

# Complaints Policy and Procedure

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## Introduction

### **Nobody's perfect, we all make mistakes.**

We help thousands of our customers every month. However, every so often we don't get things right and make customers or other members of the public unhappy. We know we're not perfect, that's why we have a complaints policy. There are always things we can't anticipate, but whenever things don't go as expected, we'll do everything possible to:

- listen
- explain
- put things right, quickly
- do what we say we'll do
- understand how we can do things better next time
- improve where we need to

This policy has been created in line with best practice set out by the Housing Ombudsman. It sets out how we identify, investigate, resolve, close and learn from complaints and is supported by a staff guide.

### **Exclusions**

To ensure clarity for both mhs colleagues, and complainants, we have set out below the definitions of a complaint, as well as what isn't a complaint and just a normal service request.

This policy does not apply to:

- Issues that are, or have been, subject to legal proceedings
- Liability issues that are subject to an insurance claim
- Complaints raised after 12 months from the incident/issue arising
- Complaints that have already been considered
- Neighbourly disputes (including noise nuisance, drug-related activity or dog fouling), or issues between mhs homes' residents\*. These will be handled in line with our Anti-Social Behaviour policy.

\* Except where you have informed us of anti-social behaviour, and are not happy with how your case has been handled, or feel we haven't followed our anti-social behaviour policy

## **Discretion**

We reserve the right to use discretion when applying this policy, and may deal with a complaint differently where individual circumstances apply. Any discretion will be applied fairly and appropriately, and all complaints will be progressed as far as possible to maximise the opportunity to resolve a complaint.

## **Policy**

### **Identify**

Complaints come in all shapes and sizes and can be received in all sorts of ways. We welcome complaints as a learning opportunity, and accept complaints from everyone, be that current or former customers, or members of the public. We also accept complaints from Designated Persons, such as Local Councillors or Members of Parliament (MPs). If you'd like your Local Councillor or MP to raise a complaint on your behalf, we'll need to see that you've given them permission to speak to us.

### **Definition of a complaint**

A complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by mhs homes, our colleagues, or those acting on our behalf, affecting an individual resident or group of residents.

A service request, and therefore not applicable to this policy, is defined as:

- A requirement for a service to be provided, e.g. a new repair is required that we've not previously been informed about

If a complaint is about one of our colleagues then we'll investigate it in line with this policy. If this investigation results in questions around the employee's conduct, any required action will follow our Staff Disciplinary Policy and the investigation will pass to the individual's line manager. You will be made aware of what went wrong and our learnings from these complaints.

### **Informing us of your complaint**

If you aren't happy with what we do you can let us know in whatever way you choose. The sooner the better as we can't investigate a complaint after 12 months.

- If you are a current customer, you can report your complaint through My Account.
- If you don't have a My Account, or you're a member of the public, you can give us a call, drop us an email, pop in and see us, send us a tweet or put pen to paper and post us a letter – no matter how you let us know; we'll deal with it.

All complaints will be taken seriously and sorted out quickly, where possible, by our frontline colleagues.

Sometimes we can apologise and put things right straight away but in other times we may need to pass a complaint to be looked at by one of our complaint investigators.

If the complaint requires an investigation, it will be formally acknowledged within one working day.

We'll only investigate issues that are raised with us at the beginning of a complaint. If further issues occur during the time of a complaint investigation that aren't related to the original complaint, these will not be considered in the investigation and you will need to raise a new complaint or service request.

## **Investigate**

If we can't put a complaint right straight away, then we'll allocate a complaint investigator. They'll work closely with you to make sure they really understand the cause of the complaint. The investigator will be your single point of contact. You can't choose who you would like to investigate your complaint, but we'll make sure all complaints are allocated fairly.

The investigator will continue to keep you in the loop by letting you know exactly what they need to look into in order to resolve the complaint. If the issue is complicated, the investigator will get support from an appropriate colleague and any delay will be explained to you so you are kept informed of progress.

As a current customer, you can view the progress of your complaint in My Account.

Anyone who doesn't have My Account can request an update through your Complaint Investigator. If there are agreed extenuating circumstances and additional time is required to make sure the complaint is thoroughly and fairly investigated, you'll be informed of this, and be provided with a date by which we'll aim to resolve the complaint.

All complaints are subject to quality monitoring by our Customer Experience Team to ensure complaints are being handled effectively and fairly.

## **Resolve**

We aim to resolve all complaints within 7 working days from the date you raise the issue with us. If there are circumstances which mean we need longer to resolve the complaint, you will be informed of this.

If there's evidence that something's gone wrong, we'll offer:

- a meaningful apology
- an explanation
- money if someone's been left out of pocket
- a goodwill gesture if deemed necessary
- what we've learnt & what we want to improve

If we need to do something to put things right, we'll agree with you what needs to be done and when it will be done by. The complaint investigator will coordinate all actions that need to be completed, working with you throughout.

## Closure

A complaint may be closed for a number of reasons. These include:

- A resolution has been agreed with you, and all required actions have been completed
- No further contact has been received from you after 10 working days from the complaint being raised, despite attempted contact by the complaint investigator (unless you have made us aware of a potential delay)
- No further contact has been received from you after 20 working days from the last response, despite the complaint investigator trying to contact you (unless you have made us aware of a potential delay to responding)

## Appeal

Sometimes you might feel we've not properly investigated your complaint in line with our policy, or may disagree with the outcome the complaint investigator has come to. If this is the case, you can request an appeal of your complaint.

In your appeal request, you must make clear what aspect of the investigation you are not happy with, or why you disagree with the outcome, and what more you feel we should do to put it right. We can only accept appeals for complaints within one calendar month of a complaint being closed. Any appeals will be acknowledged within two working days. If you wish to make an appeal you can let your complaint investigator know, or email [complaints@mhs.org.uk](mailto:complaints@mhs.org.uk).

An independent member of staff will be allocated to conduct the appeal. They'll speak to you to make sure they understand what you're unhappy with, explain what they need to do and a date they'll have this done by. They'll check to make sure this policy has been followed and let you know if any further action is needed. They look at and check the quality and detail of the investigation. You will receive an appeal outcome in writing, detailing the outcomes of the investigation and anything we could have done better. We aim to resolve all appeals within 15 working days from you making the appeal request.

At any point during the complaints process, you can refer your complaint to the Housing Ombudsman Service. They won't be able to investigate your case until 8 weeks after exhausting our complaints process, but they may be able to help you resolve it and provide you with support during our complaint investigation.

More information can be found at [www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk)

## Learn

We'll get insight from what we learn through complaints and feedback and transform it into useful information. We share this with appropriate teams to help them make better decisions regarding our services and offer to customers.

We sometimes survey customers who have raised a complaint to find out how they felt their complaint was handled. If you'd rather not be involved in our surveys, you can let us know by emailing [complaints@mhs.org.uk](mailto:complaints@mhs.org.uk). All information gathered through complaints and surveys is used anonymously to help improve our service, and no personal information is processed.

## Compensation

We'll assess all requests for compensation fairly and in line with this policy. Requests for compensation will not be agreed until a complaint investigation has been completed. For full information about how we handle compensation requests, please see our Compensation Policy

## Managing Unreasonable Complainant Behaviour

We commit to all complaints being investigated fairly, honestly, consistently and appropriately, in line with this policy. However, in a minority of cases people pursue their complaints in a way that can delay and prolong the investigation of their complaint and absorb a disproportionate amount of staff time. In such circumstances, we may choose to apply our Managing Unreasonable Complainant Behaviour policy to a complainant.

## Principles

### Equality statement

mhs homes has a duty to ensure that no person receives less favourable treatment from the organisation on the grounds of age, disability, gender reassignment, marriage, civil partnership, pregnancy, religion or belief, race, sex or sexual orientation.

### Data protection

mhs homes will only share information that meets the requirements of the Data Protection Act 2018. Confidentiality and impartiality will be exercised by mhs homes at all times.

### Feedback

We welcome suggestions and comments from people who use or provide our services. We believe that this can provide some important lessons to help us ensure that the service is improved for everyone.

If you have something to say about this policy or the information that is provided about them, then please let us know. Please refer any comments to the author of this document.