Complaints Policy

1.0 Introduction

Customer service is a key part of One Manchester's business and the aim is to provide excellent quality services for customers at all times.

However, One Manchester understands that, on occasions, customers may not be satisfied with the level of service they have received and acknowledges that complaints will sometimes be made. The key is to see any complaint as a source of feedback and to use any complaint as a way of understanding what residents really want and feel about the services provided and how to use this information to improve those services.

2.0 Purpose

To provide a fair and equitable framework within which anyone who has experienced dissatisfaction with One Manchester's services can raise their concerns. Outcomes of complaints will be monitored to improve services and where possible to prevent a recurrence of the factors that gave rise to the complaint.

3.0 Scope

The policy applies to all groups of staff and anyone using One Manchester's services or their representative. A complaint is an expression of dissatisfaction, however made, by a customer or their representative about action or lack of action, or about the standard of a service received affecting an individual resident or group of residents. This applies whether the action was taken by One Manchester itself or those acting on our behalf. It also includes a complaint about performance against the regulatory standards.

Matters that are not considered as complaints under this policy are:

- an initial request for service, information or an explanation of how a decision has been made or where you are telling us about a problem for the very first time (unless that relates to staff behaviour)
- anti-social behaviour unless the complaint refers to our failure to deal with the matter appropriately
- disputes against the amount of rent or service charge being charged
- a claim for damages or personal injury which will be dealt with as an insurance claim
- matters where legal proceedings have been started or concluded
- matters relating solely to services or decisions outside of our control
- attempts to reopen or reconsider complaints where we have provided our final decision
- demoted tenancy appeals
- where we have special arrangements in place with a customer, in line with our Unacceptable Actions and Behaviour Policy
- complaints which are being pursued in an unreasonable manner including frivolous or vexatious complaints – see Appendix A
- temporary business or service closures/outages (including digital services) due to unforeseen circumstances or logistical reasons or any other force majeure event that impacts service delivery
- where the issue took place more than six months ago (however discretion can be applied where there is a valid reason for the delay)

There may be other circumstances where it is not appropriate to follow this complaints policy. In such circumstances we will write to customers explaining why the complaint cannot be considered under this policy but signposting them to the most appropriate service or team to help.

We will deal with anonymous complaints where they involve individual or public safety, alleged corruption, some waste issues or other impropriety and where we have sufficient information to allow an investigation to proceed.

Complaints made directly to the Executive Team, including the Chief Executive Officer, will be passed to the most appropriate member of staff and dealt with in accordance with this policy.

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To make a complaint, customers must provide the information in section 12.

Complaints made about the service of our One Money Team are subject to different rules – see section 8.

4.0 The Policy

We will fully investigate all complaints made about our services and staff. As we want our complaints process to be easy and accessible, complaints can be made in any way (e.g. social media/email/text/telephone/in person/in writing and through a representative or advocate where consent has been provided). If a customer is struggling to make their complaint and would like some help to do so we can offer extra support and guidance. We will also make other reasonable adjustments to enable a customer to fully access the complaints process. The contact methods in section 12 can be used to discuss any support/reasonable adjustment requirements.

One Manchester's complaints policy is based on the following principles:

- the prompt identification of what if anything went wrong and quick action to put it right
- complaints will be dealt with courteously, systematically, fairly, reasonably and consistently
- a positive approach will be taken to receiving complaints
- we will learn from mistakes or services failures to improve services, processes and systems
- complaints will be dealt with in confidence
- complaints will be acknowledged, recorded and monitored
- multiple complaints may be responded to collectively
- complainants will be kept informed of progress at each stage
- complainants will be informed of their rights to redress at each stage
- an apology will be always be given for any service failures
- fair and proportionate remedies will be considered and offered as appropriate
- all staff handling complaints will receive appropriate training

5.0 Process

We aim to resolve customer complaints promptly and our timescales are explained further in this policy under the relevant headings. Sometimes it may not be possible to respond fully to a complaint within these timescales but we will always keep complainants informed of any delays and advise them when a response can be expected.

Our complaints process provides two opportunities to resolve complaints internally: 'Stage 1' and 'Stage 2'.

'Stage 1'
Stage 1 'Put It Right' aims to quickly resolve straightforward complaints that require little or no investigation. Any colleague may deal with a complaint at this stage. The main principle is to seek quick resolution, putting things right at the earliest opportunity. This may involve a Customer Services Advisor resolving the issue or immediately transferring the customer to a colleague to deal directly with the complaint. In either case the complaint can be settled appropriately without further detailed investigation. The complaint will be logged as a stage 1 complaint and a formal stage 1 written (letter/email) response will be sent but no further investigation will be undertaken. The response should be sent within two working days.

If the complaint requires further investigation it will be forwarded to the Complaints Team to log and acknowledge within two working days. The complaint will be allocated to an appropriate manager or Head of Service to conduct a full investigation as a Stage 1 'Investigate It' complaint. This investigation should include contact with the complainant (e.g. by telephone/email or face to face) as a matter of course. This includes providing the complainant with an opportunity to comment on any adverse findings before a final decision is made. A full written formal stage 1 response will be provided within 10 working days from receipt of the complaint.

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'Stage 2'
If a complainant remains unhappy with our response and any proposed actions they can request a formal review of their complaint. In order to move to this 'Review It' stage they must explain how they meet one or more of the criteria below and make their request within one month of our Stage 1 response. The criteria are:

1. All or some of the points raised as part of the complaint have not been investigated or responded to as part of the first stage or where the complainant feels the outcome is wrong
2. All or some of the agreed actions have not been carried out within the specified timescales or carried out to a less than satisfactory standard (note: the one month review request timescale can be extended to 7 working days beyond our final action deadline if that deadline exceeds the one month period)
3. One Manchester failed to respond to the complaint within the published timescales as set out in this policy including any notified additional time

The review request must also include the specific details as to what outcome the complainant would like from the review process.

The review request will be handled by our Complaints Team who will consider whether the request qualifies to move to the 'Review It' stage. Where an issue can quickly be resolved or further clarified without the need for a full review that is the approach we will take. If the 'Review It' request is rejected we will write to the complainant within seven working days of the request providing an explanation of our decision. This will be the final response from One Manchester and the end of our internal complaints process. If the 'Review It' request is accepted we will contact the complainant within five working days, offering a face to face/virtual meeting/telephone call with a Head of Service (where the stage 1 was responded to by a manager other than Head of Service) or an Executive Director from an unrelated service area. This is a further opportunity for the complainant to set out their position. Alternatively, the Head of Service/Director will just consider a written appeal/previous correspondence. Their role is to review the complaint and 'Stage 1' response, reconsider the decision made, consider the outcome the complainant is seeking and determine whether One Manchester followed this policy and process when handling the complaint. They may request the attendance of the relevant 'Stage 1' responding manager (at a different time to the complainant) to clarify any points in their original response. The 'Review It' stage response will be provided within 20 working days from the request to escalate. Again, the complainant will be given the opportunity to comment on any adverse findings before a final decision is made. This is the final stage of One Manchester's complaints process.

Remedies
There are a number of remedies One Manchester can consider to put matters right including taking action to restore the complainant to the position they would have been in had there not been a failure in service. We accept that in many cases this will not be possible so we will carefully consider what other actions can be taken to put matters right. These remedies include but are not limited to:

- an apology
- an explanation
- a specific action or correction of an error
- a review of policy and procedure
- additional training for staff
- financial compensation

A customer satisfaction survey will be issued upon closure of the complaint.

6.0 Independent Review

As a consequence of the Localism Act 2011, Registered Providers are required to have in place an independent review process outside of its Governance structures. Following completion of the internal stages, complainants

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can if they wish opt to have their complaint reviewed by a Designated Person such as an MP or Councillor and we will provide details as how to do this and include the contact details of the Housing Ombudsman Service.

7.0 Independent Housing Ombudsman

If the customer is still unhappy with the outcome of the complaint and has exhausted the complaints process and the Independent Review process, they have the right to have their complaint investigated by the Housing Ombudsman. If the complainant wishes to pursue this option the case can be referred via the Designated Person or they can, 8 weeks after our final response, go straight to the Housing Ombudsman without the independent review stage. In any event, we will provide advice on access to the Housing Ombudsman Service at each stage of the complaints process giving the complainant the opportunity to engage with the Ombudsman's dispute support advisors.

8.0 One Money Team - Financial Conduct Authority Complaint Procedure

Our One Money Team is regulated by the Financial Conduct Authority (FCA) which has different rules for dispute resolution and is covered by the Financial Ombudsman Service (FOS).

Our aim is to ensure we offer all our customers an excellent level of service across all areas of our business. If at any time we provide a less than satisfactory service we undertake to do everything reasonable to put it right.

Under the FCA, a complaint is defined as 'any expression of dissatisfaction, whether oral or written, and whether justified or not, from or on behalf of an eligible complainant about the firm's provision of, or failure to provide a financial service'.

To make a complaint, customers must provide the information in section 12.

As in Section 5 above, if we are unable to resolve complaints about the One Money Team informally, a formal complaint acknowledgment letter will be sent within two working days from receipt of the complaint. The complaint will then be fully investigated with a final response being issued within eight weeks of initial receipt. A holding letter will be sent with an explanation if that timescale cannot be achieved. The manager investigating the complaint may contact the complainant to seek additional information or clarification to further establish the facts of the complaint.

If a complaint is upheld, appropriate prompt action will be taken to rectify all mistakes and an apology will be offered in addition to an offer of compensation where appropriate. If a complaint is not upheld, or the complainant remains dissatisfied with the final response, they have the right to complain to the Financial Ombudsman Service within six months of the date of the final response. The FOS's address is:

Financial Ombudsman Service
Exchange Tower
London
E14 9SR

www.financial-ombudsman.org.uk

A copy of the FOS information leaflet 'Want to take your complaint further?' will be sent with One Manchester's final complaint response.

9.0 Compensation

If a customer has incurred any additional expense or financial loss as a result of inaction or a service failure by One Manchester an offer of compensation may be made based on the loss and in line with the Compensation Policy. Evidence of losses will be required in support of this. We recognise that in some instances it may be

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appropriate to offer a discretionary compensation payment for upset or inconvenience when things go wrong. Any discretionary compensation award will be offset against any rent arrears or other debt owing to One Manchester. Any appeals against offers of compensation or rejections of compensation claims made under the compensation policy will be considered as a Stage 2 complaint.

10.0 Method and approach

One Manchester values our customers' views on the way we deliver our services and is committed to using these views to improve our services. In resolving complaints we will work with the customer to achieve a positive outcome wherever possible at the first stage of the process.

One Manchester reserves the right to exclude individuals from the complaints process where individuals abuse the process, such instances of abuse would include but not limited to; submitting excessive complaints that we believe have previously been responded to, unreasonable basis of a complaint that is deemed to be vexatious or malicious. In such instances the Unacceptable Actions and Behaviour Policy will be implemented.

11.0 Equality

One Manchester will ensure that this policy is applied fairly to all our customers. We will not directly or indirectly discriminate against any person or group of people because of their race, religion, gender, marital status, sexual orientation, disability or other grounds set out in our Equality, Diversity and Inclusion Policy. We offer opportunities for complaints to be made in different ways that are convenient or accessible to complainants and we offer help in accessing the process if it is needed. All decisions will be based on evidence and facts so they are free from bias and impartial. All decision letters will clearly set out the reasons for the decision and any further action to be taken.

An Equality Impact Assessment has been carried out on this policy.

12.0 Information needed

Customers must provide the following information when contacting us by any chosen method to make a complaint:

- Their full name and address
- Details of their complaint
- Copies of any correspondence or documents relating to their complaint
- How they wish their complaint to be resolved

Complaints can be sent to:

Complaints Team
Lovell House
Archway 6
Hulme
Manchester
M15 5RN

- delivered to/made in person at various drop-in's across our areas – go to https://www.onemanchester.co.uk/contact-us/contact-information for opening times and accessibility information

- email: complaints@onemanchester.co.uk

- telephone: 0330 355 1000

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13.0 Responsibility

The Board and Chief Executive are responsible for ensuring that this policy complies with legislative requirements.

Managers and other staff involved in complaint resolution are responsible for implementing this policy.

14.0 Monitoring, review and evaluation

Place Committee will monitor performance relating to complaints and quarterly updates will be provided to Scrutiny Panel.

The policy will be reconsidered against any legislative changes annually and reviewed every two years.

15.0 Legislation/Regulation

Equality Act 2010
Landlord and Tenant Act 1985
General Data Protection Regulations 2016
Tenant Involvement and Empowerment Standard
The Housing Ombudsman's Complaint Handling Code

16.0 Associated Policies

Unacceptable Actions and Behaviour Policy
Compensation Policy
Anti-Social Behaviour and Hate Crime Policy
Equality, Diversity and Inclusion Policy
Speak Out Policy
Whistleblowing Policy

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Appendix A

In a minority of cases people pursue their complaints in a way that is unreasonable. They may behave unacceptably or be unreasonably persistent in their contacts and submission of information. For us, unreasonable and unreasonably persistent complaints are those complainants who, because of the nature or frequency of their contacts with One Manchester, hinder our consideration of their or other people's complaints. Some complainants may have justified complaints but may pursue them in inappropriate ways – others may pursue complaints which appear to have no substance or which have already been investigated and determined. Their contacts with us may be amicable but still place heavy demands on staff time, or they may be emotionally charged and distressing for all involved. In such instances – which may include one or two isolated incidents, as well as unreasonably persistent behaviour which is usually a build up of behaviour over a longer period - One Manchester may refuse to register and process further complaints about the same matter and/or instigate its Unacceptable Actions and Behaviour Policy.

We want to deal with complainants in ways that are open, fair and proportionate. A policy-led approach helps staff to understand clearly what is expected of them and what options for action are available to them. A policy that can be shared with complainants if they start to behave unreasonably, can help in managing their expectations and their behaviour, as far as possible, while the substance of their complaint is addressed.

This is not an exhaustive list but these are some examples of the actions and behaviours that we consider unreasonable:

- refusing to specify the grounds of a complaint despite offers of help
- refusing to co-operate with the complaints investigation process while still wishing their complaint to be resolved
- refusing to accept that certain issues are not within the scope of a complaints process
- insisting on the complaint being dealt with in ways which are incompatible with our complaints procedure or with good practice
- making unjustified complaints about staff who are trying to deal with the issues and seeking to have them replaced
- changing the basis of the complaint as the investigation proceeds
- denying or changing statements they made at an earlier stage
- introducing trivial or irrelevant new information at a late stage
- raising many detailed but unimportant questions and insisting they are all answered
- covertly recording meetings or conversations
- submitting falsified documents from themselves or others
- bringing complaints designed to cause disruption or annoyance or lacking any serious purpose or value
- adopting a 'scatter gun' approach: pursuing parallel complaints on the same issue with various organisations
- making excessive demands on the time and resources of staff with lengthy and/or repeated phone calls, emails to numerous staff or detailed letters every few days and expecting immediate responses
- behaviour that appears to be deliberately targeted at one or more members of staff without good cause
- submitting repeat complaints with minor additions/variations the complainant insists make these 'new' complaints which should be put through the full complaints procedure
- refusing to accept decisions; repeatedly arguing points and complaining about the decision with no new evidence
- insisting on pursuing unjustified complaints and/or unrealistic outcomes to legitimate complaints
- behaviour which has a significant and disproportionate adverse effect on our resources
- inappropriate behaviour towards One Manchester staff investigating or involved in the complaint such as inappropriate use of language, aggression or violence

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