

# BELGRAVE NEIGHBOURHOOD CO-OPERATIVE HOUSING ASSOCIATION COMPLAINTS POLICY

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## ***Aims of the complaints policy***

The following are aims of the complaints policy:

- To ensure that members and others have the right to complain about the provision, or non-provision, of services through an accessible, confidential and easy to use procedure, which offers rapid action and response
- To ensure that complaints are dealt with effectively and fairly, even where complaints outcomes are not to the satisfaction of the complainant
- To ensure that complaints are taken seriously and used positively to improve how the co-op operates
- To ensure the complaints procedure complies with the Involvement and Empowerment standard and the Housing Ombudsman's Complaints Handling Code

## **Delegated Authority**

- 1 The co-op's Management Committee has delegated management of the complaints policy to the service provider who will designate a Complaints Officer from amongst their staff. The co-op delegates the Complaints Officer to operate the complaints policy and authorises them to:
  - respond to complainants
  - investigate complaints through dialogue with complainants and other parties involved in the complaint
  - initiate actions as set out in this complaints policy
  - involve other service provider staff in complaints resolutions as they see fit and as appropriate
  - make recommendations about the complaint to the co-op chair (or another management committee member in the chair's absence or where the chair has a conflict of interest in relation to the complaint).

- 2 The chair (or another Management Committee member in the chair's absence or where the chair has a conflict of interest) will agree with the Complaints Officer actions to be taken in relation to complaints that do not require policy decisions.
- 3 Complaints cases that require significant actions to be taken will usually require Management Committee approval. Urgent action should usually be approved by the chair (or another committee member) and the Complaints Officer.

## Welcoming complaints

- 4 The co-op welcomes complaints from its members and encourage anyone using or directly affected by the co-op's services to make a complaint. A member does not have to use the word complaint for it to be treated as a complaint.
- 5 Examples of whom the co-op may receive a complaint from include:
  - members, tenants, other service users, ex-tenants
  - applicants for housing
  - partnership organisations and agencies
  - contractors or consultants
  - neighbours to co-op properties
  - other members of the public.
- 6 Complaints may also be accepted from agencies and others representing the person wishing to make a complaint, such as the Citizen's Advice Bureau, MPs, councillors, support workers, family members and friends or neighbours (Management Committee members may not act as representatives for complainants).
- 7 The co-op will ensure that there is written and signed authorisation that the complainant has given their permission that a representative will act on their behalf.
- 8 The co-op will welcome such representatives to attend meetings with the complainant if the complainant wishes them to do so.

## Resolving complaints informally

- 9 The co-op will offer complainants the opportunity to have their complaint resolved informally without the need to use the complaints procedure. Resolving a complaint informally means logging the complaint, agreeing how the problem will be resolved with the complainant, and then ensuring that the action agreed is carried out. It will be the decision of the complainant whether their complaint is dealt with informally and they will always have the right to make a formal complaint that is dealt with in accordance with the complaint procedure.

## What is a complaint?

- 10 A complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the co-op, by the service provider or by others acting on the co-op's behalf, affecting an individual member or group of members.
- 11 A complaint, whether justified or not, may be about something that the co-op should or should not have done or has done badly or has done or not done in accordance with its 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.
- 12 The co-op will accept and act on complaints unless there is a valid reason not to do so.
- 13 The following would not usually be considered through the co-op's complaints procedure unless there are valid reasons to consider them:
  - requests for a particular service (eg. a complaint about a repair or something else that has not yet been requested)
  - issues relating to Anti-Social Behaviour or Neighbour Nuisance or Neighbour Disputes which need to be dealt through other relevant policies. If a complainant has asked

the co-op to address an Anti-Social Behaviour issue, neighbour nuisance or a neighbour dispute and is not happy with the way that the co-op has managed it, they may then make a complaint under the Complaints Policy.

- new issues that arise during a complaints investigation unless they are relevant to the complaint under investigation
- anonymous complaints
- matters that relate to legal proceedings that have started
- complaints about something more than six months old
- matters that have already been considered under the Complaints Policy
- issues relating to how the co-op is governed which need to be dealt with through the co-op's Code of Conduct.

- 14 If the co-op chooses not to receive a complaint for one of the above reasons, it will formally write to the complainant setting out its reasons why.

## Receiving complaints

- 15 The co-op can receive complaints:
- in person through the service provider at the co-op's office
  - by phone through the service provider at the co-op's office
  - by letter addressed to the co-op's Registered Office
  - by email at
  - through the enquiry form on the co-op's website.
- 16 If a member raises a complaint issue with a Management Committee member, they will encourage them to raise the complaint through one of the above methods, but they will also inform the Complaints Officer that a complaint has been made and the Complaints Officer will contact the complainant to ascertain the details of the complaint.
- 17 Whoever receives a complaint shall ensure that a complaints form is completed setting out the complaint. The co-op will ensure that confidentiality is maintained in the handling of complaints to those managing it. Where actions need to be agreed by the Management Committee, the identity of

complainants may need to be revealed to the Committee to enable the complaint to be managed.

- 18 Every appropriate effort will be made by the Complaints Officer to resolve complaints straight away. Emphasis will be placed on correcting any service that has failed and ensuring that checks are made to ensure that the problem has been resolved.
- 19 The co-op will comply with the Equality Act 2010 and adapt its normal policies, procedures and processes to accommodate an individual member's needs if there is a need to do so.

## The Complaints Officer

- 20 In selecting the Complaints Officer, the service provider will ensure that they are competent, empathetic and efficient. They should be able to act sensitively and fairly; should be able to receive complaints and deal with distressed and upset members; should have access to staff at all levels in the service provider to facilitate quick resolution of complaints.
- 21 Wherever possible, they will have the authority to make decisions to resolve the complaint (with the agreement of the chair or another committee member where the chair is not available or has a conflict of interest in relation to the complaint), although it is often the case that complaints are complex and refer to matters that are not covered by co-op policies and therefore may require consideration by the Management Committee.
- 22 The Complaints Officer will take responsibility for ensuring that receipt of the complaint is acknowledged; that an investigation of the complaint takes place; and that there is communication with the complainant throughout and regarding outcomes.

23 The co-op will manage complaints as follows:

- **Acknowledgement and logging** - complaints will be acknowledged and logged when received using the co-op's complaint form
- **Confirmation of the complaint** - the co-op will confirm in writing to the complainant what the complainant is complaining about. The co-op will encourage complainants to be specific about what they are complaining about and what outcomes they are seeking from the co-op.
- **Investigation** – the Complaints Officer will investigate the complaint – giving the complainant and any other parties to the complaint the opportunity to state their views on the subject matter of the complaint. Matters that are easily resolvable in the complaint will be addressed as soon as possible.
- **Decision-making** – the chair (or another committee member where the chair is not available or if the chair has a conflict of interest in relation to the complaint) and the Complaints Officer (or the Management Committee where the matter requires policy decisions) will decide their approach to resolution of the complaint and this will be communicated to the complainant
- **Review** – if the complainant is unhappy with the outcome of the investigation, they may request a review and this will be heard by someone independent of the complaint so far – offering the complainant and other parties to the complaint the opportunity to put forward their views. The outcome of the review will be communicated to the complainant and this concludes the co-op's complaints procedure.

- 24 The co-op has set the following maximum target times for the complaint procedure:

Complaints procedure	Timescales
Logging & acknowledgement of the complaint	Within one working day
Results of the investigation of a complaint	Two weeks or 10 working days from receipt of the complaint
Results of a subsequent review of a complaint	Four weeks or 20 working days from the request for a review

- 25 If it is not possible for the co-op to achieve these timescales, the co-op will communicate how much extra time is needed to the complainant and the reasons why there will be a delay. The target times for the investigation and review stages should not be exceeded by more than two weeks or 10 working days without good reason.
- 26 If the co-op chooses not to either investigate a complaint or to hold a review when asked, it will be clear about its reasons why it is not so doing, and these reasons will be communicated to the complainant.

## Communications and the Housing Ombudsman Service

- 27 The Complaints Policy will be available on and downloadable from the co-op's website. The service provider will provide a copy of the Complaints Policy to members on request, either providing a paper copy or by emailing the policy to them. The Complaints Policy will also be referred to as part of regular correspondence with members.
- 28 The co-op will provide members with contact information for the Housing Ombudsman Service as part of regular correspondence with members. Members may access the Housing Ombudsman Service when they wish to and may receive assistance from the Ombudsman during the life of a complaint.

- 29 The co-op 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, the co-op will provide the Ombudsman with an explanation for the delay. If the explanation is reasonable, the Ombudsman will agree a revised date with the co-op.
- 30 The co-op will aim to use plain language in dialogue with complainants about complaints. The co-ops will aim to address all points raised in a complaint and provide clear reasons for any decisions.
- 31 At the end of the complaint investigation and of the review (if there is one) the co-op will write to the member saying:
- what the outcome of their complaint is
  - the reasons why decisions have been made
  - what offers the co-op is making to put things right
  - what actions remain outstanding
  - how the complainant can take the matter further if they are dissatisfied with the outcome or what the co-op is offering
  - that the complainant may refer the complaint to the Housing Ombudsman Service.
- 32 During the complaint investigation and in any review, members will be given a fair opportunity to set out their views, and comment on any findings before a final decision is made.
- 33 Communication with the complainant will not generally identify individuals involved in delivering the service (volunteers, service provider staff, or contractors) because all are acting on behalf of the co-op. Whilst the co-op will seek to put right any problems and learn from mistakes, the co-op will not seek to blame any co-op volunteer or service provider staff to the complainant.
- 34 The co-op should keep complainants regularly updated and informed even where there is no new information to provide.

## Keeping records and learning from complaints

- 35 The Complaints Officer will ensure that informal and formal complaints and their follow through are documented and that copies of all complaint correspondence to and from the complainant are kept. The Complaints Officer will be responsible for ensuring that outcomes to complaints are implemented.
- 36 The Management Committee will consider all complaints the co-op has received and what could be improved because of them.

### Potential risks to be avoided

- Members or others are deterred from complaining when there is reason for them to do so
- Management committee members consider that members should not make complaints because it is a co-op
- The co-op does not follow through on complaints
- The co-op does not manage complaints in accordance with legal and regulatory requirements