



## **Complaints Policy**

### **Worcester Municipal Charities (CIO) Almshouses**

#### **1. Introduction**

This policy applies to Worcester Municipal Charities (CIO) (registered Charity number 1166931) in respect of the 68 homelessness almshouses managed as Agents by Citizens Advice (registered charity number 1128497) and 32 retirement almshouses at Berkeley's Court and Nash's & Wyatts Court managed directly by Worcester Municipal Charities (CIO). It seeks to ensure that our complaints process is fair and responsive to the needs of individual complainants.

It is available to view on both our websites and can be requested in paper format via any member of staff from Worcester Municipal Charities or Citizens Advice Worcester.

Like all almshouses, we are a charity and operate under charity law. We follow the Standards of Almshouse Management, which is a guidance manual by The Almshouse Association approved by the Charity Commission and reviewed by the Regulator of Social Housing.

Citizens Advice Worcester (registered charity number 1128497) are instructed as the agents to manage the 68 homelessness almshouses on behalf of Worcester Municipal Charities (CIO) and should any individual resident wish to complain about the accommodation at these almshouses this complaints policy will apply. However if any individual resident wishes to complain about the services they have received directly from a member of Citizens Advice Worcester's staff then the Citizens Advice Worcester complaints policy will apply.

Berkeley's Court and Nash's & Wyatts Almshouses are managed by Worcester Municipal Charities themselves and any complaints should be raised with the warden in the first instance unless the complaint is about the Warden him/herself, in which case the complainant should contact the office by visiting or calling 01905 317117.

If something has gone wrong and an individual is dissatisfied, we aim to resolve complaints quickly and use the learning from complaints to improve our services.

#### **2. Aims**

We welcome complaints from our residents as it provides an opportunity for learning and development. In the handling of complaints, we comply with the Complaint Handling Code issued by the Housing Ombudsman Service. All complaints dealt with under this policy will be handled in line with the Code. It means:

- individuals who complain are listened to and treated with respect and empathy;

- All staff are aware of this policy and know how to advise our residents on how to raise a complaint.
- complaints will be investigated thoroughly and resolved promptly, fairly and openly;
- residents will never be disadvantaged as a result of making a complaint; and
- We take a positive approach to complaint handling through continuous learning and improvement.

We aim to find remedies at any stage of the complaints process, without the need for escalation.

For example, we will speak to a resident to find out what is behind their dissatisfaction and if there is anything we can do to speedily resolve the complaint.

If an individual informs us at any time that they are happy and no longer wish to proceed with their complaint, we will look to swiftly close the complaint.

### **3. What is a complaint**

Our definition of a complaint reflects that used by the Housing Ombudsman:

“an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its trustees, its own staff, or those acting on its behalf, affecting an individual or group of individuals.”

The word ‘complaint’ does not need to be used expressly for the matter to be considered a complaint.

A request from a resident to act to put something right (for example, to carry out a repair) is considered to be a service request and not a complaint.

It would become a complaint if an individual expressed dissatisfaction with the response to their service request, even if the handling of the service request remained ongoing.

### **4. Exclusions – what is not a complaint**

We do not consider the following to be complaints under this policy.

- An initial request for a service, action, information, or explanation.
- A service we do not provide.
- Comments or survey feedback although those making negative comments must be made aware of how to complain.
- Reports of antisocial behaviour or harassment, which are dealt with under a separate policy.
- Issues that have been through, or are going through, a legal process.
- When the complainant is anonymous unless there is sufficient evidence to substantiate the complaint.
- Where the issue, or the individual’s awareness of it, occurred more than 12 months ago unless it relates to a safeguarding or a health and safety matter.
- Previous complaints that have already been investigated and concluded.

This list is not exhaustive or prohibitive, each individual complaint will be considered on its own merit.

If a complaint is not accepted, an explanation for the exclusion is given setting out the reasons why the matter is not suitable for the complaints process and the individual's right to take that decision to the Housing Ombudsman (see point 9). The Ombudsman may direct us to take on the complaint, in which case this policy will apply.

## **5. Who can make a complaint**

A complaint can be made by anyone affected by the service we provide to our residents, or by a decision or action taken by us.

A complaint submitted by an individual through their selected representative will still be handled in line with this policy.

For example, a complaint by a resident can be made by the resident's carer, family member or other representative acting on their behalf, with written or verbal consent for this provided to us by the resident.

If a group of residents wishes to make a collective complaint, we reserve the right to deal with matters as separate complaints from the individuals involved. This could be due to different issues being raised, or varying circumstances even though the issue is similar.

## **6. Accessibility**

Complaints are dealt with in line with our Equality and Diversity Policy. Our Complaints Policy and Procedure is available to our residents on our website and in writing from our offices.

Individuals can have a suitable representative deal with their complaint on their behalf. They can also be represented or accompanied at any meeting with us about the complaint.

If anyone making a complaint wishes us to make reasonable adjustments to accommodate the particular needs of them or their representative, they should ask us to discuss what adjustments can reasonably be made. Where possible, we will also anticipate an individual's needs by offering them suitable and reasonable adjustments.

## **7. How to complain**

Complaints can be made by residents of Berkeley Court and Nash's & Wyatts to any member of staff in a variety of ways, including in person, by telephone, in writing or by email.

- Address: Office Manager, Kateryn Heywood House, Berkeley Court, The Foregate, Worcester WR1 3QG
- Telephone: 01905 317117
- Email: [admin@wmcharities.org.uk](mailto:admin@wmcharities.org.uk)
- Website: <http://wmcharities.org.uk/>

Or

Residents of almshouses managed by Citizens Advice Worcester for the single homeless can contact them at

- SmartLets Manager, The Old Glove Factory, 13a Lowesmoor, Worcester, WR1 2RS.
- Telephone 01905 721897
- Email: [advice@citaworcester.org.uk](mailto:advice@citaworcester.org.uk)

The complaint should include sufficient detail to enable us to investigate the matter, including what happened, the reasons for the complaint and what the individual would like to see done to resolve the matter.

If someone is acting as a representative, evidence is needed of their authority to do so.

## **8. Complaints procedure**

We have a two-stage complaints procedure.

### **Stage 1 investigation**

#### **Acknowledgement:**

In cases where the complaint relates to an almshouse managed by Citizens Advice Worcester the complaint will be initially investigated by the SmartLets Service Manager who will act as the 'Complaints Officer'. In cases relating to any other almshouse, it will be passed to Worcester Municipal Charities to be investigated by the Office Manager acting as their Complaints Officer.

The person responsible for the investigation will not previously have been involved in the matter and will have access to all staff and authority to act in order to resolve the complaint promptly and fairly. They will conduct the complaint investigation in an impartial manner.

The complaint will be logged at stage 1 of the complaints procedure and acknowledged within 5 working days of receiving it. The acknowledgement will set out our understanding of the complaint and the complainant's preferred method of communication. It will also cover the outcomes the complainant is seeking, together with the next steps and timescales.

If any aspect of the complaint is unclear, we will ask for clarification. If a resident has a representative but not yet provided us with consent, we will request it at this point of the process.

We will be clear from the outset about whether a desired outcome is unreasonable or unrealistic, and whether there are any urgent actions required.

#### **Complaint response:**

We will respond to complaints within 10 working days of acknowledging the complaint. In exceptional cases, the person dealing with the complaint may decide that the complaint needs longer to investigate due to factors such as the complaint's complexity or the individual's vulnerability. Any extension will be no more than a further 10 working days without

good reason. The reasons for the extension will be explained to the complainant, and they will be given the contact details of the Housing Ombudsman.

We will:

- clarify with the individual any aspects of the complaint they are unclear about so to be clearly defined.
- deal with the complaint on its merits, act independently, and have an open mind;
- give the individual a fair chance to set out their position;
- take measures to address any actual or perceived conflict of interest (which may include asking another trustee or Manager to investigate the complaint);
- consider all relevant information and evidence carefully.

The complainant, and if applicable any staff member who is the subject of the complaint, will be given a fair chance to set out their position and comment on any adverse findings before a final decision is made.

The complaint response will be sent to the individual when the answer to the complaint is known, not when any outstanding actions required to address the issue are completed. Outstanding actions will be actioned promptly with appropriate updates provided to the individual.

We will address all points raised in the complaint and provide clear reasons for any decisions. Most stage 1 complaints can be resolved quickly, and an explanation, apology or other resolution provided to the individual.

In responding to the complaint at stage 1, the person dealing with the complaints will write in clear, plain language to address all the points raised and confirm:

- the complaint stage;
- the complaint definition;
- the decision on the complaint;
- the reasons for any decisions made, referencing relevant policy, law and good practice where appropriate;
- the details of any remedy offered to put things right;
- details of any outstanding actions; and
- details of how to escalate the matter to stage 2 if the individual is not satisfied with the response.

### **Stage 2 review**

If the complainant is dissatisfied with the response at stage 1, they can ask for a stage 2 review of their complaint by requesting it in person, writing or by email.

There is no set timescale for requesting a stage 2 review but we consider it reasonable to make the request within 4 weeks of the stage 1 response so the matter can be resolved promptly.

We will try to speak to the individual within a couple of days about their dissatisfaction. Although it is helpful to our understanding of why they remain unhappy, they do not have to explain their reasons for requesting a stage 2 consideration.

A detailed investigation of the complaint has already taken place at stage 1. A stage 2 consideration reviews the adequacy of the stage 1 response, as well as any relevant new information not previously considered.

The complaint will be reviewed by someone in the role of 'Review Officer'. This will not be the same person that considered the complaint at stage 1. It will be the Chairman or other designated Trustee.

**Acknowledgement:**

A request for the complaint to be investigated at stage 2 will be acknowledged and logged within 5 working days of the request being received.

In the acknowledgement, the Review Officer will:

- set out their understanding of issues outstanding and the outcomes the individual is seeking;
- ask the individual for clarification if any aspect of the complaint is unclear; and
- offer a meeting with the individual to be held as soon possible, ideally within 7 working days of the acknowledgement. Such a meeting will normally take place at a venue owned by Worcester Municipal Charities or Citizens Advice Worcester.

At the meeting, the Review Officer will be assisted by another person, either another Trustee or Manager.

The Review Officer will respond in writing to the stage 2 review within 20 working days of the date we acknowledged the stage 2 escalation request.

If the Review Officer believes that the appeal will take longer than 20 working days to resolve this will be agreed with the individual. If no agreement can be reached and the individual is a resident, they will be advised to raise the matter with the Housing Ombudsman.

**Final response:**

In responding to the complaint at stage 2, the Review Officer will address all the points raised and confirm:

- the complaint stage;
- the complaint definition;
- the decision on the complaint;
- the reasons for any decisions made, referencing relevant policy, law and good practice where appropriate.
- the details of any remedy offered to put things right;
- details of any outstanding actions; and
- details of how to escalate the matter to the Housing Ombudsman if the individual remains dissatisfied.

- This is our final response to the complaint. After sending the response we will keep in touch with the individual to check they are satisfied at the end of our complaints process.

### **9. External review by the Housing Ombudsman Service**

If the individual is not satisfied with our stage 2 response they should progress the matter through the independent and impartial Housing Ombudsman Service.

- Online: [www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk)
- Phone: 0300 111 3000
- Email: [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)
- Address: Housing Ombudsman Service, PO Box 152, Liverpool L33 7WQ

The Housing Ombudsman Service can offer advice at any point during the complaint process. It can investigate the circumstances of a complaint after it has gone through our internal complaints procedure.

### **10. Record keeping**

We keep a record of complaints. This includes the date received, all correspondence, any reasonable adjustments or extensions agreed, and the outcomes at each stage. It also records learning to feed into future service improvements.

If we have got something wrong we record the complaint as being upheld, even if there are elements of the complaint not upheld. We do not record complaints as being 'partially upheld'.

We treat personal data from complaints in line with the requirements of the Data Protection Act 2018.

### **11. New issues**

Where individuals raise additional complaints during the investigation, these will be incorporated into the stage 1 response if they are related and if the stage 1 response has not been issued.

If the stage 1 response has been issued, the new complaints are unrelated to the issues already being investigated, or it would unreasonably delay the response, the new matters will be logged and dealt with as a separate new complaint.

### **12. When a complaint is closed**

A complaint is closed when a resolution is agreed or the complaint process has been completed.

If a resident informs us at any stage they are happy and do not wish to proceed with the complaint, we will look to close the complaint.

### **13. Remedies to put things right**

Where something has gone wrong we will acknowledge this and set out the actions we have taken, or intend to take, to put things right and by when.

We look to find a remedy at any stage of our complaints process, without the need for escalation. Any remedy offered will reflect the impact on the individual as a result of any fault identified. Examples of remedies include the following.

- Apologising
- Correcting an error
- Providing an explanation, reasons or help
- Taking action if there has been delay
- Reconsidering or changing a decision
- Providing a financial remedy
- Changing policies, procedures or practices

Any remedy offered will reflect the impact on the individual as a result of any fault identified. It will not promise something that cannot be delivered or cause unfairness to other residents.

#### **14. Use of discretion and unacceptable behaviour**

We reserve the right to use discretion when applying this policy and may deal with a complaint differently where individual circumstances merit it. This discretion will be used fairly and appropriately to maximise the opportunity to resolve a complaint.

Any restrictions placed on an individual's contact due to unacceptable behaviour will be proportionate, subject to regular review, and in line with the Equality Act 2010.

We may close a complaint early due to unacceptable behaviour by the complainant or their representative. This may include making persistent and unreasonable demands, using threatening or abusive language, or continually making complaints they do not genuinely wish to resolve. We will inform the individual of the reasons if we need to bring the complaint to an end.

If the individual is a resident, their unreasonable behaviour may be grounds to set aside their appointment under licence to live at Worcester Municipal Charities Almshouses.

#### **15. Compliments and comments**

Compliments and comments offer us helpful insights into the experience of our services by residents or other individuals affected by our actions.

A compliment is unprompted positive recognition or praise. A comment can be described as volunteered personal opinion, suggestion or remark.

Unless specifically requested, we will not routinely reply to compliments and comments, but will use the feedback to help us to improve.

#### **16. Continuous learning and improvement**

This policy will be reviewed annually. Our Board actively welcomes complaints and views them positively. We will regularly review complaints to identify any trends, learn from issues



and introduce positive changes. This will be led by our Member Responsible for Complaints who will be an experienced Trustee.

We will carry out an annual self-assessment in accordance with the Housing Ombudsman's Complaint Handling Code.

**Policy approval by the Board at their meeting on the 26<sup>th</sup> February 2025**