



FOLD Housing Association

Complaints Policy

Equality Impact Assessment

Consultation Document

May 2006

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EXECUTIVE SUMMARY

- 1.1 FOLD Housing Association is committed to fulfilling its responsibilities under Section 75 of the Northern Ireland Act 1998. In its Equality Scheme, the Association gave an undertaking to carry out an Equality Impact Assessment (EQIA) on each policy, or group of related policies, where screening had indicated significant issues in relation to one or more of the nine equality dimensions.
- 1.2 The Association screened all of its policies during 2005. The results of this exercise, including the proposed EQIA programme, were subject to a 12 week period of public consultation between June and August 2005.
- 1.3 The aim of the Complaints policy is:

To ensure that anyone who is dissatisfied with the Association's services can seek redress through an effective, equitable and timely internal complaints review system.

An associated objective of the policy is to ensure that all customer feedback is monitored, reviewed and considered to improve services.

- 1.4 This report provides the following information:
 - Background information on the equality duties and FOLD Housing Association
 - A description of the Association's current Complaints policy and information on the scope of this review
 - The sources of quantitative and qualitative data considered during the review
 - Assessment of the impact of the policy on the 9 equality dimensions. This includes potential differential impacts based on race and disability
 - Proposed mitigating measures
 - Details on consultation process
 - The next stages of the EQIA

2. INTRODUCTION

Statutory Equality Duties

- 2.1 Section 75 of the Northern Ireland Act requires FOLD Housing Association, in carrying out its functions, to have due regard to the need to promote equality of opportunity between:
- Persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
 - Men and women generally;
 - Persons with a disability and persons without;
 - Persons with dependants and persons without.
- 2.2 The Association must also, in carrying out its functions relating to Northern Ireland, have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.
- 2.3 In line with its equality scheme obligations, the Association screened all of its existing policies to assess whether they impacted on the promotion of equality of opportunity or the duty to promote good relations. The following questions were asked during the screening exercise:
- Is there any evidence of higher or lower participation or uptake by different groups?
 - Is there evidence that different groups have different needs, experiences, issues and priorities in relation to the particular policy issue?
 - Is there an opportunity to promote equality of opportunity between the relevant different groups, either by altering the policy, or by working with others in government or in the larger community, in the context of the policy?
 - Have consultations with relevant groups, organisations or individuals indicated that policies of that type create problems specific to any relevant groups.

A report describing the results of the screening process is available from HR & Corporate Services (see contact details on page 2).

- 2.4 Following this screening process and the associated consultation, the Association developed a 5-year Equality Impact Assessment programme. The Complaints policy was scheduled for assessment in year one of this programme.
- 2.5 This impact assessment has been carried out in accordance with the procedure outlined in the Equality guidance. The seven separate stages of the Equality Impact Assessment are:
1. Determining the aims of the policy
 2. Collecting available data
 3. Assessing the impact of the policy
 4. Consideration of measures to mitigate any adverse impacts and/or alternative policies that might better achieve the promotion of equality of opportunity
 5. Formal Consultation
 6. Analysis of responses and decision by Association
 7. Publication of results of the Equality Impact Assessment

8. Ongoing monitoring of adverse impact.

2.6 The purpose of conducting the Equality Impact Assessment is as follows:

- To identify adverse impacts and to consider mitigating factors which will eliminate adverse impact;
- To consider alternative policies which would better promote equality of opportunity

About FOLD Housing Association

2.7 FOLD Housing Association was established in 1976. FOLD Housing Association is a Registered Housing Association registered with the Department for Social Development and holds charitable status with the Inland Revenue. It is a voluntary non-profit making organisation. Historically FOLD built and managed only sheltered accommodation for older people, today we provide general needs housing, housing for people with disabilities and special needs through supported housing, housing with care and a range of innovative care services.

2.8 **FOLD's** Mission Statement is 'to provide the best housing, care and support to those in need of such services.'

2.9 The Board of Management of FOLD comprises of a maximum of 15 appointed members, including a Chairperson. Appointments are made through external recruitment. The Board of Management reflects a range of interests, representing the interests of users of the service and the community at large. The current membership is: Chair Mr W J Cameron, Mr P McIlroy, Mr R Holliday, Mr C Murdock, Mr B Henry, Mrs J Simpson, Mr C McLean, Miss A Graham, Mrs J McCrum, Miss A Quinn, Mr A Halligan, Mr J Fivey, Mrs A Harper, Mr J Burnett.

3.0 The Policy

Description of Policy

The Complaints policy encompasses the procedures associated with the handling of complaints about FOLD services.

Policy Aim

3.1 The aim of the Complaints policy is:

To ensure that anyone who is dissatisfied with the Association's services can seek redress through an effective, equitable and timely internal complaints review system.

3.2 An associated objective of the policy is to ensure that all customer feedback is monitored, reviewed and considered for potential to improve services.

Scope of Review

3.3 The main stakeholders in relation to the policy include anyone seeking to lodge a complaint against the Association's services or any other stakeholder of the association. This can be any of the following:

External

- Tenants
- Resident of agency managed supported housing schemes
- Applicants for housing
- Job applicants
- General public
- Elected representatives
- Community representatives
- Partners
- Other Associations
- Other regulatory bodies

Internal

- Board members
- Management
- Staff

This list is not exhaustive.

3.2 Anyone who is dissatisfied with the way in which their complaint has been dealt with by the Association has the right to make a complaint to the Ombudsman, who will conduct an independent review.

3.3 The Department for Social Development (DSD, the main regulating body for housing associations) and other inspection or assessment bodies monitor the effectiveness of FOLD's complaints policy.

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- 3.4 FOLD may liaise with other third parties in an attempt to address issues raised through the complaints process.
- 3.5 FOLD expects any organisation which provides services on its behalf e.g. contractors and partners to comply with this scheme. This involves co-operating with the association whilst investigating complaints.
- 3.7 The Complaints policy is intrinsically linked to all of the Association's key policies via the Business Improvement process and dealt with according to the specific nature of the complaint.
- 3.8 We anticipate that complaints issues will be considered during all equality impact assessments. Whilst considered to be important by the Association, the following areas do not come under the scope of this equality impact assessment:
- (a) How the Association deals with complaints of neighbour nuisance are dealt with under the Housing Management Policy area.
 - (b) Complaints made by employees in relation to employment issues are dealt with under the Grievance Policy.

Separate EQIA's have been timetabled for the above policy areas.

Legislative and Regulatory Requirements

3.9 The Association is required to comply with the following legislative and regulatory requirements:

- DSD Regulatory Framework
- Data Protection Act
- Housing (NI) Order 1992 (This introduced the Tenants Guarantee which covers complaints policies)
- Housing (NI) Order 2003 (This brought Housing Associations under the remit of the Commissioner for Complaints)
- Section 75 of the Northern Ireland Act 1998
- Housing Order NI 2003 (Clause 146 brought housing associations within the ambit of the Commissioner for Complaints)

FOLD Housing Association also must meet certain obligations, under its Equality Scheme, to ensure that complaints made about its failure to meet its equality duties are managed effectively

Reasons for Equality Impact Assessment

3.10 The screening report gave the following reasons for carrying out an impact assessment on the policy:

- a) Whilst there is a complaints policy in place FOLD is committed to delivering an excellent customer service. The Equality Impact Assessment presented

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- an opportunity to improve the existing policy and set a more efficient standard throughout the Housing Association sector.
- b) The Association believes that the right to complain and receive feedback is of high importance to S75 groups
 - c) It directly affects customers and other service users
 - d) Particular groups may have a greater difficulty than other in making a complaint.
 - e) The monitoring of complaints provides valuable feedback to the association on the quality of its services.
 - f) FOLD Housing Association also believes that its complaints policy merited an equality impact assessment to demonstrate our commitment to providing an efficient and effective service to its tenants. The Association provides services to a diverse range of customers including many client groups with special needs

Implementation of the policy

3.11 The Complaints policy has been defined by the Association's management team in compliance with the DSD and other statutory bodies. It is implemented by all staff throughout the Association. The key aspects of current policy are presented below.

Policy Statement

3.12 FOLD's complaints policy states:

- FOLD is committed to providing a high quality customer service. It aims to respond promptly and systematically to any complaint and views this as an opportunity to improve our services.
- Many complaints can be dealt with informally by approaching FOLD staff or Managers directly. If you consider your complaint too serious to be dealt with in this way, the process for formal complaints is outlined below.
- If you are dissatisfied and want to make a formal complaint, you can use FOLD's formal complaints procedure. A Complaints Form is available on the final page. This should be completed and sent to the **Complaints Officer**.
- If a complainant requires assistance support will be made available.
- All complaints will be acknowledged within 5 working days of receipt and will provide a full reply within 20 working days. If we cannot meet this target date we will write or telephone and advise you of a new target date for response.
- Anyone who has a particular complaint about FOLD's residential care homes can also refer it to the appropriate **Registration and Inspection Unit** for further independent investigation.

Your Complaint has been Investigated but you are Dissatisfied Stage 2 Formal Procedures

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- If complainants are dissatisfied with the outcome of the first stage investigation or if the problem/complaint has continued, the complainant may request the Chief Executive deals with the complaint.
 - The complaint should be made where possible in writing to the Chief Executive at FOLD Housing Association.
 - Acknowledgement within 5 working days.
 - The Chief Executive will conduct an investigation into the complaint.
 - A full response within 20 working days will be made; however, if the complaint is more complex this may take longer. FOLD will write and advise accordingly with a new target date.

Not Satisfied: What can I do?

Stage 3 Formal Procedures

- If a complaint has not been settled to satisfaction complainants can ask the Ombudsman (the Commissioner for Complaints) to investigate. The Ombudsman will normally expect customers to have used FOLD's Complaints Procedure first.
- The Ombudsman is completely independent of FOLD.
- FOLD will co-operate fully in the course of any investigation carried out by the Ombudsman.

Definition of a complaint

3.13 FOLD defines a complaint as: 'An expression of dissatisfaction about FOLD services.' For example, this could mean:

- a service not being delivered on time
- "poor quality" of service
- provided with incorrect information
- complaint about a member of staff

Complaints Procedure

3.14 All complaints made to the Association should be forwarded to the Corporate Services Manager.

3.15 The Corporate Services Manager is responsible for recording and reporting on progress of all complaints made.

3.16 Report of complaints are made available to FOLD's Senior management team and Board on a quarterly basis.

3.17 FOLD encourages feedback from tenants, residents, local communities, stakeholders and staff through regular meetings/assessments, surveys, forums, suggestion schemes, feedback on annual publications and the website. All suggestions are fed through to the Senior Management Team and Bright ideas focus group which in turn are discussed with the relevant departmental managers. Any suggestions which are implemented are then fed back through the tenants and staff forums, notice boards and internal publications.

3.18 All FOLD employees have been trained in how to handle complaints.

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- 3.19 FOLD's complaints policy is available at all schemes, is included in the tenants/residents handbook, application packs for Housing-with-Care and referenced on FOLD's website.
- 3.20 FOLD's complaint's policy and complaints form can be made available in alternative formats on request.
- 3.21 FOLD's complaints policy and procedure is programmed to be reviewed during 06/07 in consultation with tenants and other service users, the feedback from this EQIA consultation process will contribute to this review.

4. Consideration of available data and research

Sources of information

- 4.1 The following were used in considering available data relevant to the impact of the Complaints Policy.
- (a) Internal management information on the profile of tenants and service users
 - (b) 1991 Northern Ireland Census Data
 - (c) Office for National Statistics
 - (d) Northern Ireland Research and Statistics Agency
 - (e) Northern Ireland Life and Times Survey
 - (f) NICORE – statistics of all lettings made by the Association
 - (g) Customer Service Standards compliance report 2004 and 2005
 - (h) Qualitative Feedback from staff and tenants
 - (i) Tenant surveys (every 2-3 years)
 - (j) Complaints register
 - (k) Responses to public consultation on Equality Scheme
 - (l) Statistics on ethnic minority groups from Multi-Cultural Resource Centre NI
 - (m) Benchmarking complaints policies with other designated bodies
 - (n) Research into the needs of young people in Northern Ireland who identify as lesbian, gay, bisexual and/or transgender (LGBT), Youthnet.
 - (o) Quality Inspection reports including EFQM, Chartermark, CSHS CoP, TSA CoP, ISO 9001 standards, IIP, HPSSRIA and DSD.
 - (p) Annual Report of the Assembly Ombudsman for N Ireland 2004-2005
 - (q) ISO 10002 customer satisfaction – Guidelines for complaints handling in organisations.
- 4.2 The key issues highlighted by analysis of the above data sources are presented in this section.

Profile of Service Users

- 4.3 FOLD has 3898 properties, this comprises of 3751 directly managed properties and 147 jointly managed properties throughout Northern Ireland.
- 4.4 The principal sources of equality information about tenants are tenant surveys and NICORE lettings statistics.

4.5 The Association does not house anyone under the age of 16 years due to the restrictions of the common selection scheme. The following is a breakdown of the profile of our tenants:

Age	16-39	6.3%
	40-40	3.2%
	50-59	5.6%
	60-65	8.1%
	66-75	20.7%
	76 –75	36.3%
	76-85	18.8%
	86+	1%

4.6 46% of tenants are Protestant whilst 51% are Catholic. Around 3% of households belong to other religions.

4.7 Less than 1% of FOLD tenants are from ethnic minority groups. This is reflective of the 2001 census which reported that there was less than 1% of ethnic minorities in Northern Ireland.

4.8 The ratio of male and female tenants is 38:62.

4.9 Approximately 20% of FOLD tenants have a disability.

4.10 34% of FOLD tenants are single. A further 19% are divorced/separated and over 31% are widowed. Less than 16% of tenants are married.

4.11 Almost 25% of tenants have caring responsibilities for a child. Over 3% are responsible for caring for an individual with a disability and approximately 2% care for an elderly person.

4.12 At present, FOLD Housing Association does not collect data on political opinion or sexual orientation. The 2004 Northern Ireland Life and Times Survey indicates that 1% of respondents described themselves as gay or lesbian. A research report by Youthnet argues that analysis of the Census 2001 indicates that between 2 and 10% of the population may be lesbian, gay or bisexual.

4.13 According to the 2004 Northern Ireland Life and Times Survey 39% considered themselves to be unionist, 23% stated that they were nationalists whilst 37% stated that they were neither.

Tenant Satisfaction Surveys

4.14 Analysis of tenant satisfaction surveys indicates that tenants are generally satisfied with the speed in which FOLD deals with tenancy problems and overall service delivery within the schemes.

Complaints

4.15 The number and type of complaints that have been received over the past 4 years are presented in the table below.

Type	Number of Complaints
C1 Attitude of staff	11
C2 Long delays	25
C3 Service failures	28
C4 Other tenants / miscellaneous	156
	220

92% of all complaints received have been resolved within the required timescale.

4.16 EFQM Assessment Report

The decision to pursue the Government promoted EFQM steps to excellence programme has seen FOLD progress from Bronze to Gold Award in 2003 and 2005 is evidence of the implementation of plans inspired by this spirit. Feedback in the assessment report provides useful information for further improvement.

CUSTOMER SATISFACTION

A key measure of FOLD's success is the satisfaction of our service users across all our service areas.

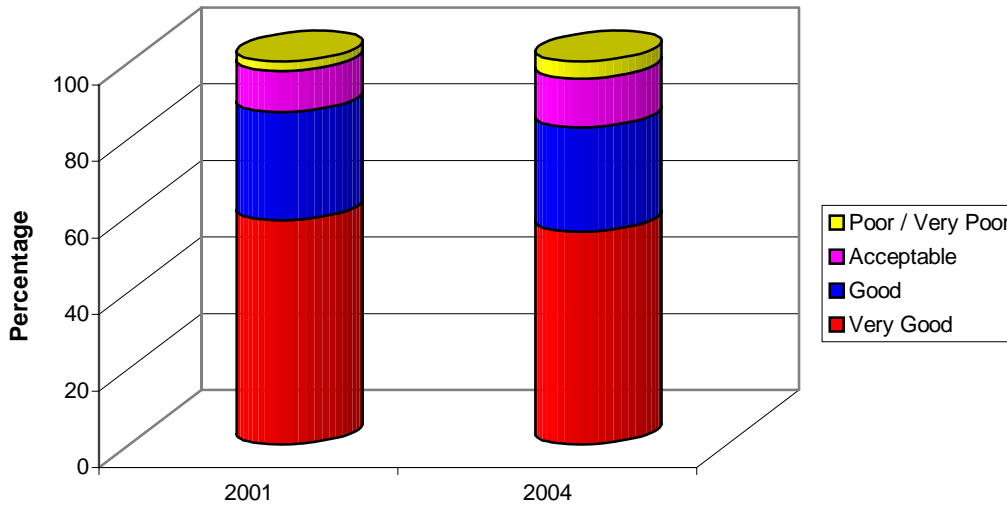
- i) Housing Services
- ii) Housing with Care Services
- iii) Staying Put Services
- iv) TeleCare Services

Customer surveys are used on a regular basis as a measure of satisfaction and to highlight areas for learning and improvement

Housing: Tenant Satisfaction Survey

FOLD commissioned Hays Construction and Property Services to undertake a Housing Tenant Satisfaction Survey in 2004. This survey followed one conducted in 2001 and was addressed to tenants living in both sheltered housing as well as family housing.

Overall Service Provided By FOLD



This indicates that overall satisfaction levels have decreased slightly over the last three years and supported the need for a further improvement in and utilisation of tenants forums. These aim to ensure that tenants are fully briefed on the standards of service to be expected and ensure that any underlying concerns are identified and addressed more immediately on a scheme by scheme basis.

4.17 Charter Mark Assessment Report

Feedback from the Chartermark reports are used to continually improve and develop our service including feedback from informal and formal complaints.

4.17 Consultation with Section 75 Representative Groups

The following responses, that are relevant to this review, were received during public consultation on FOLD's Equality Scheme:

Organisation	Summary of comments received
Disability Action	1. Complaints procedure should outline how it will support the individual to bring their complaint e.g. interpreter support, specialist transport costs, advocacy services

4.18 Ombudsman

The Association has not been subject to any investigations by the Ombudsman in respect of any complaint.

4.19 Equality Commission

The Association has not been subject to any investigation by the Equality Commission in respect of any complaint made under the Equality Scheme.

4.20 Complaints data cannot be broken down into the S75 categories, however complaints would not be considered to have any equality impact.

4.21 The following areas for improvement have been identified:

- More systematic logging and monitoring of complaints
- More systematic logging and monitoring of compliments
- Ensure Complaints Handling Training is incorporated into the Corporate Training Programme
- Review categorisation of complaints

5. Assessment of Impact

- 5.1 This section outlines the association's assessment of the impact of FOLD's Complaints' policy on the 9 categories of Section 75 groups based on the evidence considered above.
- 5.2 The EQIA process highlights that there are minimal adverse impacts in relation to the Complaints policy. Potential equality issues related to how customers can access the complaints policy and this has been considered under the Access and Communications EQIA May 2006.
- 5.3 When FOLD has indicated that there is no evidence of an adverse impact this does not mean that no action will be taken.
- 5.4 The table below summarises the association's conclusions in the impact of the complaints policy:

Area for Action	Impact and Group(s) affected
Promotion & Awareness of Complaint's policy	No adverse impact on any group
Simplicity of complaints procedure	No adverse impact on any group
Definition of a 'complaint' and consistency across the organisation	This may have an impact on certain groups particularly where verbal complaints are made and not considered a formal complaint.
Requirement to put complaint in writing before it is formally investigated	Likely to have an adverse impact on grounds of disability and race.
Complaints form does not suggest what support would be made available if the form cannot be completed (e.g. alternative formats, language, brail etc)	Likely to have an adverse impact on ethnic minorities and those with a disability
Access to the complaints procedure would be covered under the Access and Communications Policy	

Note: Literacy

Although not directly related to any of the section 75 groups, those with low literacy levels are likely to have greater difficulty in accessing information since much of the information provided by the Association is in the written word.

6. Mitigating Measures

The following options that could potentially improve our performance in promoting access to services and information:

Area for Action	Proposed Mitigating Measures
Definition of complaint consistently applied across the organisation	Revise the complaints policy/procedure. Agree Corporately what is a complaint; how/where it will be recorded, investigated and reviewed. Review categorization of complaints.
Requirement to put complaint in writing before it is formally investigated	Review policy to state that complaint must be recorded as opposed to put in writing. Ensure that complaints awareness training is conducted as a result of this policy review.
Support for complainants	Clearly defining the types of support that will be provided to assist complainants
Equality Monitoring	Annually review the equality implication raised by complaints, and other methods of positive and negative feedback to ensure that the promotion of equality of opportunity and good relations is applied throughout FOLD.
Complaints process feedback	Survey customers in relation to knowledge and relevance of the complaints policy and ease of use for all customers.

7. Consultation

- 7.1 FOLD Housing Association has endeavoured to give careful consideration to the measures that might be taken to make the Complaints policy fairer. The measures outlined in section 6 are not intended to be definitive or exhaustive. The Association is planning to formally consult on its findings over a 12 week period and would welcome feedback on these proposals and any other comments that would assist us to improve the policy.
- 7.2 FOLD Housing Association will ensure that it consults effectively with those groups directly affected by Complaints policy, and their representatives.
- 7.3 Staff will be available to discuss these proposals in person, by telephone, or by e-mail, as requested. Meetings may also be arranged to discuss the way forward and the Equality Impacts of this document, if required.
- 7.4 The period of consultation will end **on Friday, 1 September 2006**.
- 7.5 Comments in relation to this report should be submitted in writing to:

**Human Resources Directorate
FOLD Housing Association
FOLD House
3 Redburn Square
Holywood
County Down
BT18 9HZ**

**Tele: 028 90428314
Fax: 028 90397184
Email: hr@foldgroup.co.uk
Website: www.foldgroup.co.uk**

- 7.6 Comments in any other format will also be accepted
- 7.7 If you require any further information, you may contact the Association using the contact details given in 7.5.

8. Next Steps

- 8.1 FOLD Housing Association will seriously consider all comments received when making a final decision on the recommendations of this EQIA.
- 8.2 The results of the EQIA will be published in the final report, which will be made available to all consultees. Alternative formats will be available on request.
- 8.3 A system will be established to ensure the ongoing monitoring of the impact of the policy on relevant groups.

APPENDIX A

Estimated Populations of Minority Ethnic Communities in Northern Ireland

Source: Multi-Cultural Resource Centre N-I

Community	Numbers	Main Mother Tongue Languages	Main Geographical areas within NI
Chinese ¹	7000- 8000	Cantonese, Mandarin, Hakka, English	Belfast, Craigavon, L'Derry, all NI
Indian ²	1500	Punjabi, Hindi, English, many others	Belfast, Derry and various
African	1600	English, Swahili, Fulani, Xhosa, Arabic, Shona, Yoruba, French	Belfast, Ballymena Co. Antrim
Arabic speaking communities ³	1000- 1500	Arabic, English and many others	Belfast, Craigavon
Irish Travellers	1500	English, Gammon/ Cant/ Shelta.	West Belfast, Derry, Craigavon, Newry
Pakistani Community	700- 1000	Punjabi, Urdu, English others	Greater Belfast Craigavon
Portuguese community	700	Portuguese	Craigavon area, Tyrone, other
Bangladeshi Community	450-500	Sylheti, Bengali	North Down, Ards, Greater Belfast
Filipino community	300-350	Tagalo, English and others	Various
Persian/ Iranian community	300-350	Farsi, English	All NI
Jewish Community	230	English	North Belfast

Other communities (with estimates where available):

- **S&E Asia:** Koreans (100), Japanese (80-100), Vietnamese, Thais, Indonesians, Malaysians (140), Indochina and others, also: Australia & New Zealand
- **Central Asian:** Afghans (20), Kurds, Turkish, former Soviet Republics
- **The Americas:** US citizens, Canadians, Latin Americans (200-250) including Brazil (50), Colombia (35) and others
- **Europeans:** Dutch, French, Albanians (50), Kosovans (80-100), Spanish, Russians (50-100); Polish, Romanians, former Yugoslavia, Italians, Germans, Greeks, and many others

Notes for table:

1. The **Chinese** community includes Hong Kong and the New Territories, Malaysia, Taiwan, Singapore, and Mainland China; the majority originate from Hong Kong and are Cantonese speakers (with some Hakka speakers) for those with written Chinese the traditional form is used; for people from the mainland Mandarin is mainly spoken and the simplified written form used. All are colloquially referred to as "Chinese".

2. The **Indian** community reference here includes around 200-250 members of the Sikh community and people from Sri Lanka;

3. The **Arabic speaking communities** include Jordanians, Palestinians, Lebanese, Syrians, Egyptians, Libyans, Saudis, Iraqis, Moroccans, Algerians and others from North Africa, the Middle East and other areas.