



Complaints Policy

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 Coop 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 made aware that they will need to make complaints through the Complaints Policy.

Welcoming Service Level Complaints

- 1 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.

- 2 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.
- 3 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 in person, by telephone, by email, or in writing, and must be received within 12 months of the incident occurring.

Exclusions

The following matters are excluded from the Complaints Policy:

- 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 an 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 falls 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 this will be done within a five working day window.

Receiving Service Complaints

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

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 complaints on their 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 and acknowledged within five working days.

Response: the Complaints Officer 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

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 will consider the appeal and produce a full written response within 20 working days of the complaint been acknowledged, 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 the Housing Ombudsman if the complainant is not satisfied with the response

Timescales

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 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 addition 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 action:

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

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 this 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.

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 reported to the membership at the AGM and a copy will be sent to the Management Committee for consideration and action at its first meeting after the AGM.