



Complaints Policy

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1.0 Scope of the Policy

- 1.1 Wythenshawe Community Housing Group Limited ('the Group' or 'we') seek to resolve complaints as quickly as possible by being fair, putting things right and learning from outcomes.
- 1.2 The aim of this policy is to: recognise when things go wrong; put things right; ensure that residents are treated fairly in the complaints process; use feedback from residents to develop and improve our services; and ensure our buildings are safe. We recognise the importance of a positive complaints culture in achieving this aim.
- 1.3 Complaints about the safety of our buildings will be handled in line with this policy.
- 1.4 This policy refers collectively to people who may make a complaint as 'residents'. The terms 'you' and 'your' in this policy mean anyone who has made a complaint.

2.0 Definition of a complaint

- 2.1 A complaint is defined as:

'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Group, its own staff, or those acting on its behalf, affecting a resident or group of residents.'

- 2.2 You do not have to use the word 'complaint' for it to be treated as such. Whenever a resident expresses dissatisfaction, we seek to offer the choice to make a complaint. A complaint that is submitted via a third party or advocate will be handled in line with this policy.
- 2.3 When you express dissatisfaction, we will seek to distinguish between a complaint and a service request.
- 2.4 A **service request** is *'a request from a resident to the landlord requiring action to be taken to put something right'*. Service requests are not complaints, but are recorded, monitored and reviewed regularly.
- 2.5 We will raise a complaint when you express dissatisfaction with the response to your service request, even if the handling of the service request remains ongoing. We will not stop our efforts to address the service request if you complain.

2.6 An expression of dissatisfaction with services made through a survey is not defined as a complaint. Where we ask for feedback about our services, we will provide details of how residents can complain.

3.0 What is a building safety complaint?

3.1 A building safety complaint is a complaint about:

- A building safety risk (a risk to the safety of people in or about a building arising from the spread of fire or structural failure); or
- The performance of an accountable person

3.2 Examples of the type of complaints that are classed as a building safety complaint include:

- Where a resident is concerned that a fire exit within their building is being continually blocked
- Where a resident is concerned that the fire alarm or sprinkler system is not working correctly
- Where a resident is concerned that a change to the building might affect its structural integrity

4.0 Who can make a complaint?

4.1 Any person using our services can make a complaint. This includes tenants, leaseholders, shared owners, housing applicants and customers of the services of the Group.

4.2 If you prefer, you can authorise an advocate to make a complaint on your behalf. This could be for example a friend, partner, relative or representative from an external organisation. If you would like an advocate to act on your behalf, let us know. We need your consent to share details with your advocate. You may also choose to be accompanied at any meeting with us.

4.3 If the matter relates to the safety of our buildings and the complaint meets the definition of a relevant complaint as set out in relevant building safety legislation, **anyone** can make complaint.

4.4 Where a complaint is made by a group of residents or any other group of people, in order to handle the complaint efficiently, we will ask for a single point of contact to be nominated.

5.0 Exclusions

5.1 We do **not** define the following as complaints:

- Complaints about services, persons or bodies over which we have no control
- Closed complaints you have raised previously and have already been considered under our complaints policy
- Complaints that have not been brought to our attention within 12 months of the incident occurring. Where there are good reasons to do so, residents can request that our Complaints Officer consider whether to apply discretion to accept complaints made outside of this time limit.
- Matters which are, or have been, the subject of Court or Tribunal proceedings
- Complaints of neighbour nuisance or disputes between neighbours that are dealt through our anti-social behaviour (ASB) policies, unless these complaints relate to how we have dealt with the matter. Complaints relating to ASB cases that are investigated under this complaints policy do not form part of the community trigger complaints initiative
- Where the Housing Ombudsman Service has already determined the outcome of an investigation

5.2 Legal proceedings start when details of the claim, such as the Claim Form and Particulars of the Claim are filed in court. At this point, the complaint ceases to be part of the complaints process and will be dealt with by our legal representatives. The Group endeavours to resolve complaints prior to legal proceedings, wherever possible. When proceedings are commenced in relation to matters included in a building safety complaint, we will assess whether to close the building safety complaint. We will write to you confirming our decision.

5.3 If we decide not to accept your complaint, we will provide you with an explanation setting out the reasons why the matter is not suitable for the complaints process and your right to take that decision to the Housing Ombudsman, and – for relevant complaints - the Building Safety Regulator.

5.4 Anonymous complaints will be recorded. If the matter relates to safety of residents or colleagues, we will investigate the complaint and retain the outcome on file.

6.0 When will a building safety complaint not be accepted

6.1 A building safety complaint will **not** be accepted:

- If it does not meet the criteria to be a building safety complaint.
- If it has already been investigated or is under investigation by us or the Building Safety Regulator.

- If you make a building safety complaint and we complete our process, we are unlikely to accept another complaint about the same issue unless you provide new information.

7.0 The complaint handling process

7.1 There are up to two stages in our complaint handling process:

- Stage 1 – early resolution or investigation
- Stage 2 – at resident request, a review of the stage 1 investigation

7.2 At each stage of the complaints process, our complaint handlers must:

- Deal with complaints on their merits, act independently, and have an open mind;
- Give you a fair chance to set out your position;
- Take measures to address actual or perceived conflict of interest; and
- Consider all relevant information and evidence carefully.

7.3 Where relevant, a complaint may be handled by a third party (e.g. a contractor). When this is the case, the third party will act in accordance with this policy.

7.4 **Complaint definition and acknowledgement** - When a complaint is received, we will log it and set out our understanding of the complaint and the outcome you are seeking. If any aspect of the complaint is unclear, we will ask you for clarification.

7.5 We will consider whether the matter is a building safety complaint. If you have indicated that it is a building safety complaint and we do not deem it to meet the criteria, we will write to you setting our reasons. You have the right to refer this to the Building Safety Regulator (explained in section 14.0) for a final determination if you disagree. Where a complaint is sent to us that is not identified as a building safety complaint but we identify it as such, we will deal with it as a relevant complaint.

7.6 When we accept a building safety complaint, we will categorise the level of risk involved and ensure we deal with these complaints in order of urgency. This may lead to us not being able to always meet the timeframes. We will always write to you when appropriate to explain why we cannot respond within the timeframe.

7.7 We will assess whether the matter can be responded to as soon as possible, or requires further investigation. Complaints will be logged, defined and acknowledged **within 5 working days of being received**. At this point a date will be provided by which a full response can be expected. If we have accepted your complaint as a building safety complaint, we will confirm this to you at this stage.

7.8 If your complaint is upheld, a **learning form** will be completed by the investigating/reviewing manager recording how we need to improve as a result of your complaint.

8.0 Complaint stages: Stage 1

8.1 **Quick fix** - We aim to ensure that most complaints are resolved promptly, and an explanation, apology or resolution provided to the resident. The Customer Feedback Team will seek to speak to you directly to understand what resolution you are seeking, put things right and provide a written response.

8.2 **Investigation** - When a complaint requires further investigation, the Customer Feedback Team will ask a service manager to investigate. The complaint acknowledgement to the resident will include an outline of the complaint to be investigated; required outcome, if identified, and the date a full response can be expected by. All building safety complaints will be investigated.

8.3 We issue a full response to stage 1 complaints **within 10 working days** of the complaint being acknowledged. When this is not possible, a full written explanation or interim response as to why the timescale cannot be adhered to, together with a date of when a full response is anticipated will be issued by the Customer Feedback Team. Any extension must be no more than 10 working days without good reason, and the reason(s) will be clearly explained to you.

8.4 When we inform you about an extension to timescales, we will provide you with the contact details of the Ombudsman, and – for relevant complaints - the Building Safety Regulator.

8.5 Where we are unable to provide a response within the timeframes set out above we will seek to agree with you suitable intervals for keeping you informed about progress with your complaint.

8.6 We are required to deal with building safety complaints in order of the level of risk involved. This may lead to us not being able to always meet the timeframes. We will always write to you when appropriate to explain why we cannot respond within the timeframe.

8.7 Investigating managers will try to make contact with you prior to issuing their response to ensure that they have fully investigated your complaint and where appropriate visit you and/or the property in order to resolve the complaint.

8.8 Where residents raise additional complaints during the investigation, these will be incorporated into the stage 1 response if they are related and the stage 1 response has

not been issued. Where a response has been issued or it is not appropriate to incorporate within an existing complaint, this will be logged as a new complaint.

8.10 We will confirm the following in writing to you at the completion of stage 1 in clear, plain language including explanations of any technical language (where appropriate):

- The complaint stage
- What the complaint is
- The outcome you are seeking
- The decision on the complaint
- The reasons for any decisions made
- The details of any remedy offered to put things right
- Details of actions undertaken or planned including a timeframe for any building safety actions to begin and be completed
- Details of how to escalate the matter to stage 2 if the resident is not satisfied with the response,
- That you have 28 days to respond to the complaint, before it is closed.

8.11 Where the Group and an accountable person cannot agree on the correct response to a building safety complaint, we will seek your permission and, should you give permission, we will refer the complaint to the Building Safety Regulator.

9.0 Complaint stages: Stage 2

9.1 In relation to a building safety complaint you have the right to make representations and comments on any findings we make

9.2 If all or part of the complaint is not resolved to your satisfaction at stage 1, it will be progressed to stage 2. The stage 2 response concludes and exhausts our complaints process.

9.3 Requests for stage 2 will be acknowledged, defined and logged at stage 2 of the complaints procedure **within 5 working days** of the escalation request being received.

9.4 The person considering your complaint at stage 2 will not be the same person who considered your complaint at stage 1. We reserve the right for the same person to consider your complaint at stages 1 and 2 if your complaint is a building safety complaint.

9.5 The manager conducting the review will contact you directly and offer a face to face meeting, video or telephone call.

9.6 We will issue a final response to the stage 2 **within 20 working days** of the complaint being acknowledged.

- 9.7 When considering the complexity of your complaint, the reviewing manager will decide whether an extension to this timescale is needed. You will be informed in writing of any extension required. Any extension will be no more than 20 working days without good reason, and the reason(s) must be clearly explained to you.
- 9.8 When we inform you about an extension to timescales, we will provide you with the contact details of the Ombudsman, and – for relevant complaints - the Building Safety Regulator.
- 9.9 Where we are unable to provide a response within the timescales we will seek to agree with you suitable intervals for keeping you informed about progress with your complaint.
- 9.10 Reviewing managers must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing relevant policy, law and good practice where appropriate.
- 9.11 We will confirm the following in writing to you at the completion of stage 2 in clear, plain language, including explanations of any technical language (where appropriate):
- The complaint stage
 - What the complaint is
 - The outcome you are seeking
 - The decision on the complaint
 - The reasons for any decisions made
 - The details of any remedy offered to put things right
 - Details of actions undertaken or planned including a timeframe for any building safety actions to begin and be completed
 - Details of how to escalate the matter to the Ombudsman Service and, where relevant, the Building Safety Regulator if you remain dissatisfied
- 9.12 Stage 2 is the Group's final response and will involve all suitable staff members needed to issue such a response.
- 9.13 In certain specific circumstances you may have the ability to apply to a Tribunal for support in resolving a dispute with us (for example in relation to variable service charges). The Leasehold Advisory Service can provide free advice. There is further information on the Government website www.gov.uk/housing-tribunals.

10.0 Accessibility and awareness

- 10.1 Residents can complain in person, in writing, by telephone, by email or via social media. A form, 'Your Feedback' is also available on our website www.wchg.org.uk.

- 10.2 Where complaints are received via social media, confidentiality and privacy will be maintained through private messaging initially. Once processed all subsequent communication will be through formal written communication by letter or email.
- 10.3 You can raise a complaint with any member of staff. All staff will be aware of the complaints process and be able to pass details of the complaint to the Customer Feedback Team.
- 10.4 Support is available to any resident who may need assistance to complain. If you require assistance, you can: call us on 0300 111 0000; come in to reception; or email us on customerenquiries@wchg.org.uk. If there is something we can do to make it easier for you to complain, we will consider this.
- 10.5 We encourage you to contact the Customer Feedback Team if you believe that we can make reasonable adjustments to enable you to fully access our complaints service. We will seek to establish an agreement with you on what may be reasonable in the circumstances based on your individual need and requirements. Examples of reasonable adjustments we might make include providing a translator or information in a different format.
- 10.6 This Complaints Policy is published on our website and available in other accessible formats on request. A copy of this Policy will be provided on request.
- 10.7 Our complaints leaflet provides a clear overview of how to complain, what happens at each stage of the process and the timeframes we will respond in. The leaflet is available at reception or on our website www.wchg.org.uk.
- 10.8 The Housing Ombudsman Service can be helpful to you in making a complaint. The details of how to access this service are promoted: in our complaints leaflet; in complaint acknowledgement letters; in customer communication campaigns from time to time and a link to their website is included here: www.housing-ombudsman.org.uk.

10.9 Housing Ombudsman Service contact details:

Online complaint form: www.housing-ombudsman.org.uk/residents/make-a-complaint
email: info@housing-ombudsman.org.uk
telephone: 0300 111 3000
postal address: Housing Ombudsman Service, PO Box, 152, Liverpool, L33 7WQ

11.0 Putting things right

- 11.1 Where something has gone wrong we will acknowledge this and set out the actions we have already taken, or intend to take, to put things right. These can include:
- Apologising;
 - Acknowledging where things have gone wrong;
 - Taking action to put things right e.g. if there has been a delay;
 - Providing an explanation, assistance or reasons;
 - Reconsidering or changing a decision;
 - Amending a record or adding a correction or addendum;
 - Providing a financial or non-financial remedy;
 - Changing policies, procedures or practices.
- 11.2 Any remedy offered must reflect the impact on the resident as a result of any fault identified.
- 11.3 The remedy will clearly set out what will happen and by when, in agreement with the resident where appropriate.
- 11.4 Financial remedies can be offered where the Group is not necessarily liable but where we wish to resolve a problem to the satisfaction of the resident. These payments are made without prejudice and awarded on a discretionary (ex-gratia) payment basis.
- 11.5 This policy does not affect a tenant's statutory right to compensation under Right to Repair; Home Loss and Disturbance payments; and compensation payable at the end of a tenancy for carrying out improvements.

12.0 Self-assessment, reporting and compliance

- 12.1 We will produce an annual complaints performance and service improvement report. This report, alongside our governing Board's response to it, is published on the complaints section of our website www.wchg.org.uk/contact-us/complaints-compliments-form/complaints-feedback-praise.
- 12.2 The Housing Ombudsman requires that we self-assess against its Complaint Handling Code 'the Code' each year. We must also carry out a self-assessment following a significant restructure, merger and/or change in procedures.
- 12.3 If we are unable to comply with the Code due to exceptional circumstances, such as a cyber incident, we will inform the Ombudsman, provide information to residents who may be affected and publish this on our website. We will include a timescale for returning to compliance with the Code.

13.0 Scrutiny & oversight: continuous learning and improvement

13.1 We look beyond the circumstances of the individual complaint and consider whether service improvements can be made as a result of any learning from the complaint. We take resident complaints and service requests into account when reviewing the performance of our services.

13.2 The following people have lead responsibilities for complaints in our organisation:

- The **Member Responsible for Complaints** (the MRC) is a member of our governing body (the WCHG Board) who is appointed to have lead responsibility for complaints to support a positive complaint handling culture. As at February 2024, this is **David Nuttall**, Board member and Customer Experience Committee member.
- The **senior lead person** is a senior manager who is accountable for complaint handling. This person must assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision. As at February 2024, this is **Sarah Klueter**, Director of Customer Experience.
- Our **Head of Assets and Building Safety** is responsible for ensuring any building safety complaints are dealt with appropriately. As at February 2024, this is **Robert MacDougall**.
- The **complaints officer** is a manager who takes responsibility for complaint handling, including liaison with the Ombudsman and ensuring complaints are reported to our governing body (the WCHG Board). As at February 2024, this is **Kerry Wood**, Customer Experience Manager.

13.3 A Customer Panel (Customer Experience Committee) regularly reviews complaints learnings, trends and performance.

13.4 A Customer Panel (Scrutiny Group) reviews anonymised stage 2 complaints each year to ensure compliance with this policy and to make recommendations for future handling and management of complaints.

14.0 Building Safety Regulator

14.1 For building safety complaints, you can contact the Building Safety Regulator at any point throughout your complaint for advice. There are however two situations where you have the right to refer your complaint to the Building Safety Regulator which are:

- If you are dissatisfied with the resolution once your complaint has been completed both Stage 1 and Stage 2; or

- If we determine that your complaint is not a building safety complaint and you do not agree with that determination.
- You can contact the Building Safety Regulator as follows:
 - Address: (not yet available)
 - Email Address: (not yet available)
 - Telephone number: 0300 790 6787

15.0 Compliments

15.1 Compliments also contribute towards the continuous improvement of services. They provide positive feedback to employees and increase levels of morale and motivation. Compliments are recorded centrally, acknowledged and referred to the manager of the individual concerned.

15.2 Compliments may also be published using the Group's website, newsletters, social media and used in publicity materials and reception areas.

16.0 Unreasonable Behaviour

16.1 The Group recognises that there may be situations in a minority of cases where a resident's actions or behaviour in pursuing a complaint are unreasonable or unacceptable. Examples could include: persistent contact about a matter that has already been considered under this policy; abusive or threatening behaviour towards our staff. Whilst all residents have the right to be heard, understood and respected, where unreasonable behaviour occurs, our employees need to know what constitutes this type of behaviour and how they will be supported by the Group to deal with this. The Group has an obligation to protect employees whilst also ensuring that residents continue to be treated fairly, consistently and appropriately. **Our unreasonable behaviour policy/statement** sets out how the Group will manage this.

17.0 Equality, diversity and inclusion

17.1 WCHG recognises that colleagues of all races, ages, religions, gender, sexual orientation, literacy levels and disability should be treated equally and fairly. We will make every reasonable effort to ensure that no-one is discriminated against directly or indirectly on the basis of any protected characteristic as defined by the Equality Act 2010. We recognise that some protected groups may be disproportionately impacted and will take additional steps in the application of this policy and make reasonable adjustments to ensure compliance with the Act.

17.2 A screening document for this policy has been completed and reviewed by the Equality Impact Assessment (EIA) Panel. Following this review, a full EIA was not found to be necessary.

18.0 Monitoring and review

18.1 The complaints policy is continually monitored for adherence by the Customer Feedback Team. Quarterly complaints updates are provided to the Member Responsible for Complaints. Customer Feedback reports are provided to Customer Experience Committee every 6-months and to the Group Board at least annually.

18.2 This policy is reviewed at least once every two years.

19.0 Statutory and regulatory context

19.1 The Social Housing (Regulation) Act 2023 empowered the Housing Ombudsman to issue a code of practice. The first statutory [Complaint Handling Code](#) takes effect from 1 April 2024.

19.2 The Equality Act 2010 sets out our duties to anticipate the needs and reasonable adjustments of residents who may need to access the complaints process.

19.3 The Building Safety Act 2022 introduces obligatory internal complaints procedures that are specific to building safety concerns, so that parties can raise with us concerns regarding the safety of buildings (that fall within the scope of the Building Safety Act 2022¹).

19.4 The Higher-Risk Buildings (Management of Safety Risks etc) (England) Regulations 2023 contain information that must be included in a Building Safety Complaints procedure.

19.5 All information collated in relation to complaints through this policy is handled in line with the UK General Data Protection Regulation (UKGDPR) and General Data Protection Act 2018.

19.6 This policy also helps us to comply with the Regulator of Social Housing's new Transparency, Influence and Accountability Standard, which requires that complaints are addressed fairly, effectively and promptly.

¹ Buildings in scope: all occupied residential buildings 18 metres or above, or that have 7 storeys or more and which contain at least two residential units.



20.0 Contact Us

Phone 0300 111 0000 (LOCAL RATE FROM A MOBILE)
0800 633 5500 (FREE FROM A LANDLINE)

Email: customerenquiries@wchg.org.uk

Write to: Complaints Officer, Wythenshawe Community Housing Group, 8 Poundswick Lane, Wythenshawe, Manchester, M22 9TA

