
Avro Hollows TMO

COMPLAINTS POLICY

Definition of a Complaint

An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.

Aims of the complaints policy

The following are aims of the complaints policy:

- To ensure that tenants and others have the right to complain about the provision, or non-provision, of services through an accessible, confidential and easy to use procedure, which offers rapid action and response
- To ensure that complaints are dealt with effectively and fairly, even where complaints outcomes are not to the satisfaction of the complainant
- To ensure that complaints are taken seriously and used positively to improve how the TMO operates
- To ensure the complaints procedure complies with the Involvement and Empowerment standard

Delegated Authority

- 1 The TMO's Management Committee has delegated management of the complaints policy to its TMO Manager who is authorised to:
 - respond to complainants
 - initiate actions as set out in this complaints policy
- 2 The TMO Manager will bring all complaints to the attention of the TMO's chair or, in their absence or where the chair has a conflict of interest in relation to the complaint, another Management Committee member, and will agree with them actions to take in relation to complaints.
- 3 Complaints cases that require significant actions to be taken will usually require Management Committee approval. Urgent action should usually be approved by the chair.

Welcoming complaints

- 4 The TMO welcome complaints from its tenants and encourage anyone using or directly affected by our services to make a complaint.
- 5 Examples of whom the TMO may receive a complaint from include:
 - members, tenants, other service users, ex-tenants
 - applicants for housing
 - partnership organisations and agencies
 - contractors or consultants
 - other members of the public.
- 6 Complaints may also be accepted from agencies and others representing the person wishing to make a complaint, such as the Citizen's Advice Bureau, MPs, councillors, support workers, family members and friends or neighbours (Management Committee members may not act as representatives for complainants). The TMO will ensure that there is written and signed authorisation that the complainant has given their permission that a representative will act on their behalf.

What is a complaint?

- 7 A complaint is defined as: 'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.
- 8 The following would **not** usually be considered through the TMO's complaints procedure:
 - requests for a particular service (e.g. a complaint about a repair or something else that has not yet been requested)
 - issues relating to Anti-Social Behaviour or Neighbour Nuisance or Disputes which need to be dealt through other policies (although if there is a failure to address the request for service for repairs or ASB etc, it may become a complaint)
 - new issues that arise during a complaints investigation. This will need to be considered under a new complaint as appropriate.
 - anonymous complaints
 - matters that are subject to or are likely to escalate to legal action or insurance claims
 - complaints about something more than six months old
 - complaints attempting to reopen previously concluded complaints
 - vexatious complaints
 - issues relating to how the TMO is governed which need to be dealt with through the TMO's Code of Conduct.

Receiving complaints

- 9 The TMO can receive complaints:

- in person at the office
- by phone at the office
- by letter addressed to the TMO's Registered Office
- by email to the service provider.

TMO Contact Details

- a) Address: 1A Lancaster Court 6 Croydon Drive, M40 2NG, Manchester.
- b) Telephone number: 0161 682 5454
- c) Email: admin.team@avrohollowstmo.com

- 10 Whoever receives a complaint shall ensure that a complaints form is completed setting out the complaint. The TMO will ensure that confidentiality is maintained in the handling of complaints to those managing it. Where a complaint needs to be reported to the Management Committee, it will be reported anonymously.
- 11 Every appropriate effort will be made to resolve complaints straight away. Emphasis will be placed on correcting any service that has failed and ensuring that checks are made to ensure that the problem has been resolved.
- 12 Complainants will be asked if they wish their complaint to be considered:
 - an informal complaint which would mean that the TMO will do what it can to resolve the problem that led to the complaint as quickly as possible
 - a formal complaint which would also mean that the TMO will do what it can to resolve the problem as quickly as possible but which will also involve a formal complaints procedure in which the complainant will need to participate.

Stage 1

- 13 If someone wishes to make a formal complaint, the Chair will designate a Responsible Officer to be responsible for managing the complaint who is independent of it. They will ensure that:
 - receipt of the complaint is acknowledged in writing within 2 working days
 - an investigation of the complaint takes place, including interviews with the complainant and other relevant parties, usually within 7 working days
 - there is formal written communication with the complainant regarding the outcomes of the investigation within 10 working days of receipt of the complaint.
- 14 If it is not possible to achieve these timescales, the Responsible Officer will ensure that the complainant is written to inform them that the investigation of the complaint will take longer than the target times and when they should expect to be responded to.

- 15 The Responsible Officer will also ensure that the TMO retains records (in accordance with General Data Protection Regulations) regarding complaints and their follow through and that outcomes to complaints are successfully implemented.

Stage 2

- 16 If the complainant is not happy with the outcome of their complaint, they may request a review for specified reasons within 30 days of the decision date. Unless the complainant does not give valid specific reasons for a review, the review will be granted.
- 17 Receipt of the 2nd stage complaint will be acknowledged in writing within 2 working days.
- 17 The TMO will form a review panel consisting of three people that will include at least one Management Committee member and all of whom must be sufficiently independent of the complaint and the Responsible Officer. The complainant and the Responsible Officer will be given reasonable opportunities to put their points of view to the Review Panel.
- 18 The TMO will usually convene a Review Panel hearing within 10 working days of a review request being received and will feed back the views of the review panel to the complainant in writing within 7 working days of the panel meeting. This will conclude the TMO's formal complaints procedure.

Housing Ombudsman Service

- 19 If a complainant is still unsatisfied after the TMO's complaints procedure has concluded, they may progress a complaint with a further process that culminates in the complaint being considered by the Housing Ombudsman Service. The Ombudsman will endeavour to ensure a mutually acceptable resolution, but the TMO would be required to comply with any determinations the Ombudsman makes. You may contact the Housing Ombudsman at any stage for advice about your complaint.

Ombudsman Contact Details

Website: www.housing-ombudsman.org.uk

Phone: 0300 111 3000

Email: info@housing-ombudsman.org.uk

Postal address: Housing Ombudsman Service, PO Box 152, Liverpool L33 7WQ

Vexatious complaints

- 20 On occasions members or others may make unreasonable complaints or enquiries and may raise them in an unreasonable or abusive fashion. Complaints may be time wasting, in that complainants persist unreasonably with

their complaint or enquiry or make complaints or demands to make life difficult for the TMO rather than to genuinely resolve a problem. This may involve making serial complaints about different matters or continuing to raise the same or similar matters over and over again. The frequency of contact can hinder the consideration of their issue and the TMO's ability to provide quality services.

- 21 How such complainants are managed depends on the nature and extent of their complaints and how they make them. Some complainants expressing dissatisfaction may raise several issues over a period of time and may be frustrated and aggrieved. Things may have gone wrong and/or the complainant may genuinely believe they have gone wrong and they are seeking resolution. It is important that those handling complaints focus, where possible, on the merits of complainants' enquiries rather than the way in which complainants raise them.
- 22 A complainant that might be considered to be behaving unreasonably may be doing so because of a mental health issue or have some other support need. Where this is a possibility, the complainant's vulnerability may need to be addressed by reference to the TMO's Safeguarding Policy.
- 23 Even where a complainant has behaved unreasonably in the past, it should not be assumed that their next enquiry will also be unreasonable. Each issue should be considered, and a decision made as to whether the complainant is behaving unreasonably.
- 24 Where those handling complaints are concerned that a complainant is being unreasonable, restrictions can be used to deal with the individual circumstances of the complainant.

Putting things right

25. The TMO wants to resolve all complaints effectively. In our response to you we will acknowledge what has gone wrong, apologise and set out what we have done to put it right as far as we are able to do so or explain why we cannot resolve the complaint.
26. The TMO is committed to learn from our mistakes and will correct our policy or procedure to ensure that the risk of further errors or mistakes are minimised or removed.
27. Complaints are reported regularly to our TMO board and we are committed to ensure that any poor practice is changed to avoid repeated errors omissions or poor practice where at all possible

Equality, Diversity and Inclusion

28. The TMO recognises that Britain is a multi-racial society enhanced by its cultural diversity.
29. We aim to treat all residents, potential residents and employees (whether directly employed or seconded) fairly. We aim to take into account their special needs

and make such adjustments as we are reasonably able to so that they can benefit from our services or their employment with us on an equal footing with others.

30. We believe that no person should suffer disadvantage by reason of any protected characteristic including his/her disability, gender reassignment, marriage or civil partnership, race, religion or belief, sex or sexual orientation. This includes criminal convictions, HIV and AIDs, class and appearances.

31. We aim to advance equality by:

- o Trying to minimise disadvantages suffered by people due to their protected characteristics
- o Going the extra mile to try to meet the needs of people from protected groups where these are different from the needs of other people
- o Encouraging people from protected groups to engage with us when we are designing or reviewing our services

Potential risks to be avoided

- Members or others are deterred from complaining when there is reason for them to do so
- Management committee members consider that members should not make complaints because it is a TMO
- The TMO does not follow through on complaints
- The TMO does not manage complaints in accordance with legal and regulatory requirements

29 November 2023