



# Complaints Policy

## Introduction

- 1.1 We aim to deliver a good customer experience through the services we provide. We recognise that we may not always achieve this and there may be times when customers are unhappy with the service they receive. If this happens, we want to know about this so that we can make it right and learn from it to prevent it happening again.
- 1.2 We welcome complaints and aim to deal with them effectively, empathetically, and in-line with the regulatory requirements of the Transparency, Influence and Accountability Standard and the Housing Ombudsman's Complaints Handling Code.
- 1.3 We are committed to learning from complaints to drive improvement and prevent issues happening again. This is a key part of our policy.

## Policy

- 2.0 How to make a complaint
- 2.1 Complaints can be made through the following channels:
  - Over the telephone
  - Online using Live Chat, our on-line customer portal, a form on our website, or via our own social media channels.
  - In writing - by e-mail or by post.
  - In person with one of our colleagues.
  - Through surveys we send to customers.
- 2.2 Any complaints received via an MP or local councillor that meet the complaint definition will also be resolved using our complaints process.
- 2.3 A person may choose to use an advocate to act on their behalf. Where this happens, we will get the expressed permission from the customer for us to discuss the matter with their chosen advocate. This will be done using a 'permission to discuss' form that once received will be stored on our housing management system. The matter will then be resolved using our complaints process.
- 2.4 We will ensure everyone can access our complaints service. At the point of receiving the complaint we will ask the person if they need any support and will make any reasonable adjustments they need. We will keep a record of any adjustments agreed, as well as a record of any additional needs the person discloses, and these will be kept under active review throughout the process.

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### 3.0 What we view as a complaint

#### 3.1 We use the Housing Ombudsman's complaint definition (Housing Ombudsman code 1.2) which is:

*'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.'*

#### 3.2 A person does not have to use the word 'complaint' for it to be treated as such. Whenever a person expresses dissatisfaction, we will give them the choice to make a complaint. A complaint that is submitted via a third party or representative will be handled in line with the Irwell Valley's complaints policy. Complaints can be received via a Local Authority, Councillor, MP, or a 3rd party acting on behalf of a customer, with their consent, unless there is a legal basis, under the Data Protection Act 2018, to share personal information with a 3rd party representative without consent.

### 4.0 What is not classed as a complaint

#### 4.1 We will always accept a complaint unless there is a valid reason not to do so. For example:

- If the issue occurred over twelve months ago (unless the concern was around safeguarding or health and safety). However, we will accept complaints made outside this time limit where there are good reasons to do so.
- Where legal proceedings related to the matter have begun. This includes Claims having been filed at court.
- Concerns that have previously been dealt with under the complaints policy; however, where the problem is a reoccurring issue, we will consider older reports as part of the background to the complaint.
- If a customer continues to complain about issues that have already been responded to where no additional information has been provided and/ or no additional actions can be taken. (Please refer to the Unacceptable Behaviour Policy).

#### 4.2 When considering whether to exclude a complaint from our process we will consider the exclusions above and consider the circumstances of the complaint, any vulnerabilities which may have impacted the matter, and whether any reasonable adjustments should be considered.

#### 4.3 If we do not accept a complaint, we will explain why not and provide details of how to raise the matter with the Housing Ombudsman Service.

### 5.0 How we deal with complaints

#### 5.1 We will deal with complaints effectively and empathetically using the Housing Ombudsman Services' Dispute Resolution principles:

- We will recognise the difference between a service request and a complaint. A Service request is where a resident may be unhappy with a situation that they wish to have

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rectified while and a complaint is about the service they have/have not received. Service requests are not complaints, but will be recorded, monitored and reviewed regularly.

- We will raise a complaint when a resident expresses dissatisfaction with a service they have received, or our response to a service request even if the handling of the request is ongoing.
- Making a complaint will never stop or pause us dealing with a service request.
- We will provide easy and accessible ways for customers to make a complaint and communicate with customers in their preferred way, making any reasonable adjustments, where appropriate.
- We will log all complaints and provide customers with a complaint reference number, and details of who is dealing with their complaint. The Complaint Officer will be responsible for keeping the customer informed.
- Throughout the process we will continue to remind the customer of how to contact the Housing Ombudsman Service for any advice and guidance.
- The individual circumstances of each complaint will always be considered and where there is more than one element to a complaint, these will be investigated and responded to individually.
- We will make every effort to keep to the timescales at each stage of the complaint process. If there are valid reasons why this may not be possible, we will explain why and agree revised timescales with the complainant and keep them updated on progress.
- We will provide advice and support for customers and deal with issues at the earliest possible opportunity.
- If we have failed a customer, we will apologise. We will agree and implement a solution with them, and provide compensation, where appropriate.
- We will be fair, put things right and learn from complaints to stop issues happening again to improve customer experience.
- Details of complaints will be recorded including the reasons behind the complaint, the outcome, and any learning or action taken. We will monitor this information and publish it on our website.
- An expression of dissatisfaction with services made through a survey is not defined as a complaint, though wherever possible, the person completing the survey will be made aware of how they can pursue a complaint if they wish to. Where Irwell Valley ask for wider feedback about services, details of our complaints process will be provided.
- We will act on any guidance issued by the Ombudsman when deciding on appropriate remedies.

## 6.0 Our complaints process

### 6.1 We operate a two stage complaints approach:

#### Acknowledgment

When we receive a complaint, we will acknowledge it within 5 working days and will share with the complainant:

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- A summary of our understanding of the complaint
- The resolution we believe the person is looking for
- Details of the Complaint Officer
- A copy of our complaints policy
- Details of how to contact the Housing Ombudsman.

## Stage 1

The Complaint Office will contact the person to discuss the issue. They will thoroughly investigate the complaint and will aim to provide a response within 10 working days from the date of acknowledgement. On occasion, a Service Manager will investigate and complete the complaint response.

If this timescale is not achievable, the Complaint Officer or Service Manager will explain the reasons why and agree a revised timescale with the complainant. This will not exceed a further 10 working days without a good reason and in agreement with the complainant. When a customer is informed about an extension, they will be provided with the contact details of the Housing Ombudsman.

Within the response letter, the complainant will be advised that they can escalate their complaint to stage 2 if they remain dissatisfied with the outcome of the process. They will be asked to notify the Complaint Officer of this within 10 working days of receiving their stage 1 investigation response if they wish to escalate it.

We reserve the right to decline complaint escalation, if we do we will explain why and provide details of how to contact the Housing Ombudsman Service.

Within the stage 1 resolution response we will always make the customer aware of their right to escalate their complaint to the Housing Ombudsman if they are still unhappy with the decision and how to do this.

Outstanding actions will be tracked and actioned promptly with updates provided to the customer.

Where customers raise additional complaints during the investigation, these will be incorporated into the stage 1 response if they are related to the original issue, and the stage 1 response has not been issued. If the stage 1 response has been issued, or the new issues are unrelated to those already being investigated, this will be logged as a new complaint.

## Stage 2

If the customer is dissatisfied with this response at stage one and asks to escalate the complaint to stage two, this will be assigned to a Head of Service. On occasion this might be escalated to a Senior Manager. They will contact the complainant within 5 working days of the stage 2 complaint being logged.

The Head of Service or Senior Manager will contact the customer to discuss the complaint and carry out an investigation. They will prepare a response to the complaint within 20 working days of complaint escalation. If they need longer to investigate the complaint the complainant will be informed of the reasons why, and we will agree a revised timescale with the customer.

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This will be within 10 working days unless there is a valid reason why this is not possible. If an extension beyond 10 working days is required to enable us to fully respond to customer's complaints, this will be agreed by both parties.

Customers do not have to provide the landlord with their reasons for expressing dissatisfaction with their stage 1 complaint. We will not refuse an escalation request based on the resident not providing their reasons.

Within the stage 2 response we will always make the customer aware of their right to escalate their complaint to the Housing Ombudsman if they are still unhappy with the decision and how to do this.

All complaints will be recorded on our contact management system and a full record will be kept of the complaint; including the original complaint details, date received, all correspondence, reports, and communication (including third parties), any review and the outcomes at each stage.

#### Complaints related to Building Safety

A 'building safety risk' is defined as - risk to the safety of people in or about the building (18 metres or 7 floors) arising from either the spread of fire or structural failure; and the performance by an accountable person with regard to their duties.

Complaints in relation to Building Safety will only be investigated at stage one of IVH's complaint process before being escalated directly to the Building Safety Regulator.

#### 7.0 Compensation

- 7.1 We have a separate compensation policy which is used together with the complaints policy. In awarding compensation, we will consider whether any statutory payments are due, if any quantifiable losses have been incurred, and the impact on the customer and anyone else living in the property.

#### 8.0 Housing Ombudsman Service

- 8.1 Customers have the right to go to the Housing Ombudsman Service at any point in the complaints process and we will provide details of how to do this at each stage of our complaint process.
- 8.2 Should any findings or recommendations be made by the Housing Ombudsman Service we will ensure that we comply with these within timescales determined by the Housing Ombudsman Service.

### Performance Monitoring and Improvement

- 9.1 We will use complaints to drive continuous learning and improvement. Themes and learning from complaints are over seen by our Business Improvement Team and action learning sessions are held with all related colleagues.

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- 9.2 Major service failures will always be dealt with as a matter of urgency and without delay. Any learning or actions identified will be raised with the relevant service area and/or contractor to aid service improvement.
- 9.3 We will proactively use learning from complaints to revise policies and procedures, to train colleagues and contractors and to improve communication and record-keeping.
- 9.4 We will report back on wider learning and improvements by publishing information to customers, our Resident Scrutiny Panel, our Customer Standards Group, colleagues, and stakeholders, as well as providing evidence on our website and annual report.
- 9.5 We will complete an annual self-assessment against Housing Ombudsman Service Complaint Handling Code and an Annual Review of Complaints, which will be reviewed by our Board and published on our website.
- 9.6 Performance information, learning and action (including compliance with the Housing Ombudsman's orders) relating to complaints is reported on a quarterly basis to the Board and our Customer Standards Group and published on our website. An appointed member of the board oversees complaint learnings and ensures best practise is shared with other members.

## Roles and Responsibilities

- 10.1 The following colleagues oversee the Complaint Policy:
- The Executive Director (Customers) owns the Policy and is responsible for performance against it including reporting to the Board.
  - Head of Customers and Communities is the author of the Policy and Complaints Lead with overall responsibility for ensuring the policy is adhered to by all colleagues and learnings reported to the Leadership Team.
  - Rents and Complaints Manager oversees the day to day running of the complaints team, ensuring the policy is adhered to and performance is monitored.
  - The Complaints Officer is responsible for ensuring all complaints are handed in accordance with the Housing Ombudsman guidelines.
  - A member of Irwell Valley's governing body (the MRC) is responsible for complaints to support a positive complaint culture. The MRC is responsible for ensuring the governing body receives regular information on complaints that provides insight on the landlord's complaint handling performance.

## Equality, Diversity and Inclusion

- 11.1 The Association is committed to treating people with honesty, dignity, respect, and trust. This applies to colleagues, customers, and board members; all of whom undertake not to discriminate directly or indirectly or victimise because of race, gender, gender reassignment, disability, sexual orientation, age or religion and belief.
- 11.2 The complaints policy theoretically impacts all customer's and all services we provide, so it potentially impacts areas with known inequalities. We will help people through the complaints process and make any reasonable adjustment(s) they need to ensure everyone can access this service. All information can be made available in other formats or translated on request.

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11.3 To be read in conjunction with the complaints policy EIA.

#### Associated Documents and Good Practice

12.1 This document is to be read in conjunction with the following documents:

- Compensation Policy
- Equality Impact Assessment for Customer Complaints Policy
- Tenancy Policy
- Tenancy Agreements
- Equality and Diversity Framework
- Unacceptable Behaviour Policy
- Customer Strategy 2022/25
- Housing Ombudsman Service self-assessment
- Complaints Handling Code
- HOS spotlight reports
- The Regulator of Social Housing's Transparency, Influence and Accountability Standard

#### Version Control

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Policy Author:	Ross Powell- Head of Customer and Communities
Policy Owner:	Executive Director of Customer and Communities
Frequency of Review	Reviewed every 2 years
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EIA (Equality Impact Assessment) Date and Link to EIA	June 2023
Safeguarding Impact	This does not apply to this policy
Lead Team	Communities Team

The latest version of this policy should be viewed online from The Hub area of the IVH intranet, and any printed version cannot be relied on as the most current version

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