



Complaints Policy

1. Aim of policy

- 1.1 This policy outlines our definition of a complaint, and states how we'll manage, monitor and learn from them.
- 1.2 This policy also covers our stance on unacceptable behaviour when using our complaints service including aggressive or abusive behaviour and unreasonable demands.

2. Scope of policy

- 2.1 This policy applies to anyone who has been directly affected by us, our homes or our services and includes:
 - Tenants, homeowners, licensees and former tenants
 - Users of support services
 - Users of our lettings, allocations services or sales process
 - Resident representatives or advocates, providing consent has been provided from the resident(s) they are representing
 - Private residents (those without a contractual relationship with us, but may be affected by our services, such as neighbouring properties)
 - Partner agencies
- 2.2 We define a complaint an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by us or our staff, or those acting on our behalf, affecting an individual resident or group of residents.
- 2.3 Matters that are not considered as complaints under this policy are:
 - An initial request for a service, information or an explanation of how a decision has been made
 - A report regarding neighbour nuisance or disputes between neighbours, as these will be managed in line with our Anti-Social Behaviour policy
 - Dissatisfaction with the decisions made in line with our policies, where there is a more appropriate appeals mechanism
 - Disputes regarding service charge calculations, as these will be managed in accordance with our service charge procedures.
 - A claim for damages or personal injury which will be dealt with as an insurance claim
 - Matters which are expected to be, are or have been the subject of legal proceedings, including disrepair claims
 - Matters relating solely to services or decisions outside of our control



- Attempts to reopen previously concluded complaints or to have a complaint reconsidered where we have provided our final decision
- 2.4 We won't normally consider complaints that relate to matters that happened more than six months ago, unless there is a valid reason for the delay.
- 2.5 Complaints made directly to our Executive Team, including our Chief Executive Officer (CEO), or any Board members, will be passed back to the most appropriate member of staff and will be dealt with in line with this policy.
- 2.6 Any complaints received in relation to dissatisfaction with debt advice we have provided or any other service for which we are regulated by the Financial Conduct Authority (FCA) will be investigated in line with this policy by the Governance team who will observe the FCA handbook Dispute resolution: Complaints (DISP).
- 2.7 All staff need to be aware of this policy.

3. Policy statement

- 3.1 We're committed to delivering services of the highest quality and achieving high levels of customer satisfaction. We recognise that sometimes we might get it wrong, or our services may not meet the expectations of our customers. This policy provides a clear, simple and accessible opportunity for our customers to be able to raise complaints and have them promptly, politely and fairly handled.
- 3.2 This policy supports our Customer Strategy and our commitment to engage and learn from our customers, developing our services to meet changing expectations. This policy and approach enable us to continually improve what we do, by identifying root causes, learning from complaints, making improvements and developing a positive complaint culture
- 3.3 We'll use our discretion, with senior management approval, in the implementation of this policy and may at times make a decision outside of, but within the spirit of the policy. We'll make it clear in our records where we have done this.
- 3.4 We'll ensure our policy and practice is in line with any best practice guidance issued by the Housing Ombudsman Service, including any temporary guidance on the management of complaints due to unforeseen events.

4. Policy

Accessibility

- 4.1 We want it to be easy and accessible for all our customers to make a complaint, and you can tell us about your issue in a variety of ways:
- Digitally via our website, social media or online account



- By email
- By text
- By telephone
- In person
- In writing
- Through a representative or advocate (where consents been provided)

4.2 We will comply with the Equality Act 2010 and may adapt normal policies, procedures, or processes, making reasonable adjustments to accommodate an individual's needs

4.3 Should a customer raise dissatisfaction through a public channel, such as Facebook or Twitter, we will follow this up directly through a private channel, wherever possible, to ensure the issue is dealt with confidentially.

4.4 Where a complaint is raised by a customer who is also a staff member, this will be investigated by a manager who is outside of the staff members team.

4.5 We will ensure our customers circumstances are taken into account whilst any complaint investigation is ongoing, and consideration will be given to the impact of any enforcement action when considering resolutions.

Front Line Resolution

4.6 We aim to resolve customer complaints promptly and will try to resolve complaints at 'Front Line Resolution', wherever possible.

4.7 To do this, the member of staff who first receives a complaint will do everything within their ability and knowledge to resolve the problem. If they are unable to do this, then the most appropriate person/team will be given an opportunity to resolve the complaint by the end of the next working day.

4.8 Should the complaint not be resolved by the end of the next working day to the customers satisfaction, the complaint will be progressed for investigation at Stage 1 of our complaints process.

4.9 If the complaint is received via a method other than telephone, we'll try and call our customer to discuss the complaint and resolve at Front Line Resolution where possible.

4.10 Should a customer provide feedback via a satisfaction survey that their Front-Line Resolution has not resolved the issue, the staff member dealing with the issue will be asked to make contact with the customer again to discuss how it can be resolved



- 4.11 If we're unable to resolve a complaint at Front Line Resolution or the customer has specifically asked for a formal investigation of their complaint, this will be handled through our two-stage formal process.
- 4.12 When complaints are resolved promptly at Front Line Resolution, we won't provide a written response, but we'll continue to record and monitor these so that we continue to learn from our customers and improve our service delivery.

Investigation – Stage 1

- 4.13 During the formal investigation, the investigating manager will aim to make personal contact with our customer by close of business the following working day. This personal contact is to help the investigating manager understand or resolve the issues raised by our customer. However, if our customer doesn't wish to be contacted as part of the investigation, or no contact's been possible following reasonable efforts, the manager will continue the investigation using the information available. If there isn't adequate information to investigate, or clarity on what our customer is seeking, the manager may make contact advising the investigation cannot continue without further information being provided.
- 4.14 Where a customer has raised multiple complaints to different investigating managers within the same time frame, we will arrange one single point of contact for our customer, who will address all areas of dissatisfaction within one response, where it is practical to do so.
- 4.15 We'll aim to carry out a full investigation and communicate our findings within 10 working days. If this isn't possible, we'll inform the customer within these 10 working days, to advise when we expect to deliver a full response. We'll aim to provide updates once a week during the investigation, unless less frequent contact is preferred.
- 4.16 Our written response will include the outcome of the investigation and an explanation of any decisions or actions that have been or will be taken to resolve the issues raised. Where a response includes promises of future actions, such as repair works, the investigating manager will agree a date for the actions to be completed. Our written response will also include information on how to escalate the case to the next Stage. We'll call to discuss the outcome with the customer by phone in the first instance before providing our response in writing.
- 4.17 Should the investigating Manager identify any service failures or other monetary losses, then compensation can be considered in line with our Compensation Policy and Guidance Framework
- 4.18 The investigating manager will be responsible for monitoring and ensuring that any future actions are completed within agreed timescales. Should timescales not be reasonably kept



then customers can request for their complaint to be escalated to the next stage of the complaint's procedure.

Review – Stage 2

- 4.19 Should the customer feel that the actions taken or proposed by the Stage 1 investigating manager does not resolve the issues raised in their complaint, they can request for their complaint to be reviewed at Stage 2. At Stage 2, the matters raised as part of the original complaint will be reviewed.
- 4.20 Requests can be made in any format within 15 working days from the date of their Stage 1 resolution response. We will exercise discretion where there is a valid reason for a delay of the request outside of 15 days, but where we feel the delay is unreasonable, we may decline the request to escalate the complaint
- 4.21 When our customer requests an escalation we will ask the following questions to enable us to find the earliest possible resolution:
- what part of the original complaint hasn't been resolved?
 - how can we help to resolve it?
- 4.22 We'll let the customers know if their case will be reviewed at Stage 2 within 5 working days.
- 4.23 During this period, the Customer Success Team may make recommendations to the Stage 1 investigating Manager if they feel the complaint could be resolved locally at Stage 1.
- 4.24 Where the resolution sought is solely compensation or financial reimbursement, the Customer Success Team will review the request in line with our Compensation policy and guidance framework.
- 4.25 We'll not unreasonably decline a request for a complaint to be reviewed at Stage 2, but it may be declined if the customer:
- hasn't provided specific reasons for requesting a review
 - solely seeks a resolution that's outside of our control, our policies or is unreasonable
 - has refused to engage with staff in trying to resolve the complaint at an earlier stage
 - Is behaving in a manner which is considered unacceptable
- 4.26 Where a request is declined, this decision will be authorised by a senior manager, and the reasons will be clearly explained to our customers.



- 4.27 Where the request is accepted, the complaint will be reviewed by a panel of managers, consisting of at least one senior manager and one subject matter expert (SME) who haven't previously been involved in the complaint and a response will be provided in writing.
- 4.28 We'll aim to have completed and provided the outcome of the review to our customer within 20 working days of the complaint being escalated to Stage 2. If this isn't possible, we'll make contact within these 20 working days, to advise when we expect to deliver a full response.
- 4.29 During the formal review, the review managers will liaise with our customer to further understand the unresolved issues and desired resolution. If the customer doesn't wish to be contacted as part of the investigation, or no contact's been possible following reasonable efforts, the managers will continue the review using the information available. If there isn't adequate information to investigate, or clarity on what our customer is seeking, the manager may make contact advising the investigation cannot continue without further information being provided.

External Referral

- 4.30 Should our customer feel that the actions taken or proposed by the Stage 2 review does not resolve the issues raised in their complaint they may take their case to be externally reviewed by either:
- A 'Designated Person' (eg. an MP or a local councillor)
 - The Housing Ombudsman Service (customers must wait 8 weeks from the date of the Stage 2 review response before doing so)
- 4.31 In some cases, complaints may need to be referred to alternative organisations for external review:
- Residential Leaseholder complaints to First Tier Tribunal (Property Chambers)
 - Financial Services to the Financial Ombudsman Service
 - Home buyers to the Home Warranty Body

The above organisations may apply fees in some circumstances

- 4.32 When complaints are resolved through the formal process these will be logged, root causes identified, complaint resolutions recorded and monitored so that we continue to listen to and learn from our customers.

MP and Councillor Enquiries

Third party enquiries for information or complaints made by MP's or Councillors on behalf of customers, outside of their capacity of a 'Designated Person', will be responded to within seven working days by the most appropriate manager

Unacceptable Behaviour



- 4.33 We understand that customers may feel upset or frustrated when making a complaint, however there are some behaviours or actions that we consider unacceptable. These include:
- Aggressive or abusive behaviour – examples include, but are not limited to, threats, physical violence, personal verbal abuse, derogatory and discriminatory remarks, rudeness, inflammatory statements and unsubstantiated or malicious allegations
 - Unreasonable demands – examples include, but are not limited to, demanding responses within unreasonable timescales, refusing to speak to employees who can assist and/or insisting on speaking only to a particular member of staff, repeatedly changing the substance of a complaint or raising unrelated concerns
 - Unreasonable persistence – examples include, but are not limited to, persistent refusal to accept decisions or explanations made in relation to a complaint, continuing to pursue a complaint without presenting any new information, making excessive and unwarranted contacts taking up a disproportionate amount of staff time and resources
- 4.34 Demonstration of these behaviours may result in a complaint not being investigated, escalated and/or action being taken to prevent further unreasonable behaviour as per our Unacceptable Behaviour policy.

5. Statutory requirements

- RSH Tenant Involvement and Empowerment Standard
- Housing and Regeneration Act 2008
- GDPR together with the new Data Protection Act 2018 (DPA 2018)
- Equality Act 2010

6. Related policies

This policy must be read in conjunction with:

- Customer Service Strategy
- Compensation Policy
- Unacceptable Behaviour Policy
- Anti-Social Behaviour Policy
- Lettings Policy
- Income Policy Equality and Diversity Policy
- Data Protection Policy
- Speak Up Policy
- Policies can be accessed at <https://www.vividhomes.co.uk/about-us/governance/policies-and-strategies>

7. Monitor and review process



- 7.1 We monitor and analyse the types of complaints we receive and the way they have been handled. This includes, upon conclusion of a complaint, satisfaction surveys being conducted to assess customer satisfaction.
- 7.2 The monitoring and analysis we do helps us to ensure that our policy is fit for purpose, our process is being managed in a fair and consistent manner, our staff training is appropriate, we deliver against our resolution promises and we are achieving our complaint service standards.
- 7.3 Performance and trends relating to the complaints service will also be regularly reviewed by Management, Executive and appropriate Board/Committee as agreed, and performance results will be published on an annual basis to customers.
- 7.4 This policy will be approved by the Executive and reviewed annually.

8. References/appendices

www.housing-ombudsman.org.uk

Author	Owner	Date approved	Review date
Nicola Bucklan	Alex Nagle	25 th June 2021	June 2022