

Arden TMO Complaints Policy

1. The Intentions of this policy

Who is eligible to complain?

Any resident who has a complaint against the TMO or those acting on its behalf may use the complaints procedure. Any resident who has a complaint against the Council or those acting on its behalf should use the Council's own complaints procedure. However, complaints about the Council which are made to the TMO will be passed to the Council within one working day.

2. The type of complaint covered under this policy

The complaints procedure is appropriate in the following circumstances:

- complaints about any service provided by the TMO such as:
 - repairs undertaken to the dwelling or the communal areas;
 - complaints about the standard of caretaking and cleaning;
 - complaints about how the TMO deals with tenancy management issues
- complaints about the behaviour or performance of an employee of the TMO or anyone acting on the TMO's behalf;
- claims for compensation for disrepair or loss of services provided by the TMO;
- Complaints about the behaviour or performance of a member of the Management Committee and breaches of the TMO's Code of Governance/Code of Confidentiality/Code of Conduct.

3. Types of complaint not covered by this policy

The following types of complaint, if not resolvable locally, should be referred to the Council:

- complaints about rent levels or service charges;
- complaints about services provided directly by Hackney Council;
- complaints about the behaviour or performance of an employee of the Council or anyone acting on the Council's behalf such as a contractor appointed by the Council;

- Claims for compensation for disrepair or loss of services provided by the Council.

4. Complaints policy and procedures link to other policies and procedures

See: 'Repair Performance Standards'
 'Performance Standards for Estate Services'
 'Tenancy Management Policies'
 'Code of Governance'
 'Code of Confidentiality'
 'Code of Conduct'

5. How complaints should be made

- 5.1 All complaints must be made to the TMO Housing Officer either in writing, by telephone or in person.
- 5.2 The TMO Housing Officer will provide assistance to those who require help in putting their complaint in writing. If the Officers are the subject of the complaint, the complainant should be referred to the Chair of the TMO.
- 5.3 Complaints should normally be addressed to the Manager at the TMO's office. Where appropriate, the complaint should be addressed to the Chair of the TMO at the same address.

6. The complainant's rights

- 6.1 Confidentiality
 All complaints made about the TMO's services or those acting on its behalf will be treated in the strictest confidence. The full report of any investigation will only be available to the manager or, if it relates to the manager or actions of the board it will be available to the Chair/Secretary of the TMO.
- 6.2 Rights of Representation
 The complainant may be represented by any person of their choice.
- 6.3 Right to be Accompanied
 The complainant may be accompanied during any interview or investigation by a friend, witness or advocate.
- 6.4 Right to be Supported by Translator or Interpreter
 Where the complainant requires the help of a translator or interpreter, a contribution may be made to any costs at the discretion of the committee of the TMO.

7. How the complaint will be investigated

- 7.1 Who will investigate Complaints?
 Complaints will be investigated by the Manager/delegated member of staff or where appropriate the Chair of the TMO or a person appointed by the Chair.
- 7.2 The person responsible for the investigation will compile a report (detailed according to the severity of the complaint) with the following contents:

North & South Arden Tenant Management Organisation
 16a Malcolm House, Regan Way, Arden Estate, London N1 6PN - Phone: 020 7739 7075
 FSA Register: 29451R

- the nature of the complaint(s) and how it/they relate(s) to the TMO's responsibilities and standards of performance;
- those who provided evidence about the complaint being investigated;
- the evidence or statements provided;
- the conclusion and recommendations of the investigating officer;
- a summary document.

7.3 Timetable to ensure prompt investigation

The TMO Manager/Chair will acknowledge all complaints within 3 working days of receipt. The TMO will notify the complainant in writing of its conclusions within 10 working days of receiving the management complaint. If it is necessary to extend this period of time, the TMO Manager/Chair will write to the complainant explaining the reasons why the TMO has not reached a conclusion and giving a new deadline for a response.

The outcome of all complaints (anonymised), together with outstanding complaints, must be reported to each meeting of the Management Committee.

8. How decisions will be taken and communicated

8.1 When the response to the complaint has been decided, it should be included in the summary document and sent to the complainant.

8.2 The summary should state whether or not the complaint has been upheld. If the complaint has been upheld, the summary should state:

- what action will be recommended to the Management Committee to rectify the cause of complaint;
- what compensation, if any, will be recommended to the Management Committee.

If the complaint is not upheld, the summary document should state:

- the main grounds on which the complaint has not been upheld and (if applicable) the main grounds on which the claim for compensation has not been upheld.

9. Appeal on Decision.

9.1 If the complainant is not satisfied with the response, they may submit an appeal in writing or alternatively escalate the matter as a Stage 2 complaint directly to Hackney Council.

9.2 If the issue still remains unresolved after this stage, a formal complaint can then be made to the Housing Ombudsman at the following address:

Housing Ombudsman Service

PO Box 152

Liverpool

L33 7WQ

Telephone: 0300 111 3000

Email: info@housing-ombudsman.org.uk

Website: www.housing-ombudsman.org.uk

10. Record Keeping and Monitoring

10.1 All information will be dealt with in accordance with the TMO's Code of Confidentiality. Information and records will be kept in a secure filing cabinet.

10.2 All management complaints will be centrally recorded in accordance with the categories provided by the Council. In addition records will be kept on the complainants file and any other relevant file.

10.3 Details of all complaints received (anonymised where appropriate to protect the identity of those involved), action taken to investigate the complaint and recommendations to the Management Committee on action to be taken will be reported to monthly management committee meetings. In addition summary details will be recorded in the quarterly monitoring report provided by the TMO to the Council.