

Making a complaint

A guide for co-operative management committees



Address: 3 Marshalsea Road
London SE1 1EP

Helpdesk: 0845 450 8545

Email: complaints@cds.coop

We want to know if we've got it wrong!

CDS Co-operatives aims to provide high quality services to our residents and to the management committees of our client co-operatives.

However, we recognise that sometimes things do go wrong and that when they do, that this may cause distress, inconvenience or even additional expense to service users. If we have not delivered the quality of service that we have agreed to provide, we want to know about it.

This leaflet provides a basic guide to our complaints policy and procedure for management committees of client co-operatives who are dissatisfied with the service they have received. A copy of the full complaints policy can be obtained from the customer services helpdesk or downloaded from our website www.cds.coop.

Before you make a complaint

If we have failed to provide an adequate service to your co-op or to the committee, we would like you to tell us what you feel we have got wrong. However, before you make a formal complaint we do expect you to have made a reasonable effort to resolve the problem with the member of staff responsible for providing the service. If you are not sure who this is, you can ask your co-op support officer or the housing services manager.

Make sure your complaint represents the committee's opinion

It is important that committee members appreciate that the status of formal complaints made by co-op committees is different to that of complaints made by individual residents.

Tenants, co-op members and homeowners can ultimately take their complaint to the independent housing ombudsman if they are not satisfied with the response we provide, whereas co-op committees instead have the right to formally declare themselves to be "in dispute" with CDS's board of management and ask for independent arbitration.

A complaint from a committee should therefore represent the views of the majority of the committee and not just the personal opinions of a single member. The decision to make a formal complaint should be approved by the committee, ideally at a committee meeting. If one member of the committee is delegated to make the complaint, they should try to ensure that what they write represents the views of the other committee members.

If you are a committee member, but you are dissatisfied because of a problem which only affects you or your home, rather than because of a problem with a service provided to the co-op as a whole, it may be more appropriate for you to make your complaint as an individual resident using complaints form C1. If you not sure which sort of complaint to make, you can ask your co-op support officer or the housing services manager for advice.

The complaints procedure

There are three stages to the complaints procedure. If your committee is not satisfied with our response to your initial complaint, you can ask for your complaint to be considered at a higher stage - however, you may not skip any stages in the procedure.

- Stage 1 Your committee's complaint will be considered by a departmental manager
- Stage 2 Your committee's complaint will be considered by the executive director
- Stage 3 Your committee's complaint will be considered by the board of management

Ultimately, if your committee is not satisfied with the way we have handled your complaint, the committee can decide that it is "in dispute" with CDS's board of management. Your management agreement explains how disputes between the co-operative and CDS will be resolved. Most management agreements contain a provision for independent arbitration once a formal dispute situation has been declared.

Complaints from management committees must be made in writing - preferably using a complaints form (please use version C3 - committee complaints). If you do make your complaint by letter, please head it "Formal complaint" and tell us what it is you feel we have done wrong, what we should do now to put things right and how you feel we can prevent the problem recurring in the future. You can send your complaint to us by post, fax or email.

The complaints process is supervised by the housing services manager. If you have any queries about the operation of the procedure or, if you feel the need to keep your complaint strictly confidential, you should telephone the housing services manager or ask for an office appointment.

STAGE ONE

Complaints will be considered by a departmental manager

Complete a complaints form (version C3) or write to the housing services manager. If you do not use a complaints form, please head your letter "Formal complaint". As we may need to contact you for additional information before considering your complaint, it would be helpful if you could provide a daytime telephone number for at least one person on the committee who knows about the background. Make sure you explain why you think the service your co-op or committee has received has not been adequate and tell us what you feel we should do to put matters right. The more detail you provide, the quicker we will be able to respond.

We will acknowledge your complaint within two working days.

The housing services manager will ask the appropriate departmental manager to investigate and set a deadline for the manager to write back to the committee. This will usually be within 10 working days. However, if your complaint is complex or if there are reasons why it is not possible for us to provide a response straight away, we will write to you to explain the reasons for the delay and to tell you when you will receive a full reply.

You will receive a letter from the departmental manager responsible for the service concerned, giving our formal response to your complaint. The committee must decide whether it feels that the response is acceptable or whether it is still dissatisfied and wants to take the matter further. If the committee decides to take the complaint to stage two, a member of the committee should write to the executive director on the committee's behalf. Page 3 of this leaflet explains how to make a stage two complaint. A few days after the departmental manager has given a formal response, we will write to you again, asking you to complete a questionnaire telling us how you felt about the way we handled your complaint.

STAGE TWO

Complaints will be considered by the executive director

If your committee is not satisfied with the response you receive from the departmental manager at stage one, you can begin stage two of the complaints procedure by writing to the society's executive director.

Please head your letter "Stage two complaint" and explain to the executive director why you feel that the response your committee received at stage one was not satisfactory and say what you feel he should do to put matters right.



We will acknowledge your complaint within two working days.



The executive director will investigate and decide whether or not the response we provided at stage one was adequate and appropriate.

If it is not possible for the executive director to fully consider the matter within 10 working days, we will write to you to explain the reasons for the delay and to tell you when you will receive a full reply.



Your committee will receive a letter from the executive director confirming whether or not he has upheld the original decision. You must decide whether you feel the executive director's response is acceptable or whether the committee remains dissatisfied and wants to take the matter further.

A few days after the executive director has given their formal response, we will write to you again, asking you to complete a questionnaire telling us how you felt about the way we handled your complaint.

STAGE THREE

Complaints will be considered by the board of management

If your committee is not satisfied with the response you receive from the executive director at stage two of the complaints procedure, you can begin stage three by writing to the chair of the board of management. You should send your letter to our office address and we will arrange to forward it to the chair.

Please head your letter "Stage three complaint" and explain to the chair why you feel that the response your committee received at stage two was not satisfactory and say what you feel the board should do to put matters right.



We will acknowledge your complaint within two working days.



The board of management will convene a panel of three board members, including either the chair or the vice-chair. The panel will meet within 21 days to consider your committee's complaint.

We will expect at least one person from your co-op's management committee to attend the panel meeting. You can send more than one person, but if you plan to do so, please let us know in advance, so we can arrange suitable facilities.

Panel meetings are held in the evening. We will endeavour to arrange the panel for a time convenient for both the panel members and the member(s) of the committee making the complaint.



After the meeting, the panel will reach its decision. We will write to your committee within 14 days to tell you the outcome.

The panel's decision is final. The committee must decide whether it finds the board's decision is acceptable or whether it is still dissatisfied and wants to register a formal dispute with CDS's board of management.

DISPUTES

Disputes will be resolved as described in the management agreement

The management agreement of every co-operative includes a section explaining how disputes will be resolved. You should refer to your own agreement to check the details.

Most management agreements state that the dispute will be brought before an independent arbitrator who will hear both points of view and attempt to reach a fair and mutually satisfactory resolution. The arbitrator's decision will be binding on both parties.

It is important that you note that the disputes process can only be invoked once your committee has exhausted **all three stages** of CDS Co-operatives complaints procedure.

After this, you need only write to the chair of the board of management stating that your co-op considers itself to be formally in dispute with the board. Please head your letter "Dispute".



We will acknowledge your dispute within two working days.



The chair of the board of management will refer to your co-op's management agreement and write back to you confirming how the dispute will be resolved.

If you disagree with the chair's proposal for resolving the dispute, you must say so straight away.



The chair will commence the disputes resolution process as set out in your co-op's management agreement. Usually this will involve appointing an independent arbitrator nominated by the appropriate regulatory body.

Note on arbitration: Many agreements specify that the arbitrator will be nominated by the Registrar of Friendly Societies. The office of the RoFS has now been abolished and its responsibilities transferred to the Financial Services Agency. At the time of writing it is not clear whether the FSA is able to discharge this particular responsibility.

In the event of a dispute with a co-op whose management agreement specifies the use of a RoFS nominated arbitrator, CDS will ask the FSA to nominate an arbitrator. If the FSA is unable to provide this service, CDS will, after consulting the co-operative, approach another suitable regulatory body and ask them to nominate the arbitrator. Alternatively, with the agreement of the co-operative, the Advisory, Conciliation & Arbitration Service (ACAS) may be asked to arbitrate in the dispute.

Notes:

1. This leaflet is intended to provide committees of client co-operatives with guidance on our complaints procedure and accompanies **complaints form C3**.
2. Residents, including CDS tenants, members of independent co-operatives and homeowners living in homes on estates managed by CDS should ask for a copy of our leaflet CL1 (*Making a complaint - a guide for tenants, co-op members and homeowners*) and complete **complaints form C1**.
3. Anyone who is not a resident of a home managed by CDS and wishing to make a complaint should ask for a copy of leaflet CL2 (*Making a complaint - a guide for neighbours, contractors and others*) and complete **complaints form C2**.

Complaints form (C3)

This form should only be used by committees of client co-operatives and can be used to make a complaint about any of the services provided by CDS Co-operatives.

If you live in a property managed by CDS, please use complaints form C1.

If you do not live in a property managed by CDS Co-operatives, you should use complaints form C2.



Co-operative:

Name of committee member making complaint: **Signed:**

Address for response:
.....

Postcode: **Telephone** Home:
Mobile:

Date:

- Q1.** Please tell us which of our services your complaint is about.
- Arrears control (*rents and service charges*)
 - Committee support services
 - Estate management or estate services
 - Financial services
 - Lettings and transfers
 - Responsive repairs management
 - Major or cyclical repairs management
 - Tenancy management (*inc antisocial behaviour*)
 - Other (*please say*)

Q2. Please tell us why you feel that the service you received was inadequate.
The more information you can give us now, the quicker we will be able to respond.
If you need more space to explain your complaint fully, please continue on a separate sheet.

Appendix 2 - Complaints form C3 (Co-op committees)

Q3. Please tell us how you think the service could have been improved.

Q4. Please tell us what you feel we should do now to put things right.

Please post this form to:

Maria McCarron
Housing services manager
CDS Co-operatives
FREEPOST SW140
London SE1 1BP