

Corporate Policies & Procedures



Customer Feedback Policy & Procedure

1 Policy objectives

- 1.1 We want to provide the best possible service to our customers and this Policy sets out how we deal with and value the feedback our customers give us.
- 1.2 We value all feedback about our services, whether a compliment, a complaint or just an observation. We record all feedback and use it to continually improve our services.
- 1.3 There will be times when things don't go as well as we, or our customers, would like and when that happens we need to know about it so we can take steps to resolve the problem quickly and restore the customer's confidence whilst learning from what went wrong. If you feel we've done something well, we'd also like to hear about it so we can pass it back to the staff concerned and build on that good practice further.
- 1.4 We'll take personal responsibility for complaints at the time they're first reported and work with customers to put things right quickly and fairly.

2 Legislative & regulatory requirements

- 2.1 The HCA Tenant Involvement and Empowerment Standard requires that we *"have an approach to complaints that is clear, simple and accessible that ensures that complaints are resolved promptly, politely and fairly"*.
- 2.2 This Policy accords with guidance from the Housing Ombudsman's *"Principles of Good Complaint Handling"*, the Financial Ombudsman Service's complaints handling requirements, the 2010 Equality Act and the Localism Act 2011 (as amended).

3 Scope and Definitions

- 3.1 This Policy covers our tenants, residents and anyone else receiving our services. We welcome and listen to all feedback about our services whether given by our customers or other parties / individuals.

- 3.2 The Housing Ombudsman has no authority over complaints brought by individuals other than a landlord's tenants or leaseholders. Where we receive a complaint (as defined at section 4.4.1 below) from someone other than a tenant or leaseholder, we therefore have discretion as to whether or not to deal with it as such under this Policy. We'll consider this at **Stage 1** of the Procedure (see section 5.1 below) based on the subject-matter and the issue's relevance to us and inform the complainant accordingly nb where we accept a complaint brought by a person who's not our customer we'll inform them that we're doing so on a purely discretionary basis and in accordance with the spirit of this Policy. We'll also inform them that we reserve the right to truncate or adapt the Procedure we subsequently follow (see section 6 below) accordingly.
- 3.3 If you feel unable to report a problem yourself you can do so through a recognised third party such as an advocate, councillor or Member of Parliament. In that case we'd need to ask for the customer's written permission to discuss the situation with the third party.
- 3.4 We're not able to deal, under our Complaints procedure, with issues already being dealt with by a solicitor or legal advisor; these would be classed as a legal dispute and as such are approached separately.
- 3.5 We have a separate Tenant Compensation Policy which sets out the circumstances where tenants are entitled to financial compensation for a failure by Watford Community Housing to deliver a chargeable service or where a tenant suffers damage/loss due to our actions/inactions. This does not extend to damage/loss which would fall under a home contents insurance policy or matters beyond our control.

4 Reporting Feedback

- 4.1 All feedback we receive is valuable – it can help shape our services and the future direction of the organisation positively.

Customers can give us feedback in a number of ways:

- In person: To any member of staff
- By telephone: 0800 218 2247 / 01923 209000
- Online: www.wcht.org.uk/feedback
- By email: feedback@wcht.org.uk
- In writing to: Gateway House
59 Clarendon Road
Watford
Hertfordshire
WD17 1LA

- 4.2 We encourage customers making a complaint to outline what they feel would be a satisfactory resolution to the problem at the outset, so that everyone's clear about expectations.

4.3 Compliments

Definition of a compliment:

A positive comment or observation about our service, activities, processes or a member of staff has gone above and beyond our core Service Standards. Compliments are valuable pieces of feedback for us - we record and report on them in the same way as we do complaints. In our current Business Plan we have set an ambitious target to increase the number of compliments so they equal complaints under a commitment to drive improvements across all areas of our activity.

We feed individual compliments back to the staff member concerned (as well as their manager) and try and build on this good practice further across the organisation.

4.4 Complaints

4.4.1 *Definition of a complaint:*

We apply the Housing Ombudsman's description of a complaint as "an expression of dissatisfaction about an action or lack of action, or about the standard of service". Here the issue may be that we have fallen below our core Service Standards.

4.4.2 Examples of a complaint could be:

- a failure to provide a service in accordance with our policies or Service Standards
- unacceptable quality of work or service
- delays in responding to an enquiry, in providing a service or completing work
- a failure to provide information or providing the wrong information
- unacceptable behaviour or attitude of a staff member or contractor
- a complaint about unfairness eg of a policy or procedure

4.4.3 What is **not** a complaint?

- dissatisfaction with levels of rent or service charges – if you're unhappy about these please discuss this with our Customer Services team.
- a first request for a service (eg a repair) or general follow-up enquiries about the status of that request.
- an explanation of a policy, practice or decision.
- a report of anti-social behaviour about a neighbour (we have a separate Anti-Social Behaviour Policy & Procedure to deal with this) although dissatisfaction with our handling of an ASB case could be considered a complaint.
- dissatisfaction with legal or legislative requirements (which we are not responsible for) eg local authority nominations processes.
- A complaint which has already been dealt with under our internal Complaints Procedure (section 5 below) or the External Complaints Procedure (section 6)
- dissatisfaction with something arising more than six months ago – it would be at our discretion whether or not to deal with this under our Complaints Procedure.

5. Our Complaints Procedure

The following sets out our three-stage complaint handling procedure.

5.1 **Stage 1 Initial Investigation**

We aim to resolve most complaints at Stage 1. We'll acknowledge the complaint within **one working day** of its receipt. If we have your email address we'll generally do this by email unless you ask us not to.

We would then aim to resolve the complaint the same working day if a quick solution can be found. If not we'd look to resolve the issue within a maximum of **ten working days** from our initial acknowledgement.

If the problem's been resolved within this timescale we'll agree with you that the complaint can be closed but if there are things outstanding eg repair work, we'll continue to monitor the situation closely to ensure they're completed within a reasonable timescale.

5.2 **Stage 2 Detailed Review**

You can ask for the issue to have a Detailed Review if :

- our Initial Investigation has been concluded but you're unhappy with the outcome – in this case we would expect a Detailed Review to be requested within **ten** working days of the Initial Investigation being concluded.
- our Initial Investigation hasn't been concluded but more than ten working days (or a longer timescale we agreed with you) has passed and you're unhappy with progress.

A **Detailed Review** would be carried out by a manager. It should take no more than **twenty working days** from receipt of a request for Review. If the issue is such that we can't conclude the Review within this timescale we'll apologise, explain why this is the case and confirm a new expected response date.

Again, we'll generally use email to communicate with you unless you ask us not to. If you're satisfied with the outcome of the Detailed Review we'll agree with you that the case can be closed.

If you're not satisfied with the outcome of the Detailed Review you can appeal in writing (providing full reasons why you're unhappy & all relevant documents in support) within **twenty** working days of the date of the outcome of the Detailed Review.

5.3 **Stage 3 Appeal**

We reserve the right not to accept an Appeal where : -

- the appeal is not sufficiently detailed or clear
- no new evidence is being submitted beyond that already considered
- we consider that our policies, procedures or regulatory requirements have been followed in full in relation to the matter.
- we consider that the complaint is being progressed in order to achieve a higher award of compensation or other benefit.
- we consider that the complaint is vexatious or otherwise unreasonable.

An Appeal can be dealt with either by a Director/Assistant Director or a tenant-only panel.

The outcome will normally be confirmed in writing within **twenty working days** of its receipt. If the issue is such that we can't conclude the Appeal within this timescale or it is being considered by a tenant-only panel (which may also delay our normal

response time), we'll explain why this is the case and confirm a new expected response date.

The conclusion of an Appeal represents the exhaustion of the our internal complaints handling procedure. Complainants who remain dissatisfied can pursue their complaint externally.

6. External Complaints Procedures

6.1 Local Independent Review

Following changes made by the Localism Act, the Housing Ombudsman will no longer consider an unresolved complaint within 8 weeks of conclusion of an organisation's internal complaints procedure.

Within this 8 week period, complainants can take their complaint to an independent 'designated person' for review. Their role is to try and obtain resolution locally when an organisation's internal complaints process has been exhausted.

What is a 'designated person'?

6.2

- a Member of Parliament (MP) from any national constituency
- any local councillor from the customer's home district
- a panel of tenants either of the Watford Community Housing or another housing association which is recognised as a complaint-handling body

nb: Tenant panels must have agreed a code of conduct and been recognised by Watford Community Housing being entered into the official 'Housing Ombudsman Register'. MPs and Councillors also act as individuals and are not protected from legal action by their role or elected status.

6.3 We recognise the constructive nature of the designated person's role and contribution and will carefully and seriously consider any outcomes / recommendations they make. They have no formal 'powers and so we are not obliged to implement them.

The Housing Ombudsman

6.4 If a resolution hasn't been reached locally, and 8 weeks have passed since the conclusion of our Complaints Procedure, a complainant can take their complaint to the Housing Ombudsman. The Ombudsman will not normally consider a complaint until all stages of our Complaints Procedure have been completed.

Any decision then reached will be final and we are obliged to abide by the Ombudsman's outcomes / recommendations.

6.5 Financial Ombudsman Service (FOS)

If you have a complaint about something which falls within the remit of the FOS (eg a consumer credit matter) you can refer it to the FOS if 8 weeks or more have passed since we received your complaint and you're unhappy with how we've handled it.

When concluding on this type of complaint under the our Complaints Procedure, we'll let you know that you can refer the matter to the FOS within six months of the end of our Procedure and give you the FOS's website and contact details as well as a copy of its 'Your Complaint and the Ombudsman' leaflet. We'll also tell you whether we're happy for the FOS to look into the matter outside of the six month time limit.

7. Persistent / Unreasonable Behaviour

- 7.1 We maintain a Cautionary Use Database to record instances where contact with individual customers has had to be limited or prevented due to persistent or unreasonable behaviour. Notes are also kept on our systems to limit contact where we need to do so, to protect staff from abuse.
- 7.2 The Housing Ombudsman has its own guidance on what constitutes unacceptable behaviour which we follow and which is reflected in our Persistent & Unreasonable Behaviour Policy at Appendix 1.

8. Monitoring & reporting

We summarise, record, monitor and report quarterly on all feedback we receive to ensure we're meeting our complaint-handling Service Standards and other objectives. The results are published on our website.

9. Person responsible

Head of IT and Innovation

10. Related documents

- Equality & Diversity Policy
- Service Standards
- Customer Service Strategy
- Corporate Social Media Policy & Procedure
- Tenant Compensation Policy
- Use of Cautionary Database – Appendix 2 Data Protection Policy

11 Appendices

Appendix 1: Persistent or Unreasonable Behaviour Policy

12 Approved

GMT (consultation): 13 December 2016

Leadership Team : January 2017

Review date : January 2019

Appendix 1 – Persistent or Unreasonable Behaviour Policy

1. Introduction

This Policy sets out the Watford Community Housing's approach to the few customers whose actions or behaviour we consider unacceptable. We adopt a similar approach to that of the Housing Ombudsman Service, applicable from 1st November 2012.

2. Policy aims

2.1 To make clear to customers in all their dealings with us, what we can and cannot do in relation to their case. In doing so, we aim to be open and avoid raising expectations we can't meet.

2.2 To deal fairly, honestly and consistently with all customers, including those whose actions we consider unacceptable. We believe that everyone who approaches us has the right to be heard, understood and respected. We also consider that our staff have the same rights.

2.3 To provide a service that's accessible to everyone who's entitled to it. We do however reserve the right, where we consider customers' actions to be unacceptable, to restrict or change access to our services.

2.4 To ensure that staff and other customers don't suffer detriment as a result of customers who act in an unacceptable way.

3. Defining unacceptable actions by complainants

3.1 People may act out of character in times of stress and we recognise that there may have been distressing circumstances leading up to a customer interaction. We don't view behaviour as unacceptable just because someone is forceful or determined but where customers behave in an unacceptable way towards our staff, or a way which places unreasonable demands on them, we may deal with it under this Policy. We have grouped this kind of behaviour into three broad categories:

Aggressive or abusive behaviour

a. Violence is not restricted to physical aggression or harm. It includes any behaviour (including language) which makes staff feel afraid, threatened or abused.

b. Examples would include : physical violence, verbal abuse, swearing, derogatory remarks, rudeness inflammatory statements and malicious allegations.

c. We expect our staff to be treated courteously and with respect. Violence or abuse towards staff is unacceptable. Our staff understand the difference between anger and aggression. Anger may accompany a complaint but when it escalates into aggression towards our staff it is unacceptable.

Unreasonable demands

a. Customers may make what we consider to be unreasonable demands on us through the amount of information they request or provide, the level of service they expect, or the number of approaches they make. We consider these demands unreasonable if they start to impact disproportionately on our work or take up an excessive amount of time to the detriment of other customers. What amounts to unreasonable demands will always depend on the individual circumstances of the case.

b. Examples would include : demanding responses within an unreasonable timescale, insisting on seeing or speaking to a particular member of staff, disproportionate phone calls, emails, or letters, repeatedly changing the substance of a complaint or raising unrelated concerns.

Unreasonable persistence

a. We recognise that some customers will not or cannot accept that we are unable to assist them further or provide a level of service other than that provided already. Complainants may persist in disagreeing with an action or decision taken in relation to their case or contact us persistently about the same issue. Again, we consider this persistence unreasonable when it starts to impact disproportionately on our work or take up an excessive amount of time to the detriment of other customers.

b. Examples would include : persistent refusal to accept a decision made in relation to a complaint or an explanation about what we can and can not do and continuing to pursue a complaint without providing any new information.

4. Managing unacceptable behaviour

4.1 There are very few customers whose behaviour, demands or persistence we consider to be unacceptable. How we aim to manage these situations depends on their nature and extent. If they adversely affect our ability to operate and provide a service to others, we may need to restrict a person's contact with us in order to manage the situation appropriately. We'll aim to do this in a way which still allows a case to progress.

We may restrict contact in person, by telephone, email, letter or any combination of these. We will always seek to maintain at least one form of contact. In extreme situations, we'll inform the customer in writing that their name is on a 'no personal contact' list. This means that they must restrict contact with us to written communication or communication through a third party.

4.2 The use or threat of physical violence, verbal abuse, or harassment towards our staff is likely to result in the termination of all direct contact with the person on a temporary/permanent basis. Incidents may be reported to the police in appropriate circumstances; they will always be reported where physical violence is used or threatened or discriminatory remarks made.

4.3 We will not accept communication (written or verbal) which is abusive to staff or which contain malicious allegations. In these circumstances we'll tell the person concerned why we're taking this approach and, in the case of unacceptable language, ask them to stop the communication (eg a telephone call) in question. We may require future contact to be through a third party.

4.4 Where someone repeatedly telephones or visits our premises without appointment (including where personal contact has been restricted) or they send irrelevant / duplicative documents or they raise the same issue repeatedly without cause we may decide to:

- restrict contact to telephone calls eg at set times or limit contact to a particular member of staff ;
- restrict contact to pre-arranged appointments or written communication only;
- return irrelevant documents to the sender or, in exceptional cases, advise that documentation will be destroyed;
- restrict issues being raised to those which are clearly relevant;
- take other action that we consider appropriate. We will, however, always say what action we are taking and why.

4.5 Persistent customer requests or demands may be considered unreasonable where all internal review mechanisms have been exhausted (eg our Complaints procedure) and the customer continues to dispute the outcome. We will advise the customer that we are unable to enter into any further communication about the matter. If the customer's requests or demands persist, their communication will be read and filed, but responded to only where it provides new, relevant information about the case. This decision will be made by a Director/Assistant Director.

5. Deciding to restrict customer contact

5.1 Staff who experience aggressive or abusive behaviour from a customer (or another person on their behalf) have authority to deal with that behaviour as it immediately arises in a way they consider appropriate having regard to this Policy.

5.2 Aside from these immediate situations, decisions to restrict contact with Watford Community Housing are always taken after careful consideration by a panel of three managers. Wherever possible, we will give the customer an opportunity to modify their behaviour or actions before contact is restricted. Customers will be informed in writing that a decision has been made to restrict their contact and why, the nature of the new contact arrangements and the timescales that will apply. They will also be informed of their right to appeal our decision.

5.3 A customer can appeal against a decision to restrict their contact with us. A manager more senior to the original decision-maker who has not previously been involved in the case will consider the appeal. They will consider the case carefully and, having done so, advise the customer in writing either that the restricted contact arrangements still apply or that a different course of action will be adopted.

5.4 We record all incidents of unacceptable actions or behaviour by customers.

5.5 Full(er) customer contact may be restored if the customer demonstrates acceptable behaviour over a sufficient period of time. Senior management will review the status of all users with restricted contact arrangements annually.

5.6 Staff should refer to our Use of Cautionary Database guidelines for full guidance. See the Data Protection Policy.