



**Manningham Housing Association**

**Housing Ombudsman Complaint Handling Code  
Self-Assessment**

**September 2023**

**Background:**

The Housing Ombudsman introduced the 'Complaint Handling Code' in July 2020 which set out good practices that will allow landlords to respond better to complaints. These are mechanisms put in place to closely monitor and scrutinise the complaints processes of Landlords.

*Complaint Handling Code:*

This Code was issued in July 2020 and was a direct response to the experiences of the Ombudsman when dealing with landlords. They found that there were delays in landlords engaging with residents, complaints not being accepted or escalated, and delays in engagement and providing information from landlords.

The key areas of the code are:

- Universal definition of a complaint.
- Providing easy access to the complaints procedure and ensuring residents are aware of it, including their right to access the Housing Ombudsman Service.
- The structure of the complaint's procedure - only two stages are necessary and clear timeframes set out for responses.
- Ensuring fairness in complaint handling with a resident-focused process.
- Taking action to put things right and appropriate remedies.
- Creating a positive complaint handling culture through continuous learning and improvement
- Demonstrating learning in Annual Reports.

*New Ombudsman Scheme:*

This scheme was rolled out on 1 September 2020, whereby all member landlords must adhere to the following conditions:

- It must agree to be bound by the terms of the Scheme.
- Establish and maintain a complaints procedure in accordance with any good practice recommended by the Ombudsman.
- Inform residents of their right to bring complaints to Ombudsman.
- Publish a complaints procedure and make information about it easily accessible on its website and in correspondence with residents.
- Manage complaints in accordance with its published procedure or where this is not possible within a reasonable timescale; and
- Provide information to the Ombudsman within a reasonable timescale.

As part of this scheme, the Ombudsman will have new powers to carry out a wider investigation where there is evidence of 'a systemic failing' and issue a Complaint Handling Failure Order for non-compliance with the scheme.

Landlords will be expected to deal with complaints in line with both the Scheme and the Complaint Handling Code. All landlords were initially required to carry out a detailed self-assessment to see whether they meet these requirements, with a deadline being set for 31 December 2020 to complete this.

The Executive considered and approved the self-assessment on 14 December 2020 including the action plan to address any issues of non-compliance and we published our completed self-assessment form on our website.

Following a review one year after the Code was introduced the Housing Ombudsman updated the Code to strengthen provisions to support a positive complaint handling culture. This code was introduced as part of the Ombudsman's new powers in the revised Housing Ombudsman Scheme. This updated Code took effect from 1<sup>st</sup> April 2022 and landlords had until 1<sup>st</sup> October 2022 to become compliant.

No further changes have been made to the Code since the last Housing ombudsman review.

This Code acts as a guide for residents setting out what they can and should expect from their landlord when they make a complaint and provides the complainant with information about how to make a complaint and how to progress it through the landlord's internal complaints procedure.

The revised Code requires Landlords to carry out an annual assessment against the Code to ensure their complaint handling remains in line with its requirements and to publish their results.



The Customer Experience Committee has reviewed and approved our self-assessment against the code to ensure that MHA has met the requirements of the Housing Ombudsman Complaint Handling Code and that any further action required to comply with the code has been implemented.







## Housing Ombudsman Complaints Handling Code Self-Assessment Form – September 2023

### Section 1 - Definition of a complaint

#### Mandatory 'must' requirements



Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
1.2	A complaint must be defined as:  <i>'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 group of residents.'</i>	YES	Manningham Housing Association (MHA) has adopted the code requirement definition of a complaint. <ul style="list-style-type: none"> <li>See "3. Definitions" (page 3) of attached MHA Feedback and Complaints Policy</li> </ul>  Feedback and Complaints Policy (Jar)
1.3	The resident does not have to use the word 'complaint' for it to be treated as such. A complaint that is submitted via a third party or representative must still be handled in line with the landlord's complaints policy.	YES	MHA recognises that a customer does not need to use the word "complaint" and can lodge a complaint through a 3 <sup>rd</sup> party or representatives. <ul style="list-style-type: none"> <li>See "2. Purpose and Aims" (page 3) Feedback and Complaint Policy</li> <li>"We will provide a number of ways to report a complaint and accept complaints made by others on your behalf"</li> </ul>  Feedback and Complaints Policy (Jar)

<p><b>1.6</b></p>	<p>... if further enquiries are needed to resolve the matter, or if the resident requests it, the issue must be logged as a complaint.</p>	<p>YES</p>	<p>MHA recognises that further enquiries may be necessary to resolve a matter and will log an issue as a complaint when requested by a customer.</p> <ul style="list-style-type: none"> <li>• See “4. Policy Statement” (page 4) Feedback and Complaint Policy</li> <li>• <i>“Where possible, concerns are resolved by staff at the first point of contact this could mean an ‘on the spot’ apology’ and explanation if something has clearly gone wrong, and immediate action is taken to resolve the problem. However, where this is not possible and where time is needed to investigate matters in more detail, a response will be provided within the agreed time periods”</i></li> </ul> <p> Feedback and Complaints Policy (Jar)</p>
<p><b>1.7</b></p>	<p>A landlord must accept a complaint unless there is a valid reason not to do so.</p>	<p>YES</p>	<p>MHA has highlighted in its Feedback and Complaints Policy valid reasons where it will not accept a complaint.</p> <ul style="list-style-type: none"> <li>• See “5. What do we consider not to be a complaint? (page 5) Feedback and Complaint Policy</li> <li>• <i>“There are some things we cannot deal with through our complaint’s procedure. These include: • The issue is, or has been, subject to legal proceedings • Liability issue that is subject to an insurance claim • Requests for compensation • The complaint has not been raised within a reasonable time frame. We consider 6 months to be a reasonable time frame, although some complaints may be considered in exceptional circumstances such as the complainant has only become aware of the issue that relates to issues more than 6 months ago • Neighbour nuisance or anti-social behaviour reports • Reports for a repair • Any issue that does not fall within the remit of MHA • Where we feel a complaint is vexatious.</i></li> </ul>

			 Feedback and Complaints Policy (Jar)
1.8	A complaints policy must clearly set out the circumstances in which a matter will not be considered, and these circumstances should be fair and reasonable to residents.	YES	MHA has highlighted in its Feedback and Complaints Policy valid reasons where it will not accept a complaint (see above). <ul style="list-style-type: none"> <li>• See “3. Definitions – What is a vexatious complaint?” (page 3) Feedback and Complaint Policy</li> <li>• See “5. What do we consider not to be a complaint? (page 5) Feedback and Complaint Policy</li> </ul>  Feedback and Complaints Policy (Jar)
1.9	If a landlord decides not to accept a complaint, a detailed explanation must be provided to the resident setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman.	YES	MHA has adopted this approach within its Feedback and Complaints policy. <ul style="list-style-type: none"> <li>• See “5. What do we consider not to be a complaint? (page 5) Feedback and Complaint Policy</li> <li>• <i>“We will inform the customer in writing if their complaint falls into any of these categories and that it will not be considered further”</i></li> </ul>  Feedback and Complaints Policy (Jar)




### Best practice ‘should’ requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
1.4	Landlords should recognise the difference between a <b>service request</b> , where a resident may be unhappy with a <b>situation</b> that they wish to have rectified, and a <b>complaint</b> about the <b>service</b> they have/have not received.	YES	MHA recognises the difference between service requests and service failures. MHA understands that a service request may include logging a repair or anti-social behaviour report and a complaint is clearly defined within MHA’s policy. Training is provided to all frontline staff to differentiate between the two.





			<ul style="list-style-type: none"> <li>• See “3. Definitions – What is a complaint?” (page 3) Feedback and Complaint Policy</li> <li>• “Examples of complaints may include: <ul style="list-style-type: none"> <li>• A customer is unhappy with a service which is not as good as has been promised or which does not follow the agreed policy and/or process</li> <li>• A customer feels that we have done something wrong, or not done something we should have</li> <li>• A customer believes that they have been treated unfairly or discourteously”</li> </ul> </li> </ul>  <p>Feedback and Complaints Policy (Jar)</p>
1.5	Survey feedback may not necessarily need to be treated as a complaint, though, where possible, the person completing the survey should be made aware of how they can pursue their dissatisfaction as a complaint if they wish to.	YES	<p>MHA recognises that feedback can take on a number of forms i.e. compliments, comments or complaints. Customers unhappy with a service are always advised if they wish to make a complaint and how to do so.</p> <ul style="list-style-type: none"> <li>• See “4. Policy Statement” (page 4) Feedback and Complaint Policy</li> <li>• <i>We actively encourage feedback on services, with both negative and positive comments welcomed. Compliments, comments and complaints provide an opportunity to improve services; things can be put right, explanations and reasons for actions given and, if necessary, the way things are done can be changed.</i></li> </ul>  <p>Feedback and Complaints Policy (Jar)</p>

## Section 2 - Accessibility and awareness

### Mandatory 'must' requirements



Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
2.1	Landlords must make it easy for residents to complain by providing different channels through which residents can make a complaint such as in person, over the telephone, in writing, by email and digitally. While the Ombudsman recognises that it may not be feasible for a landlord to use all of the potential channels, there must be more than one route of access into the complaints system.	YES	<p>MHA prescribes to this Code Requirement. Customers who are signed up to MHA's Customer Portal can also register complaints digitally through his channel.</p> <ul style="list-style-type: none"> <li>• See "4. Policy Statement" (page 4) Feedback and Complaint Policy</li> <li>• <i>"Feedback can be given to anyone in the organisation in a variety of ways including by telephone; in person; via the internet; by email or by letter. Feedback can also be given on behalf of a customer by another person acting on their authority"</i></li> </ul> <p> Feedback and Complaints Policy (Jar)</p>
2.3	Landlords must make their complaint policy available in a clear and accessible format for all residents. This will detail the number of stages involved, what will happen at each stage and the timeframes for responding.	YES	<ul style="list-style-type: none"> <li>• MHA's Feedback and Complaints policy is accessible on the Associations website, via MHA's Customer Portal, Chatbot and is also available on request.</li> <li>• Information about MHA's Feedback and Complaint Policy is also provided to all customers on sign up in their Customer Handbook.</li> <li>• MHA publishes a Feedback Magazine twice a year and includes an article on complaints (see page 20).</li> </ul> <p> Feedback and Complaints Policy (Jar)       Winter 2022.pdf</p>
2.4	Landlord websites, if they exist, must include information on how to raise a complaint. The complaints policy and process must be easy to find on the website.	YES	<p>MHA has a dedicated page on its website giving access to the policy and procedure for complaints. Please see link below:  <a href="https://www.manninghamhousing.co.uk/customer-s">https://www.manninghamhousing.co.uk/customer-s</a></p>



<p><b>2.5</b></p>	<p>Landlords must comply with the Equality Act 2010 and may need to adapt normal policies, procedures, or processes to accommodate an individual's needs. Landlords must satisfy themselves that their policy sets out how they will respond to reasonable adjustments requests in line with the Equality Act and that complaints handlers have had appropriate training to deal with such requests.</p>	<p>YES</p>	<p>MHA complies with this Code Requirement as Equality Impact Assessments are carried out on all policies including the Complaints Policy.</p> <ul style="list-style-type: none"> <li>• See "7. Equality and Diversity" (page 6) Feedback and Complaint Policy</li> <li>• See Equality, Diversity and Inclusion Policy.</li> <li>• Training is provided to complaint handlers to complete Impact Assessments and how to deal with reasonable adjustment requests.</li> </ul> <p> </p> <p>Feedback and Complaints Policy (Jan) and Equality, Diversity and Inclusion Policy</p> <p></p> <p>Equality Impact Assessment Form - C</p>
<p><b>2.6</b></p>	<p>Landlords must publicise the complaints policy and process, the Complaint Handling Code and the Housing Ombudsman Scheme in leaflets, posters, newsletters, online and as part of regular correspondence with residents.</p>	<p>YES</p>	<p>MHA comply with this code requirement by:</p> <ul style="list-style-type: none"> <li>• Publishing or providing links to all associated material i.e. Feedback and Complaints Policy, procedure, the Complaint Handling Code and the Housing Ombudsman Scheme on our website. <a href="https://www.manninghamhousing.co.uk/customers">https://www.manninghamhousing.co.uk/customers</a></li> <li>• Feedback Magazine which is sent to all residents includes information on Complaints, Complaints Handling Code, Housing Ombudsman Scheme (see page 19).</li> <li>• Providing leaflets, posters, newsletters at MHA Office Reception area.</li> </ul> <p></p> <p>Winter 2022.pdf</p>


2.7	Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.	YES	<ul style="list-style-type: none"> <li>• Process published in Winter 2022's Feedback Magazine (see above)</li> <li>• Information provided in correspondence to customers when writing to them regarding a complaint.</li> </ul>
2.8	Landlords must provide early advice to residents regarding their right to access the Housing Ombudsman Service throughout their complaint, not only when the landlord's complaints process is exhausted.	YES	<ul style="list-style-type: none"> <li>• Housing Ombudsman Information is available on our website</li> <li>• Feedback and Complaint Policy sent to the tenant as part of acknowledgment of complaint.</li> <li>• Ombudsman information is included in correspondence to complainants at each stage.</li> </ul>

### Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
2.2	Where a landlord has set up channels to communicate with its residents via social media, then it should expect to receive complaints via those channels. Policies should contain details of the steps that will be taken when a complaint is received via social media and how confidentiality and privacy will be maintained.	YES	<ul style="list-style-type: none"> <li>• MHA expects to receive feedback from various channels</li> <li>• All Social Media Channels are monitored for feedback by the Corporate Project Manager.</li> <li>• MHA will act upon all feedback appropriately in line with policy and procedure.</li> <li>• All feedback is treated confidentially and in line with our Data Protection and GDPR policy.</li> </ul> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">   Feedback and Complaints Policy (Jarlast approved Augu: </div> <div style="text-align: center;">   Social Media Policy </div> </div>

### Section 3 - Complaint handling personnel

#### Mandatory 'must' requirements


Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
3.1	Landlords must have a person or team assigned to take responsibility for complaint handling to ensure complaints receive the necessary attention, and that these are reported to the governing body. This Code will refer to that person or team as the "complaints officer".	YES	<ul style="list-style-type: none"> <li>• Service Managers and Team Leaders investigate and deal with complaints.</li> <li>• All Managers and Team Leaders are Case Managers.</li> <li>• Quarterly complaints and compliments report is presented to the Board by the Deputy CEO/Director of Operations.</li> </ul>  <p>20. Complaints and Compliments Report</p>
3.2	...the complaint handler appointed must have appropriate complaint handling skills and no conflicts of interest.	YES	<ul style="list-style-type: none"> <li>• All complaint officers have received training to handle complaints.</li> <li>• Case Managers are trained to recognise potential conflicts of interest and where one is identified another manager will be assigned to investigate and deal with the complaint.</li> </ul>

### Best practice 'should' requirements



Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
3.3	<p>Complaint handlers should:</p> <ul style="list-style-type: none"> <li>• be able to act sensitively and fairly</li> <li>• be trained to handle complaints and deal with distressed and upset residents</li> <li>• have access to staff at all levels to facilitate quick resolution of complaints</li> <li>• have the authority and autonomy to act to resolve disputes quickly and fairly.</li> </ul>	YES	Training is provided to all managers who investigate and deal with complaints.

### Section 4 - Complaint handling principles



#### Mandatory 'must' requirements




Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
4.1	<p>Any decision to try and resolve a concern must be taken in agreement with the resident and a landlord's audit trail/records should be able to demonstrate this. Landlords must ensure that efforts to resolve a resident's concerns do not obstruct access to the complaints procedure or result in any unreasonable delay. It is not appropriate to have extra named stages (such as 'stage 0' or 'pre-complaint stage') as this causes unnecessary confusion for residents. When a complaint is made, it must be acknowledged and logged at stage one of the complaints procedure <b>within five days of receipt</b>.</p>	YES	<p>MHA complies with this Code Requirement.</p> <ul style="list-style-type: none"> <li>• Feedback and Complaints Policy is sent out with complaint acknowledgement letter.</li> <li>• The Association has two stage complaints process: Stage 1 &amp; Stage 2.</li> <li>• All complaints are logged &amp; acknowledged within 48 hours of receipt.</li> <li>• See "4. Policy Statement" (page 4) Feedback and Complaint Policy</li> <li>• <i>"The complaints procedure consists of two stages so that an individual can appeal to a higher stage in the organisation if they are not satisfied with the response"</i></li> </ul> <p> Feedback and Complaints Policy (Jar)</p>

4.2	Within the complaint acknowledgement, landlords must set out their understanding of the complaint and the outcomes the resident is seeking. If any aspect of the complaint is unclear, the resident must be asked for clarification and the full definition agreed between both parties.	YES	<ul style="list-style-type: none"> <li>• Acknowledgement letter is sent out within 48 hours by post.</li> <li>• Within 3 working days the complaints handler will speak to the complainant and summarise the complaint and seek clarification of requested outcome. This is recorded on Housing System SDM Complaints Module.</li> </ul>
4.6	A complaint investigation must be conducted in an impartial manner.	YES	Training given to Case Managers ensures that all complaints are dealt with impartially.
4.7	<p>The complaint handler must:</p> <ul style="list-style-type: none"> <li>• deal with complaints on their merits</li> <li>• act independently and have an open mind</li> <li>• take measures to address any actual or perceived conflict of interest</li> <li>• consider all information and evidence carefully</li> <li>• keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter.</li> </ul>	YES	As part of the training provided the complaints handlers are made aware of these code requirements. Complaint outcome letters show evidence of this as each case is dealt with on their own merits and the case manager acts independently and has an open mind when dealing with these. In all cases, measures are taken to address and avoid any conflicts of interests. All information and evidence are considered during the investigation phase. The complaint is also dealt with as confidentially as possible, and information is only disclosed if necessary to properly investigate the matter.
4.11	Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication	YES	Residents are asked what their preferred method of contact is and that they will be contacted when the investigation begins. If a resident wishes to be contacted more frequently, they can request to do so.
4.12	<p>The resident, and if applicable any staff member who is the subject of the complaint, must also be given a fair chance to:</p> <ul style="list-style-type: none"> <li>• set out their position</li> <li>• comment on any adverse findings before a final decision is made.</li> </ul>	YES	During the investigation phase before the outcome, the resident and staff member will be spoken to by the complaints handler where they are given a fair chance to set their position and comment on any adverse findings before a final decision is made.
4.13	A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint	YES	<p>MHA has incorporated this code requirement into its Feedback and Complaints Policy.</p> <ul style="list-style-type: none"> <li>• See "2. Purpose and Aims" (page 3) Feedback and Complaint Policy</li> <li>• <i>"If you are not happy with the outcome of your complaint you can make an appeal within 21 days of the decision"</i></li> </ul>

			 Feedback and Complaints Policy (Jar)
<b>4.14</b>	A landlord must not unreasonably refuse to escalate a complaint through all stages of the complaints procedure and must have clear and valid reasons for taking that course of action. Reasons for declining to escalate a complaint must be clearly set out in a landlord's complaints policy and must be the same as the reasons for not accepting a complaint.	YES	MHA does not unreasonably refuse to escalate a complaint through all stages of the complaints process. <ul style="list-style-type: none"> <li>• Complainants are required to provide a written appeal against the outcome of their complaint if they wish for it to be escalated to the next stage.</li> <li>• Appeals are carefully reviewed before a complaint is escalated.</li> </ul>
<b>4.15</b>	A full record must be kept of the complaint, any review and the outcomes at each stage. This must include the original complaint and the date received, all correspondence with the resident, correspondence with other parties and any reports or surveys prepared.	YES	A full record of all complaint information is stored on the Associations Housing Software - SDM Complaints and Compliments Module.
<b>4.18</b>	Landlords must have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives when pursuing a complaint.	YES	MHA complies with this code requirement. <ul style="list-style-type: none"> <li>• See "3. Definitions. What is a vexatious complaint?" (page 3) Feedback and Complaint Policy</li> <li>• See "Appendix A. Vexatious complaints" (page 7) Feedback and Complaint Policy</li> </ul>  Feedback and Complaints Policy (Jar)



### Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
4.3	Landlords should manage residents' expectations from the outset, being clear where a desired outcome is unreasonable or unrealistic	YES	<ul style="list-style-type: none"> <li>• Case Managers are trained to manage resident expectations from the start when handling a complaint</li> <li>• Case Managers are also very clear with residents what realistic outcomes can be expected.</li> <li>• See "5. What do we consider not to be a complaint?" (page 5) Feedback and Complaint Policy</li> <li>• Customer Leaflet sent out with all complaint acknowledgment letters.</li> </ul> <div style="text-align: center;">   </div> <p style="text-align: center;">Feedback and Complaints Policy (Jar Appendix1- Customer leaflet - Fee</p>
4.4	A complaint should be resolved at the earliest possible opportunity, having assessed what evidence is needed to fully consider the issues, what outcome would resolve the matter for the resident and whether there are any urgent actions required.	YES	<p>This code requirement is discussed with the resident during their first conversation with the complaint officer when opening the investigation.</p> <ul style="list-style-type: none"> <li>• See "4. Policy Statement" (page 4) Feedback and Complaint Policy</li> <li>• <i>"Where possible, concerns are resolved by staff at the first point of contact this could mean an 'on the spot' apology' and explanation if something has clearly gone wrong, and immediate action is taken to resolve the problem. However, where this is not possible and where time is needed to investigate matters in more detail, a response will be provided within the agreed time periods. Members of staff will also contact individuals by telephone to discuss the matters raised, if needed."</i></li> <li>• Case Managers are trained to resolve complaints as efficiently as possible and</li> </ul>



			<p>given autonomy to ensure that decisions relating to the complaint are made in a timely fashion.</p>  <p>Feedback and Complaints Policy (Jar</p>
4.5	Landlords should give residents the opportunity to have a representative deal with their complaint on their behalf, and to be represented or accompanied at any meeting with the landlord where this is reasonable.	YES	<ul style="list-style-type: none"> <li>• See “4. Policy Statement” (page 4) Feedback and Complaint Policy.</li> <li>• <i>“Feedback can also be given on behalf of a customer by another person acting on their authority, although personal data will not be disclosed to a third party without the Power of Attorney being in place”</i></li> <li>• Customers are advised that they can have a representative present when investigating a complaint.</li> <li>• See Customer Leaflet sent out with acknowledgement letter (page 4)</li> </ul>   <p>Feedback and Complaints Policy (Jar</p> <p>Appendix1 - Customer leaflet - Fee</p>
4.8	Where a key issue of a complaint relates to the parties’ legal obligations landlords should clearly set out their understanding of the obligations of both parties.	YES	Where such issues arise during the investigation process MHA will clearly highlight any legal obligations to all parties. If legal advice is required, then this will be sought.
4.9	Communication with the resident should not generally identify individual members of staff or contractors.	YES	Individual identities of staff or contractors are generally not named in communications with a complainant.
4.10	Landlords should keep residents regularly updated about the progress of the investigation.	YES	<p>MHA has adopted a standard to investigate and respond to a resident’s complaint within 10 working days.</p> <ul style="list-style-type: none"> <li>• Throughout the investigation period the Case Managers is required to keep the resident informed of the investigation and any developments.</li> <li>• Case Managers will also up-date residents on an outcome decision before confirming it in writing.</li> </ul>



			<ul style="list-style-type: none"> <li>• If more time is required to investigate the matter, then the resident will be informed.</li> <li>• If the complainant requests more frequent updates, we will adhere to this.</li> </ul>
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4.16	Landlords should seek feedback from residents in relation to the landlord's complaint handling as part of the drive to encourage a positive complaint and learning culture.	YES	<ul style="list-style-type: none"> <li>• Complaints Learning Forum takes place every 6 months where MHA residents scrutinise recorded complaints – to encourage positive complaint and learning culture</li> <li>• Complaint Survey sent to the complainant at the end of the complaint process.</li> </ul>  <p>Complaint Process feedback form.docx</p>  <p>CLF Minutes 28.02.2023.docx</p>
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4.17	Landlords should recognise the impact that being complained about can have on future service delivery. Landlords should ensure that staff are supported and engaged in the complaints process, including the learning that can be gained	YES	<ul style="list-style-type: none"> <li>• Induction and Refresher training provided to staff regarding the importance of complaints and what this can do in terms of improving service delivery.</li> <li>• Complaint Learning is built into complaint handling process. A dedicated step in the process requires the Complaint Officer to record all learnings (Please see below).</li> <li>• Complaint learnings which have changed policies or procedures are immediately communicated with staff.</li> <li>• Complaint learnings are also reinforced during team meetings, individual staff 1-1's and appraisals.</li> <li>• Complaint Learnings Forum made up of customers to scrutinise complaints and help drive service improvement.</li> <li>• MHA has an internal Customer Service</li> </ul>
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			<p>Experience Group which is tasked to identify patterns of service delivery failures and develop an action plan to improve.</p> <p> How to make complaint notes.doc</p>
<p><b>4.19</b></p>	<p>Any restrictions placed on a resident's contact due to unacceptable behaviour should be appropriate to their needs and should demonstrate regard for the provisions of the Equality Act 2010.</p>	<p>YES</p>	<ul style="list-style-type: none"> <li>• See "1. Introduction" (page 2) Feedback and Complaint Policy</li> <li>• <i>"Our policy reflects best practice and conforms to the principles set out by the Ombudsman Services mentioned below. It also complies with current legislative and regulatory requirements"</i></li> <li>• See "Appendix A. Vexatious Complaints" (page 7) Feedback and Complaint Policy</li> </ul> <p> Feedback and Complaints Policy (Jar</p>


## Section 5 - Complaint stages


### Mandatory 'must' requirements

#### Stage1

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.1	Landlords must respond to the complaint <b><u>within 10 working days</u></b> of the complaint being logged. Exceptionally, landlords may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason.	YES	MHA has incorporated this Code Requirement into its Feedback and Complaints policy. Residents are responded to within 10 working days of the complaint being logged and if this is not possible the Case Managers will request additional time and provide the reason for this.
5.5	A complaint response must be sent to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue, are completed. Outstanding actions must still be tracked and actioned expeditiously with regular updates provided to the resident.	YES	Complaint outcome letters are sent to the customer when the outcome is determined within timescale. After outcome letters are sent, if there are outstanding actions they are continuously monitored with regular up-dates are given to the resident.
5.6	Landlords must address all points raised in the complaint and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.	YES	When the case manager writes to the customer, they address all points raised and provide clear reasons for any decision.
5.8	Landlords must confirm the following in writing to the resident at the completion of stage one in clear, plain language: <ul style="list-style-type: none"> <li>• the complaint stage</li> <li>• the decision on the complaint</li> <li>• the reasons for any decisions made</li> <li>• the details of any remedy offered to put things right</li> <li>• details of any outstanding actions</li> </ul> details of how to escalate the matter to stage two if the resident is not satisfied with the answer	YES	Customers are informed in writing the stage at which the complaint is at, the decision of the complaint, the reasons for the decisions and the details of any remedy offered to put things right if applicable. Details of any outstanding actions are also mentioned if required.   stage 1 complaint outcome letter exam

## Stage 2

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.9	If all or part of the complaint is not resolved to the resident's satisfaction at stage one it must be progressed to stage two of the landlord's procedure, unless an exclusion ground now applies. In instances where a landlord declines to escalate a complaint it must clearly communicate in writing its reasons for not escalating as well as the resident's right to approach the Ombudsman about its decision.	YES	<p>There is a requirement for the complainant to provide the reason why they are not satisfied with the outcome of their complaint after the first stage. This must be provided before the case can be escalated. Should MHA refuse to escalate a case, clear reasoning is provided to the complainant in writing along with details of the Housing Ombudsman Service. This is communicated in MHA's Feedback and Complaints Policy.</p> <p style="text-align: center;"></p> <p style="text-align: center;">Feedback and Complaints Policy (Jar</p>
5.10	On receipt of the escalation request, landlords must set out their understanding of issues outstanding and the outcomes the resident is seeking. If any aspect of the complaint is unclear, the resident must be asked for clarification and the full definition agreed between both parties.	YES	<ul style="list-style-type: none"> <li>• Complainants are advised at the end of Stage 1 that if they are not happy with the outcome, they can appeal within 21 days.</li> <li>• Complainants should cite the reasons why they are not happy with the outcome before the case can be escalated to Stage 2.</li> <li>• Once an appeal is received MHA have 20 working days to set up a Stage 2 Complaint Panel. Before this is set up further investigations are carried out to ensure that the understanding of issues and outcome the resident seeking is clear.</li> </ul>
5.11	Landlords must only escalate a complaint to stage two once it has completed stage one and at the request of the resident.	YES	MHA will only escalate a complaint to Stage 2 if Stage 1 has been completed and the tenant wishes to escalate the complaint to Stage 2.


5.12	The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one.	YES	<ul style="list-style-type: none"> <li>• See “4. Policy Statement” (page 4)</li> <li>• <i>“Stage 2 Complaints Panel If an individual is unhappy with outcome of stage 1 it can be escalated to a stage 2. This stage requires us to: Set up a complaints Panel meeting within twenty working days of a request to appeal the outcome of stage one. The person considering a complaint at Stage 2 at MHA is the Assistant CEO/Director of Operations unless they have had some involvement in the matter in which case another member of the Executive Team will take their place”</i></li> </ul>  <p>Feedback and Complaints Policy (Jar</p>
5.13	Landlords must respond to the stage two complaint <b><u>within 20 working days</u></b> of the complaint being escalated. Exceptionally, landlords may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason.	YES	<p>Where exceptional circumstances affect the ability to set up a Complaint Panel within the 20 working days then an explanation will be provided to the resident and confirmed in writing.</p> <ul style="list-style-type: none"> <li>• <i>“This stage requires us to:</i></li> <li>• <i>Set up a Complaints Panel meeting within twenty working days of a request to appeal the outcome of stage one. The panel will consist of two customers that are member of the scrutiny panel and normally the Director of Operations unless they have had some involvement in the matter in which case another member of the Executive Team will take their place.</i></li> <li>• <i>Advise the complainant within 5 working days of the Panel decision, subject to any further investigation being required.”</i></li> </ul>
	Landlords must confirm the following in writing to the resident at the completion of stage two in clear, plain language: <ul style="list-style-type: none"> <li>• the complaint stage</li> </ul>	YES	Following the completion of a Stage 2 complaint panel hearing, the complaint stage, complaint definition, decision on the complaint, reasons for decision, details of remedy and

5.16	<ul style="list-style-type: none"> <li>the complaint definition</li> <li>the decision on the complaint</li> <li>the reasons for any decisions made</li> <li>the details of any remedy offered to put things right</li> <li>details of any outstanding actions</li> </ul> <p><b>and</b></p> <ul style="list-style-type: none"> <li>if the landlord has a third stage, details of how to escalate the matter to stage three</li> <li>if this was the final stage, details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied.</li> </ul>		<p>details of outstanding actions are confirmed to the resident in writing.</p> <p>MHA does not have a stage 3.</p>
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### Stage 3

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.17	Two stage landlord complaint procedures are ideal. This ensures that the complaint process is not unduly long. If landlords strongly believe a third stage is necessary, they must set out their reasons for this as part of their self-assessment. A process with more than three stages is not acceptable under any circumstances.	YES	MHA operates a two stage landlord complaints procedure. Please refer to Feedback and Complaints Policy.
5.20	<p>Landlords must confirm the following in writing to the resident at the completion of stage three in clear, plain language:</p> <ul style="list-style-type: none"> <li>the complaint stage</li> <li>the complaint definition</li> <li>the decision on the complaint</li> <li>the reasons for any decisions made</li> <li>the details of any remedy offered to put things right</li> <li>details of any outstanding actions</li> </ul> <p>details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied</p>	N/A	N/A – MHA does not have a third stage.

**Best practice 'should' requirements  
Stage 1**

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.2	If an extension beyond 20 working days is required to enable the landlord to respond to the complaint fully, this should be agreed by both parties.	YES	If an extension is required MHA will agree a time extension with the complainant providing the reasons why this is necessary.
5.3	Where agreement over an extension period cannot be reached, landlords should provide the Housing Ombudsman's contact details so the resident can challenge the landlord's plan for responding and/or the proposed timeliness of a landlord's response.	YES	<p>MHA complies with this code requirement and advises residents of the Housing Ombudsman contact details accordingly should they wish to challenge MHA's planned response time.</p>  <p>Appendix1- Customer leaflet - Fee</p>
5.4	Where the problem is a recurring issue, the landlord should consider any older reports as part of the background to the complaint if this will help to resolve the issue for the resident.	YES	<p>Recurring problems and similar issues are investigated. Older reports are also cross-referenced to ensure problems do not recur.</p>
5.7	Where residents raise additional complaints during the investigation, these should be incorporated into the stage one response if they are relevant and the stage one response has not been issued. Where the stage one response has been issued, or it would unreasonably delay the response, the complaint should be logged as a new complaint.	YES	<p>MHA complies with this Code Requirement.</p> <ul style="list-style-type: none"> <li>• All issues raised by a resident while a complaint is being investigation are examined and included within the outcome.</li> <li>• Should additional investigations delay an outcome response, additional time to respond is requested.</li> <li>• If an outcome has already been issued, or it would unreasonably delay the response, a new complaint is logged – this is discussed with resident and reasons given</li> </ul>

## Stage 2

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.14	If an extension beyond 10 working days is required to enable the landlord to respond to the complaint fully, this should be agreed by both parties.	YES	If an extension is required to investigate the complaint and respond to the complainant, it is agreed by both parties.
5.15	Where agreement over an extension period cannot be reached, landlords should provide the Housing Ombudsman's contact details so the resident can challenge the landlord's plan for responding and/or the proposed timeliness of a landlord's response	YES	MHA complies with this code requirement and advises residents of the Housing Ombudsman contact details accordingly should they wish to challenge MHA's planned response time.



## Stage 3

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.18	Complaints should only go to a third stage if the resident has actively requested a third stage review of their complaint. Where a third stage is in place and has been requested, landlords must respond to the stage three complaint <b>within 20 working days</b> of the complaint being escalated. Additional time will only be justified if related to convening a panel. An explanation and a date for when the stage three response will be received should be provided to the resident.	N/A	N/A – MHA does not have a Third Stage.
5.19	Where agreement over an extension period cannot be reached, landlords should provide the Housing Ombudsman's contact details so the resident can challenge the landlord's plan for responding and/or the proposed timeliness of a landlord's response.	N/A	N/A – MHA does not have a Third Stage.





## Section 6 - Putting things right

### Mandatory 'must' requirements


Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
6.1	Effective dispute resolution requires a process designed to resolve complaints. Where something has gone wrong a landlord must acknowledge this and set out the actions it has already taken, or intends to take, to put things right.	YES	MHA complies with this code requirement. Complaint Learnings from Service Failures are built into the Complaint Handling process. Case Managers are trained to identify, acknowledge, set out actions taken in response and intentions to "put things right".  How to make complaint notes.doc
6.2	Any remedy offered must reflect the extent of any service failures and the level of detriment caused to the resident as a result. A landlord must carefully manage the expectations of residents and not promise anything that cannot be delivered or would cause unfairness to other residents.	YES	MHA Case Managers are trained to ensure that remedies are offered in a proportionate response to failures. Expectations are managed from the start of each complaint and each case is dealt with by their own merits.  complaint outcome remedy example lette
6.5	The remedy offer must clearly set out what will happen and by when, in agreement with the resident where appropriate. Any remedy proposed must be followed through to completion.	YES	MHA Case Managers are trained to clearly communicate remedies to customers (including timescales) and to follow up with relevant departments to ensure actions are completed.
6.6	In awarding compensation, a landlord must consider whether any statutory payments are due, if any quantifiable losses have been incurred, the time and trouble a resident has been put to as well as any distress and inconvenience caused.	YES	MHA Case Managers are trained to recognise where statutory payments are due. Where necessary, MHA will also seek Legal advice to ensure compensation amounts are appropriate.

### Best practice 'should' requirements


Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
6.3	Landlords should look beyond the circumstances of the individual complaint and consider whether anything needs to be 'put right' in terms of process or systems to the benefit of all residents.	YES	<p>Complaint Learning is built into the complaint handling process. Complaint Handlers are trained to assess the need to "put right" any identified systemic issues or gaps in policies or processes. These learnings are shared organisation-wide with staff and for customers in annual report and changes are implemented immediately if necessary.</p> <p>Complaints Learning Forum held twice a year also review and scrutinise how MHA have handled complaints.</p> <div style="text-align: center;">   <b>CLF Minutes</b>            28.02.2023.docx         </div> <div style="text-align: center; margin-top: 10px;">   <small>How to make complaint notes.doc</small> </div>
6.7	In some cases, a resident may have a legal entitlement to redress. The landlord should still offer a resolution where possible, obtaining legal advice as to how any offer of resolution should be worded.	YES	Where legal entitlement to redress has been identified the Association works closely with our Legal team to offer resolutions.

## Section 7 - Continuous learning and improvement

### Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
7.2	Accountability and transparency are integral to a positive complaint handling culture. Landlords must report back on wider learning and improvements from complaints in their annual report and more frequently to their residents, staff and scrutiny panels.	YES	<ul style="list-style-type: none"> <li>Complaints and learning are reported in annual report which is published in the Winter Editions of MHA's Feedback Magazine sent to all residents (see below)</li> <li>Staff have complaints learning section in their 1-1s</li> <li>Complaints Learning Forum for customer scrutiny.</li> </ul>  Winter 2022.pdf

### Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
7.3	A member of the governing body should be appointed to have lead responsibility for complaints to support a positive complaint handling culture. This role will be responsible for ensuring the governing body receives regular information on complaints that provides insight to the governing body on the landlord's complaint handling performance.	YES	Cath Bacon (Tenant Board Member) will have lead responsibility for complaints ensuring that the board have insight on our complaints handling performance.
7.4	As a minimum, governing bodies should receive: <ul style="list-style-type: none"> <li>Regular updates on the volume, categories, and outcome of complaints, alongside complaint handling performance including compliance with the Ombudsman's orders</li> <li>Regular reviews of issues and trends arising from complaint handling,</li> <li>The annual performance report produced by the Ombudsman, where applicable</li> <li>Individual complaint outcomes where necessary, including where the Ombudsman made findings of severe maladministration or referrals to regulatory bodies. The implementation of management responses should be tracked to ensure they are delivered to agreed timescales. The annual self-assessment against the Complaint Handling Code for scrutiny and challenge.</li> </ul>	YES	Deputy CEO/Director of Operations provides regular updates to the governing body through Quarterly Reports at Board meetings.    20. Complaints and Compliments Report

7.5	Any themes or trends should be assessed by senior management to identify potential systemic issues, serious risks or policies and procedures that require revision. They should also be used to inform staff and contractor training.	YES	<p>Senior management identify themes and trends of systemic issues/risks/policies/procedures through:</p> <ul style="list-style-type: none"> <li>• Complaints Learning – A core element of our complaints handling procedure. All complaint handlers identify any potential failings/learnings when assessing each complaint. Their findings are shared if a systemic issue/risk/policy/procedure is found, and changes or reviews are carried out immediately in response.</li> <li>• Customer Experience Service Improvement work group analyse anonymous survey data on overall service provision. Patterns/Themes of complaints are identified within the group and an action plan to resolve issues is developed and implemented.</li> <li>• Complaints Learning Forum is attended by senior managers and customer scrutiny panel. The forum identifies trends and learnings alongside customers on the forum.</li> </ul>
7.6	<p>Landlords should have a standard objective in relation to complaint handling for all employees that reflects the need to:</p> <ul style="list-style-type: none"> <li>• have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments</li> <li>• take collective responsibility for any shortfalls identified through complaints rather than blaming others</li> <li>• act within the Professional Standards for engaging with complaints as set by the Chartered Institute of Housing.</li> </ul>	YES	<p>MHA complies with this Code Requirement as we adopt a culture of collaborative working and take collective responsibility within the organisation. Staff members work together to deliver excellent customer service. We do this through:</p> <ul style="list-style-type: none"> <li>• Induction and refresher training on complaint handling given to all staff members.</li> <li>• Complaint handling and learnings reviewed during staff 1-1's and refresher training provided if necessary.</li> <li>• Complaint Learnings also shared at monthly team meetings (which includes all departments).</li> </ul>

## Section 8 - Self-assessment and compliance

### Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
8.1	Landlords must carry out an annual self-assessment against the Code to ensure their complaint handling remains in line with its requirements.	YES	MHA complies with this Code Requirement as self-assessments will be carried out annually as a minimum.
8.2	Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures.	YES	Self-assessments will be carried out during significant restructures or changes/reviews of procedures.
8.3	<p>Following each self-assessment, a landlord must:</p> <ul style="list-style-type: none"> <li>report the outcome of their self-assessment to their governing body. In the case of local authorities, self-assessment outcomes must be reported to elected members</li> <li>publish the outcome of their assessment on their website if they have one, or otherwise make accessible to residents</li> <li>include the self-assessment in their annual report section on complaints handling performance</li> </ul>	YES	<ul style="list-style-type: none"> <li>Report outcome will be presented to the governing body - September 2023's Board Meeting.</li> <li>Outcome of our assessment will be available on our website &amp; will be published in Winter 2023's Feedback Magazine.</li> <li>Winter 2023's Feedback Magazine will also include self-assessment and include a section on complaint handling performance.</li> </ul>