
COMPLAINTS, COMMENTS AND COMPLIMENTS POLICY FOR PROPERTY OWNERS

ENTERPRISE
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1. INTRODUCTION

Enterprise Retirement Living (ERL), the community operator, welcomes Owners' views and will use them to improve our services. The purpose of this policy is to provide a framework for dealing with complaints, comments and compliments. It explains our processes and our obligations to our Owners and the role of independent resolution organisations (see *Stage 3 complaints* in Section 2 below).

ERL aims to provide excellent services to all our Owners, but occasionally things go wrong. Complaints help us to put things right and make sure the same mistake does not happen again.

Our complaints policy aims to ensure that Owners:

1. Know where and how to complain and have easy access to our complaints system.
2. Receive an acknowledgement and information on the progress of their complaint.
3. Receive an appropriate response with prompt and adequate action when we have failed to provide a satisfactory service.

We aim to respond to customer feedback in a consistent and professional manner and use complaints to shape our services by providing regular reports about the complaints we receive.

A complaint is: an expression of dissatisfaction about the management's action or lack of action, or about the standard of a service, whether the action was taken by the management itself or a person acting on behalf of the management.

A comment is: a personal opinion or belief, feedback or remark expressed by an Owner. Where the Owner indicates they expect a reply, or whether it is otherwise thought appropriate to do so, this will be dealt with as general correspondence.

A compliment is: defined as an Owner statement of positive recognition or praise for a service or individual. Where appropriate, managers may acknowledge compliments.

We will not treat an Owner who makes a complaint any differently.

2. MAKING A COMPLAINT

Owners can make a complaint in any way they choose, including by letter, email, telephone or in person. When a complaint is made verbally, this should be to a member of the management team and the manager will record the details of the complaint and any specific outcome the Owner is seeking. If the complaint is verbal or written and can be resolved to the complainant's satisfaction within 24 hours by the relevant manager, it will be recorded in the complaints log as an "informal" complaint. In all other cases, the complaint will be referred to the General Manager as a Stage 1 complaint.

Anonymous complaints or comments will be considered if they relate to a vulnerable person or someone at immediate risk.

Stage 1 complaints

A formal Stage 1 complaint will be logged and acknowledged within 2 working days. This will include an explanation of the complaints process and the timescale for dealing with the complaint.

Stage 1 complaints will be investigated by the General Manager. Where the complaint names a member of staff, they will be informed of the complaint and given the opportunity to comment, but will not be responsible for providing the response to the complainant.

Stage 1 complaints will be investigated and a response will be sent to the complainant within 10 working days. Where an email address has been provided, an email response will be sent unless a paper copy has been requested. Occasionally, it will not be possible to conclude an investigation and respond within 10 working days. In these circumstances, the General Manager will inform the complainant of the reasons for the delay and agree a new expected response date. Performance against the 10 working day target will be reported on a regular basis.

Stage 2 complaints

If an Owner tells the General Manager that they are not satisfied with the Stage 1 response, the General Manager will escalate the complaint for the Owner to ERL. The Owner may provide further information to inform the referral at this stage, but will not be required to do so.

ERL will liaise with the General Manager and/or Kingsdale, if appropriate, and Stage 2 investigations will usually be completed within a further 10 working days. Occasionally it may not be possible to conclude an investigation and respond within this timescale. In these circumstances, ERL will inform the complainant of the reasons for the delay and agree a new expected response date. Performance against the 10 working day target will be reported on a regular basis.

A final decision in writing will be provided within 56 calendar days of receiving a complaint, unless a later deadline with the Owner has previously been agreed. Any time taken by the complainant considering how to respond to Stage 1 and/or Stage 2 responses is not included in the 56 days, such that the period will be extended to take account of any delays caused for this reason.

A log of all complaints and responses will be maintained by the village's management team, who will report to ERL and Kingsdale on their results and implementation.

Stage 3 complaints – Independent organisations

In the event that an Owner is still not satisfied that we have resolved their complaint after receiving our final decision at Stage 2, or we fail to provide that decision by the relevant deadline, depending on the nature of the complaint, they can complain to:

- the National House-Building Council (NHBC)¹ (for after-sales complaints relating to construction matters covered by the Buildmark warranty scheme;

¹ The NHBC can be contacted at NHBC House, Davy Avenue, Knowlhill, Milton Keynes, MK5 8FP (Tel: 0800 035 6422; Website: www.nhbc.co.uk where there is an online contact form).

- the alternative home warranty provider (for after-sales complaints relating to construction matters if the development is not covered by the NHBC)²;
- if applicable, the Consumer Code Independent Dispute Resolution Scheme³ (for alleged breaches of the Consumer Code Scheme, which covers after-sales issues for a period of two years from the date of the home warranty insurance certificate);
- the Property Redress Scheme (PRS)⁴ of which ERL is a member (for immediate after-sales and ongoing occupancy of an ERL retirement property);
- the Association of Retirement Housing Managers (ARHM)⁵, of which Kingsdale is a member (for issues relating to Kingsdale's services during the occupancy of an ERL retirement property);
- independent legal or other professional advisers (for complaints of any nature, if appropriate).

We will co-operate fully with any of the above organisations and advisers, and intermediaries or representatives of the complainant, as necessary.

We will comply with any resulting decision by the independent organisations above, which will be binding on us.

Equality issues in making a complaint

We will make all reasonable efforts to ensure that Owners with particular needs, such as physical or sensory impairment or learning disabilities, and Owners who are less familiar with English, have full access to the complaints process. Correspondence and other written information may be provided in large print and, in some circumstances, we will offer face-to-face support or advocacy to those who may need help in making their complaint. ERL encourages Owners to seek support from friends, family and other representatives.

Making a complaint on behalf of someone else

For reasons of confidentiality, ERL will only accept complaints from a representative under certain circumstances:

1. where we are certain that the Owner has consented, either verbally or in writing; or
2. where the Owner cannot complain unaided and cannot give consent because they lack capacity within the meaning of the Mental Capacity Act 2005 and the representative is acting in the Owner's best interests.

² The contact details for the appropriate alternative home warranty provider, if applicable, can be obtained from the Village General Manager or ERL's head office: Scutches Barn, 17 High Street, Whittlesford, Cambridge, CB22 4LT (Tel: 01223 835995; Email: info@erl.uk.com; Website: www.erl.uk.com).

³ The Consumer Code Secretariat can be contacted at Westgate House, Royland Road, Loughborough, Leicestershire, LE11 2EH (Email: secretariat@consumercod.co.uk; Website: www.consumercod.co.uk). Please note that the Consumer Code only applies if the home warranty has been provided by the NHBC or other organisation which subscribes to the scheme.

⁴ The PRS can be contacted at Premiere House, 1st Floor, Elstree Way, Borehamwood, WD6 1JH (Tel: 0330 321 9418; Email: info@theprs.co.uk; Website: www.theprs.co.uk).

⁵ ARHM can be contacted at: c/o EAC, Third Floor, 89 Embankment, London, SE1 7TP (Tel: 020 7463 0660; Email: enquiries@arhm.org; Website: www.arhm.org).

Legal rights

The complaints procedure outlined in this document does not affect the normal legal rights of Owners.

3. CONFIDENTIALITY

ERL respects the privacy of information supplied through the complaints process and we use it to improve our services and resolve complaints.

If a formal complaint is made against a member of staff, they will be given the opportunity to comment.

ERL provides some services in partnership with other organisations and it may be necessary to share information with our partners to resolve the complaint.

4. COMPLAINTS ABOUT SERVICES PROVIDED BY CONTRACTORS

Where services are contracted out by the developer or managing agent, Stage 1 complaints will be the responsibility of the General Manager and the contractor involved. Stage 2 complaints will be dealt with by ERL.

5. COMPLAINTS PERFORMANCE – MONITORING AND REPORTING

The management team will record the following information with regard to complaints:

1. The number of complaints.
2. The issues complained about.
3. The name and apartment number of the Owner complainant (unless anonymous).
4. The length of time taken to respond to the complainant, compared with the timescale set out in the policy.
5. Whether the complaint was upheld.

Monthly

On a monthly basis, the management team will submit the following data to ERL and Kingsdale:

1. The total number of complaints at each stage.
 2. The number of complaints responded to within the appropriate time at each stage within the month.
 3. The issues that were the subject of complaints at each stage
 4. The number of complaints upheld.
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Annually

On an annual basis, the management team will survey the complaints received to understand their content and identify any issues or improvement that can be made. An annual report will be submitted to the Owners' Forum, ERL and Kingsdale:

1. Analysis of monthly and annual trends in the number, subject and level of complaints.
2. Analysis of the percentage of complaints responded to within the appropriate timescale and the average time taken to respond.
3. Evidence of action taken by the management team and contractors to learn from complaints received and trends in those complaints.