

# Mace Housing Co-operative Ltd

## Complaints Policy

### Principles

This complaints policy and procedures will aim to be:-

- Easily accessible to members/clients/managing agents.
- Simple to use with stages clearly set out and responsibility clearly allocated.
- Quick, offering prompt action and speedy resolution according to pre-determined time limits.
- Objective, including provision for independent investigation.
- Confidential in that it will protect the complaints privacy (although anonymous information about complaints may be publicly available in monitoring reports).
- Comprehensive with principles and key features which apply throughout the organisation.

### Definition of a Complaint

A complaint is an expression of dissatisfaction, in writing, about the standard of service action or lack of action by Mace or Mace's staff affecting a member/client/managing agent or members of the public.

### Who Can Complain?

Complaints will be received and investigated by anyone receiving or seeking a service from Mace including anyone acting for those unable to complain personally and anybody effected by Mace's services.

### How Can Complaints Be Made?

Most clients will try to sort out their grievance without making a formal complaint. They will initially complain to the member of staff with whom they have regular dealings. Many grievances will be resolved in this informal way.

However, 'front line' staff should also inform people with complaints of the existence of the complaints procedure and offer advice on how to use it so there is no risk of directing people away from the use of the formal procedure where it is needed.

A complaint must be made in writing. To aid clients making a complaint a form is attached at Appendix 1 but there is no requirement to use it.

Stages of the Complaints Procedure:-

**STAGE 1:** Anyone still dissatisfied will then be able to take their complaint to the Chief Executive for further consideration.

**STAGE 2:** Anyone still dissatisfied will then be able to take their complaint to the Dispute Sub Committee for further consideration.

**STAGE 3:** If the person or group is still dissatisfied they will be able to take up the complaint with Mace's Management Committee.

### **Recording Complaints**

At all stages records of complaints will be kept in a Complaints Book giving details of the complaint, the name of the complainant, the action taken and the complaints response.

### **The Time Limit**

**1<sup>st</sup> STAGE:** The Chief Executive will respond to the complainant within 14 days. An initial response recording the receipt of the complaint should be sent within 48 hours.

**2<sup>nd</sup> STAGE:** The Chief Executive will respond in writing to the complainant within 14 days. A final decision from the Chief Executive may not be available within this time period depending on the information available or further investigation required. However, the first response will state when the complainant should expect to receive notification of a decision and action to be taken.

**3<sup>rd</sup> STAGE:** The Chair of the Dispute Sub Committee will respond in writing within 14 days stating when the committee will consider the complaint and what arrangement will be made for further investigation as necessary and for the complainant to make any representation to the committee. The committee, after considering the complaint will reply to the complainant within 7 days.

### **Special Cases**

In the event of a complaint against a committee member the complaint will be made through the Co-op Secretary and referred to the next meeting of Mace's Management Committee.

### **Anonymous Complaints**

Mace will not investigate anonymous complaints.

### **Satisfaction of Complaint**

Even if the final decision resolved through the complaints system does not satisfy the complainant in terms of their expectations of the outcome, the complainant should be satisfied that their complaint has been handled according to the procedures, that they have therefore had every opportunity to express their views and have been considered fairly.

To ensure the complaint is dealt with within the time limits Mace will, through the Management Committee, monitor the progress of complaints to ensure that response target times are met.

If the complaint is found to be justified the individual will be entitled to suitable redress.

**If after all these steps have been taken, the complainant still feels their case has not been dealt with properly, they can approach the Independent Housing Ombudsman at Norman House, 105-109 Strand, London WC2R 0AA, who will investigate the problem.**

### **Reporting**

The Chief Executive will have overall responsibility for co-ordinating, managing and monitoring the complaints system and will ensure consistency.

The Chief Executive will report quarterly to the Management Committee on complaints received, action taken to resolve complaints and on organisational implications.

### **Consultation/Publicity**

Mace will ensure that all members are aware of the Complaints Policy in the tenant's handbook and regularly reporting in the Newsletters.

The Complaints Policy and Procedure will be part of new staff induction training.

## **APPENDIX I**

### **COMPLAINT FORM**

Please complete the form if you wish to complain about the standard of service you have received from Mace or about the action or lack of action by a member of Mace staff.

This form will be treated in confidence. You should address your complaints to the Chief Executive. If the complaint is about The Chief Executive, you should address your complaints to the Chair of the Management Committee.

If you have any difficulty filling in this form please contact the Chief Executive who will be able to help you.

YOUR NAME:

YOUR ORGANISATION:

YOUR ADDRESS:

IS THE COMPLAINT FROM YOU OR YOUR ORGANISATION?  
WHAT IS THE COMPLAINT ABOUT?

IS IT ABOUT A PARTICULAR WORKER?  
IF SO, WHO?

WHAT DO YOU THINK SHOULD HAVE HAPPENED?

WHAT ACTION WOULD YOU LIKE TO SEE TAKEN NOW?

SIGNATURE:

## APPENDIX I

### GOOD INVESTIGATIVE PRACTICE

The majority of complaints are likely to be capable of being dealt with speedily and simply. Where however, a more substantial inquiry is required, the following guidance may be helpful for investigating officers.

1. Check if any previous complaints have been made by this person.
2. Contact the complainant to:-
  - \* clarify the complaint.
  - \* clarify the outcome sought.
  - \* Check whether he or she needs support of any kind, whether he or she has poor sight or hearing, or a language difficulty, check what he or she needs to understand the discussion properly.
  - \* Explain the investigation procedure.
3. Brief yourself on the relevant legal and administrative background to the complaint.
4. Assess whether the complaints procedure is the most appropriate way of handling this complaint. Consider alternative possible procedures:
  - legal action
  - police involvement
  - if it is not, discuss alternatives with the complainant.
5. Consider whether the complaint could be resolved without further investigation.
6. If the complaint is about a proposed action by Mace consider whether the action should be deferred while the complaint is investigated.
7. Obtain all relevant documents (ensuring that you see the originals, not copies). These may include files, log books, and time sheets. Get copies of all documents you need.
8. Establish the relevant sequence of events from the files and also the names of staff most directly involved in the matters complained of.
9. Prepare the line of questioning for each person to be interviewed.
  - \* use open not leading questions
  - \* don't express opinions in word or by your body language
  - \* ask single not multiple questions
10. Inform all those to be interviewed that they can be accompanied by a friend or other representative. Explain the complaint clearly to them.

11. Consider whether you need a witness of a particularly difficult interview.
12. Interviews should be conducted in a informal and relaxed a manner as possible, but persist in your questions if necessary. Don't be afraid to ask the same question twice. Make notes of each answer given.
13. Try to separate hearsay evidence from fact by asking interviewees how they know a particular fact.
14. Deal with conflicts of evidence by seeking corroborative evidence. If this is not available, then as an exceptional measure, consideration can be given to organising a confrontation between the conflicting witnesses.
15. At the end of the interview, summarise the main points covered by the interviewee and ask if he or she has anything to add.
16. Make a formal record of the interview from your written notes as soon as possible after the interview while your memory is fresh. Never leave it longer than the next day.
17. Draft a report setting out the evidence obtained, preferably without including your own opinions, and circulate this for comment to all those interviewed, including the complainant, unless there are special reasons not to do so.
18. Consider comments and amend the report as necessary, adding conclusions and, if appropriate, a suggested remedy for the complainant.

## **MACE HOUSING APPENDIX II**

### **ACTION TO CONSIDER IF A COMPLAINT IS JUSTIFIED**

#### **1. Introduction**

Where a complaint is found to be justified consideration needs to be given to the question of a remedy. The remedy needs to be appropriate to the complaint. An apology will normally be appropriate and other action may also need to be considered.

#### **2. Types of Action For Consideration**

The general principle for guidance is that as far as possible the complainant should be put in the position he or she would have been, had things not gone wrong.

It will be necessary to determine

- \* who can take remedial action and to what extent action can be taken under delegated powers
- \* arrangements to ensure that the remedies are carried out
- \* arrangements to ensure that Mace is acting within its legal powers

Some complaints may be remedied by providing the service desired by the complainant. In other cases a change of procedures to prevent future difficulties of a similar kind either for the individual complainant or for clients generally may be the appropriate action.

There may also be some circumstances where the complainant has sustained loss or suffering and Mace may wish to consider the question of financial compensation. Some general guidance on the basis of the Ombudsman's experience may be helpful.

#### **3. Guidance on Compensation**

Whether financial compensation should be paid and how much will depend on the circumstances. Where compensation is considered appropriate the following guidelines could be taken into account.

- a) Where specific financial losses have been incurred reimbursement is likely to be appropriate (together with consideration of whether interest should be paid).
- b) Where a tenant has had to live in poor conditions for longer than was reasonable the amount of damages awarded by the county courts in similar circumstances can be a guide to the assessment of compensation.
- c) Where the complainant has had to spend an unreasonable or significant amount of time in pursuing the matter a payment in recognition of 'time and trouble' may be appropriate.

- d) If exceptional worry, distress or inconvenience have been caused by the events consideration could be given to a payment in recognition of those factors.

**Revised :-01 September 2014**

Source: 'Devising a Complaints System'  
The Commission For Local Administration in England