

COMPLAINTS POLICY

Complaints Policy and Procedure

Policy Statement

WCCHA aim to deliver a consistently high standard across our service. However, we know that sometimes things go wrong, and residents feel that they are not receiving the service that they should expect.

We welcome compliments and complaints and consider them as an opportunity for improvement.

If residents say they are unhappy with a service – we accept this and will listen and discuss the concerns with residents, avoiding standard letters. We will ask and understand what a resident wants from their complaint and respond appropriately. Satisfaction is a key measure of service quality and we treat complaints seriously and aim to learn from our service failures. Where a service has failed or we have got something wrong we will identify the problem, put it right, apologise and improve the way we do things.

When responding to complaints WCCHA will comply with the Equalities Act 2010 and will make any reasonable necessary adjustments to ensure that anyone is able to make a complaint.

Procedure

What is a complaint?

A Complaint is "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."

A complaint may be made when a resident is dissatisfied with a service that we have provided or the way in which the service was delivered. A complaint may be in relation to:

- A failure to comply with policy, procedure or standards of service delivery.
- A decision which the complainant believes is not fair or clear to them.
- The behaviour of WCCHA staff, staff of their Managing agent or contractors.

A complaint is separate from an enquiry or a request. However, concerns about the services received will be considered as a complaint whether or not the word complaint is used.

Where a concern is raised and staff can identify a way to resolve it, this must be the first action – with agreement of the resident. The resolution will not prevent the complaint being pursued or delay any investigation.

Reports of neighbour nuisance and anti-social behaviour are treated as requests for assistance, not as complaints about our service. However, if we fail to deal with the

anti-social behaviour or the resident does not feel we have dealt with it or are dealing with it properly, then this may become a complaint.

Making a complaint

A resident can make a complaint:

- verbally to their support worker
- by telephone to their support office
- or by email

Where possible, the complaint will be dealt with there and then. If this is not possible, the complaint will be passed to the person who can best respond to it and make sure the issues raised are addressed.

A resident can ask someone to represent them when making a complaint, or during the investigation.

Note: Residents have the right to contact the Housing Ombudsman at any time in the complaints process to seek advice and guidance

www.housing-ombudsman.org.uk (see also contact details)

Exclusions

We will not respond to concerns or complaints that are raised anonymously.

We reserve the right not to process an issue as a formal complaint if it is being brought to our attention for the first time over 12 months from the original incident / occurrence.

We reserve the right not to process an issue as a complaint if the issue has been raised previously by the complainant, the complaint has been closed and where the complainant did not exercise their right to escalate the complaint (or where the Housing Ombudsman or other relevant body have determined on the case).

Claims for personal injury will be dealt with by our insurers.

We will not respond to concerns or complaints about services, organisations or individuals for whom we have no responsibility.

Stage 1

When a complaint is received, the person receiving the complaint will:

- Listen, ask and understand what the resident wants from making the complaint.
- Speak to the individual and agree with them what we will do and by when.
- Where possible, a complaint will be resolved at the time it is received.
- Acknowledge the complaint within 2 working days of receipt.

If a complaint needs further investigation, then we will explain who is dealing with the complaint and will provide a full response within ten working days. If a complaint is likely to take longer than ten days to resolve, we will explain what is happening and the expected timescale for what actions are planned.

If WCCHA do not keep to the agreed timescales, or if the complainant feels that there is an unnecessary delay in responding, they can ask for the complaint to be escalated to the next stage. If the circumstances are complicated or there are specific reasons why a complaint cannot be investigated within the normal time frame (for example absence of relevant staff or witnesses) WCCHA may refuse to escalate the complaint, but this will be fully explained to the complainant.

All complaints will be recorded.

The manager for the service will make sure that any necessary changes are made to how the service is delivered following a complaint. This may involve changing the way we do something or providing training for individuals or teams to prevent complaints recurring.

Stage 2

If the resident is not satisfied with our response to their complaint, they can ask for it to be escalated to Stage 2 of the process.

We reserve the right not to escalate the complaint if the request is made over 12 months from the original incident / occurrence.

We reserve the right not to escalate a complaint if the outcome was accepted by the resident and the complaint has been closed and or where the Housing Ombudsman or other relevant body have determined on the case.

We will carry out a review of the complaint to make sure we made the correct decision and took the right action in resolving the issue(s).

This review will be completed by a Director of the Association who has not been previously involved in the investigation. A full response detailing the outcome of the review will be provided within 10 working days.

Feedback

At each stage and within a month of the outcome letter being sent, complainants will be contacted for feedback on the complaints process and their satisfaction with the outcome.

Complaint remains unresolved at Stage 2

If, having exhausted our complaints procedures, a resident is still dissatisfied, they can take their complaint to the **Housing Ombudsman**.

When a complaint reaches the Housing Ombudsman Service they will decide if it is appropriate for them to consider the complaint. They will usually only consider investigating a case brought to them from residents of landlords and managing

agents who receive services directly and if the resident has already been through the Association's complaints process.

The contact details for the Housing Ombudsman Service are:

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

Unacceptable behaviour

WCCHA appreciate that someone who is making a complaint may be angry, anxious or distressed and may express their frustration when discussing the matter with staff. However, WCCHA will not tolerate abuse or threats towards staff. In circumstances when the behaviour of a complainant or their representative is not acceptable staff will discuss this with senior managers and agree how to progress the complaint. This may result in restricting methods or frequency of communication or designating one member of staff who will liaise with the complainant.

Compliments

We may also receive contact from residents who wish to compliment either an individual or the organisation on a particularly good service. Compliments will be recorded in the same way as complaints and passed onto the individuals involved in the service. Compliments form part of our system of feedback about what matters to residents and helps us to identify what is working effectively.

Persistent, frivolous or vexatious complaints

On some occasions we will receive complaints which may be frivolous or vexatious and where it is not possible to reach a reasonable solution or where the complainant will not accept a reasonable solution.

Such complaints may be as a result of someone being difficult and unreasonable or 'vexatious' but may also be due to a medical condition, mental illness or learning difficulty which makes effective communication difficult.

Being persistent in trying to resolve an issue or a complaint is not in itself vexatious, and we will assess each case individually.

If we consider a complaint may be vexatious, we will carry out an assessment and liaise closely with any support/external agencies involved, and we will then agree how to deal with the situation based on the individual circumstances. We may apply a different means of communicating with the resident having considered their individual circumstances or ask them to only communicate with a nominated member of staff. In all cases the decision will be explained to the complainant.

Learning from complaints

We aim to learn from complaints and use this information to improve what we do. Complaints performance forms part of the quarterly operations report presented to the Board. Additionally a designated Board member has responsibility for complaints performance and learning from our resident feedback.

When something changes as a result of a complaint, we will inform the resident of what has been changed.

WCCHA Complaints Process

