

# Customer Feedback and Complaints Procedure

(linked with Customer Feedback and Complaints Policy)



Directorate: Customer Services

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## Introduction

1. Salix Homes is grateful for feedback from our customers. Customer feedback is an opportunity for Salix Homes to improve the delivery of our services based directly on the feedback of our customers. Salix Homes attempts to get things right first time yet we understand that sometimes we do not get things completely right. If do not, we will listen to our customers, understand their point of view, correct mistakes and, where possible, learn from them. Customer compliments let us know when we do a good job and gives us a chance to thank our staff and teams for their good work.

## Related Policies

2. This procedure is directly linked to the Customer feedback and complaints policy, it also linked to the following policies, procedures and databases:
  - Compensation policy
  - Anti-social behaviour, hate crime and domestic abuse policy
  - CRM system
  - Customer portal complaints form
  - Complaints acknowledgement letter
  - Complaint investigation letter
  - Request for review acknowledgement letter
  - Complaint review outcome letter
  - Complex case and misuse of the process form

## What is a complaint?

3. Salix Homes understand that at times our customers may not always be happy with the services they receive from us. Salix Homes defines a complaint as:
  - A complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by Salix Homes, our own staff, or those acting on our behalf, affecting an individual resident, group of residents or another interested party.

### Our resolution process for complaints

4. Salix Homes understands that customers will express that they are unhappy with us in a variety of ways such as:
  - Calling our contact centre
  - Using our website or our customer portal
  - Speaking to any Salix Homes employee
  - Sending us an email
  - Writing us a letter
  - Using social media
  - Visiting our office
5. With every complaint we will:
  - Listen to the customer and understand the reasons for their complaint.
  - Thank the customer for their feedback.
  - Get all the facts.
  - Be clear on what we can and cannot do for the customer – we will never make false promises to a customer.

### Information Gathering

6. The more information that Salix Homes has about our customers and their individual concerns, the better able we are to resolve the matter swiftly and in a manner that results in the highest level of satisfaction for the customer. An officer in receipt of an expression of dissatisfaction should, as a minimum, try to find out the following information:

Customer details:

- Name
- Address
- Contact details

Details of the customer's concern:

- What is the customer unhappy about?
- What action have we taken so far to try and resolve the issue?
- Which other officers have been involved with the matter so far?
- What resolution is the complainant seeking?

7. The officer should keep a record of the information gathered, as it will be needed for tackling the next stage of the process.

### Resolving the complaint at 'point of call'

8. We will always try to resolve a complaint at the first point of contact, using our normal working practices and staff dealing with complaints will:
  - Deal with the customers concern immediately where possible.

- Take responsibility for the customers concerns.
  - Be sympathetic.
  - Listen to the complaint and understand.
  - Take ownership.
  - Let the customer know what we will do, when they should expect it to be done and if there is a delay for any reason and the reason for the delay.
9. Actions that staff may take to resolve a complaint at 'point of call' can be as follows:
- Schedule a repairs appointment.
  - Pass on readily available information (e.g. dates for meetings / updates on account balances).
  - Explaining a misunderstanding, for example where there has been a lack of or unclear communication
10. Resolution for complaints at 'point of call' are not limited to the above actions and the member of staff may choose to consider other resolutions within their abilities at the time.
11. Salix Homes understands that some complaints require further referral. For cases such as this the member of staff will ensure that the customers dissatisfaction is passed to the relevant department in a clear manner, outlining that a complaint has been received that could be resolved 'at point of call' by another department. The complaint will be recorded using our electronic recording system, CRM as a 'dissatisfaction of service' against the relevant case type for the complaint.
12. Salix Homes recognises that every customer interaction of this kind represents an opportunity for Salix Homes to get crucial feedback on the customer experience and act on it. Salix Homes will record all expressions of dissatisfaction, including those that have been resolved, using our electronic recording system CRM and we will run regular reports from the system to identify if there are any patterns to customer dissatisfaction and if there is anything that we can address to make our customers happier.

## Complaints received through social media

13. Any complaints that are received through social media will be passed to the complaints support officers by the Marketing and Communications Team. These complaints will then be addressed in line with this procedure.

## Compensation

14. Salix Homes recognises that there are occasions where financial compensation is an appropriate resolution for a customer complaint. See the compensation policy for further information.

### Formal Complaints

15. There are times when our attempts to resolve complaints at 'point of call' are not sufficient to address the customer's concerns and it is necessary to investigate these using our formal complaints process.
16. A formal complaint can occur when:
  - **Customer initiates the complaints process**

This happens when the customer expressly asks for their complaint to be entered into the formal complaints process or when a customer has asked for a service that they have received to be investigated by a senior member of staff. The member of staff in receipt of the complaint may decide that resolving the complaint at point of call is not appropriate and that they will enter the complaint into the formal complaints process.
  - **A designated person initiates the complaints process on behalf of a customer**

Salix Homes recognises that a representative of a customer may initiate the complaints process on behalf of the customer. In cases such as this, Salix Homes will always attempt to liaise directly with the customer and not the designated person. Salix Homes recognises that there may be cases where this is not appropriate and will liaise directly with the designated person. The complaints support officers will attempt to obtain approval from the customer for Salix Homes to liaise with the designated person.
  - **Salix Homes initiates the complaints process**

Salix Homes may use the complaints process to reach a resolution with a customer in relation to an ongoing customer concern. In cases such as this, the member of staff or their line manager will approach the customer and advise them that they are considering resolving the concern using Salix Homes complaints process and if the customer agrees to this then they will advise the complaints support officers as soon as practicable. The date the complaint is received is the date that agreement is received from the customer.
  - **An internal member of staff initiates the complaints process (internal trigger)**

A member of staff may feel that a customer concern is not being dealt with properly and they can approach the complaints support officers to trigger the complaints process on behalf of the customer. A complaints support officer will then approach the customer to agree that their concern will be entered into the formal complaints process. The internal trigger will be treated in confidence and the investigating manager will be advised that the complaint is a result of the internal trigger but not of the member of staff who triggered the process.

### Consideration of complaints by the complaints support officers

17. When the complaints support officers receive a complaint directly, they will consider the complaint and whether it would be appropriate to try to resolve it at 'point of call'. If they find that the customer would be satisfied if their complaint was dealt with at 'point of call' the complaints support officers will advise the relevant department of the

complaint and ask them to take steps to resolve the complaint and feedback to the complaints support officers accordingly. If the complaint cannot be resolved at 'point of call' within 1 working day of the receipt of the complaint the complaint will be treated as a formal complaint and investigated accordingly. In this case, the receipt date of the complaint will be treated as the date that the complaint was received by the complaints support officer.

### What is not a complaint?

18. Salix Homes does not treat the following as a complaint:

- A comment or series of comments, where the customer is making a suggestion about how we may improve or maintain our service. The relevant manager will consider these.
- A question or series of questions, where a customer is requesting information about a service we provide.
- A service request, where the customer is letting us know about a particular issue for the first time, for example reporting a repair or an incident of Anti-social behaviour or making a request for compensation.
- MP enquiries – When local councillors and MP's get in touch with Salix Homes on behalf of our customers requesting assistance or information these are addressed by the relevant service manager and are recorded outside of our formal complaints procedure (please see below – MP enquiries).

### What will not be handled as a complaint

19. The following may not be handled as a complaint or the response may be delayed until the outcome is known.

- A complaint that has already been subject to legal action and an order made in a court of law or tribunal or court proceedings have been commenced and are continuing.
- Where it has been raised as a complaint within the last six months and has been addressed, unless new information is provided.
- Where it has already been referred to the Housing Ombudsman Service and they have either issued a determination or are in the process of investigating the complaint.
- Where there is Police criminal or fraudulent investigation involved
- Where the complaint is anonymous

20. If a complaint is refused or refused to be escalated, it will be explained to the customer why it is being refused and a record will be kept of the contact and refusal.

21. In these cases, the customer should be advised of their right to refer their case to the Housing Ombudsman Service to investigate the refusal.

### Time limit for making complaints

22. A complaint will not normally be considered if it is made more than six months after the point at which the issue became known to the customer. This is because complaints that happened more than six months ago are often difficult or impossible to investigate in a full and fair manner. However, Salix Homes will consider complaints exceeding this timescale in exceptional circumstances.

### Administration of the formal complaints process

23. The complaints support officers will be responsible for administering the formal complaints process. CRM is the elected system to record formal complaints. Once a complaint is received, the member of staff in receipt of the complaint will load the complaint details on CRM as soon as practicable. CRM will be used throughout the complaints process to ensure that every individual's actions are recorded in the system and each individual is given a timescale in accordance with this procedure. CRM will also be used as the nominated reporting system for complaints.

### Receipt date of the complaint

24. When a member of staff receives a formal complaint, it will be loaded on CRM as soon as practicable. In most cases, the receipt date of formal complaints will be the date that the complaint was expressed to any member of Salix Homes staff (exceptions to this are listed above). Where a complaint is received after 12 noon or on a non-working day, the receipt date will be recorded as the next working day. In cases where a complaint is received via email to an email inbox with an out of office reply, the date the out of office reply expires will be considered as the receipt date of the complaint.

### Investigating complaints (stage 1) - Electing an investigating manager

25. The complaints support officers will read the complaint and consider who the most appropriate manager is to conduct an investigation. This is usually the manager for the service that the complaint is about. When the complaint relates to multiple services, the complaints support officers will decide which manager will take the lead on the response and will arrange for other elements of the complaint to be addressed by other services. The lead manager will be responsible for ensuring that all elements of the complaint are addressed. The lead manager will usually be the manager for the service that the majority of the complaint relates to. If a lead manager cannot be established, or the complaint is of a vast nature, a complaints support officer will act as a lead manager and they will provide one co-ordinated response to the customer by liaising with the relevant service managers. In cases where a complaint is about the conduct of a manager then their line manager will investigate the complaint at stage 1.

### Assigning Complaints



26. Once the complaints support officers receive a complaint, they will:
  - Acknowledge the complaint; this is done in writing within 2 working days from the receipt of the complaint. Complaints can also be acknowledged via email, telephone or through their customer account at the customer's request.
  - The acknowledgment will inform the customer of the name of the person who will be conducting the investigation and the target date of the completion of the investigation.
27. The complaints support officer will pass the complaint onto the investigating/lead manager to start the process to investigate the complaint as soon as practicable. The manager has 10 working days from the submission of the complaint in which to conduct an investigation, write the outcome letter and upload it to the CRM system for the complaints support officers to progress.

### The complaint investigation

28. When investigating a complaint, the first aim of the manager should be to attempt to successfully resolve the matter at hand to the customer's satisfaction. In some cases, it may be possible to resolve the issue by getting in touch with the customer and taking some form of remedial action. Managers should use their judgment as to whether this would be an applicable course of action. Where the remedial action is agreed, the manager will confirm the agreed actions in writing (via letter, or email) and the timescales. The complaints support officers will send the letter out.
29. If remedial action is not appropriate, not effective in resolving the situation or if the customer is adamant on a formal complaint being submitted, a full investigation should be conducted.
30. Managers will fully investigate the complaint and to do this they will get all the facts relating to the complaint. They may use one or more of the following investigation tools;
  - Approach the customer direct for further details about their complaint that may assist them with the process.
  - Speak to members of staff involved with the area of service that the customer is complaining about.
  - Search our internal ICT systems for records relating to the customer complaint.
  - Visit the customer's home, communal areas or our estates.
  - Contact partner organisations (e.g. contractors) for further information pertaining to the matter.
  - Compare the handling of the customer's case has complied with policy and procedures.

### The complaint response

31. Following a complaint investigation, a response will be written as a letter by the manager within 10 working days from the submission date of the original complaint and will:
- Include a summary of the customer's complaint.
  - Include the findings of their investigation against each of the component parts of the complaint and the reasoning.
  - Include whether each of the component parts of the complaint have been upheld or not upheld.
  - In cases where elements of the complaint have been upheld then the response will include what steps the manager will take to correct the mistake where possible.
  - Include an apology when we have done something wrong.
  - Thank the customer for their feedback about Salix Homes.
  - Include what steps that the manager may be taking to improve their service as a result of the complaint and what safeguards they will put in place so that those mistakes will not happen again.
  - Include a compensation payment or payment as a gesture of good will if appropriate (see compensation policy for more details).
  - Advise the customer of the next steps that the customer can take if they are unhappy with the outcome of the complaint investigation.
  - Be open and transparent.

### Complaint outcomes

32. The investigation will establish whether Salix Homes does or does not uphold the customers complaint the customer will be informed of this in the complaint response letter. The outcomes can be as follows:
- **Upheld** – We agree with the customer that we have not performed to our agreed standards in this regard. Managers should be sure to apologise, thank the customer for their feedback and state the changes that will be made to our working practices to ensure that this does not happen again
  - **Partially upheld** – This is where we may agree with part of the complaint, but not all of it (e.g. the customer may complain that we completed a repair after the agreed date and to a poor standard. If only the latter part is found to be true, the complaint will be partially upheld). Again, managers should apologise and state the actions that will be taken to ensure that this does not happen again.



- **Not Upheld** – In these instances, our investigation has found that we complied with our agreed service standards / policies / procedures in the matter and cannot accept the customer's complaint. It may also be that upon investigation, the situation stated within the customer's initial complaint are found to be incorrect or untrue. In these instances, managers should cite the evidence supporting their judgements in the investigation outcome letter.

## Compensation

33. In some cases, it may be appropriate to pay compensation as a gesture of goodwill to the customer please refer to the compensation policy for further information.

## Reviewing Complaints (stage 2)

34. Salix Homes hopes that the complaints investigation resolves the customers concerns but in some cases a customer may be unhappy with the response from the investigation. If this is the case the customer can request for the handling of their complaint to be reviewed. The purpose of the complaints review is a consideration of the initial investigation and not a new investigation.

## Escalating a complaint to stage 2

35. Should a customer wish for their complaint to be escalated for a review, they must make the request within 10 working days of their receipt of the investigation letter. They do this by contacting the original investigating manager. Review requests later than 10 working days will be considered in extenuating circumstances. Review requests can be dealt with by the complaints support officers in cases where the customer does not wish to speak to the original investigating manager.
36. When a customer requests for their case to be considered at stage 2 the investigating manager will initially try to resolve the customers concerns by discussing the complaint in detail. If the customer chooses to proceed with the review then the manager will establish:
  - The reasons they are unhappy with the stage 1 investigation.
  - What elements of the complaint they wish to be reviewed at stage 2.
  - Any new relevant facts that need to be considered at stage 2.
  - What outcome the customer wants from the stage 2 review.
37. Once a review request has been received, the manager receiving the request should update the complaint case on CRM as soon as practicable. As with stage 1, the receipt date of the stage 2 request will be the date that the customer contacts a member of staff asking for their complaint to be escalated to stage 2.

## Electing a reviewing manager

38. The complaints support officers will review the complaint and consider who the most appropriate manager is to conduct a review. This is usually the line manager of the investigating manager, typically this is a director. As with stage 1, when the complaint

relates to multiple service areas, the complaints support officers will decide which manager will lead on a response and will arrange for other elements of the complaint to be addressed by other service areas. The lead manager will be responsible for ensuring that all elements of the complaint are addressed. The lead manager will usually be the manager for the service that the majority of the complaint relates to. In cases where a complaint is about the conduct of a manager and investigated by a director at stage 1, another director will be elected to complete the review.

### Assigning reviews

39. Once the complaints support officers receive a request for a review, they will:
  - Acknowledge the request for the complaint to be reviewed; this is done in writing within 2 working days from the receipt of the review request. Review requests can also be acknowledged via email, telephone or through their customer account at the customer's request.
  - The acknowledgment will inform the customer of the name of the person who will be conducting the review the target date of the completion of the review.
40. The complaints support officers will pass the complaint onto the reviewing manager to start the process to review the complaint as soon as practicable. The manager has 15 working days from the submission of the complaint in which to conduct a review and send the review response letter to the complaints support officers.
41. When conducting a review, the senior manager should consider the following points:
  - A complaint review is a review of the way in which the complaint was initially investigated, not a completely independent assessment of the complaint's validity. The senior manager should consider all the information relating to the matter and the decide if they agree or disagree with the initial findings of the investigation.
  - A complaint review should not consider additional points or angles to the complaint (I.e. attempts to expand the parameters of the initial complaints should be avoided), only those raised during the initial complaints. Additional points will be considered as new complaints and treated accordingly.
  - When reviewing a complaint, it may become apparent that the initial investigation (e.g. due to information not being available, or not being requested) did not consider all information pertinent to the matter. In these cases, the senior manager should make sure to request this information and consider it as part of their review.
  - Whilst it is important to offer a consistent voice across the organisation, senior managers should ensure that their reviews are rigorous and offer a robust assessment of the initial investigation. Where it is clear that the initial investigation was not of a sufficient standard, the reviewer disagrees with the findings of the initial investigation or does not feel that the remedial actions proposed were proportionate, it is important that this is highlighted to the customer and acted on.
42. Following a complaint review, a response will be written by the reviewing manager and

will include:

- The findings of their review against each of the component parts of the complaint and the reasoning.
- Whether any of the decisions made at investigation have been overturned.
- An apology when we have done something wrong.
- Thanks to the customer for their feedback about Salix Homes.
- If we have made a mistake, what additional steps that the reviewing manager will take to correct the mistake where possible.
- What additional steps that the reviewing manager may be taking to improve their service as a result of the complaint and what safeguards they will put in place so that those mistakes will not happen again.
- A compensation payment or payment as a gesture of goodwill if appropriate or increase in a compensation payment or gesture of goodwill if already awarded at the investigation stage (see compensation policy for more details).
- How the customer can progress their complaint further.

### Delayed responses

43. Salix Homes aims to respond to all our complaints and requests for a review within the 10/15 working day timescale, but occasionally if the investigation is complex or key members of staff are on leave then there may be a requirement to extend the investigation or review.
44. If a response is expected to be delayed then the manager must record the delay on CRM as soon as practicable and within the 10/15 day response time. If it is identified before the 10/15 days that a delay is unavoidable or will allow for a more thorough investigation and better outcome the tenant customer should be notified at that time rather than waiting for day 10/15. The manager should progress the investigation as far as possible and may be able to provide an interim update on the areas that have been investigated to that point. This should be communicated to the customer.
45. The manager will ring the customer to explain the reason for the delay and provide an update on their investigation so far. The complaints support officers will then send a letter confirming the delay on the response and the date by when the customer can expect full response. Alternatively, the investigating manager will provide the complaints support officers with the reasons for the delay and an update on the investigation so far. The complaints support officers will then write to the complainant providing this information. The line manager of the manager handling the complaint will be informed.
46. Salix Homes will report on delayed responses. Delayed responses will be kept to a minimum.

### Reviewing responses

47. The complaints support officers will review the written responses at both stages of the complaints process. The purpose of this is to check:
- spelling and grammar
  - the tone of the response
  - whether all the issues have been addressed
  - whether information in the letter is correct and up-to-date and
  - that it is clear whether each element of the complaint have been upheld or not upheld.
48. The complaint support officers will not overturn the outcome of the complaint. If they have concerns with the handling of the complaint then they will speak with the manager completing the response. The decision for the outcome of the complaint ultimately sits with the manager handling the complaint.

### Learning from complaints

49. When responding to a formal complaint, if the complaint is upheld or partially upheld, the relevant manager will review the complaint and identify any lessons learned. The data will be provided to the Complaints Team and the manager will communicate any changes to their service area.
50. If the complaint is not upheld, the manager may still take the opportunity to identify lessons learned and take the necessary action to apply any changes.
51. The complaints support officers will collate the information on lessons learned and share with relevant areas of the organisation to use the information to deliver service improvements and development.

### Chief Executive review

52. Following a review by the complaints support officers, all letter responses will be available to the chief executive for review via the CRM system. As with the review of responses by the complaints support officers, the chief executive will not overturn the outcome of the complaint and if they have concerns with the handling of the complaint, they may choose to speak with the manager who completed the response. The decision of the outcome of the complaint ultimately sits with the manager handling the complaint.

### Sending out the complaint response

53. For both stage 1 and stage 2 complaints once the complaints support officers and the chief executive have reviewed the response letter the complaints support officers will send out the letter by post. Letters can be sent via email at the customer's request.

### Progressing a complaint further

54. Salix Homes aims to resolve as many complaints as possible using our complaints process. However, if the customer remains dissatisfied with the complaint following the review stage by the senior manager, then the customer can refer their complaint to the Housing Ombudsman Service.
55. If the complaint is in connection to the handling of personal data or requests for personal data, the customer may be signposted to the Information Commissions Office to pursue their complaint. (ICO)

### Housing Ombudsman Service

56. The Housing Ombudsman Service is a legal body established to impartially consider complaints and disputes between tenants / leaseholders and their landlords. They will consider all of the evidence from both sides of any dispute and can make recommendations to both parties on how to rectify both the matter at hand and to ensure that such a situation does not occur again.
57. Any customer who is unhappy with the outcome of their complaint may refer their case to the Ombudsman for a judgement, provided that a minimum of 8 weeks has expired since Salix Homes' complaints process has ended (i.e. 8 weeks after a customer has received their written review of the complaint).
58. Should a customer wish to take a complaint to the Ombudsman sooner than the 8 week period, they can do with the support of a designated person recognised by the Ombudsman:
  - A member of the House of Commons (i.e. an MP).
  - A member of the Local Authority for the area in which the property is located (i.e. a Local Councillor).
59. Making a referral to the Ombudsman is free and further details can be found at: <http://www.housing-ombudsman.org.uk/>
60. Salix Homes will raise awareness of the Housing Ombudsman Service through a variety of means and forums to raise awareness of the service.

### First-tier Tribunal (Property Chamber) (“the Tribunal”)

61. Leaseholders can make an application to a Tribunal if they have a dispute with Salix Homes on a number of issues such as:
  - About the terms and price of buying the freehold or extending a lease
  - About the liability to pay, and reasonableness of, a service charge, or an extra management scheme charge
  - About building insurance
  - About the appropriateness of appointing a new manager in a block of flats
  - About whether a residential long lease (primarily of flats) should be varied
  - About disputes relating to the right to manage
  - About alleged breaches of a lease prior to a landlord serving a notice under Section 146 of the Law of property Act 1925

- About whether a dispensation should be granted in respect of the consultation requirements under section 20 of the Landlord and Tenant Act 1985
62. There are fees involved in making an application to the Tribunal and most applications are subject to a fee payment of £100 which is a fixed amount. Where an application fee is paid and the matter proceeds to a hearing, this will be subject to the payment of a fixed fee of £200 which is payable on receiving notice of a hearing date. No hearing will take place unless both fees have been paid. There are arrangements for the fees to be waived in certain circumstances.
63. Proceedings at the Tribunal are semi-formal. Neither side is required to be represented by a barrister, solicitor or valuer. A representative (whether legally qualified or not) can be appointed by a party to represent them in the proceedings subject to written notice of appointment (that is; the representative's name and address) being given to the Tribunal and the other parties. At a hearing a party may be accompanied by another person whose details need not have been given to the Tribunal but who, with the Tribunal's permission, may act as a representative or otherwise help in preparing the party's case at the hearing.
64. An application to a tribunal can be made at any time although it is recommended that Salix Homes tries to deal with the complaint using our own process first.
65. Advice on the tribunal and how to make an application to it can be found at: [www.lease-advice.org/advice-guide/application-first-tier-tribunal-property-chamber](http://www.lease-advice.org/advice-guide/application-first-tier-tribunal-property-chamber)

## Information Commissioners Office

66. Customers can complain to the ICO when they wish to raise concerns about the way their personal data has been processed by Salix Homes. They can also raise concerns when they are dissatisfied with the way their requests have been dealt with in relation to:
- Freedom of Information
  - Subject Access
  - Environmental Information request
67. The Performance and Business Improvement Team will be the first point of contact for the ICO

## Complying with the Ombudsman

64. The complaints support officers will be the first point of contact for the Housing Ombudsman Service. They will liaise with the department that the complaint relates to facilitate the gathering and providing of information. Salix Homes will fully comply with all requests by the Housing Ombudsman Service within the deadlines specified by that service. Determinations by the Housing Ombudsman will be sent to the Executive Leadership Team to be viewed.

## Misuse of the complaints process

65. The making of malicious or vexatious complaints can be a form of harassment or anti-



social behaviour, whereby an innocent resident or member of staff is subjected to unfounded exaggerated or dishonest complaints by someone seeking to cause detriment to the individual(s) concerned.

66. A vexatious complaint is a complaint without any merit, which has been made solely to harass or intimidate another resident or a member of staff.
67. A malicious complaint is defined as a complaint that is false and the intention is to cause harm or damage to another resident or a member of staff.
68. Whilst Salix Homes will investigate all complaints in line with this policy, part of the investigation in certain circumstances may need to include the possibility that the complaint falls into one or both of the above categories.
69. If as part of the investigation, it becomes clear that the complainant is malicious or vexatious the director responsible for the area where the malicious/vexatious complaint relates will consider seeking approval of the Senior Management Team to classify the complainant as vexatious.
70. If the Senior Management Team decide that someone's complaint is malicious or vexatious a number of actions will be considered including:
  - Establishing a single point of contact.
  - Removing an individual's implied license to attend our offices.
  - Taking legal action under the Anti-social Behaviour, Crime and Policing Act 2014 (nuisance to landlord ground).

### Identification of complex cases

71. Where misuse of the complaints process or a complex case has been identified, reasonable steps should be taken to inform the customer that their actions are unacceptable. Should the behaviour continue, the case should be referred to Salix Homes' Senior Management Team for consideration. Any Salix Homes officer can refer an individual under this process, by completing the Salix Homes Complaints complex cases and misuse of the process referral form.
72. Officers completing the form should ensure that all sections are completed in full and that appropriate evidence is included in support of the referral. Please note that for the referral to be considered, one or more of the following conditions must have been met:
  - Repeatedly raising the same or similar matters.
  - An unreasonable length / number / intensity of complaints.
  - Being persistent with complaints even after the complaints process has been exhausted.
  - Displaying behaviour which is aggressive, abusive, bullying, insulting or patronising towards employees.
  - Malicious complaints raised with the sole intention of creating work for Salix Homes or undermining individual staff members.

- Attempts to make use of the complaints process for purposes other than the resolution of a grievance (e.g. making requests for information under the guise of a complaint).
- Attempting to bypass the process, (e.g. by contacting more than one person about a complaint, in the hopes of receiving a different answer).
- Displaying behaviour which could otherwise be considered unreasonable.

## Considering Complex Cases

73. The referral, along with any supporting evidence, will be considered at the next meeting of Salix Homes' Senior Management Team. Officers may be asked to attend the meeting to answer questions relating to the referral. The meeting will consider the case and collectively decide whether they consider there has been misuse of the complaints process or support the identification of a complex case.
74. Should a referral not be upheld the referral will be closed and referring officer informed of the decision. Any materials relating to the referral should be retained to allow for consideration in any future referrals.

## When a referral is upheld

75. Salix Homes will always attempt to offer customers channel through which they can resolve their dissatisfaction suitably. Should misuse of the complaints process or a complex case be upheld, the meeting may decide to put in place one or more of the following alternate contact arrangements, to establish a process that can best resolve their current and future dissatisfaction:
  - Establish a single point of contact for them within Salix Homes to whom all correspondence should be directed to.
  - Establish a single method of contact between ourselves and the individual.
  - Establish a list of topics that will now longer be discussed with the individual (i.e. matters which have already been resolved, or which have exhausted our formal complaints process).
  - Establish a meeting or regular meeting between ourselves and the individual at which all of their concerns will be discussed, rather than raising them through the formal complaints process.
  - Seek reimbursement for the cost of responding to complaints which are about matters that are subsequently found to be false or as a direct result of the individual's actions.
  - Remove an individual's licence to attend our offices.
  - Draw up a list of personalised service standards to better enable us to resolve their individual grievance(s).

- Establish a suitable third-party advocate (agreed by both parties) through which all correspondence will be conducted.
  - Establish whether the customer has underlying support needs that Salix Homes may be able to help them to address.
  - Other suitable arrangements.
76. Where any of the above conditions are put into practice, a timescale for review (typically 6 months) will also be set up. After this timescale has been reached, the contact arrangements will be reviewed by the Senior Management Team to ensure that they remain effective and proportionate and continue to offer the customer suitable opportunity to resolve any dissatisfaction they may have.
77. Where it is found that the current arrangements are no longer working or appropriate, the Senior Management Team may remove, alter or add additional arrangements in place to ensure the process remains fit for purpose. Any such changes will be liable to another review timescale.

## MP Enquiries

78. Enquires received from the MP that require a written response will be recorded on CRM as a MP Enquiry, as with stage 1 of the complaints process, the enquiry will initially be acknowledged in writing to the customer and MP within 2 working days of receipt by the complaints support officers. The enquiry will then be assigned to the relevant service manager to compile a response. The target for a response is be 10 working days from receipt of the enquiry and as with formal complaints the response to the MP will be read by the complaints support officers and the chief executive and then posted out to the customer and the MP.
79. If the customer then approaches Salix Homes to enter their concern into the formal complaints process and their concern has already be addressed as an MP Enquiry, a decision will be made between the complaints support officers and the relevant manager as to whether the complaint should enter the complaints process at stage 1 or stage 2. The rationale of the decision will be based on how long ago the original enquiry was addressed, the quality of the original response in addressing the customers concerns and the ability for the concerns to be addressed by a further investigation.

## Customer compliments

80. When a customer compliment is received by a member of staff they will arrange to load it directly onto CRM. Compliments loaded through the customer portal will automatically create a case on CRM. Compliments will be assigned to the manager of the relevant service are. The compliment will also be automatically sent to the Marketing and Communications Team who may choose to publish it in our weekly staff bulletin, snapshot, other forums used to communicate with staff. Managers will advise their staff of the positive feedback.