

Complaints and Compliments Procedure

Approved by: Help to Buy Manager
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1. Purpose

- 1.1 Help to Buy South's approach to complaints and comments is outlined in our Complaints and Comments Policy. This procedure is a practical guide complementing the policy and outlining the process for dealing with complaints, compliments and expressions of satisfaction or dissatisfaction.
- 1.2 Help to Buy South encourages staff to take a hands on applicant-focused approach to resolving complaints. Complaints must be investigated fully and applicants kept informed of progress. Staff should take prompt, effective action to resolve issues, putting matters right early on and reducing the need for applicants to have to go through the formal complaints process. The focus is on treating applicants fairly and seeking a satisfactory resolution, not just providing a response within a prescribed timescale.
- 1.3 Help to Buy South recognises that front line staff who deal with complaints are in the best position to suggest processes, procedures and policies that require change and will work with them to make changes to improve service delivery and applicant satisfaction.
- 1.4 The Help to Buy Officers (HtBO) have the role of handling all complaints. The only exception to this is complaints about staff which are handled by the relevant line manager and overseen by a Help to Buy Manager (HtBM). The line manager works with officers to ensure a satisfactory resolution is sought. They act as a champion for the applicant and look at complaints objectively, taking into account both sides.

2. Responsibilities

Position	Responsibilities
Help to Buy Manager	Manager responsible for reviewing this procedure
All Help to Buy staff	Staff responsible for delivering procedure

3. General Principles

Complaint definition

- 3.1 A complaint is a statement of disagreement or discontent. Below are some examples:
 - An applicant has raised issues about an officer's conduct, for example that they were rude, discriminatory, dishonest or have breached confidentiality.
 - An applicant believes that we have made a decision that is not in accordance with our policy

How can applicants complain - what support do we give?

- 3.2 An applicant, or group of applicants, may report complaints by using any one of the following methods:

- Telephone via Help to Buy South Customer Service Centre (CSC)
- In person, at our offices
- By e-mail or the website
- In writing by letter
- Via a third party, i.e. CAB, someone with Power of Attorney, a Deputy appointed by the Court of Protection, or other advocate such as a friend, but the applicants written consent must be provided (consent must be specific to the complaint)

Who can complain?

- 3.3 AHP Grant Recipients, Help to Buy Contracted Developers, Financial Advisers, Solicitors and qualifying applicants.

Recording a verbal complaint from a applicant

- 3.4 If a complaint is made by telephone or in person the staff member should capture the following information from the complainant and explain what will happen next:
- What the complaint is about
 - Date of any particular events
 - Why the complainant is dissatisfied or disagrees with the level of service they have received
 - The name of any Help to Buy Team member that may have been involved
 - What they think we should do to put matters right

Dealing with failures of service

- 3.5 Many applicants do not want to have to go through a formal complaints process. Every effort should be made to resolve issues early on when the service failure is first reported. Prompt sympathetic and genuine responses by telephone or in person can quickly put matters right. Applicant facing staff can play a major role in effectively responding to service failure.
- 3.6 If an applicant wishes to make a formal complaint, the expectation is that they will have already contacted us first about the issue to get it resolved. If not, in most cases it is appropriate not to log it as a formal complaint, but give the relevant member of staff the chance to put it right first, and this course of action should be agreed with the applicant. After this, if they remain dissatisfied with the resolution or lack of, they can make a formal complaint.

Serious complaints

- 3.7 Some complaints are of such a serious nature they must be reported to a senior manager straightaway (someone who reports to a Director). This may include:
- Physical or sexual assault
 - Discrimination or offence on the grounds of gender, transgender, race, religion, sexuality, age or disability
 - Being affected by the effects of alcohol or drugs whilst at work
 - Theft or dishonesty

Complaints stages – process and timescales

3.8 Help to Buy South's complaint process has two internal stages. The first is a personal response and prompt resolution by a HtBO. The second is a review meeting with a senior manager and two independent panel members.

Stage one

3.9 The majority of complaints should be resolved at this early stage. The complaint will be dealt with by a HtBO, with the support and advice from a relevant manager (of the service/issue being complained about). The exception to this is complaints about staff, which are dealt with by the line manager and overseen by a HtBO. The HtBO (or manager) will telephone the applicant to discuss the complaint, keeping in regular contact with them during the investigation. They will aim to come to a reasonable and agreeable resolution. If the applicant is not happy with the outcome, once the HtBO or manager has confirmed they've done all they reasonably can to resolve it, the applicant has 10 working days to escalate it to a review meeting.

Stage two

3.10 The review meeting consists of a Senior Manager (a manager more senior to staff involved in the stage one investigation) and two panel members. These panel members will be from a pool who have volunteered to be involved in this process.

3.11 This is the end of Help to Buy South's internal complaints procedure.

Designated persons and Housing Ombudsman

3.12 Applicants who do not agree with the decision made at the review meeting have the option to take their complaint to a designated person. This can be an MP, Councillor or a designated panel. See Appendix 4

3.13 If the applicant waits eight weeks after exhausting Help to Buy South's internal complaints procedure they can take their complaint direct to the Housing Ombudsman for consideration.

Investigation & resolution of stage one complaints

3.14 There is a process the HtBOs will follow when looking into and resolving a complaint. The key is to keep in regular contact with the applicant, so they know exactly what is happening and what to expect. The time to resolve a complaint will vary depending on what it is about and how simple or complex the resolution is. See Appendix 5

3.15 The HtBO should ensure they consider all the points the applicant has raised, be impartial, and put themselves in the applicant's shoes, remembering how they last felt when they received poor service.

3.16 The HtBOs should:

- Set clear expectations for the applicant – tell them what they will do and when
- Be the applicant champion, but remain objective
- Be solution driven – see the positive and the end goal
- Not be afraid to admit when we have made a mistake
- Ensure cross department complaints are co-ordinated and seamless for the applicant

- Consider all available options to resolve a complaint for an applicant – think outside the box if needed and explore all avenues

3.17 In written correspondence HtBOs should use plain English (or language). Alternative methods of communication such as Braille or large print can be considered according to the applicant's needs.

Following complaints resolution - lessons learnt and satisfaction survey

3.18 Once a complaint is resolved we should establish what lessons have been learnt and how we can avoid future service failure or improve an applicant's experience of dealing with us. Lessons learnt are recorded by the HtBO on the Agency's Customer Relationship Management system (CRM) and where relevant discussed with involved managers to ensure all learnings are captured. After a stage two meeting the panel members will discuss lessons learnt.

3.19 The HtBM will review all the lessons learnt information and take responsibility for collating actions and ensuring operational changes are considered and actioned by appropriate managers, working with them where required to make business improvements. Individual staff performance should be addressed through performance management.

3.20 A satisfaction survey will be carried out over the telephone once a complaint has been resolved. At least two contact attempts will be made, including e-mail where appropriate. The survey asks simple questions to establish the applicant's satisfaction with the outcome and handling of the complaint. Results are collated by the Help to Buy Agency team. See Appendix 6

Stage two – complaints review meeting

3.21 If an applicant requests their complaint is escalated, the person who receives this request will notify the HtBO, who will speak to the applicant to understand the reasons for the request and explain the process. If this is not possible when the request is first made, the HtBO will call the applicant back within two working days.

3.22 Depending on the complaint and reasons for escalation, consideration should be given as to whether there is any more that can be done at stage one to resolve it, if the applicant is agreeable.

3.23 Once it is established the complaint is to proceed to stage two, the HtBO will speak to the applicant again within five working days of the request to establish availability for a meeting and gather possible dates. If there is no response to telephone and written contact within two weeks, a final letter or e-mail will be sent explaining that if no contact is received by a set deadline, it will be assumed the applicant no longer wishes to proceed and the complaint will be closed. From the time the escalation request is received, the complaint will only be left open for one month, with 3 attempts at contact. If a stage two complaint is closed due to no contact, it will not usually be re-opened if contact is made after the final deadline. If an applicant does make contact but does not commit to a date or keeps changing a proposed date, the maximum time from us agreeing to arrange a stage two meeting, to the complaint being closed with no successful meeting, is six months. The other option is to still hold the meeting without the applicant being present, as per point 3.28.

- 3.24 In some circumstances it may be considered appropriate to proceed with the stage two meeting without the presence of the applicant, to bring the complaint to a close. If this decision is made the applicant will be informed of this in writing, before the meeting takes place.
- 3.25 For full details on the purpose of a stage two meeting, how it is run and who is involved. See Appendix three

Moving between or omitting complaint stages

- 3.26 As a rule most complaints will escalate in order of the internal two stages. However, sometimes it is appropriate to skip a stage and or recommend the complaint goes direct to the designated person or Ombudsman.
- 3.27 A senior manager (from the Operational Leadership team) can make the decision to deal with a complaint outside the complaints procedure if this is deemed appropriate. If the decision is made to deal with it in this way, the applicant will be informed of this and the reasons why.
- 3.28 If correspondence is received from a solicitor or the Court in relation to any case, whether a formal complaint or not, it must be passed to the relevant Director (or a Head of Service/Assistant Director nominated by them) in the first instance.

Reporting and strategic outcomes

- 3.29 Complaints lessons learnt are reviewed regularly by the HtBM and discussed with the relevant teams. In collaboration with teams across the organisation decisions can be made as to what is required to prevent future complaints and improve service delivery by taking operational or policy decisions. Outcomes, including changes to processes, policies and procedures are collated by the HtBM and shared with staff and applicants.
- 3.30 The Help to Buy Management Team will review a selection of lessons learnt to ensure outcomes have been followed up, including complaints that progress to stage two.
- 3.31 Regular reporting of complaints includes the number of complaints received by stage and by service area, the percentage resolved at each stage, applicant satisfaction with outcome and handling and the diversity of complaints. To be made available to Homes England upon request.

Unreasonable (vexatious) complainants

- 3.32 A very small minority of applicants make complaints that are vexatious, because they persist unreasonably with them. If such complaints affect our ability to provide a service to others, we may need to take specific action to deal with these applicants. Guidance for dealing vexatious complaints can be found within the Radian Vexatious Contact Procedure setting out how we will manage these situations.

Compliments

- 3.33 When an applicant tells us they are pleased with a specific service they've received, or thank an individual member of staff for their help, this will be recorded by the Help to Buy Team centrally as a compliment. This information is passed to the person's line manager and should be noted for one to ones etc.

3.34 Where an applicant tells us that they like something that we have done we should look at how we can do more of it or roll out any good practice across service areas or the organisation as a whole. This information will be reviewed by the Help to Buy Management Team.

Expressions of satisfaction and dissatisfaction

3.35 Where applicants express a general satisfaction or dissatisfaction with service they have received, these are recorded on the Homes England supplied Excel template. These comments are not followed up with the applicant but are collated and reviewed by the Help to Buy Management Team and submitted to Homes England on a monthly basis.

4. Related Documents

4.1 This procedure links to Radian's:

- Complaints and comments policy
- Compensation procedure
- Vexatious contact procedure

Appendix one - Complaints that fall outside our formal complaints procedure

Help to Buy Agency

For the matter to be considered through the complaints procedure, it must be about the service provided by Help to Buy South and cannot be about a decision made in relation to eligibility, if this decision was made following clear rules laid down by those who fund the scheme. However, if a complaint is made about a decision, the decision should be reviewed by Help to Buy South to ensure the criteria has been correctly followed. If it hasn't, a complaint can be made about this decision. Complaints made in relation to scheme criteria set by Homes England will be logged to report monthly to Homes England and the complainant referred to Homes England's complaint procedure.

If the complaint is about the allocation of a property owned by another Registered Provider (RP) and is about the applicant not being allocated/sold a property they wanted, this would not be covered by our complaints procedure. The applicant would need to take this up directly with the RP who owns the property.

Complaints about property valuations

If an applicant complains about the valuation of their home, as they believe the valuation is incorrect, they will need to raise this complaint directly with the valuer, rather than with Help to Buy South.

If they are not satisfied with the response from the valuer, they are able to raise their complaint with the Royal Institute of Chartered Surveyors (RICS) - RICS Dispute Resolution Service, also known as DRS. Their contact details are:

RICS Dispute Resolution Service
Surveyor Court
Westwood Way
Coventry
CV4 8JE
t +44 (0)20 7334 3806
e drs@rics.org

Appendix two– Consumer Credit Related Complaints

A number of Radian’s subsidiary companies are registered with the Financial Conduct Authority (FCA) in connection with consumer credit regulated activity (such as shared equity loans). We will have regard to the FCA’s rules and guidance on dealing promptly and fairly with complaints related to that activity (DISP 1: Treating Complainants Fairly).

To aid our consumer credit applicants’ awareness of the protections available to them, if a complaint is made, we will provide contact details and a link to the website of the Financial Ombudsman Service (FOS).

Radian’s Assistant Director of Governance, Risk and Company Secretariat has responsibility for oversight of our compliance with the FCA’s rules and guidance relating to consumer credit complaints.

On receiving a consumer credit related complaint, we will ensure it is assigned to the most appropriate senior manager who will investigate it, assess whether or not it should be upheld, decide on the appropriate remedial action or redress and explain to the complainant our assessment of the complaint, our decision and any offer of remedial action or redress.

On receipt of a consumer credit related complaint we will send to the complainant a prompt written acknowledgement and ensure the complainant is kept informed of the progress of its resolution. By the end of eight weeks after receipt of the complaint we will send either:

- A final response setting out whether the complaint is accepted or rejected and any offer of redress or remedial action; or
- A written response which explains why a final response cannot yet be provided and when we expect to provide one.

In each case we will:

- Advise the complainant that they may, if dissatisfied with our response, refer the complaint to the FOS;
- Provide details of the FOS website;
- Enclose a copy of the FOS leaflet;
- Confirm whether or not we consent to waive the time limits in DISP 2.8.2 R or DISP 2.8.7 R.

Where we consider a consumer credit related complaint to be resolved, we will promptly send written confirmation of this to the complainant and explain that they may be able to refer the complaint to the FOS and include details of the FOS website.

Appendix three – Complaints Review Meeting

What is a Complaint Review Meeting?

The Complaint Review Meeting is the second and final stage of Help to Buy South's internal complaints procedure. Applicants can request an escalation to this meeting if they are not satisfied with the outcome of their complaint at the first stage and the earlier decisions Help to Buy South has made.

If someone requests that their complaint is escalated to this review stage, a Help to Buy Agency Officer will contact them within two days of their request to start to agree arrangements and establish possible dates for this to take place. The aim is to set up the meeting as soon as possible.

This meeting is an opportunity for the applicant to have their complaint considered further and for further solutions to be sought. It is important to make it clear that this is a meeting between the applicant, a Help to Buy South manager and our panel members with an aim of coming to an amicable decision and resolution to the complaint. It is to be kept as informal for the applicant as possible.

The panel members and Help to Buy South Manager present at this meeting will consider whether the applicant has been treated fairly and whether the solutions offered so far have been reasonable. Any information or evidence an applicant brings to this meeting should have been made available during the earlier stage of the complaint, so if an applicant does bring new evidence with them, it will be at the discretion of the panel members in attendance as to whether it can be considered.

All information and correspondence that has led up to the complaint and that has been received and sent during the complaint, will be made available to all those attending the meeting. All Help to Buy South's panel members have signed a Confidentiality Agreement.

Who will be at the Complaint Review Meeting?

- The applicant will be asked to attend the meeting to discuss the details of their case. They can ask a relative, friend, carer or advocate to attend the meeting with them, but solicitors or lawyers cannot represent an applicant, and Help to Buy South will not be legally represented either. If an applicant needs an interpreter or signer Help to Buy South will arrange for a professional and independent interpreter or signer to be present.
- If up to this point someone has been making a complaint on behalf of the applicant, we must have written agreement from the applicant that they wish their complaint to be escalated to stage two. The applicant will also be encouraged to attend the stage two meeting with their representative, if they do not wish to attend they must confirm they are happy for their representative to do this on their behalf and agree/disagree with the resolution proposed.
- It is the applicant's choice as to whether they attend the meeting. It is very beneficial if they do, as they can discuss their complaint in person with those in attendance and put into their own words why they remain dissatisfied with the solutions offered so far.
- The applicant can put forward a written submission if they do not wish to attend the meeting.

- The two panel members present at the meeting are not employed by Help to Buy South or Radian and will not have been previously involved in the complaint, and so will have an independent view of the complaint.
- The Manager at the meeting will be more senior to any staff members who may have been involved in the stage one investigation and will usually be from the appropriate department, best placed to help in seeking a resolution. However, sometimes it may be appropriate to have a Manager from another department, to give a more independent view.
- Prior to the Review Meeting this Manager will familiarise themselves with the complaint and establish what action has been taken so far and what resolutions have been offered. The role of this Manager at the meeting is to discuss with both the applicant and the panel members what action has been taken so far and why and to help, via discussions with the applicant and panel members, to seek a satisfactory complaint resolution. The Help to Buy South Manager will act as chair of the meeting.
- The Manager present can also act as an advisor to the panel members on Help to Buy South policies and procedures when a resolution is being discussed.
- A note taker will be present at the meeting to make a written record of what is said at the meeting (this will either be a HtBO or an experienced minute taker such as a PA). Applicants may be asked whether they are prepared to allow the note taker to tape record the meeting to ensure the notes are accurate. If the applicant agrees to this, the recording will be deleted as soon as the notes of the meeting have been written up.

What happens at the Complaint Review meeting?

The panel members will decide whether an applicant has been treated fairly and whether Help to Buy South has done all it can for them in order to resolve the complaint.

The meeting should take no longer than 2 hours.

Whilst the aim is for this meeting to not feel too formal, below is a suggested outline of how this meeting might run:

Introductions

- The chair of the meeting will introduce everyone and explain the aim of the meeting.

The applicant's view of the complaint so far

- The applicant should be asked to explain what their complaint is about, why they are not satisfied with the action taken so far and what they would like to happen.

Questions and discussion

- All those present at the meeting will already have read over the information of what has happened at the first stage of the complaint, but if any further clarification is needed, the Help to Buy South Manager can help explain the action taken at stage 1
- A discussion between all those present should now be able to take place to discuss a way forward and whether other solutions can be offered.
- All those present at the meeting can ask appropriate questions of one another in order establish the facts and come to a decision.
- The Manager present may need to explain what is and is not possible within Help to Buy South's policies and procedures.
- It may be appropriate for the panel members and Help to Buy South Manager to have a discussion with the applicant not present, when coming to their final decision

about a suggested resolution. If they feel this is appropriate they can ask the applicant to leave the room and they will be taken to a suitable waiting area.

Decision/offer of resolution

- At this point, if the panel members and the Help to Buy South Manager had asked the applicant to leave, they will invite them back into the room to put forward their final offer of a resolution. This resolution will be explained by the chair.
- The applicant will have the opportunity to state whether or not they accept this resolution. They may want more time to think about it and it will be confirmed this decision will be put in writing to the applicant within the next 5 working days.
- If more time is needed by the Manager and panel members to come to a decision about the final offer of resolution, this can be explained to the applicant and the decision will be put in writing within the next 5 working days.

What happens if an applicant does not wish to accept the resolution offered at the Review meeting?

The applicant has the option to:

- a) Take their complaint to a 'designated person' for consideration
- b) Take their complaint to the appropriate Ombudsman

Appendix four – ‘Designated persons’

Background

A complaint being made to the Housing Ombudsman has to be referred by a designated person, once it has exhausted the Agency’s internal complaints procedure. A designated person means an MP, local councillor or a designated panel. This is to encourage complaints resolution at a local level and reduce the number of complaints taken to the Housing Ombudsman. Whilst it is hoped that the designated person will resolve complaints, they have the option to either refer the case to the Housing Ombudsman (in writing), or refuse to deal with it

Complainants can still take their complaint direct to the Property Ombudsman but have to wait 8 weeks after they have exhausted the internal complaints procedure.

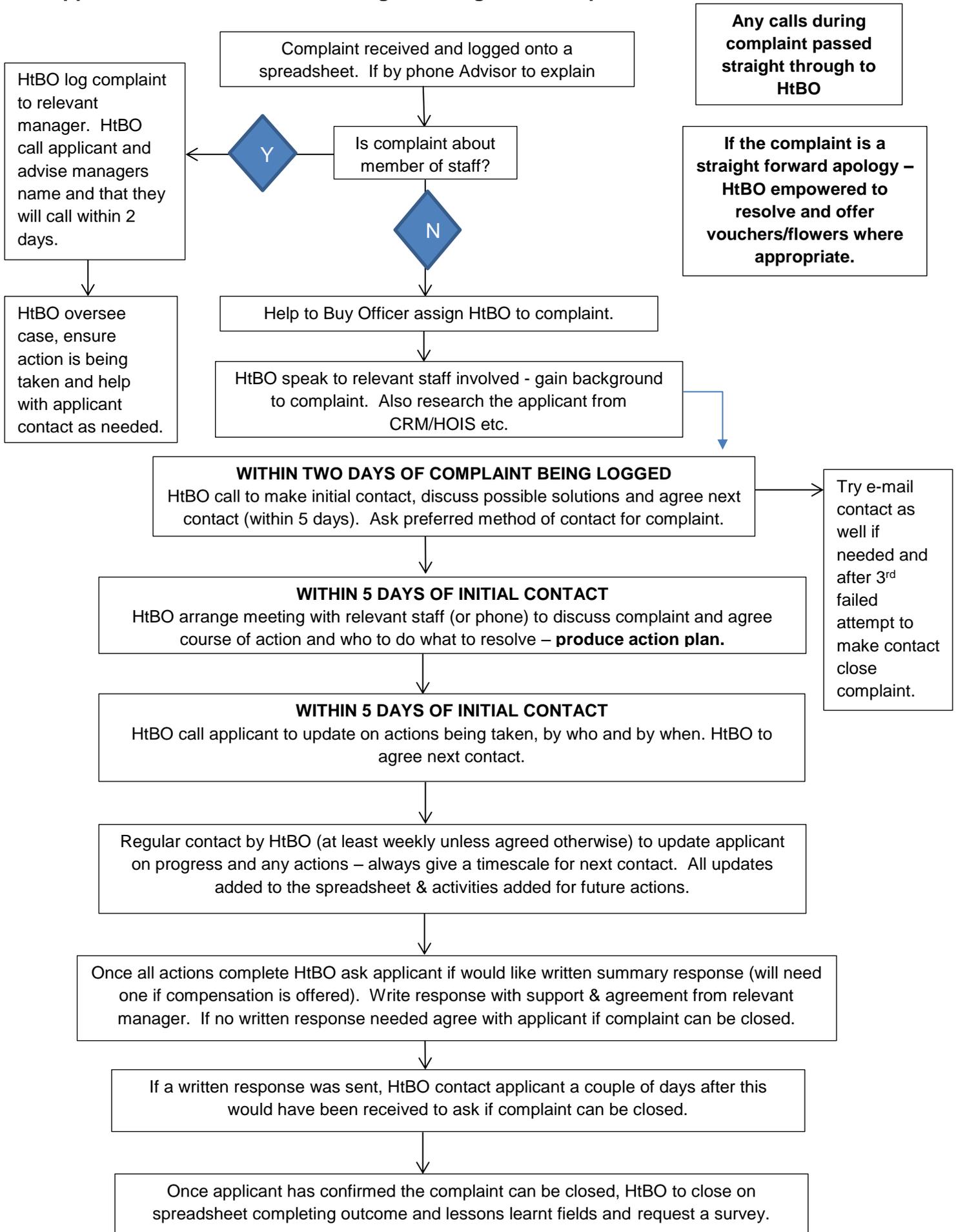
MPs and local councillors

Complainants may take their complaints to councillors and MPs. As a designated person, a similar role applies.

The Localism Act 2011 only permits councillors from the local housing authority in the district where the complainant lives, to be a designated person. This definition does not include county or parish councillors.

If a complainant chooses to take their complaint to an MP or councillor, Radian will provide to this designated person, any information relating to the complaint from stage 1 and 2

Appendixfive– flow chart – dealing with stage one complaint



Appendix six – Complainant satisfaction survey

This survey is to be carried out by phone once a complaint has been closed.

On a scale of Very Satisfied, Fairly Satisfied, Neither Nor, Fairly Dissatisfied and Very Dissatisfied, how satisfied were you with:

- 1. Overall, the outcome of your complaint
VS / FS / NN / FD / VD

If applicant states they are fairly satisfied – ask what would have made them very satisfied. If they state they are not satisfied, ask them why.

- 2. Overall, the way in which your complaint was handled
VS / FS / NN / FD / VD

If applicant states they are fairly satisfied – ask what would have made them very satisfied. If they state they are not satisfied, ask them why.

- 3. Do you have any comments or suggestions about what works well or what we could change to help us improve the way we deal with complaints?
