



# **COMPLAINTS & RESOLUTIONS POLICY**

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# 1. Policy Statement

- 1.1** At Eastlight, we aim to give consistently great customer service. However, we recognise that, from time to time, we can fail to meet your expectations.
- 1.2** When you make a complaint, we want to make sure we listen, understand what has gone wrong and what is needed to put it right.
- 1.3** This Complaints & Resolutions Policy sets out our approach to resolving complaints. It should be read alongside our Compensation Policy, Managing Behaviours Policy, Whistleblowing Policy, the Housing Ombudsman Complaint Handling Code and the Regulator of Social Housing's Regulatory Standards.
- 1.4** This Policy is subject to regular review and is available on our website.

# 2. Think Customer

- 2.1** At Eastlight, we exist to provide the best possible homes and services for our residents.
- 2.2** Our 'Think Customer' approach aims to guide and support colleagues whenever they make decisions that affect our residents, directly or indirectly.
- 2.3** 'Think Customer' ensures our people fully consider how residents will experience and be impacted by the service we provide. Before acting, our people must think about:
  - The short and long-term effects of their actions
  - The residents' individual needs and preferences
  - Whether their communication is clear, respectful and appropriate
  - If they can draw on any past insights or experiences to help them when making tough decisions
  - Whether they, themselves, would be happy with the service being provided.
- 2.4** The 'Think Customer' model is designed to complement and work alongside all Eastlight policies and procedures, including this Complaints & Resolutions Policy.

## 3. Principles

- 3.1** We view complaints as a valuable source of feedback and learning for our services.
- 3.2** We are committed to understanding what has gone wrong and making positive improvements to our service as a result.
- 3.3** We will be fair and reasonable in our approach to handling your complaint.
- 3.4** Our complaints service should be accessible, and we can make reasonable adjustments as and when requested.
- 3.5** We record all formal complaints to enable us to understand trends, recognise reoccurring issues and look to make improvements.

### **3.6 Our Approach to Complaints**

- 3.6.1 In line with Ombudsman requirements, we define a ‘complaint’ as an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by Eastlight, our own staff, or those acting on our behalf, affecting a resident or group of residents. Any resident who is dissatisfied has the choice to make a complaint.
- 3.6.2 You are not required to use the word ‘complaint’ for us to handle it like one. As guided by the Housing Ombudsman, we recognise the difference between a ‘service request or query’ and a ‘complaint’.
- 3.6.3 A ‘service request or query’ is a request where you require action to be taken to put something right. If we consider your contact to be related to a service request or query, we will confirm this, explaining the reason why we may not consider your contact as a complaint. An example of a service request is:
  - If a resident wishes to raise a complaint about a hole in the roof, they must have first submitted a service request for the necessary repair. We need a chance to investigate and resolve the issue first.
- 3.6.4 We record, monitor and review service requests regularly, but they are not dealt with under this Policy. A complaint will be raised if you are dissatisfied with our response to your service request. In the event a complaint is logged, it will not prevent, stall or impact on any actions needed to resolve immediate issues (i.e. the service request).
- 3.6.5 Your complaint will be managed centrally. We will consider the needs and reasonable adjustments of any customer who is using our Complaints Process in line with our duties under the Equality Act 2010 and our Customer Service Strategy, where you make these needs and adjustments known to us.
- 3.6.6 Where we consider that the actions of a customer or their representative are

unacceptable, we may handle your complaint using our Managing Behaviours Policy.

### **3.7 Exclusions**

3.7.1 We will accept complaints that meet the definition as stated in this Policy, unless there is a valid reason not to. Each case will be considered on its own merits.

3.7.2 Reasons for not accepting a complaint include:

- When legal proceedings have started, specifically where details of a claim (such as a Claim Form and Particulars of Claim) have been filed at Court
- Where insurance claims are outstanding or ongoing
- When the issue occurred more than 12 months ago, or 12 months from the resident becoming aware of the issue (unless there are exceptional circumstances)
- When matters have previously been considered under this Policy and the repeated complaint relates to the same substantive issue
- Where issues raised are considered unreasonable (Please see our Managing Behaviours Policy)
- If a more appropriate process exists to address the concern. For example:
  - Following our Whistleblowing Policy
  - Anti-social behaviour (ASB) or neighbour disputes: These will only be logged as complaints if we have failed to follow our Anti-Social Behaviour & Hate Crime Policy
  - Rent increases or service charge queries: These are not treated as complaints unless we have not met our agreed service standards, such as providing requested information.
- Planned Section 20 works, unless the complaint is that we did not follow the required consultation process
- Where the complaint concerns a policy decision (for example, a service charge, rent increase or planned maintenance) or the policy itself
- Where the complaint concerns the specific terms agreed upon in an approved policy; however, we will accept complaints where policy has not been followed
- Anonymous complaints
- Enquiries or expressions of dissatisfaction from members of the public who we do not have a relationship with or provide a service to
- We do not have sufficient permissions in place to accept a complaint on behalf of a resident.

3.7.3 Whilst we list some of the reasons, we may decide not to accept other forms of complaint. We will always act fairly and reasonably in reaching our decision. Where we do not accept a complaint, we will provide an explanation to the complainant as to

why the matter is not suitable for the complaints process.

- 3.7.4 You can approach the Housing Ombudsman if you do not agree with our decision (see the Ombudsman's contact details under Section 5.4).
- 3.7.5 If the Housing Ombudsman does not agree that an exclusion has been fairly applied, we will comply with any request from the Housing Ombudsman for us to take on a complaint.

### **3.8 Putting Things Right**

- 3.8.1 Where something has gone wrong, we will acknowledge this. We will share actions already taken or those we intend to take to put things right. This may include:

- An apology
- An explanation and/or acknowledgment of where things have gone wrong
- Corrective action to address the issue
- Amending a record
- Providing compensation (Please see our Compensation Policy)
- Mediation
- Changing policies, procedures or practices which may include staff training.

- 3.8.2 Remedies will reflect the impact on the customer because of any fault identified.

- 3.8.3 We will offer compensation in line with our Compensation Policy, and we will also consider guidance as issued by the Housing Ombudsman Service.

### **3.9 Exceptional Circumstances**

- 3.9.1 Where we believe that we are unable to comply with the Housing Ombudsman Service Complaint Handling Code due to exceptional circumstances, such as a cyber-attack, we will notify the Housing Ombudsman Service. We will also provide information to residents that might be affected as soon as is reasonably practicable in these circumstances.

## **4. Scope**

### **4.1 Who Can Make a Complaint?**

- 4.1.1 We accept complaints from all customers who live in an Eastlight home, all customers who receive a service from Eastlight, and those who have applied for a home that is owned or managed by Eastlight within the last 12 months.
- 4.1.2 With the customer's approval, we will consider complaints from representatives of any of the people above where we are satisfied that the representative has the legitimate

authority to act on that person's behalf. We will consider our wider safeguarding obligations when deciding whether to allow this. Where we do allow this, we will deal with the complaint in the same way as if the customer had raised it with us directly.

#### **4.2 How to Make a Complaint?**

4.2.1 You can make a complaint by letter, telephone, email, online, or directly to our colleagues in-person. You have the right to be accompanied to any in-person appointments. All complaints will follow the same process.

## **5. Complaint Stages**

#### **5.1 Process Overview**

5.1.1 Eastlight has a two-stage Complaints Process. As stated above, we will consider cases which meet the definition. At each stage of the complaints process, we will:

- Deal with complaints on their merits, act independently and have an open mind
- Give the resident a fair chance to set out their position
- Take measures to address any actual or perceived conflict of interest
- Consider all relevant information and evidence carefully to reach a fair and balanced outcome
- Look to put in place a resolution to resolve the complaint, if possible
- Explain the next stage of escalation should you remain dissatisfied with our investigation into your concerns.

#### **5.2 Stage One**

5.2.1 Complaints will be defined, acknowledged and logged **within five working days** of receipt. We will make customers aware of their right to access the Housing Ombudsman Service.

5.2.2 We will contact the customer to fully understand the complaint and the outcomes being sought. If any aspect of the complaint is unclear, we will ask the customer for clarification. The complaint response will be provided to the resident when the answer is known, not when all outstanding actions are completed. We will then provide regular updates through to completion.

5.2.3 If there are parts of the complaint which we are not responsible for, we will let the customer know and, where possible, signpost to alternative help and support.

5.2.4 We will aim to issue a full response to complaints **within 10 working days** of it being acknowledged. If we need more time to respond, we will provide an update and

inform the customer of the expected timescale for response. We will act reasonably when deciding on the expected timescale and when we need an extension beyond a further 10 working days. We will provide the customer with the reason for this. Customers have the right to approach the Housing Ombudsman Service if a Stage One extension exceeds 10 working days.

5.2.5 Where additional related issues come to light during the investigation process, we will add these to the original complaint unless this unreasonably delays our Stage One response. If we cannot add these to the original complaint, they will be logged as a new complaint or dealt with as a service request or query (see 3.6.3).

### **5.3 Stage Two**

5.3.1 If you are dissatisfied with the outcome of the Stage One complaint, we will escalate it to Stage Two.

5.3.2 Requests for escalation to Stage Two must be received **within one month** of the Stage One response being issued. Customers do not have to explain their reasons for requesting Stage Two consideration, but we will make reasonable efforts to understand why.

5.3.3 We will acknowledge, define and log your Stage Two complaint **within five working days** of receiving it.

5.3.4 We will only consider issues included in the complaint at the point that we issued our Stage One response. New information may be treated as a new complaint under this Policy or dealt with as a service request or query (see 3.6.3).

5.3.5 An Eastlight staff member, who has not previously been involved with the complaint, will handle the Stage Two complaint.

5.3.6 We aim to issue a full response to the Stage Two complaint **within 20 working days** of it being acknowledged. The complaint response will be provided to the resident when the answer is known, not when all outstanding actions are completed. We will then provide regular updates through to completion. If we need more time to respond fully, we will provide an explanation and inform the customer of the expected timescale for response. We will act reasonably when deciding on the expected timescale and where we need an extension. We will provide the customer with the reason and a new approximate timeframe. This is not normally more than a further 20 working days. Customers have the right to approach the Housing Ombudsman Service if extension timescales exceed those specified in the Code for Stage Two extensions.

5.3.7 There may be occasions when Eastlight will not escalate a complaint to Stage Two, for reasons such as:

- You have started legal proceedings to address the issues raised
- You have not sought to escalate your complaint to Stage Two within the prescribed timeframe.

5.3.8 If this is the case, we will write with a full explanation as to why the complaint has not been escalated to Stage Two.

5.3.9 The Stage Two response is our final response, and it will include details of how to escalate the matter to the Housing Ombudsman Service if you remain dissatisfied.

#### **5.4 Referring a Complaint to the Housing Ombudsman Service**

5.4.1 Complaints may be referred to the Housing Ombudsman Service at any point during the complaints process for guidance. If a complaint remains unresolved after Stage Two, the complainant can also contact them to request a review.

5.4.2 The Housing Ombudsman Service contact details are as follows:

Housing Ombudsman Service  
PO Box 1484  
Unit D Preston  
PR2 0ET  
0300 111 3000  
[info@housing-ombudsman.org](mailto:info@housing-ombudsman.org)  
[www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk)

5.4.3 The Housing Ombudsman will only review complaints if you are an applicant for housing or a customer, leaseholder or licensee of one of Eastlight's homes.

#### **5.5 Conflicts of Interest & Confidentiality**

5.5.1 We acknowledge that customers may wish to raise concerns in confidence or may wish to have their name and address details withheld on occasions. We will consider requests for confidentiality, and we will advise where this would not be possible.

5.5.2 Where a complaint is about a member of staff, they will not be involved in handling the complaint but may be interviewed as part of the Complaint Handling Process.

#### **5.6 Statutory & Regulatory Requirements**

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

5.6.2 We will test and check satisfaction with our complaint handling using surveys that are then reported through our Tenant Satisfaction Measures.

5.6.3 In line with the Housing Ombudsman Code, we will publish a self-assessment on our

website and will review the assessment as appropriate.

#### **5.7 Use of Discretion**

5.7.1 Eastlight reserves the right to exercise discretion and deal with complaints outside of this Policy, where individual circumstances merit it. In these circumstances, we will ensure that discretion is applied fairly and appropriately.

## **6. Monitoring**

#### **6.1 Continuous Learning**

6.1.1 All timescales within this Policy will be monitored.

6.1.2 Key performance indicators, including the number of complaints received and the outcomes reached, will be reported to our Customer Influence Committee and the Ombudsman as part of regulatory compliance with the Ombudsman's Complaint Handling Code.

6.1.3 Eastlight's senior management, Board and Committees have oversight of our complaint handling service and resident feedback.

6.1.4 Themes are used as a source of learning for service development.

## **7. Equality Impact Assessment**

**7.1** An Equality Impact Assessment (EIA) for this Policy was conducted. As a result, actions have been put in place to mitigate any negative impacts.

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