BUILDING SAFETY ACT 2022
COMPLAINTS PROCEDURE

Berkeley Sixty Limited
1-26 Woodford House
Chelsea Creek - Woodford House

Introduction

The Building Safety Act 2022 (BSA) has established a range of duties relating to the occupation and management of Higher Risk Buildings (referred to as HRBs).

HRBs are broadly residential buildings which are at least 18m or 7 storeys in height.

The BSA duties are owed by Accountable Persons (APs). There can be more than one AP for a building. However, the BSA requires a Principal Accountable Person (PAP) to take the lead on BSA matters in order that there is a single entity with overall BSA responsibility.

Berkeley Sixty Limited is the PAP for the building.

The BSA requires Berkeley Sixty Limited for an HRB to establish and operate a system for the investigation of relevant complaints.

Relevant complaints are those which relate to a building safety risk (broadly the spread of fire or structural failure) or the performance by an AP for the building of any of their duties under the BSA.

A non-exhaustive list of examples of matters which could be the subject of relevant complaints might be:

- Structural failure: Cracks in the walls, floors, or ceilings, water leaks, dampness, mold, or any other issues that could affect the structural integrity of the building.

- Spread of fire: Fire safety equipment not working; fire doors not closing properly; fire alarms not working; or any other issues that could affect the spread of fire in the building.

- Performance of an AP: Failure to assess or manage building safety risks or inadequate engagement with residents.

Statement of Intent

Berkeley Sixty Limited aims to comply with all of its obligations under the BSA to ensure the building is safe for occupation at all times.

If for any reason you have concerns about a building safety risk or the performance of any AP of their duties under the BSA Berkeley Sixty Limited has a Complaints Procedure you may follow to seek redress.

Aims

Complaints about building safety risks or the performance by an AP of any of their duties under the BSA can be made via any media.

How To Complain

Complaints can be made via any form of media and the relevant contact details are below

Phone: 0345 002 4400
Email: bsacomplaints@rmguk.com
Letter: Correspondence Address:

Berkeley Sixty Limited
1-26 Woodford House
C/O Residential Management Group Ltd
RMG House
Essex Road
Hoddesdon
Hertfordshire
EN11 0DR

All complaint correspondence will be acknowledged by Berkeley Sixty Limited within 3 working days of receipt.

Building Safety Act Complaints Process & Timescales.

Berkeley Sixty Limited Building Safety Act Complaints Process has three stages:

1. **Resolve**

It is Berkeley Sixty Limited objective to satisfactorily resolve your complaint at this first stage. Berkeley Sixty Limited will make appropriate enquiries into the issues in the complaint provide a clear reasoned explanation to the matters raised and, where necessary, detail actions that have been carried out or are planned, together with anticipated time frames when these will be completed.

To allow time for investigation and liaison with other relevant stakeholders, we will aim to provide a response within 20 working days.

2. **Review**

If you are not satisfied with the response provided to your complaint you are entitled to request a review of that. Berkeley Sixty Limited will review your complaint and provide its the final viewpoint within 10 working days.

3. **Referral to Building Safety Regulator**

If you remain dissatisfied following the review of your complaint it may be referred to the Building Safety Regulator.

Interaction with other forms of consumer redress

Residential Management Group Ltd (RMG) is the managing agent appointed by Berkeley Sixty Limited to help it manage the building.

RMG is not itself an AP or the Berkeley Sixty Limited

RMG helps to operate the Berkeley Sixty Limited Building Safety Act Complaints Process as agent for the Berkeley Sixty Limited.

The Building Safety Act Complaints Process does not adjudicate on the performance of RMG as managing agent for Berkeley Sixty Limited.

Customer complaints about RMG's service standards should be referred to RMG under RMG's complaints process which can be located here:

www.rmguk.com/customer-charter/complaints-procedure/

Data Protection

Berkeley Sixty Limited Building Safety Act Complaints Process Privacy notice can be found in the following pages.

Berkeley Sixty Limited

Privacy Notice – Building Safety Complaints Process

What is the purpose of this document?

In relation to the building safety complaint that you have made to Berkeley Sixty Limited, we are the data controller and are responsible for your personal data.

This privacy notice provides information on how we collect and process your personal data in connection with your building safety complaint. If you have any questions about this privacy policy or our privacy practices, please contact us in the following ways:

Full name of legal entity: Berkeley Sixty Limited

Email address: customerservice@rmguk.com

Postal address: Berkeley Sixty Limited

C/O Residential Management Group Ltd
RMG House
Essex Road
Hoddesdon
Hertfordshire
EN11 0DR

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

Data protection principles

We will comply with data protection law and principles, which means that your data will be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- So far as possible, accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

The kind of information we hold about you

In connection with the administration of your building safety complaint, we may collect, store, and use the following categories of personal information about you in connection with your complaint:

- Name, address and contact details
- Information relating to the dwelling you own or occupy;
- Details of financial transactions between you and us;
- Photographs;
- Correspondence/survey records/reports.
- Records of property repairs, complaints and other matters relating to the subject property;
- Any information you provide to us during the complaints process;

How is your personal information collected?

We will process personal information about you from the following sources:

- You.
- Our managing agent.
- Your solicitors, agents, employees or representatives.
- The following data from third parties is from a publicly accessible source: HM Land Registry.

How we will use information about you

We will use the personal information to:

- Communicate with you.
- Investigate, follow and conclude our complaints process and that of our Ombudsman;
- Comply with legal and/or regulatory requirements.

We do not ordinarily ask for, collect, store and use sensitive personal information unless you provide that to us in connection with the complaint.

Data sharing

Why might you share my personal information with third parties?

We will only share your personal information with the following third parties for the purposes of administering our complaints process or if your complaint becomes litigious:

- Our managing agent;
- The Building Safety Regulator;
- Our insurers, insurance brokers, accountants or auditors and solicitors;
- IT, software and systems providers.

All third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We only permit them to process your personal data for specified purposes and in accordance with our instructions. Third party service providers may appoint sub-processors of personal data in connection with the provision of their services to us but they must put in place appropriate security measures and disclose to us the identity of those sub-processors.

We do not expect to have to share your personal information with other third parties except in exceptional circumstances. We may need to share your personal information with a regulator or to otherwise comply with the law.

Data security

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

Data retention

How long will you use my information for?

We retain your personal information for that period so that we can show, in the event of a legal claim, that we have acted correctly. After this period, we will securely destroy your personal information in accordance with our data retention policy. The usual retention period will be 6 years from the end of the complaint.

Rights of access, correction, erasure, and restriction. Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.

- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.

- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).

- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.

- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.

If you want to review, verify, correct or request erasure of your personal information, or object to the processing of your personal data, please contact us on the address provided above.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Changes to this privacy notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.