

EASTENDHOMES COMPLAINTS AND COMPLIMENTS POLICY

1. STATEMENT OF INTENT

- 1.1 A complaint is an expression of dissatisfaction, caused through our failure to achieve a specified level of service, or to address a particular failure for which we are responsible.
- 1.2 EastendHomes is committed to providing high quality, efficient and effective services to all its residents and service users, but recognises that sometimes people may be dissatisfied with its services or mistakes might be made in service delivery.
- 1.3 EastendHomes aims to make it easy to make a complaint by providing a range of means to do so and by providing a timely response which addresses any service delivery failure or prevents mistakes from recurring. A key part of the complaints process will be to identify, at an early stage, what the service user would like us to do to put things right, and to indicate in our response whether this is feasible now or in the future. EastendHomes' primary concern will be to resolve complaints as quickly as possible to the satisfaction of the service user.
- 1.4 Complaints will be viewed positively as a useful means to identify potential service improvements.
- 1.5 EastendHomes is keen to obtain feedback from service users to review the services it provides and the way in which it provides them. EastendHomes wishes to learn from the complaints received and as such the organisation will consider the 'learning outcomes' relating to each complaint as a standard agenda item at management meetings. Where training needs are identified as part of the learning outcomes, these are recorded and progressed by the service manager.
- 1.6 EastendHomes will operate clear and well-publicised procedures and timescales for receiving and dealing with complaints and compliments. EastendHomes will routinely monitor and publicise complaints responses within target, the number and nature of complaints annually, the outcomes and satisfaction with case handling and outcome.
- 1.7 All complaints will be dealt with promptly, courteously, with consistency, systematically, fairly and with appropriate regard to confidentiality.
- 1.8 EastendHomes recognises the value of involving residents in reviewing complaints and the final stage of the complaints process allows for members of the EastendHomes Board (including co-opted members of Board committees), the Executive Management Team, and the Resident Scrutiny Panel to consider complaints that have been progressed to the final internal stage. In addition the Service Review Committee and the Resident Scrutiny Panel reviews EastendHomes' complaints performance

across service areas and focus on particular concerns where they arise.

- 1.9 EastendHomes will ensure that all staff likely to be involved in handling complaints are familiar with the procedure.
- 1.10 EastendHomes is committed to maintaining membership of the independent Housing Ombudsman scheme to which service users can refer complaints following exhaustion of the EastendHomes complaints procedure, either directly following a statutorily-defined period or via a designated person (councillor or MP), if issues remain unresolved to their satisfaction.
- 1.11 The investigating officer for each complaint at each stage will assess whether the complaint is upheld, partially upheld or not upheld and note the reasons for this decision.
- 1.12 EastendHomes will accept complaints from an advocate authorised to act on behalf of a service user. This does not include legal representatives who contact EastendHomes with a view to taking legal action.
- 1.13 If the member of staff who would normally be appointed as the investigating officer for a complaint features within the content of the service user's complaint, that person will not be appointed as the investigating officer and an alternative member of staff of at least equal seniority will be identified to carry out the investigation and response.
- 1.14 What we will not treat as a complaint
 - Services for which EastendHomes is not responsible e.g. Council services such as Housing Benefit
 - Where the complainant is taking legal action against EastendHomes on the same issue, or EastendHomes is taking legal action against the complainant on the same issue
 - Where a complaint is submitted more than 12 months after the service delivery failure and it is being brought to EastendHomes' attention for the first time. Exceptions may be made at the discretion of the responsible Director.
 - Where the complainant is an employee of EastendHomes (unless they occupy an EastendHomes property and the complaint relates to issues around their tenancy or lease)
 - Initial reporting of repairs
 - Initial reporting of anti-social behaviour
 - If you are a leaseholder and you are not happy with the way the service charge has been calculated. Queries on calculations should be raised with the Home Ownership Team and managed through the Service Charge Dispute Resolution Process
 - Complaints which are made anonymously (matters which are made anonymously may be investigated outside of the complaints process)
 - Complaints from an individual residing in an EastendHomes leasehold property with whom EastendHomes does not have a direct legal relationship should be referred to the leaseholder or managed agent,

except in cases where the complaint relates to an EastendHomes service delivered directly to the complainant. Such complainants will be directed to their landlord and/or a housing advice agency.

Complaints where the complaint is from a former resident of EastendHomes will be accepted at the discretion of EastendHomes, unless the individual initially expressed dissatisfaction about the issue whilst they were still residing in an EastendHomes property.

In all other cases, EastendHomes will treat submissions as correspondence rather than through this formal complaints process.

2. PROCESS

Expression of Dissatisfaction

- 2.1 An expression of dissatisfaction, sometimes called an informal complaint, is an issue which is raised and resolved at the first point of contact. EastendHomes will record all expressions of dissatisfaction and our response to them. This will not include any initial service requests, for example a heating breakdown but would include any service or customer care failure in subsequently dealing with that request, for example, the workman made a mess.
- 2.2 Expressions of dissatisfaction will be reviewed as part of the complaints performance monitoring process but will not form part of EastendHomes' formal complaints process. Any identified service failure trends will be reviewed to prevent future service failure and identify potential service improvements.

Expressions of dissatisfaction voiced at a public meeting or submitted on a customer feedback exercise will be treated as an expression of dissatisfaction unless specifically requesting formal investigation, in which case a Stage One complaint will be initiated.

Stage One

- 2.3 A Stage One complaint is an expression of dissatisfaction that is not able to be resolved at first contact and requires investigation and a full written response.
- 2.4 Enquiries will be received in a variety of possible ways, including:
 - by telephone
 - by personal caller
 - by email
 - by letter
 - via authorised delegate or advocate of the service user
- 2.5 EastendHomes has a separate Vexatious, Frivolous and Unreasonably

Persistent Complaints policy. If it is considered that the complaint falls within the criteria of this policy a separate procedure will apply.

- 2.6 A separate Compensation and Payments Policy exists to support this Complaints and Compliments policy, and to provide guidance in making payments of compensation where this may be appropriate.
- 2.7 A separate Petitions Policy operates where a group of residents (ten or more tenants or leaseholders) have made a joint representation to EastendHomes.
- 2.8 Where a service user wishes to pursue a formal complaint, they will be sent a copy of EastendHomes' complaint form, together with information on how to make a complaint. All complainants will be encouraged to put their complaints in writing, but complaints will be progressed however they are made. Where a complaint is taken on behalf of a service user, the officer taking the complaint will write the complaint down on a complaint form and send a copy to the complainant to sign and return as an accurate statement of their issues and concerns (assistance, including home visits, will also be offered to people whose first language is not English, or who have particular needs such as literacy problems). The timeline for response to the complaint will start when the completed form is returned with the complainant's signature. Formal complaint forms will also be available for residents to download from the EastendHomes website or may be made directly through website contact.
- 2.9 Formal complaints can be initiated by providing a summary of the issues of concern by e-mail to complaints@eastendhomes.net or enquiries@eastendhomes.net. Where possible, complainants will be encouraged to use the standard form to ensure that all the necessary information is captured.
- 2.10 Normally, complaints should be submitted within 12 months of the service delivery failure in order to allow EastendHomes to conduct a timely investigation, to seek to resolve the complete, and to incorporate timely learning outcomes to service delivery provision.
- 2.11 Once a complaint form is received, a written acknowledgement will be sent within 3 working days acknowledging receipt and informing the complainant that the complaint is being dealt with, who will be responding to it, and the timescales for a response.
- 2.12 The Stage One complaint will be dealt with by the appropriate service manager. The complainant will receive a full written response within 10 working days from receipt of the complaint. Where this is not possible for a particular reason, an interim response will be provided within 7 working days, explaining why a full response is not possible at that time and giving a date by which a full response will be provided. All final responses will detail the action that has been taken, the outcome, and whether the complaint has been upheld. If further action is necessary to

resolve the issue, the complainant will be kept informed of such action and the outcome(s). The reply will explain to the complainant the process by which they can escalate their complaint if they remain dissatisfied.

Stage Two

- 2.13 If the complainant remains dissatisfied, they can request that the relevant Director or Head of Service (who reports to the Managing Director) consider the complaint as a formal Stage Two complaint. The complainant should make this request within 15 working days of receiving a response under Stage One, setting out the reasons why they are not satisfied with the response already received. A written acknowledgement will be sent to the complainant within 3 working days and a full written response within 15 working days. If further investigation is required which means a full written response within 15 days is not possible the complainant will be notified within 10 working days of their request in writing with an indication of when a full response will be sent.

Stage Three

- 2.14 If the complainant is still not satisfied with the response received under Stage Two they can ask within 15 working days of receiving the response for the complaint to be considered under Stage Three stating the reasons why they are dissatisfied with the response received under Stage Two. A panel comprising of a minimum of three members – an Executive Management Team member not responsible for the service area being complained about, an independent Board Member or co-opted Board committee member, and either a Resident Board Member or a Resident Scrutiny Panel Member will be convened to hear the complaint.

EastendHomes will aim to convene the Panel within twenty working days of the request from the complainant, to ensure that all complaints are heard in a timely manner. Members should not hear cases from complainants where there is a conflict of interest. This includes friendships, family relationship, a financial stake, close residential proximity, or being involved in current or previous disputes.

- 2.15 EastendHomes reserves the right not to convene a Stage 3 Panel in certain circumstances, as defined by EastendHomes Vexatious, Frivolous or Unreasonably Persistent Complaints Policy. These are:
- The complaint has not been upheld at Stage 1 or 2.
 - The complaint is of a frivolous or trivial nature such that it would be inappropriate to respond further under the formal Complaints Procedure.
 - The complaint is vexatious in that it is not deemed to be a genuine complaint and would consume an excessive amount of resources to investigate.
 - The complaint is deemed to be unreasonably persistent and repetitive in circumstances where:
 - additional issues or concerns are continually raised,

- the complainant seeks to unreasonably prolong the complaint through each stage of the process without any prospect of resolution or apparent purpose,
- the complainant is unwilling to accept an honest, reasonable and factually accurate response from the organisation,
- where the substance of the complaint is determined to relate to a policy or procedural disagreement or difference in interpretation or opinion rather than about service performance or failure
- the learning outcome has already been identified and appropriate response has already been made to the complainant

Where the decision is taken not to convene a Stage 3 panel, the response sent to the complainant will indicate that the EastendHomes internal complaints procedure has been exhausted and explain to them their options for external complaint resolution if they wish to pursue the matter.

- 2.16 The complainant will have the right to present their case to the panel. The complainant will also have the right, at their own cost, to have a representative, friend or advocate present, provided that EastendHomes is informed at least twenty-four hours in advance. This does not include legal representation. The meetings of the Complaints Panel are not, however, open to the general public or observers and complainants can have no more than one advocate present.
- 2.17 The panel will be minuted and the decision notified to the complainant within 10 working days of the meeting. No indication of the decision of the panel will be given at the time of the hearing. A note of the meeting will be provided; however minutes of the deliberations of the panel will be confidential. If the panel is unable to make a decision and requires additional information, the complainant will be advised of this.
- 2.18 EastendHomes may wish to interview the complainant at any stage of the complaints process. The complainant will have the right, at their own cost, to have a friend or advocate present but should inform EastendHomes first.
- 2.19 The Panel will conduct the proceedings in the following format, unless otherwise agreed by the panel:
- 2.19.1 The panel and complainant will receive a written summarised chronology of the case five working days before the scheduled panel meeting, including the key pieces of paperwork and/or correspondence.
 - 2.19.2 The EastendHomes officer who investigated the complaint at Stage 2 will present a summary of the complaint to the panel, and will identify anyone else required to attend the panel.
 - 2.19.3 The complainant, if attending, will have the opportunity to address the panel and to answer any questions from the panel. The panel or complainant may request that involved officers leave the room, if considered appropriate.
 - 2.19.4 Any officer(s) or partner service providers attending, as appropriate,

can present relevant information and will answer any queries or points of clarification required by the panel.

2.19.5 The panel will thank the complainant for attending the panel but no decision will be confirmed at the time of the meeting.

2.19.6 The panel may then wish to deliberate on the complaint in closed session and will come to a decision. A letter will be sent to the complainant within 10 working days of the meeting informing them of the decision of the Panel. Where additional information is required before a decision can be reached, the complainant will be informed of the progress of the investigation and the expected decision date.

The above format can be varied subject to mutual agreement of the panel members at the commencement of the meeting.

3. COMPLAINTS CLOSURE

3.1 At all stages of the complaints process, the complainant is requested to indicate whether they want to escalate their complaint through the internal procedure within fifteen days of receipt date of their response letter. This potential period for escalation can be extended, by mutual agreement, in cases where further activity or information relevant to the complaint may develop in the following three months. At closure of the case, a letter confirming case closure will be sent to the complainant along with the complaints satisfaction questionnaire.

4. OUTCOMES/FURTHER ACTION

4.1 As part of the investigation at every stage, the investigating officer will indicate whether the complaint was upheld or not as part of the written response to the complainant.

4.2 Where a mistake has been made EastendHomes will apologise in writing, and may also seek to compensate the complainant appropriately.

4.3 Payment of compensation may on occasion be made as a good will gesture, and will not necessarily indicate an admission of culpability.

4.4 Complaints investigators and panel members should make reference to the Compensation and Payments Policy, and associated guidelines, to determine appropriate levels of compensation.

4.5 If the complainant remains dissatisfied following the outcome of Stage 3, she or he can refer the matter to the independent Housing Ombudsman Service following the expiry of eight weeks from the conclusion of the EastendHomes internal complaints process. The complainant can also refer the matter to a 'designated person' (councillor or MP) who can intervene on their behalf. EastendHomes have no control over this aspect of the complaints procedure and the Ombudsman is completely independent of EastendHomes. Complaints to the Ombudsman must be made within 12 months of completion of the EastendHomes complaints process, in

accordance with the requirements of the Housing Ombudsman Service.

- 4.6 On receipt of a request from the independent Housing Ombudsman EastendHomes will make the necessary arrangements to respond to requests for relevant information and correspondence within designated timescales.

5. PUBLICITY

- 5.1 The complaints procedure will be publicised and available for use by anyone wishing to complain about any aspect of EastendHomes' service provision or service delivery, including standards of customer care.
- 5.2 The procedure will be widely advertised, through the EastendHomes website, Tenants' Handbook and Leaseholders' Handbook, newsletters and posters in Local Housing Centres.

6. IMPROVEMENT PLANNING

- 6.1 The complaints procedure is an opportunity for us to review the policy and procedures which have led to a decision, to check that these have been followed correctly or to recommend changes to these where we learn that they do not work properly. We do learn from our mistakes or where we could do things better, but we also have to follow certain guidelines from the government, and work to certain budgets and so sometimes are unable to simply give customers what they want. However, we still need to ensure that we have followed policies and procedures in reaching any decision and justify those decisions to you.
- 6.2 All complaints received will be monitored, and details recorded of the date received, the nature of the complaint, the date action was taken and the nature of the action taken. EastendHomes wishes to learn from complaints received and as such management team meetings will consider the 'learning outcomes' relating to each complaint as a standard agenda item. Where training needs are identified these will be recorded and progressed by the appropriate manager. The Senior Management Team will regularly monitor the performance of the complaints procedure across all Directorates.
- 6.3 EastendHomes will ensure that an officer will be responsible for:
- Registering and monitoring complaints and performance within response times
 - Ensuring that complainants are kept informed of any delays in the progression of the procedure and likely revised completion dates
 - Receiving comments on EastendHomes policies
 - Presenting statistics on complaints performance and presenting these as part of the of the KPI report to the Service Review Committee. This will include sectional and thematic analysis.
 - Registering the learning outcomes from each complaint. At the

completion of each stage, the learning outcome will be recorded and fed back to all previous investigation officers so that service improvements can quickly be incorporated into service delivery arrangements.

- Sending a post-complaint satisfaction questionnaire to the complainant which captures complainants' satisfaction with how the complaint was dealt with and the final outcome. This information will be monitored quarterly by the Service Review Committee as part of the Key Performance Information provided.

6. COMPLIMENTS AND SUGGESTIONS

- 6.1 EastendHomes will maintain a compliments register to monitor positive resident feedback on services.
- 6.2 EastendHomes will encourage residents to provide general suggestions and compliments. EastendHomes will ensure that where compliments are received that these are generally recognised within the organisation and seen as part of the overall learning process.
- 6.3 EastendHomes has introduced a Customer Care Excellence Award Scheme which allows residents and staff to nominate staff members who have excelled in their contribution to the work of the organisation, particularly in the area of customer care.
- 6.4 Customers will be encouraged to submit suggestions, compliments and or staff nominations using a range of forms and promotional material.
- 6.5 Where gifts are received for staff these will be entered into the hospitality register, and will be treated in accordance with the guidance given in the EastendHomes Staff Handbook and Code of Conduct.