



# Complaints and Compliments

## Complaints and Compliments policy

Policy:	Complaints and Compliments policy
Version number:	4.2
Date effective from:	July 2024
Policy Owner:	Director of Marketing & Engagement
Policy Author(s):	Complaints Performance Manager
Accountable Executive:	Executive Director People, Culture and Engagement
Approved by:	Chief Executive Officer and full Executive Team
Equality Assessment:	Yes
Next review of policy due:	July 2027
Policy Grade:	0
For the full version history of this policy, see the back page	

Please avoid referring to printed versions of this policy.

Printed versions may quickly go out of date – the latest version will be on the Policy Hub or contact the Governance Team. For support and advice regarding the policy, please contact the Policy Owner.

## 1.0 Introduction and Scope

- 1.1 The Regulator of Social Housing and The Housing Ombudsman and the Building Safety Regulator requires that as a registered provider, we must approach complaints in a clear, simple, and accessible manner.

Complaints are very important to us; they help us focus on improving our service and offer us the opportunity to learn when things go wrong. If something does go wrong, we will apologise, investigate what happened and work with the customer to make it right.

- 1.2 The scope of this policy covers:

Gentoo Group	X
Gentoo Homes	
Gentoo Developments	
Gentoo Genie	

- 1.3 It applies to:

General Needs rented properties	X
Supported Housing	X
Sheltered Housing	X
Leasehold/Shared ownership	X
Rent to Buy properties	X
Market rented properties (domestic)	X
Temporary Accommodation	X
Stock owned but not managed by the Group	X
Communal Areas, including those relating to Leasehold/Shared Ownership properties	X*
Commercial Property (offices, depots etc)	X
Stock managed by Gentoo on behalf of a third party	X
Garages and outbuildings	X
Remote plant (district heating, electrical pumps etc)	X
Curtilage	X

\*Exceptions apply

## 2.0 Links to Strategy and the Business Plan

- 2.1 Our vision and values set the direction and shape the culture of our organisation.

- 2.2 Gentoo's **Vision** is:

To provide great homes, strong communities and inspired people for Sunderland.

- 2.3 The Group's **Values** are:
- We care about people
  - We take accountability

- We shape the future
- We bring leadership
- We deliver

#### 2.4 The Group's Board and Executive Team have approved Gentoo's **Strategic Priorities**:

The safety of our customers and colleagues will always be our number one priority. We have identified **six further Priorities** which will guide the delivery of our services:

- We know our customers
- We provide great homes
- We help communities to thrive
- We are a great place to work
- We spend our money wisely
- We are well governed

We live our **Values** in everything we do from the board room to the front room, to deliver our **Priorities** for our customers.

#### 2.5 Gentoo's policies support the delivery of the Group's Vision, Values and Strategic Priorities.

### 3.0 Regulation and Legislation

#### 3.1 The Director of Marketing and Engagement will ensure this policy has regard to all legislation, regulation and best practice. The regulation and legislation applicable to this policy is attached at Appendix A.

### 4.0 Our Policy Statement

A complaint is defined as:

'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 resident or group of residents'.

We are committed to the principles of diversity and inclusion throughout the organisation and aim to:

- meet the needs and choice of people from all backgrounds
- ensure that our services are relevant, responsive and sensitive to the needs of our existing and future customers
- Ensure that all sections of the community in which we work have equal access to our services.

Our Complaints and Compliments policy will ensure that customers will be treated as individuals and with fairness and respect. An Equality Assessment has been completed with regard to this Policy and is attached in Appendix B.

- Copies of our Complaints and Compliments policy together with information on the Housing Ombudsman and the Self Assessment form are accessible via the Gentoo website

## 5.0 Roles and Responsibilities

Our approach to handling complaints will be easily accessible and well publicised. It will be simple and easy to understand. Customers can raise a complaint by:

- Emailing us at [Feedback@gentooogroup.com](mailto:Feedback@gentooogroup.com)
- Speaking to any colleague either in person, by telephone or email
- Submitting an online form through our website
- Contacting us via social media
- Writing to us at Customer Voice Team, Gentoo Group, Emperor House, Sunderland, SR3 3XR.

The Customer Voice Team will deal with all formal complaints ensuring a coordinated and consistent approach however all colleagues are responsible for recognising and taking accountability for resolving an initial complaint.

A complaint (or compliment) that is submitted via a third party will still be handled in line with this policy however we require permission from the customer to discuss their complaint with a third party. A complainant may choose to have a suitable representative deal with their complaint on their behalf, and to be represented or accompanied at any meeting with Gentoo.

All customers will be treated with dignity and respect at all times.

### The Housing Ombudsman Service

In 2013 the Housing Ombudsman took over responsibility for all complaints about social housing. They investigate complaints from residents about landlords that provide social housing – including local authorities, housing associations, ALMOs (arm's length management organisations) Co-operatives and Abbeyfields.

The Housing Ombudsman investigates complaints about landlord's housing management – for example property condition and repairs, charges, complaint handling and antisocial behaviour affecting residents in their home.

The Housing Ombudsman can only consider a complaint for investigation where we have evidence the issues have been raised and considered via the landlord's complaint process.

Examples of complaints to the Housing Ombudsman include:

- Failure to attend a scheduled appointment.
- Failure to meet our repair service standards (i.e., timescales)
- Failure to deliver a service paid for through a service charge.

## **The Building Safety Regulator**

The Building Safety Regulator oversees the implementation of the regulatory framework for high-rise residential buildings in England. These are buildings that are over 18m high or over seven stories. Customers can refer a complaint to the Building Safety Regulator if their complaint relates to an issue that could cause structural failure or spread of fire (building safety risks) in a high-rise residential building, or the performance of Gentoo to manage these risks. Customers can refer a building safety complaint to the Building Safety Regulator if:

- there is no satisfactory outcome after a final response is given
- the customer is not satisfied with the outcome

Examples of complaints to the Building Safety Regulator include:

- Failure to correctly manage and prevent fire spreading in a high-rise residential building
- Failure to correctly manage and prevent issues in a high-rise residential building that could lead to part or all of the building collapsing

## **6.0 Service Requests (“Own It, Fix It”)**

- 6.1 Not all requests need to go through the formal complaints' procedure. We often get service requests (Own it, fix its). A service request is a request from customer that requires action to be taken to put something right. Service requests can be received by all colleagues. They are not categorised as complaints but are recorded, monitored, and reviewed.
- 6.2 Colleagues are expected to take accountability of service requests ('own it fix its') however, if further enquires are needed to resolve the matter, a customer must be offered the choice to make a complaint or if the customer requests it, the issue must be logged as a complaint, and it will be passed on to The Customer Voice Team to investigate.
- 6.3 If a customer is unhappy with the outcome of an 'own it fix it', they may wish to raise this as a complaint, and it will be passed to the Customer Voice Team.

## **7.0 MP and Councillor Enquiries**

- 7.1 MP and Councillor enquiries will be dealt with using a service request ('own it fix it') approach.
- 7.2 The Customer Voice Team have a designated email inbox for MP and Councillor enquires. MP and Councillor enquiries will be responded to within 10 working days.
- 7.3 Usually, if a customer wishes to raise a complaint following a MP or Councillor enquiry, we will speak to the customer directly to understand their complaint, we will ask the customer if they require us to include the MP or Councillor in future communication.

## **8.0 Social Media**

- 8.1 A complaint may be submitted through Gentoo official social media channels.
- 8.2 If a complaint is submitted using an official Gentoo social media channel, we will ask the customer to private message us with their full name and address to confirm their identity. To ensure confidentiality and privacy is maintained, further contact with the customer may be necessary to carry out security checks.
- 8.3 We will not add any personal details on open forums on social media channels. We will take the required measures to protect any confidential information that may be shared by customers on social media such as deleting a post or contacting the customer directly to ask the customer to move the information to another method of communication, if appropriate.

## **9.0 Complaints**

### **Complaints process**

#### **Stage 1 Complaints**

##### **9.1**

- We will assign the complaint to a Customer Voice Partner
- The Customer Voice Partner will acknowledge receipt of the complaint and speak with the customer as soon as possible and within 5 working days from the date the complaint is received. The complaint acknowledgment will be confirmed in writing and the customer will be provided a unique complaint reference number.
- The customer will be provided with a copy of this policy.
- The customer will be asked what they are unhappy with, the reasons why they are unhappy and what we can do to resolve their complaint.
- We will respond fully in writing as soon as possible and within 10 working days or less.
- The Customer Voice Partner will agree with the customer how often the customer wants to be updated and their preferred method of contact.
- If the complaint cannot be resolved within 10 working days or less, The Customer Voice Partner will agree a mutually agreed resolution date with the customer (MARD). This will not extend by a further 10 working days and the customer will be offered the contact details of the relevant Ombudsman Service or the Building Safety Regulator.
- The Customer Voice Partner will provide the customer with appeal details, the customer has 15 working days to request an appeal.

## Stage 2 Complaints

- 9.2 If all or part of the complaint is not resolved to the customer's satisfaction at stage 1, it must be progressed to stage 2 of Gentoo's procedure. Stage 2 is Gentoo's final response.
- 9.3 These complaints will be dealt with by a Customer Complaints Lead / Customer Voice Lead or Senior Manager from the relevant service area.
- 9.4 We reserve the right to refuse an appeal escalation if the customer responds beyond the 15 working days or does not objectively explain what specific parts of the original complaint, they remain dissatisfied with. If this applies, we will write to the customer explaining why we will not accept their appeal and offer details on how to contact the relevant Ombudsman Service or the Building Safety Regulator.
- 9.5
- The Customer Complaints Lead / Customer Voice Lead or Senior Manager will acknowledge receipt of the complaint escalation within 5 working days from the date the complaint appeal is received. The complaint appeal will be acknowledged in writing and the customer will be provided a new unique complaint reference number.
  - We will understand why a customer remains unhappy however if it is unclear how the complaint can be resolved, the customer will be asked which specific part of the complaint has not been investigated, which part of the response they remain dissatisfied with and what we can do to resolve the complaint.
  - The Customer Complaint Lead / Customer Voice Lead or Senior Manager will provide a written response to the customer. We will respond fully within 20 working days or less.
  - If the complaint cannot be resolved within 20 working days or less, a mutually agreed resolution date (MARD) will be agreed with the customer. Details of how to contact the Ombudsman will be provided. (This will not extend a further 20 days, unless there are exceptional circumstances to the case)
  - The internal complaints process is now complete, if the customer remains unhappy with the outcome, they are advised to request an external review from the relevant Ombudsman Service or the Building Safety Regulator.
- 9.6 Customers may access The Housing Ombudsman Service or the Building Safety Regulator for advice at any point throughout their complaint, not only when the internal complaints process is exhausted. Customers are offered a copy of this policy at both stages within their complaint.
- 9.7 Where customers raise additional complaints during an investigation, these will be incorporated into the response if they are relevant, and the response has not been issued. Where the response has been issued, or it would unreasonably delay the response, the complaint should be logged as a new complaint.
- 9.8 Complaints will be closed when investigation is complete, and any future actions are agreed, complaints are not kept open unnecessarily. For example, when a repair cannot be conducted within the 10 working day complaint



response timeframe, the complaint will be closed when the repair dates are agreed. The Customer Voice Partner (or Lead) is responsible for ensuring that actions are followed through to completion.

- 9.9 Where agreement over any required extension on a complaint investigation cannot be agreed, we will offer the customer details for The Housing Ombudsman Service or the Building Safety Regulator.

## **10.0 Exclusions**

- 10.1 We will comply with the Equality Act 2010 when considering if a complaint falls into an exclusion category, we will adapt our procedure to accommodate individual needs, if required. We will consider if excluding a complaint is fair and reasonable and each complaint will be considered on its own merits.

- We do not class service requests as complaints. A service request is defined as “a request from a resident to their landlord requiring action to be taken to put something right”. For example, a customer reports their fence is broken. It would be considered a complaint if the customer reports their fence, and we fail to repair it. Service requests are not complaints but are recorded, monitored, and reviewed regularly.
- We do not class Anti-Social Behaviour as complaints. If a customer raises a complaint about their neighbour, this will be dealt with in accordance with the Anti-Social Behaviour policy. If a customer was unhappy about the way a case was handled, this would be considered a complaint.
- We do not class housing application banding appeals as complaints. If a customer raises a concern about their banding, this will be dealt with in accordance with the Allocations Policy. If a customer was unhappy about the way the Allocations Policy has been applied, this would be considered a complaint.
- We do not accept complaints about damage to personal property unless it has been caused by something we have done. We advise customers to take out their own home contents insurance to claim in the event of any unforeseen incidents. If personal property has been damaged due to our negligence, we will offer information on how to submit a public liability claim.
- We do not accept complaints where a complainant has raised a legal claim against us in respect of the specific issue(s) covered by their complaint for example a personal injury claim or an insurance claim, the complaint will be removed from our complaints process. If mediation applies, we reserve the right to remove the complaint from the process and re-investigate later, if appropriate.
- We do not accept complaints when the issue(s) being raised have previously exhausted our complaints process and no new facts or evidence has been

offered. If this applies, the customer has the right for their complaint to be reviewed externally by The Housing Ombudsman Service or the Building Safety Regulator.

- We do not accept complaints reported to us after twelve months of the issue occurring unless there are mitigating circumstances as to why the complaint could not be raised within a reasonable period. The stages of our complaints process are designed to achieve resolution for the customer as promptly and efficiently as possible.
- We will use our discretion about a complaint raised from someone who is not a Gentoo customer. We will offer appropriate advice, where possible.
- There are alternative routes which may be more appropriate for leaseholders to follow for an external review of their complaint. This will vary depending on their tenure. If a managing agent is present, we will direct the leaseholder to raise their complaint with the managing agent.

Further information regarding alternative routes can be found at Appendix C.

- 10.2 If we decide not to accept a complaint, we will provide an explanation to the customer setting out the reasons why the matter is not suitable for the complaints process. We will explain that the customer has the right to take that decision to the relevant Ombudsman Service or the Building Safety Regulator.

## **11.0 Disrepair claims**

- 11.1 We will continue to seek complaint resolution with customer pursuing pre-action protocol for housing condition claims. The complaint will be closed once legal proceedings have been issued and/or a resolution has been agreed.

## **12.0 Compliments**

- 12.1 Compliments are equally important to us; we aim to recognise the good work of our colleagues and contractors, we offer individual feedback to colleagues when a compliment is received.
- 12.2 We welcome feedback and compliments from our customers, we use this information to help shape the services we deliver. Customers can raise a compliment by:
- Emailing us at [Feedback@gentoogroup.com](mailto:Feedback@gentoogroup.com)
  - Speaking to any colleague either in person, by telephone or email
  - Submitting an online form through our website
  - Contacting us via social media

- Writing to us at Customer Voice Team, Gentoo Group, Emperor House, Sunderland, SR3 3XR.

All compliments are logged on our internal system, MRI and all colleagues are responsible for logging compliments.

## **13.0 Escalation**

- 13.1 Where a Board has concerns about significant issues in any area of compliance regarding this policy, they must escalate these concerns to the Executive Director of People, Culture and Engagement
- 13.2 Where a colleague has concerns about significant issues in any area of compliance regarding this policy, they must escalate these concerns through their line management structure, ultimately to The Executive Team.
- 13.3 Where a colleague continues to have concerns about significant issues in any area of compliance regarding this policy, they should refer to the Group Whistleblowing Policy.

## **14.0 Monitoring and Review**

- 14.1 The Complaints and Compliment Policy will be reviewed every three years, or in line with business need.
- 14.2 Overall responsibility for this Policy lies with the Director of Marketing and Engagement, accountability lies with the Executive Director of People, Culture and Engagement.
- 14.3 This policy maybe subject to an audit in line with internal audit plan.
- 14.4 This Policy is Grade 0 and changes will need the approval of the Chief Executive Officer and the full Executive Team.

## **15.0 Policy Outcomes**

This policy aims to achieve the following outcomes:

- 15.1 Our service is fair, accessible and customers are communicated with in a way they prefer.
- 15.2 Issues with services are dealt with so that complaints are prevented from arising in the first place – service requests ('Own it Fix It'.)
- 15.3 Prompt action is taken to investigate complaints and agree an appropriate resolution, occasionally referring to our Compensation Policy.

## **16.0 Learning from Complaints and Compliments**

- 16.1 Our services are improved by identifying themes and trends in complaint and compliment data, themes and trends are assessed by Senior Management to identify any risks and potential procedure and policy issues, complaints and compliments are used for colleague training and development.
- 16.2 Our complaint and compliment data is shared with The Customer Committee at least quarterly and with our involved customers in quarterly Customer Community Voice Meetings.
- 16.3 Customers who have complained are asked to offer us feedback on the handling of their complaint to ensure The Customer Voice Team are operating effectively.
- 16.4 Service improvements are communicated to customers on our website, through social media, in our annual report and on our online engagement platform 'Your Gentoo Voice'. Learnings from complaints are communicated with operational managers on re-occurring basis.
- 16.5 If a building safety complaint is made about the same issue within a 7-year period Gentoo will keep a record of the subject and nature of the recurring complaint and the date that each recurring complaint was made. The issue will be reviewed by the Fire and Building Safety Team to identify and implement improvements where necessary.

## Version Control

Version	Reason	Issuer	Date
2.0	Changed formatting of policy	Kirsty Collins	15/02/2018
2.1	Amendment to job titles, added accountable exec director to front page, amended review date to 3 years	Sarah Treadwell	09/05/2019
2.2	Removed toolkit as this has been reviewed	Sarah Treadwell	29/08/2019
3.0	Fundamental review	Catherine Loftus	21/09/2020
3.1	Removal of 'via telephone' from stage 2 complaint process	Jo-Anne Parkinson	07/01/2021
3.2	Job title changes	Emma Peat	April 2021
3.3	Fundamental review, added compliments to policy, review of toolkit and process maps – policy amended with feedback from customer scrutiny members	Ashleigh Hopkins	October 2023
4.0	Approved Policy	Chloe Appleby	October 2023
4.1	Amendments made in line with Housing Ombudsman Complaint Handling Code	Michael McGuigan	March 2024

4.2	<p>Amendments made in line with the requirements of the Building Safety Act 2022 - Operating a complaints system for building safety in a high-rise residential building.</p> <p>Inclusion of 'official Gentoo' in relation to complaints posted on social media channels.</p> <p>Service requests (own it, fix its) updated</p> <p>Removed section on unreasonable behaviour. New line added around treating all customers with dignity and respect</p>	Michael McGuigan	July 2024
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## Appendix A

### Legislation and regulation

The Director of Marketing and Engagement will ensure this policy has regard to all legislation, regulation, and best practice.

The Regulator of Social Housing (RSH) has responsibility for the regulation of social housing providers in England. The RSH has set our regulatory framework which includes standards providers must meet. This includes the Tenant Involvement and Empowerment Standard.

The Localism Act 2011 created The Housing Ombudsman Service, customers have the right to contact The Housing Ombudsman Service at any time for advice and support regarding their complaint.

The Building Safety Regulator oversees the implementation of the regulatory framework for high-rise residential buildings in England. These are buildings that are over 18m high or over seven stories. Customers can refer a complaint to the Building Safety Regulator if their complaint relates to an issue that could cause structural failure or spread of fire (building safety risks) in a high-rise residential building, or the performance of Gentoo to manage these risks

The Complaints and Compliments Policy and Procedure has been designed to deliver our service in line with The Housing Ombudsman Complaint Handling Code and the requirements of the Building Safety Act 2022.

The key legislation applicable to this policy is:

- Localism Act 2011
- Equality Act 2010
- Data Protection Act 2018
- Housing Act 2004

- Building Safety Act 2022

The key regulation applicable to this policy is:

- The Housing Ombudsman Complaint Handling Code
- Regulation prescribed by the Financial Conduct Authority
- The Regulator of Social Housing Tenant Involvement and Empowerment Standard
- Information Commissioners Office – constituency casework of Members of Parliament and the processing of sensitive persona data

The Housing Ombudsman Service:

0300 111 3000

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

PO Box 152

Liverpool

L33 7WQ

Information on the requirements of the Building Safety Act to develop a complaints system for building safety in high-rise residential buildings can be accessed via the link below -

<https://www.gov.uk/guidance/operating-a-complaints-system-for-building-safety-in-a-high-rise-residential-building>

## Appendix B

### Equality Assessment (EA)

#### 1. What is this Equality Assessment being completed on?

Complaint and Compliments Policy – July 2024

#### 2. Does the policy/service/project/process/function outlined above have an impact on people? Please tick relevant box ✓

✓	<b>Yes – High impact</b> <i>(reasonable or significant level of direct impact/contact, requiring a reasonable or significant level of knowledge and understanding of diverse groups)</i>
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	<b>Yes – Low impact</b> - <i>(infrequent contact which involves minimal interaction at a level which requires only basic awareness)</i>
	<b>No</b> - <i>If you select “no”, add an explanation below to justify your assessment.</i>

**3. Which groups of people\* (“protected characteristics”) is it impacting?**

**Please tick ✓ relevant box (See notes)**

✓	<b>All groups</b>
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	<b>Only specific groups</b>
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**Please detail which groups and why**

All Gentoo customers are equally impacted by this policy.

**4. Please justify how you can be confident that this policy/service/project/ process/function it’s tailored and sensitive to individual needs, that it doesn’t discriminate, and that it promotes equality of opportunity / levels the playing field? (See notes.)**

We are committed to the principles of diversity and inclusion throughout the organisation and aim to:

- Meet the needs and choice of people from all backgrounds.
- Ensure that our services are relevant, responsive, and sensitive to the needs of our existing and future customers.

- Ensure that all sections of the community in which we work have equal access to our services.
- Our complaints and compliments policy will ensure that customers will be treated as individuals and with fairness and respect.

**5. Please detail the checks and balances that you have in place which give you confidence that the above measures are in place and being implemented effectively. (See notes)**

*This policy is supported by the Complaints and Compliments toolkit (procedure) and process maps to be used to staff training. The toolkit demonstrates clear processes in complaint handling and will be adhered to in all cases.*

*The Housing Ombudsman complaint handling code self-assessment is carried out annually to ensure we remain compliant with the guidance.*

**6. The duty to foster good relations is about tackling prejudice and promoting awareness and understanding between those who share a protected characteristic and those who don't share it. Is this duty relevant to this "service"? Please tick ☒ relevant box. (See guidance notes)**

**7.**

	<b>No</b> - This duty is <b>not</b> relevant to this "service".
<input checked="" type="checkbox"/>	<b>Yes</b> - This duty <b>is</b> relevant to this service. *

*The policy and toolkit are robust in ensuring all customers are treated according to their individual needs. Staff are trained to understand and accommodate any reasonable adjustment requests.*



8. Are you confident that the checks and balances that you have in place, effectively mitigate the equality and diversity risk to the Group? Please tick ☒ relevant box.

Level of confidence that checks and balances mitigate risks in respect of.....	Very confident	Confident but more work required*	Not confident
Legislation/legal action in relation to equality & diversity (e.g. harassment or discrimination, or failure to give due regard to all elements of the Public Sector Equality Duty)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RSH Regulation in relation to E&D	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reputation in relation to E&D	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

9. Actions to be completed following this EA:

<b>Action</b>	<b>Responsibility</b>	<b>Timescale</b>
N/A		

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**Completed by: M McGuigan**

**Date: 2<sup>nd</sup> July 2024**

## Appendix C

### **Leasehold Advisory Service**

<https://www.lease-advice.org/>

### **First Tier Tribunal (Property Chamber)**

<https://www.gov.uk/courts-tribunals/first-tier-tribunal-property-chamber>

### **The Property Ombudsman**

<https://www.tpos.co.uk/>

### **Gentoo Public liability**

application available upon request

### **The Information Commissions Office**

<https://ico.org.uk/>

### **The Financial Ombudsman Service**

<https://www.financial-ombudsman.org.uk/>

### **Community Trigger**

<https://www.sunderland.gov.uk/article/15043/Community-Trigger>