

Dolphin Square Charitable Foundation (DSCF) and Dolphin Housing Limited (DHL)
COMPLAINTS HANDLING POLICY & PROCEDURE

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Author: Customer Services Director

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1. Scope

This policy covers the Complaint Handling procedure for those who live or are applying to live in a Dolphin Living home (meaning Dolphin Square Charitable Foundation, Hoxton Regeneration Limited and Dolphin Housing Limited).

- 1.1 At Dolphin Living, we aim to offer a positive experience to residents across all our services including our complaints procedure. It is important that our residents feel supported when raising their concerns to us and that they are able to do so without judgement or bias.

To do this effectively, we ensure that we remain compliant with the Housing Ombudsman's Complaints Handling Code, following the dispute resolution principles of:

- being fair
- putting things right
- learning from the outcomes of the complaint

- 1.2 We aim to offer our customers an efficient and effective service. We welcome suggestions on how this can be improved and will use complaints to inform such improvements. We aim to ensure all complaints are dealt with individually on their merits, in a clear and fair way.

- 1.3 This policy sets out who can make a complaint, how they can do so, which complaints can be considered using the complaints process, and the timescales within which we aim to respond.

- 1.4 The policy applies to all Dolphin Living staff, customers, our Managing Agent, and contractors acting on our behalf.

2. Conditions and exceptions

- 2.1 Complaints may not be considered or may be dealt with in a different way from that outlined in this policy, where they are pursued unreasonably or where circumstances otherwise merit it.

- 2.1a Dolphin Living will accept a complaint unless there is a valid reason not to do so. If Dolphin Living decides not to accept a complaint, we will provide evidence and our reasons for refusal. We will ensure that all complaints are handled individually and on their own merit.

If Dolphin Living does not accept a complaint the resident has the right to take their complaint to the Housing Ombudsman, Property Ombudsman or Energy Ombudsman.

- 2.2 It is not normally possible to deal with complaints using this policy where:

- a) Complaints are submitted anonymously (although we may still investigate)
- b) The matter being complained about is directly linked to legal proceedings already started by the complainant, Dolphin Living or its agent, or has already been considered via the complaints process, the courts, or another tribunal
- c) The complaint concerns the content of an approved Dolphin Living policy
- d) Complaints are submitted more than 12 months after the event being complained of,
- e) Exceptional circumstances apply

3. Policy Statement

3.1 Dolphin Living define a complaint 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'

3.2 A service request is when you ask your landlord to act, for example, carry out a repair or investigate antisocial behavior you are experiencing in your home. This will not be treated as a complaint but you may formally look to raise this as a complaint if you are unsatisfied with the outcome.

For example, a call from a customer asking us to repair a leaking tap is a request for a repair service and will not be treated as a complaint that the tap has broken. A call from a customer reporting that, despite their previous reports, an operative has not arrived to fix the tap is a complaint about our service and will be dealt with in accordance with this policy.'

If you are unhappy with a service that has already been provided, you may wish to raise a complaint to explore this further. All resident dissatisfaction, however reported will be regarded as a complaint.

3.3 We hope that residents resolve any dissatisfaction quickly by contacting the relevant Customer Services team. If contacting the relevant Customer Services team does not resolve a resident's dissatisfaction, they may follow the complaints process outlined in this policy.

3.4 A complaint can be made in accordance with this policy by anyone who receives a service from us. This includes residents, neighbours, and authorised occupants (such as household members) of the homes we own or manage. It also includes applicants for housing, recognised tenants' associations/forums (a lead contact will be required for administrative purposes), and anyone who is eligible to take their complaint to the Housing Ombudsman Service, Property Ombudsman Service or Energy Ombudsman.

3.5 Complaints can be made in writing (e.g. letter, email), by telephone, in person, or by bringing the matter to the attention of a member of staff at a meeting or appointment.

3.5(a) - If residents are unable to communicate their complaint in English or have accessibility needs, we can discuss the best method of communication for them. For example, we can arrange a translator for residents whose first language is not English.

3.5 (b) – Dolphin Living will give residents the opportunity to have a representative deal with their complaint on their behalf, and to be represented or accompanied at any meeting with the landlord.

3.6 We welcome complaints as an opportunity to learn and to improve our service and relationship with our residents. We will not respond in a defensive manner, with any judgement or bias, nor will we primarily focus on matters of fault or blame. We will listen to residents, understand the circumstances of the complaint, and will focus on resolving the complaint to the residents' satisfaction.

3.7 If all or part of the complaint is upheld, and compensation is offered as part of the resolution, it will be in line with Dolphin Living's Compensation Policy. Compensation or goodwill payments are paid at our discretion.

3.8 Compensation or goodwill payments may be offered where:

- We have failed to deliver a service to the advertised standard
- In recognition of the distress and inconvenience experienced by the customer
- To reflect where a customer has suffered a loss because of a service failure by us

3.9 We do not pay compensation or goodwill for loss of earnings.

3.10 Compensation or goodwill payments to our residents are used to offset rent or other arrears in the first instance.

Please refer to Dolphin Living's Compensation Policy for further details. A copy can be requested from the Dolphin Living Customer Services team.

3.11 How we handle your complaints is important to us and is a fundamental part of our service to you. It is an opportunity for us to learn, reflect and to make improvements for the future.

We understand that the way we handle complaints is equally important to you as it ensures your concerns are heard, acted on, and the issue is resolved to your satisfaction using our best efforts. It also affects how likely you are to inform us of any changes to your circumstances (which we might be able to help with), any issues arising with your building, or other concerns you may have. We want you to feel confident raising issues with us and in the way that we handle them.

4. Stage 1 Complaint

4.1 As a responsible Landlord, we continuously work in line with the Housing Ombudsman's Complaints Handling Code.

4.2 We will aim to contact complainants by the end of the next working day after receiving a complaint and inform complainants of their understanding of the circumstances of the complaint. The complainant will be invited to make any comments that they may have in relation to this. The Investigating Officer will aim to resolve the complaint as quickly as possible.

4.3 If the Investigating Officer cannot resolve the complaint by the end of the following working day (the 3rd working day since receiving the complaint) the matter will be formally investigated, and a determination will be reached as to whether the complaint is upheld. The Investigating Officer will have 10 working days to investigate the complaint but will aim to reach their determination as quickly as possible. The Investigating Officer will write to the complainant setting out the result of the investigation and letting the complainant know what actions have been or will be taken. If this is not possible, an explanation and a date by which Stage 1 will be received will be given. The extension will not exceed a further 10 days.

4.4 Verbal Stage 1 complaints should be made to Ivana de Carvalho on 0207 1133336

4.5 Written Stage 1 complaints may be sent
info@dolphinliving.com

Or by post to:

Dolphin Living Complaints
Manning House
22 Carlisle Place,
London SW1P 1JA

- 4.6 **Heating Complaints-** From 1st April 2025, if your home receives heating from a communal boiler system, we will be responsible for accepting complaints relating to your heating bills. We will have 8 weeks to attempt to resolve the issues raised in your complaint. However, after completing our investigation, if we are unable to resolve your complaint at Stage 1 and there is nothing further that we can do, we will send you a 'deadlock letter'. In this letter we will provide you with Energy Ombudsman's contact details. This will allow you to escalate your complaint to them within 12 months of receiving the 'deadlock letter'. There will therefore be no Stage 2 in our procedure for complaints that are handled by the Energy Ombudsman.
- 4.7 **Building Safety Complaints** – If your complaint is related to building safety and meets the criteria below, you have the right to escalate to the www.hse.gov.uk/building-safety/regulator.htm when you've exhausted our two stage complaints process. Under the Building Safety Act 2022, it's a 'relevant complaint' if you live in a 'higher risk' building at least 18 metres in height or at least seven storeys and your complaint is about:
- The performance of Dolphin Living where we are the 'principal accountable person' or 'accountable person/s' (responsible for repairing any of the common parts of the building. Common parts include the structure, corridors, lobbies and exterior spaces such as pathways and gardens)
 - The performance of a third-party 'accountable person'
 - Building safety risks such as structural safety issues and spread of fire issues in or about the building e.g.
 - Flammable cladding on the outside of the building
 - Fire doors or smoke extraction that are not working or missing, increasing the risk of a fire spreading
 - Failure of the building's structure, such as parts of the building collapsing, cracks, or parts of the building falling off.

If we believe your complaint does not meet the criteria of a 'relevant complaint' you may contact the Building Safety Regulator for final determination.

5. Stage 2 – Review by Dolphin Living Senior Management

- 5.1 If a complainant's concerns remain unresolved after receiving their Stage 1 final response, within 20 working days of receipt, they may request a review by members of the Dolphin Living Senior Management team.
- 5.2 The complainant is not required to explain their reasons for requesting Stage 2 consideration. Contact will be made with the complainant to understand their continued dissatisfaction with the stage 1 response and to seek a resolution to their satisfaction.

- 5.3 Section 6.1 The Directors will review the investigation into the complaint, the conclusions that were reached, and the response, alongside any representations from the complainant. The members of the executive team will notify the complainant of the outcome of the review within 20 working days of the Stage 2 complaint being made. The review will also be used as an opportunity to explore the resolution of the complaint.
- 5.4 Complainants who wish to progress their complaint to Stage 2 of the process should do so by contacting Jacqueline Ferguson- Resident Liaison and Regulation Manager within 20 working days from the date of their Stage 1 final response, on 020 7113 3351 or by writing to us at info@dolphinliving.com or:

Dolphin Living Complaints
Manning House
22 Carlisle Place
London
SW1P 1JA

- 5.5 Dolphin Living will accept a complaint escalation unless there is a valid reason not to do so. If Dolphin Living decides not to accept a complaint escalation, we will provide evidence and our reasons for refusal. We will ensure that all complaints are handled individually and on their own merit.
If Dolphin Living does not accept a complaint escalation the resident has the right to take their complaint to the Housing Ombudsman, Property Ombudsman or Energy Ombudsman.
- 5.6 It is not normally possible to escalate complaints using this policy where:
- a) Complaints are submitted anonymously (although we may still investigate)
 - b) The matter being complained about is directly linked to legal proceedings already started by the complainant, Dolphin Living or its agent, or has already been considered via the complaints process, the courts, or another tribunal
 - c) The complaint concerns the content of an approved Dolphin Living policy
 - d) Complaints are submitted more than 12 months after the event being complained of,
 - e) Exceptional circumstances apply

6. Ombudsman Services and Building Safety Regulator

- 6.1 If complainants are dissatisfied with the outcome of their Stage 2 complaint, they can complain further to the relevant independent ombudsman service. By this stage, complainants are considered to have exhausted the Dolphin Living Complaints Policy (a requirement for complaints to be accepted by the Ombudsman).
- 6.2 Complainants whose tenancy is with Dolphin Square Charitable Foundation or Hoxton Regeneration Limited can complain to the Property Ombudsman (TPO). More information about this service is available here: <https://www.tpos.co.uk/contact/>
- 6.3 Complainants whose tenancy is with Dolphin Housing Limited can complain to the Housing Ombudsman as set out in 6.5. More information about this service is available here: <http://www.housing-ombudsman.org.uk/>

6.4 Complainants with heating and billing queries can complain to the Energy Ombudsman. If they receive a 'deadlock letter' from us. More information about this service is available here: <https://www.energyombudsman.org/contact-us>

6.5 To complain to the Housing or Property Ombudsman, complainants must:

- Report the issue to your landlord.
- Make a formal complaint to your landlord.
- Contact the Ombudsman for help if you do not receive a response to your complaint.
- Refer the complaint to the Ombudsman for formal investigation if they are unhappy with the Stage 2 response.
- Fill in the online complaint form or email the team at info@housing-ombudsman.org.uk or <https://www.tpos.co.uk/contact/>
- Wait for the Ombudsman to investigate the complaint. Investigations take six months on average but can be faster or slower, depending on the case.

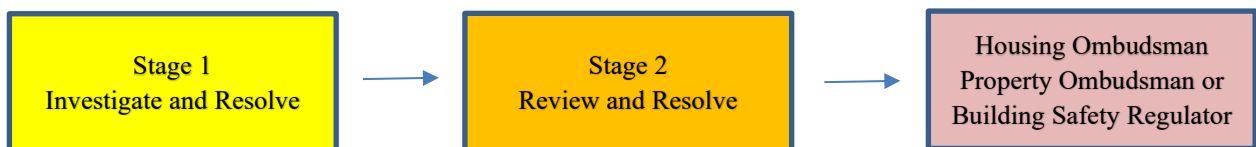
6.6 To complain to the Energy Ombudsman, complainants must:

- Report the issue to your landlord/supplier
- Make a formal complaint to your landlord
- Contact the Ombudsman for help if you do not receive a response to your complaint.
- Refer the complaint to the Ombudsman if you receive a 'Deadlock letter' which advises you that there is nothing further we can do to resolve your complaint.
- There is no Stage 2 in the handling of these complaints if a deadlock letter has been issued.
- Raise a dispute online at <https://www.energyombudsman.org/raise-dispute> within 12 months.
- Wait for the Ombudsman to investigate the complaint and respond to you.

6.7 If you are dissatisfied with the outcome of the Stage 2 building safety complaint response (as defined in 4.9) you can escalate it to the Building Safety Regulator on 0300 790 6787 or at www.gov.uk/guidance/contact-the-building-safety-regulator. You may contact them for advice at any point.

6.8 The Dolphin Living Senior Management team will advise complainants of the appropriate Ombudsmen or Building Safety Regulator to which they should complain when notifying them of the outcome of their Stage 2 complaint.

The Complaints Process:



7. Unacceptable Behaviour

7.1 Dolphin Living accepts that at times people may act in a way that is out of character, especially in times of trouble or distress. We accept that at times a complainant

may be upset or disappointed by our action or inaction and this may be demonstrated in the way that they contact us. However, where a complaint responds in an angry, violent, or unreasonable way, we reserve the right to deal with the complaint outside of this policy.

7.2 Unreasonable behaviour will include behaviour or language (whether oral or written) that may cause staff to feel afraid, threatened, or abused. This will include threats, physical violence, personal verbal abuse, derogatory remarks, and rudeness. We also consider that inflammatory statements and unsubstantiated allegations can be unreasonable behaviour.

7.3 We may restrict access to our services where a complainant places unreasonable demands on Dolphin Living or our agent's staff. For example, through demanding responses within an unreasonable timescale, insisting on seeing or speaking to a particular member of staff, repeated phone calls, emails, or letters, repeatedly changing the substance of the complaint, or raising unrelated concerns and this is having an impact on our ability to deliver a service.

1.4 If you would like more information on our Unacceptable Behaviour Policy, please let us know.

8. Unreasonable Persistence

We will consider actions to be unreasonably persistent when a customer refuses to accept a decision made in relation to a complaint; refuses to accept explanations relating to what we can and cannot do or continues to pursue a case without presenting any new information or evidence.

Where customers refuse to modify their behaviour when requested, the Customer Services Manager may take the decision to deal with them outside of the Complaints Policy. All such restrictions would be communicated to the customer in writing and must explain how the restriction has been applied.

9. Protocol for Submission of Petitions

This protocol sets out how residents can submit a petition and how we will respond to such a petition. Dolphin Living welcome petitions as a means of highlighting concerns within a local area.

9.1 Submitting a petition

A petition can be submitted by any resident. It will be the lead petitioner's responsibility to ensure that any submission will be done so under the principle of good faith, decency, honesty, and respect.

To generate a petition response, it will need to include the following:

- A minimum of 5 signatures from 5 separate households
- A clear and concise statement covering the subject of the petition; the issues which gave cause to the creation of the petition; the actions we are requested to take
- Contact details for the lead petitioner
- The name, address, postcode and signature of every individual supporting the petition, and
- The date the petition is submitted.

The petition may be submitted by email or post using the contact details provided above.

9.2 Response to a petition

An acknowledgement will be sent to the lead petitioner within 5 working days. If the lead petitioner is not identified in the letter or petition, the first signatory will be contacted to identify the lead practitioner.

A response will be sent to the lead petitioner in accordance with our complaints process.

10. Self-assessment, reporting and compliance:

10.1 Dolphin Living will carry out an annual complaints audit in preparation for the Housing Ombudsmen's Complaint's Performance and Improvements Report. This report will cover how Dolphin Living have learnt from their complaints and suggestions on how we can improve our services, including our complaints process. The report will include:

- the annual self-assessment against this Code to ensure their complaint handling policy remains in line with its requirements
- a qualitative and quantitative analysis of the landlord's complaint handling performance - this must also include a summary of the types of complaints the landlord has refused to accept
- any findings of non-compliance with this Code by the Ombudsman
- the service improvements made as a result of the learning from complaints
- any annual report about the landlord's performance from the Ombudsman
- any other relevant reports or publications produced by the Ombudsman in relation to the work of the landlord

10.2 This report will be published annually on our website. This report will also be shared with our Board Members, and a response will be written from our Board Member Responsible for complaints.

11. Scrutiny

11.1 Dolphin Living will look beyond the circumstances of the individual complaint and may consider whether service improvements can be made as a result of any learning opportunities.

11.2 Dolphin Living aims to deliver accountability and transparency to achieve a positive complaint handling culture. We will publish our findings from our complaints in our annual newsletter and provide the information where requested from stakeholders, such as TRA's, staff and other relevant committees. This is in addition to our Annual Performance and Improvement Report.

11.3 Dolphin Living's Customer Services Director is accountable for our complaints handling. They regularly assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision.

11.4 Dolphin Housing Limited will have an appointed Board Member Responsible for Complaints (BMRC) to ensure our complaints handling process is adhered to and supports a positive complaints culture.

11.5 The Board Member Responsible for Complaints also has responsibility for ensuring their Board receive regular information on complaints that provide insight into DHL's complaint

handling performance. The BMRC will have access to all the required information and staff, to perform this role and report on their findings.

11.6 As a minimum, Board Members will receive:

- regular updates on the volume, categories, and outcomes of complaints, alongside complaint handling performance
- regular reviews of issues and trends arising from complaint handling
- regular updates on the outcomes of the Ombudsman's investigations and progress made in complying with orders, including Severe Maladministration Findings
- the annual complaints performance and service improvement report

11.7 Dolphin Living require all relevant employees and third-party staff to adhere to the following standards regarding complaint handling:

- have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments
- take collective responsibility for any shortfalls identified through complaints, rather than blaming others
- act within the professional standards for engaging with complaints as set by any relevant professional body

If you would like to discuss any part of this policy further, please contact Jacqueline Ferguson-Resident Liaison and Regulation Manager JacquelineFerguson@dolphinliving.com