

# 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, 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.
- 2.2 This policy does not apply to Town and Country Housing.

## 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. The word 'complaint' does not need to be used for it to be treated as such.

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

- 3.2 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 discrimination.
  - Complaints about building safety.
- 3.3 There are some things that we will not deal with through our complaints procedure. These include:
  - A request for a service, such as the first report of a repair
  - The first reports of anti-social behaviour (ASB) or ongoing nuisance as part of an existing ASB case. Only complaints regarding the handling of an existing ASB case by us will be logged as a complaint.

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- Insurance claims and appeals including damage to personal belongings and property.
- Personal injury claims such as the claim that Peabody 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 a Peabody 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. In exceptional circumstances, we may use our discretion when considering whether to accept a complaint submitted outside of this twelve-month timescale.

### 4. Our approach

4.1 We welcome feedback in the form of complaints from anyone who is affected by a service we provide, or a decision taken by us including:

- Residents named on a Peabody 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.

4.2 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.

4.3 Follow-ups on a service request, such as a missed appointment, can often be resolved 'there and then' with an apology, and by providing another appointment. This may not need to enter the complaints system. Most often, such issues will be dealt with under our service recovery process. All records of issues resolved within the service recovery process will be stored and recorded as we do for complaints cases. However, if further enquiries are needed to resolve the matter, or if the resident requests it, the issue will be logged as a complaint.

4.4 Complaints can be reported in different ways, such as 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, unless an extension is notified and agreed with the complainant to fully complete the investigation before the response is provided. 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. If an extension beyond 20 working days is required, this should be agreed by both parties.

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- 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 the Customer Experience Team. All requests for escalation to stage two must be received within 10 working days of receiving the stage one response. The stage two response will be provided within 20 working days of the request being received. 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 10 days without good reason. If an extension beyond 10 working days is required, this should be agreed by both parties.
- 4.7 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.
- 4.8 All actions that are agreed to be completed within a complaint's response will be monitored and followed through to resolution with updates to the complainant provided as and when needed.
- 4.9 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.
- 4.10 Any complaint requests that are rejected will be communicated to the requester in writing explaining why their request is not being treated as a complaint, in line with the reasons above.
- 4.11 Complaints about a service provided by an Externally Managed Agent (EMA) that Peabody is 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.
- 4.12 Expressions of dissatisfaction about the agreed wording of a Peabody policy, or our documented responsibilities as a landlord, will not be raised as a complaint. 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.
- 4.13 Where we find it necessary or justified, we have the discretion to vary the complaints policy, ensuring accurate and reasonable evidence for doing so is in place and recorded. Any discretion will be applied fairly and appropriately, and complaints will be progressed as far as possible to maximise the opportunity to resolve a dispute.

## 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 putting your complaint in writing, 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 through the officer you are engaging with, or by contacting our Customer Hub. Examples of the support we can provide include providing

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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.

### 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

- 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 General Data Protection Regulation (GDPR)

- 6.6.1 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 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.

- 6.6.2 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. Responsibilities

- 7.1 The Head of Customer Experience 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.

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## Approval

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<b>Effective from</b>	9 February 2024
<b>Policy owner</b>	Director of Digital Services and Customer Contact