

## Complaints, Compliments and Comments Policy

**Please contact [CustomerFeedback@Stonewater.org](mailto:CustomerFeedback@Stonewater.org) if you would like a copy of this Policy in a different format or language. Our Customer Guide to Complaints is available in a number of languages at [Stonewater.org](http://Stonewater.org).**

### 1.0 Policy Statement

- 1.1 This policy sets out how Stonewater approaches complaints, compliments and comments. We will ensure it is shared widely with customers, including on our website and through our social media channels, and across our regular communication to customers.

### 2.0 Policy Scope

- 2.1 This policy applies to

- all existing Stonewater customers
- former customers who have left a property within the last six months
- any individual or group affected by the services that Stonewater and those acting on its behalf provides

- 2.2 Stonewater will treat a complaint submitted via a third party or representative, including friends, family, MPs, councillors and Citizens Advice, in line with our policy and procedure for customer complaints. Stonewater will only share personal information with representatives where customers have given explicit permission for us to do so or otherwise as permitted by the data protection law.

- 2.3 This policy is not applicable to

- Legal and General (L&G) customers. You can read about L&G's approach to complaints at <https://landgah.com/complaints/>.

### 3.0 Objectives

- 3.1 Stonewater's Customer Promise explains "if it matters to our customers, it matters to us". Customer insight, feedback and learning from complaints is critical to Stonewater's Customer Strategy, and delivering our Customer Promise. By learning from customer insight, we predict and prevent complaints, improving our services.
- 3.2 We welcome compliments and comments to help us build on our strengths and identify need for improvement. We view managing complaints effectively and quickly as an opportunity to restore damaged relations and to maintain good relationships with our customers.
- 3.3 Our approach to complaints reflects requirements of the Housing Ombudsman Service's Complaint Handling Code. We continuously seek customer feedback on our complaint handling service, looking for ways to innovate and improve customer satisfaction.

## 4.0 Regulatory and Legal Considerations

- This policy meets all current legal and regulatory requirements, including:
- Localism Act (2011)
- Housing Act (1996)
- Schedule 2 Data Protection Act (2018) and General Data Protection Regulation (GDPR)
- Equality Act (2010)
- Building Safety Act (2022)
- Housing Ombudsman Scheme
- Tenant and Involvement Empowerment Standards

## 5.0 Policy Definitions

- 5.1 A *request for service* is defined as a request by or on behalf of a customer or group of customers for something to be provided or put right.
- 5.2 A *compliment* is defined as positive feedback for a job well done. We record compliments to allow us to identify and strengthen best practice and to celebrate the success of our colleagues and partners when we get it right.
- 5.3 A *comment* is defined as any other form of feedback about our services. It could include customers' ideas for improvements, observations about our services, and include negative feedback separate to a complaint. We record comments to understand our customers' views about services, helping to drive service improvement.
- 5.4 A *complaint* is defined 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.'

## 6.0 Policy Detail

### 6.1 *When customers make a request for service*

When a customer makes a request for service, we will triage their request seeking to resolve it first time. When required, issues may be passed to specialist colleagues. We will communicate with customers as required to provide updates. Service requests should be sent to our Customer Service Centre in the first instance, either through telephone, website, social media direct messages, in writing or through email.

### 6.2 *When customers share compliments and comments*

We will accept compliments and comments in any way reported. We will publish what we have changed due to customer feedback, so that customers know how customer voice shapes Stonewater's services. This will include in our Annual Report to Customers, in Customer newsletters, on our customer Hubb, on our website and on our social media channels.

### 6.3 *When customers complain*

### 6.3.1 *How we'll accept complaints*

Stonewater will accept complaints face to face, over telephone, email, online form on our website, direct messages on social media or in writing. Complaints made over social media should be made over direct message to Stonewater's Facebook Messenger and Twitter accounts. All complaints are managed by our Customer Relations Team, who are responsible for ensuring we manage complaints sensitively, fairly, providing support to our customers and focusing on fast resolution.

### 6.3.2 *When we won't accept complaints*

There are specific instances when Stonewater won't accept a complaint. If we do decide not to accept a complaint, we will provide a detailed explanation to the customer explaining why the matter is not suitable for the complaints process and the right to take that decision to the Housing Ombudsman Service.

Circumstances when we won't accept a complaint include:

- It is referring to a service not provided by Stonewater
- The event or issue took place more than six months before we received the complaint. We will extend this in exceptional circumstances if there are mitigating circumstances that led to a delay in the reporting of a complaint
- It relates to a policy that has been approved by the Board, unless the complaint is about a failure to comply with the policy
- It is a complaint about anti-social behaviour, unless it relates to how Stonewater has dealt with a case
- The complaint has previously been through the complaints process and was not upheld, or the Customer Complaint Panel declined to consider the complaint
- The matter is a grievance raised by a member of staff, as this will be dealt with under the relevant personnel procedure
- It relates to the annual rent increase, unless there has been mistake in the calculation of the increase
- The complaint has already been made, and is under investigation, including if a customer's representative has raised the issue
- It relates to a service charge, unless the service hasn't been delivered in accordance with the service requirement, or there has been a mistake made in the calculation of a charge
- If a customer's behaviour is unreasonable, in which case we will follow our Unreasonable Customer Behaviour Policy

We won't consider a complaint where an external appeals process is being pursued. This means in cases where, for example, a leasehold valuation tribunal, rent assessment committee, or a court of law is considering the complaint, we will follow the external process. The decision of the external process will be final, and a complaint related to the same issue cannot be lodged again or reopened.

We may refuse to consider a complaint where we are taking linked legal action against the complainant, including the issue of a claim against the complainant e.g. a complaint about the conduct of a housing officer who is a witness in a claim for possession.

We will continue to seek complaint resolution with customers pursuing Pre-Action Protocol for Housing Condition Claims in line with the current Housing Ombudsman

Service's guidance.

### 6.3.3 *Complaints about Building Safety*

Complaints relating to building safety issues, such as complaints about fire safety and structural safety

will be managed in line with this Policy.

### 6.3.4 *Complaints about Stonewater colleagues*

Where a complaint involves a member of staff, the staff member will be interviewed as part of the initial investigation and kept up to date following each stage of the process. Should any action be taken against the member of staff this will be in accordance with the relevant Stonewater policy and procedure.

### 6.3.5 *Confidentiality and privacy*

We will only share information as outlined in accordance with the Data Protection Act 2018 and GDPR. Where a complaint involves a member of staff, we will need to share the complaint with them in order to conduct an investigation.

We will keep a full record of the complaint, any review and the outcomes at each stage, including all documents, relevant correspondence with the complainant or their representative and other parties, surveys and reports.

You can read more about Stonewater's approach to privacy at [www.stonewater.org](http://www.stonewater.org) .

## 6.4 ***Approach to compensation***

We will actively look for ways to resolve our customers' complaints. This can include offering compensation if that's appropriate. Any compensation due as a result of a complaint will be assessed in accordance with Stonewater's Compensation Policy and will be informed by the Housing Ombudsman Service's policy and guidance on remedies.

Compensation payments will be fair and proportionate and accurately reflect the extent of any service failure(s) and the detriment to the customer. In some circumstances, it may be appropriate to offer non-monetary compensation to cover the loss or acknowledge any inconvenience caused as a gesture of goodwill.

## 6.5 ***The complaints process***

At the outset of a customer's complaint and at every stage of our complaint process, we will provide clear guidance as to who will be responding to a customer's complaint, including how to escalate if our customer is dissatisfied with the response and how to access the Housing Ombudsman Service for support.

All complaints received will be monitored against key milestone dates in line with our two step mandatory complaints procedure. We will keep a full record of the complaint, our response and correspondence with customers.

### 6.5.1 *Stage 1 Investigation –*

We will acknowledge all customer's complaint within five working days of receipt, but will

do so faster where possible. The acknowledgement will outline the customer's complaint, clearly stating the issues for investigation and the customer's preferred resolution.

Where the problem is a recurring issue, we will consider any older reports as part of the background to the complaint if this will help to resolve the issue for the customer. If any aspect of the complaint is unclear, we will ask for clarification and, if needed, agree with the complainant or representative exactly what the complaint is about.

We will then work to resolve the complaint as quickly as possible, investigating the issue and responding, having assessed what evidence is needed to fully consider the issues, what outcome would resolve the matter and whether any urgent action is required. Our responses will identify any service failure, outline resolution as appropriate, and share commitments for any follow up.

Usually this will be within ten working days although in exceptional circumstances, where there is a good reason for it, the process may take longer, in which case we will notify the customer of the timeframe for a response. If we need longer than a further 10 working days, we will agree the extension deadline with the customer.

If we're unable to agree a deadline for the extension with the customer, we'll provide the customer with the contact detail of the Housing Ombudsman Service so they can seek support. Where a complaint takes some time to investigate, we will keep customers updated as to the progress of the investigation.

Where we make adverse findings against the complainant or any member of staff, agent or contractor of Stonewater, they will be given the opportunity to comment on those adverse findings before a final decision is made. This may lengthen the process.

Where customers raise additional complaints during the investigation, we will incorporate these into the stage one response if they are relevant and the stage one response has not been issued. Where the stage one response has been issued, or it would delay the response, we will log the additional issues as a new complaint.

#### 6.5.2 *Stage 2 Review –*

Complaints which are not satisfactorily resolved at stage one will, at the request of the complainant or their representative, be investigated by a different colleague and reviewed by a senior manager.

A customer can request a stage two investigation up to fifteen days after we've issued our stage one response. We will respond to requests for complaints to be escalated to stage two usually within two working days. We will accept stage two complaints in line with the criteria outlined in 6.3.2 of this policy.

We will then investigate and review the complaint and our response, usually replying to the customer within ten working days of escalating the complaint. Our responses will identify any service failure, outline resolution as appropriate, and share commitments for any follow up.

In exceptional circumstances, where there is a good reason for it, the process may take longer, in which case we will notify the customer of the timeframe for a response. Where a complaint takes some time to investigate, we will keep customers updated as to the progress of the investigation.

If we are not able to respond within a further twenty working days, Stonewater's Customer Relations team will contact the customer to agree an extension. If we're unable to agree an extension with the customer, we'll provide the customer with the contact detail of the Housing Ombudsman Service so they can seek support.

Once a customer has received their stage two response, they can choose to refer their complaint to the Housing Ombudsman Service if they remain dissatisfied.

### 6.5.3 *Housing Ombudsman Service –*

The Housing Ombudsman Service can independently review a customer complaint if they've been through our mandatory stage one and stage two complaints process. The Housing Ombudsman is an independent body set up by law to review housing complaints. Visit their website for more details - <https://www.housing-ombudsman.org.uk>

### 6.5.4 *Optional Customer Complaints Panel–*

The Customer Complaints Panel is completely independent and made up of members who are Stonewater customers.

Customers can request for the Customer Complaints Panel to review their complaint. This must be done within 15 working days of the date Stonewater issues the stage two response. Customers are required to give their consent for their complaint and associated information to be shared with the Customer Complaints Panel.

The Customer Complaints Panel will consider whether they can review the case, and will let the customer know their decision. If the Customer Complaints Panel cannot review a case for any reason, they will provide the customer with the contact detail of the Housing Ombudsman Service so they can seek their support.

An investigation can only take place if customers provide written permission for Stonewater to share their complaint with the Customer Complaints Panel. Once we receive this permission, the Customer Complaints Panel will take no longer than 15 working days to complete their investigation and share their findings. Stonewater will reply within a further five working days to share our response to the Customer Complaints Panel's recommendations.

To meet the independence objective of the Customer Complaints Panel, members of the Customer Complaints Panel will not receive any payment from Stonewater, with the exception of one off costs such as travel costs, subsistence etc.

### 6.5.5 *When is a complaint closed?*

A complaint will be closed when:

- If there is no further contact from the complainant 15 working days after we send our complaint response
- When the resolution is agreed and Stonewater's commitment to deliver the action has been made and accepted by the customer

## **7.0 Service Standards**

### 7.1 *Use of discretion*

Stonewater's Customer Relations team reserves the right to use discretion when applying this policy and may deal with a complaint differently where individual circumstances merit it. This includes if the complainant's behaviour becomes unreasonable, when we will follow our Managed Relationships policy.

### 7.2 *Putting things right*

Where something has gone wrong, we will ensure that our response acknowledges this, and we will set out the action we have taken or will take to put it right. This may include:

- Acknowledging where things have gone wrong
- Providing an explanation, assistance or reasons
- Apologise
- Take action if there has been a delay
- Reconsider or change a decision
- Amend a record
- Provide compensation; and/or
- Change policies, procedures or practices.

### 7.3 *Our Customer Commitments*

Stonewater's Customer Commitments outline what our customers can expect from our Complaint Handling Service. We report our performance against our Customer Commitments to customers quarterly and share regular updates on our learning from complaints.

### 7.4 *Governance and Oversight*

7.4.1 The Chair of our Customer Experience Challenge and Assurance Panel is the lead member of our board for complaints. They have responsibility for ensuring a positive complaint handling culture.

7.4.2 Stonewater monitors and reports the performance of our Complaints service to our Board, our Customer Experience Challenge and Assurance Panel, the Regulator of Social Housing, our investors and partners, our Customer Scrutiny Panel and our customers.

7.4.3 This includes:

- Monitoring complaints by type, including Building Safety related complaints.
- An annual complaints out turn report, providing a detailed overview of the number of complaints, themes and lessons learned for

scrutiny and oversight.

- Detailed reports including lessons learned and resolution action plans on complaint cases including every complaint where the Housing Ombudsman Service determines service failure, maladministration or serious maladministration.
- Regular updates to customers on the performance of the complaints service, including providing detailed oversight of learning from complaints, our complaint KPIs and the changes we've made based on our customers' feedback.

7.4.4 We share our self-assessment against the Housing Ombudsman Service's Complaints Handling Code annually on our website, and within our Customer Annual Review.

7.4.5 We will also undertake a self- assessment against the Complaint Handling Code following a significant restructure or change in procedures.

## 8.0 Equality, Diversity and Inclusion

8.1 Stonewater believes that Equality, Diversity and Inclusion matters; that customers, colleagues' customers and partners should be treated as individuals and with fairness and respect. We will ensure that these principles are applied fairly and consistently to all.

8.2 We comply with the Equality Act (2010) and the Human Rights Act (1998). We will not directly or indirectly discriminate against any person or group of people because of their age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation or on any other grounds set out in our Equality and Diversity policy.

8.3 Stonewater will have regard to reasonable adjustments (as defined by the Equality Act 2010) required by customers accessing our complaints service. Our approach to Reasonable Adjustments is outlined in our Equality, and Diversity policy. Those customers with support needs may make use of a representative or use organisations such as Citizens Advice, Lease and/or Shelter and legal advisors.

## 9.0 Author & Version

Author	Katie Teasdale
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Approved by:	Board
Date approved	27 September 2023

## 10.0 Revision History

Version	Date	Author	Description
1.0	6.1.15		Approved by board

1.1	12.1.15		Amended refs to SHG to Stonewater to reflect terminology being used.
2.0	5.9.17	P Crow	Reviewed by Housing Committee and confirmed as remaining fit for purpose.
3.0	15.09.20	D Ballard	Approved by Board, CX Committee and Customers.
4.0	28.9.22	K Teasdale	Approved by Board and Customer Experience Challenge and Assurance Panel
5.0	29.6.23	K Teasdale	Approved by board