Luscombe Maye's
Complaint Handling Procedure (CHP)

November 2026

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Luscombe Maye Complaint Handling Procedure (CHP)

1 Foreword

1.1 This Complaint Handling Procedure reflects Luscombe Maye's commitment to valuing complaints. Members of the public should feel free to raise matters of genuine concern without risk of disadvantage. Our aim is to resolve issues of dissatisfaction as close to the initial point of contact as possible and to conduct thorough and fair investigations of complaints so that, where appropriate, we can make evidence-based decisions on the facts of each individual case.

1.2 Resolving complaints early saves time and resources and contributes to the overall efficiency of Luscombe Maye. Concentrating on achieving an early resolution of a complaint as close to the point of contact as possible will free up the time of staff and ultimately contribute to the continued positive experience of our staff and members of the public.

1.3 This procedure has been drawn up in good faith.

1.4 This procedure was formally approved by Luscombe Maye in April 2017.

2 Scope and purpose

2.1 What is a complaint?

For the purpose of this procedure, a complaint may be defined as:

> 'An expression of dissatisfaction by one or more individuals about the standard of service, action or lack of action by or on behalf of the Institution.'

A complaint may relate to:

- the quality and standard of service
- failure to provide a service
- the quality of facilities
- treatment by or attitude of a staff member or contractor
- inappropriate behaviour by a staff member or contractor
- the failure of Luscombe Maye to follow an appropriate administrative process
- dissatisfaction with Luscombe Maye's policies, although it is recognised that policy is set at the discretion of Luscombe Maye.

The definition of a complaint is very broad and the list above is not exhaustive. However, not every concern raised with Luscombe Maye is a complaint. For example, the following **are not complaints:**

- a routine, first-time request for a service
- a request under the Freedom of Information Act or Data Protection Act*
- a request for information or an explanation of policy or practice
- a response to an invitation to provide feedback through a formal mechanism such as a questionnaire will generally not be treated as a complaint
- an insurance claim
- an issue which is being, or has been, considered by a court or tribunal
- a request for compensation only
- an attempt to have a complaint reconsidered where Luscombe Maye's procedure has been completed and a final decision has been issued
- a grievance by a member of staff which is eligible for handling through the Staff Grievance Policy
- an appeal about decision on assessment or admission.

These issues will be dealt with under the alternative appropriate processes rather than under the CHP. It should be noted, however, that some situations can involve a combination of issues, some are complaints and others are not, and each case should be assessed on a case by case basis.

*For information on **Data Protection**, please see https://www.gov.uk/data-protection/the-data-protection-act.

2.2 Who can make a complaint?

The CHP covers complaints from anyone who receives, requests or is affected by our services. Complaints may be submitted by:

- current clients and those who have left recently (all referred to as 'clients' through the remainder of this document), where they have a complaint about matters which are (or were at the time they arose) the responsibility of Luscombe Maye
- members of the public, where they have a complaint about matters which are (or which were at the time the issue arose) the responsibility of Luscombe Maye
- members of the public who are applying for employment with Luscombe Maye and whose complaint does not relate to matters of judgement.

The basic processes for investigating complaints are the same for clients, members of the public and applicants to Luscombe Maye.

Sometimes individuals may be unable or reluctant to make a complaint on their own. Luscombe Maye will accept complaints brought by third parties, as long as the individual affected has given their personal consent under the requirements of the Data Protection Act (1998). This usually means that the complainant must give clear written authority to Luscombe Maye for the third party to act on their behalf. Complaints made by a third party with the explicit permission of the complainant will be dealt with according to the same timescales.

2.3 Anonymous complaints

Complaints submitted anonymously will be considered if there is enough information in the complaint to enable Luscombe Maye to make further enquiries. If, however, an anonymous complaint does not provide enough information to enable us to take further action, we may decide not to pursue it further. However, Luscombe Maye may give consideration to the issues raised, and will record the complaint so that corrective action can be taken as appropriate.

Any decision not to pursue an anonymous complaint must be authorised by a Partner of Luscombe Maye. If an anonymous complaint contains serious allegations, it should be referred to a Partner of Luscombe Maye immediately.

2.4 Complaints involving more than one department

If a complaint relates to the actions of two or more departments or service areas, the staff member receiving the complaint must confer with the other area(s) to decide who will take the lead on the complaint. The complainant will be told to whom the complaint is being passed and given their contact details. Coordination may be required between different areas of Luscombe Maye to ensure that the complaint is fully addressed in a single response. The nature of the complaint may also require parallel procedures to be initiated (such as referral to staff disciplinary procedures).

2.5 Complaints involving other organisations or contractors who provide a service on behalf of Luscombe Maye

If an individual complains to Luscombe Maye about the service of another organisation, but Luscombe Maye has no involvement in the issue, the individual should be advised to contact the appropriate organisation directly.

Where a complaint relates to a Luscombe Maye service and the service of another organisation the complaint must be handled through the CHP in the first instance. In particular, the same timescales will apply. This relates to complaints that involve services provided on Luscombe Maye's behalf (such as partner institutions and contractors) or to

those provided by a separate organisation (such as third party agencies). If enquiries to an outside organisation in relation to the complaint are required, care must be taken to comply with Data Protection legislation and the guidance on handling personal information. Such complaints may include, for example:

- A complaint made in relation to provision of third-party services
- A complaint made about a service that is contracted out
- A complaint made to Luscombe Maye about a loan where the dissatisfaction relates to the service we have provided and the service the loan agency has provided.

2.6 Time limit for making complaints

We are committed to providing a professional service to all our clients and customers. If things go wrong we need you to tell us about them. This will help us to improve our service going forward and resolve issues as soon as possible.
If you have a complaint, please put this in writing (letter or email) to us. We will then acknowledge and respond in line with the timescales and stages set out below.

Stage 1: Your Complaint
Please put your complaint in writing either by letter or email and address it to Mr S E T Hext, Senior Director. Please include as much detail as possible, including dates, names of any members of staff you dealt with, and where you are able to enclosing/attaching any supporting evidence.

Address: Mr S E T Hext, 62 Fore Street, Kingsbridge, Devon, TQ7 1PP

Email: stuart.hext@luscombemaye.com

Stage 2: Our Acknowledgement: Timescale - within 3 working days of receiving your complaint.

Your complaint will be acknowledged and we will start our in house complaints process.

Stage 3: Our Investigation: Timescale within 15 working days of receiving your complaint

Your complaint will be investigated and Mr S E Hext will provide a formal written response addressing your specific complaints and proposing resolutions where appropriate.

Stage 5: The Property Ombudsman: Timescale - You must refer your complaint to the Ombudsman within 12 months of receiving our final viewpoint letter

If you are still not satisfied after the last stage of the in-house complaint procedure (or more than 8 weeks has elapsed since the complaint was first made) you can request an independent review from The Property Ombudsman without charge.
The Property Ombudsman
Unit 159756
P O Box 7169
Poole
BH15 9EL
01722 333306
www.tpos.co.uk admin@tpos.co.uk

No charge will be made for any complaint we handle.

3 The Complaint Handling Procedure

3.1 Overview

The CHP is intended to provide a quick, simple and streamlined procedure with a strong focus on early resolution by empowered and well-trained staff. The procedure involves up to three stages, details of which are explained below.

Frontline Resolution seeks to resolve straightforward complaints swiftly and effectively at the point at which the complaint is made, or as close to that point as possible.

Stage 3: Our Investigation is appropriate where a complainant is dissatisfied with the outcome of frontline resolution, or where frontline resolution is not possible or appropriate due to the complexity or seriousness of the case.

Stage 4 – Independent external review is appropriate where a complainant is dissatisfied with the outcome of frontline resolution, or where frontline resolution is not possible or appropriate due to the complexity or seriousness of the case.

Stage 5: The Property Ombudsman: Timescale - You must refer your complaint to the Ombudsman within 12 months of receiving our final viewpoint letter.

3.2 Frontline Resolution – to be completed within three working days

Anyone who has a complaint is encouraged to raise it initially at the point of, or as close to the point of, becoming aware of it as possible and to raise it with the department or service area in which the issue arose. Complaints at this stage may be made face-to-face, by phone, in writing or by email.

The purpose of frontline resolution is to attempt to resolve as quickly as possible complaints which are straightforward and require little or no investigation. Complaints at this stage of the process may be addressed by any relevant member of Luscombe Maye's staff and may be handled by way of a face-to-face discussion with the complainant, or by asking an appropriate member of staff to deal with the complaint.

Members of staff to whom complaints are made will consider some key questions:

- Is this a complaint or should the individual be referred to another procedure?
- What specifically is the complaint (or complaints) about and which area(s) of Luscombe Maye is /are involved?
- What outcome is the complainant hoping for and can it be achieved?
- Is this complaint straightforward and likely to be resolved with little or no investigation?
- Can the complaint be resolved on the spot by providing an apology /explanation / alternative solution?
- If I cannot help, can another member of staff assist in seeking a frontline resolution?
- What assistance can be provided to the complainant in taking this forward?

Resolution may be achieved by providing an on-the-spot explanation of why the issue occurred and/or an apology and, where possible, what will be done to stop this happening in the future.

If responsibility for the issue being complained about lies in the staff member's area of work, every attempt will be made to resolve the problem at source. If responsibility lies elsewhere, the staff member receiving the complaint will liaise with the relevant area rather than simply passing the complainant on to another office.

3.3 Extension to the three day timeline

Frontline resolution should normally be completed within five working days, though a resolution may be achieved more quickly. In exceptional circumstances a short extension of time may be necessary to increase the possibility of resolving the complaint at the frontline resolution stage (for example, by obtaining information from other areas where no single area of Luscombe Maye is responsible for the issue(s) being complained about). Where an extension is required this must be agreed by an appropriate senior manager. The complainant must be told of the reasons for extending the deadline and advised of the new timescale for resolution.

3.4 Closing the complaint at the frontline resolution stage

The outcome will be communicated to the complainant. This may be face-to-face, by phone, in writing or by email. There is no requirement to send out further written communication to the complainant, although Luscombe Maye may issue a written response where it seems helpful to do so.

Once a decision has been issued, the record of the complaint must be updated on the recording system, including details of the decision reached. The complaint should then be closed.

3.5 Stage 3: Complaint Investigation – to be completed within 15 working days

These complaints may already have been considered at the frontline resolution stage, or they may be complaints identified upon receipt as appropriate for immediate investigation.

A complaint will be moved to the investigation stage when:

- frontline resolution was attempted, but the complainant remains dissatisfied. This may be after the case has been closed following the frontline resolution stage
- the complainant refuses to recognise or engage with the frontline resolution process and is insistent that the issue be addressed by a more senior member of staff
- the issues raised are complex and will require detailed investigation
- the complaint relates to issues that have been identified by Luscombe Maye as high risk or high profile.

Special attention will be given to identifying complaints considered high risk or high profile, as these may require particular action or may raise critical issues requiring direct input from senior management. Potential high risk /high profile complaints may:

- involve a death or terminal illness
- involve serious service failure, for example major delays in service provision or repeated failures to provide a service
- generate significant and on-going press interest
- pose a serious operational risk to Luscombe Maye
- present issues of a highly sensitive nature.

A person can make a complaint in writing, in person, by telephone, by email or by having someone complain on their behalf. Where it is clear that a complaint will need to be considered at the investigation stage rather than through frontline resolution, the complainant will be asked to complete the appropriate complaint form to provide full details of the complaint and any relevant documentation. If they choose not to write it down and would prefer to complain in person, the complaint form can be completed with them and a letter to confirm the scope of the complaint issued to them.

The purpose of conducting an investigation is to establish all of the facts relevant to the points made in the complaint and to provide a full, objective and proportionate response to the complainant that represents Luscombe Maye's definitive position.

3.6 What Luscombe Maye will do when it receives a complaint for Stage 3 Complaint Investigation

Luscombe Maye will allocate the complaint to a Complaint Investigator (see section 5.1 of this procedure). It is important to be clear from the start of the investigation stage exactly what is being investigated, and to ensure that both the complainant and the investigator understand the scope of the investigation. In discussion with the complainant, three key questions should be considered:

1 What specifically is the complaint (or complaints)?
2 What does the complainant hope to achieve by complaining?
3 Do the complainant's expectations appear to be reasonable and achievable?

If the complainant's expectations appear to exceed what Luscombe Maye can reasonably provide or are not within Luscombe Maye's power to provide, the complainant will be advised of this as soon as possible in order to manage expectations about possible outcomes.

Details of the complaint must be recorded on the system for recording complaints. Where the complaint has been through the frontline resolution stage this must be shown in the complaints log. At the conclusion of the investigation the log must be updated to reflect the final outcome and any action taken in response to the complaint.

3.7 Timelines at Stage 3 Complaint Investigation

The following deadlines will be used for cases at the investigation stage of the CHP:

- complaints will be acknowledged in writing within three working days
- Luscombe Maye will provide a full response to the complaint as soon as possible but not later than 20 working days from the time that the complaint was received for investigation.

3.8 Extension to the timeline

Not all investigations will be able to meet this deadline; for example some complaints are so complex that they will require careful consideration and detailed investigation beyond the 20 working days timeline. Where there are clear and justifiable reasons for extending the timescale, senior management will exercise judgement and will set time limits on any

extended investigation, with the agreement of the complainant. If the complainant does not agree to an extension but it is unavoidable and reasonable, then senior management must consider and confirm the extension. In such circumstances, the complainant must be kept updated on the reason for the delay and given a revised timescale for bringing the investigation to a conclusion. It is expected, however, that this will be the exception and that Luscombe Maye will always strive to deliver a definitive response to the complaint within 20 working days.

Where an extension has been agreed, this will be recorded appropriately and the proportion of complaints that exceed the 20 working day-limit will be evident from any reported statistics.

3.9 Mediation and other dispute resolution options

Some complex complaints (where, for example, the complainant and/or other involved parties have become entrenched in their position) may benefit from a different approach to resolving the complaint. Using mediation can help both parties to understand what is driving the complaint, and may be more likely to result in a mutually satisfactory conclusion being reached. Whilst Luscombe Maye does not have a formal mediation service, parties wishing to consider alternatives to complaint investigation should enquire about this with the investigator. Where other means of dispute resolution are attempted, the complaint investigation will be suspended pending the outcome. If the complaint is not resolved by alternative resolution techniques, complaint investigation will be resumed and revised timescales will be agreed.

3.10 Closing the complaint at the Complaint Investigation stage

The outcome of the investigation will be communicated to the complainant in writing. The decision, and details of how and when it was communicated to the complainant, must be recorded on the system for recording complaints. The decision will also advise the complainant about:

- their right to ask The Property Ombudsman to review the complaint
- the time limit for doing so
- how to contact The Property Ombudsman.

4 Independent external review (The Property Ombudsman)

4.1 Role of The Property Ombudsman

Once the Stage 2 Complaint Investigation has been completed, the complainant, if NOT a Business, is entitled to ask The Property Ombudsman to look at their complaint. The Property

Ombudsman considers complaints from people who remain dissatisfied at the conclusion of Luscombe Maye's CHP. The Property Ombudsman looks at issues such as service failure and maladministration (administrative fault) as well as the way Luscombe Maye has handled the complaint.

4.2 Contact information for The Property Ombudsman

Consumer redress mechanisms

The Property Ombudsman is free to consumers and can consider any consumer complaints. The new name accommodates the increasing number of estate agents and residential managing agents who are now members of the service. The Property Ombudsman is an approved redress scheme for estate agents under the Consumers, Estate Agents and Redress Act 2007.

The contact details for The Property Ombudsman are:

Unit 159756, PO Box 7169, Poole, BH15 9EL.

t 01722 333306
e admin@tpos.co.uk
w www.tpos.co.uk

Business redress mechanisms

RICS Dispute Resolution Service (DRS) provides services to resolve disputes in land, property and construction. DRS services are only for business to business disputes. RICS firms can opt to use this scheme on an ad-hoc basis if disputes arise.

The contact details for the DRS are:

RICS Dispute Resolution Service
Surveyor Court
Westwood Way
Coventry
CV4 8JE
t 020 7334 3806
e drs@rics.org
w www.rics.org/drs

5 Governance of the Complaint Handling Procedure

5.1 Staff roles and responsibilities

All staff will be aware of:

- the CHP
- how to handle and record complaints at the frontline resolution stage
- who they can refer a complaint to if they are unable to handle the matter personally
- the need to try and resolve complaints early and as locally (within their department) as possible and
- their clear authority to attempt to resolve any complaints they may be called upon to deal with.

Senior management will ensure that:

- Luscombe Maye's final position on a complaint investigation is signed off by an appropriate senior member of staff in order to provide assurance that this is the definitive response of Luscombe Maye and that the complainant's concerns have been taken seriously
- it maintains overall responsibility and accountability for the management and governance of complaints handling within Luscombe Maye
- it has an active role in, and understanding of, the CHP (although not necessarily involved in the decision making process of complaints handling)
- mechanisms are in place to ensure a consistent approach to the way complaints handling information is managed, monitored, reviewed and reported at all levels in Luscombe Maye, and
- complaints information is used to improve services.

Senior Director: The Senior Director provides leadership and direction to Luscombe Maye. This includes ensuring that there is an effective CHP with a robust investigation process which demonstrates that organisational learning is in place.

Investigations Manager: reports to The Senior Director and is responsible for receiving and acknowledging complaints at the Complaint Investigation stage. The Investigations Manager checks complaints initially to ensure that they are within time and within jurisdiction, refers them for frontline resolution if this has not been attempted and seems appropriate, and is responsible for the allocation of complaint investigations to appropriate trained investigators, bearing in mind the need to avoid any possible conflict of interest. The Investigations Manager is also responsible for signing off the Investigation Report (in consultation with senior colleagues as necessary) and for ensuring that a) individuals affected by the report are notified of the outcome as appropriate and b) case-specific

remedial action and/or process improvement for the future are drawn to the attention of the relevant area(s). The Investigations Manager is also Luscombe Maye's The Property Ombudsman Liaison Officer. As The Property Ombudsman Liaison Officer, the Investigations Manager is responsible for providing complaints information in an orderly, structured way within requested timescales, providing comments on factual accuracy on behalf of Luscombe Maye in response to any The Property Ombudsman reports, confirming recommendations have been implemented, and providing evidence to verify this.

Complaint Investigator: Complaint Investigators are suitably trained staff members or Partners responsible for the conduct of the complaint investigation and are involved in the investigation and the coordination of all aspects of the response to the complainant. This may include preparing a comprehensive written report, including details of any recommended procedural changes to service delivery. Working with the Investigations Manager, Complaint Investigators have a clear remit to investigate effectively and reach robust decisions on more complex complaints. This also requires clear direction and support from senior management on the extent and limits of discretion and responsibilities in investigating and resolving complaints, including the ability to identify failings, take effective remedial action and issue an apology, where it is appropriate to do so.

All staff: A complaint may be made to any member of staff. All staff must, therefore, be aware of the CHP and how to handle and record complaints at the frontline resolution stage. They should also be aware of whom to refer a complaint to, if they are not able to handle the matter personally. We encourage all staff to try to resolve complaints early, as close to the point of service delivery as possible.

6 Recording, reporting, publicising and learning

Valuable feedback is obtained through complaints. One of the objectives of the CHP is to identify opportunities to improve provision of services across Luscombe Maye. Staff must record all complaints so that complaints data can be used for analysis and management reporting. By recording and using complaints information in this way, the causes of complaints can be identified and addressed and, where appropriate, training opportunities can be identified and improvements introduced.

6.1 Recording complaints

To collect suitable data, it is essential that all complaints are recorded in sufficient detail. The minimum requirements are as follows:

- name and contact details of the complainant
- date of receipt of the complaint
- how the complaint was received

- category of complaint
- staff member responsible for handling the complaint
- department to which the complaint relates
- action taken and outcome at frontline resolution stage
- date the complaint was closed at the frontline resolution stage
- date the investigation stage was initiated (if applicable)
- action taken and outcome at investigation stage (if applicable)
- date the complaint was closed at the investigation stage (if applicable)
- underlying cause and remedial action taken (if applicable)
- response times at each stage

Luscombe Maye has structured systems for recording complaints, their outcomes and any resulting action so that the complaint data can be used for internal reporting as indicated below.

6.2 Reporting of complaints

Luscombe Maye has a system for the internal reporting of complaints information. Regularly reporting the analysis of complaints information helps to inform management of where improvements are required. Information reported internally will include:

- performance statistics, detailing complaints volumes, types and key performance information, for example on time taken and stage at which complaints were resolved
- the trends and outcomes of complaints and the actions taken in response including examples to demonstrate how complaints have helped improve services.

This information will be reported at each (monthly) Partners meeting.

6.3 Publicising complaints performance information

Luscombe Maye will publish internally a summary of complaints outcomes, trends and actions taken to improve services, with a focus on case studies and examples of how complaints have helped improve services as deemed appropriate. This may also include positive feedback from staff and members of the public.

This demonstrates Luscombe Maye's approach to improving services on the basis of complaints and shows that complaints can influence our services. It also helps ensure transparency in our complaints handling and will help to demonstrate to our staff and members of the public that we value their complaints.

Luscombe Maye will report on complaint handling performance annually in line with any The Property Ombudsman or RICS requirements.

6.4 Learning from complaints

Complaint Investigators will always try to ensure that all parties involved understand the findings of the investigation and any decisions made. Senior management will ensure that Luscombe Maye has procedures in place to act on issues that are identified. These procedures facilitate:

- using complaints data to identify the root cause of complaints
- taking action to reduce the chance of this happening again
- recording the details of corrective action in the complaints file
- systematically reviewing complaints performance reports to improve performance.

The analysis of management reports detailing complaints performance will help to ensure that any trends or wider issues which may not be obvious from individual complaints are quickly identified and addressed. Where Luscombe Maye identifies the need for service improvement:

- a member of staff will be designated the 'owner' of the issue, with responsibility for ensuring that any identified action is taken
- a target date will be set for the action to be implemented, and followed up on to ensure delivery within this timescale
- where appropriate, performance in the service area will be monitored to ensure that the issue has been resolved.

7 Maintaining confidentiality

7.1 Confidentiality and data protection

Complaints will be handled with discretion and access to information about individual investigations will only be shared with those who have a legitimate access requirement. In determining access requirements Luscombe Maye will have regard to legislative requirements; for example, data protection legislation and freedom of information legislation and also internal policies on confidentiality and the use of complainant information.

Information about individual complaints will only be shared with those who need access for a legitimate purpose. This includes staff investigating and responding to the complaint.

Individuals have the right to access information concerning them, except in limited circumstances. For example, complainants and other parties to the complaint are entitled to

access the information about them gathered by complaint investigators. Exceptions to the right to access information about oneself include occasions where disclosure would have an adverse impact on health and wellbeing, management planning, negotiations or the prevention or detection of crime.

Promises of confidentiality will only be given when absolutely necessary to obtain the co-operation of a witness. For example, a witness to an alleged sexual assault may be unwilling to provide a statement to complaint investigators without a promise of confidentiality. Promises of confidentiality will be specific and conform to the firm's guidance.

7.2 Reporting outcomes

Where a complaint has been raised against a member of staff and has been upheld or partially upheld, the complainant will be advised of this. However, information about specific staff members will not normally be shared, particularly where disciplinary action is taken.

8 Managing unreasonable complaints and/or unacceptable behaviour

8.1 Basic principles and expectations

Luscombe Maye values complaints as an important tool in enabling staff, applicants and members of the public to raise matters of concern with Luscombe Maye. Luscombe Maye seeks to learn from complaints, in order to improve what we do and how we work with our students and in the community. We look at all complaints which we receive.

We occasionally receive complaints which we are unable to resolve, or where we consider it would be a disproportionate use of staff time to look further at the complaint, and in these cases we will advise the complainant why we are not taking matters further.

Very occasionally, a complainant will behave in a way which we consider unacceptable, and in these cases too we may restrict or deny further access to the complaint handling procedure. This may be because of:

- aggressive or abusive behaviour, or because of
- other types of unreasonable behaviour such as excessive levels of contact.

Where necessary, we will make reasonable adjustment for a disability, and will take this into account as appropriate before making any decision to restrict or deny further access to the complaint handling procedure.

If action to restrict or deny access to the Complaint Handling Procedure is deemed necessary, we will advise the complainant of this and reasonable attempts will nevertheless

be made to complete the investigation of the complaint, though contact with the complainant may be restricted.

8.2 Unreasonable demands, and complaints with no prospect of success

Luscombe Maye might receive a complaint about matters where there is no prospect of an outcome which would satisfy the complainant. In such a case, we may decide that it would be an unreasonable use of staff, time and resources to investigate the complaint further, because doing so would impact substantially on the work of the office with no prospect of a satisfactory outcome for the complainant. Examples of situations where we may decide it would be unreasonable to consider the complaint further include:

- matters which are not within Luscombe Maye's jurisdiction – for example, a complaint about a new building, the planning application for which was approved by the local authority; or a complaint about road surfaces following work carried out by a utility company
- matters where a full explanation has already been given, and where there is nothing further Luscombe Maye can do – for example, a complaint about the level of fees charged for a specific task, where those fees have been clearly published in advance of that task being satisfactorily completed and where the client clearly requested that the task be completed
- matters where the outcome being sought is disproportionate to the issue being complained about – for example, a request for a wholesale review of security procedures following the loss of a small item of personal property thought to have been accidentally left in an office of Luscombe Maye
- matters where the complaint arises from a difference of view or opinion – for example, a complaint that research publicised by Luscombe Maye advances science in the wrong direction; or a complaint that a public lecture offered political views to which the complainant is opposed.

In all cases where we decide not to conduct a Stage 2 investigation of the complaint, we will advise the complainant of our reasons for not doing so, will ensure that they have been given a full explanation as to why nothing further is being done with their complaint, and will advise them of their right to refer the matter to The Property Ombudsman for a review of our handling of the complaint.

8.3 Aggressive or abusive behaviour

Complainants are subject to the same expectations regarding their behaviour as all others who interact with Luscombe Maye, its staff and Partners. Complainants should feel free to

raise matters of concern without risk of disadvantage (and to raise more than one complaint if necessary), but where a complainant's behaviour over the complaint is deemed to be unacceptable, Luscombe Maye reserves the right to invoke other procedures as necessary. In the case of job applicants to Luscombe Maye, unacceptable behaviour may result in consideration of an application being terminated, or an offer of employment being withdrawn. In the case of staff, unacceptable behaviour may result in referral under the Code of Staff Conduct.

Luscombe Maye has a duty to protect staff from unacceptable behaviour, and aggressive or abusive behaviour towards staff will not be tolerated. In addition to any physical threats, the definition of unacceptable behaviour includes threats, verbal abuse, derogatory remarks or rudeness and any written or verbal content which may cause staff to feel afraid, threatened or abused. Inflammatory remarks and unsubstantiated allegations are also considered unacceptable. If physical violence is threatened or used, Luscombe Maye will always report this to the police. In cases where other behaviour is considered abusive to staff or contains unsubstantiated allegations, the complainant will be advised that their language is considered unacceptable, they will be asked to moderate their behaviour, and they will be warned that if the unacceptable action or behaviour continues, Luscombe Maye will cease to respond to them. If the complainant is a member of staff, unacceptable behaviour may result in referral under the Code of Staff Conduct.

When unreasonable behaviour limits Luscombe Maye's ability to communicate with the complainant, reasonable attempts will nevertheless be made to investigate and report on the complaint, on the basis of written evidence produced up to the point at which contact has been restricted.

8.4 Other unacceptable behaviour

We aim to maintain a reasonable dialogue with complainants throughout the progress of their complaint, but occasionally we encounter behaviour which we consider unacceptable, and which may lead us to restrict or deny further access to the Complaint Handling Procedure. Examples of unacceptable behaviour include:

- making unreasonable demands – insisting on speaking to a particular staff member, demanding responses within unreasonable time scales, changing the substance of the complaint and/or adding new matters to the complaint
- unreasonable levels of contact – making an unreasonable number of calls or visits in connection with the complaint, sending an unreasonable number of emails, or submitting an excessive amount of documentation which is not clearly relevant to the complaint

- unreasonable persistence, and/or refusal to accept a decision or explanation – insisting on further explanations or responses when a matter has already been explained fully, and/or requesting that a complaint be investigated further or re-opened after investigation has been completed

- unreasonable use of the complaint handling procedure – raising a large number of complaints (whether related or not); or demanding a Stage 2 investigation where there has been no attempt to resolve a simple matter at Stage 1 of the procedure

- any behaviour where the effect of this is to harass staff or prevent them from pursuing their legitimate business or implementing a legitimate decision – raising the same or similar issues with multiple members of staff or different offices; or seeking to involve external agencies in the resolution of an internal matter

- failure to cooperate with reasonable requests from the Complaint Investigator – failing to respond within a reasonable period to any communications from the Complaint Investigator, such as failure to agree a date for an investigatory interview; or failing to return interview notes.

When unreasonable behaviour limits Luscombe Maye's ability to communicate with the complainant, reasonable attempts will nevertheless be made to investigate and report on the complaint, on the basis of written evidence produced up to the point at which contact has been restricted, unless we decide that it would be a disproportionate use of staff, time or resources to take the complaint further.

8.5 Communicating and reporting

As noted in Section 8.1, if we decide not to progress the complaint because we deem the complainant's behaviour to be unacceptable, we will advise the complainant in writing of our reasons for such a decision. The decision will be taken by a Partner and will normally be final. We will advise the complainant if there is any right of appeal to Luscombe Maye, but this will generally only be available if significant new information comes to light. In the event of an appeal, a senior member of staff will review the decision which was previously made, and consider whether the complaint should now be progressed. In all cases where we give a final decision, we will advise the complainant of their right to ask The The Property Ombudsman to review our decision not to progress the complaint.

All complaints are logged, including those where we decide not to progress the complaint. Data on complaint numbers, including number of cases where a decision is made to restrict access, will be reported regularly to the Partners for review of the operation of the Complaint Handling Procedure, and so that any trends may be reviewed.

9 Supporting the complainant

9.1 Reasonable adjustments and accessibility

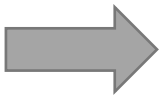
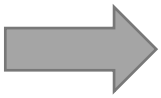
Anyone who receives, requests or is directly affected by the services Luscombe Maye provides has the right to access the complaint handling procedure. Luscombe Maye will seek to make reasonable adjustments to enable complainants with specific needs to access the CHP easily.

9.2 Support for staff

Staff considering making a complaint are strongly encouraged to consult the Senior Director.

10 The Complaint Handling Procedure Diagram

See below.

The Complaints Handling Procedure		
Frontline Resolution 	Investigation 	Independent External Review The Property Ombudsman (Or RICS Dispute Resolution Service (DRS) for Businesses)
For issues that are straight forward and easily resolved, requiring little or no investigation. *'On-the-spot' apology, explanation, or other action to resolve the complaint quickly, in five days or less. Unless there are exceptional circumstances.* *Complaints addressed by any member of staff or alternatively referred to the appropriate point for frontline resolution.* *Complaint details, outcome and action taken recorded and used for service improvement.*	*For issues that have not been resolved at the frontline or that are complex, serious or 'high risk'.* *A response provided within 20 working days following a thorough investigation of the points raised.* *Responses signed off by senior management* *Senior management have an active interest in complaints and information gathered to improve services.* *Complainants who remain dissatisfied after an investigation has been completed by the firm have the right to ask The Property Ombudsman to review their case (see right}.*	*For issues that have not been resolved by the service provider. Complaints progressing to The Property Ombudsman have been thoroughly investigated by the service provider.* *The Ombudsman will assess whether there is evidence of service failure or maladministration not identified by the service provider.*
Note: For clarity, the term 'frontline resolution' refers to the first stage of the complaints process. It is not intended to reflect any job description within the Institution; rather it refers to the process which seeks to resolve complaints as soon as possible.		