

## 1. About this policy

- 1.1 We aim to maintain high standards in everything we do. One of the ways we achieve this is by listening and responding to your feedback. We encourage and welcome this from everyone who uses our services including tenants who live in our homes.
- 1.2 We all work very hard to get the job right the first time but sometimes we get things wrong. Feedback in the form of complaints helps us resolve mistakes as quickly as possible and learn how we can do things better in the future. It's important that we handle all feedback appropriately and consistently.
- 1.3 This Policy sets out what we will do with complaints across all our services (housing, care, work and day opportunities). As well as being a disability charity, we are also a registered housing provider and a member of the Housing Ombudsman Scheme. The Housing Ombudsman is an independent body that looks at complaints about housing providers and we have adopted their complaint handling code. It is the same Code that the Local Government and Social Care Ombudsman use.
- 1.4 The care services we provide are set in line with the Health and Social Care Act 2008. This complaint policy makes sure we meet the rules set out in Regulation 16 in line with that Act.
- 1.5 A copy of this policy is available on our website at <https://www.papworthtrust.org.uk/contact-us-page> and in all the places we deliver services. We can also provide this policy in a different language where you need us to, as a printed copy, via email or in an Easy Read format.

## 2. How we define a complaint

- 2.1 We use the definition provided by the Housing Ombudsman Service (HOS) and the Local Government and Social Care Ombudsman (LGSCO), to define a complaint. They define a complaint as:

*'an 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 customer or group of customers.'*

- 2.2 You do not need to use the word "complaint" for us to treat your issue in this way.
- 2.3 A complaint is different to a service request. If you are asking us to do something or telling us about something for the first time, we will do what we can to fix it as soon as possible without opening a formal complaint case. This is what we call a "service request". You might tell us this when you talk to us face to face, over the phone, in an email or letter, or via a survey response. We will tell you when something is a

service request, and when something is a complaint. If we don't open a formal complaint case for something, we will explain why and tell you who can speak to for a second opinion.

- 2.4 If you have already told us about the same thing before and we have not taken action that we said we would, or you are not happy with the action or decision we have taken, we would treat this as a complaint.

### 3. Things we will not consider as a complaint

- 3.1 We will consider every complaint individually, however there are some issues that we won't open a complaint case for. These are:
- where the issue happened (or you became aware of it) more than 12 months ago unless there is a health and safety or a safeguarding issue. If it is a repeating problem, we may consider any older reports as part of the background to the complaint if this will help to resolve the issue.
  - if the issue is, or has been part of legal, court, tribunal or ombudsman proceedings. We will consider complaints during any "pre-court protocol" period where it has not been accepted by a court yet.
  - if the issue is being or has been considered through an insurance or liability claim. If there are elements of the complaint that are not about insurance or liability, we will still consider those.
  - if the issue has already been considered as a complaint or is in the complaint system already.
  - if the complaint is made anonymously, we will respond as well as we can, however we are unlikely to be able to give a full response when we don't know who to send it to.
  - if the complaint is being pursued in an unreasonable manner, we will use our Unacceptable Behaviour Policy and Procedure before opening a complaint case.

### 4. How you can make a complaint and how we will respond

- 4.1 Everyone has the right to make a complaint, or to ask someone else to complain on their behalf. This could be a friend or family member, or someone else that supports you. If someone else complains on your behalf, we will make sure we have your permission to speak to them before we open a case. If you have contacted your local councillor or MP and they have made a complaint on your behalf, we will follow this policy in the same way.
- 4.2 You do not have to make a complaint in writing. You can complain:
- In person to any member of staff
  - By telephone using the relevant number from the table below
  - By letter to the Complaint Officer, 1 Saxongate, Bradbury Place, Huntingdon, PE29 3RR
  - By email to the relevant email address from the table below
  - By completing our online form – [make a complaint](#)
  - Via any of our social media channels where we have them

Service	Phone number	Email
Housing	0330 678 0008 option 1 or option 2	<a href="mailto:housing@papworthtrust.org.uk">housing@papworthtrust.org.uk</a>
Employment		
Day Opportunities	01480 357200 option 6, then Option 1 for the Governance and Compliance Team	<a href="mailto:Complaints@papworthtrust.org.uk">Complaints@papworthtrust.org.uk</a>
Care		
Any other service		

4.3 When you tell us about a complaint we will need to know:

- Your name and contact details
- What your complaint is about
- What you think would be a fair way for us to put things right
- Any circumstances you think we should consider when we investigate your complaint.

4.4 When you make a complaint to us, we will check if there are any vulnerabilities that we need to consider when responding to your complaint. This means things like disabilities, needs or circumstances such as health conditions or any dependents you care for. We will record anything you tell us on our system, so we know we need to consider it in the way we provide our services to you.

4.5 Any member of staff handling any complaint will:

- act sensitively and fairly
- be trained to receive complaints and work with people when they are distressed and upset
- have access to staff at all levels to resolve complaints quickly and fairly
- have the authority and autonomy to resolve things quickly and fairly
- be competent, empathetic and efficient
- deal with complaints on their merits
- act independently and have an open mind
- take measures to address any actual or perceived conflict of interest
- consider all information and evidence carefully
- keep the complaint confidential as far as possible, only sharing information if needed to properly investigate the issue (for example, if the police requested information)

4.6 We have a 2 stage complaint process. Stage 1 will be investigated by a member of staff or manager of the relevant service area. If you escalate to stage 2, this will be reviewed by a senior manager in the service. Where possible and appropriate the senior manager reviewing the stage 2 complaint will not work within the department and/ or line manage the member of staff the complaint relates to.

4.7 We will record all complaints and service requests so that we can learn from them and improve our services.

## 5. What happens when you make a complaint

- 5.1 Where your issue meets the definition of a complaint, we will open a stage 1 complaint case and write to you to acknowledge your complaint within 5 working days of you telling us about it. Where you've told us you would prefer us to speak to you, we will do that as well as put things in writing.
- 5.2 We will investigate your complaint and send you a full response no later than 10 working days after we send your acknowledgement.
- 5.3 When we investigate your complaint, we will consider:
- what the complaint is about
  - what evidence is needed to fully consider the issues
  - any risks we need to address or vulnerabilities we should have considered
  - what outcome would put things right for you
  - any urgent action that we need to take (we will take this action as soon as possible; this might be before we send you a full response to your complaint).
- 5.4 If we need more time to investigate your complaint at stage 1, we will contact you to tell you why there is a delay, and when we will send you a full response. We will only do this where it is necessary, and we will only take a maximum of an extra 10 working days to investigate.
- 5.5 If you're not happy with our response you can ask us to escalate your complaint to stage 2 where a senior manager will review our stage 1 response. Where we agree to review your case, we will acknowledge your request to escalate within 5 working days. You can ask us to escalate your stage 1 complaint at any time and we will only decline your request where the case falls into our list of reasons we wouldn't open a case, above. If we do not escalate your case, we will write to you to explain why. We will also give you the details of the external organisation you could contact to review our decision not to escalate it, such as the Housing Ombudsman.
- 5.6 We will send you a full response no more than 20 working days after we acknowledge your stage 2 case, once we have carried out an investigation and reviewed the original response.
- 5.7 We can also extend the time we take at stage 2 by a maximum of 20 working days if we need more time to investigate fully. We will only do this where it is needed, and we will contact you about this to explain why.
- 5.8 At any stage of your complaint, we will try to resolve the issue for you as early as we can. When you complain to us, we will continue to fix it while reviewing your issue.

## 6. Putting things right

- 6.1 Where we find something has gone wrong, we will acknowledge this, apologise and tell you what we will do, or have already done, to put it right. We will aim to make sure you are in the same position you would have been in if nothing had gone wrong. Sometimes, it might not be possible for us to fix everything, and we might need to find a different outcome.

- 6.2 We will put things right when:
- We took longer to do something than we should have
  - We gave wrong or poor advice, we did not explain something properly, we gave you wrong information or we did not give you information when we should have
  - We did not follow our relevant policy or procedure, or we did not take your needs into account when we did follow it
  - there was a factual or legal error that impacted you
  - there was unprofessional behaviour by staff
- 6.3 Whenever we do something to put things right, we will be clear with you about what is possible. Our actions will aim to make sure everyone receives the same level of service. We will not offer something that means you would have an unfair advantage over anyone else because you made a complaint.
- 6.4 There are different ways we can put things right. Anything we offer will be relevant to the extent of the service failure you received and the impact it had on you. These include:
- acknowledging where things have gone wrong
  - providing an explanation, or reasons why something happened
  - apologising (saying sorry)
  - taking action if there has been a delay
  - reconsidering or changing a decision
  - offering a financial remedy (compensation) where we feel it is appropriate.
  - changing what we do or how we do it
  - changing the way we provide services to you
- 6.5 When you are happy with the outcome of your complaint, we will close your case and ask you to give us some feedback on your experience. If you are not happy with our final response, we will tell you how to contact any relevant external organisation that can review your case for you. This might be the Housing Ombudsman, Care Quality Commission, Local Government and Social Care Ombudsman, Fundraising Regulator, your Local Authority, Energy Ombudsman or any other appropriate organisation.
- 6.6 We will consider if we need to review and/ or update any related policies as a result of any learning from the complaint.

## 7. Aims and Objectives

- 7.1 We aim to be open, honest and fair with any complaint and we operate a customer-focused complaints policy. This means that we will give you the opportunity to explain your experience and tell us what you think would be a fair outcome. We aim to resolve any complaint as fairly and as early as possible, and we will make time to look into things fully.
- 7.2 We will make sure our complaints service:
- Is easy to access, understand and use
  - Gives a full and fair investigation

- Respects your confidentiality
- Puts things right as early as possible with a fair and reasonable outcome
- Uses the lessons we learn to improve our services.

## 8. The laws and rules we have to follow

- 8.1 We have to follow the law as it is set out in the Equality Act 2010. We must keep a record of any reasonable adjustments agreed with you, as well as a record of any disabilities you have disclosed. Any agreed reasonable adjustments will be kept under active review.
- 8.2 As a Trust we follow different laws. The key laws we follow are set out in the following Acts of Parliament:
- Localism Act 2011
  - Housing Act 1996 (schedule 2)
  - Social Housing (Regulation) Act 2023
  - Data Protection Act 2018 (and UK General Data Protection Regulations)
  - Health and Social Care Act 2008
- 8.3 We also follow the rules from the Housing Ombudsman Scheme in their Complaint Handling Code, and the Regulator for Social Housing, in their Economic and Consumer Standards.
- 8.4 Because we provide care services to people, we follow the rules set out by the Regulator of Health and Adult Social Care; the Care Quality Commission (CQC). If you make a complaint to us about the care we provide, we will follow this policy which meets the expectations of the CQC. We will also meet their expectations as set out in Regulations 16 and 20. You can also refer your complaint to them to review once you have been through our complaints process. We will share their details with you at the end of our stage two complaint process where this is relevant.
- 8.5 We are also registered with the Fundraising Regulator for this part of our business. If you complain to us about the way we fundraise we will follow this policy. If, at the end of this procedure, you are not satisfied with our response, you can take complaints about fundraising to the Fundraising Regulator within two months of our stage two response. We will give you their details at the end of your complaint process with us.
- 8.6 Where there is not a specific regulator or ombudsman for your complaint, we will follow the rules we have to follow that are set out by the relevant local authority, commissioner or contractor for the service.
- 8.7 If, for any serious reason such as a total failure of our systems, we are not able to follow this policy, we will tell you and the relevant regulator. We will confirm when we will be able to follow it again fully and will keep that time to a minimum as much as we can.



## 9. Other policies that support this Complaints policy

- 9.1 When we are dealing with complaints, we will refer to other policies that support this service. These are most likely to be our:
- Compensation Policy for complaints about housing
  - Reasonable Adjustments Policy
  - Unacceptable Behaviour Policy
  - Any other policy that is relevant to the service you are complaining to us about. For example, if your complaint is about how we handled your reports of antisocial behaviour (ASB), we will also make sure we followed our ASB policy.
- 9.2 We won't use our complaints policy if you tell us about abuse, neglect or any other concerns you have about someone's welfare. In these cases, we will use our Safeguarding policy and procedures.

## 10. How we will learn from complaints

- 10.1 Every time we receive a complaint, we will record what we have learnt from any mistakes that we made. We will use these lessons to improve what we do and how we do it, within the law and any other rules we need to follow.
- 10.2 Every member of staff will be measured on how they contribute to our complaints service so we can create a positive complaint culture across all our services.
- 10.3 Every year we will complete a self-assessment against the Housing Ombudsman's Complaint Handling Code for complaints which are relevant to the housing services we provide. This will be considered by our Tenant Scrutiny Panel and our Board to make sure we comply with the rules we have to follow.
- 10.4 We will also publish an annual report which tells you how many complaints we received, what they were about and how we put things right. The report will include any changes we have made to what we do and how we do it. Where this is about housing based complaints, we will also include any recommendations or orders we have received from the Housing Ombudsman. We will also do this where the Care Quality Commission or any other external organisation has made recommendations to us for change so you can see where we have made improvements.
- 10.5 Our Board will comment on these changes so you can see their views too. This group will include a Member Responsible for Complaints who will regularly review our performance against complaints and make sure we are learning lessons and making appropriate changes to our services, particularly related to housing issues.

## 11. Document Control

Owner	Director of Housing and Property
Consulted with	Tenant Scrutiny panel during complaints project review Operational Leadership Team Customer Engagement Lead Executive Team
Approver	CEO
Date approved	August 2024
Next review date	August 2027
Ratified by	Board of Trustees (July 2024)

## 12. Version Tracker

Version number	Date Approved	Approved by	Comments/ reason for issue
3.2	June 2024	CEO	Combined Complaints Policy (Housing and Non-Housing). Updates made in line with the updated Housing Ombudsman Complaint Handling Code
3.3	August 2024	CEO	Updates made following Governance and Compliance Committee feedback, including re-ordering and adding flowchart.
3.4	N/A	N/A	Updated Appendix A 'Complaint procedure overview for customers' to include WorkWell.



## Appendix A

### Complaint procedure overview for customers

#### When you tell us about an issue, we will:

##### Stage 1

Agree if it's a complaint or a service request.  
If it's a service request, we will do what we can to fix this as soon as possible.  
If it's a complaint, we will confirm your issue and preferred outcome, open a complaint case and send you an acknowledgement letter within 5 working days of receiving your complaint.

For formal complaints we will investigate what has happened, look at all our records, speak to our contractors or anyone else involved, and make sure we take any urgent actions. We will tell you the outcome by sending our response within 10 working days of sending our acknowledgement. If we need to extend this, we will confirm this in writing to you.

Complete our outstanding actions, close the case and ask you for your feedback.

#### If you tell us you are not happy with our response, we will:

##### Stage 2

Ask you to confirm what you are not happy with and what you think would be a fair outcome. We will escalate your case to a more senior staff member to review and send you an acknowledgement letter within 5 working days.

Speak to you, review our stage 1 response and decide if we think it was fair and reasonable. We will tell you the outcome by sending our response within 20 working days of sending our acknowledgement. If we need to extend this, we will confirm this in writing to you.

Complete our outstanding actions, close the case and ask you for your feedback.

**This is the end of our internal complaints process however, you can still ask a different organisation to review our response.**  
**Depending on what you complained to us about, we'll tell you how you can contact the below:**

##### Care

Local Authority,  
Then Local Government and Social Care Ombudsman (LGSCO)  
**or**  
Care Quality Commission (CQC) for care concerns  
**or**  
Integrated Care Board (ICB)

##### Work and Health Programme and Pioneer

Independent Case Examiner  
Then  
Parliamentary and Health Service Ombudsman (PHSO)  
**WorkWell**  
Patient Experience Team (PET)

##### Day Opportunities

Local Authority  
Then  
Local Government and Social Care Ombudsman (LGSCO)

##### Housing

Housing Ombudsman Service (HOS)

##### Fundraising

The Fundraising Regulator