

Homes For Change Complaints Procedures

There may be three types of complaint in Homes For Change. These are:

- 1) Management or service complaints – complaints where a service has not been provided or has been poorly provided. They should be dealt with through the co-ops Complaints policy below.
- 2) Governance complaints – complaints about how a member has behaved in governance roles in the co-op. They should be dealt with through the co-ops Code of Conduct.
- 3) Anti-social behaviour, harassment or neighbour issues – issues raised by a member or someone else that a member or their visitors are behaving in an anti-social fashion. They should be dealt with through the co-ops Anti-social Behaviour or Neighbour Disputes policies.

Management Complaints policy.

1. Definition of a complaint.

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-ops behalf, affecting an individual member or group of members.

2. Who can complain?

The co-op learns from complaints and encourages anyone using or directly affected by its services, actions or decisions to make complaints when necessary. The co-op also accepts complaints from agencies and other organisations or advocates representing complainants (although this will require written evidence that anyone representing a complainant is authorised to act on their behalf). Any representatives can attend meetings with the complainant if the client wishes them to.

3. Exclusions.

The co-op will accept and act on complaints unless there is a valid reason not to. The following would not normally be considered through the co-ops Complaints procedure:

- persons or bodies over which the co-op has no control
- the co-ops overall policies which are agreed by the members e.g rent levels
- requests for a particular service (e.g. a repair or something else that has not yet been requested).
- requests to deal with Governance, anti-social behaviour, harassment or neighbour disputes which should be dealt with using the relevant policies. If a complainant has asked the co-op to address such an issue *and is not happy with the way the co-op has managed it*, they may then make a complaint under the Complaints policy.
- new issues that arise during an investigation unless they are relevant to the complaint.
- anonymous complaints.
- matters that relate to legal or tribunal proceedings.
- complaints about something more than six months old
- matters that have already been considered under the complaints policy

If the co-op chooses not to accept a complaint for one of the above reasons, it will formally write to the complainant setting out its reasons why. In cases where a complaint identifies a policy or procedural problem (i.e. not service delivery), the co-op will consider the issue and where appropriate, make every attempt to amend practice accordingly.

4. The Management Complaints procedure.

4.1 Receiving complaints.

Where an issue cannot be resolved informally e.g. by discussing it with other parties concerned or with working groups, a formal complaint can be made to the Management Committee.

Complaints should be set out in writing (no longer than 2 sides of A4 paper). The complaint should be as simple and clear as possible and stick to the facts (avoiding language which is insulting or abusive). As well as details of your complaint, it should include whether you have tried to resolve it informally, and what you would like done to put things right. All complaint letters must then be submitted either to

Homes for Change Committee (marked Private & Confidential), Unit 25; 41 Old Birley Street, Manchester M15 5RE

Or preferably by email to; committeemembers@homesforchange.co.uk

4.2 Stage 1.

The Management committee will appoint one or more persons to be the Complaints Officer(s) for that complaint. Letters will be logged and acknowledged within 5 working days of receipt. The Complaints Officer(s) may write asking for confirmation of details and the outcomes being sought.

The Complaints Officer(s) will usually investigate and respond with results within 10 working days.

4.3. Stage 2 - Review

If you are unhappy with the result at Stage 1, you can ask for a review. This may be done by a different complaints officer, a specially convened panel or the closed session of a General Meeting.

There will be further investigation and a response with results within 20 working days.

4.4 Stage 1 and 2 delays.

If it is not possible for the co-op to achieve the timescales above, the co-op will communicate how much extra time is needed and the reasons for a delay. The target times for either stage should not exceed a further 10 working days without good reason.

If the co-op chooses not to investigate a complaint or hold a review when asked, it will reply, being clear about its reasons not to.

4.5 Process and clarity

During the complaint process, members will be given a fair opportunity to set out their views and comment on any findings before a final decision is made. The co-op will keep complainants regularly updated and informed throughout the process even when there is no new information to provide.

At the end of the investigation the co-op will write to the complainant explaining outcomes, decisions made, offers to put things right, what actions remain outstanding and how the complainant can take the matter further if they are not satisfied.

'Advice and help with making complaints can be accessed on the Housing Ombudsman website at any time'

The management complaints process will abide by the Housing Ombudsmans Complaint Handling Code.

4.6. External Referral

If you remain dissatisfied at the end of the co-ops Complaints procedure you have a right to take your complaint to the Housing Ombudsman.

Details for the Housing Ombudsman can be found at

<https://www.housing-ombudsman.org.uk>

Telephone: 0300 111 3000

Email: info@housing-ombudsman.org.uk

This should be through a designated person (e.g. a councillor, MP or legal representative) *within* eight weeks of the final decision or directly by the resident *after* eight weeks

6) Governance complaints procedure

These are complaints about how a member has behaved in governance roles in the co-op. They should be dealt with through the co-ops Code of Conduct.

You should complain to the Management Committee or Working Group (e.g. Membership, Maintenance) about the member or officer concerned.

The group should log and acknowledge your complaint within 7 days. These issues are usually easily dealt with and should be settled within 14 days.

7) Anti-social Behaviour and Neighbour complaints procedure.

You should, wherever possible, start by talking it over with the individual concerned to try and agree a solution informally.

If this is not possible or does not work you can complain in writing to the management committee giving as much detail as possible, including dates and times and details of any witnesses. If the complaint refers to unlawful or criminal behaviour, you must report the matter to the police, and wherever possible pursue a criminal conviction.

The complaint will be discussed at the next Committee meeting. One or more members will be appointed as complaints officer(s). The Complaints officer(s) should write to you acknowledging the complaint and to the person being complained about inviting them to respond within 7 days of the meeting.

There is no further set timescale for resolving ASB complaints as they sometimes require significant time to collect evidence, seek legal advice, liaise with the police or engage the help of the city council ASBAT team.

Appeal

If you are not happy with the results of an ASB, Neighbour or Governance investigation and response you receive you have the right to appeal.

If you wish to appeal you should write to the Committee at the address above or by email (committeemembers@homesforchange.co.uk) stating again what your complaint is, why you are not happy with the response received, and the outcome you desire.

The appeal will be heard in the closed session of the next scheduled General Meeting and the chairperson will write to you with its decision.

The GM may only accept or reject an appeal. If the appeal is accepted, the committee must re-consider its decision and propose a new course of action at the next committee meeting.

If you are not happy with the management or outcomes of a complaint after an appeal you can complain under the Management complaints procedure.

Supplementary complaints policy

Records

Full records of all complaints will be kept on file and reviewed annually to inform and direct the future policies and conduct of the co-op.

Conflict of Interests

Committee members, or ordinary members on appeal, with a conflict of interest in hearing a complaint may be absented from any proceedings dealing with that complaint.

Important notes on the Co-operative taking legal action

If you think the co-operative should take legal action against another tenant on your behalf, the Co-operative must have enough evidence (written statements), photographs where appropriate, and witnesses who are prepared to testify in court to warrant legal action; otherwise this course of action may be costly and unsatisfactory for all concerned.

In such cases the Committee will seek professional legal advice before commencing legal action.

For complaints involving criminal acts you must also contact the police and wherever possible pursue a conviction

Confidentiality

Whilst a complaint is being investigated the Complainant's name and circumstances will not be divulged any more than is necessary by the Committee. However where complaints involve another individual it may be difficult to investigate without talking to that member and letting them know the details of your complaint letter so that they have a chance to respond. If the complainant asks the Co-operative not to do so that will be respected as far as possible but it is likely that no action can be taken to tackle the issue.

There are some things, which the Co-operative may not be able to discuss or give information about. For example it would be wrong of the Co-operative to discuss someone else's application for housing but it would be able to discuss the allocation policy and how it operates generally.

Review of policy

We will review of this procedure periodically. Changes in legislation will be incorporated within the policy and procedure as they arise.

Publication of this procedure

This procedure will be published on the Homes for Change website.

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