

# Complaints Policy

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## 1. Introduction

- 1.1 We understand that sometimes we fail to carry out actions or deliver a service that we are responsible for. This policy sets out our response and approach to managing complaints when things go wrong.
- 1.2 We aim is to ensure that our actions are carried out as quickly as possible, and that our communication is clear, timely and polite.
- 1.3 We aim to provide a good, reliable service to all our customers and treat all feedback as an opportunity to improve services.
- 1.4 This policy has links to and should sometimes be read in conjunction with some of our other policies. These include:
  - Compensation and Remedies
  - Quality Assurance Guidance for Complaints
  - Unreasonable Communication
  - Reasonable Adjustments for Customers
  - Data Protection
  - Consumer Credit Activities (Complaints)

## 2. Scope

- 2.1 This policy applies to customers of the Peabody Group, including Charlton Triangle, Town and Country Housing (TCH) and users of Peabody community centres, properties owned by Peabody but not serviced by Peabody, and any individual or group affected by the services Peabody provides.

## 3. Complaint Definition

- 3.1 We define a complaint as an expression of dissatisfaction, however made, about the standard of service, actions, or lack of action by the organisation, our employees or those acting on our behalf. This could affect an individual or a group of residents
- 3.2 Whenever a resident expresses dissatisfaction which meets the definition of a complaint, we will give them the choice as to whether they wish to make a complaint. We will always accept a complaint unless there is a fair and valid reason not to.
- 3.3 A resident does not have to use the word 'complaint' in order for a complaint to be identified, registered and treated as such.

### **Types of complaints covered by this policy.**

- 3.4 Complaints covered by this policy include the following:
  - Delays in responding to an enquiry or request for information.
  - Failure to provide a service.
  - Treatment by or attitude of a member of staff, including allegations of bullying and discrimination.
  - Concerns about building safety.
  - Data protection

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## Exclusions

3.5 There are some things that we will not deal with through our complaints procedure. These include:

- First time requests for service such as:
  - reporting a repair or defect
  - requesting information
  - asking for an explanation on a point of policy
  - first time reporting noise or antisocial behaviour

Service requests can become complaints if we fail to deal with the initial request appropriately.

3.6 Other issues we may decide not to consider include:

- Insurance claims and appeals including damage to personal belongings and property.
- Personal injury claims such as the claim that we have caused a negative effect to someone's health.
- Matters that have already been determined under the complaints policy or another policy appeal process (e.g. internal transfer applications or a Housing Ombudsman decision).
- The amount of service charge or rent increase set in line with policy.
- If legal action has begun. This is defined as details of the claims, such as the claim form and details of the claim, having been filed at court.
- If the issue giving rise to the complaint happened, or was first found, over twelve months ago. We have discretion to accept complaints submitted outside of this timescale and will always consider the individual circumstances of each complaint.
- Dissatisfaction about the agreed wording of a policy, or our documented responsibilities as a landlord. These will be recorded as a service recovery case and used as feedback to consider when the relevant policy, procedure or responsibility are due for review.

3.7 We do not take a blanket approach to excluding any complaints and decisions will be taken on the basis of each individual case. Decisions will be fair and reasonable and clearly explained to the resident. Contact details will be provided for the Housing Ombudsman Service so that a resident can challenge any decision to exclude a complaint and we will comply with any subsequent Housing Ombudsman instructions.

## 4. Our approach

4.1 We accept complaints from anyone who is affected by a service we provide, or a decision taken by us including:

- Residents named on a tenancy for any of our properties, leaseholders, and shared owners.
- Any third party negatively affected by our actions or decisions.
- A representative of any of the people above who is authorised by them to make a complaint on their behalf.
  - In most cases, we will ask a customer for written authority. In instances where the customer is not capable of providing this, we should be able to audit how we obtained authority – maybe through a visit or telephone call. There may be circumstances where we know the customer's well enough to take their word and make a sensible judgement. Either way, we must be satisfied that a representative has legitimate authority.

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- 4.2 We will not decline any reasonable request for a resident to bring their complaint via a representative or to be represented or accompanied at any meetings with the landlord, including a Panel Hearing.
- 4.3 A complaint can be made in the form of a petition. The complaint will be dealt with following the normal complaints process, on the address of the first to sign only. The petition will be treated as one complaint and all correspondence will be addressed to the first signer. If the complaint reaches stage two of our complaints process (see section 4.6) and a panel meeting is convened, the first to sign may attend the complaints panel with one other signatory. Details of the outcome of the complaint will be copied to each signer on the petition.
- 4.4 Residents can raise a complaint in any way and with any member of staff, including by telephone, by completing the online complaint form on our website, in person, by letter and by social media. Attachments such as pictures or letters can be attached to our online form as further evidence. Any complaints via social media will be directed offline, and personal privacy will always be protected.
- 4.5 Our complaints process has two stages; new complaints are logged within five working days as a stage one complaint and a response will be provided within 10 working days of the complaint being acknowledged. If we need more time, we will provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason. In instances where we require an extension beyond the additional 10 days we will provide a customer contact details for the Housing Ombudsman so they can seek advice on the reasonableness of our actions.
- 4.6 The stage one investigation will be carried out by a case manager who is fully trained to handle complaints. If a complaint is raised to stage two of our process, an independent review of the complaint will be carried out by an independent team of Senior Complaint Reviewers. All requests for escalation to stage two must be received within 10 working days of receiving the stage one response.
- 4.7 Complaints will be escalated on request if a resident remains unhappy with either all or part of the complaint. Although we will make enquiries as to why a resident remains unhappy with the stage one response, residents are not required to provide their reasons for wishing to escalate their complaint.
- 4.8 The stage two response will be acknowledged within 5 working days of the escalation request being received. A full response will be provided within 20 working days of the request being acknowledged. If we need more time, we will provide an explanation to the complainant containing a clear timeframe for when the response will be received. This should not exceed a further 20 days without good reason. In instances where we require an extension beyond the additional 10 days we will provide a customer contact details for the Housing Ombudsman so they can seek advice on the reasonableness of our actions.
- 4.9 Complaints received by Town and Country Housing (TCH) will be managed in line with the process and timelines set out above. The relevant service area will investigate and respond to the complaint at Stage One and a senior member of staff, independent of the service area, will review the complaint at Stage Two.
- 4.10 Most complaints at stage two are reviewed in the process as described above. However, at stage two the case will sometimes be judged as needing to be reviewed by the stage two complaints panel. If the case fits the standard for this type of review as stated in our process (see details on the complaints page on our website) then the complainant will be made aware of this. We will then plan to hold the panel meeting. The final response will be provided 10 working days following the panel meeting.

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- 4.11 If a resident raises an additional complaint it will be incorporated into the stage one response if it is relevant and the stage one response has not been issued. Where the stage one response has been issued, or it would unreasonably delay the response, the complaint will be logged as a new complaint. We will use our discretion to make sure that any additional complaint raised is handled in the most efficient and pragmatic way for the customer.
- 4.12 Complaint responses will not be delayed due to outstanding actions. Rather, our responses will set out a plan for resolving outstanding issues and fulfilling any commitment e.g. to complete repairs. All actions that are agreed to be completed within a complainant's response will be monitored and followed through to resolution with updates to the complainant provided as and when needed.
- 4.13 Confidentiality and data protection principles apply to the complaints process. We will not share any personal or property information gathered as part of the complaint investigation with any third party who is not entitled to receive it, in line with our Data Protection Policy.
- 4.14 Complaints about a service provided by an Externally Managed Agent (EMA) that we are not responsible for, or in control of the contract in place, will be raised on behalf of our customer if requested. A resolution may not be possible, but we will provide support and try to affect the result on the complainant's behalf.
- 4.15 Where we find it necessary or justified, we have the discretion to vary the complaints policy, which could include taking the decision not to escalate a complaint, due to any of the reasons set out in part 3.6 of this policy. This should be the exception however, and complaints will be progressed as far as possible to maximise the opportunity to resolve a dispute. If a decision is taken to close a complaint early, a fair and valid reason must be provided to the resident. We will also provide the resident with contact details for the Housing Ombudsman Service so that any decision can be challenged.
- 4.16 We publicise details of our Complaints Policy through our website where we have a dedicated complaints information page. This page includes links to the Housing Ombudsman Service as well as its Complaint Handling Code.
- 4.17 We provide residents with contact details for the Ombudsman Service in any relevant correspondence, informing them that they have the right to contact the Ombudsman for advice and guidance at any point.

## 5. Equality, Diversity and Inclusion

- 5.1 This policy aligns with our wider Equality Diversity and Inclusion strategy by supporting the vulnerable and creating places where people want to live and build resilience in people and communities.
- 5.2 We are committed to making our complaints process accessible and easy to use for all our customers in line with our statutory duties – as set out in the Equality Act 2010. If you need support in raising your complaint, please tell us. All requests from complainants to accommodate their needs will be considered and acted on where possible in accordance with our Reasonable Adjustments Policy and the Equality Act 2010.
- 5.3 You can request a reasonable adjustment from us via any means including through our Contact Centre. Examples of the support we can offer includes providing information in alternative formats, adapting our communication method, and allowing more time for a complaint to be brought to our attention.
- 5.4 An Equality Impact Assessment has been carried out for this policy and ongoing monitoring of complainant's protected characteristics will be conducted to identify any adverse impact and future actions.

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## 6. Legislation and Regulation

6.1 The key pieces of legislation are:

- Housing Act 1985, 1988, 1996 and 2004
- Localism Act 2011
- Landlord and Tenant Act 1985 as amended by the Commonhold and Leasehold Reform Act 2002
- Equality Act 2010
- Data Protection Act 2018
- Building Safety Act 2022
- Social Housing (Regulation) Act 2023
- The Consumer Standards

6.2 In a small number of cases, a complainant may remain dissatisfied after going through our internal complaints procedure. In such cases, Peabody will advise complainants of any external options available to them if they wish to pursue the matter further. These options are detailed below.

6.3 Peabody subscribes to the Housing Ombudsman Service (HOS). A resident can contact the HOS if they remain unhappy with our final response on their complaint. A resident of Peabody can consult with the HOS at any time before, or during, the complaints process for advice. Details of how to contact the HOS can be found on the complaints page of our website.

6.4 For complaints relating to building safety, a resident can contact the Building Safety Regulator if they remain unhappy with our final decision or during the course of a formal complaint should they wish to seek advice. Contact details for the Building Safety Regulator can also be found on the complaints page of our website.

6.5 Leasehold and shared owner complaints relating to the setting of service charges can be referred to the First Tier Tribunal.

### 6.6 Data Protection

6.7 We are committed to protecting the privacy and confidentiality of those who submit complaints to us. We understand the importance of handling personal information in accordance with GDPR. Any personal data collected during the complaints process will be treated with the utmost care and used solely for the purpose of addressing and resolving the complaint. We will only share this information with relevant parties involved in the investigation and resolution of the complaint.

6.8 We will retain the information for as long as necessary to fulfil our legal obligations and to address any potential follow-up inquiries. We have implemented appropriate measures to safeguard the security and integrity of the personal data we handle.

### 6.9 Complaints about Data Protection

6.10 If a complaint relates to a data protection issue, the same process applies in terms of the stages and timeframes for responding. The Stage Two complaint may be reviewed by the Group Data Protection Officer and, where the customer is still not satisfied, they will be directed to the Information Commissioner's Office. The Housing Ombudsman does not have jurisdiction over data protection issues.

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### 7. Responsibilities

7.1 The Head of Complaints and Compliance has responsibility for ensuring the policy is up to date, relevant and being delivered.

7.2 The Director of Digital Services and Customer Contact has overall responsibility for the policy.

### Approval

<b>Version number</b>	1.5
<b>Effective from</b>	1 June 2024
<b>Policy owner</b>	Director of Contact Centre & Complaints