

Complaint and Resolutions Policy

Purpose	To set out the Eastlight approach to complaint and resolution handling
Owner	Head of Customer Services
Related documents	Team member guide to Resolutions Housing Ombudsman Code Compensation Policy
Approved by	Executive Director of Operations Housing Services Director Community Gateway Group
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Author	Paula Briggs

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1. POLICY STATEMENT

1.1 Eastlight Community Homes (Eastlight) recognises that people have a right to complain about the failure, non-provision or standard of services. This policy sets out the Eastlight approach to resolving complaints and how resolutions are handled.

2. SCOPE

2.1 This Policy covers complaint definitions, exclusions, process and reporting in accordance with the standards set out by the Housing Ombudsman Service and the Housing Ombudsman's Complaint Handling Code.

3. PRINCIPLES

3.1 Eastlight are committed to providing an effective and efficient resolutions service, with the key focus on complaint resolution and learning from complaint outcomes to drive service improvements.

3.2 We will be fair, reasonable and consistent in our approach to handling complaints.

3.3 Wherever possible we will look to put things right, where this is not possible, we will look to agree mutually acceptable solutions for the parties involved.

4. DEFINITIONS

4.1 A complaint is defined as *'an expression of dissatisfaction, however made, about the standard of service, actions or lack of actions by Eastlight, its own staff, or those acting on its behalf, affecting an individual customer or group of individuals'*.

4.2 There are two types of feedback covered within the resolution process as detailed in 4.3 & 4.4

4.3 **Expression of Dissatisfaction** - an issue which can usually be promptly resolved at an early stage. It will be recorded in the resolution register and used to inform and improve services. Where a customer is not satisfied with the response to an expression of dissatisfaction, they may request that the issue is escalated to a Complaint.

4.4 **Complaint** is likely to be a more serious issue requiring further investigation, or an escalated Expression of Dissatisfaction.

4.5 **Resolution or Resolved** a complaint will be considered resolved when actions and timescales have been agreed with the customer, or where the customer is advised that the complaint is not upheld and no further action is required or requested by the customer.

4.6 Complaint upheld a complaint will be upheld when there is no disagreement with the essence of the complaint, or there is acceptance that there is reasonable cause for dissatisfaction with the organisation.

4.7 Partially upheld a complaint may be considered partially upheld where there is more than one element to the complaint and not all elements are upheld; where the substance of the issue cannot be completely proven or disproven, or where a judgement is made on the balance of probability. Where complaints are upheld or partially upheld, actions will be agreed with the customer to resolve the issue and wherever possible to put things right.

4.8 Complaint not upheld a complaint will be considered not upheld if the details of the complaint are factually incorrect; it is considered unreasonable, or where there is no acceptance that there is reasonable cause for dissatisfaction with the organisation.

4.9 Complaints will not be upheld where the reason for the complaints relates directly to the application of policy (ie rent increases). All community and customer focused policies are reviewed by our Customer Influence Committee (CIC). If a customer believes there needs to be a change to the policy, they can request the matter be raised with CIC. This will not change the outcome of the complaint.

5. AIMS AND OUTCOMES

1. Responsibility of resolution management.

1.1 All complaints will be monitored by the Resolutions Team, who will make sure the following are clear:

- The details of the complaint
- The outcome sought by the customer
- The resolutions procedure is followed
- where appropriate, they will ensure the customer is provided with any necessary support (e.g. language needs, hearing difficulties) to understand and participate in the resolution procedure.

1.2 Actions for resolutions of complaints will be allocated to staff members as appropriate, the customer will be notified in writing of the name of the person dealing with the complaint.

1.3 Wherever appropriate, corrective and preventative actions will also be identified and allocated to the staff member for completion. Customers will be notified of these actions as part of the resolution outcome.

1.4 In the event of dissatisfaction with progress or outcome, the customer should contact the Resolutions Team.

2. Exclusions

2.1 Complaints may not be dealt with under this policy where there are reasonable circumstances not to do so. Examples of exclusions which would be considered fair and reasonable:

- Where legal proceedings have been started or are imminent
- Where Insurance claims are outstanding or ongoing
- Where the issue occurred more than six months ago (recurring issues will be reviewed if this will help resolve a current issue)
- Matters that have already been considered under the complaints policy
- Where issues raised are considered unreasonable or vexatious (see section 6)

Where appropriate we will provide a detailed explanation, setting out the reasons why a complaint may not be considered under this policy.

3. Managing resolutions

3.1 There are two different types of complaint covered within the Resolutions policy as detailed in 4.3 & 4.4.

3.2 Where a customer feels that the response that they receive does not resolve the issue they should contact the Resolutions Team to discuss what steps can be taken for resolution. Customers should be clear on the reason for their dissatisfaction and what outcome they would like to see to resolve the situation.

3.3 The Customer Services Manager will agree the next steps with the customer, focussing on actions most likely to resolve the situation. Options may include but are not limited to:

- Referral to more senior management for review
- Referral to Head of Service or Director for review

3.4 Should the matter still not be resolved the customer may be offered referral to a Panel Review hearing. The Head of Customer Services and Operational Directors will be notified of all resolutions which are referred for a Panel Review. The action will be confirmed with the customer and new timescales agreed.

3.5 The Panel Review hearing is the final option in the complaints process and after the hearing there will be no further right of appeal within Eastlight. Customers who feel their issues have not been satisfactorily resolved will be given details of how to take their complaint to a designated person or to the Housing Ombudsman should they wish to do so.

3.6 In the event of a Panel Review hearing, the hearing will be arranged and monitored by the Resolutions Team, in accordance with the review process set out in section 5.10

4. Methods of Complaint

4.1 Complaints will be accepted in any format, for example, verbal, written, by telephone, email, online or via social Media. All complaints will follow the same process.

5. Who does this policy apply to?

5.1 Eastlight will accept requests for resolution from the following:

- Those with an existing or previous relationship with us as a Landlord. This includes people who have a lease, tenancy, licence to occupy, service agreement or other arrangement to occupy premises owned or managed by Eastlight.
- an applicant for a property owned or managed by Eastlight
- Those with no existing or previous relationship with Eastlight, but who feel they are affected by our service or actions. These complaints will not be eligible for escalation to the Housing Ombudsman.
- a representative of any of the people above who is authorised by them to make a complaint on their behalf;
- a representative of any of the people above who does not have the capacity to authorise a representative to act on their behalf. Eastlight must be satisfied that the representative has the legitimate authority to act on the person's behalf;
- a person with authority to make a complaint on behalf of any of the people above who is deceased.

6. Confidentiality

6.1 Eastlight acknowledges that some customers may wish to raise concerns in confidence or may wish to have their name and address details withheld on occasions. Eastlight will respect customer requests for confidentiality wherever possible and we will advise customers in cases where this would not be possible.

6.2 When a confidential complaint relates to an Eastlight Team member, the Team member will be notified that a complaint has been made against them but will not be given the Customer's details.

6.3 All complaints will be considered confidential between the Customer and Eastlight Team members and partner organisations.

7. Anonymous Complaints

7.1 Eastlight will treat anonymous complaints seriously and they will be fully investigated.

8. Fairness

8.1 Any individual or group about whom a complaint is made will never investigate the complaint. The investigation will be carried out by a Team member not involved in the original issue.

8.2 Fairness extends to our Teams and team members will be told about a complaint made against them to provide an opportunity to explain their views. They will be kept updated with the progress of the investigation and be informed of the outcome.

9. Timescales for responding to Complaints and Expressions of Dissatisfaction

9.1 An acknowledgement of a complaint will be issued in writing no later than two working days after the complaint is received. The acknowledgement will detail the complaint reference number and the person who is handling the complaint.

9.2 Expressions of Dissatisfaction will not be acknowledged in writing. These will be investigated and responded to within two working days.

9.3 Eastlight will investigate a complaint and provide a full written response within ten working days of a complaint being registered. Where we are unable to do so, a revised timescale and dates for progress will be agreed with the customer. Any extended response times should not exceed a further 10 days without full explanation and formal agreement with the customer.

9.4 If customers do not feel the issue has been resolved following the initial response to a complaint, they should contact the Resolutions Team to agree the next steps.

9.5 Where the next step is a Panel Review hearing this will be held within 20 working days of the request being made.

9.6 The review panel have the right to defer a decision, to request further information or clarification wherever it feels appropriate. Where this occurs, new timescales will be agreed with all parties, the aim will always be to conclude the hearing within 25 working days of the request being made.

10. Panel Review Hearing process

10.1 A Panel Review hearing is the final step in Eastlight's resolution process.

10.2 The panel will comprise of three independent Eastlight Board or Committees members and/or trained customers to review resolution cases.

10.3 A review date will be agreed with the customer. It is helpful if the customer or their representative attend the hearing, but if this is not possible the Panel may review the case in their absence.

10.4 Customers will be provided with assistance and advice if they do not feel able to present their own case to the Panel for any reason.

10.5 All parties will be required to provide details of any documents relating to the complaint which they want the Panel to Review, at least ten working days before the date of the hearing. A Document pack will be prepared by the Resolutions Team containing a summary sheet and copies of relevant documents. Any documents or issues which are not included in the pack will not be considered by the Panel.

10.6 The document pack will be issued to the complainant, the relevant members of Eastlight staff and to all panel members, not less than five working days before the hearing.

6. UNREASONABLE BEHAVIOUR

6.1 Eastlight aims to provide a fair service and to work together with our customers to provide a resolution as quickly and effectively as possible where things go wrong. In some cases, the excessive frequency of contact or unreasonableness from specific customers inhibits our ability to properly consider their issues and those relating to other customers.

6.2 Where we consider that a customer is behaving unreasonably, action may be taken to limit the amount of contact the customer has with us. This may include the following:

- Limiting the customer to contacting the organisation in writing only
- Limiting the customer to contact with a named team member only
- Limiting the frequency or timing of contact
- Responding only to new issues or complaints (all correspondence will be reviewed)

6.3 The sanctions in item 5.11.2 will only be applied in exceptional circumstances. The customer will be advised in writing that we are considering these actions if their behaviour does not change.

6.4 Sanctions to limit contact will be approved by the Head of Customer Services or an Operational Director. All Operational Directors will be informed.

6.5 The customer will be advised in writing that the sanction has been applied and given an explanation of the reasons why. The customer will also be informed of how to appeal against the sanction.

6.6 Appeals against sanctions will be reviewed by the Housing Services Director or the Executive Director of Operations.

6.7 Appeals against sanctions must be sent to the relevant Director in writing within ten working days of the date of the letter of notification of the sanction being applied. Assistance will be provided to customers who may find it difficult to put their case in writing.

6.8 Any sanctions will be reviewed by Eastlight after six months and the customer will be notified in writing of the outcome of the review.

7. PERFORMANCE MONITORING

7.1 All timescales within the policy will be monitored by the Resolutions Team.

7.2 Key performance indicators including the number of complaints received and outcomes will be reported to Eastlight Board, Customer Influence Committee and Executive management Team quarterly.

7.3 A summary of resolutions performance will be reviewed by senior management monthly.

8. EQUALITY, DIVERSITY AND INCLUSION

8.1 An Equality Analysis has been completed for this policy.

8.2 There are no specific policy considerations/actions arising from the Equality Analysis and it is not expected that this policy will positively or negatively impact any particular group.

8.3 We make a commitment to enable our customers to raise any concerns and make a complaint by making reasonable adjustments and providing support to enable customers to do so.

9. STATUTORY AND REGULATORY REQUIREMENTS

9.1 The Housing Ombudsman expects Eastlight to act within the Housing Ombudsman Code and to carry out regular self-assessment against this Code.

9.2 In line with the Housing Ombudsman Code, Eastlight will publish a self-assessment on our website and will review the assessment as appropriate.

10. REVIEW

10.1 Three years after anniversary date of latest review, or where there are regulatory changes that impact the content of the policy.

11. DATE OF POLICY

11.1 February 2021