



# **COMPLAINTS POLICY**

**Policy Reference: Policy & Procedure/Complaints Policy**

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**The Scottish Housing Regulator Guidance Standards GS 3.3**

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## **1. INTRODUCTION**

Cordale Housing Association (CHA) aims to provide a first class service in all aspects of our service delivery. Despite our best efforts, errors and therefore, complaints are inevitable. If you feel we have let you down, the complaints system serves as a safety valve for you to tell us about it and try to put it right.

The complaints procedure also gives us the chance to keep an eye on the quality of services we provide. Its key aim is to:

- Provide an easy and straightforward framework for service users to obtain information and record a complaint.
- Keep people informed about how their complaint is progressing.
- Provide a means to redress the complaint whenever possible.
- Improve service delivery by learning from and acting upon information obtained.

With your help we can identify problems, resolve them quickly and prevent them from happening again.

In framing this policy, consideration has been given to The Scottish Housing Regulator 'Performance Standards' (Part GS3.3), self-assessment process and SFHA Raising Standards in Housing.

## **2. DEFINITIONS AND SCOPE OF POLICY**

Your complaint will be accepted whenever it falls within the scope of the Association's work and area of operation. A complaint can be defined simply as: ***"an expression of dissatisfaction that needs a response"***, or alternatively: ***"an expression of dissatisfaction, however made, about the standard and quality of service, an error, action or lack of action by the Association or its staff or contractors affecting an individual or group"***.

Anonymous complaints can be difficult to deal with in that there is no complainant to establish further information if required or to respond to. Each complaint should always be considered on its own merits and action taken if appropriate.

### **3. WHO CAN USE THE COMPLAINTS PROCEDURE**

Anyone who receives a service from Cordale Housing Association can use the Complaints Procedure.

### **4. WHAT CAN YOU COMPLAIN ABOUT?**

You can complain about any aspect of our service, which you are unhappy about. For example: -

- Repairs** - Failure to meet timescales or quality of work
- Attitude of staff** - Failure to provide information or follow procedures
- Equality** - Unfairness, bias, discrimination or prejudice in the way in which services are delivered
- Allocations** - If you are unhappy about the policy, the procedures followed or the way your application has been handled
- Contractors** - If you feel that our contractor has not behaved reasonably towards you
- Policies** - Where you feel that the policies adopted by the Association are unfair, inflexible or cannot meet your needs

If a complaint is received about a contractor, we will record the complaint and deal with it on your behalf. The appropriate members of our staff team will deal with complaints relating to our policies if you are still dissatisfied with the initial explanation provided by our reception staff. For example: - our Depute Director would deal with a complaint about the Association's Allocations Policy (refer to Section 5).

Complaints about neighbours will be dealt with under our neighbour disputes procedure. If you have a complaint about the way we have dealt with a neighbour dispute, you can then use the complaints procedure.

We will always try to deal with complaints sympathetically, but there are some things we will not be able to give you information about. For example, it would be wrong for us to discuss with you the details of someone else's housing application, as this would be a breach of confidentiality. We can, however, talk to you about how our allocations procedure works.

## **5. WHO DO YOU COMPLAIN TO?**

As a general rule, the following provides an indication of who will consider your complaint:

<b>Nature of Complaint</b>	<b>Actioned By</b>
Delays in carrying out repairs	Depute Director
Housing Management issues, regarding Allocations, Rent Arrears	Depute Director
Building Contracts	Development Officer
About a member of staff	Director
About Director	Management Committee
About Management Committee	Director

Ultimately, you can contact the Scottish Public Services Ombudsman if you have gone through the Association's complaints procedure and are still dissatisfied with the outcome. You can collect a leaflet providing details about the Ombudsman service from our office.

## **6. THE ROLE OF THE COMMITTEE**

Whilst the Association's Management Committee encourage people to make a complaint, they do not intervene on behalf of, or represent tenants. The principal role of Committee members is to:

- Approve the policy
- Monitor the number of complaints received and their outcomes at least on an annual basis, including equality issues
- Hear complaints at appeal level
- Consider recommendations to improve service delivery based on the findings of complaints received
- Instruct internal audit of the process from time to time

## **7. THREE-STAGE PROCESS**

The Complaints Procedure has three main stages, outlined below. These stages are described in more detail within the procedure.

Stage One	Trying to sort things out informally
Stage Two	Formal review
Stage Three	The appeals procedure

## **8. STAGE ONE - TRYING TO SORT THINGS OUT INFORMALLY**

You have the right to make a formal complaint whenever you wish, but in the first instance it can often be quicker and easier for everyone to try to resolve the problem informally. However, if you are not satisfied, you have the right to ask for your complaint to be progressed to stage 2 of our complaints procedure.

Write, telephone or call into our office to make us aware of your problem. In the first instance our reception staff will be the first point of contact. They will listen to you or pass you to the appropriate member of staff. An attempt will be made to find an immediate solution or course of action, agree a timescale, and 'apologise' where appropriate.

## **9. STAGE TWO – FORMAL REVIEW**

If you are unhappy with the informal response and/or feel your problem cannot be resolved in this manner, you can ask for it to progress to Stage Two. The complaint must be submitted within 3 months after the day on which the Association first had notice of the matter complained of, unless the Association is satisfied that there are special circumstances which make it appropriate to consider a complaint made outwith that period.

In order to ensure impartiality, the Associations most senior member of staff who is not involved in your complaint will undertake an impartial review. In most cases, this will be the Director. You may be requested to put your complaint in writing and if you need help, please ask for assistance.

You will receive written acknowledgement of your complaint **within five working days**. This will include a target response date (**usually within fifteen working days of receipt of stage two request**) for a formal reply. The response will provide reasons and an explanation for the decision taken. It will also explain the options available to you if your complaint is not upheld or you are dissatisfied with the response in any way.

## **10. STAGE THREE - THE APPEALS PROCEDURE**

If you do not feel that the Director has resolved your complaint satisfactorily, you can **write to the Chairperson of the Management Committee**. This must be done within **seven working days** from the date that the Formal Review was issued. The Chairperson will respond to you **within five working days** and advise you when members of the Management Committee will hear your appeal. This will usually coincide with the next scheduled meeting of the Management Committee, which meets up to 10 times per year on the last Tuesday of every month.

The Chairperson has discretion to appoint up to 5 Management Committee members to represent the Association and hear your appeal. If, in addition to your written complaint you are **keen to talk to the Management Committee**, you can do this and if you want to bring along a friend or advisor (for example from a Citizens Advice Bureau) then this is fine. Should you require any other services, such as interpreter, the Association will endeavour to assist you with this.

You will be **advised of the outcome** of the appeal **within five working days** of the meeting where the appeal is heard. The response will provide reasons and an explanation for the decision taken. It will also explain the options available to you if your complaint is not upheld or you are dissatisfied with the response in any way.

## **11. SCOTTISH PUBLIC SERVICES OMBUDSMAN**

If you are not happy with the outcome of the complaints and appeals procedure then you will normally be able to contact the Scottish Public Services Ombudsman. The Scottish Public Services Ombudsman investigates individual complaints against public service organisations. This is a free and impartial service, and a leaflet about it is available from our office.

The complaint must be submitted within 12 months after the day on which the complainant first had notice of the matter complained of, unless the Ombudsman is satisfied that there are special circumstances which make it appropriate to consider a complaint made outwith that period.

The service is available to anyone who receives a service from a public service organisation. **Normally, you must have gone through the Association's own complaints procedure before the Ombudsman can deal with your complaint.**

**The Scottish Public Services Ombudsman is based at:**  
**4 Melville Street**  
**Edinburgh**  
**EH3 7NS**  
**Tel: 0870 011 5378**  
**Fax: 0870 011 5379**  
**Email: [enquiries@scottishombudsman.org.uk](mailto:enquiries@scottishombudsman.org.uk)**

The Scottish Public Services Ombudsman will provide a report on their findings to the complainant and the Association. In line with good practice, this investigation report will be available for inspection for a period of three weeks from the date received. This Association will publicise this service.

## **12. WHO WILL KNOW ABOUT MY COMPLAINT?**

We will, as far as possible, respect the confidentiality of your complaint. Whilst we are looking into your complaint, your name will not be divulged any more than is absolutely necessary within the Association, and if your complaint goes to the Chairperson of the Management Committee, then other Committee Members will not be told who has complained.

You will appreciate, however, that if your complaint involves another tenant or a member of staff, it may be difficult for us to look into this without talking to that tenant or staff member. If you ask us not to talk to the tenant or staff member, we will try to respect your wishes, but it will probably not be possible for us to take any action to tackle the problem.

### **13. GETTING INDEPENDENT ADVICE**

There are other agencies who can assist you when making a complaint or preparing an appeal. Advice agencies in the West Dunbartonshire include: -

Local Councillor	West Dunbartonshire Council, Council Offices, Garshake Road, Dumbarton (01389 737000)
Money Advice Centre	West Dunbartonshire Council, Council Offices, Roseberry Place, Clydebank (01389 738552)
Citizens Advice Bureau	22 College Way, Dumbarton (01389 761380)
West Dunbartonshire Community Law Service Solicitor	120 Dumbarton Road, Clydebank (0141 952 7070) See Yellow Pages

### **14. HOW DO WE RECORD AND MONITOR COMPLAINTS?**

Complaints can help us as well as you! All formal complaints made to the Association are recorded and reported to the Director, who will regularly advise the Management Committee of changes or improvements the Association may be taking as a result of complaints received.

### **15. IMPROVING OUR SERVICE TO YOU**

Complaints are not the only way of telling us what you think of the service we provide! We always welcome suggestions on how we can improve things; so if you have any ideas about this, please let us know.

### **16. EQUAL OPPORTUNITES**

In line with the Associations commitment to equal opportunities, this policy can be made available free of charge in a variety of formats, including large print, translated into another language or on audiotape. In order to monitor equality issues in complaints, you will be asked to complete an equal opportunities questionnaire at the time of making their complaint.

## **17. DATA PROTECTION**

In complying with the Data Protection Act 1998 the Association will endeavour to maintain confidentiality, however, from time-to-time information will be used for statistical purposes. Information relating to complaints received shall be destroyed in accordance with the Association's policies and procedures, unless specifically otherwise requested.

## **18. WHISTLEBLOWING**

Whistleblowing, which covers instances of malpractice, which is in the public interest to be stopped and which, if proven, could result in criminal proceedings, will be dealt with via the Associations Whistleblowing Policy.