

Higher-Risk Building Complaints Policy	
Approved by Board	Issue number 1
Approved date November 2024	Review date November 2026
Previous Version N/A	Responsible Officer Director of Housing

1.	Aims and Objectives
1.1	This policy relates to complaints regarding building safety in occupied higher-risk buildings as defined by the Building Safety Act 2022.
1.2	The purpose of this policy is to: <ul style="list-style-type: none"> • Clarify what a 'relevant complaint' is, so that residents know when and how to raise issues. • Make it easy for residents to raise concerns to Hightown regarding building safety risks. • Ensure impartial and fair treatment for all the issues raised. • Ensure investigations of relevant complaints related to higher-risk buildings are prioritised.
2.	Definitions and Scope
2.1	Higher-risk buildings are defined under the Building Safety Act 2022 as a building in England that: <ul style="list-style-type: none"> • is at least 18 metres in height or has at least 7 storeys; and • contains at least 2 residential units
2.2	A relevant complaint is a complaint in relation to: <ul style="list-style-type: none"> • building safety risks, which are structural safety issues and spread of fire issues. For example: <ul style="list-style-type: none"> ○ flammable cladding on the outside of a building ○ fire doors or smoke extraction which are not working, or are missing, that may increase the risk of fire spread ○ failure of the building's structure, such as parts of the building collapsing, cracks, or parts of the building falling off

	<ul style="list-style-type: none"> • the performance of an Accountable Person (AP) or Principle Accountable Person (PAP). For example: <ul style="list-style-type: none"> ○ their communications to residents ○ responses to raised concerns ○ how they manage building safety risks
2.3	A higher-risk building is defined as 'occupied' if there are residents in more than one residential unit. Appendix 1 lists all Hightown in-scope buildings.
2.4	Building safety risks include a risk to the safety of people in or about the building arising from either the spread of fire or structural failure.
2.5	Common parts include the structure and exterior, corridors, and lobbies.
2.6	Prescribed information is key building safety information, often referred to as Golden Thread
2.7	The Accountable Person (AP) is either a person or organisation that owns or is responsible for repairing any of the common parts of the building, or a person or organisation required under the terms of a lease, or by an enactment, to repair or maintain any part of the common parts.
2.7.1	All occupied high-rise residential buildings must have one clearly identifiable AP, known as the Principal Accountable Person (PAP) who is responsible for ensuring that fire and structural safety is being properly managed for the whole building. The PAP could be either a person or an organisation and examples of their roles include: <ul style="list-style-type: none"> • communications to residents • responses to raised concerns • how building safety risks are managed
2.8	Exclusions not considered under this policy
2.8.1	The following matters will not be considered under this policy: <ul style="list-style-type: none"> • Where the complaint does not meet the definition of a relevant complaint • Service or maintenance requests
2.8.2	Hightown will explain to the complainant why it considers a matter to be excluded from this policy, and where appropriate, the complaint will be passed for investigation and response under Hightown's Complaints Policy. Information will be provided about referring the complaint to the Building Safety Regulator or Housing Ombudsman Service where appropriate
3.	Higher-risk building complaints (relevant complaints)
3.1	Any person can make a relevant complaint, they do not need to be a customer to raise a concern. Residents and other users of the building are entitled to make a relevant complaint, which will be managed in accordance with this policy.
3.2	A complaint can be made in person, in writing, by phone, and/or via social media. With the permission of the complainant, it may also be made on their behalf by a representative or advocate.

3.3	Hightown will adhere to the requirements of the Equality Act 2010 and consider any reasonable adjustments needed, where appropriate, to support customers to access and go through the complaints process.
3.4	A relevant complaint can be raised in any way with any member of staff. All staff are made aware of the Higher Risk Buildings complaints process and will pass any relevant complaint on to the Building Safety Lead Manager to deal with the complaint. Relevant Complaints will be logged by the Complaints and Resolution Team.
3.5	All safety complaints must be reviewed within one working day. If the complaint is about non safety-related concerns, it will not be considered a relevant complaint and will be assigned to the Complaints and Resolution Team for them to respond within response times set out in Hightown's Complaints Policy.
3.6	Hightown will acknowledge a relevant complaint within three working days. When a complaint is received, the complainant will be provided with a complaint reference number and advised of the name of the member of staff who will be investigating the complaint.
3.7	Relevant Complaints will be assigned to the Building Safety Lead Manager for investigation and response, Head of Asset Management and Sustainability will also be made aware.
3.8	The Building Safety Lead Manager/Head of Asset Management and Sustainability will investigate the complaint and provide a response within ten working days. The complainant will be advised if, due to complexity, the investigation requires additional time and the reasons for this will be explained.
3.9	<p>Hightown will investigate and respond to the issues raised using simple language and in a format that the complainant can understand. Hightown's response will:</p> <ul style="list-style-type: none"> • address all of the issues that were raised as part of the relevant complaint • provide reasons for any decisions made • detail actions that have been carried out or are planned, providing timeframes for when these will be completed
3.10	If the complainant does not agree with Hightown's response to their complaint, a review can be requested within twenty working days of the response being sent. The complainant must set out why they do not agree with the stage one response and what remedy they are seeking.
3.11	Requests for escalation will be acknowledged within three working days. The Head of Asset Management and Sustainability will review the complaint and provide a response within twenty working days. If, due to complexity, more time is required for the review this will be explained to the complainant and reasons given.
3.12	Where a request for a review is received, Hightown will review the original response and consider if there are further concerns that need addressing.
3.13	<p>The Head of Asset Management and Sustainability will respond to the complainant with the outcome of the review, and will:</p> <ul style="list-style-type: none"> • address all of the issues that were raised as part of the request of the review of the relevant complaint • provide reasons for any decisions made

<p>3.14</p> <p>4.0</p> <p>4.1</p> <p>4.2</p>	<ul style="list-style-type: none"> • detail actions that have been carried out or are planned, providing timeframes for when these will be completed <p>The Head of Asset Management and Sustainability's decision is final and no further representations on the same matter will be considered.</p> <p>Escalations: The Building Safety Regulator (BSR)</p> <p>The complainant can refer their complaint to the BSR if:</p> <ul style="list-style-type: none"> • the complainant does not feel able to make a complaint to Hightown Housing Association • the complainant does not feel able to raise their concerns with Hightown <p>Relevant Complaints can be referred to the Building Safety Regulator with the complainant's consent if:</p> <ul style="list-style-type: none"> • the complainant is not satisfied with the final response from Hightown as the PAP • an agreement cannot be reached between the PAP and the AP • the complainant has unresolved issues in relation to the complaint • Hightown does not provide a response to the complaint
<p>5.0</p> <p>5.1</p> <p>5.2</p> <p>5.3</p>	<p>Requests for Information</p> <p>Requests for prescribed information (see point 2.6) can be made by a resident of an occupied Higher Risk Building aged 16 or over, or an owner of a residential unit in the building.</p> <p>Hightown will respond to requests for prescribed information within one calendar month. If, due to complexity, more time is required the complainant will be advised of this and the reasons will be explained.</p> <p>In responding, Hightown will comply with its obligations under data protection legislation and any other statutory or regulatory requirements.</p>
<p>6.0</p> <p>6.1</p> <p>6.2</p>	<p>Keeping a record of relevant complaints</p> <p>Hightown will keep records of any Relevant Complaint for seven years, which will include the following:</p> <ul style="list-style-type: none"> • 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 <p>If more than one relevant complaint is made about the same issue within a seven-year timeframe, this is known as a recurring complaint. For each recurring relevant complaint, the Principle Accountable Person must keep at least one of the following:</p> <ul style="list-style-type: none"> • the subject and nature of the recurring complaint • the date the recurring complaint was made
<p>7.</p>	<p>Legal/Regulatory Background</p> <p>Building Safety Act 2022</p>

	<p>Social Housing Regulation Act 2023 Equality Act 2010 Data Protection Act 2018</p>
8.	<p>Other considerations: Hightown will publicise this policy and the role of the PAP and AP to residents of our Higher Risk Buildings (see appendix 1).</p> <p>The Operations Committee receive quarterly and annual reports on complaints performance, which include complaints made under this policy.</p> <p>Hightown will make reasonable adjustments in the implementation of this policy, where required, to meet the needs of complainants. Any such adjustments made to will be clearly recorded.</p> <p>Hightown will provide this policy in a different language or alternative format upon request (for example large text, easy read, braille or audio).</p>
9.	<p>Policy/document References: Complaints Policy Compensation Policy Complaints Handling Procedure Vulnerable Residents Policy Data Protection and Privacy Policy</p>

Appendix 1 – Hightown's Higher-Risk Buildings

Hosking Court, Hemel Hempstead

Kestrel Court, Hemel Hempstead

Maylands View, Hemel Hempstead