

## 20/20 HOUSING CO-OPERATIVE 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 designated that BCHS will provide Complaints Officers for managing service complaints. The co-op delegates to BCHS the role of Complaints Officer to operate its complaints policy.
- 2 The appointed Complaints Officer shall be authorised to:
  - respond to complainants
  - investigate complaints through dialogue with complainants and other parties involved in the complaint
  - report to appropriate committee members (normally the Chair and at least one other committee member – considering whether any committee member has a conflict of interest in relation to the complaint) to make recommendations to initiate actions as set out in this complaints policy
  - involve other committee members and BCHS staff in complaints resolutions as appropriate

- implement decisions made by at least two committee members about complaints that do not require policy decisions.
- 3 BCCHS shall ensure that officers appointed to act as a Complaints Officer shall not be parties to a complaint or have a conflict of interest in relation to a complaint. The Complaints Officers will liaise with appropriate members of the committee and with relevant BCCHS staff to agree actions to take in relation to complaints.
  - 4 Complaints cases that require significant actions to be taken will usually require Management Committee approval. Urgent action should usually be approved by at least two committee members.

## Welcoming complaints

- 5 The co-op welcomes complaints from its members and encourage anyone using or directly affected by our services to make a complaint. A member does not have to use the word complaint for it to be treated as a complaint.
- 6 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.
- 7 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. The

co-op will welcome such representatives to attend meetings with the complainant if the complainant wishes them to do so.

## Resolving complaints informally

- 8 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?

- 9 A complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the co-op, by BCHS or by others acting on its behalf, affecting an individual member or group of members.
- 10 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.
- 11 The co-op will accept and act on complaints unless there is a valid reason not to do so.
- 12 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
- 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.

13 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

- 14 The co-op can receive complaints:
- in person through BCHS staff at their office
  - by phone through BCHS staff at their office
  - by letter addressed to the co-op's Registered Office
  - by email at [info@2020.coop](mailto:info@2020.coop)
  - through the enquiry form on the co-op's website.
- 15 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 BCHS that a complaint has been made who will contact the complainant to ascertain the details of the complaint.
- 16 BCHS shall inform the Chair and at least one other committee member about any complaints received.
- 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 our 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, BCHS 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 individuals in the co-op at all levels to facilitate quick resolution of complaints. Wherever possible, they should have access to committee members who have the authority in the co-op to make decisions to resolve 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.
- 21 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.

### Complaints Procedure

- 22 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 Complaints Officer will recommend their approach to resolution of the complaint to at least two committee members who will, where existing policies permit, decide on action to be taken, or will refer the matter to the next Management Committee meeting where a decision will be taken. The Complaints Officer will communicate the decisions 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.

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

Complaints procedure	Timescales
Logging & acknowledgement of the complaint	One week or 5 working days

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

- 24 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.
- 25 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

- 26 The Complaints Policy will be available on and downloadable from the co-op's website. The co-op and BCHS 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.
- 27 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.
- 28 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.

- 29 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.
- 30 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.
- 31 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.
- 32 Communication with the complainant will not generally identify individuals involved in delivering the service (volunteers, BCHS 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 BCHS staff to the complainant.
- 33 The Complaints Officer should keep complainants regularly updated and informed even where there is no new information to provide.

## Keeping records and learning from complaints

- 34 The co-op will document all informal and formal complaints and their follow through and will keep copies of all complaint correspondence to and from the complainant. The Complaints



Officer will be responsible for ensuring that outcomes to complaints are implemented.

- 35 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