

DELAWYK RESIDENTS MANAGEMENT ORGANISATION (DRMO)

Complaints Policy and Procedure

1.0 Introduction

The Delawyk Residents Management Organisation (DRMO) aims to provide the best possible service and to operate to high standards in all areas of its operation. Complaints are treated very seriously and as an important means of feedback

This policy and procedure guide covers the management's approach to investigating, responding to and monitoring complaints.

2.0 Scope of complaints policy

2.1 Who is eligible to complain?

Any lawful resident of the Delawyk Crescent, who has a complaint against the Delawyk Resident Management Organisation (DRMO) or those acting on its behalf and has been unable to resolve the issue after discussion or correspondence with DRMO staff 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. Complaints about the Council which are made to the DRMO will be passed to the Council within 3 days.

3.0 DRMO Policy

A complaint is defined as an expression of grievance, whether in writing, telephone, email, in person or by proxy, by a tenant, leaseholder, or any other person having business in any way with the DRMO and/or its tenants, leaseholders or freeholders.

All complaints will be investigated and dealt with fairly and consistently.

You can make a written complaint if you are dissatisfied with any aspect of our services or actions.

4.0 Types of complaints covered under this policy

The complaints procedure is appropriate in the following circumstances:

- complaints about any service provided by the DRMO such as repairs undertaken to the dwelling or the communal areas;
- complaints about the standard of grounds maintenance and cleaning;
- complaints about the rent collection service;
- complaints about how the DRMO deals with tenancy management issues
- complaints about the behaviour or performance of an employee of the DRMO or anyone acting on the DRMO's behalf;
- claims for compensation for disrepair or loss of services provided by the DRMO;

so you can for example complain about

- The quality of services, standard or information
- Delays in the delivery of a service to the dwelling or the communal areas
- A failure to deliver a service
- A failure to follow a policy or procedure
- The way in which you have been treated
- The behaviour or performance of a member of the board

4.1 Types of complaint not covered by this policy

Complaints made more than 12 months after the complainant first became aware of the issue they want to complain about will not normally be considered under this policy. They will be considered separately.

Disputes between tenants – this is covered by the Residents Disputes Policy and Procedure.

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

- complaints about rent levels
- 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;
- Complaints about the DRMO itself, its Board or elected Officers.

Note that this policy and procedure does not cover legal disputes with tenants, leaseholders, freeholders or others arising from alleged breaches of contract.

This policy and procedure may also link to other policies and procedures in the Modular Management Agreement

5.0 Procedure for making a complaint

5.1 Complaints can be in writing, by telephone, email, in person or by proxy. If necessary, The DRMO's Estate Manager will provide assistance to those who require help in putting their complaint in writing.

5.2 Complaints should normally be addressed to the Estate Manager at the estate office or to the Chair of the DRMO at the same address.

5.3 If the Estate Manager is the subject of the complaint, the complaint should be addressed to the Chair of the DRMO.

The RMO recognises three separate stages in the complaints process:

Stage 1 – first stage complaint

You may make a complaint to the estate manager at the estate office

We will acknowledge receipt of your complaint, together with any documentation you attach to your complaint in 3 working days. We aim to investigate the issue and reply to you within 10 working days.

Stage 2 – second stage complaint

If you are not satisfied with the resolution at Stage 1, you are entitled to progress the complaint to Stage 2, writing to the Chair of the DRMO at the same address. You will be informed of this in the response of the DRMO to a stage 1 complaint. On receipt of Stage 2, the Chair will acknowledge receipt within 3 working days and aim to send a full response in 10 working days.

Stage 3 - right to appeal

If the complainant is not satisfied with the response from the Chair, he or she may complain to the Board. If the complainant is still not satisfied he or she has the right to appeal to Southwark Council, addressing their complaint to the:

The Principal Complaints Officer
The Complaints Section
160 Tooley Street
London
SE1 2TZ

The complaint will be dealt with in line with the London Borough of Southwark's complaints

6.0 Complainant's rights

6.1 Confidentiality

All complaints made about the DRMO's services or those acting on its behalf will be treated in the strictest confidence in line with the Data Protection Acts. The full report of any investigation will only be available to the Estate Manager or, if it relates to the Estate Manager or actions of the Board it will be available to Board of the DRMO.

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 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 Board of the RMO.

7.0 Procedure for investigating and deciding complaints

7.1 Who will investigate Complaints?

Complaints will be investigated by the Estate Manager unless the complaint is about the Estate Manager in which case it will be investigated by Chair or a person appointed by the Chair.

Staff and Chair investigating complaints may use face to face interviews and other evidence – such as police, medical, surveyor’s reports, referral to other authorities, etc

The person responsible for the investigation will compile a detailed report with the following contents:

- the nature of the complaint(s) and how it/they relate(s) to the DRMO’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.

7.2 Timetable for investigating complaints

The DRMO Estate Manager/Chair will acknowledge all complaints within 3 working days of receipt. It will notify the complainant in writing of its conclusions within 10 working days of receiving the complaint.

The complainant will be provided with full contact details and the deadline for the DRMO’s reply.

The outcome of all complaints, together with outstanding complaints, must be reported to the DRMO Board

8.0 How decisions will be taken and communicated

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

The summary should state whether or not the complaint has been upheld, if the complaint has been upheld, and should state:

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

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)
- main grounds on which the claim for compensation has not been upheld.

9.0 Record keeping and monitoring

Records of investigations will be kept on the tenancy file of the person making the complaint and are confidential to the tenancy file.

The Estate manager will keep summary sheets of each complaint showing the nature of the complaint, how it was dealt with, the response time, the area of the service being complained about, the outcome and stages reached in the Complaints Procedure.

A summary report showing all complaints will be made to the Board at the earliest opportunity.

An Annual Review of performance monitoring and the complaints procedure will be carried out by the DRMO Board. A copy of this information will be made available to Southwark Council.