



# Feedback Policy

## 1. Purpose

- 1.1 This policy sets out our approach to dealing with feedback from anyone who receives a service from us or is affected by a Red Kite decision or action.
- 1.2 Feedback within the context of this policy includes compliments and complaints but comments, suggestions or service improvements are considered part of business as usual and are managed as such.
- 1.3 This policy ensures that our staff, Board members and residents have a visible way to feedback about our services, as well as providing a framework for staff to deal with such feedback.
- 1.4 It also ensures that we take a positive, consistent and fair approach to feedback management, setting out clearly the relevant escalation process.

## 2. Definitions

- 2.1 A *compliment* is defined as any party who is affected by a Red Kite decision or action, taking a pro-active step to make a positive statement about us or one of our services.
- 2.2 A *complaint* is defined as an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents. This policy has the following steps for processing complaints feedback:
  - 2.2.1 *Quick resolution* (Stage 0) – Complaints received about a service where there is the opportunity for us to put things right quickly and easily, will be treated as a quick resolution complaint. We will aim to contact the resident within two working days to discuss the complaint, how we aim to resolve it, and in what timeframe the Quick Resolution owner will continue to liaise with the resident, keeping them updated until the issue is resolved.
  - 2.2.2 *Formal investigation* (Stage 1) – When a complaint is more complex in nature, cannot be resolved at the quick resolution stage, or where there is continued dissatisfaction about the actions, decisions or failure of our services after we have had the opportunity to put things right, a formal investigation will take place. We will aim to acknowledge complaints at this stage within two working days and aim to provide a formal response within ten working days.
  - 2.2.3 *Appeal* (Stage 2)– An appeal may be requested if the resident feels dissatisfied with the outcome of the complaint investigation. All appeal requests will be considered based on any new evidence or information not previously taken into account. We will aim to acknowledge the appeal request within two working days and aim to provide a formal response within ten working days.
- 2.3 *Unacceptable behaviour* is defined as when a resident, because of the frequency or nature of their contact with us, hinders our consideration of their or other people's concerns and/or intentionally or otherwise damages our reputation or credibility.
- 2.4 A *Subject Access Request* (SAR) is a request sent from a data subject (i.e. resident) to a data controller (i.e. Red Kite) requesting information that is held about themselves.

2.5 *The Housing Ombudsman* provides a dispute resolution service which may be utilised once the internal feedback process has been exhausted.

### 3 Responsibilities

3.1 Any member of staff may be required to investigate, resolve or respond to feedback received, and are expected to follow this policy, as monitored and directed by the Knowledge and Feedback Stem and their Head of Service.

3.2 Our Board Members set our strategic direction, but they do not get involved in operational matters. If contacted about operational issues, the Board member will refer the matter to the Feedback team to be dealt with in line with this policy.

3.3 The Head of Potential has overall responsibility for the implementation of the policy, supported by the Knowledge and Feedback Stem.

3.4 This policy will be reviewed at least every three years and will be amended to reflect changes in legislation as they come into force.

### 4 Legal Framework

4.1 The main pieces of legislation and regulation are as follows:

- Housing Act 1996
- Housing and Regeneration Act 2008.
- Data Protection Act 2018
- General Data Protection Regulation
- The Localism Act 2011
- The Equality Act 2010
- The Consumer Rights Act 2015 (Part 1, Chapter 4)
- Homes (Fitness for Human Habitation) Act 2018
- The Tenant Empowerment and Involvement Standard
- The Social Housing White Paper 2020
- Housing Ombudsman Service Complaint Handling Code July 2020

### 5 Key Principles

5.1 We should manage complaints at the first stage it comes in where possible, aiming to investigate and address concerns thoroughly enough that we are confident that, where possible, our first response will be our last response.

5.2 We have based our approach to managing feedback on the following principles defined by the Housing Ombudsman:

- **Be fair:** a constructive approach that applies consistent principles to all complaints, whilst ensuring each complaint is considered on the facts of the individual case. Treating each case justly and without favour or discrimination
- **Put it right:** it is important that we make sure to put things right where they have gone wrong
- **Learn from our residents:** demonstrate a willingness to learn from the issues raised and/or any identified service failure. Feedback to service users, including the complainant, on lessons learnt and actions taken to improve service delivery

5.3 Applying the three principles defined by the Housing Ombudsman effectively means having the right culture, process, and behaviours.

5.4 To support these principles, it is vital that we share and highlight compliments

- encourage feedback to be given, both positive and negative
- are accessible
- learn where we can apply good practice elsewhere in the organisation

5.5 Feedback, whether it is positive or negative, allows us to:

- to keep resident focussed: gaining an understanding of what our residents like and don't like about the services we offer
- demonstrate that we value the opinions of our residents
- measure how we are doing from a resident's perspective, providing a way to track continuous improvement
- build positive relationships that can turn into valuable partnerships

## **6 Policy Statement**

6.1 We are committed to providing excellent services for all our residents and local communities. We take pride in our work and we operate in a fair and open manner to build trust and mutual respect. However, we appreciate that sometimes things can go wrong, but other times they can go really well. In both circumstances, our residents and partners may wish to tell us about this, and we will capture and manage both complaints and compliments in a uniform way.

6.2 Our internal negative feedback process consists of an informal quick resolution stage (stage 0), as well as our formal investigation stage (stage 1) and, where necessary, a formal appeal (stage 2).

6.3 If a complaint relates to the service or actions of one of our contractors, we will share details of the complaint with them to support our investigation and for the purpose of seeking a resolution.

6.4 We will not normally investigate any complaint that relates to any of the following:

- matters which occurred over 6 months ago. In these cases, authority from the Head of Potential or Head of Service in their absence will be sought to exclude these complaints.
- matters which are subject to legal proceedings, insurance, or personal injury claims
- matters which have been considered under a separate appeals process
- matters which are not within our jurisdiction to change or influence

6.5 If the feedback received includes a complaint about data protection (DP), or a Subject Access Request (SAR), the complaint may be put on hold while the DP or SAR aspect is dealt with, as per our internal data protection procedures. Once resolved, and/or the SAR concluded, the complaint will resume.

6.6 We reserve the right to conclude our internal process at any time if we deem that continuing through the process will be of no benefit to the resident, for example where the contact from the resident is deemed to be unacceptable in line with our unacceptable behaviour procedure.

6.7 We will electronically capture key resident data as well as monitor and record, in accordance with the Data Protection Act to allow us to pro-actively case manage complaints or compliments, report on the trends, root causes and other intelligence to aid in learning from feedback and improving our services.

6.8 We will review and assess the quality of the formal responses we provide to feedback on a month-by-month basis, and report on our findings so that we may identify areas for improvement. This information will be promoted throughout the business to ensure continuous improvement.

## **6.9 Designated Person(s) & the Housing Ombudsman**

6.9.1 Once our internal complaints procedure has been exhausted or ended, our residents are able to utilise some additional external routes should they still feel dissatisfied with the outcome. We will be clear when our internal process has come to an end.

6.9.2 The Localism Act 2011 sets out that a *tenant may look to seek the assistance of a Designated Person(s)* should they remain dissatisfied following the conclusion of our internal process. This could be an MP, councillor or designated person's panel. The latter of which should be an independent body of residents who have approached Red Kite to be approved as a *tenant panel*, to assist our residents in seeking a satisfactory resolution.

6.9.3 Only *tenant panels* recognised and approved by the Housing Ombudsman may act on the behalf of our residents.

6.9.4 Should any *tenant panel* approach us to work with our residents, we will not unreasonably reject any such offer. We will seek to work with such panels to ensure they are able to act without conflict of interest, in a professional and constructive way for the benefit of our residents.

6.9.5 We are not obligated to adhere to any recommendations made by a designated person(s) nor can they make decisions on either our or a resident's behalf. Their role is to help facilitate the arrival at a satisfactory resolution for the resident.

6.9.6 A resident may also choose to contact the Housing Ombudsman once our internal feedback process has concluded, and either eight weeks have passed, or the case has been referred to them by a designated person.

6.9.7 Should any resident choose to raise their concerns to the courts, either civil or criminal, it will serve to end our feedback process and fall outside of the remit of this policy.

## **6.10 Accessibility & Confidentiality**

6.10.1 Feedback can be received by anyone in the organisation through any supported channel which includes by phone, in person, via our website, by email, by letter or through Red Kite owned social media channels.

6.10.2 Feedback can be given on behalf of a resident by another person acting on their authority, although personal data will not be disclosed to any third party without prior written agreement from the relevant resident being received. We may choose to contact the resident if we have any concerns as to the authenticity of the feedback provided.

6.10.3 We will consider any reasonable adjustments that may be required to ensure that access to our services is available wherever possible, to all residents, providing

language and translation support through our digital communications channels (also accessible in our offices and during site visits). This will include access for residents with disabilities who require audio and visual support.

6.10.4 All feedback is treated as confidential unless we, or one of our partners, are asked to use that feedback to make further contact or carry out additional actions or investigations. We will not otherwise share details of feedback received with any third party without prior permission.

## **6.11 Unacceptable Behaviour**

6.11.1 When instances of unacceptable behaviour occur, we may choose to cease dealing with that resident or put in place a limited contact arrangement as laid out in our Unacceptable Behaviour Procedure. However, in the event that a resident is abusive or threatening to a member of staff, action may be taken in line with our Staff Protection Policy and the Tenancy Agreement.

## **6.12 Compensation**

6.12.1 Our approach to compensation is laid out in our Compensation Policy and Procedure.

6.12.2 Reviews of compensation paid will be conducted at least annually to ensure that we are actively working to use the learning from cases where compensation has arisen as a result of complaints about our services.

## **6.13 Learning from Feedback**

6.13.1 Learning from feedback is a core focus for us as a business. It is important that we take on board the feedback we receive, whether positive or negative, and use it to find ways of improving services, streamlining or realising efficiencies, as well as improving the way in which we deal with our residents.

6.13.2 Where possible, we will seek to ensure that learning or improvements are identified from the feedback we receive, this will help inform process reviews or improvements as appropriate.

6.13.3 We will introduce a satisfaction survey from 2021/22 to help us capture feedback from residents who have used our Feedback service to help inform any improvements we can make.

## **6.14 Reporting**

6.14.1 For internal purposes, we will report monthly via the Operations Team meetings on all quick resolution, formal complaints, appeals or compliments we receive, including high level root cause analysis, the outcomes and learning from such feedback. We will also report on any complaints escalated to the Housing Ombudsman Service which they confirm is within their jurisdiction to investigate.

6.14.2 Feedback data is included in our Annual Report and, from 31 December 2020, we will complete a self-assessment against the Housing Ombudsman's Complaint Handling Code and publish this assessment on our website.

6.14.3 Reporting will allow us to:

- highlight the feedback we receive, what we have done about it and how we have learnt from it

- explain the quantity and type of complaints and compliments received, including which areas of the business they relate to, their justification and their root causes

6.14.4 We will share our performance with our residents by publishing how we are doing on our website.

## **7 References**

- 7.1 The Regulator of Social Housing sets out the expectations and obligations of housing associations.
- 7.2 The Housing Ombudsman also recommends an approach to feedback management which describes the key elements involved to be successful in this area. We have adopted this model as good practice (as of September 2015), which is shown in the Key Principles.
- 7.3 The Tenant Empowerment and Involvement Standard (2017) sets out desired outcomes from managing feedback, including the requirement for us to have an approach that is clear, simple and accessible and which ensures that complaints are resolved promptly, politely and fairly.
- 7.4 The Consumer Rights Act 2015 (Chapter 4) which demands that any service should be carried out with “Reasonable care and skill, within a reasonable time, at a reasonable price”.

## **8 Related Policies & Procedures**

- Feedback Procedure
- Compensation Policy and Procedure
- Unacceptable Behaviour Procedure
- Staff Protection Policy and Procedure
- Anti-Social Behaviour Policy and Procedure
- Privacy and Data Protection Policy

Staff roles listed in the **Competency Standards section** must be acquainted with contents of this document and have had documented instructions and training on its use. Authority to amend can only be undertaken by the **Process owner** with the relevant **Delegated approvals**.

For information on interpretations and instructions staff should contact the **Subject Matter expert** or **Process owner** and under no circumstances should any deviation be permitted without prior approval as above.

Document Controls			
<b>Version:</b>	5	<b>Effective date:</b>	January 2021
<b>Subject Matter expert drafter:</b>	Knowledge and Feedback Manager	<b>Process owner:</b>	Head of Potential
<b>Related Pod:</b>	Potential	<b>Related Policies:</b>	Compensation Policy and Procedure Staff Protection Policy Anti-Social Behaviour Policy Privacy and Data Protection Policy Equalities Policy
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