



Places to live. Space to grow.

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## Complaints Policy

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## 1 Introduction and purpose

This policy sets out how we will manage formal complaints made by residents or services users about any of our services.

## 2 Policy statement

We aim to deliver excellent services, but we recognise that sometimes things go wrong. When this happens, we will try to put things right as quickly as we can and ensure that we learn from what happened. We welcome feedback, as it gives us the opportunity to review our services and improve how we work.

Anyone can make a complaint if they are in receipt of our services. This includes residents who live in our homes and people who receive our community and support services.

We accept complaints from individuals or from groups. Where a group wishes to make a collective complaint, this should be done through a single representative. We will require written or email authorisation from all complainants that they agree to the complaint and to the representative complaining on their behalf.

We recognise that some people need additional support to be able to complain. You can use an advocate or other third party to support you to complain or make a complaint on your behalf. This could be a representative organisation such as Age Concern or the Citizens Advice or a friend or family member.

Where a complaint is made by a third party, we will get your written permission to discuss your complaint and share your personal information.

## 3 Definitions

The difference between a service request and a complaint is that a service request is a request for us to take action to put something right. However, a complaint should be raised when a customer raises dissatisfaction with the response to a service request.

Our definition of a complaint is:

*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.*

This could include where we, or any organisation acting on our behalf:

- provided a poor service or failed to meet our service standards
- failed to follow our own policies and procedure appropriately
- gave someone incorrect or misleading information

- failed to do something we said we would
- communicated with someone in a rude or inappropriate manner

Where an expression of dissatisfaction is made, we will ask if you want to make a complaint.

Our definition of service request is;

*A request from a resident to the landlord requiring action to be taken to put something right.*

This could include:

- a repair being reported to us for the first time or that is within the specified timescale for completion
- a missed appointment that can be rebooked
- a report of anti-social behaviour
- a request for information
- a request for support service

#### **4 How to make a complaint**

You can complain to any member of West Kent staff, or contractor, in the way that suits you:

By phone	01732 749400
By email	<a href="mailto:help@wkha.org.uk">help@wkha.org.uk</a>
Online Form	Westkent.org.
Post	101 London Road, Sevenoaks, TN13 1AX
In person	By arranging a meeting with us or if you live in a scheme via the staff onsite

If you contact us on our public social media pages, we'll ask you to contact us directly to protect your privacy.

If you direct message us on social media, we will signpost you to how to make a complaint. If you submit negative feedback to us, where appropriate, we will contact you to understand your concerns and if needed we will let you know how to make a complaint.

## **5 Reasonable adjustments**

We believe that no-one should be disadvantaged due to health, disability or background and we are committed to enabling all our customers to make a complaint.

Where appropriate, we will discuss with you what reasonable adjustments we need to make to our process, such as using translation and interpreting services, working with any support services you receive or agreeing with you when and how we will contact you and keep you updated on the progress of your complaint.

## **6 Exclusions**

We may not accept a complaint if it is:

- about an issue being reported to us for the first time
- made 12 months after the incident occurred, unless there are exceptional reasons why
- about an issue that has already been considered through our complaints process
- Where there is a more appropriate route such as first tier tribunal for rent or service charge concerns or a referral to the Information Commissioner's Office (ICO) for any concerns about the way we manage data
- covered by an alternative process in one of our policies, such as antisocial behaviour or mutual exchange.
- already subject to legal proceedings where a claim has been submitted to court.
- about one of our policies, unless it is about how our policies have been applied
- about the actions of one of our residents or service users
- about the action of an individual or organisation that we have no control over
- about services that we are not responsible for
- communicated to us in a manner that we feel is unreasonable, threatening, or abusive

We will respond to concerns from non-residents about our services raised by people who live and visit our communities. These concerns will be managed by the relevant business areas who will acknowledge your concerns within five working days.

They will complete an investigation and provide you with a response within 10 working days of the acknowledgment of your complaint.

If you are an extra care or supported housing resident living in one of our Kent Excellent Homes for All (KEHFA) schemes, your complaint may follow a different process and escalation route, depending on the nature of your complaint. We will discuss this with you when you first make your complaint.

We will investigate complaints made about organisations that are providing services on our behalf, such as repair contractors.

Where you wish to complain about a third-party organisation, we do not have a contractual relationship with, we will signpost you to where you can take your complaint instead.

## **7 Complaints process (Stage One)**

Your complaint will be investigated by a named member of our dedicated customer resolution team.

We will contact you to discuss your complaint within three working days of receipt to understand what issues you want to raise and what outcome you are looking for.

We will formally acknowledge your complaint within five working days of receiving the complaint. The formal acknowledgment of your complaint will list the details of your complaints, the outcome you are looking for and the date we will respond to your complaint.

We will complete our investigation and provide you with a response within **ten working days** from the acknowledgment of your complaint.

If we require more time to complete our investigation, we will discuss this with you and may extend our response time by a further **ten working days**.

In exceptional circumstances we may need to extend your complaints further. We will seek your agreement should this be needed and agree a timescale for further contact. We will also provide you with the details of the Housing Ombudsman Service should you wish to take further advice from them.

## **8 Complaints process (Stage Two)**

We aim to resolve all complaints at stage one. However, if you are unhappy with your stage one response, you can ask for your complaint to be escalated to stage two.

You must request the escalation of your complaint within **20 working days** of receiving your stage one response. If there are exceptional circumstances that mean you are unable to escalate your complaint within 20 working days, please let us know and we can consider these.

A member of the customer resolution team not previously involved in your complaint will carry out an independent review of your stage one response and investigate any issues that you remain dissatisfied with.

New issues raised at this stage may be treated as a new and separate complaint and investigated at stage one.

We will contact you within three working days of receiving your request for escalation to stage two to ensure that we fully understand your concerns and the outcome you are looking for.

We will formally acknowledge your complaint within five working days of receiving your request for escalation to stage two. The formal acknowledgment of your complaint will list the details of your complaints, the outcome you are looking for and the date we will respond to your complaint.

We will complete our investigation and provide you with a response within **20 working days** of the acknowledgment of your complaint.

If we require more time to complete our investigation, we will discuss this with you and may extend our response time by a further **20 working days**.

In exceptional circumstances we may need to extend your complaint further. We will seek your agreement should this be needed and agree a timescale for further contact. We will also provide you with the details of the Housing Ombudsman Service should you wish to take further advice from them.

## **9 Housing Ombudsman Service**

You can contact the Housing Ombudsman Service directly about your complaint. They can provide you with advice and guidance at any stage of your complaint.

Once you have completed our complaints process you can approach the Housing Ombudsman Service should you remain unhappy with the outcome of your complaint.

The Housing Ombudsman Service can be contacted at:

Housing Ombudsman Service

PO Box 152

Liverpool

L33 7WQ

Telephone: 0300 111 3000

[info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)

[www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk)

## **10 Actions arising from complaints**

We will close all complaints at the earliest opportunity once the outcome of your complaint is known. We will keep you updated on the progress of outstanding actions.

Outstanding actions will be completed promptly, and they will be tracked and monitored by the business area responsible for the actions.

## **11 Working days**

We define working days as Monday – Friday excluding bank holidays. We usually close for three days over the Christmas period in addition to the bank holidays, and these are not counted as working days.

## **12 Unreasonable behaviour**

We realise that sometimes people may get upset or frustrated when things go wrong. There may be times where we feel that the way in which you behave in your contact with us about your complaint is unreasonable. In these circumstances we will try to work with you to agree a communication plan, as outlined in our Unacceptable Behaviour Policy, such as:

- communicating through a third party
- limiting contact to a specific communication form
- limiting contact to a named member of staff or email address
- limiting contact to specific dates and times

Where unreasonable behaviour persists, we may stop all direct communication with you about your complaint whilst we investigate the issues you have raised and reach our final decision.

We may also do this where unreasonable behaviour persists after we have made our final decision.

If we stop direct communication with you about your complaint, we will explain why in writing within five working days and tell you what your next steps may be if you remain unhappy.

Behaviour that we would consider unreasonable includes:

- repeated complaints about issues that have already been considered through our complaints process where no new information is provided.
- excessive contact to our customer resolution team (or other members of staff) whilst your complaint is being investigated.
- intimidating, threatening, or using offensive or abusive language towards, or about, our staff or contractors.



- contacting members of staff outside of work, including through their personal social media accounts

### **13 Designated and responsible persons**

You have the right to refer your complaint to a designated person, such as your local MP or local Councillor.

You can contact a designated person at any stage of the complaints process. They can contact us to try and get your complaint resolved locally.

We will respond to enquiries received from an MP or Councillor within **ten working days**. These will be managed outside of our complaints process, should a concern be raised that requires a complaint to be raised we will contact the customer to discuss

Where the enquiry is about a complaint, any information will be added to the complaint and the MP or Councillor will be kept updated on the progress of the complaint.

The Member Responsible for Complaints (MRC) is the Chair of the West Kent Board

The senior lead for complaint handling is the Executive Director of Housing and Communities

If you contact our Chief Executive, a member of our Executive Team, or a member of the West Kent Board directly to complain, your complaint will be sent to the customer resolution team, who will determine whether it needs to be investigated as a new complaint or included in a complaint already being investigated. The customer resolution team will contact you to let you know your complaint has been received and what is happening with it.

### **14 Confidentiality**

All information related to your complaint will be handled in line with our Data Protection and Retention policy.

We will only share information with West Kent employees, contractors, Councillors and MPs and the Housing Ombudsman Service, for the purpose of investigating, resolving, and monitoring complaints.

### **15 Consultation**

The Scrutiny Panel reviewed our complaints policy and procedure and we will request that this is reviewed again in 2024/25 along with wider resident feedback. We have also used feedback from residents using our satisfaction surveys to ensure we provide clear accessible information.

## **16 Communication**

The complaints policy will be published on our website in a dedicated complaints area and we will provide a copy on request. The website area will also include information about the Housing Ombudsman and the Complaints Handling Code. We will provide easy read information on how to make a complaint.

We will provide information about any changes to the complaints policy via our website, social media, and written communication such as Neighbourhood News

We will publish information about complaint performance and learning outcomes which will include:

- a) the annual self-assessment against this Code to ensure their complaint handling policy remains in line with its requirements.
- b) a qualitative and quantitative analysis of our complaint handling performance. This will include a summary of the types of complaints we have refused to accept
- c) any findings of non-compliance with this Code by the Ombudsman
- d) the service improvements made as a result of the learning from complaints
- e) any annual report about our performance from the Ombudsman; and
- f) any other relevant reports or publications produced by the Ombudsman in relation to the work we do

in the Residents' Annual Report or on our website.

## **17 Learning**

We will record all complaints and learning outcomes and use these to improve our services. We will monitor, analyse, and report performance and learning outcomes to senior managers, Executive Team, and Board members.



