decide an apology alone would not be proportionate. Goodwill gestures are different to compensation payments. Those payments are used to recompense customers for actual evidenced loss or expenses incurred as a consequence of our actions or inactions. We will not pay compensation if something has gone wrong but it is not our fault. However we will always carry out repairs to remedy any situation where it is our responsibility to do so.

When we will not investigate a complaint

13. We recognise that sometimes our service failures will upset customers and they may be angry, frustrated or upset. Our employees are trained and supported to deal with customers who are angry, frustrated or upset. If a customer behaves in a way which could be considered abusive, or harassment occurs, and an employee does not feel comfortable continuing to deal with that customer, we regret that we will not be able to investigate the complaint. Where this is the case, it will be subject to the approval of the manager of the person handing the complaint. This will be very rare. If this does happen we will explain the decision and the implications in writing.

Reporting performance

14. We will report on performance and trends and meet the regulatory requirement to publish information about complaints each year. We may ask customers who have complained for their views on how we handled their complaint and how we could improve our service.

Compliments

15. We take pride where we succeed in delivering an amazing service and we welcome the compliments customers share with us. We know how powerful positive feedback can be so we endeavour to use this to improve our service and recognise our employees.

Data protection

16. We will inform customers when they make a complaint, or as soon as possible thereafter, why we are collecting any information about them and what will happen to that information.

Regulated care

17. If someone is concerned with the way we have delivered a personal care service their complaint is treated in a specific way which is different from other customer complaints. Our regulated care services have different timescales for complaints. We expect these to take up to 28 days to be investigated fully. This timescale is based on regulatory guidance published by the Care Quality Commission (CQC).
18. For regulated care services we will always inform customers that their complaint can be referred to the local authority and/or the Local Government Ombudsman at any time. The CQC can also be contacted if there are concerns about our regulated care services.
19. Guinness Care will not pay compensation unless the reason for compensation has been discussed and agreed at Executive Team level. This reflects the likelihood that a complaint involving compensation will be highly complex.

Period of review

20. Our review programme is driven by service improvement initiatives, changes to legislation, regulation, evolving good practice or feedback from customers and other key stakeholders. Typically we review policies on a three yearly cycle.

Key legal and regulatory references

- The Localism Act 2011
- The Housing Ombudsman Scheme 2013
- The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014
- Care Quality Commission guidance for providers on meeting the regulations 2015
- The Homes and Communities Agency Regulatory Standards 2017.

Related policies

- Data Protection policy.

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Policy approved by	Sarah Thomas, Executive Director of Customer Services, following consideration at Executive Team
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Policy review date	November 2020
Equality analysis completion date	September 2017
Policy author	Helen Hatton, Housing Policy Officer
Policy owner	Sarah Thomas, Executive Director of Customer Services

Version history		
Version number	Review trigger	Brief description of the main changes
2.0	Approval of a single process for complaints across Guinness following the merger with Wulvern.	The changes reflect the alignment of the complaints service following the merger with Wulvern, in particular the decision to adopt, in Cheshire, the two stage process already in operation across Guinness. This version also provides clarity about what happens to complaints that are not resolved within 10 working days.

Annex 1: Definitions

Term	Description
Compensation	A payment designed to recompense the customer for actual evidenced expenses or losses incurred as a result of our actions or inactions. A compensation payment will not be more than the evidenced amount of the loss or expense and may be offset against any money which is owed to Guinness by the customer.
Complaint	A customer's expression of dissatisfaction with Guinness's service or the way in which we behaved or dealt with an issue.
Compliment	A customer's expression of satisfaction with Guinness's service and/or a Guinness employee providing the service.
Designated person	<p>Customers can ask for their complaint to be considered by a designated person when our internal complaints process is finished. Designated persons can help to resolve complaints locally and can be:</p> <ul style="list-style-type: none"> • The customer's local MP; or • The customer's local councillor. <p>A customer can ask their designated person to refer their complaint to the Housing Ombudsman at any time. After eight weeks have lapsed since exhausting Guinness's complaints process, in line with the Housing Ombudsman's protocols, a customer can go directly to the Housing Ombudsman.</p>
Goodwill gesture	A payment or other gift that is made to the customer by way of apology when we feel we could have delivered a better customer experience. This is not a payment for loss of service or for an expense.
Service failure	When we have not delivered a service we are responsible for in the way we should.