

1 Introduction and purpose

The Sheppard Trust aims to provide the highest possible level of service to its residents and in its dealings with external stakeholders. Nevertheless we accept that there are times when things go wrong. We welcome complaints as an opportunity to resolve problems, improve the service, and learn from these occasions.

2 Policy statement

It is the policy of the Sheppard Trust to support and enable residents and others to raise complaints, by putting procedures in place to ensure that

- Making a complaint is as easy and transparent as possible, and there are different channels to make a complaint
- Residents and others who complain are listened to and treated with courtesy and empathy
- Residents will not be disadvantaged as a result of making a complaint
- Complaints are investigated promptly, thoroughly, openly and honestly
- Apologies are made or explanations are provided where appropriate along with any information on action taken to improve services as a result of the complaint
- Complaints are dealt with in a confidential manner which complies with our privacy and data protection policy.

It is the policy of the Sheppard Trust, as a former registered provider of social housing, to maintain membership of the Independent Housing Ombudsman service which enables residents to take an unresolved complaint to an external body. Our complaints policy and procedure have been drawn up in line with the Housing Ombudsman's Complaint Handling Code 2024 ("the Code").

The complaints policy will be published in the residents handbook and on our website, including information about the Ombudsman and the Code.

The Chief Executive is responsible for seeing that this policy is followed and for reporting numbers and types of complaints received to the Trustees (and therefore acts as the "complaints officer" for the purposes of the Code.)

3 Complaints covered by this policy

A complaint is any expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.

A resident does not need to use the word "complaint" for it to be treated as such. When a resident expresses dissatisfaction the Trust will give them the choice to make a complaint.

An individual may make a complaint if they feel the Sheppard Trust has:

- Failed to provide an acceptable standard of service or made a mistake in the way the service was provided
- Provided an unfair service, or
- Failed to act in a proper way.

Complaints may be made by residents or by other external stakeholders, for example families, carers, resident's representatives, neighbours or other organisations.

Issues raised by staff about their employment will be dealt with under the grievance procedure and not under this policy and procedure.

This policy and procedure applies only to complaints received about the Sheppard Trust and its services. Expressions of dissatisfaction about the actions of other residents will be dealt with under the Anti-Social Behaviour and Neighbour Disputes policy and procedure, as they are not complaints about the Trust's services. However a complaint about the Trust's action or inaction on such a matter will be treated as a complaint.

Service requests are not treated as complaints. A service request is a request from a resident requiring action to put something right, for example a repair is needed. Service requests will be recorded, monitored and reviewed regularly. However if the resident then raises dissatisfaction with the response to the service request, it will be treated as a complaint, even if the handling of the service request is ongoing. We will not stop efforts to address the request if the resident complains.

An expression of dissatisfaction made through a survey will not be treated as a complaint but wherever possible the person completing the survey will be made aware of how they can pursue a complaint if they wish to. When the Trust issues surveys they will contain the text "if you wish to raise a complaint in respect of any of the feedback you have given in this survey, please follow the complaints procedure as set out in the residents handbook."

Some issues can be dealt with immediately with a quick conversation, action or apology and these will not be logged as complaints. However, if further enquiries are needed to resolve the matter, or the resident requests it, the issue must be logged as a complaint.

When we may not be able to deal with a complaint

We cannot deal with anonymous complaints, unless there is sufficient documentary evidence to substantiate the complaint.

We may decide not to deal with complaints about matters that took place more than twelve months before they are raised with us, because it may not be possible to investigate fully and fairly. We will apply discretion to accept other complaints outside of this timescale if there are good reasons to do so. We will always deal with a complaint about a health and safety or safeguarding matter even if it is historic

The Sheppard Trust will not be able to deal with an issue through the complaints process if it relates to a matter where legal proceedings have started.

If a complaint is pursued repeatedly or unreasonably or where a resident's actions or behaviours are deemed to be unreasonable, the Sheppard Trust reserves the right to close the complaint or to put restrictions on the way it is handled (for example only dealing in writing). A complainant who 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, may be subject to the breach of licence procedure. Any action taken to impose restrictions or invoke the breach of licence procedure will be proportionate and demonstrate regard for the Equality Act 2010, and the reasons for the actions taken will be recorded and regularly reviewed..

In cases where we decide not to accept the complaint, or where Trustees consider a complaint is being unreasonable and overly persistent and decide to bring the complaint to an end, we will inform the complainant of the reasons and their right to take that decision to the Housing Ombudsman.

4 Complaints procedure

The Sheppard Trust aims to provide you with a high level of service. We accept that sometimes we get things wrong and need to put them right. We welcome feedback and complaints as an opportunity to resolve problems, improve the service, and learn from these occasions.

Some people are reluctant to complain. The Trust can only resolve problems and improve the service if you speak up when things go wrong. If issues arise you are encouraged to raise them with us at an early stage so that we can put them right. The vast majority of issues can be resolved quickly and informally.

You can raise a complaint with any staff member, or someone else may raise it on your behalf. You may write, telephone, email, text/ Whatsapp message, speak to us in person or use the contact form on our website to report your complaint. Our staff will try to resolve the issue quickly and informally in the first instance, but if you request it your complaint will be escalated straight to Stage 1.

It helps if you tell us

- What service you are unhappy with
- What you have done so far to deal with the problem
- What you are seeking as a solution or outcome to the complaint.

Stage 1

If the initial informal response does not resolve the problem, or you wish to go directly to Stage 1, you can ask for your complaint to be treated as a formal complaint.

The Chief Executive will deal with your complaint. (unless your complaint is about the behaviour of the Chief Executive).

The Chief Executive will acknowledge your complaint within five working days of receipt, indicating the next steps and the anticipated timescale to investigate the matter and respond.

If your complaint is about the Chief Executive you should send it to the office marked "Trustees – Private" and it will be forwarded to one of the Trustees to investigate and respond.

The Chief Executive will always seek to resolve your complaint at the earliest possible opportunity. This will normally be within 10 working days of the complaint being acknowledged, and if this is not possible an explanation and a clear timeframe for a reply will be given to you. The Chief Executive will write to you with the outcome of your complaint.

Stage 2: Ask for a review of your complaint

If all or part of the matter is not resolved to your satisfaction, you should write to the Trustees, c/o the office, asking them to review the matter. You should normally do this within two months of receiving the outcome letter from Stage 1. You do not have to give reasons. Your request for Stage 2 will be acknowledged within five working days. The Chair of Trustees will review the investigation documents and a panel of Trustees will consider the matter.

The trustees will respond within 20 working days of acknowledgment. If this is not possible an explanation and a clear timeframe for a reply will be given to you. If a meeting is held to consider the matter then you or your representative will be invited to attend part of that meeting to explain your point of view and may bring a friend or relative with you. After the meeting the Chair will write to you to explain the decision made and any action to be taken to resolve your complaint.

Housing Ombudsman Service.

The Housing Ombudsman Service is a fair and impartial service which was set up to look at complaints about housing organisations. Their service is free of charge to residents.

If we have not resolved your complaint, or if we are not responding to a complaint you have made, you have the right to take your complaint to the Housing Ombudsman Service.

The best way to contact the Housing Ombudsman Service is through their online complaints form which you can access at www.housing-ombudsman.org.uk, or by emailing info@housing-ombudsman.org.uk

You can also telephone 0300 111 3000 or write to Housing Ombudsman Service, PO Box 1484, Unit D, Preston, PR2 0ET (but please note that the service advises there will be delays in responding to post).

You can also access the Housing Ombudsman service for advice throughout your complaint. However, the Ombudsman will expect you to go through our complaints procedure before they consider your complaint.

Our full complaints policy is available on request.

5 Complaints handling

All complaints should be logged. The complaints log is held at "Z:\Shared\Policies and information\Policies and Procedures\Complaints, ASB and disputes\Complaints log.xlsx"

A full record should be kept of the complaint, any review and the outcomes at each stage. These are generally held in the complaints case files with any correspondence copied to the resident correspondence file. The location of each record should be included on the complaints log.

The complaint acknowledgement at either stages should set out our understanding of the complaint and the outcome the resident is seeking, and be clear when a desired outcome is unrealistic or unreasonable. It should also make clear which aspects of the complaint the Trust is and is not responsible for, where applicable.

Complaints should be responded to as early as possible. The person dealing with the complaint should consider whether the complaint requires further investigation, considering the complexity of the complaint and whether the resident is vulnerable or at risk. Where an extension to the timescales is required, the resident must be informed and provided with the contact details of the Ombudsman.

The resident, and any staff member who is the subject of the complaint, must have an opportunity to set out their position and to comment on any adverse findings before a decision is made. Residents will have the opportunity to be accompanied at any meeting where this is reasonable.

At each stage of the the complaints process, the person handling the complaint must:

- a. deal with complaints on their merits, act independently, and have an open mind;
- b. give the resident a fair chance to set out their position;
- c. take measures to address any actual or perceived conflict of interest; and
- d. consider all relevant information and evidence carefully.

Residents should be kept informed of the progress of the complaint. Where it is not possible to respond in the given timescales, the person handling the complaint must agree with the resident suitable intervals for keeping them informed.

The Trust will make reasonable adjustments to its policies and processes to accommodate individual needs under the Equality Act 2010. Requests for reasonable adjustments should be made to the Chief Executive. These will be recorded.

Where something has gone wrong the Trust should acknowledge this and set out the actions taken or to be taken to put it right, which could include:

- Acknowledging where things have gone wrong
- providing an explanation, assistance or reasons
- apologising
- taking action if there has been a delay
- reconsidering or changing a decision

- amending a record or adding a correction or addendum
- providing a financial remedy
- changing policies, procedures or practices, processes or systems to the benefit of all residents

This can be done at any stage of the complaints process without the need for escalation. Any remedy offered will reflect the impact on the resident as a result of any fault identified and take account of the guidance issued by the Ombudsman. The remedy offer will set out clearly what will happen and when, in agreement with the resident where appropriate.

Where the problem is a recurring issue, consider any older reports as part of the background, if this will help resolve the issue for the resident.

The Trust's policy on financial compensation is to consider recompense in situations where the resident is out of pocket as a result of the issue giving rise to the complaint

The outcome letter at each stage should address all points raised in the complaints definition and confirm the following to the resident:

- the complaint stage
- the complaint definition (our understanding of the complaint)
- the decision on the complaint
- the reasons for any decisions made including relevant laws and policies
- the details of any remedy offered to put things right
- details of any outstanding actions
- details of how to escalate the matter to the next stage if the resident is not satisfied.

6 Reporting and compliance

The Chair of Trustees will be the member of the Executive Committee charged with having lead responsibility for complaints to support a positive complaints procedure and will ensure that the Executive committee receives regular information on complaints and the organisations complaints handling. (Member responsible for Complaints)

A report will be made to the Executive Committee at least annually covering

- the volume, categories and outcome of complaints
- Reviews of issues and trends arising from complaints, lessons learned and service improvements made as a result
- Individual complaint outcomes for any issues escalated to the Ombudsman
- A self assessment against the Housing Ombudsman's complaints handling code
- An analysis of the complaints handling performance including a summary of types of complaint not accepted
- Any findings of non compliance with the Code, or reports from the Ombudsman

The report will be published on the website and the Trust's annual report will comment on any learning from complaints and feedback will also be given to residents.

7 Status and review date

This policy and the associated procedures will be reviewed at least every three years and checked annually or as and when there are changes in legislation, to keep up to date with best practice standards.

Status of this policy: Approved by the Executive Committee May 2024
Status of this version: Checked and updated May 2025
Next check and update due: May 2026
Next full review due: May 2027

Appendix: Guidance for staff handling a complaint.

- Remain calm and respectful throughout the conversation
- Listen – allow the person to talk about the complaint in their own words. Sometimes people just want to “let off steam”
- Don’t debate the facts in the first instance, especially with someone who is angry
- Show an interest in what is being said
- Obtain details of the complaint before personal details, and ask for clarification if necessary
- Show that you have understood the complaint by reflecting back what you have heard or noted down
- Acknowledge the persons feelings, even if you feel they are being unreasonable – you can do this without commenting on fault or the complaint itself e.g. “I understand that you are frustrated about this situation”.
- If you feel that an apology is deserved, then apologise
- Ask the person what they would like done to resolve the issue
- Be clear about what you can do and how long it will take
- Don’t promise things you can’t deliver
- Give clear and valid reasons why requests cannot be met
- Make sure the person understands what they have been told
- Keep the complaint confidential as far as possible
- Where appropriate inform the person about the next stage in our complaints procedure and how to take their complaint further if they wish to.