

**Radian**

**Complaints and compliments policy –  
'Putting Matters Right'**

**Version: 3**

**Approved: January 2017**



## **1. Statement of Intent**

1.1 Radian is committed to providing a quality service to all our customers. To achieve this objective we have developed a culture of valuing and learning from complaints. We want our customers to have confidence that we listen, learn and take prompt action to put matters right. Radian's focus is for our staff to respond to complaints promptly, helpfully and effectively and keeping the customer's satisfaction at the heart of this.

1.2 We will ensure customers can easily access our complaints process by:

- Funding advocacy support for vulnerable customers
- Considering translation, large print and audio tape services
- Taking complaints verbally through Radian Direct and through the use of on-line forms on our web sites
- Demonstrating we listen by producing examples of learning from complaints that will be reviewed by our customer groups, staff and Boards'
- Refunding reasonable travel and child care costs of a customer attending a review meeting
- Holding review meetings at times and locations convenient to our customers

1.3 Radian positively encourages staff to take a pragmatic customer-focussed approach to resolving complaints and expects that each complaint is investigated fully, the customer is kept informed of progress and every complaint is seen as a real opportunity to put into practice our vision: Radian "Where People Flourish'. We want our staff to telephone complainants early in the complaints process, and meet them face-to-face if appropriate, to identify what we can do to 'put matters right'.

1.4 We recognise that many residents and service users simply require a promised action to be carried out on time or put right. In these instances there may not be a need to enter into the formal procedure and instead prompt action just needs to be taken to resolve the matter.

1.5 **The purpose of this policy is:**

- To provide clarity on our approach to our customers and for our staff and Board members who will be involved in providing Radian's response
- To emphasise the importance and value Radian puts on responding to complaints quickly, helpfully, thoroughly and fairly

## **2. Definition**

2.1 A complaint is where a Radian customer raises a concern about:

- The level of service provided
- The attitude or behaviour of members of our staff or our contractors

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- A decision we have made, or
  - A decision not made in accordance with the relevant policy

## 2.2 Our complaints policy will not cover:

- Concerns about what services we provide
- Complaints relating to anti-social behaviour – these will be covered by Radian’s separate policy on this issue. However, a complaint about the way in which an ASB case has been handled can be made if we have failed to follow the ASB procedure.
- Complaints relating to the policy or procedure itself (although this may provide an opportunity to review a policy or procedure)

2.3 Radian will normally only deal with complaints that are made within six months of the event complained about. However in some cases complaints over six months old may be considered at the discretion of a senior manager.

## 3. Policy

### 3.1 People who may complain are:

- Service users who receive support services
- Tenants and Shared Owners
- Leaseholders
- Licensees
- Waiting or transfer list applicants
- The person making the complaint must be in a landlord/tenant relationship with us.
- If a complaint is made by an ex-occupier they must have had a legal relationship with us at the time the matter being complained about arose.

3.2 There are some instances where it may not be appropriate for a customer’s expression of dissatisfaction with certain services to go through our complaints procedure. There are instances where this is the case within some of our Home Ownership schemes and the processes that surround them (see Appendix 1 of Radian’s Complaints and Compliments Procedure). There are also specific circumstances where different processes should be applied, such as complaints which relate to consumer credit regulated activity. The complainant may be able to refer the matter to the Financial Ombudsman Service. This is explained in more detail in Appendix 2 of Radian’s Complaints and Compliments Procedure. Some freeholders receive services from us (estate services, drainage services etc.) and complaints about these services are also outside our Complaints Policy and will be dealt with separately.

3.3 Radian reserves the right to refuse to deal with a complaint if it is made unreasonably. If a person commences legal action against Radian or a partner organisation, then investigation of the related concerns will not be undertaken under the requirements of this policy (Appendix A).

3.4 An advocate, Ward Councillor or MP can be authorised to pursue a complaint on a person’s behalf.

3.5 When we receive a complaint we will contact the customer within prescribed timescales. We will investigate each complaint on its own merits and will give the

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complainant every opportunity to fully explain the reasons for their dissatisfaction and the actions they feel should be taken to put the matter right.

- 3.6 We will maintain the confidentiality of the person making a complaint. However where there is a safeguarding of vulnerable adults or child protection issue we have a duty of care to fully investigate and follow the appropriate procedure outlined in Section 6 of this Policy.
- 3.7 We will publish a summary of the complaints process (including large print, audio tape and service user specific versions if requested) so that all customers are aware of the actions we will take and the timescales within which we will respond.
- 3.8 We will use complaints and other feedback to continuously improve our service and develop our staff. Wherever we amend our policy or approach as a result of a complaint we will notify complainants of the outcome and thank them for their help.
- 3.9 We will encourage all complainants at the end of the complaints process to feedback on the process itself and will report outcomes, learning points and statistical performance quarterly to relevant Boards and Committees.
- 3.10 If a complainant reaches the end of our complaints process and still wishes to pursue the matter, they may do so by referring it to a 'designated person'. This is defined as an MP, Councillor or a tenant panel. Radian has a tenant panel set up for this purpose. The designated person can refer the complaint to the Housing Ombudsman or they may work with the customer and Radian to resolve the complaint locally.
- 3.11 If a complainant does not wish to take their complainant to a designated person they can wait 8 weeks and take their complaint directly to the Housing Ombudsman Service.

#### **4. Legal and Regulatory Framework**

- Legislation relating to the provision of individual services
- The Homes and Communities Agency regulatory framework
- The Care Quality Commission's fundamental standards
- The Care Standards Act 2000
- Supporting People Quality Assessment Framework (QAF)
- Care Act 2014

#### **5. Links to other Policies**

- Equality and Diversity Policy
- Safeguarding Vulnerable Adults and Children Policy
- Probity Policy

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## 6. Related procedures

6.1 This policy does not detail the practical advice and assistance that should be provided, nor the actions to be taken by staff when dealing with complaints. Any such advice, action and assistance will be covered in specific procedure documents that should be used in conjunction with this policy. These are:

- Complaints and comments procedure
- Vexatious contact procedure
- Safeguarding Vulnerable Adults and Children Procedure
- Compensation procedure

## 7. Responsible Officer

- Director of Housing and Customer Services

## 8. Review Details

Approved by (including date of approval)	HASP
Review Cycle	Three years
Date of next review	January 2020

## 9. Associated Documents

- Leaflets and guidelines for customers, service users and key stakeholders

## 10. Appendices

Appendix A            Refusing access to the complaints process

## **Refusing access to the complaints process**

In certain circumstances Radian or its partner organisations reserve the right to refuse a complainant access to the complaints process. Two examples of where this may occur are listed below. If these or other circumstances arise the complainant will be given a full explanation in writing.

### **1. Legal Action**

If any legal proceedings are issued at Court, that are directly relevant, or relate to the subject matter of the complaint(s), then we will write to the complainant to confirm we will not consider their complaint any further via our internal complaints procedure. This decision can be made and communicated by the Quality Assurance Team.

If the subject matter of the complaint has been dealt with and concluded (whether for or against the complainant) in legal proceedings, we will not accept a repeat complaint about the same matter.

If legal proceedings are threatened by the complainant based on the complaint, then we will advise them if proceedings are issued, their complaint will be closed.

### **2. Suspension**

Radian reserves the right to suspend a customer's right to access to the complaint process where their actions prevent investigation of the complaint fully and fairly.

An example may be where a complainant lodges multiple complaints relating to the same issue in a short period of time. By the nature of this correspondence, it is administratively difficult for Radian to respond fairly and fully to the original complaint.

A decision to suspend a complainant will be made by a senior manager (Head of Service/Assistant Director or above).

- If suspension is granted, this decision will be notified to the complainant in writing.
  - Suspension will be reviewed after 6 months.
  - There is no right of appeal against suspension.
  - Customer Relations will report details of the suspension to COG at the next available meeting
  - During the suspension period no complaints or unreasonable correspondence will be accepted
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