



Aims of the Complaints Policy

The aims of the Complaints Policy are:

- To ensure that members of Seymour Housing Co-operative (SHC/the Co-op) and others who have dealings with SHC as tenants 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, including 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 done badly, or has not done in accordance with its policies.

A complaint may also be about a complainant feeling that they have not been treated fairly or that 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 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 in line with this process.

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. In order to do this the Co-op needs to have written evidence that anyone representing a complainant is authorised by the complainant to act on their behalf. The Co-op will usually allow such representatives to attend meetings along 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 representative 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 but not limited to:

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

If a complaint relates to a resident expressing dissatisfaction with SHC’s response to a service request, the handling of the service request will remain ongoing alongside the related complaint and SHC will not stop its efforts to address the service request.

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 relates to a matter(s) 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 are 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 then 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/or 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 but not limited to:

- Access support including the provision of specialist equipment, an interpreter/speaker of British Sign Language, etc.;
- External support offered by a mentor/carer/support worker;
- Communications offered in alternative format on request (e.g. braille/letter/email/telephone).

Handling Service Complaints

All complaints will be managed sensitively by those involved in handling the complaint.

Approaches the Co-op will utilise will include but are not limited to:

- 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 and in line with the General Data Protection Regulation (GDPR).

Independent Complaints Officer (ICO)

Should it choose to do so SHC can appoint an ICO to assess complaints on the Co-op's behalf. Any appointed ICO will be independent of the complaint being managed and ensure full compliance with the GDPR.

The remit and/or undertaking of the ICO is that the ICO is competent and handles the complaint by following SHC policy and procedure consistently, professionally, empathetically, and efficiently. The ICO will act sensitively and fairly when receiving complaints and dealing with distressed and/or upset members. The ICO will have access to individuals in the Co-op and/or relevant service provider at all levels in order to facilitate resolution of complaints within proposed timeframes. The ICO will have quick and direct access to SHC officers who are delegated to make decisions that can resolve complaints within proposed timeframes.

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 of the complaint being submitted.

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.

Response: the Complaints Officer or ICO will produce a written response to the complaint within ten working days of the complaint being submitted. The written response will set out:

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

The Co-op will keep track of any outstanding action(s) related to the complaint and will keep the complainant informed of any developments related to outstanding action(s).

Stage 2 – Appeal

Lodging an appeal: a complainant may make an appeal in writing to the Management Committee if they are not satisfied with the Stage 1 response they receive to their complaint. 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 to secretary@seymourhc.org with email submissions also copied to office@seymourhc.org.

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

Response: Stage 2 appeals will be handled either by an ICO or a complaints panel assembled from SHC members. The complaints panel or ICO will consider the appeal and produce a full written response within 20 working days of the complaint being 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(s) on the complaint;
- The reasons for any decision(s) made;
- The details of any remedy offered to put things right;
- Details of any outstanding action(s);
- 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 action(s) related to the complaint and will keep the complainant informed of any developments related to outstanding action(s).

This Stage 2 response will be SHC's final response to the complaint and as such will involve all suitable staff members needed to issue such a response.

Timescales

If it is not possible for the Co-op to work to the timescales stated above then 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. The complainant will be provided with contact details for the Housing Ombudsman should SHC require any extension to the timescales stated above. These details are also listed below.

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 contains examples of what may be considered unreasonable behaviour:

- Unreasonable demands, for instance requesting information that is not relevant to the complaint;
- Demanding responses within a shorter timeframe than laid out in the procedure;
- Unreasonable persistence, for instance overloading of the SHC office/SHC officers with emails/calls/texts/letters;
- Unreasonable persistence, for instance refusing to accept the answer provided and continuing to raise the same complaint without any new evidence coming to light;
- Verbal abuse and/or aggression towards SHC officers;
- Inflammatory or derogatory comments made to SHC officers with regards to these officers 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 towards SHC officers;
- Changing the subject matter of the complaint.

If the complainant exhibits unreasonable behaviours then the Co-op will, in the first instance, propose a mediation process between the complainant and SHC officers with an independent mediator. If the mediation process fails and/or if the complainant continues to behave unreasonably then the Co-op may take any of the following steps:

- Provide a single point of contact for the complainant to contact regarding the complaint from then on;
- Limiting contact to a single form, for instance by telephone, email, or letter only;
- Limiting contact between the complainant and SHC officers to certain times of the week/month;
- Limiting contact between the complainant and SHC officers to a set number of correspondences per week/month;
- Declining to give further consideration to an issue included in a complaint unless additional evidence or information is provided;
- Only considering a certain number of issues/complaints within a specified time 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;
- Taking 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 providers, or contractors) due to the fact that all are acting on behalf of the Co-op. Whilst the Co-op will seek to solve any problems and learn from mistakes it will not seek to unreasonably blame any Co-op officers, service providers, or contractors.

Housing Ombudsman Service

SHC members can approach the Housing Ombudsman at any point during the complaints process:

Address: Housing Ombudsman

PO Box 1484

Unit D

Preston

PR2 0ET

Telephone: 0300 111 3000

Online complaint form: <https://www.housing-ombudsman.org.uk/residents/bring-your-complaint-to-the-housing-ombudsman/>

Keeping Records

SHC will document all complaints in writing and will keep full records of the correspondence with the complainant regarding the complaint. Full details of the complaint will be held by the relevant Co-op 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 annual self-assessment will be conducted in accordance with the Housing Ombudsman's Complaints Handling Code and will be integrated into the Co-op's business plan. The annual self-assessment will be available to Co-op members on request to the office and will be published on the Co-op's website.