



# Complaints Procedure

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# Contents

Introduction .....	3
Receipt of a complaint .....	3
Who can make a complaint?.....	3
What is a complaint?.....	4
Exclusions .....	4
Informal Complaints .....	5
When should a complaint be logged as a formal Stage 1 complaint? .....	5
Customer Relations Team .....	6
Record Keeping .....	8
Unreasonable complainants.....	8
Putting things right .....	9
Complaints to the Housing Ombudsman Service (HOS).....	10
Continuous Learning and Improvement .....	10

This procedure should be read in conjunction with our Complaints Policy.

## Introduction

While we aim to provide an excellent service to our customers, we know things can sometimes go wrong. Every complaint offers us an opportunity to learn, develop and improve.

This procedure provides guidance on the administration and handling of complaints to ensure they are dealt with promptly, consistently and fairly, in line our Complaints Policy and the Housing Ombudsman's Complaint Handling Code and dispute resolution principles.

## Receipt of a complaint

Complaints can be made by:

- letter or email;
- phone;
- social media;
- website; or
- in person

Customers can direct enquiries / complaints through their local councillor or MP however, these will be responded to outside of this procedure.

Customers subject to restrictions under our Unacceptable Behaviour Protocol will be advised on the method they must use to make a complaint.

## Who can make a complaint?

- Tenants (a person who is or who was in a landlord / tenant relationship with us at the time the problem occurred).
- Leaseholders (domestic premises only).
- Homeseach applicants.
- Customers with a licence to occupy.
- Customers who have a service agreement with us.

Complaints made by people who do not fall into the above categories will be responded to within this procedure but if they remain dissatisfied with the outcome of their complaint, they will be advised to seek independent advice, as they have no recourse through the Housing Ombudsman Service (HOS).

We will accept complaints from third parties or groups where we have consent of the customer, in line with data protection legislation. Groups will be asked to choose a nominated representative to be our point of contact.

Anonymous complaints will be passed directly to the relevant area of the business for information purposes.

Customer information and complaints will be handled in line with data protection legislation. Details of our Privacy Statement can be found on our website [www.wdh.co.uk](http://www.wdh.co.uk).

When requested to do so, we will make reasonable adjustments, under the Equality Act 2010. Further details can be found in our Diversity and Inclusion Policy.

## What is a complaint?

### A complaint is:

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 customer or group of customers.

We aim to manage expectations from the beginning of a complaint and if the resolution the customer is seeking is unreasonable, unrealistic, disproportionate or cannot be provided, we will tell them.

## Exclusions

The following fall outside the remit of our Complaints Policy and Procedure. This includes:

- 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; or
- 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.

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

When a customer reports a problem to us that cannot be resolved at the first point of contact or the next working day, providing we have their agreement, this will be dealt with informally and logged as an informal complaint communication on our housing management system.

Employees must take ownership of the informal complaint and provide a response to the customer **within seven working days** from the problem being reported to us. The response can be by letter, phone or email and must detail the findings and outcome of the informal complaint.

**The following details should be recorded on the communication notes on the housing management system (IBS):**

- details of the complaint and the resolution requested;
- customers agreement for their complaint to be dealt with informally;
- findings of the investigation;
- outcome of the complaint; and
- details of any action taken or promised to resolve the complaint.

Once the above information has been completed the communication should be closed using an appropriate outcome code. The three complaint outcome codes are:

- Complaint Upheld.
- Complaint Rejected.
- Complaint Partially Upheld.

Each team will manage their own informal complaints and be responsible for ensuring complaints are dealt with in line with this procedure. Failure to do so may result in a complaint handling service failure determination by the HOS.

## When should a complaint be logged as a formal Stage 1 complaint?

A formal Stage 1 complaint must be logged 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.

All emails or letters to and from the customer must be scanned onto Documotive on the relevant communication reference for the complaint.

**To log a Stage 1 complaint employees must complete a Stage 1 Complaint Form immediately on receipt of the complaint.** The forms will be sent directly to the Customer Relations Team and must be completed in full and detail the basis of the complaint and the resolution the customer requires.

## Customer Relations Team

The Customer Relations Team will be responsible for the management and monitoring of formal complaints, in line with the Housing Ombudsman's Complaint Handling Code.

On receiving a Stage 1 complaint form, the Customer Relations Team will log, acknowledge and allocate the complaint to an appropriate manager for investigation **within two working days**.

The customer will be advised of the timescale for responding to their complaint and to ensure an open channel of communication they will be provided with the name and contact number of the investigating manager.

## Stage 1

The investigating manager will contact the customer **within three working days** of receipt of the complaint to confirm their understanding of the complaint and the resolution required.

If the resolution requested cannot be provided the customer will be advised of this to ensure their expectations are managed. Details of this contact and the information provided by the customer must be recorded on the communication on the housing management system.

We aim to respond to Stage 1 complaints **within 10 working days** from receipt of the complaint. If we are unable to do so, we will contact the customer and explain why and agree a revised response date with them (this must not exceed a further 10 working days unless, there are exceptional circumstances and the Customer Relations Team have been notified).

On completion of the investigation a decision letter must be sent to the customer. The letter will set out the findings and outcome of the complaint and direct the customer to contact the investigating manager if they have any questions or concerns about the content of the letter or they wish to challenge the outcome. If the customer remains unhappy, they can request to escalate their complaint to Stage 2.

All emails or letters to and from the customer must be scanned and filed to the relevant communication reference for the complaint.

## Stage 2

Requests to escalate to Stage 2 will be allocated to a manager within the Customer Relations Team, who will correspond with the customer to check their reasons for escalation are clear and confirm the resolution they require.

If the investigating manager feels it is appropriate, they may choose to offer an alternative outcome to help resolve the complaint or refer the complaint back to Stage 1 for a review of the decision. The customer will be kept informed and a response timescale will be agreed with the customer.

The customer will receive acknowledgement of their request to escalate **within five working days**. This will explain how their complaint will proceed and explain the next steps in the process along with the timescale for a response. The letter will also detail the investigating manager's name and contact information to ensure there is an open channel of communication.

If the customer's request to escalate is declined, in line with Section 2.15 of our Complaints Policy, we will write to the customer and explain the reason(s) why and provide details of the HOS, where appropriate to do so.

The investigating manager will correspond with the customer part way through the investigation to update them on the progress of their complaint. If the customer raises new issues during the course of an investigation these will only be considered if they are relevant to the original complaint and would have an impact on the investigation and outcome.

Any other new issues raised during the course of an investigation that do not relate to the original complaint will be dealt with separately.

A Stage 2 investigation will be completed and the relevant Executive Director, or nominated deputy, will be briefed on the findings, and they will determine the outcome of the complaint.

The customer will receive a Stage 2 decision letter within 20 working days from receipt of the complaint. If we are unable to do so, we will contact the customer, explain why and agree a revised response date with them (this must not exceed a further 10 working days unless there are exceptional circumstances).

## Stage 1 and Stage 2 decision letters

Customers will receive a decision letter to their formal complaints, written in plain language that addresses all the points raised in their complaint. Decision letters will also detail the:

- complaint stage;
- name and contact details of the investigating manager;
- outcome of the complaint;
- reasons for any decisions we have made;
- details of any remedies offered to put things right;
- details of any completed or outstanding actions;
- who to contact if they wish to dispute the findings or decision; and
- details of how to escalate their complaint if they remain dissatisfied, which for Stage 2 decisions will include details of the HOS.

## Record Keeping

All employees must keep accurate and timely records of contact and communication with customers. Records should be clear, concise and factual and details should be recorded of:

- Phone calls.
- Letters.
- Emails.
- Interactive messages.
- Visits / inspections.
- Evidence gathered as part of a complaint investigation.

Failure to keep accurate and timely records could result in evidence not being available to support decision making, or the HOS may make a finding of service failure or maladministration for inadequate record keeping.

## Unreasonable complainants

We may choose to deal with complaints differently, or restrict access to the complaints process, when a customer is pursuing a complaint in an unacceptable manner, their behaviour is unacceptable; or their complaint(s) are vexatious in nature. Further information is available in our **Unacceptable Behaviour Protocol**.

Where we choose to restrict access to the complaints process or deal with a complaint differently due to a customer's unacceptable behaviour, we will write to them and advise them of our decision and explain the reasons for this. The customer will be provided with details of the HOS should they be dissatisfied with our decision.



We treat customers with courtesy and respect and expect the same in return. We will not tolerate abuse, threats or aggressive behaviour towards our employees. Customers behaving in this manner will be warned to modify their behaviour. If they fail to do so it may result in their complaint being closed or restrictions being placed on their contact with us.

## Putting things right

We recognise that putting things right is the first step to rebuilding our relationship with the customer. Where something has gone wrong, we will acknowledge this and apologise and tell the customer what we have done or will do to put things right.

We will try to give an explanation where possible and tell the customer what action we intend to take to prevent the issue happening again.

We will offer an appropriate remedy, this could be:

- 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 detriment caused; or
- an alternative award or resolution relevant to the circumstances of the complaint.

Any remedy offered will reflect the individual circumstances of the complaint and the effect on the customer. We will take 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?

If a financial remedy is offered the payment will be offset against any monies owed to us by the customer. Customers will be required to complete and sign an acceptance form confirming they are accepting the remedy in full and final settlement of their complaint.

Claims for compensation for damage to personal items or property above the limit of our insurance cover fall outside the remit of our Complaints Policy and will be referred directly to our insurers.

Where a customer is alleging a financial loss they will be asked to provide evidence to support their claim for compensation. If this cannot be provided we may choose not to consider a payment of compensation.

## Complaints to the Housing Ombudsman Service (HOS)

We will respond to requests for information and evidence from the HOS in line with data protection and the timescales set by their Complaint Handling Code.

If we are unable to meet the timescale we will contact the Housing Ombudsman and explain why and request an extension.

Any remedial action recommended or ordered by the Housing Ombudsman following a determination will be discussed with the relevant Directors and managers to agree learning points and actions, which will be placed onto the complaints action plan overseen and monitored by our Operational Committee.

## Continuous Learning and Improvement

We value complaints as they offer us an opportunity to learn and improve. To enable us to do this all complaints must be logged using the relevant system.

It is the responsibility of employees and managers to ensure actions taken on complaints are recorded, correspondence is filed appropriately, and response timescales are met.

Managers and team leaders are responsible for the quality assurance of informal complaints dealt with in their respective service areas.

The Customer Relations Team will monitor and audit the outcome of formal complaints, to highlight any:

- emerging trends;
- training requirements;
- required amendments to policies and procedures; and
- appropriate service improvements.

Complaints performance will be reported:

- weekly to the Corporate Management Board;
- monthly to Executive Directors and Service Directors; and
- quarterly to the Operational Committee and Board.

Any learning outcomes, actions for improvement or changes to our policies, procedures or services will be reported to the Operational Committee, in line with our Standing Orders.