

NORTH CAMDEN HOUSING CO-OPERATIVE COMPLAINTS POLICY

March 2021

Last review by NCHC MC: 26th March 2021

1) Aim

This policy outlines North Camden Housing Co-operative (henceforth referred to as 'NCHC') 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 NCHC operates
- To ensure that the complaints procedure complies with the Housing Ombudsman's Complaint Handling Code.

2) Who can complain

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

NCHC 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 NCHC, including:

- any Member
- applicants for housing with NCHC
- partnership organisations and agencies
- contractors or consultants
- neighbours to NCHC 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 NCHC, or those acting on our behalf, affecting a Member or group of Members

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

NCHC will accept and act on complaints unless there is a valid reason not to do so. The following would not usually be considered through NCHC'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 NCHC to address an Anti-Social Behaviour issue, neighbour nuisance or a neighbour dispute and is not happy with the way that NCHC has managed it, they may then make a complaint under the Complaints Policy.
- 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 NCHC is governed

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

New issues that arise during a complaints investigation will need to be the subject of a separate complaint unless they are relevant to the complaint under investigation.

5) **Receiving complaints**

Complaints may be received by **phone, letter, email, through the NCHC website**, through social media, or through speaking to someone who represents NCHC, or by other means. The preferred method is in writing via Complaints@nchc.org.uk (*to be established*).

NCHC will comply with the Equality Act 2010 and adapt normal policies, procedures, or processes to accommodate an individual Member's and/or any Complainant'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 Officer**

The designated Complaints Officer is the Housing Co-op Manager, who is the senior Manager of NCHC.

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 NCHC at all levels to facilitate quick resolution of complaints.

Wherever possible, the Complaints Officer has the authority in NCHC to make decisions to resolve the complaint.

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**

NCHC will manage complaints as follows:

- **Acknowledgement and logging** - complaints will be acknowledged and logged when received.
- **Confirmation of the complaint** – North Camden Housing Co-operative will confirm in writing to the complainant what the complainant is complaining about. North Camden Housing Co-operative will encourage complainants to be specific about what they are complaining about and what outcomes they are seeking from North Camden Housing Co-operative. NCHC will then pass on the complaint to the Complaints Officer.
- **Investigation** – The Complaints Officer 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.
- **Decision-making** – The Complaints Officer will decide their approach to resolution of the complaint. Once the report is finalised, 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 the Management Committee, who will have been independent of the complaint so far. In order for a review to proceed the complainant must give their reasons for not accepting the original decision. The MC will then decide either that there are no grounds for further investigation and uphold the original decision, or that there should be further investigation after which a final decision will be made.
- **Further Investigation** – Where further investigation is required the Management Committee will delegate a person or persons to review the complaint. Any potential conflict of interest should be made known to the Management Committee before the investigation has begun. Following the review, a draft summary report will be presented to the Management Committee. Once the report is finalised and a final decision agreed, the Complaints Officer will communicate this to the complainant. This concludes North Camden Housing Co-operative's complaints procedure.

North Camden Housing Co-operative will aim to meet the following 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 to achieve these timescales, we 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 NCHC 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 NCHC that are upheld may be resolved in a number of ways. Any resolution to a complaint will reflect the extent of the situation based on its own merit, and the impact caused to the complainant 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, NCHC 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 Member; and/or Complainant
- a Member's particular circumstances or vulnerabilities.

9) **Communications**

NCHC will make their complaint policy available in a clear and accessible format for Members. The policy can be found here: <https://www.NCHC/complaints/>.

NCHC can provide hard copies of the complaint policy to Members on request.

When communicating with Members about complaints, NCHC 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) NCHC will write to the member to say:

- what the outcome of their complaint is
- the reasons why decisions have been made
- what offers NCHC 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 NCHC 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, 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 NCHC. **Whilst NCHC should seek to put right any problems and learn from mistakes, NCHC will not seek to blame others to the complainant.**

NCHC 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 NCHC's complaints procedure, they may bring their complaint to the Ombudsman. NCHC 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, NCHC will provide the Ombudsman with an explanation for the delay. If the explanation is reasonable, the Ombudsman will agree a revised date with NCHC.

Members can access the Housing Ombudsman Service when they wish to and not just when they have exhausted NCHC'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

11) **Keeping records**

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

12) Learning from complaints

The Complaints Officer will be responsible for ensuring that outcomes to complaints are implemented. NCHC will assess any themes or trends in order to identify any systemic issues, serious risks or areas for improvement, so appropriate action can be taken.