

MUIRCROFT HOUSING ASSOCIATION LIMITED

A Co-operative and Community Benefit Society Reg. No. 19876R

Complaints Policy and Procedure

A complaint shall be defined as – an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by MuirCroft Housing Association, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.

MuirCroft Housing Association (MCHA) treats complaints seriously, viewing them as an opportunity to learn and improve future service delivery, as well as a chance to put things right for the person that has made the complaint. The word complaint does not have to be used in order for a complaint to be treated as such.

MCHA staff will aim to resolve all complaints at the point of being reported, without the need for a written response, recognising the difference between a service request and a formal complaint. Appropriate steps will be taken to resolve the issue as early as possible, however, this may not always be possible and sometimes a complaint requires a full investigation and response.

MCHA's policy is:

- To provide an accessible, sensitive, fair, efficient, complaints process that enables complaints to be heard and understood
- To publicise the existence of our Complaints Policy and Procedure, the Association's membership of the Housing Ombudsman Scheme (From 1 September 2020), as well as compliance with the Housing Ombudsman's Complaint Handling Code; and to make this information available to those who are entitled to complain
- To ensure staff and Board Members are aware of the complaints procedure and able to deal appropriately with any complaint received
- To resolve complaints at the earliest possible opportunity wherever possible
- To provide responses in plain language that is appropriate for the complainant and in large print or other formats/languages if required
- To provide a response at each stage that addresses all points raised in the complaint, stating outcomes, any remedy offered to put things right, and giving clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate. Responses should also clarify the stage the complaint is at, any outstanding actions and how to escalate the matter if dissatisfied
- To keep complainant regularly updated and informed even where there is no new information to provide
- To give the complainant fair opportunity to set out their position and comment on adverse findings before a final decision is made
- To keep clear records of the progress of a complaint
- To gather information to help improve our service in the future

- To keep a Complaints Record and make information available regarding complaints received, including number, nature and outcome
- To monitor performance in complaints handling and continually strive for improvement

Who can make a complaint - Any tenant of the Association, any ex-tenant of the Association who was a tenant at the time the matter complained of arose, or any applicant for MCHA's housing can make a complaint to MCHA. A complaint may also be made by a representative of the people above, who is authorised by them to make a complaint on their behalf. Where any of the people above do not have the capacity to authorise a representative, or are deceased, a complaint may be still be made on their behalf, by a representative who has legitimate authority to act on their behalf. The Association must be satisfied that any representative has legitimate authority to act on the person's behalf.

A complaint may be received verbally, by telephone, by email or in writing.

Examples of circumstances where a matter *may* not be considered under this policy - When an issue giving rise to a complaint occurred over six months ago. Where legal proceedings have been started. When a matter has already been considered under this policy.

Complaints about neighbour nuisance and anti-social behavior are not complaints about the service MCHA offers and will be dealt with through anti-social behavior and nuisance and harassment policies.

If MCHA decides not to accept a complaint, it will provide a detailed explanation to the complainant, setting out the reasons why the matter is not suitable for the complaints process.

Confidentiality - All complaint information will be handled sensitively, informing only those who need to know and following relevant data protection requirements.

MCHA's procedure is:

1. Written complaints may be made to MuirCroft Housing Association, Muir House, Beaulieu Road, Dibden Purlieu, Southampton, SO45 4NY or by email at either helen@muircroft.co.uk or info@muircroft.co.uk Written complaints can be posted in Suggestion boxes at the Schemes, which are checked weekly.
2. Verbal complaints may be made by telephone to 02380 849481, or in person at the above address. Complaints can also be made to any of the Association's staff, or Board Members, at any premises of MCHA.

Complaints received by telephone, or in person, need to be recorded. The person receiving the complaint should

- Write down the facts of the complaint
- Take the complainant's name, address and telephone number

- Note the connection of the complainant to the Association (ie, tenant, ex-tenant, housing applicant, authorised representative of eligible complainant)
 - Inform the complainant of the Association's complaints policy and procedure
 - Inform the complainant what will happen next and how long it will take
 - Where appropriate, ask the complainant to send a written account by post or email so that the complaint is recorded in the complainant's own words
 - Complaints must be recorded on the Association's Complaints Record
3. The complainant can expect an **initial response** within 5 working days of making the complaint. This will acknowledge the complaint, clarify MCHA's understanding of the complaint, the outcome being sought by the complainant and confirm the complaint is currently at Stage One. The initial response should also detail any further actions that may be required and the expected timeframe for any further response.
 4. A **Stage One response** should be given – no more than 10 working days from receipt of complaint – if this is not possible, an explanation and a date by when the Stage One response should be expected will be given. This should not exceed a further 10 days without good reason.
 5. If the complainant is not satisfied with the Stage One response, they may request to escalate the matter to the Chief Executive. The complainant will be given fair opportunity to set out their position and comment on adverse findings. MCHA will consider with the complainant what the escalation review will be about ie why they remain dissatisfied and whether any part of the complaint has been resolved. A **Stage Two response** should be given – no more than 20 working days from request to escalate – if this is not possible, an explanation and a date by when the Stage Two response should be expected will be given. This should not exceed a further 10 working days without good reason.
 6. If the complainant is not satisfied with the escalated Stage Two response, they may request to escalate the matter further. Only where absolutely necessary, will MCHA escalate the matter to the Board of Management of the Association, again with the complainant given fair opportunity to set out their position and comment on adverse findings. A **Stage Three response** should be given – no more than 20 working days from request to escalate further. Any additional time will only be justified if related to convening a panel. An explanation and a date when the Stage Three response will be achieved should be provided to the complainant.
 7. If following a Stage Three response from the Board of Management, the complainant is still not satisfied, a complainant may take the matter to the **Housing Ombudsman Service** which can be contacted by telephone on 0300 111 3000 (Lines are open Monday to Friday from 9.15am to 5.15pm). Postal address is Housing Ombudsman Service, PO Box 152, Liverpool L33 7WQ. Information can be found and a complaint can be registered online at www.housing-ombudsman.org.uk There must be at least 8 weeks from the end of MCHA's complaint process before the Ombudsman can consider the complaint.

8. Complaints can also be referred to the Housing Ombudsman Service in writing, by *designated persons*; this can be Members of Parliament (MPs), Local Councilors or Tenant Panels.
9. The Ombudsman, who is independent of the Association and Homes England and Regulator of Social Housing (regulator of social housing providers in England), will consider complaints about the actions or omissions of the Association in respect of all its housing activities. The person complaining, or on whose behalf a complaint is being made, must have been in the Ombudsman's opinion, adversely affected by those actions or omissions in respect of their application for, or occupation of, property.
10. Housing Ombudsman Service complaint forms and further information are available from the Association's Chief Executive or by visiting www.housing-ombudsman.org.uk

POLICY HISTORY

Approved by	Board	24.4.00
Review	Project Manager	March, 2007
Review	Helen Barber	February 2010
Review	Jacqui Willbourne	December 2015
Review approved	Board	26.1.16
Review	Jacqui Willbourne	August 2020
Next review due		2021