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Complaints Policy

Policy History

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Introduction

Merthyr Valleys Homes is committed to delivering a customer focused service. However, sometimes things go wrong. We recognise that customers have a right to complain, and we are committed to dealing with complaints properly.

If you are not happy with any aspect of our work or that of our contractors, or you think that we have failed to do something we should have done, we want to hear about it. Complaints are important to us, and help us identify where we have failed to deliver a service and areas where we need to improve. We view complaints as an opportunity to learn how we can continue to improve the services we provide. We will correct our mistakes as soon as possible, and will ensure that improvements are made by learning from complaints we receive.

If you make a complaint you will not be adversely treated. We will ensure that your dealings with us in the future do not suffer as a result of making a complaint, or expressing a concern.

What is covered by the Complaints Policy?

This policy explains who can complain; how to complain and the process for dealing with both informal and formal complaints (including timescales)

What isn't covered by the Complaints Policy?

The following are not dealt with under the complaints policy:

- Complaints from one tenant about another - these are dealt with under our Anti-Social Behaviour Policy. However, where the complaint relates to the failure of Merthyr Valleys Homes to respond to reports of anti-social behaviour, this will be investigated in accordance with this policy.
- Complaints received via a Solicitor – these will be dealt with as a legal issue
- The action of any party delivering services that are not provided by Merthyr Valleys Homes
- A matter relating to a Data Protection issue

What is a complaint?

A complaint is:

‘Any expression of dissatisfaction, whether oral or written, and whether justified or not, from anyone about the organisation’s provision of or failure to provide a service’.

A complaint can be made if you are dissatisfied with any aspect of MVH's services. This may include:

- The standard and quality of the service provided by MVH or its contractors
- The way staff or other representatives of MVH have conducted themselves
- The way requests for information have been handled
- A lack of action, or failure to follow procedures

Requesting a service

If you are approaching us for a service for the first time (for example reporting a repair, requesting information etc.) then this policy does not apply. You should first give us the opportunity to respond to your request. However, failure to deal with a service request *may* develop into a complaint.

Who can complain?

The complaints process is open to anyone who receives, requests or is affected by a service from Merthyr Valleys Homes. This includes:

- Tenants
- Leaseholders
- Members of the public affected by MVH's activities
- Families or carers of vulnerable tenants
- Contractors
- Suppliers
- Applicants for employment
- Local Authority Councillors, Community Councillors, Welsh Government Assembly Members or Members of Parliament
- Community partners

Vexatious Complaints

A complaint is considered to be vexatious where the complainant:

- Does not accept factual responses and continues to pursue the complaint
- Frequently changes the substance of the complaint
- Focuses on trivial points in the complaint
- Places unreasonable demands on the employees dealing with the complaint (for example an unreasonable response time)

If a complaint is considered to be vexatious, the appropriate Director shall:

- Write to the complainant to confirm the reasons why the complainant is considered vexatious, setting out the terms upon which the complaint shall be dealt with;
- Specify the form of contact with the complainant; and
- Reserve the right to seek legal advice and/or suspend contact if the complainant continues to breach the agreed terms.

Resolving complaints informally

Where possible, we will deal with things there and then rather than try to sort them out later. If you are unhappy or have a concern, please raise it with the person that you are dealing with. Staff will try to resolve the problem quickly and courteously in an informal way, and should resolve the complaint within **two working days**. If they cannot resolve the complaint, or you are unhappy with how your complaint was handled informally, then you can make a formal complaint.

How to complain formally

Complaints may be received:

- By **letter** to our Head Office at Martin Evans House, Riverside Court, Avenue de Clichy, Merthyr Tydfil CF48 8LD
- By **telephone** – either by ringing the main line (0800 085 7843) or the complaints line (01685 727767)
- **In person** to our Head Office at Martin Evans House, Riverside Court, Avenue de Clichy, Merthyr Tydfil CF48 8LD
- By **e-mail** – complaints@mvhomes.org.uk
- By requesting and completing a **complaints form** and sending to our Head Office at Martin Evans House, Riverside Court, Avenue de Clichy, Merthyr Tydfil CF48 8LD
- By completing a **complaints form online** on our website www.mvhomes.org.uk

Providing assistance

Assistance can be provided to help you report a complaint. For example, this may include providing complaints information in a different language or format (including Braille, large print, audio etc).

Anonymous complaints

Merthyr Valleys Homes will investigate anonymous complaints where they can be independently verified. A series of anonymous complaints on the same subject will be investigated as they may indicate a service issue.

Dealing with a formal complaint

We will deal with your complaint in an open and honest way. We will acknowledge your complaint in writing within **two working days** of receipt of the complaint. We may contact you to ensure that we have the full details of the complaint.

The complaint will be investigated by the relevant Officer and/or Manager (in some cases this may be a Director). We will look at relevant evidence including file notes; letters; talking to staff; looking at our policies and taking legal guidance to establish

the facts. We aim to resolve complaints as quickly as possible, and aim for a full written response to be sent to you within **21 calendar days** of receipt of the complaint.

If your complaint is more complex or serious, it may take longer to investigate. If this is the case, we will contact you to explain why it will take longer to investigate, to tell you how long we expect to take, and we will give you regular updates on progress.

If we find that we have done something wrong, we will tell you what happened, why it happened and aim to put it right. If there is a fault in the way that we do things, we will plan to change our systems to prevent it from happening again. If we get it wrong, we will always apologise.

If you are not satisfied with the outcome, you may appeal.

Appealing against a decision

If you are not satisfied with our response, then you have the right to appeal. If you wish to appeal against the response that you have received from us, then you must write to us within **21 calendar days** of receipt of our response outlining the reasons as to why you are unhappy with our decision, and how you would like your complaint to be resolved. At this stage, we will establish an Independent Panel to review your complaint.

The Independent Panel will include employee and tenant members who have been elected to our Democratic Body. At this stage the Panel will look at all the relevant evidence from the complaint including; file notes; letters; relevant policies and if required taking expert legal guidance to establish the facts. They will then make a decision on whether they will accept and hear your appeal or not.

The Panel will inform you in writing of their decision and the reason why they have reached this conclusion. If at this stage they accept the appeal then you will be invited to present your case to the Panel if you wish, alternatively you may nominate someone to attend on your behalf. All citizens of course have the right to use a solicitor to act on their behalf in any matter but our appeals process is designed to be a fair but low cost way of resolving problems. It is not intended to be a judicial process and if you chose to be represented by a solicitor we reserve the right to follow a different process.

The person at Merthyr Valleys Homes who responded to your original complaint will also be present to answer any questions the Panel may have.

The Panel will have the opportunity to discuss the information they are provided with and request any further information they feel is relevant before making their final

decision. They will inform you of the decision within **28 calendar days** of receipt of your appeal.

If you are not satisfied with the outcome of the appeal, or you feel you have concerns over the way your original complaint or appeal is being handled, you may take your complaint to the Public Services Ombudsman for Wales.

The Public Services Ombudsman for Wales

The Public Services Ombudsman for Wales is independent of Merthyr Valleys Homes and can look into your complaint if you believe that you personally, or the person on whose behalf you are complaining:

- have been treated unfairly or received a bad service through some failure by Merthyr Valleys Homes
- have been disadvantaged personally by a service failure or have been treated unfairly

The Ombudsman expects you to bring your concerns to our attention first and to give us a chance to put things right.

You can contact the Ombudsman by:

Phone: 0300 790 0203

e-mail: ask@ombudsman-wales.org.uk

Website: www.ombudsman-wales.org.uk

Writing to: Public Services Ombudsman for Wales
1 Ffordd yr Hen Gae, Pencoed CF35 5LJ

Time limitations for making a complaint

Normally we will only be able to look at a complaint if you tell us within three months. This is not intended to affect people's statutory rights, but it is better to look into any issues while they are still fresh in everyone's mind. We may exceptionally be able to look at issues that are brought to our attention after three months. However, you will have to give us strong reasons why you have not been able to bring it to our attention earlier and we will need to have sufficient information about the issue to allow us to consider it properly.

Learning lessons

We will take your complaint seriously, and will try to learn from any mistakes we've made. When there is a need to change the way we do things, we will develop an action plan to change our systems. All complaints are monitored and reported to our Executive Management Team on a quarterly basis.

Customer satisfaction

We will monitor customer satisfaction with the way we have dealt with a complaint, through the use of a telephone satisfaction survey. In addition, we will engage with our Mystery Shoppers in reviewing the service on an annual basis.

What we expect from you

We believe that all complainants have the right to be heard, understood and respected. However, we also consider that our staff have the same rights. We, therefore, expect you to be polite and courteous in your dealings with us. We appreciate that there may have been upsetting or distressing circumstances leading up to a complaint. However, we will not tolerate aggressive or abusive behaviour, unreasonable demands or unreasonable persistence.

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