

MUIRCROFT HOUSING ASSOCIATION LIMITED

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

Complaints Policy and Procedure

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Large print and other formats available on request

Introduction

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 for a complaint to be treated as such.

Complaints Policy

The purpose of the Complaints Policy is to resolve complaints, raised by tenants, quickly and to use the learning from complaints to drive service improvements. This will be achieved by:

- Providing an accessible, sensitive, fair, efficient, complaints process that enables complaints to be heard and understood.
- Publicising the existence of our Complaints Policy and Procedure, the Association's membership of the Housing Ombudsman Scheme 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.
- Ensuring staff and Board Members are aware of the Complaints Procedure and able to deal appropriately with any complaint received.
- Resolving complaints at the earliest possible opportunity wherever possible.
- Providing responses in plain language that is appropriate for the complainant and in large print or other formats/languages if required.
- Providing 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.
- Keeping complainant regularly updated and informed even where there is no new information to provide.
- Giving the complainant fair opportunity to set out their position and comment on adverse findings before a final decision is made.
- Keeping clear records of the progress of a complaint.
- Gathering information to help improve our service in the future.
- Keeping a 'Complaints Record' and make information available regarding complaints received, including number, nature, and outcome.
- Monitoring performance in complaints handling and continually strive for improvement.

What is a complaint?

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 tenant or group of tenants.'

Staff are trained to recognise the difference between a service request (pre-complaint), survey feedback and a formal complaint. Staff are encouraged to take appropriate steps to resolve issues for tenants as early as possible.

A service request (pre-complaint) is when MCHA are initially advised of a problem and are given the opportunity to put things right. Many problems can be resolved by staff without the need to refer the matter as a formal complaint. These are known as 'service requests (pre-complaint) and are recorded and monitored proactively, as with formal complaints.

However, when MCHA has failed to put things right and the individual remains dissatisfied, a complaint can be made to MCHA, following the Complaints Policy.

This policy is in line with the requirements of the Housing Ombudsman's Complaints Handling Code, which came into effect on 1st January 2021. The Code ensures that complaint handling data is being used consistently across social landlords, promoting engagement at different levels within a landlord and sets out expectations for board, senior executives, and frontline staff.

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.
- Any applicant for MCHA's housing can make a complaint to MCHA.
- Representative.

(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 also be made by a representative of the people above, who is authorised by them to make a complaint on their behalf.

Petitions

A complaint made in the form of a petition on behalf of multiple tenants will be treated as one complaint, with contact via the nominated signatory.

Anonymous complaints

Anonymous complaints may not be acted upon; they will, however, be brought to the appropriate manager's attention and investigated if necessary.

Confidentiality

All complaint information will be handled sensitively, informing only those who need to know and in line with the Data Protection Act 2018.

Exclusions

The complaints policy does not apply where:

- The issue of the complaint occurred over six months ago (where the problem is a recurring issue, MCHA will consider any older reports as part of the background to the complaint if this will help to resolve the issue for the tenant).
- The matter has already been considered under the Complaints Policy.
- A tenant complains about the behaviour of another tenant. This would be dealt with under MCHA' anti-social behaviour policy.
- A tenant complains about their level of rent and service charge e.g., they are unhappy with the amount of increase rather than believing it has been incorrectly calculated.
- The issue is subject to legal action or to an enforcement notice or other statutory notice (MCHA will ensure that tenants are not left without a response for lengthy periods of time).
- The complainant refuses to reasonably engage with MCHA / the process after making the complaint, is abusive to staff or acts unreasonably.
- Several related complaints are made which would be more effectively dealt with together rather than on an individual basis. However, in this instance the complaints will be logged, although the policy timescales may not apply depending upon the components to be investigated.
- Complaints made by MCHA staff – these are dealt with under the Grievance Procedure.

We consider these exclusions to be fair and reasonable to tenants.

MCHA reserves the right to refuse to deal with complaints, or to deal with them differently, if they are pursued unreasonably or could be handled more effectively in a different manner. Additionally, a complaint will not be re-opened at the complainant's request if, after review by MCHA, it is established that no new evidence relevant to the complaint has been provided.

Complaints Procedure

How can I make a complaint?

We provide several ways for tenants to make a complaint.

In writing

MuirCroft Housing Association

Muir House

Beaulieu Road

Dibden Purlieu

Southampton

SO45 4NY

By email

jacqui@muircroft.co.uk or info@muircroft.co.uk

Suggestion boxes

Written complaints can be posted in Suggestion boxes at the Schemes, which are checked weekly.

Verbally

Verbal complaints may be made by telephone to 02380 849481, or in person at the above address.

In person

Complaints can also be made to any of the association's staff, or board members, at any premises of MCHA.

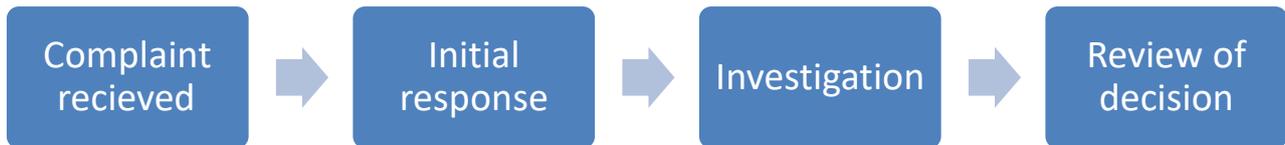
Complaints received by telephone, or in person, need to be recorded. The person receiving the complaint should:

- 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 (i.e. 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

Complaints

process

overview



Initial Response

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
- Confirm the complaint is currently at Stage One

The initial response should also:

- Details any further actions that may be required
- The expected time frame for any further response

Stage One – Investigating the complaint

The investigation is usually carried out by the manager responsible for the person or service being complained about on a day-to-day basis and is overseen by the Chief Executive, acting as the 'Complaints Officer'.

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.

Stage Two – Reviewing the decision

If the complainant is not satisfied with the Stage One response, they may request to escalate the matter to the Chief Executive.

This must be done within 10 days from the day of the outcome letter in Stage One. The complainant will be given fair opportunity to set out their position and comment on adverse findings. The CEO will consider, with the complainant, what the escalation review will be about i.e. 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.

There is no internal appeals process. If a complainant remains dissatisfied with how their individual situation has been handled and/or with the outcome, they can contact the Housing

Ombudsman. This may be done through a Designated Person, within 8 weeks, or by the complainant, 8 weeks after the final decision was made.

The Housing Ombudsman Service

MCHA hopes that any complaints are resolved at Stage One or failing that, Stage Two.

However, should the complainant remain dissatisfied following this, they can contact a Designated Persons, who can be:

- Members of Parliament (MPs)
- Local councilors
- Tenant Panels.

The Designated Person can refer complaints, on behalf of the complainant, to the Housing Ombudsman Service, in writing. This must be done within 8 weeks of the final decision.

The complainant can, themselves, without a Designated Person can, ask for a for a review of the case by the Housing Ombudsman. This must not be done until 8 weeks have passed after the final decision. The Ombudsman will only investigate a complaint where the complainant has exhausted MCHA's Complaints Procedure. This should be done within 12 months.

Housing Ombudsman Service

PO Box 152

Liverpool

L33 7WQ

Telephone: 0300 111 3000

Lo Call: 0845 712 5973

Email: info@housing-ombudsman.org.uk

Web: www.housing-ombudsman.org.uk

MCHA will cooperate with the Housing Ombudsman's requests for evidence and provide this within 15 working days. If a response cannot be provided within this timeframe, MCHA will provide an explanation for the delay. And if accepted as reasonable, the Housing Ombudsman will agree a revised date with us.

Monitoring complaints

All complaints are kept under review for 3 months. Assuming there are no further occurrences, the complaint will be closed at this point. The complaints log is reviewed on a regular basis by the CEO.

Equalities statement

MCHA will treat all complainants with fairness and respect. We value diversity and work to promote equality and tackle unlawful discrimination.

MCHA's approach to complaints promotes openness between tenants, applicants and MCHA staff to understand and resolve the complaint in a positive manner. MCHA will take fully into account an individual's needs and preferences. MCHA will offer support or tailor its approach as appropriate.

Policy History

Approved by	Board	24.4.00
Review	Project Manager	March, 2007
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Review	Jacqui Willbourne	December 2015
Review approved	Board	26.1.16
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Review	Helen Barber, Jacqui Willbourne	January 2021
Next review due		2024