

## Complaints Policy

### POLICY STATEMENT

The policy of BHT is to ensure that complaints will be responded to promptly, objectively and with fair resolution being the aim.

In line with this policy, each project will operate an easily accessible complaints procedure, to enable efficient, thorough, fair and appropriate response and redress to complaints.

BHT values and encourages client feedback and complaints as key in empowering clients, informing clients of their rights and maximising client ownership.

The recording of complaints and action taken is invaluable as a tool to monitor and improve services, to ensure we are meeting client need and to ensure a culture of continuous improvement.

### DEFINITION

A complaint is an expression of dissatisfaction by a tenant, resident, client, prospective service user (referrals, self-referrers and applicants) or member of the public where an initial response to their problem or dissatisfaction has not been satisfactory. (Members of staff have a separate Grievance Procedure).

### KEY ISSUES

Projects' Complaints Procedures will:

- Be geared to early resolution.
- Be easily accessible and well publicised.
- Enable speedy handling, with established time limits for action and keeping people informed of progress.
- Ensure a full and fair investigation.
- Ensure that BHT's Confidentiality Policy is adhered to.
- Address all the points raised and provide an effective response and appropriate redress.
- Ask the client how s/he would like the complaint to be resolved.
- Provide information so that services can be improved.

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## BHT PROCEDURE GUIDELINES

### HOW TO MAKE A COMPLAINT

Complaints will normally be made in writing and by using BHT's Complaints form, although discretion exists to receive complaints verbally, by telephone, email, social media or other means.

Where the complaint is not in writing, the person receiving the complaint will need to complete the Complaint Form with details of the complaint, how to contact the complainant etc. Wherever possible, this should be signed by the complainant. Members of staff should be sensitive to literacy issues and offer to assist, if appropriate.

### LINES OF DELEGATION AND RESPONSIBILITY

The following are the two stages involved in the BHT Complaints Procedure. Each stage has defined response time scales. While these time scales should, ideally, be adhered to, unavoidable circumstances might result in the need to extend them. In such instances, the facts must be recorded in the complaint records and forms. (Such instances may include: difficulty in finding the client, difficulty in engaging with the client, inability to gather evidence due to the absence of key people.)

Within these time scales:

- All Complaints will be dealt with as speedily as possible, whilst ensuring a full and fair investigation addressing all the points raised and providing an effective response and appropriate redress.
- The complainant will be informed at the earliest opportunity as to the process their complaint will follow.

#### Stage One

If the complainant is not satisfied with the initial response to an expression of dissatisfaction, the complaint will be dealt with by the manager of that project. The manager will endeavour to resolve the matter promptly. He or she will investigate and aim to respond to the client within 20 working days.

A report of the complaint will be kept for internal project purposes and a summary sent to the Chief Executive.

Complaints that are particularly serious in nature (for example, abuse or neglect, complaints reported to the press, serious injury etc.) will be passed immediately to

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the Chief Executive to ensure that the necessary people are alerted and the problem dealt with immediately by the appropriate person. In such circumstances the matter will be dealt with under Stage 2 of this procedure.

## Stage Two

Should Stage One prove unsatisfactory, the complaint will be passed to the Chief Executive. S/he will either allocate the complaint to an appropriate person to carry out an investigation, depending on knowledge, skills etc., or may deal with the matter themselves.

The Chief Executive shall inform the client within 10 working days how the complaint will be dealt with.

The Chief Executive will speak with the complainant and reserves the right to speak to other relevant parties but will mainly focus on a review of case files and correspondence submitted by the complainant.

If an Investigating Officer is appointed, s/he will make contact with the complainant within 10 working days. The Officer will discuss and agree further time scales with the complainant, bearing in mind that the former Housing Corporation's Good Practice states that complaints should normally be resolved within 8 weeks.

The Investigating Officer will speak with the complainant and others relevant to the investigation.

The Investigating Officer will complete a report for the Chief Executive who will, on the evidence provided and conclusions reached by the Investigating Officer, make a final decision and will advise the complainant of this in writing.

A summary of the complaint will be kept on the Complaints Log. A summary of all complaints received will be reported to the Personnel and Governance Committee annually.

## Appeals

You can appeal against the decision of the Chief Executive. An appeal will involve a review of the paperwork compiled by the Chief Executive. There will not be a re-investigation. An appeal would be successful if the correct procedure had not been followed, the decision was not in line with the facts of the case, or that the action to be taken did not match the seriousness of the issue complained about. No new matters may form part of the appeal.

The appeal will normally be considered by a member of the Personnel and Governance Committee, appointed by the Chair of the Board, although the Chair may appoint another person if s/he feels this to be appropriate. The Board member

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considering the appeal will speak with the complainant and will review the complaint file.

Appeals should be made in writing, addressed to the Chair of the Board of Management, c/o 144 London Road, Brighton, BN1 4PH.

The conclusions reached by the Board member dealing with the appeal will be communicated in writing to the complainant, normally within eight weeks of the appeal being lodged.

The Appeal stage is the final stage in BHT's own procedures. Where appropriate, clients will be given information on referring complaints to relevant external bodies such as the local authority, the Housing Ombudsman Service, Legal Services Commission, and so on.

## **TIMESCALES**

Should the published timescales be unachievable, a revised timetable will be agreed. Circumstances such as the absence of key personnel on annual leave or sickness may result in the timescale having to be revised. Timescales can be altered through mutual consent of all parties or, in the absence of mutual consent, with the agreement of the Chair of the Board or the Chief Executive, whoever is more appropriate.

## **COMPLAINTS AGAINST THE CHIEF EXECUTIVE**

The exception to the above procedure relates to complaints against the Chief Executive. Such complaints should be made in writing and addressed to the Chair of the Board, BHT, 144 London Road, Brighton, BN1 4PH. The Chair will acknowledge within 10 days the receipt of the complaint and will identify who will be investigating the complaint (the Investigating Officer).

On conclusion of the investigation, which will normally include an interview with the complainant, the Chief Executive, and other relevant witnesses, the Investigating Officer will report back to a panel of at least two Board members appointed by the Chair who are not members of the Personnel and Governance Committee. The panel will make a decision which will be communicated in writing to both the complainant and the Chief Executive. Complaints against the Chief Executive will normally be dealt with within 8 weeks of receipt.

Appeals against the decision of the panel can be made on the same basis as the Appeals Section above.

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## IMPLEMENTATION OF THE POLICY

In order to implement this policy, each BHT Project will develop a Complaints Procedure in line with the issues above and will ensure adherence to the following points and stages:

- that its Complaints Procedure is well publicised, in appropriate languages and formats, taking equal opportunities fully into account;
- that clients are informed at the earliest opportunity of the Complaints Procedure and that a culture that values client feedback is engendered;
- that clients are well informed as to where they can obtain independent advice and support (CAB, MPs, Councillors etc.);
- that BHT's Confidentiality Policy is adhered to;
- that any particular requirements for funders, legal requirements etc. is taken into account;
- that a copy of its complaints procedure is sent to 144 London Road. This will be held centrally by the Chief Executive.

It is the responsibility of the relevant member of CMT to ensure that such procedures are in place for the services for which they are responsible.

## RECORDING AND MONITORING OF COMPLAINTS

All complaints will be recorded.

At Stage One, the complaint will be recorded for internal project purposes. A summary will be sent to the Chief Executive for monitoring purposes

From Stage Two onwards, a log of complaints made, action taken and outcomes will be held by the Chief Executive.

The recording of all complaints will be used as a tool for monitoring projects in terms of complaint management.

The recording of complaints will be used as a tool to monitor project achievement in terms of responding to, learning from and improving services as a result of complaints and feedback.

An annual report on complaints will be presented to the Personnel and Governance Committee by the Chief Executive.

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## TRAINING

Appropriate training and/or information will be given to all employees of the Trust:

- At induction, to inform employees of the BHT Complaints Policy and of the Project's Complaints Procedure.
- In training to ensure that all staff have the necessary skills and/or knowledge to deal with complaints.
- In training to ensure that staff dealing with complaints understand the procedures and operate them correctly.
- In training to ensure that staff understand the lines of delegation and responsibility to enable them to deal quickly and efficiently with routine complaints and to understand where delegation is necessary.
- In training to understand and adhere to recording mechanisms.

## REVIEW

The BHT Complaints Policy will be reviewed every year and amended as appropriate.

Each Project's Complaints Procedure will be reviewed every year and amended as appropriate.

## ACCESS AND CLIENT CARE

All members of staff should be mindful that not all those with whom we work have the necessary literacy skills to make a written complaint. Except where staff have definite knowledge that the individual has adequate literacy skills, all complainants should be asked if they would like assistance in submitting their complaint. Such assistance can be provided, if appropriate, by BHT staff or they should be sign-posted to other agencies, such as the CAB.

### Footnote to Managers:

Summaries of all Stage 1 complaints to be sent to the Chief Executive by email as soon as practical after the complaint has been dealt with. The summaries should include the following information:

- Name of Complainant
- Project
- Summary of Complaint
- Summary of Finding/Outcome
- Action, if any, taken
- Name of member of staff who dealt with the complaint
- Date

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