

<b>POLICY NO:</b>	<b>G2</b>
<b>TITLE:</b>	<b>COMPLAINTS POLICY</b>

<b>POLICY APPROVED ON:</b>	<b>AUGUST 07</b>
<b>DUE FOR REVIEW:</b>	<b>AUGUST 10</b>

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## 1. **Commitment Statement**

Glen Oaks Housing Association believes the effective management of complaints is critical to the process of continuous improvement.

An awareness and understanding of the customers' views, opinions and experiences of how they receive services, provides the framework that can facilitate the delivery of responsive and high quality services.

1.3 Glen Oaks Housing Association welcome, encourage and value complaints. Complaints are an integral part of identifying problems with - and therefore improving - service delivery.

1.4 The Association has identified a number of guiding principles that underpin our commitment to managing and delivering an effective and efficient complaints system. These principles are:

- Establishing a quality complaints policy and procedure;
- Making it easy to complain;
- Publicising our approach to complaints;
- Investing in staff;
- Providing staff with authority to remedy complaints;
- An effective process of monitoring and review

1.5 The Association is committed to delivering services well and continuing to improve. Complaints are an integral part of this process. Our purpose – wherever possible - is to turn dissatisfaction into satisfaction.

Bill McNamara  
Chairperson

Alasdair McKee  
Chief Executive

Date

Date

## **2 Introduction**

2.1 The purpose of the policy is to support the management and delivery of a customer focused and responsive complaints management system that will improve the quality and effectiveness of service delivery.

2.2 A key principle of the policy is to value and welcome complaints. Complaints can have real benefit for the Association. The benefits include:

- Free feedback on service delivery;
- Identifies areas needing improvement;
- Presents an early chance to put things right;
- Demonstrates how important customer care is;
- Strengthens community support for the Association

2.3 As such, the policy has been developed in a context where complaints are considered a positive and critical source of feedback. Glen Oaks Housing Association firmly believe complaints provide learning opportunities that enable services to be developed which are more responsive to the needs of the communities we serve.

## **3 Aims and Objectives**

### **3.1 Aims**

3.1.1 The Association's aim is to deal fairly, effectively and efficiently with anyone wanting to complain about any of our decisions or activities.

### **3.2 Objectives**

3.2.1 The objectives of this policy are to:

- Provide tenants and service users with clear and simple information on the course of action they

- can take if dissatisfied with a service or a decision;
- Ensure the complaints policy is visible, accessible and publicised widely;
  - Ensure a full and fair investigation of the issue complained about;
  - Ensure a quick response to the complaints within clearly defined timescales and in a sensitive and sympathetic manner;
  - Make sure that complaints are seen as a learning opportunity that can deliver improved services;
  - Make sure that any potential areas of improvement, identified as a result of a complaint, are quickly and effectively implemented;
  - Outline the appeal process open to complainants where they are dissatisfied with an outcome of a complaint;
  - Highlight the role and purpose of the Scottish Public Services Ombudsman;
  - Provide training to staff to make sure that they understand the policy and procedures and operate them effectively;
  - Record and monitor complaints and use the information to continuously improve services and performance

## **4 Equal Opportunities Statement**

- 4.1 The Association is intent on ensuring people or communities do not face discrimination or social exclusion due to the following personal characteristics: age; disability; gender; race or ethnicity; language; faith, religion or belief; sexual orientation; and gender identity.
- 4.2 This policy complies with the Association's equal opportunities policy.
- 4.3 The Association will regularly review this policy for equal opportunities implications and take the necessary action to address any inequalities that

may subsequently arise from the implementation of the policy.

## **5 Regulatory and Good Practice Requirements**

- 5.1 The policy has been influenced and informed by regulation and good practice, and is designed to comply with these requirements.
- 5.2 Our approach to complaints management has fully considered Communities Scotland's performance standards GS3.3:
- 5.3 "We deal fairly and effectively with anyone wanting to appeal against, or complain about, any of our decisions or activities. We make it clear that they can complain about us to the Scottish Public Services Ombudsman".
- 5.4 The policy also takes account of good practice such as the SFHA's raising standards, Chapter 8, "Customer Complaints", and the Scottish Public Services Ombudsman Valuing Complaints guidance.

## **6 Scope of Policy**

- 6.1 Glen Oaks Housing Association defines a complaint as:
- 6.2 "An expression of dissatisfaction with an organisation's procedures, charges, employees, committee, agents or quality of service that requires a response".
- 6.3 Examples of complaints may include:
- Failure to provide a service or achieve the standards of service promised;
  - Failure to fulfil our legal or contractual obligations;
  - Unacceptable delay or failure to respond to an enquiry or request;

- Dissatisfaction with a decision or the way it was made;
- Dissatisfaction with the attitude of staff, contractors or agents;
- Failure to operate our policies fairly;
- Requests to review or appeal against a decision

## **7 Who can complain?**

- 7.1 Any individual who receives or requests a service from the Association, or provides a service to the Association, can use this complaints policy.
- 7.2 This includes tenants, people applying for housing, owners and sharing owners. As well as consultants and contractors who provide services to the Association.
- 7.3 Individuals can though also ask any organisation or other person to make a complaint on their behalf, such as a family friend, relative, councillor, MP, MSP, advice agency or a solicitor.
- 7.4 The Association will seek confirmation from the individual on behalf of whom the complaint is made that the representative is authorised to act for them, unless the representative is a Councillor, MP, MSP or Solicitor.
- 7.5 A complaint can be made in writing, by telephone, in person, by e-mail, on audiotape, in Braille and in languages other than English.

## **8 Limitations of the policy**

- 8.1 The Association has other relevant policies and procedures that provide the framework in which certain complaints will be dealt with. Generally, these are outwith the scope and remit of this policy.
- 8.2 Complaints against nuisance behaviour, for example, will be dealt with in terms of the

Association's Anti-Social Behaviour policy. A complaint can be made, however, about the way the Association managed a neighbour complaint.

8.3 A complaint involving the conduct or performance of a staff member will be considered in accordance with the Association's terms and conditions of employment. In this context, complainants will be advised that the issues raised will be considered, but that the need to maintain employee confidentiality means no outcomes will be disclosed.

8.4 Complaints by members of staff will be dealt with under the Association's Whistleblowing policy.

## **9 Visibility and Access**

9.1 The Association believe it is important that customers can easily find out where and how to make a complaint. The complaints process needs to be visible and accessible to increase customer satisfaction and develop learning opportunities.

9.2 The promotion methods include:

- Policy is issued to all new tenants;
- Summary leaflet available at all Glen Oaks Housing Association offices and issued with acknowledgment letter to all formal complaints received;
- Posters at all Glen Oaks offices;
- Designated complaints section on the Glen Oaks web site ([www.glenoaks.org.uk](http://www.glenoaks.org.uk));
- Information about complaints system in written communications such as correspondence, newsletters and annual report

9.3 The measures to ensure easy access to the system include:

- Simple, fast and effective arrangements for complaints to be lodged and investigated;
- Accessible information in plain English and, where applicable, other languages and formats;
- Clear information on what information the complainant should provide to allow for the efficient progression of the complaint

## **10 Complaints Management**

10.1 Certain processes are critical to the effective management of complaints. These include making clear who is dealing with the complaint, dealing with the complaint fairly and efficiently, and making sure the complainant is kept informed of progress.

10.2 The Association will also aim to hand deliver all written responses – when practical – and follow this up with a telephone call. The Association believe the general nature and purpose of making a complaint requires a personalised response. This is important to ensure maximum benefit – for both complainant and the Association – can be gained from the complaints system.

### **10.3 Stage 1: Trying to sort things out informally**

10.3.1 The aim of this initial stage of the complaints policy is to provide a simple and informal way for customers to express their opinion and receive a quick response.

10.3.2 An informal complaint will not be recorded as a formal complaint. All informal complaints, however, will be analysed by senior management to inform service delivery.

10.3.3 A complainant can choose to proceed direct to the formal stage of the complaint policy - set out at Stage 2, 10.4 below. The Association believe, however, that, for the majority of problems, it is

quicker to resolve them through this informal process.

- 10.3.4 As such, we initially encourage individuals who make a complaint to try and sort the problem informally. Generally, the most appropriate person to deal with the complaint is the member of staff whom the complaint is first raised with, or the manager responsible for that particular service.
- 10.3.4 The staff member responsible for responding to the complaint should aim to deal with the matter promptly, preferably face to face or by telephone. This discussion should aim to clarify the nature of the problem, discuss the solution being sought, apologise if appropriate and let the person know when the matter will be resolved.
- 10.3.5 Informal complaints should be dealt with immediately when possible. The Association believe many complaints at this stage will be able to be resolved within 24 hours. The maximum target, however, for concluding all informal complaints is 10 working days.
- 10.3.6 All informal complaints received in writing should be followed up in writing, setting out the response and explaining what the next step will be if the complainant remains dissatisfied.

## **10.4 Stage 2: Formal complaints**

- 10.4.4 If the complaint has not been resolved informally, or the complainant chooses to proceed directly to a formal complaint, this should be made to the Senior Corporate Officer.
- 10.4.5 The Senior Corporate Officer will then record and pass the complaint to the relevant Executive Team member to investigate and respond. This will either be the Housing Services Director, Finance Director, Technical Director or the Chief Executive.

- 10.4.3 However, if the complaint involves the conduct or performance of a Director, it will be passed to the Chief Executive to respond to.
- 10.4.4 Alternatively, if the complaint involves the conduct or performance of the Chief Executive, it will be passed to the Glen Oaks Chairperson who will refer the matter to the Complaints Sub Committee.
- 10.4.5 Meanwhile, any complaints that involve the conduct or performance of a Glen Oaks Committee Member should be passed to the Chief Executive who will refer the matter to the Complaints Sub Committee. This is Stage 3 of the complaint process - detailed at 10.5 below. The person subjected to the complaint will not participate in the Committee's consideration of the matter.
- 10.4.6 The Association does not insist that formal complaints are made in writing, although this is encouraged where appropriate. It is important to receive a full account of why the complainant is dissatisfied with a particular decision or service. This is crucial to provide a quick and informed response. A proforma is provided to assist complainants provide the relevant information in writing. Appendix 2 provides a copy of the proforma.
- 10.4.7 As indicated above, complaints can also be made by telephone, in person, by e-mail, by audio-tape, in Braille and in languages other than English.
- 10.4.8 The Senior Corporate Officer will record all formal complaints in a complaints register.
- 10.4.9 The Association will write to the complainant within 3 working days to acknowledge that the complaint is receiving attention and to confirm who will respond to the complaint.

10.4.10 The Association aims to write to the complainant within 10 working days of receipt of the complaint to advise of the outcome. If there are reasons why the complaint cannot be resolved within this timescale, the Association will write within 10 working days advising of progress made and suggesting an alternative timescale.

10.4.11 Complainants will have 28 days within which to appeal against the formal response. The 28-day period will start from the day following Glen Oaks' written response.

### **10.5 Stage 3 – Appeal to Glen Oaks Complaints Sub-Committee**

10.5.1 If the complainant remains dissatisfied following Stage 2, a formal appeal can be made to the Complaints Sub Committee.

10.5.2 The appeal should be made in writing – within 28 days receipt of the stage 2 response letter – to the Chairperson of the Complaints Sub Committee. The complainant should clearly state why the original response was unacceptable or unsatisfactory.

10.5.3 The appeal will be acknowledged within 3 working days. A meeting of the Complaints Sub Committee will be held within 28 days to hear the complaint. The complainant should be given at least 14 days notice of the hearing. If attendance is not possible, for example, due to age or disability reasons, the Committee will be prepared to meet the complainant at a mutually acceptable venue.

10.5.4 The Committee may ask the Chief Executive for relevant correspondence, a report or further information to allow for a full and proper consideration of the appeal. The complainant will have access to all papers presented to Committee and be allowed to provide comment.

- 10.5.5 The complainant will be invited to attend the appeal with a relative, friend, advisor or legal representative. A translation service will be provided on request.
- 10.5.6 The complainant – and other involved parties – will be informed of the Committee’s decision within 10 working days of the hearing date. If a decision cannot be made within this timeframe, the complainant will be informed within 10 working days of the new timeframe. Complainants will be advised of other external steps available if they remain dissatisfied with the outcome.

## **10.6 Stage 4 – Appeal to the Scottish Public Services Ombudsman**

- 10.6.4 If the complainant remains dissatisfied after the appeal processes in the policy have been exhausted, a complaint can be made to the Scottish Public Services Ombudsman.
- 10.6.2 The address of the Scottish Public Sector Ombudsman is: SPSO, Freepost EH641, Edinburgh, EH3 0BR. Telephone number - 0800 377 7330, email - [ask@spsso.org.uk](mailto:ask@spsso.org.uk), web page – [www.spsso.org.uk](http://www.spsso.org.uk)
- 10.6.3 The Ombudsman, however, will only become involved if the complaint has already been fully dealt with in accordance with the steps set out in this policy and a final response has been provided to the complainant.
- 10.6.4 Normally, a complaint to the Ombudsman must be made within 12 months of when the complainant first had reason to complain. The Ombudsman may consider a complaint outwith this period, though, if satisfied that special circumstances make this appropriate.

10.6.5 The Association will fully co-operate with any involvement from the Ombudsman and comply with any recommendations.

## **11 Monitoring the effectiveness of the policy**

11.1 The Association recognise regular review of the outcomes of the policy is essential to assess if the system is operating effectively and delivering value.

11.2 Monitoring reports will be sent to the Management Committee on a bi-annual basis. This will include:

- Number and types of complaint received;
- Time taken to resolve, as measured against target;
- Outcomes;
- Satisfaction levels;
- Improvement as a result of complaints

11.3 The Association also recognise the need to demonstrate publicly how complaints inform policy, procedures and service delivery. This will be communicated through newsletters, reports to Registered Tenants Organisations and Area Committees, open days, web site and the annual report.

11.4 An analysis of complaint trends and identification of common themes will be disseminated throughout the organisation, so all staff understand and benefit from what can be learnt from the complaints process.

## **12 Customer Service**

### **12.1 Confidentiality**

12.1.1 All information given by complainants will be treated as confidential and will not be discussed with third parties without their permission. The

policy will comply with the Data Protection Act 1998.

## **12.2 Customer Satisfaction**

12.2.1 The Association will assess by survey how the complainant experienced the process of making a complaint to measure satisfaction.

## **12.3 Anonymous Complaints**

12.3.1 The Association is committed to investigating anonymous complaints. It has to be recognised, however, it is often more difficult to provide an effective response if the person who made the complaint is not known.

## **13 Training**

13.1 The Association recognise all staff have a role in managing complaints. All staff have to be aware of the complaints policy and procedure. This is critical to the success of the process.

13.2 Initial training will be provided to staff and committee on the content of the policy, the complaint management processes and the need to develop a positive and empathetic attitude towards complaints.

13.3 Training will be repeated on a regular basis as required or when changes to policy or procedure require it.

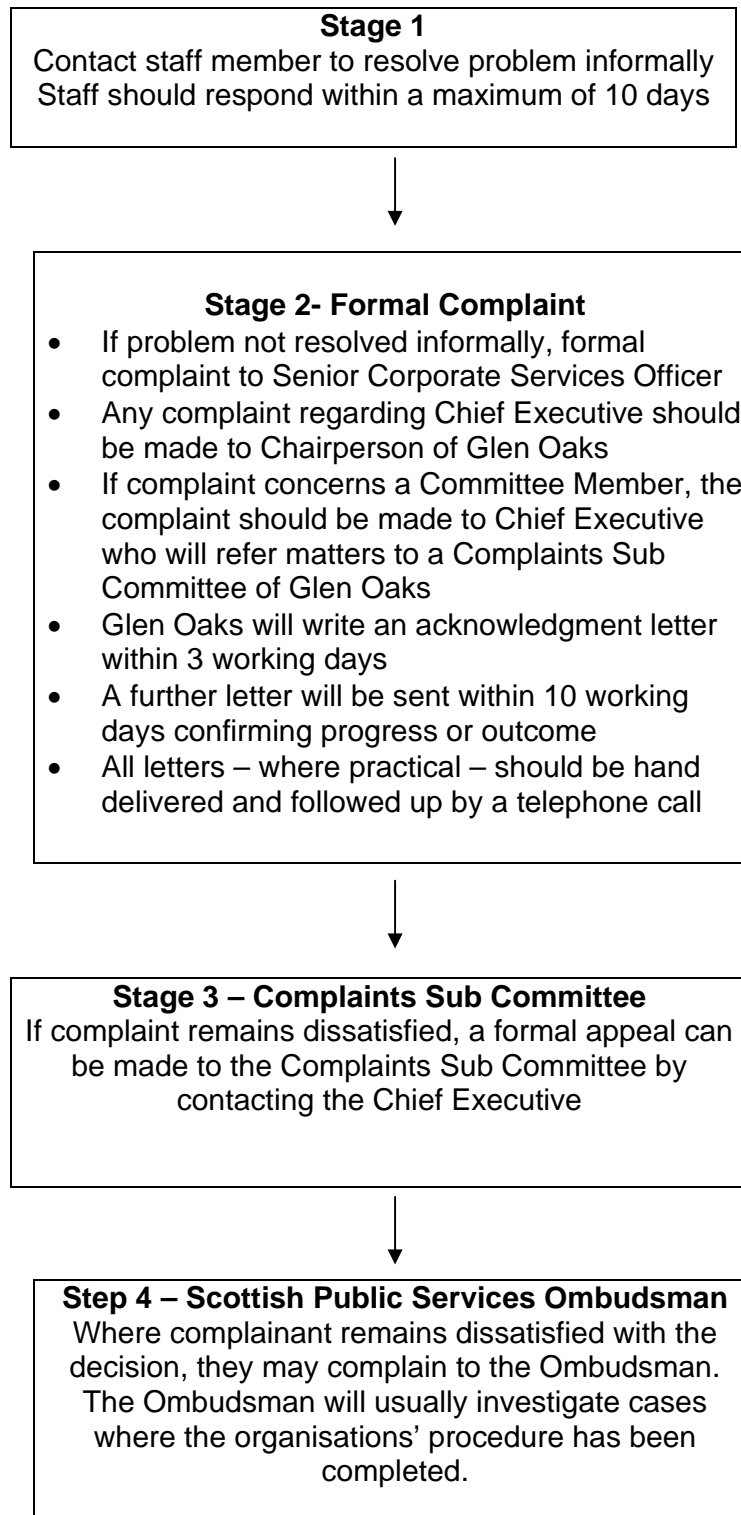
13.4 Induction training for new staff will also include complaints management.

## **14 Policy Review**

14.1 The policy will be reviewed every 3 years or sooner if the monitoring and reporting framework identifies processes that need to be amended.

## Appendix 1

### Step by Step Guide to Making a Complaint



**Appendix 2**

**COMPLAINTS FORM**

We want to make it easy for you to lodge a complaint. Please use this form to provide us with details of your complaint. The form should be sent to any Glen Oaks office or handed to any member of staff.

Name:	
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Address:	
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Postcode:	
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Telephone Number:	
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- 1. Please provide details of your complaint (what happened, when it happened, who was involved)

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- 2. If you have already complained about this matter, when did you do this (approximate date)?

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- 3. When did you last receive a response to your complaint (approximate date)?

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Signature: ..... Date: .....