

Complaints Policy

1.0 SCOPE

Purpose

- 1.1. whg is committed to providing a high-quality service for its customers and working in an open and accountable way that builds trust and respect. We strive to deliver excellent services but know that sometimes things go wrong. We will ensure that it is easy to make a complaint and our approach is clearly set out.
- 1.2. We will listen to what has happened and aim to respond positively, and effectively, to complaints. We will put mistakes right when things have gone wrong and ensure we learn from these situations to improve our services.

Legal and regulatory framework

- 1.3. This Policy is designed to comply with our legal and regulatory responsibilities.
- 1.4. This Policy falls within the Tenant Involvement and Empowerment Standard that features in the Regulator of Social Housing's Regulatory Framework.

It states Housing Associations should:

- treat all customers with fairness and respect;
- inform our customers about how they can access services and the standards of service they can expect; and
- have an approach to complaints that is clear, simple and accessible that ensures that complaints are resolved promptly, politely and fairly.

Housing Ombudsman Service

- 1.5. Our approach to complaints handling complies with the Housing Ombudsman Service 'dispute resolution principles'. These state that our approach to complaints should be fair, put things right if they went wrong and learn from complaint outcomes.
- 1.6. The Data Protection Act 2018 sets out how we handle personal data.

- 1.7 The Equality Act 2010 requires us to safeguard those with a protected characteristic from direct and indirect discrimination and make reasonable adjustments to ensure an equality of access for all.
- 1.8 The Care Act 2015, Mental Capacity Act 2005, and Criminal Justice Act 2003 places additional duties on us to work with relevant agencies to protect vulnerable customers.
- 1.9 The draft Building Safety Bill and White Paper on Social Housing set out clear expectations relating to complaints management. This Policy is aligned to these requirements.

Our customers

- 1.9 We define our customers in relation to this Policy as:
 - anyone who has a legal relationship with whg, such as tenants/joint tenants or people living in our homes; and
 - applicants for our homes and those who access services from us, such as Employment and Training, are covered by this Policy.

We will also consider complaints from people who are acting on behalf of our customers if they have given permission for us to do this, such as Councillors.

Our Values

- 1.10 This Policy is aligned to our values, which are:
 - Accountable – We take responsibility
 - Trustworthy – We are honest in everything we do
 - Excellent – We strive to be the best
 - Courageous – We try new things
 - One Team – We achieve great things by working together.

Our Key Principles

- 1.11 In order to deliver our values, we will work to the key principles set out below.
- 1.12 We will:
 - show customers courtesy and respect at all times;
 - listen carefully to our customers;
 - work closely with customers to understand what we can do to resolve the complaint and put things right;
 - respond promptly and helpfully;
 - keep customers regularly informed about their complaint; and

- respect customer confidentiality and hold their information securely.

2.0 POLICY STATEMENT

Complaints

- 2.1 We will seek to investigate and resolve complaints at the earliest opportunity. If we have made a mistake, we will aim to put things right effectively and as quickly as possible. We will act promptly, working with customers to explain what is happening and understand their perspective. We will endeavour to make sure we are in full knowledge of the facts before making a decision.
- 2.2 We see complaints as an opportunity to identify what went wrong and why. We will ensure we deliver our responsibility as a landlord by taking appropriate steps to remedy a service failure. We will seek to find a fair and reasonable solution to the complaint. We are committed to learning from issues raised and improving our services using this information.
- 2.3 We will make sure that it is easy to make a complaint and offer a range of ways for all customers to do so.
- 2.4 We will ensure our handling of complaints is fair and reasonable, complies with equality legislation and within published timescales. We will seek to identify customers who are vulnerable and account for their specific needs when handling their complaint.

Expressions of Dissatisfaction

- 2.5 Sometimes customers tell us they are unhappy with something and may not wish to make a formal complaint but just that we put things right. These will usually be smaller issues that can be quickly sorted out. We will always agree with the customer how this will be handled and what the next steps are. If the issue is particularly serious, such as involving a health and safety issue, these will always be handled as a formal complaint.
- 2.6 The colleague who receives an expression of dissatisfaction is accountable for ensuring the options are discussed with the customer, such as making a formal complaint. They are then responsible for ensuring this is passed to the relevant team. This team is responsible for resolving the issue in a timely manner, usually within 3 working days. We may receive expressions of dissatisfaction through customer satisfaction surveys or where customers contact us. Expressions of dissatisfaction are not treated as formal complaints but are an important way for us to learn and improve our services.
- 2.7 Expressions of dissatisfaction will be recorded as First Point of Contact – dissatisfaction and reported in line with our performance reporting framework.

What is a Complaint?

2.8 A complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by us, our colleagues, or those acting on our behalf, affecting an individual customer or group of customers.

It is our responsibility to ensure that when a customer says they are unhappy that we explain their options, including us considering the matter as a complaint.

These will generally require us to take an action to put things right or to investigate further to understand what has happened.

What is not a Complaint?

2.9 There are certain subject areas that we would not consider as a complaint, these include:

- requests for service, including anti-social behaviour reports – these are covered by whg's Anti-Social Behaviour Policy;
- matters that have previously been considered under our Complaints Policy;
- complaints from providers of services to whg - contractual arrangements will apply in such cases;
- cases where a legal claim is made against whg, including disrepair cases and insurance claims – these will be dealt with through our legal and insurance processes;
- cases where a customer is taking a matter to court, or the matter is being dealt with by another statutory agency that has the power to resolve the complaint; and
- complaints reported to us more than 12 months after the incident or issue occurred – apart from exceptional cases.

If we do, for any reason, refuse to consider a matter as a complaint, we will always explain our decision to the customer. We will advise the customer that the Housing Ombudsman Service can review our decision.

Who can make a Complaint?

2.10 We will accept complaints from our customers or anyone who has a clear link to us, such as using a service we provide. Where a customer asks a third party to act on their behalf, we will ask for appropriate permissions from the customer before we will do this.

Complaints Process

- 2.11 We operate a three-stage complaints process as detailed in Appendix 1. We aim to resolve complaints at the earliest opportunity but also have the opportunity for an independent review if the customer is unhappy with our initial response. The review will always be carried out by a colleague in a more senior post than the previous colleague responding.
- 2.12 The three stage process gives the customer access to a review by Members of our Board and Committees and customer representatives wherever possible. This provides an opportunity for the customer to ask us to reconsider/challenge our decision. It also provides our Board and Committees the opportunity to hear our customers' concerns directly; creating further accountability for our decisions.
- 2.13 We will investigate a complaint thoroughly, identify any failings, seek an agreeable resolution that is appropriate and proportionate to the situation and learn from the complaint to improve services. Where we make a change to prevent a mistake from being repeated, for example, we will explain this in our response. We will always explain the next steps available to the customer, such as contacting the Housing Ombudsman Service.
- 2.14 Where a complaint relates to the conduct of our colleagues the Investigating Manager is responsible for liaising with Human Resources to determine whether further action is required through our employment policies. We will share as much information with the customer as we reasonably can, in line with privacy and data protection requirements. We will always aim to be transparent in our approach whilst recognising we need to be fair to the customer and the colleague.

Timescales

- 2.15 We will acknowledge complaints within two working days. Investigation responses will be completed within 10 working days. Review responses will be completed within 15 working days. Panel Reviews will be completed within 20 working days. If we are unable to meet these timescales, for example the customer is on holiday and we need to visit we will ensure we agree when the response will be provided.
- 2.16 Financial compensation will be considered in line with our compensation guidelines.
- 2.17 We will keep full records of our complaints investigations to enable clarity and effective review in line with our retention guidelines/schedule.
- 2.18 We will contact the customer to discuss their concerns and notify them of the outcome of the investigation and proposed resolution. If the investigation identifies that there has been no service failure, we will provide a clear

explanation of our findings and decision to not uphold the complaint.

- 2.19 If the customer is unhappy with the outcome of the investigation, they can request a review of their complaint (escalation). For example, the customer may believe that an important piece of information was missed out or misunderstood and feel this would change the outcome. We will ask the customer to outline what they feel is outstanding and how they think we could put the situation right. Any new issues raised at this stage will be treated as a new complaint and investigated in line with this Policy.
- 2.20 We reserve the right to decline a request to escalate or review the complaint further. This will only be done where each element of the complaint has clearly been investigated and no change of circumstances has happened. We will explain this to the customer, along with our reasons for this decision. Although the customer will have exhausted our Complaints Policy, this does not mean they have exhausted all avenues. We will signpost the customer to the Designated Person or the Housing Ombudsman Service. This approach aims to ensure that our customers can seek further independent review at the earliest opportunity if they have exhausted our process.
- 2.21 Authority to decline a further review of the complaint (escalation) will be held by the Director of Business Excellence (or the Insight and Improvement Manager in their absence). This will ensure a consistency of approach and duplication of investigations when an appropriate decision has already been made and no new information has been presented. The number of times a review has been declined will be reported to the Group Executive Team each quarter.

Appeals Process for Operational Policies

- 2.22 Some of our operational policies contain an appeals process that directs customers to this Complaints Policy. Where the business has already made an operational decision, in line with the respective Policy, any appeal will not go through each stage of this Policy. The appeal is reviewed by the Director of Business Excellence (or the Insight and Improvement Manager in their absence) who will then make a decision at that stage as to whether the appeal should be upheld. There will be no further stages of appeal within this Policy.

Designated Person

- 2.23 In accordance with the Localism Act 2011, after a customer has completed our internal process, we will inform them that they can refer their case to a designated person or tenant panel for review. After a period of eight weeks, they can directly approach the Housing Ombudsman Service.

When a Complaint may be Refused or the process ended early

- 2.24 In a small number of instances we reserve the right to refuse to deal with a complaint completely or to carry out a further review. This will generally be where the complaint is subject of legal processes or an insurance claim considered. We will explain our reasons for this decision to the customer.
- 2.25 Customers who are unreasonably persistent, vexatious or abusive (as defined by our Challenging Behaviour Policy) can lead to excessive demands on whg, or unacceptable behaviour towards colleagues. In such cases, we will handle this in accordance with our Acceptable Behaviour Policy.
- 2.26 If a customer who is persistently complaining has vulnerabilities, a review may take place by the Director of Business Excellence to establish if the complaints process is the most appropriate course of action to deal with their dissatisfaction. On occasion we may end the complaints process if we feel the customer is exhibiting conduct outlined in our Managing Challenging Behaviour Policy.

Data Protection and Confidentiality

- 2.27 We are committed to safeguarding the rights of our customers to confidentiality and privacy. All whg colleagues are required to maintain a duty of care towards information regarding customers and applicants, in line with data protection legislation and Data Protection Policy 2018.

3.0 PERFORMANCE MEASURES

- 3.1 Through the Insight and Performance Team, we will measure, monitor and disseminate the customer experience to help improve performance and deliver a high level of customer satisfaction.
- 3.2 We will specifically monitor and seek to improve the following indicators:
 - Number of complaints by stage, service area and theme
 - Number of learning opportunities identified and acted upon
 - Satisfaction with complaints handling
 - Percentage of complaints resolved at each stage
 - Number of complaints dealt with on time
 - Number of complaints upheld and at which stage
- 3.3 Information on complaints, such as trends, will be included in our Customer in the Room report each quarter. This is considered by our Executive Team and Customer Experience Committee. At least once per year, we will share information in our Annual Report to Customers on numbers of complaints, for example.

4.0 EQUALITY AND DIVERSITY

- 4.1 Effective resolution and investigation of problems is an important way for us to be accountable to our customers. This Policy has sought to be accessible to all customers, such as using different ways to promote how to make a complaint.
- 4.2 Bi-annually we will review our performance data to ensure the service is operating effectively for all of our customers.

5.0 TRAINING AND DISSEMINATION

- 5.1 We will use a range of methods to provide training to colleagues on the Policy. This will include:
 - Face to face discussions at team meetings;
 - Evolve module (based on the principles of the Housing Ombudsman e-learning module); and
 - External training courses for those colleagues who have a more detailed involvement in complaints handling.
- 5.2 A range of ways will be used to ensure we routinely communicate this Policy to customers. This will include:
 - A whoogle page, featuring case study examples and easy to follow guides on complaints;
 - Business Brief and Cascades;
 - Presentations at Team Meetings; and
 - Customer stories to act as learning reviews.

6.0 MONITOR AND REVIEW

- 6.1 This Policy will be monitored by the Director of Business Excellence and reviewed every three years by the Customer Experience Committee.

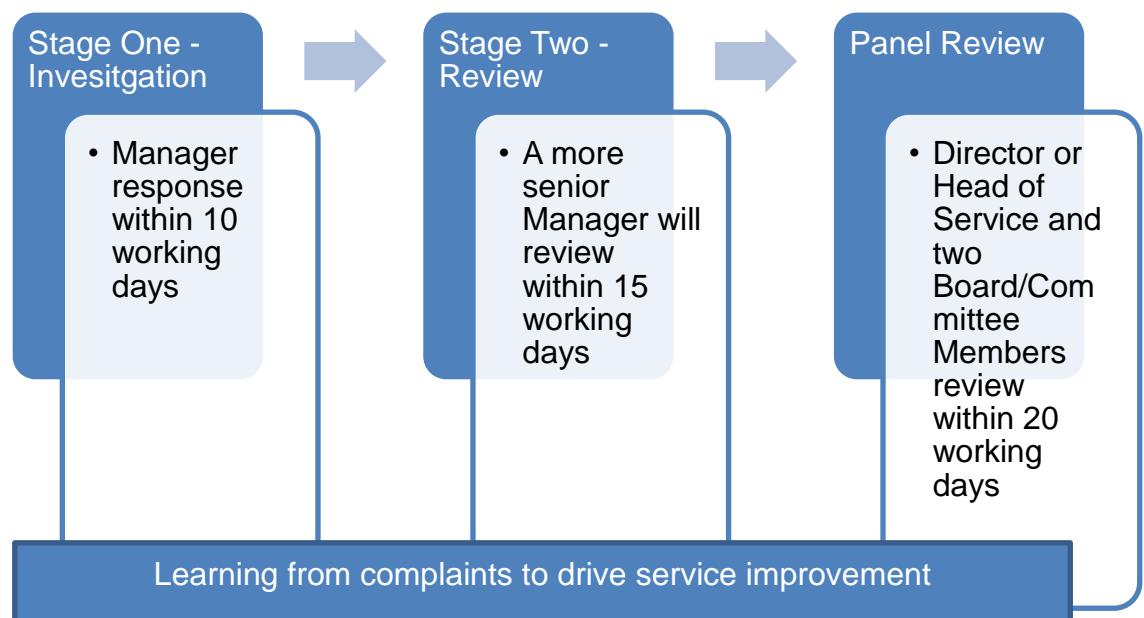
7.0 ASSOCIATED DOCUMENTS, POLICIES AND PROCEDURES

- 7.1 Documents and policies associated with this Policy are:
 - Anti-Social Behaviour Policy;
 - Care Act 2015;
 - Challenging Behaviour Policy;
 - Complaints Procedure;
 - Data Protection Policy;
 - Data Protection Act 2018;
 - General Data Protection Regulations;
 - Dispute Resolution Principles – Housing Ombudsman Service;
 - Equality Act 2010;
 - Localism Act 2011;

- Mental Capacity Act 2005;
- Regulatory Standards – Regulator of Social Housing;
- Safeguarding Policy

Appendix 1

We will acknowledge complaints within 2 working days.



We will endeavour to respond within the above timescales. However, if this is not possible we will liaise with the customer to agree when the response will be available.

At each stage we will review the information held on our systems and speak to the relevant colleagues and customers. Where a customer requests for their complaint to be reviewed at the next stage, we will ask them to outline what they feel is outstanding and how they feel we can put things right; what does resolution look like.

The Panel Review will look at previous correspondence and identify whether there is a mutually agreeable resolution, or uphold the previous decision and proposals. The Panel will not consider cases that are concerned with a request for compensation which is contrary to whg's Compensation Guide. Neither will they consider cases where the action we have taken follows a procedure set out by statute or regulation that they must comply with.

Document author	Hazel Edwards, Insight and Improvement Manager
Document owner	Kieran Larkin, Director of Business Excellence
Legal advice	Legal Services provided advice on relevant legislation and also how to link in disrepair claims.
Consultation	Consultation survey with customers completed.
Approved by	Customer Experience Committee February 2021
Review Date	November 2023
Corporate Plan aim	Deliver high quality homes and services for our customers.
Equality analysis	The 2017 Equality Analysis has been reviewed and suggestions around disability and ethnicity have been incorporated.
Key changes made	Minor amends to reflect the Housing Ombudsman Service Code of Complaints Handling