

## Redwood Housing Co-operative Service Complaints Policy 2024

### Aims Of The Service Complaints Policy

The aims of the Service Complaints Policy are:

- To ensure Redwood 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 complaints are dealt with effectively and fairly, even where the complaints outcomes are not to the satisfaction of the complainant
- To ensure complaints are taken seriously and used positively to improve how the co-op operates
- To ensure the complaints procedure complies with the Regulator of Social Housing's Transparency, Influence and Accountability Standard, the Housing Ombudsman's Complaint Handling Code and the Equalities Act 2010

### Definition of a Complaint

A complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents.

A complaint is not a service request. Service requests are made when a member reports an issue that needs to be put right, such as a repair within their home; such requests must be recorded and completed. Failure to complete a service request within agreed timescales or to acceptable standards give grounds for a complaint being made.

An expression of dissatisfaction made through a survey is not a complaint; members completing surveys should be made aware that they will need to make complaints through the Complaints Policy.

### Welcoming Service Level Complaints

- 1 Redwood Housing Co-operative welcomes complaints from its members and encourages anyone using or directly affected by our services to make complaints. A member does not have to use the word complaint for it to be treated as a complaint, however, is advised to do so to make explicit that it is lodging a complaint. In the first instance please make contact via email with the Independent Complaints Officer (ICO) at [ico@redwoodhousing.org.uk](mailto:ico@redwoodhousing.org.uk) or by post to the co-op's registered office.
- 2 The co-op will also accept complaints from agencies and others representing complainants (although the co-op needs to have written evidence that anyone representing a complainant is authorised by the complainant to do so and act on their behalf; a member of the Management Committee may not act on behalf of a complainant. The co-op will usually allow such representatives to attend meetings with the complainant if they so wish. Representatives must be external to Redwood (not an existing member/tenant/resident of the co-op) and cannot be a legal representation as at this stage.

- 3 A complainant could 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.

### Making a Complaint

A complaint can be received verbally, by telephone, by email, or in writing, and must be received within 12 months of the incident occurring.

A complaint may be about something that the co-op should or should not have done or has done badly or has done about a complainant feeling that they have not been treated fairly or they have been discriminated against in the provision of a service.

### Exclusions

The following matters are excluded from the Complaints Policy:

- An issue that gave rise to a complaint that occurred more than 12 months ago;
- Legal proceedings have started; this is defined as details of the claim such as the Claim Form and the Particulars of Claim having been filed in court;
- Matters that have previously been considered under the Complaints Policy;
- Requests to deal with an anti-social behaviour that is the statutory responsibility of another agency (e.g. the Police or Southwark Environment Health);
- Requests to deal with a neighbour dispute or other issue that falls within the remit of the co-op's Anti-Social Behaviour Policy and other relevant policies;
- New issues which arise during a complaints investigation unless they are relevant to the original / initial complaint under investigation;
- Anonymous complaints - complaints cannot be investigated if they are anonymous;
- Issues relating to how the co-op is governed which need to be dealt with through the co-ops Code of Conduct.

If the co-op chooses not to receive a complaint for one of the above reasons, the ICO will formally write to the complainant setting out the reasons why – this will be done within a 5 working day window.

### Receiving Service Complaints

Members wishing to raise a complaint should use the Complaints Form which is Attached to this policy as Appendix A.

The co-op will ensure it maintains strict confidentiality in the handling of complaints to those managing them.

The co-op will comply with the Equalities Act 2010 as outlined in its Equalities Policy. This policy is available on at [www.redwoodhousing.org.uk](http://www.redwoodhousing.org.uk) and includes best practice and reasonable adjustments made for its members. Such reasonable adjustments would include:

- Extra support including specialist equipment including Interpreter / sign language;
- External support offered by a mentor / carer / support worker;
- Communications will be offered in alternative format on request (e.g. braille / letter / email / telephone);

## Handling Service Complaints

All complaints will be sensitively handled by:

- Dealing with complaints on their merits;
- Acting independently and having an open mind;
- Taking measures to address any actual or perceived conflict of interest;
- Considering all information and evidence carefully;
- Keeping the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter.

## Independent Complaints Officer (ICO)

The co-op has appointed an ICO who will always be independent of the complaint being managed. The remit / undertaking is that our ICO is competent and applying policy and procedure consistently, professionally, empathetically and efficiently. They are able to act sensitively and fairly, receiving complaints and dealing with distressed and upset members and will have access to individuals in the co-op and service provider at all levels to facilitate quick resolution of complaints. The ICO will be able to have quick and direct access to co-op officers who are delegated to make decisions that can resolve complaints quickly.

## Complaints Procedure

The co-op operates a 2 stage procedure as outlined below.

### Stage 1 – Complaint

**Acknowledgement and logging** - when a complaint is raised and the Complaint Form is sent to the ICO it will be acknowledged by the ICO within 5 working days.

**Response** - the ICO will produce a full written response within 10 working days, setting out:

- The complaint stage;
- The complaint definition;
- The decision on the complaint;
- The reasons for any decisions made;
- The details of any remedy offered to put things right;
- Details of any outstanding actions;
- Details of how to escalate the matter to Stage 2 if the complainant is not satisfied with the response.

### Stage 2 – Appeal

**Lodging an appeal** – if a member is not satisfied with the response they receive to their complaint, they may make an appeal in writing to the Management Committee. It is not required that an explanation of the reasons for requesting an appeal be provided by the complainant. Appeals must be submitted to the Secretary at [secretary@redwoodhousing.org.uk](mailto:secretary@redwoodhousing.org.uk)

**Acknowledgement and logging** - when an appeal is raised it will be acknowledged by the Secretary within 5 working days.

**Response** - the Management Committee will consider the appeal and produce a full written response within 20 working days, setting out:

- The complaint stage;
- The complaint definition;
- The decision on the complaint;
- The reasons for any decisions made;
- The details of any remedy offered to put things right;
- Details of any outstanding actions;
- Details of how to escalate the matter to the Housing Ombudsman if the complainant is not satisfied with the response.

### **Timescales**

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 will not be exceeded by more than 10 working days without good reason.

### **Unacceptable Behaviour When Making A Complaint**

Members are reminded that they should conduct themselves in a reasonable manner; the following list would constitute unreasonable behaviour:

- Unreasonable demands (e.g. requesting large volumes of information that is not relevant to the complaint);
- Demanding responses within a shorter time frame than laid out in the procedure;
- Unreasonable persistence (e.g. overloading of emails / calls / texts / letters);
- Unreasonable persistence (e.g. refusing to accept the answer provided and continuing to raise the same complaint without any new evidence);
- Verbal abuse and aggression;
- Inflammatory or derogatory comments / remarks made to the ICO or Management Committee in discharging their roles within the procedure;
- Circulating misinformation to other members of the co-op or external organisations;
- Physical Violence or threats of physical violence;
- Changing the subject matter of the complaint.

If these behaviours are expressed by the complainant the co-op try to mitigate this by in the first instance offering mediation with an outside independent mediator. If this fails then the co-op will, if appropriate, issue a warning to the member before taking formal steps which would include:

- Providing a single point of contact;
- Limiting contact to a single form (e.g. by telephone, email or letter only);
- Limiting contact to certain times or to a limited times per week / month;
- Declining to give any further consideration to an issue unless any addition evidence or information is provided;
- Only considering a certain number of issues in a specific period

In extreme cases such as physical violence or extreme harassment actions could involve the Police, legal action to terminate a member's tenancy and ending direct contact.

### **Service Complaint Investigation**

During the complaint investigation and in any review, members will be given a fair opportunity to set out their account of events, 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 (e.g. volunteers, staff, service provider or contractors) because all are acting on behalf of the co-op. Whilst the co-op will seek to put right any problems and learn from mistakes, it will not seek to unreasonably blame any particular co-op officers, service provider or contractor to the complainant.

### **Housing Ombudsman Service**

If a member remains dissatisfied at the end of the co-op's Complaints Procedure, they may bring their complaint to the Ombudsman. The contact details of the Housing Ombudsman are:

Housing Ombudsman  
PO Box 152  
Liverpool  
L33 7WQ  
Tel: 0300 111 3000  
[info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)  
[www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk)

### Keeping Records

The co-op will document all complaints in writing and will keep full details of the complaint correspondence to and from the complainant. Full details of the complaint will be held by the ICO and on the appropriate internal member files.

### Compensation

Redwood Housing Co-operative has a Policy on Compensation which is available at [www.redwoodhousing.org.uk](http://www.redwoodhousing.org.uk)

There are 2 types of compensation - discretionary (which the co-op chooses to make and legal (which is a legal requirement). Compensation is not appropriate in every case

#### Legal Compensation

- Home Loss;
- Disturbance - if you are required to move to another property temporarily or to people who have lived at a property less than 12 months and are required to move permanently - this payment is for reasonable moving costs;
- Right to Repair – this scheme covers specific repairs, known as ‘qualifying repair’ which cost less than £250 and should be done within a set time limit;

#### Discretionary Compensation

Compensation will be offered as a gesture of good will and all details of this are available in the Compensation Policy. This document covers all aspects of compensation payments offered.

Compensation is not appropriate in every case - there has to be evidence of a service failure or maladministration by the landlord; such as:

- Actual, proven financial loss sustained as a direct result of the maladministration or service failure;
- Avoidable inconvenience, distress, detriment or other unfair impact of the maladministration or service failure.

If an offer of compensation is made and you are unsure whether to accept it please contact the Housing Ombudsman for advice either by phone or via their website.

#### Payment for Damages to Property or Belongings

It is the landlord’s responsibility to cover the building and the tenant’s responsibility to cover their belongings by insuring the contents of their home. If damage has occurred and you think you may want to make a claim to the landlord’s insurer please read the Compensation Policy for details about how to make a claim.

### Complaints about Co-op Members

Any complaint made about co-op members will be dealt with under the co-op’s Internal Policies and Procedures (including the Code of Conduct and Anti-Social Behaviour Policy).

Personal Complaints about the Management Committee will not be dealt with through the Service Complaints Policy and must be brought to the entire membership at a SGM.

### **Complaints Self-Assessment**

Our ICO will be responsible for undertaking an Annual Self-Assessment for complaints; this will be carried out in accordance with the Housing Ombudsman's Complaints Handling Code and will be integrated into the co-op's Business Plan.

The Annual Self-Assessment will be reported to the membership at the AGM and a copy will be sent to the Management Committee for consideration and action at its first meeting after the AGM.