



# **Complaints Policy**

## **2024-2026**

## Complaints Policy

<b>Adopted/Date Reviewed:</b>	21 December 2022 (Reviewed)
<b>Review Period:</b>	Biannual – if regulations are amended, then changes need to be made immediately.
<b>Next Review:</b>	December 2024
<b>Contact Officer:</b>	Executive Director of Customers
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<b>Version Approved by:</b>	<i>Board on 27/03/24</i>
<b>Policy Links:</b>	Equality and Diversity Policy Limited Contact Policy Reasonable Adjustments Policy Code of Conduct for Colleagues, Board Members, and Involved Customers Anti-Social Behaviour Policy Performance Management & Assurance Framework

### **Brief Policy Summary:**

LHP considers that the way in which complaints are handled performs an important strategic role for the organisation, providing valuable intelligence regarding the Companies health, performance, and reputation. LHP promotes the continuous use of complaints providing a high-level framework to support effective handling and prevention in conjunction with learning and development.

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## Purpose

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1. The purpose of the complaints policy is to enable LHP to resolve complaints raised by our customers and stakeholders quickly and to use learning from complaints to drive service improvements.
2. It is further intended to create a positive complaint handling culture amongst colleagues, customers, and stakeholders.
3. In setting out LHP's commitment to providing an efficient, straightforward, and easy to access complaints process, we intend to:
  - Ensure that any complaint can be resolved before it escalates
  - Empower our colleagues make decisions to resolve complaints without fear of blame
  - Inform the wider business regarding trends
  - Use the complaints process to promote a positive relationship based on trust between landlord and customer
  - Address complaints in confidence, be fair, polite, and transparent, impartial, and consistent in our approach and in our feedback
  - Recognise where we have got things wrong, apologise, explain, and put it right
  - Use learning from complaints to improve our service offer to our customers
  - Ensure that our customers are aware that they can escalate a complaint through our process and contact the Housing Ombudsman Service at any time
  - Inform our customers regarding what we have learnt from complaints, what has changed as a result and how the customer journey has improved
  - Comprehensively advertise how to make a complaint through all our access channels
  - Seek insight into our complaint handling and performance from involved customers as part of our engagement work.
  - Monitor and report performance of the complaints service to our colleagues and Board of Directors

## Objectives

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4. This policy is intended to provide a clear and straight forward explanation of the complaints process.
5. That making a complaint is straight forward and simple and that a complaint can be made through all our access channels in any format.
6. That the process itself and how to access the service is comprehensively advertised through all our customer contact mechanisms.

## Scope

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7. The complaints process is available to every customer and anyone who receives a service or comes into contact with LHP.
8. This includes tenants, leaseholders, contractors, housing applicants and anyone else affected by LHP's activities.
9. Examples of issues that can be raised through the complaints process are listed below however this list is not exhaustive;
  - Any service provided by LHP
  - The way that colleagues have behaved
  - The way in which a repair has been handled
  - The way in which requests for information have been managed
  - The way in which a housing application has been managed

## Definition of a Complaint

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10. A complaint is an expression of dissatisfaction, however made, about the standard of service, actions, or lack of action by LHP, its colleagues or those acting on behalf of LHP, affecting an individual resident or customer or group of residents or customers.
11. This means that anyone in receipt of a service from LHP or in receipt of a service made on behalf of LHP (for example a contractor installing new windows) can make a complaint if they are not happy about the service that they have received.
12. A complainant does not have to use the word complaint when they contact LHP for their expression of dissatisfaction to be treated as a complaint and LHP's colleagues will recognise the difference between a service request, feedback from surveys and a formal complaint and will take the appropriate steps to resolve the complaint for the customer as quickly as possible.
13. Service requests will be logged on LHP customer management system and reported on, this data will be utilised for service improvement, analysis of themes and scrutiny from engaged customers.
14. There are some instances where the initial enquiry will not be treated as a complaint. These include but are not limited to;
  - Where the issue giving rise to a complaint occurred over twelve months ago although where this is a recurring issue, LHP will consider any older reports as a part of the background to the complaint in order to resolve the issue for the customer. This exclusion of over twelve months would not apply where the complaint concerns safeguarding or health and safety issues.
  - Where legal proceedings have been started. Where this is the case, the legal team will consistently provide updates regarding progress.
  - Liability issues that are subject to an insurance claim

- Claims for compensation as these are addressed through the Compensation for Service Failure Policy
- Occasionally LHP receives anonymous complaints. Where it is clear that a thorough investigation into the complaint is not possible or where we have no details of the complainant and are therefore unable to respond, we reserve the right not to investigate.
- Where a complaint has already previously been investigated and responded to and has exhausted the process.
- Where an issue is not accepted as a complaint LHP will explain the reasons why to the complainant and offer alternative solutions where appropriate.
- Complainants have the right to challenge this decision by raising concerns with the Housing Ombudsman who may require LHP to address the issue as a complaint.

## **The Complaints Process**

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### 15. LHP have a Two Stage Complaint Process

#### **Stage 1**

16. If a stage 1 complaint is required, this will be logged, defined, and acknowledged, within 5 working days of receipt.
17. We will also contact the complainant within 2 working days of acknowledgement to ensure that we understand the complaint definition and clarify the outcomes being sought.
18. We will then thoroughly investigate the complaint and respond with the stage 1 decision in 10 working days from the date of acknowledgement. Should this not be possible, we will explain why to the complainant and advise the date that a full response will be received which will be no longer than a further 10 working days.
19. Extension of the investigation timescales will only be done with good reason, including:
  - A delay by a third party, over which a landlord has no control, in providing information.
  - Requiring further time to undertake investigations due to no engagement from the complainant.
  - Needing longer to acquire all the information from multiple sources to properly investigate complex cases.
20. This will be assessed on a case-by-case basis and customers will be kept informed in writing, and where an extension is applied the customer will be provided with the details of the Ombudsman.

## **Stage 2**

21. If LHP have not resolved the complaint to the complainant's satisfaction the complainant may request to escalate the complaint to Stage 2.
22. LHP will review the request for escalation and if agreed, the complaint will be logged, defined, and acknowledged within 5 working days.
23. We will also contact the complainant within 2 working days of acknowledgement at stage 2 to ensure that we understand the complaint definition and clarify the outcomes being sought.
24. The complaint will be a review of the stage 1 complaint, and considering any new related points made. A written response will be issued within 20 working days of acknowledgement.
25. Should this not be possible and an extension is required, we will explain why to the complainant and advise the date that a full response will be received which will be no longer than a further 20 working days.
26. This completes LHP complaints process.
27. If LHP have not been able to satisfy a complaint the complainant can raise their complaint with the Housing Ombudsman who's contact details will be provided in all correspondence regarding the complaint.
28. The complainant has the right to contact the Housing Ombudsman at any time in the complaints process. The Housing Ombudsman can assist customers through the life of the complaint and provides the opportunity to engage with the Housing Ombudsman's dispute support advisors.
29. The complainant may escalate their complaint to the Housing Ombudsman if they are not satisfied with the outcome and have exhausted the LHP complaints process.

## **Escalating a Complaint**

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30. LHP will not unreasonably refuse to escalate a complaint through the stages of the complaint's procedure.
31. When escalating a complaint LHP will review:
  - what the escalation review will be about, why the resident remains dissatisfied and whether any part of the complaint has been unresolved;
  - who will undertake the review
  - who will be kept informed
  - what evidence needs to be gathered
32. Should LHP decide not to escalate a complaint, LHP will provide an explanation to the customer and will make clear that the previous response was the final response and provide information on the referral to the Housing Ombudsman.

33. Reasons for not escalating a complaint will meet one of the following criteria;
  - The issues raised do not fall within the remit of the complaints policy
  - The issues raised are not within LHP's power to investigate, change or influence
  - The basis of the complaint has changed or there are subsidiary issues subsequently raised which are not part of the initial complaint. Subsidiary issues will be addressed as a new complaint.
  - A complainant's refusal to accept documented evidence as factual
  - That a final response has been provided
34. Should a complainant not be satisfied with the complaint's response at any stage, they should contact the Housing Ombudsman Service.
35. LHP will act on any recommendations that are made as a result of complaints reviewed by either a designated person (Councillor/MP) or a recognised Tenant Panel or the Housing Ombudsman or will provide robust valid reasons as to why they are unable to act.
36. LHP will provide advice and support to a complainant about the options available to them.

## **Communicating with Customers, Residents, and other Stakeholders**

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33. LHP will ensure that there are no barriers to accessing the Complaints Process and how to access it using all its customer communication channels including but not limited to:
  - The LHP Website
  - Leaflets
  - Social Media Channels
  - Newsletter
  - Annual Report
  - Translation Services
34. LHP will communicate with our customers, residents and stakeholders using plain language appropriate to them.
35. All points raised within a complaint will be addressed and LHP will provide clear reasons for any decisions taken and will reference policy, good practice, and the law as appropriate.
36. At the completion of each stage of the complaints process, LHP will write to the complainant advising them of the following:
  - the complaint stages
  - the complaint definition



- the decision on the complaint
  - the reason for any decisions made
  - the details of remedy or offer to put things right
  - The details of any outstanding actions
  - the details of how to escalate the matter if dissatisfied with the outcome
37. LHP will provide the complainant with the opportunity to:
- Set out their position
  - Comment on any adverse findings before a final decision is made
38. Whilst at least adhering to the response timelines, LHP will respect and follow any agreed different arrangements made with the customer that better meets their needs regarding the frequency and method of communication.
39. LHP will keep customers regularly updated and informed regarding their complaint even should there be no new information to provide.

### **Fairness in Complaint Handling**

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40. LHP will operate and deliver a customer-focussed complaints process ensuring that complainants are provided with the opportunity to explain their point of view and the outcome that they are seeking before a decision is reached.
41. Complainants' expectation of outcomes will be clearly managed from the outset of the complaint being raised and LHP will be clear where a desired outcome is unreasonable or unrealistic.
42. LHP will support complainants to have a representative deal with their complaint on their behalf and to be both represented and accompanied at any meeting where this has been offered or requested and where this is reasonable. If someone is acting on behalf of a friend or family member, LHP will need to seek permission for them to do this from our customer whose data we hold so that we ensure that private information is not shared without agreement.
43. Where areas of a complaint relate to the party's legal obligations, LHP will clearly set out its understanding of the obligations of both parties and seek clarification before doing so where this is not initially clear.
44. Complaint investigations will be conducted in an impartial manner, seeking sufficient reliable information from both parties so that fair and appropriate findings and recommendations can be made.
45. Complaint investigations will be fair and to achieve this the Customer Experience Team will:
- Deal with a complaint on its merits
  - Act independently and have an open mind
  - Take measures to address any actual or perceived conflict of interest

- Consider all information and evidence carefully
  - Keep the complaint confidential as far as is possible, with information only disclosed where necessary to properly investigate the matter.
46. LHP's assessment of the complaint will include:
- What the complaint definition is
  - What evidence is needed to fully consider the issues
  - What risks the complaint raises for LHP
  - What outcome would resolve the matter for the customer
  - Any urgent action that LHP needs to take
47. LHP's Customer Experience Team will endeavour to resolve a complaint at the earliest opportunity.
48. The complainant and any applicable colleague who is subject of the complaint will be provided with the opportunity to:
- Set out their position
  - Comment on any adverse findings before a final decision is made
49. There may be circumstances where LHP could exercise discretion in its response to a complaint. These will always be discussed with the Executive Director of Customers and where discretion is used, LHP will provide a full explanation to the customer and maintain a log of the use of discretion and the circumstances in which it was used.
50. LHP recognises that complainants may pursue a complaint in a way that may impede the investigation of a complaint.
51. LHP is committed to resolving complaints fairly and quickly and has therefore produced a separate policy to support the business to deliver to the above aspirations and manage these circumstances.

## Putting Things Right

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52. LHP is committed to resolving disputes fairly and quickly.
53. Where something has gone wrong LHP will acknowledge this, setting out the actions that it has already taken or intends to take to put things right. These will include:
- there has been an unreasonable delay
  - inadequate or inaccurate advice was provided
  - LHP's policies were not followed correctly without good reason
  - there was a factual or legal error that impacted on the outcome for the customer
  - there was unprofessional behaviour by colleagues

54. LHP will acknowledge and apologise for any failure identified, explain and where applicable inform the customers of any changes made or actions taken to prevent the issue from happening again consulting with customers and managing expectations being careful not to promise anything that cannot be delivered or that would cause unfairness to other customers.

## **Appropriate Remedy**

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55. Where things have gone wrong, LHP will:
- Acknowledge that something has gone wrong, provide an explanation, assistance, or reasons.
  - Apologise
  - Take action if there has been a delay.
  - Recognise or change a decision.
  - Amend a record.
  - Provide a financial remedy or services.
  - Change policies, procedures, or practices.
  - Provide appropriate training for colleagues.
56. Remedies offered will reflect the extent of any service failures and the level of detriment caused to the customer.
57. When offering a remedy, LHP will set out what will happen, by when, agreeing this with the customer.
58. Agreed remedies will be logged on the performance management system and tracked to completion.
59. Where a remedy is compensation LHP will consider whether there are any statutory payments due, if any quantifiable losses have been incurred in addition to the inconvenience and time a customer has been put to as well as any distress and inconvenience caused.
60. Compensation awards will be informed by the Remedies Guidance provided by the Housing Ombudsman Service to ensure awards are fair and appropriate.

## **Legal Liability**

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61. In some cases, a customer may have a legal entitlement to redress. Whilst there may be concerns regarding legal liability in this situation LHP will offer a resolution where possible.

## **The Housing Ombudsman**

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62. When a customer remains dissatisfied at the end of LHP's complaints process, they may bring their complaint to the Housing Ombudsman (HO).

63. LHP will co-operate with the HO requests for evidence and provide this within 15 working days.
64. If a response cannot be provided within this timeframe, LHP will provide the HO with an explanation for the delay and if reasonable the HO will agree a revised date.

## **Continuous Learning and Improvement**

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65. LHP will proactively use learning from complaints to revise policies and procedures, train colleagues and contractors and to improve communication and record keeping.
66. LHP will ensure that colleagues are supported and have the skills to effectively deliver to the complaints process.
67. LHP will report learning outcomes and improvements to services as a result of customer feedback through the performance framework, website, newsletters, annual report, and customer involvement structures.

## **Monitoring and Reporting**

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68. LHP will record and monitor every complaint, take ownership of it, and seek to find solutions that meet customer expectations.
69. LHP will also collect diversity data from our customers at the point of their complaint to enable us to assess the impact of our services, ensure equity of access and equality of outcomes, ensuring no customers are being disadvantaged by LHP services.
70. Feedback will be used to:
  - 
  - Engage with and involve customers in shaping services
  - Review policies and procedures
  - Develop colleagues
71. LHP will produce an annual complaints performance and service improvement report. This will include the annual self-assessment with the Complaint Handling Code, qualitative and quantitative analysis of complaints handling performance, service improvements because of learning from complaints, annual reports from the Ombudsman and/or any other publications or report from the Ombudsman about LHP's activity.
72. This report will be shared with the Board and Customer Complaint Panel for feedback and comment. The full report plus commentary will be uploaded to the LHP website for customers information as well as submitted to the Housing Ombudsman Service via their portal to demonstrate compliance with the code.
73. Oversight of complaint performance in between assessments will be conducted by the Customer Experience Manager, Corporate Head of Customers and the

Board Member Responsible for complaints (MRC) to provide scrutiny of complaint handling.

## **Equality and Diversity**

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- 74. Fairness, Respect, Equality, Diversity, Inclusion and Engagement are the responsibility of everyone within LHP.
- 75. We will monitor the diversity of our customers through the gathering of data on protected characteristics. You can read more about how we do this in the LHP Equality & Diversity Policy.
- 76. Complaint's themes and trends will be monitored to ensure that there are no systemic issues disadvantaging any protected groups or individuals.

## **Review Cycle**

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- 77. This policy will be reviewed biannually in November 2024 or in advance of this date should there be changes to legislation that affect this policy.

### Complaints Policy

**Provide a brief summary of the aims and main activities of the initiative (bullet points):**

- To enable LHP to resolve complaints raised by our customers and stakeholders quickly and to learn from customer feedback and complaint outcomes to drive service improvements.
- This policy is intended to create a positive complaint handling culture amongst colleagues, customers, and stakeholders.
- Set out LHP's commitment to provide an efficient, straightforward, and easy to access complaints process.

<b>Completed By:</b>	<b>Customer Experience manager</b>	<b>Date:</b>	<b>February 2024</b>
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#### Guidelines: Things to consider

- Where a negative (i.e. adverse) impact is identified, it may be appropriate to make a full EIA (see Stage 2), or, as important, take early action to redress this – e.g. by abandoning or modifying the initiative. NB If the initiative contravenes equality legislation, it must be abandoned or modified.
- Where an initiative has a positive impact on groups/community relations, the EIA should make this explicit, to enable the outcomes to be monitored over its lifespan.
- Where there is a positive impact on particular groups, does this mean there could be an adverse impact on others, and if so, can this be justified? - e.g. Are there other existing or planned initiatives which redress this?
- It may not be possible to provide detailed answers to some of these questions at the start of the initiative. The EIA may identify a lack of relevant data, and that data-gathering is a specific action required to inform the initiative as it develops, and also to form part of a continuing evaluation and review process.
- It is envisaged that it will be rare for full impact assessments to be required. Usually, where there are particular problems identified in the screening stage, it is envisaged that changing the approach at this stage, and/or setting up a monitoring/evaluation system to review a policy's impact over time will tackle the problem.

## STAGE 1: SCREENING

This stage establishes whether a proposed initiative will have an impact from an equality perspective on any particular group of people or community – i.e. on the grounds of race, religion/faith/belief, gender (including transgender), sexual orientation, age, disability, or whether it is “equality neutral” (i.e. have no effect either positive or negative).

**Q 1. Who will benefit from this initiative?** Is there likely to be a positive impact on specific groups/communities (whether or not they are the intended beneficiaries), and if so, how? Or is it clear at this stage that it will be equality ‘neutral’ i.e. will have no particular effect on any group? *Please consider all aspects of Diversity including as a minimum: Age, Disability, Gender/Transgender, Race/Ethnicity, Religion/Faith/Belief, Sexuality*

This policy is expected to have a positive impact on all our customers and sets out a transparent policy and process for managing customer and stakeholder complaints.

**Q 2. Is there likely to be an adverse impact on one or more minority/under-represented or community group as a result of this initiative?** If so, who may be affected and why? Or is it clear at this stage that it will be equality ‘neutral’? *Please consider all aspects of Diversity including as a minimum: Age, Disability, Gender/Transgender, Race/Ethnicity, Religion/Faith/Belief, Sexuality*

This policy is expected to have a positive impact on all our customers regardless of diverse characteristics and is equality neutral.

**Q 3. Is there sufficient data on the target beneficiary groups/communities?** Are any of these groups under or overrepresented? Do they have access to the same resources? What are your sources of data and are there any gaps? *Please consider all aspects of Diversity including as a minimum: Age, Disability, Gender/Transgender, Race/Ethnicity, Religion/Faith/Belief, Sexuality*

The policy has been designed to provide a framework for the delivery of a fair and consistent response to complaints supporting positive community relations and widely promoted. The introduction of a customer diversity monitoring survey when a complaint is received will allow LHP to assess the impact of our services, ensure equity of access and equality of outcomes, ensuring no customers are being disadvantaged when accessing our services.

**Q 4. Outsourced services – if the initiative is partly or wholly provided by external organisations / agencies, please list any arrangements you plan to ensure that they promote equality and diversity.** *Please consider all aspects of Diversity including as a minimum: Age, Disability, Gender/Transgender, Race/Ethnicity, Religion/Faith/Belief, Sexuality*

No

**Q 5. Is the impact of the initiative (whether positive or negative) significant enough to warrant a full impact assessment – see guidance?** If not, will there be monitoring and review to assess the level of impact over a period of time? *Please consider all aspects of Diversity including as a minimum: Age, Disability, Gender/Transgender, Race/Ethnicity, Religion/Faith/Belief, Sexuality*

Not anticipated

**Q 6. To be completed at six monthly review Detail** actions taken to assess the level of impact over a period of time, or to address any gaps in data. *Please consider all aspect of Diversity including as a minimum: Age, Disability, Gender/Transgender, Race/Ethnicity, Religion/Faith/Belief, Sexuality*

We are starting to monitor the diversity of complainants from March 2024 – so will be able to use this data to complete an impact assessment when the policy is next reviewed in November 2024.