

NORTH CAMDEN HOUSING CO-OPERATIVE COMPLAINTS POLICY

6 November 2024

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) 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 **12 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.

4) 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 office@nchc.org.uk.

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.

5) 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.

6) 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.
- **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 NCHC before the investigation has begun to avoid any undue influence.
- **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.
- **Stage 2 - 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 (MC), 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.
- **Housing Ombudsman** – NCHC is a member of the Housing Ombudsman’s Scheme and we work to the Housing Ombudsman Handling Complaints code of conduct, and customers have the right to access the Ombudsman’s service throughout the process.

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	Within five working days
Stage 1 — Full response based on the investigation to the complainant	Within 10 working days of the acknowledgment of the complaint
Stage 2 — Full response based on the review to the complainant	Within 20 working days of the acknowledgement of the request for a review

If it is not possible for NCHC to achieve these timescales considering the complexity of the complaint, NCHC will inform the complainant how much extra time is expected to be needed and the reasons why there will be a delay. At the same time NCHC will provide the contact details of the Ombudsman. 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 NCHC to respond to the complaint fully, this should be agreed by both parties. Where agreement over an extension period cannot be reached, NCHC should provide the Housing Ombudsman's contact details so the resident can challenge NCHC's plan for responding and/or proposed timelines of a landlord's response.

7) **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
- Signposting to supporting agencies

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
- 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.
- Guidance issued by the Ombudsman

8) **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 and customers 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.

NCHC will respond to a complaint when the answer to the complaint is known, not when outstanding actions required to address the issue are completed. Outstanding actions will be tracked and actioned promptly and appropriate updates provided to the complainant.

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. Outstanding actions will be tracked and updates provided to the member/customer.
- 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).

During the complaint investigation and in any review, Members/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 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.

9) **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

10) **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.

The Complaints Officer will be responsible for ensuring that outcomes to complaints are implemented. Any themes or trends will be assessed by the Senior Leadership Team to identify any systemic issues, serious risks or areas for improvement for appropriate action.

11) 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.

- The MC will receive updates at each meeting on the volume, categories and outcomes of complaints and details of any Ombudsman investigations
- The Housing Manager will report on annual complaints performance and service improvements, which will include themes and trends
- The Secretary or MC Member will lead responsibility for complaints. They will provide assurance to the MC on the effectiveness of NCHC complaints systems, including challenging the data and information provided to the MC
- Proactively using learning from complaints to revise policies and procedures and inform staff and third-party training
- Sharing learning with individual complainants and more widely with customers
- Annual completion and submission of Complaint Handling Code Self-Assessment to the Housing Ombudsman Service
- The annual complaints performance and service improvement report will be published on the NCHC website with the MC response to the report

12) Data Protection

Confidentiality and data protection apply to the complaints process, we will not share personal information gathered as part of the complaint process with any third party who is not entitled to receive it, in accordance with data protection legislation.