

Complaints, Comments and Compliments Policy



Who this policy is for

This policy is for all residents of Wyedean Housing Association.

Introduction

We work hard to provide an excellent service for all our residents. However, there may be times when we don't get it right, or we could do better. Your feedback is important to help us continue to improve, so please let us know when we've done well and when we haven't.

Our complaints process is clear and confidential. We'll work with you to resolve your issue as quickly as possible. Where we have got something wrong, we'll apologise and aim to put it right so we don't make the same mistake again. However, if you're unhappy with our response to your complaint, you can take things further.

What we mean by complaints, comments, and compliments

Complaints

The Housing Ombudsman Service's definition of a complaint is "any 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."

Please let us know if you're unhappy with our service in any way. For example, if we've failed to do something we said we would or have taken longer to do something than we said we would.

Comments

Please let us know if you think there's something we could do better or in a different way.

Compliments

Please let us know if we've done something well.

How we deal with complaints

We follow The Housing Ombudsman Service's Complaint Handling Code.

We'll always accept your complaint unless there's a valid reason for us not to ([please see the section below: When our complaints process does not apply](#)). You don't have to use the word complaint for us to treat your issue as one.

If you raise a complaint, we'll:

- consider all the information and evidence carefully
- address all the points you raise



Complaints, Comments and Compliments Policy



- address any actual or perceived conflict of interest
- treat your complaint as confidential and only disclose information where it's lawful and necessary for us to investigate the matter fully
- refer to relevant policy, law and good practice where appropriate
- give you clear reasons for our decisions
- where the problem is a recurring issue, consider older reports as background to the complaint
- where you raise additional complaints during the process, consider whether it's reasonable to add these to the original complaint, and if not open a new one.

We'll give you (and any staff member where they are the subject of the complaint) a fair chance to:

- set out your position, and
- comment on any adverse findings before we make a final decision.

How to make a complaint

You can make a complaint:

1. on our website www.wyedean.org/complaints/
2. on the self-service portal or MyWyedean app
3. by emailing us at office@wyedean.org
4. by calling us on 01594 838000
5. in person with a member of staff
6. by writing to us at:

11 St John's Street
Coleford
Gloucestershire
GL16 8AP

1, 2 and 3 are available 24/7 and are the quickest ways for you to contact us.

Group complaints

You can make a complaint in a group if two or more people would like to raise the same issue. Please choose a spokesperson for the group. They are the person we'll communicate with about the complaint.

When the complaint has been resolved, the spokesperson must arrange for a copy of the closing letter to be sent to each group member. Each person must receive any offer of compensation or reimbursement.

If we cannot resolve a group complaint through our complaints process, another spokesperson cannot raise the same issue as a new complaint.



Complaints, Comments and Compliments Policy



Permission to act

Some people need support to make a complaint due to their disability or lack of capacity under the Mental Capacity Act 2005. Where this is the case, a representative can be appointed to act on their behalf.

You can also give permission to a third party to handle a complaint on your behalf. We won't deal with a third party without your consent.

You can get permission to act:

- over the telephone (subject to standard identity checks)
- with written confirmation from the resident that they wish the third party to act on their behalf

When our complaints process does not apply

If we decide not to accept a complaint, an explanation will be provided to the resident setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman. If the Ombudsman does not agree that the exclusion has been fairly applied, the Ombudsman may tell us to take on the complaint.

We must handle some complaints differently. For example, where:

- the resident is taking legal action related to the complaint
- the complaint is about another organisation or person
- the resident is making a significant insurance claim (unless they wish to complain about how we handled it)
- the resident has made repeated or clearly unfounded complaints
- the resident makes repeated complaints about the same or related matters that we have already addressed
- the resident has made an unreasonable number of complaints over a short time about matters that are minor
- the resident wants to make a complaint twelve months or more after the alleged incident took place
- the volume of contact from the resident is unreasonable (in which case response times in our service standards may not apply)
- the content or tone of the resident's communication causes disproportionate or unjustified disruption.

Service requests

There's a difference between:

- a situation a resident may be unhappy about and would like to have rectified, and
- a complaint about a service they have (or have not) received.

For example:

A resident complains that their neighbour's garden is overgrown. This is a service request as the resident



Complaints, Comments and Compliments Policy



is asking us to do something to improve the condition of their neighbour's garden. However, if the resident added that they'd reported this issue to us several times but we'd failed to respond, we'd class it as a complaint.

Formal complaints

If you're unhappy with how we first respond to your issue, you can make a formal complaint.

We'll also treat a complaint as formal where you ask us to and where it's obviously more serious. For example, where your complaint alleges our service failed multiple times.

Formal complaints can take two stages (see Appendix 1 for a diagram of our complaints process).

Stage 1: Service Manager Review

The service manager will:

1. Contact you within 3 working days to confirm we've received your complaint.
2. Send you a full response within 10 working days, or let you know when we'll respond if we need more time to investigate the matter.

We'll make every effort to contact you within the 10 days, by telephone, by visiting you (with prior notice) or by writing to you.

Sometimes we may not be able to respond to your complaint within 10 working days. This may be due to outstanding actions or works not yet agreed or scheduled. When this happens, we'll give you regular updates on the progress of your complaint. If necessary, we'll agree a longer timescale with you. If we fail to agree a longer timescale, you can contact the Housing Ombudsman Service and challenge our response.

If after 30 days it is clear we have not dealt with your complaint appropriately, it can progress to stage 2.

You can also ask for the complaint to go to stage 2 if you're unhappy with how we've responded at stage 1.

Closure of Stage 1

Your complaint will be closed when all the issues have been addressed and we have agreed with you any outstanding actions and timescales.

We will also close the complaint after 6 months if you have not told us you want it to go to stage 2.

If your complaint is considered closed or we will not consider it at stage 2, we will write to you with clear reasons why.



Complaints, Comments and Compliments Policy



Stage 2: Senior Manager Review

If you're not satisfied with our stage 1 response, you have 20 working days to tell us that you want to take things further. You'll need to tell us what your outstanding issues are and what outcome you're looking for.

The Senior Manager will: -

1. Contact you within 3 working days to confirm we've received your request.
2. Provide a full response within 20 working days, or let you know when you'll receive our response if we need more time to investigate the matter.

If we need longer than 20 working days to respond to your complaint, we'll agree this with you.

If we fail to agree a longer timescale, you can contact the Housing Ombudsman Service and challenge our response.

The Housing Ombudsman Service

At the end of the stage 2 review, if you remain unhappy with how we have dealt with your complaint, you can take it to the Housing Ombudsman Service. They'll ask us to provide information to help them conduct a confidential investigation. At the end of the investigation, they'll write to you and us, setting out their decision and explaining how they arrived at it. They'll then recommend how the problem should be solved.

You can contact the Housing Ombudsman Service at:

Housing Ombudsman Service
PO Box 152
Liverpool
L33 7WQ

Tel: 0300 111 3000 (Monday to Friday 9:15 to 17:15).

Email: info@housing-ombudsman.org.uk

Website: www.housing-ombudsman.org.uk

Early resolution and independent scrutiny

The Housing Ombudsman Service offers an early resolution option. They'll work with you and us to help resolve the dispute as quickly and fairly as possible.

They'll look at what has already been agreed to resolve the complaint and the outstanding issues. They'll then explore the possible options and, where possible, suggest a way to resolve the complaint.

If you and we agree to their suggestion, the ombudsman will set out the terms and ensure that the actions we agree are carried out.



Complaints, Comments and Compliments Policy



Shared owners: First-tier Tribunal (Property Chamber)

If you're a shared owner, you can go to a First-tier Tribunal (FTT), an independent body that decides on residential leasehold property disputes.

You can contact the FTT at any time and do not have to have completed our formal complaints process before you apply to them.

You can find more information on the FTT and the contact details for your nearest service at <https://www.gov.uk/courts-tribunals/first-tier-tribunal-property-chamber>

Remedy and compensation

Any remedy we offer will reflect the extent of the service failure and the level of detriment it caused you. The remedy offer will set out what will happen and by when, in agreement with you where appropriate.

If we award compensation, we'll consider whether statutory payments are due, if you have incurred any quantifiable losses, the time and trouble you have been put to and any distress and inconvenience you have experienced.

You may have a legal entitlement to redress. If this is the case, we'll offer a resolution where possible, and follow legal advice on how to word this.

Equality statement

We're committed to fair and equal treatment for all our residents, employees, and applicants, regardless of religion, sexual orientation, age, class, racial origin, sex, disability, or marital status.

We'll apply this complaints policy in a way that meets your specific needs. Where appropriate, we'll make reasonable adjustments and may appoint a case manager as your single point of contact throughout the investigation.



Complaints, Comments and Compliments Policy



Appendix 1: our complaints process

