

Harbour Light Assisted Living CIC

Complaints Policy and Procedure



1. Introduction

Harbour Light Assisted Living CIC Housing Association (hereafter "Harbour Light") aim to provide a professional and friendly service as housing providers. We strive to do our best however we are not infallible and mistakes can happen. If we do make a mistake then we aim that the process to make a complaint and have the problem rectified is as simple and straightforward as possible.

2. What is a complaint

- 2.1 We consider a complaint to be an expression of dissatisfaction, however, made, about the standard of service, actions or lack of action by Harbour Light, its own staff, or those acting on our behalf, affecting a resident or a group of residents.
- 2.2 It is not necessary that the word 'complaint' must be used but rather Harbour Light will offer a choice of making a complaint to any resident who is expressing dissatisfaction over a particular issue.
- 2.3 Service requests in the usual course of business as a housing provider are not complaints, these are actions that must be put right and will be recorded appropriately by Harbour Light
- 2.4 An expression of dissatisfaction with services made through a resident's survey is not defined as a complaint, though wherever possible, the person completing the survey should be made aware of how they can pursue a complaint if they wish to. Where Harbour Light has asked for wider feedback about our services, we will provide details of how residents can raise a complaint.

3. Those Eligible to use this Complaints Procedure

The Complaints Procedure can be used by anyone who receives or is affected by a service provided by Harbour Light. This includes:

- Tenants of Harbour Light
- Appointees of Tenants of Harbour Light
- Agencies who have Management Agreements with Harbour Light
- People applying to be housed by Harbour Light
- Residents residing in neighbouring property

The procedure is also open to people who may be acting on behalf of residents, this includes: Advice Agencies, Solicitors, Local Councillor, Member of Parliament.

Although Harbour Light will work with representatives, residents are encouraged to contact Harbour Light first.

4. Circumstances Where Complaints Can Be Made

Customers can complain about any aspect of service they are unhappy about. Although not exhaustive, examples of this may include:

- If you feel that a member of staff, a committee member, a contractor or any other representative of the Harbour Light has not behaved in an acceptable manner.
- If you have not received the information you have requested.
- If a repair has not been carried out in accordance with policy/procedure
- If you consider that your housing application has not been handled properly

There are a few exceptions where the nature of the complaint would not be dealt with under the Complaints Policy. Examples of this may include:

- Complaints against Support Staff will not be considered by Harbour Light but will be passed to the Support Company's senior point of contact with Harbour Light.
- Complaints against neighbours will not be considered under this policy unless it is a complaint about the way in which Harbour Light has handled the neighbour dispute. Neighbour disputes are dealt with in accordance with the process outlined in the Dealing with Anti-Social Behaviour Policy.
- Harbour Light has numerous policies in operation. A complaint about the content of any policy will not be dealt with under the Complaints Procedure Policy; however, Harbour Light welcomes residents' views on policy contents which will be referred to the management committee during the review process.
- In terms of confidentiality, members of staff are strictly prohibited from discussing someone's circumstances with a third party. This means that a complainant cannot be given information on any individual e.g. how an applicant was rehoused, but can receive general information about the subject matter
- The issue giving rise to the complaint occurred over twelve months ago however in exceptional circumstances at the discretion of Harbour Light a complaint may be considered after this period.
- Legal proceedings have started. This is defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court
- Matters that have previously been considered under the complaints policy.

5. Complaints Procedure

- 5.1 Any complaints should be in the first instance verbally made to a Support Staff member or the House Manager at the property where the tenant resides.
- 5.2 With the assistance of a Support Worker (if so required) a formal complaint should be raised by any of the following methods:
- By email to hello@harbourlight.org.uk
 - By Post to: 71 Linacre Road, Litherland, Merseyside, L21 8NP
 - If a verbal complaint needs to be made it can be made by ringing 0151 909 5919 and stating that you wish to make a Formal Complaint.

FIRST STAGE

- 5.3 The **first stage** of the Formal complaint procedure will be for the Harbour Light Property Manager relevant to that scheme (this person is also known as the 'Complaints Officer') to acknowledge and log details of that complaint within 5 working days. The Complaints Officer will then investigate and respond in writing within 10 working days of the complaint being acknowledged. Should the Complaints Officer need to delegate all or part of the investigation or process to a third party then such investigation shall be aligned with the process at hand and no alternative procedure should have to be started by the complainant.
- 5.4 Each complaint will be considered on its own merits, based on the known circumstances and facts of the matter.
- 5.5 If at this stage it is decided that a complaint is not to be accepted and will in fact be rejected from following the complaints procedure then Harbour Light is required to provide evidence of the basis of reasoning for refusing the complaint, explaining why it is not suitable for the complaints process and that there is a right to take that decision to the Housing Ombudsman
- 5.6 If new issues are raised by the resident during the stage one process, these should be dealt with as part of the process if they are relevant. However, if the issues relate to a different issue and/or are raised after the response has already been issued, the issues will be dealt with as a separate complaint.

5.7 In responding to the complaint, the Complaints Officer will confirm in writing:

- (a) The complaint stage
- (b) The complaint definition
- (c) The decision on the complaint
- (d) The reasons for any decisions made
- (e) The details of any remedy offered to put things right
- (f) Details of any outstanding actions; and
- (g) Details of how to escalate the matter to stage two if the individual is not satisfied with the result.

SECOND STAGE

5.8 If all or part of the complaint is not resolved or the Complainant is unhappy with the written response of the Complaints Officer they have the option of moving to the **second stage** and appealing to the Appeals Officer who will be a member of the Harbour Light Board who will define the complaint and log it within 5 working days of the escalation request being received and must issue a final response in writing within 20 working days of the complaint being acknowledged. If the Appeals Officer believes that the appeal will take longer than 20 working days, this will be explained to the resident with a clear timeframe set out for the resolution of the complaint which will not exceed a further 20 working days. If any further extensions are required, this will be in agreement with the resident who will be updated at regular intervals. Such an explanation should also include the contact details of the Housing Ombudsman.

If we can't resolve your complaint at the Appeal stage, or you're not satisfied with the outcome, you'll have the option to refer your complaint externally. You can ask a local 'designated person' such as a councillor or MP to act on your behalf. Alternatively, you have the option to wait eight weeks and then ask the Housing Ombudsman to review your complaint.

The Ombudsman's contact details are: -

Housing Ombudsman Service

Exchange Tower

Harbour Exchange Square

London

E14 9GE

Website: <https://www.housing-ombudsman.org.uk/>

Email: info@housing-ombudsman.org.uk

Phone: 0300 111 3000

5.9 In the event of a complaint being raised following dissatisfaction with a service request and for the avoidance of doubt, Harbour Light will continue to use its best reasonable endeavours to resolve the nature of the original service request for the duration of any matter proceeding under this complaint's procedure

5.10 In responding to the appeal, the Appeals Officer will confirm in writing:

- a) The complaint stage
- b) The complaint definition
- c) The decision on the complaint
- d) The reasons for any decisions made
- e) The details of any remedy offered to put things right
- f) Details of any outstanding actions; and
- g) Details of how to escalate the matter to the Housing Ombudsman will be provided if the complainant is not satisfied with the response to the appeal.

5.11 At both the **first stage** and **second stage** of the complaint's procedure Harbour Light will set out in writing to the complainant our understanding of the complaint and what outcomes the resident is seeking, seeking clarification of anything which is unclear, Harbour Light will also set out which aspects of the complaint we are responsible for and which aspects of the complaint we are not responsible for with appropriate reasoning.

5.12 Where a response to a complaint will fall outside the timescales of this procedure then Harbour Light will agree with the complainant suitable timescales to keep them informed about their complaint

5.13 A complainant does not need to provide reasons for a complaint being escalated up to the second stage

5.14 At both the **first stage** and **second stage** a complaint response must be provided to the resident when the answer to the complaint is known not when outstanding actions required to address the issue are completed, these actions must be tracked and actioned promptly with updates provided to the complainant. In any response, Harbour Light must address all points raised in the complaint definition and provide clear reasons for any decisions referring to policy, law or good practice as appropriate.

5.15 At both the **first stage** and **second stage** if a longer period than 10 working days is required to provide a full response the time delay will be given as soon as the Complaints Officer is aware of the delay and contact details for the Housing Ombudsman will be provided at this point

5.16 The **second stage** response will be the final response from Harbour Light and as such we will ensure all involvement of all personnel necessary to issue the appropriate response

6. Spirit in which the Complaints Procedure will be followed

6.1 At each stage of the complaints process, complaint /appeals officers must:

- a) deal with complaints on their merits;
- b) act independently and have an open mind but may consider reports of previous complaints that relate to the same issue being complained about;
- c) give the resident a fair chance to set out their position;
- d) take measures to address any actual or perceived conflict of interest; (which may include asking another trustee to investigate the complaint);
- e) consider all relevant information and evidence carefully.
- f) keep the details of the complaint confidential as far as possible,
- g) with information only being disclosed if necessary to properly investigate the matter.

7. Accessibility and awareness

- 7.1 Complaints will be dealt with in a manner that is consistent with our Equality & Diversity Policy and our duties under the Equality Act 2010.
- 7.2 If any individual making a complaint wishes Harbour Light to make reasonable adjustments to accommodate an individual's particular needs, they, or their representative, should contact the nominated lead for Equality & Diversity matters, by phone or by email or in-person to discuss what adjustments may be possible. A record of any such adjustments will be kept alongside a record of any disabilities which have been disclosed, and such adjustments to be kept under review.
- 7.3 Harbour Light acknowledges that a high volume of complaints must not be seen as negative, as this can be indicative of a well-publicised and accessible complaints procedure. Low complaint volumes are potentially a sign that residents are unable to complain.
- 7.4 The complaints handling policy will be listed in the Residents Handbook, published on our website and made available in communal areas of properties.
- 7.5 Complainants will have the opportunity to have a representative deal with their complaint on their behalf and to be represented or accompanied at any meeting. We will always follow data protection measures when disclosing any information to a third party

8. Complaint Handling Staff

- 8.1 Complaints will be investigated by the Complaints Officer at Stage One.
- 8.2 Appeals will be investigated by the Appeals Officer at Stage Two.
- 8.3 If the Complaints Officer and/or the Appeals Officer are conflicted, or the complaint relates to the Complaints Officer and/or the Appeals Officer, the complaint should be directed to the Harbour Light Board whose details are in the Residents' Handbook.
- 8.4 Staff will be suitably trained in the importance of complaint handling.
- 8.5 Harbour Light has a senior lead person who is accountable for their complaint handling. This person will assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision.
- 8.6 A member of the board of trustees has been appointed to have lead responsibility for complaints to support a positive complaint-handling culture. This person is known as the Member Responsible for Complaints (MRC).

9. Unreasonable complaints

A very small number of complaints may be unreasonable because of the way or frequency that complaints are raised with staff, or how complainants respond when they receive feedback about the complaint. These may include tenants who make frequent complaints which are not valid; who persistently make the same complaint; who request a complaint to be escalated when we have fully responded to all points; or who are seeking an unreasonable or unrealistic outcome. In these circumstances, we reserve the right to refuse to deal with the complaint.

10. Appropriate Remedies

- 10.1 Where something has gone wrong Harbour Light must acknowledge this and set out the actions it has already taken, or intends to take, to put things right. These can include:
- Apologising;
 - Acknowledging where things have gone wrong;
 - Providing an explanation, assistance or reasons;
 - Taking action if there has been a delay;
 - Reconsidering or changing a decision;
 - Amending a record or adding a correction or addendum;
 - Providing a financial remedy;
 - Changing policies, procedures, or practices.
- 10.2 Any remedy offered must reflect the impact on the resident as a result of any fault identified.
- 10.3 The remedy offer must clearly set out what will happen and by when, in agreement with the resident where appropriate. Any remedy proposed must be followed through to completion.
- 10.4 Harbour Light will take account of any guidance issued by the Housing Ombudsman when deciding on appropriate remedies.