

# Complaints Policy



## 1. Introduction

Warrington Housing Association (WHA) is a community-based not-for-profit housing association. Our vision is to make our neighbourhoods in Warrington and St Helens great places to live, in which the potential of individuals and communities can be realised. We strive to provide an excellent service to all our customers and put things right when we get things wrong.

We are committed to delivering excellent customer services and to ensure that our services are accessible and meet customer's needs, we collect customer profile information on a voluntary basis. We will capture information on age, gender, religion, ethnicity, impairment or long-term health condition, and main language. We will use customer information to tailor our services according to their individual needs.

## 2. Aims of the Policy

WHA is committed to providing excellent customer service that represents value for money to our residents, customers and partners. This Policy is designed to make it easy for customers to provide us with feedback about services that they receive.

Listening to customer feedback and taking appropriate action will help us to continually improve. This Policy sets out our two-stage approach for managing and resolving formal complaints. It also sets out how customer feedback will be used to inform continuous learning and improvement.

## 3. Compliance

WHA is Regulated by the Regulator of Social Housing (RSH) and is a member of the Housing Ombudsman Scheme. We are required to have a Complaints Policy and meet the requirements of the RSH Consumer Standards and the Housing Ombudsman's Complaint Handling Code. We complete an annual review against the Ombudsman's Handling Code which can be found on our website [www.wha.org.uk](http://www.wha.org.uk)

The Data Protection Act 2018 sets out legal responsibilities on all organisations processing personal data and provides for rights in the law conveyed on the people whose data are being processed. Our Data Protection Policy is a public statement describing our approach to complying with its legal responsibilities in the Data Protection Act and how it enables individual rights to be upheld and exercised. This policy outlines our approach to the collection, storage, access to, provision and disclosure of data in accordance with the Data Protection Act 2018. When investigating a complaint, we will ensure all customer

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data remains confidential. Where we need to share any information, we will seek permission from the complainant and the reasons why we would need to share information with a 3rd party to investigate thoroughly.

#### 4. Regulatory Framework

This policy is owned by the Chief Executive and is subject to approval by Warrington Housing Association's Executive Team and the Board. The policy is in line with relevant legislation such as the Localism Act 2011, Housing Act 1996 (schedule 2), General Data Protection Act 2018, Equality Act 2010, Housing Ombudsman Complaint Handling Code 2020, and Tenant Involvement and Empowerment Standards.

The Social Housing Act received royal assent on 20 July 2023. The Act gave the Housing Ombudsman the power to issue its Complaint Handling Code on a statutory footing. A new Complaint Handling Code was introduced by the Housing Ombudsman which came into force on 1 April 2024. This Policy has been updated to reflect the changes in the Code.

#### 5. Definition of a Complaint

We define a complaint as; An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents. We do not expect a customer to always use the word "complaint" before it would be logged as a complaint. Any expression of dissatisfaction would be considered a complaint, and we will give our customers the choice whether they want to make a complaint. Where a service request has been made and a customer complaint, we will continue to follow through with the service request, whilst we investigate the complaint.

A service request is not a complaint. A service request is when a customer needs a repair or needs support with their tenancy, for example. These are processed as requests in line with the relevant policies and service standards. Whilst reports of anti-social behaviour (ASB) will be processed in line with our ASB policy, we will deal with complaints about the handling of ASB within this policy.

#### 6. Who can make a Complaint?

Complaints are welcomed from all of our residents, customers, advocates on behalf of customers and non-customers who may be affected by the organisation's services or residents, including:

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- Customers of WHA (or their advocate when appropriate and/or GDPR permission has been given)
- Residents and non-residents
- Tenants and Residents Groups
- Leaseholders
- Neighbours of our properties
- Visitors to our properties and offices
- Board Members
- Members of Parliament
- Solicitors
- Citizens Advice Bureau and other similar advocacy agencies
- Those who are buying a home from us

Should a complaint be made about a contractor or 3rd party acting on our behalf, WHA will retain responsibility for investigating the complaint and follow the same complaints process to minimize confusion for our customers.

## 7. Exclusions

Some requests will not be treated as a complaint. This includes:

- We will accept complaints referred to us with 12 months of the issue occurring or of the customer being made aware of it. Complaints made outside those timescales will be considered where there are extenuating circumstances or we acknowledge there have been ongoing issues..
- Matters that have previously been considered under the complaints policy.
- Where customers pursue legal action against WHA in connection with complaints and appeals, WHA will continue to investigate and take action to find effective resolution of issues raised through its internal processes and where these have been exhausted, by referral to the Housing Ombudsman (where customers choose this route). This will include continuing to work with customers to carry out any remedial works whilst they have initiated the Pre-Action Protocol for Housing Conditions Claims.

Only when court proceedings have commenced that WHA may need to suspend or cease its internal investigation processes (this involves filing details of the claim, such as the Claim Form and Particulars of Claim, at court). Even where this is the case, WHA will be mindful to continue all reasonable efforts to resolve the root

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course of the complaint e.g. attempting to complete outstanding repairs or remedial works.

- Unreasonable behaviour in relation to complaints and persistent complaints will be addressed under our Unreasonable Behaviour Policy. If a matter is excluded as a complaint in this way, we will write to the complainant to explain our decision and advise them how to refer the matter to the Housing Ombudsman if they remain unsatisfied.
- Where we have refused to accept a complaint, we will advise the customer our reasons for this and what process they need to follow. We will also advise them that they contact the Housing Ombudsman for advice. The Housing Ombudsman will tell us if we have not applied our criteria correctly and if we need to accept the complaint.

## 8. Implementation

We welcome complaints and provide a range of options for customers to use, including in person, in writing, by email, 'online', or by phone. We will also deal with complaints received through our social media channels. Customers can share or hand in their complaints in person at our offices or to any member of staff or representative of WHA. Where a vulnerable customer has made a complaint, or indeed if an advocate makes a complaint on behalf of a customer, we will adapt our policy to meet their needs. For example, if they need a copy of the policy in large print, if they have difficulty reading, we will provide a verbal response alongside a formal letter.

Our colleagues have received training on complaint handling and will receive regular updates and refresher training as part of their induction and ongoing training and development. We believe all our colleagues are empowered to deal with complaints as and when they arise. Where WHA has got things wrong, colleagues will apologise and explain what went wrong and what action will be taken to put things right. Where possible we will aim to resolve complaints immediately. When we have resolved an issue straight away we will check with the customer to make sure they are happy with the outcome. The customer still can make a formal complaint even where we have resolved the issue. Where we have been unable to resolve a complaint through the first point of contact, we will deal with the complaint formally through our complaints process.

Tenants can seek early resolution, advice and support from the Housing Ombudsman at any time to help resolve an issue or complaint about us as their landlord.

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## 9. Complaints Process

On receipt of a complaint, an acknowledgement including a definition of the complaint will be sent to the customer within 5 working days. This will make it clear what stage in the process the response relates to, and give clear guidance on how to escalate a complaint if the complainant does not feel their complaint has been resolved.

**Stage 1** – This is the first opportunity for a Head of Service to investigate and respond to the complaint. As part of our investigation, we will:

- Log and acknowledge receipt of a complaint within five working days.
- Provide the name of the person investigating the complaint.
- We will seek clarification where appropriate, on any element of the complaint where we are unclear.
- We will include any additional issues raised during the initial investigation as part of our stage 1 response up to the date of issuing our response and make clear any element of the complaint that WHA is not responsible for. Where the complaint has received a response, we will log any arising issues or complaints as a new complaint.
- Respond to your complaint in full, within 10 working days from the date we acknowledged the complaint. However, if this is not possible, we will let inform the complainant and confirm when we will be able to respond. We should not extend a complaint for longer than a further 10 working days. We will agree with you, suitable intervals to keep you updated throughout the investigation until your complaint is resolved.
- Where you feel we have not adhered to our timescales or, are not operating within the Housing Ombudsman Complaint Handling Code, then you have the right to escalate your complaint to the Housing Ombudsman directly. We will provide a final response, detailing the outcome of the investigation, reasons for any decisions made and any actions taken to resolve the complaint, any remedy offered to put things right and if there are any outstanding actions. We will provide a response when the answer is known, not when all actions are completed. We will close the complaint at this point and provide details of how to request a review if you are not satisfied that your complaint has been resolved.
- Where there are actions that need to be taken as a result of a complaint, we have adopted a complaints tracker, which tracks all actions until completion to ensure that the complaint response is fully closed.

**Stage Two** – Should the customer remain dissatisfied following our investigation and response at Stage one, they can escalate their complaint to stage 2.

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We will need to receive your request within a reasonable timeframe from the date of our response to the Stage one complaint. We may need to contact the complainant should we need to clarify why they remain dissatisfied and what outcome is required. The complaint review will only focus on the issues raised in the initial complaint and cannot address any new issues. The complaint will be reviewed by a different person. As part of our review:

- An acknowledgement of the request to review including a definition of the complaint will be sent to the customer within 5 working days.
- We will respond to stage 2 complaints in full within 20 working days from the date we acknowledged the complaint. However, if this is not possible, we will keep the customer informed and confirm when a response can be expected. This should not exceed a further 10 working days without a good reason.
- If an extension beyond 20 working days is required to respond to the complaint fully, we will discuss and agree this with you. Should the customer feel we have not complied with our Policy or the Housing Ombudsman Complaint Handling Code, they can contact the Housing Ombudsman directly.
- We will provide you with a final written response detailing the outcome of the investigation, reasons for any decisions made and any actions taken to resolve the complaint and make clear any element of the complaint that WHA is not responsible for. We will provide a response when the answer is known, not when all actions are completed
- The investigating Manager must inform the Customer Experience Manager of the intention to close the complaint, in order to ensure that all relevant contacts, documents and case notes have been recorded on case manager for evidence.

### **Close the complaint.**

We will also provide details of how to escalate the matter to the Housing Ombudsman should the complainant wish to escalate.

In the unlikely event we refuse to escalate a complaint through all stages of the complaint process, we would provide a reason why and comply with the Housing Ombudsman complaint handling code guidance.

## **10. Putting Things Right**

When WHA is at fault, we will put things right by acknowledging our mistakes and apologising for them, explaining why things went wrong and what we will do to prevent the same mistake happening again.

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We will ensure that there is a mechanism in place to monitor incidents of the same type and take appropriate action to remedy this.

Where possible, we aim to put the customer back in the position they would have been had the fault not occurred. In such cases, the remedy could include:

- Taking specific action – such as reviewing a process or policy.
- Consider any financial impact upon the customer because of the upheld service failure. We follow the guidelines issued by the Housing Ombudsman to decide the appropriate remedy.
- Following complaint closure, the complainant should be contacted by the associations Customer Experience Manager within 3 months, to complete a complaint experience survey, capturing their feedback on how their complaint was dealt with, this data will then inform future development of the complaints policy and procedure.

## 11. Escalation to the Ombudsman

Following our decision at Stage two, if a customer remains dissatisfied, they can ask the Housing Ombudsman to review how we have handled the complaint.

The Housing Ombudsman Service investigates complaints about housing organisations, the service is free, independent, and impartial.

A customer can access the Housing Ombudsman Service throughout the complaint process for impartial advice and support.

Contact information:

Their details in full can be found here: [Contact us | Housing Ombudsman Service \(housing-ombudsman.org.uk\)](#)

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

Phone: 0300 111 3000

Write to:

Housing Ombudsman Service

PO Box 1484

Unit D

Preston

PR2 0ET

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## 12. Reasonable Adjustments

We will consider our duties under the Equality Act 2010 and we will anticipate needs and reasonable adjustments for customers accessing the complaints process. We will record any reasonable adjustments agreed as well as recording any disabilities a customer has disclosed. We will keep any reasonable adjustments under active review.

## 13. Reporting Performance & Lessons Learnt

All complaints are logged onto our Housing Management system which shows the stages and responses for each complaint. We report performance and lessons learnt to our Board every quarter and as part of our annual report to customers. We learn from complaints and implement changes to the way we deliver services to ensure complaints do not reoccur. We will ensure Board has oversight of complaints that have been escalated. We have an appointed Board Member responsible for complaints (MRC) who oversees and scrutinizes performance. This member is responsible for ensuring the governing body receives regular information on complaints that provides:

- Regular updates on volume, categories and outcomes of complaints, alongside complaint handling performance
- Regular reviews of issues and trends arising from complaint handling
- Regular updates on outcomes of the Housing Ombudsman investigations and progress with complying with any orders
- Annual complaints performance and service improvement reporting

We complete an annual self-assessment against the Housing Ombudsman Complaint Handling Code which is reported to Board and posted on our website. [www.wha.org.uk](http://www.wha.org.uk)

## 14. Satisfaction with Complaint Handling

As part of our annual tenant satisfaction measures, we ask all customers who have made a complaint to tell us if they were satisfied with how the complaint was handled. This is reported to our Board, shared on the website and reported in our annual report to tenants.

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## 15. Publication of the Policy

This Policy is available on WHA website. Hard copies can be obtained on request. We also post information on complaints reporting in all independent living schemes. Information on how to contact the Housing Ombudsman is on our website and within the policy.

## 16. Equality Impact Assessment

In implementing this policy, we aim to treat all customers fairly. An equality impact assessment has been carried out. Where customers require additional support, we will endeavour to provide a service that seeks to meet the needs of a particular individual or household.

We have produced an easy-to-use, customer-tested diagram of how to make a complaint which is in all our independent living schemes, on our website and shared through social media channels and in newsletters. We will provide the policy in alternative formats on request.

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