



Complaints Policy

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Group

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Author: Customer Relations Team and Policy Team

Policy owned by: Customer Services and Revenue

Statute: Housing Act 1996 s.51 and Schedule 2, Localism Act 2010, Equality Act 2010

Regulator of Social Housing Regulatory Framework: Tenant Involvement and Empowerment Standard

Related L&Q policies: Compensation Policy

This policy is suitable for external release.

For all compensation related cases from 1 April 2020, please refer to the Compensation Policy – Interim Policy Amendments document. It highlights important changes made in response to the Coronavirus/Covid19 pandemic.

1. Aim of the 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.

2. Scope

Complaint Definition

A complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by L&Q, our colleagues, or those acting on our behalf.

Who can complain?

We accept complaints from our customers, or anyone directly impacted by our housing related or other services, including service applicants. We will also accept complaints from someone acting on behalf of a customer. Please see Appendix 3 for details relating to petitions.

We all expect to be treated with courtesy. When this doesn't happen, we might need to limit how we communicate with customers. There's more information on this in Appendix 4.

What the policy doesn't cover

This policy does not cover:

- cases where a legal claim is made against L&Q, including disrepair cases and insurance claims (if the claim occurs after the complaint has been raised, we will then close the complaint)
- cases where a customer is taking a matter to court, or the matter is being dealt with by another statutory agency that has the power to resolve the complaint (if the claim occurs after the complaint has been raised, we will then close the complaint)
- complaints of anti-social behaviour as these are covered by L&Q's Anti-Social Behaviour policy but a complaint will be accepted if the customer is dissatisfied with how their case was handled
- issues which are over 6 months old unless there are exceptional circumstances.

We will provide a detailed explanation if we don't accept a complaint and a customer can approach the Ombudsman if they do not agree with this decision.

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

3. Principles of the complaints policy

How to complain

Complaints can be made in a number of ways:

- By phone through our customer service centre on 0300 456 9998
- By email to complaints@lqgroup.org.uk
- Completing the complaints form on-line at www.lqgroup.org.uk
- Via social media – L&Q Facebook and Twitter
- In writing to Customer Relations, Cray House, 3 Maidstone Road, Kent DA14 5HU
- Directly to any of our colleagues in person
- Via a representative or advocate (we must have written permission from the customer)

What will happen?

Stage One – Complaint investigation and resolution

Where possible we aim to resolve the complaint there and then. If we can't, we will refer it to the person or department best placed to help. They will make contact by the end of the next working day.

We will write within 10 working days after we receive a complaint to explain the outcome of our investigation, how we will resolve the complaint and the timescales. If we can't, we'll explain why and write again within a further 10 working days.

After we have agreed the resolution and confirmed our decision in writing, we will monitor progress until all actions are complete.

Escalation

If the complainant is dissatisfied with our resolution 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.

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, in some circumstances in partnership with a senior manager. We will make contact within two working days to give complainants the opportunity to explain their side of things. We will write with the outcome and next steps within 20 working days of the request to escalate. If we can't, we'll explain why and write again within a further 10 working days.

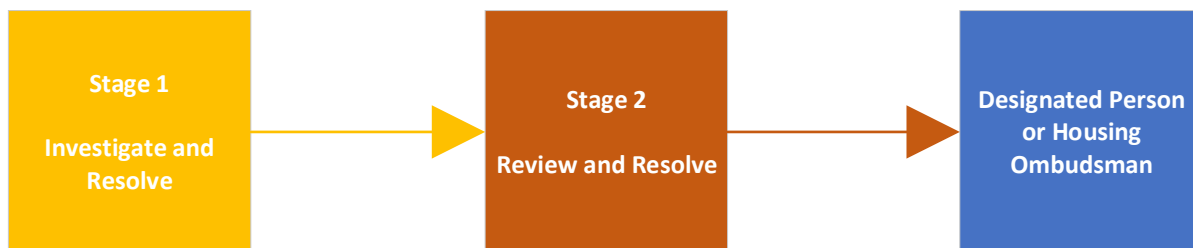
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After we've agreed the resolution and confirmed our decision in writing, we'll monitor progress until all actions are complete.

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. Other Options Available to Customers

Designated person

A social housing tenant may approach a 'designated person' (as set out in the Localism Act 2011) where they are still dissatisfied after exhausting our complaints process. These are 'designated persons':

- MP (Member of Parliament)
- Councillor
- Tenant Panel

The role of a 'designated person' is to help resolve tenant complaints by:

- providing advice to tenants
- advocating on their behalf
- discussing matters with the landlord
- engaging with other designated persons
- carrying out other actions.

They may also refer complaints to the Housing Ombudsman if they are unable to resolve a complaint locally and the complainant agrees.

Housing Ombudsman

The Housing Ombudsman Service can provide advice and support to residents throughout the life of a complaint. If the complaint remains unresolved at the end of the complaint process, customers can contact them to request a review. They must wait eight weeks unless a designated person refers the complaint.

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Contact details:

Housing Ombudsman Service

PO Box 152

Liverpool

L33 7WQ

Telephone: 0300 111 3000

Email: info@housing-ombudsman.org.uk

Web: www.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.

Contact details:

The Local Government and Social Care Ombudsman

PO Box 47771

Coventry

CV4 0EH

Telephone: 0300 061 0614

Web: 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.

Contact details:

The Financial Ombudsman Service

Exchange Tower

Harbour Exchange Square

London

E14 9GE

Telephone: 0800 023 4567

Email: complaint.info@financial-ombudsman.org.uk

Web: <https://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: www.gov.uk/housing-tribunals

Appendices

1. Legislation/Regulation / Other Policies

[Regulator of Social Housing \(RSH\) – Tenant Involvement and Empowerment Standard](#)

[Equality Act 2010](#)

L&Q - Accessible Services Policy

L&Q - Vulnerable Residents Policy

2. 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.

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

Our involved residents will play a key role independently scrutinising our complaints performance and service. They will review complaints quarterly, assessing key data and quality assuring our handling of complaints by sampling cases.

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

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 to such a petition. 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 done so 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 gave cause 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 may be submitted by email to 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 within 1 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
- carry out research
- prepare the response
- meet with the lead petitioner (where necessary)

A response will be sent to the lead petitioner in accordance with our complaints process

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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. 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.

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.

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Restricting contact

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 you appoint a representative to speak on your 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 of the terms of their lease.

Policy controls sheet

| Date of last review, who reviewed, and date approved | Main changes and why (i.e. change in legislation, change in internal processes) |
|---|---|
| <p>Amended in October 202</p> <p>Review conducted by the Customer Relations and Policy Teams.</p> | <p>The Complaints Policy was reviewed and amended in response to the publication of the Housing Ombudsman’s revised Code for Complaints. The amendments to this policy include:</p> <ul style="list-style-type: none"> • Adoption of the Ombudsman’s definition of a complaint; • Revised timelines for investigating and responding to a complaint, including additional written correspondence to the resident; • Clarity on dealing with complaints received via social media • Advising the resident of their right to go to the Housing Ombudsman at any point in the complaint’s process. |
| Date of last review, who reviewed, and date approved | Main changes and why (i.e. change in legislation, change in internal processes) |
| <p>Amended in June 2020</p> <p>Review conducted by the Policy Team.</p> | <p>Under Handling of Complaint, added bullet “that where the complaint is complex, we will provide the customer with a full written response”.</p> |
| Date of last review, who reviewed, and date approved | Main changes and why (i.e. change in legislation, change in internal processes) |

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Reviewed April 2019 due to concerns around our complaints performance and our response to the Campbell Tickell report – Independent investigation: Building and maintaining quality homes.

Review conducted by the Policy Team.

Approved in May 2019.

Section 2: to make clear that the policy applies to all L&Q contractors and agents, although all correspondence with residents is always undertaken by L&Q.

Section 4.3: Sets out the new two stage complaints process (and the deletion of the Complaints Panel stage). Under this revised policy, stage 1 is Complaint Investigation and Resolution, and stage 2 is the Senior Manager Review. These changes are in response to the findings of a review of complaints in the lead up to the East Thames and L&Q merger and were agreed to by CEC in December 2017.

Section 5.0: Monitoring and Evaluation. To note that senior managers across the business will meet monthly to review and levels and nature of complaints. To highlight the inclusion of independent scrutiny and review of performance and service by our involved residents on a quarterly basis.