



# Complaints Policy

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## Group

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**Review completion date: April 2019**

**Date of final approval: May 2019**

**Effective date: 1<sup>st</sup> May 2019**

**Date of next review: May 2021**

**Author:** Policy Team

**Policy owned by:** Group Wide

**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.**

## 1. Aim of the policy

We aim to provide our customers with good quality homes and services. Sometimes we fail to do that, and we want to put things right as quickly as possible.

We put our customers at the heart of how we respond to complaints and our aim is to always provide an effective resolution. Our customers should expect to receive the best customer experience from us no matter how they made the complaint.

This policy sets out our approach towards handling complaints and should be read in conjunction with the complaints guidance, and the policy and guidance on Compensation.

## 2. Scope

We accept complaints from our customers or anyone directly impacted by our housing related services, including service applicants. We will also accept complaints from someone acting on behalf of a customer.

This policy applies to all contractors and other parties providing services on our behalf and we expect them to work with us in an effective manner to resolve complaints. Note that correspondence with residents is always with L&Q, not the contractor.

This policy and related procedures do not cover:

- cases where a legal claim is made against L&Q, including disrepair cases and insurance claims
- 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
- 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 12 months old unless there is good reason, for example, the complaint was not recorded when it should have been.

## 3. Policy statement

We are committed to dealing with complaints in a fair way, to put things right for our customers and to learn from the outcomes. Our commitments to customers are outlined in our Customer Promise (Appendix 3).

We will offer a range of ways for all customers to report a complaint and will provide clear information on the process.

We will apologise and listen to our customers to understand their complaints and work promptly and fairly to resolve complaints at the earliest opportunity. We will ensure that they are kept informed, that we provide reasonable timeframes and properly manage their expectations throughout the process.

We will seek to identify customers who are vulnerable and account for their specific needs when handling their complaint by making appropriate and reasonable adjustments.

We will ensure impartiality when reviewing complaints and independent scrutiny of our handling of complaints. This will help us to learn from complaints, looking beyond the circumstances of the specific complaint, including wider feedback and reviews of service, to identify anything that needs to be put right in terms of service standards, policies and procedures.

We are committed to safeguarding the rights of individuals to confidentiality and privacy. We will maintain that duty of care towards information regarding customers and applicants and comply with General Data Protection Regulation (GDPR).

## 4. Policy approach

### 4.1 Definition

Our definition of a complaint is broad and therefore when our customers say we have done something wrong, we will treat this as a complaint.

The complaints policy covers the following instances where customers:

- Are not satisfied with any aspect of a service we have provided
- Are not satisfied with the standard or service provided by our staff or a person/organisation acting on our behalf – this includes professionalism and conduct
- Feel that we have failed to follow our policies and procedures.

### 4.2 Making a complaint

Complaints will be accepted via any of the following routes:

- By phone through our contact centre on 0300 456 9998
- By email to [complaints@lggroup.org.uk](mailto:complaints@lggroup.org.uk)
- Completing the complaints form on-line at [www.lggroup.org.uk](http://www.lggroup.org.uk)
- Via social media – L&Q Facebook and Twitter
- In writing to our offices
- Directly to any of our staff
- Via a representative or advocate (written permission must be received from the customer)
- In person by visiting our offices.

### 4.3 Principles of the complaints policy

#### Stage One – Complaint investigation and resolution

We expect anyone who receives a complaint from customers to deal with it appropriately. Where possible the aim is to resolve it there and then, investigate it further to give a resolution, or refer it to the relevant service area to handle.

The Customer Relations Team will handle the following type of complaints:

- highly complex
- high risk as it concerns health and safety and regulatory issues
- involves multiple business areas
- involves multiple customers (including petitions)
- requires significant financial investment to reach resolution
- contact has been made by the Housing Ombudsman Service
- and/or vulnerabilities of the customer(s) involved need to be considered as part of the managing of the complaint.

#### Handling of the complaint

When a customer makes a complaint, we will do the following:

- Contact the customer within one working day to:
  - personally, acknowledge the complaint
  - fully understand the issues and what outcome the customer seeks
  - identify any vulnerabilities or needs relevant to resolving the complaint
  - identify what actions may be needed to resolve it
  - agree with the customer the frequency and method of contact during the handling of their complaint.
- Always ensure the person handling the complaint provides a single point of contact for the customer and has the knowledge and understanding to deal with it effectively.
- Always ensure formal correspondence with the customer comes from us.
- If matters cannot be resolved immediately an action plan may be needed. Action plans will state the steps we are going to take to resolve the complaint with timescales. This will be agreed with the customer as soon as possible and no later than 10 working days.

- If the complaint in any way relates to staff conduct i.e. their professionalism and/or treatment of the customer, the investigation of this should always be handled by the line manager.
- Investigate the complaint thoroughly and where necessary work with other business areas to deliver an effective solution for the customer.
- Ensure the customer is kept up to date about progress.
- Contact the customer before closure to ensure all agreed actions have been completed. If we are unable to establish contact with the customer after three attempts, we will notify them in writing and close the complaint. Complaints can be re-opened within six months of closure.
- Maintain clear record keeping – accurately log the complaint, capture all relevant information (e.g. emails, letters, reports) and record all interactions with the customer and other business areas; and record all decisions made including any compensation offer or payment.
- Where appropriate, issue compensation fairly and promptly and ensure it is in keeping with our Compensation Policy.
- Always be honest with the customer where we find through our investigations that we have not failed in our responsibilities and commitments and to clearly explain to the customer why this is the case.
- Record all lessons learned so we can continually improve continuous our service delivery.

### **Requests for Escalation**

We aim to resolve all complaints at Stage 1 of the process. Where agreement cannot be reached with the customer and/or they are dissatisfied with our approach, the person handling the complaint will review it with their manager.

The manager should fully understand the customer's concerns and seek to undertake all appropriate actions to resolve the complaint.

If the customer remains dissatisfied and wants to escalate their complaint to the next stage of the process, they will need to confirm what aspects of the complaint remain outstanding or have not been addressed to determine whether escalation is warranted.

The Customer Relations Team will consider all requests for escalation and will take into account the customer's perspective; the steps taken and determine one of the following:

**Further action is required:**

- The Customer Relations Team considers that more needs to be done by the business area to resolve the complaint for the customer and will provide recommendations on actions that should be taken to resolve the complaint – this will include an apology.

**Escalation is not warranted:**

- As it involves a request for compensation which is contrary to our Compensation Policy
- As all resolution actions have been completed effectively in line with policy and procedures
- As the action taken is set out by statute or regulation
- As legal action is being taken against us
- As the customer's desired outcome is outside of L&Q's responsibility or remit.

On this basis, the customer will be notified of our decision not to escalate and will be advise of the next steps they can take (see Section 4.6).

Escalation to stage 2 is required if there have been substantive errors in the handling of the complaint or there are policy issues to be considered, for example where the Ombudsman has made a ruling or where there has been a change in regulations that have yet to be reflected in the policy.

**Stage 2 - Senior Manager Review**

A senior manager (refer to Complaints Guidance), not previously involved with the complaint, will be supported by the Customer Relations Team to carry out a robust review of the customer's complaint. The review should not consider any issues that have not been raised previously as these would be dealt with as a new complaint.

The senior manager will be responsible for:

- Engaging the customer to understand the issues and the resolution sought
- Reviewing the previous investigations and actions to assess whether we have met our responsibilities
- Identifying any additional actions that may be required to ensure that the complaint can be resolved.

The senior manager will make a decision and sign-off the review and send a full written response to the customer detailing the decision. Ultimate accountability rests with the responsible Director. Where the decision is that no further action is required, and all reasonable and appropriate measures have been taken, the customer will be informed they have reached the end of our complaints process and advised of their next available steps (section 4.6).

The Customer Relations Team will record and capture all information on Stage 2 of the process. They will monitor all actions to completion and act as the main point of contact for the customer during Stage 2.

#### The Complaints Process:



#### 4.4 Petitions

We recognise the importance of petitions and their role in engaging with local communities. Petitions are an important medium through which concerns can be highlighted and improvements made to our service delivery.

We will try and identify a 'lead customer' for the petition, who update the rest of the group on progress and the final outcome as well as attending any meetings with us.

#### 4.5 Persistent/Abusive Customers

We understand that sometimes people may act in a way that is out of character, especially when troubled or distressed. We accept a customer may become upset, disappointed or frustrated by our action or inaction when contacting us. However, actions of customers who are angry, demanding or persistent may result in unreasonable demands or unacceptable behaviour towards, our staff.

Where the customer refuses to engage in a reasonable manner, please refer to Appendix 4 of this policy.

## 4.6 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. The following are 'designated persons':

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

The role of a 'designated person' is to facilitate resolution of tenant complaints, which may involve them providing advice to tenants; advocating on their behalf; discussing matters with the landlord; engaging with other designated persons or carrying out other actions.

They may also refer complaints to the Housing Ombudsman where they consider that they are unable to resolve a complaint locally and if a complainant wishes and authorises them to do so.

### **Housing Ombudsman**

Social housing tenants, leaseholders and market rent tenants may complain directly to the Housing Ombudsman once eight weeks have passed from their decision from us.

Contact details:

Housing Ombudsman Service

PO Box 152

Liverpool L337WQ

Telephone: 0300 111 3000

Fax: 020 7831 1942

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

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

Fax: 024 7682 0001

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.

**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](http://www.gov.uk/housing-tribunals)

## 5. Monitoring and evaluation

We treat complaints as an opportunity to learn from our mistakes and improve our service delivery. 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 improvements can be made to our service delivery.

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. This will enable them to evaluate how well we are using complaints to improve services.

Complaints are monitored and reported on extensively, from individual staff 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.

## 6. Policy equality and diversity statement

L&Q is committed to valuing and promoting equality and diversity. We recognise we have a duty to eliminate unfair treatment and discrimination in the services we provide and to promote and value respect in everything we do. We expect staff to share these values and treat customers with fairness and respect.

An Equality Impact Assessment has been conducted to ensure this policy does not adversely impact any protected characteristic. We will monitor complaints against these characteristics, so we can identify any potential equality issues and address these as they arise.

## **7. Resident involvement**

We have carried out virtual consultation with the Resident Services Group on the policy during April 2019 and incorporated their feedback in the final version of the policy.

# Appendices

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## 1. Legislation/Regulation

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

The handling of complaints is covered in the Tenant Involvement and Empowerment Standard.

**Required outcomes:**

***Customer service, choice and complaints***

- Registered providers shall have an approach to complaints that is clear, simple and accessible that ensures that complaints are resolved promptly, politely and fairly.

**Specific expectations:**

- Providers shall offer a range of ways for tenants to express a complaint and set out clear service standards for responding to complaints, including complaints about performance against the standards, and details of what to do if they are unhappy with the outcome of a complaint.
- Providers shall inform tenants how they use complaints to improve their services.
- Registered providers shall publish information about complaints each year, including their number and nature, and the outcome of the complaints.
- Providers shall accept complaints made by advocated authorised to act on a tenant's/tenants' behalf.

### 1.2 Equality Act 2010

The Equality Act 2010 identifies people with 'protected characteristics', including age and disability, and requires us to avoid direct and indirect discrimination by tailoring our services to ensure everyone receives the same level of service, for example making reasonable adjustments or finding reasonable alternatives to the way things are done or the physical environment.

## 2. Customer Promise

**L&Q**  
OUR PROMISE TO YOU

Icons: padlock, smiley face, ear with sound waves, thumbs up, checkmark

**WE'LL PROVIDE GOOD QUALITY HOMES AND SERVICES FOR YOU**

- We'll maintain your home to a good standard
- Complete everyday repairs as quickly as possible at a time that suits you
- Look after shared spaces as if they were our own
- Build high quality, desirable homes
- Work with you and others to create vibrant, sustainable and happy communities

**WE'LL MAKE IT EASY FOR YOU TO DEAL WITH US**

- We'll do our part to make settling into your home as easy as we can
- Make it easier for you to get in touch and find the information you need
- Make payment transactions easier
- Clearly explain any changes to your rent and service charges
- Make it easier to book a repair appointment

## WE'LL LISTEN AND ACT



- We'll always be friendly and helpful
- Be straight with you and clear about timescales
- Aim to resolve your query on the same day when we can
- Keep you informed about what's happening
- Be here to help if you need it
- Be upfront with you about our performance and what we're doing to improve it

## WE'LL PUT THINGS RIGHT



- We'll say sorry and sort it as soon as we can
- Aim to fix things first time
- Check you are happy with the outcome
- Make it simple for you to complain
- Usually resolve complaints in 10 days
- Learn from what we do well and where we need to do better

## WE'LL KEEP YOU SAFE



- We'll keep your home dry and safe
- Keep shared spaces clean and safe
- Help resolve issues causing concern to you and your community
- Offer support and work with our local partners to help ensure your wellbeing

## 3. Protocol for submission of petitions

3.1 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.

### 3.2 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 or by post to:

The Customer Relations Manager  
L&Q  
Cray House  
3 Maidstone Road  
Sidcup  
DA14 5HU

### 3.3 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

### **3.4 Escalation**

Petitions will follow the same complaints stages as detailed above.

### **3.5 Conditions and Exceptions**

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

If we consider a petition to be vexatious, 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.

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

The following actions are considered unreasonable or vexatious:

- Aggressive or Abusive Behaviour
- Unreasonable Demands
- Unreasonable Persistence

### Aggressive or Abusive Behaviour

Staff 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 staff.

Physical violence; language (spoken or written) or behaviour which makes staff 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 staff 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 members of staff.

### 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.

### 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

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- By email

- Allocating a specific member of staff to deal with calls or correspondence, limiting the contact the customer can make with any other staff member
- 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 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

<b>Date of last review, who reviewed, and date approved</b>	<b>Main changes and why (i.e. change in legislation, change in internal processes)</b>
<p>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.</p> <p>Review conducted by the Policy Team.</p> <p>Approved in May 2019.</p>	<p>Section 2: to make clear that the policy applies to all L&amp;Q contractors and agents, although all correspondence with residents is always undertaken by L&amp;Q.</p> <p>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&amp;Q merger and were agreed to by CEC in December 2017.</p> <p>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.</p> <p>To highlight the inclusion of independent scrutiny and review of performance and service by our involved residents on a quarterly basis.</p>