ST GEORGE'S PARK

# St George's Park Ltd

## St George's Park Complaints Policy

### Complaints Procedure: Housing Matters

We aim to resolve complaints quickly, effectively and wherever possible, to your satisfaction. If you feel dissatisfied with a particular service, or the way you have been treated by us, you may complain using the process outlined below. We will not treat you any differently if you make a complaint.

If your complaint relates to **domiciliary care**, please see our separate procedure for care matters. A copy is available from the concierge.

## 1 Introduction

1.1 This policy applies to *Augustinian Care, St George's Park* and seeks to ensure that Augustinian Care, St George's Park complaints process is flexible and responsive to the needs of individual residents to enable them to be heard and understood.

*Augustinian Care, St George's Park* complies with the Complaint Handling Code (the **Code**) issued by the Housing Ombudsman Service. All complaints dealt with under this policy will be dealt with in a manner consistent with the Code and the Charity will maintain all records as required by the Code.

1.2 A **complaint** is defined as: "an expression of dissatisfaction, however made, about the standard of service, actions, or lack of action by Augustinian Care, St George's Park, its trustees, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.

1.3 The word "complaint" does not need to be used expressly for the matter to be considered a complaint. Whenever a resident expresses dissatisfaction Augustinian Care, St George's Park will give them the option to make a complaint. Complaints made by residents may be made by the resident's carer, family members or a representative of a resident and these must be handled in line with Augustinian Care, St George's Park complaints policy.

1.4 Complaints can be made to any staff member of Augustinian Care, St George's Park. This can be done in a number of ways which include:

- Telephone
- Face to face
- Email
- Letter

If you make a verbal complaint, we will note down the details and ask you to confirm that they are correct and then treat the complaint like any written complaint.

1.5 A service request is a request from a resident requiring action to be taken to put something right. (e.g., to carry out routine maintenance etc.) **service request**s are not a **complaint**. Service requests should be dealt with in accordance with the Residents' Handbook. Failure to deal appropriately with a service request may lead to the matter being dealt with as a complaint.

1.6 Service requests will be recorded, tracked, and monitored to completion.

1.7 A complaint must be raised when the resident expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing. Augustinian Care, St George's Park will not stop our efforts to address the service request if the resident raises a complaint.

1.8 An expression of dissatisfaction with services made through a resident's survey is not defined as a complaint, though wherever possible, the person completing the survey should be made aware of how they can pursue a complaint if they wish to.

1.9 In dealing with complaints Augustinian Care, St George's Park will ensure that:

(a) individuals who raise a complaint are listened to and treated with courtesy and empathy;

(b) residents will never be disadvantaged because of raising a complaint;

(c) complaints will be investigated promptly, thoroughly, honestly, and openly; and

(d) in dealing with complaints Augustinian Care, St George's Park will comply with confidentiality and data protection policies.

## 2 Exclusions

2.1 Augustinian Care, St George's Park must accept a complaint unless there is a valid reason not to do and will ensure we consider the individual circumstances of each complaint.

2.2 The following matters will not be considered as complaints:

(a) The issue giving rise to the complaint occurred over twelve months ago.

(b) 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.

(c) Matters that have previously been considered under the complaints policy.

(d) the complainant is anonymous, unless there is sufficient documentary evidence to substantiate the complaint.

2.3 Unless excluded on other grounds, Augustinian Care, St George's Park will accept complaints referred to them within 12 months of issue occurring or the resident becoming aware of the issue. Where there are good reasons to do so, Augustinian

Care, St George's Park will also consider whether to apply discretion to accept complaints made outside the time limit.

2.4 If a complaint is not accepted a detailed explanation will be provided to the resident setting out the reasons why the matter is not suitable for the complaints process and their right to take that decision to the Ombudsman (see details below). The Ombudsman may direct the Augustinian Care, St George's Park to take on the complaint.

## 3 Unreasonable behaviours

We understand that residents can get upset and frustrated when things have gone wrong.

3.1 If Augustinian Care, St George's Park feels a complaint is pursued unreasonably, including any actions or behaviours of the resident/representative, these complaints will be reviewed in line with Augustinian Care, St George's Park unacceptable behaviour policy.

3.2 All complaints will be reviewed on an individual basis

3.3 If any restrictions are put in place, these will proportionate and demonstrate regard for the provisions of the Equality Act 2010.

3.4 Augustinian Care, St George's Park will ensure any restrictions will be recorded, monitored and reviewed regularly and the complainant updated following the review.

3.5 Any restrictions in place will not prevent Augustinian Care, St George's Park from ensuring the complaint can be taken be through the full complaints process.

## 4 Accessibility and awareness

4.1 Complaints will be dealt with in a manner that is consistent with Augustinian Care, St George's Park Equality & Diversity Policy and the Charity's duties under the Equality Act 2010.

4.2 If any individual making a complaint wishes Augustinian Care, St George's Park to make reasonable adjustments to accommodate an individual's particular needs, they, or their representative, can contact Augustinian Care, St George's Park by phone, email or in person to discuss what adjustments may be possible.

4.3 Augustinian Care, St George's Park acknowledges that a high volume of complaints must not be seen as negative, as this can be indicative of a well-publicised and accessible complaints procedure. Low complaint volumes are potentially a sign that residents are unable to complain.

4.4 The complaints handling policy will be published on Trinity Lodge, Augustinian Care, St George's Park website, it will also be published in communal areas on notice boards.

4.5 Residents will have the opportunity to have a representative deal with their complaint on their behalf, and to be represented or accompanied at any meeting. We will always follow data protection measures when disclosing any information to a third party.

## 5 Complaint handling staff

5.1 Complaints will be investigated by the Facilities Director at Stage One.

5.2 Complaints will be investigated by the Chief Executive Officer and Estates Director at Stage Two.

5.3 If the Complaints Officer and/or the Appeals Officer are conflicted, or the complaint relates to the Complaints Officer and/or the Appeals Officer, the complaint should be directed to a manager.

5.4 Staff will be suitably trained in the importance of complaint handling.

## 6 Complaints process

6.1 At each stage of the complaints process, Augustinian Care, St George's Park will:

a) deal with complaints on their merits;

b) act independently and have an open mind but may consider reports of previous complaints that relate to the same issue being complained about;

c) give the resident a fair chance to set out their position;

d) take measures to address any actual or perceived conflict of interest; (which may include asking another trustee to investigate the complaint);

e) consider all relevant information and evidence carefully.

f) keep the details of the complaint confidential as far as possible, with information only being disclosed if necessary to properly investigate the matter.

## 7 Stage One of the Complaints Process

7.1 Augustinian Care, St George's Park will acknowledge the complaint and make a record, within 5 working days. The acknowledgement will:

(a) summarise Augustinian Care, St George's Park understanding of the complaint (The complaint definition);

(b) make clear which aspects of the complaint Augustinian Care, St George's Park is, and is not, responsible for and clarify any areas where this is not clear;

(c) summarise Augustinian Care, St George's Park understanding of what the Complainant is seeking as an outcome;

(d) raise any questions that require clarification from the Complainant; and (e) set out the next course of action and anticipated timescale.

7.2 Augustinian Care, St George's Park will issue a full response within 10 working days from the complaint being acknowledged. In exceptional cases, if we anticipate that the complaint will take longer to resolve, this will be explained to the resident with a clear timeframe set out for the resolution of the complaint, agree with the resident, which will not exceed a further 10 working days, without good reason. If any further extensions are required, this will be in agreement with resident who will be updated at regular intervals. Such explanation should also include the contact details of the Housing Ombudsman.

7.3 A complaint response will be provided to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions will be tracked and actioned promptly with appropriate updates provided to the resident.

7.4 We will investigate the complaint in an impartial manner permitting all relevant parties to provide information. The resident and any third parties involved in the complaint should be given the opportunity to set out their position before any final decision is made. We may delegate the management and investigation of the complaint to another individual.

7.5 If the staff member dealing with the complaint is conflicted, or the complaint relates to that staff member, the complaint should be directed to the manager details that are in the Residents' Handbook.

7.6 If the complaint involves questions relating to the Augustinian Care, St George's Park or the resident's legal obligations, Augustinian Care, St George's Park will set out clearly our understanding of the respective legal obligations and may seek legal advice before doing so.

7.7 If new issues are raised by the resident 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.

7.8 In responding to the complaint, we will confirm in writing:

(a) The complaint stage

(b) The complaint definition

(c) The decision on the complaint

(d) The reasons for any decisions made

(e) The details of any remedy offered to put things right

(f) Details of any outstanding actions; and

(g) Details of how to escalate the matter to stage two if the individual is not satisfied with the result.

## 8 Stage Two of the Complaints Process

8.1 If the resident is not satisfied with the response at stage 1, they should let us know and we will escalate their complaint to stage 2. This can be done in writing by email, via telephone call or in person. The person dealing with the complaint at stage 2 will not be the same person that responded at stage 1.

8.2 The resident does not need to provide reasons for requesting the complaint to be escalated.

8.3 Augustinian Care, St George's Park will acknowledge the complaint at stage 2 within 5 working days of receipt and will

(a) summarise Augustinian Care, St George's Park understanding of the complaint (the complaint definition);

(b) summarise Augustinian Care, St George's Park understanding of what the resident is seeking as an outcome;

(c) raise any questions that require clarification from the resident; but acknowledge that reasons do not need to be given for the complaint to be escalated to stage 2; (d) set out the next course of action and anticipated timescale.

8.4 Augustinian Care, St George's Park will respond in writing to the resident within 20 working days of the stage 2 complaint being acknowledged, informing them of the outcome of the investigation.

8.5 If Augustinian Care, St George's Park believes that the appeal will take longer than 20 working days, this will be explained to the resident with a clear timeframe set out for the resolution of the complaint, agreed with the resident, which will not exceed a further 20 working days. If any further extensions are required, this will be in agreement with resident who will be updated at regular intervals. Such explanation should also include the contact details of the Housing Ombudsman.

8.6 A complaint response will be provided to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions will be tracked and actioned promptly with appropriate updates provided to the resident.

8.7 In providing our final decision at stage 2 of the complaint, we will confirm in writing:

(a) The complaint stage

(b) The complaint definition

(c) The decision on the complaint

(d) The reasons for any decisions made

(e) The details of any remedy offered to put things right

(f) Details of any outstanding actions; and

(g) Details of how to escalate the matter to the Housing Ombudsman will be provided if the resident is not satisfied with the response.

8.8 If you have been through our complaints procedure and are not satisfied with our final decision, or we fail to provide that decision by the relevant deadline, you may refer your complaint to the Housing Ombudsman Service. We will co-operate fully with the Housing Ombudsman Service during any investigation and comply fully with the resulting decision, which will be binding on us.

## 9 Putting things right where something has gone wrong

9.1 Where something has gone wrong Augustinian Care, St George's Park will acknowledge this and set out the actions it has already taken, or intends to take, to put things right. These can include:

- Apologising;
- Acknowledging where things have gone wrong;
- Providing an explanation, assistance or reasons;
- 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.

9.2 Any remedy offered must reflect the impact on the resident because of any fault identified.

9.3 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.

9.4 Augustinian Care, St George's Park will take account of the guidance issued by the Housing Ombudsman when deciding on appropriate remedies.

## 10 Scrutiny & oversight

10.1 Augustinian Care, St George's Park has a senior lead person who is accountable for our complaint handling. This person will assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision.

10.2 A member of the governing body / board of trustee's has been appointed to have lead responsibility for complaints to support a positive complaint handling culture. This person is known as the Member Responsible for Complaints (MRC)

## 11 Annual Review

11.1 This policy will be reviewed on an annual basis

11.2 Augustinian Care, St George's Park will carry out an annual self-assessment in accordance with the Code.

11.3 The governing body/ Trustees of the Charity will consider any findings or recommendations of the annual self-assessment and the annual complaints performance and service improvement report.

**12 For the purposes of this policy:**

12.1 Contact for Stage 1:

Name: Facilities Director
Telephone number: 01444 873703
Address: Maes Court, St George's Park, Ditchling Road, Burgess Hill RH15 0SN
Email address: pray-gain@anh.org.uk

12.2 Contact for Stage 2

Name: Chief Executive Officer
Telephone number: 01444 259709
Address: The Lodge Admin Centre, St George's Park, Ditchling Road, Burgess Hill RH15 0US
Email address: philip@anh.org.uk

## 13 Housing Ombudsman Service

The contact details for the Housing Ombudsman Service are:

Telephone: 0300 111 3000

Email: info@housing-ombudsman.org.uk Website: www.housing-ombudsman.org.uk

Address: Housing Ombudsman Service,
Unit 159756, PO Box 7169, Poole, BH15 9EL.

**Complaints in relation to compliance with the ARCO Code**

As an 'ARCO Approved Operator', we always seek to comply with the ARCO Consumer Code (see www.arcouk.org). ARCO itself does not have a complaint handling function but has nominated The Property Ombudsman as it's Alternative Dispute Resolution (ADR) provider.

Where we are unable to resolve satisfactorily any complaint from you about compliance with the ARCO Consumer Code, you may refer this to The Property Ombudsman at Milford House, 43-55 Milford Street, Salisbury, Wiltshire SP1 2BP. Tel: 01722 333306. Email: admin@tpos.co.uk. Web: www.tpos.co.uk.

You should normally make any referral within 12 months of receiving our final decision, to facilitate the Ombudsman's investigation.

We will co-operate fully with The Property Ombudsman during any investigation and comply fully with the resulting decision, which will be binding on us.

**Complaints in relation to rents**

Certain complaints in relation to rents may also be referred to the Residential property First-Tier Tribunal. We will provide you with contact details for the relevant office where your complaint appears to fall within the remit of the Tribunal.