Complaints Policy

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 residents 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 for Complaints Policy
- Unreasonable Communication
- Reasonable Adjustments for Customers
- Data Protection
- Complaints Policy - Consumer Credit Activities
- Antisocial Behaviour (ASB) Policy
- Reasonable Adjustments for Customers Policy
- Equality Diversity and Inclusion Policy
- Safeguarding Adults
- Safeguarding Children

2. Scope

2.1 This policy applies to residents 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 In line with the Housing Ombudsman's Complaint Handling Code, we define a complaint as: **"An expression of dissatisfaction, however made, about the standard of service, actions, or lack of action by the organisation, its employees, or those acting on its behalf. This can relate to 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' 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

Exclusions

3.5 There are some things that we will not deal with through our complaint's 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 that are still within our published timescales will not be treated as complaints. If we fail to meet these timescales, or the service provided falls below the expected standard, the matter will be managed under this policy.

3.6 Other concerns 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.
- Where legal proceedings have started. 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 concern 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, will be recorded as a service recovery case. We will explain the policy position and use the feedback to inform future reviews.
- We will not investigate complaints or offer compensation where evidence suggests tenancy fraud. If tenancy fraud is identified during a complaint investigation, we reserve the right to pause or close the complaint and withhold any compensation until the matter is resolved.

3.7 We do not take a blanket approach to excluding complaints. Each case will be considered on its individual circumstances, and any decision will be fair, reasonable, and clearly explained to the resident. We will provide Housing Ombudsman Service contact details so the resident can challenge our decision, and we will comply with any Ombudsman instruction to investigate.

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 resident for written authority. In instances where the resident 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 resident well enough to take their word and make a sensible judgement. Either way, we must be satisfied that a representative has legitimate authority.

4.2 We are committed to a learning-led culture where complaints are welcomed as opportunities to improve. All colleagues complete mandatory Equality, Diversity, and Inclusion training, and our Complaints Team receives specific training on the Housing Ombudsman's Complaint Handling Code, including guidance on addressing unconscious bias and ensuring fair, non-defensive complaint responses.

4.3 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.

4.4 We accept group complaints, which will be dealt with following the normal complaints process. We require a nominated lead representative with signed authority from the remainder of the group for that person to act on their behalf. These will be treated as a single complaint, with all correspondence addressed to the lead representative.

4.5 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 included with our online form as further evidence (only in JPG,JPEG and PNG format). Any complaints via social media will be directed offline, and personal privacy will always be protected. If a complaint is raised on a call with our out-of-hours provider, they will direct the resident to complete our online complaint form or ask them to contact us during opening hours. Any request will be followed up in line with this policy.

4.6 Our complaints process has two stages. We will acknowledge all new complaints within five working days of receipt. Stage One complaints will be investigated and a response provided within 10 working days of acknowledgement. If we need more time, we will explain why and provide a clear timeframe for when the response will be sent. This should not exceed a further 10 working days without good reason. If we require an extension beyond that, we will provide the resident with the Housing Ombudsman's contact details so they can seek advice on the reasonableness of our actions.

4.7 If a resident requests that their complaint is escalated to Stage Two, we will acknowledge the escalation request within five working days of receipt. The Stage Two review will be completed by a colleague who has not been involved in, and is independent of, the Stage One response. A Stage Two response will be provided within 20 working days of acknowledgement. If we need more time, we will explain why and provide a clear timeframe for when the response will be sent. This should not exceed a further 20 working days without good reason. If we require an extension beyond that, we will provide the resident with the Housing Ombudsman's contact details so they can seek advice on the reasonableness of our actions.

4.8 If a resident remains unhappy with the Stage One response, they can request escalation to Stage Two. Requests should normally be made within 20 working days (or one calendar month) from the date of the Stage One response. We will consider all requests on their individual circumstances and will accept late requests where there is good reason. We will only decline a request to escalate in limited circumstances, such as when it is made outside our stated timeframe without good reason, the matter falls outside our jurisdiction, or it is being pursued through another formal process. If we decide not to escalate, we will explain our reasons in

writing and provide the Housing Ombudsman's contact details so the resident can seek independent advice or challenge our decision.

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. TCH has a Complaints Procedure that sets out the local delivery in more detail.

4.10 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 resident.

4.11 Complaint responses will not be delayed due to outstanding actions. Rather, our responses will set out a plan for resolving outstanding concerns and fulfilling any commitment e.g. to complete repairs. All actions that are agreed to be completed within a complaint response will be monitored and followed through to resolution with updates to the resident provided as and when needed.

4.12 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.

4.13 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 resident if requested. A resolution may not be possible, but we will provide support and try to affect the result on the resident's behalf.

4.14 In exceptional circumstances, we may decide to close a complaint before the process is completed, for example where the reasons in 3.6 apply. This is separate from a decision about escalation under 4.8 and can occur at any stage of the process. Where we take this step, we will provide the resident with a fair and valid reason in writing and give them the Housing Ombudsman's contact details so they can seek independent advice or request that the Ombudsman reviews our decision.

4.15 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.

4.16 We provide residents with contact details for the Housing Ombudsman Service in any relevant correspondence. Residents can contact the Ombudsman at any point during the complaints process for advice or support, not just after our final response

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 to everyone, in line with our duties under the Equality Act 2010. If you need support to raise your complaint, please let us know. We will consider all requests for reasonable adjustments and, where possible, put them in place in accordance with our Reasonable Adjustments Policy and the Equality Act 2010.

5.3 You can request a reasonable adjustment in any way that suits you, including through our Contact Centre, your Neighbourhood Manager, or any other member of staff you deal with. Examples include providing information in alternative formats, changing how we communicate with you, or allowing extra time for you to bring your complaint. We will always confirm what adjustments we can make and how these will be applied.

5.4 An Equality Impact Assessment has been carried out for this policy. We will continue to monitor residents' protected characteristics alongside complaint trends to identify any potential adverse impact and take action where needed. This commitment is supported by our Reasonable Adjustments Policy, mandatory Equality, Diversity & Inclusion training for all colleagues, and the multiple channels we offer for raising complaints, ensuring accessibility and fairness are embedded in day-to-day practice.

6. Legislation and Regulation

6.1 The key pieces of legislation are:

- Housing Act 1985, 1988, 1996 and 2004, as amended
- Localism Act 2011, as amended
- Landlord and Tenant Act 1985 as amended by the Commonhold and Leasehold Reform Act 2002
- Equality Act 2010, as amended
- Data Protection Act 2018, as amended
- Building Safety Act 2022, as amended
- Social Housing (Regulation) Act 2023
- The Regulator of Social Housing's Consumer Standards (2024)
- Housing Ombudsman's Complaint Handling Code (statutory requirement from 1 April 2024 under the Social Housing (Regulation) Act 2023)

6.2 If a resident remains dissatisfied after completing our internal complaints procedure, we will provide details of external options available to them. These include the statutory Housing Ombudsman Service, the Building Safety Regulator (for relevant building safety matters), and the First Tier Tribunal (for some leasehold matters).

6.3 The Housing Ombudsman Service (HOS) is the statutory complaints body for social housing. Residents can contact the HOS at any point during the complaints process for free, independent advice and support. Contact details are published on our website and included in relevant correspondence.

6.4 For complaints relating to building safety matters within its remit, residents can contact the Building Safety Regulator at any stage. Contact details are provided on our website.

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

7. Data Protection and Privacy

7.1 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 UK 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.

7.2 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.

7.3 If a complaint relates to a data protection concern, the same process applies in terms of the stages and timeframes for responding. The Stage One complaint will be reviewed and responded to by the relevant business area. The Stage Two complaint will be responded to by the Data Protection Manager or Group Data Protection Officer, and where the resident is still not satisfied, they will be directed to the Information Commissioner's Office (ICO). The Housing Ombudsman does not have jurisdiction over data protection related complaints.

7.4 If a complaint is received in response to a subject access request (SAR) an internal review will be conducted by a designated member of the data protection team who did not respond to the original request. This review will be completed within 1 calendar month and will be a single stage process. If you remain dissatisfied with our response after we have completed an internal review, you have the right to take your complaint to the ICO for an assessment.

8. Responsibilities

8.1 The Director of Customer Resolution has overall accountability for this policy.

8.2 The Complaints Team is responsible for monitoring compliance with the policy and ensuring learning from complaints is captured and acted on.

8.3 Directors are responsible for ensuring the policy is applied consistently within their service areas.

8.4 This policy will be reviewed every three years, with earlier updates if required to maintain compliance with legislation or the Housing Ombudsman's Complaint Handling Code.

Approval

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Policy owner	Director of Customer Resolution