



COMPLAINTS POLICY

Woodlands Quaker Home is committed to delivering high-quality residential care and housing with support, however we do acknowledge that the services we deliver may not always meet our high standards. We will ensure that it is easy to make a complaint, and our approach is clearly set out in this policy.

Who can complain?

Anyone who accesses our services can make a complaint, this includes residents, tenants, relatives, friends, advocates or anyone who is impacted by the services we provide.

Compliance, Legal and Regulatory Framework

Our approach to complaints handling complies with the Housing Ombudsman Service Complaint Handling Code 2024 and Regulation 16 of the Health and Social Care Act 2008.

Where a complaint is received from or on behalf of a resident funded by a local authority or the NHS then we will ensure compliance with the contractual requirements for notification and consultation.

This Policy falls within the Transparency, Influence and Accountability Standard that features in the Regulator of Social Housing's Regulatory Framework.

It states Housing Associations should:

- ✓ Treat all customers with fairness, dignity and respect.
- ✓ have an approach to complaints that is clear, simple and accessible and ensure complaints are resolved promptly, politely and fairly.
- The Data Protection Act sets out how we handle personal data. We are committed to safeguarding the rights of individuals to ensure confidentiality and privacy. All Woodlands Quaker Home employees are required to maintain a duty of care towards information regarding our Residents, Tenants or any individual acting on their behalf in line with data protection legislation and our Data Protection Policy.
- The Equality Act 2010 requires us to safeguard those with protected characteristics from direct and indirect discrimination and make reasonable adjustments to ensure equality of access for all. We will make reasonable adjustments for complainants where appropriate.
- The Care home is classed as a 'higher risk building'. The Building Safety Act 2022 (BSA) outlines how we must respond to a complaint relating to building safety.

Section 93 of the BSA requires the Principle Accountable Person (PAP) of an occupied higher risk building to establish and operate a system for investigating complaints in relation to:

- A building safety risk; or
- The performance by an accountable person for the building under any duty, or under regulations made under Part 4 of the BSA.

Definition of a complaint

As outlined in the Housing Ombudsman Service Complaints Handling Code, a complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by us, or those acting on our behalf, affecting an individual resident/tenant or group of residents/tenants.

A resident/tenant or their representative does not have to use the word 'complaint' for it to be treated as such. It is our responsibility to ensure that when a dissatisfaction is raised that we explain their options.

When we will not consider a complaint

There are certain matters that we would not consider as a complaint, these include:

- Requests for service or repairs that have not previously been reported
- Matters that have previously been considered under our Complaints Policy;
- Cases where a legal claim is being made against Woodlands Quaker Home, these will be dealt with by our insurers and legal advisers
- Cases where the matter is being dealt with by a statutory agency that has the power to resolve the complaint
- Complaints reported to us more than 12 months after the issue occurred, except for concerns regarding safeguarding or health and safety issues.
- Complaints between individual residents/tenants – These are covered by other policies in operation

We appreciate that when things go wrong that this can result in a resident/tenant or a person acting on their behalf exhibiting behaviour that is out of character, however vexatious, abusive or threatening behaviour will be dealt with under our unacceptable behaviour policy. In these cases we may also review the process to establish if the complaints procedure is the most appropriate course of action to deal with the dissatisfaction.

Where the behaviour is so extreme that it threatens the immediate safety and welfare of Woodlands staff, we will consider other options, for example reporting the matter to the police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

If we do, for any reason, we refuse to consider a matter as a complaint, we will always explain our decision and inform the person of their rights for them to take our decision to the Housing Ombudsman Service/Local Government & Social Care Ombudsman for review.

How to complain

We will make sure that it is easy to make a complaint and we offer a range of ways for complaints to be made, complaints can be made to any staff member in the following ways:-

- In person
- Via telephone
- In writing
- Via email

Our complaints procedure is publicly displayed on the relative's noticeboard in the home, communal areas of the housing scheme and is detailed in our residents handbook and tenants handbook.

Complaints can be made on behalf of tenants or residents by family, friends or through other agencies e.g., advocates or support agencies. In some cases, we will need written consent from the tenant or resident to discuss the complaint in line with data protection procedures. Where elected representatives such as a councillor or MP make enquiries on behalf of a tenant or resident then written consent will not be required. Complainants have the right to be represented or accompanied at any investigatory or decision meeting.

When complainants wish to remain anonymous, we will endeavour to follow our complaints procedure in the best way possible.

Complaints Process

We operate a two-stage complaints process, and we aim to resolve complaints at the earliest opportunity. We treat all complaints in confidence in a fair and honest way. Complainants will not be treated differently or have services reduced or withdrawn because they have made a complaint. If we need to involve a third party in the complaint then we will ensure that they adhere to this policy and the two stage process.

**STAGE ONE
INVESTIGATION AND OUTCOME**

Your complaint will be acknowledged within 48 hours of receipt and the Woodlands Manager will aim to respond fully within 7 days.

If an extension to the timescale is necessary, this will be mutually agreed, and you will also be provided with details of the Housing Ombudsman/Local Government & Social Care Ombudsman at this point.

**STAGE TWO
APPEAL AND REVIEW**

If your complaint remains unresolved and you are unhappy with the outcome of stage one, then you can appeal the decision to the Chair of the Woodlands Quaker Home Management Committee (The chairperson is contacted via the Administration office). They will acknowledge your complaint within 72 hours of receipt and review your complaint and how it has been managed.

They will aim to respond fully within 14 days

If an extension to the timescale is necessary, this will be mutually agreed, and you will also be provided with details of the Housing Ombudsman/Local Government & Social Care Ombudsman at this point.

The stage two decision is final

EXTERNAL REVIEW

If you are still dissatisfied following the outcome at stage two, you can refer your complaint to The Housing Ombudsman Service/ The Local Government & Social Care Ombudsman/ local MP/ Councillor

Safeguarding

Where information is received in the course of the consideration of a complaint which suggests that our Safeguarding procedures to protect a vulnerable adult should be implemented, then the complaint process will be delayed.

At stage one of the complaint we will confirm the following: -

- Be clear on the parts of your complaint we are, and are not responsible for
- Confirm our understanding of your complaint
- Consider all relevant information and evidence in investigating your concerns
- Address all points and provide the reasoning behind decisions made
- Consider remedies at any point within the process to resolve the complaint at the earliest opportunity

Where additional points are raised during stage one of the investigation, these will be incorporated into the stage one response, if they are related and the stage one response has not yet been issued. If the issues are unrelated or the stage one response has already been issued or it would unreasonably delay the response then these issues will be dealt with as a new complaint.

At Stage two of the complaint, we will confirm the following: -

- The complaint stage
- Definition of the complaint
- The decision together with reasoning
- Details of any remedy to put things right
- Details of any outstanding actions outstanding and how to escalate the matter to the relevant body

Making things right

Where something has gone wrong, we will ensure that our response includes the actions we have or will take to put things right.

This can include:

- ✓ Apologising
- ✓ Acknowledging where things have gone wrong
- ✓ 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

Remedies may be offered at any stage of the complaints process. Any remedy offered will reflect the impact on the individual as a result of any fault identified. Where appropriate any remedies set out will be mutually agreed. Financial compensation will be considered as part of our redress and will only be paid in cases where the loss or suffering is considered to warrant such a payment. Any compensation offered will be appropriate, fair and in with the Housing Ombudsman's remedies guidance.

Staff Training

Staff will be trained in complaint handling through the following training methods and

refresher courses will be undertaken as appropriate.

- Complaints Handling through e learning modules provided by The Access Group
- Supervision and group supervisions
- External training courses for those staff members who have a more detailed involvement in complaints handling.

Monitoring Performance

Complaints and concerns are a way of learning about the quality of services and putting right or improving services. We will specifically monitor complaints as follows:-

- All complaints, relevant investigation documentation and outcomes are logged and filed with a unique identifier
- Complaints are chosen at random and examined by a Trustee Director during monthly management inspections.
- The Number of complaints by stage, service area and type are analysed to determine trends and areas of risk that need to be addressed
- Satisfaction with complaints handling & complaints dealt with on time
- The number of complaints resolved at each stage.
- The Number of complaints upheld and at which stage
- A summary of complaints received are presented annually to the board along with the investigation process and outcomes

Associated Internal Policies, Regulatory Guidance & Legislation

Internal Policies

- Unacceptable Behaviour Policy
- Data Protection Policy
- Health & Safety Policy
- Whistleblowing Policy
- Equal Opportunities Policy

Regulatory Guidance & Legislation

- Health & Social care Act 2008(Regulated Activities) Regulations 2014: Regulation 16
- The Care Act 2014 – Safeguarding Adults
- Complaints Handling Code – Housing Ombudsman
- Guidance on Remedies – Housing Ombudsman Service
- Equality Act 2010
- Mental Capacity Act 2005
- Data Protection Act 2018
- General Data Protection Regulations

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