

COMPLAINTS POLICY

1. Scope

Our complaints policy sets out how we will deal with complaints by aiming to resolve problems quickly, consistently, and fairly for our residents. The policy applies to all our residents, including anyone who receives a service provided by us, and covers actions by all ISHA employees including contractors, sub-contractors, agents and volunteers.

2. Policy Statement

Our policy is that:

We want to hear from residents when they feel dissatisfied about their home, or a service provided by us or anyone acting on our behalf. We will make it easy for residents to tell us about their concerns in the way that is most convenient to them.

We welcome complaints because they are important to us. We want to take the opportunity to fix an immediate problem, rebuild our relationship with our residents, learn from this and improve our services. We will always try to resolve a resident's complaint.

2.1 Definition of a complaint

We define a complaint using the Housing Ombudsman's standard definition:

"an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by ISHA, our own staff, or those acting on our behalf, affecting an individual resident or group of residents."

Our residents do not have to specifically use the word 'complaint' for it to be treated as such. However, we differentiate between a service request, where a resident may be unhappy with a situation that they want resolved, and a complaint about the service they have or have not received from ISHA. In the case of a service request, action will be taken to resolve the issue. If further enquiries are needed to resolve the matter, or if the resident requests it, the issue will be logged as a complaint.

Where we ask for feedback from resident surveys, we will provide information about our complaints process in case residents wish to raise any issues with us. Where possible, and a resident has provided their contact details, we will try to resolve the issue or identify steps that can be taken to resolve the issue that has been raised.

2.2. We will not accept the following complaints:

- Instances where the complaint is made more than six months after the matter has come to the resident's attention unless there are exceptional circumstances as to why the delay occurred

- Matters that are being taken through ISHA's insurance claims procedure
- Complaints made by one ISHA resident against another resident. ISHA has a separate Anti-Social Behaviour policy to investigate such claims. However, we will investigate a complaint about how an ASB case or service request has been handled
- Complaints submitted anonymously. In these circumstances we will investigate the matter as much as we can and implement any identified improvements.
- Where a complaint is already being dealt with as a complaint (unless there is new evidence/information provided regarding a closed complaint)
- Instances where the resident refuses to engage
- The complainant is vexatious or unreasonable, in line with our 'Dealing with unreasonable or unreasonably persistent customers' guidance.
- Complaints about an issue that is part of an ongoing legal matter, which has been initiated by the resident or ISHA
- Complaints about an outcome or judgment made by a court or tribunal
- If we receive legal instruction or correspondence during the handling of a complaint, we reserve the right to hand over the case to our legal representative and write to inform the resident the complaint is closed

2.3. How to make a complaint

Residents can make complaints through all our usual contact points:

- By telephone: 0300 131 7300
- By email: isha@isha.co.uk
- Through our website: www.isha.co.uk
- Via our social channels: Twitter [@ISHA_London](https://twitter.com/ISHA_London) and [Facebook](https://www.facebook.com/isha.co.uk)
- In writing, or in person: Islington and Shoreditch Housing Association, 102 Blackstock Road London N4 2DR
- Or to any member of ISHA's staff.

When complaints are received by social media, they are acknowledged publicly on the channel. To maintain confidentiality and privacy, we do not discuss details on public channels. Residents are advised of our [social media house rules](#) and requested to provide further details by direct message or another private channel. Once contact has been made directly, complaints are handled as usual, in line with our policy.

2.4 Who can complain?

Our residents and anyone who has received a service from ISHA (or those acting on behalf of ISHA) who is dissatisfied with that service.

A representative or advocate can act on behalf of a resident. They must provide signed authority from the resident. This could be a friend, relative or a representative of an external organisation such as the Citizens Advice Bureau or MIND. MPs and councillors can also act on behalf of a resident. Where a resident needs help to make a complaint, we will provide support needed including reasonable adjustments in line with the Equality Act 2010 and encouraging (with permission from the resident) the use of a representative or advocate where appropriate.

2.5 Resolving complaints

All complaints are managed by our Complaints and Resolution Team. The Complaints and Resolution Team will contact the resident to find out more about the complaint and liaise with relevant staff to investigate it.

2.6 Stage 1 complaints

We will send written acknowledgement of the complaint within five (5) working days of receipt by ISHA.

We will investigate the complaint, make our decision, and inform the resident of that decision in writing, within 10 working days of acknowledging the complaint.

If necessary, the deadline may be extended for up to a further 10 working days with a valid explanation. If more time is needed to fully respond to the complaint, this must be agreed by the complainant. If agreement cannot be reached, we will provide the contact information for the Housing Ombudsman.

As part of the investigation, we will work with the resident to agree on a course of action and keep them updated on the progress of their complaint.

The frequency of contact between the complaint handler and the resident will be agreed as part of the investigation and updates provided to the resident based on the agreement made.

If a staff member is the subject of a complaint, we will examine all supporting evidence and the staff member will be given the opportunity to set out their position and comment on any findings before a final decision is made. Where a resident is the subject of a complaint, this is handled separately, in line with our anti-social behaviour policy.

Where a key issue of a complaint relates to legal obligations, we will clearly set out our understanding of the obligations of all parties.

2.7 Closing Stage 1 complaints

Once the investigation is complete, we will write to the resident with the outcome of their complaint. This will include a report of the outstanding actions to resolve the issues raised and how they will be tracked and completed. The complaint handler will remain in contact with the resident until these actions are completed.

ISHA will clearly state whether a complaint has been upheld, not upheld or partially upheld. Where the complaint contains multiple issues, each issue will be dealt with separately.

The resident will be able to confirm they are satisfied that their complaint has been addressed and provide any further observations which ISHA could learn from.

If the resident does not feel the complaint has been sufficiently resolved, they should be clear what they remain unhappy about. Where possible, the complaint handler will continue to work with the resident to resolve their complaint. If this cannot be done, the resident may request their complaint is reviewed at Stage 2 of the complaints process.

Residents have up to 20 working days from the date of the Stage 1 response to request an escalation to Stage 2 of our complaints process.

2.8. We will not take complaints to Stage 2 of our process if:

- The complaint is still open at Stage 1 of the complaints process
- The resident complaining is vexatious or unreasonable, in line with our 'Dealing with

- unreasonable or unreasonably persistent customers' guidance
- The request for escalation is more than 1 month after the Stage 1 response
- The complainant does not give a satisfactory reason for their continued dissatisfaction or what it is they want ISHA to do to resolve their complaint
- The complaint meets any of the points under 2.2.

Where this is the case, the resident will be notified that the complaint has been closed, and the reasons for this. The resident retains the right to take this to the Ombudsman.

2.9 Stage 2 complaints

If a resident remains dissatisfied, the complaint can be referred to a senior colleague for Stage 2 of ISHA's complaints process. When requesting this, the resident should outline the reasons they remain unhappy and what elements of their complaint remain unresolved.

The senior investigator will review the Stage 1 decision and how it was reached. They will not reinvestigate the complaint. This Stage 2 investigation will usually involve a meeting or telephone call to fully understand why the complaint has not been resolved.

The resident will be notified of the outcome of the review within 20 days of their request for escalation, unless good reasons for this have been explained ahead of time.

During the Stage 2 review, further actions may be identified that could resolve the complaint. These actions will be carried out and the complaint closed. If there is nothing further to add and consequently the complaint has exhausted our complaints process, the complaint will be closed.

The resident will be notified that the complaint has been closed, and the reasons for this. They retain the right to take this to the Ombudsman.

2.10 Further Options

If the resident remains unhappy with the decision after Stage 2 of our process they have the right to go to the Housing Ombudsman Service (see 2.11).

Further options are outlined in the Appendix.

2.11 Complaining directly to the Independent Housing Ombudsman

Residents may complain directly to the Independent Housing Ombudsman after exhausting ISHA's complaints process.

You can contact the Housing Ombudsman using the details below:

- Email info@housing-ombudsman.org.uk Telephone 0300 111 3000
- Online www.housing-ombudsman.org.uk Fax 020 7831 1942
- Post Exchange Tower, Harbour Exchange Square, London, E14 9GE

Residents may also contact the Ombudsman if they are having issues accessing ISHA's complaints process, do not agree with a proposed extension period, or if we have not responded in line with our complaints policy. The Ombudsman does not investigate complaints before the complaints process has been completed but can take steps to encourage resolution.

3. Learning from complaints

ISHA's complaints policy helps us improve our service to residents. It is our intention that the way complaints are dealt with will be reviewed by a Resident Complaint Panel. For information about joining the panel, please email involvement@isha.co.uk.

We report regularly to residents on the learning and actions taken as a result of complaints received. We do this on our website and social channels, in resident newsletters and in our Residents' Annual Report.

4. Equality and diversity

4.1 ISHA is committed to valuing and promoting equality and diversity. We recognise that we have a duty to eliminate unfair treatment and discrimination in the services we provide and to promote and value respect in everything we do. We expect our staff to share these values and treat all customers with fairness and respect.

4.2 Our ED&I strategy is in place and addresses our approach to inclusion. We adapt our approach as required or requested to accommodate an individual's needs in line with the Equality Act 2010.

5. Data protection and GDPR

5.1 We are committed to protecting personal information in line with the UK GDPR. All complaints are dealt with in line with our data protection policies and procedures.

5.2 Third parties representing residents are required to provide a letter of authorisation to act on their behalf. Where there is no evidence to prove that they have been authorised to represent our residents in this way, we will ask for any other evidence which proves the resident is happy to be represented by the third party.

APPENDIX

Further Options for a customer after a complaint has exhausted ISHA's complaint process include (depending on their original complaint issue):

First-Tier Tribunal (Property Chamber – Residential Property)

Anyone who is a landlord, tenant, freeholder or leaseholder can apply. They will consider cases regarding:

- Rent increases for fair or market rates
- Leasehold disputes e.g. variable service charges
- Leasehold enfranchisement e.g. extending a lease

www.gov.uk/housing-tribunals

Residents may want to get help and advice from the Leasehold Advisory Service before they apply to the First-Tier Tribunal. For this, they should contact the Leasehold Advisory Service.

Telephone 020 7832 2500 Website www.lease-advice.org

Alternate Dispute Resolution (ADR)

- Provides an alternative to going to court to settle disagreements.
- Methods include arbitration and mediation
- Arbitration – disagreeing parties agree to be bound by the decision of an independent third party
- Mediation – a third party attempts to arrange a settlement between the two sides.

Reference	Version	Created	Author	Review	Board Approved
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