

Wyggestons & Trinity Almshouses Complaints Policy

We strive to provide high quality customer-focused services but on occasions, we may not get everything right and this may bring about a complaint. This statement outlines the principles that we will adopt when we receive a complaint and the actions available to you in order to have the matter resolved.

The Charity policy is managed in accordance with the Housing Ombudsman Complaint Handling Code 2024.

Concern or Complaint?? Definitions

- **What is a Concern?**

A concern usually refers to an issue someone may want to raise informally. They may want to make the organisation aware of something that they feel it could improve or do better. It may or may not have an impact on their daily life and they may not always want to be formally notified of what has happened as a result of their feedback.

As an organisation, we will record concerns and any action taken as a result of the concern and monitor these as we would a formal complaint, looking for trends. Wherever possible, we will try and provide feedback about an individual's specific concern and where relevant, involve them in resolving the issue.

- **What is a Complaint?**

A complaint is a formal way for a resident, their families or member of the public to register their dissatisfaction or grievance about a behaviour, conditions or situation. It should always be formally recorded and investigated within a specified timeframe and the person making the complaint should be informed of the outcome. Anyone making a complaint should have the right to appeal against the decision taken and to have this investigated again by someone not involved in the original complaint or investigation.

As an organisation, we will record all complaints and report these internally to ensure that we monitor trends and review lessons learnt.

We define a complaint as:

‘An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Charity, its own staff, or those acting on its behalf, affecting an individual Complainant or group of Complainants.’

Our Commitment:-

We will:

- Take complaints seriously, carry out an investigation and provide a written response.
- Provide the name of the officer responsible for dealing with the complaint.
- Make our complaints process accessible to all.
- Deal with complaints quickly, fairly and confidentially.
- Learn from our mistakes, apologise and seek to minimise such mistakes happening in the future.
- Use complaints to drive service improvements and publish our annual self assessment of compliance.
- Monitor and review all formal stage complaints, reporting our performance in dealing with complaints to both our Board of Management and our Complainants.
- Train our staff to deal with complaints efficiently and effectively.
- Keep our procedures under review.
- Publicise the policies and procedures on our noticeboards and in our handbook.
- Promote the policy on our website and direct complainants to the correct regulator.
- Seek a range of remedies in line with the Housing Ombudsman guidance.

Complaint handling procedure:

We work hard to make sure that we provide a consistently high standard of service to all of our customers. However, if you are not satisfied with any part of our service, you should let

us know and we will do our best to put things right. This is a service request not a complaint as defined in the Housing Ombudsman Code.

A service request may be received requiring the Charity to put something right. These will be recorded, monitored and reviewed regularly. However, should this response be regarded as unsatisfactory by the Complainant or their representative then a complaint will be raised in line with the Housing Ombudsman Complaint Handling Code and this policy. It should be noted that the Charity is also regulated by the Charity Commission and Care Quality Commission and therefore individual complaints may be forwarded or referred to any or all of these bodies, if appropriate.

In our experience, our staff can sort out most problems such as service requests quickly. These staff members are usually our scheme managers, maintenance or administration and care staff. They are there to help you and they are experienced in dealing with problems confidentially and efficiently.

If you are not satisfied with our response to your request at the informal stage and you can show that we have not dealt with your concerns, we have a two-stage formal complaints process that you can follow.

If the matter is not regarded as a complaint by the Charity and our exclusions.

If the Charity believes that the concern falls under other areas of our operations rather than a complaint the complainant will be referred to that specific policy. The Charity recognizes that Complainants and/or their representatives can be persistent and vexatious in their enquiries, and these will be treated in the same way as complaints. The Charity defines unreasonably persistent and vexatious complainants as those complainants who, because of the frequency or nature of their contacts with ourselves hinder our operations and the consideration of other complainants. The description 'unreasonably persistent' and 'vexatious' may apply separately or jointly to a particular complainant.

Issues which may not **be** accepted as complaints could be:-

- The issue giving rise to the complaint occurred over twelve months ago.
- Matters that have previously been considered under the complaints policy.

The Charity may refuse to escalate the matter beyond any stage of the complaints process if the following apply:-

- The complaint was due to a failure by a party that was not a staff or board member, Complainant or contractor of the Charity,.
- No fault on behalf of the Charity was found.
- The Charity believes it acted in good faith or in the best interest of the complainant with the information that was available to it at that time.
- The Charity acted according to its statutory, legal or regulatory requirements and obligations.
- The matter was beyond the Charity's control such as force majeure.
- The Charity believes that the complaint is fictitious, frivolous, vexatious or unreasonable.

If a complaint is pursued unreasonably or where a complainant's actions or behaviours are deemed to be unreasonable, the Charity reserves the right to close the complaint. A complainant who displays threatening or abusive behaviour or language (whether verbal or written), that causes trustees or the staff or others to feel threatened or abused, and/or continues to contact the Charity with unreasonable demands during or following a complaint investigation, the Complainant concerned may result in other actions taken by the Charity.

- In cases where the Board consider a complainant is being unreasonable and overly persistent and decide to bring the complaint to an end, they will inform the complainant of their reasons.

A matter which the Charity CEO does not regard as a complaint will be logged accordingly and the enquirer notified in writing of the reasons for the decision, setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman or other regulatory body as appropriate.

You can make a complaint by:-

- Visiting us in person at either Wyggestons or Trinity Almshouses offices.
- Phoning our office on 0116 255 9174 using the following prefix for the various departments:
 - Option 1 William House
 - Option 2 Agnes House
 - Option 3 Admin/finance and CEO

- Option 4 Chaplain
 - Option 5 Care Manager
 - Option 6 Kitchen
- Writing us a letter
 - Sending an email to - enquiries@wyggestons.org.uk
 - Via our website contact page.

All formal complaints are overseen by the CEO of the Charity to ensure effective management of the process. All information provided is held in accordance with the current Data Protection regulations (GDPR) including those by social media and will be stored securely within the password protected files of the Charity and encrypted email system. The management of the complaint will also be carried out in accordance with requirements of the Equality Act 2010 and any reasonable adjustments will be carried out by the Charity to assist the complainant to pursue their complaint in an environment or format in line with their individual needs.

All formal complaints are reported to the relevant Committee of the Board of management of the Charity to ensure fair and transparent management and to identify any service delivery issues overseen by the Chairman of the Charity,

Formal stage 1 – Write, e-mail or phone or speak to us with the details of your complaint and our Care Manager will investigate the complaint. We will aim to respond to this within 5 working days and will formally log your complaint on our dedicated system in line with Data Protection regulations.

Though 5 working days are the normal response time these may vary due to investigatory requirements and the complainant will be fully informed of any amended timescales.

We will confirm the following in writing to the Complainant at the completion of each stage in clear, plain language:

- 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

If you can show that we have not dealt with your concerns you can move on to stage 2 if no exclusions apply within 12 months of the response from the Charity.

Formal stage 2 (Appeal) – Write, e-mail or phone or speak to us with the details if you wish to escalate the complaint to stage 2 following our response in Stage 1. The Chief Executive will investigate your complaint at this stage it should also normally be dealt with within 10 working days.

At any stage, you can ask us for a home visit or a personal interview with a senior member of staff and/or Governor from the department dealing with your complaint. You can be accompanied by a friend or relative at any meetings that are held as part of the complaint process. The Chief Executive may choose to request the Chairman of the Board undertake the review of the complaint or another Governor of the Charity.

If you have been through both stages of our formal complaints process or we refuse to escalate the matter beyond any stage and/ or we have not been able to resolve your complaint to your satisfaction or experience a delay in delivering a response to your complaint, you can ask the Independent Housing Ombudsman to look into the matter for you, if it concerns our sheltered housing /almshouse services. Alternatively, if your complaint is regarding the care received at our Residential care home, then you may contact the Care Quality Commission.

Should you wish to complain about the Charity's management or Governance please contact the Charity Commission after the complaints process above has not met your desired outcome. The Commission is the independent regulator of charities. Its job as regulator is to ensure that charities are accountable, well run and meet their legal obligations. Its work means that the public can be confident about giving their support to charities and beneficiaries can have confidence about the services they receive.

Responding to a complaint

The charity will seek a range of solutions to resolve the complaints that are received and acknowledge where a failure of service has been identified. Any redress or similar action by the Charity will be at the discretion of the CEO/Governors, proportionate to the harm or distress that occurred and may be subject to limits due to the Charity's statutory or regulatory

responsibilities. The Charity may seek to use third party assistance in seeking resolutions to any disputes including specialist advisors.

Remedies to a failure in service delivery may be provided in a number of ways. These can 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.

And will reflect the guidance provided by the Housing Ombudsman or other regulators.

Monitoring.

The Charity will formally log all complaints that are received to ensure that they are managed effectively. The charity will carry out an annual self assessment of its management against the Housing Ombudsman Complaint Handling code. Policy and procedure will also be reviewed on annual basis or in line with Code of Practice or regulatory requirements. All formal complaints are reported to the relevant Committee of the Board of management for scrutiny and examination. The Charity will seek complainants feedback of the process and respond to any learning outcomes in future staff training and service delivery.

The Charity welcomes feedback in regard all aspects of its work and all formal complaints are recorded and reported to our Full Board of Management so that we can learn lessons from any errors and improve our services.

Housing Ombudsman Service
81 Aldwych
London
WC2 4HN

CQC National Customer Service Centre
Citygate
Gallowgate
Newcastle upon Tyne NE1 4PA

Tel: 0300 111 3000

Tel: 03000 616161

Leicester City Council,
Social Services Adult Social Care,
1 Greyfriars
Leicester
LE5 1PH

Charity Commission
PO Box 211
Bootle
L20 7YX
Charity Commission general enquiries –
0300 066 9197.

Tel: 0116 454 1004

Last Reviewed June 2024

Chris Jones