



Adactus Housing Association Ltd



COMPLAINTS AND APPEALS POLICY AND PROCEDURE

Introduction

This document is a statement of the Association's policy and procedure for dealing with complaints about the Association's housing practices, activities or services and appeals against decisions made by the Association.

The Association is committed to the relevant codes of good practice, recommendations and performance expectations produced by The Housing Corporation and the Housing Ombudsman Service and has consulted with its tenants and stakeholders on this policy and procedure.

This document is freely available from the Association's offices and website (www.fhamanchester.co.uk) and will be produced in other formats such as large print, audio, or in other languages on request.

Definitions

Complaints are defined as expressions of dissatisfaction from people who feel they have been aggrieved by the Association and require a response to provide some kind of redress.

Appeals are defined as requests for the Association to reconsider a decision it has taken.

Policy aims

The Association aims to provide a quality housing service to tenants, leaseholders, residents of special needs projects, partnership agencies and applicants for housing.

In its dealings with contractors, sub-contractors, consultants, suppliers and anyone affected by the Association's activities, the Association wishes to conduct its affairs in a fair and ethical manner.

The Association will follow a staged procedure to address complaints and appeals about its services or activities. The procedure aims to remedy faults within a reasonable time and ensure that complaints are recorded and monitored to help the Association to learn and continually improve from the complaints and appeals raised.

Who Can Complain Or Appeal?

The Association's complaints and appeals procedure is available to anyone who receives a service from the Association, is affected by a decision or action taken by the Association, or anyone who represents such a person.

For example: -

- Tenants, leaseholders, licensees and ex-tenants of the Association.
- Applicants for rehousing.
- Partnership agencies managing property in conjunction with the Association.
- Neighbours of the Association's properties.
- Contractors or consultants.
- Applicants for employment.

The above may be represented by, for example: -

- Citizens Advice Bureau, law centres, solicitors or other advisors.
- Members of Parliament, and local authority councillors.
- Members of the Association's Board.

The Association will need to be satisfied that representatives have permission to act on the behalf of the complainant. In cases where the representative could access potentially sensitive information about the complainant, the Association will seek written confirmation from the complainant that they have agreed to be represented.

What Issues Are Covered?

The areas intended to be covered by the Association's Complaints and Appeals Policy are set out below: -

- Any failure in a service provided by the Association, such as a failure to complete a repair.
- The way in which staff or other representatives of the Association have conducted themselves.
- The way an application has been handled.
- Any practices that discriminate against individuals or groups of people.
- The failure to respond to a reasonable request for information or for an explanation.
- Appeals against any decision made by the Association.

The following items will not be treated as complaints or appeals: -

- Requests for a service, such as the first report of a repair or reports of neighbour nuisance / anti-social behaviour.
- An initial request for information or an explanation.

Complaint & Appeals Procedure

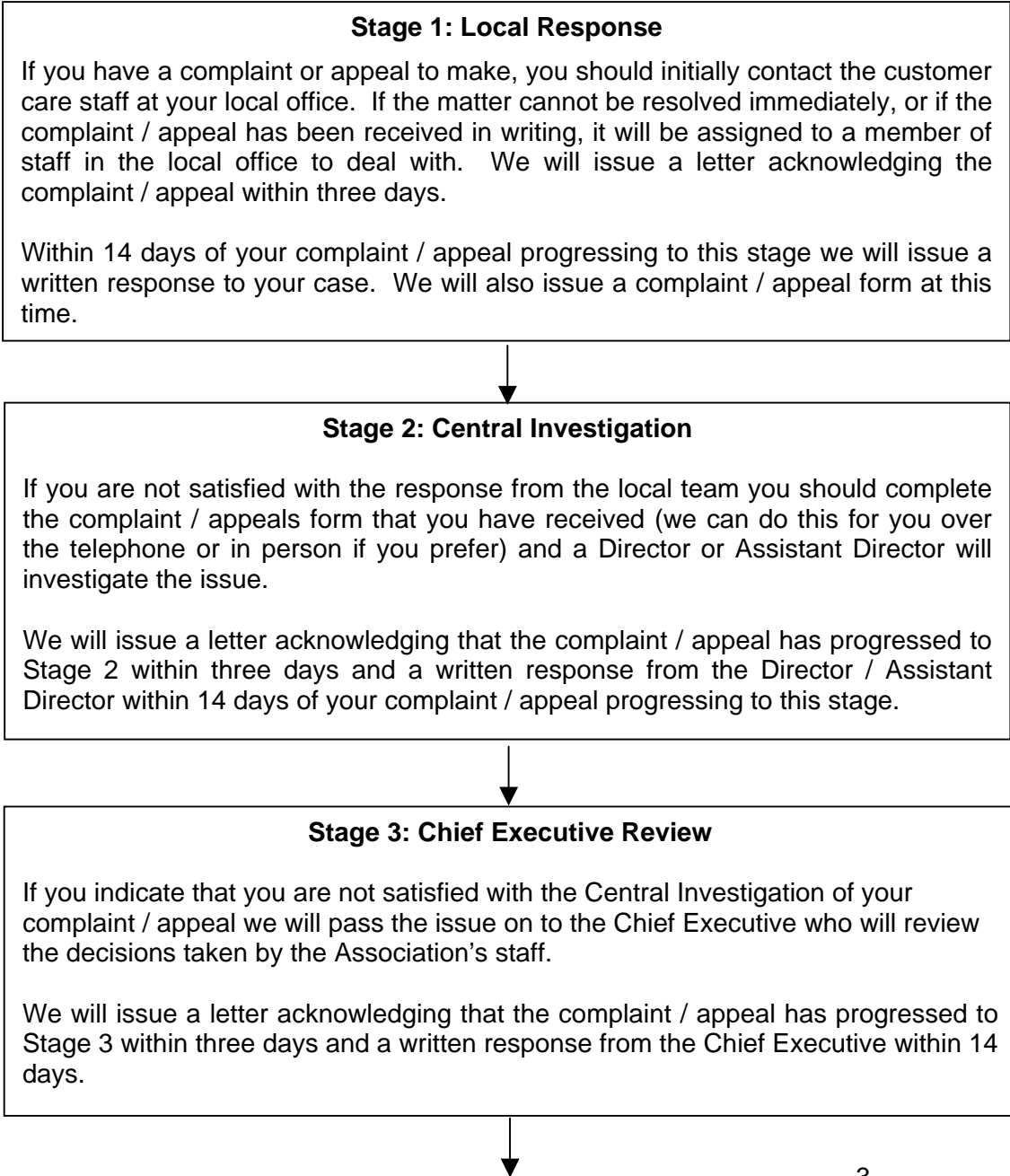
There are a small number of exceptions (see section below), but in most cases, the Association will respond to complaints and appeals using the four-stage procedure outlined in the chart below.

At the end of each stage of the procedure the Association will inform the complainant / appellant of its findings in writing. If a complaint or appeal is found to be valid the Association will remedy the situation as soon as possible and apologise in writing stating how and when the defect will be remedied. A compensation payment may also be offered in accordance with the Association’s Compensation Policy.

At the end of each stage of the procedure the Association will ask the complainant / appellant whether they are satisfied with the response given and whether they wish to progress their complaint / appeal to the next stage in the procedure.

Complainants or appellants who correspond directly with senior staff at early stages of the complaint procedure will be redirected to a more appropriate member of staff and informed of this redirection. Any further correspondence with senior staff will be disregarded at early stages in the procedure.

Procedure flowchart



Stage 4: Appeal

If you indicate that you are not satisfied with the Chief Executive's review of your complaint / appeal we will arrange for the issue to be considered by our Appeals Panel. This gives you an opportunity to put your case to at least one member of our board of management.

You will receive a letter acknowledging the complaint / appeal has progressed to Stage 4 within five days along with an invitation to the Appeal Hearing. On receiving an appeal the Appeals Panel may do one of the following: -

- Request another formal investigation led by the Chief Executive into the matter.
- Disagree with the complainant / appellant and dismiss their appeal.
- Agree with the complainant / appellant and uphold their case in part or in whole.
- Seek the services of a mediator to help resolve the matter between the Association and the aggrieved person.
- Agree to the appointment of an independent arbitrator acceptable to both parties whose findings would be binding.

The Appeals Panel will issue a written response to your complaint / appeal within 28 days.



End of procedure

If you remain dissatisfied after our complaint procedure has been exhausted, you can ask the Housing Ombudsman Service to investigate the matter on your behalf: -

Housing Ombudsman Service, Norman House, 105-109 Strand, London WC2R OAA

Tel: 020 7836 3630/ Lo-Call 0845 7125 973

Minicom: 020 7240 6776

Fax: 020 7836 3900

Email: ombudsman@hos.org.uk

Residents receiving supported housing services, who have a complaint about their support service, may also wish to take their complaint to the local authority Supporting People Team. Please contact one of our local offices for contact details.

Exceptions From Typical Procedure

- 1) Consultants, Contractors and Partnership Agencies may have additional features and steps to the complaints procedures contained in their "Agreement of Practices" and "Management Agreements". These will take precedence whenever they conflict with the procedure contained in this document.
- 2) Complaints about a manager, director or the Chief Executive will be fast-tracked to a stage in the procedure after the one that they would normally supervise.
- 3) Appeals against decisions to end a Starter Tenancy, to demote a tenancy, or to end a demoted tenancy will be fast-tracked to Stage 4 of the procedure.
- 4) Anonymous complaints will be treated on a case-by-case basis according to the severity of the allegations made.

Responsibility For Implementation

The Association's Board is responsible for monitoring the policy and managers of the Association are responsible for its implementation. All employees of the Association have a responsibility to ensure the positive application of the policy.

Monitoring

All complaints and appeals are recorded on a database. The database provides management information and encourages compliance with the procedure by calculating target times for response at each procedure stage and by prompting investigating officers to record their findings. Further guidance is available on the company intranet to explain how staff should use the database.

At regular intervals progress on the effectiveness of the policy together with feedback on how the policy is operating will be reported to the Board, residents and to The Housing Corporation.

Ensuring Equality Of Access To This Service

The Association will ensure that there is equal access to this service by meeting all reasonable requests to address specific needs resulting from a complainant's disability or cultural background. The Association will always respect requests for confidentiality.

This document is available in other languages, in large text and in audio formats on request.

Jargon Buster

Agreement of Practices: Methods of working agreed between two or more people, groups or organizations as part of a contract.

Appellant: The person, group or organization appealing to the Association.

Arbitrator: An independent person, group or organization that both the Association and complainant / appellant agree can make a final decision about their dispute.

Board of Management: The group of people who have overall responsibility for the running of the Association.

Board Member: Someone who is a part of the Board of Management.

Chief Executive: The most senior member of staff employed by the Association.

Complainant: The person, group or organization making a complaint to the Association.

Consultant: A person, group or organization providing professional advice.

Contractor: A person, group or organization contracted to provide materials or labour for a job.

Director: A member of staff who controls an area of the Association's service, for example, the housing management service.

Housing Corporation: Sets rules for how housing associations should provide services.

Housing Ombudsman: Makes sure that housing associations deal with complaints fairly.

Management Agreement: An agreement between a person, group or organization that sets out the responsibilities of each.

Mediator: An independent person, group or organization who will help the Association and the complainant / appellant reach agreement on resolving a dispute.

Partnership Agencies: Organizations working together to achieve a common aim.

Stakeholder: A person, group or organization who holds an interest or is affected by the actions of the Association.

Starter Tenancy: A tenancy that runs initially for twelve months and becomes a normal tenancy if the tenant's conduct is satisfactory during this time.

Supplier: A person, group or organization that provides goods or services.

Supporting People Team: Part of the local authority that regulates and pays for support services.

Contact Details

To raise a complaint, contact any of the following offices: -

Registered Office

MacLaren House
Lancastrian Office Centre
Talbot Road, Stretford
Manchester M32 0FP
T: (0161) 872 7731
F : (0161) 873 7903

North Area Office

Elisabeth House
Off Victoria Street
Openshaw
Manchester M11 2NX
T: 0161 230 4070
F: 0161 231 6248

South Area Office

2 Great Southern Street
Moss Side
Manchester M14 4EZ
T: 0161 226 5384 F: 0161 232 9591

West Area Office

Turner House
56 King Street
Leigh WN7 4LJ
T: 01942 608 715 F: 01942 261 538

To raise a complaint confidentially, or to progress a complaint at Stages 2, 3 or 4 in the Association's procedure, contact: -

Private & Confidential

Communications Admin Manager
Family Housing Association (Manchester) Ltd
Turner House
56 King Street
Leigh
WN7 4LJ
T: 01942 608 715 F: 01942 261 538 E: complaints@adactus-group.com