



Terms of Reference

Complaints Panel (CP)

Version 4

Approved by: Optivo Board

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1.0 Definitions

- 1.1 **Resident governance structure** – the collective name for the groups where residents can be formally involved in monitoring and scrutinising Optivo performance and services.
- 1.2 **Governance structure** – the collective name for the Optivo Board and Committees. This doesn't include any resident groups.
- 1.3 **Informal resident involvement** – the term used to describe opportunities for any resident to get involved with Optivo, without commitment. For example, attending events, forums or completing a survey.

2.0 Purpose

2.1 The purpose of the CP is to:

- Monitor and scrutinise complaints performance
- Provide a pool of residents to sit on complaints review hearings.

3.0 Role

3.1 The CP will:

- Monitor and scrutinise complaints key performance indicators (KPIs), value for money and service delivery
- Work with Optivo staff, to make recommendations on how the complaints service could be improved. This includes staff training
- Adjudicate complaints review hearings, to determine if policies and procedures were followed correctly and a full investigation took place at earlier stages of the complaint
- Be involved in complaints mediation, where appropriate
- Be consulted on key policies and procedures that impact on the delivery of the complaints service
- Provide a steer for how Optivo should promote the complaints service to residents

- Identify and recommend items for the scrutiny register
- Monitor its own budget and give a steer on CP spend, with value for money in mind.

4.0 Membership

4.1 The CP will have up to 12 resident members, made up of:

- One representative on the RSG
- Other residents
- A maximum of nine CP members may sit on other groups in the resident governance structure (this includes the RSG representative)
- There will be at least one member from each of Optivo's four regions (London, Kent, Sussex and Midlands).

4.2 Recruitment for the places listed in 4.1 will be in line with the Resident Governance Recruitment Policy.

4.3 The CP may also nominate a reserve representative for the RSG, in case the main representative is unable to attend a meeting.

4.4 A person may be a member of up to two groups in the resident governance structure at any time.

4.5 A person may not be a member of both the resident governance structure and Board / Committee governance structure at the same time.

4.6 All members of the CP must:

- Be an Optivo resident living in general needs, supported housing, retirement housing or shared ownership home
- Be aged 18 years or older
- Be named on an Optivo tenancy / lease.

4.7 No person may become or remain a member of the resident governance structure if he / she:

- Is not or ceases to be living in an Optivo property
- Is or becomes an employee of Optivo
- Is living in an Optivo home that is subject to legal action relating to a breach of the terms of his / her agreement or contract with Optivo. This will be handled according to section five of the Resident Governance Recruitment Policy
- Is suspended / removed as a resident governance member under the terms of the Probity Policy and breach procedure
- Is suspended as a resident governance member, because a complaint is deemed to be a conflict of interest with their role
- Lives in the same property (i.e. single dwelling unit) as another resident governance member. This doesn't prevent them from taking part in informal resident involvement activities.

4.8 The CP will elect a Chair and Vice Chair annually. Any member can apply. The following rules apply to Chair and Vice Chair:

- The Chair and Vice Chair will serve for a maximum three year term
- The Vice Chair can stand for the position of Chair immediately after their three year term
- The Chair is unable to stand for the position of Chair immediately after their three year term has ended, until there has been a break of three years
- The Chair is unable to stand for the position of Vice Chair until there has been a break of three years (regardless of term serviced)
- A member can only be a Chair or Vice Chair of one group in the resident governance structure at a time.

5.0 Term of office

5.1 Members can stand in the resident governance structure for a maximum term of nine years.

5.2 Members of the Viridian or AmicusHorizon formal involvement / governance structures (ending March 2017) will be eligible to apply for the Optivo resident governance structure. Their term of office will continue from their previous term at Viridian / AmicusHorizon. If the remaining term is less than four years, that member's Optivo term will be set at four years (regardless of remaining term).

5.3 Former members of the resident governance structure may re-apply after a minimum three year break.

5.4 If a member leaves the structure before the end of their nine year term and rejoins within three years, their term will continue (i.e. their nine years doesn't start again).

5.5 As part of each group's succession plan, members will be expected to stagger stand-down dates. This will ensure effective turnover, while maintaining a pool of skilled and experienced members.

5.6 A member can stand down from the structure at any time. Ideally they should give notice in writing to the Chair or an Optivo member of staff.

5.7 Optivo may give notice to a member to stand down from the structure if he/she:

- No longer meets the criteria in section 4.5
- Meets one or more of the conditions in section 4.6
- Fails to attend or give apologies for two consecutive meetings
- Is deemed to be more suited to another form of involvement and asked to step down as a result of a personal development review.

6.0 Meetings

6.1 The CP will meet quarterly.

- 6.2 Papers will be shared with members at least five working days in advance of the meeting.
- 6.3 Apart from an emergency and with agreement of the Chair, no additional papers will be tabled at meetings
- 6.4 Any member may propose a future agenda item, if it's not already covered on the agenda work plan. Requests for additional agenda items should be made at least six weeks in advance of a meeting. These will be included at the Chair's discretion.
- 6.5 Decisions at meetings will be reached by consensus. Where consensus cannot be reached, a vote should be taken. If required, the Chair has the casting vote.
- 6.6 The quorum for the CP is four resident members. If there are fewer than four resident members present, the meeting will be inquorate. The meeting can go ahead, but no decisions can be made. Decisions can be agreed by email / telephone outside of the meeting, if needed.
- 6.7 Meetings will be serviced by the Optivo Governance and Compliance Department. A member of staff will take minutes.

7.0 Communication

- 7.1 All groups in the scrutiny structure will agree key messages at the end of each meeting. This will be communicated via reports to each group.
- 7.2 The RSG representative will be responsible for feeding back information between the CP and RSG.
- 7.3 If a member is unable to attend a meeting, they may send questions, comments or votes in by email / telephone at least two days before the meeting.
- 7.4 The CP will write an annual effectiveness report. The RSG will review effectiveness reports for all groups in the resident governance structure.

8.0 Complaints review hearings

- 8.1 Members of the CP will act as a pool of residents to sit on complaints review hearings.
- 8.2 Complaints review hearings will be handled in line with Optivo's Complaints Policy and procedure.
- 8.3 The CP's role is not to overturn complaints decisions. The CP may make recommendations for an appropriate resolution.

9.0 Review

- 9.1 We'll review this Terms of Reference at the next governance review, which is expected to be autumn 2018.