

## Version control

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## “Putting Things Right” - Complaints Policy

### 1. Introduction

Victory Housing Trust (Victory) is part of the Flagship Group (Flagship). Both Victory and Flagship aim to give an outstanding service to our customers. However, we acknowledge that occasionally things may go wrong and customers may wish to make a complaint. We want to know if this happens or when customers are unhappy with the service they have received so we can put things right and continually improve. This policy sets out Victory’s commitment to dealing with complaints.

### 2. Purpose

2.1 The purpose of this policy is to ensure that all Victory customers (or their authorised representatives) and any person or people who are affected by an activity or service carried out by Victory can raise their complaint and have it investigated and resolved in a timely manner.

NB: Victory will ask customers to provide authority to deal with a third party on their behalf, if required, in order to protect their personal data.

2.2 This policy outlines the way in which complaints are to be managed. It also sets clear guidelines and timeframes, helping you to understand the process when raising your complaint and what you can expect from us whilst we deal with your complaint.

2.3 We follow the Housing Ombudsman Service’s dispute resolution principles in our approach to resolving complaints; the principles are to put it right, be fair, and learn from the outcomes.

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### **3. Scope**

- 3.1 At Victory, we understand sometimes things go wrong and customers may be dissatisfied with the service they have received.
- 3.2 To ensure that complaints are dealt with in a consistent and effective manner, services that are provided by our contractors may go through a different complaints process which is appropriate and consistent with our approach to complaints. We will monitor complaints received by our contractors and where complaints are not handled by Victory, we will use our discretion to take over the handling of complaints ourselves where we feel it is more appropriate to do.

### **4. What is a Complaint?**

- 4.1 A complaint within this policy is defined as:

*'An expression of dissatisfaction about a Victory Housing Trust action, lack of action, or standards of service; where an initial response has not proven satisfactory'.*

### **5. What is not considered a complaint?**

- 5.1 Complaints are different to everyday enquiries such as reporting repairs, rent enquiries or reporting anti-social behaviour issues.
- 5.2 The following are not considered to be formal complaints:
- A service failing where Victory have not had the opportunity to put things right.
  - A general enquiry or service request.
  - Disputes regarding service charge calculations (apart from complaints about the handling of service charges).
  - Where the issue took place more than six months ago.
  - Communications which relate to Anti-Social Behaviour (apart from complaints about the handling of an ASB case).
  - Complaints about services where Victory have no control over such services e.g. where the Local Authority allocates one of our properties to a customer etc.
  - Claims for damages (where these can be dealt with as an insurance claim).
  - Where the complaint has already exhausted our internal complaints procedure (signposting will be provided to external bodies where appropriate).

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- Complaints that are due to be or have already been before a court or tribunal.
  - Where someone chooses to pursue a complaint through a solicitor, threatens or takes legal action, Victory will normally refer the matter to their Solicitors and deal with the matter outside of this policy and in accordance with legal advice.
  - Complaints that are being pursued in an unreasonable manner. This can include where customers use threatening, abusive or intimidating behaviours or where their complaint is unreasonably persistent, repetitive or vexatious. In these circumstances the matter will be dealt with in line with Victory's Unacceptable Actions and Behaviours Policy which may include suspension of the complaints policy for the duration of any restricted contact imposed.
  - Complaints are expected to be made in a timely manner. Victory will not consider or investigate complaints where the cause of the complaint occurred more than six months prior to the complaint being raised.

## **6. Exceptions**

- 6.1 There may be other circumstances where it is not appropriate to follow this complaints policy – We will contact you in writing to explain why the complaint cannot be considered under this policy; we will also signpost you to the most appropriate service or team to progress the matter in a suitable way.
- 6.2 Anonymous complaints cannot be properly investigated, because of insufficient verifiable information, and are therefore discouraged. Where an anonymous complaint is received, Victory will consider if any action is either appropriate or practical.
- 6.3 Where a complaint is received in the form of a petition or a Community Call for Action, this will be logged as a complaint and will be recorded against the nominated spokesperson.
- 6.4 In the event that more than one or multiple complaints are received from a complainant, Victory reserves the right to deal with these as one complaint.
- 6.5 Where a complaint is raised about the actions of a member of staff this will be referred to the Human Resources Department. A member of the Human Resources Department, in conjunction with an appropriate Senior Manager will assess whether the complaint and the supporting evidence justifies investigatory action and/or disciplinary action. The decision whether or not to initiate investigatory action

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and/or disciplinary action will be strictly confidential to the member of staff concerned and to Victory.

- 6.6 In exceptional circumstances, a decision may be made to progress a complaint through the procedure more quickly than usual, or to bypass one or more stages of the procedure.

## **7. Enquiries from Councillors and Members of Parliament (MP)**

- 7.1 Where a Councillor or MP is acting as the representative of a constituent who wishes to raise an issue, this is categorised as a Councillor/MP enquiry rather than a complaint. These will be dealt with outside of the Complaints Policy unless it is specifically requested by the Councillor/MP that the concern should be considered and responded to in accordance with this Complaints Policy. It may be necessary for Victory to be satisfied that the Councillor/MP has permission to act on an individual's behalf before we respond.

## **8. How to make a complaint**

- 8.1 You can make a complaint by:

- Calling us
- Visiting us in person
- Emailing or writing to us
- Our online website contact form

## **9. Complaints Process**

- 9.1 We have a three-step process for resolving customer complaints with the emphasis on "putting things right".
- 9.2 Wherever practicable, Victory will seek to resolve complaints immediately and informally. If that is not possible, the following process will apply.

## **10. Step 1 – Local Resolution**

- 10.1 If we are unable to resolve the complaint straight away, we will acknowledge receipt of the complaint and aim to respond with our findings within 10 working days from the receipt of the complaint. Occasionally we may need more time to investigate or clarify the problem. Should more time be required we will provide an estimate of how long it will take before we can respond. The response – which may be by telephone, in person or in writing - will explain whether the complaint has been

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upheld or not and, where appropriate, what action Victory intends to take to rectify the matter. If we respond by telephone or in person, the outcome will subsequently be put in writing.

- 10.2 Hopefully this will resolve the matter. If a complainant remains dissatisfied, they can ask for their complaint to be reviewed. In the absence of a request for a Review, the complaint will be recorded as closed after 20 working days

## **11. Step 2 – Review**

- 11.1 Requests for a Review should be made in writing within 20 working days – if more time is required the complainant should contact Victory (within that timescale) to seek an extension of the time period. Requests for a review will be acknowledged in writing.
- 11.2 The request should explain in what way Victory’s response was unsatisfactory and what action the complainant would like Victory to take and/or what they would like to happen to resolve the complaint. Once in receipt of this information, an appropriate senior manager will take a fresh look at the problem that has been experienced. The Review will not normally address new issues that were not previously raised at the Local Resolution stage.
- 11.3 Our response will normally be provided within 15 working days, but should more time be required we will explain how long we think it will take before we can respond. Where a response is provided by telephone or in person, the outcome will subsequently be confirmed in writing.
- 11.4 Hopefully this will resolve the matter. If the complainant remains dissatisfied, they may appeal the outcome of the review of their complaint. Appeals should be requested within 20 working days. In the absence of an appeal, the complaint will be recorded as closed after 20 working days.

## **12. Step 3 – Appeal**

- 12.1 Requests for an Appeal should be made in writing within 20 days of receiving a Review outcome – if more time is required the complainant should contact Victory (within that timescale) to seek an extension of this time period. In the absence of an extension, complaints will be deemed closed after 20 working days. All requests for an Appeal will be acknowledged in writing.
- 12.2 In order for us to move a complaint to this step, the customer must have completed the previous steps and must explain how they meet one or more of the three criteria
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below. They will also be expected to provide us with any evidence to support their request; this may be photographic evidence or written correspondence.

### 12.2.1 Appeal Criteria:

- 1 All or some of the points raised as part of the complaint have not been investigated or, responded to as part of the step 1 and 2.
- 2 All or some of the agreed actions have not been carried out, or carried out to a less than satisfactory standard within the agreed timescales
3. Victory Housing Trust have failed to respond to the complaint within the agreed timescale set by our policy; or by the agreed timescale if additional time was required

12.2.2 The request should also set out what action the complainant would like Victory to take and/or what they would like to happen to resolve the complaint.

12.2.3 Victory reserves the right not to hold an appeal hearing where the agreed actions to put things right have been completed or if the complaint is vexatious.

12.3 If the request is accepted, appeals are undertaken by a Complaints Panel consisting of one member of the Board, one resident representative and Victory's Managing Director (providing they have not been party to the complaint already). The Appeal will not normally address new issues that were not previously raised at the Review stage.

12.4 A Complaints Panel hearing will normally be called to consider the complaint within a month of receiving the Appeal request. If it is likely to take longer than this to assemble the members of the Complaints Panel, we will write to the complainant and give an estimate of the additional time required. There is a separate protocol which explains the role of the Complaints Panel and how Appeals are undertaken. If the complaint is the subject of an Appeal full details will be provided.

12.5 As much advance notice as is possible will be provided on the time and date of the Complaints Appeal Panel meeting. Whilst every effort will be taken to avoid any pre-notified inconvenient dates or times, Victory reserves the right to proceed with the Panel meeting in the absence of the complainant. This provision recognises the complexity of the arrangements required to enable the attendance of all Panel members, the availability of the complainant, the availability of key staff who may be

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required for interview, and the objective to not lengthen the appeal process. If a complainant does not wish to present their case in person or is unable to attend the Panel meeting, the Complaints Appeal Panel will base their judgment on the information available to them.

- 12.6 The outcome of the Appeal will represent Victory's final response on the matter and the Trust will not enter into any further correspondence or discussion on the complaint.

### **13. Designated person and the Housing Ombudsman Service**

- 13.1 If the complaint is unresolved we will signpost the complainant to a designated person - an MP, or local councillor to whom they may give consent to liaise with us on their behalf. They may contact Victory in accordance with the Localism Act to come to a resolution. By entering this process the complainant is giving consent for the designated person to act on their behalf and liaise with Victory regarding the complaint.
- 13.2 If the designated person cannot resolve the complaint, the matter can be raised with the **Housing Ombudsman Service**. Alternatively, if the customer chooses not to contact the designated person, they can wait eight weeks from the date they receive our final response letter then contact the Housing Ombudsman Service directly themselves.
- 13.3 Victory Housing Trust is a member of the Housing Ombudsman Service Scheme. The address and contact details for the Housing Ombudsman Service are:

Housing Ombudsman Service  
PO Box 152  
Liverpool  
L337WQ  
Tel: 0300 111 3000  
E-mail: [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)

### **14. Redress - Discretionary Payments**

- 14.1 If the complaint is upheld, the primary aim will be to apologise, put right the problem (wherever that is possible, practical and value for money) and to apply any lessons learnt to improve services – such as revising policies, procedures or providing staff training - to try to avoid a reoccurrence of the problem. In exceptional circumstances, a discretionary payment may be awarded. Any requests for a

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discretionary payment will be dealt with in accordance with a separate Discretionary Payment Policy.

## **15. Mediation**

15.1 Victory may suggest mediation at any stage in the complaints process as a mechanism to resolve difficulties or disagreement. Mediation is voluntary, and will only take place with the agreement of all parties. If agreement is reached to enter into mediation, the cost of the mediation process will be met by Victory. The complaints process will be suspended whilst mediation is underway and will only be reinstated if the mediation is unsuccessful in resolving the issue.

## **16. Policy Objectives**

16.1 We will ensure that customers can make a complaint in a number of ways either by telephone, email, letter, live chat or face to face.

16.2 We will acknowledge all complaints and ensure we regularly communicate next steps and timescales.

16.3 We will ensure that formal complaints are handled by a dedicated Resolution Officer or appropriate staff member who will manage the complaint through to completion/escalation.

16.4 We will work with customers to find a mutually agreed resolution, understanding the reason for the complaint, the desired outcome and any timescales. An appropriate response will clearly be communicated to the complainant.

16.5 We will aim to contact our customers once their complaint has been closed to understand whether they were happy with how the complaint was handled and to understand if the customer was happy with the outcome. This information will help us improve our complaints handling service.

16.6 We will capture accurate data to ensure lessons are learned to improve services, this information will be reported periodically to senior management and the Victory Board.

## **17. Equality and Diversity**

17.1 We are committed to ensuring that everyone is dealt with fairly and we have Equality and Diversity policies which confirm this approach.

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## **18. Confidentiality and Information Sharing**

18.1 We will only share information as outlined in our Data Protection Policy, however, details of complaints will need to be shared internally (and with our contractors where appropriate) in order for complaints to be properly investigated.

## **19. Review**

19.1 This policy will be reviewed at least every three years or sooner if legislation or regulations change.