

FELSHAM ROAD CO-OPERATIVE LTD

COMPLAINTS POLICY AND PROCEDURE

A. What is a complaint?

Felsham Road Co-operative (FRC) understands a “complaint is an expression of dissatisfaction with FRC, however expressed, whether justified or not” and as “an expression of dissatisfaction about a service (whether that service is provided directly by the Co-operative, Council or by a contractor or partner) that requires a response.”

B. Scope of the Complaints Policy

FRC is committed to providing a high-quality service to all its residents and to treating everyone who encounters the Co-operative in a fair and reasonable manner.

FRC acknowledges that mistakes can be made, and that members or other persons may on occasion have cause for complaint. It is the Co-operative's policy that anyone should be able to make a complaint to the Co-operative in the knowledge that, by doing so, they will not be penalised in any way, and that their complaint will be dealt with swiftly, effectively, and in a serious manner.

It is the policy of FRC that the existence of the Complaints Policy and Procedure is made widely known to all Co-operative members, residents and other persons who encounter the Co-operative.

FRC follows the two-stage corporate complaints procedures set out by Richmond and Wandsworth Councils, which is in line with the Housing Ombudsman's requirements. The accurate recording of complaints is important as the information reflects the nature of complaints being received and distinguishes between complaints about service delivery by FRC and dissatisfaction with the Councils' policies.

Please note that the Co-operative is not able to respond to complaints that are made anonymously.

What is a complaint?

FRC and the Council will take the following points into consideration when assessing the complaint: -

- Whether the service has been given the opportunity to resolve the complaint
- Whether the complainant has stated that they want to make a complaint
- The nature of the issue and whether FRC's corporate complaints procedure is appropriate in the circumstances; and
- What the complainant would like to happen next.

The above list is not exhaustive, and FRC will consider each issue individually.

A complaint may concern one or more of the following:

- FRC has done something which the complainant considers should not have been done
- FRC has failed to do something that they consider should have been done
- The service provided by FRC was not good enough;
- The complainant received poor quality of service or there was poor communication
- There has been a failure or a delay in providing a service
- Mistakes were made in the way a decision has been reached or a case has been handled
- FRC has given incorrect or misleading information
- Staff have been rude or unhelpful or behaved inappropriately

C. The Procedure

If you wish to make a complaint, you should contact the Estate Manager in writing, whenever possible, either by email to office@felshamroad.org or by letter to the estate office at 33 Henry Jackson Road, London SW15 1DL. Please give as much information as possible about your complaint so that it can be properly considered. Complaints should include:

- Contact details
- All the relevant points of the complaint. It would be helpful if they were in a numbered list
- Be clear about what is hoped to be achieved and what will put the matter right. The desired outcomes should be fair and proportionate to the issue raised

FRC understands that the complainant may feel strongly about the issue but would ask that they are polite and refrain from being aggressive.

It may be necessary to refer to the Council's Unreasonable Complainant Behaviour Policy available at: https://www.wandsworth.gov.uk/media/8502/unreasonable_complaint_behaviour_policy.pdf

All complaints should be made to FRC's Co-operative Manager during normal office hours. If the complaint concerns the Co-operative Manager, it should be made to the chair of the board.

A complainant who is unable to complete the complaint form may choose anyone to assist him or her, providing that the complainant signs the form. If a complainant requires assistance due to literacy, language, or other issues, the Estate Manager may assist with the completion of the form or provision of an interpreter.

Complainant's rights

The complainant has the following rights when making a complaint:

- The complainant's personal details will not be divulged when complaint statistics are reported to the Board and the Council
- Complaints will never be investigated or reviewed by a staff or Board member who is a subject of the complaint
- Board members will not discuss appeals outside appeal meetings, nor disclose details to any other person

What happens next?

Stage 1 – Investigation

Your complaint will be acknowledged within two working days by the Estate Manager by email, post or phone, and will aim to investigate and resolve your complaint within 20 working days.

The Estate Manager will check to see whether it should be treated as a complaint under the corporate complaints procedure.

In some cases, further information may be needed about the complaint for the service to fully consider the matter. If further details are required, the complainant will be contacted and asked for more information. The following details are logged:

- Prescribed complaint type,
- A prescribed complaint reason
- The date received and the date closed
- The time (in days) taken to provide a full response
- The complaint outcome (so we can learn from complaints) – upheld, partially upheld, not upheld
- The action taken to remedy the complaint
- Equalities information pertaining to the complainant
- Satisfaction information on how the complaint was handled
- A staff member being complained about will pass the complaint over to the relevant line manager who will come to a decision about the complaint. A written response will be provided to a complaint within 20 working days from receipt. If this timescale cannot be met, then the complainant must be informed in writing (or by email) and a record kept on file and recorded in the complaints log by the Estate Manager.

Additional Procedures for Stage 1

If the complaint is about one or more members of the Board, it will be escalated immediately to Level 2.

If the complaint is about all members of the Board, the complainant will be referred in writing to the Council's complaint procedure. Contact details for the Resident Participation Officer will be provided in the referral.

If the complaint requests compensation, it will be escalated immediately to Level 2.

Stage 2 – Review (15 working days)

If the complainant is still unhappy following the Stage 1 response, they can contact the Council via the Resident Participation Officer who will collate the Stage 1 documentation and refer the complaint to the Corporate Complaints Team who will review Stage 1 and the handling of the complaint to ensure it has been thoroughly investigated and that an appropriate response was provided. The complainant will need to submit their request within 20 working days of receiving the Stage 1 response and will need to explain why the Stage 1 response has not resolved the complaint and what outcome they are seeking to resolve the matter at Stage 2. The process is then as follows:

The Council will acknowledge receipt of the complaint in writing within 2 working days. The recipient of the complaint must also notify the Corporate Complaints Team who will then liaise with the complainant throughout the Stage 2 process.

The review will be undertaken by a Senior Manager or Head of Service

The Council will provide a written response, with a decision on the complaint, following a review at Stage 2 within 15 working days from receipt. If the Council are not able to meet this timescale, the complainant will be kept informed by the Corporate Complaints Team.

Beyond Stage 2

If the complainant is still dissatisfied, they may contact the Local Government and Social Care Ombudsman (LGSCO) and/or the Housing Ombudsman Service (HOS). The LGSCO and the HOS deal with different types of complaints. The former will consider complaints about the Councils' wider activities, for example in discharging their statutory duties in homelessness and planning enforcement. The Housing Ombudsman will deal with all complaints about the Councils' landlord function from its tenants and leaseholders. The LGSCO can consider complaints directly once the landlord's internal complaints procedure has been exhausted. The HOS can only consider complaints that have been referred by a 'designated person' or by the tenant themselves if 8 weeks have passed from the completion of the landlord's internal complaints procedure. NOTE: The role of the designated person may change pending the Building Safety Bill.

Stage 3 - If you have exhausted the above complaints procedure and you are still dissatisfied, you may appeal to the Council. The council can be contacted at Western Area Team, Housing and Community Services, Wandsworth Council, Town Hall, Wandsworth High Street, London, SW18 2PU.

Appropriate use of complaint procedure, the types of which FRC must record

The complaint procedure may be used for circumstances including, but not limited to, the following types of complaints, which FRC must also record to produce complaints data broken down by type and by length of time taken to respond:

Service delivery failure

Examples include: Quality, delayed, not provided, insufficient, outside of timescales, system errors, no response given; includes poor performance by contractor.

Outside service procedure

Examples include issues outside of legislation/policy/Law/Rights of Appeal etc., the Co-op or Council is not the lead Authority. Also, outside of FRC and the Council's remit, repairs that are a tenant's responsibility. Matters which are, or could reasonably be expected to be, the subject of court or tribunal proceedings, or which are in the hands of FRC's insurers.

Staff error or attitude

Examples include: Attitude, incorrect information, equalities issue, accuracy etc. on the part of a member(s) of staff; would also include those not in line with FRC Values and Behaviours.

Disagreement with assessment/ assessment timescales not met

Examples include actions or assessment not carried out or delayed or agreed timescales not met.

Financial charges/ billing/ costs

Examples include disagreements with policy, payment delays, difficulty of process.

Poor/ incorrect information

Examples include poor information provided by staff, service/ council website, or telephone menu.

In cases where a complaint identifies a policy or procedural problem rather than service delivery, FRC will consider the situation and, where appropriate, make every attempt to amend its practice accordingly.

FRC's responsibilities

FRC will:

- Ensure that FRC's Complaint Policy and Procedure is widely publicised and available to all members, residents, and others who have dealings with FRC
- Provide all complainants with a copy of the Complaint Policy and Procedure.
- Deal with all complaints in a fair and reasonable manner
- Ensure that complaints relating to specific staff and Board members will not be dealt with by the subject of the complaint
- Deal with complaints efficiently and within the timeframes outlined

- Respond to all complaints in writing as specified
- Explain clearly in written correspondence whether the complaint is to be upheld and, if so, what action will be taken
- Ensure that privacy and anonymity are retained when complaint statistics are reported to the Board following resolution at Level 1 of the procedure
- Ensure that all staff receive written guidance and training on how to handle complaints
- Inform anyone who has a complaint against the Council, or those acting on its behalf, that he or she should use the Council's own complaint procedure
- Forward to the Council, within 24 hours of receipt, any complaint made to FRC about the Council

The Council's responsibilities

When dealing with a complaint, the Council will:

- Instruct complainants who contact the Council before they have exhausted FRC's complaints procedure to complain to FRC.
- Address all complaints that have exhausted FRC's complaints procedure, as per the Council's complaint procedure.
- Ensure that privacy and anonymity is retained when complaint statistics are reported to FRC's Board.
- Forward to FRC, within 24 hours of receipt, any complaint about FRC made to the Council.

Record keeping and review

A copy of all FRC's responses to complaints will be recorded in the complaint log for monitoring purposes. The log will also record whether the complaint has been upheld.

The Estate Manager is responsible for monitoring the effectiveness of the complaint procedure, including following up on any outstanding Board or staff actions, and for maintaining the complaints register.

The Estate Manager will report complaints to the Board monthly as part of the Key Performance Indicators (KPIs), and to the Council and Board on a quarterly basis in the quarterly monitoring form. These reports will note the nature and outcome of complaints but not divulge any complainant's personal details or address.

The Estate Manager will identify with the Board areas for learning and improvement and amend policies, procedures and working practices accordingly

