

COMPLAINTS POLICY

1) Aim

This policy outlines Waverley's (henceforth referred to as 'the co-op') approach to complaints. The aims of this policy are:

- 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 that the complaints procedure complies with the Involvement and Empowerment standard and with the Housing Ombudsman's Complaint Handling Code.

2) Who can complain?

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

The co-op 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 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

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 the co-op, or by others acting on its behalf, affecting an individual member or group of members.

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.

The Co-op will accept and act on complaints unless there is a valid reason not to do so. This will be determined by the Management Committee (MC).

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 (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 the co-op to address an Anti-Social Behaviour issue, neighbour nuisance or a neighbour dispute and is not happy with the way that the co-op 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 the co-op 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, it will formally write to the complainant setting out its reasons why.

5) Receiving complaints

Complaints may be received by phone, letter, email, through the Co-op Homes website, through social media, or through speaking to someone who represents the co-op, or by other means. The preferred method is in writing and sent to the Co-op's Managing Agent, Co-op Homes via customer.services@coophomes.coop.

The Co-op will comply with the Equality Act 2010 and adapt normal policies, procedures, or processes to accommodate an individual member's needs.

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

The co-op has a designated Complaints Officer (a person or group of people). The co-op will appoint a member of the MC as Complaints Officer. If there is no designated Complaints Officer, this duty will be assigned to the Secretary by default.

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 members;
- Someone with access to individuals in the co-op at all levels to facilitate quick resolution of complaints.

Wherever possible, the Complaints Officer has 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.

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

The co-op will manage complaints as follows:

- Acknowledgement and logging - complaints will be acknowledged and logged by Co-op Homes 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 the co-op. 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 (in liaison with the Management Committee in some cases) will decide their approach to resolution of the complaint. If requested, Co-op Homes will offer support and advice to the Complaint Officer / MC and review the draft decision before it is communicated to the complainant. 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 review panel will consist of members of the co-op's Management Committee (or other members in the cases of conflict of interest). Conflict of interest can arise either from the complainants or any other member asked to review this case. Conflict should be made known to Co-op Homes before the review has begun to avoid any undue influence. Following the review, a draft summary report will be created to capture the conclusion. If requested, Co-op Homes will offer support and advice to the review panel before the summary conclusion report is communicated to the complainant. Once the report is finalised and agreed, the review panel lead will communicate this to the complainant. This concludes the co-op's complaints procedure.

The co-op follows the maximum target times for the complaint procedure:

Complaints procedure	Timescales
Logging and acknowledgement of the complaint	One week or 5 working days (Co-op Homes to oversee)
Results of the investigation of a complaint	Two weeks or 10 working days from receipt of the complaint (Complaints Officer to oversee)
Results of a subsequent review of a complaint	Four weeks or 20 working days from the request for a review (MC to oversee)

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.

If a 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 need to be communicated to the complainant.

8) Communications

The co-ops will make their complaint policy available in a clear and accessible format for members. The policy can be found on the Co-op Homes website here: <https://www.coophomes.coop/about-us/compliments-and-complaints/>.

Co-ops can provide copies of the complaint policy to members on request.

When communicating with members about complaints, the co-op 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) the co-op will write to the member to say:

- 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 (see below).

This will be provided to Co-op Homes to keep on file.

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.

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 the co-op. Whilst the co-op should seek to put right any problems and learn from mistakes, the co-op will not seek to blame the co-op's members or service provider to the complainant.

The co-op will keep complainants regularly updated and informed even where there is no new information to provide.

9) Housing Ombudsman Service

If the member remains dissatisfied at the end of the co-op's complaints procedure, they may bring their complaint to the Ombudsman. Co-ops 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.

Members can access the Housing Ombudsman Service when they wish to and not just when they have exhausted the co-op's complaints process. The Housing Ombudsman Service can assist members 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

10) Keeping records

The co-op 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 complaints reports received at each stage.

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

11) Learning from complaints

The Management Committee will consider all complaints it has received and what could be improved as a result of the complaint. Co-op Homes will work with the co-op to ensure actions are recorded in MC reports for progress by the co-op.

Adopted by Chair's action in December 2020

To be ratified by Management Committee and members at the next meeting