

Complaints and Compliments Policy.

Purpose

This policy sets out Liver Care and Housing Ltd.'s (LCH) approach to complaints and compliments. It applies to all service users, their representatives and staff within LCH.

Policy Statement

LCH is committed to meeting the requirements of:

- Care Quality Commission Regulation 16 of the Fundamental Standard Regulations
- Regulator of Social Housing Consumer Standards
- Housing Ombudsman Complaint Handling Code requirements

LCH aims to provide good quality housing, services and amenities, and we hope that you never need to complain. However, despite our best intentions things can and do sometimes go wrong. We welcome complaints as opportunities to resolve dissatisfaction at the earliest opportunity and to learn, adapt, improve, and provide better services.

We are members of the Housing Ombudsman Scheme and adhere to the Housing Ombudsman's Complaint Handling Code. The Code sets out the standards and expectations for how we manage and respond to complaints at LCH. Each year, we complete and publish a self-assessment against the Code. This assessment is reviewed and approved by our Board before being published on our website alongside the Board's response. The self-assessment also forms part of our annual complaint performance report.

Our senior lead accountable for complaints is Bethany Elder CCO.
Our member responsible for complaints is John Gibbons - Trustee.

Principles

Our complaints policy aims are to:

- Ensure making a complaint is easy and accessible
- Take all complaints seriously, regardless of their nature
- Resolve issues at the earliest opportunity
- Keep complainants informed throughout the process
- Learn from complaints to improve services.
- Consider the individual circumstances of each complaint

Definition of a complaint

Following the introduction of the Housing Ombudsman's new complaint handling code in 2024, a complaint is universally defined as:

“An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents.”

Complaints may include:

- Unhelpful behaviour or unfair treatment by staff or contractors
- Delays or failure to provide a service

- Failure to achieve our published standards
- Dissatisfaction with policies and procedures

A service user or a representative acting on their behalf, is not required to use the word 'complaint' for it to be recorded as such.

Service Requests

A service request is a request from a customer requiring action to be taken to put something right. Service requests are not complaints, but are recorded, monitored, and regularly reviewed.

We have a clear distinction between a request for a service (service request) and a complaint about a service. This policy relates to complaints about services. Service requests will be treated as a complaint if we fail to deal appropriately with the initial request. Service requests will also be logged as a complaint if further enquiries are needed to resolve the matter, or if the service user requests it or if they express dissatisfaction with the response.

Exclusions

We accept all complaints unless there is a valid reason not to do so. Exclusions include:

- The issue giving rise to a complaint occurred over 12 months ago
- Legal proceedings have started
- Matters that have previously been considered under the complaints policy
- A tenant complains about the behaviour of another resident. This would be dealt with under our Anti-Social Behaviour Policy
- Complaints about levels of rent and service charges
- The complainant does not reasonably engage with us after making the complaint, and or is abusive to staff, after any necessary reasonable adjustments have been made
- Complaints made by LCH staff. These are dealt with under our Grievance or Whistleblowing Policies.

We do not take a blanket approach and apply discretion to this depending on the circumstances. If any exclusion applies, we will write to the service user setting out the reasons why the matter is not suitable for the complaint process and the right to take that decision to the Housing Ombudsman or Local Government and Social Care Ombudsman.

Anonymous complaints

Anonymous complaints may not be acted upon; they will, however, be brought to the appropriate manager's attention and investigated further if necessary.

The Complaint Process

How to make a complaint:

We ensure that service users can easily make a complaint without restriction. Service users can express their dissatisfaction in whichever way they choose. Complaints can be made to any member of staff or contractor in the following ways:

- Email: beth@liver-care.org.uk
- Visiting our office: 68 Walton Vale, Liverpool, L9 2BU.
- Telephone: 0151 474 1090 / 07834164505
- Face to face to any staff member

- Through a third party e.g. an advocate, staff member or support worker, MP or Councillor

Stages of the process:

We will always try to resolve a dispute as quickly as possible with our service users and will look to early and local resolution of issues.

We also encourage any service user using the complaints process to make us aware of any reasonable adjustments that they may require, to make the complaints process more accessible to them. The officer investigating the complaint will be able to discuss this on a case-by-case basis.

There are two stages to our formal complaint process:

Stage 1:

At the start of a stage 1 complaint investigation, the complaint will be recorded in our Complaints Register and we will contact the service user via their channel of choice, to gain an understanding of the issues and the outcomes the service user is seeking. We will acknowledge the complaint within **five working days** of the complaint being received; including a definition of the complaint and the outcomes the complainant is seeking.

We will try to resolve the complaint satisfactorily and will confirm the outcome of any investigations in writing or by email within **10 working days of acknowledging the complaint**. Where it is not possible to respond within the timescale, the service user will be notified as to the reasons why and when they can expect to receive the response. On occasions, it may be necessary to extend the date for a full response by up to a further 10 working days to enable us to respond fully. We will not exceed this additional time estimate without good reason. Our approach is to explain this to the service user.

Where we inform a service user about any extensions to timescales, we will provide them with contact details of the relevant Ombudsman.

When we respond at the completion of Stage 1 investigation, we will confirm:

- The complaint stage
- The complaint definition
- The decision on the complaint
- The reasons for any decision made
- The details of any remedy offered to put things right
- Details of outstanding actions
- Details of how to escalate the matter to Stage 2 if you are not satisfied with the response.
- Details of the relevant Ombudsman

Where service users raise additional complaints during the investigation, this will be incorporated into the stage one response if they are relevant, and the Stage 1 response has not been issued.

Where the Stage 1 response has been issued, or it would unreasonably delay the response, the complaint should be logged as a new complaint.

Stage 2:

If all or part of the complaint is not resolved to the service user's

satisfaction at Stage 1, they can ask that it be escalated to Stage 2 of our complaints process. A Stage 2 complaint response is our final complaint response.

This request should be made within 15 working days of the Stage 1 response. Requests made outside of this time may still be considered by exception.

A customer does not have to explain their reasons for requesting a Stage 2, but it may help speed up the process and avoid any misunderstanding. We will make reasonable efforts to understand why a service user remains unhappy as part of our Stage 2 investigation and response.

At Stage 2, we will acknowledge the escalation within **five working days** of it being raised to us; including a definition of the complaint and the outcomes the complainant is seeking. The complaint will then be considered by a staff member who has not previously been involved in the complaint investigation, who will respond in writing or by email within **20 working days** with our final response.

Where more time is needed, we may contact the service user to agree to extend this timeframe up to a further 20 working days, clearly explaining why we need more time to resolve the complaint. We will also agree on how often we will keep in touch to provide updates on the progress of the complaint.

When we respond at the completion of Stage 2 we will confirm:

- The complaint stage
- The complaint definition
- The decision on the complaint
- The reasons for any decision made
- The details of any remedy offered to put things right
- Details of outstanding actions
- Details of how to escalate the matter to the relevant Ombudsman if they remain dissatisfied with the response.

We will not unreasonably refuse to escalate a complaint to Stage 2, however, there may be times where it would not be appropriate to escalate a complaint to Stage 2, if the customer is still dissatisfied after the Stage 1 response. An example of this could include where the outcome that is being sought is not within our power or ability to deliver it. When contacting the complainant with a decision not to escalate, they will be provided with information about how we reached that conclusion, in writing, as well as being supplied with information on how to contact the relevant Ombudsman.

Putting things right

Where something has gone wrong we will:

- Apologise
- Acknowledge our accountability
- Take collective responsibility for the failure and the remedy
- Explain and assist
- Take appropriate action
- Reconsider a decision, including changing it
- Amend our records

- Provide a financial remedy in line with our Compensation Guidelines
- Review our policies, procedures and practices, including changing them.

All remedies offered will be proportionate to the impact on the service user as a result of any fault. We will clearly set out what will happen and when, in agreement with the resident where possible and appropriate. We will refer to the guidance issued by the Ombudsman on appropriate remedies

Unacceptable Behaviour

We recognise that people who are unhappy about an issue may show signs of stress or frustration when reporting a complaint and that such behaviour may be out of character; however, some complainants are so angry and / or persistent that their behaviour results in unreasonable demands on, or behaviour towards our staff.

Where a service user has become unreasonably persistent, abusive or vexatious we reserve the right to take appropriate action for that particular situation which may include limiting who the customer can contact within LCH or stopping the investigation into the complaint where the circumstances merit this approach. These service users may be referred to an arbitration service if necessary.

Compliments and Comments

We want to make sure that everyone can contact and communicate with us. Service Users and families are encouraged and supported to make their views known. Information can be provided in a format of their choice and a member of staff or advocate can be appointed to help.

We always encourage open communication about the satisfaction or dissatisfaction with the service we provide. We want service users to know that they can always tell us about their experiences of the service they receive, and we welcome suggestions from them on how we can improve things. All comments are taken seriously so that we can resolve any concerns. Where service users believe this has not happened, we encourage them to utilise our separate complaints procedure.

It is always encouraging when people feel motivated enough to compliment either the organisation or a member of staff for something they have done well, “over and above the call of duty”. We believe it to be important that staff are made aware of the compliment as everyone needs to know how well they do, as well as areas where improvements are required.

Learning from complaints

Complaints can tell us a lot about how our service can be improved and we commit to understand and act on both the overall headlines about complaints and the learning from individual cases, sharing with our service users how well we’re doing in relation to these commitments.

Monitoring complaints helps us to learn and improve our services. A summary of complaints received will be reported annually to the Board and we will appoint a Board member as the member responsible for complaints to ensure accountability. This will be published on our website and communicated with service users.

Training

All staff are trained to recognise the difference between a service request and a formal complaint. Staff are trained and encouraged to take appropriate steps to resolve all issues raised for residents as early as possible, including advising residents of their right to make a complaint and how to do so. All staff receive training in dealing with and responding to verbal and written complaints.

All staff, during induction, are made aware of the organisation's policies and procedures, all of which are used for training updates. All policies and procedures are reviewed and amended where necessary and staff are made aware of any changes.

Right to Access the Housing Ombudsman Service or Local Government and Social Care Ombudsman

External Escalation

If dissatisfied, complainants may escalate concerns to the Local Government & Social Care Ombudsman or the Housing Ombudsman. For a full list of which Ombudsman to escalate to you can view their responsibilities here

www.housing-ombudsman.org.uk/centre-for-learning/support-guides/which-ombudsman-for-social-housing-compliants/

Housing Ombudsman

Address: Housing Ombudsman Service, PO Box 152, Liverpool L33 7WQ

Telephone: 0300 111 3000

Website: www.housing-ombudsman.org.uk

Email: info@housing-ombudsman.org.uk.

An Information booklet and complaint form can also be collected from any local Citizen's Advice Bureau.

The information from the Housing Ombudsman Service is also available in other languages and formats.

The Housing Ombudsman Service will only accept a complaint if it has been through all stages of the complaint procedure set out above, but service users can also contact them at any time for general advice and support.

If it is believed that we have broken the law, then service users have the right to go to the Courts. They should first talk to a solicitor or advice centre. If they want to know the full name of any of the staff of LCH, or of the members of the Board of Management, please contact this office on 0151 474 1090.

The Local Government & Social Care Ombudsman (LGSCO)

Address: Local Government and Social Care Ombudsman, PO Box 4771, Coventry, CV4 0EH

Telephone: 0300 061 0614

Website: www.log.org.uk

The LGSCO investigate all complaints about adult care services, care provided by a council or care arranged directly with a care provider by:

- Someone paying with their own or family money
- Someone using money provided by a council, via direct payment for example

The Care Quality Commission (CQC) and the LGSCO work together to promote high-quality services for all people who use adult social care services. This is particularly the case where when investigating a complaint, the LGSCO detect service failures by a care provider that may affect its registration status with the CQC. An information-sharing agreement and memorandum of understanding set out how information is shared.

The CQC cannot get involved in individual complaints about providers but is happy to receive information about services at any time. The CQC will take details of concerns and respond appropriately and proportionately to the information divulged.

Address: The Care Quality Commission Merseyside Branch, 320-322 Business First Liverpool Business Centre, 25 Goodlass Road, Liverpool, L24 9HJ
Telephone: 0151 482 4201

Local Authority-funded Service Users

Any service user part or wholly funded by their Local Authority can complain directly to the complaints manager (Adults) who is employed directly via the Local Authority.

Review and Update of Policy

The policy is subject to an annual review, as well as additional review following any major change in legislation, guidance or organisational practice.

Related Policies

- Adult Safeguarding
- Dignity and Respect
- Duty of Candour
- Good Governance
- Grievance
- Reasonable Adjustments
- Whistleblowing
- ASB

Related Legislation

- Social Housing (Regulation) Act 2023
- Localism Act 2011
- Building Safety Act 2022
- Equality Act 2010
- RSH Consumer Standard Transparency Influence and Accountability

Related Guidance

- Disability Rights UK
<https://www.disabilityrightsuk.org/making-complaint>
- Concerns about a care service
<https://www.scie.org.uk/contact/concerns>
- Regulation 16 Receiving and acting on complaints
<https://www.cqc.org.uk/guidance-providers/regulations-enforcement/regulation-16-receiving-acting-complaints>

- CQC Complaints Matter

- https://www.cqc.org.uk/sites/default/files/20141208_complaints_matter_report.pdf
- Regulation 20 Duty of Candour
<https://www.cqc.org.uk/guidance-providers/regulations-enforcement/regulation-20-duty-candour>
- Local Government and Social Care Ombudsman Annual Review of Complaints:
<https://www.lgo.org.uk/information-centre/reports/annual-review-reports>
- Local Government and Social Care Ombudsman How to Complain
<https://www.lgo.org.uk/make-a-complaint>
- Housing Ombudsman
www.housing-ombudsman.org.uk
- Regulator of Social Housing
www.gov.uk/government/organisations/regulator-of-social-housing

Appendix: Compensation & Redress Guidelines

This appendix outlines how LCH determines financial redress following a formal complaint. Compensation is not an automatic right but may be offered to acknowledge service failure, time and trouble taken by the service user or quantifiable financial loss.

Types of Redress

We follow a 'put right' principle. Redress may include:

- **Restorative Action:** Doing the work that was missed (e.g. completing a repair)
- **Gestures of Goodwill:** Flowers, chocolates, or a small voucher (usually for low-level upset)
- **Financial Compensation:** Payments for quantifiable loss or distress and inconvenience

Quantifiable Loss (actual financial loss)

Where a service user has incurred a direct cost due to our failure, we will reimburse this upon production of receipts/evidence. Common examples include:

- Increased heating bills due to a failed boiler.
- Cost of replacing damaged belongings (e.g. due to a leak we failed to fix).
- Takeaway costs if a kitchen is unusable for an unreasonable period.

Discretionary Payments (distress and inconvenience)

These payments acknowledge the non-monetary impact of a service failure. We use three broad bands to ensure consistency:

SEVERITY	DESCRIPTION	RANGE
Low	Minor service failure or short delay. Minimal impact on the service user's life. (e.g. missed appointment without notice).	£25 - £75
Medium	Repeated failures, significant delays, or poor communication that caused notable stress, frustration or significant time and trouble for the service user.	£75 - £250
High	Severe or prolonged failure. Impacted the service user's health, safety, or ability to use their home for a long period.	£250 - £500

Loss of Amenity

If a room or a specific facility (e.g. a bathroom) is completely unusable due to our failure, we may offer a percentage refund of the rent for that period.

- Calculation – (weekly rent / 7 days) x (number of days unusable) x (% of property affected)

Example: if a kitchen is unusable, we might offer 20-25% of the daily rent for each day it was out of action.

Factors We Consider

Before making an offer, we ask:

1. **Duration** – how long did the problem last?
2. **Severity** – did it affect the service user's physical or mental health?
3. **Vulnerability** – is the service user elderly, disabled or do they have young children?
4. **Service user contribution** – did the service user refuse access or delay the process?
(This may reduce the offer)

Payment Method

If a service user owes rent, any compensation (excluding quantifiable loss) will usually be credited to their rent account first. If the account is clear, payment will be made via BACS.

Payments for actual out-of-pocket expenses (e.g. damaged items) will be paid via BACS to the service user, regardless of the rent account status.

Delegated Authority for Sign-Off

To ensure a timely response to service users, the following staff members have the authority to approve redress and compensation payments up to the limits specified below:

APPROVAL LEVEL	MAXIMUM PAYMENT	AUTHORISED SIGNATORY
Goodwill gesture	Up to £25	Senior Support Worker / Administrator
Level 1	Up to £100	Housing Officer / Support Manager
Level 2	Up to £500	CEO or COO
Level 3	Over £500	The Board

If a complaint involves multiple issues, the sign-off level is determined by the total cumulative amount offered, not the individual components.

We encourage staff to resolve minor issues immediately. Goodwill Gestures (up to £25) can be authorised and offered "in the moment" by frontline staff without prior senior approval, provided they believe it will resolve a resident's immediate dissatisfaction (e.g. offering a £20 voucher immediately when a contractor fails to show up).

All redress, including "in the moment" goodwill gestures, must be recorded in the Complaints and Compensation Log. This ensures transparency and helps the LCH identify recurring service issues.

No staff member may sign off on compensation for a complaint they were personally involved in handling or investigating.