



**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

Involved

Tenants



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### SIGNING OFF SECTION

This Policy has been subject to consultation with the following:  
Involved Tenants Strategy Group, Involved Tenants Communications Group, Involved Tenants Chairs Panel and The Tenant and Landlord Improvement Panel.

The members of these groups were sent the document to discuss and provide feedback, then the document was edited accordingly. The communications Group also discussed this policy at a meeting on the 29<sup>th</sup> March 2021. The policy was signed off on 30<sup>th</sup> March 2021 after receiving comments and feedback from the relevant tenant groups and members.

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## **POLICY OVERVIEW**

### **1. Policy Introduction**

- 1.1 This policy outlines the Housing Services approach to complaint handling, registering a compliment to a member of staff or contractor and the procedure if awarding compensation to residents through the complaints process.
- 1.2 This policy is for Wokingham Borough Council (WBC) and its Housing Service which consists of, but is not limited to, Asset Management and Maintenance, Housing Management, Community Safety, Localities, Tenancy Involvement and Homelessness and Housing Needs.
- 1.3 The Complaints, Compliments and Compensation policy is for the Housing Service and sits alongside the Corporate Complaints policy and process. In some cases, the Corporate Complaints policy may be used when the service is asked to respond to a Chief Executive Complaint, or the complaint is managed by WBC Customer Relations team. If this is the case, the Customer Care Officer will be in contact with the resident or representative.
- 1.4 This policy is implemented by the Customer Care Officer and overseen by the Customer Care Officer's Line Manager and the Tenancy Involvement Service Manager.

### **2. Policy Aim and Objective**

- 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 WBC staff 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. It covers complaints from the initial contact through the Early Resolution, Stage 1, Tenants Panel (if needed) and complaint closure from resolution.
- 3.2 This policy uses the term 'residents' rather than tenants as 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 Tenant Involvement and Manager of the Customer Care Officer are responsible for overseeing the policy.
- 4.2 The Customer Care Officer is responsible for implementing the policy, working in conjunction with the resident, representative and relevant WBC officers/service managers/category manager 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. WBC completed the self-assessment, sharing and discussing with the involved tenants. It was published prior to the 31st December 2020.
- 5.2 The policy will be reviewed with the WBC involved tenants and against the self-assessment on a regular basis. This self-assessment may be undertaken when advised to by the Housing Ombudsman or the relevant involved tenant groups. From a self-assessment, a policy review may occur.
- 5.3 The Policy will be reviewed three years from the date that it was signed off by the relevant Tenant Group (standard industry practice) or earlier if there are changes in regulation regarding housing-based complaints procedures or this is actioned from a self-assessment. Due to the notable changes in procedure, the tenant groups have requested that the policy is reviewed 6 months from its first implementation on the 1<sup>st</sup> April 2021. Therefore, the next review will occur by 1<sup>st</sup> October 2021.
- 5.4 The tenant complaints panel will review complaints frequently, all personal information will be redacted for the panel, however, this provides a consistent review of the complaints received and complaints procedure.

## **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, colour, marital status, national or ethnic origin, nationality, disability, sexuality, age or religion. This is in line with Wokingham Borough Council Equalities Policy 2017 which can be found at <https://www.wokingham.gov.uk/council-and-meetings/open-data/equality-and-diversity/>.
- 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, we will make reasonable adjustments for residents and representatives. The reasonable adjustments policy can be read in appendix 1.
- 7.4 The Customer Care Officer will ask residents if they require reasonable adjustments, this will also be present in acknowledgements and the online complaints forms.

### **8. Confidentiality**

- 8.1 This policy is written in conjunction with the General Data Protection Act 2018.
- 8.2 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. Housing Ombudsman Scheme**

- 9.1 This policy is written in conjunction with the legislation and advice from the Housing Ombudsman. WBC continue to be a member of the scheme.

- 9.2 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.
- 9.3 WBC 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.
- 9.4 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. WBC housing service will continue to adhere to legislation regarding the housing ombudsman, their requests for information and their determinations.

## **10. Regulatory Standards**

- 10.1 This policy is written in conjunction with the regulatory standards, most notably the consumer standard that registered providers of social housing must comply with.
- 10.2 The consumer standards include the tenant involvement and empowerment standard. This policy complies as the Wokingham Borough Council Involved tenants were heavily involved in the formulation of the policy and associated documents. This policy provides an approach to complaints that is clear, simple, accessible and ensures prompt resolution, this has been ensured by the approval of all documents by the Involved tenants communications group. The amendments and formation, supported by WBC, of the tenant complaints panel increases empowerment of residents and further allows residents to be involved in the continuous review of the service provided.

# THE COMPLAINTS, COMPLIMENTS AND COMPENSATION POLICY

## COMPLAINTS

### 11. Definition of a Complaint

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

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

11.2 The resident does not have to use the word complaint in order for it to be treated as such. WBC recognise the difference between a service request (pre-complaint), survey feedback and a formal complaint and take appropriate steps to resolve the issue for residents as early as possible. The Customer Care Officer will contact the resident in cases where the word complaint has not been used to explain the complaint process.

11.3 A first request for service is not considered a formal complaint; however, it may result in a formal complaint being raised if the result of this first request is not actioned or resolved to the complainant's expectation of service.

11.4 There are a number of exclusions to the complaints process, these include:

- ASB (anti-social behaviour) – All ASB reporting should be dealt with by the ASB team. Residents should contact their housing officer who can help them with notifying the service of ASB. ASB can progress through the complaints process if the resident is making a complaint regarding the lack of service or quality of service/handling received by the ASB team.
- Complaints that are already going through a court, tribunal or within a legal process.
- A query. Queries will be sent on to the relevant team by the Customer Care Officer and residents will be alerted that this does not meet the definition of a complaint.
- A first request for service. Residents who provide a first requests for service will be sign posted by the Customer Care Officer and alerted that this does not meet the definition of a complaint.
- If the resident has already been through the complaints process for the issue and has been provided with an in-depth formal response.

### 12. Stages of the Complaints Process

12.1 The stages of the complaints process are:

- **Early Resolution:** The Customer Care Officer will acknowledge the complaint within 5 working days. The resident will be given a reference number. The complaint will be responded to within 5

Working Days of the acknowledgement date by a service manager, usually via phone with a follow up written response. The resident will be contacted by the Customer Care Officer to understand if they feel like the concerns have been addressed in the response and expectation upheld. If they don't feel like this has been upheld, the Customer Care Officer will escalate the complaint to a stage 1. If the service does not respond within 5 working days then the complaint will be automatically escalated to Stage 1 and the resident will be alerted to this.

- **Stage 1:** The Customer Care Officer 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. The complaint will be responded to within 10 Working Days of the acknowledgement date with responses from the service manager. On occasion, it may take longer to resolve the complaint and a delay to the response may occur. If this occurs, the resident will be informed by the Customer Care Officer and given a reasonable reason for this delay.
- **Tenant Complaints Panel:** If the resident is dissatisfied with the outcome of stage 1, they can request escalation of the complaint to the tenants Panel within 20 working days. This is where the tenants panel will review, provide a decision and actions for a resolution. Further information about the panel can be requested. All personal information will be redacted when providing complaint information to the panel. The panel will meet frequently, and the resident will be alerted to the date in which their complaint will be discussed. The resident will be invited to attend, though this is optional. The service manager who provided the stage 1 response will also be in attendance. 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 panel ask for an investigation, please expect for the results of this investigation to be shared 10 working days after the panel response is provided.

12.2 Residents can contact and refer their complaint to the Housing Ombudsman at any point within the WBC internal complaints process. The Housing Ombudsman will then be in contact with WBC to discover if the complaint has been through the Council's internal complaints process and seek necessary information.

### 13. Response Times

13.1 The response times for complaints differ from the 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 request for responses spans multiple services and the customer relations team are

managing, the corporate complaints procedure may be used over that of the housing service policy. This will be used at the discretion of the Customer Relations team and Customer Care Officer. If this is the case, the tenant will be alerted from acknowledgement.

#### 13.2 Early Resolution Complaint Response Times:

- 5 working days to acknowledge.
- The target date for response is 5 working days from acknowledgement.
- 20 working days to request escalation.

#### 13.3 Stage 1 Complaint Response Times:

- 5 working days to acknowledge.
- The target date for response is 10 working days from acknowledgement.
- 20 working days to request escalation.

#### 13.4 The Tenants Panel Response Times:

- 5 working days to acknowledge.
- The resident will be alerted to the date at which the panel will review their complaint.
- The resident will be alerted within 5 working days of the panel meeting of the decision.
- If an investigation is requested by the tenants panel, the results of such should be expected 10 working days of the decision being shared.

13.5 Response times can be increased on the basis that the resident is sent a holding letter to inform them of this. The customer will be kept up-to-date regarding their complaint and delay.

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

13.7 Discretion may be exercised with each case reviewed on an individual basis by the Customer Care Officer. WBC 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.

13.8 The Customer Care Officer will continue to monitor each individual complaint as it goes through the appropriate process and must be kept informed of all contact made with the complainant.

### **14. Complaint Handling**

14.1 The complaints handling procedures for each stage can be found in appendices 2, 3 and 4.

14.2 Complaints are handled and managed by the Customer Care Officer 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 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.

14.3 The Customer Care Officer will acknowledge all complaints within 5 working days. The template acknowledgements used by the Customer Care Officer have been approved by WBC Involved Tenants communications group.

## **15. Complaints Regarding a Member of Staff**

15.1 Complaints received about a member of staff are recorded in the usual manner and responded to by the relevant line manager. This process is kept confidential.

## **16. Who can make a Complaint?**

16.1 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 WBC or those working on its behalf e.g. Contractors.

## **17. How to make a Complaint**

17.1 Residents can contact a member of WBC staff or the Customer Care Officer Directly. If staff are contacted, they will pass the complaint details on to the Customer Care Officer, the Customer Care Officer will then be in contact with the resident to learn more about the complaint.

17.2 A complaint can be lodged via email to [CCOHousing@wokingham.gov.uk](mailto:CCOHousing@wokingham.gov.uk), this inbox is monitored, and residents can expect to receive an acknowledgement within 5 working days.

17.3 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.

17.4 Residents can also complete an online complaints form at <https://www.wokingham.gov.uk/contact-us/tell-us-about-a-problem/make-a-complaint/>. Choose Housing from the drop-down list, 'what is your query about,' and this will be sent on to the Customer Care Officer to acknowledge.

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

## **18. The Closure of a Complaint**

- 18.1 The closure of a formal complaint is defined as when a resident has received the formal response and not requested an escalation within the 20 working days 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.
- 18.2 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, if requested, and not risk closure due to the escalation period coming to an end.

## **19. Escalation Process**

- 19.1 Residents can request escalation of the complaint once they have received a formal response. Residents can request escalation once they have received an early resolution response to escalate to stage 1. Residents can request escalation once they have received a stage 1 response to escalate to the tenant's panel.
- 19.2 Residents have 20 working days from receiving a response to request an escalation with the Customer Care Officer. Residents will need to make it clear and detailed why their expectations were not met and why they remain dissatisfied with the response.
- 19.3 Escalations can only consider the reasons for the initial complaint, if any new issues, which are unrelated, are added by the resident during an escalation, the resident will need to restart the complaints process with the new issue for complaint. The Customer Care Officer will advise residents of this.

## **COMPLIMENTS**

### **20. Definition of a Compliment**

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

### **21. Compliments Policy**

21.1 Compliments will be allocated a reference number and logged whether they are received verbally or in writing (letter or email). 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.

21.2 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.

### **22. Compliments Handling**

22.1 When an Officer, contractor or team believe they have received a compliment (whether from a resident/Councillor or other stakeholder), 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.

22.2 Appendix 5 highlights the procedure for recording compliments.

### **23. Who can make a Compliment?**

23.1 Anyone who has received contact with WBC 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 and Wokingham Borough Council tenants.

### **24. How to make a Compliment**

24.1 Residents can make a compliment direct to a WBC staff member via letter, phone, email or in person. This staff member will then send the compliment on to the Customer Care Officer who will assess and log.

24.2 Residents can make a compliment direct to the Customer Care Officer via email to [CCOHousing@wokingham.gov.uk](mailto: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.

17.3 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.

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

## **COMPENSATION**

### **25. Definition of compensation**

25.1 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.

### **26. Compensation Policy**

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

26.2 As a gesture of goodwill, residents may be offered a monetary gift or voucher up to the value of £50.

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

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

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

- Delays
- Impact/distress
- Incurred costs
- Loss of value (valuables that have been damaged that are not insured)

26.6 When compensation is awarded, the Customer Care Officer 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.

### **27. Compensation Handling**

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

27.2 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. This confirmation will be included in the complaint response.

27.3 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.

27.4 Appendix 6 highlights the procedure for awarding compensation.

## **COMPLAINANT CONDUCT**

### **28. Overview**

28.1 WBC Housing Service understands that residents may be very upset with the way that the issues 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 will implement.

### **29. Unacceptable Behaviour**

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

29.2 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.

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

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

- Unreasonably demanding
- Unreasonably persistent
- Abusive
- Aggressive or violent

### **30. Managing Unacceptable Behaviour**

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

30.2 The Wokingham Borough Council Housing Service have an unacceptable behaviour policy. This policy can be found in appendix 7.

## **REPRESENTATION OF COMPLAINANT**

### **31. Overview**

31.1 There are a number of people who can represent a complainant. There are support agencies, designated persons and the Housing Ombudsman who can represent the resident.

31.2 A resident can ask someone else to represent them through the complaints process. The person representing them could be another resident, family member or friend. If this is the case, the Customer Care Officer 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 GDPR laws.

### **32. Support Agencies**

32.1 Support agencies can support and represent you with a complaint through the process. The support agency will work with the customer care officer and receive all responses/correspondence on behalf of the resident. The Customer Care Officer 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. Designated Persons**

33.1 Under the Localism Act 2011, a resident can refer their complaint 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.

33.2 All Councillor 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. If a delay is likely to occur, the Councillor or/and MP will be contacted promptly. The process for these enquiries can be seen in appendix 8.

### **34. The Housing Ombudsman Service**

34.1 The Housing Ombudsman is set up by law to look at complaints and resolve disputes involving the tenants and leaseholders of social landlord and voluntary members.

34.2 The Housing Ombudsman can provide a service to residents at any point in the Housing Service Complaints Process. If you would like to enquire with the Housing Ombudsman, their contact details are:

Phone: 0300 111 3000

Email: [info@housing-ombudsman.org.uk](mailto: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. Chief Executive Enquiries and Complaints**

- 35.1 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 looks over the complaint or enquiry and liaises with the service managers to produce a response.
- 35.2 The Customer Care Officer may get in contact with the resident or representative during this time to acknowledge the complaint/enquiry and that this is being investigated by the Housing Service whilst keeping the Chief Executives office updated on the case.
- 35.3 All Chief Executive enquiries and complaints are under the Corporate Complaints policy, even if the Housing Service are requested to produce a response. The resident will be alerted of this. More information on the Corporate Complaints policy can be found at <https://www.wokingham.gov.uk/contact-us/tell-us-about-a-problem/tell-us-if-we-did-something-wrong/>.

## **36. Appendices**

36.1 Appendices 1 and 7 are extracts from relevant Housing Service Policies which were mentioned in the Complaints, Compliments and Compensation Policy.

36.2 Appendices 2, 3, 4, 5, 6 and 8 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

##### 1. Overview

- 1.1 Wokingham Borough Council Housing Service are committed in making sure that the service is accessible to all. Due to this, reasonable adjustments can be made to support residents in receiving a high level of service.
- 1.2 This policy provides an insight into how the Housing Service will approach these requests for reasonable adjustments. This supports WBCs equality policy, commitment to improving accessibility and the management of handling requests for reasonable adjustments.

##### 2. Legislation

- 2.1 This policy is written in conjunction with the Equality Act 2010. Further to this, the Wokingham Borough Council Equalities policy 2017 was produced from this as a commitment to equality by Wokingham Borough Council, the housing service and this policy comply with this. The Wokingham Borough Council Equality policy can be found at: <https://www.wokingham.gov.uk/council-and-meetings/open-data/equality-and-diversity/>.
- 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 policy 2017 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.

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 Involved Tenants 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.

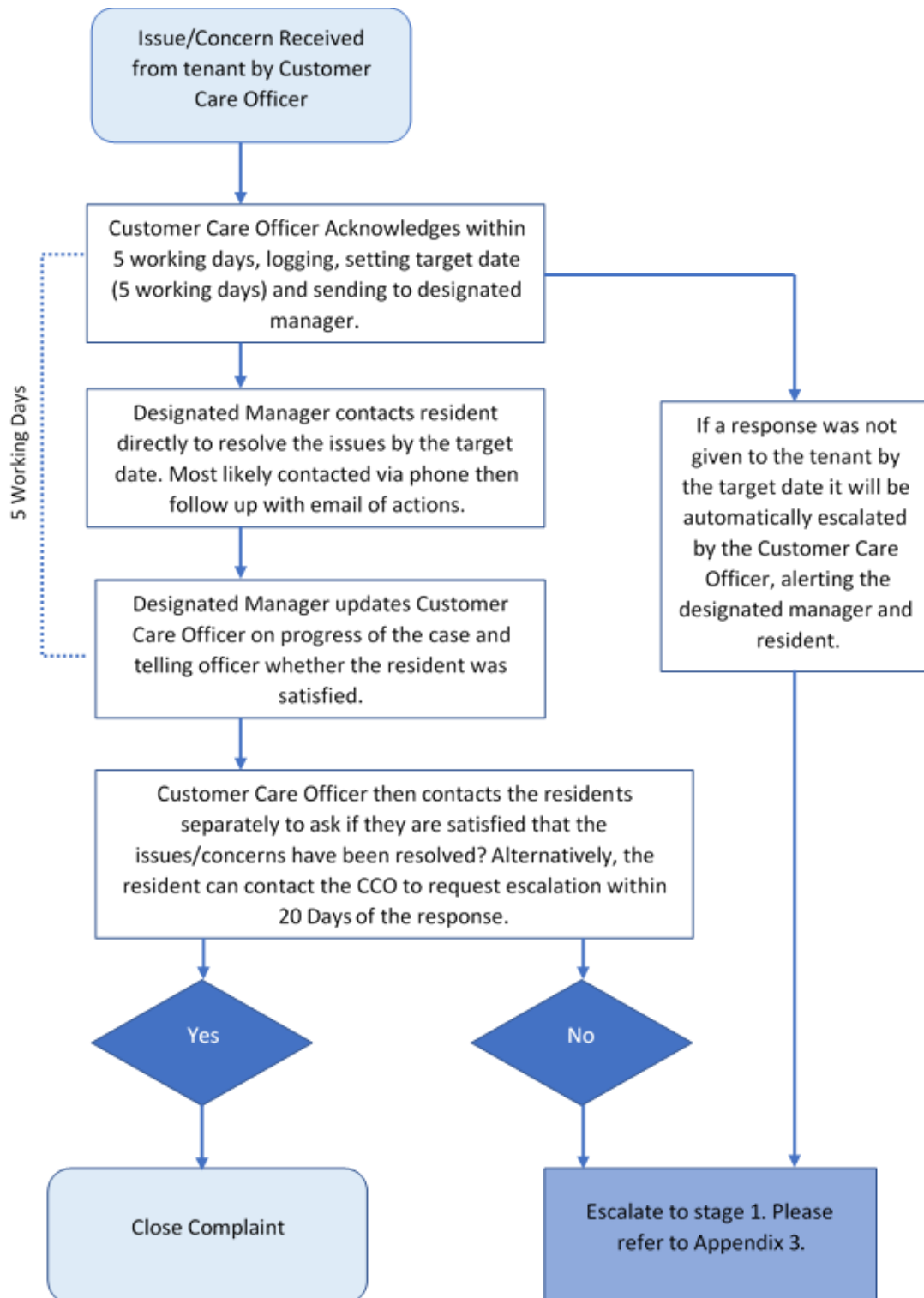
## 7. Request Handling

- 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 WBC Equalities Policy 2017 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.

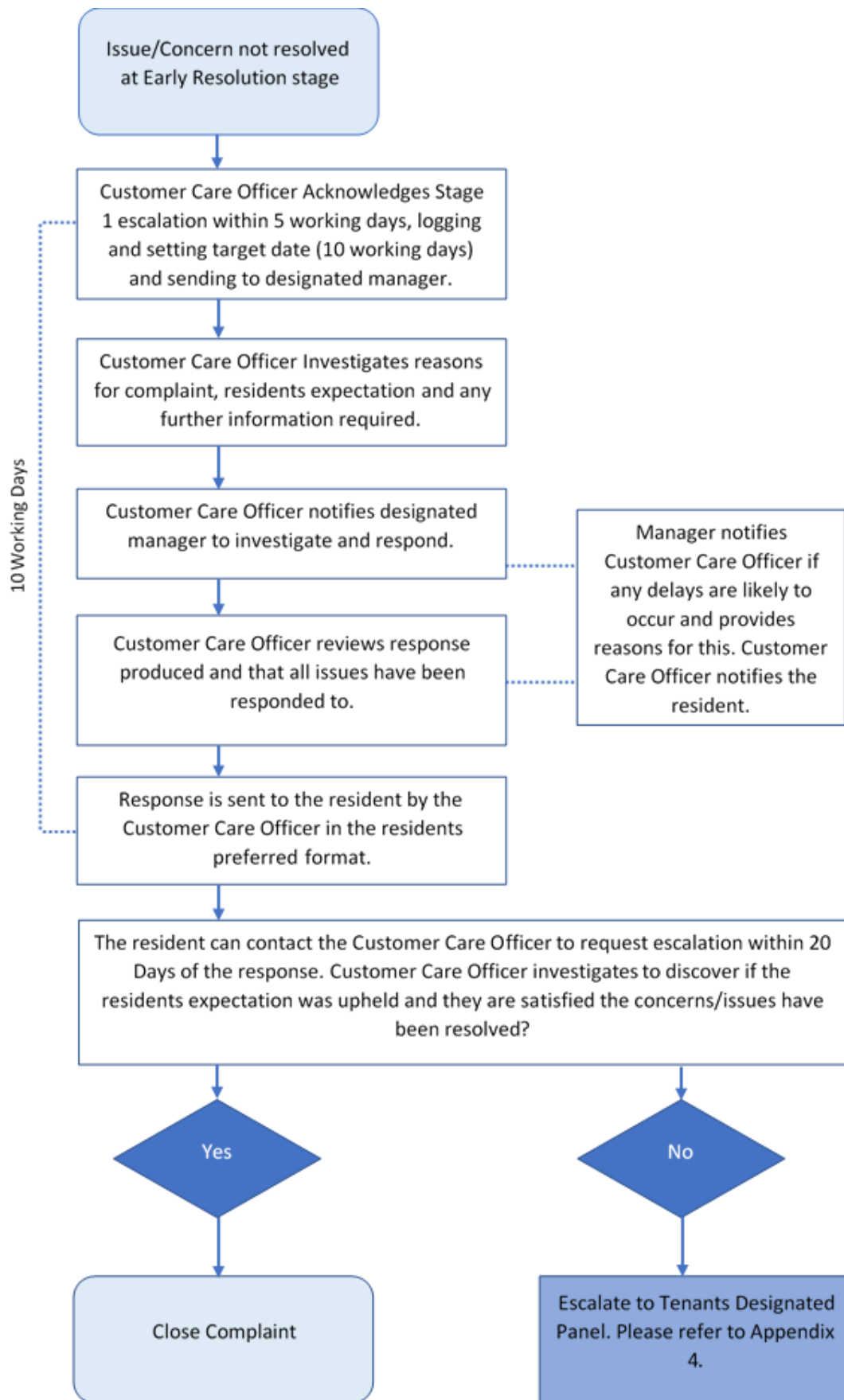
## 8. Logging Reasonable Adjustments

- 8.1 Wokingham Borough Council Housing Service will record and monitor the reasonable adjustments within the 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.

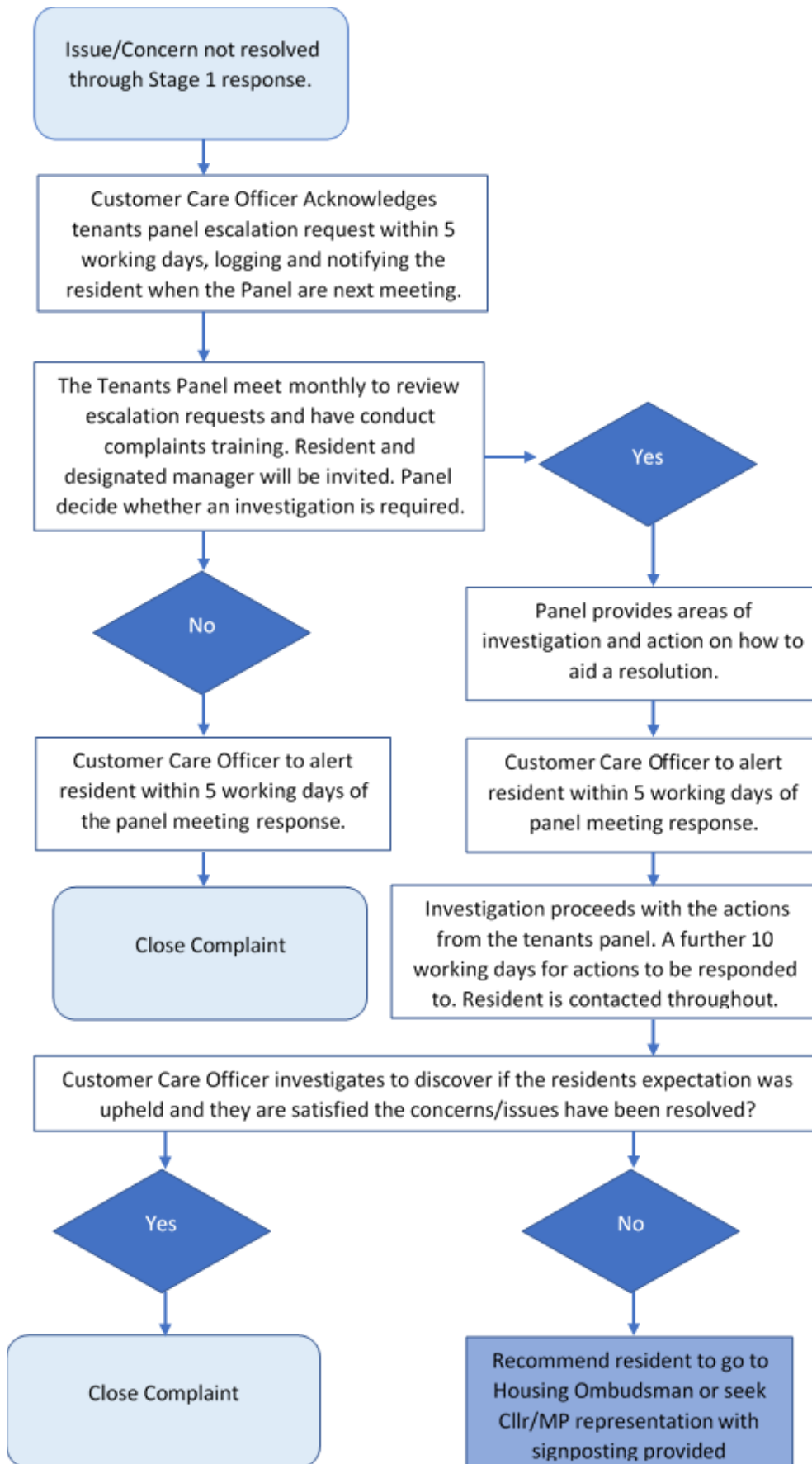
## Appendix 2: Early Resolution Process



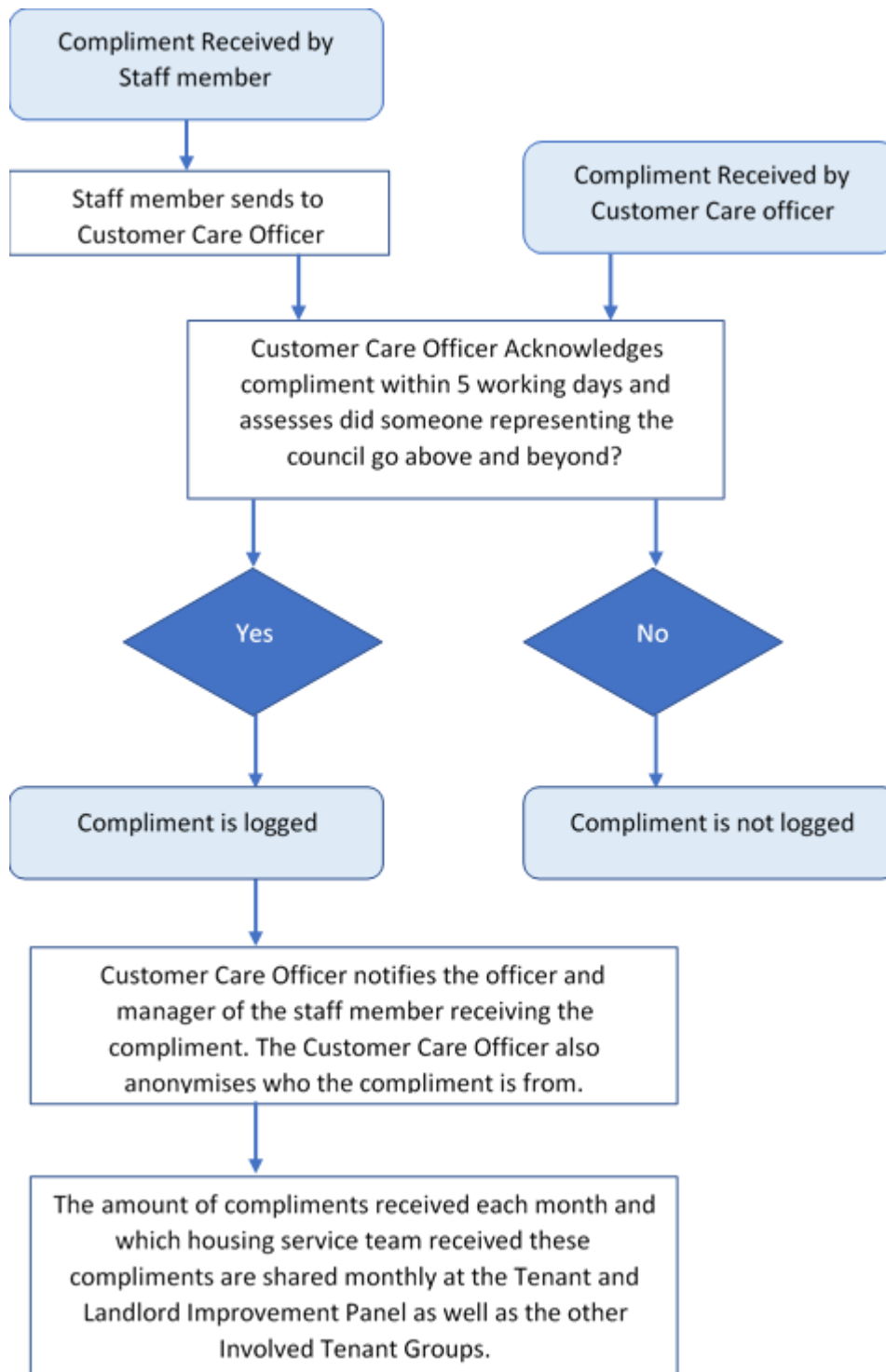
### Appendix 3: Stage 1 Complaints Process



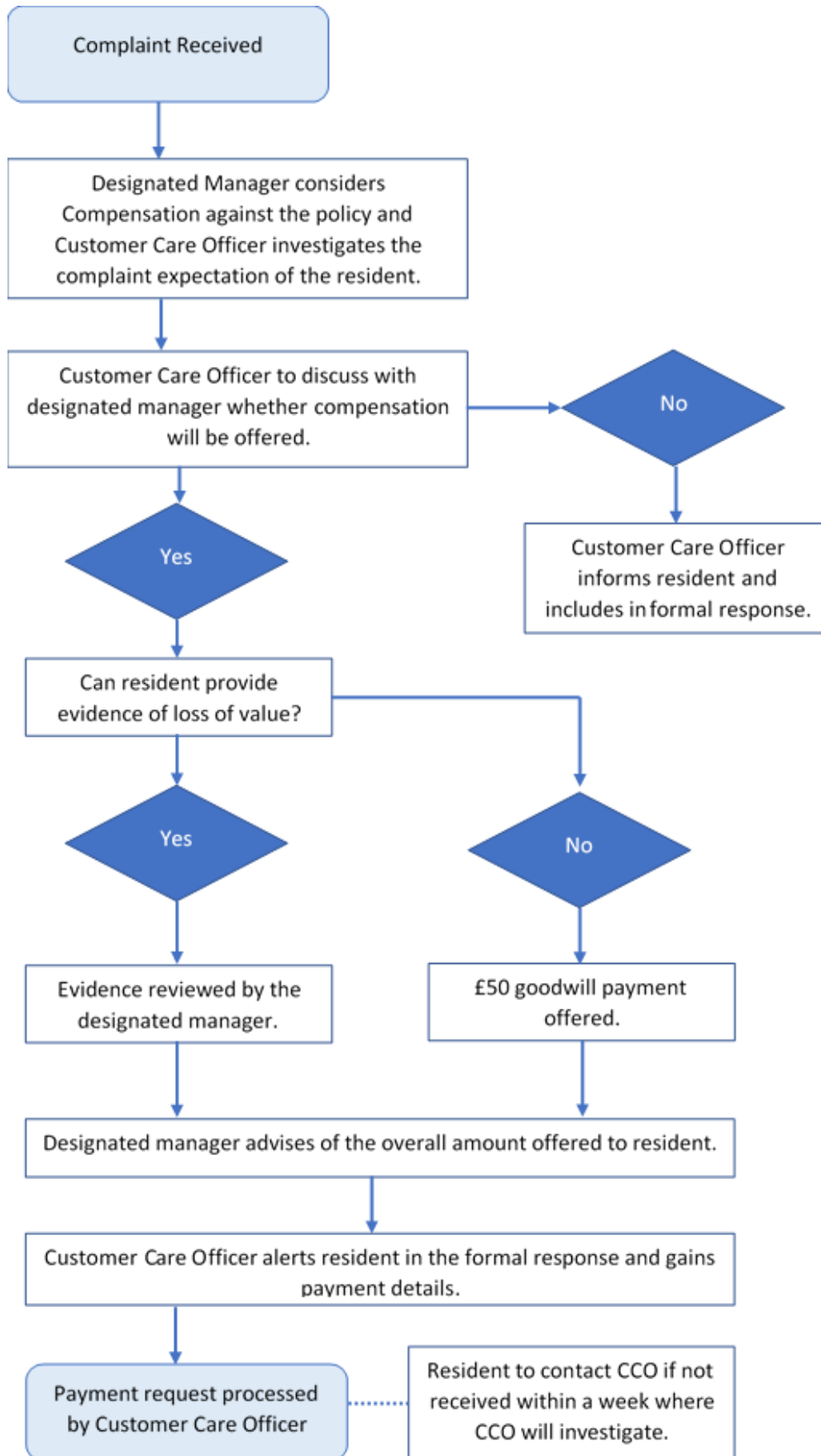
#### Appendix 4: Tenants Complaints Panel Process



## Appendix 5: Compliments Procedure



## Appendix 6: Compensation Procedure



## 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. Further to this, the Wokingham Borough Council Equalities policy 2017 was produced from this as a commitment to equality by Wokingham Borough Council, the housing service and this policy comply with this. The Wokingham Borough Council Equality equality policy can be found at: <https://www.wokingham.gov.uk/council-and-meetings/open-data/equality-and-diversity/>.
- 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 looked at 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. The person representing them could be another resident, family member or friend. If this is the case, the Customer

Care Officer 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 GDPR laws.'

- 3.2 All cases will be considered against whether a representative for the resident may be able placed to aid a resolution between Wokingham Borough Council and the resident.
- 3.3 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, WBC 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 includes:

- providing a single point of contact
- limiting contact to a single form ie 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.

## Appendix 8: Cllr/MP (Designated Persons) Enquiry Process

