

G14 - CO-OP HOMES COMPLAINTS POLICY

Last review by Board: April 2023

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 third parties or representatives (such as an MP or an advocate)(although this will require written evidence that anyone representing a complainant is authorised by the complainant to act on their behalf). Any representative 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) 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, or escalate and act on complaints unless there is a valid reason not to do so. The following would **not usually** be accepted or escalated through CHS's complaints procedure unless there are valid reasons to consider them:

- requests for a particular service. A service request is a request from a service user to CHS requiring action to be taken to put something right. However a complaint should be raised when the service user raises dissatisfaction with the response to their service request as there has been a failure in our service (i.e. something is not working as it should do) that should be investigated, put right and learnt from.
- 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.

- Complaints relating to an active legal claim about or against CHS (such as disrepair filed at court), or when a customer is taking CHS to court. However If a complainant is taking pre-litigation action (e.g. disrepair pre-action protocol), they may make a complaint under the Complaints policy
- Claims for damages (these will be dealt with as an insurance claim)
- New issues that arise during a complaints investigation, unless they are relevant to the complaint under investigation. However where additional complaints will be incorporated if they are relevant and the response has not yet been issued
- Anonymous complaints
- Complaints about something more than six months old, unless it is a recurring issue that has been continuing for longer than 6 months and is still persisting.
- 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.
- Unreasonable or vexatious complainants / complainants' representative. We will consider and review whether there are matters that may be contributing to the way the complainant is choosing to do business with us, and may consider reasonable adjustments, and will review whether the customer is being appropriately supported prior to deciding whether to refuse to investigate the concern

If CHS chooses not to accept or escalate a complaint for one of the above reasons when asked, CHS will formally write to the complainant setting out its reasons why

4) **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.

5) **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: Finance Director, Head of Repairs and Operations, Head of Housing and Head of Governance,

This is to ensure that complaints are handled by:

- Someone independent (with no conflict of interest), competent, empathetic and efficient (skilled in complaint handling)
- 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.

6) **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.

- **Stage 1 - 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.
- **Stage 2 - Review** – if the complainant is unhappy with the outcome of the investigation, they can request a review within 20 days of us issuing a stage 1 reply, 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	5 working days from receipt
Stage 1 - Results of the investigation of a complaint	10 working days from logging of the complaint
Stage 2 - Results of a subsequent review of a complaint	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 (stage 1) and review (stage 2) stages should not be exceeded by more than 10 working days without good reason. If an extension at either stage 1 or stage 2 beyond 20 working days is required to enable the landlord to respond to the complaint fully, this should be agreed by both parties. Where agreement over an extension period cannot be reached, CHS should provide the Housing Ombudsman's contact details so the resident can challenge CHS's plan for responding and/or the proposed timeliness of a landlord's response.

7) **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 or setting out the action CHS intends to take to put things right
- reconsidering or changing a decision;
- amending a record;
- providing a financial remedy; and/or
- changing policies, procedures, or practices.
- Signposting to supporting agencies

When considering a resolution, CHS will consider a range of factors impacting the level of detriment caused to the complainant 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.
- Considering any quantifiable losses in accordance with our compensation policy and procedure and any discretionary payment to acknowledge service failure more broadly. Compensation for quantifiable loss will normally be paid as credit to the rent account in accordance with our Compensation Policy. Any discretionary payment will be reimbursed directly to the customer.

8) **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 (see CHS example complaint response template) 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. Outstanding actions should be tracked and updates provided to the customer
- 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.

9) **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

10) **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.

11) 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 that learning actions are recorded and progressed.