

Sir E.D. Walker Trust

Registered Charity number: 230359

Complaints Policy and Procedures

1 Introduction

- 1.1 This policy applies to the trustees of Sir E.D.Walker Trust (the **Trust**) and seeks to ensure that the Trust's complaints process is flexible and responsive to the needs of individual complainants to enable residents to be heard and understood.

The Trust 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 Trust will maintain all records as required by the Code. The record will comprise details of the complaint, and the outcomes at each stage. This will include the original complaint and the date received, all correspondence with the resident, correspondence with other parties, and any relevant supporting documentation such as reports or surveys.

Where a complaint response is handled by a third party (e.g. a contractor or managing agent) at any stage, it will form part of the two stage complaints process set out in this policy. Residents will not go through two complaints processes. The Trust will ensure itself that all third parties handle complaints in line with Code, through scrutiny and oversight within its annual report and self-assessment.

- 1.2 A **complaint** is defined as: "an expression of dissatisfaction, however made, about the standard of service, actions, or lack of action by the Trust, 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 the Trust must 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 the Trust's complaints policy.
- 1.4 Complaints can be made to any staff member of the Trust. This can be done in a number of ways which include:
- Telephone: 01325 463083
 - Letter: by hand to the Office, or
by post to Sir E.D. Walker Trust, Coniscliffe Road,
Darlington, DL3 8DF
 - Email: enquiries@siredwtrust.co.uk
 - In person: to any Trustee or member of staff

- 1.5 A service request is a request from a resident requiring action to be taken to put something right. **Service requests** 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, monitored to completion and regularly reviewed at Trust Board meetings,
- 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. The Trust must not stop their 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. Where the Trust has asked for wider feedback about its services, it will provide details of how residents can raise a complaint.
- 1.9 In dealing with complaints the Trust will ensure that:
- (a) individuals who raise a complaint are listened to and treated with courtesy and empathy;
 - (b) residents will never be disadvantaged as a result of raising a complaint;
 - (c) complaints will be investigated promptly, thoroughly, honestly, and openly; and
 - (d) in dealing with complaints the Trust will comply with confidentiality and data protection policies.

2 Exclusions

- 2.1 The Trust must accept a complaint unless there is a valid reason not to do so and it will ensure it considers 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) Where the complainant is anonymous, unless there is sufficient documentary evidence to substantiate the complaint.
- 2.3 Unless excluded on other grounds, the Trust must accept complaints referred to it within 12 months of the issue occurring or the resident becoming aware

of the issue. Where there are good reasons to do so, the Trust must 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 Trust to take on the complaint, in which case this policy will apply.

3 Unreasonable behaviour

The Trust understands that complainants can get upset and frustrated when things have gone wrong.

- 3.1 If the Trust feels a complaint is pursued unreasonably, including any actions or behaviours of the resident/representative, these complaints will be reviewed in line with the Trust's Anti-Social 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 The Trust 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 the Trust from ensuring the complaint can be taken through the full complaints process.

4 Accessibility and awareness

- 4.1 Complaints will be dealt with in a manner that is consistent with the Trust's Equality & Diversity Policy and the Trust's duties under the Equality Act 2010.
- 4.2 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 Trustee nominated as the lead for Equality & Diversity matters (Mrs Aileen Little) by phone (01325 463083) or by email (enquiries@siredwtrust.co.uk) or in person to discuss what adjustments may be possible. The Trust will keep a record of any reasonable adjustments agreed, as well as a record of any disabilities a resident has disclosed. Any agreed reasonable adjustments will be kept under active review.
- 4.3 The Trust 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 This Complaints Policy (which includes contact details for the Housing Ombudsman and references to the Housing Ombudsman Service's Complaint Handling Code) and any amendments to it will be summarised in the Residents' Handbook. It will also be hand posted to residents and will be included with the information provided to all new residents. Copies will be placed on the Notice Board in the Hall and on the Trust's website. The Trust will consider all requests to provide the complaints policy in other accessible formats.
- 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. The Trust 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 Complaints Officer at Stage One.
- 5.2 Appeals will be investigated by the Appeals Officer 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 the Manager whose details are in the Residents' Handbook.
- 5.4 All staff will be suitably trained in the importance of complaint handling and awareness.

6 Complaints process

- 6.1 At each stage of the complaints process, complaint /appeals officers must:
- 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.

Stage One of the Complaints Process

- 7.1 Complaints should be made to the Chairman by letter, email, telephone or face to face. Where this is not possible for any reason, they can be raised with any Trustee or member of staff who will pass written details agreed with the Complainant to the Complaints Officer(s). The initial complaint should include sufficient details, and where appropriate supporting documentation, to enable the Trust to investigate the matter.
- 7.2 The Complaints Officer will acknowledge the complaint and make a record, within 5 working days. The acknowledgement will:
- (a) summarise the Trust's understanding of the complaint (The complaint definition);
 - (b) make clear which aspects of the complaint the Trust is, and is not, responsible for and clarify any areas where this is not clear;
 - (c) summarise the Trust's 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.
- 7.3 The Complaints Officer will issue a full response within 10 working days from the complaint being acknowledged.
- 7.4 In exceptional cases, if the Complaints Officer anticipates that the complaint will take longer than 10 working days to resolve, this will be explained to the resident with a clear timeframe set out for the resolution of the complaint which will not exceed a further 10 working days, without good reason. If any further extensions are required, the Trust will agree with the resident regular intervals to update them on the progress of the complaint. All explanations of reasons will include the contact details of the Housing Ombudsman.
- 7.5 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.
- 7.6 The Complaints Officer 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. The Complaints Officer may delegate the management and investigation of the complaint to another individual.
- 7.7 If the Complaints Officer is conflicted, or the complaint relates to the Complaints Officer, the complaint should be directed to the Manager whose details are in the Residents' Handbook.

- 7.8 If the complaint involves questions relating to the Trust or the Complainant's legal obligations, the Complaints Officer will set out clearly their understanding of the respective legal obligations and may seek legal advice before doing so.
- 7.9 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 inclusion of the new issues would unreasonably delay a response, relate to a different issue and/or are raised after the stage 1 response has been issued a new complaint will be logged.
- 7.10 In responding to the complaint, the Complaints Officer 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 all or part of the stage 1 response, from the Complaints Officer, they have 20 working days to submit an appeal (stage 2) in writing by letter or email, via telephone call or in person to the Appeals Officer. The Appeals Officer will not be the same person that responded at stage 1. The Trust will ensure that any request received after the 20 working days to escalate a complaint, will be assessed and dealt with on an individual basis.
- 8.2 The resident does not need to provide reasons for requesting the complaint to be escalated
- 8.3 The Appeals Officer will acknowledge the appeal within 5 working days of receipt and will
- (a) summarise the Trust's understanding of the appeal (the complaint definition);
 - (b) summarise the Trust's 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 appeal;
 - (d) set out the next course of action and anticipated timescale.
- 8.4 The Appeals Officer will respond in writing to the resident within 20 working days of the appeal being acknowledged, informing them of the outcome of the appeal process and the decision of the Appeals Panel. This will be the Trust's final response.
- 8.5 If the Appeals Officer 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 which will not exceed a further 20 working days without good reason and the reasons will be explained to the resident. If any further extensions are required, the Trust will agree with the resident regular intervals to update them on the progress of the complaint. All explanations of reasons will 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 responding to the appeal, the Appeals Officer 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 complainant is not satisfied with the response to the appeal.

9 Putting things right where something has gone wrong

- 9.1 Where something has gone wrong the Trust must 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 as a result 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 The Trust must take account of the guidance issued by the Housing Ombudsman when deciding on appropriate remedies.

10 Scrutiny & oversight

- 10.1 The Complaints Officer is the senior lead person designated as responsible for complaints handling. This person will assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision and bring them to the attention of the Trustees.
- 10.2 The trustee with responsibility for “Staff Matters” is the person with lead responsibility for complaints whose role is to support a positive complaint handling culture. This person is known as the Member Responsible for Complaints (MRC). The MRC will ensure that the Board of Trustees receives:
- a) regular updates on the volume, categories and outcomes of complaints, alongside complaint handling performance;
 - b) regular reviews of issues and trends arising from complaint handling;
 - c) regular updates on the outcomes of the Ombudsman’s investigation and progress made in complying with orders related to severe maladministration findings; and
 - d) the annual complaints performance and service improvement report.

11 Annual Review

- 11.1 This policy will be reviewed on an annual basis

11.2 The Trust will produce and publish an annual complaints performance and service improvement report for scrutiny and challenge, which must include:

- a) an annual self-assessment against the Code to ensure that the Trust's Complaints Handling Policy remains in line with the Code's requirements;
- b) a qualitative and quantitative analysis of the Trust's complaint handling performance including a summary of the types of complaints the Trust has refused to accept;
- c) any findings of non-compliance with this code by the Housing Ombudsman;
- d) the service improvements made as a result of learning from a complaint;
- e) any annual report about the Trust's performance from the Housing Ombudsman; and
- f) any other relevant reports or publications produced by the Housing Ombudsman in relation to the work of the Trust.

11.3 The Trustees of the Trust will together consider any findings or recommendations of the annual self-assessment and the annual complaints performance and service improvement report and prepare and publish a written response.

12 For the purposes of this policy:

12.1.1 The **Complaints Officer** is:

Name: Dr. Colin Price,
Chairman of the Trust's Board
Telephone number: 01325 463083
Address: Sir E.D. Walker Trust, Coniscliffe Road,
Darlington, DL3 8DF
Email address: enquiries@siredwtrust.co.uk

12.1.2 The **Appeals Officer** is:

Name: Mr. Simon Bainbridge,
Vice-Chairman of the Trust's Board
Telephone number: 01325 463083
Address: Sir E.D. Walker Trust, Coniscliffe Road,
Darlington, DL3 8DF
Email address: enquiries@siredwtrust.co.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,
PO Box 1484, Unit D, Preston, PR2 0ET

This policy has been approved for issue by the board of trustees

Signature:

Name:

Position:

Date: 16th September 2026.....

Appendix for internal use by Trust Staff

Service request or complaint?

(Flow Charts with 3 example scenarios)





