

Subject: Complaints and feedback policy

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1 Introduction

1.1 Worthing Homes is focused on delivering an excellent service to all residents; we value all the feedback we receive from our residents and are committed to addressing all complaints fairly. We know that from time-to-time things don't go according to plan. If this happens, we want to know so we can find out what went wrong, try to make it right or understand why it happened and stop it from happening again. We welcome complaints and feedback as a way for us to learn, review and improve our services to benefit our residents

2 Who can make a complaint

2.1 The complaints policy is for Worthing Homes residents, including:

- All residents of Worthing Homes including named tenants, leaseholders, shared owners and any other legal arrangements to occupy a premises owned by Worthing Homes;
- Former residents if they had a legal relationship with Worthing Homes at the time the complaint arose;
- Applicants for a property owned or managed by Worthing Homes;
- A representative of any of the people above who is authorised by them to make a complaint on their behalf;
- A person with authority to make a complaint on behalf of any of the people above who is deceased.

2.2 Feedback and complaints from non-residents will be investigated in line with this policy.

3 Definitions – what is a complaint?

3.1 Worthing Homes uses the Housing Ombudsman’s definition of a **complaint** as “an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its employees, or those acting on its behalf, affecting an individual resident or group of resident.”

3.2 **Feedback** includes compliments expressions of dissatisfaction, suggestions and ideas for service improvements.

3.3 This policy will apply to actions or services provided by Worthing Homes within the last 6 months, unless there is good cause as to why the complaint should be made outside of this time. Complaints made after this time may be responded to but will not be taken through the formal procedure as outlined in this policy.

4 What is not a complaint?

4.1 The following are examples of circumstances in which we will not accept a complaint (or parts of a complaint) under this policy:

- Reports of anti-social behaviour or neighbour disputes as these are dealt with under our Anti-social Behaviour Policy (unless the complaint is about our handling of the ASB);
- Where the matter concerned is not something that is Worthing Homes’ responsibility;
- Where the issue is or has been subject to legal proceedings (or proceedings are pending);
- Where the issue is already subject to an insurance claim (though we may investigate other aspects of the complaint if they do not relate directly to the liability issue);
- Where a matter has already been investigated, responded to and closed by Worthing Homes;
- Complaints about actions or events that occurred more than 6 months ago, unless there are exceptional reasons why this could not be reported at the time.

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- 4.2 Worthing Homes reserves the right to refuse to investigate complaints that are repeated or unreasonable in nature. This decision will be taken by the Customer Experience Manager and if appropriate with regard to our Acceptable Behaviour Policy. A habitual complainant may be identified by the quantity of unfounded, unreasonable or repetitious complaints submitted. Repeated complaints about the same service will not be investigated formally however we will always endeavour to look at any unresolved underlying issues our residents encounter from the service we provide and encourage residents to talk to us if they are not happy.
- 4.3 If a decision is taken to refuse a complaint, the Customer Experience Manager will provide a written explanation to the complainant along with information on how to refer to the Ombudsman.

5 Complaints

- 5.1 A resident may make a complaint in a way that suits them, this may include, but is not limited to:
- By phone;
 - Via the resident portal;
 - In writing;
 - By email;
 - In person.
- 5.2 Complaints may be made on our social media platforms but in order to protect confidentiality the complainant may be asked to provide further details in a more secure and private method such as email or phone.
- 5.3 We recognise that some of our residents may need reasonable adjustments to be made to ensure they can access our services. Our Reasonable Adjustments Policy outlines our approach to making adjustments with regards to the Equality Act 2010. If a resident would like assistance in making a complaint they, or a person on their behalf, can make this request to an employee who can talk them through their complaint on the phone, or in a method of their choosing.
- 5.4 Any employee can take details of a complaint or expression of dissatisfaction and should try to find a resolution with the resident in the first instance. They should refer to the Ex Gratia Payments Policy where appropriate.

5.5 In all cases we will look to resolve the issue as soon as possible however, if it is not possible to resolve this there and then or if further investigation is required, a formal complaint may be requested by either the employee or the resident. Our formal complaints procedure has two stages:

6 Stage 1 – Formal Complaint

6.1 We will log and acknowledge complaints within 5 working days of receipt.

6.2 The complaint will be allocated to an impartial manager who will confirm details of the complaint and start an investigation with a focus on finding a solution. They will aim to send a final response within 10 working days of receipt of the complaint. If the investigation cannot be completed within this time frame they may extend this up to a further 10 days, and will contact the resident with an explanation for the delay and advising the new date the stage 1 complaint response should be received. This will be confirmed in writing to the resident, if an agreement is not reached to extend the timescale we will write to the resident explaining the timeframes and provide the Housing Ombudsman contact information. In exceptional circumstances, the response may be extended further but only with good reason.

6.3 If it possible that an investigation following a complaint may reveal the need for the Disciplinary Policy to be invoked and if that is the case, the details will be passed on to HR to be dealt with under that policy. The resident may not necessarily be told of the outcome but informed it will dealt with through HR processes.

6.4 In the Stage 1 response letter, residents will be advised of the next steps of the complaint process and the right to escalate if they are not satisfied with the outcome. If there is no contact within 10 working days the complaint will be closed.

7 Stage 2 complaint – Review of investigation

7.1 A resident can request a review of their complaint within 10 working days of the Stage 1 complaint response letter. The resident must tell us why they want a review and this should fit into the following categories:

- The complaint was not fully investigated;

- We did not follow our own policies and procedures; or, One of the agreed points was not addressed.

- 7.2 If a resident wishes to escalate their complaint to Stage 2 but this request is not accepted by Worthing Homes, the Customer Experience Manager will write to the resident advising why the escalation request has not been accepted. This letter will outline that the Stage 1 response was the final response and will provide details of the Housing Ombudsman service.
- 7.3 If a Stage 2 complaint is accepted, the Customer Experience Manager will pass this to a different manager or the Head of Service to review.
- 7.4 The reviewing manager will identify if there were any issues with the initial investigation and outcome and aim to send a written response within 20 working days. If the investigation will take longer this may be extended up to a further 10 working days. The resident will be informed of the reason for the delay and the new date they should receive a response to their Stage 2 complaint. This will be confirmed in writing to the resident, if an agreement is not reached to extend the timescale we will write to the resident explaining the timeframes and provide the Housing Ombudsman contact information. In exceptional circumstances this may need to be extended further but this will only be with good reason.
- 7.5 Stage 2 is the final stage of our complaints process. The response letter will outline how a resident can refer their complaint to the Housing Ombudsman if they remain dissatisfied.

8 Designated Person

- 8.1 The resident may request the intervention of a designated person at any stage in the formal process to their complaint or after a review has been carried out. A designated person must be agreed by WH and must be one of the following:
- A Councillor or MP;
 - A representative from a professional agency, for example Citizens Advice, registered support worker, social worker; or A member of our residents' panel.
- 8.2 Family members, friends or a personal carer of the resident will not be considered; the designated person must be a member of a professional agency or body or a member of the residents' panel.

8.3 The designated person may mediate between Worthing Homes with the focus on agreeing a mutually acceptable resolution; alternatively if a member of the residents' panel they may review the investigation – the review is to identify whether the initial investigation was adequate. They may not make recommendations for a different outcome; only for a further investigation.

9 Housing Ombudsman Service

9.1 The resident will be provided with the Housing Ombudsman Service contact information through all stages of our complaints process.

9.2 If the resident remains dissatisfied with the investigation after exhausting the complaint process, they may contact the Housing Ombudsman service.

9.3 The resident will also be given the details of the Housing Ombudsman if they have been given a final response at Stage 1 and Worthing Homes has not agreed to escalate the complaint to Stage 2 of the process.

9.4 The most up to date contact details can be found on www.housingombudsman.org.uk/contact-us/ or they can be called on 0300 111 3000.

10 Other options available

10.1 Tenants, shared owners, leaseholders and freeholders can apply to the FirstTier Tribunal (Property Chamber - Residential Property). The cases that can be considered include rent increases, leasehold disputes (e.g. variable service charges, management disputes) and leasehold enfranchisement (e.g. extending a lease). Contact details: www.gov.uk/housing-tribunals

11 Service improvements

11.1 The Customer Experience Manager will record findings from all levels of the investigation and make service improvements recommendations where possible.

11.2 Feedback surveys will be sent to a selection of closed complainants to ensure quality of complaints handling and investigations.

12 Compliments and general feedback

- 12.1 A resident may pass a compliment or general feedback to Worthing Homes in the same forms in which they can make a complaint
- 12.2 Compliments or general feedback will be logged on the housing management system by the recipient. They will pass the details to the individual or team or their manager
- 12.3 The manager will consider whether any service improvements can be derived from the compliment or feedback and implement these as appropriate.

13 Roles and Responsibilities

- 13.1 All employees have a responsibility for reporting and recording complaints and feedback in line with this policy. The Head of Customer Services is responsible for the effective implementation of this policy.
- 13.2 The Customer Experience Manager will be responsible for responding to Stage 1 complaints or allocating them to an alternative operational manager for investigation.

14 GDPR implications

- 14.1 Information received from feedback or complaints will be handled in line with our Privacy Policy and with regard to the General Data Protection Regulations and the Data Protection Act 2018. Non-residents should refer to our resident policy and the same will apply.

15 Fairness statement or considerations

- 15.1 We are committed to providing fair and equal treatment to all residents by adopting and promoting fair policies and procedures. We ensure equality in relation to complaints and in accordance with all relevant legislation such as the Equalities Act 2010 and our Fairness strategy.

16 Related policies and procedures

- 16.1 Anti¹-Social Behaviour policy

¹ These details are correct at time of writing but may be changed outside of Worthing Homes' control. In this case we will endeavour to update all literature but that may not include this policy.

16.2 Disciplinary Policy

16.3 Fairness Strategy

16.4 Acceptable Behaviour Policy

16.5 Ex Gratia Payment Policy

16.6 Privacy Policy

16.7 Reasonable adjustments policy

17 Review

17.1 This policy will be reviewed every three years. However, changes in legislation and/or best practice will be monitored and amendments made as required.

Summary of changes (in italics)	Version date
Updated to reflect Housing Ombudsman's complaint handling code	December 2020
Updated to reflect Housing Ombudsman's complaint handling code	August 2022
Updated to reflect changes in Housing Ombudsman Demographic filter	October 2022