

NUPLACE LTD COMPLAINTS PROCEDURE

1 **Purpose**

This procedure has been prepared to establish a standard approach to the response to complaints received by or concerning Nuplace Ltd. Formal complaints will be dealt with under this Procedure and final redress is with the Local Government and Social Care Ombudsman. This policy also covers the process in dealing with any freedom of information requests received by Nuplace Ltd.

2 **Scope**

A complaint is defined as:

“an expression of dissatisfaction, however made, about the standards of service, action or lack of action or decisions taken by Nuplace Ltd, its own staff, or those acting on its behalf, affecting an individual or group of individuals.”

People can complain where Nuplace has:

- Done something wrong
- Done something it should not have done
- Failed to do something it should have done
- Behaved unfairly or discourteously
- Not carried out the service to a recognised standard

It is recognised that this does not cover every scenario and complaints can range from minor annoyances to major grievances.

This complaints procedure excludes certain matters such as:

- Legal matters – issues that involve a legal action by or against Nuplace Ltd
- Insurance matters – issues that involve an insurance claim against Nuplace Ltd or its insurers
- Statutory or regulatory matters
- Allegations or suspicion of fraud, corruption or financial irregularity

This procedure is open to anyone who is a Nuplace tenant or applies to be a Nuplace tenant.

3. **Method**

3.1 **Service Requests**

Where a new issue is raised, these should be dealt with internally by the relevant team, either the Nuplace Housing Management team or the Nuplace Development Management Team. The tenant should be acknowledged and responded to within three working days and all correspondence and issues should be logged on the tenant's file. All responses should be responded to in full where possible.

3.2 Stage One Formal Complaint

Where the tenant is dissatisfied with the service request response, this will be passed immediately to the Customer Relationship Team at customer.relationship@telford.gov.uk.

The Customer Relationship Team provide Nuplace Ltd with administrative support only in relation to this complaint procedure.

The details will be recorded on a computerised system (Respond) and the Customer Relationship Team will acknowledge this complaint within two working days of receipt providing details of whom is responsible for responding to the complaint.

All Nuplace Stage One complaints will be logged to be investigated by either:

- Service Delivery Manager for Housing
- Service Delivery Manager for Property Management
- Nuplace Programme Manager; or
- A relevant officer

A full response will be sent within 10 working days of the complaint and will advise the tenant of their right to take the complaint to Stage Two of the complaints procedure. This request should be made by the tenant within 20 working days of receiving the response to their concerns.

Where an investigation is unlikely to be completed within 10 working days, the investigating officer should request an extension from the Customer Relationship Team giving a reason for the extension. The Customer Relationship Team will send an update informing the complainant of the extended response date which should then be completed within a maximum of 10 working days. The maximum period in which to respond to a Stage One complaint under this procedure is 20 working days.

On completion, the investigating officer should pass a copy of the full response to the Customer Relationship Team so they can record the action taken on the complaints system and monitor any outstanding or follow up actions.

3.3 Stage Two

Where the tenant is dissatisfied with the outcome of a complaint investigation, a request can be made to progress their concerns to Stage Two, this can be request via email to customer.relationship@telford.gov.uk or over the telephone on 01952 382006. The tenant should outline their reason for escalation and the outcome required by the tenant.

The Customer Relationship Team and the investigating officer will review the Stage One and the complaint will be passed by the Customer Relationship Team to the Director of Nuplace Ltd, who is sufficiently distanced from the day to day operation to take an independent view of the matters outstanding.

At Stage Two, the Director of Nuplace Ltd will compile a full response within 20 working days. Where an investigation is unlikely to be completed within 20 working days, the Director should request an extension from the Customer Relationship Team giving a reason for the extension. The Customer Relationship Team will send an update informing the tenant of the extended response date which should then be completed within a maximum of 20 working days. The maximum period in which to respond to a Stage Two complaint under this procedure is 40 working days.

On completion of the investigation, the response will be forwarded to the tenant and will include information on their right of redress to the Local Government and Social Care

Ombudsman if they continue to be dissatisfied with action taken in relation to process and procedures.

The response will also outline, where relevant, the next steps the tenant can take if they are seeking financial redress.

4 The Local Government and Social Care Ombudsman (LGSCO)

The Local Government and Social Care Ombudsman is independent and impartial and gives a service which is confidential and free of charge. The Ombudsman has the same powers as the High Court to require people to provide information and to produce documents for investigation.

Any member of the public is able to complain to the Ombudsman if they feel there has been an injustice. However, the Ombudsman's office usually states that tenants/ customers should first take up their complaint with the relevant Department.

If the tenant/ customer is not happy with how the complaint has been dealt with they can complain to the Ombudsman. The Ombudsman is an independent and impartial organisation and its role is to investigate complaints of maladministration. Maladministration means that there has been a fault in the way Nuplace Ltd has or has not done something, such as a failure to follow its own procedures or the law.

Before the Ombudsman can investigate a complaint, Nuplace Ltd must have had a chance to answer it.

Complainants who remain dissatisfied with the proposed outcome after their complaints have been handled within this procedure will be advised that they are entitled to approach the Local Government and Social Care Ombudsman, to request that the matter be considered. Contact the Ombudsman by telephone on **0300 061 0614** or online at www.lgo.org.uk

5 Freedom of Information Requests

When a Freedom of Information (FOI) Request is received for Nuplace Ltd, this will be responded to by the relevant area, depending on the nature of the request. FOI's relating to the housing development will be forwarded to the Nuplace Programme Manager and FOI's relating to the housing management will be forwarded to the Housing Service Delivery Manager to lead on the response. At the same time a copy will be sent to Nuplace Ltd Directors so that they are aware that an FOI has been received.

To be valid under the FOI Act, requests must:

- Be in writing by letter, fax or email
- Clearly describe the information being sought
- Contain the name of the applicant and a valid return address

To be valid under FOI Act, requests do not:

- Have to be written on a special form
- Need to mention the Act
- Need to refer to FOIA in any way

A response must be sent within 20 working days of receiving the FOI request.

6 Summary of procedure

Complaints and FOI's

Action	Timescale	Responsibility
Service Requests		
To respond to the tenant and acknowledge the complaint	3 working days	Relevant team either Housing Management or Development Management
To record the complaint on the clients file and or housing management system	Immediately	Relevant team either Housing Management or Development Management
To respond fully to the tenant addressing their initial complaint (service Request) or un-satisfaction	3 working days	Relevant team either Housing Management or Development Management
Stage One Complaint		
To notify Customer Relationship Team of any complaint/ dissatisfaction which has been received	Immediately	Member of staff receiving the formal complaint
To send a formal acknowledgment to the customer that the complaint has been received and registered	2 working days	Customer Relationship Team
To pass the complaint to the Service Delivery Manager and the Nuplace Programme Manager	The same day or next working day following receipt	Customer Relationship Team
Service Delivery Manager and/or the Nuplace Programme Manager To undertake whatever activity is required to resolve the complaint at Stage One. The findings being communicated to the tenant in writing	10 working days (extendable by 10 more working days if the complaint is complex)	Service Delivery Manager and/or the Nuplace Programme Manager
Stage Two Complaint		
Customer Relationship Team to acknowledge the Stage Two complaint.	Within 5 working days	Customer Relationship Team
Nuplace Ltd Director to complete the investigation and send a response to the tenant.	Within 20 working days	Senior Formal Complaints Investigator
To notify the complainant where appropriate the reasons for necessary extension past 20 working days and to specify a new completion date up to a maximum of 40 working days.	Within 40 working days of the complaint	Customer Relationship Team
To provide the complainant with a formal Stage Two response	Within a maximum of 40 working days.	Customer Relationship Team
To convene a learning opportunity meeting, as appropriate, to prepare a service action plan to monitor any service improvements	Within 25 working days of complaint response having been sent to the tenant	Customer Relationship Team.
FOI Requests		
FOI request sent to the relevant Service Delivery Manager (Nuplace Programme Manager or SDM Housing) and at the same time copied to Nuplace Directors	As soon as received	Person receiving enquiry
Relevant Service Delivery Manager to gather information and provide the response to the	Within 15 working days	Service Delivery Manager

Nuplace Directors		
Nuplace Directors to approve or amend the response - relevant SDM to update and/or issue as required	Within 20 working days of initial enquiry	Nuplace Directors / SDM
Response to FOI to be issued	Within 20 working days	Nuplace Directors

7. **Unacceptable behaviour and unreasonably persistent complainants**

We are committed to providing an inclusive, responsive and easily accessible complaints process. We will generally not impose restrictions upon the way in which complainants are able to contact or communicate with staff members.

In line with the organisations duty of care however, staff are entitled to protection from complainants whose behaviour is abusive, offensive, threatening or unreasonably persistent. We will not tolerate acts or threats of physical violence, intimidation, harassment, discrimination, verbal abuse or coercion against our staff.

In such cases, the Customer Relationship Team will inform the complainant why their behaviour is considered unacceptable and ask them to change it. If this has no effect, possible ways forward will be discussed at a formal (noted) professionals meeting, convened and chaired by the Customer Relationship Team. Decisions and action in such cases must be consistent, proportionate to the concerns, time-limited and subject to review.

Among the possible measures available are

- Restriction of access to service area sites
- Routing of all contact with the person through a named staff member
- Requiring contact with the person to be by letter only
- Proposing a formal agreement with the complainant about their behaviour
- Accessing legal advice regarding obtaining an injunction
- Notification to the police
- Where matters have previously been responded to, correspondence will be kept on file and not responded to.

Whilst no single definition of an unreasonable persistent complainant exists, vexatious behaviour may include some or each of the following, this is not an exhaustive list;

- Refusing to specify grounds of the complaint, despite offers of assistance from the council.
- Refusing to cooperate with the complaints investigation process whilst still wishing the complaint to be resolved.
- Refusing to accept that issues are not within the remit of a complaints procedure despite having been provided with information about the procedure's scope.
- Unwillingness to accept the terms of the complaints procedure.
- Insisting on the complaint being dealt with, in ways that are incompatible with the complaints procedure or good practice.
- Making what appear to be groundless complaints about the staff dealing with the complaint, and seeking to have them replaced.

- Changing the basis of the complaint as the investigation proceeds and/or denying statements made at an earlier stage.
- Introducing trivial or irrelevant new information which the complainant expects to be taken into account and commented on, or raising large number of detailed but unimportant questions and insisting they are fully answered.
- Electronically recording meetings and conversations without the prior knowledge and consent of the other persons involved.
- Making unnecessary excessive demands on the time and resources of staff whilst a complaint is being looked into, by for example excessive telephoning or sending emails to numerous council staff, writing lengthy complex letters every few days and expecting immediate responses.
- Submitting repeat complaints, after the complaints processes have been completed, essentially about the same issues, with additions/variations which the complainant insists make these “new” complaints which should be put through the full complaints procedure.
- Refusing to accept the decision – repeatedly arguing the point and complaining about the decision.
- Repetition of identical or similar complaints, but failure to accept any outcome
- Excessive focus on the complaints process, as opposed to the desired outcome
- Focus on unrealistic and unachievable outcomes
- Unreasonably persistent and repetitious contact with the service area
- Tendency to approach different parts of the organisation, in the apparent hope of eliciting different responses
- Abusive or threatening behaviour or language towards staff.

Subject to any considerations about unacceptable behaviour, it is crucial to ensure that the substance of any complaint which seems to be being pursued in a vexatious manner is considered and investigated with the same rigour as any other complaint, as far as possible. Only on this basis could the service area justify any later course of action which had the effect of treating the complainant differently from others.

Any restrictions placed on contact due to unacceptable behaviour will be proportionate and demonstrate regard for the provisions of the Equality Act 2010.

Where a person’s attempts to circumvent any contact restrictions put in place under this policy we can and will make a decision based upon the evidence and, if necessary, extend the contact restrictions to other parties/ persons if judged appropriate.

8. Reporting

Any complaints received will be informed on the monthly Director reports.

9. Procedure Review

This procedure will be reviewed and updated annually.

10. Approval

This procedure was approved by Nuplace Directors on:



Kate Callis

17.09.24

Director Signature

Name (Print)

Date