



# Feedback Policy

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<b>Policy Owner:</b>	<b>Head of Potential</b>	<b>Policy Reviewer:</b>	<b>Knowledge and Feedback Manager</b>



## 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 customers have a visible way to feedback about our services, as well as providing a framework for dealing 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 Negative feedback is defined as any expression of dissatisfaction about our service, whether justified or not, where there is an expectation of a response, compensation or further action. This policy has the following steps for processing negative feedback:
  - 2.2.1 **Initial contact** – Complaints received about a service for the first time, and where there is the opportunity for us to put things right as quickly and easily, are treated as an initial contact. We will aim to provide a response to initial contacts within two working days.
  - 2.2.2 **Formal investigation** – When a complaint is more complex in nature, cannot be resolved at the initial contact 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 acknowledge complaints at this stage within two working days and aim to provide a formal response within ten working days.
  - 2.2.3 **Appeal** – An appeal may be requested if the customer 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 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 customer, 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. The terms 'unreasonable', 'persistent' and 'vexatious' may apply separately or jointly and is summarised as 'unacceptable behaviour'.

2.4 The Data Protection Act controls how your personal information is used by organisations, businesses or the government.

2.5 A Subject Access Request is a request sent from a data subject (i.e. customer) to a data controller (i.e. Red Kite) requesting information that is held about themselves.

### **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 and approve our policies 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 are as follows:

- Housing Act 1996 (amended by the Housing and Regeneration Act 2008)
- Data Protection Act 2018
- The Localism Act 2011
- The Equality Act 2010
- The Tenant Empowerment and Involvement Standard (April 2012)
- The Consumer Rights Act 2015 (Part 1, Chapter 4)

### **5 Key Principles**



- 5.1 We should manage feedback quickly at the point of contact, and we should investigate 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 customers:** demonstrate a willingness to learn from the issues raised and/or any identified service failure. Feedback to service users, including the complainant and Board, 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. The relationship between these elements is demonstrated in *Figure 1* and is supported by our Behaviour Charter.



*Figure 1*

- 5.4 To support these principles it is vital that we have a robust approach to managing compliments and:
- share and highlight compliments
  - encourage feedback to be given
  - 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:
- try and understand what our customers like and don't like
  - make customers recognise that we value their opinions



- measure how we are doing from a customer's perspective, providing a way to track to 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 of our tenants, leaseholders 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 customers and partners may wish to tell us about this, and we will capture and manage both complaints and compliments in a uniformed way.
- 6.2 Our internal negative feedback process consists of an informal initial contact stage (stage 0), prior to the start of our formal investigation stage (stage 1) and, where necessary, a formal appeal (stage 2).
- 6.3 We will not normally investigate any complaint that relates to matters which occurred over 6 months ago. In these cases authority from the Head of Potential will be sought to exclude these complaints.
- 6.4 If the feedback received includes a complaint about data protection (DP), or a Subject Access Request (SAR), the complaint will 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.
- 6.5 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 customer, for example where the contact from the customer is unreasonably persistent or vexatious.
- 6.6 We will electronically capture key customer data as well as monitor and record, in accordance with Data Protection principles, 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.
- 6.7 We will review and assess the quality of the responses we provide to feedback received 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.

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



- 6.8.1 Once our internal complaints procedure has been exhausted or ended, tenants are able to utilise some further external routes should they still feel dissatisfied with the outcome. We will be clear when our internal process has come to an end.
- 6.8.2 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 tenants who have approached Red Kite to be approved as a tenant panel, to assist our customers in seeking a satisfactory resolution.
- 6.8.3 Only tenant panels recognised and approved by the Housing Ombudsman may act on the behalf of our customers.
- 6.8.4 Should any tenant panel approach us to work with our customers, 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 customers.
- 6.8.5 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 customer's behalf. Their role is to help facilitate the arrival at a satisfactory resolution for the customer.
- 6.8.6 A customer 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.
- 6.8.7 Should any customer 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.

## **6.9 Accessibility & Confidentiality**

- 6.9.1 Feedback can be given to anyone in the organisation through any supported channel which includes: by phone, in person, via our website, by email, Facebook, Twitter, LinkedIn or by letter.
- 6.9.2 Feedback can be given on behalf of a customer 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 customer being received. We may choose to contact the customer if we have any concerns as to the authenticity of the feedback provided.



- 6.9.3 Where English is not a customer's first or preferred language, we will endeavour to secure an internal translation service to make the experience easier. However customers may need to pay for their own interpreter if this solution is not adequate or they do not have a friend or family member to assist them.
- 6.9.4 Where customer has a communication difficulty, such as a visual impairment, hearing difficulties or poor literacy skills, we will work with them to find the best way of communicating, in line with their preferences.
- 6.9.5 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. We will not otherwise share details of feedback received with any third party without prior permission.

#### **6.10 Unacceptable Behaviour**

- 6.10.1 When instances of unacceptable behaviour occur we may choose to cease dealing with that customer, or put in place a limited contact arrangement as laid out in our Unacceptable Behaviour Procedure. However in the event that a serious breach of tenancy has taken place, action may be taken in line with our Staff Protection Policy.
- 6.10.2 Attributes used to identify actions or awareness of risks, will form part of our wider approach to risk management.

#### **6.11 Compensation**

- 6.11.1 Our approach to compensation is laid out in our Compensation Policy and Compensation Procedure.
- 6.11.2 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.

#### **6.12 Learning from Feedback**

- 6.12.1 Learning from feedback is a core focus for us as a business. It is a corporate objective to ensure 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 customers.
- 6.12.2 We will ensure every formal complaint identifies learning or improvements to help inform process reviews or improvements as appropriate.



## **6.13 Reporting**

6.13.1 For internal purposes, we will report monthly on all initial contact, formal complaints, appeals or compliments we receive, including high level root cause analysis, the outcomes and learning from such feedback.

6.13.2 Reporting will allow us to:

- highlight the feedback we receive, what we have done about it and how we have learnt from it
- explain to Red Kite staff the quantity and type of complaints and compliments received, including which areas of the business they relate to, their justification and their root causes
- benchmark our service against others, either in or out of the sector. We do however recognise that many organisations have varied definitions of complaints

6.13.3 For the purpose of benchmarking, we will not include negative feedback considered as only 'initial contact' (informal) or where the issue has been deemed to be 'customer perception', such as a comment, with no expectation of a reply or further action.

## **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 (Part 1, 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 Procedures
- Compensation Policy and Procedure
- Compensation Procedure
- Unacceptable Behaviour Procedure
- Staff Protection Policy and Procedure
- Anti-Social Behaviour Policy and Procedure
- Privacy and Data Protection Policy