

G14 - CO-OP HOMES COMPLAINTS AND COMPENSATION POLICY

Last review by Board: September 2020

1) Aim

This policy outlines Co-op Homes' (henceforth referred to as 'CHS') approach to complaints. The aims of this policy are:

- To ensure that customers 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 CHS operates
- To ensure that the complaints procedure complies with the Involvement and Empowerment standard and with the Housing Ombudsman's Complaint Handling Code.

2) Who can complain?

CHS welcomes complaints from its customers and encourages anyone using or directly affected by its services to make complaints. Customers do not have to use the word complaint for it to be treated as a complaint.

CHS also accepts complaints from agencies and other organisations / advocates representing complainants (although this will require written evidence that anyone representing a complainant is authorised by the complainant to act on their behalf). Any representatives can attend meetings with the complainant if the complainant wishes them to.

A complainant can also be anyone who is affected by a decision or action taken by CHS, including:

- any service users and ex-service users
- applicants for housing
- partnership organisations and agencies
- contractors or consultants
- neighbours to CHS properties
- other customers of the public

3) Resolving complaints informally

Complainants can have their complaint resolved informally without the need to use the complaints procedure. Wherever possible, it is encouraged that problems are resolved quickly and amicably to avoid escalation. This can include open and honest conversation and understanding each parties' point of view. It can also include alternative forms of dispute resolution, such as mediation or arbitration.

Resolving a complaint informally means logging the complaint (via the process outlined below), agreeing how the problem will be resolved with the complainant, and then ensuring that the action agreed is carried out. It should be the decision of the complainant whether their complaint is dealt with informally and they always have the right to make a formal complaint that is dealt with in accordance with the complaint procedure.

4) What is a complaint?

A complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by CHS, our colleagues, or those acting on our behalf, affecting a customer or group of customers.

A complaint, whether justified or not, may be about something that CHS 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.

CHS will accept and act on complaints unless there is a valid reason not to do so. The following would not usually be considered through CHS's complaints procedure unless there are valid reasons to consider them:

- requests for a particular service (e.g. a complaint about a repair or something else that has not yet been requested)
- requests to deal with an Anti-Social Behaviour or harassment issue or Neighbour Nuisance or Neighbour Disputes which should be dealt with in accordance with relevant policies. If a complainant has asked CHS to address an Anti-Social Behaviour issue, neighbour nuisance or a neighbour dispute and is not happy with the way that CHS has managed it, they may then make a complaint under the Complaints Policy.
- 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 CHS is governed which need to be dealt with through CHS's Code of Conduct.

If CHS chooses not to receive a complaint for one of the above reasons, it will formally write to the complainant setting out its reasons why.

5) Receiving complaints

Complaints may be received by phone, letter, email, through CHS Homes website, through social media, or through speaking to someone who represents CHS, or by other means. The preferred method is in writing via customer.services@coophomes.coop.

CHS will comply with the Equality Act 2010 and adapt normal policies, procedures, or processes to accommodate an individual customer's needs (this includes the CHS Unreasonable Behaviour Policy).

Please note that confidentiality will be maintained in the handling of complaints. Every appropriate effort will be made to resolve complaints straight away and without a formal process. Emphasis will be placed on correcting any service that has failed.

6) Complaints Officers

CHS has a designated team of Complaints Officers (a person or group of people). This role is currently divided by our Management Team. This team consists of: Business Development Manager, Head of Client Services, Repairs and Maintenance Management, and Finance Manager.

This is to ensure that complaints are handled by:

- Someone independent, competent, empathetic and efficient.
- Someone able to act sensitively and fairly;
- Someone able to receive complaints and deal with distressed and upset customers;
- Someone with access to individuals in CHS at all levels to facilitate quick resolution of complaints.

Wherever possible, the Complaints Officer has the authority in CHS to make decisions to resolve the complaint, although it is often the case that complaints are complex and therefore may require consideration by the Managing Director.

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.

7) Complaints procedure

CHS will manage complaints as follows:

- Acknowledgement and logging - complaints will be acknowledged and logged when received.
- Confirmation of the complaint – Co-op Homes will confirm in writing to the complainant what the complainant is complaining about. Co-op Homes will encourage complainants to be specific about what they

are complaining about and what outcomes they are seeking from CHS. Co-op Homes will then pass on the complaint to the Complaints Officer.

- **Investigation** - Complaints Officers independent to the complaint 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. Conflict of interest can arise either from the complainants or any other member asked to investigate this case. Conflict should be made known to Co-op Homes before the investigation has begun to avoid any undue influence.
- **Decision-making** – Complaints Officers will decide their approach to resolution of the complaint. Once the report is finalised and agreed, the Complaints Officer will communicate this to the complainant.
- **Review** – if the complainant is unhappy with the outcome of the investigation, they can 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 Managing Director of CHS will review the complaint. Following the review, a draft summary report will be created to capture the conclusion. Once the report is finalised and agreed, the Managing Director will communicate this to the complainant. This concludes CHS's complaints procedure.

CHS follows the maximum target times for the complaint procedure:

Complaints procedure	Timescales
Logging and 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

If it is not possible for CHS to achieve these timescales, CHS 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.

If CHS 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 need to be communicated to the complainant.

8) Putting Things Right

Complaints to CHS that are upheld may be resolved in a number of ways. Any resolution to a complaints will reflect the extent of the situation based on its own merit, and the impact caused to the customer as a result. These may include:

- acknowledging where things have gone wrong;
- providing an explanation, assistance, or reasons;
- apologising;
- taking action if there has been a delay;
- reconsidering or changing a decision;
- amending a record;
- providing a financial remedy; and/or
- changing policies, procedures, or practices.

When considering a resolution, CHS will consider a range of factors including, but not limited to:

- the length of time that a situation has been ongoing;
- the frequency with which something has occurred;
- the severity of any service failure or omission;
- the number of different failures;
- the cumulative impact on the customer; and/or
- a customer's particular circumstances or vulnerabilities.

9) Communications

CHS will make their complaint policy available in a clear and accessible format for customers. The policy can be found here: <https://www.coophomes.coop/about-us/compliments-and-complaints/>.

CHS can provide copies of the complaint policy to customers on request.

When communicating with customers about complaints, CHS will use plain language to address all points raised in the complaint and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.

At the end of the complaint investigation and at the end of the review (if there is one) CHS will write to the member to say:

- what the outcome of their complaint is
- the reasons why decisions have been made
- what offers CHS 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 CHS is offering
- that the complainant may refer the complaint to the Housing Ombudsman Service (see below).

This will be kept on file.

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

Communication with the complainant will not generally identify individuals involved in delivering the service (volunteers, staff, service provider or contractors) because all are acting on behalf of CHS. Whilst CHS should seek to put right any problems and learn from mistakes, CHS will not seek to blame CHS's customers or service provider to the complainant.

CHS will keep complainants regularly updated and informed even where there is no new information to provide.

10) Housing Ombudsman Service

If the member remains dissatisfied at the end of CHS' complaints procedure, they may bring their complaint to the Ombudsman. CHS 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, CHS will provide the Ombudsman with an explanation for the delay. If the explanation is reasonable, the Ombudsman will agree a revised date with CHS.

Customers can access the Housing Ombudsman Service when they wish to and not just when they have exhausted CHS's complaints process. The Housing Ombudsman Service can assist customers throughout the life of a complaint.

The details of the Housing Ombudsman can be found here: <https://www.housing-ombudsman.org.uk/contact-us/>. Telephone: 0300 111 3000. Email: info@housing-ombudsman.org.uk

11) Keeping records

CHS will document all complaints and resulting actions and will keep copies of all complaint correspondence to and from the complainant. Co-op Homes will keep copies of the complaint's reports received at each stage.

The Complaints Officer will be responsible for ensuring that outcomes to complaints are implemented. Any themes or trends will be assessed by Senior Management to identify any systemic issues, serious risks or areas for improvement for appropriate action.

12) Learning from complaints

The Customer Focus Group will consider all complaints CHS has received and what could be improved as a result of the complaint. Co-op Homes will work with CFG and the CHS Board to ensure actions are recorded and progressed.