

COSSINGTON HOUSING CO-OPERATIVE COMPLAINTS POLICY

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

Delegated Authority

- 1 The co-op's Management Committee has delegated management of the complaints policy to its Housing Team who is authorised to:
 - respond to complainants
 - initiate actions as set out in this complaints policy
- 2 The Housing Team will bring all complaints to the attention of the co-op's chair or, in their absence or where the chair has a conflict of interest in relation to the complaint, another Management Committee member, and will agree with them actions to take in relation to complaints.
- 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 and the service provider.

Welcoming complaints

- 4 The co-op welcome complaints from its members and encourage anyone using or directly affected by our services to make 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). 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.

What is a complaint?

- 7 A complaint is an expression of dissatisfaction with services provided by the co-op, whether justified or not. A complaint 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.
- 8 The following would not usually be considered through the co-op's complaints procedure:
 - 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 Disputes which need to be dealt through other policies
- new issues that arise during a complaints investigation
- anonymous complaints
- matters that are subject to or are likely to escalate to legal action or insurance claims
- complaints about something more than six months old
- complaints attempting to reopen previously concluded complaints
- vexatious complaints
- issues relating to how the co-op is governed which need to be dealt with through the co-op's Code of Conduct.

Receiving complaints

- 9 The co-op can receive complaints:
 - in person at the office
 - by phone at the office
 - by letter addressed to the co-op's Registered Office
 - by email to the service provider.
- 10 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 a complaint needs to be reported to the Management Committee, it will be reported anonymously.
- 11 Every appropriate effort will be made 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.
- 12 Complainants will be asked if they wish their complaint to be considered:
 - an informal complaint which would mean that the co-op will do what it can to resolve the problem that led to the complaint as quickly as possible

- a formal complaint which would also mean that the co-op will do what it can to resolve the problem as quickly as possible, but which will also involve a formal complaints procedure in which the complainant will need to participate.

Stage 1 Formal Complaint

- 13 If someone wishes to make a formal complaint, the Housing Team will designate a Responsible Officer to be responsible for managing the complaint who is independent of it. They will ensure that:
- receipt of the complaint is acknowledged in writing within 5 working days.
 - an investigation of the complaint takes place, including interviews with the complainant and other relevant parties, and a formal written communication with the complainant regarding the outcomes of the investigation within 10 working days.
- 14 If it is not possible to achieve these timescales, the Responsible Officer will ensure that the complainant is written to inform them that the investigation of the complaint will take longer than the target times and should not be no longer an additional 10 working days.
- 15 The Responsible Officer will also ensure that the co-op retains records (in accordance with General Data Protection Regulations) regarding complaints and their follow through and that outcomes to complaints are successfully implemented.

Stage 2 Review- Landlords Final Response

- 16 If the complainant is not happy with the outcome of their complaint, they may request a review.
- receipt of the complaint review is acknowledged in writing within 5 working days.

- 17 The co-op will form an independent review panel consisting of 2 people, 1 being a Management Committee member and all of whom must be sufficiently independent of the complaint and the Responsible Officer. The complainant and the Responsible Officer will be given reasonable opportunities to put their points of view to the Review Panel.
- 18 The Review Panel will make reasonable efforts to understand why a resident remains unhappy and offer a final response within 20 working days of a review request being received and will feed back to the complainant.
- 19 If it is not possible to achieve these timescales, the Review Panel will ensure that the complainant is written to inform them that the investigation of the complaint will take longer than the target times and should not be no longer an additional 20 working days.

Housing Ombudsman Service

- 20 If a complainant is still unsatisfied after the co-op's complaints procedure has concluded, they may progress a complaint with a further process that culminates in the complaint being considered by the Housing Ombudsman Service. The Ombudsman will endeavour to ensure a mutually acceptable resolution, but the co-op would be required to comply with any determinations the Ombudsman makes.

Vexatious complaints

- 21 On occasions members or others may make unreasonable complaints or enquiries and may raise them in an unreasonable or abusive fashion. Complaints may be time wasting, in that complainants persist unreasonably with their complaint or enquiry or make complaints or demands to make life difficult for the co-op rather than to genuinely resolve a problem. This may involve making serial complaints about different matters or

continuing to raise the same or similar matters over and over again. The frequency of contact can hinder the consideration of their issue and the co-op's ability to provide quality services.

- 22 How such complainants are managed depends on the nature and extent of their complaints and how they make them. Some complainants expressing dissatisfaction may raise several issues over a period of time and may be frustrated and aggrieved. Things may have gone wrong and/or the complainant may genuinely believe they have gone wrong and they are seeking resolution. It is important that those handling complaints focus, where possible, on the merits of complainants' enquiries rather than the way in which complainants raise them.
- 23 A complainant that might be considered to be behaving unreasonably may be doing so because of a mental health issue or have some other support need. Where this is a possibility, the complainant's vulnerability may need to be addressed by reference to the co-op's Safeguarding Policy.
- 24 Even where a complainant has behaved unreasonably in the past, it should not be assumed that their next enquiry will also be unreasonable. Each issue should be considered, and a decision made as to whether the complainant is behaving unreasonably.
- 25 Where those handling complaints are concerned that a complainant is being unreasonable, restrictions can be used to deal with the individual circumstances of the complainant.

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

