

BUCKINGHAM ALMSHOUSES AND WELFARE CHARITY

Complaints Policy and Procedure

1. Policy Statement

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

2. Purpose

The policy 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
- the handling of complaints will comply with confidentiality and data protection policies.

3. Scope

Origin of a complaint

Complaints may be made by residents, their carers and families or a representative, or other individual who comes into direct contact with Buckingham Almshouses and Welfare Charity (BAWC). (If there are matters of concern within the Board and officers, this is covered by the Charity's Grievance policy)

Definition of a complaint

A complaint shall be defined as an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Charity, its officers or Trustees, or those acting on its behalf; affecting an individual, a resident or group of residents.

A resident does not have to use the word complaint in order for it to be treated as such. The Charity should recognise the difference between a service request (pre-complaint), survey feedback and a formal complaint and take appropriate steps to resolve the issue for residents as early as possible.

Residents should be encouraged to raise minor complaints informally in the first instance, preferably verbally, as this can lead to better understanding and very often to a quick resolution of the issue.

If the complaint cannot be solved quickly or if the complaint is more serious, it should be made in writing. A written complaint should include sufficient detail to enable the Charity to investigate.

Exclusions from the complaints procedure

The Charity 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, or
- the Complainant is anonymous, unless there is sufficient documentary evidence to substantiate the complaint.

Record Keeping

A full record shall be kept of the complaint, any review and the outcomes at each stage. This should include the original complaint and the date received; all correspondence with the resident, correspondence with other parties and any reports or surveys prepared.

4. Outline Complaints Process

Complaints should be made to the Appointed Person (usually the Secretary / Administrator) in the first instance, who will acknowledge receipt of a written complaint within 7 working days. This acknowledgement will indicate the next course of action and the anticipated timescale. The Charity will seek to resolve the complaint as a matter of urgency.

If the Complainant is still not satisfied with the outcome or intended plan of action, they have 7 working days to submit a written appeal, and the appeal will be dealt with by an appropriate Trustee committee who will convene a special meeting within 7 working days of the appeal being submitted.

5. Complaints Procedure

The following procedure is followed if any almshouse resident, welfare beneficiary, allotment holder or other **individual who comes into direct contact with the Charity wishes to raise a complaint** in connection with their occupation of the Charity's property or about services provided by the Charity or conduct of the Charity's officers or Trustees.

Stage one

- The Complainant should contact the Appointed Person (by phone, email or in hard copy - see details at the bottom of this policy) describing the matter about which they wish to complain. (The only exception is when the complaint relates directly to the Appointed Person, in which case the matter should be first addressed to the Chair of the Board of Trustees)
- The Appointed Person will reply within 7 working days, either with a resolution of the matter or a clear plan of action to resolve the matter.
- The Complainant then has the opportunity to appeal this early decision (either because they are unhappy with the resolution or with the plan to sort out the matter).
- The Appointed Person will keep a record of all contacts and correspondence.

Stage two

- If the Complainant wishes to appeal against Stage one resolution, the next step is to write to the Chair of the Board of Trustees outlining the original matter and their dissatisfaction with the proposed resolution.
- The Chair will then review the matter informally with the Appointed Person and establish whether it is possible to provide an additional resolution. If so, this will be presented to the Complainant as a further measure.
- If the Complainant is now content, the matter can rest. If not, then the matter will proceed to Stage three.
- The Chair will keep a record of all contacts and correspondence.

Stage three

- At this point the Chair will choose two Trustees who have so far been unconnected with the matter to review the case - the original complaint and solutions presented thus far. The task of this review committee will be to consider whether the matter should be resolved in a different way or stopped (due to, for example, the view that the complaint is a vexatious one or that the solutions proposed are reasonable).
- The Complainant will be contacted with the decision made. If the Complainant is content the matter can rest. If the Complainant is not content then they have the option to request that a further set of different Trustees to review the case. These Trustees will then make a recommendation to a specially convened Board of Trustees meeting when a decision will be taken to either offer a new solution to the Complainant or to recommend that they contact the Housing Ombudsman.
- The Complainant will then be contacted with this decision and they can decide either to accept the resolution offered or contact the Housing Ombudsman.

At all stages

- All parties involved must address the matter with speed and efficiency, proportionate to the severity of the complaint (e.g. matters of Health and Safety, or abuse or other potentially harmful matters must receive due care and rapid attention).
- Adequate notes of all communications and discussions must be kept.
- Appropriate confidentiality must be maintained.
- Where needed or preferred, the Complainant must be afforded the opportunity to present their concerns in person, and with a supporter if they so wish. Equally, anyone who is the subject of a complaint must also be afforded a similar right to support and the chance to present their response in person as well.
- If a complaint is pursued unreasonably or where a resident's actions or behaviours are deemed to be unreasonable, BAWC reserves the right to close the complaint. A complainant who displays threatening or abusive behaviour or language (whether verbal or written), that causes officers or Trustees to feel threatened or abused and / or continues to contact the Charity with unreasonable demands during / following a complaint investigation, may have their appointment set aside. In cases where Trustees consider a complainant is being unreasonable and overly persistent and therefore decide to bring the complaint to an end, they will inform the complainant of their reasons. The Trustees' decision is final unless the case is taken to the Housing Ombudsman or a designated person:
 - The Complainant can either refer the matter to a 'designated person' or wait eight weeks and then refer the matter directly to the Housing Ombudsman Service whose address is 81 Aldwych, London WC2BR 4HN (tel: 030 111 3000, email: info@housing-ombudsman.org.uk).
 - Designated persons were introduced by the Government to improve the chance of complaints about housing being resolved locally. A 'designated person' can be an MP or a local councillor.
 - If the unresolved complaint does not involve housing, the complainant may choose to refer it to the appropriate governing body, such as the Charity Commission.

Address for written complaints is found on the Charity's website:

https://www.buckinghamgeneralcharities.org.uk/Groups/241032/Buckingham_General_Charities.aspx

The Appointed Person is named on the Charity's website:

https://www.buckinghamgeneralcharities.org.uk/Groups/241038/Contact_Us.aspx

Document Control

Name of Policy:	Complaints Policy and Procedure
Version:	2.0
Purpose of the Policy:	To ensure that an appropriate response is made to all complaints and that a standard procedure is followed in handling such complaints.
Policy applies to:	All beneficiaries and other contacts of the Charity
Approved by:	BAWC Compliance and Governance Committee
Responsible for its updating:	BAWC Compliance and Governance Committee
Final approval by:	The Board of BAWC
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