



Complaints Policy

Overall purpose of policy

To have a complaints process that is simple, accessible and enables complaints to be resolved quickly, consistently and fairly and that identifies areas of learning for the business, while meeting relevant codes of practice, regulations or statutory requirements.

How the policy will be implemented

We will:

- aim to resolve dissatisfaction at the first point of contact wherever possible;
- have a formal two stage complaints process;
- monitor and record formal complaints through our Customer Relations team; and
- use complaints to learn, improve and develop our services.

Performance measures, targets and triggers

- 100% of formal complaints will be acknowledged within five working days.
- 100% of formal complaints will be answered in the set target dates.
- No determination of maladministration for any complaints.
- No determination of service failure for any complaints.
- No determination of complaint handling failure for any complaints.

A review of the policy will be triggered if:

- Only 90% of formal complaints are acknowledged in the set target dates.
- Only 80% of formal complaints are answered in the set target dates.
- If any determination of maladministration, service failure or complaint handling failure occurs.

Performance measures, targets and triggers will be monitored by the Complaints Manager.

Date Approved by CMB:

19 January 2021

Date Approved by Operational Committee

18 February 2021

Date Due for Review:

January 2024

Responsible Officer:

Complaints Manager

Complaints Policy

1 Statement of intent

- 1.1 Every complaint offers us an opportunity to learn and improve our service to customers. While we aim to provide excellent customer service, we know sometimes things may go wrong and when this happens our aim is to resolve the matter as quickly as possible.
- 1.2 A complaint is defined as:
 - an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by us, our employees, or those acting on our behalf, affecting an individual resident or group of residents.
- 1.3 Complaints will be managed in line with data protection legislation and our **Diversity and Inclusion Policy**. We will consider reasonable adjustments under the Equality Act 2010, to accommodate our customer's needs where requested to do so.
- 1.4 We will publicise this policy along with our '**Guide to Complaints**' on our website and in our offices. The complaints policy and procedure will also be publicised from time to time in communication with our customers and will include contact details for the Housing Ombudsman Service (HOS).

2 Outline of service

Complaints

- 2.1 A range of channels are available to make a complaint and customers can use the method they prefer, unless they are subject to restrictions under our **Unacceptable Behaviour Protocol**.
- 2.2 Customers who make a complaint using social media will be privately messaged to ensure we protect their privacy and confidentiality in line with data protection.
- 2.3 We accept complaints made by advocates providing we have the customer's consent.
- 2.4 We accept complaints made by a group or through a petition, but we will ask for a nominated single point of contact.
- 2.5 We will not tolerate verbal or physical abuse of our employees and this may result in tenancy enforcement action or action being considered under our **Unacceptable Behaviour Protocol**.

2.6 The following complaints fall outside the scope of this policy. These are:

- Complaints made six months after a problem occurred or the customer became aware of it.
- Complaints where legal proceedings have been started or issued or concern matters that must be decided by a court.
- Complaints about nuisance or antisocial behaviour (ASB), these are dealt with by our **Antisocial Behaviour Policy** and **Antisocial Behaviour Procedure**. However, we will consider complaints about how nuisance or ASB reports were managed.
- Compensation claims for damage to personal property or personal injury. Where appropriate these will be dealt with directly or through our insurers.
- Where a remedy is available through an alternative review / appeal process or other regulatory body, for example the Information Commissioners Office.
- Complaints about commercial or contractual matters not connected with the application for, or occupation of, a property for residential purposes.
- Complaints that are vexatious in nature or the customer refuses to engage with us or behave in an acceptable manner.
- Complaints about employee conduct that require the involvement of Human Resources. The outcome of any internal investigation will remain confidential and will not be disclosed to the customer, in line with data protection.

2.7 Where a complaint cannot be considered or is to be dealt with in an alternative way, we will advise the customer of our decision and the reasons for this. Where appropriate they will be given details of the HOS.

Informal complaints

2.8 When a customer has a problem or is unhappy with the service they have received we will:

- ask what is wrong and what we can do to resolve the issue, seeking clarification where this is unclear;
- ask them if they are happy to allow us an opportunity to try to resolve their complaint informally and give them an outcome within seven working days;
- be clear about what we can and cannot do, so their expectations are managed;
- agree the best method of response for them, which includes entering a complaint directly at Stage 1 of our procedure; and
- use the outcome of complaints to improve our services to customers.

Formal complaints

- 2.9 We will have a two stage formal complaints procedure managed and monitored by our Customer Relations team. All complaints will be logged and acknowledged within five working days.
- 2.10 Employees handling a formal complaint will:
- act sensitively and fairly towards the customer;
 - be trained to receive complaints and deal with distressed and upset customers;
 - have access to employees at all levels to facilitate a quick resolution; and
 - have the authority and autonomy to act to resolve disputes quickly and fairly.
- 2.11 Complaints will be entered at Stage 1 of our formal procedure if:
- the customer makes a specific request to enter a formal complaint;
 - the customer does not agree to the complaint being dealt with informally;
 - the customer is unhappy with the outcome of their informal complaint and wishes to escalate the matter further;
 - the complaint is complex and requires a more detailed investigation, meaning a response cannot be provided within seven working days; or
 - the complaint poses a risk of reputational damage to the organisation or is of a sensitive nature.
- 2.12 Stage 1 complaints will be investigated by a senior manager / team leader within the relevant service area and the customer will receive a response within 10 working days from receipt of the complaint. Timescales will only be extended where there is good reason to do so and the customer will be informed of this, with the focus on resolving the complaint as quickly as possible.
- 2.13 If a customer feels we have not adequately addressed the issues raised at Stage 1 they can discuss the matter directly with the investigating manager. If they remain dissatisfied, they can request to escalate to Stage 2 of our Complaints Procedure.
- 2.14 We will decide the most appropriate option for escalating a complaint with the focus being on achieving a prompt resolution, customer satisfaction and best use of resources.

- 2.15 We may choose **not to escalate** a complaint to Stage 2 if:
- the complaint was upheld at Stage 1 and an appropriate and proportionate resolution was offered to the customer;
 - the resolution requested cannot be provided, as it is disproportionate, or outside of our control to influence or change; or
 - a customer's behaviour is deemed to be unacceptable and they have refused to engage with us in an acceptable manner during the investigation of their Stage 1 complaint, or their request to escalate is considered to be a vexatious complaint.
- 2.16 Customers will be notified of our decision and the reason for this in writing and given details of the HOS. We will comply with any instruction from the HOS to enter a complaint into our complaints procedure.
- 2.17 Stage 2 complaints will be investigated by the Customer Relations team on behalf of the relevant Executive Director or their nominated deputy. The customer will receive a response within 20 working days of the complaint being received. Timescales will only be extended where there is good reason to do so and the customer will be informed of this, with the focus on resolving the complaint as quickly as possible.
- 2.18 If a customer remains dissatisfied with our final response, they have the right to directly contact the following services.
- The HOS. Information will be provided giving further details of the HOS and designated persons.
 - The Regulator of Social Housing, where it is believed our actions may cause serious detriment.
 - The Residential Property Tribunal Service, if the complaint relates to the level and amount of rent or service charge increases.
- 2.19 We will correspond with customers during the complaint process and they will be kept informed and updated on progress. All communication with the customer will be in plain language, ensuring that decisions are clear and easily understood.

Remedies

- 2.20 On receipt of a complaint we will manage the customer's expectations so that we do not promise anything that cannot be delivered or would cause unfairness to other customers.
- 2.21 We will acknowledge where something has gone wrong and apologise for any failure. We recognise that putting things right is the first step to repairing and rebuilding our relationship with a customer. We will consider a range of remedies to resolve complaints. Each complaint will be considered on an individual basis however, we will aim to ensure consistency in our approach.

- 2.22 When determining an appropriate and proportionate remedy we will take the following into consideration.
- What went wrong?
 - Can we put it right?
 - How has the issue affected the customer? (Time, trouble, or inconvenience.)
 - Has there been any losses that can be evidenced?
 - What emotional impact has there been on the customer?
 - Did the customer's actions or inaction contribute to the issue?
 - How long did it take us to resolve the issue?
 - Are there any mitigating circumstances or vulnerabilities that need to be considered?
- 2.23 The remedy offered will be appropriate and proportionate to the complaint and the following remedies may be considered:
- an apology;
 - a review of our policies, procedures or working practices;
 - a practical solution or specific action;
 - compensation where there has been an actual evidenced loss;
 - compensation for inconvenience, distress and any detriment caused; or
 - an alternative award or resolution relevant to the circumstances of the complaint.
- 2.24 An apology or an offer of redress will not amount to an admission of negligence or statutory duty.
- 2.25 Where compensation is offered, we reserve the right to offset this against any monies owed to us by the customer.
- 2.26 We will refer to the Housing Ombudsman guidance when considering what is an appropriate remedy.
- 2.27 Claims for compensation for damage to personal items or property above the limit of our insurance cover fall outside the remit of this policy. These matters will be referred directly to our insurers.
- 2.28 Customers will be required to provide evidence of any financial loss they claim to have incurred. If this cannot be provided the claim for compensation may not be considered further.

3 Equality and diversity and data protection

- 3.1 We will promote equality and inclusiveness, in accordance with our Diversity and Inclusion Policy, based on the nine protected Characteristics. During the review and development of this policy an equality assessment has been completed to consider those with protected characteristic and reduce any impact on them from delivery of this policy.
- 3.2 We will manage customers information in line with current data protection legislation and our Data Protection Policy.

4 Consultation

Internal

- 4.1 Consultation with all relevant WDH3 Managers and Business Leaders was carried out before and after development of this policy.

External

- 4.2 External customer consultation was carried out during the development of this policy.

5 Responsibility for implementation

- 5.1 Our Board and Chief Executive are responsible for ensuring that this policy is implemented.
- 5.2 Under the delegated authority contained within our [Standing Orders](#) it is the responsibility of all employees and those working on our behalf to ensure their work is carried out in line with this policy and any related procedures.

6 Monitoring

- 6.1 Our Operational Committee will receive regular monitoring reports to evaluate the effectiveness of this policy in meeting our customers' expectations.
- 6.2 We will undertake surveys to monitor the satisfaction of our customers with the service provided and where appropriate we will publish the results.
- 6.3 Where relevant information is available, we will benchmark our performance against other organisations to ensure the highest standards of service delivery.
- 6.4 We will involve customers in the scrutiny of our learning from complaints to ensure actions have been taken to prevent future complaints.

7 Review

- 7.1 We will undertake a review of this policy whenever there are any relevant changes to legislation, regulatory requirements, case law or good practice that would impact on this policy or in the light of any required service improvements identified through internal audits, service reviews, learning from complaints or regulatory judgements. Considerations will also be made where performance against the policy's measures and targets meet or are forecasted to hit the triggers identified.
- 7.2 We will regularly review service provision and will undertake reviews, when appropriate, to ensure continuous improvements and value for money in the delivery of our services.
- 7.3 Our Board and / or the Corporate Management Board will be responsible for ensuring that reviews of this policy are carried out and that the policy contributes to, and complements, our strategic objectives.

8 Risk

- 8.1 The following potential risks relating to this policy have been identified and are being managed in accordance with our Risk Management Policy.

Risk Reference CS5:

Inadequate customer relations and learning from feedback.

9 Legislation and other documents

- 9.1 We will ensure this policy complies with all relevant legislation and takes account of current best practice.
- HOS Scheme.
 - HOS Complaint Handling Code.
 - Tenant Involvement and Empowerment Standards.
 - General Data Protection Regulations 2016.
 - Data Protection Act 2018.
 - Housing Act 1996.
 - Equality Act 2010.
- 9.2 The following associate documents are linked to this policy.
- Complaints Procedure.
 - Unacceptable Behaviour Protocol.
 - Customers Guide to Complaints.