



Kennett Community Land Trust Complaints and Appeals Policy

Kennett Community Land Trust is a Community Benefit Society registered with the FCA under number 7443, registered office 66 Station Road, Kennett, Newmarket CB8 7QF

KCLT Appeals and Complaints Policy

1 Introduction

Kennett Community Land Trust ("KCLT") is a community-led organisation. There are various opportunities (e.g. our AGM and specific consultation events) where members and local residents are invited to input into decision-making and hold KCLT's Board members to account. However, in between those consultation events the Board of KCLT needs to be free to make decisions in implementation of our mission and strategy without reference to the impact on or views of specific individuals. Any member can stand to serve on the Board if they wish to have more direct influence on decision-making, provided they are willing and able to meet the time and work commitment involved and adhere to the Board members' rules of conduct.

Where an individual feels prejudiced by a policy or how it has been applied to their situation, they can make a formal complaint or appeal. An appeal or complaint may also be made in relation to the outcome of an application for a home, a decision by a member of staff or a Board member who has delegated authority or the Board as a whole (e.g. relating to housing management or a breach of lease) or the conduct of a member of staff or a Board member. This policy describes how a formal complaint or appeal can be made and how it will be handled. KCLT is a member of the Housing Ombudsman's Scheme and details of that are at paragraph 7 below.

2 Process For Making a Formal Complaint or Appeal

Where possible, complaints or appeals should be made in writing; they can be made by e-mail, in a file attached to an e-mail or by typed or handwritten letter or printed document.

- E-mails should be sent to: hello@kennettclt.org
- Attachments can be attached directly to the e-mail (total size must be less than 15MB) or can be provided by link to an online shared folder or another file sharing service, and should be in any of the following formats: [.docx, .otf, .pdf, .jpg, .png]
- Letters and printed documents should be posted or hand delivered to KCLT's office; 66 Station Road, Kennett, CB8 7QF.
- Photographs sent either electronically or as print-outs must be sufficiently clear to help explain the complaint or appeal, if appropriate with numbering or captions that link to the written text.
- Please list all other relevant documents that you are able to provide if needed.

Where an individual is not easily able to express their complaint or appeal in writing, they can make an appointment to submit their complaint verbally at KCLT's office. If the individual has concerns about speaking to a particular staff member, representative or Board member, KCLT shall offer an appointment with a different person. If the individual needs support to express their complaint and/or understand KCLT's response, KCLT will discuss with the individual what steps can reasonably be taken or what external services should be approached to ensure such support is provided.

- Complaints and appeals can be made by a third party on behalf of the individual. Such a complaint or appeal must be made in writing and must explain the identity of the third party and their relationship to the individual and give evidence of the individual's agreement to the third party making the complaint or appeal on their behalf. A designated person as described in paragraph 7.2 below may be willing to help the complainant and discuss the matter with KCLT.
- KCLT's acknowledgments and responses will be sent by unencrypted e-mail unless a different method of written communications or verbal communication has been requested or agreed.
- KCLT is required to keep full records of complaints and appeals under this policy together with copies of the correspondence and any related reports and other documents. KCLT will keep such records confidential except to the extent that any of the information is already in the public domain. After a period of seven years from resolution of the complaint, the complainant may request KCLT to destroy physical and electronic copies of the correspondence and related documents, and KCLT shall only retain a note of the name of the complainant, the date of the original complaint or appeal, that the complaint was resolved, and the date on which destruction of the correspondence and supporting documents was actioned at the request of the complainant.
- KCLT is required to report to KCLT's Board and to the public on its handling of complaints and appeals. More information on this is in paragraph 8 below.
- KCLT requests that any complaints are raised formally through this policy before being shared on any social media platforms. KCLT cannot be assumed to be aware of any complaint not raised through the process described above and will not accept responsibility for addressing any issues raised.

3 Threshold for Appeals and Complaints

To avoid the time and cost of checking every decision, the staff and Board members who are trusted with decision-making will be assumed to have carried out their tasks competently and with adequate consideration, so this policy incorporates a threshold and a time limit that must both be met for an appeal or a complaint to be investigated.

Appeals will only be considered where:

- a. The decision is based on an error or misunderstanding, or
- b. The decision puts the complainant at risk of losing their CLT home (i.e. a decision regarding whether a breach of lease has occurred or how a breach of lease should be addressed).

Complaints will only be investigated if they are based on a specific situation or a series of events in which the behaviour of a member of KCLT staff, a representative of KCLT or a Board member has been unprofessional, threatening or contrary to a KCLT policy.

Complaints regarding adopted policies should be pursued at consultation events or by making representations to Board members, and are not covered by this policy.

The time limit is that the decision or action on which the complaint or appeal is based must not have occurred more than 6 months before the complaint or appeal is made. This time limit does not apply in case of any safeguarding or health and safety issues.

Where the complaint or appeal is included in any court proceedings that have been formally commenced by the filing of a claim form at court, the process of consideration of the complaint or appeal by KCLT under this policy will be put on hold until the court proceedings have ended.

4 Internal Complaints Process

Stage 1: Review by KCLT Representative

When an individual ("the complainant") makes contact with us to lodge a complaint or query a decision, a representative of KCLT (staff member or volunteer) will acknowledge receipt within five calendar days, repeating KCLT's understanding of the complaint or appeal and the outcomes the resident is seeking and asking for clarification on any aspects that are unclear. Where KCLT has misunderstood the complaint or appeal, KCLT's representative will work with the complainant to reach an agreed definition.

- A representative of KCLT (being the same or a different person) will respond to the complaint or appeal within a further ten working days. Please note that KCLT's office may be closed between Christmas and New Year for all business other than emergencies, and that complaints and appeals will not normally be investigated during that closure.
- The response should repeat KCLT's understanding of the complaint or appeal and the outcomes sought by the complainant, provide a copy of this policy and explain one of the following:
 - a. That the complaint or appeal does not satisfy any of the above threshold tests, or that it is otherwise not significant enough to justify the resources involved in progressing it through the process set out below. The response should give some context to explain why this is the case; or
 - b. That an error or mistake has been identified, but has not resulted in an incorrect decision or in the complainant being put at risk of losing their existing CLT home. In this case the representative will correct the error or mistake themselves, offer an appropriate apology and report to the Chair on the complaint and their response; or
 - c. That the complaint or appeal does satisfy the threshold tests, and is significant enough to progress to stage 2 of this process; or
 - d. If the complaint regards the conduct of the Chair, that the representative is referring it directly to the Board for consideration under stage 3.

Internal Complaints Process

Stage 2: Chair's Check and Action

If the complainant is unhappy with the stage 1 response, or if the representative who looked at the complaint has identified it as needing to progress to this stage 2 and the complainant has confirmed that they would like it to be progressed to stage 2, the representative shall refer the complaint and the stage 1 response to the Chair for review.

- The Chair shall contact the complainant to confirm that the complaint or appeal has been received by the Chair and to propose a timescale within which the Chair expects to be able to provide a response. The Chair should endeavour to give a full response within ten working days of receiving the referral, or shall explain to the complainant why more time is needed and ask the complainant to agree to a realistic timescale. Where a longer timescale is agreed, the Chair shall ensure that they update the complainant every week. Where agreement over a longer timescale cannot be reached, KCLT shall draw the attention of the complainant to their right to contact the Housing Ombudsman using the contact details set out at paragraph 7 below.
- If the Chair believes that a stage 1 reply dismissing the complaint was correct, the Chair shall explain this in writing and offer to speak to or meet with the complainant. The Chair's decision on a complaint that has already been dismissed at stage 1 shall be the end of the internal complaint handling process. A fresh complaint against the conduct of the Chair in making such a decision shall not be considered by KCLT. However, the complainant may ask the Housing Ombudsman to review the chair's decision, as described in paragraph 7 below.
- If the stage 1 reply indicated that the complaint would proceed to stage 2, or the Chair reviews the stage 1 reply at the complainant's request and believes that it may be wrong, the Chair will let the complainant know that the Chair will investigate, with an indication of the likely extent and timescale of the investigation. The Chair shall then speak to the representative and to the complainant and take steps to gather any independent evidence and legal advice that may be relevant to establishing the facts or resolving the complaint.
- If the Chair concludes that the complaint has not been adequately addressed under stage 1, the Chair shall let the complainant know whether the complaint can be referred to the Board under stage 3 or whether an alternative resolution can be offered by the Chair. The complainant's approval is required for any referral under stage 3.
- If the Chair fails to keep to a reasonable timescale for investigating and answering the complaint or appeal, or if any resolution offered by the Chair is not acceptable to the complainant, the complainant can ask the Chair to refer the matter to the Board under stage 3. The Chair shall consider such a request against the threshold set out in paragraph 6.1.

Internal Complaints Process

Stage 3: Board Decision

Only the following complaints will be referred to the Board:

- a. Complaints regarding mistakes that have materially changed decisions or could affect the health of the complainant, or
- b. Complaints regarding decisions that could deprive an existing KCLT resident of their home, or
- c. Complaints regarding the conduct of the Chair or any Board member or gross misconduct of any staff member or other representative.

Where the complainant has agreed or requested to progress the matter to stage 3, the Chair may include the matter in the agenda for the next scheduled Board meeting or decide to call an emergency meeting or to seek Board members' views by e-mail without calling a meeting. The Chair shall ensure that the matter is considered by the Board in one of these ways within 20 working days of the referral to stage 3. The results of any e-mail consultation shall be reported at the next following Board meeting. The Chair or any other Board member shall report the decision of the Board to the complainant, but the complainant shall not be entitled to know how individual Board members voted.

Where a resident's home has been put at risk the Board may seek legal advice to determine KCLT's ability to help the resident. The Board may review the resident's tenancy or lease terms to better understand KCLT's legal position, and take into consideration any financial and reputational repercussions, the requirements of funders and project partners, and KCLT's moral responsibilities to its residents and the local community.

With housing allocation decisions, where an error or a misprocessing of the application has led to a particular applicant not being allocated a home, the scope to correct the situation will be affected by whether another suitable home is or is not available. Depending on the situation, the Chair will report to and may make one of the following recommendations to the Board, and if the Board are satisfied with the content of the report they will approve the recommended form of rectification and request implementation in their name:

- If a suitable home is available, the rectification is a formal apology and allocation of that home.
- If a suitable home is not available, a formal apology and refund of reasonable costs incurred will be followed by one or both of the following: prioritising a home for the applicant in the event of anyone dropping out of the first allocations and/or prioritising the applicant on resale or reletting of a CLT home (subject to them still meeting the eligibility criteria).
- In all cases, the Board and senior officers will seek to find a path which recognises and rectifies any error as far as is possible without infringing the rights of other applicants, residents or members of the organisation or the wider community.

5 Referral to the Housing Ombudsman Scheme

KCLT is a member of the Housing Ombudsman Scheme. Where a complainant has been given a final answer under the internal complaints process described in this policy, if they are not satisfied with the answer or with the way in which KCLT has dealt with the complaint or appeal the complainant may contact the Housing Ombudsman.

The Housing Ombudsman will encourage complainants to use the system of designated persons that was introduced under the Localism Act 2011 to improve the chances of complaints about housing being resolved locally. The idea behind localism is that local people know best how to decide on local issues. The introduction of designated persons is intended to involve local politicians and local people in resolving local housing issues. A designated person can be an MP, a local councillor, or a tenant panel recognised by KCLT. A designated person can be invited to support the complainant's complaint or appeal as described in paragraph 2.3 above, to discuss KCLT's final answer under this internal complaints process with KCLT and/or to refer the matter to the Housing Ombudsman on the complainant's behalf.

If a complainant is clear that they do not want to make use of a designated person, the Housing Ombudsman's staff will consider the case on a direct written application by the complainant providing eight weeks has passed from the date of the final stage response letter under this policy.

<https://www.housing-ombudsman.org.uk/>

Housing Ombudsman Service
PO Box 152
LIVERPOOL
L33 7WQ

info@housing-ombudsman.org.uk

Telephone line 0300 111 3000 is open 9.15am-5.15pm: Monday to Friday

6 KCLT Complaints Reports

The Chair shall report to the Board regarding all complaints and appeals and all stage 1 and stage 2 responses, at the next Board meeting.

KCLT shall publish an annual report summarising the number and types of complaints and appeals received during each year and the actions taken by KCLT in response. The report shall also assess the application of this policy and any changes needed to this policy as against the Housing Ombudsman's Complaint Handling Code from time to time.

For the purposes of all such reports, the actual complaints and appeals and the identity of complainants shall be anonymised as far as possible.

7 Equality, Diversity and Inclusion

KCLT is committed to promoting equality, diversity, and inclusion in all aspects of its work. We believe that embracing diversity strengthens our community, enhances our services, and reflects our core values of respect, fairness, and integrity.

We aim to create an environment where everyone feels valued, respected, and empowered—regardless of their background, identity, or circumstances.

We will apply this policy consistently and fairly and will not discriminate against anyone based on any protected characteristics, including those set out in the Equality Act 2010

8 Review and Monitoring

- All complaints will be recorded and dealt with by the board of trustees in line with this policy, KCLT governance framework, The Housing Ombudsman's Scheme and any other applicable legislation at the time the complaint or appeal is raised.
- This policy will be reviewed every two years or following legislative changes

9 Related Policies and Documents

- Tenancy Agreement
- Privacy Policy
- Whistle Blowing Policy
- Conflict of Interest Policy
- Regulatory Compliance and Self-Referral Policy
- Customer Feedback and Complaints Policy
- Equality, Diversity and Inclusion Policy

10 Policy Review Record

Version Number	Status	Revision Date	Summary of Changes
Version 02	Approved	November 2025	2025 Policy review Policy reformatted Sections 7-10 added