

Comments, Compliments & Complaints Policy & Procedure

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1. General Statement of Intent

Colchester Korban Project makes every effort to provide a high standard of service and to treat everyone equally and fairly. We continuously try to improve our services and we value any feedback that will help us to do this. Korban is committed to ensuring both that accessible customer feedback mechanisms are in place and are promoted in order to bring about genuine improvement for service users.

For the purpose of this Policy and Procedures, Complaints, Comments and Compliments are defined as follows:

- A complaint is an expression of dissatisfaction and lets us know when our service users are unhappy with one or more of the services that we provide. Making a complaint gives us the opportunity to put things right and make changes.
- A comment is a suggestion, idea, or observation about our services. Comments help us to be innovative and creative about the way in which we deliver our services to service users.
- A compliment is positive feedback from a customer regarding an area of our service or how we deliver our services. Compliments let us know we are getting it right.

This policy will be brought to the attention of those who use our services by:

- Ensuring it is displayed in any setting where we are directly responsible for work with children and vulnerable adults
- Referring to its availability in all evaluation forms at training events, conferences etc
- Posting it on our website

Complaints, Comments and Compliments handling will be included as part of our staff induction and training.

Korban believes that your views are important and that complaints give us valuable information about the way we provide our service and how we can improve it. We will review all comments, feedback and complaints, and our feedback procedures on an annual basis and will use feedback to improve services and service delivery. We will report on user feedback in the Korban annual report.

We acknowledge that we may not always get it right and, when this happens, would like to know what has gone wrong so that we can sort out the situation as quickly as possible, and try to ensure that it does not happen again.

We have adopted the Housing Ombudsman's Principles for Dispute Resolution as good practice. The Housing Ombudsman identified three principles behind effective dispute resolution:

- **Being fair**
Treating people fairly and following fair processes by providing a constructive approach which applies consistent principles to all complaints received, and by treating each complaint justly and without favour or discrimination.
- **Putting things right**
Our commitment is to being open to learning from our mistakes and putting the problem right for our service users and as soon as possible.
- **Learning from outcomes**
We will demonstrate our willingness to learn from the issues raised and/or identify where our services may have failed. We will provide feedback to relevant parties including the complainant on lessons learnt and actions taken to improve service delivery.

2. Application and Scope

This Complaints Comments and Compliments Policy and Procedures provides principles and processes to be followed by all Korban employees, students, trainees, volunteers and Trustees, hereafter referred to as staff, to handle all complaints comments and compliments received from clients and members of the public.

Korban's Complaints Comments and Compliments Policy and Procedures applies where any current or ex-client and members of the public, including donors, applicants and neighbours of the community in which we serve, wish to raise a complaint, or provide us with feedback. This policy applies equally to young people whom we work with and to any organisation with whom we deal and any member of the public to whom we may be offering training, support, consultation, advice, information etc.

Korban may consider compensation in the context of guidance provided by the Housing Ombudsman Service.

3. Legislation and Compliance

Korban will ensure that complaints are dealt with effectively based on best practice and will adopt the Housing Ombudsman Principles for Dispute Resolution and guidance and will comply with all relevant legal and regulatory requirements in its approach to and handling of complaints.

Primary legislation which relates directly to complaints includes:

Colchester Korban Project is a Charitable Company. Charity no: 1125617 Company no: 6630415
Patrons: The Rt. Revd. Roger Morris, Bishop of Colchester, and the Ven. Ruth Patten, Archdeacon of Colchester

- Housing Act 1996 section 51 schedule 2
- Housing and Regeneration Act 1996, 2008
- Localism Act 2011

In line with The Regulator of Social Housing Regulatory Framework for Social Housing in England 2015 Tenant Involvement and Empowerment Standard, Korban will have an approach to complaints that is clear, simple, and accessible that ensures that Complaints are resolved promptly, politely and fairly. We will accept complaints made by advocates authorised to act on a tenant's/tenants' behalf.

4. Roles and Responsibilities

Korban employees, students, trainees, volunteers and Trustees may have a number of possible roles under these Procedures. They may:

- Be the subject of a complaint
- Receive and process a comment or compliment
- Receive and investigate a complaint
- Act as an advocate to help a customer make a complaint
- Be involved in an interview where another colleague is investigating a complaint
- Act as an investigating officer on behalf of the organisation, to investigate a complaint

Where possible, Korban staff and Managers should avoid having more than one of the above roles at any one time when dealing with any individual complaint. This is for the purpose of providing clarity of roles, responsibility and accountability.

All Korban staff involved in a complaint must cooperate fully and promptly in any investigation. This will include providing the names of any relevant witnesses, disclosing any relevant documents, and attending any investigative interviews. Unreasonable failure to assist in an investigation may lead to disciplinary action being taken under Korban's Disciplinary Policy and Procedures.

Whilst students, trainees, volunteers and Trustees may act in an advocacy role, or may assist with informal complaints and mediation resolution, formal complaints can only be received, logged, investigated and resolved by a Korban manager or the Chair of trustees.

If there is a potential conflict of interest between an advocate's role and their job role at Korban, the staff member should discuss this with their Line Manager before agreeing to act as an advocate. The Line Manager should be confident that the staff advocate can manage any conflict of interest before agreeing to act. The decision rests with the Line Manager who must, in all cases, ensure that the staff advocate is being supported throughout the process and be confident that the advocate is not under any circumstances directly implicated in the original complaint.

No employee, student, trainee, volunteer or Trustee can investigate a complaint made against them. This would constitute a conflict of interest. If such a person receives a complaint and discovers that they are mentioned in the complaint, they must immediately pass the complaint to the appropriate Line Manager and must not participate in any investigatory or advocacy role associated with that complaint, including holding meetings or discussions regarding the matter with anyone involved in the complaint, questioning the customer who made the complaint, or making enquiries after the customer who made the complaint. Failure to abide by this requirement will be considered Gross Misconduct.

5. Procedures

5.1 Introduction

Korban expects complainants to help us get it right by being clear about the nature of their complaint and what they would like to happen as an outcome. Please make sure you tell us:

- what has happened
- when it happened
- the background to the problem, if you think it is relevant
- what you've done to try and sort it out (if appropriate)
- what you want us to do to put things right (if appropriate)

Our service users may decide to ask someone to help them make their complaint. An advocate may be a parent, friend, partner, relative, a staff member of Korban. Their role may include helping a customer to write or formulate their complaint, or providing more general support in order to resolve the customer's concerns.

An advocate must have a complainant's written permission to make a complaint on their behalf and discuss their complaint with Korban, we must receive a copy of this before we can discuss any complaint with an advocate. Due to confidentiality and Data Protection requirements, we cannot comment upon complaints submitted on someone's behalf until we have obtained the written consent of the individual on whose behalf they are acting. If such consent cannot be obtained we will write and explain this.

We will take all complaints received seriously and investigate them within the timescales set out in this policy and procedures. We will treat all service users respectfully during and after an investigation into their complaint, the principles of the Equalities Act 2010 will apply to protect against direct and indirect discrimination, harassment or victimisation in services and public functions, for people who are perceived to have, or are associated with, someone who has a protected characteristic.

We will keep personal information contained in complaint files in line with our retention policy. This means that information relating to a complaint will be retained for two years from closure. It

will be retained in a secure environment and access to it will be restricted in accordance with the General Data Protection Regulations, Data Protection Act 2018 and Korban's Confidentiality Policy and Procedures. More information can be found in our privacy notice (long version).

Korban may take disciplinary action against an employee, or start action under other procedures, for example, legal procedures or Safeguarding as a result of complaints made through this policy and procedures.

If an anonymous complaint is received, we will still record and investigate it as far as that is possible. If we identify a service failure, we will act to put it right to ensure that other service users may benefit from our learning and action.

Complaints made by a group of people will be responded to accordingly. If a complaint is received during a group meeting, such as a Residents Meeting, we will respond appropriately to the whole group affected by the complaint by posting our response and action taken on the service notice board and inclusion in the meeting minutes.

5.2 Exceptions

Certain matters cannot be dealt with under the scope of Korban's Complaints, Comments and Compliments Policy and Procedures and will be dealt with through other policies and procedures as appropriate.

This applies to any complaint relating to the following:

- Anti-social behaviour we will follow the procedures set out in Korban's Anti-social Behaviour Policy.
- Complaints relating directly or indirectly to open or existing legal proceedings being taken by a complainant against Korban. In such instances the complaint will be referred to The Chief Executive Officer and addressed as part of the legal proceedings.
- All personal injury claims and allegations of physical damage to a claimant's property or possessions must be referred directly to the Chief Executive Officer and Korban's Insurers. Korban employees will not comment or discuss the case with the claimant.
- Safeguarding matters will follow the Procedures as detailed in Korban's Safeguarding Policy, whether or not a customer wishes to make their concerns formal.
- Employees of Korban should instead refer their concerns to their Line Manager and use Korban's Human Resources Policy and Procedures for Grievance (Dispute Resolution) and Disciplinary.

- Volunteers instead refer their concerns to their nominated supervisor and use the processes set out in Korban's Volunteering Policy and Procedures.
- Partner and commissioning stakeholders, where there is a Management Agreement, Service Level Agreement or contract in place, should refer to the processes contained in the agreement or contract.

5.3 Raising an Informal Complaint

We recognise that some service users may wish to raise a matter without having to make a formal complaint. If you are unhappy about any aspect of our services, including the management of the properties themselves (especially Bethany Place, a licensed HMO), the first thing to do is to bring the matter to the attention of one of the Korban staff members. They will try to resolve your concerns immediately.

Any health and safety concerns will be dealt with according to the Health and safety policy.

If you are unhappy at the way you have been treated by one of the staff members, you are entitled to make a formal complaint.

5.4 Raising a Formal Complaint

All formal complaints must be made in writing (by post or e-mail) to the Chair of the Korban Board of Trustees, Nicky Sirett. Contact details are as follows:

Email: nicky@korban.org.uk

Post: Colchester Korban Project, Bethany Place, St. Anne's Vicarage, Compton Road,
Colchester, CO4 0BQ

Formal complaints must include the following information:

- what has happened
- when it happened
- the background to the problem, if you think it is relevant
- what you've done to try and sort it out (if appropriate)
- what you want us to do to put things right (if appropriate)

Korban's Complaints Procedure is based on a two-stage process, our aim being to resolve complaints as soon as possible. The stage of a complaint does not reflect its seriousness, all formal complaints will be dealt with and endeavoured to be resolved at Stage 1.

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Stage 1

Formal Complaints will be acknowledged within a week of receipt and investigated as quickly as possible. We may contact you for further information.

All formal complaints received must be recorded (see Appendix 1) and investigated immediately by the line manager of the member of staff responsible for providing the service you have complained about. This manager will write to you within 4 weeks telling you the result of his/her investigation.

This includes any formal complaints that are made, especially about Bethany Place, St Anne's Vicarage (the licensed HMO).

Stage 2

If you are not satisfied with the outcome of Stage 1, you can ask the Chair of the Board of Trustees to review the handling and investigation of your complaint. This will involve checking our procedures have been followed and reviewing the outcome the customer received at Stage 1. Complainants will be notified of their decision in writing within 10 working days.

It is recognised that some complex complaints may take longer to investigate. In such cases we will write to the complainant to keep them informed of when they can expect to have a response and outcome.

If a complainant has received a decision at Stage 2 and is still not satisfied, they can escalate the matter further to an independent body such as the Housing Ombudsman, Citizens Advice Bureau, their local MP or Solicitor.

Korban will close complaints in the following circumstances:

- When a complainant says or indicates that they are satisfied with the response or outcome
- When a complainant says or indicates that they do not wish to take the matter any further
- When a complainant has exhausted our internal 2 Stage Complaints Procedures and the Chair of trustees has notified the complainant in writing of the outcome at Stage 2. (The customer may wish to pursue their complaint externally although the Complaint is closed from Korban's perspective).
- When a complainant does not respond within 14 days of being contacted to check they are satisfied, by the appropriate manager (stage 1) or the Chair (stage 2).
- When a complainant has received a judgment from a legal hearing
- A complaint has been decided as malicious, vexatious, offensive or discriminatory by the Chair of Trustees been authorised to be closed by two trustees.

6.0 Compliments and Comments

If you are happy with the service or have any comments we would also love to hear from you. Either speak to one of the staff members/ volunteers, email or write to us. Alternatively Korban residents can ask the resident representative to raise this at the next trustees meeting.

Feedback on our work is an important element of our learning and development – please do contact us – directly or through our website at any time – www.korban.org.uk

We will write to all service users who make written comments and compliments, thanking them for their feedback and letting them know what we have done. Comments should be shared and discussed with the relevant team members. This may include sharing the comment at the next available Team Meeting or Trustees’ Meeting.

Where possible, if we change the way we deliver our services as a result of a comment, we will let the customer know.

Any employee can deal with a customer comment but they must ensure their Line Manager authorises the content of any letter to be sent to the customer before it is sent.

We understand that online forums such as Facebook, Twitter are regularly accessed by the public, especially by young people. We also have a contact us form on our website. We therefore do sometimes receive feedback through these forums which should be monitored closely. We will not actively encourage complaints to be submitted online however these guidelines will formalise the process for responding to comments made through any online or social media forums.

Appendix 1

COMPLAINT RECORD FORM	
Date/time the complaint was made	
Name of the person making the complaint	
Name of the person responsible for investigating the complaint, significant findings/concerns	
Action(s) taken	
Outcome(s)	

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Created: pre June 2017

Updated: 22nd May 2024

Version control introduced from 9/12/24

Version	Date	Version Created By:	Version Approved By:	Comments