

<b>TITLE</b>	Comments, Compliments & Complaints Policy
<b>Version:</b>	1: January 2010
<b>Review Date:</b>	March 2013
<b>Lead officer(s) &amp; Author:</b>	Michelle Friday
<b>Customer Approved Date:</b>	12/02/2010
<b>Approved by:</b>	WM Housing Group Board : 22 March 2010

WM Housing Group and its partner associations are committed to providing a high quality service to all of its customers but recognise that on occasions we fail to provide a service to our customer's satisfaction. The Group recognises complaints, comments and suggestions are valuable customer feedback and a positive contribution to the development and improvement of services. This Policy sets out our commitments in respect of complaints, comments, suggestions and compliments.

## 1. Policy Statement

- 1.1 In applying this Comments, Compliments and Complaints Policy WM Housing Group (WMHG) will constantly strive to improve the services it delivers to its customers. We will deal with all complaints fairly, openly and without bias.
- 1.2 To this effect WMHG aim to:
- provide services that meet customer needs;
  - record all comments, compliments and complaints;
  - resolve any complaints effectively, within set targets;
  - ensure that we do not discriminate against complainants on the grounds of race, colour, ethnic or national origin, religion, sex gender, gender identity, gender presentation, physical disability, sexual preference, faith or religious beliefs;
  - ensure that the legal rights of our customers are maintained;
  - promote conciliation in all cases;
  - resolve complaints at an early stage in the process, whilst giving customers a fair opportunity to escalate a complaint through the stages of the our process if they remain dissatisfied;
  - provide a clear outcome of a complaint investigation to the customer;
  - comply with any recommendations from the Housing Ombudsman as a result of a complaint investigation; and
  - use the outcomes of complaint investigations to improve our services.

## 2. Policy Purpose and Aims:

- 2.1 WMHG is committed to delivering the highest quality standards in all services we provide. We work closely with our customers to agree Service Standards and we are continuously looking to improve on our performance.
- 2.2 This policy supports our vision of "creating places where people are proud to live and work" and our values:
- providing excellent service;
  - acting with integrity;
  - valuing people; and
  - delivering creative solutions.

- 2.3 We recognise that on occasions we fail to provide a service to our customer's satisfaction. The Group recognises complaints, comments and suggestions are valuable customer feedback and a positive contribution to the development and improvement of services. In these circumstances, WMHG, will listen to its customers and address any issues of underperformance.
- 2.4 This policy meets the requirements of the Regulatory Code and Guidance issued by the Housing Corporation and adopted by the Tenant Services Authority (TSA) in particular in relation to section 2.5 that states that *Housing Associations must seek and be responsive to customer's views and priorities and that residents, housing applicants and others have ready access to an effective complaints and compensation policy, administered effectively and that Housing Ombudsman recommendations are actioned.*
- 2.5 WMHG are committed to meeting the requirements of the TSA's National Standards, due for publication by 1 April 2010.
- 2.6 This policy meets the requirements of the Audit Commission's Access and Customer Care Key Line of Enquiry (KLOE 30). KLOE's are a set of questions that provide the Commission with criteria for assessing and measuring the effectiveness of the service, when they carry out an Inspection.
- 2.7 Partner associations have procedures, complying with this policy, which outline the process for handling comments, compliments and complaints from customers.

### **3. Our Policy**

#### **3.1 Who can offer us feedback?**

- 3.1.1 Anyone who receives or requests a service from the Group or is affected by a decision or action taken by the Group, such as:
- Tenants, leaseholders, shared owners, owner occupiers;
  - Former tenants/leaseholders;
  - Applicants for housing;
  - Partnership agencies;
  - Contractors or consultants;
  - Applicants for employment; and
  - Any other person or organisation affected negatively by our service, including those representing such a person (e.g. Legal Services, CAB, MP or Councillor) providing the necessary authority to act has been provided.

#### **3.2 What is a complaint?**

- 3.2.1 Our definition of a complaint is an expression of dissatisfaction with the service provided, whether justified or unjustified and made through the specific process in place to investigate and deal with such dissatisfaction as outlined within the procedures of our partner associations.
- 3.2.2 We will investigate a complaint when the customer feels that:
- we failed to do something we should have done;
  - we did something wrong or to a poor standard; or
  - we demonstrated poor customer service or discrimination.

3.2.3 If one or more of the above criteria is not met then the issue will be dealt with through our normal service delivery.

### 3.3 **When should the Complaints process not be used?**

3.3.1 The complaints process should not be used if a customer:

- is asking for a service from us (for example, the first report of a repair);
- is making an initial request for information or an explanation of a decision made; or
- wants to report incidences of neighbour nuisance or racial harassment, which are dealt with under separate procedures.

3.3.2 In addition, complaints will not usually be considered when the case is already going through a court or tribunal (including disrepair cases). In these circumstances court procedures, timescales and judgements would take precedence.

3.3.3 Any complaints received regarding our policies will be considered for any potential inclusion in the next review of the policy concerned.

3.3.4 Consultants, contractors and partnership agencies may have additional features and steps to the complaints procedures contained within their contracts or management agreements. Where this is not the case, the WMHG Complaints Policy and Procedures will be followed.

### 3.4 **How can our customers complain?**

3.4.1 Complainants can tell us about their complaint in the most convenient way to them. This will include in person, in writing (letter, email, website, etc) and by telephone.

3.4.2 We will aim to communicate and respond quickly and appropriately, in the style, language and format requested.

3.4.3 We will aim to make available sufficient and accessible supplies of our complaints literature in a variety of formats and languages upon request.

### 3.5 **Implementation**

3.5.1 We will not differentiate between informal and formal complaints but will make an initial assessment as to whether or not a complaint can be dealt with quickly and effectively to provide the necessary solution or whether a full service investigation is necessary prior to resolution being reached. Each partner association has their own process for managing complaints in this way. In all circumstances, complaints meeting the criteria will be recorded with the intention of improving services.

3.5.2 All WMHG partners will publish details of it's complaints process and will provide clear stages for progression of a complaint, offering independent review where possible.

3.5.3 We aim to meet our Service Standards in respect of complaint handling and will publish timescales for response in respect of all stages of the complaints process. We will notify complainants if for any reason we are unable to meet the target response time for their complaint. In these circumstances, a reasonable extension time, up to a maximum investigation time of 28 days, can be agreed and extensions will only be granted if the reason meets our extension criteria.

- 3.5.4 Serious or urgent complaints e.g. involving theft, fraud, violence or harassment will be notified within 24 hours to the appropriate Executive Director.
- 3.5.5 Complainants wishing to escalate their complaint through the process will be encouraged to provide evidence that the outcome remains incorrect; however, inability to provide such evidence will not prevent the escalation of the complaint. We will not normally consider the escalation of a complaint if we are not notified by the complainant within 10 working days of the response date.
- 3.5.6 Complaints may be escalated through our complaints procedure by bypassing stages to allow any potential Ombudsman investigation to take place. The decision to bypass stages will be taken by an authorised manager who will receive a full briefing on the complaint and the reasons for recommending escalation prior to making their decision.
- 3.5.7 We will not normally consider complaints regarding a problem that occurred more than 12 months prior to the complaint being made.

### **3.6 Data Protection and Third Parties**

- 3.6.1 WM Housing Group's Data Protection Policy protects our customer's information in accordance with the requirements of the Data Protection Act 1998. We recognise that people have a right to privacy and we will respect this, only sharing information where the law allows for appropriate information exchange.
- 3.6.2 When receiving a complaint on behalf of a customer, e.g. Care Worker or other organisation/individual providing independent advice, we will only deal with the third party on receipt of signed authorisation from the complainant for the organisation/individual to act on their behalf.
- 3.6.3 We will communicate with Councillors and Members of Parliament about specific cases where the complainant has chosen to take their concerns to this third party. This will be undertaken in accordance with Data Protection laws.

### **3.7 Compensation**

- 3.7.1 At any stage in the process, we can offer an apology or discretionary payment of compensation. Compensation payments will be offered in accordance with our Compensation Policy.

### **3.8 Housing Ombudsman Service**

- 3.8.1 WMHG is a member of the Housing Ombudsman Service and will cooperate fully with them throughout any investigation and will abide by any decisions reached by the Ombudsman.
- 3.8.2 We will advise our customers of their right to appeal to the Housing Ombudsman Service providing that they are a tenant, leaseholder, shared owner or applicant for housing with WMHG. Owner occupiers who have a contractual relationship with us (i.e. pay an estate management charge) are also entitled to use the scheme.
- 3.8.3 We will inform customers with unresolved consumer credit complaints that they have the right to appeal to the Financial Ombudsman Service.

3.8.4 All cases taken up by the Ombudsman will be included within the regular Complaints Performance Report to Partner Boards.

### **Persistent, Unreasonable or Vexatious Complainants**

**3.9** WMHG is committed to dealing with all complaints fairly and impartially. Staff are trained to respond with professionalism, patience and empathy to the needs of all those making a complaint. However, we do not expect our staff or contractors we employ to tolerate behaviour by complainants which is unacceptable, for example abusive, offensive or threatening.

3.9.1  
3.9.2 We retain the right, where customer's actions are unacceptable, to restrict or change access to services and have a protocol in place for dealing with Persistently Unreasonable or Vexatious Complainants (PUVC) which contains a clear criteria and handling process.

3.9.3 Any customers dealt with under our PUVC protocol will be notified in writing of the reasons why they are being dealt with in this way and the actions we will take.

3.9.4 Customers who are being considered under this protocol will receive a written warning regarding their behaviour prior to the protocol being invoked.

3.9.5 The status of each case will be reviewed periodically and we will seek to withdraw this status when appropriate.

### **Learning from complaints and monitoring**

**3.10** Every complaint is a learning opportunity for the organisation and this should be encouraged.

3.10.1 We will record any service development or customer care issues identified during a complaint investigation. These will be recorded and evidence gathered to support changes made or planned to improve our services and learn from complaints.

3.10.2  
3.10.3 We will include a summary of improvements made as a result of complaints in our performance reports to quarterly to our Partner Boards and in our Annual Report to our Customers. We will also provide a summary of complaint outcomes and lessons learnt to our Customer Service Improvement Groups and Customer Panels.

### **Customer Involvement**

**3.11** Once a complaint has been resolved, we will randomly select a minimum of 20% of complaints and seek the views of the complainant regarding their experience of making a complaint with WMHG. We will use the information collated in this survey to continually evaluate and improve the complaints service and will include the survey outcomes in our performance reports to Board and our customers.

3.11.1  
3.11.2 We recognise that complaints and our responses to them are a key measure of our performance for customers engaged within our service specific and scrutiny arrangements. We will ensure that we agree with groups, including scrutiny groups, the information they require and the format in which they require it to inform their role and area of interest.

### **Comments and Suggestions**

- 3.12** Any constructive comments or suggestions received that are not complaints, but which the customer believes would improve our service or benefit their neighbourhood, will be logged and passed to the appropriate officer for the purpose of continuously improving our service delivery.
- 3.12.1

### **Compliments**

- 3.13** Compliments received from our customers will be recorded to assist us in identifying where our customers are happy with our service levels and will be shared internally to promote good practice.
- 3.13.1

## **4. Equality Impact Assessment**

- 4.1 We will ensure that our services reflect the diverse communities that we work with and are in line with our policies on equality and diversity.
- 4.2 An Equality Impact Assessment has been undertaken in respect of this policy to understand the impact that it may have on groups of people or individuals. This policy has been assessed as having a low impact on the various equality groups and local communities.
- 4.3 This policy addresses the issues arising from the EIA in respect of the provision of translation services and communication aids, use of advocates and access considerations.
- 4.4 The Group is committed to equal opportunities and as such all complaints will be dealt with fairly and consistently and no one will be discriminated against.
- 4.5 Following the resolution of a complaint, the organisation will not treat a complainant less favourably and we will monitor the service we provide to ensure that no one from the various equality groups receives less favourable treatment.

## **5. Performance Measures and Targets**

- 5.1 Each partner association maintains a database on which all comments, compliments and complaints are recorded and monitored.
- 5.2 We will report to Partner Boards and managers on a regular basis and to our customers within our Annual Report and through the customer scrutiny group on our performance in respect of comments, compliments and complaints. This will include numbers received, nature of complaints, the business area they relate to, outcome (justified/unjustified), completion timescales and how we have used this customer feedback to improve our services. We will also report on the outcomes from our Complaints Customer Survey.
- 5.3 We will compare our performance with other organisations and examine best practice to ensure that we meet the needs of our customers and continually improve our services.

## **6. Monitoring and Review**

- 6.1 This policy will be reviewed every 3 years (from the date of WMHG Board Approval) to ensure its continuing suitability, adequacy and effectiveness or as required by the introduction of new legislation or regulation.

- 6.2 The Joint Customer Panel, that is made up of WMHG tenant and leaseholder representatives, have been consulted in the development of this policy and will be consulted on all future changes or revisions.

## **7. Responsibility**

- 7.1 This effective implementation of this policy is the responsibility of the Executive Director of Housing within the group.

## **8.0 Associated Documents/Policies**

- *Compensation Policy*
- *Complaints Procedure*
- *Customer Involvement Policy*
- *Customer Excellence Strategy*
- *Equality and Diversity Policy and Impact Assessment*
- *Customer Care Policy*
- *Data Protection Policy*
- *Tenants Handbook*
- *TSA Regulatory Code*
- *Audit Commission Key Line of Enquiry (KLOE 30)*