**Complaints Policy**

**Based on the Almshouse Association Model Policy**

**Charity of Mary Parminter**

**Registered charity number: 210057**

**Complaints Policy and Procedures**

1. **Introduction**
	1. This policy applies to the trustees of the Charity of Mary Parminter and seeks to ensure that the Charity’s complaints process is flexible and responsive to the needs of individual complainants.
	2. The Charity complies with the Complaint Handling Code (the **Code**) issued by the Housing Ombudsman Service. All complaints dealt with under this policy will be dealt with in a manner consistent with the Code and the Charity will maintain all records as required by the Code.
	3. In dealing with complaints the Charity will ensure that:
		1. individuals who complain are listened to and treated with courtesy and empathy;
		2. residents will never be disadvantaged as a result of making a complaint;
		3. complaints will be investigated promptly, thoroughly, honestly and openly; and
		4. In dealing with complaints the Charity will comply with confidentiality and data protection policies.
	4. For the purposes of this policy:
		1. The **Complaints Officer** is:

Name: Andrea McAdam

Telephone number: 07975919248

Address: 19 Phillipps Avenue, Exmouth, EX8 3HZ

Email address: info@maryparminter.org.uk

* + 1. The **Appeals Officer** is:

Name: Iain McDonald

Telephone number: 01626 856030

Address: 1 Coastguard Cottages, Dawlish, EX7 0BT

Email address: iain.mcdonald@mansfield.oxon.org

* 1. A **complaint** is defined as: an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Charity, its trustees, its own staff, or those acting on its behalf, affecting an individual resident or group of residents. The word “complaint” does not need to be used expressly for the matter to be considered a complaint.
	2. A request from a resident to act to put something right (e.g., to carry out routine maintenance etc.) is considered to be a **service request** and not a complaint. Service requests should be dealt with in accordance with the Residents’ Handbook. Failure to deal appropriately with a service request may lead to the matter being dealt with as a complaint.
	3. Complaints made by residents may be made by the resident’s carer, family members or a representative of a resident.
	4. Complaints made by individuals affected by the Charity, who are not residents, must be made by the individual themselves or a legal representative.
1. **Exclusions**
	1. The Charity will not be able to deal with an issue through the complaints process if:
		1. Legal proceedings have begun as defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at Court.
		2. the complainant is anonymous, unless there is sufficient documentary evidence to substantiate the complaint.
		3. the issue giving rise to the complaint occurred over twelve months ago, unless relating to safeguarding or health and safety issues; or
		4. the matter has already been considered under the complaints policy and a decision issued.
	2. The Charity will accept a complaint unless there is a valid reason not to do so. If a complaint is not accepted a detailed explanation will be provided to the Complainant setting out the reasons why the matter is not suitable for the complaints process and their right to take that decision to the Ombudsman (see details below). The Ombudsman may direct the Charity to take on the complaint, in which case this policy will apply.
	3. Unless excluded on other grounds, the Charity must accept complaints referred to them within 12 months of issue occurring or the resident becoming aware of the issue. Where there are good reasons to do so, the Charity must also consider whether to apply discretion to accept complaints made outside the time limit.
2. **Accessibility**
	1. Complaints will be dealt with in a manner that is consistent with the Charity’s Equality & Diversity Policy and the Charity’s duties under the Equalities Act 2010.
	2. If any individual making a complaint wishes the Charity to make reasonable adjustments to accommodate an individual’s particular needs, they, or their representative, should contact Iain McDonald whose details are in the Residents’ Handbook, by phone or by email or in person to discuss what adjustments may be possible.
	3. A copy of this policy will be published on the Charity of Mary Parminter website [www.maryparminter.org.uk](http://www.maryparminter.org.uk) and included in the Residents’ Handbook. The Handbook will include a Complaints form and resources produced by the Housing Ombudsman detailing the process for resolving disputes with a landlord.
	4. The Charity acknowledges that a high volume of complaints must not be seen as negative, as this can be indicative of a well-publicised and accessible complaints procedure. Low complaint volumes are potentially a sign that residents are unable to complain.
3. **Complaint handling staff**
	1. Complaints will be investigated by the Complaints Officer at Stage One.
	2. Appeals will be investigated by the Appeal Officer at Stage Two.
	3. If the Complaints Officer and/or the Appeals Officer are conflicted, or the complaint relates to the Complaints Officer and/or the Appeals Officer, the complaint should be directed to the Clerk whose details are in the Residents’ Handbook.
4. **Stage One of the Complaints Process**
	1. Complaints should be made either in writing or by email to the Complaints Officer.
	2. The initial complaint should include sufficient detail, and where appropriate supporting documentation, to enable the Charity to investigate the matter.
	3. The Complaints Officer will acknowledge the complaint and make a record, within 5 days. The acknowledgement will:
		1. summarise the Charity’s understanding of the complaint;
		2. summarise the Charity’s understanding of what the Complainant is seeking as an outcome;
		3. raise any questions that require clarification from the Complainant; and
		4. set out the next course of action and anticipated timescale.
	4. In most cases the Charity will aim to resolve complaints within 10 working days from the receipt of the complaint. In exceptional cases, if the Complaints Officer anticipates that the complaint will take longer to resolve, this should be explained and a clear timeframe set out for the resolution of the complaint which should not exceed a further 10 working days, without good reason. Such explanation should also include the contact details of the Housing Ombudsman.
	5. If the Complaints Officer believes that the complaint will take longer than 20 working days to resolve then the Complaints Officer will seek to agree the timeframe with the Complainant. If no agreement can be reached with the Complainant, the Complainant should be advised to raise the matter with the Housing Ombudsman (see details below).
	6. The Complaints Officer will investigate the complaint in an impartial manner permitting all relevant parties to provide information. The Complainant and any third parties involved in the complaint should be given the opportunity to set out their position before any final decision is made. The Complaints Officer may delegate the management and investigation of the complaint to another individual.
	7. If the Complaints Officer is conflicted, or the complaint relates to the Complaints Officer, the complaint should be directed to the Appeals Officer, Iain McDonald whose details are listed above (1.4) and in the Residents’ Handbook.
	8. The Complaints Officer will:
		1. deal will all complaints on their merits;
		2. act independently and have an open mind but may consider reports of previous complaints that relate to the same issue being complained about;
		3. take appropriate measures to address any actual or perceived conflict of interest (which may include asking another trustee to investigate the complaint);
		4. consider all information and evidence carefully; and
		5. keep the details of the complaint confidential as far as possible, with information only being disclosed if necessary to properly investigate the matter.
	9. If the complaint involves questions relating to the Charity or the Complainant’s legal obligations, the Complaints Officer will set out clearly their understanding of the respective legal obligations and may seek legal advice before doing so.
	10. The Complaints Officer will provide the Complainant with a response to the complaint at the earliest opportunity, which will be copied to all the trustees.
	11. If the Complaints Officer identifies that further actions are required to address the complaint these may be carried out after the response has been given and should not delay the Complainant receiving a response to the complaint.
	12. In responding to the complaint, the Complaints Officer will confirm in writing:
		1. The complaint stage
		2. The complaint definition
		3. The decision on the complaint
		4. The reasons for any decisions made
		5. The details of any remedy offered to put things right
		6. Details of any outstanding actions; and
		7. Details of how to escalate the matter to stage two if the individual is not satisfied with the result.
	13. If new issues are raised by the Complainant during the stage one process, these should be dealt with as part of the process if they are relevant. However, if the issues relate to a different issue and/or are raised after the response has already been issued, the issues will be dealt with as a separate complaint.
5. **Stage Two**
	1. If the Complainant is not satisfied with the response from the Complaints Officer, they have 5 working days to submit an appeal in writing or by email to the Appeals Officer.
	2. The Appeals Officer will acknowledge the appeal within 5 working days of the receipt of the appeal. The acknowledgment may include any requests for clarification that relate to the appeal.
	3. The Appeals Officer will arrange a meeting with the Complainant to be held within 10 working days of the appeal being submitted. The Appeals Officer will be assisted by two trustees at the meeting.
	4. The Appeals Officer will respond in writing to the complainant within 20 working days of the appeal being submitted, informing them of the outcome of the appeal process and the decision of the Appeals Panel.
	5. If the Appeals Officer believes that the appeal will take longer than 20 working days to resolve then this should be agreed with the Complainant. If no agreement can be reached with the Complainant, the Complainant should be advised to raise the matter with the Housing Ombudsman (see details below).
	6. In responding to the appeal, the Appeals Officer will confirm in writing:
		1. The complaint stage
		2. The complaint definition
		3. The decision on the complaint
		4. The reasons for any decisions made
		5. The details of any remedy offered to put things right
		6. Details of any outstanding actions; and
		7. Details of how to escalate the matter to the Housing Ombudsman if the complainant is not satisfied with the response to the appeal.
6. **Circumstances in which a complaint may be closed**
	1. 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.
	2. If a Complainant displays threatening or abusive behaviour or language (whether verbal or written), that causes staff or trustees to feel threatened, abused and/or continues to contact the Charity with unreasonable demands during/following a complaint investigation a complaint may be closed and, if the Complainant is a resident, this may be grounds for their appointment to be set aside.
	3. In cases where the trustees bring the complaint to an end in accordance with this section of the policy, they will inform the Complainant of their reasons.
7. **Putting things right where something has gone wrong**
	1. Where something has gone wrong the Charity must acknowledge this and set out the actions it has already taken, or intends to take, to put things right. These can include:
		1. • Apologising;
		2. • Acknowledging where things have gone wrong;
		3. • Providing an explanation, assistance or reasons;
		4. • Taking action if there has been delay;
		5. • Reconsidering or changing a decision;
		6. • Amending a record or adding a correction or addendum;
		7. • Providing a financial remedy;
		8. • Changing policies, procedures, or practices.
	2. Any remedy offered must reflect the impact on the resident as a result of any fault identified.
	3. 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.
	4. Charities must take account of the guidance issued by the Housing Ombudsman when deciding on appropriate remedies.
8. **Housing Ombudsman Service**

The contact details for the Housing Ombudsman Service are:

Telephone: 0300 111 3000

Email: info@housing-ombudsman.org.uk

Website: [www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk)

Address: Housing Ombudsman Service,

 PO Box 152, Liverpool, L33 7WQ.

1. **Annual Review**
	1. This policy will be reviewed on an annual basis.
	2. The Charity will carry out an annual self-assessment in accordance with the Code.
	3. The Trustees of the Charity as a whole will consider any findings or recommendations of the annual self-assessment.

**This policy has been approved for issue by the board of trustees**



Signature: ...............................................

Name: Iain McDonald (Chair)

Date: 24th October 2024

**Charity of Mary Parminter**

**Registered charity number: 210057**

**Complaints Policy and Procedures**

**Appendix for internal use by Charity Staff**

**Service request or complaint?**

**(Flow Charts with 3 example scenarios)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  |  | **a. Resident calls Charity to report the contractor has not arrived on the agreed date** |  |  |
|  |  | Line arrow: Straight with solid fill |  |  |
|  |  | Can an explanation and resolution (to the resident’s satisfaction) be given on the call? |  |  |
| YesLine arrow: Straight with solid fill |  | NoLine arrow: Straight with solid fill |  |  |
| Provide explanation and resolution. Record details of call on system. | NoLine arrow: Straight with solid fill | Does the matter require enquiries beyond a brief call to the contractor? | YesLine arrow: Straight with solid fill | Log **Complaint** and action as per complaint policy |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  |  | **b. Resident calls Charity to report repair** |  |  |
|  |  | Line arrow: Straight with solid fill |  |  |
|  | NoLine arrow: Straight with solid fill | Is this the first time the resident has reported this issue? | YesLine arrow: Straight with solid fill | **Service Request** – log repair and follow repair policy. |
| Line arrow: Straight with solid fill |  |  |  |  |
| Is the resident chasing up a missed appointment? | YesLine arrow: Straight with solid fill | Can an explanation and resolution (to the resident’s satisfaction) be given on the call? | YesLine arrow: Straight with solid fill | Provide explanation and resolution. Record details of call on system. |
| NoLine arrow: Straight with solid fill |  | NoLine arrow: Straight with solid fill |  |  |
|  | Line arrow: Straight with solid fill | Is the resident dissatisfied with the handling of repairs / the repetitiveness of the issue? | NoLine arrow: Straight with solid fill | Provide explanation and resolution. Record details of call on system. |
|  |  | YesLine arrow: Straight with solid fill |  |  |
|  |  | Log **Complaint** and action as per complaint policy |  |  |