

# Complaints Policy

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## 1. Purpose

1.1 The purpose of the Complaints Policy is to ensure that Riverside can resolve customer dissatisfaction as close as possible to the point of service delivery but, if this is not possible, to ensure that staff and customers are clear on the standard of service that should be provided, including timescales for resolution.

1.2 This Policy is in line with the Localism Act 2011, Housing Act 1996 (schedule 2), Data Protection Act 2018, Equality Act 2010, Housing Ombudsman Service (HOS) Complaint Handling Code 2020, the Charter for Social Housing Residents and the Tenant Involvement and Empowerment Standard (part of the Regulator of Social Housing's Regulatory Standards).

## 2. Scope

2.1 This policy is owned by the Chief Executive Officer and Executive Directors. It is subject to approval via the Riverside Customer Voice Executive and Customer Experience Committee.

2.2 The Complaints Policy can be used by all customers of The Riverside Group when they wish to express dissatisfaction, however there is a separate policy for customers of Riverside Scotland.

2.3 Matters concerning customer dissatisfaction received via Members of Parliament, councillors or directly from customers through the Chief Executive's office will also be treated as complaints under this Policy.

## 3. Exclusions

In the following circumstances, we will not consider a reported issue under our Complaints Policy and the associated Procedure:

3.1 Complaints should generally be received within six months of the event concerned to ensure that we are able to conduct a thorough investigation. We will always accept complaints beyond this where there is a good reason to do so, for example, if the complaint was not recorded when it should have been or because it relates to ongoing issues. We will also seek to resolve issues for customers in other situations when a complaint is made beyond six months of the event occurring but, because of the passage of time, a detailed investigation may not be possible. Where the problem is a recurring issue, we will however consider older reports as background to the complaint if this will help to resolve the issue for the customer.

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3.2 Anonymous reports will be considered by Riverside as useful customer feedback information but, as our aim is resolution which cannot always be achieved without dialogue with the complainant, we will not be able to address anonymous complaints under this Policy and the associated Procedure.

3.3 We will accept complaints about staff and contractor conduct and aim to provide a suitable solution on completion of the complaint investigation. However due to the nature of this type of investigation we would not be able to provide information regarding any disciplinary action. No person who is the subject of a complaint will take part in the investigation process. If the complaint relates to protected characteristics, an Investigating Manager who has the same or similar protected characteristics to the customer raising the complaint will be appointed to carry out the investigation wherever possible.

3.4 The Complaints procedure will be available to customers to resolve disputes, as an alternative to or in addition to legal proceedings; however, where legal papers have been served in the Court, Riverside Group may suspend the complaint if it is satisfied that the legal claim covers all aspects of it. If elements of the complaint still exist outside of the legal claim, then this will still be investigated.

3.5 Where a customer's complaint relates to an active insurance claim, this may also need to be addressed outside of our Complaints Handling Procedure, as in that instance the issue may be managed by our insurers.

3.6 Any matters that have already been dealt with in line with our Complaints Policy and an outcome has been provided.

3.7 We understand that the circumstances leading to a complaint can sometimes be stressful and upsetting. However, where there are examples of unacceptable behaviour towards staff, our Unreasonable Behaviour procedure will be used in conjunction with this Complaints Policy to support customers and complaint handlers.

3.8 In all cases where an Investigating Officer decides not to accept a complaint, a detailed explanation will be provided to the customer setting out the reasons why the matter is not suitable for the complaints process and advising the customer that they have the right to challenge this decision to the Housing Ombudsman Service (HOS). The HOS will then, if appropriate, instruct a landlord to take on the complaint.

3.9 There may be instances where a service request can be resolved 'there and then' without the need to enter the complaints system. Examples of where this may be possible include, a missed appointment or a delay in providing a response which can often be resolved with an apology and the issue quickly resolved by the provision of another appointment or information. If the customer is unhappy with the outcome of the actions taken, including any offer of compensation, then they can ask for the matter to be considered at stage 1 of our complaints process. This is agreed with the customer and should not obstruct access to our internal complaints procedure and should take no longer than 48 hrs to resolve. This will ensure a complaint can be logged within 2 working days of the customer.

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3.10 A complaint made in the form of a petition on behalf of multiple customers will be treated as one complaint and dealt with in line with our complaints process. We will require customers to nominate a lead person who is the main point of contact, and all our correspondence will be with them.

## 4. Principles

We have adopted the Housing Ombudsman Service (HOS) Complaint Handling Code 2020 and we aim to do this by: -

- Adopting the HOS definition of a complaint, 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*”,
- Treating customers with respect and empathy, taking ownership of resolving issues and apologising when we have got things wrong or service standards have not been met,
- Providing assurance that customers will be supported to take up issues or make a complaint without any fear that this will result in any adverse consequences.
- Promoting the HOS to customers to ensure that they are aware of the support that is available to them,
- Resolving matters as quickly as possible by being open, accountable and focussed on outcomes,
- Resolving complaints at the first point of contact where possible,
- Ensuring all complaints are addressed and dealt with in accordance with published timescales wherever possible,
- Recording, monitoring, and evaluating feedback to improve service delivery, with themes or trends assessed by senior management to identify any systemic issues, serious risks or areas for improvement for appropriate action,
- Seeking to put things right when there has been a service failure,
- Respecting confidentiality of information given where appropriate and act at all times in accordance with our Privacy notice,
- Allowing complaints to be made via an advocate/representative where appropriate and supporting customers to access relevant advocacy services where required.

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- Learning from complaints by ensuring that we record any lessons learned after each complaint and then evaluating this feedback on a quarterly basis to improve how we deliver our services, and
- Operating a two stage complaints process, as explained further below.

## 5. How we will receive and respond to complaints

5.1 Our aim is to resolve any issues quickly, but these efforts should not obstruct access to our internal complaints procedure or result in any unreasonable delay. Examples include resolving missed appointments or delays in providing a response. These types of service requests called repair failures will be resolved with the customer with a 'there and then approach' in line with the Housing Ombudsman guidance and customers can request that the issue is investigated as a Stage 1 complaint at any time. All these instances will be recorded and monitored, and insight will be captured and used for improvements to service delivery.

5.2 We operate a service-led approach to complaint handling because our frontline colleagues have the specialist knowledge needed to resolve complaints quickly and effectively. A response may therefore be provided directly to a customer by any staff member of The Riverside Group, which does include our maintenance and repairs teams, Evolve Facility Services or Riverside Direct.

### Stage One

5.3. A complaint may be made verbally to a member of staff (in person or over the telephone), submitted via the website or one of our verified social media accounts, or in writing (letter, email or using our [printable feedback](#) form).

5.4 The officer who will deal with the complaint (the Investigating Officer) will aim to contact the complainant by telephone by 5pm on the next working day after receipt of the complaint. We also aim to acknowledge the complaint in writing (either by letter or sending this letter via email) within 2 working days. In this letter, we will confirm the details of the Investigating Officer and our timescales for resolving the complaint.

5.5 We will aim to respond and put complaints right within 10 working days. If this is not possible, we will provide an explanation and a date by which this stage one response should be received. If a complaint is complex and may need further investigation an extension will be applied which will be no longer than a further 10 working day and we will ensure this is agreed with the customer first.

5.6 If an extension beyond 20 working days is required to enable us to respond to the complaint fully, this should be agreed by both parties. If an agreement over an extension period cannot be reached, we will provide our customer with Housing Ombudsman's contact details, so they are able to challenge the landlord's plan for responding and/or the proposed timeliness of a landlord's response.

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5.7 We will provide a written response to all complaints, addressing all points raised and providing clear reasons for any decisions, referencing relevant policies, law, or good practice where appropriate. A complaint response will be sent when the answer to the complaint is known, not when the outstanding actions required to address the issue, are completed. Outstanding actions must still be tracked and actioned expeditiously with regular updates provided to the resident.

## Stage Two

5.8 If a customer remains dissatisfied with the outcome of the complaint at Stage One, then the customer will have the option to ask for it to be escalated to Stage Two either immediately, when they have been advised of the outcome, or at any point in 30 days of closure of the stage one complaint.

5.9 If we decline to escalate a complaint, we will provide the customer with clear reasons for this refusal and will provide details of the Housing Ombudsman Service and advise of the customers right to approach the Ombudsman about its decision. Reasons for declining a complaint will be in line with our exclusions set out in Section 3 of this Policy.

5.10 We will only escalate a complaint to stage two once it has completed stage one and at the request of the resident.

5.11 We aim to acknowledge the complaint escalation in writing (either by letter or sending the acknowledgement letter via email) within 2 working days of the request to escalate the complaint being received. This letter will also advise which complaints officer will review the complaint at Stage Two and our timescales for reviewing the complaint. The review will be conducted independently by a complaint handler who was not involved with the Stage One response.

5.12 We aim to provide a written response at Stage Two within a maximum of 20 working days from receipt of the request to escalate. If a complaint is complex and may need further investigation an extension will be applied which will be no longer than a further 10 working day and we will ensure this is agreed with the customer first.

5.13 If an extension beyond 10 working days is required to enable us to respond to the complaint fully, this should be agreed by both parties. If an agreement over an extension period cannot be reached, we will provide our customer with Housing Ombudsman's contact details, so they are able to challenge the landlord's plan for responding and/or the proposed timeliness of a landlord's response.

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## Referral to the Housing Ombudsman Service

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5.14 If a customer has completed both stages of our internal Complaints Procedure and they remain unhappy with the outcome then they have the option to contact the Housing Ombudsman Service (HOS) without first referring their complaint to a 'designated person'. Customers can contact the HOS by calling them on 0300 111 3000, via email to [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk), using their online form on the website [www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk) or by writing to them at PO Box 152, Liverpool L33 7W.

5.15 The Housing Ombudsman can be approached for advice at any point during our internal investigation. They usually formally investigate a complaint once our internal complaints process has been exhausted.

### Complaints about Care and Support Services

5.16 Complaints about our care services should be referred to the Local Government & Social Care Ombudsman (LGO) at [Home - Local Government and Social Care Ombudsman](#) or by calling 0300 061 0614.

5.17 Where a service is registered with the Care Quality Commission (CQC), complaints can also be referred to the CQC. Customers can contact the Care Quality Commission at [Care Quality Commission \(cqc.org.uk\)](http://Care Quality Commission (cqc.org.uk)) or by calling 0300 061 6161. Where a service is regulated by Ofsted, customers can also raise concerns directly with them. You can contact Ofsted at [Ofsted - GOV.UK \(www.gov.uk\)](http://Ofsted - GOV.UK (www.gov.uk)) or 0300 123 123. It is important to note that although CQC and Ofsted may not investigate individual concerns, they will use information provided to inform inspections of services.

5.18 Where we are providing services on behalf of a local authority, customers can also complain direct to the authority. This will apply to customers in temporary or supported housing in receipt of services such as floating support. Find your Local Authority at [Find your local council - GOV.UK \(www.gov.uk\)](http://Find your local council - GOV.UK (www.gov.uk))

5.19 We will co-operate fully with the relevant Ombudsman Service during any investigation and comply fully with the resulting decision, which will be binding on us.

## 6. Putting things right

6.1 The Riverside Group is committed to providing high quality services in everything we do and to resolve customer complaints in a consistent, fair, impartial, and transparent way. We realise that there will be occasions where the level of service falls below our accepted standard, and we will work to put things right and this may include paying redress.

6.2 We aim to be consistent in our approach to redress and financial redress payments, ensuring customers are not left out of pocket by our actions and we will calculate redress by assessing each case by its impact on the customer.

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6.3 We will always consider whether any statutory payments are due, if any quantifiable losses have been incurred, the time and trouble a resident has been put to as well as any distress and inconvenience caused.

6.4 Our aim is to resolve complaints quickly and fairly, by focusing on the cause of a customer's dissatisfaction, with a view to preventing the same problems reoccurring. Financial remedies are not the only way to resolve a complaint, it is important to consider the extent and seriousness of any service failures and the impact on the customer. We may consider other remedies such as:

- providing an explanation, assistance, or reasons
- acknowledging where things have gone wrong.
- apologising
- acting if there has been a delay.
- reconsidering or changing a decision
- amending a record
- providing a financial remedy
- changing policies, procedures, or practices

6.5 Further information can be found in our Financial Redress procedure which we have aligned with the Housing Ombudsman Remedies Guidance Any remedy offered should reflect the extent of any service failures and the level of detriment caused to the customer as a result.

## 7. Continuous Learning and Improvement

7.1 Accountability and transparency are integral to a positive complaint handling culture. We seek continuous improvement through analysing complaint themes and trends and using feedback and lessons learnt from concerns, complaints, and compliments to improve service design and delivery.

7.2 Any themes or trends will be assessed by senior management to identify potential systemic issues, serious risks or policies and procedures that require revision. They will also be used to inform staff and contractor training.

7.3 We report back on wider learning and improvements from complaints in our Annual Report to Customers and quarterly to our Riverside Customer Voice Executive.

7.4 We provide Quarterly performance reports to Executive Directors, Customer Experience Committee, and our Riverside Customer Voice Executive which will include volumes, categories, and outcome of complaints. They also include compliance with Housing Ombudsman orders and recommendations.

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7.5 We will report back our Annual Self – assessment against the Complaint Handling Code for scrutiny and challenge and publish this report on our website for customers.

7.6 The responsible lead from the Governing Body is the Chair of the Customer Services Committee.

## 8. Further Information & Support

Customer Care Policy

Disciplinary Policy

Equality, Diversity & Inclusion Policy

People Policy

Complaints Procedure

Financial Redress and Procedure

Unacceptable Behaviour Procedure

Warning Marker Procedure

[‘Making a comment, compliment or complaint’](#) customer leaflet

Online [‘Make a complaint’](#) form

[Privacy notice](#)

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## 9 Roles and Responsibilities

### Customer Service Advisers and Front-line colleagues

- Receiving an initial report of dissatisfaction from a customer across any channel and seeking to achieve a resolution for the customer wherever possible during this first contact
- Where this is not possible, recording the details of the issue as a complaint and allocating it to the relevant business area to investigate and resolve as a complaint

### Complaint Handlers (Investigating Officers at Stage One and Senior Managers at Stage Two)

- Contacting the customer as soon as possible but within the maximum timescales set out to acknowledge receipt of the complaint and obtain further details where necessary to enable a thorough investigation to be completed
- Dealing with complaints on their merits, acting independently and having an open mind
- Taking measures to address any actual or perceived conflict of interest, and keep the complaint confidential as far as possible, only disclosing information only disclosed if necessary to properly investigate the matter.

### Complaint Compliance Team

- Providing analysis of complaint trends, themes and lessons learned for business leads to inform service development and improvements
- Checking process and procedure compliance on a monthly basis, and providing guidance to colleagues and managers where needed
- Provision of an annual report to The Riverside Group's governance community at the end of each financial year, including all Housing Ombudsman Service determinations and it's Landlord Performance report, as well as actions taken to improve performance and service delivery
- Provision of complaints information for inclusion in The Riverside Group's Annual Report to Customers, and regular updates to the Riverside Customer Voice Executive.

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## 10. Risks

### Housing Ombudsman Service Complaint Handling Code and Investigations

10.1 The Housing Ombudsman Service (HOS) looks at complaints about registered providers of social housing, including housing associations, who are required by law to be members of this scheme. The Riverside Group is a member of the scheme and this Policy, and the associated procedure comply with the HOS Complaint Handling Code. A condition of membership is that all members agree to be bound by the decisions and adjudications of the Housing Ombudsman's Service, regardless of whether the member agrees with the outcome or not. The Ombudsman may report a member's complaint handling failure to any appropriate regulatory agency and/or the board, committee, panel, or senior officer of the member along with any related details as the HOS sees fit. The HOS now publishes all decisions on cases investigated and provides annual landlord performance reports. We will respond positively to all Ombudsman enquiries, investigations and recommendations and undertake to comply promptly with any determinations.

### Customer experience

10.2 We acknowledge that there are some gaps in our delivery of consistent high-quality service that customers trust. However, our risk appetite for adverse customer experience is reducing and therefore our focus on closing those gaps is increasing. We will be less tolerant of service failure and/or any actions that negatively impact customer satisfaction and trust. We will only accept changes that have a temporary adverse service impact where there is a clear articulation of the potential impact and an agreed action plan to return to acceptable levels.

10.3 We are aware of increasing customer expectations regarding service levels, which are further encouraged and strengthened by the Social Housing Charter, and we want to respond positively to those higher expectations. Firstly, we are now actively promoting our social media platforms on Facebook and Twitter as both a customer service channel and a route to improved engagement. Secondly, we now publish our service performance results on our website. Customers contacting us via social media on issues relating to a first request for service will be responded to by the relevant service area. Where the issues raised require a full investigation, this will either be entered into the formal complaint process or be included as further information on a complaint already being investigated. In order to maintain privacy and confidentiality, complaints received via social media will be invited to provide a limited amount of personal information or further details via a direct message or be advised of alternative contact methods where personal information can be provided privately.

10.4 We acknowledge that we don't always get things right first time for customers; whilst doing so will always remain our aim, we will also seek to put things right at the earliest opportunity through our complaints handling process and have a zero tolerance of adverse finding by the Housing Ombudsman Service.

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10.5 We have a full suite of customer experience KPIs which are scrutinised by Executive Directors, Boards and both our Care & Support and Customer Experience Committee.

## 11. Appeals

The Housing Ombudsman can be approached for advice at any point during our internal investigation of a complaint. The HOS will also review any breaches of non-compliance and any issues/failures in adhering to Riversides Complaints Policy

## 12. Equality, Diversity and Inclusion

12.1 Riverside is committed to Equality, Diversity & Inclusion. We strive to be fair in our dealings with all people, communities and organisations, taking into account the diverse nature of their culture and background and actively promoting inclusion. This policy aligns with Riverside’s [Equality, Diversity and Inclusion Policy](#) and has been subject to an Equality Impact Assessment.

12.2 Riverside aims to deliver high quality customer service across all business streams, operating areas and subsidiaries, and within all activities whilst meeting all legal and regulatory requirements. This involves putting the customer first, respecting their rights, needs and views. Our Customer Care policy applies to all services and subsidiaries in delivering all elements of the corporate plan and business plan needs.

12.3 When dealing with a complaint, we will:

- Keep the complainant informed about the complaint at all stages using their preferred method of communication, which includes using an interim address for survivors of domestic abuse or victims of hate crime or harassment.
- Allow complaints to be made via an advocate/representative where appropriate and support customers to access Language Line or our online services, through which customers can use online tools such as Browse Aloud which can make websites more accessible. Our customers can also use Relay UK when they call our Customer Service Centre.

### Reasonable Adjustments

12.4 Under the Equality Act 2010 it is a legal duty to make reasonable adjustments in the following circumstances:

Where there is a provision, criterion or practice which puts a disabled person at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled

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Where a physical feature puts a disabled person at a substantial disadvantage in comparison with persons who are not disabled

Where a disabled person would, but for the provision of an auxiliary aid, be put at a substantial disadvantage in comparison with persons who are not disabled.

12.5 Riverside is committed to ensuring that disabled people are not disadvantaged in accessing its services. We will ensure that customers are aware that they can request reasonable adjustments when making a complaint and will discuss an individual's requirements with them.

12.6 Whilst there is no prescribed list of reasonable adjustments, some examples may include: provision of auxiliary aids; provision of information in appropriate alternative formats (e.g. large print, braille, coloured paper etc.); extension of time limits (where it is lawful to do so); use of email, text message or telephone in preference to hard copy letters; use of plain English; use of alternative languages; communication through a representative or intermediary and rest or comfort breaks in any meetings.

12.7 We will aim to respond to the request for a reasonable adjustment with the minimum delay, however in some circumstances the request may need to be considered in further detail or we may need to seek expert advice. Where this is the case, we will provide the customer an indication of a revised timescale and any impact this may have on timeframes for dealing with their complaint.

12.8 We will record and monitor the reasonable adjustments that have been requested and made.

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