



Aims of the Complaints Policy

The aims of the Complaints Policy are:

- To ensure Seymour Housing Co-operative (SHC/The Co-op) 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 complaints are dealt with effectively and fairly, even where the complaints outcomes are not to the satisfaction of the complainant.
- To ensure complaints are taken seriously and used positively to improve how the Co-op operates.
- To ensure the complaints procedure complies with the Regulator of Social Housing's Transparency, Influence and Accountability Standard; the Housing Ombudsman's Complaint Handling Code; and the Equalities Act 2010.

Definition of a Complaint

A complaint is an expression of dissatisfaction, however made, about the standard of service, actions, or lack of action by the landlord, its own staff, or those acting on its behalf affecting a resident or group of residents.

A complaint, whether justified or not, may be about something that the Co-op should or should not have done, has been done badly, or has not been 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.

An expression of dissatisfaction made through a survey is not a complaint. Members completing surveys should be aware that they will need to make any complaints separately to the survey and in line with this policy. On any occasion when SHC asks residents for feedback about its services SHC will also provide details of how residents can complain.

Welcoming Service Level Complaints

Seymour Housing Co-operative will give its members the opportunity to complain if they wish to express dissatisfaction about its service provision. A member does not have to use the word “complaint” for it to be treated as a complaint, however, it is advisable to do so to make explicit that they are lodging a complaint. As such, Seymour will give residents who express dissatisfaction with the Co-op the choice to make a complaint.

The Co-op will also accept complaints from agencies and third parties representing the complainant. (The Co-op needs to have written evidence that anyone representing a complainant is authorised by the complainant to do so and act on their behalf.) The Co-op will usually allow such representatives to attend meetings with the complainant if they so wish. Representatives must be external to SHC (not an existing member/tenant/resident of the Co-op) and cannot be a legal representation as at this stage. Complaints made by third parties on behalf of residents will be handled in line with this policy.

A complainant could also be anyone who is affected by a decision or action taken by the Co-op including:

- Any non-member service users and ex-service users
- Applicants for housing
- Partnership organisations and agencies
- Contractors or consultants
- Neighbours to co-op properties
- Other members of the public

Making a Complaint

A complaint can be received at the SHC office in person, by telephone, by email or in writing. Unless covered by one of the exclusions listed below, complaints will be accepted if made within 12 months of the issue in question occurring or of the resident becoming aware of the issue in question. Complaints made outside of this timeframe may be considered for acceptance where there are good reasons to do so.

Exclusions

All complaints will be considered on a case-by-case basis. The Co-op will accept complaints unless a complaint falls under a matter which is excluded from the policy. These matters are:

- An issue that gave rise to a complaint that occurred more than 12 months ago;
- If legal proceedings have started; this is defined as details of the claim such as the Claim Form and the Particulars of Claim having been filed in court;
- Matters that have previously been considered under the Complaints Policy;
- Requests to deal with anti-social behaviour that is the statutory responsibility of another agency (e.g. the Police or Local Authority Environmental Health Agency);
- Requests to deal with a neighbour dispute or other issues that fall within the remit of the co-op's Anti-Social Behaviour Policy and other relevant policies;
- New issues which arise during a complaints investigation unless they are relevant to the original/initial complaint under investigation;
- Anonymous complaints - complaints cannot be investigated if they are anonymous;
- Issues relating to how SHC is governed which need to be dealt with through the Co-op's Code of Conduct.

If the Co-op chooses not to receive a complaint for one of the above reasons, the designated Complaints Officer will formally write to the complainant setting out the reasons why the complaint will not be received. This will be done within five working days of receiving the complaint and will ensure that the complainant is made aware of their right to take the Co-op's decision not to receive the complaint to the Housing Ombudsman.

Receiving Service Complaints

When a complaint is raised, SHC will ensure that it is formally logged, actioned and monitored.

The Co-op will adhere to the Housing Ombudsman's Complaint Handling Code 2024 (The Code') throughout the process. The Code is available to view at <https://www.housing-ombudsman.org.uk/landlords-info/complaint-handling-code/>

The Co-op will appoint an internal Complaints Officer to take responsibility for complaint handling. In most instances the Housing & Co-Operative Services Manager will take on the role of Complaints Officer. In instances where it is not suitable for the Housing & Co-Operative Services Manager to take responsibility for handling a complaint, for instance if a complaint is made which directly concerns the conduct of the Housing & Co-Operative Services Manager, the complaint handling will be dealt with by an Independent Complaints Officer (ICO) in the first instance.

The Complaints Officer will ensure that complaints are handled in accordance with this policy and the Code, and that developments with the complaint are reported to the Co-op's Management Committee. In a broader sense, the Complaints Officer will assess any themes or trends to identify potential systemic issues, serious risks or policies and procedures that require revision with regards to complaints.

The Co-op will ensure that the Complaints Policy is easily available and accessible to members. This will include publishing any current version of the policy on the Co-op's website.

The Co-op will ensure it maintains strict confidentiality in the handling of complaints.

The Co-op will comply with the Equalities Act 2010 and will ensure that reasonable adjustments are made for its members, including:

- Extra support including specialist equipment, interpreter/sign language;
- External support offered by a mentor/carer/support worker;
- Communications will be offered in alternative format on request (e.g. braille/letter/email/telephone).

Handling Service Complaints

All complaints will be sensitively managed by:

- Dealing with each complaint on its individual merits;
- Acting independently and having an open mind;
- Taking measures to address any actual or perceived conflict of interest;
- Considering all information and evidence carefully;
- Keeping the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter.

Independent Complaints Officer (ICO)

SHC can appoint an ICO, if it chooses to do so, who will always be independent of the complaint being managed and fully GDPR compliant. The remit/undertaking is that the ICO is competent and applies policy and procedure consistently, professionally, empathetically and efficiently. They can act sensitively and fairly, receiving complaints and dealing with distressed and upset members and will have access to individuals in the Co-op and service provider at all levels to facilitate quick resolution of complaints. The ICO will be able to have quick and direct access to Co-op officers who are delegated to make decisions that can resolve complaints quickly.

Complaints Procedure

SHC operates a two-stage procedure as outlined below.

Stage 1 – Complaint

Acknowledgement and logging: when a complaint is raised it will be logged, defined and acknowledged within five working days.

Response: the Complaints Officer or ICO will produce a full written response within ten working days, setting out:

- The complaint stage;
- The complaint definition;
- The decision on the complaint;
- The reasons for any decisions made;
- The details of any remedy offered to put things right;
- Details of any outstanding actions;
- Details of how to escalate the matter to Stage 2, if the complainant is not satisfied with the response.

The Co-op will clarify at this stage which aspects of the complaint it is, and is not, responsible for responding to. As part of beginning the complaint investigation the Co-op may seek to clarify with the complainant which areas of the complaint the Co-op is responsible for.

The Co-op will keep track of any outstanding actions related to the complaint and will keep the complainant informed of any developments related to outstanding actions.

Stage 2 – Appeal

Lodging an appeal: If a member is not satisfied with the response they receive to their complaint, they may make an appeal in writing to the Management Committee. It is not required that an explanation of the reasons for requesting an appeal be provided by the complainant. Appeals must be submitted for the attention of the Secretary at the Co-op's registered office or via email secretary@seymourhc.org and copied to office@seymourhc.org.

Acknowledgement and logging: when an appeal is raised it will be acknowledged within five working days.

Response: A Complaints Panel or ICO will consider the appeal and produce a full written response within 20 working days of the complaint been acknowledged. This response will

include reasonable efforts by the Co-op to understand why the complainant was dissatisfied by the stage 1 response and felt the need to initiate Stage 2 of the complaints process. The response will also set out:

- The complaint stage;
- The complaint definition;
- The decision on the complaint;
- The reasons for any decisions made;
- The details of any remedy offered to put things right;
- Details of any outstanding actions;
- Details of how to escalate the matter to the Housing Ombudsman if the complainant is not satisfied with the response.

The Co-op will keep track of any outstanding actions related to the complaint and will keep the complainant informed of any developments related to outstanding actions.

Timescales

If it is not possible for the Co-op to work to the timescales stated above, the Co-op will communicate to the complainant how much extra time is needed and the reasons for the extension. The target times for the investigation and review stages will not be exceeded by more than 10 working days without good reason.

Unacceptable Behaviour When Making a Complaint

Members are reminded that they should conduct themselves in a reasonable manner when making a complaint. The following list would constitute unreasonable behaviour:

- Unreasonable demands (e.g. requesting information that is not relevant to the complaint);
- Demanding responses within a shorter timeframe than laid out in the procedure;
- Unreasonable persistence (e.g. overloading of emails/calls/texts/letters);
- Unreasonable persistence (e.g. refusing to accept the answer provided and continuing to raise the same complaint without any new evidence);
- Verbal abuse and aggression;
- Inflammatory or derogatory comments/remarks made to the Complaints Officer, or Management Committee in discharging their roles within the procedure;
- Circulating misinformation to other members of the Co-op or external organisations;
- Physical violence or threats of physical violence;
- Changing the subject matter of the complaint.

If the complainant exhibits these behaviours the Co-op may try to mitigate this by, in the first instance, offering mediation with an outside independent mediator. If this fails, then the Co-op may take any of the following formal steps:

- Providing a single point of contact;
- Limiting contact to a single form (e.g. by telephone, email, or letter only);
- Limiting contact to certain times or to a limited times per week/month;
- Declining to give any further consideration to an issue unless any additional evidence or information is provided;
- Only considering a certain number of issues in a specific period.

In extreme cases, such as physical violence, extreme harassment or fraud, the Co-op may take the following actions:

- Ending direct contact with the complainant;
- Involving the police;
- Legal action to terminate a member's tenancy.

Such actions will be taken in accordance with the Equality Act 2010.

Complaint Investigation

During the complaint investigation and in any review, members will be given a fair opportunity to set out their account of events, and comment on any findings before a final decision is made.

Communication with the complainant will not identify individuals involved in delivering the service (e.g. volunteers, staff, service provider 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, it will not seek to unreasonably blame any Co-op officers, service provider or contractor to the complainant.

Housing Ombudsman Service

Co-op members can approach the Housing Ombudsman at any point during the complaints process:

Housing Ombudsman
PO Box 1484
Unit D
Preston
PR2 0ET
Tel: 0300 111 3000
info@housing-ombudsman.org.uk
www.housing-ombudsman.org.uk

Keeping Records

SHC will document all complaints in writing and will keep full details of the complaint correspondence to and from the complainant. Full details of the complaint will be held by the Co-op relevant persons and on the appropriate internal member files.

The Co-op will ensure that this policy, including any updates, remains accessible to residents via the SHC website.

Complaints Self-Assessment

The Complaints Officer will be responsible for undertaking an Annual Self-Assessment for complaints; this will be conducted in accordance with the Housing Ombudsman's Complaints Handling Code and will be integrated into SHC Business Plan. The Annual Self-Assessment will be available to Co-op members on request to the office and a copy will be sent to the Management Committee for consideration and action at its first meeting after the Co-Op's Annual General Meeting.