

# Complaints, Suggestions & Comments Policy

Approved by: **St Mungo's Board of Trustees**

**Owner (team):** Safety and Quality Assurance

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## 1. Aim of the policy

- 1.1. St Mungo's encourages and welcomes complaints as an important form of insight and feedback.
- 1.2. St Mungo's services will be proactive in informing clients of how to raise a complaint. This will include having a complaints box, displaying the complaints leaflet and Complaints, Comments and Suggestions form in services and providing residents with the Complaints leaflet when taking up the service.
- 1.3. Where we get things wrong, we are committed to putting them right by investigating and responding in a resolution-focused way. In the spirit of continuous improvement, we consider and seek to learn from all feedback, both to provide resolution for individual complainants and deliver longer term improvements for our services and clients.
- 1.4. We are committed to learning from complaints. Where further learning may need to be identified, we may commission a Best Practice Review or further investigation.
- 1.5. Our procedure provides a framework for how we will comply with requirements of relevant regulatory authorities, including the Regulator of Social Housing's Consumer Standards, the Housing Ombudsman's Compliant Handling Code and commissioning expectations.
- 1.6. Clients must not be treated differently if they complain. High volumes of complaints must not be seen as a negative, as they can be indicative of a well-publicised and accessible complaints process. Low complaint volumes are potentially a sign that clients are unable to complain.
- 1.7. We are responsible for ensuring that any third parties handle complaints in line with the Code.
- 1.8. The Complaints policy and procedure will be published and made available on the website in a clear and accessible format. Additionally, we offer a complaints overview leaflet that explains all stages of the process in an accessible manner for clients, along with a feedback form for staff to gather input. Furthermore, we ensure that our complaints leaflets are easily accessible in communal areas for clients' convenience.

## 2. Scope

- 2.1. This policy applies to all complaints, suggestions and comments from:

- Clients;
- Advocates, friends or family members of a client;
- A client's MP or Councillor;
- Neighbours;
- Any third party, e.g. partner agencies, regulators or housing associations;
- Organisations we provide a service to.

2.2. A client having arrears or being involved in eviction proceedings does not mean they cannot make a complaint about something.

2.3. As part of the Building Safety Act, we are required to establish a separate Complaints procedure for clients living in our High-Rise Buildings (Endell St and Mare St), specific to Building and Fire Safety concerns. Guidance can be found in Appendix 15.

2.4. This policy does not apply to:

- Appeals of warnings, evictions or exclusions. These will be managed according to separate procedures for responding to challenging behaviour.
- Reports of Anti-social behaviour, i.e. behaviour causing harassment, alarm, distress, nuisance or annoyance to a neighbour, related to a housing management service provided by St Mungo's. This will be managed in accordance with St Mungo's policy for Anti-social behaviour. However, if the complaint concerns how St Mungo's have handled or responded to ASB reports, the Complaints Procedure should be applied.
- Complaints made by clients about other clients involving discrimination, bullying or harassment, or reporting an incident. Such concerns are more appropriately addressed within the framework of other procedures.
- A **service request**, e.g. a request for repair. Please see the complaints procedure for the relevant steps to take.
- Reporting and responding to incidents.
- Complaints made by staff (including apprentices). Please see our Human Resources (HR) procedures, including Grievance, Dignity at Work and Whistleblowing. You may also wish seek HR Partner advice.
- Complaints made by locums or agency workers.
- Complaints made by volunteers. Instead, please see the Volunteer Services Grievance Procedure.
- Complaints about Fundraising. They have separate complaints policies and procedures. Complaints should be passed to the appropriate complaint handler in that team. This team will provide figures for monthly complaints reporting purposes.
- An expression of dissatisfaction with services made through a survey is not defined as a complaint, though wherever possible, the person completing the survey should be made aware of how they can pursue a complaint if they wish to. Where we ask for wider feedback about our services, we also must provide details of how clients can complain.

### 3. Diversity implications

3.1. Complaints must be handled in accordance with the principles set out in our [Equality, Diversity and Inclusion Strategy](#).

3.2. Staff must consider all requests to make this policy available in an accessible format.

- 3.3. We advocate equality by committing to combat unfair discrimination on the grounds of age, disability, gender identity, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex or sexual orientation.
- 3.4. All those interacting with our services – e.g. clients, neighbours and members of the public – have the right to complain.
- 3.5. Clients must be able to raise their complaints in any way and with any member of staff. All staff must be aware of the complaints process and be able to pass details of the complaint to the appropriate person to investigate the complaint.
- 3.6. We will offer support to clients wishing to complain. This may include: support with reading or writing; referral to an advocacy service; support to access translation or an interpreter.
- 3.7. We must give clients the opportunity for a representative to deal with their complaint on their behalf and to be represented or accompanied at any meeting with the investigator.
- 3.8. We will make reasonable adjustments to support someone with a disability to complain.
- 3.9. There are many reasons why people may be reluctant to complain: fear of recrimination; not knowing how to complain or how the complaint will be handled; feeling they shouldn't complain if the overall service received is good. Some clients have also faced oppression because of protected characteristics. This may impact on their willingness to make a complaint and trust the process.
- 3.10. We must work to create a culture where people do feel able to complain, providing reassurance and guidance to enable people to feel confident about complaining.
- 3.11. Complainants can use the dedicated complaints telephone line and email address (Website: [complaints@mungos.org](mailto:complaints@mungos.org) Phone: 020 3856 6068) if they do not wish to complain to staff at the service.
- 3.12. All complaints will be investigated and responded to.

## 4. Definitions

- 4.1. **Complaint:** An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a client or group of clients

The complainant 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 be handled in line with our usual process.

- **Complaint Handler:** the person responding to the complaint. For Stage 1 complaints, this must be someone in a managerial role. For Stage 2 complaints, this must be a director.

The complaint handler must:

- deal with complaints on their merits;
- act independently and have an open mind;
- take measures to address any actual or perceived conflict of interest;
- consider all information and evidence carefully;
- keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter.
- **Dissatisfaction:** If all or part of the complaint is not resolved to the complainant's satisfaction.
- **Housing Ombudsman:** a government body looking at complaints about registered

providers of social housing, including St Mungo's.

- **Local Government and Social Care Ombudsman:** a government body looking at complaints about councils, all adult social care providers (including care homes and care agencies) and some other organisations providing local public services.
  - **Maladministration:** a formal decision by that Housing Ombudsman that a landlord has failed to do something, done something it shouldn't have or, in the Ombudsman's opinion has delayed unreasonably.
- 4.2. **Request for action / service request:** a request from someone for St Mungo's to do something in order to put something right. They must be recorded, monitored and reviewed regularly. The complainant must be offered the choice to raise a complaint when they raise dissatisfaction with the response to the service request, even if the handling of the service request remains ongoing. We must not stop our efforts to address a service request if the client makes a complaint.
- **Suggestion:** Where someone would like something to change and has thought of a way it could be improved (e.g. procedure or practice).

## 5. Putting things right

- 5.1. Where something has gone wrong we must acknowledge this, set out the actions we have already taken, or are intending to take, to put things right. These can include:
- Acknowledging where things have gone wrong.
  - Providing an explanation, assistance or reasons.
  - Apologising.
  - Taking action if there has been a delay.
  - Reconsidering or changing a decision.
  - Amending a record or adding a correction or addendum.
  - Providing a financial remedy.
  - Changing policies, procedures or practices.
- 5.2. Any remedy offered must reflect the extent of any service failures and the level of detriment caused as a result. We must carefully manage the expectations of complainants and not promise anything that cannot be delivered or would cause unfairness to other clients. The remedy offer must clearly set out what will happen and by when, in agreement with the client where appropriate. Any remedy proposed must be followed through to completion.
- 5.3. Complaint handlers must take account of the guidance issued by the Ombudsman when deciding on appropriate remedies.
- 5.4. We must 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 clients.
- 5.5. Factors to consider in formulating a remedy can include, but are not limited to, the:
- Length of time that a situation has been ongoing.
  - Frequency with which something has occurred.
  - Severity of any service failure or omission.
  - Number of different failures.
  - Cumulative impact on the client.

- Client's particular circumstances or vulnerabilities.

## 6. Complaint handling stages

- 6.1. **Service requests:** A service request involved an action needed to address or rectify something.
- 6.2. **Stage 1 complaints:** Stage 1 complaints must be acknowledged, defined and logged within **five working days** of receipt. A decision must be issued within **10 working days** of the complaint being acknowledge.
- 6.3. **Stage 2 complaints:** If a complainant is not satisfied with their Stage 1 Response, the complaint progresses to Stage 2, provided that the request is received within 2 months of the Stage 1 complaint response being issued. Stage 2 complaints must be acknowledged, defined and logged within **five working days** of receipt by the Safety and Quality team. This staff member will make reasonable efforts to understand the reasons for dissatisfaction. This information is used to inform the Stage 2 investigation, but does not effect whether or not a complaint is escalated to Stage 2 – all Stage 2 requests received within timescale are escalated. The Stage 2 will be investigated by a staff member that was not involved in the Stage 1 complaint investigation. A decision will be issued within **20 working days** of the complaint being acknowledged.
- 6.4. For both Stage 1 and Stage 2 Complaints, the acknowledgement will include:
  - 6.5. The investigator's understanding of the complaint. If any of the points are unclear, the investigator will ask the complainant for clarification.
  - 6.6. The outcomes the client is seeking
  - 6.7. Which aspects the landlord is and is not responsible for.
  - 6.8. The complaint response letter must be issued when the answer to the complaint is known and will not be delayed if the answer is known but there are outstanding actions to rectify the issues raised. Outstanding actions must still be tracked and actioned promptly with appropriate updates provided to the resident.
  - 6.9. Stage 1 complaint extensions will be no more than 10 working days without good reason. Stage 2 extensions will be for no more than 20 working days without good reason. Staff will contact the complainant following any stage 1 complaint extension to explain the rationale for their decision and the expected timescale for response. The investigator must agree suitable intervals with the complainant to keep them updated about the status of the complaint investigation.
  - 6.10. Where a complaint is extended beyond the timescales outlined in Section 7.2 and 7.3, St Mungo's tenants/licensees can escalate their complaint to the Housing Ombudsman. Staff must inform tenants/licensees of their right to do so, along with the Ombudsman's contact information, when writing to the complainant to inform them of the extension.
  - 6.11. Where a complainant raises a further related complaint while a Stage 1 complaint is already under investigation, it will be incorporated into the existing Stage 1 Complaint if the response has not been issued.
  - 6.12. Any new complaints will be raised as a separate complaint if the Stage 1 response has already been issued, the issues are unrelated, or it would unreasonably delay the response.

## 7. Scrutiny, oversight and continuous learning

- 7.1. Complaints are listed as a Solid Foundations Non-Negotiable. Service Managers, Heads and Directors are responsible for monitoring compliance. Specific responsibilities for each role are included in the procedure.
- 7.2. We work to foster a culture where people feel able to complain, offering reassurance and guidance to help them feel confident in doing so.
- 7.3. We are committed to learning from complaints. Where additional learning opportunities are identified, we may commission a Best Practice Review or conduct further investigations.
- 7.4. We share insights and report on broader lessons and improvements arising from complaints, both internally and with our relevant committees.
- 7.5. The senior lead responsible for complaints handling is the Head of Safety and Quality Assurance. They ensure that reports are completed quarterly and annually, highlighting trends, issues, risks, and lessons learned.
- 7.6. Additionally, our Member Responsible for Complaints is our Chair of the Client Services committee, who is responsible for promoting a positive complaint handling culture. The Client Services committee receives quarterly and annual complaints reports, providing detailed insights into these areas.
- 7.7. The Executive Director of Client Services holds ultimate accountability for complaints handling at Board level. As the strategic lead overseeing Client Services, they are responsible for ensuring compliance with regulatory and organisational standards, and for embedding a culture of continuous improvement in complaints management.
- 7.8. At any stage of the complaints process, clients may contact the Housing Ombudsman using the following details:
- 7.9. Housing Ombudsman Service  
PO Box 1484  
Unit D  
Preston  
PR2 0ET  
Telephone: 0300 111 3000  
**Email:** [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)  
[www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk)

## 8. Exclusions

- 8.1. We must accept a complaint unless there is a valid reason not to do so.
- 8.2. If we decide not to accept a complaint, we must be able to evidence our reasoning. Each complaint must be considered on its own merits.
- 8.3. The following circumstances are acceptable exclusions:
  - The issue giving rise to the complaint occurred over 12 months ago.
  - Legal proceedings have started. This is defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court.
  - Matters that have previously been considered under the complaints policy.
  - For Stage 2 Complaints: The request to escalate must be received within 12 months of the issue occurring *or* 2 months from the date of the Stage 1 Response.

- 8.4. We must accept a complaint referred to it within 12 months of the issue occurring or the client becoming aware of the issue unless it is excluded on other grounds. We must consider whether to apply discretion to accept a complaint made outside this time limit where there are good reasons to do so.
- 8.5. If we decide not to accept a complaint, an explanation must be provided to the client to set out the reasons why the matter is not suitable for the complaint process and the right to take that decision to the Ombudsman. If the Ombudsman does not agree that the exclusion has been fairly applied, the Ombudsman may tell the landlord to take on the complaint.
- 8.6. We must not take a blanket approach to excluding complaints; we must consider the individual circumstances of each complaint.

## **9. Data protection**

- 9.1. We are committed to applying this policy in line with the General Data Protection Regulations and other safeguards set out in relevant procedures. We adhere to the expectations of the Tenant Involvement and Empowerment Standard.