

Complaint Management Framework for Community Housing Providers

Client:
Registrar of Community Housing

Date:
5 September 2016

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This Framework was commissioned under the NSW Community Housing Industry Development Strategy 2013/14-2015/16. The Strategy is a partnership between the Department of Family and Community Services and NSW Federation of Housing Associations and aims to enhance the industry's ability to respond to the challenges and opportunities of the emerging environment.

Elements of the framework

THE PURPOSE OF THE FRAMEWORK	4
Strategic purpose	4
How to use the framework	4
PRINCIPLES	5
REGULATORY REQUIREMENTS	7
THREE LEVELS OF COMPLAINT MANAGEMENT	8
DEFINITIONS AND DIAGNOSIS	10
PROMOTING ACCESS	12
Barriers to making a complaint	12
Lowering barriers	12
Promoting your complaints policy	13
Communicating with complainants	14
STAKEHOLDER ENGAGEMENT	15
Approaches to engagement	15
Engagement principles	15
RESOLUTION	17
PLANNING AND REPORTING	19
Strategic planning	19
Continuous improvement	19
Performance indicators	20
External reporting	20
COMPLAINTS POLICY	22
PROCEDURE GUIDE	24
PROFESSIONAL DEVELOPMENT	28
SELF-ASSESSMENT	30
REFERENCES	31

The purpose of the framework

Complaint management is a critical part of community housing business, and an area which has been identified as a target for improvement across the industry. Using as a core resource the Australian and New Zealand Standard Guidelines for Complaint Management in Organisations (AS/NZS10002:2014), this framework seeks to assist registered community housing providers (CHPs) to understand good practice, and to identify and address any gaps in their current practice.

This framework is intended to be used to guide CHPs in managing complaints from tenants, applicants or other people in relation to their housing services. It does not apply to staff grievances with their employer or whistle-blowers.

Strategic purpose

In particular, this framework encourages CHPs to take a strategic approach to complaint management. CHPs should consider their complaint management systems in the context of their strategic and risk management planning. Importantly, complaints and complaint management provide a strategic opportunity for organisational learning and continuous improvement. This is particularly important given the increasingly complex social housing policy environment, in which many CHPs are undertaking a growing and more differentiated range of business.

How to use the framework

This framework sets out the key elements for CHPs to consider in developing or reviewing their approach to complaint management. It also provides a series of checklists and samples to assist CHPs to review their policy and procedures, including a self-assessment tool.

The framework includes internal links between sections, designed to assist CHPs to navigate to the most relevant guidance to suit their needs. It also includes links to additional external resources.

Principles

Good practice complaint management is underpinned by a set of principles which guide the organisation's approach. The following principles have been developed to guide the recommendations included in this framework, and to highlight key issues for organisations to consider in developing or reviewing their approach.

CHPs differ in the scale and complexity of their business, and have varying external reporting requirements. The following principles of good practice complaint management apply to all organisations, and will be implemented through different systems, policies and procedures.

» **Complaints provide an opportunity for continuous organisational improvement.**

Organisations should treat complaints as a strategic opportunity for organisational learning and continuous improvement. Complaints, and particularly trends in complaints, may indicate wider concerns or issues in an organisation's policy and practice. Welcoming complaints provides an opportunity to identify and resolve issues as they arise, and to prevent future complaints by changing organisational practice.

Further information about reporting and continuous improvement can be found [here](#).

» **People have a right to complain.**

A good complaint management approach is focused on people. Organisations should recognise that people have a right to complain, and to have their complaint addressed appropriately. The policy and procedure should ensure that complainants are treated with fairness and respect, as should the organisation's culture.

» **A good complaints policy focuses on resolution.**

An organisation's policy, procedures and practice should drive a genuine attempt to resolve the issue where possible, rather than simply providing a response.

» **All complaints are treated promptly and fairly.**

A complaint policy should include target timeframes for responding to and resolving complaints.

The organisation should consider any actual or perceived conflicts of interest in the matter by any staff member involved in managing a complaint. All sides involved in a complaint should be listened to and their viewpoint taken into account. Where a complaint is about a specific person they should be given opportunity to respond.

» **The procedure provides opportunities for escalation and review.**

A good complaint management framework provides opportunities for escalation of a complaint. This should include a process for internal escalation of a complaint, as well as linking complainants to external review mechanisms where they exist.

Best practice emphasises a three stage escalation process, with two internal levels and one external. More detail on escalation procedures can be found [here](#).

» **Key stakeholders are consulted in developing the approach.**

Developing a meaningful, appropriate and effective approach to complaint management relies on the involvement of key stakeholders in the process. Key stakeholders can include: operational and management staff, tenants, applicants, neighbours, partner agencies, contractors and others.

Further guidance and principles for stakeholder consultation can be found [here](#).

» **Information and processes are visible and accessible.**

An organisation's policy and procedures for managing complaints should be open, visible and readily available to complainants and potential complainants. Information and processes should be accessible to all, with implications for methods and means of communication, availability of forms, assistance and support options, and promotion of complaints processes. Accessibility is particularly important for complainants who might face significant barriers to making a complaint, such as cultural, language or literacy barriers, or disability.

Further guidance for improving the visibility and accessibility of complaints can be found [here](#).

» **Roles and responsibilities are clearly defined.**

Organisations need to define clearly roles and responsibilities for managing complaints. It is also important to ensure responsibility for complaint management is adequately resourced to allow complaints to be addressed in a responsive and timely manner.

» **Staff members are properly trained to identify, diagnose and handle complaints.**

Complaint management training should be provided for all relevant staff, including any special role their position has in managing and/or reporting on complaints. Using case studies in training can be helpful. Two levels of training should be covered:

- Organisational culture and welcoming complaints as a way to improve services and client satisfaction. Training in this area needs to involve management staff to ensure the culture is embedded throughout the organisation.
- Tailored training on diagnosing and dealing with complaints, facilitated by management staff or an external agency with expertise in complaint handling.

Diagnosing an issue as a genuine complaint and understanding the complainant's expectations are critical early steps. Ensuring that staff members – and contractors, where relevant – are able to identify a complaint and are aware of the appropriate response is essential to ensure that the organisation's policies and procedures are being properly implemented. Organisations should ensure staff members continually refresh their knowledge of complaint management policies and procedures.

More information about training and professional development can be found [here](#).

» **Clear communication is maintained throughout the process.**

Organisations should keep complainants informed of the status of their complaint, and should clearly communicate the results of the complaint. Clearly specified timeframes should be communicated to complainants. Early communication can also be used to set realistic expectations around what the organisation can and cannot influence.

More information on communication and reporting can be found [here](#).

Regulatory requirements

The National Regulatory System for Community Housing (NRSCH) places a high priority on appropriate management of complaints. The first performance outcome of the Regulatory Code requires the CHP to be “fair, transparent and responsive in delivering housing”, including in relation to: “managing and addressing complaints and appeals relating to the provision of housing services” (performance requirement 1f).

Housing Registrars deal with complaints about compliance with the National Law including the National Regulatory Code. This extends to such matters as repeated failures of complaints handling and management on behalf of a CHP; creating a potential threat to its ongoing viability and compliance. Complaints to the Registrar may also lead to investigations into other systemic business failures, inappropriate corporate activities, misallocation of government funding, undesirable tenancy or maintenance practices, and allegations of fraud or corruption. Registrars will refer individual complaints related to tenancy disputes, rent disputes, minor maintenance disputes, or internal personality conflicts to relevant bodies for review in accordance with the framework provided in this document.

The performance indicators expected by Registrars in assessing CHP complaints handling systems include that the CHP:

- » Ensures information on making complaints and appeals is readily available and promoted to tenants and applicants.
- » Manages complaints and appeals promptly and fairly.
- » Regularly monitors the effectiveness of its complaints and appeals system.

Evidence sources include CHPs’ complaints and appeals policies, complaints and appeals data, business plan, tenant satisfaction survey results, information on the CHP’s website, and decisions on appeals and complaints in relevant tribunals/bodies.

Further information on Evidence Guidelines can be found on the [NRSCH website](#).

The NRSCH has also published a range of fact sheets relating to [complaint management](#).

Three levels of complaint management

Appendix H of the Standard (AS/NZS10002:2014) proposes that an effective complaint management system contains two internal levels and one external level of review. The aim is to resolve the majority of complaints at the frontline level but to have systems in place for matters to be escalated where necessary.

The internal levels are:

» **Level 1: frontline complaint handling – early resolution.**

To achieve early resolution at the first point of contact, the Standard states that *frontline staff* must be adequately equipped to respond to complaints, including having the appropriate authority, training, and supervision. Frontline staff also need clear guidance around the type of complaints that they should escalate to senior staff, and complaints which they can deal with directly, including the resolution options available to them.

» **Level 2: internal assessment, investigation, facilitated resolution or review.**

Although frontline staff should be able to resolve many complaints, the Standard acknowledges that the seriousness of some complaints or the level of a complainant's dissatisfaction with how their matter has been handled, may warrant the complaint being handled at a more senior level. The second level should provide an internal assessment which considers issues such as the nature of the matters alleged, the complainant's desired outcome, and the options available for redress. This would be followed by internal investigation, review, and facilitated resolution.

Some CHPs choose to treat complaints primarily through a Level 2 response. In these circumstances, the role of frontline staff in complaint management is to escalate any issue immediately to the *senior staff member* responsible for complaint management.

The CHP's *Board* has ultimate responsibility for the services it provides. Where CHP's are unable to resolve a complaint at Level 1 or 2 internally, the Board can provide an additional level of review. The Board may investigate a complaint and review the organisation's response and/or appoint an independent investigator to review the complaint. Note that this does not replace the recommended Level 3 external review below.

» **Level 3: External review**

The Standard also recommends a Level 3 external assessment, investigation, or review, where internal avenues have not resulted in matters being addressed satisfactorily.

The following agencies have specific roles as Level 3 external avenues:

- Housing Appeals Committee (HAC) – hears appeals about certain decisions of FACS Housing Services or Community Housing organisations providing long term housing, where the person believes an incorrect decision was made by a social housing provider at an internal appeal
- NSW Civil and Administrative Tribunal (NCAT) – NCAT can hear and determine tenancy matters under the Residential Tenancies Act 2010. It can make legally binding and enforceable decisions on a wide range of tenancy disputes such as rental bond, rent

increases, unpaid rent, termination of tenancy agreements, compensation, repairs and other breaches of the residential tenancy agreement.

- Registrar of Community Housing – investigates complaints about the compliance of registered community housing providers with community housing legislation. More information is available in the [NRSCH fact sheets](#) relating to complaint management.

Definitions and Diagnosis

It is important to distinguish between a complaint, an appeal, a request for service, or the provision of feedback. Equally, it is important to note that the distinction is not necessarily clear to the person making the complaint, lodging the appeal, requesting a service, or providing feedback. For example:

- » A CHP may receive a call from a tenant who says they wish to make a complaint about their rent charge, when it would be better for the tenant to request an appeal of their rent calculation
- » A tenant whose property has a plumbing problem may not be aware whether they need to lodge a maintenance request or make a complaint
- » A CHP may receive a call from a neighbour complaining about the loud music of a tenant, which also raises a tenancy management issue.

While this framework has been designed to assist CHPs in managing complaints only, it is important to be able to distinguish between complaints and other matters. The definitions below draw on the Standard (AS/ANZ 10002:2014) and NSW Ombudsman definitions, and are suggested to help staff categorise issues raised by tenants, applicants and community members so they can determine the best response.

General enquiry

A general enquiry is a request for information. Enquiries may come from tenants or applicants for housing assistance, or guardians or advocates on their behalf. Enquiries may also come from other community members or stakeholders.

Request for service

A request for service is where an applicant, tenant, or guardian/advocate contacts their housing provider or related contractor, such as a maintenance contractor, to ask for something. This could be to request maintenance work or to request a transfer application form. Staff receiving these requests for service have an important role in categorising them and forwarding them to the appropriate team.

Complaint

A complaint is an expression of dissatisfaction with a housing service which requires resolution or response. The Standard (AS/NZS10002:2014) defines complaints as “expressions of dissatisfaction made to or about an organisation related to its products, services, staff, or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required.” The NSW Ombudsman uses the Standard’s definition in its complaint management materials.

Complaints might be made to a CHP by applicants or tenants, or by guardians or advocates on their behalf – but this list is not exhaustive. For instance, a contracted tradesperson might complain about a tenant’s behaviour.

Unreasonable complainant conduct

At times, a small number of complainants may behave unreasonably when making a complaint. This includes aggressive, threatening, or verbally abusive behaviour towards staff; contacting the organisation excessively; making inappropriate demands on the time and resources of the organisation; or refusing to accept the organisation’s decisions and recommendations about the complaint. The Standard notes that it is the behaviour, not the complainant, which is considered

unreasonable. Principles for dealing with unreasonable complainant conduct are included in the [procedures section](#).

The [NSW Ombudsman's Managing Unreasonable Complainant Conduct](#) practice manual contains further guidance and tools on managing unreasonable complainant behaviour.

Tenancy issue

Tenancy issues are complaints or issues raised by tenants or other community members about their neighbours or neighbourhoods. This includes issues such as noise, vandalism, or anti social behaviour. These are not considered to be complaints as they do not relate to dissatisfaction with the CHP's services; however they can become complaints when the complainants are not satisfied with how a CHP has handled the issue. Therefore, CHPs need to keep records of these issues as they are raised, and respond to them through their tenancy management processes.

Many tenancy management issues can be taken to the NSW Civil and Administrative Tribunal (NCAT). [Tenants](#) and [CHPs](#) can make applications to NCAT on matters such as breaches of the tenancy agreement, access to the premises, and rent.

Appeal

Appeals are defined by the NSW Housing Appeals Committee (HAC) as "requests for a merits review of a decision to provide or not provide a housing service."

A merits review means that the person conducting the review puts themselves in the position of the original decision maker and considers the evidence from a fresh perspective. The person conducting the review will then decide whether the correct decision was made in the first place, or whether a preferable decision should be made.

In short, an appeal is a request for a review of a decision made about a client's housing. This includes decisions relating to eligibility, offers of accommodation, rent assessment, transfers, pets or tenant charges.

Appeals may be made by applicants or tenants, or guardians or advocates on their behalf. The list of HAC appealable issues can be found at the [HAC website](#).

Feedback

Feedback refers to opinions or comments, positive or negative, given to an organisation about its services. Feedback generally does not require a response. According to Section 4 of the Standard, some organisations choose to manage negative feedback as a complaint.

It is important to make a note of all feedback received, and pass it on to relevant staff. Feedback can highlight areas for policy or process improvements. Equally it is important for staff morale to acknowledge and share positive feedback.

Promoting access

Barriers to making a complaint

Tenants, applicants and others may face significant barriers to raising issues or making a complaint. It can be difficult and intimidating for anyone to make a complaint, and this is particularly so where a dissatisfied client may feel disempowered. Barriers to making a complaint might include:

- » Tenants may be afraid or feel intimidated about complaining to their landlord as they may be concerned they could be evicted. Applicants may also be concerned that their place on the waiting list will be affected if they make a complaint.
- » Tenants and applicants may not want to sound as though they are criticising the organisation by making complaints.
- » Tenants and applicants may face language or cultural barriers, or be living with disability, making it harder to fill out forms, raise an issue over the phone or have the confidence to complain.
- » Online forms can be too complicated for some people to use; online forms also rely on literacy and computer skills as well as internet access. CHPs should ensure that alternate ways to make a complaint are available.
- » Staff may fail to identify an issue as a complaint and manage it appropriately, and/or the CHP's systems for identifying and diagnosing complaints may need improvement.

Lowering barriers

There are a number of actions that CHPs can take to lower barriers for tenants, applicants and other stakeholders to make a complaint. It is important for CHPs to ensure they allow for and encourage complaints to be made through multiple channels, minimising the potential for cultural, linguistic or technology literacy barriers.

It is also important to take steps to reduce the potential for intimidation, for instance by ensuring that people can make their complaint to anyone in the organisation. This relies on staff training to ensure that everyone in the organisation has the capacity and capability to receive a complaint.

CHPs can help lower barriers for complainants by promoting access to advocates who can assist the complainant with the complaint process. Relevant advocacy organisations include:

- » [Tenants Advice and Advocacy Services \(TAAS\)](#)
- » [Disability Advocacy NSW](#).

Providers should consider the following elements of an accessible complaints system:

Does your organisation's approach to complaint management:	✓
Encourage feedback from tenants and applicants, whether positive or negative?	
Allow complaints to be made over the phone?	

Does your organisation's approach to complaint management:	✓
Allow complaints to be made in writing?	
Provide access to a translating and interpreting service for non-English speakers?	
Allow complaints to be made online, through your website and social media pages?	
Ensure that anyone in the organisation has the capacity to receive a complaint?	
Allow people to make a complaint anonymously if they wish?	
Enable people to use an advocate to help or represent them in the complaint process?	

Using social media for complaints

Customers in a range of sectors, including community housing, are increasingly turning to social media as a method to interact with organisations. The most important thing to remember is that comments and responses may be visible to other users, potentially creating a reputational risk if online complaints are not managed well.

Some tips for responding to complaints on social media and using social media to handle complaints include:

- » Ensure staff are prepared and aware of procedures for responding to feedback received through social media
- » Ensure you respond to comments quickly
- » Apologise if appropriate, and respond in a positive tone.

Promoting your complaints policy

Promoting your complaints policy is important to ensure tenants, applicants and other community members are aware of the process for making a complaint. This assists in lowering real or perceived barriers to making a complaint.

Promoting the complaints policy and procedure also allows an organisation to set expectations around what complainants can reasonably expect you to address, and issues that should be referred elsewhere.

Tenants and applicants should be informed of their right to complain about their housing services, and the process for doing so, during the application process, at the start of their tenancy and throughout a tenancy. Applicants should be referred to Tenant Advice and Advocacy Services for support where necessary.

The Registrar of Community Housing monitors how CHPs make information on complaints and appeals readily available and promoted to tenants.

You might consider:

- » Including information about complaints in regular newsletters
- » Providing brochures or information booklets on complaint management

- » Displaying posters in your offices
- » Ensuring information about your complaints policy is readily available and well promoted on your website
- » Making information on your complaints policy available in multiple languages.

In some cases, organisations may prefer to promote their complaints policy as “feedback” or “complaints and compliments” to show that they are willing to receive feedback of all types.

The following checklist identifies some of the key issues and processes that should be promoted to tenants, applicants and other stakeholders.

Do your tenants and applicants know:	✓
How they can make a complaint and provide feedback?	
Where they can get information, paperwork and forms to make or support their complaint?	
What supports are available to assist them in making a complaint?	
The information they need to provide when making a complaint?	
How their complaint will be handled?	
Who will be responsible for handling their complaint?	
When they should expect a response?	
How they can obtain feedback about the status of their complaint?	
Where else they can take their complaint if they aren't satisfied with the outcome?	
How they can provide feedback on their experience of your complaint management processes?	

Communicating with complainants

Organisations should regularly report to complainants on the status of their complaint, and should clearly communicate the outcome of the complaint. This is important to ensure complainants understand the organisation's procedures and have reasonable expectations around the timeframe and nature of resolution they will likely receive.

Organisations should indicate to complainants the timeframe within which they can expect a response. It is important to keep this commitment, and to communicate the status of the complaint within the timeframe even if the complaint is not yet resolved.

Ensuring complainants are informed about the progress of their complaint can also provide assurance that their complaint is being managed seriously and effectively.

Stakeholder engagement

CHPs should consult with key stakeholders in the development and review of policies, procedures and systems for managing complaints. Key stakeholders include operational and management staff, tenants, applicants and neighbours.

Approaches to engagement

Approaches to consultation should be designed to foster clear communication channels and engagement with stakeholders. Best practice and widely recognised principles and values for stakeholder engagement have been developed by the International Association for Public Participation (IAP2).

A widely used tool for considering appropriate engagement approaches is IAP2’s Public Participation Spectrum, an internationally recognised standard for approaches to engagement. The spectrum outlines five levels of engagement: inform, consult, involve, collaborate and empower. A good practice approach to complaint management will engage stakeholders on the first three levels of the spectrum.

The spectrum can be used to define the role of stakeholders in the consultation, and to clearly define the level of influence that stakeholders will have on the outcomes.

Level	Inform	Consult	Involve
Participation objective	To provide stakeholders with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and solutions.	To obtain stakeholder feedback on analysis, alternatives and decisions.	To work directly with stakeholders throughout the process to ensure that stakeholder concerns and aspirations are understood and considered.
Stakeholder groups	Tenants, applicants and neighbours	Tenants, potentially through tenant advisory group or tenant committee	Operational and management staff Tenants, potentially through tenant advisory group or tenant committee

Engagement principles

The following principles have been developed as a guide to help inform approaches to stakeholder engagement. A good practice approach to engagement will consider the following:

- » There should be agreement in advance about the purpose, expectations and intended outcomes of the engagement.

- » Participants should be aware of what they can and cannot influence.
- » Information should be provided to inform participants' inputs. The quality of participation is highly dependent on the quality and timing of information provided.
- » Targeted communications should provide information and promote participation.
- » A variety of engagement techniques should be used to maximise visibility, accessibility and opportunities to participate.
- » Engagement mechanisms should maximise people's ability to participate. Whenever possible, stakeholders should be engaged early in the process, rather than just to comment on a finalised policy.
- » Adequate time, team support and resources should be made available to support the engagement process.
- » Participants should be aware of how their inputs will be used and given feedback on the outcomes.

Involving tenants

CHPs should work directly with tenants, including through their tenant advisory group or tenant committee, to involve them in the development, review and improvement of their complaint handling policy and procedures. Consider also involving bodies that represent other CHP clients, such as applicants.

Tenant advice and input can also be sought on monitoring and reporting processes. For example, a tenant advice group can guide the establishment of key performance indicators and benchmarks. In addition, the CHP should report regularly to tenants on its performance in managing complaints.

Resolution

A good complaints policy will focus on resolution of the issue raised, rather than simply following procedure. This means that staff need clear guidance around the type of complaints that they should escalate to senior staff, and complaints which they can deal with directly, including the resolution options available to them.

It is important to note that while a CHP will aim to address and resolve the vast majority of complaints raised with them, and that most complainants will behave responsibly, there will be some complainants who persist in making complaints beyond the CHP's ability to respond. This is known as serial or [unreasonable complainant conduct](#). These complaints still require resolution, but managing these complaints will require specific strategies. Tips for managing unreasonable complainant conduct are included in the [procedures section](#).

Timeliness and managing expectations are critical aspects of complaint resolution. It is important that complainants are made aware of your organisation's expected response timeframes. Where a response or resolution is taking longer than anticipated, communicate this with the complainant, explain the reasons, and provide a revised timeframe.

Appendix J of the Standard (AS/NZS10002:2014) categorises complaint redress into the following options:

Communication with the complainant, either verbally or in writing, which may include:

- » Explaining why the problem occurred
- » Giving reasons for decisions
- » Apologising
- » Providing information about their further options, such as HAC or other agency
- » Reaching agreements with the complainant through mediation or other resolution approaches.

Rectification of the problem, which could include:

- » Stopping an action that should not have been started or cancelling an intended action
- » Changes to processes or services to ensure the problem does not happen again
- » Ensuring compliance with obligations
- » Correcting records.

Mitigation to reduce adverse consequences, which could include:

- » Providing assistance and support
- » Refunding fees or charges
- » Waiving fees or debts.

Satisfaction of the concerns of the complainant, such as by:

- » Publicly acknowledging the mistake
- » Committing to improving systems, procedures or practices
- » Taking disciplinary action.

Compensation, including reimbursement of funds or a goodwill gift for the worry or distress caused to the complainant.

Planning and reporting

Strategic planning

CHPs should consider their complaint management systems in the context of their strategic and risk management planning. Where a situation that may increase complaints is foreseen, strategies to mitigate this should be considered. Good communication with tenants and stakeholders – before and/or during the event – about their rights and the CHP's obligations can be valuable in this regard. Acting to reduce the likelihood of complaints in advance of a known event can save valuable resources.

Examples of situations that may give rise to an increase in the number of complaints include:

- » Tenants moving into newly constructed properties with defects that involve maintenance issues
- » Tenants being relocated to make way for a redevelopment
- » The CHP is growing rapidly or diversifying its business, which may lead to frontline and management resources being stretched temporarily
- » New tenant services are introduced by the provider
- » Internal restructure and/or staff turnover.

Good complaint management practices should support the organisation's risk management planning, and vice versa. The following risk management resources for CHPs may be useful:

- » [*Implementing Risk Management under ISO 31000: a guide for community housing providers*](#) (NSW Federation of Housing Associations, 2015)
- » [*The Risk Management Challenge for Community Housing Providers*](#) (Complispace, 2011)

Continuous improvement

It is essential for organisations to collect, analyse and report on complaints to ensure that complaints are used to inform organisational learning and continuous improvement. Complaints data should be regularly reviewed to identify potential service improvements and areas for staff training. This may include ongoing regular reviews and an annual review.

The National Community Housing Standards Manual (2010, p.100) provides examples of reviewing a complaints and appeals system, such as monitoring:

- » the number of complaints and appeals
- » the issues complained or appealed about
- » the time taken to resolve complaints
- » the outcomes of complaints and appeals
- » input from tenants/applicants who have used the system.

Some organisations use integrated risk, assurance and complaint management software to monitor trends in complaints and response times.

Data collection and analysis should be accompanied by regular internal reporting. For instance, some organisations report monthly to their Board to identify trends, ongoing issues and opportunities for service improvement. Internal reporting also ensures there is oversight of the complaint management process from within the organisation. This may be a senior staff member, the Board or a subcommittee of the Board, such as a Risk and Audit Committee. In addition, it is important to report regularly to tenants, including via the tenant advisory group or tenant committee.

Regular reviews should be undertaken of the policies, procedures and performance outcomes of the complaint management system. This could be part of a broader rolling internal audit program.

Measurable and reportable benefits of a well-run complaints management system can include:

- » Learnings from complaints are used to improve service and reputation
- » Plans for organisational change take the impact on complaint management into account
- » Staff skill gaps and training needs are identified.

Performance indicators

Organisations should evaluate their policy and procedures against relevant performance indicators that are able to drive organisational review and improvement.

Treating a decrease in complaints as a positive indicator may lead to a reluctance to identify or receive complaints. Alternative indicators should be developed which focus instead on the resolution of complaints and which provide opportunities for organisational improvement.

Tenant satisfaction surveys provide a key opportunity for quality assurance by testing client experience of your complaint management process.

Potential performance indicators include:

- » Proportion of complaints resolved within identified timeframes
- » Proportion of complaints satisfactorily resolved
- » Average length of time to resolve complaints
- » Length of time for initial response
- » Trends in the number of complaints in relation to a specific issue, to test effectiveness of resolution
- » Level of tenant satisfaction with complaints procedures
- » Level of tenant awareness of complaints procedures.

External reporting

Reporting externally on how complaints are managed provides an important opportunity to promote your complaints policy and procedure, encourage feedback from tenants and applicants and other users, and celebrate positive outcomes of complaints.

Celebrating positive outcomes of complaints can foster a positive complaints culture, where complaints are seen as opportunities for service improvement and tenants and applicants are confident in exercising their right to complain.

You might consider reporting on complaint management:

- » Online through your website
- » In your annual report

- » In regular newsletters or letters to tenants, applicants and neighbours
- » By providing formal feedback to your tenant advisory group
- » By acknowledging positive complaints resolution or good customer service through staff awards.

Complaints policy

The complaints policy is an important document that will guide and drive the organisation's approach to managing complaints. It should be made publicly available, and it is important that staff are encouraged to be familiar with the document.

This section provides a short description of each of the key elements of a complaint management policy, along with links to sample policies from a range of providers. CHPs are encouraged to submit their policies for inclusion in this framework.

» **Purpose**

The document should outline the purpose of the policy, in line with the policy's guiding principles. This may include: ensuring tenants, applicants and other community members are able to exercise their right to complain; providing a clear procedure on managing the complaints process; and enabling the continual improvement of the organisation.

» **Strategic alignment**

The policy should provide an overview of how it aligns with the organisation's broader vision, values and strategic directions. This should include reference to relevant policies and procedures and how these relate to the organisation's approach to complaint management. This section may also make reference to the organisation's legislative and regulatory requirements for managing complaints.

» **Definitions**

The policy should provide definitions of complaints to assist in the identification and diagnosis of complaints. It may be useful to refer to the [definitions](#) provided within this framework.

» **Guiding principles**

The policy should identify a set of principles which guide the organisation's approach. It may be useful to refer to the [principles](#) which have been developed to guide this framework.

» **Policy**

This section details the organisation's approach to managing complaints. It should outline the organisation's position on key issues including: responsibility for managing level one and level two complaints; promoting the policy and procedure; receiving complaints; how privacy and anonymous complaints will be treated; and response timeframes.

» **Procedure**

It is important that the policy specifies that the CHP has documented management procedures including diagnosing and investigating complaints, the internal and external escalation processes, communicating with complainants and record keeping and reporting. A procedure provides guidance for staff and managers on the steps to be taken in implementing a policy. These procedures can be detailed in a separate document.

It may be useful to refer to the [procedure guide](#) provided in this framework.

» **Responsibilities**

The policy needs to identify key roles and responsibilities for managing complaints. This needs to include identification of who is responsible for a complaint when it is received, who is responsible

for managing ongoing communication with the complainant, and who is responsible for complaints when they are escalated internally.

Procedure guide

The following headings are sample headings for your organisation's complaints management procedure. Beneath the headings are points and resources which can guide you in developing your organisation's procedure.

1. Receiving complaints

- 1.1. Clarify who in your organisation has the responsibility for receiving and recording complaints, and how staff should keep records of complaints received.
- 1.2. Record verbal as well as written complaints.
- 1.3. Determine how you will record and respond to complaints received anonymously.
- 1.4. For verbal complaints, listen to the complainant and give them the opportunity to finish what they have to say and explain what they are seeking. Do not offer solutions before the complainant has had the opportunity to finish explaining.
- 1.5. Consider whether there is any aspect of the complaint where an apology is owed. A sincere and timely apology can de-escalate some situations. Further tips on receiving complaints are provided on p.16 of the [NSW Ombudsman Complaint Handling Toolkit for Community Service Organisations](#).
- 1.6. Appendix L of the Standard (AS/NZS10002:2014) recommends that to effectively manage complaints, relevant information must be recorded, including: the date the complaint was lodged, the complainant's contact details, any special assistance required by the complainant to interact with the CHP (such as an interpreter), the product or service the complaint relates to, whether the issue has been raised previously and whether they received a response, and the outcome sought.
- 1.7. Offer the services of a tenant advocate and the opportunity to have an advocate present at meetings such as through [Tenant Advice and Advocacy Services](#).
- 1.8. Consider assigning a unique number to each complaint to make it easier to track for both complainants and staff.
- 1.9. Identify [unreasonable complainant conduct](#) and manage accordingly.

2. Categorising complaints and assigning responsibility

- 2.1. Conduct "triage" on the complaint: first determine whether it a complaint, an appeal, a request for service, feedback, a tenancy issue, or a mixture. Do parts of the complaint need to be dealt with separately? Delegate it to the appropriate staff.
- 2.2. Consider whether your organisation has responsibility for addressing the complaint or whether it, or an aspect of it, is a matter for another agency such as Council or Police.
- 2.3. Assess the seriousness of the complaint to determine who is best placed to manage it. For example, is it an issue about day to day service delivery which can be solved at Level 1, or does it allege serious breaches or potentially risk reputational harm to the organisation and therefore could be escalated immediately to Level 2?

- 2.4. Consider the circumstances of the person making the complaint (level of vulnerability or need, literacy and English language skills, levels of family support or networks, health, etc) and how this could affect the urgency and resolution of the complaint.
- 2.5. Make sure that the complaint is assigned to a staff member for management. This person may be a dedicated Complaints Manager, a Team Leader, or the manager of the team which is the subject of the complaint.
- 2.6. Identify unreasonable complainant conduct and determine how you will respond.

3. Acknowledging complaints

- 3.1 Acknowledge receipt of complaints promptly. Generally CHPs do this between 48 hours and one week after the complaint is received.
- 3.2 Consider the best way to respond to the complaint – face-to-face, by telephone, email, letter, social media.
- 3.3 Letters will include an acknowledgement of receipt, a brief summary of the complainant’s issue, the steps you plan to take (including what has been done already), and when they will hear from you again.
- 3.4 Ensure language used is clear and polite.

4. Investigating complaints

Level 1 – frontline response

- 4.1 Discuss the issue with the complainant and, depending on the nature of the complaint, make an effort to address their concerns at this stage. This may involve asking the complainant to explain the problem and their desired outcome, or arranging a time to meet with them or discuss their concerns by phone.
- 4.2 Consult policies and procedures relevant to the complaint.
- 4.3 If the complainant is not satisfied, or if the nature of the complaint is more serious, escalate the complaint to your Level 2 complaints management process.
- 4.4 Ensure that the complaint management process is recorded until finalised.

Level 2 – internal review

- 4.5 Investigate the issue thoroughly using information available to determine the facts relating to the complaint and to determine whether a policy has been breached. Consider how to address the issues raised.
- 4.6 An internal complaint management form will ensure that you do not miss important steps and that complaints are managed time efficiently.
- 4.7 Treat all complaints equitably, objectively, and in accordance with your complaints management policy, even where complainants are acting unreasonably.
- 4.8 Identify any (actual or perceived) conflict of interest early and follow your organisation’s policy on managing conflict of interest.
- 4.9 Follow your organisation’s privacy and confidentiality policies and procedures to ensure that the privacy of complainants is respected and protected.
- 4.10 Ensure that the complaint is recorded until finalised.

5. Addressing unreasonable conduct by complainants

- 5.1. Ensure equity and fairness – the focus of complaint handling should be on the content of the complaint, not on the person.
- 5.2. Allocate enough time and resources to maintain efficiency when dealing with unreasonable complainant conduct, which can be a significant drain on resources.
- 5.3. Ensure the health and safety of staff involved in dealing with unreasonable complainant conduct.
- 5.4. Manage complainant expectations from the beginning of the complaints process, to avoid triggering unreasonable complainant conduct.
- 5.5. Insist on respect and cooperation between complainants and staff as being a prerequisite for further contact and communication.
- 5.6. Implement policies and procedures for managing unreasonable complainant conduct and ensure staff are trained in them.
- 5.7. Focus on the specific conduct of the complainant and content of the complaint, not the person. Avoid labelling the complainant as “difficult” or “high maintenance”. Instead use the term “unreasonable conduct” which labels the behaviour, not the person.
- 5.8. Respond appropriately and consistently to complaints and complainants.
- 5.9. Monitor and review management approaches.
- 5.10. Ensure you hold debriefing sessions with staff who deal with complaints, and unreasonable complainant behaviour in particular.
- 5.11. The [NSW Ombudsman’s Managing Unreasonable Complainant Conduct](#) practice manual contains further guidance and tools on managing unreasonable complainant behaviour.

6. Informing complainants of the outcome, reasons, and further options

- 6.1. Once the complaint has been considered or resolved, write to the complainant to inform them about:
 - An apology
 - The outcome(s) of the complaint
 - Recognition of the wrongdoing or omission where applicable
 - The action that was taken by your organisation
 - The reasons for the action taken and the decisions made
 - What you are offering them (for example, compensation, an apology)
 - Whether corrective action has been taken
 - Information about what else they can do if they are not happy with this outcome and/or resolution
 - Where a complainant has behaved unreasonably in their dealings with your organisation, this letter can also identify the nature and/or number of interactions between them and your organisation and any formal warnings which have been given to them about their conduct.
- 6.2. Letters should be signed by a senior staff member such as the CEO to make it clear that the decision has the support of the organisation.
- 6.3. A template for a complaint handling letter is given on p. 20 of the [Small Business Complaints Toolkit](#)

7. Record keeping

- 7.1. Your organisation's record keeping system should allow an up to date status to be made available on request by the complainant or someone in your organisation.
- 7.2. Establish criteria for responding to requests for client records.
- 7.3. Maintain a record of staff training undertaken.

Professional development

Complaints management in social housing is a complex, challenging, time consuming, and at times confronting task. It is therefore critical that staff responsible for this task receive adequate training and that the culture of the organisation supports good complaint management.

Section 6.4.5 of the Standard (AS/NZS10002:2014) states that all staff who handle complaints should be appropriately trained in complaint management and the implementation of complaint management procedures relevant to their role, including specific training on receiving and resolving complaints from disadvantaged and vulnerable people.

Dedicating appropriately trained staff to this area of a CHP's business can significantly save time and reduce staff stress. Training in best practice decision making can improve decision making procedures and overall housing management practices, in effect improving services generally and reducing the need for clients to make complaints. A level of training in complaints management is desirable for all staff, since complaints can be received through many channels.

Skills

All staff members who may receive a complaint need to be well trained in dealing with clients, issues, and procedures. They also need to be continually refreshing their knowledge and understanding of complaints handling policies and procedures.

To effectively manage complaints, the following attributes are desirable:

- » Empathy
- » Respect and courtesy
- » Resilience
- » Patience and tolerance
- » Listening skills
- » Good judgement and common sense
- » Assertiveness and confidence
- » Willingness to assist
- » Interpersonal skills
- » Understanding of the CHP's systems and processes
- » Rapport building skills
- » Strong verbal and written skills.

Appendix F of the Standard states that staff also need to be empowered with correct level of authority to determine and implement the best course of action.

Knowledge

Knowledge in the following areas is recommended for staff involved in complaint management:

- » Negotiation techniques
- » Procedural fairness

- » Language and cultural differences which may affect the complaint process
- » Mental distress and its effect on behaviour
- » Power imbalance and its effect on negotiations
- » Referral options, pathways and process alternatives (*[The Australian Competency and Ethical Framework for Complaint Professionals, p.16](#)*).

Professional development checklist

Has your organisation:	✓
Included training on your organisation’s complaint management policy and procedure in induction training for all staff?	
Provided training on your organisation’s complaint management policy and procedure to the staff who undertake complaint management activities, including clarifying which issues can be handled at the frontline, which need to be escalated to senior staff, and what authority staff have in resolving complaints?	
Provided training to relevant staff on complaint management and resolving complaints from disadvantaged clients?	
Provided training to staff on “de-escalating” appropriate issues so they can be resolved at the frontline?	
Developed a customer relations charter and provided training on customer relations to relevant staff?	
Recognised the importance of complaints management to your business by adequately resourcing it?	
Provided training in best practice decision making to housing management, rent review, property management and other relevant staff to proactively improve housing management services?	
Set up a system for identifying training needs among staff who undertake complaint management activities?	
Educated your maintenance and other relevant contractors about your organisation’s complaint management policy and procedure?	

Self-assessment

This high level self-assessment checklist provides an opportunity for CHPs to evaluate their complaint management policy, procedure and practice against the key elements of a good practice approach.

Does your organisation’s approach to complaint management:	✓
Treat complaints as an opportunity for organisational learning and improvement?	
Encourage tenants, applicants and community members to exercise their right to complain?	
Focus on resolution of the issue rather than simply providing a response?	
Ensure key stakeholders are consulted in developing and reviewing the policy and procedure?	
Clearly define roles and responsibilities for handling complaints?	
Ensure information and processes are visible and accessible?	
Provide multiple channels for tenants, applicants and community members to make complaints?	
Ensure ongoing communication is maintained with complainants throughout the process?	
Ensure that anyone in the organisation has the capacity to receive a complaint?	
Ensure all staff members are properly trained to identify, diagnose and handle complaints?	
Encourage external reporting on complaint management outcomes?	
Ensure evaluation against performance indicators that drive organisational improvement?	

References

- Australian / New Zealand Standard AS/ANZ 10002:2014. *Guidelines for complaint management in organisations* - guidelines to help with complaints handling practices can be purchased from the Standards Australia Website: www.standards.org.au
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- Housing Appeals Committee n.d., *Appealable Issues*, viewed 27 June 2016, <http://www.hac.nsw.gov.au/what-is-an-appeal/what-can-be-appealed/appealable-issue-for-applicants-and-tenants-of-a-social-housing-provider>
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- NSW Ombudsman, 2013. *Complaint handling toolkit for community service organisations*
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- UK Housing Quality Network (HQN) *Complaints Toolkit*
- Victorian Ombudsman, 2007. *Good Practice Guide. Victorian Ombudsman's Guide to complaint handling for Victorian Public Sector Agencies*



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