

## Sensible Housing Co-operative

### Housing Ombudsman Complaint Handling Code - Self-assessment form

The Housing Ombudsman has issued a Complaint Handling Code which requires all Registered Provider housing co-operatives to consider their approach to complaints handling to ensure that they are compliant with the Code. This self-assessment is part of our work to ensure we are fully compliant with the new Code.

In any co-op, having an effective and responsive complaints procedure is important. A co-op that has a welcoming culture towards its members (and others) making complaints is good for members and for the co-op. Complaints can be an important method by which members feedback information about services to the co-op and could be considered one part of a co-op's Active Membership Strategy.

The Ombudsman's Code was produced for a broad Registered Provider sector, the vast majority of which are much bigger than Sensible Housing Co-op and who might expect to receive a significant number of complaints in the year whereas Sensible have only received one formal complaint in the last several years. The Confederation of Co-operative Housing has discussed with the Ombudsman a number of areas where sector specific issues may make implementation of the principles in the Code different for housing co-ops.

Sensible's Complaints Policy was drafted with the support of the CCH and we have reviewed our policy in light of the Ombudsman's Code and the updated guidance provided by CCH.

A copy of the policy is included at the end of this self-assessment form.

Compliance with the Complaint Handling Code			
1	Definition of a complaint	Yes	No
	<p>Does the complaints process use the following definition of a complaint?</p> <p><i>An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.</i></p> <p>The co-op uses this amended definition that has been agreed between the Ombudsman and the Confederation of Co-operative Housing.</p> <p><i>An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the co-op, by any service provider engaged by the co-op or by others acting on the co-op's behalf, affecting an individual member or group of members.</i></p>		✓

	Does the policy have exclusions where a complaint will not be considered?	✓	
	Are these exclusions reasonable and fair to residents?  The Complaints Policy only covers complaints where a service has not been provided or has been poorly provided.  There are separate policies to deal with other types of complaint such as Anti-Social Behaviour.  This is in line with guidance provided by CCH.	✓	
<b>2</b>	<b>Accessibility</b>		
	Are multiple accessibility routes available for residents to make a complaint?	✓	
	Is the complaints policy and procedure available online?	✓	
	Do we have a reasonable adjustments policy?	✓	
	Do we regularly advise residents about our complaints process?  It is a pinned post on our social media and we include it annually in our newsletters.	✓	
<b>3</b>	<b>Complaints team and process</b>		
	Is there a complaint officer or equivalent in post?	✓	
	Does the complaint officer have autonomy to resolve complaints?	✓	
	Does the complaint officer have authority to compel engagement from other departments to resolve disputes?	n/a	
	If there is a third stage to the complaints procedure are residents involved in the decision making?	n/a	
	Is any third stage optional for residents?	n/a	
	Does the final stage response set out residents' right to refer the matter to the Housing Ombudsman Service?	✓	
	Do we keep a record of complaint correspondence including correspondence from the resident?	✓	
	At what stage are most complaints resolved? Not enough data to answer this.		
<b>4</b>	<b>Communication</b>		
	There have been no complaints in the past 12 months so this section is not fully completed.		
	Are residents kept informed and updated during the complaints process?	✓	
	Are residents informed of the landlord's position and given a chance to respond and challenge any area of dispute before the final decision?	✓	

	Are all complaints acknowledged and logged within five days?	✓	
	Are residents advised of how to escalate at the end of each stage?	✓	
	What proportion of complaints are resolved at stage one?	n/a	
	What proportion of complaints are resolved at stage two?	n/a	
	What proportion of complaint responses are sent within Code timescales?  <ul style="list-style-type: none"> <li>• Stage one Stage one (with extension)</li> <li>• Stage two Stage two (with extension)</li> </ul>	n/a	
	Where timescales have been extended did we have good reason?	n/a	
	Where timescales have been extended did we keep the resident informed?	n/a	
	What proportion of complaints do we resolve to residents' satisfaction	n/a	
<b>5</b>	<b>Cooperation with Housing Ombudsman Service</b>		
	Were all requests for evidence responded to within 15 days?	n/a	
	Where the timescale was extended did we keep the Ombudsman informed?	n/a	
<b>6</b>	<b>Fairness in complaint handling</b>		
	Are residents able to complain via a representative throughout?	✓	
	If advice was given, was this accurate and easy to understand?	n/a	
	How many cases did we refuse to escalate?  What was the reason for the refusal?	0	
	Did we explain our decision to the resident?	n/a	
<b>7</b>	<b>Outcomes and remedies</b>		
	Where something has gone wrong are we taking appropriate steps to put things right?	✓	
<b>8</b>	<b>Continuous learning and improvement</b>		
	What improvements have we made as a result of learning from complaints?  We have made policy and procedural changes as a result of the one formal complaint we received in a previous year.  We have changed service provider as a result of informal feedback we have received in a previous year.		
	How do we share these lessons with: a) residents? b) the board/governing body? – n/a c) In the Annual Report?		

	<p>Policy changes made as a result of a complaint will be shared with members via our Facebook Group and our newsletter.</p> <p>A summary of complaints and outcomes will be included in our Annual Report which is made available to all members and is open for discussion at our AGM.</p>		
	<p>Has the Code made a difference to how we respond to complaints?</p>	✓	
	<p>What changes have we made?</p> <p>We have placed more emphasis on the informal stage, making this a joint task for the service provider and the co-op's Complaints Officer in most cases, in the hopes of resolving any complaints or dissatisfaction at the earliest possible stage.</p>		

## COMPLAINTS POLICY

### 1. Key Objectives

The co-operative recognises that members have a right to comment upon and complain about the provision, or non-provision, of services; as such, the co-operative aims to provide an accessible, fair and effective Complaints Procedure for tenants and applicants for housing and employment. The co-operative takes complaints seriously as an important part of a commitment to member care.

### 2. Key Policy Standards

2.1 We aim to provide high quality services to our members at all times. However, we recognise that in any organisation service provision may not always be satisfactory, and to address this problem, a Management Complaints Policy and Procedure is necessary.

2.2 We will publish a procedure setting out how members can ensure that their concerns are dealt with. We will ensure that information about member care and complaints are widely distributed and that it is available in formats that will accommodate the needs of those who do not understand and / or read English.

2.3 The purpose of our Policy is to ensure that:

- Any member who is not happy with the service received (or not received) from the co-operative has an accessible, confidential and easy to use method for making a complaint, which offers rapid action and response
- The member can be confident that their complaint will be dealt with effectively and fairly, even if the outcome is not to their satisfaction
- The co-operative uses complaints positively, so that by listening to its members and taking subsequent action to learn from its experience, it will continue to maintain and improve service provision and quality

2.4 Definition of a Complaint

Complaints may be received in a number of ways; by letter, email, telephone, social media, text message or personal visits, or via a Councillor or MP.

A complaint is defined as an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the co-op, by any service provider engaged by the co-op or by others acting on the co-op's behalf, affecting an individual member or group of members.

There may be four types of complaints in a housing co-operative. These are

- 1) Management or service complaints – complaints where a service has not been provided or has been poorly provided. This is what this guidance is about, and they should be dealt with through the co-op's complaints policy.
- 2) Governance complaints – complaints about how a member has behaved in governance roles in the co-op. These are complaints that should be dealt with through the co-op's Code of Conduct.
- 3) Anti-Social Behaviour or harassment issues – issues raised by a member (or someone else) that a member or their visitors are behaving in an anti-social fashion. These should be dealt with through the Co-op's Anti-Social Behaviour Policy.

4) Neighbour Disputes – complaints made by members about their neighbours. These should be dealt with through the Co-op’s Neighbour Disputes Policy.

Areas where individuals may express dissatisfaction which may not be regarded as complaints would relate to:

- The general law, unless wrongly applied
- Persons or bodies over which the co-operative has no control
- The co-operative’s overall policies which are agreed by members (e.g. rent levels)
- Matters which are, or could reasonably be expected to be the subject of court or tribunal proceedings, or which are in the hands of the co-operative’s insurers

In cases where a complaint identifies a policy or procedural problem (i.e. not service delivery), the co-operative will consider the situation and where appropriate, make every attempt to amend practice accordingly.

## **2. Complaints Procedure**

All complaints, however received, will be channelled through the Co-operative’s Complaints Officer whose first objective must be to try and resolve the matter informally. These are likely to form the bulk of complaints and effective and speedy resolution at this stage will usually satisfy the member.

As the co-op’s service provider is responsible for standards of service delivery the Complaint’s Officer may need to approach the service provider for further information relating to the complaint and to discuss an appropriate resolution. The service provider has agreed to respond within two working days.

Should there be disagreement between the Complaints Officer and the service provider on a suitable resolution then the views of the Complaints Officer should prevail.

If the service provider is unwilling to agree to the solution proposed then the Complaints Officer should refer the issue back to the Committee for raising formally as a service quality issue and the Complainant should be advised.

### **(a) Informal approach**

The first objective must be to try and resolve the matter informally. These are likely to form the bulk of complaints and effective and speedy resolution at this stage will usually satisfy the member. A complaint will normally be informal if it is the first time it has been made.

The approach of the Complaints Officer at this first stage must be to resolve the matter as quickly as possible by speaking to the member to establish the reasons for the complaint and, if appropriate, how they would like the matter to be resolved. If the matter can be resolved to the member’s satisfaction by the provision of information or action taken at the time the complaint is made then no further action of a more formal nature need be taken. However a note should be made of the complaint and how it was resolved as all complaints must be recorded for monitoring purposes.

If the complaint can still be resolved informally but more time is required to achieve a remedy a note should be taken of the complaint and the member’s contact details and a clear indication given to the member of the action to be taken and the timescale. That indication should be given in writing unless the circumstances do not justify such action in the opinion of the Complaints Officer. If the complaint is not resolved as promised it is the responsibility of the Complaints Officer to ensure that

the member is informed as to the reasons for the delay or other problem and what the new timescale will be. It is not uncommon for an informal complaint to become a formal one about the manner in which the initial complaint was handled.

**(b) Formal procedure**

**Stage 1**

Where the matter cannot be so resolved to the satisfaction of the member, information about the formal Complaints Procedure should be given if that has not already been supplied to the member.

All complaints will be registered by the Complaints Officer, and an acknowledgement sent within 48 hours of receipt. The complaint will then be forwarded to the individual within the co-operative with direct responsibility for the area of service that the complaint relates to; that individual will:

- Investigate the complaint thoroughly
- Send a full reply within 5 working days of receipt of the complaint setting out the findings of the investigation and the action proposed
- If further investigation is required, send a holding response stating when a full reply can be expected (usually within 10 working days of receipt – however for full replies (which may involve outside organisations), a period of 28 days may be more appropriate

In all cases, it is the responsibility of the individual to keep the member up to date with the progress of their complaint, highlighting reasons for any delay.

In accordance with good practice, many complaints can be resolved by a telephone call or personal visit, rather than by protracted correspondence. The co-operative and its service provider should not be afraid to admit mistakes, and should ensure that any lessons to be learned from complaints are acted upon and reported to the Management Committee for policy changes, or appropriate alterations are made to procedures.

When a complaint is resolved verbally or action already undertaken, a full record of the conversation must be made and then confirmed in writing. In all cases, members must be informed of their right to appeal.

When the complaint has been dealt with, a copy of the reply must be recorded in the Complaints Register for monitoring purposes. Where appropriate this should also record whether the complaint has been upheld.

**Stage 2**

If the member is still dissatisfied with the response they can ask for the complaint to be referred to the Management Committee. The further complaint will be acknowledged by the Management Committee within 2 days of receipt.

The Management Committee will consider all the information submitted with the complaint and review the decision taken. The Management Committee will consider whether the response to the complaint so far was appropriate and fair.

When the case has been reviewed fully, a full written reply will be sent to the member explaining the outcome of the investigation and the response of the co-operative. This will be within 28 days of the complaint being received by the Management Committee. This is the final stage of the landlord's internal procedure.

#### **4. External Referral**

Members who are not satisfied with the outcome of the Complaints Procedure following Stage 2 will be advised that it is their right to make a formal complaint to the Housing Ombudsman Service.

They may take their complaint to a Designated Person, (as defined by the Localism Act 2011 as a Designated Tenant Panel, Councillor or MP), during an initial period of 8 weeks following receipt of the Stage 2 response for the purpose of having their complaint referred to the Housing Ombudsman Service or following the 8 week period refer the matter to the Housing Ombudsman Service themselves. The contact details for the Housing Ombudsman Service are:

Address	81 Aldwych, London, WC2B 4HN
Telephone	0300 111 3000 (lines are open Monday to Friday from 9.15am to 5.15pm)
Fax:	020 7831 1942
Email	<a href="mailto:info@housing-ombudsman.org.uk">info@housing-ombudsman.org.uk</a>

#### **5. Making a Complaint**

The co-operative are happy to receive complaints in a number of ways; by letter, email, telephone, social media, text message or personal visits, or via a Councillor or MP. However, given the voluntary nature of the co-op and that our office is unstaffed it would be help us to deal with your complaint more quickly if you could alert us to your issue by email or phone as below.

In the first instance you should contact the Co-op's Complaints Officer, Julie Ralph via email on [Julie.Ralph@sensiblehousingcooperative.org.uk](mailto:Julie.Ralph@sensiblehousingcooperative.org.uk)

Alternatively, you can telephone our service provider, Shared Habitat, on 0161 791 2000.