

LONGLIFE HOUSING COOPERATIVE - COMPLAINTS POLICY FOR SERVICE COMPLAINTS

Adopted / last reviewed by Management Committee and General Members: December 2024

1. Aim

The aims of this policy are:

- To ensure that members of Longlife Housing Cooperative (LHC) and others have the right to complain about the provision, or non-provision, of services through a clear, easily accessible, confidential, non-adversarial, and easy to use procedure, which offers rapid action and response.
- To ensure that members of LHC and others have a clear understanding of Longlife's complaints policy and procedure to raise a complaint and for the matter to be resolved
- To ensure that the organisation listens, is objective and puts things right
- To ensure that service complaints are dealt with effectively and fairly, even where complaint outcomes are not to the satisfaction of the complainant.
- To ensure that LHC keeps accurate records of complaint handling
- To ensure that service complaints are taken seriously and used positively to improve how the Co-operates.
- To ensure that the service complaints procedure complies with the Transparency, Influence and Accountability standard
- To ensure that the service complaints procedure complies with the Housing Ombudsman's Complaint Handling Code 2024

2. Who can complain?

LHC welcomes complaints from members of the Co-op and welcomes anyone using or directly affected by the Co-op's services to make a complaint.

LHC also accepts complaints from third parties or representatives (this will require written evidence that anyone representing a complainant is authorised by the complainant to act on their behalf). Any representative can attend meetings with a complainant if the complainant wishes them to.

A complainant can also be made by anyone who is affected by a decision or action taken by the Co-op including:

- service users and ex-service users
- applicants for housing
- partnership organisations and agencies
- contractors or consultants
- neighbours to the Co-op's properties
- members of the public

Complainants do not have to use the word complaint for it to be treated as a complaint.

3. What is a service complaint?

"A complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Co-operative, or by others acting on the Co-ops behalf, affecting an individual member or group of members."

A service complaint, whether justified or not, may be about something that should or should not have been done, or has been done badly, or has been done or not done in accordance with the Co-op's policies. A complaint may also be about a complainant feeling that they have not been treated fairly or they have been discriminated against in the provision of a service.

The Co-op will accept or escalate complaints, unless there is a valid reason not to do so.

The following issues would **not usually** be accepted or escalated under LHC's complaints policy, unless there are valid reasons to consider the issue:

- First time requests for a particular service - A service request is a request from a service user requiring action to be taken to put something right. Examples include requesting a service, requesting information, or asking for an explanation of a policy. We recognise that service requests can become complaints if the service provider fails to deal with the first time request appropriately, or the member is dissatisfied with the response. A complaint should therefore be raised when the service user raises dissatisfaction with the response to their service request if there has been a failure in the service (i.e., something is not working as it should do) that should be investigated, put right and learnt from.
- Governance complaints – complaints about how a Management Committee member has behaved in governance roles in the co-operative. These complaints will be dealt with through the Co-op's Code of Conduct. The grievance should be made through the Cooperative's Chair, or nominate MC member, who will refer it to the next Management Committee meeting.
- Anti-social behaviour or harassment issues – requests to deal with these issues will be dealt with in accordance with relevant policies. If a complainant has asked the Co-op to address an anti-social behaviour issue or a harassment issue and is not happy with the way that it has been managed, they may then make a complaint under the Complaints Policy.
- Neighbour nuisance, or neighbour disputes – requests to deal with these issues will be dealt with in accordance with relevant policies. If a complainant has asked the Co-op to address neighbour nuisance, or a neighbour dispute and is not happy with the way that it has been managed, they may then make a complaint under the Complaints Policy.
- Complaints relating to an active legal claim - such as disrepair filed at court, or when a complainant is taking the Co-op to court. For clarity, if a complainant is taking pre-litigation action (e.g., disrepair pre-action protocol), they may make a complaint under the Complaints Policy.
- Claims for damages – these will be dealt with as an Insurance Claim, as will other liability issues that are subject to an insurance claim.
- New issues that arise during a complaint investigation – these will be logged as a new complaint unless they are relevant to the complaint under investigation. However, additional complaints will be incorporated if they are relevant, and the response has not yet been issued.
- Anonymous complaints – the Co-op will not investigate anonymous complaints. However, the Co-op will promptly assess the severity, and issues will be dealt with under the relevant policy.
- Complaints about something more than twelve months old - unless it is a recurring issue that has been continuing for longer than twelve months and is persisting.
- Matters that have already been considered under the complaints policy.
- Matters that are pursued vexatiously – obsessive, persistent, harassing, prolific, repetitious, or with an excessive number of emails or telephone calls

If the Co-op chooses not to accept or escalate a complaint for one of the above reasons, when asked, the Co-op will formally write to the complainant setting out its reasons why.

Sometimes complaints may overlap across these types of complaints, in which case issues will be dealt with separately and in accordance with the relevant procedure.

Where dissatisfaction is expressed through survey feedback the feedback will not immediately be defined as a complaint. The Co-op will follow this up and be led by the member if they wish to raise the issue as a complaint.

4. Submitting complaints

Complaints can be made:

- By phone 07988 546179
- By letter 6b Tower Hamlets Road, Forest Gate, London , E7 9BZ
- By Email Office@longlife.org.uk

The preferred method is by email to office@longlife.org.uk.

Complainants are encouraged to be as specific as possible about the issues and details of the complaint and the action being sought to rectify the situation.

The Co-op will comply with the Equality Act 2010 and adapt normal policies, procedures or processes to anticipate and accommodate an individual member's needs in a person-centred way.

Please note that confidentiality will be maintained in the handling of complaints.

After due consideration of adaptations to comply with the Equality Act 2010 a complaint will be considered unreasonable if it is malicious, aggressive, threatening, intimidating violent, abusive, offensive or discriminatory language, knowing it to be false, using falsified information, publishing unacceptable information in a variety of media, websites and newspapers.

Complainants should limit the numbers of communication with Longlife while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached. If the behaviour continues the Management Committee will write to the complainant explain that their behaviour is unreasonable and asking them to change it.

5. Complaints Panel

Complaints will be handled by an Investigating Officer from the organisation that can put things right, either a member of staff from the relevant managing agent, or a **Committee Member**. The Investigating Officer must be

- Independent (with no conflict of interest) =, competent, empathetic, and efficient (skilled in complaint handling)
- Able to act sensitively and fairly
- Able to receive complaints and deal with distressed and upset members
- With access to individuals who can facilitate a quick resolution or complaints

The Co-op is the landlord and owner of the homes that members live in and takes responsibility for all complaints, whether about actions by the co-op or any parties delivering services on behalf of the Co-op.

If members have a complaint solely or partly against actions taken by the Co-op (usually this will relate to the Management Committee (MC) who have responsibility for running the Co-op) the Investigating Officer will be a Management Committee member.

The Co-op wants to ensure that complaints are dealt with by the organisation that can put things right. If members have a complaint solely against the service provided by a third party contracted to deliver services on behalf of the Co-op, the Investigating Officer will be a member of staff from the third party.

The Co-op's complaint policy has a two-stage procedure, which is summarised below. In managing complaints, the Co-op will follow the maximum target times

| Complaints procedure | Timescales | Complaints regarding a Managing Agents service | Complaints regarding the Landlord's (Co-op's) service (usually actions by the MC) |
|---|--|---|---|
| Log and acknowledge the complaint. Confirm the 'complaint definition' in writing to the complainant | 5 working days from receipt of the complaint | The Investigating Officer from the relevant Managing Agent logs and acknowledges the complaint and writes to the complainant with the 'complaint definition'. | The Co-op's Chair, or a nominated MC member logs and acknowledges the complaint and writes to the complainant with the 'complaint definition'. |
| Stage 1 – Investigation and results of the investigation of a complaint | 10 working days from the acknowledgment of the complaint | The Investigating Officer from the relevant Managing Agent investigates, draws conclusions and communicates the results to the complainant | The Co-op's Chair or a nominated MC member investigates and reports with findings and draws conclusions and communicates the results to the complainant. |
| Request for a review | 20 working days of receiving the stage one response | The Investigating Officer from the relevant Managing Agent reviews the request and writes to the complainant to accept or reject the request. | The Co-op's Chair or nominated MC member reviews the request and writes to the complainant to accept or reject the request |
| Stage 2 – Reviewing and communicating results of a subsequent review of the complaint | 20 working days from the request for a review | An Investigating Officer from the relevant Managing Agent who is independent of the complaint so far reviews the complaint response, draws conclusions and communicates the results to the complainant | The Management Committee reviews the complaint and communicates the results to the complainant |

If it is not possible for the Investigating Officer / Chair or nominated MC member / Management Committee to achieve these timescales, considering the complexity of the complaint, they will communicate how much extra time is needed to the complainant and the reasons why there will be a delay. At the same time they will provide the contact details of the Ombudsman. The target times for the

investigation (stage 1) and review (stage 2) stages should not be exceeded by more than 10 working days without good reason. If an extension at either stage 1 or stage 2 beyond 20 working days is required to enable the Co-op to respond to the complaint fully, this should be agreed by the complainant. Where agreement over an extension period cannot be reached, the Investigating Officer / Chair or nominated MC member / Management Committee should provide the Housing Ombudsman's contact details so the complainant can challenge the plan for responding and/or the proposed timeliness for a response.

6. Complaints Procedure detail: Complaints regarding the Landlord's (Co-op's) service

Conflict of interest could arise either for the complainant or a Investigating Officer / Chair or nominated MC member asked to investigate this case. Any potential conflict of interest of should be made known to the Chair before the investigation begins to avoid any undue influence.

Through the process matters that are quick and easy to resolve will be addressed as soon as possible. If matters can't be put right immediately a compliant will be responded to and the complainant will be advised of the actions to put things right.

Logging, acknowledgement and the complaint definition - On receipt of a complaint the Investigating Officer / Chair or nominated MC member will log and acknowledge the complainant within 5 working days from receipt.

Within 5 working days from receipt (or from a request for review) they will also confirm in writing to the complainant their understanding of the complaint and the outcomes the complainant is seeking. This is referred to as the 'complaint definition'. They will encourage the complainant to be specific about what they are complaining about and what outcomes they are seeking. If any aspect of the compliant is unclear they will ask the complainant for clarification.

Stage 1: Investigation and response – The complaint will be investigated by Investigating Officer / Chair or nominated MC member. They will give the complainant, and any other parties involved, the opportunity to state their views on the complaint issues. This will include talking to people involved in the issue being investigated and there will be a written record of the investigation.

On completion of the investigation, a report will be drafted by them, with findings, including whether the complaint should be fully, partially or not upheld and any redress. It is then their responsibility to communicate this to complainant.

Stage 2: Review - If the complainant is unhappy with the outcome of the Co-op's stage one response, they can escalate their complaint to stage 2 within 20 working days of the date of the Stage 1 reply. The Stage 2 escalation cannot include any new or unrelated complaints to the Stage 1 complaint.

The Investigating Officer / Chair or nominated MC member will review the request to escalate Stage 2 and agree the Investigating Officer / Management Committee who will review the complaint at stage 2.

Stage 2 will consist of an investigation by the Investigating Officer / Management Committee who will review the evidence and outcome of Stage 1 plus any additional evidence – offering the complainant and other parties to the complaint the opportunity to put forward their views.

On completion of the investigation, they will report with findings, including whether the complaint should be fully, partially or not upheld. It will then be their responsibility to communicate this to the complainant

This concludes the internal complaints procedure.

The Co-op is a member of the Housing Ombudsman's Scheme and will inform the complainant of their communication their right to access the Housing Ombudsman's service throughout the process

7. Putting Things Right

If the evidence or balance of probabilities supports a complaint it will be upheld. If a complaint contains more than one issue and one of the issues is upheld, but not all, it will be recorded as partially upheld. Complaints that are upheld may be resolved in several ways and will reflect the extent of the situation based on its own merit, and the impact caused to the complainant as a result. These may include:

- acknowledging where things have gone wrong.
- providing an explanation, assistance, or reasons.

- apologising when a mistake has been made or people have been let down.
- taking action or setting out the action CHS intends to take to put things right.
- reconsidering or changing a decision.
- amending a record.
- providing a financial remedy.
- changing policies, procedures, or practices.
- signposting to support agencies.

When considering a resolution, a range of factors impacting the level of detriment caused to the complainant will be considered including, but not limited to:

- the length of time that a situation has been ongoing.
- the frequency with which something has occurred.
- the severity of any service failure or omission.
- the number of different failures.
- the cumulative impact on the complainant.
- a complainant's particular circumstances or vulnerabilities.
- consideration of any quantifiable losses in accordance with our compensation policy and procedure and/or any discretionary payment to acknowledge service failure more broadly. Compensation for quantifiable loss will normally be paid as credit to the rent account in accordance with Compensation Policy. Any discretionary payment will be reimbursed directly to the complainant.

8. Communication

The Co-op will make their complaint policy available in a clear and accessible format for members. The policy can be found on Longlife HC's website <https://longlife.org.uk/> and LHC's page of CHS's website <https://www.coophomes.coop/>

The Co-op will provide copies of the Complaint's Policy on request.

Plain language will be used when communicating with complainants about complaints. All points raised in the complaint will be addressed and clear reasons for any decisions will be provided, referencing the relevant policy, law and good practice where appropriate.

Complaints will be responded to when the answer to the complaint is known, not when outstanding actions required to address the issues have been completed. Outstanding actions will be tracked and actioned promptly, and appropriate updates provided to the complainant.

At the end of a complaint investigation and at the end of a review (if there is one) the response to the complainant will say:

- What the outcome of the complaint is
- The reasons why decisions have been made
- The offers being made to put things right
- The actions that remain outstanding. Outstanding actions will be tracked, and updates provided to the member
- How the complainant can take the matter further if they are dissatisfied with the outcome or what is being offered
- That the complainant may refer the complaint to the Housing Ombudsman Service (see below)

During the complaint investigation and in any review, complainants will be given a fair opportunity to set out their views, and comment on any findings before a final decision is made.

Communication with the complainant will not generally identify individuals involved in delivering the service (volunteers, staff, other service providers or contractors) because all are acting on behalf of the landlord, LHS. Whilst LHC should seek to put right any problems and learn from mistakes, the Co-op will not seek to blame the complainant or those delivering the service.

Complainants will be regularly updated and informed even where there is no new information to provide.

9. Housing Ombudsman Service

If the member remains dissatisfied at the end of LHC's complaints procedure, they may bring their complaint to the Ombudsman. LHC will co-operate with the Ombudsman's requests for evidence and provide this within 3 weeks or 15 working days.

If a response cannot be provided within this timeframe, LHC will provide the Ombudsman with an explanation for the delay. If the explanation is reasonable, the Ombudsman will agree a revised date with LHC.

Members can access the Housing Ombudsman Service when they wish to and not just when they have exhausted LHC's complaints process. The Housing Ombudsman Service can assist members throughout the life of a complaint.

The details of the Housing Ombudsman can be found here: <https://www.housing-ombudsman.org.uk/contact-us/>. Telephone: 0300 111 3000. Email: info@housing-ombudsman.org.uk

10. Keeping records

LHC will document all complaints and resulting actions and will keep copies of all complaint correspondence to and from the complainant. LHC will keep copies of the complainant's correspondence received at each stage.

The Chair will be responsible for ensuring that outcomes to complaints are implemented. Any themes or trends will be assessed by the MC to identify any systemic issues, serious risks or areas for improvement for appropriate action.

11. Learning from complaints

LHC aims to support a positive complaint handling culture by placing learning and improving at the heart of its complaints management. This will include:

- The MC will receive updates at each meeting on the volume, categories and outcomes of complaints and details of any Ombudsman investigations
- The Chair will compile an annual complaints performance and service improvement report. They will ensure they have details of any complaints dealt with by third parties, and assess and themes or trends.
- A Member Responsible for Complaints on the MC (the Chair unless otherwise designated) will have lead responsibility for complaints. They will provide assurance to the Management Committee on the effectiveness of LHC's complaints system, including challenging the data and information provided to the Management Committee by LHC and third parties
- Proactively using learning from complaints to revise policies and procedures, and inform MC member and third-party training
- Sharing learning with individual complainants and more widely with members
- Annual completion and submission of Complaint Handling Code Self-Assessment to the Housing Ombudsman Service
- The annual complaints performance and service improvement report will be published on LHC's page of CHS website with the MC's response to the report

12. Data Protection

Confidentiality and data protection apply to the complaints process. LHC will not share personal information gathered as part of the complaint process with any third party who is not entitled to receive it, in accordance with data protection legislation.