

1 INTRODUCTION

- 1.1 The Liversage Trust (the Trust) is committed to providing the best possible services to all our residents and visitors. However, we recognise that from time to time there may be occasions when individuals may not be satisfied with the quality of services provided and may wish to complain. It is important that these instances are brought to our attention quickly, as we can then review our actions so that they can provide us with an opportunity to put things right and learn from any mistakes.
- 1.2 We, therefore, treat complaints very seriously, viewing them as a valuable source of feedback on our services and a learning opportunity. As such, we do not view a high volume of complaints as negative. We also review where we do and do not receive complaints, to ensure there are no barriers to individuals who want to make a complaint.
- 1.3 While we note that some people may be reluctant to complain, we can only resolve problems and improve services if those affected by our services speak up when they are not happy with something that we have or have not done. We are committed to making the process of complaining as simple as possible and no individual will ever receive any adverse treatment because they have made a complaint.
- 1.4 This policy and our annual complaints performance is publicised on our website, and through other appropriate media channels. It is also aligned with the Housing Ombudsman Service's 'Complaint Handling Code'.

2 AIMS AND OBJECTIVES

- 2.1 When dealing with a complaint, we aim to:
- increase resident and customer satisfaction by resolving complaints promptly, politely, fairly and in a consistent manner
 - achieve continuous improvement by recording and reviewing areas of the service which cause dissatisfaction amongst residents and wider customers and learning from any trends that are identified.
- 2.2 This will be achieved by:
- setting out a consistent framework for dealing with complaints
 - making sure the process is focused on the complainant and is customer-friendly
 - giving staff and residents alike a clear set of expectations as to how residents' complaints will be dealt with
 - clarifying who can make a complaint and who will deal with the complaint at

various stages

- setting out the procedures to be followed for resolving complaints, including recording all complaints made in an individual log and monitoring progress.

3 WHAT IS A COMPLAINT?

- 3.1 A complaint is an expression of dissatisfaction, however it is made, about the standard of service, actions, or lack of action by the Liversage Trust, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.
- 3.2 An individual does not have to use the word 'complaint' for it to be treated as such. When an expression of dissatisfaction is made, we will ask them if they would like to raise a complaint.
- 3.3 There may be times when we are unaware of an issue, and it is the first time that this has been reported to us. This is called a service request, which is defined as "a request from a resident to the Trust, requiring action to be taken, to put something right".
- 3.4 This might be a first request for service, advice, or a missed appointment. A service request is not a complaint and will be responded to through our normal working processes, depending upon the request. For example, if the request is for a repair, this would be recorded on our repairs database and responded to within published timescales. If a resident then expresses dissatisfaction with the response to their service request ie the completed repair, this will then enter the complaints process.

4. WHO CAN MAKE A COMPLAINT?

- 4.1 A complaint can be made by any resident or group of residents, visitor or any person acting on their behalf who has received services from the Trust, or been affected by our actions, omissions, or decisions.
- 4.2 Complaints can be made to any member of staff when they visit residents in their home, or by calling into our main office at 21 Alice Street, Derby, DE1 2BY. Alternatively, a complaint can be made to us by telephone on 01332 348155, by email at info@liversagetrust.org, by letter addressed to our main office (same address as above) or by using the form at the end of this policy.
- 4.3 A group complaint is a complaint that has been submitted by residents from more than one property. A lead complainant will need to be established by the group making the complaint. Names and addresses of all members of the group complaint will be needed to show that permission has been granted, and they want to be part of the group making the complaint.
- 4.4 In this instance, the Trust will only communicate with the lead complainant. The lead complainant will then be able to share information with other residents and individuals who are part of the group.
- 4.5 If it appears that the individuals involved are raising different issues, or the circumstances vary, although the issue may be similar, it may be more

appropriate to deal with matters as separate complaints.

4.6 Where an individual resident is unable to make a complaint or where they would prefer someone to act in their place, then they may ask a representative to make a complaint on their behalf. This could be a family member, friend, or support agency/worker. In this case, the Liversage Trust would require formal authorisation in writing, so that details of the case can be discussed with the third party.

4.7 When reporting a complaint to us, we may ask you:

- what the problem is and what action you think should be taken to resolve it
- if you need any assistance to raise your complaint
- if you have any reasonable adjustments that you wish us to consider as part of this complaint
- your name, address, email and contact number
- the best way to communicate with you.

4.8 In all cases the collection, storage, access to, provision and disclosure of data will be undertaken in accordance with data protection legislation.

5 EXCLUSIONS AND TIME FRAMES

5.1 The Trust must accept a complaint unless there is a valid reason not to do so.

5.2 A complaint must be made within 12 months of the issue occurring, or a resident becoming aware of the issue. Discretion will be applied where there is good reason to consider a complaint outside this timescale.

5.3 If we decide not to accept a complaint, a detailed explanation will be provided to the complainant setting out the reasons why the matter is not suitable for the complaints process. We will also include contact details for the Ombudsman and confirm the right of the complainant to refer the matter directly to them. The Ombudsman may direct the Trust to take on the complaint, in which case this policy will apply.

5.4 There are certain types of complaints that are not covered by this policy and will not be considered or escalated as a complaint. These include:

- anonymous complaints
- complaints being pursued in an unreasonable manner. Where a complainant's behaviours or actions are deemed unreasonable, the Trust also reserves the right to close the complaint
- a report of anti-social behaviour (ASB), unless it is about how reports of ASB have been handled
- matters that have previously been considered under the complaints policy
- a request for information/explanation of our policies
- cases that have been referred to our insurance company, where legal action is being taken and where 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
- where the Trust can assist but the underlying issue is not within its control or remit..

6 WHO HANDLES THE COMPLAINT PROCESS?

- 6.1 The General Manager has overall responsibility for complaints and for ensuring that any complaint received by the Trust is reviewed in line with our stated policy. The General Manager reports complaint performance to Trustees on a regular basis and will act as the liaison point with the Housing Ombudsman.
- 6.2 All complaints received at Stage One will be investigated by a Trust Officer, designated by the General Manager, and who will have the authority and autonomy to act to resolve disputes promptly and fairly. For the purpose of the investigation, this person will be referred to as the 'Complaints Officer'. Where possible, the designated Complaints Officer will have had no prior or minimal involvement in the case.
- 6.3 If the complainant is dissatisfied with the response and/or action proposed or undertaken, then an appeal can be made for the case to be reviewed at Stage Two. In this instance, the General Manager will act as the 'Appeals Officer'.
- 6.4 If the Appeals Officer is conflicted in any way, or the complaint relates to the General Manager, then the complaint will be directed to the Chair of the Board, who will nominate a suitable Trustee to undertake the required role.

7 THE COMPLAINTS PROCESS

- 7.1 The Trust's complaints process has two stages, in line with the Housing Ombudsman's Complaint Handling Code 2024.

Stage One

- 7.2 We aim to resolve all complaints at this stage. Most Stage One complaints can be resolved quickly with an explanation, apology or resolution provided to the complainant.
- 7.3 When a complaint is made, it will be referred to the General Manager who will review the initial complaint, before assigning an appropriate Trust Officer to conduct an investigation. For the purpose of resolving the complaint, they will be the designated Complaints Officer for the case. The complaint made should include sufficient detail, and where appropriate, supporting documentation, to enable the complaint to be investigated fully.
- 7.4 The Complaints Officer will acknowledge the complaint within five working days and will record details in a complaint record. The acknowledgement will:
- summarise the Trust's understanding of the complaint
 - summarise the Trust's understanding of what the complainant is seeking as an outcome
 - raise any questions that require clarification from the complainant
 - confirm any elements that the Trust are not responsible for, or where this may be unclear
 - set out the next course of action and anticipated timescale.

- 7.5 In most cases, the Trust 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.
- 7.6 The Complaints Officer will investigate the complaint in an impartial manner requesting information from all relevant parties to resolve concerns raised. The Complaints Officer will:
- deal with all complaints on their own merits
 - act independently and have an open mind, but may consider reports of previous complaints that relate to the same issue being complained about
 - take appropriate measures to address any actual or perceived conflict of interest (which may include requiring another individual to investigate the complaint)
 - consider all relevant information and evidence carefully
 - keep the details of the complaint confidential as far as possible, with information only being disclosed, if necessary, to properly investigate the matter.
- 7.7 Before the complaint response is sent out to the complainant, the Complaints Officer will contact the complainant to discuss the outcome of their investigation. A full response will be sent to the complainant after this conversation. Where we have been unable to discuss the investigation, a response letter will be sent.
- 7.8 A complaint response is sent to the complainant when the answer to the complaint is known. As part of this process, if the Complaints Officer identifies that further actions may be required to address the complaint, such as completing an outstanding repair, this may be carried out after the response has been given and should not delay the complainant receiving a response to the complaint.
- 7.9 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.
- 7.10 In responding to the complainant, the Complaints Officer will address all points raised in the complaint definition and provide clear reasons for any decisions, referencing relevant policies, law, and good practice where appropriate. This will be confirmed in writing, with the following points covered:
- complaint stage
 - complaint definition
 - decision on the complaint
 - reasons for any decisions made
 - details of any remedy offered to put things right
 - details of any outstanding actions

- details of how to escalate the matter to stage two if the individual is not satisfied with the result.
- Housing Ombudsman details

Stage Two

- 7.11 If all, or part, of a complaint is not resolved to the resident's satisfaction at stage one, they can escalate their complaint to Stage Two. A complainant does not have to explain the reasons for wanting to refer their complaint to stage two; only that they remain unhappy.
- 7.12 Stage Two will be the final response from the Trust and will be considered by the General Manager, who in this instance, acts as the 'Appeals Officer'.
- 7.13 The Stage Two appeal should be made within 10 working days of the Trust's Stage One response being received. The request should be submitted in writing to the Liversage Trust, 21 Alice Street, Derby, DE1 2BY or by email at info@liversagetrust.org.
- 7.14 The Appeals Officer will acknowledge the appeal within 5 working days of receipt of the appeal. On receipt of the escalation request, the Appeals Officer may contact the complainant via a phone call or to arrange a meeting in person to:
- clarify any aspects of the complaint they are unclear about
 - understand the outcomes the complainant is seeking
 - provide further opportunity for the complaint to provide more information
 - confirm any elements that the Trust are not responsible for or are unclear
 - ask if the complainant has any support needs to help identify any reasonable adjustments that may be required.
- 7.15 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 made.
- 7.16 If the Appeals Officer believes that the appeal will take longer than 20 working days to consider, 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.
- 7.17 In responding to the appeal, the Appeals Officer will confirm in writing the:
- complaint stage
 - complaint definition
 - decision on the complaint
 - reasons for any decisions made
 - 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 complainant is not satisfied with the response to the appeal.

8 PUTTING THINGS RIGHT WHERE SOMETHING HAS GONE WRONG

- 8.1 The Trust is committed to providing a high-quality service, but we recognise that from time to time, mistakes do happen. When this happens or where something has gone wrong, we will acknowledge this, and set out the actions we have already taken, or intend to take, to put things right.
- 8.2 This will be determined on a case-by-case basis and will involve a fair and impartial assessment to identify what is required to resolve the complaint brought to us. Any remedies adopted, will be proportionate to the circumstances of the complaint and any remedy offered must reflect the impact on the resident as a result of any fault identified.
- 8.3 Measures that can be considered to put things right for the complainant include:
- making an apology
 - acknowledging where things have gone wrong
 - providing an explanation, assistance, or reasons
 - taking action if there has been delay
 - carrying out the service required quickly and efficiently
 - reconsidering or changing a decision
 - amending a record or adding a correction or addendum
 - change of practice, policy, or procedure as part of lesson's learned
 - employee training and development
 - providing a financial remedy, should the complainant have suffered a clear and definable financial loss or out of pocket expenses.
- 8.4 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.

9 ACCESSIBILITY AND AWARENESS

- 9.1 The Trust believes in treating everyone fairly and with respect. We value diversity and are committed to equal access to our services. Our current complaints policy is consistent with our Equality & Diversity Policies and is in line with statutory duties under the Equalities Act 2010.
- 9.2 If any individual making a complaint wishes the Trust to make reasonable adjustments to accommodate an individual's particular needs, they, or their representative, should contact the Trust to discuss what adjustments may be possible, at whatever stage is appropriate. We will keep a record of the agreed reasonable adjustment and keep this under review throughout the complaint process.

10 REVIEW

- 10.1 This policy is reviewed on a regular basis and/or as statutory or code handling requirements are changed.

10.2 The Trust reports performance on complaint handling to Board at regular intervals and each year, completes an annual self-assessment in accordance with the Housing Ombudsman Service’s ‘Complaint Handling Code.’ Any findings or recommendations from the self-assessment are considered by the Board and are included in our annual complaints report.

10.3 Should there be any change in complaint policy, procedures or status of the Trust, a revised self-assessment will be completed and re-submitted to the Housing Ombudsman.

11 HOUSING OMBUDSMAN SERVICE

11.1 Residents have a right to access the Housing Ombudsman at any time during our complaints process. They can provide advice and guidance to support the early resolution of a case at any point in proceedings. The service is free, independent, and impartial.

11.2 The Trust promotes access to the Ombudsman Service at every stage of our complaints process. Contact details are as follows:

- Telephone: 0300 111 3000
- Email: info@housing-ombudsman.org.uk
- Online complaint form: www.housing-ombudsman.org.uk/residents/make-a-complaint
- Postal address: Housing Ombudsman Service, PO Box 1484, Unit D, Preston, PR2 0ET

11.3 The Housing Ombudsman has the power to consider complaints and decide what is ‘fair in all circumstances of the case’. When things have gone wrong, they can make orders and recommendations to put thing right or to improve services

Title:	Liversage Trust– Almshouse Residents and Visitors Complaints Policy, October 2024
Approved by:	Board
Approved on:	21 October 2024
Effective date:	1 November 2024
Review period:	5 years from effective date or to comply with any new statutory requirement
Developed by:	Andrew Mellors
Associated policy/procedure(s):	Liversage Court Residents – Complaints Policy Equalities and Diversity Policies Data Protection Policy

LIVERSAGE TRUST COMPLAINT FORM

Please write clearly in black ink. We are happy to accept feedback or a complaint from your representative, although you must provide formal authorisation in writing to the Trust to do so and enable the Trust to discuss the case with them. If you use a representative, we will write to them and send you a copy of our response.

WHICH SERVICE IS YOUR COMPLAINT ABOUT? (please tick box)

Repairs	<input type="checkbox"/>	Rents	<input type="checkbox"/>
Residents' Support	<input type="checkbox"/>	Other	<input type="checkbox"/>

YOUR FEEDBACK

Please give details of your complaint - what is the problem and what action you think we should take to resolve it? Please continue on the back of this sheet if necessary.

RESIDENT

Name:			
Address:			
Telephone:		Email:	

Please confirm the best way to contact you (write in below):

RESIDENT'S REPRESENTATIVE – IF APPLICABLE

Name:			
Address:			
Telephone:		Email:	
Relationship to resident:			

Do you need any assistance to raise your complaint? (please tick)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Do you have any reasonable adjustments that you wish us to consider as part of this complaint (please tick)	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Further details of your complaint. Attach extra sheets if necessary.

Signature of resident or resident's representative	Date:
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PLEASE RETURN THIS FORM TO: LIVERSAGE TRUST, 21 ALICE STREET, DERBY DE1 2BY

FOR OFFICE USE ONLY	
Name of employee first receiving feedback:	
Date received:	
Action taken / proposed:	
Date General Manager informed:	
Action taken by General Manager:	