

Building Safety Complaints (HRBs) Policy



CLARION
HOUSING GROUP

1. Introduction

- 1.1 This policy sets out Clarion Housing Group's (Clarion's) system for managing building safety complaints related to our higher-risk buildings (HRBs). This system is designed to safeguard the well-being of our residents by being accessible and allowing for the prioritisation and resolution of building safety complaints.
- 1.2 We accept building safety complaints from Clarion residents, or those acting on their behalf (with consent), and from third parties affected by Clarion's decisions, actions, or non-actions.
- 1.3 This policy applies where a building safety complaint refers to a HRB where Clarion is the principal accountable person¹ and should be read alongside our overarching [Complaints Policy](#).

2. Purpose

- 2.1 To set out Clarion's policy for addressing complaints specifically related to building safety in HRBs, emphasising timely resolution, accountability, resident satisfaction, and compliance with requirements of the Building Safety Act 2022 and other supporting legislation.

3. Objectives

- 3.1 The objectives of this policy are to:
 - Ensure a thorough investigation of building safety complaints received by Clarion.
 - Ensure compliance to the Building Safety Act 2022 and its associated regulations.
 - Strengthen transparency and trust between Clarion and its stakeholders.
 - Promote a culture of continuous safety improvements.

4. Scope

- 4.1 This policy applies to all HRBs under the management of Clarion, where Clarion is the principal accountable person (PAP) and where a complaint received concerns a building safety risk or the performance of any duty by Clarion as the PAP/accountable person (AP) as set out by Building Safety Act 2022.

5. Key Definitions

- **Principal Accountable Person:** The organisation (or individual) who owns or has a legal obligation to repair the structure or exterior of the building. The principal accountable person has specific duties for coordinating effective fire and structural safety management for the whole building.
- **Accountable Person:** The organisation (or individual) who owns or has a legal obligation to repair any common parts of the building.
- **Building Safety Complaint:** A complaint concerning a building safety risk or the performance of any duty under the Building Safety Act 2022 and its associated regulations.
- **Building Safety Risk:** A risk related to structural failure and/or the spread of fire in the building.

¹ Where Clarion is not the principal accountable person, the building safety complaint should be made through the system operated by the organisation that is.

- **Higher-risk Building:** A building having at least 7 floors or being at least 18 metres in height and containing at least 2 residential units.
- **Customer Relationship Management (CRM):** The system we use to log and handle all complaints, including building safety complaints.

6. Making a Building Safety Complaint

6.1 Building safety complaints can be made in the following ways:

- **Clarion website** – www.myclarionhousing.com/contact-us/all-other-enquiries/making-a-complaint
- **Telephone - 0300 500 8000** – Our phone lines are open from 8:30am-5pm Monday to Friday (10am-5pm on Wednesdays)
- **Live Chat** from 8:30am-5pm Monday to Friday (10am-5pm on Wednesdays) – www.myclarionhousing.com
- **Social Media** – Facebook & X
- **Post** – Clarion Housing Group, Reed House, Peachman Way, Broadland Business Park, Norwich, NR7 0WF
- **In Person** – at a Clarion Hub or to a member of staff or a representative of an organisation working on our behalf.

6.2 There are circumstances under which an issue may be rejected as a building safety complaint, such as when:

- The matter does not fall within the scope of issues we are responsible for or fails to meet the defined criteria of a building safety complaint.
- The issues have already been investigated and resolved, with no new evidence or arguments presented.
- The concern adds information to an issue that has previously been raised and considered.

7. Building Safety Complaints Procedure

7.1 Building safety complaints are assessed and prioritised taking account of the level of risk involved on a case-by-case basis.

7.2 Our two-stage complaints procedure applies across all types of complaints, including building safety complaints.

7.3 All formal responses made by Clarion will be in writing and in a form which allows the complainant to understand the content of the information given, including explanations of technical language used, or with plain English summaries of complex or technical language.

7.4 **Stage 1** of our building safety complaints procedure operates as follows:

7.4.1 A building safety complaint is received through one of the channels outlined in paragraph 6.1.

7.4.2 The complaint will undergo a preliminary assessment to determine if it qualifies as a building safety complaint under the Building Safety Act 2022. Aspects of a complaint that meet the criteria of a building safety complaint will be assigned to our Building Safety Team.

7.4.3 If it is a qualifying building safety complaint, we will acknowledge, define, and log all aspects of the complaint, including those that relate to building safety, within **5 working days of**

receipt. If a complaint is not accepted as a building safety complaint, we will provide reasons for that decision and inform of the right to take the issue to the Building Safety Regulator for a final determination.

7.4.4 We aim to issue a full response to your building safety complaint within **10 working days** of its acknowledgement.

7.4.5 If we cannot resolve your building safety complaint within this timeframe, we will let you know the reasons why and provide a timescale that aims not to exceed **a further 10 working days**.

7.4.6 We will provide you with our response to your building safety complaint as soon as it is known. If there are outstanding actions, we will continue to track and monitor through to resolution, keeping you informed.

7.4.7 Our formal response at Stage 1 will:

- Confirm the conclusion of Stage 1 of our building safety complaints process.
- Address all material points relating to the building safety complaint.
- Give reasons for any decisions we have made.
- Give details of any action undertaken.
- Give details of any action planned, including a timeframe for that action to begin, and be completed.
- Provide an explanation of how to escalate the matter to Stage 2 if you're not satisfied with our Stage 1 response.

7.5 **Stage 2** of our building safety complaints procedure operates as follows:

7.5.1 If at the conclusion of the Stage 1 complaint process, you are dissatisfied with our response to all or some of your building safety complaint then you can request a reconsideration by escalating your complaint to Stage 2 of our process.

7.5.2 A different member of our Building Safety Team will be assigned to consider your building safety complaint at Stage 2.

7.5.3 Requests for escalation to Stage 2 must be received within **20 working days** of receiving the Stage 1 response, however, individual circumstances will be considered on a case-by-case basis if a request to reconsider is received outside of this timescale.

7.5.4 When a request to escalate a complaint to Stage 2 is made, we will acknowledge, define, and log your complaint within **5 working days** of your request to escalate being received.

7.5.5 We aim to issue a full and final response to your Stage 2 building safety complaint within **20 working days** of its acknowledgement.

7.5.6 If we cannot resolve your building safety complaint within this time, we will let you know the reasons why and provide a timescale that aims not to exceed **a further 20 working days**.

7.5.7 We will provide you with our response to your building safety complaint as soon as it is known. If there are outstanding actions, we will continue to track and monitor through to resolution, keeping you informed.

7.5.8 Our formal response at Stage 2 will:

- Confirm the conclusion of Stage 2 of our building safety complaints process.
- Address all material points relating to the building safety complaint.
- Give reasons for any decisions we have made.
- Give details of any action undertaken.
- Give details of any action planned, including a timeframe for that action to begin, and be completed.
- Provide an explanation of how to escalate the matter to the Building Safety Regulator if you're not satisfied with our Stage 2 response.

7.5.9 In some cases, you may remain dissatisfied after going through our two-stage internal building safety complaints procedure. You can refer your building safety complaint to the Building Safety Regulator (www.contact-building-safety-regulator.service.gov.uk).

7.5.10 An issue relating to building safety risks, or the performance of an accountable person can be referred to Building Safety Regulator with the complainant's consent when:

- An agreement cannot be reached between the principal accountable person and the accountable person (where this is applicable).
- There is no satisfactory outcome after a final response is given.
- The complainant is not satisfied with the outcome.

8. Roles and Responsibilities

8.1 We have a dedicated Complaints Team who serve as the primary point of contact for all resident complaints, ensuring each is accurately recorded, acknowledged, and directed to the appropriate department for resolution.

8.2 When a complaint involves building safety concerns under the Building Safety Act 2022, it is assigned to the Building Safety Team. This team works with the Complaints Team to investigate building safety complaints to ensure compliance with safety standards and regulations, providing necessary input related to building safety matters.

8.3 The Complaints Team, maintaining communication with the complainant, integrates these inputs to formulate the response. This approach aims to ensure effective complaint resolution while maintaining clear communication channels with complainants.

8.4 The Chief Customer Officer has lead executive responsibility for complaint handling and ensuring a positive complaint handling culture across Clarion. They assess any themes or trends to identify any potential systemic issues, serious risks, or policies and procedures that require revision.

8.5 All Clarion colleagues must be aware of the complaints process and be able to pass details of the complaint to the Complaints team.

8.6 As the governing body, the Clarion Housing Association Board oversees our complaint performance and has responsibility for reviewing and responding to Clarion's Annual Complaints Performance and Service Improvement report and publishing it on our website.

9. Monitoring and Compliance

9.1 Regular audits will be conducted to assess the effectiveness of our building safety complaints procedure to ensure we are providing timely responses and resolutions. Feedback from complainants will be used to drive continuous improvement.

10. Record Keeping and Data Retention

10.1 All complaints and their resolutions will be documented and retained in our CRM system for a minimum of seven years.

10.2 Confidentiality and data protection principles apply to the building safety complaints process. We will not share any personal or property information gathered as part of the complaint investigation with any third party who is not entitled to receive it, in line with our Data Protection policy.

11. Equity, Diversity, and Inclusion

11.1 We are committed to making our complaints process accessible and easy to use for all our customers in line with our statutory duties and our commitment to Equity, Diversity, and Inclusion.

11.2 If you need support in making your complaint, please tell us. All requests will be considered and – where possible – acted on in accordance with our Reasonable Adjustments Policy and the Equality Act 2010.

11.3 You can request a reasonable adjustment from us through the officer you are engaging with, or by contacting us through any of the channels above.

11.4 Examples of the support we can provide include providing information in alternative formats, adapting our communication method, and allowing more time for a complaint to be brought to our attention.

11.5 An Equality Impact Assessment (EIA) has been carried out for this policy, focusing particularly on the protected characteristics specified in the Equality Act 2010. We will monitor and review complaints with a view to identifying and rectifying any adverse impacts on our customers.

12. Publication and Accessibility

12.1 To ensure accessibility, this complaints policy will be published and updated on Clarion's website and referenced in our Building Safety Resident Engagement Strategies. This will ensure that all residents and stakeholders are aware of how to raise building safety complaints.

13. Reviews and Revisions

13.1 This policy will be reviewed once every 18 months, or sooner if required to reflect changes in legislation, regulations, or best practices.

14. Associated Documents

- [Complaints Policy](#)
- [Mandatory Reporting of Safety Occurrences \(HRBs\) Policy](#)
- [Building Safety Act 2022: Sections 93 & 94](#)
- [The Higher-Risk Buildings \(Management of Safety Risks etc\) \(England\) Regulations 2023: Regulation 12](#)
- [The Higher-Risk Buildings \(Keeping and Provision of Information etc.\) \(England\) Regulations 2023: Schedule 1, Paragraphs 14 & 30](#)
- [The Higher-Risk Buildings \(Keeping and Provision of Information etc.\) \(England\) Regulations 2023: Schedule 2, Paragraph 3\(6-7\)](#)
- <https://www.gov.uk/guidance/contact-the-building-safety-regulator>
- [Vulnerable Residents and Reasonable Adjustments Policy](#)