

Customer 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	<p>This Policy falls within the Tenant Involvement and Empowerment Standard that features in the Regulator of Social Housing's Regulatory Framework.</p> <p>It states Housing Associations should:</p> <ul style="list-style-type: none"> • 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.
1.5	The Data Protection Act sets out how we handle personal data. 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 our customers and applicants, in line with data protection legislation and Data Protection Policy.
1.6	The Equality Act 2010 requires us to safeguard those with protected characteristics from direct and indirect discrimination and make reasonable adjustments to ensure an equality of access for all.

1.7	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.
1.8	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 who can refer their case to the Housing Ombudsman Service immediately. Alternatively, after a period of eight weeks, they can approach the Housing Ombudsman Service directly. Alternatively, a customer can contact the Charity Commission and follow the appropriate process.
	Housing Ombudsman Service
1.9	Our approach to complaints handling complies with the Housing Ombudsman Service Complaint Handling Code introduced in July 2020 and amended to strengthen provisions in April 2022. The code sets out good practice for landlords with an expectation that we will respond to complaints effectively and fairly, and learn from complaint outcomes.
	Our customers
1.10	We define our customers in relation to this Policy as: <ul style="list-style-type: none"> • 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.
	Our Values
1.11	This Policy is aligned to our values, which are: <ul style="list-style-type: none"> • 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
1.12	In order to deliver our values, we will work to the key principles set out below. These have been developed alongside customers who took part in involvement and engagement opportunities: <ul style="list-style-type: none"> • show customers courtesy and respect at all times; • listen carefully to our customers;

	<ul style="list-style-type: none"> • 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 in the best way we can 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.
	Escalated Service Requests
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 escalated service request 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. We may escalate service requests through customer satisfaction surveys or where customers contact us. Escalated service requests are not treated as formal complaints but are an important way for us to learn and improve our services.

2.7	Escalated service request will be recorded as “First Point of Contact – dissatisfaction” and reported in line with our performance reporting framework.
	What is a complaint?
2.8	As outlined in the HOS Complaints Handling Code, 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.
2.9	A customer does not have to use the word ‘complaint’ for it to be treated as such. It is our responsibility to ensure that when a customer says they are unhappy that we explain their options, which will include managing the contact as an escalated service request (as outlined above) or considering the matter as a complaint.
2.10	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?
2.11	<p>There are certain subject areas that we would not consider as a complaint, these include:</p> <ul style="list-style-type: none"> • 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 that have been filed at court and insurance claims – these will be dealt with through our legal and insurance processes; • cases where a customer has commenced action against whg under the Pre-Action Protocol and has refused to consider the complaints process as an alternative dispute resolution (ADR). • cases where 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 6 months after the incident or issue occurred – apart from exceptional cases that include concerns regarding safeguarding or health and safety issues. <p>If we do, for any reason, refuse to consider a matter as a complaint, we will always explain our decision to the customer and inform them of their rights to take our decision to the Housing Ombudsman Service for review.</p>
	Who can make a Complaint?
2.12	We will accept complaints from our customers or anyone who has a clear link to

	<p>us, such as using a service we provide. We will also consider complaints from a non-whg customer who has been impacted by our service. Complaints that are submitted via a third party or representative, such as an MP or Councillor, will be handled in line with this policy. 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. On occasions we may receive contact that warrants a referral to the Whistleblowing Policy and we will signpost accordingly.</p>
	<p>Complaints Process</p>
2.13	<p>We operate a two-stage complaints process with an optional third stage 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. A review will always be carried out by a colleague in a more senior post than the previous colleague responding. Further details can be found in Appendix 1</p>
2.14	<p>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. Regardless of stage, the customer will receive contact from a colleague through an agreed communication channel (eg virtual/Teams, telephone, in person or via email)</p>
2.15	<p>At the completion of each stage we will write to the customer to confirm the following:</p> <ul style="list-style-type: none"> • the complaint stage • the complaint definition • the decision on the complaint • the reasons for any decisions made • the details of any remedy offered to put things right • details of any outstanding actions <p>And where appropriate:</p> <ul style="list-style-type: none"> • details of how to escalate the matter to the next stage if the customer is not satisfied with the outcome
2.16	<p>We will keep full records of our complaints investigations to enable clarity and effective review in line with our retention guidelines/schedule.</p>
	<p>Escalation</p>
2.17	<p>At the end of each stage, the customer has the opportunity to escalate to the next stage. This request must be made within 28 days. Requests may be made, for example, when a customer believes an important piece of information was</p>

	<p>missed out or misunderstood and feel this would change the outcome. We will ask the customer to outline what they feel is outstanding, provide us with any new evidence they have that has not been previously considered and tell us 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.</p>
2.1.8	<p>We reserve the right to decline a request to escalate 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 or no new information has been provided. We will explain this to the customer, along with our reasons for this decision within 5 working days following receipt of the request. On occasions, there may be a minor clarification or question raised by the customer at a specific stage response. If this happens, we will respond to the customer with additional information as part of the same stage review.</p> <p>If an escalation is declined the customer will have exhausted our Complaints Policy but this does not mean they have no further avenues. We will signpost the customer to the Designated Person and refer to 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.</p>
2.1.9	<p>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 and the Chair of our Customer Experience Committee each quarter.</p>
	<p>Resolution</p>
2.20	<p>Complaint responses will be sent to the customer when the answer to the complaint is known and where resolution is proposed it will clearly set out what has been agreed and by when. A final complaint response will be sent once resolution has been agreed and if there are any outstanding actions to complete they will be detailed within the letter. The response will not be delayed to wait for outstanding actions to be completed. Outstanding actions will be tracked by the Customer Experience Team and updates provided to the resident.</p>
2.30	<p>Compensation may be considered in line with our guidelines should we believe this to be an appropriate resolution action. Examples include goodwill gestures such as a bouquet of flowers, vouchers, monetary payments and additional agreed work to the home.</p>
2.29	<p>We will notify the customer of the outcome of the investigation and proposed resolution in writing. If the investigation identifies that there has been no service</p>

	failure, we will provide a clear explanation of our findings and decision to not uphold the complaint.
	Timescales
2.30	<p>We will acknowledge complaints within five working days.</p> <p>Investigation responses will be completed within 10 working days of the complaint being acknowledged.</p> <p>Review responses will be completed within 20 working days of the request to escalate being received.</p> <p>Panel Reviews (optional) will be completed within 20 working days of being requested.</p> <p>If we are unable to meet these timescales, for example the customer is on holiday and we need to visit, we will provide the customer with an explanation and a clear time for when the response will be received. This will not exceed a further 10 working days without good reason.</p>
2.31	<p>If an extension beyond 10 working days is required to enable us to respond to a complaint fully, this will be agreed by both parties. Where agreement over an extension period cannot be reached, we will provide the Housing Ombudsman's contact details so the customer can challenge our plan for responding and/or the proposed timeliness our response.</p>
	Appeals Process for Operational Policies
2.32	<p>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 Service Manager in collaboration with 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.</p>
	When a Complaint may be Refused, or the process ended early
2.33	<p>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.</p>
2.33	<p>Customers who are unreasonably persistent, vexatious or abusive (as defined by our Managing 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 Challenging Behaviour Policy. 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</p>

	<p>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. As part of this approach, expert support may be required from other whg teams such as Stronger Communities or third party expertise may be engaged.</p>
3.0	PERFORMANCE MEASURES
3.1	Through the Insight and Improvement Team, we will measure, monitor and disseminate the customer experience to help improve performance and deliver a high level of customer satisfaction.
3.2	<p>We will specifically monitor and seek to improve the following indicators:</p> <ul style="list-style-type: none"> • Number of complaints by stage, service area and theme • 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 • Reduction of repeat themes of dissatisfaction
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.
3.4	The Chair of our Customer Experience Committee will be appointed to have lead responsibility for complaints to support a positive complaint handling culture. This role will be responsible for ensuring our governing body receives regular information on complaints that provides insight on our complaint handling performance.
3.5	We will carry out an annual self-assessment against the Housing Ombudsman's Complaint Handling Code to ensure compliance remains in line with its requirements. Our self-assessment will be shared with our Customer Experience Committee and Board and published on our website for customers.
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	We will engage our Inclusivity Network on an annual basis to ensure the policy is inclusive for all of our customers.

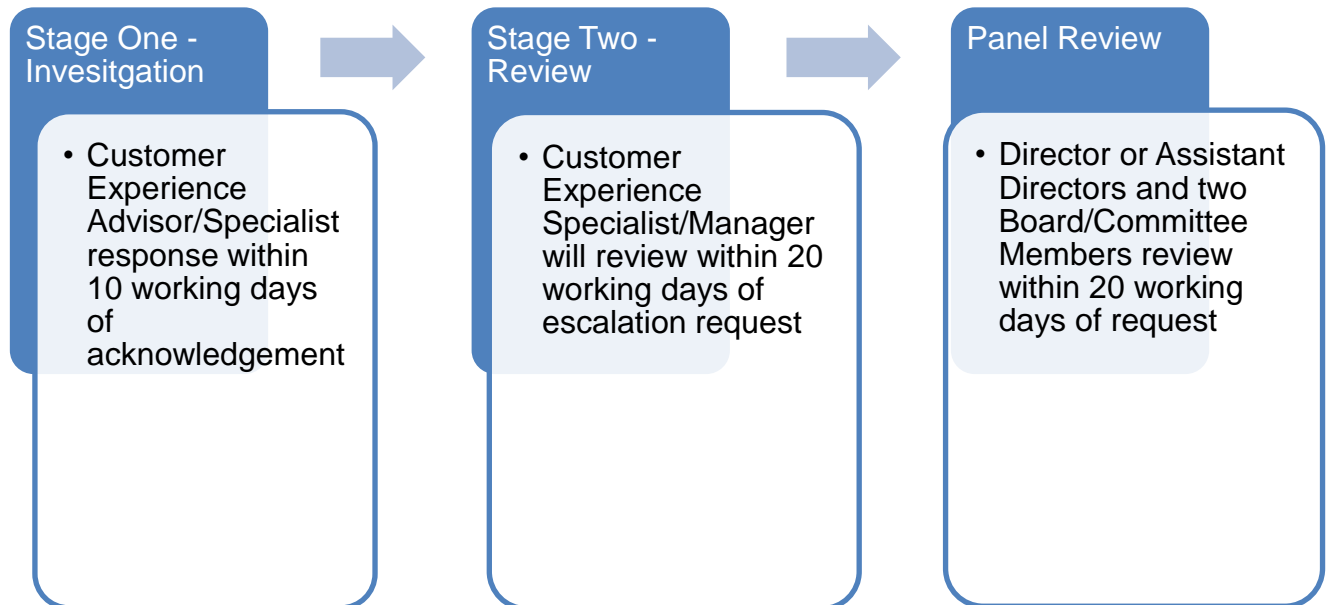
5.0	TRAINING AND DISSEMINATION
5.1	<p>We will use a range of methods to provide training to colleagues on the Policy. This will include:</p> <ul style="list-style-type: none"> • Face to face discussions at team meetings; • Learning Management System (based on the principles of the Housing Ombudsman e-learning module); and <p>External training courses for those colleagues who have a more detailed involvement in complaints handling.</p>
5.2	<p>A range of ways will be used to ensure we routinely communicate this Policy to colleagues. This will include:</p> <ul style="list-style-type: none"> • 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	<p>This Policy will be monitored by the Director of Business Excellence and reviewed every three years by the Customer Experience Committee, unless significant changes are made to the Complaints Handling Code by the HOS which necessitates a review.</p>
7.0	ASSOCIATED DOCUMENTS, POLICIES AND PROCEDURES
7.1	<p>Documents and policies associated with this Policy are:</p> <ul style="list-style-type: none"> • Anti-Social Behaviour Policy; • Care Act 2015; • Challenging Behaviour Policy; • Complaints Procedure; • Data Protection Policy; • Data Protection Act 2018; • General Data Protection Regulations; • Complaints Handling Code – Housing Ombudsman Service; • Equality Act 2010; • Localism Act 2011; • Mental Capacity Act 2005; • Regulatory Standards – Regulator of Social Housing;

APPENDIX 1

COMPLAINTS PROCEDURE

<p>Stage 1 – Investigation Stage</p> <p>In our acknowledgement of the customer’s complaint, we will set out our understanding of the complaint and the outcomes the customer is seeking. If any aspect of the complaint is unclear, the customer will be asked for clarification and the full definition agreed.</p>
<p>Where the problem is a recurring issue, we will consider any older reports as part of the background to the complaint if this will help to resolve the issue for the customer.</p>
<p>Where a customer raises additional complaints during the investigation, these will be incorporated into the stage one response if they are relevant and the stage one response has not been issued. Where the stage one response has been issued, or it would unreasonably delay the response, the complaint will be logged as a new complaint.</p>
<p>Where a complaint relates to the conduct of our colleagues, the colleague’s manager is responsible for liaising with People Services 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.</p>
<p>Stage 2 – Review Stage</p> <p>In our acknowledgement of a Stage 2 complaint, we will set out our understanding of issues outstanding and the outcomes the customer is seeking. If any aspect of the complaint is unclear, the customer will be asked for clarification and the full definition agreed.</p>
<p>A colleague more senior to the colleague responding at Stage 1 will investigate any outstanding issues and consider whether the response and outcome agreed at Stage 1 was appropriate.</p>
<p>Stage 3 – Panel Review (Optional)</p> <p>The optional third stage 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. If a customer remains dissatisfied with our response to their complaint but does not wish to participate in the third stage of our process, we will close their complaint and refer them to the Housing Ombudsman who can review their case.</p>

We will acknowledge complaints within 5 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 optional Panel Review will look at previous correspondence and identify whether there is a mutual 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 whg must comply with.

Document author	Jennie Day, Customer Experience Manager
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Legal advice	Legal Services provided advice on relevant legislation and also how to link in disrepair claims.
Consultation	Yes, due to the amendments that will directly impact customers.
Approved by	Customer Experience Committee, September 2022
Review Date	September 2025
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	Amends to reflect the Housing Ombudsman Service Complaint Handling Code.