2024-28

LOCAL SPACE

Complaints policy

This policy sets out our approach to managing complaints.

For any questions, please contact us.



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Introduction

1.1
This policy sets out our approach to managing complaints. We understand that sometimes we fail to carry out actions or deliver a service that we are responsible for, and when these things happen, this policy sets out how we act when we receive a complaint.

1.2
At Local Space, we aim to ensure that our actions are carried out as quickly as possible, and that our communication is clear, timely and polite.

1.3
When we make a mistake, we will always apologise, aim to put it right, and provide a good, reliable service to all customers, treating all feedback as an opportunity to improve services. We will also consider whether service improvements can be made as a result of any learning from the complaint.

1.4
This policy ensures all complaints are handled fairly, promptly, and consistently and has links to some of our other policies including unreasonable behaviour and communication, data protection and compensation and remedies.

1.5
We will ensure all relevant colleagues receive training on the complaints policy and know how to follow correct procedures throughout the complaints process. We have a standard objective in relation to complaint handling for all relevant colleagues or third parties that reflect the need to:

- Have a collaborative and cooperative approach towards resolving complaints, working with colleagues across teams and departments.
- Take collective responsibility for any shortfalls identified through complaints, rather than blaming others.
- Act within the professional standards for engaging with complaints as set by any relevant professional body.

1.6
Our primary intention is to resolve your dissatisfaction and put things right. We realise that this is likely to be much more important to you than providing a detailed explanation of what went wrong with our service. We may resolve some straightforward service recovery issues outside of the formal complaints process.

1.7
We actively seek feedback from all our customers. For example, customers are invited to complete a telephone survey following complaints, when we let a new home, and on completion of repairs and gas servicing works. We also periodically carry out general satisfaction surveys to see how happy our customers are with their homes and the services we offer.

1.8
Compliments are a way of us finding out what works for our customers. We accept and record comments, compliments and service requests from customers in the same way as we do complaints. We will acknowledge all compliments and comments and use the feedback to repeat what we do well and to further improve our services.

Definition

2.1
We define a complaint as an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its staff or those acting on its behalf, affecting an individual resident or group of residents. The word 'complaint' does not have to be used for it to be treated as such.

2.2
A complaint can be submitted by any person acting on behalf of a resident (with their consent). For example, this could be a family member, advocate, neighbour, advice agency, Member of Parliament (MP), or a Councillor. A complaint that is submitted via a third-party representative will be handled in line with this complaints policy.

2.3
In line with the Housing Ombudsman Service Complaint Handling Code, if further enquiries are needed to resolve the matter, or if the resident requests it, the issue will be logged as a complaint.

2.4
Types of complaints covered by this policy include the following:

- Delays in responding to an enquiry.
- Failure to provide a service.
- Treatment by or attitude of a member of staff or contractors, including allegations of discrimination.
- Dissatisfaction with the way we reach a decision or what has happened after a decision has been made.
- Delays in our processes (for example, we have not called you back when we said we would) or failing to keep appointments.

2.5
There are several ways for you to give us feedback or to make a complaint:

- In person with a member of our team.
- Via email at info@localspace.co.uk
- By phoning us on 020 8221 4000 (lines are open Mondays to Fridays, 9.00am to 5.00pm).
- Or writing to us at: Local Space, 58 Romford Road, E15 4BZ.

2.6
There are some complaints that we will not usually investigate. We will provide a detailed explanation if we do not accept a complaint or will not escalate it. You can approach the Housing Ombudsman if you do not agree with our decision. Examples of complaints we will not usually investigate include:

- Matters that are already the subject of legal action.
- Complaints about something that happened more than twelve months ago.
- Complaints about something outside of our control (for example, we cannot deal with complaints about other organisations but may be able to give you advice about who you should complain to).
- Personnel matters relating to a Local Space employee. Complaints relating to staff conduct will be fully investigated in line with our HR policies. We cannot share outcomes of these investigations for confidentiality reasons. We will, however, explain what our investigation involved.
- Complaints concerning the content of an approved policy.
- Matters that have previously been considered under the complaints policy.

2.7
We will accept complaints referred to us within 12 months of the issue occurring or the customer becoming aware of the issue, unless they are excluded on other grounds. We will consider whether to apply discretion to accept complaints made outside this time limit where there are good reasons to do so.

2.8
Other routes to resolution available:
We will try and resolve some straightforward enquiries as a service request outside of our formal complaints process. For example, this could include issues such as missed appointments or long wait times. We may also ask our contractors to try and resolve these. We will always record a complaint that meets the definition if our customer asks us to do this.

Complaints process

3.1
At each stage of the complaints process, complaint handlers 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.

3.2
We operate a two stage complaints process, as set out in this policy, however we will consider remedies at any point within the complaints process to resolve the complaint as early as possible.

3.3
We will consider which complaints can be responded to as early as possible, and which require further investigation. We will consider factors such as the complexity of the complaint and whether you are vulnerable or at risk. Most stage one complaints can be resolved promptly, and an explanation, apology or resolution provided.

3.4
We welcome feedback in the form of complaints from anyone who is affected by a service we provide, or a decision taken by us, including:

- Residents named on a Local Space tenancy for any of our tenancies.
- Any third party who is negatively affected by our actions or decisions.
- A representative of any of the people listed above who is authorised by them to make a complaint on their behalf.



3.5
Stage one
We prioritise providing excellent customer service and ensure that any concerns raised by our customers are addressed promptly and effectively. We aim to resolve customers' concerns during this initial contact. If an immediate resolution is not possible, we are committed to logging this as a stage

one complaint. On receipt of a complaint, the process to log and acknowledge a complaint will take no longer than five working days, and where possible, we will work during this time to resolve the matter. As part of the stage one complaint, the person investigating your complaint will develop an action plan with you. As part of this action plan, we will agree our method and frequency of communication with you. This will normally take no more than 10 working days, and we will always let you know if it will take longer and why.

A response to the complaint will be provided when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions will be tracked and actioned promptly with appropriate updates provided to you. The response will address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.

If you raise additional complaints during the investigation, these will be incorporated into the stage one response (if they are related and the stage one response has not been issued). The new issues will be logged as a new complaint if the new issues are unrelated to the issues already being investigated or if it would unreasonably delay the response.

Sometimes we may need more time to reach a decision. In those circumstances, we will explain why and write to you again after no more than 10 working days. In exceptional circumstances, we may need longer and we will try to agree this with you. However, if you are not happy with the extension, you have the right to contact the Housing Ombudsman.

Customers, and any staff member who is the subject of the complaint, will be given a fair chance to set out their position and comment on any adverse findings before a final decision is made. Complaints about a service provided by an Externally Managed Agent (EMA) that Local Space is not responsible for, or in control of the contract in place, will be raised on behalf of our resident, if requested. A resolution may not be possible, but we will provide support and try to affect the result on the complainant's behalf.

Our formal response will include:

- Confirmation of the conclusion for stage one of our complaints process.
- An overview of your complaint.
- Our decision.
- The reasons for the decisions we have made.
- Details of any compensation offered to put things right.
- Details of any outstanding actions.
- An explanation of how to escalate the matter to stage two if you are not satisfied with our response.

3.6
Escalation
If you are unhappy with our decision issued at stage one of the complaints process, and you ask us to, we will escalate your complaint to stage two.

Where possible, we will try to reach a resolution without the need for escalation. Otherwise, the case will be escalated without delay. We will not escalate a complaint until the stage one decision has been provided. A request for escalation must be made within 10 working days of the stage one decision or all resolution actions being completed (whichever is later).

We will not unreasonably refuse to escalate a complaint through any stages of the complaints procedure.

3.7
Stage two
If you are not satisfied with our stage one response, you have 10 working days to tell us that you wish to appeal. We do not require you to let us know the reasons for your escalation, however it can be

helpful to assist the stage two complaints investigation process. Stage two of our complaint procedure is a review of the stage one complaint to make sure it was investigated fairly and that the outcome and any redress was appropriate. It is not a full reinvestigation of the original complaint or a way to restart the process from the beginning to get a different outcome.

The complaint is referred at stage two to a senior member of staff within Local Space (this will likely be a Head of Service or other Senior Management team member). We will acknowledge and define your request to escalate to stage two within five working days. The senior member of staff will work with you to achieve a satisfactory resolution.

This will normally take no more than 20 working days, and we will always let you know if it will take longer and why. Also, if an extension is necessary, we will provide you with the contact details for the Housing Ombudsman.

Confidentiality and data protection principles apply to the complaints process. We will not share any personal or property information gathered as part of the complaint investigation with any third party who is not entitled to receive it, in line with our data protection policy.

Our formal response will include:

- Confirmation of the conclusion for stage two of our complaints process.
- An overview of your complaint.
- Our decision.
- The reasons for the decisions we have made.
- Details of any compensation offered to put things right.
- Details of any outstanding actions.
- An explanation of how to escalate the matter to the Ombudsman if you are not satisfied with our final response.

3.8

The Housing Ombudsman Service

The Housing Ombudsman Service will not usually investigate complaints before they have completed our complaints process, but they can take steps to encourage landlords and customers to work together to resolve a complaint. This may include contacting us to make enquiries about the status of your complaint and to encourage us to communicate with you. Once you have received a response from us, the Ombudsman will encourage you to continue to progress the complaint until you complete the process and receive a final response; usually this will be our stage two response.

If you are still not satisfied with our response once you get to the end of our complaints process or we have made it clear that we consider the matter to be closed, you can ask the Housing Ombudsman Service to investigate your complaint. The Housing Ombudsman will investigate your complaint and write both to you and to us with their decision and any recommendations.

You can contact the Housing Ombudsman by post, phone, or email:

- Housing Ombudsman Service, PO Box 1484, Unit D, Preston, PR2 OET.
- 0300 111 3000 (check call charges – lines are open Monday to Friday from 9.15am to 5.15pm).
- info@housing-ombudsman.org.uk

Compensation

4.1
We will refer to the Housing Ombudsman's Remedies Guidance in making assessments about appropriate remedies and offers, including compensation payments. There are certain situations in which you may be entitled to compensation:

- Home loss payments may be made for those who have lived in their Local Space property for a minimum of 12 months, have signed an Assured Tenancy, and are required to move home permanently because of redevelopment or demolition of their home.
- Disturbance payments may be made if you are required to move to another property temporarily or you have lived at a property less than 12 months and are required to move home permanently. This payment is for reasonable moving costs.
- If a tenancy is ending and you complete improvements to your property after 1 April 1994, you may be entitled to compensation for those improvements. This does not apply to fixed-term tenancies or those on an Assured Shorthold Tenancy (AST). The right to repair scheme covers specific repairs, known as 'qualifying repairs' which cost less than £250 and should be done within a set time limit. If we do not carry them out within that time you may be entitled to compensation. We can tell you if your repair is a 'qualifying repair'.
- Home loss; disturbance payments; decant costs; compensation for the cost of improvements (assured tenants only) and the right to repair are included in our Repairs and Maintenance policy.

4.2
Payment for damage to your property/belongings
Generally, it will be a landlord's responsibility to insure the building and your responsibility to insure the contents of your home. For properties we lease from superior landlords, those customers can claim on the building's insurance of our superior landlords. If damage has occurred to your home and you think you may want to make a claim on our insurance, please contact us to discuss this.

4.3
Discretionary compensation
We will address your dissatisfaction in whichever way seems fit and reasonable to us via discretionary compensation. This is sometimes referred to as a gesture of goodwill and may take the form of non-monetary gestures.

Once a decision has been made against a compensation claim, you have the right to appeal the decision. This will be treated at stage two within our complaints process. You have 10 working days to tell us that you want to take things further. You will need to tell us what the outstanding issues are and what outcome you are looking for. The senior member of staff will investigate. This will normally take no more than 20 working days, and we will always let you know if it will take longer and why.

Claims for compensation must be made in writing to our head office or by email to info@localspace.co.uk within 12 months of the events leading to the claim.

4.4
Compensation payments ordered by the Housing Ombudsman Service
The Housing Ombudsman can provide fair and proportionate remedies to complaints where maladministration or service failure has been identified. There are a wide range of proportionate remedies which include both nonfinancial remedies and compensation.

4.5
Please note that compensation will not normally be paid for:

- Lack of service or loss of facility due to circumstances beyond the control of Local Space or our agents.
- Lack of service or loss of facility due to resident negligence.

- Damage to goods or property unless the damaged item is retained for Local Space to inspect.
- Damage or loss for which recompense is available through our insurers (in which case the insurer's timescales and claims process will apply).

4.6
Where compensation is payable and a customer is in rent arrears or has another outstanding debt with us, we reserve the right to put the compensation towards reducing the outstanding debt.

Responsibilities

5.1
We have a dedicated complaints team who are assigned to investigate complaints. They have access to staff at all levels to facilitate the prompt resolution of complaints.

5.2
The Member Responsible for Complaints (the 'MRC') is a member of the Local Space Board. They are responsible for ensuring the Board receives regular information on complaints and providing insight on our complaint handling performance. The MRC has lead responsibility for supporting a positive complaint handling culture.

5.3
The Head of Service Improvement and Customer Voice has executive responsibility for complaint handling and ensuring a positive complaint handling culture across Local space. They assess any themes or trends to identify any potential systemic issues, serious risks, or policies and procedures that require revision.

Monitoring and review

6.1
We learn from our mistakes and will use the feedback you provide to improve our services. To help us do this, we will monitor and review:

- Customer satisfaction with the way complaints and compliments were handled.
- The number of complaints received at each stage and whether these were dealt with within timescales.
- The number of complaints upheld at each stage.
- The number of cases referred to the independent Housing Ombudsman and the outcome of these.
- Lessons learned and service improvements actioned.
- Compliment details.
- Compensation payments awarded.
- Benchmarking with other housing associations to compare trends and review best practice.

6.2
We will report complaints to our Board frequently. We will include information about the type of complaints we receive and the learning we have introduced as a result. Complaints learning will be a standing agenda item at staff team meetings.

6.3
We will also produce an annual complaints performance and service improvement report for scrutiny and challenge, which will include:

- The annual self-assessment against the Housing Ombudsman Service Complaint Handling

Code to ensure our complaints policy remains in line with its requirements.
- A qualitative and quantitative analysis of our complaint handling performance. This will include a summary of the types of complaints Local Space has refused to accept.
- Any findings of non-compliance with the Housing Ombudsman Service Complaint Handling Code by the Ombudsman.
- The service improvements made as a result of the learning from complaints.
- Any annual report about our performance from the Ombudsman and any other relevant reports or publications produced by the Housing Ombudsman Service in relation to our work.

6.4
We will publicise details of our complaints and compliments performance on our website and in our communication to customers (including the annual Residents Report).

Equality, diversity and inclusion

7.1
You can request a reasonable adjustment from us through the officer you are engaging with, or by contacting us through any of the channels given at 3.5.

7.2
Examples of the support we can provide include providing information in alternative formats, adapting our communication method, and allowing more time for a complaint to be brought to our attention.

7.3
We will monitor and review complaints with a view to identifying and rectifying any adverse impacts on our customers.

Legislation and regulation

8.1
The key pieces of legislation are:

- Housing Acts 1985, 1988, 1996 and 2004
- Localism Act 2011
- Landlord and Tenant Act 1985, as amended by the Commonhold and Leasehold Reform Act 2002
- Equality Act 2010
- Data Protection Act 2018
- Regulator of Social Housing (RSH) – Transparency, Influence and Accountability Standard 2024
- Housing Ombudsman Complaint Handling Code 2024