CWL HOUSING

COMPLAINTS POLICY

1 - Scope

- This policy applies to all residents who reside in properties owned by CWL Housing.
- Any reference to ‘we,’ ‘our,’ ‘us’ refers to CWL Housing. When we use ‘you’ and ‘your’ we mean any resident set out above.

2 - Purpose and objectives

- We are committed to providing our residents with an exemplary service. While we endeavour to be reliable, responsive, respectful and resourceful, we sometimes may not always meet our customer’s expectations.
- This policy explains how we will make it easy for residents to tell us when things have gone wrong and how we will try to resolve them. It aims to ensure we:

  Effectively manage and resolve resident complaints.

  Have a fair and effective complaint escalation and review process.

  Learn from customer feedback to evaluate and improve our services.

- This policy has been developed in line with the Housing Ombudsman Complaint Handling Code and our regulatory and legal duties.

3 - Policy statement

- We hope that a resident never has to let us know something has not gone well or that they feel let down by us. But if it happens, we need to make it right.
- When a resident tells us about an issue, we will try to sort it out there and then. If we cannot resolve problems immediately, we shall agree what actions need to be taken, and when by. We shall keep residents updated on what we are doing using a communication method that best suits them.
- We expect and empower everyone to do what they can to prioritise the issues our residents face and to resolve them as soon as possible.
- We shall consider the root cause of an issue so we can stop it happening again.
- Complaints relating to safeguarding shall be resolved through the measures set out in our safeguarding policy.
- We shall not close a complaint until we have tried everything that we believe can reasonably be done to resolve it, or until we have an agreed action plan in

place. When we know the outcome or have an agreed plan in place, we shall communicate to the resident about all the issues that have been raised.
- Building and maintaining trust is at the heart of our approach and we will make sure residents feel we are taking their concerns seriously.

4 - Policy

4.1 - What is a complaint?

- We use the Housing Ombudsman Service definition of a complaint: 'An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.'
- While residents may not use the word 'complaint,' if it is evident that they are dissatisfied, we will always give them the option to make a complaint.

4.2 - Raising complaints in good time

- We ask for complaints to be made within six months of the matter arising and, unless there is a good reason for doing so, we may not be able to consider complaints made after this time.

4.3 - Stage 1 complaints

- When we first receive a complaint, it is known as a 'Stage 1'. The complaint will be acknowledged and logged within 5 working days of receipt.
- We aim to agree a solution with the resident within 10 working days of logging a complaint. If this is not possible, such as where a complaint is complex, we may need a further 10 working days and we shall let the resident know why.

4.4 - Stage 2 complaints

- A complaint can only be taken to Stage 2 after it has received a Stage 1 response. If a resident is unhappy with a decision received at Stage 1, they have the right to have the decision reviewed. This is known as a 'Stage 2' complaint.
- A Board Member will review how the complaint was handled and the decisions made.
- If a resident would like their Stage 1 complaint reviewed, they should request this within one calendar year from the date of our Stage 1 response.
- We aim to have a decision on Stage 2 complaints made within 20 working days. As with Stage 1 complaints, we sometimes need extra time to make the

right decision, so we may take up to a further 10 working days. If we need to do this, we will let the resident know why.

4.5 - Using a third party or representative to raise a complaint

- We understand that some residents may want someone else to make the complaint for them and we support this. We will still handle these complaints in line with our policy.
- To make sure we protect our residents' best interests, they must complete a letter of authority telling us who can act on their behalf. This is available from our head office on request by emailing pam.potter@cwlhousing.co.uk or phoning 01702 510523

4.6 - Anonymous complaints and confidentiality

- Recording or investigating anonymous complaints falls outside this process. An anonymous report relating to one of our services, a member of staff or a resident, will be reported to the Housing Manager for follow up and investigation if appropriate.
- Confidentiality: all members of staff are required to adhere to our code of conduct and maintain confidentiality as appropriate to the circumstances. Our Housing Manager should seek support when handling a complaint of a sensitive nature or if asked not to disclose the identity of the complainant. We need to manage the expectations of our residents, ensuring we can adhere to our complaints process for investigation and resolution and have regard to our duty of care to our residents, employees, and 3rd party contractors.
- It may not be possible to fully investigate a complaint without disclosing the identity of the complainant, and if so, we will ask the complainant's permission to do this. While we respect our residents right to confidentiality, if we don't have this permission, we may not be able to investigate fully.

4.7 - How we will try to put things right

- We will always try to put things right and that usually means getting the resident back to where they should have been before they had a problem.
- For most problems, a genuine apology and putting things right straight away is where it ends. Sometimes, if it has taken us longer than it should have to get something sorted out or if the problem keeps happening, we may offer compensation.
- Our complaints personnel are fully trained and are supported by external experts where appropriate. Our training ensures that we are best placed to manage our residents complaints in an impartial way and with empathy.

The things we will look at will be:

- the resident's situation, for example, if they need additional help
- how much the resident has been disrupted
- how long it has taken to put right
- if there has been distress and/or inconvenience

If a service goes wrong:

- we will make it easy to tell us what has happened
- we will make sure that we understand what has happened from the resident's viewpoint and look for a solution that works for them.
- we will be clear about what we can and will do, and then do it
- we will tell the resident who will help them if the issue is complex
- we will keep in touch until everything is sorted out

4.8 - When we cannot reach an agreement

- When we have done all we reasonably can to resolve a complaint, but a resident is still unhappy, they can refer the matter to the Housing Ombudsman Service. In the instances where we do not consider or escalate a complaint, residents will be informed of their right to take their complaint to the Housing Ombudsman.
- Residents have one year from the date of our Stage 2 response to raise the matter with the Ombudsman. They can also ask a designated person to act on their behalf.

4.9 - Housing Ombudsman Service

- The Housing Ombudsman Service is a free and independent dispute resolution service. Residents can contact the Housing Ombudsman Service at any point during the complaint procedure.
- The Ombudsman cannot formally investigate while complaints are going through our internal process but may be able to give advice and support to help reach a resolution.
- The Ombudsman will contact us to get the facts of the case from our point of view and then make a final decision.

Housing Ombudsman Service

Housing Ombudsman Service, PO Box 152, Liverpool L33 7WQ

Email: info@housing-ombudsman.org.uk

Phone: 0300 111 3000

4.10 - Complaints we may not consider or escalate

- While we welcome complaints and we do not normally restrict the number of complaints or level of contact made by our residents, there may be circumstances under which we may not consider or escalate complaints.

4.10.1 - Service requests

- Often a resident's concerns can be resolved at 'first point of contact' and will not need to go through our two stage complaints process. These are known as 'Service Requests.'
- Unless a resident asks us to, we will not register a service request as a complaint in the first instance. If the resident is unhappy with how we dealt with the matter, we will log this as a complaint. In line with our definition, the resident does not have to use the word 'complaint.'

4.10.2 - Court proceedings

- If the complaint concerns matters that are or were subject to formal court proceedings, we may not be able to investigate.

4.10.3 - Matters outside our control

- Where the complaint concerns matters outside CWL Housing control, such as a local authority responsibility, we will not be able to investigate.

4.11 - Unreasonable customer behaviour

- We may occasionally receive complaints from residents whose behaviour and/or frequent contact prevents us resolving the complaint or adversely affects the ability of our staff to help other residents.
- In these cases, we will speak with them to understand why they keep contacting us. We will also liaise with external agencies to find out if they need support.

We will explain clearly what we have done to resolve the complaint and decide what we will do the next time they contact us about the same issue. This could be to:

- acknowledge the contact but not offer any additional responses.
- ask them to only contact one named employee.
- ask them to only contact us using a channel of our choice.
- ask them to contact us at mutually agreed times.

We will review residents we manage this way each year. If a resident wants to challenge the way they are managed, they can ask us to review it. The Chairman will undertake this review and will only do this once.

5 - Compliance

- We will ensure all complaint handling staff are trained and aware of the complaints policy and of our commitment to excellent service delivery standards.
- We record all complaints, regularly monitor our progress in handling them, and measure our performance against targets.
- Performance on complaints and how complaints have been used to improve services is reported to our residents at Resident Meetings, so that they can hold us to account and recommend improvements.
- We shall carry out an annual self-assessment against the code to ensure our complaints handling remains in line with its requirements.

6 - Sustainability

- At CWL Housing, we recognise the critical importance of sustainability in our operations and services. We are committed to embracing sustainable practices that contribute to environmental protection, social equity, and economic viability.

7 - Responsibilities

CWL Housing Board - Ultimate responsibility for determining and directing CWL Housing's response to service failures and Ombudsman complaints.

CEO (Housing Manager) - Provides assurance to the Board on the effectiveness of complaint and compensation policies, Ombudsman decisions and strategies to improve services and reduce service failures. Has responsibility and ownership over the Complaints Policy and related process.

All other staff - All other staff should be aware of this policy. Staff dealing with compensation and/or complaints must read this policy and comply with this policy.

Residents - Please read this policy carefully, along with our 'Compensation Policy'. Let us know if you need any assistance with understanding this policy or making a formal complaint or compensation claim.

We encourage you to contact us as soon as an issue arises. We will endeavour to redress the problem before a formal complaint is required and there may be discretion to offer some form of compensation depending on the circumstances.

If you are unhappy with our proposed solution or wish to formally complain about the service failure, please contact our Housing Manager at pam.potter@cwlhousing.co.uk or calling 01702 510523 for guidance

If you are still unhappy once the formal complaints process has concluded, a complaint can be made through the Housing Ombudsman.

It is important that formal complaints are raised with us within 12 months of the incident occurring.

8 - Equality and diversity

- We will apply this policy consistently and fairly and will not discriminate against anyone based on any relevant characteristics, including those set out in the Equality Act 2010.
- We will be transparent about our responsibilities around equality and treat everyone fairly and respectfully, regardless of their: age, gender, marital status, sexual orientation, disability, religion, race, nationality, ethnicity, or national origin.
- We will make sure our services and workplaces are as inclusive and accessible as possible and take seriously any concerns that we've not acted in a fair way, dealing with them as quickly as we can.
- We have a 'reasonable adjustments' policy that describes how we can give extra support to those residents who need it. Residents can get a copy of this by contacting our Housing Manager at pam.potter@cwlhousing.co.uk or calling 01702 510523.
- Adjustments may include letters or information in another format or language. For example, recordings of complaint letters to listen to instead of reading. Making sure residents are not excluded is important to us.

9 - Related documents

This Policy is supported by the following documents

- Compensation Policy
- Housing Ombudsman Complaint Handling Code
- Equality and Diversity Policy
- Safeguarding Policy
- Data Protection Policy

10 - Legislation and regulation

The legislation listed in this policy is not intended to cover all legislation applicable to this policy. To comply with clause 1.1 of the Regulator of Social Housing's Governance and Financial Viability Standard, which requires adherence to all relevant law, CWL Housing will take reasonable measures to ensure compliance with all applicable legislation by reviewing policies and procedures and amending

them as appropriate. Any queries relating to the applicable legislation should be directed to the policy owner.

- Housing Ombudsman Complaint Handling Code
- Consumer Rights Act 2015
- Equality Act 2010
- Data Protection Laws (GDPR and Data Protection Act 2018)
- Regulatory Framework for Social Housing (Regulator of Social Housing)

11 - Review

This document will be reviewed annually, or sooner if significant changes occur in the relevant legal or operational landscape.

Compiled	June 2024
Next review	June 2025

CWL HOUSING

Complaints Procedure

1 Purpose of Procedures

1.1 These procedures outline how staff should administrate the CWL Housing Complaints Policy

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1.2 For a definition of what constitutes a complaint, refer to Section 4.1 of the Complaints Policy.

1.3 Service Standards relevant to the Complaints Policy are detailed in Section 4.1 of the Complaints Policy.

2 How to take a complaint

2.1 **Important points**

2.1.1 All staff are responsible for receiving complaints.

2.1.2 Housing Manager will be responsible for ensuring that all staff reporting complaints are aware of the policy and procedure and are appropriately trained in complaint handling.

2.2 **How to handle complaints received in person**

2.2.1 Be courteous and helpful. Encourage the complainant to make the complaint, and listen to the points being made. It is important not to interrupt the complainant or to be defensive. Say ‘sorry’ if it seems appropriate to do so.

2.2.2 Handle it confidentially. If seeing the complainant, ensure privacy

2.2.3 Find out the facts and try to resolve the matter immediately. Most importantly, establish what the complainant wants us to do. If you need to speak to a colleague to resolve the matter, ask the complainant if they are willing for you to ring them back within the day. If they are – make sure you do it. If they are not, proceed to the next step.

2.2.4 Ask the complainant if they are satisfied with your response or if they wish to register a formal complaint.

2.2.5 If they choose to register a complaint, briefly explain the complaints procedure. If they are in the office, ask them to write down the complaint. Offer assistance to complete it.

2.2.6 If the complaint is made by telephone, put the complaint in writing over the phone.

2.3 What to do with complaints received

2.3.1 All letters of complaint must be passed to the Housing Manager as soon as they are received to log and acknowledge.

3 Administering Complaints

3.1 The Housing Manager will check for complaints from the website and email on a daily basis and for letters of complaint when opening the post.

3.2 In addition, staff will identify any letters of complaint when distributing the post or those received by hand and pass them to the Housing Manager.

3.3 The Housing Manager will ensure all complaints are logged on the database and maintained in a central complaints file. All complaints will be given a reference number. The same reference number will be allocated to a complaint whatever stage it is at.

3.4 The Housing Manager will acknowledge complaints in writing within 5 working days.

3.5 It is the responsibility of the Housing Manager to investigate and send the full response within the deadline of 10 working days, and to update the database.

3.6 If further investigation is required to address a complaint or because of key staff absences the 10 working day target cannot be met, the Housing Manager investigating the complaint is responsible for advising the complainant, within the 10 day timescale, of a revised timescale explaining the reasons for the delay.

3.7 If the complaint at Stage 1 relates to a manager of the organisation who would normally be expected to respond to the complaint, a Board Member will investigate and respond to the complaint.

3.8 If the complaint at Stage 1 is about a Board Member of the organisation, another Board Member will investigate and respond to the complaint.

3.9 The Housing Manager is responsible for sending out a Complaints Satisfaction Feedback Form after a complaint has been resolved.

3.10 All forms and any letters/correspondence, records of conversations etc should be kept on the complaints file.

4 Complaint Stages and Timescales

There are 2 stages to the organisation's Complaints Procedure.

4.1 **Stage 1**

4.1.1 Stage 1 complaints will normally be investigated by the relevant Manager.

4.1.2 If the complainant is not satisfied with the outcome of Stage 1 they must be advised that they may refer their complaint to Stage 2 of the complaints procedure. The complainant should be advised that requests to move a complaint to Stage 2 of the policy should be received within one calendar year from the date of the Stage 1 response or it may not be considered.

4.2 **Stage 2**

4.2.1 All correspondence and information for a Stage 2 complaint will be passed to the appointed Board Member for investigation and response.

4.2.2 Where the complainant remains dissatisfied with the outcome of Stage 2 of the Complaints Policy the complainant will be advised they may refer their complaint the Housing Ombudsman.

4.2.3 Where the appointed Board Member has investigated a complaint about a Manager at Stage 1 another Board Member of the organisation will review and respond to the complaint should it proceed to Stage 2.

4.2.4 Where a Stage 1 complaint about a Board Member of the organisation has proceeded to Stage 2 another Board Member, not involved at Stage 1, will review and respond to the complaint.

4.2.5 The investigating Board Member will aim to provide the complainant with their written decision within 20 working days of the review. As for Stage 1 if this target cannot be met target, the Board Member investigating the complaint is responsible for advising the complainant, within the 20 day timescale, of a revised timescale explaining the reasons for the delay.

5 The Independent Housing Ombudsman

5.1 Tenants of the organisation, who have fully completed all stages of the organisation's Complaints Policy and remain dissatisfied, can complain to the Housing Ombudsman Service.The Ombudsman will not consider a complaint until the complainant has
fully completed all stages of the organisation's internal Complaints Policy.

5.2 The Housing Ombudsman Service provides a free service to tenants.
The service is entirely independent.

5.3 Tenants and staff can contact the HousingOmbudsman Service for advice about a complaint.

5.4 Staff may contact the Housing Ombudsman Service to discuss
complaints or potential complaints. The Ombudsman will be able to give advice on how to proceed on a without prejudice basis
.
5.5 The appointed Board Member at Stage 2 will be responsible for dealing with any complaints that have been referred to the Housing Ombudsman Service.

6 Investigation of Complaints

6.1 It is the organisation's aim to investigate complaints fully and fairly. A thorough, open and impartial investigation of the complaint must be conducted to ascertain the facts.

6.2 Any extension required to conduct further investigation towards a full response must be put in writing to the complainant. This must be within the timescale of 10 working days and should explain the reasons for the extension.

6.3 In certain situations it may be necessary or beneficial, towards resolving the complaint, to contact the complainant. This may be to discuss the matter in more detail or to confirm certain facts. However, staff must ensure each stage of the Complaints Procedure is followed correctly and each timescale is met.

6.4 All written responses should aim to:

6.4.1 answer all points of concern that have been raised

6.4.2 provide a full explanation as to why a particular decision has been made

6.4.3 be factually correct

6.4.4 avoid jargon and use plain English

6.4.5 provide a name and contact number

6.4.6 advise of the next stage of the procedure should the complainant remain dissatisfied

6.4.7 include an apology if the complaint is justified and give an assurance that action has been taken to prevent the mistake happening again

6.4.8 acknowledge that the complainant is dissatisfied with the level of service whether justified or not

6.4.9 where appropriate offer some form of redress – what we are offering to the tenant to draw the matter to a satisfactory close

6.5 It is important to keep a record of all investigations and correspondence and any advice that is received. Copies should be made with originals passed to the Housing Manager for filing in the complaints file

6.6 In certain cases it may be appropriate to seek independent advice or use mediation services. It may be appropriate to do this at this stage to prevent the complaint escalating to the next stage.

7 Data Protection and Confidentiality

7.1 All staff should abide by the organisation's Openness and Confidentiality Policy.

7.2 All third party requests for personal data about a data subject should be made in writing. Examples of third party requests are those from MPs, Councillors and Solicitors.

7.3 Requests should be accompanied by a 'letter of authority' form from the complainant that they consent to the organisation disclosing data to a third party.

9 Insurance Claims and Legal Action (not sure why this is necessary – seems a bit heavy handed). Can't the Housing Manager just report to the Board? Not sure it needs to be in this policy at all.)

9.1 In some cases it may be appropriate to refer the matter to the Chairman for referral to the organisation's insurers. In this case a simple holding letter should be sent.

9.2 The Chairman will administer responses to, and records of, insurance claims. All correspondence relating to legal action or potential legal action against the organisation will be passed to the Housing Manager. The Chairman will forward correspondence requiring a response from a manager or Board Member to the insurers.

9.3 The Chairman should ensure that any necessary consents relating to personal data are received.

9.4 The Chairman will acknowledge correspondence from Solicitors within 10 working days of receipt.

9.5 The Chairman will inform the organisation's Insurance Brokers in writing of any claim made against the organisation within 10 working days of receiving a claim. They will also inform the relevant Manager or Board Member.

9.6 The Chairman will report on insurance claims and legal actions on a monthly basis to the Board

10 Monitoring and Reporting

10.1 **Customer Feedback**

10.1.1 We will survey all complainants to ascertain whether we are dealing with complaints quickly, effectively, and to the satisfaction of the person making the complaint.

10.1.2 The Housing Manager will send a Complaints Satisfaction Feedback Form to all complainants within 28 working days of the conclusion of any stage of the complaints procedure.

10.2 **Monitoring**

10.2.1 The Housing Manager will produce reports for the Board on complaints. The annual report will summarise the following points and with the following frequency:

Summary points to include

- The number of complaints, received, broken down by stage
- The ethnic origin of the complainant
- The nature of the complaint
- The relevant complex
- The number responded to within the target timescale with reasons, the number of ongoing cases
- The number of justified and unjustified complaints
- Any cases referred to the Independent Housing Ombudsman

- The number of complainants with language, visual or hearing needs
- Satisfaction levels with the procedure (based on an analysis of feedback forms)

10.2.2 The Housing Manager will also review complaints received and responses quarterly to identify service improvements, monitor that agreed actions have been taken and feed this into the Management Team (amendment of procedures etc).

10.2.3 Board members and Managers will use monitoring information to:

- identify areas of service delivery that require review/improvement
- identify any action required to avoid similar complaints being made
- identify staff training needs
- provide information through briefings to staff on good and poor performance areas

10.2.4. The Housing Manager will publicise details of any changes we have made in response to customer suggestions to show that we are positively using complaints to improve service delivery.

10.2.5 In order to maintain confidentiality all reports in relation to this procedure that are presented to the board will have tenancy details removed.

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Next Review	June 2025