

### Policy Statement & Purpose

At Bromford we care about the people that live in our homes and are committed to providing safe, secure, and warm homes. We treat people how we wish to be treated, with fairness and respect. The Bromford DNA is at the heart of who we are, what we do and why we do it. That's why our purpose is simple and honest. We invest in homes and relationships so that people can thrive.

We are committed to providing a great service but recognise that things may not always go to plan and our complaints policy outlines our approach to handling complaints fairly, transparently and in a timely manner. Should our services fail to meet customer expectations, we will listen carefully to our customers to understand where our services have fallen below standard and what needs to be done to put things right.

The purpose of this complaints policy is to establish a clear and structured process for addressing and resolving complaints in-line with the Housing Ombudsman Complaint Handling Code and their Dispute Resolution Principles. This policy aims to ensure that Bromford has a positive complaint handling culture which promotes accountability, collaborative working, continuous improvement, and the enhancement of our services.

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#### **1. Scope**

This policy covers complaints related to the quality of our services, interactions with our staff, maintenance issues, policies and procedures and any other concerns impacting customer experiences with Bromford.

##### **1.1 Compliance with the Regulator of Social Housing Consumer Standards**

This policy ensures that we are compliant with the Tenant Standard, it provides the details of a range of ways for a customer to complain and sets out clear service standards for responding to complaints, including details of what customers can do if they are unhappy with the outcome of a complaint.

This policy sets out our mechanisms for informing customers about how we use complaints to improve our services and how we publish information about complaints each year, including their number and nature, and the outcome of the complaints.

##### **1.2 Definition of a Complaint and a Service Request**

A **complaint** is 'an expression of dissatisfaction, however made, about the standard of service, actions, or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a customer or group of customers.'

A customer does not have to use the word 'complaint' for it to be treated as such. Whenever a customer expresses dissatisfaction, we will give them the choice to make a complaint.

A **service request** is 'a request from a customer to the landlord (or an organisation working on their behalf) requiring action to be taken to put something right.' This will usually be the first time the customer has made us aware of an issue.

If a customer is dissatisfied with our response to a service request, even if the handling of the service request remains ongoing, we will consider this to be a complaint and we will follow the process set out in this policy.

### **1.3 Exclusions**

Matters that will not be considered as a complaint, or escalated include:

- Matters that have already been considered under the Complaint's Policy.
- An expression of dissatisfaction with our services made through a survey is not defined as a complaint, however, where possible, the customer who is completing the survey will be made aware of how they can pursue a complaint if they wish to. Where we ask customers for wider feedback about our services, we also provide details of how customers can complain.
- Where the issue giving rise to the complaint happened, or was first found, over twelve months ago. However, we will apply discretion where complaints are made outside of this time-period where there is good reason to do so. This will include looking at the history of the issues raised.
- The complaint relates to issues where legal proceedings have started. This is defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court.
- Service requests, such as the reporting of repairs where we have not been notified of issues previously.
- A complaint regarding Rent reviews as Bromford adheres to Government Guidelines. Complaints relating to the setting of service charges that can be referred to the First Tier Tribunal (<https://www.gov.uk/courts-tribunals/first-tier-tribunal-property-chamber>).
- An issue with a decision we have made where there is another policy in place to appeal the decision. For example: Lettings Policy, Mutual Exchange Policy, Restricting Customer Access Policy, Right to Buy Policy and Tenure Policy.
- The first reports of anti-social behaviour (ASB), or ongoing noise nuisance as part of an existing ASB case. (Only complaints about the way Bromford have handled an existing ASB case will be handled through our Complaint's Procedure).
- Matters where we are confident there has been no service failure and we can evidence adherence to policies and legal frameworks.

If we decide not to accept a complaint, we will provide an explanation setting out the reasons why the matter is not suitable for the complaints process and the customer's right to take the decision to the Housing Ombudsman.

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## 2. Reference Materials

List of Referenced Documents
<a href="#"><u>Compensation and Remedies Policy</u></a>
<a href="#"><u>Restricting Customer Access Policy</u></a>
<a href="#"><u>Equality and Diversity Policy</u></a>
<a href="#"><u>Lettings Policy</u></a>
<a href="#"><u>Mutual Exchange Policy</u></a>
<a href="#"><u>Aids and Adaptations Policy</u></a>
<a href="#"><u>Data Protection Policy</u></a>
<a href="#"><u>Tenure Policy</u></a>
<a href="#"><u>Responsive Repairs Policy</u></a>
<a href="#"><u>Reasonable Adjustments Policy</u></a>
<a href="#"><u>Anti-Social Behaviour Policy</u></a>

## 3. Principles

### 3.1 Our Approach

When customers have cause to complain to Bromford about our services, we promise to:

- Apologise.
- Make it easy for customers to let us know when they are unhappy with our service.
- Listen and ask questions to make sure that we understand the reasons for dissatisfaction and what the customer wants us to do to put things right.
- Investigate customer complaints thoroughly and ensure that we take their personal circumstances into account.
- Be transparent and fair in our communications and decision making.
- Put things right quickly and promptly and if we are unable to resolve a complaint as quickly as we would like to, we will explain the reasons why.
- Learn from customer feedback to improve our services.

### 3.2 Making a Complaint

We make it easy for customers to complain by providing different channels through which they can make a complaint. We consider our duties under the Equality Act 2010 and anticipate the needs and reasonable adjustments of residents who may need to access the complaints process. Customers can contact us if they would like our assistance in making a complaint.

Complaints can be reported in the following ways:

- **Telephone:** 0330 1234 034 Lines open 8am – 6pm Monday to Friday.
- **Bromford Website:** <https://www.bromford.co.uk/contact/make-a-complaint/>
- **Post:** Bromford, 1 Venture Court, Broadlands, Wolverhampton, WV10 6TB.
- **In person:** to any Bromford colleague or a representative of an organisation working on our behalf.

We aim to make our Complaints Policy accessible to all our customers. We publish the policy on our website and share it as part of our regular communication as to how to make a complaint, together with the contact details for the Housing Ombudsman Service.

We give customers the opportunity to have a representative deal with their complaint on their behalf and to be represented or accompanied at any meeting with us. We will need signed authority from the customer to divulge any information we hold to a third party. If the third party is an elected representative, such as a Councillor or MP, we may proceed to handle the complaint with them based on implied consent. Please see our privacy notice for more information.

When a complaint is made in the form of a petition or a group of residents it will be dealt with following the standard complaints process. It will be treated as one complaint and all correspondence will be addressed to the first signer; however, we will consider the individual circumstances of all signers.

We will challenge all forms of discrimination in-line with the protected characteristics defined in the Equalities Act 2010 and strive to ensure customers receive no less favourable treatment or unacceptable behaviour as a direct or indirect result of who they are. We will fully investigate complaints about discrimination under this policy.

Complaints about the conduct or behaviour of staff or other parties acting on our behalf will be addressed in-line with human resources and contract management policies.

### **3.2.1 Building Safety in High-Rise Residential Buildings (HRBs)**

In-line with the Building Safety Act 2022, we are committed to safeguarding the well-being of customers in our High-Rise Buildings (HRBs), by being accessible and allowing for the prioritisation and resolution of building safety complaints.

Where Bromford is the Principle Accountable Person (PAP) (Defined as the Organisation who owns or has a legal obligation to ensure that fire and structural safety is properly managed), or Accountable Person (AP), we accept '**relevant complaints**' which fall into two categories:

Complaints about our performance as the Principle Accountable Person, for example:

- Our communication to residents.
- Responses to raised concerns.
- How we manage building safety risk.

Complaints about building safety risks which are structural safety issues and spread of fire issues, for example:

- Flammable cladding on the outside of a building.
- Fire doors or smoke extraction which are not working or missing that may increase the risk of fire spread.
- Failure of the buildings structure, such as parts of the building collapsing, cracks or parts of the building falling off.

Customers can refer their complaint to the Building Safety Regulator when they:

- are not satisfied with our final response.
- have unresolved issues.
- have not got a response.

The Building Safety Regulator can be contacted in the following ways:

- **Telephone:** 0300 790 6787
- **Website:** <https://contact-building-safety-regulator.service.gov.uk>

### **3.2.2 New Homes Quality Board**

The New Homes Quality Code requires builders to have an effective After Care Service in place. This complaints policy is compliant with the requirements of the code.

Customers can make a complaint up to 2 years from the date of reservation or completion (whichever is later) and if they are not satisfied with how their complaint has been dealt with, they can refer their complaint to the **New Homes Ombudsman Service**:

- **Email:** [customer.services@nhos.org.uk](mailto:customer.services@nhos.org.uk)
- **Telephone:** [0330 808 4286](tel:03308084286) (9.00am to 5pm Monday to Friday)
- **Postal address:** West Wing, First Floor, Maylands Building, 200 Maylands Avenue, Hemel Hempstead, HP2 7TG

### **3.3 Our Complaints Procedure**

We have a two-stage procedure, in-line with the Housing Ombudsman Complaint Handling Code 2024.

At each stage of the complaints procedure, we will:

- Deal with complaints on their own merits, act independently and have an open mind.
- Give the customer a fair chance to set out their position.
- Take steps to address any actual or perceived conflict of interest.
- Consider all relevant information and evidence carefully.

Any complaint made to Bromford or an organisation acting on our behalf that is submitted via a third party or a representative will still be managed in-line with our two-stage procedure.

Confidentiality and data protection principles apply to our complaints process. We adhere to the General Data Protection Act 2018 in all aspects of data collection, storage, access, provision, and disclosure.

On rare occasions we may make the decision to restrict a customer's access to our services by making alternative arrangements for communication to manage the relationship more effectively. For full detail as to how and why the decision will be taken, please refer to our [Restricting Customer Access Policy](#).

#### **3.3.1 Stage 1 of our Complaints Procedure**

If our attempt to resolve a service request is unsuccessful, a formal complaint will be recorded and investigated. We will do all we can to resolve a customer complaint as quickly as possible and agree how we can put things right.

When a complaint is made, we will acknowledge, define, and confirm the customers desired outcomes. They will receive an acknowledgment of their complaint within 5 working days of us receiving it.

We aim to issue Stage 1 responses within 10 working days of the complaint being acknowledged.

We will always focus on providing customers with a quality resolution and if we need additional time to achieve this, we will agree it with the customer and also agree suitable intervals for keeping them informed about their complaint. We aim not to extend this by more than 10 working days. When this occurs, we will always provide the customer with the details of the Housing Ombudsman.

We will provide customers with a response to their complaint as soon as it is known. If there are outstanding actions, we will continue to track and monitor them through to resolution, keeping the customer informed throughout.

If customers raise additional complaints during the Stage 1 investigation, these will be Incorporated into the Stage 1 response if they are related, and the Stage 1 response has not been issued. Where the Stage 1 response has been issued, the new issues are unrelated to the issues already being investigated, or it would unreasonably delay the response, the new issues will be logged as a new complaint.

Our formal Stage 1 response will include:

- Confirmation of the conclusion of Stage 1 of our complaints process.
- An overview of the complaint.
- Our decision.
- The reasons for the decision we have made.
- Details of any remedy offered to put things right.
- Details of any outstanding actions.
- An explanation of how to escalate the matter to Stage 2 if the customer is not satisfied with our response.

### **3.3.2 Stage 2 of our Complaints Procedure**

If at conclusion of the Stage 1, customers remain dissatisfied with our response to all or some of their complaint, they can escalate their complaint to a Stage 2 where a different member of staff will consider the complaint.

Whilst customers are not required to explain their reasons for requesting to escalate to a Stage 2, we will make reasonable efforts to understand why they remain unhappy as part of the Stage 2 response.

If the request to escalate is made to us later than 20 working days from the date of our stage one response, we may refuse to escalate the complaint for review at stage 2. In these instances, we will provide a written explanation and include the right to take that decision to the Housing Ombudsman.

When customers request to escalate their complaint to a Stage 2, we will acknowledge, define, and confirm the customers desired outcomes. They will receive an acknowledgment of their complaint within 5 working days of us receiving the escalation request.

We aim to issue a full and final response to the customers Stage 2 complaint within 20 working days of it being acknowledged.

We will always focus on providing our customers with a quality resolution and if we need additional time to achieve this, we will agree it with the customer and also agree suitable intervals for keeping them informed about their complaint. We aim not to extend this by more than 20 working days. When this occurs, we will always provide the customer with the details of the Housing Ombudsman.

We will provide our customers with a response to their complaint as soon as it is known. If there are outstanding actions, we will continue to track and monitor them through to resolution, keeping the customer informed throughout.

Our formal Stage 2 response will include:

- Confirmation of the conclusion of Stage 2 of our complaints process.
- An overview of the complaint.
- Our decision.
- The reasons for the decision we have made.
- Details of any remedy offered to put things right.
- Details of any outstanding actions.
- An explanation of how to escalate the matter to the Housing Ombudsman if the customer is not satisfied with our final response.

### **3.4 Putting things right**

When something has gone wrong, we acknowledge this and set out the actions we have already taken, or intend to take, to put things right. These actions can include:

- Apologising.
- Acknowledging when things have gone wrong.
- Providing an explanation as to why the service fell below the expected standard.
- Taking action if there has been a delay.
- Reconsidering or changing a previous decision.
- Amending a record or adding a correction.
- Providing a financial remedy.
- Reviewing policies, procedures, or practices.

Any remedy we offer will reflect the impact on the customer as a result of any fault identified. The remedy offer will clearly set out what will happen and by when, in agreement with the customer where appropriate.

Any remedy proposed will be followed through to completion and we will take account of the guidance issued by the Housing Ombudsman when deciding on the most appropriate remedies.

Further information relating to financial remedies can be found in our Compensation and Remedies Policy.

### **3.5 Equality and Diversity**

Bromford wants to ensure that our customers are not disadvantaged in accessing our services and is therefore committed to making reasonable adjustments for customers where possible.

Our Neighbourhood and Community colleagues invest time into building a relationship with customers through a coaching approach. This means that in the first instance they will often identify any reasonable adjustments that a customer may require and explore ways that these may be met as part of their ongoing relationship with the customer.

We make customers aware of their right to request a reasonable adjustment by publishing our Reasonable Adjustments Policy on our website and where possible indicating that published documents may be provided in alternative formats upon request.

Customers will also be able to tell us in person or via the customer portal if they consider themselves to have a disability and of any special considerations that they would like us to take into account as a result.

We carefully consider each request and will discuss the requirements with the customer to reach agreement on what may be reasonable in the circumstances.

Where Bromford has agreed to make a long-term reasonable adjustment - for example to the way in which we communicate with a customer, this can be flagged as a special arrangement on the customers records and Bromford will aim to proactively comply with the reasonable adjustment in all future communications.

Examples of reasonable adjustments include:

- Allowing customers additional time or extending prescribed timescales in our processes.
- Communicating with customers where possible in alternative formats such as: large print or using coloured paper.
- Using interpreters or translation services.
- Communicating through a representative or intermediary.
- Providing one to one assistance in completing requests /forms that would otherwise have been done online as part of a process.

#### 4. **Responsibilities**

We have a dedicated complaints team who are assigned to investigate complaints. They have access to staff at all levels to facilitate the prompt resolution to complaints. They have the authority and autonomy to act to resolve disputes promptly and fairly. In accordance with the Housing Ombudsman Complaint Handling Code 2024 this team is defined as 'Complaint Officers'.

All Bromford employees are made aware of the complaints process and will be able to pass details of complaints to the complaints team.

The Bromford Housing Association Board oversees our complaint performance and has responsibility for reviewing and responding to the Annual Complaints Performance Report.

The Member Responsible for Complaints (the MRC) is a Board Member. They are responsible for ensuring that the Board receives regular information on complaints, providing insight on our complaint handling performance. The MRC has lead responsibility for supporting a positive complaint handling culture.

The Chief Customer Officer has the lead executive responsibility for ensuring a positive complaint handling culture across the organisation.

We record and monitor all complaints that we receive and use this information to consider and identify improvements that can be made to our services and publish our performance in our Annual Report.

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#### 5. **Legislative or Regulatory Requirements**

The key pieces of legislation relating to this policy are:

- Housing Ombudsman Complaint Handling Code 2024.
- Housing Act – 1996 (Schedule 2).
- Building Safety Act 2022.
- Localism Act 2011.
- Landlord and Tenant Act 1985 as amended by the Commonhold and Leasehold Reform Act 2002.
- Equality Act 2010.
- General Data Protection Act 2018.
- Social Housing Regulation Act 2023.
- Regulator of Social Housing Consumer Standards 2024.

Customers can refer to the Housing Ombudsman Service by contacting them in the following ways:

- **Postal address:** Housing Ombudsman Service, PO Box 1484, Unit D, Preston, PR2 0ET
- **Online complaint form:** [www.housing-ombudsman.org.uk/residents/make-a-complaint/](https://www.housing-ombudsman.org.uk/residents/make-a-complaint/)
- **Telephone:** 0300 111 3000
- **Email:** [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)

Customers can contact the Housing Ombudsman Dispute Resolutions Team at any time to seek guidance in making a complaint and during the complaint process and do not have to wait until our internal processes are exhausted. Further information is available on their website <https://www.housing-ombudsman.org.uk/contact-us/>



## 6. Assurance Framework

Bromford has adopted the ‘three lines of assurance’ model. It is built upon Bromford’s strong control culture and organisational delegation of responsibility. It is the responsibility of managerial and supervisory colleagues within business units who use the policy to ensure that the policy is communicated and effectively implemented, and to ensure colleagues are aware of their responsibilities. Adhering to policy and underpinning procedures ensures we continue to operate within our overall risk appetite as a business.

We will monitor compliance with this policy through our regular Complaint Handling Code Self-Assessment, internal audit, and performance measures. Regular reporting will be provided to the Board, senior leaders, and the Customer and Communities Influence Network to support learning from complaints and to promote the open and transparent use of information to access performance and risks.

An annual complaint report highlighting performance, trends and lessons learnt is available to customers through our Customer and Communities Influence Network and on our website.

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### Document Details

**Owner:** Director of Localities and Customer Contact  
**Approved By:** Customer Forum  
**Date of Approval:** 10/06/2024  
**Next Review Due:** 10/06/2025  
**Policy Version:** 7  
**Share to website:** Yes

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### Version Control

Renewal Date	Version	Approved By	Comments
10.6.24	7	Customer Forum	