



# Complaints Procedure

## Contents

<b>What is a complaint.....</b>	<b>2</b>
<b>How can a customer make a complaint.....</b>	<b>2</b>
<b>When will we not accept a complaint.....</b>	<b>2</b>
<b>Support with making a complaint .....</b>	<b>2</b>
<b>Handling a complaint.....</b>	<b>3</b>
<b>Assessing the complaint .....</b>	<b>3</b>
<b>Case managers considerations .....</b>	<b>3</b>
<b>Complaint stages.....</b>	<b>4</b>
<b>Accountability for the complaint .....</b>	<b>5</b>
<b>Extending the timescale for a complaint .....</b>	<b>5</b>
<b>Escalating a complaint.....</b>	<b>5</b>
<b>Responding to the complaint .....</b>	<b>6</b>
<b>Putting things right .....</b>	<b>6</b>
<b>Financial compensation .....</b>	<b>7</b>
<b>Learning outcomes .....</b>	<b>7</b>
<b>Unacceptable behaviour .....</b>	<b>8</b>
<b>Customer complaints forum.....</b>	<b>8</b>
<b>Service requests.....</b>	<b>9</b>
<b>Frequently asked questions .....</b>	<b>10</b>
<b>Appendix A – service request or complaint flow chart.....</b>	<b>13</b>
<b>Appendix A (continued) – service request or complaint flow chart .</b>	<b>14</b>
<b>Appendix B – guidance on suggested ranges of compensation.....</b>	<b>15</b>

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Procedure owner: Darren Bird  
Role: Head of housing, repairs, and customer support  
Date: June 2024



## What is a complaint

A complaint is an expression of dissatisfaction about the standard of service, actions, or lack of action by us, including our colleagues or those acting on our behalf, affecting an individual customer or a group of customers.

For example, a complaint can be made when we've:

- Failed to provide a service when agreed.
- Provided a poor standard of service.
- Made a mistake in the way we've provided the service.
- Failed to meet our existing service standards.
- Failed to follow our policies correctly.

A customer does not have to use the word 'complaint' for it to be treated as such. Whenever a customer expresses dissatisfaction we must give them the choice to make a complaint.

## How can a customer make a complaint

Selwood Housing will accept complaints in multiple way, including:

- Email: [complaints@selwoodhousing.com](mailto:complaints@selwoodhousing.com) or [info@selwoodhousing.com](mailto:info@selwoodhousing.com)
- Face to face
- By phone
- Writing to us
- Facebook – complaints made over social media should be made over direct message to Selwood Housing's Facebook messenger.

## When will we not accept a complaint

There are circumstances where an issue might not be classified as a complaint. More information can be found in our Complaints policy.

If we determine not to accept a complaint, we will provide a detailed explanation to the complainant setting out the reasons why the matter is not suitable for our complaints process. In addition, we will provide the details of the Housing Ombudsman Service where the complainant can challenge our decision.

## Support with making a complaint

The complaint service is open to our customers, or their representatives, and anyone affected by a service we provide.



We should seek permission from the customer if a third party is representing, this can be done in writing or verbally. If the customer is being represented, we should encourage that representative to be present at any meetings.

### **Handling a complaint**

When a complaint is received it must be registered on our housing management system (QL) under the complaints module. It should then be forwarded to the customer complaints team who will acknowledge the complaint in writing to the customer within 24 hours, and no later than 5 working days of the complaint being received.

### **Assessing the complaint**

Once a complaint has been received by the customer complaints team, they will review the complaint and seek clarification from the customer if there are elements that are unclear. The complaint should then be given to the most appropriate service manager to deal with.

It is crucial to consider and manage the unique circumstances of each complaint appropriately and not to apply a blanket approach.

### **Case managers considerations**

The case manager must have regard to their obligations under the Equality Act 2010. They must review the customers circumstances and consider any known vulnerabilities or disabilities, making reasonable adjustments.

When handling complaints, it's essential to balance the need for sensitivity and effectiveness. While in-person meetings can provide a more personalised and empathetic experience, there are situations where they might not be suitable. The complainant's preferences should be respected, and efforts should be made to accommodate their needs while ensuring their safety and well-being.

Case managers should have regard for:

- dealing with the complaint on its merits, act independently and have an open mind
- give the customer a fair chance to set out their position
- treat the customer with respect and do not treat them differently if they complain
- take measures to address any actual or perceived conflict of interest
- consider all relevant information and evidence carefully

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## Complaint stages

There are two stages to Selwood Housing's formal complaint process.

### **Stage one**

We'll acknowledge the complaint within five working days. We'll discuss the complaint with the customer and make them aware of timescales and next steps.

We'll then aim to respond fully to stage one complaints within 10 working days.

If we identify that we are likely to miss the agreed timeframe for handling the complaint, we will explain this to the customer at the earliest opportunity – we will not wait until the agreed timeframe has expired before alerting them to the issue.

Any new timeframe must not exceed 10 days for stage one complaints.

The following should be included in the response:

- the complaint stage
- the decision of the complaint
- the reason for any decision made
- the details of any remedy offered to put things right
- details of any outstanding actions
- details of how to escalate the matter to stage two if the customer is not satisfied with the answer
- details of our commitment to the Housing Ombudsman complaint code, and their contact details

### **Stage two**

The person considering the complaint at stage two will not be the same person that considered the complaint at stage one.

Involving all essential staff members is crucial to ensure a well-informed response that considers diverse perspectives. This final stage represents our last chance to address the complaint comprehensively and achieve a positive outcome.

We'll offer to meet the customer face to face, either at home or our offices should they wish, alternatively we we'll discuss on the phone.

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We'll acknowledge the complaint within five working days.

We'll aim to respond fully to stage two complaints within 20 working days from the day it is escalated. Exceptionally, we may provide an explanation to the customer containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason.

The following should be included in the response:

- the complaint stage
- the complaint definition
- the decision of the complaint
- the reason for any decision made
- the details of any remedy offered to put things right
- details of any outstanding actions
- details of our commitment to the Housing Ombudsman complaint code, and their contact details if the customer remains dissatisfied to escalate.

### **Accountability for the complaint**

It is important that as the landlord we take responsibility for the actions of our employees and contractors rather than apportioning responsibility by directly naming individuals where there is no reason to do so. There may be instances where including the details of individuals may be appropriate and any reference to individuals should be compliant with data protection legislation.

### **Extending the timescale for a complaint**

If the time required to complete the response to the complainant is needed to be extended outside of its original timescale you must contact the customer to explain the reason why, agree when one will be received.

When this happens, you must also agree with the customer suitable intervals to keep them informed.

You must provide the details of the Housing Ombudsman if the customer does not agree with the proposed timescale.

### **Escalating a complaint**

We should not unreasonably refuse to escalate a complaint. If we do not allow a complaint to be escalated, we are required to set out the reasons why and provide the details of the Housing Ombudsman service.

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The complaint can be escalated if the customer remains unhappy and they tell us they wish to escalate the matter. Although most will give a reason why they wish it to be escalated, it is not a requirement to do so.

We should make reasonable efforts to understand why the customer is unhappy as part of the stage two process.

If after the stage two process the customer remains dissatisfied, we should provide details of how to escalate the matter to the Housing Ombudsman Service.

## **Responding to the complaint**

A response must be provided to the customer when the answer to the complaint is known, not when outstanding actions required to address the issue are completed. Outstanding issues must be forwarded to the customer complaints team, it is their role to ensure all outstanding actions post-complaint closure are monitored and resolved to customer satisfaction.

Where a customer raises additional complaints during the investigation, these must be incorporated into the stage 1 response if they are related and the stage 1 response has not been issued.

Where the stage 1 response has been issued, the new issues are unrelated to the issues already being investigated or it would unreasonably delay the response, the new issues must be logged as a new complaint.

## **Putting things right**

When something has gone wrong, we must acknowledge it and set out the actions we will take to put things right. These can include (but not limited to):

- Apologising;
- Acknowledging where things have gone wrong;
- Providing an explanation, assistance or reasons;
- Taking action if there has been delay;
- Reconsidering or changing a decision;
- Amending a record or adding a correction or addendum;
- Providing a financial remedy;
- Changing policies, procedures, or practices.

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## Financial compensation

All compensation calculations should be based on what is considered fair in the particular circumstances of the case. The following should be considered:

- actual, proven financial loss sustained as a direct result of the maladministration or service failure
- avoidable inconvenience, distress, detriment or other unfair impact of the maladministration or service failure

Additional factors to consider when deciding the overall amount include:

- the duration of any avoidable distress or inconvenience
- the seriousness of any other unfair impact
- actions by the complainant or Selwood which either mitigated or contributed to actual financial loss, distress, inconvenience or unfair impact
- the level of rent or service charges  
the levels of compensation for similar cases

Compensation and goodwill payments need to be made in line with our Regulatory and discretionary payment policy.

**Annex B** provides guidance on the suggested ranges of compensation levels that the Ombudsman may award.

## Learning outcomes

A learning outcome **must** be recorded and reviewed to understand what service improvement can be made.

Recording learning outcomes from complaints is important for several reasons:

- **Continuous Improvement:** By analysing complaints and their outcomes, we can identify areas for improvement in our services, or processes. Recording learning outcomes allows us to learn from past mistakes or shortcomings and make necessary adjustments to prevent similar issues from arising in the future.
- **Enhanced Customer Satisfaction:** Understanding the root causes of complaints and implementing corrective actions can lead to improved customer satisfaction. Recording learning outcomes allows us to track

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the effectiveness of our responses to complaints and ensure that customers' concerns are addressed in a timely and satisfactory manner.

- **Risk Management:** Complaints often highlight potential risks or vulnerabilities in our operations. By recording learning outcomes, we can identify recurring issues or trends that may pose risks to reputation, compliance, or financial performance. This enables proactive risk management measures to be implemented to mitigate future incidents.
- **Employee Development:** Recording learning outcomes from complaints can benefit employee development and training efforts. By analysing how complaints are handled and resolved, we can identify opportunities to enhance the skills and knowledge of our employees in areas such as customer service, problem-solving, and conflict resolution.

Overall, recording learning outcomes from complaints enables us to foster a culture of continuous improvement, enhance customer satisfaction, mitigate risks, ensure compliance with regulations, and support employee development. We will share learning outcomes with our customers annually as part of our complaint's performance report.

## Unacceptable behaviour

At times, certain individuals may engage in behaviour that crosses boundaries, resulting in the mistreatment of our staff or our established processes. Such conduct can consume an undue amount of time and effort to resolve, resulting in a negative impact on the level of service that can be offered

We must follow our Unacceptable behaviour policy in instances where this occurs.

## Customer complaints forum

As part of our commitment to the Housing Ombudsman complaint code and improving our complaint handling, we created a customer complaints forum.

The remit of the forum is to be a critical friend, reviewing completed complaints to ensure that we follow the expectations of the Housing ombudsman complaint code, they are dealt with in a sympathetic manner with fair resolutions. They meet every quarter.

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They are provided with ten anonymised complaint cases that have gone through our complaints process and now closed. They receive the headline complaint reason and the complaint number.

The group will agree on five (of the ten) and receive fuller details, including all the notes, correspondence, outcomes, and learnings. They are then required to individually score and assess the following areas of our handling of those complaints:

- Quality of the notes
- Correct correspondence
- Dealt with inside timescales
- Chronology of events
- The outcome
- Fairness in the handling of the complaint
- Putting things right

They also provide a written summary of the scores to give insight

The feedback is distributed to case managers and their supervisors to acknowledge areas where we have effectively managed and addressed it, as well as to highlight situations where improvements could be made.

The feedback results are shared quarterly on our website.

A senior team member will attend the forum to provide an insight into different areas of the business.

## **Service requests**

A request or demand to access services we provide. This includes where we have not delivered the service as quickly and as efficiently as we should have done. These are not complaints but service requests, examples can be found at Appendix A.

A complaint must be raised when the resident expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing or the customer specifically requests that a formal complaint is raised. We must not stop our efforts to address the service request if the resident complains.



## Frequently asked questions

### **If a resident verbally expresses dissatisfaction with the landlord's service provision must this be logged as a complaint?**

Yes, any expression of dissatisfaction whether made verbally or in writing, must be acknowledged and logged at stage one of the complaints procedure within five days of receipt. The Code states that the resident does not have to use the word 'complaint' for it to be treated as such.

### **Under what circumstances we should stop consideration of a complaint due to legal proceedings?**

Landlords should not hide behind legal proceedings and use them as a way of avoiding the complaints process. It is easier to resolve issues outside of the legal process.

The Ombudsman expects to see a landlord use its complaints process as part of its 'pre action protocol' stage, as an alternative dispute resolution process. The Code articulates what we consider to be the start of legal proceedings and under what circumstances a landlord may stop consideration of a complaint. Landlords should be able to evidence their reasoning for stopping their consideration of a complaint under any circumstances.

### **Does a landlord need permission in writing from the resident before dealing with their nominated representative?**

There needs to be an auditable record that the resident has nominated a representative to act for them – this can either be in writing or it can be a confirmation of the arrangement that is sent to the resident with the option to refute it. The complaint policy and procedure sets out how we will handle requests for a representative.

### **Do landlords have to raise complaints from anonymous individuals, or those that state that they wish to remain anonymous?**

The Ombudsman recognises that there may be times that landlords are approached by unnamed individuals who wish to make a complaint. Landlords are expected to make reasonable enquiries to understand the issue reported and whether the individual complaining is a resident.

### **Does the five working days for acknowledgement start from the day the complaint is received by the contact centre or by the complaint handler?**

The timeframe starts from the day the complaint is received by the landlord. If complaints are received by teams that are not responsible for



handling complaints, landlords should have processes in place to ensure the complaint is passed to the relevant team (or person) to allow them to acknowledge the complaint.

**How do timeframes apply to complaints raised by advocates / representatives?**

Stage 1 timescales for handling complaints start from the point that consent is received for the advocate to represent the resident. If consent is not provided at the point the complaint is made, the Ombudsman expects landlords to request consent in the acknowledgement to the resident to avoid unreasonable delays to the complaint.

**The Code states that communication with the resident should not generally identify individual members of staff or contractors as their actions are undertaken on behalf of the landlord. Does this mean that landlords should not include names of employees in any responses to complaints?**

It is important that a landlord takes responsibility for the actions of its employees and contractors rather than apportioning responsibility by directly naming individuals where there is no reason to do so. There may be instances where include the details of individuals may be appropriate and any reference to individuals should be compliant with data protection legislation.

**What if the resident doesn't provide a reason for wanting a stage 2?**

We do not expect residents to have any knowledge of housing law or why they believe something has gone wrong. Whilst most residents will give a clear reason why they are unhappy, they simply need to express that they remain unhappy for a complaint to proceed to stage 2.

Landlords are expected to make reasonable efforts to understand why the resident is unhappy as part of its stage 2 response.

**Some complex complaints can take longer to fully resolve, particularly when works need to be scheduled. Is it okay to keep these complaints open to ensure agreed actions are completed?**

No. Landlords must issue the complaint response to the resident once the answer to the complaint is known, not when the outstanding actions required to address the issue, are complete. This affords the resident the opportunity to challenge the conclusions on their complaint, including whether the proposed actions are appropriate, immediately.

Where the outstanding issues involve undertaking work which may take weeks or months to complete, the landlord should inform the resident of



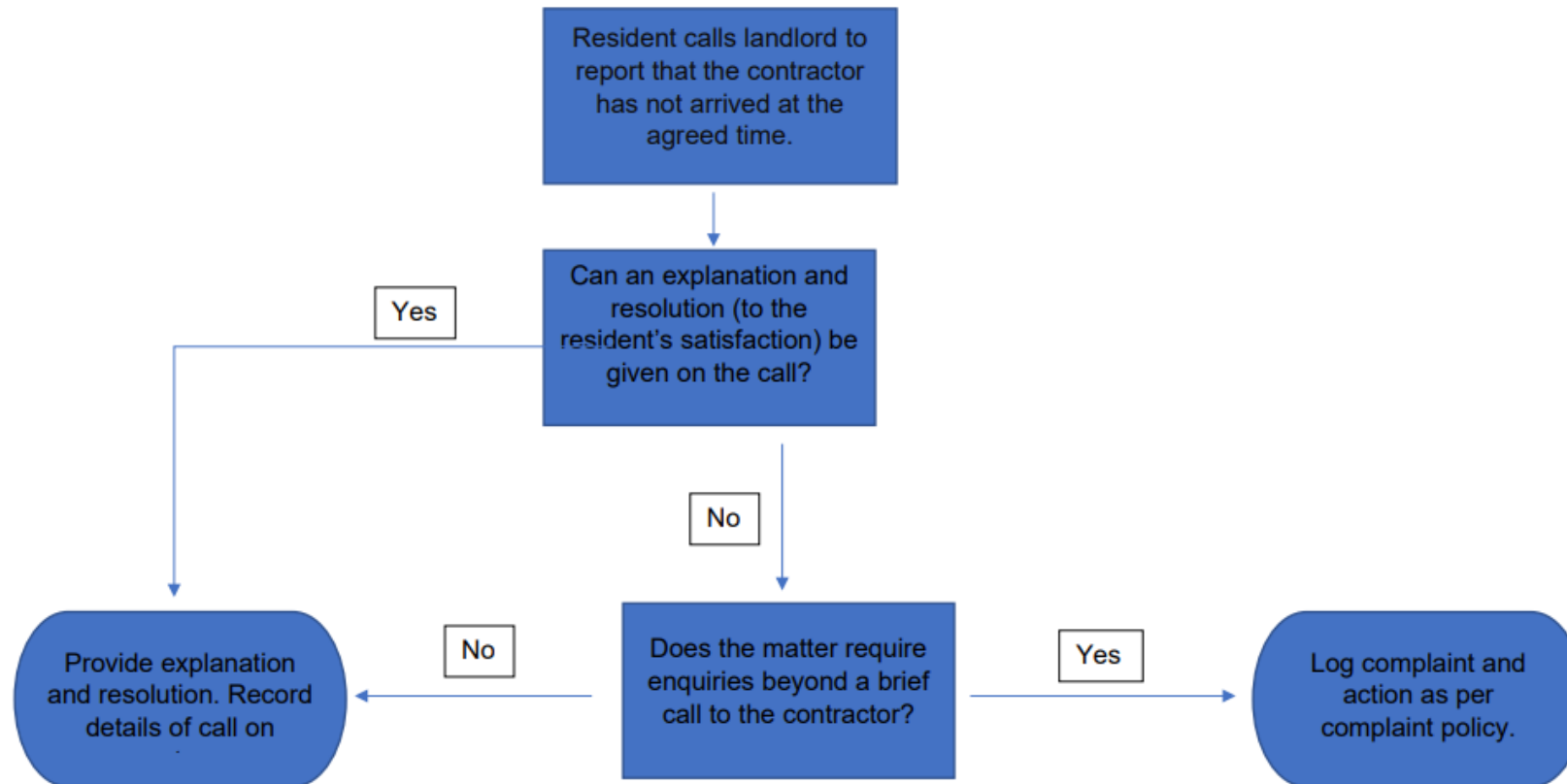
the timescale for the works to be completed and must track and action the outstanding work and provide regular updates to the resident. Landlords should also consider how it will ensure that any redress offered takes into account the impact of the time taken to resolve these issues.

**If a resident brings up further issues that did not form part of the original complaint, should I respond to them?**

Where individuals raise additional complaints during the investigation, these must be incorporated into the stage 1 response if they are related, and the stage 1 response has not been issued. Where the stage 1 response has been issued, the new issues are unrelated to the issues already being investigated, or it would unreasonably delay the response, the new issues must be logged as a new complaint.

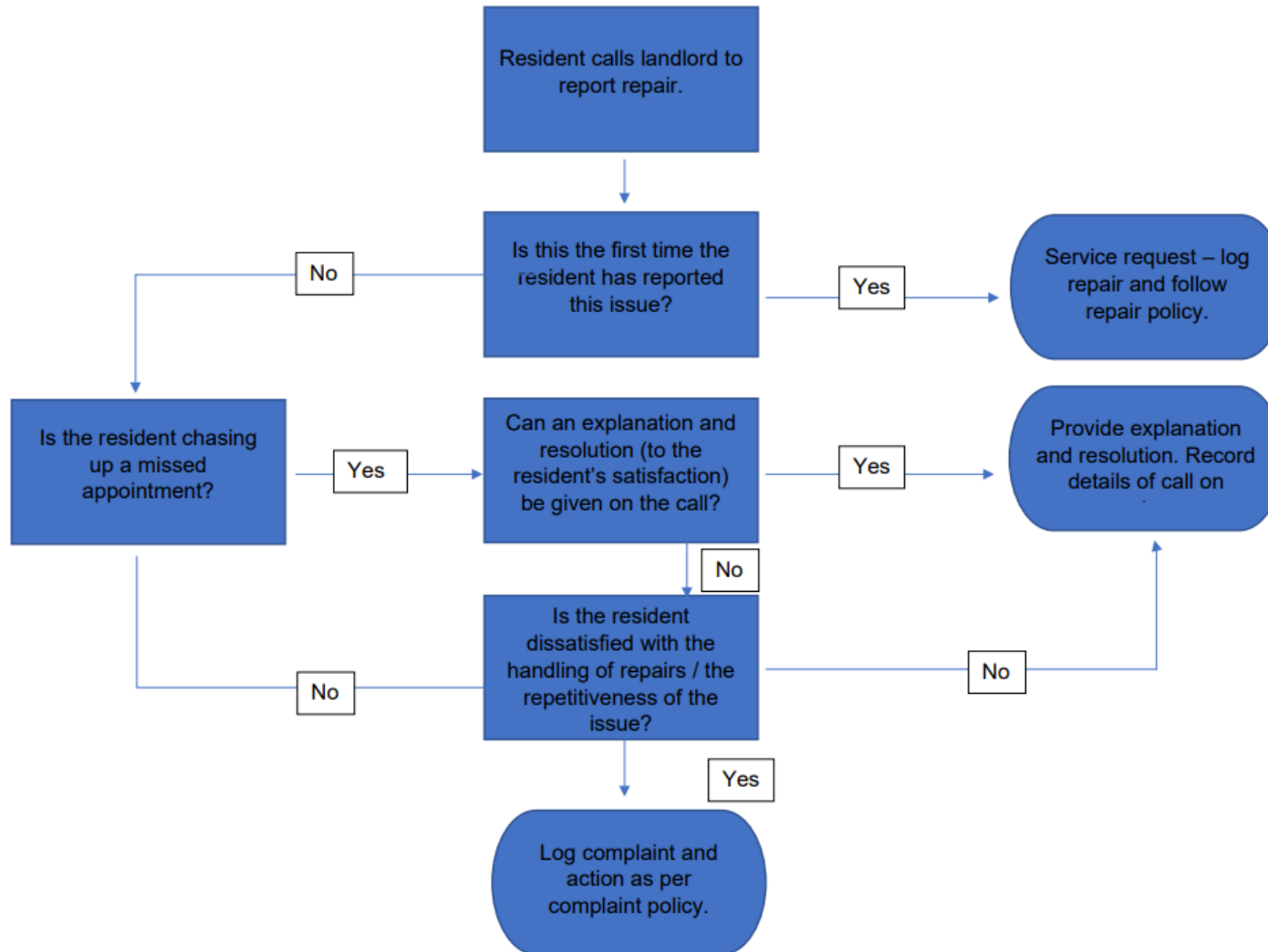


## Appendix A – service request or complaint flow chart





## Appendix A (continued) – service request or complaint flow chart





## Appendix B – guidance on suggested ranges of compensation

Level of redress	Likely associated finding	Impact on resident	Circumstances
£50 to £100	Service failure	Minimal Short duration May not have significantly affected the overall outcome for the resident Might include distress and inconvenience, time and trouble, disappointment, loss of confidence, and delays in getting matters resolved.	There was minor failure by the LL in the service it provided, and it did not appropriately acknowledge these and/or fully put them right.  The LL may have made an offer of action/compensation but it does not quite reflect the detriment to the resident and/or is not quite proportionate to the failings identified by our investigation.
£100 to £600	Maladministration	No permanent impact	There was a failure which adversely affected the resident.  The LL has failed to acknowledge its failings and/or has made no attempt to put things right. <i>Or</i> The LL has acknowledged failings and/or made some attempt to put things right but failed to address the detriment to the resident and/or the offer was not proportionate to the failings identified by our investigation.



£600 to £1,000	Maladministration/ Severe maladministration	Significant impact Physical and/or emotional impact	There was a failure which had a significant impact on the resident.  The circumstances for maladministration apply and the redress needed to put things right is substantial <i>Or</i> The circumstances for severe maladministration apply but the redress needed to put things right is at the lower end of that scale.
£1,000 +	Severe maladministration	Severe long-term impact	There have been serious failings by the LL.  There was a single significant failure in service or a series of significant failures which have had a seriously detrimental impact on the resident.  The LL's response to the failures (if any) exacerbated the situation and further undermined the landlord/resident relationship.  The LL repeatedly failed to provide the same service which had a seriously detrimental impact on the resident; demonstrating a failure to provide a service, put things right and learn from outcomes.  The failures accumulated over a significant period of time (however this will not necessarily be the case as a single significant service failure may be sufficient).