

The Leonard Chamberlain Trust COMPLAINTS PROCEDURE

The Trust's employees and Trustees will always endeavour to administer the almshouses in the best interests of all the residents. Any concerns can usually be satisfactorily resolved by talking them through with the Secretary. We can only resolve difficulties and improve the service we offer, if you advise us when issues arise. A resident does not have to use the word 'complaint' for it to be treated as such. Whenever a resident expresses dissatisfaction, the Trust will give you the choice to make a complaint.

Set out below is a procedure to be followed if a resident wishes to raise a complaint in connection with the standard of service in relation to the occupation of his or her almshouse, or the actions or lack of action by its own staff, or those acting on its behalf.

A complaint is defined as:

'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 resident or group of residents.'

A service request is a request from a resident to the Trust requiring action to be taken to put something right. Service requests are not complaints, but will be recorded, monitored and reviewed regularly. A complaint will be raised if a resident expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing.

The aim of the policy is to ensure that the complaints process is flexible and responsive to the needs of individual complaints. The procedure seeks to ensure that:

- residents who complain are listened to and treated with courtesy and empathy
- residents will never be disadvantaged as a result of making a complaint
- complaints are investigated promptly, thoroughly, honestly and openly
- apologies are given as appropriate
- complaints handling will comply with confidentiality and data protection policies
- information from the complaints process will be used to improve future service delivery

Complaints may be made by residents, their carers and families or a representative of a resident. The Leonard Chamberlain Trust will not be able to deal with an issue through the complaints process if:

- a complaint relates to a legal matter that is already being dealt with by a solicitor
- the complainant is anonymous, unless there is sufficient documentary evidence to substantiate the complaint
- the issue giving rise to the complaint occurred over twelve months ago, the Trust can apply discretion to accept complaints made outside this time limit where there are good reasons to do so, such as previous incapacity to raise a complaint.
- the issue has already been considered under the complaints procedure

The Trust will consider the circumstances of each individual complaint and if the Trust decides not to accept a complaint, a detailed explanation will be provided setting out the reasons why the matter is not suitable for the complaints process. A resident has a right to challenge this decision by bringing their complaint to the Ombudsman. Where appropriate the Ombudsman will instruct the Trust to take on the complaint.

You are encouraged to raise minor complaints verbally, as this can lead to better understanding and very often to a quick resolution of the issue. In the first instance you should discuss the matter with any Trust employee - the Property Manager or Secretary to the Trustees.

If the complaint cannot be solved quickly or if the complaint is more serious, it should be made in writing or by email or text. (If for any reason writing the complaint presents any difficulty then simply inform the Property Manager that you wish to make a formal complaint who will then take detailed notes). The Trust will make reasonable adjustments for residents where appropriate under the Equality Act 2010, as well as keep a record these adjustments and any disabilities a resident has disclosed. Any restrictions placed on contact due to unacceptable behaviour will be proportionate and demonstrate regard for the provisions of the Equality Act 2010.

A formal complaint should include sufficient detail to enable the Trust to investigate. It is important that you raise a difficulty or a complaint as an individual. You should not act as a self-appointed spokesperson on behalf of other residents or be cajoled into supporting a particular resident. A full record of the complaint including outcomes will be kept on file and updated by the Secretary to the Trustees.

Stage 1:

Complaints should be made to the Property Manager, who will acknowledge receipt of a formal complaint within 5 working days of receipt. This acknowledgement will indicate the complaint definition i.e., the Trusts understanding of the complaint the next course of action and the anticipated timescale. The Trust will seek to resolve the complaint as a matter of urgency and do its utmost to resolve a complaint at this stage. A full response to the complaint will be issued within 10 working days of the acknowledgement of the complaint. If the complaint is of particular complexity, then we reserve the right to extend the timescale of up to a further 10 working days and reasons will be provided.

If further issues are raised when investigating the complaint at this stage, they shall be incorporated into the stage 1 investigation, unless these issues would delay a response or are unrelated in which case a new complaint will be logged. Upon completion of this investigation the resident shall receive a written response with the following detail:

- a. the complaint stage;
- b. the complaint definition;
- c. the decision on the complaint;
- d. the reasons for any decisions made;
- e. the details of any remedy offered to put things right;
- f. details of any outstanding actions; and
- g. details of how to escalate the matter to stage 2 if the individual is not satisfied with the response.

Stage 2:

If the complainant is still not satisfied with the outcome, they have 10 working days to submit an appeal. The Trust will acknowledge receipt of a formal complaint within 5 working days of receipt. The appeal will be dealt with by the Chair of Trustees who will respond within 20 working days of the appeal being submitted. The Trust may need to extend this timescale of up to a further 20 working days and reasons will be provided. Upon completion of this stage the resident shall receive a written response with the details included as per stage 1 above, section a to g.

If the investigation at stage 1 or 2 falls outside the timescales set out in this policy, the Trust will agree with the resident suitable intervals for keeping them informed about their complaint.

Throughout the process the Trust will be clear on our areas of responsibility and

- a. deal with complaints on their merits, act independently, and have an open mind;
- b. give the resident a fair chance to set out their position;
- c. take measures to address any actual or perceived conflict of interest; and
- d. consider all relevant information and evidence carefully.

The Trust will consider various options to remedy the complaint. This may include:

- Apologising;
- Acknowledging where things have gone wrong;

- Providing an explanation, assistance or reasons;
- Taking action if there has been delay;
- Reconsidering or changing a decision;
- Amending a record or adding a correction or addendum;
- Providing a financial remedy;
- Changing policies, procedures or practices.

The remedy will reflect the impact on the resident as a result of any fault identified and will clearly set out what will happen and by when, in agreement with the resident where appropriate.

If you remain dissatisfied with this response or we have provided you with an extension to timescales, you can go direct to the Housing Ombudsman Service and they may be able to investigate how we have dealt with the matter. The contact details for the Housing Ombudsman Service are:

- Online complaint form: <https://www.housing-ombudsman.org.uk/online-complaint-form/>
- Phone: 0300 111 3000
- Postal address: Housing Ombudsman Service, PO Box 152, Liverpool L33 7WQ

The Secretary of the Trustees (Complaints Officer) will liaise with the Housing Ombudsman with regards to the supply of information and report into the Trustees via the scheduled trustee meetings. The Trust will complete an annual complaints performance and service improvement report for scrutiny and challenge as per the Housing Ombudsman recommendations and this shall be discussed at the relevant trustee meetings. This data shall be used to inform positive changes within the Trusts services. A self-assessment shall be carried out yearly or earlier, subject to any significant changes at the Trust or at the request of the Housing Ombudsman. The Chairman of the Trust is the MRC (Member Responsible for Complaints) and has the lead responsibility for complaints to support a positive complaint handling culture.