



# **Complaints Policy and Procedure for Complaint Handling**

## **Policy**

Mount Green Housing Association is committed to providing the highest quality services to its tenants, prospective tenants, other individuals and agencies with whom it works. MGHA cares about what its customers think and wants to hear from them if they are not happy.

We will respond positively and immediately to any concern raised informally about the service received. It is our aim that the majority of such concerns will be resolved quickly without recourse to a formal complaints procedure.

However, if the complainant remains unhappy following the initial informal complaint to the Association, they will be informed of our formal complaints procedure.

We will offer assistance to the complainant by sending them a standard complaints form or by completing the form on their behalf sending them a copy.

## **What is a Complaint**

“An expression of dissatisfaction with MGHA’s action, lack of action or standard of service, whether justified or not”.

## **Procedure**

### **How will a Complaint be dealt with**

The Complaints Procedure has three stages:

#### ***Stage 1***

We will acknowledge a complaint within 5 working days of receipt and advise who is responsible for conducting the investigation.

The Director of Operations normally investigates Stage 1.

We aim to investigate and resolve the Stage 1 complaint within 15 working days of receipt. The complainant will be informed of any delays.

#### ***Stage 2***

If the complainant is not happy with the response at Stage 1, they may request for the complaint to proceed to Stage 2. If the complainant wishes to proceed to Stage 2, they should write to request this within 30 working days of receiving the Stage 1 response.

We will acknowledge the Stage 2 complaint within 5 working days of receipt and advise who is responsible for conducting the investigation.

The Chief Executive normally investigates Stage 2.

We aim to undertake an initial investigation and make a proposal on how we intend to proceed within 15 working days of receipt. The complainant will be informed of any delays.

A range of options to help resolve the matter including home visits, mediation and arbitration will be considered.

We aim to investigate and resolve the Stage 2 complaint within 30 working days of receipt. The Complainant will be informed of any delays.

### ***Stage 3 – Review Panel***

If the complainant is unhappy with the Stage 2 response, they can take their complaint to Stage 3 - the final stage of the internal procedure – to have the complaint heard by a Review Panel.

If the complainant wishes to proceed to Stage 3, they should write to request this within 30 working days of receiving the Stage 2 response. We will acknowledge the Stage 3 complaint within 5 working days of receipt. In their letter the complainant should normally set out what they feel has not been responded to in their original complaint, and give an indication of what outcome they are seeking from the Stage 3 process.

We aim to arrange a time for the Panel to hear the complaint within 40 working days, and the complainant will be informed of any delays in doing this.

The Review Panel will normally be made up of three Board Members or Co-optees. The Review Panel will be advised by an officer not previously involved in the complaint or an external consultant.

### **The Role of the Panel**

- Listen to the complainant's complaint and review the Stage 1 and Stage 2 responses;
- Consider whether to uphold the complaint. If they do, they will also decide what must be done to put things right. The Panel can only make decisions with regard to MGHA's current policies;
- To reach a conclusion with which the panel is satisfied;
- To give a final decision.

Generally it is the Panel's job to review the Stage 1 & 2 responses, not to re-hear the complaint.

### **Before the Review Panel Meeting**

- Members and the complainant should receive papers in advance;
- Members need to read the papers very thoroughly;
- Any queries about the papers should be asked before the hearing.

### **During the Review Panel Meeting**

- Both sides should get the chance to present their case in front of one another
- New evidence should only be considered in exceptional circumstances;
- Members should try to glean what the complainant wants;
- Minutes of the meeting should be taken;
- The Panel may decide to adjourn the meeting;
- The Chair of the Panel has the power to decide how the meeting will proceed.

## **Panel Hearing - After**

- Chair to agree minutes of meeting;
- The Panel will aim to inform the complainant in writing of their decision within 15 working days. The minutes of the meeting should be attached to the decision letter.

## **The Final Response Letter**

Once the procedure is completed, the final letter should be in clear, plain language. If possible, it should stand alone avoiding reference to previous correspondence that may not be readily available to the complainant. If there has to be a reference to previous correspondence there should be a copy attached. Final letters ought to include:

- An apology or, if an apology would not be appropriate, an expression of regret that a complaint was necessary to raise an issue – whether the complaint was justified or not;
- A summary of the complaint;
- A summary of the outcome of the landlord's own investigation;
- Whether the landlord acknowledges that it has been at fault in some way;
- Any offer made to settle the complaint and how long that offer will remain open;
- A clear statement that the letter is a final response and that complainants who are dissatisfied with the final response may refer the matter to the Housing Ombudsman Service (HOS) within twelve months.

Please remember: the final letter is also an important document for the HOS, because together with the details given by the complainant it constitutes the starting point for their enquiries. The clearer the final letter the quicker they are able to assess whether there is merit in launching a full investigation.

## **Dealing with Complaints outside the Procedure**

MGHA reserves the right to deal with complaints differently (outside the procedure) if appropriate.

## **Monitoring**

Complaints will be monitored by the Senior Management Team on a monthly basis.

## **Learning from Complaints**

Records of all the complaints will be kept. Complaints will be checked regularly to make sure they are being dealt with effectively and consistently.

Most importantly, complaints will be used to identify areas of our service that need to be changed so that services continue to be improved.

**Reference:** *(How) Are you Being Served*  
*A Good Practice Guide on Complaints Handling Association (September 2002)*

**MOUNT GREEN HOUSING ASSOCIATION  
Formal Complaints Procedure - Complaint Pro Forma**

**Name** .....

**Address** .....

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**Please detail your complaint below and continue on additional pages if necessary**

**Signed:** ..... **Date:** .....