



Complaints Policy

Walterton and Elgin Community Homes aims to provide a good quality level of service to our residents. However, we recognise that at times things can go wrong and we welcome complaints as an opportunity to put things right, get feedback from residents and learn from any mistakes made.

Policy Aims and Objectives

We aim to:

- Be fair
- Put things right
- Learn from outcomes

As a resident control organisation, we aim to treat our residents fairly. We will view complaints positively. We will investigate all complaints promptly and see complaints as an opportunity to put things right. Complaints are also an opportunity to rebuild trust in the relationship between the resident and WECH. We aim to learn from any mistakes made and continually look for ways to improve.

We aim to resolve complaints as quickly as possible by being open, accountable and outcome focused.

Statutory/ Regulatory requirements

This policy is in line with relevant legislation such as the Localism Act 2011, Housing Act 1996 (schedule 2), General Data Protection Act 2018, Equality Act 2010, Housing Ombudsman Scheme, and Tenant and Involvement Empowerment Standards.

This policy also meets the 'The Tenant Involvement and Empowerment Standard' within the housing association 'Consumer Standards'.

Confidentiality

We will collect data regarding complaints, store securely, control access to, and manage provision and disclosure of data in accordance with the Data Protection Act 2018.

What is a Complaint?

We define a complaint as 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 formal complaint is 'Confirmation, usually in writing or electronically (by email), of dissatisfaction with a service or services provided by a landlord.' This is different to a service request.

For example, a request to carry out maintenance in a property will not be handled through this policy as it is a service request, but a complaint that a repair was not carried out properly would be seen as a complaint and handled in line with this policy.

We will also accept a complaint unless there is a valid reason not to. In that case we will provide the reason.

All complaints will be dealt with in line with the Complaint Handling Code: [The Housing ombudsman's Complaint Handling Code \(housing-ombudsman.org.uk\)](https://www.housing-ombudsman.org.uk)

Who can complain?

We will accept complaints from

- Tenants and former tenants of WECH
- Leaseholders and former leaseholders of WECH

This process is not for:

- Tenants of leaseholders
- Tenants of other landlords who lease properties from WECH (for example, temporary accommodation properties managed by Notting Hill Genesis)
- Commercial tenants

Complaints must be made within four months of the incident which is being complained about.

Complaints not considered:

On receiving the complaint, we may inform the complainant that WECH is unable to deal with the complaint and try to give advice as to where they should address it. Examples of why complaint may not be considered include:

- The issue giving rise to the complaint occurred over six months ago.
- Legal proceedings have been started.
- Matters that have already been considered under the complaints policy.

How to make a complaint

To raise a complaint, a complainant should contact our Customer Services Team at: admin@wech.org.uk / 020 7266 3347

Complaints can also be taken by our Customer Services Team in person at the office. We ask residents to email or phone ahead to make an appointment where possible.

How we will handle the complaint

Once the complaint has been raised, the details shall be entered on our system. A complaints number will be issued, and the complaint lead will be provided with details of the complaint made. Within five working days of the complaint being made, the Customer Services Team shall contact the complainant and

- (a) inform them of the name and contact details of the person who will be handling the complaint,
- (b) give them a copy of this Complaint Policy and
- (c) give them the complaint number.

At each stage of the process, any correspondence will make it clear what stage the complaint is being dealt with.

Stage One Response

The complaint lead will contact the complainant to:

- (a) find out the detailed nature of the complaint and
- (b) ask the complainant what they would like to achieve. This information should be stated on a complaints form that the complainant signs.

If the complaint is valid, within ten working days of the request to escalate, the manager will write to the complainant with either a response to the complaint or, in exceptional circumstances, to give a detailed account of why more time is needed before a response can be made. In these cases, it will take no more than an extra ten working days.

If the complainant is not happy with the response, then they have a further ten working days to escalate the complaint and request it is taken to Stage Two. They should do this by contacting our Customer Services Team as above. Complainants

should be clear why they disagree with the decision and what they want WECH to do to put it right.

Stage Two Response

If the complainant asks for the Complaint to be taken to Stage Two it will be referred to a Head of Service or Chief Executive.

At Stage Two we shall respond to the complainant within twenty working days or the request to escalate or, in exceptional circumstances, to give a detailed account of why more time is needed before a response can be made. In these cases, it will take no more than an extra ten working days.

If the complainant is still not happy, and WECH agrees another stage is required, then they have a further ten working days to appeal to a panel of Board members. They should do this by contacting Eleanor or Jackie as above. Complainants should be clear why they disagree with the decision and what they want WECH to do to put it right.

Closure of Complaints

A complaint will be closed when a response has been sent, at any stage, and there is no further communication from the resident within ten working days.

WECH reserves the right to close complaints early where directed by the Board. For example, where litigation is underway or it is felt the complaints process is being used inappropriately.

Discretion

WECH reserves the right to use discretion when applying the Complaints Policy and may deal with a complaint differently where individual circumstances merit it. Any discretion needs to be applied fairly and appropriately and that complaints should be progressed as far as possible to maximise the opportunity to resolve a dispute.

Managing unacceptable behaviour

WECH expects all residents and staff to refrain from unacceptable behaviour throughout the complaints process. We will not tolerate abuse or threatening behaviour and expect all parties to respect equality and diversity. Unreasonable behaviour from complainants may result in the complaint being withdrawn and such issues will be reported to the board.

Equality and diversity

Equality and diversity is highly important to WECH and at times it may be necessary to go outside of normal policies, procedures and practices to accommodate an individual's needs.

We approach equality and diversity through values of fairness, accessibility and transparency. WECH values diversity and is committed to promoting equality of opportunity to ensure all residents are treated fairly.

Communication

When communicating with residents, WECH shall plain language that is appropriate to the resident.

The current Complaints Policy will always be published on the WECH website.

Representation and support agencies

Any complainant has the right to have their complaint made by a representative or to be accompanied by a representative whenever there is meeting about the complaint. WECH will verify that the complainant has genuinely appointed that representative before dealing with them.

WECH staff will support residents using the Complaints Policy where required. However, we recognise that some residents may want external support where making a complaint, and we signpost our residents to the following organisations:

- Citizens Advice Bureau: Housing Justice, Unit G12, The Foundry, 17 Oval Way, Vauxhall, London SE11 5RR, 020 3752 5635
- Shelter. Telephone 0344 515 1540
- Paddington Law Centre: 421 Harrow Road, W10 4RE, Telephone 020 8960 3155
- Central London Law Centre: Telephone 020 7734 4067

Next steps

If the complainant remains dissatisfied after the above process, the following three options are open to the complainant:

1. Board Appeal (Stage three of internal process)

The panel hearing must be convened within 20 working days of the complainant requesting it. The panel should consist of at least three Board members and must respond to the complainant within ten working days of the panel hearing. Any additional time will only be justified if related to convening a panel. An explanation and a date when the stage three response will be achieved should be provided to the resident.

2. Designated person

Designated persons were introduced under the Localism Act 2011 to improve the chances of complaints about housing being resolved locally. The idea behind localism is that local people know best how to decide on local issues. A designated

person can help to resolve a complaint after a landlord's internal complaints procedure is finished. They can help resolve the complaint in one of two ways; by trying and resolve the complaint themselves or by referring the complaint straight to the Ombudsman.

A designated person can be a local councillor representing the Harrow Road Ward, our local MP or a tenant panel registered with the Housing Ombudsman and recognised by WECH. At present no tenant panel has been established for this purpose, but WECH would support the formation of one if residents request it.

Local councillors for the Harrow Road Ward can be contacted at Westminster City Hall, 64 Victoria Street, London, SW1E 6QP. Telephone 020 7641 5377. The ward councillors hold a surgery each Saturday from 11am to 12 noon at The Stowe Centre, 258 Harrow Road, W2 5ES. Please call The Stowe Centre 020 7266 8220 to check availability before attending.

The Member of Parliament for Westminster North can be contacted at House of Commons, London, SW1A 0AA. Telephone 020 7219 3000.

3. Housing Ombudsman

Following Stage Two of this policy, residents have the right to contact the Housing Ombudsman. WECH will respond to any correspondence from the Ombudsman within 15 working days.

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

www.housing-ombudsman.org.uk

Telephone 0300 111 3000