Customer Complaints Policy

1.	**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 aim 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 Transparency, Influence and Accountability Standard that features in the Regulator of Social Housing's Regulatory Framework. It states Housing Associations should: • treat all customers with fairness, dignity and respect; • have an approach to complaints that is clear, simple and accessible and ensures complaints are resolved promptly, politely and fairly.
1.5	The UK GDPR 2021 and The Data Protection Act 2018 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 equality of access for all. Our commitment is to make sure everyone has an equal opportunity to get the best outcome from our service. whg's Vulnerability Policy sets out whg's commitment to assisting its vulnerable customers, ensuring that they can access its services and, where applicable, that they receive the assistance they need to sustain their tenancy. Reasonable adjustments agreed with customers will be applied during the complaints process where relevant.
1.7	In accordance with the Localism Act 2011, after a customer has completed our internal complaints process, we will inform them that they can refer their case to the Housing Ombudsman Service directly. Alternatively, where a complaint relates to governance, financial integrity or legal compliance, a customer can contact the Charity Commission and follow the appropriate process.

	Building Safety
1.8	The Building Safety Act 2022 (BSA) outlines how we must respond to a complaint relating to building safety. Section 93 of the BSA requires the Principle Accountable Person (PAP) of an occupied higher risk building to establish and operate a system for investigating complaints in relation to: 1. A building safety risk; or 2. The performance by an accountable person for the building under any duty, or under regulations made under Part 4 of the BSA. The Principle Accountable Person is whg, in practice all Building Safety complaints are reviewed by the Head of Building Safety.
	Heat Network
1.9	The Energy Security Bill 2023 (Heat Network Regulation) outlines how we must respond to a complaint as a heat network provider. The Energy Ombudsman Complaint Handling Code will provide a set of standards for complaints procedures that heat network providers will be required to comply with. The code aims to establish consistent complaints handling across the sector. A heat network customer is defined as: “a domestic customer who receives their heat and/or hot water supply from a heat network owned and operated by whg”. This applies to heat network customers across all tenure types, living on all types of heat network and includes tenants, leaseholders, shared owners, applicants for housing and any other person to which we provide a heat network service for.
	Data Protection Complaints
1.10	whg follows Data Protection legislation by supporting a clear, accessible process for submitting and resolving complaints related to the collection, use, disclosure, and safeguarding of personal data. Customers and colleagues may file a complaint regarding: • how we are collecting, using, or disposing of your personal data, • the results or management of a Data Subject Request, within 30 days of completion of your request, and • any other matter related to your rights as a data subject under data protection legislation. All complaints will be acknowledged promptly and within 30 days, as outlined in law. They are reviewed impartially by the Data Protection Officer or their Deputy and resolved within a reasonable period. Throughout the process, complainants will receive updates on the status of their submission. Records of complaints and their resolutions will be kept per legal requirements to support transparency, accountability, and continuous improvement. If complainants remain dissatisfied with the outcome of our investigation, they have the right to contact the Information Commissioner (ICO).
1.11	**Social Tenant Access to Information Requirements (STAIRs)**
	Private registered providers (registered providers) must provide their social housing tenants with access to information related to the management of social housing that they

	hold. If a customer believes whg has not published or provided information which falls within the scope of the requirements they can make a complaint, which will be responded to in line with the requirements under STAIRs. If a customer remains dissatisfied, they can escalate their complaint to the Housing Ombudsman Service.
	Housing Ombudsman Service
1.12	Our approach to complaints handling complies with the Housing Ombudsman Service Complaint Handling Code 2024. The code is a statutory requirement from 1 April 2024. The Code sets out requirements for landlords with an expectation that we will respond to complaints effectively and fairly and learn from complaint outcomes.
1.13	whg will manage and escalate complaints in accordance with the regulatory standards and processes issued by the appropriate governing bodies. These include: • Housing Ombudsman Service • Building Safety Regulator • Energy Ombudsman • Information Commissioner Office (ICO)
	Our customers
1.14	We define our customers in relation to this Policy as: • anyone who has a legal relationship with whg, across all tenure types • applicants for our homes and those who access services from us, such as Employment and Training, are covered by this Policy.
	Our key principles
1.15	We will work to the key principles set out below. These have been developed alongside customers who took part in involvement and engagement opportunities: • 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.	**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 where something may have gone 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, including: • in person • via telephone • in writing • digitally, details of which can be found on our website at www.whg.co.uk.
2.4	We will ensure our handling of complaints is fair and reasonable, complies with equality legislation and published timescales. We will seek to identify customers who are vulnerable and account for their specific needs using reasonable adjustments when handling their complaint.
	Service Requests
2.5	A service request is when a customer asks us to put something right, this will usually be the first time a customer has made us aware of the issue. Service requests include, fixing a repair, removing fly tipping or addressing antisocial behaviour.
	Escalated Service Requests
2.6	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 resolved. We will always work with the customer to agree how this will be handled and next steps. If the issue is serious, for example a health and safety issue, this will be handled as a formal complaint.
2.7	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. Escalated service requests are not treated as formal complaints but are an important way for us to learn and improve our services.
	What is a complaint?
2.8	As outlined in the Housing Ombudsman Service 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	There are certain subject areas that we would not consider as a complaint, these include: • requests for service, for example, repairs that have not previously been reported or tenancy related queries. These will be tasked to the appropriate service area for response. • reports of anti-social behaviour – 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 12 months after the issue has occurred, or the customer became aware of the issue– apart from exceptional cases that include concerns regarding safeguarding or health and safety issues. • A request to appeal against a decision made under another Operational policy, for example: Lettings Policy and Mutual Exchange Policy. 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 relevant body for review.
	Who can make a complaint?
2.12	We will accept complaints from our customers or anyone who has a clear link to 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, however non-whg customers cannot escalate their complaint to the Housing Ombudsman 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. Under the Building Safety Act 2022 we must take building safety complaints relating to higher-risk buildings from anyone, not just a leaseholder. On occasions we may receive contact that warrants a referral to the Whistleblowing Policy and we will signpost accordingly.
	Complaints Process
2.13	We operate a two-stage complaints process in line with the Complaint Handling Code. 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.

2.14	**Stage 1** We will acknowledge the customers complaint within 5 working days of us receiving the complaint. The Customer Experience Team or the Service Area Manager will investigate the complaint and respond in writing following 10 working days of the acknowledgement. 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 in writing and provide the customer with details of the relevant body. This will not exceed a further 10 working days without good reason. If customers raise additional complaints during Stage 1, these will be incorporated into the Stage 1 response as long as the Stage 1 response has not been issued. Where the Stage 1 response has been issued, the new issues are unrelated to the issues already being investigated, or it would unreasonably delay the response, the new issues will be logged as a new complaint.
2.15	**Stage 2** At the end of stage 1, the customer is able to escalate to Stage 2 if they remain dissatisfied. If the request to escalate is made later than 28 days after receiving the Stage 1 response, we may refuse to escalate the complaint. 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. 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 We will acknowledge the customers complaint within 5 working days of us receiving the customer's request to escalate their complaint. A Director or Senior Manager will lead the review and will respond in writing within 20 working days of acknowledgement. If we are unable to meet these timescales, we will contact the customer with a written explanation, a clear time for when the response will be received and provide the customer details of the relevant body. Any new issues raised as part of a customer's request to escalate their complaint to Stage 2 will be treated as a new complaint and investigated at Stage 1 in line with this Policy.
2.16	In each stage of the complaints process, where the customer meets the complainant conditions set out by the relevant body, we will provide the customer with details of how they can contact the relevant body for advice and guidance. Once our complaint process has ended, we will provide details of how the customer can refer their case to the relevant body for review.
2.17	Complaints relating to building safety will be triaged against the Building Safety Act 2022 on receipt to avoid delay and passed to the Director of Assets – Building Safety, who acts on behalf of whg as the Principle Accountable Person (PAP), for investigation. They will be managed in line with the formal complaints procedure.

2.18	We will investigate a complaint thoroughly, identify any failings against whg policies, 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 (e.g. virtual/Teams, telephone, in person or via email).
2.19	At the completion of each stage, we will write to the customer to confirm the following: • 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 • how to contact the relevant body for advice And where appropriate: • details of how to escalate the matter to the next stage if the customer is not satisfied with the outcome
2.20	We will keep full records of our complaints investigations to enable clarity and effective review in line with our retention guidelines/schedule.
	Resolution
2.21	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 for outstanding actions to be completed. Outstanding actions will be tracked by the Customer Experience Team.
2.22	Compensation may be considered in line with our internal guidelines and the relevant body remedies guidance, should we believe this to be an appropriate resolution. Examples include gestures such as flowers, monetary payments and additional agreed work to the home that does not fall under our standard maintenance and repair responsibilities. We reserve the right to amend compensation levels in our internal guidelines where appropriate. In relation to heat network complaints if a customer is in arrears on their heat account, we will usually credit any compensation to the heat account unless the reimbursement of out-of-pocket expenses is needed to prevent hardship. whg has a standard for Heat Network Guaranteed Standards of Performance and Compensation Payments – where appropriate payment will be made according to this standard. Any claims for damaged items should be made to the Insurance and Risk team and will only be covered by compensation in exceptional circumstances. The Insurance and Risk Team will investigate whether there is liability for any damage caused to the possessions in line with our procedures.
2.23	On occasions, where no service failure has been identified but we recognise that the customer has had a poor experience, we may offer a gesture of goodwill. Examples include a bouquet of flowers and vouchers.

2.24	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 failure, we will provide a clear explanation of our findings and decision to not uphold the complaint.
	When a complaint may be refused, or the process ended early
2.25	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 to legal processes or an insurance claim. We will explain our reasons for this decision to the customer and provide contact details for the relevant body, so the customer, if dissatisfied, can challenge our decision.
2.26	Customers who are unreasonably persistent, vexatious or abusive (as defined by our Acceptable 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. If a customer who is persistently complaining has vulnerabilities, a review may take place by the Director of Housing and Customer Services 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 Acceptable 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.
	Learning from complaints
2.27	Complaints offer opportunities to learn and to continually improve our services. We will identify themes and trends to introduce positive changes in service delivery and our internal processes. We will use this learning to revise policies and procedures and ensure customers benefit from any changes we make.
3.	**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	We will specifically monitor and seek to improve the following indicators: • 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 Service Oversight Committee.
3.4	The Chair of our Customer Service Oversight Committee has been appointed to act as the Member Responsible for Complaints and has 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 produce an annual complaints performance and service improvement report which will be published on our website, alongside the response to the report from our governing body. We will also carry out an annual self-assessment against the Housing Ombudsman's Complaint Handling Code to ensure compliance remains in line with its requirements. This will be shared with our Customer Service Oversight Committee and Board, published on our website for customers and submitted to the Regulator for Social Housing. We will also carry out a self-assessment following a significant restructure, merger, change in procedures or if asked to do so by the Housing Ombudsman.
4.	**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.	**TRAINING AND DISSEMINATION**
5.1	We will use a range of methods to provide training to colleagues on the Policy. This will include: • E-learning module on Complaints Handling • Face to face discussions at team meetings • Learning Management System (based on the principles of the Housing Ombudsman e-learning module) • External training courses for those colleagues who have a more detailed involvement in complaints handling. We will also ensure all relevant colleagues have a standard performance objective relating to complaints handling via the Performance Management Framework.
5.2	A range of ways will be used to ensure we routinely communicate this Policy to colleagues. This will include: • Business Brief and Cascades • Presentations at Team Meetings
6.	**MONITOR AND REVIEW**
6.1	This Policy will be monitored by the Director of Strategy and Transformation and reviewed every three years by the Customer Service Oversight Committee, unless significant changes are made to the Complaints Handling Code by the Housing Ombudsman Service which necessitates a review.
7.	**ASSOCIATED DOCUMENTS, POLICIES AND PROCEDURES**
7.1	Documents and policies associated with this Policy are:

	• Anti-Social Behaviour Policy; • Care Act 2014; • Acceptable Behaviour Policy; • Awaab's Law • Building Safety Act 2022; • Complaints Procedure; • Data Protection Policy; • Data Protection Act 2018; • General Data Protection Regulation; • Energy Security Bill 2023 (Heat Network Regulations) • Energy Ombudsman Complaint Handling Code (pending) • Complaints Handling Code – Housing Ombudsman Service; • Guidance on Remedies – Housing Ombudsman Service; • Equality Act 2010; • Localism Act 2011; • Mental Capacity Act 2005; • Regulatory Standards – Regulator of Social Housing; • Vulnerability Policy • Social Tenant Access to Information Requirements: policy statement

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Transformational Programme	Deliver high quality homes and services for our customers.
Equality Assessment	Completed
Key changes made	Inclusion of information in relation to complaints relating to heat networks and data protection.