



THE BUCHANAN TRUST

Policy Name	Complaints Policy
Board Approval Date	12 th March 2025
Signed Name/Position	 Helen Thomas, Chair
Next Review Date	March 2026

The Buchanan Trust (the Trust) is a registered charity run for the following purpose:

To help those who have served in the armed forces, enabling them to transition into civilian life by offering short term accommodation, accredited training, skills, work experience and employment opportunities in the rural and construction sectors.

The Trust is based at:

Estate Office, North Farm, Bosbury, Ledbury, Herefordshire, England, HR8 1JY

Charity Number: 235867

This policy applies to all trustees, staff and volunteers and beneficiaries of the Trust and sets out the procedure of complaints handling by the Trust.

The Chair is the Trust Complaints Officer and Member Responsible for Complaints ('the MRC').

The Appeals Officer for each complaint will be appointed from the Trustee body and confirmed to the complainee.

All complaints will be reviewed on an individual basis

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.”

The word “complaint” does not need to be used expressly for the matter to be considered a complaint. Whenever an individual expresses dissatisfaction the Trust will give people the option to make a complaint.

As a Registered Provider of Social Housing and charity, The Trust is signed up to and adheres to the Housing Ombudsman Scheme and Complaints Handling Code which ensures that residents – in the Trust’s case beneficiaries - are put at the heart of the complaints process and ensure that complaints are dealt with in a fair, effective, and timely way. The Trust is required to complete an Annual Self-Assessment form and to review this, and the complaints policy, annually herein.

The Trust will endeavour to provide and maintain an acceptable standard of service in all its work and activities. However, there may be occasions when a problem arises resulting in a complaint or grievance from a beneficiary or someone in authority and/or with the legal right to act on their behalf, service user, tenant, a service provider, a trustee or a member of the public.

The Trust will review and improve their services where necessary on a regular basis, which involves giving positive messages to staff, volunteers, beneficiaries, partners and others about expressing their views.

We will ensure that we:

- Listen to people’s views and concerns
- Act consistently on receipt of comments and complaints
- Keep clear written records of all meetings and/or interactions with the complainant in relation to any complaint
- Reassure those raising a complaint that their residency is not in jeopardy particularly when a complaint relates to housing
- Review our actions, building on positive outcomes
- Learn from identified shortcomings; and,
- Consistently improve.

The Chair, trustees, staff and volunteers of the Trust, should actively encourage persons to comment on their services, especially beneficiaries. This will enable improvements in delivery of their services and cultivates trust, openness and accountability.

Our success criteria for dealing with complaints will ensure that:

- We operate a clear and accountable procedure with guidance on how to complain
- We accept complaints verbally (in person or by telephone) or in writing
- We will promote a positive culture about complaints
- We aim to resolve matters speedily to the satisfaction of the complainant; and,
- We will monitor complaints to inform the development of policy and best practice.

Procedure for Service Requests and Formal complaints

The Trust considers all service request and complaints referred to them within 12 months of the issue occurring or the beneficiary becoming aware of the issue, unless they are excluded on other grounds. The Trust may apply discretion to accept complaints made outside this

time limit where there are good reasons to do so. This will be clearly communicated if it is the case.

Complaints can be made to any Trustee or staff member of the Trust. This can be done in a number of ways which include:

- Telephone
- Face to face
- Email
- Letter

Service Requests

A service request is a request from an beneficiary or individual requiring action to be taken to put something right. (e.g., to carry out routine maintenance etc.) **service requests** are not a **complaint**.

A complaint will be raised when the beneficiary or individual expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing.

Beneficiaries do not have to have a formal complaint ongoing to seek advice and support from the Ombudsman service.

Formal Complaints

The majority of minor complaints or concerns should be dealt with at the time to the satisfaction of the complainant. Staff or Trustees receiving a minor concern or complaint which they have not been able to resolve to the complainant's satisfaction, should be reported to the Complaints' Office – the Chair - who will deal with it as a complaint.

Formal Complaint Stage:

The complainant should be asked to put the complaint in writing. However, under our Equality, Diversity & Inclusion Policy, this does not present a barrier nor preclude individuals to making or raising complaints and any and all reasonable adjustments within the complaints process and procedure will be considered on a case-by-case basis. In addition, as part of our onboarding process we will also establish the preferred communication methods with our beneficiaries to better assist their experience with us and in service delivery.

If the complaint is about service delivery, the Chair will respond and will consult with any staff, volunteers, trustees or others as needed, taking statements, if necessary, before doing so.

If the complaint specifically involves one or more members of staff, volunteers or trustees, the person(s) complained about should be given a copy of the complaint and invited to reply unless to do so would place someone at risk.

The Chair will investigate the complaint and should take statements from anyone involved or who can help. The Chair should decide whether to uphold the complaint fully, or in part, or whether to dismiss it whilst cataloguing the reason for doing so.

Every effort should be made to respond to the complainant within 10 working days by the Chair. A written reply, if so desired by the complainant, should be sent within 28 calendar days.

Should the complainant not be satisfied with the response, then they have the right to appeal within 14 calendar days against the Chair's decision to the Board of Trustees for review. The Board will appoint two trustees to form a Complaints Panel, and a Chair will be elected. This Chair shall have a casting vote.

The complainant may be invited to attend and present their complaint with assistance or help as they deem necessary. The complainants aid may:

- address the hearing but not answer questions on behalf of the complainant
- confer with the complainant during the hearing
- ask questions of the trustee panel members
- confer with the complainant during the hearing, in private if requested.

The Panel should clarify any issues necessary.

The Panel will reach a decision which may be unanimous or a majority verdict.

The Panel will respond to the complainant within 10 working days of the Panel concluding, informing them whether the complaint has been upheld fully, or in part, or whether it has been dismissed.

If there are extensions to timescales and the complaint relates to housing matters, details of the Housing Ombudsman will also be provided at the same time as confirmation of extensions to timescales.

Beneficiaries do not have to have a formal complaint ongoing to seek advice and support from the Ombudsman service.

Putting things right where something has gone wrong

Where something has gone wrong, the Trust 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.

The Trust will clearly set out what will happen and by when, in agreement with the complainant where appropriate. Any remedy proposed must be followed through to completion.

Further Complaints

The Panel's decision will be final with regards to the Trust; but in the event that the complainant is still not satisfied with the outcome, then, depending on the subject and nature of the complaint, complaints have the right to refer the matter to:

- **The Charity Commission** for serious complaints about the running of the Trust as a charity, and/or serious harm to the people the charity helps or other people who come into contact with the charity through its work; a person or organisation receiving significant financial benefit from a charity; criminal, illegal or terrorist activity; charity set up for illegal or improper purposes; charity losing significant amounts of money and a charity losing significant assets, for example land or buildings
- **The Housing Ombudsman** for property condition and repairs, charges and estate management, complaint handling and/or antisocial behaviour affecting you in your home.
- **Fundraising Regulator** for complaints relating to the Trust's fundraising activities.
- **Advertising Standards Authority** for complaints relating to the Trust's advertising.
- Staff – and in some instances, volunteers - can also refer complaints and seek further advice from Advisor, Conciliation and Arbitration Service (Acas), Equality Advisory Support Service (EASS), Employment Tribunal Customer Contact Centre.

When Something Is Not a Complaint

In some circumstances, complaints may not be considered as a complaint or escalated, such as when, for example:

- The issue giving rise to the complaint occurred over twelve months ago.
- Legal proceedings have started. This is defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court.
- Matters that have previously been considered under the complaints policy.
- the complainant is anonymous, unless there is sufficient documentary evidence to substantiate the complaint.

If the Trust decides not to accept a complaint, an explanation will be provided setting out the reasons why the matter is not suitable for the complaints process and detailing the rights and other options available to people to take the complaint further. For housing related complaints, this will also include the right to take that decision to the Housing Ombudsman. If the Housing Ombudsman does not agree that the exclusion has been fairly applied, the Ombudsman may tell the landlord to take on the complaint.

Monitoring and Review

The Trust will hold a Service Request Log, whereby request for the landlord to act, for example in carrying out a repair or investigate antisocial behaviour.

The Service Request Log will be reviewed at each meeting by the Chair and Board of Trustees.

The Trust will hold a Complaints Log, whereby formal complaints are logged, to include the findings, actions taken and outcomes.

The Complaints Log will be reviewed at each meeting by the Chair and Board of Trustees.

This policy will be reviewed on an annual basis.

The Buchanan Trust, Estate Office, North Farm, Bosbury, Ledbury, Herefordshire, HR8 1JY
Company Number. **9838277**. Charity Registration Number. 235867

The Trust will carry out an annual self-assessment in accordance with the Housing Ombudsman Code.

The Trustees as a whole will consider any findings or recommendations of the annual self-assessment and the annual complaints performance and service improvement report.

Points of Contact

Complaints Officer and Member Responsible for Complaints ('the MRC'). – The Chair pp.
The Buchanan Trust email: info@buchanan-trust.org.uk The Buchanan Trust address:
Estate Office, North Farm, Bosbury, Ledbury, Herefordshire, HR8 1JY

Charity Commission <https://forms.charitycommission.gov.uk/raising-concerns/>

The Housing Ombudsman <https://www.housing-ombudsman.org.uk/residents/bring-your-complaint-to-the-housing-ombudsman/>

Fundraising Regulator <https://www.fundraisingregulator.org.uk/complaints>

Advertising Standards Authority <https://www.asa.org.uk/make-a-complaint.html>

Acas <https://www.acas.org.uk/>

EASS <https://www.equalityadvisoryservice.com/>

Employment Tribunal Customer Contact Centre <https://www.gov.uk/guidance/employment-tribunal-offices-and-venues>