



MASONIC HOUSING ASSOCIATION

1. Aim of policy

- 1a The Masonic Housing Association (MHA) recognises its accountability obligations as a Charitable Housing Association registered under the Co-operative & Community Benefit Societies Act 2014 and Homes England and is required by the Regulator and the Housing Ombudsman to monitor and report complaints annually. MHA has adopted the Housing Ombudsman's definition of a complaint as "an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or groups of residents"
- 1b. This policy sets out clearly MHA's approach to complaints and states how we will manage, monitor and learn from all dissatisfaction. MHA strives to deliver high quality services to residents and service users. A complaint is MHA's opportunity to investigate a resident's concern, correct any wrongs, make necessary changes, if appropriate, apologise and learn from the experience.

2. Scope of policy

- 2a This policy applies to Tenants of Masonic Housing Association or Tenant representatives or advocates who are acting on behalf of one of Tenants (provided they have the Tenants consent).
- 2b We define a complaint as an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by us or our staff, or those acting on our behalf, affecting an individual Tenant or group of Tenants.

A Tenant does not need to use the word 'complaint' for it to be treated as such.

- 2c Matters that are not considered as complaints under this policy are:
- An initial request for a service, information or an explanation of how a decision has been made.
 - A report regarding neighbour nuisance or disputes between neighbours, as these will be managed in line with our Anti-Social Behaviour policy.
 - An expression of dissatisfaction with services through a survey (for example Tenant survey) although we will ask if you wish to make a complaint and provide information as to how you can complain.
 - Legal proceedings have started.
 - The complaint relates to matters that occurred over twelve months ago
- 2d. Should we decline to accept a complaint we will explain why the matter is not suitable for the complaints process and advise the Tenant of their right to approach the Housing Ombudsman. We will confirm this in writing
- 2e. We won't normally consider complaints that relate to matters that happened more than 12 months ago, unless there is a valid reason for the delay. We will use our discretion

where complaints concern safeguarding or health and safety issues. Where there is a recurring issue we may consider older reports as part of the background to the complaint if this will help resolve the issue.

3. Policy statement

- 3a We're committed to delivering services of the highest quality and achieving high levels of Tenant satisfaction. We recognise that sometimes we might get it wrong, or our services may not meet the expectations of our Tenants. This policy provides a clear, simple and accessible opportunity for our Tenants to be able to raise complaints and have them promptly, politely and fairly handled.
- 3b Masonic Housing Association recognises that Tenants may be anxious about making a complaint or may be disadvantaged by a policy, procedure, or practice of an organisation preventing them from making observations, complaints, suggestions and events of concern impacting upon the safe performance of the MHA's business. MHA wishes to make it clear that it has a positive complaints culture and many Tenants concerns or dissatisfaction with service can be dealt with quickly and easily as a service request once we know about them.
- 3c This policy supports our Business Strategy of maintaining our homes to a high standard with high levels of Tenant satisfaction. By embracing a positive complaints culture within Masonic Housing Association we will seek to improve the services we provide to our Tenants.
- 3d We will use our discretion in the implementation of this policy and may at times make a decision outside of, but within the spirit of the policy. We will make it clear in our records where we have done this.
- 3e We will ensure our policy and practice is compliant with the Complaint Handling Code and any directives issued by the Housing Ombudsman Service and also the Regulator for Social Housing.

4. Policy

Accessibility and Awareness

- 4a We want it to be easy and accessible for all our Tenants to raise dissatisfaction. You can raise your complaint in any way for example, via email or text, by telephone in writing or through an advocate.
- 4b All Tenants are made aware of this policy via staff and tenant handbooks, the MHA's website and the public notices which are displayed at all MHA properties for visitors and other third parties to safely complain or make a confidential disclosure. Tenants can complain to the Scheme Manager and the complaint will be recorded and passed to the Scheme Chairman.
- 4c We will comply with the Equality Act 2010 and may adapt normal policies, procedures, or processes, making reasonable adjustments to accommodate an individual's needs. This may include using larger print, giving more time than usual to provide information or the use of advocates acting on your behalf. You can ask for someone to act on your behalf.
- 4d. We will provide all Tenants with a copy of the Complaints Policy and details of the Housing Ombudsman Service (and their right to access the service and engage with the Ombudsman) on request. Copies are published on our website.

Service Requests

- 4e Where an issue can be resolved quickly and simply for our Tenant, we will not treat this as a complaint. However, if you are unhappy with the way we have dealt with an issue you can make a complaint

Complaint Handling Process

4f It is MHA's policy to respond positively and immediately to all complaints and protected disclosures reported to them, thereby protecting the interests of anyone who may come into contact with MHA. MHA has a 2 stage complaints process. The Scheme Manager is the nominated complaints handling officer who will deal with the initial complaint. If the complaint cannot be resolved it will be reviewed by the Scheme Chairman via the Stage 2 process. Masonic Housing Association will ensure that:

- All complaints will be dealt with on their merits with investigating and reviewing officers acting independently and with an open mind
- Tenants will be given every opportunity to set out their position
- Masonic Housing Association will ensure that any actual or perceived conflicts of interest will be dealt with
- If we are not clear as to what the complaint is we will seek clarification from the Tenant as well as establishing what resolution is being sought – this is known as the complaint definition
- Tenants will be provided with a copy of our Complaints Policy as well as details of the Housing Ombudsman at the point they make a complaint
- We consider all relevant information and evidence is considered carefully
- We may need to hold meetings in order to properly investigate your complaint and you have a right to bring a friend or advocate with you as we realise this might be a daunting process
- We will keep you informed as to what is happening with your complaint and act within the response times set out under each stage
- If for whatever reason we cannot meet the timescales for responding to your complaint we will agree with you a revised timescale
- The Board will receive an annual report to ensure that Masonic Housing Association is complying with the legal process and have a nominated Board member responsible for ensuring staff are adhering to the policy and addressing any trends/learning.

Investigation – Stage 1

4g We aim to respond and rectify your complaint as soon as possible however, our service standards are as follows:

- All Stage 1 complaints will be acknowledged within 5 working days. We will be clear with you as to the complaint definition and also which aspects of the complaint we are or are not responsible for and ask for clarification on any areas where this is not clear
- We will provide you with a full written response within 10 working days of the complaint being acknowledged

- If a case is particularly complex we may ask for a further 10 working days extension of time. The reasons for this will be explained in writing to you and you will be provided with contact details for the Ombudsman
 - These timescales are maximum timescales and we will respond as soon as we have the answer to your complaint
 - We will respond to all points raised by you in the Complaint Definition, advise you of the decision on the complaint and the reasons for the decision made including any policies, procedures and points of law
 - We will provide you with details of any remedy offered to put things right
 - We will detail any outstanding actions and we will give you timescales for when these actions will be resolved
 - We will provide you with details of how to escalate the matter if you are still dissatisfied i.e., details of our Stage 2 process
- 4h Where a Tenant raises additional dissatisfaction relevant to the original complaint during the investigation, these may be incorporated within the review if the response has not yet been issued. Where the response has been issued, or it would unreasonably delay the response, the dissatisfaction will be logged as a new complaint.

Review – Stage 2

- 4i If we have not resolved all or part of your complaint to your satisfaction under Stage 1 then we will progress this to Stage 2. Your complaint and our response will be reviewed by the Scheme Chairman and the Stage 2 process will be our final response.
- 4j We will log and define your complaint within 5 working days of it being received. We will consider why you remain unhappy with our response to your original complaint and respond to you within 20 days of your complaint being acknowledged. If a case is particularly complex we may ask for a further 20 working days extension of time. The reasons for this will be explained in writing to you and you will be provided with contact details of the Ombudsman. This will be our full and final response and we will write to you confirming to you
- The complaint stage
 - The complaint definition
 - The decision on the complaint
 - The reasons for any decisions made
 - The details of any remedy offered to put things right
 - Details of any outstanding actions
 - Details of how to escalate the matter to the Housing Ombudsman
- 4k During the complaints process you may find that we have put things right and resolved matters to your satisfaction. We are happy to work with you to find a resolution at any stage of the complaint process without the need to escalate the complaint further. Remedies to put things right are detailed below.

Putting Things Right

- 4l If your complaint identifies that things have gone wrong and we have not provided you with the service that you should have received then we will acknowledge this and set out the actions we have taken or intend to take to put things right. Any remedy offered will

reflect the impact on the Tenant and will be proportionate to the fault identified. This can include the following:

- The complaint stage
- The complaint definition
- The decision on the complaint
- The reasons for any decisions made
- The details of any remedy offered to put things right
- Details of any outstanding actions
- Details of or procedures or practices

4m We will put in writing what remedy we are offering to put things right and will set out clearly what will happen next and by when. We hope that this remedy will be in agreement with the Tenant, and we will make sure that any actions agreed are followed through to completion.

Unacceptable Behaviour

4n We understand that Tenants may feel upset or frustrated when making a complaint, however there are some behaviours or actions that we consider unacceptable. These include:

- *Aggressive or abusive behaviour* – examples include, but are not limited to, threats, physical violence, personal verbal abuse, derogatory and discriminatory remarks, rudeness, inflammatory statements and unsubstantiated or malicious allegations.
- *Unreasonable demands* – examples include, but are not limited to, demanding responses within unreasonable timescales or not accepting a previous decision when we've provided our final response, refusing to speak to the Scheme Manager, repeatedly changing the substance of a complaint or raising unrelated concerns.
- *Unreasonable persistence* – examples include, but are not limited to, persistent refusal to accept decisions or explanations made in relation to a complaint, continuing to pursue a complaint without presenting any new information.

4o Demonstration of these behaviours may result in a complaint not being investigated, escalated and/or action being taken to prevent further unreasonable behaviour. Any restrictions placed on contact due to unacceptable behaviour will be proportionate and demonstrate regard for the provisions of the Equality Act 2010

5. Statutory requirements – Self Assessment, Monitoring and Compliance

5a Masonic Housing Association is required to comply with the following in how it deals with complaints.

- Transparency, Influence and Accountability Standard April 2024
- Social Housing Regulation Act 2023
- Housing Ombudsman Complaint Handling Code 2024
- GDPR together with the new Data Protection Act 2018 (DPA 2018)
- Equality Act 2010
- The Public Interest Disclosure Act (1998)

5b Masonic Housing Association is required to produce an annual complaints performance report for scrutiny and challenge and this includes the following:

- The annual Self-Assessment against the Complaint Handling Code which has to be submitted to the Housing Ombudsman within 12 weeks of financial year end
- An annual report to the Board of Management of the number and type of complaints made and those complaints refused and any improvements to be made – this report will be published on the website along with the Board of Management’s response to the report
- Any findings of non-compliance by the Housing Ombudsman
- Any service improvements made as a result of the learning from complaints

5c The Scheme Chairman is responsible for advising the Company Secretary of any complaints.

6. Continuous learning and improvement

6a Complaints offer the opportunity for Masonic Housing Association to consider if any improvements can be made as a result of complaints received and use them to ascertain if any trends are emerging that suggest certain policies or procedures are not working.

6b A positive complaint handling culture is integral to the effectiveness with which Masonic Housing Association can resolve disputes and introduce positive changes.

6c The Masonic Housing Association Board of Management will report back wider learning and improvements from complaints to Tenants and staff and.

6d Complaints are reported quarterly to the F & G.P Committee at each meeting as well as the Annual Report.

6e This policy will be approved by the Board and reviewed annually.

7. Contacting the Ombudsman

7a The Housing Ombudsman can be contacted by phone on 03001113000

7b You can email on info:housing-ombudsman.org.uk

7c You can write to them at the Housing Ombudsman Service, PO Box 1484, Unit 9, Preston, PR2 0ET

References are made to the following policies/documents within this Policy:

Anti-Social Behaviour Policy

Tenants’ Handbook