

Complaints Policy and Procedure

1 Aim

This policy outlines Phoenix Community Housing Co-operatives' (PCHC) approach to complaints. The aims of this policy are:

- To ensure that customers 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 PCHC operates
- To ensure that the complaints procedure complies with the Involvement and Empowerment standard and with the Housing Ombudsman's Complaint Handling Code.

2 Who can complain?

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

PCHC also accepts complaints from agencies and other organisations / advocates representing complaints (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 PCHC, including:

- Any service users and ex-service users
- Applicants for housing
- Partnership organisations and agencies
- Contractors or consultants
- Neighbours to properties owned by PCHC
- Other customers 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 actions by PCHC, our colleagues, or those acting on our behalf, affecting a group of customers.

A complaint, whether justified or not, may be about something that PCHC should or should not have 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.

PCHC will accept and act on complaints unless there is a valid reason not to do so. The following would not usually be considered through PCHC'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 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 PCHC to address an Anti-Social Behaviour issue, neighbour issue or dispute and is not happy with the way PCHC has managed it, they may then make a complaint under the Complaints Policy.
- New issues that arise during a complaints investigation unless they are relevant to the complaint under investigation
- Anonymous complaints
- Matters that relate to legal proceedings that have commenced
- Complaints about something more than twelve (12) months old

- Matters that have already been considered under the complaints policy
- Issues relating to how PCHC is governed, which need to be dealt with through PCHC'S Code of Conduct

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

4 Receiving Complaints

Complaints may be received by phone, letter or e-mail, or through speaking to someone who represents PCHC, or by other means. The preferred method is in writing via mail@phoenixhousing.co.uk

PCHC will comply with the Equality Act 2010 and adapt normal policies, procedures, or processes to accommodate an individual customers' 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 Officers

Any issue identified as complaint will be first dealt with by the Co-operative Manager, should this not be deemed appropriate then it will be dealt with by an Officer of PCHC's Management Committee.

PCHC will 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 PCHC at all levels to facilitate quick resolution of complaints

Wherever possible the Co-operative Manager, or alternative, named officer, has the authority in PCHC to make decisions to resolve the complaint, although it is often the case that complaints are complex and therefore require consideration by the Chairperson of the Management Committee

PCHC 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 regarding outcomes

6 Complaints Procedure

PCHC will manage complaints as follows:

- **Acknowledgement and logging** – complaints will be acknowledged and logged when received
- **Confirmation of the complaint** – PCHC will confirm in writing to the complainant what the complainant is complaining about. PCHC will encourage complaints to be specific about what they are complaining about and what outcomes they are seeking from PCHC.
- **Investigation** – The Co-operative Manager, (or alternative named officer) will investigate the complaint- giving the complainant and any other parties to the complaint an 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 the case. Conflict should be made known to PCHC before the investigation has begun to avoid any undue influence
- **Decision making** – The Co-operative Manager will decide their approach to the resolution of the complaint. Once the report is finalised and agreed, the Co-operative Manager will communicate this to the complainant
- **Review** – If the complainant is unhappy with the outcome of the investigation, they can request a review, the review will be heard by someone independent of the complaint so far – offering the complainant and other parties to the complaint the opportunity to put forward their views. The Chairperson of PCHC will review the complaint. Following the review, a draft summary report will be created to capture the conclusion. Once the report is finalised and agreed, the Chair will communicate this to the complainant. This concludes PCHCs' complaints procedure

PCHC follows the maximum target times for the complaint procedure:

Logging and Acknowledgement of the complaint

5 Working Days

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If it is not possible for PCHC to achieve these timescales, PCHC will communicate how much extra time is needed to the complainant and explain the reasons and why there will be a delay. The target times for the investigation and review stages should not be exceeded by more than 10 working days without good reason

If PCHC chooses not to either investigate a complaint or to hold a review when asked, it should be clear about the reasons for that choice, and those reasons will be communicated to the complainant

7 Putting things Right

Complaints to PCHC 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 customer as a result. These may include:

- Acknowledgement 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, PCHC 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 customer; and/or
- A customers particular circumstances or vulnerabilities

8 Communications

PCHC will make their complaints policy available to all customers in a clear format. PCHC will provide copies of this policy upon request

When communicating with customers about complaints, PCHC will use plain language to address all points raised in the complaint and provide clear reasons for any decisions, referring to the relevant policy, law and good practice where appropriate.

At the end of the complaint investigation and at the end of the review (if required) PCHC will write to the complainant to say:

- What the outcome of the complaint is
- The reasons why the decision has been made
- What offers PCHC 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 PCHC 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, 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 complainant will not generally identify any individuals involved in delivering the service, because all are acting on behalf of PCHC. Whilst PCHC should seek to put right any issues and learn from mistakes made, PCHC will not seek to blame PCHCs' customers or service providers to the complainant

PCHC will keep complainants regularly updated and informed even where there is no new information to provide

9 Housing Ombudsman Service

If the complainant remains dissatisfied at the end of PCHC's complaints procedure, they may bring their complaint to the Ombudsman. PCHC will co-operate with the Ombudsman's requests for evidence and provide this in the timescales requested by the Ombudsman

If a response cannot be provided within the timescale, PCHC will provide the Ombudsman with an explanation for the delay. If the explanation is reasonable, the Ombudsman will agree a revised date with PCHC

Customers can access the Housing Ombudsman Service when they wish to and not just when they have exhausted PCHC's complaint process. The Housing Ombudsman can assist customers 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**. E-Mail: info@housing-ombudsman.org.uk

10 Keeping Records

PCHC will document all complaints and resulting actions and will keep copies of all complaint correspondence to and from the complainant.

The Co-operative Manager will be responsible for ensuring that outcomes to complaints are implemented. Any themes or trends will be assessed by the Management Committee to identify any systemic issues, serious risks or areas for improvement for appropriate action.