

## Overview

This document sets out the policy for Complaints, Concerns and Compliments.

### Background

Abbeyfield Shanklin Society Ltd is committed to the provision of a high-quality service to residents and others who access our services.

We actively encourage complaints and compliments. Feedback – whether positive, negative or neutral – from residents, their friends and family members, and other stakeholders is an opportunity to learn about our strengths and to understand our weaknesses, and is key to ensuring that Abbeyfield Shanklin is consistently meeting the needs of those using our services.

Where an individual is dissatisfied with the level or type of service that they have received, it is important that they let us know. Abbeyfield Shanklin aims to use any complaints received as an opportunity to learn and improve our services.

Abbeyfield Shanklin has adopted the principles outlined in the Housing Ombudsman's Complaint Handling Code within this policy.

### Objectives

The objectives of this policy are:

- To set out a consistent approach to handling complaints, compliments and concerns across Abbeyfield Shanklin Society
- To distinguish between complaints, concerns and compliments and to ensure each is addressed appropriately.
- To clarify responsibilities for managing complaints, as well as concerns and compliments, within the organisation
- To ensure complaints raised by residents, their representatives or other stakeholders are resolved promptly and fairly.
- To enable a consistent organisational record of all centrally received feedback to be maintained.
- To ensure that the learning from complaints and other forms of feedback is used to drive service improvements.
- To help create a positive culture amongst staff and residents which encourages honest and timely feedback about our services.

# Policy & Procedure / Good Practice Guidelines

## Scope

- 1 This policy is intended for residents, prospective residents, and their representatives, but it applies to any stakeholder, not covered by the exclusions outlined below, who wishes to give a compliment, raise a concern, or make a complaint about an Abbeyfield Shanklin Society service, or any other aspect of AWS.

There are a number of exclusions from this policy, namely:

### 1.1 Complaints about residents

From time-to-time, a resident may make a complaint about another resident (e.g. for bullying or harassment), or AWS may receive a complaint from a member of the public regarding a resident's behaviour (e.g. for anti-social behaviour). Complaints about residents as a result of anti-social behaviour are not complaints about Abbeyfield's services and, therefore, are dealt with in accordance with the Anti Social Behaviour Policy.

### 1.2 Complaints and concerns from staff members

Where possible employees should raise any concerns with their manager in the first instance to try and resolve matters informally. If this is not appropriate, employees can raise any formal concerns via the Grievance Policy. Where a staff member wishes to raise a whistleblowing concern, i.e. disclose information which relates to any suspected wrongdoing or dangers in the workplace, they should refer to the Whistleblowing Policy for further information.

### 1.3 Complaints related to safeguarding

If a complaint alerts us to possible abuse or neglect, the Safeguarding Policy and associated procedures will be followed. In particular, the relevant local authority safeguarding team will be notified and they will take the lead to ensure appropriate investigations are carried out and outcomes are monitored.

### 1.4 Complaints about other organisations

Complainants will be informed if their complaint is about something which Abbeyfield Shanklin is not responsible for (e.g. a complaint related to another organisation involved in an individual's care). In these cases, Abbeyfield Shanklin will signpost to the complaints procedure of the correct organisation.

### 1.5 Complaints and insurance claims

In the event of a complaint relating to damage to or loss of property which has also resulted in a claim using Abbeyfield Shanklin content insurance, only the aspects of the complaint which are related to the service provided by Abbeyfield Shanklin will be investigated under the complaints process.

In the event of a complaint relating to a personal injury which has resulted in a public liability claim against Abbeyfield Shanklin, instructions from Abbeyfield Shanklin insurers on the action to be taken will be followed.

## 2 Policy

### 2.1 Definition of a Complaint

In accordance with the Housing Ombudsman's Complaint Handling Code, the term 'complaint' is defined here 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 resident or group of residents."*

Abbeyfield Shanklin recognises that the word complaint does not have to be used in order for it to be treated

as such. While this policy is aimed at residents or their representatives, the above definition is extended to cover an expression of dissatisfaction from any stakeholder affected by the standard of service, actions or lack of action from Abbeyfield Shanklin Society or those working for us.

The expression of dissatisfaction may be as a result of when Abbeyfield Shanklin (or someone working on our behalf):

- did something wrong
- did something that should not have been done
- failed to do something that should have been done
- treated someone unfairly
- failed to deliver what was promised.

Aside from the Exclusions given under 'Scope', Abbeyfield Shanklin will treat any 'expression of dissatisfaction' as a complaint under this policy to ensure the identified issue is investigated and responded to appropriately. Where necessary, we will ensure individuals are aware that complaints are viewed positively and are welcomed by the organisation as an opportunity to improve.

In line with the above definition, it is important to recognise that a request for a service is not a complaint. A distinction must be made between a service request from a resident (e.g. reporting a repair or an incident of anti-social behaviour) and dissatisfaction with the service received (e.g. complaining that a repair has not been carried out even though it has been reported, or complaining that Abbeyfield Shanklin has failed to deal adequately with anti-social behaviour reports). A service request may precede a formal complaint if appropriate action is not taken to resolve the issue for residents as early as possible. A complaint will be raised when the resident raises dissatisfaction with the response to their service request.

### 2.2 Definition of a Concern

While a complaint is an expression of dissatisfaction about something that has or has not happened, a concern is an expression of anxiety about something which might happen. A concern may be defined as "an expression of worry or doubt over an issue considered to be important for which reassurances are sought". Whereas a complaint is more likely to be from an individual receiving our services, or their representative, as a result of dissatisfaction with the services they have received, a concern may be from any stakeholder, including a member of the public.

### 2.4 Making a Complaint

Abbeyfield Shanklin Society aims to make it easy for residents, and other stakeholders to make a complaint, by offering different channels through which a complaint can be made and by ensuring the procedure for making a complaint is known (including providing a copy of our complaints

procedure to all prospective residents, and displaying information prominently in our services and on the abbeyfield.com website).

Where a resident, or their representative, is dissatisfied with any aspect of the service provided by Abbeyfield Shanklin, the first course of action should be to raise the problem directly with the relevant manager or individual concerned. All staff members are expected to seek to resolve any issue causing dissatisfaction immediately. In many cases, the issue causing dissatisfaction will be resolved and no further action will be required.

However, where the issue cannot be raised or resolved locally, or the local response is deemed unsatisfactory, a formal complaint can be made using the procedure below.

Residents and other stakeholders can complain:

- by email: by sending the complaint to [abbeyfield-shanklin@abbeyfield.com](mailto:abbeyfield-shanklin@abbeyfield.com)
- by telephone: 01983 862937
- by post, addressed to:  
Abbeyfield Shanklin  
14 Queens Road  
Shanklin  
PO37 6AN
- through an advocate or representative, who may use any of the channels outlined above. We will co-operate with anyone formally authorised to act on behalf of a complainant. By formally authorised, this normally means the resident has provided their written consent.

Complaints can also be made in person, by raising the issue with any staff member who is then responsible for providing support to the individual to make a formal complaint using any of the above options.

When making a complaint, complainants are asked to provide details of what went wrong, how they would like us to resolve the matter, and their contact information so a full response can be provided.

Where a complaint is received by telephone, Abbeyfield Shanklin will make a written record of the complaint.

It is recognised that many residents and other stakeholders may choose to engage with Abbeyfield Shanklin through our public social media channels, such as Facebook & 'X'. They are not recommended as a means of making a complaint. However, in the event that a complaint is raised via a direct message on a social media platform, we will provide a generic response and pass the complaint immediately onto the Complaints Officer to be addressed using the standard procedure. Where an expression of dissatisfaction is made publicly via these channels, confidentiality cannot be protected. In some cases, the feedback will need to be addressed as a 'concern' as it will not be possible to provide responses to the individual via social media.

### 2.5 Reasonable adjustments

If the individual has difficulty in making a complaint using one of the options listed above, Abbeyfield Shanklin will make all reasonable adjustments necessary to enable them to raise their complaint. All complainants will be treated in line with our Equality Diversity and Inclusion Policy.

### 2.6 Anonymous complaints

Abbeyfield Shanklin welcomes feedback through a wide range of formats. Therefore, anonymous complaints will be investigated under the same procedure, but it will not be possible to provide an outcome letter to the complainant. Therefore, it is better where contact details are provided so that Abbeyfield Shanklin can inform the complainant of the outcome of our investigation.

### 2.7 Confidentiality

All complaints are treated confidentially and in accordance with the requirements of data protection legislation. Information will only be shared with staff as necessary to the investigation.

### 2.8 Time limits

Complaints should be made as soon as they can after the date on which the issue giving rise to the complaint occurred or came to the complainant's notice, and ideally no more than 12 months after that date. However, it may not be appropriate to exclude any complaints that concern safeguarding or health and safety issues. Any decision about whether to deal with a historical issue will be made by the Chief Executive Officer.

### 2.9 Handling Complaints

In line with the Housing Ombudsman's Complaint Handling Code, there are two stages to our internal complaints process. Abbeyfield Shanklin aims to resolve the complaint at the earliest stage possible.

The principles of Abbeyfield Shanklin Society's complaints procedures are:

- Every complaint will be acknowledged in a standard and timely way.
- Where there is uncertainty about any of the issues raised in the complaint, clarity will be sought from the complainant.
- All complaints will be investigated by a staff member who is not directly implicated and has enough seniority and experience to deal with the issues raised by the complaint. The investigation is termed as 'Stage 1'.
- The name of the person dealing with the complaint (known as the 'Investigating Officer') will be provided to the complainant as early as possible.
- The complainant will be kept informed of any delays to the expected completion date of the investigation.
- Where additional complaints are raised during the investigation, these will be incorporated if the Stage 1 response has not been issued. Where the Stage 1 response has been issued, or it would unreasonably delay the response, the complaint will be logged as a new complaint.

- Once the Stage 1 investigation has concluded, the findings will be communicated to the complainant, alongside any action taken and our proposals to resolve the complaint.
- Details of how to escalate the complaint if the complainant remains dissatisfied will be provided. Complainants are not required to put their request to escalate their complaint to the next stage of the process in writing but will need to inform Abbeyfield Shanklin if they remain dissatisfied and the reason(s) why.
- If escalated, the complaint and its Stage 1 investigation will be subject to a full review by our Chair ('Stage 2'). Someone else be appointed to undertake the review if the Chair was involved at an earlier stage.
- Requests to escalate should be received within three months of the date of the previous response and will be subject to the same exclusions outlined under 'Scope'. In the event that an escalation is received after three months, a decision will be taken by the Chief Executive Officer.
- Where the investigation (Stage 1) or subsequent review (Stage 2) identifies that Abbeyfield Shanklin has failed to deliver a service to the expected standard, or that our complaint handling procedure has been inadequate, we will seek to redress the issues and apologise, when appropriate.
- Details of the appropriate Ombudsman and their rights to refer a complaint to them, where applicable, will be provided to the complainant throughout the process.
  - Following the conclusion of the complaint, the complainant will be asked for feedback on their satisfaction with the complaints handling process.
  - All complaints received and subsequently investigated will be recorded fully in the Complaints Log and a copy of relevant documentation kept.
  - Information related to complaints will be used to drive further service improvements.

## 2.10 Timescales

It is our policy that all complaints are managed within the following timescales:

- Written acknowledgement within two working days of receipt of the complaint
- Stage 1 decision - a full written response will be provided within 10 working days of the acknowledgement, or, if this is not possible, we will inform the complainant of the new response time, which will only exceed a further 10 working days with their agreement. If agreement cannot be reached, the relevant Ombudsman's details will be provided.
- Stage 2 decision – a full written response will be provided within 15 working days from the request to escalate, or, if this is not possible, we will inform the complainant of the new response time, which will only exceed a further 10 working days with their agreement. If agreement cannot be reached, the relevant Ombudsman's details will be provided.

## 2.11 The Ombudsman Service

Where applicable, Abbeyfield Shanklin will inform complainants of their right to seek independent redress, through an Ombudsman scheme, should they remain dissatisfied with the outcome of our organisational complaints handling process. Details will be provided in the Complaints leaflet, and all communications with applicable complainants.

If the complainant is a tenant, leaseholder, or housing applicant, they can refer the complaint to the Housing Ombudsman Service.

Abbeyfield Shanklin will co-operate with the relevant Ombudsman during any investigation and comply fully with the resulting final decision, which will be binding on Abbeyfield Shanklin.

## 2.12 Putting things right

Where a complaint identifies that Abbeyfield Shanklin has failed to deliver a service to the expected standard, we will seek to resolve the complaint and to 'put things right'.

The redress offered will reflect the extent of any failure in the service provided and the subsequent impact on the complainant as a result. Where fault is identified, Abbeyfield Shanklin will apologise and take corrective action, including, where appropriate, making a compensation payment.

## 2.13 Managing complainants' expectations and behaviour

Abbeyfield Shanklin will investigate complaints in an independent, impartial and fair way. However, in the event that a complainant's desired outcome is unreasonable or unrealistic, Abbeyfield Shanklin will seek to explain the reasoning to the individual at the outset, while continuing with a full investigation of the issues.

Abbeyfield Shanklin believes that all complainants have a right to be heard, understood and respected and we will treat all complaints in the same way. If a complaint is accompanied by inappropriate behaviour (e.g. aggressive or abusive) from the complainant, Abbeyfield Shanklin will seek to manage this behaviour separately. Actions to manage a complainant's behaviour may include warning the individual about their behaviour and requesting modifications, appointing a specific point of contact, or communicating only in writing. Any restrictions due to unacceptable behaviour will be agreed with the Chief Executive Officer, be proportionate and in line with the Equality Act 2010.

Where a complainant continues to pursue a case after having exhausted our internal complaints procedure and without presenting any new information, Abbeyfield Shanklin will inform the individual that the complaint will not be investigated further and advise that they take the issue to the Ombudsman, as appropriate.

## 2.14 Responsibilities

Abbeyfield The Chief Executive has overall responsibility for all complaints received at the organisation.

The Chief Executive Officer will direct all complaints received

to the appropriate manager for investigation. Each manager is responsible for addressing complaints within their area of responsibility, unless there is a conflict of interest in which case another senior manager would investigate the issues raised.

The Chair of the Abbeyfield Shanklin Society's Board is the trustee with lead responsibility for complaints within the organisation.

### **2.15 Administering Concerns**

It is Abbeyfield Shanklin Society's policy that all concerns raised by residents, their representatives, or other stakeholders will be logged and acknowledged. Unless the concern was received anonymously, the individual will be thanked for bringing the issue to Abbeyfield Shanklin' attention.

The Complaints Officer will then forward the concern onto the appropriate manager to enable a full investigation into the matters raised to be undertaken. There will be no further communication with the individual who raised the concern, unless specific circumstances require it.

If a concern alerts us to possible abuse or neglect, the procedure outlined in our Safeguarding Adults policy will be followed. In particular, the relevant local authority safeguarding team will be notified and they will take the lead to ensure appropriate investigations are carried out and outcomes are monitored.

### **3 Finance, Value for Money & Social Value**

Ensuring a comprehensive and effective complaints procedure is part of Abbeyfield Shanklin Society's role in delivering social value. A failure to effectively manage complaints, and address the issues underlying them, will negatively impact Abbeyfield Shanklin' finances.

### **4 Linked Policies**

- Anti Social Behaviour Policy
- Disciplinary Policy
- Equality Diversity and Inclusion Policy
- Grievance Policy
- Safeguarding Policy
- Whistleblowing Policy

### **5 Relevant Legislation / Regulation**

The Regulatory Framework for Social Housing (England)

### **6 Guidance**

Housing Ombudsman's Complaint Handling Code (March 2022)

### **7 Review**

Every 3 years, subject to any regulatory or legislative updates.