

Complaints Policy

Version 1.6

Version Control

Note: minor updates increase version number by 0.1, major updates increase version number by 1.0.

Version Number	Sections Amended	Date of update	Approved by
1.0	Full policy reviewed & updated in line with new Ombudsman Code	October 2020	Customer Service and Performance Committee
N/A	Customer Consultation Completed	November 2020	N/A
1.1	Related Policies + Procedures updated, and document owner	March 2022	Performance Committee
1.2	Change of ownership & full policy reviewed & updated in line with new Ombudsman Code & changes in the law	March 2024	Executive Board
1.3	Changes to job titles/team names following TOE	September 2024	Regional Managing Director
1.4	Updated with Building Safety Complaints Information	January 2025	Regional Managing Director 21/1/25
1.5	Minor change to references team names following alignment	7 April 2025	Regional Managing Director
1.6	Minor changes following HOS feedback	1 September 2025	Regional Managing Director

Document owner: Regional Managing Director (South-East)

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1. Introduction

- 1.1 By providing good quality homes and services, Abri is committed to delivering a great experience. Sometimes things go wrong and when that happens, we want to put things right as quickly as possible.
- 1.2 We want our customers to have confidence that we listen, learn and take prompt action to put matters right. We strive to provide a fair and effective resolution to any complaint and use the learnings to drive service improvements across our business.
- 1.3 We promote a positive complaint handling culture among colleagues and customers, viewing them as an opportunity to put things right quickly, promote positive customer relationships and provide a learning opportunity.
- 1.4 We believe this policy provides an appropriate alternative to making a legal claim against Abri and would expect customers to attempt to resolve any dissatisfaction they may have by going through it before employing lawyers who are likely to expect Abri to pay their legal fees.
- 1.5 This policy is intended to be free to customers, and under no circumstances will Abri expect customers to refund its costs of complying with the policy. If customers employ lawyers to represent them, they may expect to both a share of any financial redress offered, and further legal costs to be paid. Abri would not normally expect to have to pay lawyers' costs.

2. This policy applies to

- 2.1 This policy applies to all our customers¹. By customers we mean people who have a lease, tenancy, licence or service occupancy or other arrangement to occupy premises owned or managed by us, including ex-occupiers if they were in occupation at the time the matter complained of arose. We also accept complaints from applicants for properties owned or managed by us and we accept complaints from representatives acting on behalf of a customer; these will be handled in line with Abri's complaints policy.
- 2.2 The Building Safety Act 2022 is wider in its scope and 'any person' is able to make a relevant complaint where it meets the definition under the building safety legislation. For these purposes this policy applies to anyone for building safety complaints as defined by the Building Safety Act 2022.
- 2.3 Abri refers to Abri Group Limited, the parent company and all subsidiary companies.

3. Policy

- 3.1 Abri defines a complaint as an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, our staff, or those acting on our behalf, affecting an individual customer or group of customers.

¹ Service complaints from customers relating to our community cafes are dealt with under a separate procedure.

A complaint is different to a service request requiring action to be taken to put something right. We'll ensure customers are given the choice to log a complaint if they express dissatisfaction.

- 3.2 Abri recognises the difference between a service request and a complaint. A service request is a request from Abri requiring action to be taken to put something right. Service requests are not complaints, but are recorded, monitored, and reviewed regularly. Further details on service requests is set out in Abri's service request procedure.
- 3.3 Customers obtain a written acknowledgement from us that their complaint has been received and recognised as such. If the complaint wasn't made in writing, the colleague who takes the complaint must log/record it using that date on our system and the customer will still receive a written acknowledgement.
- 3.4 Complaints will be accepted via any of our contact methods, these can be found on the website, ensuring it is easy for a customer to make a complaint, including to any member of staff. Should we receive a complaint via a representative or advocate, permission will need to be provided by the customer, where possible.
- 3.5 Abri actively promotes its Complaints Policy. The Complaint Handling Code and information on the Housing Ombudsman Scheme are regularly mentioned in customer correspondence, including newsletters, the customer annual report, and on our customer website.
- 3.6 Everyone within Abri is empowered to accept and handle complaints. The Customer Relations team are responsible for ensuring complaints are dealt with in line with this policy and the customer relations procedure, and for liaison with the Housing Ombudsman Service.
- 3.7 Abri endeavours to respond to complaints as soon as possible once we have investigated the customer's concerns and the answer to the complaint is known. Complaint responses will not be held whilst outstanding actions required to address the issue are completed and complaints will not be left open for this reason either. Outstanding actions will still be tracked and actioned promptly with appropriate updates provided to the customer. We commit to responding to stage 1 complaints within 10 working days of being acknowledged and stage 2 complaints within 20 days of being acknowledged, where possible. All Stage 1 complaints should be handled within 20 working days from the date of acknowledgement and Stage 2 complaints should be handled within 40 working days from the date of acknowledgement, unless there is a good reason why Abri cannot respond. There may be circumstances where Abri requires more time to complete an investigation due to the complexity of the case. If this is the case, we'll contact the customer to confirm this, explain why, and agree with the customer suitable intervals on when we'll keep them up to date on progress. The specific process followed when dealing with a complaint is outlined in our Customer Relations Procedure and Making a Complaint Guide. These align with the Housing Ombudsman Service Complaint Handling Code.

- 3.8 Each complaint will be dealt with on its own merits and individual circumstances. There are circumstances where Abri may not accept a complaint or where we may decide to deal with it in a different way to the normal process. Examples include:
- 3.8.1 The issue giving rise to the complaint occurred over twelve months ago. However, where the problem is a recurring issue or continues because it has not been fixed by us, Abri may consider any older reports as part of the background to the complaint if this will help to resolve the issue. Similarly, Abri will apply discretion and may accept complaints made outside of twelve months where there is a good reason to do so.
 - 3.8.2 Where matters have already been the subject of legal proceedings which have come to an end after a final hearing;
 - 3.8.3 Where in all cases except complaints about housing conditions, legal proceedings have started or are threatened (that is a letter of claim or equivalent has been sent to us).
 - In housing conditions complaints, we will ask customers to use the complaints procedure first so that a solution which satisfies their needs and wants can be agreed to avoid the need to instruct lawyers and bring a legal claim.
 - A customer who has been through the complaints process remains free to pursue a legal claim, even if they've been offered redress and have accepted it.
 - 3.8.4 Matters that have already been considered under the complaints policy and have been through both stages of the complaints process. In this case we can refer the complainant directly to the Housing Ombudsman;
 - 3.8.5 Complaints relating to consumer credit regulated activity which may be able to be referred to the Financial Ombudsman Service; or
 - 3.8.6 If a complaint is being made unreasonably or the customer is demonstrating unacceptable behaviour when pursuing their complaint, whilst we'll still consider the individual circumstances of the complaint. We have a separate procedure giving guidance on dealing with unreasonable contact.
 - 3.8.7 If Abri has valid reason not to accept a complaint, or to deal with it differently, we will be able to evidence the reasoning, and explain to the customer the reasons why the matter is not suitable for the complaints process or outline how we are dealing with it and why, and the right to escalate the complaint, including to the Ombudsman Service.
- 3.9 We will handle the complaint sensitively, telling only those who need to know and complying with relevant data protection requirements. Where there is a safeguarding of vulnerable adults or child protection issue, we have a duty of care to fully investigate and follow the appropriate procedures.

- 3.10 Abri operate a two stage complaints process. Details of the process, what will happen at each stage, and timeframes for responding are set out in our Customer Relations procedure.
- 3.11 If a customer remains dissatisfied with the outcome of their complaint having been through our internal complaints process, they have the right to take their complaint to the appropriate Ombudsman service and/or start or continue a legal claim. We will provide contact information for the Housing Ombudsman, or other relevant Ombudsman service, as part of the complaints process. We are bound by the terms of the Housing Ombudsman's scheme and will fully co-operate with all requests for information made by the Ombudsman, work with them in resolving complaints effectively, and adhere to orders and recommendations made to put things right.
- 3.12 We will encourage all customers at the end of the complaints process to feed back on the process and we will report outcomes, learning points and statistical performance to relevant customer groups, our board and Committees. Any themes or trends will be assessed to identify any systemic issues, serious risks or areas for improvements from complaints will also be included in our customer annual report.
- 3.13 Not everyone is able to exercise their right to raise concerns or complain about the service they have received due to their individual needs. We have a Reasonable Adjustments Policy in place to address this.
- 3.14 An Equality Impact Assessment was undertaken to support planning and the delivery of this policy. It is available upon request.

4. Building Safety Complaints

- 4.1 This section has been specifically developed to help Abri meet new obligations under the Building Safety Act 2022 (Section 93) which requires the Principle Accountable Person (PAP) to establish and publish a complaints system.
- 4.2 This section is limited in scope to buildings that are owned and managed by Abri and to which building safety cases currently apply - that is High Risk Buildings that are 18 meters or 7 Storeys or more and in occupation. The scope is also limited to the matters defined below.
- 4.3 **Definition:** For the purpose of this section only, a relevant complaint is defined in the Building Safety Act as a complaint relating to:
 - a 'building safety risk' - a risk to the safety of people in or about the building arising from either the spread of fire or structural failure; and
 - the performance by an accountable person with regard to their duties.
- 4.4 Where a complaint regarding building safety does not meet the above definition, it may still be able to be reviewed under the wider complaints policy. We will advise if this will be used instead.
- 4.5 **Relationship and compatibility with our Complaints policy**

4.5.1 Under the requirements for Building Safety complaints, for the most part, complaints regarding Building Safety should be handled in line with Abri's Complaints policy and processes. This has been developed in line with the Housing Ombudsman's Code, and as such it represents a high-quality approach to managing and resolving complaints. This includes for example:

- Methods that can be used to register a complaint - which would include directly to the Building Safety Team
- Confirmation that complaints will be handled in line with data protection legislation
- Confirmation that we comply with the Equality Act 2010 including reasonable adjustments
- That complaints are handled fairly and consistently - which makes up part of our guiding principles.

4.6 Exceptions and adjustments for Building Safety Act complaints

4.6.1 The following areas are specific to Building Safety Act complaints when compared to other types of complaints. In all other ways the Complaints policy and processes meet the requirements and should be followed.

4.6.2 The clarifications are as follows:

Any person As defined in section 2.1, Abri's complaints policy is written in line with the Housing Ombudsman Code and who can access Abri's complaints policy is defined by this. While our current policy allows for exceptions, the Building Safety Legislation is wider and makes it clear that 'any person' is able to make a relevant complaint where it relates to matters covered under Building Safety, as defined above. Therefore the 'relationship requirement' will not be applied to this type of complaint.

Prioritisation The Building Safety legislation states: "there is an effective process for the prioritisation of relevant complaints taking account of the level of risk involved". While Abri is confident that applying and meeting our existing timescales for complaints will usually be appropriate, we acknowledge some matters need to be dealt with more quickly than the complaint timescale. This is already the case for example for urgent matters of health and safety, where a repair may need to be urgently undertaken before the complaint response. This information has been added for the avoidance of doubt, and to clarify that we may respond/partially respond to a related complaint/element of a complaint more quickly, based on assessed risk.

Additional representations and comments The Building Safety legislation requires Abri to state 'how a complainant can make representations and comments on any findings during an investigation'. However, it also requires responses to be dealt with in a timely way. Abri's complaints policy states

we may contact a complainant to confirm that we understand the issues being raised. The policy also allows for additional and related complaint points or information to be raised before a response has been issued, but where this would unreasonably delay the response, we may open an additional complaint. Abri will take a similar approach with Building Safety complaints, and while we will be able to receive other information or comments during an investigation, we will explain whether this will be added to the existing complaint, responded to under the Complaints Policy separately, or agree a time extension with you.

Escalation to the Regulator The legislation requires that Abri confirms how a Building Safety complaint can be escalated to the Regulator. The Building Safety Regulator can be contacted by phone on 0300 790 6787 or through their website. Contact the Building Safety Regulator. For Building Safety related complaints, the jurisdiction of the Housing Ombudsman does not apply and this will be made clear in communication with the customer.

4.7 Keeping a record of relevant complaints

4.7.1 Abri must keep a record of any relevant complaint for seven years showing:

- the information contained in the complaint
- steps taken by any Accountable Person for the higher-risk building in response to the complaint
- any involvement of the regulator in relation to or in response to the complaint
- the outcome of the complaint

4.8 Recurring relevant complaints

4.8.1 If more than one relevant complaint is made about the same issue within a 7-year timeframe, this is known as a recurring relevant complaint. For each recurring relevant complaint, Abri must keep the following:

- the subject and nature of the recurring complaint
- the date that the recurring complaint was made

5 Legal & Regulatory Framework

- Housing Ombudsman's Complaint Handling Code February 2024
- Regulator of Social Housing's Regulatory Framework
- Equality Act 2010
- General Data Protection Regulations 2016 (GDPR) and Data Protection Act 2018
- Building Safety Regulator
- Building Safety Act 2022

- The Higher-Risk Buildings (Management of Safety Risks etc)(England) Regulations 2023

6 Related Policies

- Equality, Diversity, and Inclusion (EDI) Policy
- Safeguarding Policy
- Reasonable Adjustments Policy
- Unacceptable Behaviour Policy

7 Related Procedures

- Customer Relations Procedure
- Service Request Procedure
- Mandatory Occurrences Reporting Procedures

8 Appendices

1. Housing Ombudsman contact information
2. Housing Ombudsman Complaint Handling Code
3. Building Safety Regulator contact information