



Complaints and Appeals Policy

Monitoring

This policy is reviewed every two years or in line with service changes, whichever comes first

Next review

By March 2023

1. Purpose

1.1. The complaints and appeals policy is to provide guidance for those wishing to complain about the Clearing House service or appeal a decision made by the Clearing House. The policy is intended for Clearing House stakeholders only and is for use instead of St Mungo's external complaints, suggestions and comments procedure. The policy sets out clear expectations and guidelines for stakeholders and Clearing House staff. Complaints from clients should be made through the relevant agency worker and with the agency's full support and involvement in the process.

1.2. Complaints about services a client receives from other organisations involved in the Rough Sleeper Initiative (RSI) should be dealt with through with the complaints and appeals arrangements of those organisations.

2. Policy statement

2.1. The Clearing House is committed to providing a high quality and fair service. It strives for excellence in service provision through a programme of continuous improvement. It welcomes feedback in all forms including comments and suggestions, and this policy and procedure sets out a formal process for ensuring that complaints and appeals are dealt with impartiality. The policy will enable partner agencies and clients to complain or appeal with clear guidance about timeframes for the process, what to expect and when, and what is expected from person or agency making the complaint or appeal.

3. Applicability

3.1. The procedure should be used when a partner agency or client is dissatisfied with a decision made by Clearing House or service provided by Clearing House, for example:

- When a client has been removed from the Clearing House waiting list under the Nomination Policy & Procedure or Referral and Waiting List Policy & Procedure.
- When a client has been refused an RSI transfer by Clearing House.
- When the service received by a stakeholder or client of the Clearing House is deemed to have fallen below the required and expected standards.

3.2. The following examples will not be reviewed under the complaints and appeals policy:

- An appeal about a rejection of a nomination by a Housing Provider. This should to be addressed directly with a Housing Provider in line with their procedures. The Clearing House can be involved with this process if required or requested.
- An Inter-agency dispute:, Clearing House will act when requested or required to assist in mediation in resolving disputes between Rough Sleepers Initiative (RSI) participating organisations in order to ensure the smooth running of the



Initiative. Such disputes can be addressed under the dispute resolution guidance on a case by case basis.

- Where the complaint refers to the actions of a partner agency such as a housing provider or TST. The complaints process for the relevant organisation should be implemented and followed.

4. Definitions

4.1. **Complaints:** A criticism or grievance which an organisation or individual has about the Clearing House Service. This criticism or grievance is made in writing to Clearing House via email or letter.

4.2. **Informal complaints:** Made by external agencies or individuals over minor issues or where they do not yet wish to use the formal procedures. Initially and where appropriate, Clearing House will attempt to resolve all matters informally to the agency or individual's satisfaction; however they have the right to use the formal procedures at any time.

4.3. **Formal complaints:** A complaint must be dealt with as a formal complaint when a complainant remains unsatisfied once an initial response has been given by the member of staff they are liaising with; or if the issue is considered to be of a serious nature (by either the organisation or individual or the member of staff); or if it is regarding the conduct of a member of staff or simply if they wish to make a formal complaint without going through the informal route first.

4.4. **Appeal:** An objection to a specific decision or evaluation made by the Clearing House requesting that the decision be reconsidered. This appeal is made in writing to the Clearing House via email or letter.

4.5.

5. Getting Help

For help and advice about this policy or procedure please contact a member of the Clearing House Team by logging a case using the online system, calling 020 7710 0572 or emailing ch@mungos.org. Letters must be posted to: St Mungo's 3 Thomas More Square, Tower Hill, London, E1W 1YW.

6. Related policies and references for more information

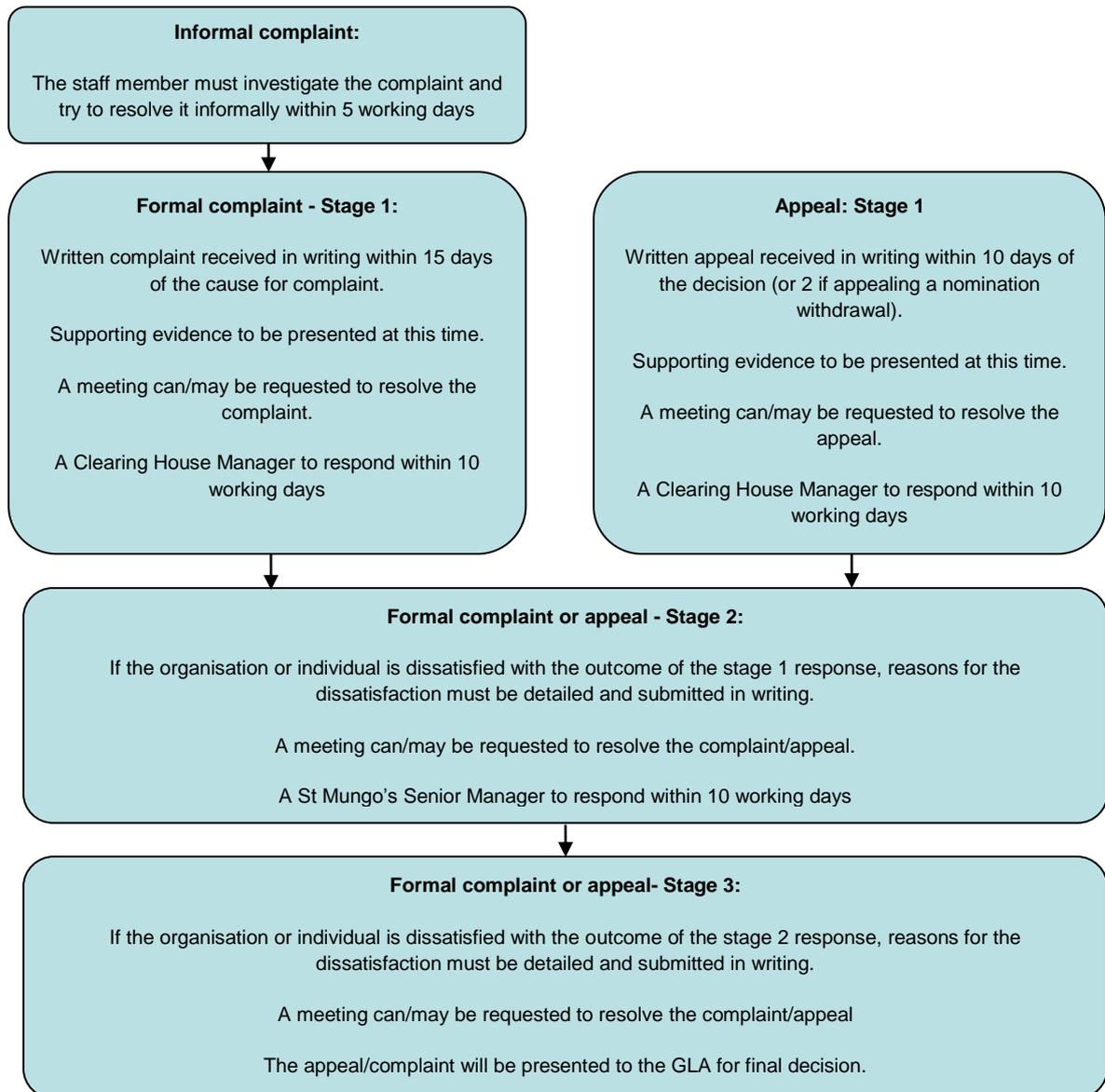
- Nomination Policy & Procedure
- Dispute Resolution Guidance

7. Performance indicators

- Informal complaints to be responded to within five working days
- Appeals to receive a response within 10 working days
- Complaints (stage 1 and 2) to receive a response within 10 working days
- All stage 3 complaints/appeals forwarded to the GLA within two days of receipt by the Clearing House.

Complaints and Appeals procedure

1. Procedure flow





2. Informal complaints

- 2.1. Informal complaints are complaints made by external organisations or individuals over minor issues or where they do not yet wish to use the formal procedures.
- 2.2. Whilst external organisations and individuals will be encouraged to deal with the matter informally at first, they do have the right to use the formal procedures at any time.
- 2.3. Informal complaints should be dealt with by the relevant staff member, who must investigate the complaint and try to resolve the complaint informally within 5 working days.
- 2.4. The staff member must inform their manager that an informal complaint has been made.
- 2.5. Where a complaint cannot be resolved informally, staff should explain this procedure and assist the organisation or individual in making a formal complaint.

3. Formal Complaints

- 3.1. Reasons for a complaint can, but do not exclusively include:
 - A complaint about a poor standard of service provided by the Clearing House to clients or partner agencies.
 - A complaint about the conduct of a member of Clearing House staff.
- 3.2. A complaint must be dealt with formally where:
 - A staff member has made an initial response to the complaint and the complainant remains unsatisfied.
 - The complainant wishes to make a formal complaint without first going through the informal route.
 - The issue is considered to be of a more serious nature (by either the external organisation or individual, or by the member of staff).
 - A complaint has been made about a member of staff which cannot be resolved informally, for example if it relates to professional conduct.
- 3.3. The formal stages will be used incrementally; there are three stages (see diagram above).
- 3.4. Complaints between Clearing House partner agencies may be facilitated, investigated and mediated by a Clearing House management. They will not be considered under this complaints and appeals procedure and will be considered on a case by case basis under the dispute resolution procedure.
- 3.5. Formal complaints about the Clearing House should be made in writing by the client's worker (with the client's full consent and involvement), and signed by the client. The complaint should be addressed to the Clearing House Team Leader.
- 3.6. Complaints can be made in person, by appointment with Clearing House management. Clients are entitled to use the help of a representative at any stage of this procedure.
- 3.7. The Clearing House Team Leader will consider and investigate the initial (stage 1) complaint and make a response within 10 working days.
- 3.8. If the complainant is dissatisfied with the response, they should write to the Clearing House Manager to detail why. This complaint should be passed to a senior manager in his/her absence. The Clearing House manager will consider the complaint by consulting the staff involved (internally and externally) in the complaint and



considering the paperwork. The Clearing House manager will send a written reply to the complainant within 10 working days of receipt of the complaint letter.

3.9. If the complainant remains dissatisfied with their stage 2 response, they should write to the Senior Manager to detail why. The complaint (including paperwork from stages 1 and 2) will be sent to the GLA. The GLA will review the complaint and a response will be issued in writing within 10 working days of receipt. The Clearing House will forward the complaint and paperwork to the GLA within 2 working days.

4. Appeals

4.1. Reasons for appeal can (but do not exclusively) include:

- An appeal to the removal of a client from the Clearing House waiting list
- An appeal to the refusal to accept a newly referred client
- An appeal to the rejection of a transfer
- An appeal of the withdrawal of a nomination

4.2. The Clearing House operates according to the Clearing House Nomination Policy; If a client refuses their offer of accommodation or fails to attend a viewing, they will be removed from the waiting list. Please note that failure to attend a viewing or interview will count as an offer. The client will not have the opportunity to be referred to the waiting list for 12 months after being removed.

- Any client who refuses a nomination and is removed from the waiting list has a right to appeal against the decision of the Clearing House. The only ground for appeal is that in the view of the agency and the client the refusal of the nomination was reasonable and justifiable.

Appeals against decisions made under this policy should be made in writing to the Clearing House. Anyone wishing to appeal against a decision to remove a client from the waiting list must do so within ten working days. They should email the Clearing House Team Leader.

- An appeal about a rejection of a client by a Housing Provider needs to be addressed directly with the Housing Provider in line with their procedures. The Clearing House can be involved with this process if requested. If the client wishes to appeal a decision where a nomination is rejected by the Housing Provider, the referral worker must make this intention known immediately to the Clearing House, so that no further nomination is made to the property. In these cases an appeal must be made within 48 hours.

4.3. The Clearing House may request additional information and/or supporting information for a referral. This request will be made once, by email, and the referral will not be accepted until the information is received.

4.4. The Clearing House operates a transfers and mutual exchanges policy and procedure. Appeals against decisions made under this policy should be made in writing to the Clearing House.

4.5. In the event that a client is dissatisfied with the outcome of a tenancy review meeting, they should appeal to the TST and the Housing Association responsible for the decision not to renew the tenancy.

4.6. All appeals against Clearing House decisions should be made in writing by the relevant agency, with the client's full involvement and consent. Any appeal should be addressed to the Clearing House Team Leader and should be made within 15 working days of notification of decision.

4.7. Appeals can also be made in person, by appointment with the Clearing House management. Clients are entitled to use the help of a representative at any stage of this procedure.



- 4.8. The Clearing House Manager, Team Leader, or a Senior Manager in their absence, will consider the appeal by consulting the staff involved in the decision, the paperwork and by speaking to relevant members of staff (internally and externally) if appropriate.
- 4.9. The Clearing House Team Manager will send a written reply to the complainant or agency within 10 working days of receipt of the appeal letter.
- 4.10. Where the appeal is upheld, the response letter will detail what action will be taken as a result of this decision.
- 4.11. Where the outcome of the appeal is refused and disputed, the appeal may be considered under the formal complaints procedure starting at stage 2 – requiring a response from a St. Mungos Senior Manager.

5. **General**

- 5.1. All complaints and appeals should outline clear reasons for the complaint/appeal and supporting evidence must be submitted with the initial complaint
- 5.2. The Clearing House will endeavour to resolve complaints and appeals in face to face meetings wherever possible.
- 5.3. All complaints and appeals will receive a full investigation at each stage of the complaint. This will involve collecting information about action taken and speaking to staff members and colleagues involved
- 5.4. Complaints about staff behaviour will always be referred directly to a Senior Manager.
- 5.5. The decision of the GLA is final.

6. **Receiving and recording a formal complaint**

- 6.1. All complainants will be encouraged to submit written complaints or appeals to the Clearing House including relevant details, evidence and documentation.
- 6.2. If the organisation or individual is complaining in person or over the telephone then they will be asked to submit a complaint or appeal in writing or the details of their complaint will be written down by Clearing House staff and the complainant provided with a copy.
- 6.3. Clearing House staff receiving a formal complaint (stage 1) must pass this to the relevant manager within 2 working days.
- 6.4. All formal complaints must be logged on the central Clearing House complaints log.