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# Complaints Policy

<b>Title</b>	<b>Complaints Policy</b>
<b>Date Last Reviewed</b>	<b>May 2024</b>
<b>Next Review Date</b>	<b>April 2027</b>
<b>Author</b>	<b>Kristell Marcantoni, Operations Director</b>
<b>Approver</b>	<b>Board of Management</b>
<b>Applies to</b>	<b>CDS residents, Client landlords and client residents, non-residents</b>

## 1 Introduction

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CDS aims to provide an easy and non-confrontational way for our customers and others to let us know if they are unhappy with any aspect of our service. We aim to always provide a high-quality service in a fair way but recognise that sometimes we get things wrong. We want to respond quickly, openly and effectively when this happens.

We will make sure it is easy to let us know about any service problem by:

- ▶ Ensuring our service users and others can make complaints /give feedback in a variety of ways including on the telephone, in person, by email, in writing and via our website
- ▶ Making complaints information available in alternative languages and formats upon request

## 2 Objectives

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The aim of this policy is to ensure that:

- ▶ It is easy for customers or their representatives to complain if they are unhappy with the service that they receive
- ▶ Complaints are dealt with promptly and efficiently and complainants are listened to and treated fairly
- ▶ Complaints are responded to within a reasonable timeframe and in accordance with this policy
- ▶ Complaints are recorded and monitored for the purpose of improving services

- ▶ We comply with the Equality Act 2010 by responding to requests for reasonable adjustments to accommodate an individual's needs. This includes but is not limited to providing information in different languages and formats and making any necessary adjustments to our policies, procedures and processes.
  - ▶ We comply with the Housing Ombudsman's Complaint handling code 2024. Who can complain?
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Our complaints policy is available and applies to everyone who receives or requests a service from CDS, others affected by our services or actions. Complainants may authorise a representative to act on their behalf at any point throughout the process. Eligible complainants could include:

- ▶ CDS tenants
- ▶ CDS homeowners
- ▶ Members of client management committees
- ▶ People living in properties where we provide services
- ▶ Neighbours of CDS properties
- ▶ Councillors and MPs
- ▶ Legal representatives
- ▶ Citizen Advice Bureau staff and other similar advocacy agencies

### **3 What is a complaint**

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A complaint will usually be about a service a resident has or has not received. We encourage our staff to be open to complaints. A complaint is defined by the Housing Ombudsman as: "an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, our staff, or those acting on our behalf, affecting an individual resident or client or a group of residents or clients.

- ▶ Dissatisfaction with our policy or practice
- ▶ Failure to meet our legal duty as a landlord
- ▶ Dissatisfaction with the way we made a decision or with the actions taken in implementing that decision
- ▶ Complaints about CDS staff behaviour, performance or attitude
- ▶ Complaints about contractors or other representatives appointed by us
- ▶ Complaints about our administrative process, including delays in responding to your queries
- ▶ Failure to provide a service that we claim to offer
- ▶ Failure to achieve our published standards or quality of service.

We are always keen to hear if customers or other service users are unhappy for any reason.

## **What is not covered by this Policy?**

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Except when doing so would be unreasonable under the Equalities Act 2010, CDS will not typically address the following under this complaints policy:

- ▶ First notifications of problems or issues not intended as complaints or **service requests** where the resident is unhappy with something they wish to have rectified (eg. a repair notification or request for help with a noise problem).

A Service request as defined by the Housing Ombudsman is “a request that the organisation provides or improves a service, fixes a problem or reconsiders a decision.” It provides organisations with opportunities to resolve matters to an individual’s satisfaction before they become a complaint.

- ▶ Survey feedback, although where possible the person completing the survey should be made aware how they can raise their dissatisfaction as a complaint if they wish to do so.
- ▶ Issues that the complainant knew about more than 12 months before they complained and did not alert us to
- ▶ Issues that have already been responded to as a complaint and where no request for escalation is made within one calendar month of response or where the escalation process has been exhausted
- ▶ Matters that are being or have been dealt with via another resolution process (eg. Legal action, insurers or a tribunal)
- ▶ Complaints relating to the policies and procedures or actions of an independent client landlord. We do not have any authority in these matters, but we will make sure that complaints are forwarded to the client for their action and will let you know who the issue has been referred to

- ▶ Complaints relating to Government policy or which are otherwise outside our jurisdiction (eg. Utilities)

If we decide something can't be dealt with as a complaint, we will write to the complainant to say why. We will also tell them how they can take this decision to the Housing Ombudsman Service.

## **4 Complaints from our Client Coops**

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If one of our clients has a complaint related to the terms or performance of the management (or other written) agreement with CDS, a committee member of the client co-op should raise it with their Client Relationship Manager (CRM).

The CRM will investigate and seek to resolve any service issue and will provide a full written response within 20 working days. If the client remains unhappy with the response, they should then address their concerns through the disputes process set out in the management agreement.

If any resident of a client landlord - including a member of the management committee - has a complaint about the service they personally received from CDS or a CDS contractor, they can make a complaint to us through any method listed in Section 1 above. Where residents of our clients complain to us about the action, behaviour or inaction of their landlord, we will advise them how to direct that complaint to their landlord.

## 5 Receiving a complaint

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We want to know if customers or other service users are unhappy with our services. We positively encourage staff to "hear" and respond to dissatisfaction and to recognise that the word 'complaint' does not have to be used for an issue to be logged as one. Registering dissatisfaction as a complaint means it will be responded to formally, within a set time frame, and that we can learn from the problem and make sure it can't happen again.

We will raise a complaint when the resident expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing. We will continue to address the service request alongside the complaint.

Complaints can be received via any media. Dissatisfaction raised publicly via social media will typically receive a broad public response, so everyone who may be affected can access the same information. When specific or individual responses are appropriate, private communication through social media will be initiated where the complainant will be given the opportunity to have their issue considered formally and routed through this process.

We will accept complaints referred to us within 12 months of the issue occurring or the resident becoming aware of the issue, unless they are excluded on other grounds. We will consider whether to apply discretion to accept complaints made outside this time limit, based on individual circumstances of each complaint, where there are good reasons to do so.

Complaints may be raised by third parties or representatives. Complaints raised in this way will always be dealt with in line with this policy.

We aim to resolve all informal complaints fairly, consistently and promptly at the first point of contact and within one working day. This is known as a Quick Fix. Where it is not possible to achieve this aim for any given reason, we will then treat it as a formal complaint and it will be passed to the relevant staff member to respond.

Stage	Next Steps/ Task	Target Time for Response	Lead Officer
<b>Quick Fix</b>	Informal complaints that can be quickly resolved, with the response provided using any method of communication.	1 working day	Relevant Officer
Stage 1	Registration and acknowledgement of the formal complaint. The acknowledgement must set out the complaint handler's understanding of the complaint and the outcomes the resident is seeking. If anything is unclear the resident must be asked to clarify and the full definition agreed between both parties.	5 working days	Officer receiving the complaint or Complaint Manager.
	<p>Written response provided -Anyone other than client landlords regarding management agreement terms</p> <p>Written response provided - Client landlords complaining about the terms of the management agreement.</p>	<p>10 working days from the acknowledge ment being sent.</p> <p>20 working days from the acknowledgem ent being sent.</p>	Person responsible for the relevant service area. If the complaint is about that person, their manager will respond.
<b>Stage 2</b>	<p>If the complainant is not satisfied with the outcome from Stage 1 then they escalate to Stage 2 within 1 calendar month of the date of the response letter. We will not unreasonably refuse to escalate the complaint. If we are not able to escalate, we will set out the reasons, which will be the same as the reasons we cannot accept a complaint, in writing. We will also tell the complainant how to refer our decision to the Housing Ombudsman.</p> <p>Send acknowledgement. The same requirements for acknowledgement as at Stage One apply.</p>	5 working days	Complaint Manager or the staff member who received the request to escalate
	<p>Full response provided.</p> <p>This concludes the CDS internal complaints process.</p>	20 working days from the date the acknowledgment was sent.	Usually, the manager of the person who responded to the Stage 1 complaint *

*\* Complaints about a Director will normally be considered by the Chief Executive. In exceptional circumstances the Chief Executive may, at her/his discretion, seek involvement from members of the Services Committee in reviewing or responding to these complaints. Where the subject of the complaint is the Chief Executive, the Chair of the Board will decide on the route for responding to the complaint.*

Throughout each stage of the informal/ formal complaints process staff may speak to the complainant to:

- ▶ Ascertain why they are unhappy
- ▶ Find out what outcome they seek

During the investigation of the issues raised, staff will be honest and open about what we can/ cannot do to meet the expectations of the person who has complained. They will provide a full written response to formal complaints within the timeframe above, which will set out specifically:

- ▶ Whether the complaint has been upheld fully, partially or not upheld
- ▶ Reasons for the decision made
- ▶ What action will be taken, including details of outstanding actions
- ▶ When this will be done
- ▶ The name of a lead officer to fulfil this promise (where action is proposed)
- ▶ How to escalate the matter if dissatisfied

If for any reason a full response cannot be provided within this timeframe, the respondent will write to the complainant to advise them when they can expect the full response to the issues that have been raised.

## **6 Investigating and Responding to a Complaint**

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We will always deal with complaints impartially and ensure that the person carrying out the investigation does not have a conflict of interest. The investigating officer will:

- ▶ Be clear what we can and cannot do to meet the expectations of the complainant and say if we believe a desired outcome is unreasonable or unrealistic.
- ▶ Deal with complaints on their merits
- ▶ Act independently and with an open mind

- ▶ Take measures to address any actual or perceived conflict of interest
- ▶ Consider all information and evidence carefully
- ▶ If the problem is a recurring issue, consider older reports if this will help resolve the issue for the resident.
- ▶ Keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter
- ▶ Ensure the complainant is given an opportunity to set out their position
- ▶ Clearly set out our understanding of the obligations of both parties if a key aspect of the complaint is our respective legal obligations
- ▶ Not generally identify individual staff members or contractors
- ▶ Address all points raised in the complaint and give clear reasons for any decisions taken, referring to the relevant policy, law and good practice where appropriate.

While we are investigating a complaint we will keep you updated in the way and at the frequency we have agreed. We always aim to resolve complaints as quickly as possible.

We will always respond to a complaint as soon as the answer is known. We will not delay the response until all of the actions needed to resolve the complaint are completed. We will track those actions to ensure they are completed in a timely manner and keep the complainant updated.

## **7 Designated Person/ Housing Ombudsman Service**

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If at the end of the internal complaints process, once the Stage 2 response has been sent, the customer remains dissatisfied, they can:

- ▶ Refer their complaint to a 'Designated Person' as described in the Localism Act 2011 to assist in the resolution of the complaint at a local level, **or**
- ▶ give authority to the 'Designated Person' to refer their complaint to the Housing Ombudsman Service immediately; **or**
- ▶ Wait 8 weeks following completion of CDS's internal complaints process and refer their case



themselves to the Housing Ombudsman Service.

At the end of a Stage 2 response, the following wording will be included to ensure complainants understand their options:

*“You have now come to the end of our internal complaints process. If you remain dissatisfied with our response, response, you can now refer your complaint to a designated person including a local councillor or contact the independent Housing Ombudsman Service. For more information, please visit: [www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk).”*

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## **8 Monitoring and Compliance**

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We believe that complaints can help us to continually improve our services. We will aim to capture the lessons that we learn and identify the improvements that we make as a result of this feedback.

We will carry out a complaints review with the Services Committee of the CDS Board of Management at least once a year and publish an annual report to share information about complaints causes, outcomes and learning.

## **9 Publication and access to information**

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We publish the details of the complaints policy, information about the Housing Ombudsman and the complaint handling self assessment code on our Website [www.cds.coop](http://www.cds.coop).

We publish our assessment against the Housing Ombudsman’s complaints handling code (April 2024) in our resident’s annual report.

#### Version control

<b>Date</b>	<b>Amendment</b>	<b>Version control</b>
<i>December 2018</i>	<i>Full policy review</i>	<i>v.2.3</i>
<i>November 2020</i>	<i>Updates based on HOS code</i>	<i>v.3</i>
<i>June 2022</i>	<i>Updates based on HOS code – approved by Board 11.7.22</i>	<i>v.4</i>
<i>May 2024</i>	<i>Updates based on HOS code – approved by Board 20.4.24</i>	<i>v.5</i>