



Places to live. Space to grow.

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## Complaints Policy

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## **Contents**

Introduction and purpose	1
Who can complain	2
Definition of a complaint	3
Service requests	4
Exclusions	5
How to make a complaint	6
Complaints process	7
Housing Ombudsman	8
Member Responsible for Complaints	9
MP, Councillor and Chief Executive enquiries	10
Reasonable adjustments	11
Confidentiality	12
Learning	13
Communication	14
Consultation	15
Summary of changes	16

## 1 **Introduction and purpose**

- 1.1 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.
- 1.2 We welcome feedback, as it gives us the opportunity to review our services and improve how we work.
- 1.3 This document has links to some of our other policies including:
- Compensation Policy
  - Unacceptable Behaviour Policy
  - Data Protection and Retention Policy
  - Vulnerability Policy.

## 2 **Who can complain**

- 2.1 Anyone can make a complaint if they are in receipt of our services. This includes:
- residents who live in our homes
  - people who receive our community and support services.
  - former residents and applicants to a property.
- 2.2 We can accept complaints from groups provided there is a nominated representative. We require written authorisation from all complainants that they agree to the complaint and for the representative to complain on their behalf.
- 2.3 We will not decline any reasonable request for a resident to bring a complaint via a representative. In most cases, we will ask for written authority. In instances where the resident is not capable of providing this, we should be able to audit how we obtained authority – maybe through a visit or telephone call. We must be satisfied that a representative has legitimate authority.
- 2.4 If a resident is deceased, we will need to see evidence that the person acting on their behalf is the executor or administrator of their estate before we accept a complaint. This evidence would normally need to be in the form of a Grant of Probate or Letters of Administration (if no will is in place).
- 2.5 We will also accept reasonable requests for a resident to be represented or accompanied at any relevant meetings or hearings.

### **3 Definition of a complaint**

3.1 In line with the Housing Ombudsman's Complaint Handling Code, we define a complaint as: *'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents'*.

Examples of complaints covered by this policy include where we:

- provided a poor service or failed to meet our service standards
- failed to follow our own policies and procedures appropriately
- gave incorrect or misleading information
- failed to do something we said we would
- communicated with someone in a rude or inappropriate manner.

3.2 A resident does not have to use the word 'complaint' for a complaint to be identified, registered and treated as such.

3.3 Whenever a resident expresses dissatisfaction which meets the definition of a complaint, we will always give them the choice as to whether they wish to make a complaint.

### **4 Service requests**

4.1 A service request is a request from a resident to the landlord requiring action to be taken to put something right. Service requests are distinct from complaints and could include:

- a repair or other issue being reported to us for the first time
- a report of anti-social behaviour (although we will accept complaints about how reports of antisocial behaviour have been managed)
- a request for information
- a request for support services.

4.2 Service requests will not be accepted as complaints. They can become complaints if we fail to deal with the initial request appropriately. A complaint should be raised when a resident raises dissatisfaction with the response to a service request. We will not pause our efforts to address the service request, if a resident complains.

## 5 Exclusions

5.1 Other circumstances under which we may decide not to accept or escalate a complaint include if:

- it was not brought to our attention within 12 months after the incident occurred (although we will use our discretion and consider on a case-by-case basis)
- the matter has already been considered through our complaints process
- the issue is subject to legal proceedings where a claim has been submitted to court
- it is about one of our policies, unless it is about how our policies have been applied
- it relates to services that we are not responsible for (although we may accept complaints about how we have supported residents where we might reasonably be expected to do so)
- it is communicated to us in a manner that we feel is unreasonable, threatening, or abusive.

5.2 Any decision to exclude or not to escalate a complaint will be taken based on the circumstances of each individual case. This should be the exception, and the onus will be on accepting and progressing complaints as far as possible to maximise the opportunity to resolve a dispute.

5.3 Decisions to exclude complaints will be fair and reasonable and clearly explained to the resident. Contact details will be provided for the Housing Ombudsman Service so that a resident can challenge any decision and we will comply with any subsequent Housing Ombudsman instructions.

## 6 How to make a complaint

6.1 Residents can complain to any member of our staff by any means, including:

By phone	01732 749400
By email	help@wkha.org.uk
Online Form	<a href="#">Complaint form   West Kent</a>
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

6.2 Residents can also complain in person directly to onsite staff, or through arranging a meeting with us. Any complaints via social media will be directed offline, and personal privacy will always be protected.

6.3 Negative feedback submitted via a survey is not defined as a complaint. We will however, contact a resident to understand their concerns and let them know how to make a complaint when appropriate.

## **7 Complaints Process**

### **7.1 Stage One**

Complaints will be investigated by a named member of our dedicated Customer Resolution Team. We will contact a resident to discuss their complaint within three working days of receipt to understand what issues they want to raise and what outcome they are looking for.

We will formally acknowledge a complaint within five working days of receiving it. The formal acknowledgment will list details of the complaints, the outcome sought and the date we will respond.

We will complete our investigation and provide a response within ten working days from the acknowledgment. If we require more time to complete our investigation, we will discuss this with the resident and may extend our response time by a further ten working days.

In exceptional circumstances we may need to extend response times further and, in such cases, we will seek a resident's agreement. We will also provide contact details for the Housing Ombudsman Service so a resident can take further advice should they be dissatisfied with our request for additional time.

If a resident raises an additional complaint, it will be incorporated into the Stage One response if it is relevant, and the Stage One response has not been issued. Where the Stage One response has been issued, or it would unreasonably delay the response, the complaint will be logged as a new complaint. We will use our discretion to make sure that any additional complaint raised is handled in the most efficient and pragmatic way for the resident.

### **7.2 Stage Two**

We aim to resolve all complaints at Stage One. However, if a resident is unhappy with our Stage One response, they can ask for their complaint to be escalated to Stage Two.

Any escalation request should be received within 20 working days of receiving a Stage One response. If there are exceptional circumstances that mean a resident is unable to escalate a complaint within 20 working days, we will always consider these.

A member of the Customer Resolution Team, not previously involved in the complaint, will carry out an independent review of the Stage One response and investigate any issues that a resident remains dissatisfied with.

We will contact a resident within three working days of receiving a request for escalation to Stage Two to ensure that we fully understand their concerns and the outcome they are seeking. Although we will make enquiries as to why a resident remains unhappy with the Stage One response, they are not required to provide their reasons for wishing to escalate their complaint.

We will formally acknowledge a complaint within five working days of receiving a request for escalation to Stage Two. The formal acknowledgment will list details of the complaints; the outcome being sought and the date we will respond.

We will complete our investigation and provide a response within 20 working days of the acknowledgment. If we require more time to complete our investigation, we will discuss this with the resident and may extend our response time by a further 20 working days.

In exceptional circumstances we may need to extend response times further and, in such cases, we will seek a resident's agreement. We will also provide contact details for the Housing Ombudsman Service so a resident can take further advice should they be dissatisfied with our request for additional time.

### 7.3 Variations to the process

Complaints from extra care or supported housing resident - living in one of our Kent Excellent Homes for All (KEHFA) schemes – may follow a different process and escalation route, depending on the nature of the complaint. We will discuss this with residents when they first make a complaint.

### 7.4 Actions arising from complaints

Complaint responses will not be delayed due to outstanding actions. Rather, our responses will set out a plan for resolving outstanding issues and fulfilling any commitment (e.g. to complete repairs.)

We will keep residents updated on the progress of any outstanding actions that we agreed to complete as part of the resolution of a complaint. We aim to fulfil any commitments promptly, and they will be tracked and monitored by the business area responsible for the actions.

### 7.5 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 bank holidays, and these are not counted as working days.

## 8 Housing Ombudsman Service

### 8.1 Residents can contact the Housing Ombudsman Service for advice and guidance at any stage of the complaints process.

- 8.2 Once the process has been completed residents can ask the Housing Ombudsman Service to independently investigate the complaint, should they remain unhappy with the outcome. The Housing Ombudsman Service can be contacted at:

Housing Ombudsman Service PO Box 1484, Unit D, Preston, PR2 0ET

Telephone: 0300 111 3000

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

- 8.3 Building Safety Regulator

For complaints relating to building safety, a resident can contact the Building Safety Regulator (BSR) if they remain unhappy with our final decision. They can also contact the BSR during a formal complaint should they wish to seek advice. Residents can contact the Building Safety Regulator using the online form at GOV.UK or by telephone 0300 790 6787.

## **9 The Member Responsible for Complaints**

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 Neighbourhoods.

## **10 MP, Councillor and Chief Executive enquiries**

- 10.1 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 resident to discuss.
- 10.2 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.
- 10.3 If a resident contacts our Chief Executive, a member of our Executive Team, or a member of the West Kent Board to complain, the 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.
- 10.4 The Customer Resolution Team will inform a resident that their complaint has been received and confirm how it is being managed.

## **11 Reasonable adjustments**

- 11.1 Nobody should be disadvantaged due to health, disability or background and we are committed to making our complaints process accessible and easy to use for all our residents in line with our statutory duties, as set out in the Equality Act 2010.
- 11.2 Where appropriate, we will discuss with residents what reasonable adjustments we need to make to our process. This can include using translation and interpreting services,



working with any support services or agreeing when and how we will contact a resident and keep them updated on progress of their complaint.

- 11.3 All requests to accommodate needs will be considered and acted on where possible in accordance with our [Vulnerability policy](#).

## **12 Confidentiality**

- 12.1 All information related to complaints 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.

## **13 Learning**

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

## **14 Communication**

- 14.1 The Complaints Policy is published on our website in a dedicated complaints area, and we will provide a copy on request. The website area also includes information about the Housing Ombudsman and the Complaint Handling Code.
- 14.2 We 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.
- 14.3 We publish information about complaint performance and learning outcomes which will include:
- a) the annual self-assessment against the Complaint Handling Code to ensure our Complaints 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 the Ombudsman's Complaint Handling Code
  - d) the service improvements made because of the learning from complaints
  - e) any annual report about our performance from the Ombudsman
  - 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.

## **15 Consultation**

- 15.1 At the last issue of this policy the Resident Scrutiny Panel reviewed the Complaints policy and procedure. We will request that this is reviewed again in 2026 along with wider resident feedback. We have also used feedback from residents using our satisfaction surveys to ensure we provide clear accessible information.

- Added how representatives can complain on behalf of others.
- Clarified the definition of what is and is not a complaint.
- Changed the exclusions section to align with Ombudsman guidance.
- Changed how to make as complaint section to highlight that negative survey comments will not be treated as a complaint.
- Designated person process amended to reflect changes by Ombudsman.
- References to unreasonable behaviour removed.