

# Complaints Policy



## Group Wide

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## 1. **Headline messages**

- **We record and investigate complaints about our service or the service of those acting for us.**
- **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, 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 housing related or other 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 (where one is not already recorded).

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. There's more information on this in Appendix 4.

### **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 6 months old unless there are exceptional circumstances.
- matters that have previously been considered under the complaints policy

We will provide a detailed explanation if we don't accept a complaint or won't escalate it. Our customer can approach the Ombudsman if they do not agree with our decision.

Compensation awards between 1 April 2020 and 6 September 2021 were treated differently following restrictions we introduced due to the Coronavirus pandemic.

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.

## 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.

### 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 must have written permission from the customer. This can be by confirming the arrangement by email)

### 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'll 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'll 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'll 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'll monitor progress until all outstanding actions are complete.

We'll 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'll treat this as a separate complaint.

A complaint must be made within six 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 need to know why they are dissatisfied and what will resolve the complaint. Where possible, we will try to reach a resolution without the need for escalation. Otherwise, the case will be escalated without delay.

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

A request for escalation must be made within six 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 side of things 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'll explain why and write again within a further 10 working days.

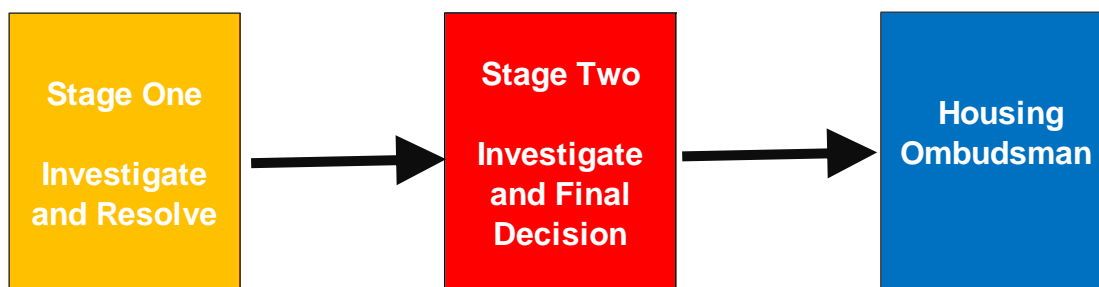
In exceptional circumstances we may need even longer. We will try to agree this with our customer but if they aren't happy with an extension, they can contact the Housing Ombudsman Service.

After confirming our decision in writing, we'll monitor progress until all outstanding actions are complete.

### **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.

Housing Ombudsman Service

PO Box 152 Liverpool

L33 7WQ

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/)

## **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>

## **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.

# 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.
- Acknowledge 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

Regulator of Social Housing (RSH) – Tenant Involvement and Empowerment Standard

Equality Act 2010

Accessible Services Policy

Vulnerable Residents Policy

Compensation Policy



### **3. Protocol for submission of petitions**

This protocol sets out how our residents and local people can submit a petition and how we will respond. We welcome petitions as a means of highlighting concerns within a local area.

#### **Submitting a petition**

A petition can be submitted by anyone. It will be the lead petitioner's responsibility to ensure that any submission will be completed under the principle of good faith, decency, honesty, and respect.

To trigger a petition response, it will need to include the following:

- a minimum of 5 signatures from 5 separate households,
- a clear and concise statement covering the subject of the petition; the issues which led to the creation of the petition; the actions we are requested to take,
- contact details for the lead petitioner,
- the name, address, postcode, and signature of every individual supporting the petition; and
- the date the petition is submitted.

The petition 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 to a petition**

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

If the lead petitioner is not identified in the letter or petition, an officer from the Customer Relations Team will contact the first signatory to identify the lead petitioner.

The petition 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 petitioner (where necessary)

A response will be sent to the lead petitioner.

### **Escalation**

Petitions will follow the same complaints stages as detailed above.

### **Conditions and Exceptions**

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

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

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

## 4. Persistent / Abusive Customers

We accept that at times people may act in a way that is out of character, especially in times of trouble or distress. And we accept that a customer may become upset, disappointed or frustrated by our action or inaction when contacting us. We will also review whether any reasonable adjustments are required.

However, actions of customers who are angry, demanding or persistent may result in unreasonable demands on, or unacceptable behaviour towards, our colleagues.

The following actions are considered unreasonable or vexatious:

- Aggressive or Abusive Behaviour
- Unreasonable Demands
- Unreasonable Persistence

### **Aggressive or Abusive Behaviour**

Colleagues should be treated with courtesy and respect. Anger in respect of a complaint may be understandable but it must not escalate into aggression towards our colleagues.

Physical violence, language (spoken or written) or behaviour which makes colleagues feel fearful, threatened, or abused is not acceptable. Such behaviours can include making derogatory personal remarks; being rude; inflammatory statements or making unsubstantiated allegations.

### **Unreasonable Demands**

Where the demands of a customer substantially affect our colleagues causing a negative impact on other customers or workload, we will consider them unreasonable. This can include demanding responses within an unreasonable timescale; constant contact whether by phone, email or in writing; repeatedly changing the subject of a complaint or raising unrelated issues and insisting on speaking or seeing specific colleagues.

### **Unreasonable Persistence**

We will consider actions to be unreasonably persistent when a customer refuses to accept a decision made in relation to a complaint; refuses to accept explanations relating to what we can and cannot do or continues to pursue a case without presenting any new information or evidence.

### **Restricting contact**

Where customers refuse to modify their behaviour when requested, a Head of Service may make the decision to deal with them outside of the complaints policy and/or restrict a customer's access to our services. All such restrictions would be communicated to the customer in writing and must explain how the restriction has been applied and how they can continue to contact us about emergencies and urgent issues.

We may channel the contact we have with customers through agreed and appropriate routes. This may include:

- Restricting contact to one of the following only:
  - In person
  - By phone
  - In writing
  - By email
  
- Allocating a specific person to deal with calls or correspondence, limiting the contact the customer can make with any other colleague.
- Advising the customer that we will only respond to them on a certain frequency i.e. once a week, regardless of how often they contact us.
- Where customers repeat the same issues, we will only respond to new issues; where they raise issues, we have dealt with before, we will refer them to our previous responses.
- We may ask that a representative is appointed to speak on the customer's behalf.
- We reserve the right to take legal or possession action, if a customer behaves in such a way that they are breaking the law, or it breaches their tenancy or the terms of their lease.

# Policy controls sheet

**Date of approval:** 17<sup>th</sup> August 2023

**Approved by:** L & Q - Customer Services and Revenue Director

L & Q – Head of Customer Relations

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**Author:** Customer Relations Business Partner

**Policy owned by:** Customer Services & Revenue

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

<b>Main change</b>	<b>Key points</b>
Additional information added August 2023	<ul style="list-style-type: none"><li>• Included section around Disrepair Alternative Dispute Resolution</li><li>• Added more information to Assurances section regarding quality</li></ul>
<b>Reviewed By:</b> <b>Approved By:</b>	Customer Relations Business Partner Customer Services and Revenue Director