



**WOKINGHAM
BOROUGH COUNCIL**

Housing Services

Policy and Procedure

Complaints, Compliments and Compensation

This is the Policy and Procedure for Complaints, Compliments and Compensation for Wokingham Borough Council's Housing Service. If you need a copy of this publication in another format, please contact the number below.

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Approved
By
Tenant
Volunteers



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SIGNING OFF SECTION

This Policy has been subject to consultation, proof-reading, ease of reading and sign off with the following:

- Tenant Volunteer Strategy Group
- Tenant Volunteer Independent Living Group (Age Specific)
- Tenant Volunteer Communications Group
- Tenant Volunteer Repairs and Maintenance Group
- Tenant Volunteer Chairs Panel
- The Tenant and Landlord Improvement Panel
- Assistant Director of Neighbourhoods and Communities

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POLICY OVERVIEW

1. Policy Introduction

- 1.1 This policy is for Wokingham Borough Council (WBC) and the teams classified under its Housing Service.
- 1.2 This policy outlines the approach that the Housing Service takes to complaint handling, registering a compliment and the procedure if awarding compensation to residents through the complaints process.
- 1.3 The Complaints, Compliments and Compensation policy is for the Housing Service and sits alongside the Corporate Complaints policy. In some cases, the Corporate Complaints policy may be used when the complaint is being managed by the Customer Relations team and spans multiple Wokingham Borough Council service areas. If this is the case, the Customer Care Team/Officer will be in contact to advise the resident and/or representative

2. Policy Aims and Objectives

- 2.1 The aim of this policy is to ensure a consistent approach to complaint handling, registering compliments and awarding compensation. The overall aim of the policy is to make sure the service is 'being fair, putting things right and learning from outcomes,' as suggested by the Housing Ombudsman's Dispute Resolution Principles.
- 2.2 The objective of this policy is to be concise and clear so that Wokingham Borough Council staff, representatives and residents can follow the processes and procedures undertaken by the Housing Service.

3. Policy Scope

- 3.1 This Policy seeks to help officers and residents understand the processes used for complaints, compliments and compensation. This policy covers complaints from initial contact, through Stage 1, Stage 2, Tenants Complaint Panel and to the complaint closure/resolution.
- 3.2 This policy uses the term 'residents' rather than tenants. This is because those who give compliments, register a complaint or seek compensation are not always Housing Service tenants.

4. Who is responsible for overseeing the policy?

- 4.1 The Service Manager of the Tenancy Involvement team and Manager of the Customer Care Officer are responsible for overseeing the policy.
- 4.2 The Customer Care Team/Officer is responsible for implementing the policy, working in conjunction with the resident, representative and relevant

Wokingham Borough Council officers/ managers/ service managers, as well as the Corporate Customer Relations Team and Chief Executive Office.

5. Policy Review

- 5.1 The Housing Ombudsman launched their new Complaints Handling Code in July 2020. At the end of 2020, all Landlords were asked to complete a self-assessment to assess their complaints process against the Complaints Handling Code and publish this by the 31st December 2020. Wokingham Borough Council completed the self-assessment, sharing and discussing with the tenant volunteers. It was published prior to the 31st December 2020.
- 5.2 The policy will be reviewed with the Wokingham Borough Council tenant volunteers and against the self-assessment on a regular basis. This self-assessment will be undertaken annually as advised by the Housing Ombudsman or more frequently, if requested by the relevant tenant volunteer groups. From a self-assessment, a policy review may occur.
- 5.3 The Policy will be reviewed every three years from the date that it was signed off by the Tenant and Landlord Improvement Panel (TLIP) or earlier if there are changes in regulation regarding housing-based complaint procedures, if Wokingham Borough Council are advised to do so by the Housing Ombudsman or if this is actioned from a self-assessment.
- 5.4 The Tenant Complaint Panel will review performance frameworks for complaints on a monthly basis. All personal case information will be redacted for the panel when a case is raised with them. The independent viewpoint of this panel provides a consistent review of the complaints received and complaints procedure. Information about the Tenant Complaint Panel and their Terms of Reference can be provided on request.

STATUTORY AND REGULATORY REQUIREMENTS

6. Localism and Housing Acts

- 6.1 This policy is written in conjunction with the legislation from the Localism Act 2011. Most notably, chapter 6 (section 180, 181 and 182).
- 6.2 This policy is written in conjunction with the legislation from the Housing Act 1996 (schedule 2) regarding housing complaints for the social rented sector.

7. Equality and Diversity

- 7.1 This policy is written in conjunction with the Equality Act 2010 which created the Public Sector Equality Duty.
- 7.2 This policy will be applied fairly and consistently to all residents of Wokingham Borough Council regardless of gender, race, marital status, national or ethnic origin, nationality, disability, sexuality, age or religion. This is in line with the Equality Plan 2021 to 2025 for Wokingham Borough Council, information on this can be found at:
<https://wokingham.moderngov.co.uk/documents/s47397/>.
- 7.3 Wokingham Borough Council Housing service, and the way in which Complaints, Compliments and Compensation are handled, are committed to being accessible to all. Due to this, reasonable adjustments will be made for residents and representatives. The reasonable adjustments policy can be read in appendix 1.
- 7.4 The Customer Care Team and Officer will ask residents if they require reasonable adjustments from initial contact.

8. Wokingham Borough Council Customer Charter

- 8.1 This policy is written in conjunction with the Wokingham Borough Council Customer Charter, which is linked to the Corporate Delivery Plan 2020 to 2024. Information on the Customer Charter can be found at
<https://www.wokingham.gov.uk/contact-us/customer-charter/>.

9. Confidentiality

- 9.1 This policy is written in conjunction with the General Data Protection Act 2018.
- 9.2 Concerns regarding data can be shared to the Data Protection Officer for Wokingham Borough Council, further information can be found at
<https://www.wokingham.gov.uk/council-and-meetings/information-and-data-protection/data-protection/>.

9.3 Data will be held for only the required periods, as recommended by the Data Protection Officer and Wokingham Borough Council procedure. This may be changed or reviewed as per a change in procedure or guidance. If you would like further information regarding this, please contact the Customer Care Team/Officer.

10. Housing Ombudsman Scheme

10.1 This policy is written in conjunction with the legislation and advice from the Housing Ombudsman. Wokingham Borough Council continue to be a member of the scheme.

10.2 This policy aims to make sure the service is 'being fair, putting things right and learning from outcomes,' as suggested in the Housing Ombudsman's Dispute Resolution Principles.

10.3 Wokingham Borough Council Housing Service completed a self-assessment against the Housing Ombudsman Complaints Handling Code and will continue to review against Housing Ombudsman best practice and conduct self-assessments against the code when reviewing the policy and procedure.

10.4 This policy is written in conjunction with Chapter 6 (180,181 and 182) of the Localism Act 2011 regarding enforcement of a Housing Ombudsman determination. Wokingham Borough Council Housing Service will continue to adhere to legislation regarding the Housing Ombudsman, their requests for information and their determinations.

11. Regulatory Standards

11.1 This policy is written in conjunction with the Regulatory Standards, most notably the Consumer Standard that registered providers of social housing must comply with.

11.2 The Consumer Standards include the Tenant Involvement and Empowerment Standard which this policy complies. Wokingham Borough Council Tenant Volunteers have been heavily involved in the formulation of this policy and associated documents. This policy provides an approach to complaints that is clear, accessible and ensures prompt resolution. This has been ensured by the proof-reading of all documents by the Tenant Volunteer communications group, consultation with all Tenant Volunteer groups and approved sign-off by the Tenant and Landlord Improvement Panel (TLIP). The formation of the Tenant Complaints Panel increases empowerment of residents and allows residents to be involved in the continuous review of the service whilst working in partnership with Wokingham Borough Council.

THE COMPLAINTS, COMPLIMENTS AND COMPENSATION POLICY

COMPLAINTS

12. Definition of a Complaint

12.1 A complaint is an expression of dissatisfaction, however made, about:

- The standard of service.
- Service not provided.
- Actions taken by Wokingham Borough Council, its own staff or those acting on its behalf, affecting an individual resident or group of residents.
- Lack of action taken by Wokingham Borough Council, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.

12.2 The resident does not have to use the word complaint for it to be treated as such. Wokingham Borough Council recognise the difference between a service request (pre-complaint), survey feedback and a complaint, and will take appropriate steps to clarify this with the resident and resolve the issues they are facing as early as possible. The Customer Care Officer will contact the resident in cases where the word complaint has not been used to understand the issues, explain the complaint process and clarify if it meets the definition of a complaint, if not, referring the resident onto the correct area of the Housing Service. The Customer Care Officer will also agree the points of the complaint with the resident or representative.

12.3 A first request of service is not considered a formal complaint; however, it may result in a formal complaint being raised if the resident expresses dissatisfaction as noted in 12.1. A first request of service is when a resident has initially raised an issue with the service requiring action from the landlord to put something right. The resident should allow for the Housing Service to deal with their request before raising with the Customer Care Officer. A complaint can be raised when the resident is dissatisfied with the response to their service request. Further guidance on whether the issue should be processed as a service request or a complaint is shown in Appendix 2.

12.4 There are several exclusions, where Wokingham Borough Council will be unable to progress the issue through the complaint process, these include:

- Anti-social behaviour (ASB) – All anti-social behaviour reporting should be dealt with by the anti-social behaviour team. Residents should contact their housing officer who can help them with notifying the service of anti-social behaviour. Anti-social behaviour can only progress through the complaints process if the resident is making a complaint regarding the lack of service or quality of service/handling received.
- Complaints that are already going through a court, tribunal or are within a legal process.

- A query - Queries will be sent on to the relevant team by the Customer Care Officer/team and residents will be advised that this does not meet the definition of a complaint.
- Dissatisfied with a Housing Allocations decision – a request for review should be raised with the Housing Needs Team as stated in the Housing Allocations Policy
- A first request for service - Residents who provide a first request for service will be signposted by the Customer Care Officer/team and advised that this does not meet the definition of a complaint.
- If the issue giving rise to the complaint occurred over 6 months ago. However, these will be considered on a case-by-case basis where safeguarding or health and safety are concerned.
- If the resident has already been through the complaints process for the issue and has been provided with an in-depth formal response.

13. Stages of the Complaints Process

13.1 The stages of the complaints process are:

- **Stage 1:** The Customer Care Officer/team will acknowledge the complaint within 5 working days and may contact the resident during this time to gather further details regarding the complaint. The resident will be given a reference number and the target date for Stage 1 response. The complaint will be responded to within **10 Working Days of the acknowledgement date** by a service manager. The Service Manager may contact via phone to discuss actions for resolutions with a follow up formal response provided after contact. The resident will be contacted by the Customer Care Officer/team to understand if they feel like the concerns have been addressed through a satisfactory response. If they don't feel like the response has been satisfactory or covered the issues raised, the resident can ask the Customer Care Officer/team to escalate the complaint to Stage 2 within 20 working days of receiving the Early Resolution Response. A delay may be issued if the investigations are continuing, this should not exceed a further 10 working days, if a delay beyond 20 working days is required, this will be agreed with the resident.
- **Stage 2:** The Customer Care Officer/team will acknowledge the complaint within 5 working days of a request to escalate. The resident will be provided with a complaint reference number and the target date for formal response at stage 2. The complaint will be responded to within **15 Working Days of the acknowledgement date** with responses from the service manager. If the resident is dissatisfied with the outcome and response provided at stage 2, they can request escalation of the complaint to the Tenants Panel within 20 working days of the response being issued. On occasion, A delay may be issued if the investigations are continuing, this should not exceed a further 10 working days, if a delay beyond 10 working days is required, this will be agreed with the resident.

- **Tenant Complaints Panel:** The Customer Care Team will acknowledge and provide the date of the next available tenant complaints panel meeting with 5 working days of the escalation request. This is where the Tenants Panel will review, provide a decision and actions for a resolution, they may also refer a complaint directly to the Housing Ombudsman. Further information about the panel can be provided on request. All personal information will be redacted when providing complaint information to the panel to ensure all complainants and their details remain anonymous. The panel will meet monthly, and the resident will be alerted to the date of the next Panel meeting in which their complaint will be discussed. Please allow a further 5 working days from the panel meeting for the formal response from the tenants panel to be sent to the resident. If the panels actions for resolution require further investigation, the response will include appropriate timescales.

13.2 Residents can contact and refer their complaint to the Housing Ombudsman at any point within the Wokingham Borough Council Housing complaints process. The Housing Ombudsman will then be in contact with Wokingham Borough Council to enquire about the case.

14. Response Times

14.1 The response times for complaints differ from the Wokingham Borough Council Corporate Complaints process. The Corporate Complaints process can be found at: <https://www.wokingham.gov.uk/contact-us/tell-us-about-a-problem/tell-us-if-we-did-something-wrong/>. In some cases, where a complaint spans multiple services and the customer relations team are managing, the corporate complaints procedure may be used over that of the Housing Complaints Policy. This will be used at the discretion of the Customer Relations team and Customer Care Officer and the resident will be alerted to which policy will be used at acknowledgement.

14.2 Stage 1 Complaint Response Times:

- 5 working days to acknowledge.
- The target date for response is 10 working days from acknowledgement.
- Delays may occur. If a delay is beyond an additional 20 working days, this will be agreed with both parties.
- 20 working days to request escalation.

14.3 Stage 2 Complaint Response Times:

- 5 working days to acknowledge.
- The target date for response is 15 working days from acknowledgement.
- Delays may occur. If a delay is beyond an additional 10 working days, this will be agreed with both parties.
- 20 working days to request escalation.

14.4 The Tenants Panel Response Times:

- 5 working days to acknowledge.
- The resident will be notified to the date at which the panel will review the complaint. This is likely to be the following month.
- The resident will be contacted within 5 working days of the Tenant Complaints Panel response.
- If an investigation is requested by the Tenants Panel, the results of such should be expected by the timescales detailed in the Tenant Panel response.

14.5 Response may be delayed if an investigation is ongoing. The resident will be kept up to date regarding their complaint and delay. At stage 1, if a delay beyond 20 working days is required to respond to the complaint fully, this will be agreed with the resident. At Stage 2, if a delay beyond 10 working days is required to respond to the complaint fully, this will be agreed with the resident.

14.6 Complaints will not be investigated if the incident occurred outside the previous six months; therefore, residents are encouraged to contact the Housing Service as soon as possible after an incident has occurred.

14.7 Discretion may be exercised with each case reviewed on an individual basis by the Customer Care Officer/Team. Wokingham Borough Council reserve the right to use discretion when applying the policy. Any use of discretion will be applied fairly, appropriately and the complaint will progress as far as possible to maximise the opportunity for resolution.

14.8 The Customer Care Officer/Team will continue to monitor each individual complaint as it goes through the appropriate process and must be kept informed of all contact made regarding the complaint case.

14.9 If a complaint has been logged and is currently at stage 1 of the Housing Complaint Process, but additional complaint issues are raised by the resident, the Customer Care Officer/Team will incorporate these issues, if relevant, into the current stage 1 investigation and subsequent response. However, if the new issues will cause an unreasonable delay to the stage 1 response, are raised during stage 2 or an escalation, then the complaint issues raised will be logged as a new complaint. The Customer Care Officer/Team will advise residents of this.

15. Complaint Handling

15.1 The complaints handling procedures for each stage can be found in appendix 3.

15.2 Complaints are handled and managed by the Customer Care Officer and Team, whose role is to work as a liaison between the resident and Housing Service, with an aim to resolve complaints promptly. The Customer Care

Officer/Team manages the complaints within the Housing Service to ensure that responses answer all concerns, the resident is updated on the process and responses are sent to the resident efficiently.

- 15.3 The Customer Care Officer/Team will acknowledge all complaints within 5 working days. The template acknowledgements used by the Customer Care Officer/Team have been approved by the Tenant Volunteer Communications Group.

16. Complaints Regarding a Member of Staff

- 16.1 Complaints received about a member of staff are recorded in the usual manner and responded to by the relevant line manager by reviewing the case, information and any evidence provided. This process is kept confidential.
- 16.2 Communication and responses with the resident should not generally identify individual members of staff or contractors as they are working on behalf of Wokingham Borough Council.

17. Who can make a Complaint?

- 17.1 Anyone who has received a service or requested a service with Wokingham Borough Council Housing Service can make a complaint regarding the standard of service received, service not provided, actions taken or lack of action taken by Wokingham Borough Council or those working on its behalf e.g., Contractors.
- 17.2 Representatives, such as Councillors or Members of Parliament, can make a complaint on behalf of a resident. More information on this is found in section 31 on page 20.

18. How to make a Complaint

- 18.1 Residents can contact a member of Wokingham Borough Council staff or the Customer Care Officer/Team directly to make a complaint. If staff are contacted, they will pass the complaint details on to the Customer Care Officer/team who will then be in contact with the resident to learn more about the complaint.
- 18.2 A complaint can be lodged via email to CCOHousing@wokingham.gov.uk. This inbox is monitored and residents can expect to receive an acknowledgement within 5 working days.
- 18.3 Residents can contact the Customer Care Officer by phone at 0118 974 6000, choose option 4 and ask to speak to the Housing Service Customer Care Officer/Team.

18.4 Residents can also find and complete an online complaints form at <https://www.wokingham.gov.uk/housing-and-tenants/tenant-services/housing-complaints/>

18.5 Residents can also make a complaint by letter to: Customer Care Officer, Housing Service, PO Box 154, Shute End, Wokingham, Berkshire, RG40 1WN.

19. The Closure of a Complaint

19.1 The closure of a formal complaint is when a resident has received the formal response and has not requested an escalation within stated escalation period. Closure of a formal complaint can also come before this if the resident withdraws the complaint, or the Customer Care Officer has confirmation from the resident that the complaint has been resolved.

19.2 There is an emphasis on the resident to notify the Customer Care Officer as soon as they are dissatisfied with a response so it can be escalated promptly, and not risk closure of the complaint due to the escalation period coming to an end.

19.3 If the Customer Care Team have requested further information before logging an issue or concern at stage 1, to understand if it can be logged as a complaint, but no response is provided by the resident. The Customer Care Team will exhaust all options for contact before providing a final letter to the resident signposting in how to make contact with the service and that at this moment in time, the service cannot progress with the complaint due to the lack of further information provided. Once information is provided, the Customer Care Team will be able to acknowledge the issue or concern in the complaint process, if it meets the definition of a complaint.

20. Internal Review Process

20.1 During the investigation of a complaint, further information may be requested to support completing the responses to a resident. This is an internal request for information made by the Customer Care Officer/Team, Customer Relations Team or relevant service manager and is always requested with timescales. If information is not forthcoming from a team within the Housing Service, or other teams within Wokingham Borough Council by the specified timescales or the Customer Care Officer/Team has concerns regarding compliance to policy, Housing Ombudsman guidance, the case and/or responses given, the following internal review process is used:

1. A reminder of the information requested will be sent by email to the person or team with a request for contact and the requested information with a final deadline of 2 working days. This must be followed by a telephone call, meeting or face-to-face discussion to highlight the email has been sent and the escalation process is now in

progress. On occasion, the Customer Care Officer/Team may set up a meeting with all relevant managers to aid in a cohesive response being provided.

- a. If there is valid reason for the delay, a final deadline will be agreed at this time.
- b. If the agreed deadline is out of the Stage timescales, a holding reply will be sent to the complainant with a new deadline of when the full reply will be sent to them.
- c. Notes will be added to the complaints file to show the outcomes of all discussions and timescales agreed including any updates of progress made to date.

Please note: All email trails are kept together and a copy is filed with the complaint. This is to ensure all completed actions can be noted. This information will be shared with the Ombudsman in the event of an investigation. (All telephone calls, meetings or face-to-face discussions must have a file note to show the date, time, who was part of the discussion and any outcomes or actions agreed with deadlines)

2. If the requested information is not received within the specified time or the delay is unreasonable and there is no valid reason or there is cause for complaint compliance concerns; an email with a copy of all correspondence including file notes, deadlines and a detailed chronology of events will be sent to a Senior / Lead Manager, followed by a telephone call or face-to-face discussion specifically mentioning why the internal review process is being used. This may result in a decision being made for the complaint to be shared to relevant senior managers or at a Housing Operational meeting, to aid in a response being formed and actions created collectively.
3. If the Senior / Lead Manager believes there is reason for further escalation, they can escalate to the Assistant Director of Housing if the above process is not successful.

Please note: Continued correspondence (by telephone with file notes completed, followed up in writing / email with any agreed actions) with the resident is essential throughout this process. The resident must be informed that the review process is now being followed with the timescales given and which staff members are now involved.

COMPLIMENTS

21. Definition of a Compliment

21.1 A compliment is a polite expression of praise or admiration for going over and above what is expected within the role or service.

22. Compliments Policy

22.1 Compliments will be logged whether they are received verbally or in writing. Compliments enable the Housing Service to:

- Understand that the service provided meets resident's satisfaction.
- Provide positive feedback to Officers and contractors.
- Influence the service and service development.

22.2 A compliment such as a simple 'thank you' will not be logged unless it is viewed that the member of staff or contractor has gone beyond what is expected of them. Therefore, discretion will be exercised.

23. Compliment Handling

23.1 When an Officer, contractor or team believe they have received a compliment, the Customer Care Officer will review the compliment to ascertain if the person(s) receiving the compliment went above and beyond the call of duty.

23.2 The Customer Care Officer will ensure the individuals manager is made aware when a compliment is formally logged so they can celebrate this with the individual.

23.3 Appendix 4 highlights the procedure for recording compliments.

24. Who can make a Compliment?

24.1 Anyone who has received contact with Wokingham Borough Council Housing Service can make a compliment regarding a service received, staff member or contractor. Examples of who can make compliments include, but are not limited to, Councillors, Members of Parliament, Wokingham residents, tenants and stakeholders.

25. How to make a Compliment

25.1 Residents can make a compliment direct to a Wokingham Borough Council staff member via letter, phone, email or in person. This staff member will then send the compliment on to the Customer Care Officer/Team who will assess and log.

25.2 Residents can log a compliment direct to the Customer Care Officer/Team via email to CCOHousing@wokingham.gov.uk, this inbox is monitored and

residents can expect to receive an acknowledgement, of their compliment being logged, within 5 working days.

25.3 Residents can contact the Customer Care Officer by phone on 0118 974 6000, choose option 4 and asking to speak to the Housing Service Customer Care Officer to log a compliment.

25.4 Residents can also log a compliment by letter to: Customer Care Officer, Housing Service, PO Box 154, Shute End, Wokingham, Berkshire, RG40 1WN.

COMPENSATION

26. Definition of compensation

26.1 The Housing Service defines compensation as a payment, either obligatory or discretionary, of a sum of money in recognition of loss or detriment to a complainant.

27. Compensation Policy

27.1 The Housing Services priority is to resolve issues as soon as possible when raised. Compensation would usually only be agreed where the resident or service can provide evidence of a quantifiable loss where the service is liable.

27.2 As a gesture of goodwill, residents may be offered a monetary gift or voucher up to a minimum value of £50 for each consideration provided in 27.5.

27.3 Compensation should be appropriate and proportionate and is not automatic when the Housing Service makes a mistake.

27.4 All compensation offered is at the Housing Service's discretion and each case is dealt with on an individual basis to ensure there is no hardship or disadvantage to the resident(s).

27.5 When offering compensation or gestures of goodwill, the Housing Service will consider:

- Delays.
- Impact (e.g. Inconvenience, distress).
- Incurred costs.
- Loss of value (valuables that have been damaged that are not insured).

27.6 When compensation is awarded, the Customer Care Officer/Team will be in contact to understand how the resident would prefer to receive this payment. Wokingham Borough Council will be flexible in the ways residents can receive payment.

28. Compensation Handling

28.1 During the investigation of a complaint, compensation will be considered if the complainant(s) have incurred any of the above considerations from 27.5.

28.2 If, after the complaint has been fully investigated and it is deemed that compensation or a gesture of good will is appropriate by the service manager, the resident will be notified of the decided amount by the Customer Care Officer/Team. This confirmation will be included in the

formal complaint response or through a separate letter detailing the amount decided.

28.3 If the resident can prove they have suffered a quantifiable loss due to their complaint, they will be granted compensation to the sum of the quantifiable loss at the discretion of the service manager reviewing the complaint.

28.4 This policy cannot consider disrepair claims or compensation undergoing a legal process.

28.5 Appendix 5 highlights the procedure for awarding compensation.

COMPLAINANT CONDUCT

29. Overview

29.1 Wokingham Borough Council Housing Service understands that residents may be very upset with the way that the issues they are explaining have affected them. Although Wokingham Borough Council are understanding of these emotions, all residents should be respectful and courteous with staff when communicating a complaint. If this is not upheld, there are policies and processes in place that the Customer Care Officer/Team will implement.

30. Unacceptable Behaviour

30.1 Sometimes residents can make unreasonable demands, for example, demanding information it is not possible to provide or repeatedly requesting a service that cannot be provided.

30.2 When these demands or this behaviour starts to affect our service delivery, we consider them to be unacceptable and will take action to resolve the situation.

30.3 Unacceptable behaviour can come in the form of telephone calls, face to face visits/interviews, emails and social media messages or posts.

30.4 The Housing Service considers unacceptable behaviour to be any behaviour directed towards Council staff which is:

- Unreasonably demanding
- Unreasonably persistent
- Abusive
- Aggressive or violent
- Bullying
- Digressing Information about them on a public platform (e.g. Social Media)

31. Managing Unacceptable Behaviour

31.1 A variety of tools are available to the Customer Care Officer/Team to deal with unacceptable behaviour. The type of action taken will depend on the type and severity of the behaviour.

31.2 The Wokingham Borough Council Housing Service have an Unacceptable Behaviour Policy for Complaints. This policy can be found in appendix 7.

REPRESENTATION OF COMPLAINANT

32. Overview

- 32.1 There are several people who can represent a resident. These include support agencies, designated persons and the Housing Ombudsman.
- 32.2 A resident can ask someone else to represent them through the complaints process. The person representing them could be another resident, family member, friend, designated person or support agency. If this is the case, the Customer Care Officer/Team will seek consent from the complainant that they are happy for their details to be shared with this third party during the complaint process. This is in line with General Data Protection Regulation. The response will not be able to be shared with the third party until consent is gained, please be aware that this may cause delays if consent is not provided within the complaint process timescales.
- 32.3 Representatives are subject to the same policies and guidance provided within this policy that all residents making a complaint are subject to. Representatives should be aware that this includes the same timescales stated in this policy, the unacceptable behaviour policy and the reasonable adjustments policy.

33. Support Agencies

- 33.1 Support agencies can support and represent you with a complaint through the process. The support agency will work with the Customer Care Officer/Team and receive all responses/correspondence on behalf of the resident. The Customer Care Officer/Team may contact the resident to confirm and seek their consent for the support agency to represent and for the resident's details to be shared.
- 33.2 The Customer Care Officer/Team may contact the resident to confirm if they would also like to receive the response directly or if they would prefer all contact to be directed only to the support agency. If the latter is chosen, it is expected that the support agency will share the response with the resident.

34. Designated Persons

- 34.1 Under the Localism Act 2011, a resident can refer their complaint or concerns to a designated person. This can be a local councillor or a Member of Parliament who will help to liaise and resolve your complaint with Wokingham Borough Council.
- 34.2 When a designated person raises concerns, an issue or situation with the Housing Service on behalf of a resident, the Customer Care Officer/Team will establish whether this is a complaint or if this is a Cllr/MP enquiry.

- 34.2 All complaints raised by a Councillor and/or Member of Parliament (MP) will be processed through the Housing Complaint process and will have the same timescales as explained in section 13 and 14 of this policy, Please be aware that the Customer Care Officer/Team will acknowledge within 5 working days, making the designated person aware if it's being handled as a complaint or enquiry, and will need to gain consent from the resident being represented.
- 34.3 Councillor and MP enquiries are processed separately to complaints. An enquiry may be a query raised by a designated person. Cllr and MP enquiries have 5 working days for the Customer Care Officer to acknowledge and a target to be responded to within 10 working days. The Customer Care Officer/Team will make it clear from acknowledging if it is an enquiry or a complaint. If a delay is likely to occur to the response, the Councillor or/and MP will be contacted promptly. The process for these enquiries can be seen in appendix 6.

35. The Housing Ombudsman Service

- 35.1 The Housing Ombudsman is set up by law to look at complaints and resolve disputes involving tenants and leaseholders of social landlords and voluntary members.
- 35.2 The Housing Ombudsman can provide a service to residents at any point in the Complaints Process. If you would like to enquire with the Housing Ombudsman, The Customer Care Officer/Team is able to provide you with their contact details, which are:
Phone: 0300 111 3000
Email: info@housing-ombudsman.org.uk
Website: <https://www.housing-ombudsman.org.uk/residents/make-a-complaint/>
Address: Housing Ombudsman Service, PO Box 152, Liverpool, L33 7WQ
Or Housing Ombudsman Service, Exchange Tower, Harbour Exchange Square, Isle of Dogs, London, E14 9GE
- 35.3 The Tenant Complaint Panel can refer complaints on to the Housing Ombudsman service and will advise if they do so.

36. Chief Executive Enquiries and Complaints

- 36.1 The Chief Executive office may receive a complaint or enquiry that relates to the housing service. When this occurs, the Chief Executive office will request that the Customer Care Officer/Team looks over the complaint or enquiry and liaises with the service managers to produce a response.
- 36.2 The Customer Care Officer/Team may get in contact with the resident or representative during the initial 5 working day period to acknowledge the

complaint/enquiry and advise that this is being investigated by the Housing Service whilst keeping the Chief Executive's office updated on the case.

36.3 All Chief Executive enquiries and complaints will be processed under the Housing Complaints process, procedure and timescales.

SUPPORTING DOCUMENTS

37. Appendices

- 37.1 Appendices 1 and 7 are extracts from relevant Housing Service Policies which were mentioned in the Complaints, Compliments and Compensation Policy.
- 37.2 Appendix 2 is taken from The Housing Ombudsman Complaint Handling Code 2022 guidance and indicates whether an issue is a first request of service or a complaint. This guidance will be used by the Customer Care Team/Officer.
- 37.3 Appendices 3, 4, 5 and 6 indicate the Residents Journey through the Procedures that this policy sets out.

Appendix 1: Reasonable Adjustments Policy

Wokingham Borough Council Housing Service

REASONABLE ADJUSTMENTS POLICY FOR HOUSING COMPLAINTS

1. Overview

- 1.1 Wokingham Borough Council Housing Service is committed to making sure that the service is accessible to all. Due to this, reasonable adjustments can be made to support residents to enable them to be able to access the service in a way that is most suitable for them.
- 1.2 This policy provides an insight into how the Housing Service will approach these requests for reasonable adjustments. This supports WBCs equality plan, commitment to improving accessibility and the management of handling requests for reasonable adjustments when investigating Housing Complaint cases.

2. Legislation

- 2.1 This policy is written in conjunction with the Equality Act 2010 which created the Public Sector Equality Duty. This policy is in line with the Equality Plan 2021 to 2025 for Wokingham Borough Council, information on this can be found at: <https://wokingham.moderngov.co.uk/documents/s47397/>.
- 2.2 Under the Equality Act 2010 the duty to provide reasonable adjustments arises in three circumstances:
 - Where there is a provision, criterion or practice which puts a person at a substantial disadvantage (more than minor or trivial) in relation to a relevant matter in comparison with persons who do not have the same physical or mental challenges.
 - Where a physical condition/feature puts a person at a substantial disadvantage in comparison with persons who do not have this.
 - Where a person would, if not for the provision of an auxiliary aid, be put at a substantial disadvantage in comparison with persons who do not have a disabled classification or physical/mental condition.
- 2.3 Wokingham Borough Council recognise that you do not need to be classed as disabled to require reasonable adjustments. Many physical and mental conditions can impact and cause a substantial disadvantage to our residents.
- 2.4 Likewise decreased English language skills or English reading skills can pose a substantial disadvantage to our residents, and therefore, it is encouraged that these residents seek reasonable adjustments. This also allows WBC to treat residents fairly based on their education level, nationality or first language, which the equality act 2010 and council policy encourage.

3. What is a reasonable adjustment?

3.1 To make a reasonable adjustment to residents means that a physical change to premises or change to procedure/practices will be undertaken to avoid residents with mental or physical conditions having a substantial disadvantage to those who do not.

3.2 Examples of reasonable adjustments:

- Allowing more time for a person to provide information.
- Providing additional support such a translator or sign language interpreter.
- Providing multiple format options for communications.

4. Requesting reasonable adjustments

4.1 A resident can request reasonable adjustments at any time to a Wokingham Borough Council Housing Staff member, and in the case of complaints, it is best to contact the Customer Care Officer/Team.

4.2 During the complaints process, the online complaint reporting form asks for the residents preferred communication method, however, we aim to provide multiple approaches to this by:

- All written communication (Acknowledgement and response letter templates) will alert the resident to reasonable adjustments at request.
- The Customer Care officer will also check with each resident when speaking on the phone to establish whether reasonable adjustments are required.
- By including a note on online documents and our website page that reasonable adjustments can be provided and publishing this policy with the Housing Service complaints policy.
- By working with the Tenant Volunteers to provide awareness of this policy.

5. Types of reasonable adjustments

5.1 The adjustment sought for an individual will depend on the individual's need and the case. Therefore, discretion will be used to benefit the resident. The requirements will be discussed with the resident to find a reasonable agreement, no assumptions will be made by staff that an individual requires the adjustments.

5.2 Examples of adjustments that can be made (not limited to those below):

- Provision of information in appropriate alternative formats (large print, braille, coloured paper).
- Extension of time limits
- Use of email or phone in preference to hard copy letters

- Use of plain English or Easy Read service
- Communication solely through a representative or intermediary
- Frequent rest or comfort breaks in meetings and as requested

6. Response to requests

6.1 In most cases, the housing service and the Customer Care Officer will agree and deliver the required reasonable adjustment as soon as an agreement has been made with the resident. In some cases, the Customer Care officer may have to seek further support internally (most likely, to Adult Social Care) or externally (to an expert organisations or charity) to assist with signposting and other forms of support to the resident.

7. Request Handling

7.1 All requests should be submitted to a member of staff and sent to the Customer Care Officer for monitoring, investigating with the resident and logging. This guarantees that the complaints process and communication are suitable and accessible to the individual.

7.2 The Equality Act 2010 and Wokingham Borough Council's policies do not define what is reasonable. However, the Equality and Human Rights Commission suggest that several factors should be considered when agreeing, suggesting and providing reasonable adjustments:

- The effectiveness of the adjustment(s) in preventing or reducing the disadvantage for the individual resident.
- The practicality of Wokingham Borough Council Housing Service making the adjustments.
- The availability of Wokingham Borough Councils Housing Services resources including external assistance and finance.
- Any disruption to the Service that making the adjustment may cause.

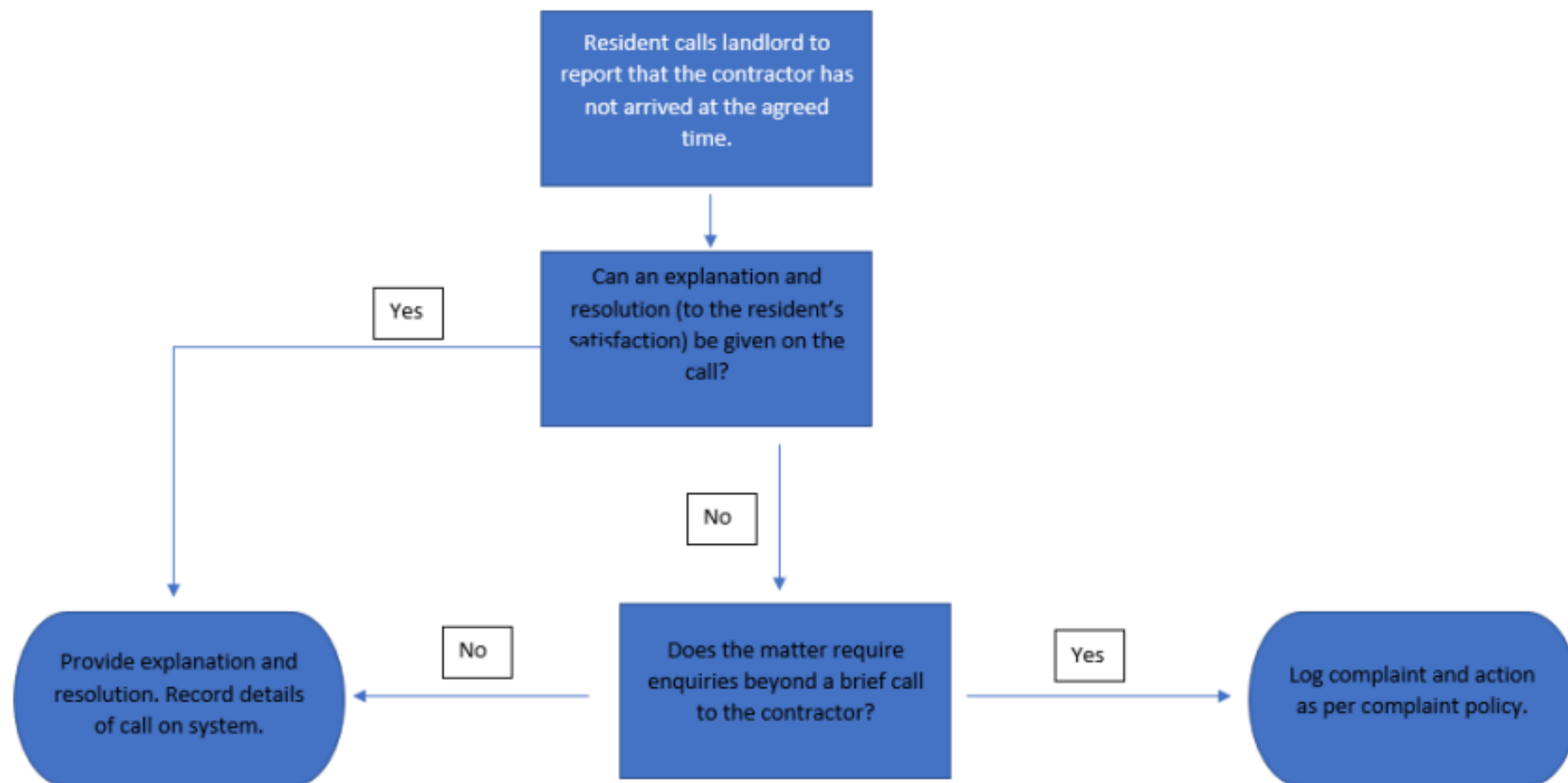
8. Logging Reasonable Adjustments

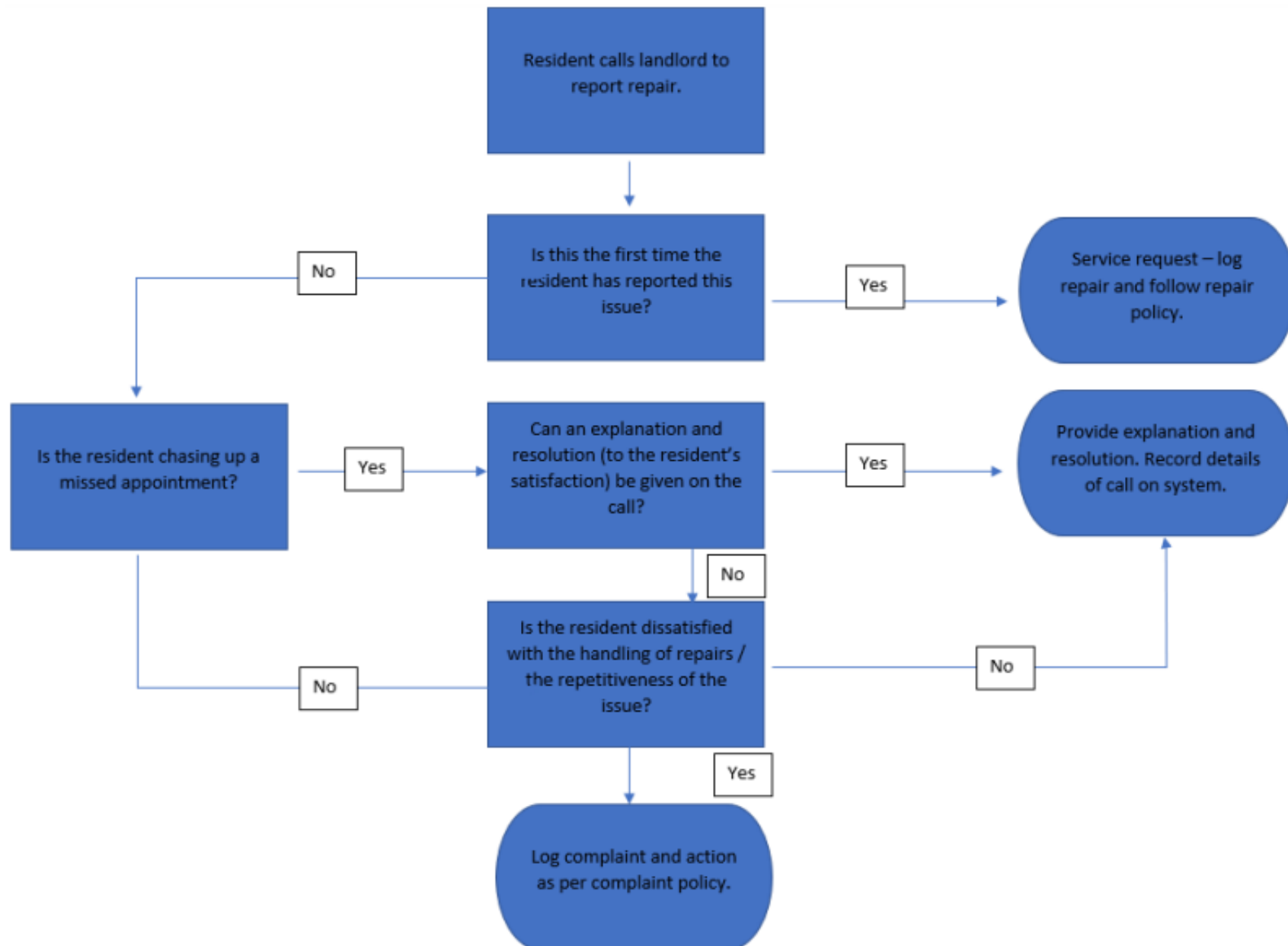
8.1 Wokingham Borough Council Housing Service will record and monitor the reasonable adjustments within the complaint casefile and database.

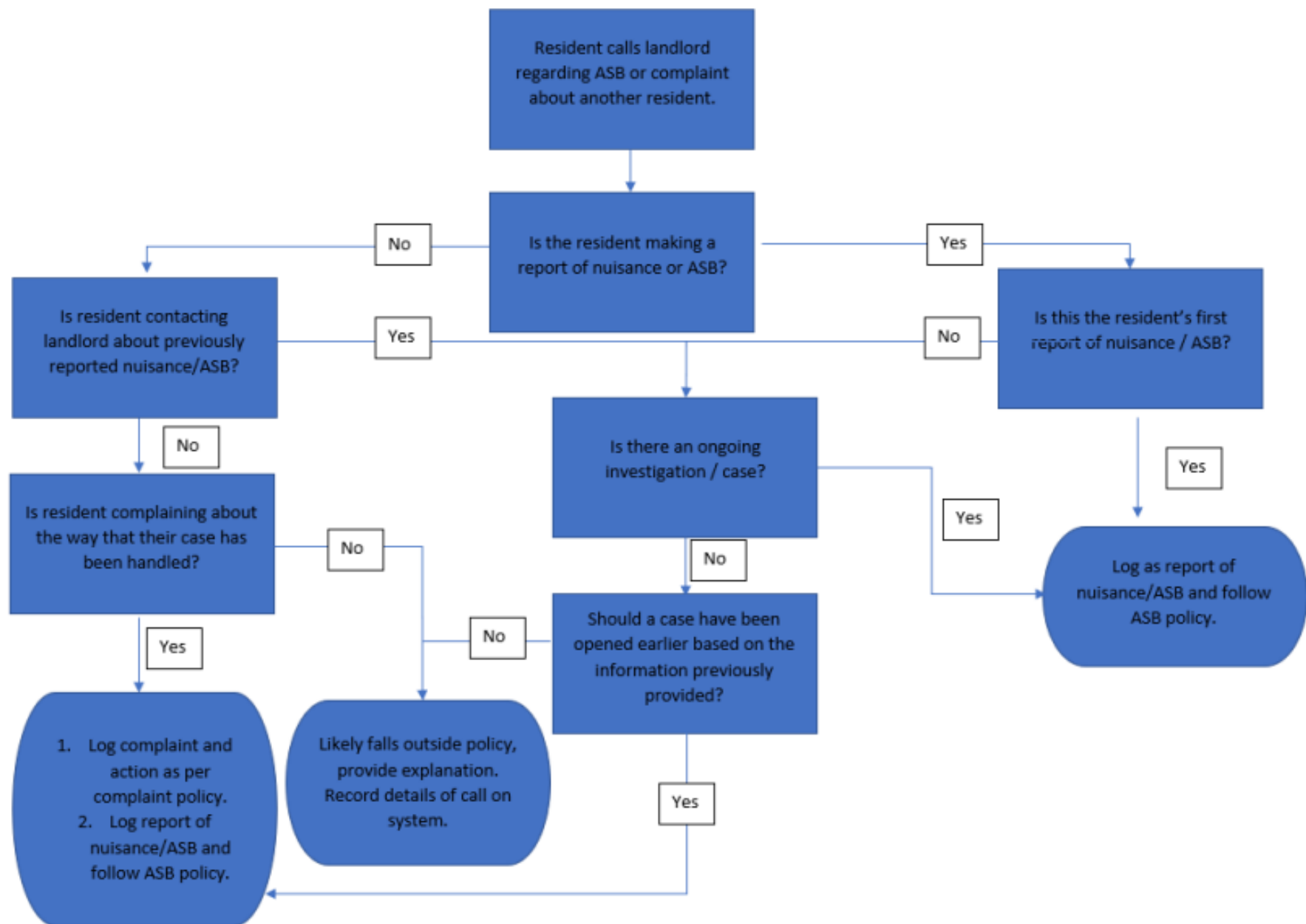
8.2 This will be in line with the General Data Protection Act 2018.

8.3 Recording and monitoring adjustments will allow the service to review what was provided and help identify whether further steps could have been taken to improve the accessibility of that individual. Cases may be used as an example for review with the relevant involved tenant groups, all information relating to an individual will be anonymised if this occurs. This will help the service provide more suitable reasonable adjustments in future cases.

Appendix 2: Service Request or a Complaint? Flow Chart from the Housing Ombudsman Complaint Handling Code 2022, which Wokingham Borough Council will adhere to.



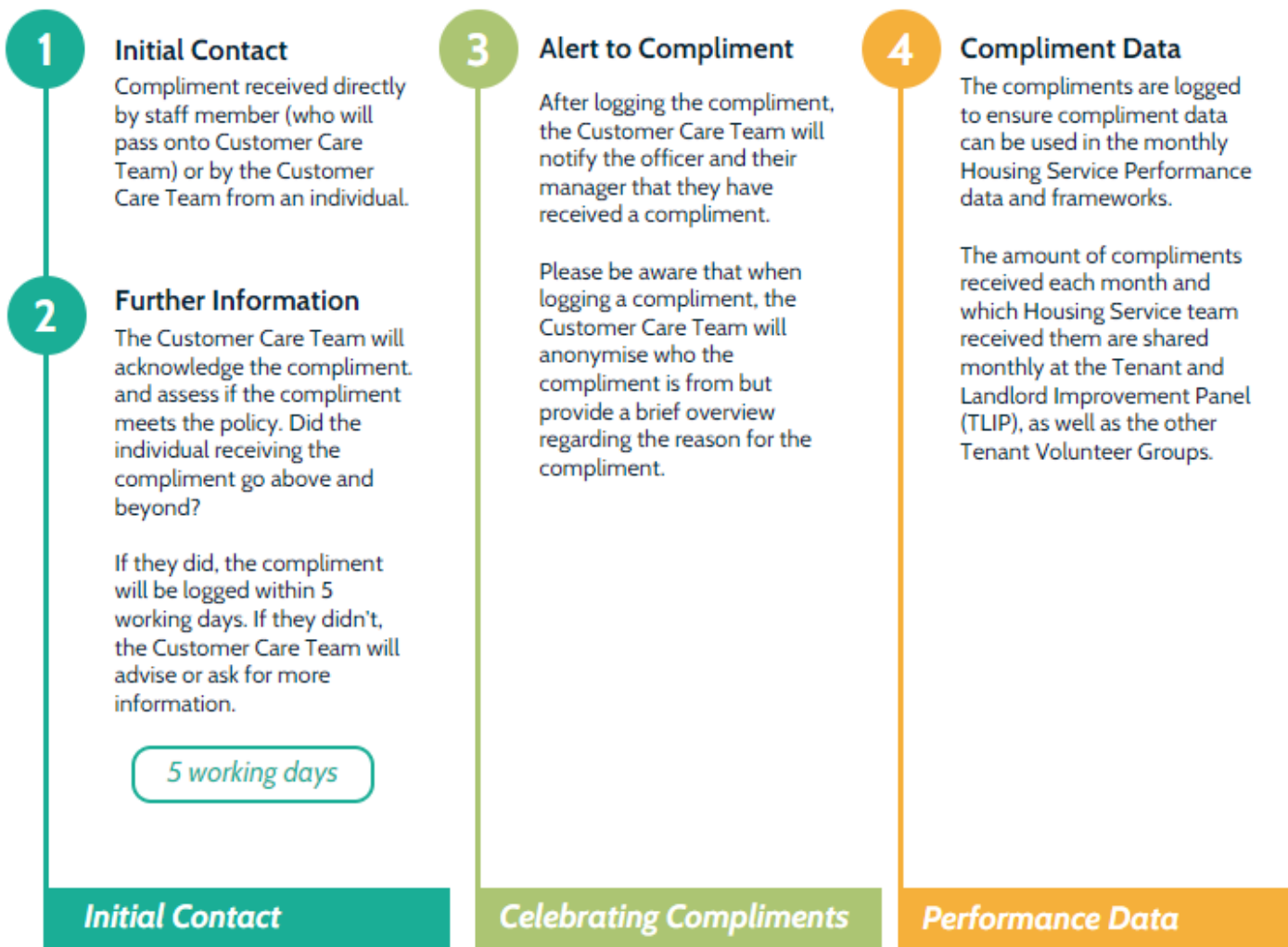




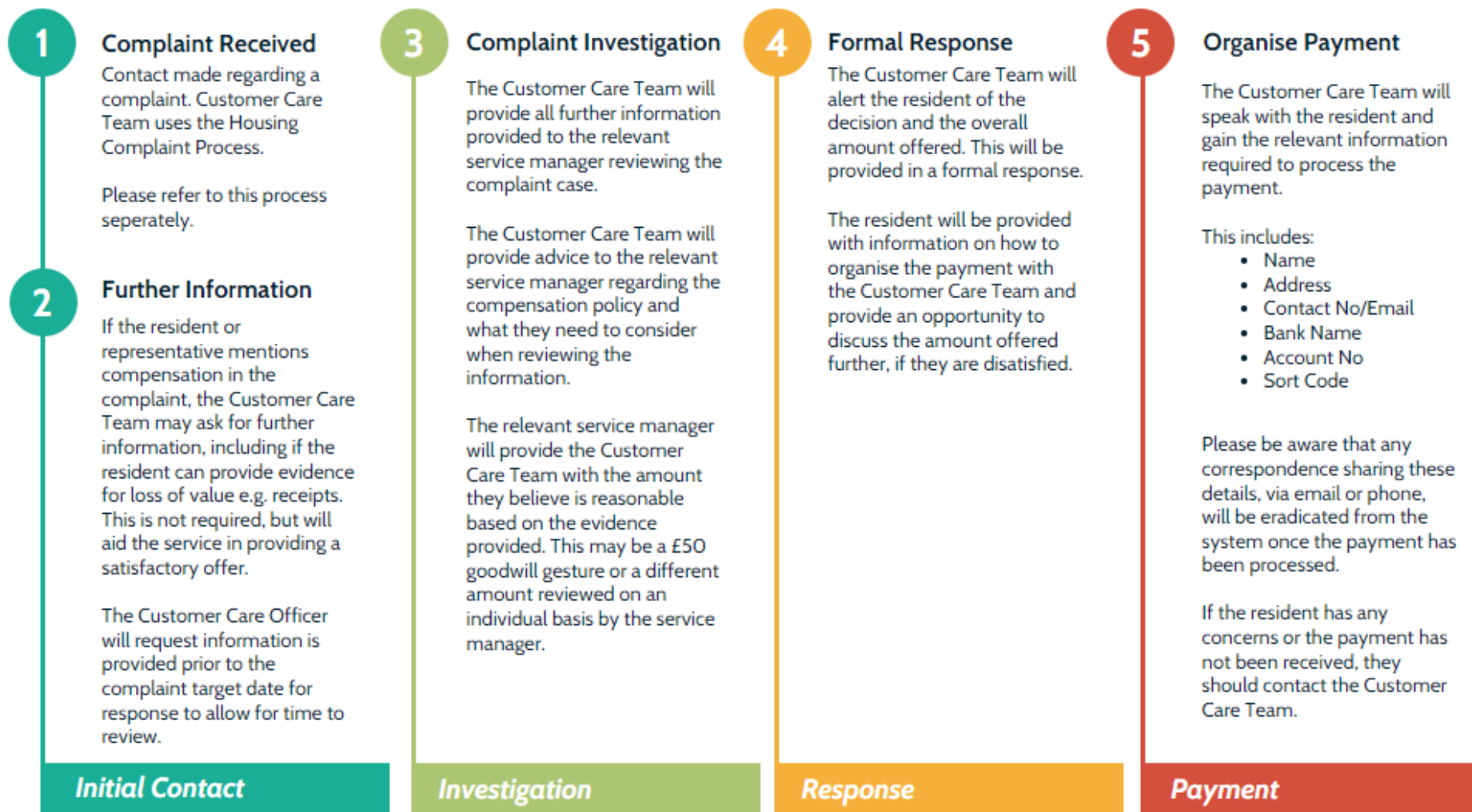
Appendix 3: The Housing Complaint Process



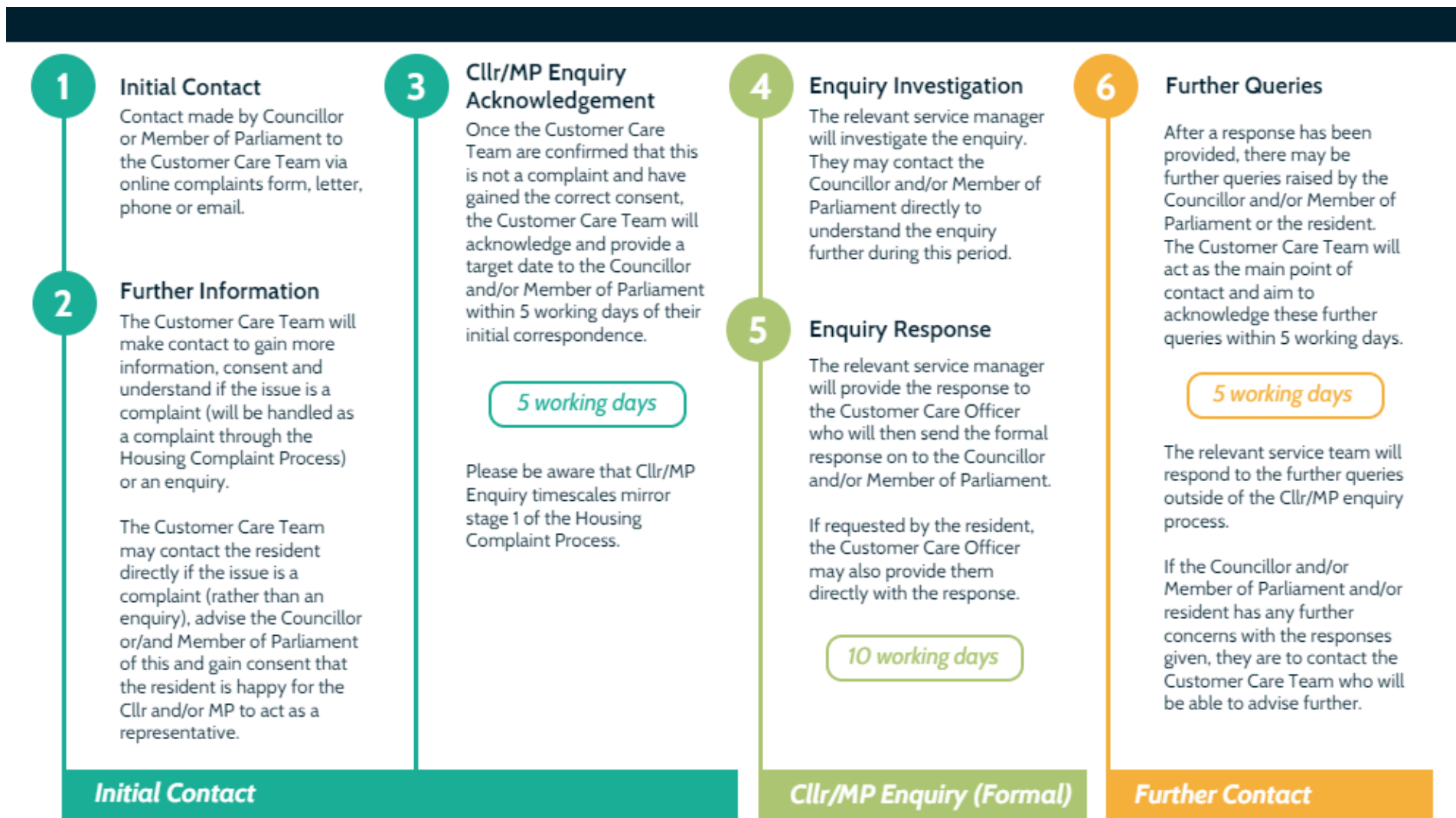
Appendix 4: The Compliment Process



Appendix 5: The Compensation Process



Appendix 6: Councillor or Member of Parliament Enquiry Process



Appendix 7: Unacceptable Behaviour Policy

Wokingham Borough Council Housing Service

UNACCEPTABLE COMPLAINANT BEHAVIOUR POLICY

1. Overview

- 1.1 This policy aims to provide the expectations of the Housing Service on residents and representatives who are making a complaint to the service.
- 1.2 The objective is to provide a clear and concise policy that residents can read so they are aware that certain actions and behaviour are not acceptable, and staff members can implement this policy against them.
- 1.3 Please note that Wokingham Borough Council Housing Service do not wish to use this policy regularly, however, the service must be prepared to implement the policy when behaviour and actions of the resident become unacceptable.

2. Legislation

- 2.1 This policy is written in conjunction with the Equality Act 2010. This policy is in line with the Equality Plan 2021 to 2025 for Wokingham Borough Council, information on this can be found at: <https://wokingham.moderngov.co.uk/documents/s47397/>.
- 2.2 This policy will be applied fairly, honestly, appropriately, and consistently to all residents of Wokingham Borough Council regardless of gender, race, colour, marital status, national or ethnic origin, nationality, disability, sexuality, age or religion. Whilst also adhering to the duty to protect employees.
- 2.3 The service will show regard for an individual's medical condition or/and vulnerability when using this policy. Due to this, discretion will be used with each case considered individually. Accordingly, any restrictions imposed on a customer's contact should recognise and be appropriate to their individual circumstances.
- 2.4 It is also important that all residents have a right to be heard, understood, and respected. Therefore, counter allegations regarding staff members will be investigated with the upmost seriousness by the relevant service manager or senior manager.
- 2.5 Confidentiality will be upheld to all residents. This is in line with the General Data Protection Act 2018.

3. Representation

- 3.1 As stated in the Complaints, Compliments and Compensation Policy, 'A resident can ask someone else to represent them through the complaints process,' All cases will be considered against whether a representative for the resident may be better placed to aid a resolution between Wokingham Borough Council and the resident. However,

representatives are also subject to this policy and are expected to act in an acceptable manner.

- 3.2 If the Customer Care Officer is made aware of communication with other agencies or teams within the council, a multi-agency approach will be considered where appropriate and necessary. If the Customer Care Officer feels other teams within the council will be able to support the resident with their issues, these areas of the council will be called upon.

4. What is unacceptable behaviour?

- 4.1 Sometimes residents can make unreasonable demands, for example, demanding information it is not possible to provide or repeatedly requesting a service Wokingham Borough Council cannot provide.
- 4.2 When these demands or this behaviour starts to affect the housing service delivery, Wokingham Borough Council consider them to be unacceptable and will take action to resolve the situation.
- 4.3 Unacceptable behaviour can come in the form, but not limited to, telephone calls, face to face visits/interviews, emails and social media messages.
- 4.4 The Housing Service considers unacceptable behaviour to be any behaviour directed towards Council staff which is:
- Unreasonably demanding (e.g., requesting large volumes of information, asking for responses within a short space of time, refusing to speak to an individual or insisting on speaking with another)
 - Unreasonably persistent (e.g., refusing to accept the answer that has been provided, continuing to raise the same subject matter without providing any new evidence, continuously adding to or changing the subject matter of the complaint)
 - Verbal abuse, aggression, violence (this is not just limited to actual physical or verbal abuse but can include derogatory remarks, rudeness, inflammatory allegations, and threats of violence)
 - overload of letters, calls, emails or contact via social media (this could include the frequency of contact as well as the volume of correspondence received as well as the frequency and length of telephone calls).

5. Management of behaviour

- 5.1 Wokingham Borough Council and the Customer Care Officer will initially remind the resident of this policy and how their actions/behaviour could be deemed unacceptable with examples. From this, the housing service will try to reach a voluntary arrangement with the resident before taking formal action.
- 5.2 If the warning is not successful, formal actions can be taken by the Housing Service. Formal actions include:
- providing a single point of contact

- limiting contact to a single form i.e., to writing, email or telephone only
- limiting contact to certain times or to a limited number of times per week or month
- declining to give any further consideration to an issue unless any additional evidence or information is provided
- only considering a certain number of issues in a specific period.

5.3 In extreme cases, physical violence or harassment towards an employee, the Customer Care Officer will take to senior managers and actions will be decided on and could likely include involving the police, taking legal action and ending direct contact with the customer.

6. How long will actions remain on a complainant?

- 6.1 All residents who receive restrictions are entitled to appeal this decision. A review will be undertaken by the Service Manager of Tenancy Involvement who will liaise with other managers and investigate the reasons for restrictions thoroughly.
- 6.2 Restrictions imposed will have a set date for review (standard 20 working days or end of that stage of the complaint process). If the individual's behaviour has improved at review, consideration will be given for lifting restrictions. The resident will be notified of a decision. However, if the individual's behaviour has not improved at review, the resident will be given an explanation as to why restrictions will continue to remain until, at least, the next agreed review date.