

# Complaints Policy



## Group Wide

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### Policy Controls Sheet

## 1. **Headline messages**

- **We record and investigate complaints about our service or the service of those acting on our behalf.**
- **We take complaints very seriously and see them as an opportunity to work with our customers to find a mutually agreeable solution.**
- **We will provide a personal touch, ensuring we understand and discuss your concerns. We will keep in touch throughout the complaint.**
- **If we cannot agree an outcome at Stage One, we will carry out an independent Stage Two review.**

## 2. **Aims of this policy**

We aim to provide our customers with good quality homes and services. Sometimes things don't go to plan, and we want to put them right as quickly as possible. This policy sets out our approach towards handling complaints and should be read alongside the Compensation policy.

## 3. **Scope**

We define a complaint as an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by L&Q, our own staff, or those acting on our behalf affecting an individual resident or group of residents.

### **Who can complain?**

We accept complaints from our customers, or anyone directly impacted by our services, including applicants. We also accept complaints from someone acting on behalf of a customer. If we are approached by an elected official such as a Member of Parliament or local councillor on behalf of a resident, we will manage as a complaint where appropriate (logging one where not already recorded) and ensure our resident is kept informed.

Please see Appendix 3 for details relating to petitions.

Everyone can expect to be treated with courtesy including our colleagues. When this doesn't happen, we might need to limit how we communicate with customers. Our Unreasonable Resident Behaviour Policy explains how we will manage unacceptable behaviour from residents and/or their representatives.

### **Other routes to resolution**

We may resolve some simple service recovery issues outside of the formal complaint process. This could include missed appointments or long wait times. We may also ask contractors working on our behalf to help resolve these. But we will always record a complaint that meets the definition if our customer wants us to.

## What this policy doesn't cover

This policy does not cover:

- complaints where court proceedings are underway against L&Q (defined as the Claim Form and Particulars of Claim having been filed at court). This can include disrepair cases and other legal cases. Legal liability such as insurance claims are also not covered. Should legal action start after the complaint has been raised, we will close the complaint. See below for more information on disrepair.
- complaints being dealt with by another statutory agency that has the power to resolve the complaint (if this occurs after the complaint has been raised, we will close the complaint)
- anti-social behaviour as this is covered by L&Q's Anti-Social Behaviour policy. A complaint will be accepted if the customer is dissatisfied with how their case has been handled
- complaints over 12 months old unless there are exceptional circumstances.
- matters that have previously been considered under the complaints policy
- requesting a service or making an enquiry
- reporting a fault
- requesting information or explanation about service charges, a policy or practice
- negative feedback
- we will not record dissatisfaction made through a survey as a complaint.

If a customer is raising an issue for the first time, we will record this as a service request and follow the relevant policy and procedure.

- If the resident is dissatisfied with the response to their service request, this can be raised as a complaint. We will continue to address the service request while any complaint is investigated.
- If the complaint refers to a building safety risk or incident, we will take appropriate action in accordance with our Mandatory Occurrence Reporting policy.

We will provide a detailed explanation if we don't accept a complaint or don't escalate it. Our customer can approach the Housing Ombudsman if they do not agree with our decision. For Building Safety complaints they can refer the complaint to the Building Safety Regulator to make a final determination on whether the issues raised meet the criteria under section 93 of The Building Safety Act 2022.

Complaints relating to staff conduct will be fully investigated in line with our Human Resources policies, but we cannot divulge the outcome of these investigations for reasons of confidentiality. We will, however, explain what our investigation involved.

### Disrepair

Our approach follows the *Housing Ombudsman Guidance on Pre-Action Protocol for Housing Conditions Claims and service complaints* (Disrepair). Before we accept a disrepair claim we will manage these cases through Alternative Dispute Resolution avenues using the complaints process.

### Complaints about structural or fire building safety in a higher- risk buildings

A complaint will be accepted as a building safety complaint under Section 93 of the Building Safety Act if the issues raised in the complaint is about –

- structural failure and spread of fire (building safety risks)

- non-compliance with the accountable person duties under the Building Safety Act.

Anyone can make a complaint about how we manage fire and structural safety in a higher-risk building under Section 93 of The Building Safety Act 2022. This includes a resident or anyone visiting or working in the building (e.g. contractors, postman).

These complaints will be managed under our usual complaint process.

If the customer is not satisfied with our final response, as well as referring the complaint to the Housing Ombudsman Service, they may also approach the Building Safety Regulator. With permission from the customer, we may also refer the complaint to the regulator ourselves.

## 4. Policy approach

Our complaints process has two stages. Stage One involves an investigation by the relevant person/department best placed to resolve the complaint. They are responsible for discussing and understanding the complaint with the customer and together agreeing an action plan to resolve it. If our customer remains dissatisfied, they can ask for it to be escalated to Stage Two, where a review will be conducted by someone not involved at Stage One.

We will provide a named complaint handler that our customers can contact to make representations, comments or discuss their complaint at any stage.

We will ensure that when we receive a complaint, we will identify if the complainant has any additional needs which we will need consider as part of the logging and investigation of the complaint. We will put in place appropriate adjustments to ensure complainants can access our complaints service fairly and equitably. Some examples, could include, providing accessible formats and being flexible around response timeframes from complainants. For further guidance, please reference the Supporting Residents with Additional Needs policy.

### 4.1 How to complain

Complaints can be made in several ways:

By phone to our customer service centre:

- 0300 777 7777 for customers in the North West
- 0300 456 9998 for all other customers

By email:

- [customerrelationsnw@lqgroup.org.uk](mailto:customerrelationsnw@lqgroup.org.uk) for customers in the North West
- [complaints@lqgroup.org.uk](mailto:complaints@lqgroup.org.uk) for all other customers

In writing:

- Resolution Team, Sale Point, 126-150 Washway Road, Sale, M33 6AG for customers in the North West
- Customer Relations, Cray House, 3 Maidstone Road, Kent DA14 5HU for all other customers

Online and Social Media:

- Completing the on-line complaints form at [www.lqgroup.org.uk](http://www.lqgroup.org.uk). Customers in the North West should use My Account.
- Via social media – L&Q Facebook or Twitter

Directly to any of our colleagues in person

In all instances we can accept a complaint via a representative or advocate. We would usually need written permission from the customer which can be by confirming the arrangement by email. Should a resident lack capacity, we will work within the principles of the Mental Capacity Act 2005. This includes accepting complaints from advocates, family members or people who have been awarded power of attorney.

All complaints addressed to our executive team or board members will be managed in line with this complaints policy.

## 4.2 The Complaint Stages

### **Stage One – Complaint investigation and resolution**

Where possible we aim to resolve a complaint there and then. If we can't, we will pass it to the person or department best placed to help. They will make contact by the end of the next working day. Overall, the process to log and acknowledge a complaint will take no longer than 5 working days.

We will send our written decision within 10 working days of logging a complaint. This will explain the outcome of our investigation, how we intend to resolve the complaint and the timescales. If we need more time to reach a decision, we will explain why and write again after no more than 10 working days. In exceptional circumstances we may need even longer. We will try to agree this with our customer but if they aren't happy with an extension, they can contact the Housing Ombudsman Service.

After confirming our decision in writing, we will monitor progress until all outstanding actions are complete. This may be by a different team to that providing the complaint decision.

We will investigate all elements of the complaint and are unlikely to consider anything new that is raised later – particularly after sending our Stage One decision. We will treat this as a separate complaint.

A complaint must be made within twelve months of the issue occurring.

### **Escalation**

If the complainant is dissatisfied with our decision and asks us to, we will escalate to Stage Two. We will ask why they are dissatisfied and what will resolve the complaint but will not refuse an escalation if this cannot be provided. Where possible, we will try to reach a resolution without the need for escalation. Overall, the process to receive an escalation and acknowledge it will take no longer than 5 working days.

We will not escalate a complaint until the Stage One decision has been provided.

A request for escalation must be made within 12 months of the Stage One decision or all resolution actions being completed (whichever is later).

### **Stage Two – Complaint review and resolution**

The Customer Relations Team or someone not involved at Stage One will carry out a review of the complaint. This will involve contacting the complainant to give them the opportunity to explain their viewpoint and considering the Stage One outcome. We will send our final written decision within 20 working days of the request to escalate. If we need longer, we will explain why and write again within a further 20 working days.

In exceptional circumstances we may need even longer. We will try to agree this with our customer but if they aren't happy with an extension, they can contact the Housing Ombudsman Service.

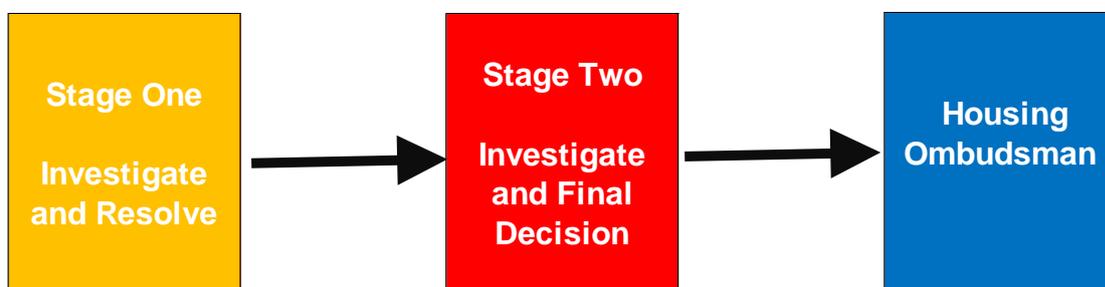
After confirming our decision in writing, we will monitor progress until all outstanding actions are complete. This may be by a different team to that providing the complaint decision.

If the complaint cannot be resolved at Stage Two, the customer can approach the Housing Ombudsman. For Building Safety complaints, the customer may approach the Building Safety Regulator. With the customer's consent, we may also refer the complaint to the Building Safety Regulator ourselves.

### Social Media Complaints

Complaints received through our social media channels will be dealt with in the same way as any other complaint, but we carry out some additional checks to make sure we're speaking to the right person. To ensure confidentiality we will only discuss personal information via private messages.

### The Complaints Process:



## 4.3 Other Options Available to Customers

### **Housing Ombudsman**

The Housing Ombudsman Service can be approached by residents throughout the life of a complaint. If the complaint remains unresolved at the end of Stage Two, customers can contact them to request a review.

PO Box 1484

Unit D

Preston

PR2 0ET

Telephone: 0300 111 3000

Email: [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)

Web: [ww.housing-ombudsman.org.uk](http://ww.housing-ombudsman.org.uk)

### **Complaints about care services**

Complaints about care services can be taken to the Local Government and Social Care Ombudsman. Any customer receiving care services may choose to access their local council's complaints process instead of ours before approaching the Ombudsman.

The Local Government and Social Care Ombudsman

PO Box 47771

Coventry

CV4 0EH

Telephone: 0300 061 0614

Web: [www.lgo.org.uk](http://www.lgo.org.uk)

### **Consumer Credit Regulated Activity**

Complaints about welfare benefits advice can be taken to the Financial Ombudsman Service if you are not satisfied with our response.

The Financial Ombudsman Service

Exchange Tower

Harbour Exchange Square

London

E14 9GE

Telephone: 0800 023 4567

Email: [complaint.info@financial-ombudsman.org.uk](mailto:complaint.info@financial-ombudsman.org.uk)

Web: [www.financial-ombudsman.org.uk/](http://www.financial-ombudsman.org.uk/)

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### **First-Tier Tribunal (Property Chamber – Residential Property)**

Customers can apply if they are a landlord, tenant, freeholder, or leaseholder. The cases that can be considered include:

Rent increases for fair or market rates

Leasehold disputes e.g. variable service charges

Leasehold enfranchisement e.g. extending a lease

Contact details: <https://www.gov.uk/courts-tribunals/first-tier-tribunal-property-chamber>

### **Building Safety Regulator**

Complaints about structural or fire building safety in higher-risk buildings. At any point through the complaint process Building Safety Regulator can be contacted using the details below to discuss options available.

Tel - 0300 790 6787

Health and Safety Executive Redgrave Court

Merton Road

Bootle

Merseyside

L20 7HS

Web: [www.contact-building-safety-regulator.service.gov.uk](http://www.contact-building-safety-regulator.service.gov.uk)

## 4.4 Learning From Complaints

We treat complaints as an opportunity to learn from our mistakes and improve our service. Complaint numbers, outcomes and satisfaction inform policy reviews and the way we deliver our services.

We send a survey to each complainant to gather feedback on their complaint experience (unless they have opted out of contact).

Senior managers across the business meet monthly to review the level and nature of complaints. This enables trends and root causes to be identified so we don't repeat our mistakes.

Complaints are monitored and reported on extensively, from individual one to one meetings, team meetings, monthly complaints reports at senior management meetings through to our Board meetings. They are a key feature of our annual Residents' Report. We complete an annual self-assessment against the Housing Ombudsman's Complaint Handling Code with the outcome published on our website. It's available to customers, included in annual reports and provided to board.

We regularly monitor compliance with policy and procedures and seek to address any weaknesses with business areas as appropriate.

## 4.5 Publicising Our Complaints Approach

We will publish our Complaints Policy and information about the Housing Ombudsman Service on L&Q's website and periodically in our resident newsletters. Contact details for the Ombudsman will also be included in our complaint correspondence templates.

Through mandatory complaints training to all customer-facing postholders, we will ensure our colleagues are able to share information about our Complaints Policy and the Ombudsman service to residents as appropriate.

# Appendices

## 1. Assurance

We regularly monitor both the causes of complaints and our complaint handling. Managers and our residents carry out regular quality checks to ensure robust and thorough decisions are provided with good communication and planning.

We analyse and report on our complaint handling performance in line with the Housing Ombudsman Complaint Handling Code. Measures include:

- Ensuring we award compensation on a consistent basis.
- Acknowledging most complaints by the end of the working day after it was logged and all within five working days.
- Stage one and Stage two decisions sent within the correct timescales (see section 4).

Customer Survey measures include satisfaction with how the complaint was dealt with.

We use the lessons from complaint handling to improve services for our residents and identify staff training.

We regularly report to our Resident Services Board on our complaint performance.

## 2. Legislation and Regulation and Other Policies

The policies and regulations detailed below are adhered to in relation to this policy

Regulator of Social Housing (RSH) – Transparency, Influence and Accountability Standard

Supporting Residents with Additional Needs Policy

Repairs Policy

Building Safety Act 2022

Equality Act 2010

Compensation Policy

Housing Ombudsman Complaint Handling Code

Data Protection Policy

### **3. Protocol for submission of group complaints / petitions**

This protocol sets out how our residents and their community can submit a complaint as a group and how we will respond. We welcome these as a means of highlighting concerns within a local area.

#### **Submitting a group complaint / petition**

These can be submitted by anyone. It will be the lead contacts responsibility to ensure that any submission will be completed under the principle of good faith, decency, honesty, and respect.

Group complaints/petitions will need to include the following:

- a minimum of 2 signatures from 2 separate households,
- a clear and concise statement covering the subject; the issues which led to the creation of the complaint; the actions we are requested to take,
- contact details for the lead contact,
- the name, address, postcode, and signature of every individual supporting the complaint; and
- the date the complaint is submitted.

The group complaint should be submitted by email to:

#### **Customers in the North West**

customerrelationsnw@lqgroup.org.uk or by post to:

Resolution Lead Team Manager

Sale Point,

126-150 Washway Road,

Sale

M33 6AG

#### **All other customers**

complaints@lqgroup.org.uk or by post to:

The Head of Customer Relations

L&Q

Cray House

3 Maidstone Road

Sidcup

DA14 5HU

#### **Response**

An acknowledgement will be sent to the lead contact by the end of the next working day with a complaint reference number and the name of the investigating officer.

If the lead is not identified in the letter or petition, we will contact the first signatory to identify the lead contact.

The complaint will be referred to an investigating officer who will:

- co-ordinate the process,
- carry out the investigation,
- conduct research,
- prepare the response,
- discuss findings with the lead contact (where necessary)

A response will be sent to the lead contact.

### **Escalation**

Group complaints will follow the same complaints stages as detailed above.

### **Conditions and Exceptions**

We will in normal circumstances, accept any group complaint on face value but reserve the right to verify the signatures or investigate further if it is thought necessary.

If we consider it to be discriminatory, abusive or otherwise inappropriate, or not reasonable, it will be rejected, and the lead contact advised in writing.

If a group complaint is about something that relates to a local authority in which we operate, e.g. the local borough's strategic responsibilities, it will be referred to the local authority to be dealt with through their appropriate procedures. The lead contact will be advised of this action in writing.

# Policy controls sheet

**Date of approval:** 4<sup>th</sup> October 2024

**Approved by:** Customer Group

**Effective date:** 9<sup>th</sup> October 2024

**Next Review date:** 31<sup>st</sup> March 2026

**Author:** Customer Relations Business Partner

**Policy owned by:** Head of Customer Relations

**Associated documents:** Compensation Policy and Standard Operating Procedure, Complaints Standard Operating Procedure

| Main change   | Key points   |
|---|--|
| How to complain   | Confirmed we will work within the principles of the Mental Capacity Act 2005 regarding advocates for those that lack capacity.   |
| Policy - Appendix 3   | Updated all to refer to group complaints / petitions<br>Lead petitioner renamed lead contact<br>Relates to all complaints from 2 or more people from different addresses (was previously 5 or more)                        |
| Added details of Supporting Residents With Additional Needs policy. | Added commentary to Policy Approach, section 4   |
| Updated Policy List   | Updated Regulator of Social Housing - Transparency, Influence and Accountability Standard<br>Removed Accessible Services Policy and Vulnerable Residents Policy<br>Added Supporting Residents with Additional Needs Policy |
| <b>Reviewed By:</b><br><b>Approved By:</b>                          | Head of Strategic Housing and Operations<br>Customer Group   |