



*The Friendly
Almshouses*

Complaints Policy

THE FRIENDLY ALMSHOUSES

Registered charity number: 1166703

Complaints Policy and Procedures

1 Introduction

- 1.1 This policy applies to the trustees of The Friendly Almshouses (the **Charity**) and seeks to ensure that the Charity's complaints process is flexible and responsive to the needs of individual complainants to enable residents to be heard and understood.

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.

- 1.2 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.
- 1.3 The word "complaint" does not need to be used expressly for the matter to be considered a complaint. Whenever a resident expresses dissatisfaction the Charity must give them the option to make a complaint. Complaints made by residents may be made by the resident's family members or a representative of a resident and these must be handled in line with the Charity's complaints policy.
- 1.4 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.
- 1.5 A complaint must be raised when the resident expresses dissatisfaction with the response to their service request, even if the handling of the service request



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remains ongoing. The Charity must not stop their efforts to address the service request if the resident raises a complaint.

- 1.6 An expression of dissatisfaction with services made through a resident's 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.
- 1.7 In dealing with complaints the Charity will ensure that:
 - (a) individuals who raise a complaint are listened to and treated with courtesy
 - (b) residents will never be disadvantaged as a result of raising a complaint;
 - (c) complaints will be investigated promptly, thoroughly, honestly, and openly; and
 - (d) in dealing with complaints the Charity will comply with confidentiality and data protection policies.

2 Exclusions

- 2.1 The Charity must accept a complaint unless there is a valid reason not to do so.
- 2.2 The following matters will not be considered as complaints:
 - (a) The issue giving rise to the complaint occurred over twelve months ago.
 - (b) 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.
 - (c) Matters that have previously been considered under the complaints policy.
- 2.3 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.
- 2.4 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.



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- 2.5 The Charity reserves the right to close the Complaint in the following circumstances:
- (a) 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.
 - (b) 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 license to be set aside.
 - (c) 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 and their right to take that decision to the Ombudsman (see details below). The Ombudsman may direct the Charity to reopen the complaint, in which case this policy will apply.

3 Accessibility and awareness

- 3.1 Complaints can be made in person, by phone or email or by letter. All 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. 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 the *Clerk to the Trustees* whose details are in the Residents' Handbook, by phone or by email or in person to discuss what adjustments may be possible.
- 3.2 All staff and trustees are aware of the complaints process and able to pass details of the complaint to the appropriate person within the Charity.
- 3.3 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.
- 3.4 The complaints handling policy is listed in the Residents Handbook and is available on the Charity's website. It includes details of the process, including information about the Housing Ombudsman and the Complaints Handling Code.



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- 3.5 The complainant has the right to be represented or accompanied at any meeting with the Charity, and for a representative to deal with the complaint on their behalf.

4 Complaint handling staff

- 4.1 Complaints will be investigated by the Complaints Officer at Stage One. The Complaints Officer has the authority and autonomy to resolve disputes promptly and fairly.
- 4.2 Appeals will be investigated by the Appeal Officer at Stage Two.
- 4.3 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 *Chair of Trustees* whose details are in the Residents' Handbook.
- 4.4 The Charity prioritises complaint handling and fosters a culture of learning from complaints. All relevant staff are suitably trained in the importance of complaint handling.

5 The Complaint Handling Process, Stage One

- 5.1 Complaints should be made either in writing or by email to the Complaints Officer. This is Stage One.
- 5.2 The initial complaint should include sufficient detail, and where appropriate supporting documentation, to enable the Charity to investigate the matter.
- 5.3 The Complaints Officer will acknowledge the complaint and make a record, within 5 working days. The acknowledgement will:
- (a) summarise the Charity's understanding of the complaint "the complaint definition";
 - (b) summarise the Charity's understanding of what the Complainant is seeking as an outcome;
 - (c) summarise the Charity's responsibility to each aspect of the complaint and clarify any areas where this is not clear;



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- (d) raise any questions that require clarification from the Complainant; and
 - (e) set out the next course of action and anticipated timescale.
- 5.4 In most cases the Charity will aim to issue a full response within 10 working days from the complaint being acknowledged. In exceptional cases, if the Complaints Officer anticipates that the particular 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. The Charity will agree with the resident suitable intervals for keeping them updated. Such explanation should also include the contact details of the Housing Ombudsman.
- 5.5 Where the Complaint responses is handled by a third party (e.g. a contractor or independent adjudicator) this will form part of the complaints process set out in this policy. Residents are not expected to go through two complaints processes. The Charity will ensure any third parties handle complaints in line with the Complaint Handling Code.
- 5.6 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.
- 5.7 If the Complaints Officer is conflicted, or the complaint relates to the Complaints Officer, the complaint should be directed to the Appeals Officer whose details are in the Residents' Handbook.
- 5.8 The Complaints Officer will:
- (a) deal will all complaints on their merits;
 - (b) act independently and have an open mind but may consider reports of previous complaints that relate to the same issue being complained about;
 - (c) take appropriate measures to address any actual or perceived conflict of interest (which may include asking another trustee to investigate the complaint);
 - (d) address all points raised in the complaint definition, providing clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate;



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- (e) keep a full record of the complaint and the outcomes at each stage, including all correspondence and supporting documentation
 - (f) consider all relevant information and evidence carefully; and
 - (g) keep the details of the complaint confidential as far as possible, with information only being disclosed if necessary to properly investigate the matter.
- 5.9 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.
- 5.10 The Complaints Officer will provide the Complainant with a response to the complaint at the earliest opportunity, which will be copied to all of the trustees. The response must be provided to the Complainant when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions are to be tracked and actioned promptly with appropriate updates provided to the resident.
- 5.11 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.
- 5.12 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.
- 5.13 In responding to the complaint, the Complaints Officer will confirm in writing:
- (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 two if the individual is not satisfied with the result.



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6 Stage Two

- 6.1 If the Complainant is not satisfied with the response from the Complaints Officer, the complaint can be escalated to Stage Two by submitting an appeal in writing or by email to the Appeals Officer within 5 working days. Contact details can be found in the Residents' Handbook. Complainants do not have to explain their reasons for requesting Stage Two consideration.
- 6.2 The Appeals Officer will acknowledge the appeal within 5 working days of receipt of the appeal. The acknowledgment may include any requests for clarification that relate to the appeal.
- 6.3 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 another trustees at the meeting (the Appeals Panel).
- 6.4 The Appeals Officer will respond in writing to the complainant within 20 working days of the appeal being acknowledged, informing them of the outcome of the appeal process and the decision of the Appeals Panel.
- 6.5 If the Appeals Officer believes that the appeal will take longer than 20 working days, then any extension should be notified and clearly explained to the Complainant. Any such extension should be no more than 20 working days without good reason. Such explanation should also include the contact details of the Housing Ombudsman.
- 6.6 In responding to the appeal, the Appeals Officer will confirm in writing:
 - (a) The complaint stage
 - (b) The complaint definition
 - (c) The decision on the complaint
 - (d) The reasons for any decisions made, referencing the relevant policy, law and good practice where appropriate
 - (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 the Housing Ombudsman if the complainant is not satisfied with the response to the appeal.
- 6.7 Stage Two is the Charity's final response and must involve all suitable staff members needed to issue such a response



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7 Putting things right

- 7.1 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:
- 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.
- 7.2 Any remedy offered must reflect the impact on the resident as a result of any fault identified.
- 7.3 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.
- 7.4 Charities must take account of the guidance issued by the Housing Ombudsman when deciding on appropriate remedies.

8 Self-assessment, reporting and compliance

- 8.1 The Charity will produce an annual complaints performance and service improvement report for scrutiny and challenge, which includes:
- a) an annual self-assessment against the Complaint Handling Code to ensure the complaint handling policy remains in line with its requirements;
 - b) a qualitative and quantitative analysis of the Charity's complaint handling performance, including a summary of the types of complaints the Charity has refused to accept;
 - c) any findings of non-compliance with the Complaint Handling Code by the Housing Ombudsman;



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- d) the service improvements made as a result of the learning from complaints;
- e) any annual report about the Charity's performance from the Ombudsman;
- f) any other relevant reports or publications produced by the Ombudsman in relation to the work of the Charity

- 8.2 The annual complaints performance and service improvement report must be reported to the Trustees of the Charity and published on the section of the website relating to complaints. The board will consider any findings or recommendations of the annual self-assessment and their response to the report will also be published alongside the report.
- 8.3 The Charity will carry out a self-assessment following a significant restructure, merger or change in procedures
- 8.4 The Charity will review and update the self-assessment if required following an Ombudsman investigation.
- 8.5 If the Charity is unable to comply with the Code due to exceptional circumstances, such as a cyber incident, they must inform the Ombudsman, provide information to residents who may be affected, and publish this on their website including providing a timescale for returning to compliance with the Code.

9 Scrutiny & oversight: continuous learning and improvement

- 9.1 The Charity will look beyond the circumstances of the individual complaint and consider whether service improvements can be made as a result of any learning from the complaint.
- 9.2 Complaints will be used as a source of intelligence to identify issues and introduce positive changes in service delivery, fostering a positive complaint handling culture which is integral to the effectiveness of dispute resolution.
- 9.3 The Charity will report back on wider learning and improvements from complaints to stakeholders, such as residents' panels, staff and relevant committees for accountability and transparency.
- 9.4 The Complaints Officer will be a suitably senior lead person. They will assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision.



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- 9.5 A member of the Trustees must be appointed to have lead responsibility for complaints to support a positive complaint handling culture. This person is referred to as the Member Responsible for Complaints ('the MRC').
- 9.6 The MRC will be responsible for ensuring the Trustees receive regular information on complaints that provides insight on the Charity's complaint handling performance. This person must have access to suitable information and staff to perform this role and report on their findings.
- 9.7 As a minimum, the MRC and the Trustees must receive:
- a) regular updates on the volume, categories and outcomes of complaints, alongside complaint handling performance;
 - b) regular reviews of issues and trends arising from complaint handling;
 - c) regular updates on the outcomes of the Ombudsman's investigations and progress made in complying with orders related to severe maladministration findings;
 - d) the annual complaints performance and service improvement report.
- 9.8 The Charity takes a collaborative and co-operative approach, working with the relevant people to resolve complaints. The Charity takes collective responsibility for any shortfalls identified through complaints, rather than blaming others and acts within the professional standards for engaging with complaints as set by any relevant professional body.
- 10 For the purposes of this policy:
- (a) The **Complaints Officer** is:
 - Name: Emma Fleming
 - Telephone number: 020 7274 7176
 - Address: 155-167 Stockwell Park Road, Brixton, London SW9 0TL
 - Email address: clerk@friendlyalmshouses.org



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(b) The **Appeals Officer and Member Responsible for Complaints (MRC)** is:

Name: Susan Forda

Telephone number: 020 7274 7176

Address: 155-167 Stockwell Park Road, Brixton, London SW9 0TL

Email address: office@friendlyalmshouses.org

11 Housing Ombudsman Service

The contact details for the Housing Ombudsman Service are:

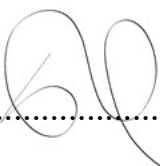
Telephone: 0300 111 3000

Email: info@housing-ombudsman.org.uk

Website: www.housing-ombudsman.org.uk

Address: Housing Ombudsman Service,
PO Box 152, Liverpool, L33 7WQ.

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

Signature: 

Name: Emma Fleming.....

Position: Clerk to the Trustees

Date: 29th October 2024.....



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Registered charity number: 1166703

Complaints Policy and Procedures

Date finalised:	October 2024
Responsible author:	Clerk to Trustees
Approved by:	Board of Trustees
Next review by:	October 2025
Version number:	2
List of changes:	Changes to 2019 policy to bring into line with Housing Ombudsman and Almshouse Association guidance Flow chart of service request v complaint added



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Appendix for internal use by Charity Staff

Service request or complaint?

(Flow Charts with 3 example scenarios)

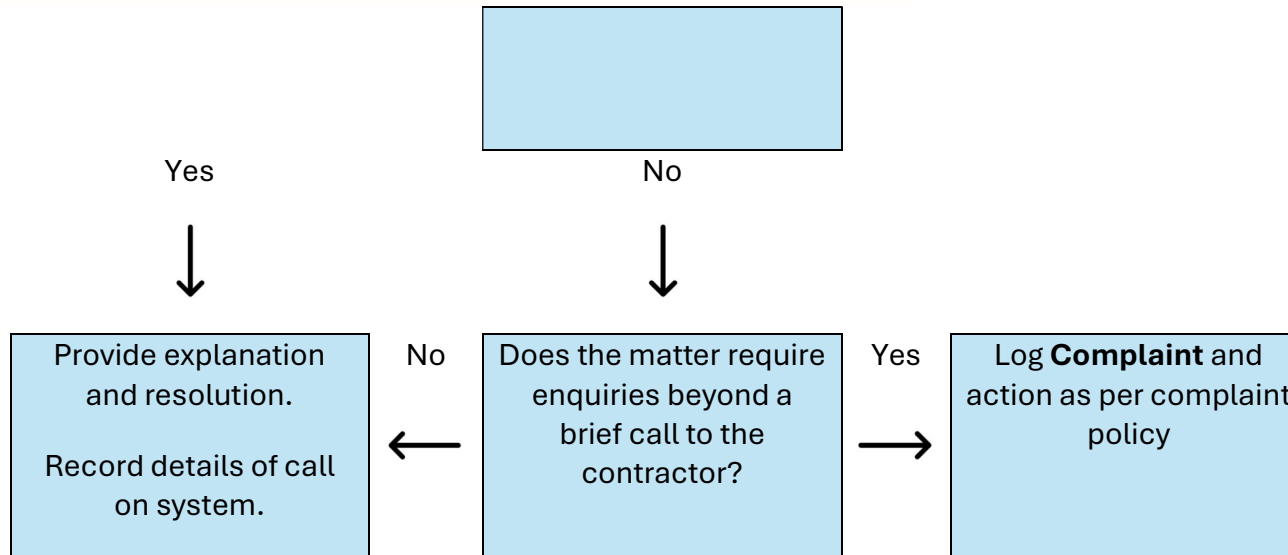
**a. Resident calls
Charity to report the
contractor has not
arrived on the agreed
date**



Can an explanation and
resolution (to the
resident's satisfaction)
be given on the call?

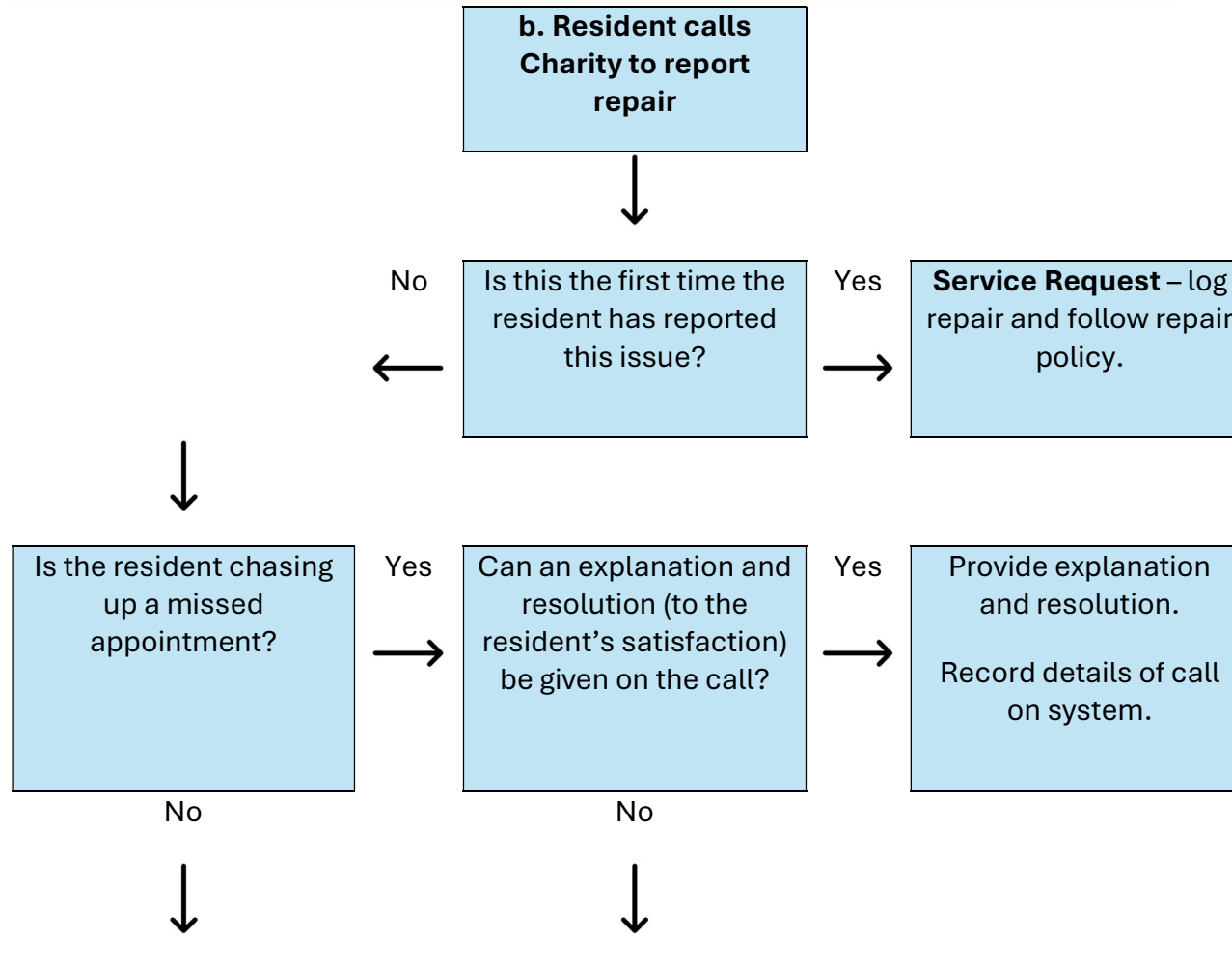


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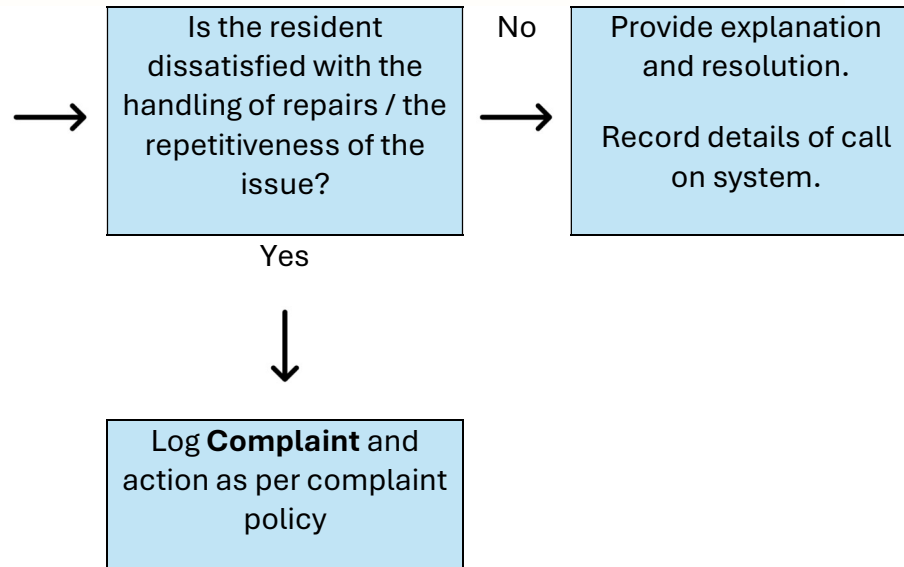


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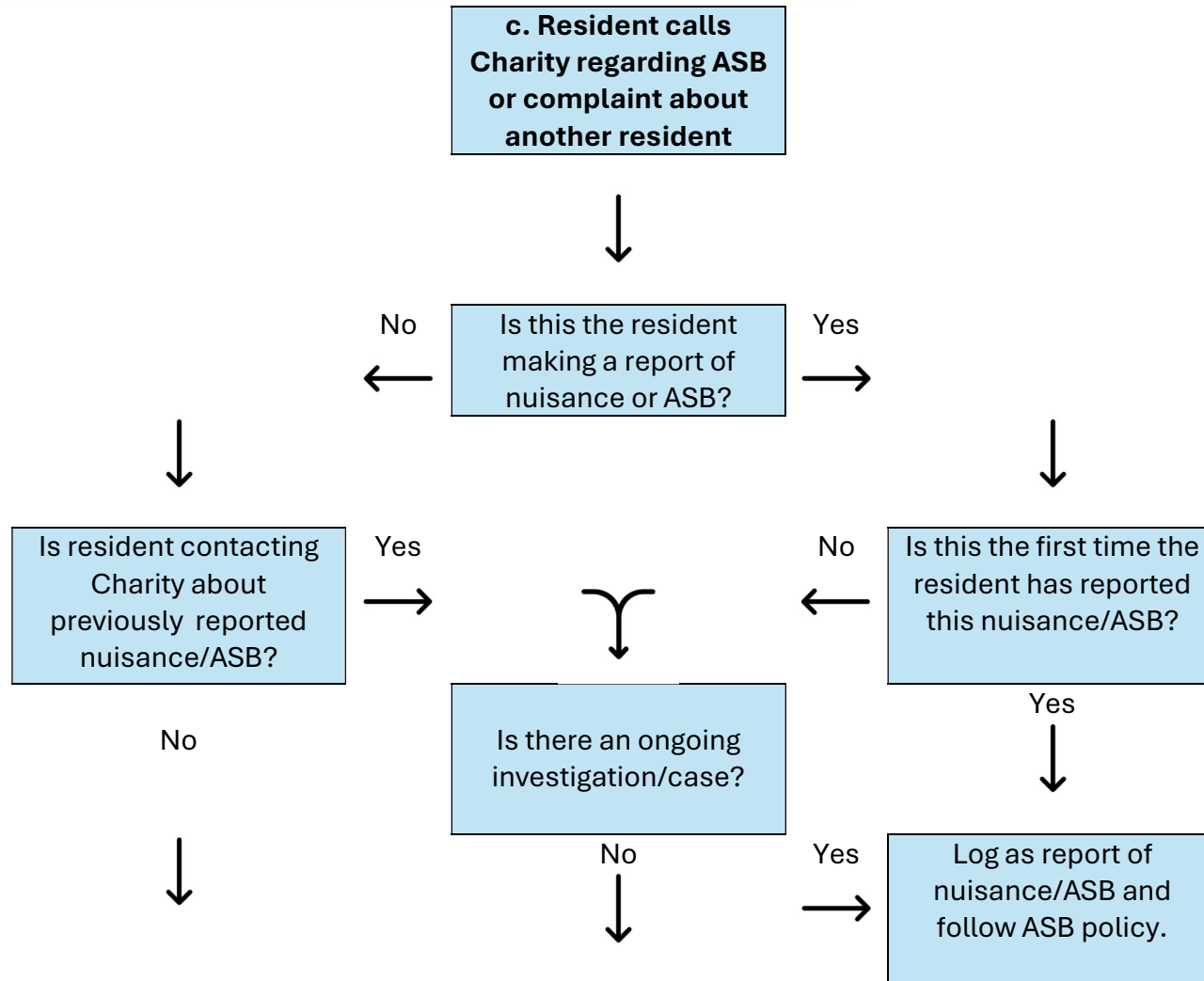


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