

Complaints, Compliments and Comments Policy

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1.0 POLICY SUMMARY

1.0 This policy sets out how Stonewater approaches complaints, compliments and comments and will be made widely and easily available on Stonewater's website. We aim to ensure each case is dealt with fairly and consistently and that we acknowledge all compliments and comments. We welcome all customer feedback and see it as a positive opportunity to improve the services we deliver.

1.1 This policy applies to all existing Stonewater customers, former customers who have left a property no more than six months previously and any individual or group affected by the services that Stonewater and those acting on its behalf provides.

If a complaint is made on behalf of the complainant by an advocate e.g. a family member or friend, written permission is required from the complainant to allow us to communicate with the advocate directly.

We also welcome feedback and complaints from anyone who represents our customers e.g. CAB, MPs or Councillors given permission has been granted when appropriate. It must be noted that when an MP or Councillor approaches Stonewater as a representative this will be separate to their role as a designated person.

2.0 POLICY OBJECTIVES

2.1 Stonewater is committed to providing quality services that meet the needs and priorities of our customers, and recognises the importance of giving customers a voice in shaping these services e.g. using our Scrutiny panel or consulting with customers on the formulation of our policies. We will deal with complaints as quickly and effectively as possible. Should we make a mistake, we will offer an immediate apology and try to put things right.

- 2.2 Where we do not meet the needs and priorities of our customers, we will ensure that complaints are resolved quickly, effectively in line with our published service standards.
- 2.3 We view complaints as an opportunity to restore damaged relations and to maintain good relationships with our customers. Our approach to complaints will reflect requirements of the [Ombudsman's Complaint Handling Code](#).

3.0 DEFINITIONS

- 3.1 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.'
- 3.2 **Customers** – In respect of this policy a customer refers to all existing Stonewater customers, former customers (this policy is not applicable to Legal and General Affordable Homes customers) who have left the property no more than six months previously and any individual or group affected by the services that Stonewater and those acting on its behalf provides.
- 3.3 **Compliments** - Positive feedback received from our customers for a job well done by our officers or suppliers, or recognition that a process works well and exceeds expectations will be recorded to allow us to identify where our services and staff are working well enabling us to share good practice across Stonewater.

Negative Comments/Informal Complaints – Negative feedback will be recorded when a customer expresses dissatisfaction about service delivered by Stonewater staff or our suppliers. Our aim is to then resolve the issues as quickly as possible; when our customers raise an issue without Stonewater having prior knowledge we need the opportunity to put the problem right so at the first point of contact negative feedback will be recorded. We will use this information to improve the standards of the services that we deliver.

When dealing with cases informally it will be in agreement with the complainant and will not result in unnecessary delays in dealing with the complaint. If the complainant expresses the wish that their case is dealt with formally (and it meets the definitions set out in the Ombudsman's complaint handling code) they will not unreasonably be denied the opportunity to have it treated as such.

3.4 Compliments and Comments

- 3.4.1 We actively welcome complaints, compliments and comments, as they let us know what is working well, and those areas that we need to improve upon.
- 3.4.2 We will accept complaints, compliments and comments in any way reported and will publish what we have changed, so that customers know how their views and ideas are helping to change and improve their services. This will include in our Annual Report to Customers, in Customer newsletters, on our customer Hubb, on our website and also on our social media channels

3.5 Complaints – How to make a complaint

- 3.5.1 Stonewater will accept complaints in any way that they are reported; including but not limited to telephone, email, online form, social media or in writing. Ensuring that customers are not unreasonably denied the opportunity to raise a complaint. However, a standard form is made available through our website for completion by the customer should they choose to use it.
- 3.5.2 Any matter received relating to the following will not be dealt with under this policy if (this must be agreed by a member of Stonewater's Customer Feedback team) :
- It is an initial request for a service;
 - It is referring to a service not provided by Stonewater;
 - The event took place more than 6 months prior to the complaint being received. In exceptional circumstances this period can be extended if there are mitigating circumstances that excuse 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 recorded and is being acted upon and the customer engages an MP, Councillor or other representative to communicate with Stonewater on the same matter;
 - It relates to a service charge, unless the service has not been delivered in accordance with the service requirement, or there has been a mistake made in the calculation of a charge.
- 3.5.3 Where an external appeals process is being pursued e.g. leasehold valuation tribunal, rent assessment committee, or a court of law, the complaint will not be considered and closed and the external process followed rather than this policy. The decision of the external process will be final, and a complaint related to the same issue cannot be lodged again or reopened.
- 3.5.4 Where a complaint involves a member of staff, the staff member may be interviewed as part of the initial investigation then 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 human resources policy and procedure?
- 3.5.5 Where there is reasonable justification, Stonewater's Customer Feedback team retains the discretion to treat complaints differently in situations where this is considered appropriate; for example where they are being pursued unreasonably or the customer's behaviour is unreasonable under the terms of the [Unacceptable Customer Conduct Policy](#).

3.6 Compensation

- 3.6.1 Any compensation due as a result of a complaint will be assessed in accordance with Stonewater's [compensation policy](#).

3.6.2 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.

3.7 Unreasonable complaints

3.7.1 Whilst we are committed to ensuring that our complaints process is accessible, we must also ensure that we do not waste valuable resources dealing with unreasonable complaints. In order to deal with such situations Stonewater's [unacceptable customer conduct policy](#) will be followed.

4.0 The Complaints Process and Key Outcomes

4.1 We will deal with all complaints in a customer centric way. Should we make a mistake, we will offer an immediate apology and try to put things right. All complaints received will be monitored against key milestone dates in line with our complaints two step procedure. We will provide clear guidance in correspondence as to who will be responding to your complaint; including how to escalate your complaint if you are dissatisfied with the response.

At the outset of your complaint we will advise your right to access the Housing Ombudsman service at any point in the process as they are able to assist customers throughout the life of a complaint, including the opportunity to engage with the Ombudsman's dispute resolution advisors.

Stage 1 Investigation – We will acknowledge your complaint within 2 working days; following which we will resolve complaints as quickly as possible by fully investigating and responding within 10 working days from the date we receive the complaint. If we are not able to do this Stonewater's Customer Feedback team retains the discretion to extend these timescales where appropriate; in these situations we will keep the complainant updated and let them know when they will receive a response.

Stage 2 Review – Complaints which are not satisfactorily resolved at stage 1 will be reviewed by the Customer Feedback Manager and the response approved by a Head of Service/Director. We will respond within 10 working days of the request from the customer for the case to be reviewed. Stonewater's Customer Feedback team retains the discretion to extend these timescales where appropriate; in these situations we will keep the complainant updated and them when they know when they will receive a response.

4.2 Customers should normally get to the end of Stonewater's complaints procedure before approaching the organisations or groups listed below;

Designated Persons stage - Customer Complaints Panel – After the Review stage customers can approach a local MP or Councillor or request that their complaints are reviewed by the Customer Complaints Panel, this must be done within 15 working days of the response to the Review stage being received. The Customer Complaints Panel is completely independent and recognised by both Stonewater and the Housing Ombudsman Service and it is made of members who are also Stonewater customers. The Panel will then meet virtually or in person and will make their recommendations within 5 days of their meeting.

This stage sits outside of Stonewater's complaints procedure; customers can engage a Designated Person or wait 8 weeks before referring their case to the Housing Ombudsman Service.

Housing Ombudsman Service - The Housing Ombudsman Service can independently review your complaint if you've been through all these stages or if you've waited eight weeks after our final response.

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>

4.3 When is a Complaint Closed - A complaint will be closed when;

- The Investigation is complete and a 'Not upheld' response is provided.
- After sending a response and attempting to make contact to discuss it; there is no further contact from the complainant after 15 working days.
- When the resolution is agreed and Stonewater's commitment to deliver the action has been made and accepted.

Stonewater's Customer Feedback team retains the discretion to close complaints early in the following circumstances:

- The complainant's behaviour becomes unreasonable as per the [unacceptable customer behaviour policy](#).

4.4 Use of Discretion – Stonewater's Customer Feedback team reserves the right to use discretion when applying this policy and may deal with a complaint differently where individual circumstances merit it, however, customers should not unreasonably be denied the opportunity to progress a complaint. If and when discretion is applied it will be applied fairly and appropriately with the complaint being progressed as far as possible to maximise the opportunity to resolve the dispute.

4.5 Analysis of the reasons behind complaints will be undertaken to identify causes and trends to ensure that we learn from mistakes and improve the services we offer to customers. Learning and service improvements from complaints will be published periodically in Stonewater's customer newsletter, on our customer Hub, website, and social media channels and annually in our Customer Annual Review.

4.6 A report detailing the volume of complaints will be presented to the Customer Experience Committee at quarterly intervals, with a more detailed analysis every 12 months.

5.0 Equality and Diversity

5.1 Stonewater believes that Equality, Diversity and Inclusion matters; that 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.

5.2 We comply with the Equality Act (2010) and the Human Rights Act (1998) and where possible go beyond these legal requirements.

- 5.3 We will not directly or indirectly discriminate against any person or group of people because of their race, religion/faith, gender, disability, age, sexual orientation or on any other grounds set out in our [Equality & Diversity policy](#)
- 5.4 Stonewater will have regard to reasonable adjustments required by customers and will make translation or access a translator where English is not your first language and other services accessible as appropriate. Those customers with support needs may make use of a representative or use organisations such as Citizens Advice, Lease and/or Shelter, but legal advisors are not permitted.
- 5.5 To meet the objective of the designated person role, members of the CCP will not receive any payment from Stonewater, with the exception of one off costs such as travel costs, subsistence etc.

6.0 Confidentiality and Information Sharing

- 6.1 We will only share information as outlined in our [Data Protection Privacy Notices](#) in accordance with the Data Protection Act (2018).

7.0 Technical Data

Risk Assessment	This policy meets all current legal and regulatory requirements. Including Localism Act(2011) Housing Act (1996) Schedule 2 General Data Protection Act (2018) Equality Act (2018) Housing Ombudsman Scheme Tenant and Involvement Empowerment Standards.
Value for Money	Complaint root cause analysis is undertaken on complaints in order to identify trends and re-occurring issues to ensure we learn from mistakes and improve the services we offer our customers.
Consultation	Members of Customer Scrutiny Panel, Friends of Scrutiny online group, members of the Senior Leadership Team, Operational Leadership Team, Customer Experience Management Team and our contact at the Housing Ombudsman Service.
Related documents	Compensation Policy Unacceptable Customer Conduct Policy Grievance Procedure Disciplinary Procedure Data Protection Policy ED&I Policy
Executive Director Lead	Executive Director of Customer Experience
Responsibility for Implementation	Director, Transformation and Customer Influence. Head of Customer Insight.
Date of Review	September 2023

Performance Reporting & Tenant Scrutiny	Customer Experience Committee
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Version	Date	Name	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	Ballard	Approved by Board, CX Committee and Customers.