



PORT OF LEITH
HOUSING ASSOCIATION

COMPLAINTS POLICY AND PROCEDURE

COMPLAINTS POLICY

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COMPLAINTS POLICY

Principles

Our Policy is based upon the following principles:

- We aim to provide excellent services to our tenants and other customers. We pride in putting our customers first and ensuring our services are flexible and meet their needs.
- The aim of the Complaints Procedure is to give customers a clear process to follow to try to resolve a problem; ensuring problems are recorded and dealt with as quickly as possible. We then have an opportunity to monitor the quality of service provided so that we can continually work to improve it.
- Our target is to resolve complaints as quickly as possible, ensuring all complaints dealt with effectively and fairly.

Definition of a Complaint

The Association defines a complaint as “an expression of dissatisfaction, however made, about the standard and quality of service, action or lack of action by the Association or its staff affecting an individual customer or a group of customers (*Raising Standards, Customer Complaints*). It is important to differentiate between an initial request for service e.g. notification of an initial routine repairs request which should be dealt with through the repairs reporting procedures and a complaint. A complaint under the Complaints Policy will occur when there has been a failure in routine service delivery, whatever the reason, and the customer has then expressed their dissatisfaction with the earlier action taken.

Eligibility to make a complaint

Anyone who receives or requests a service from the Association can use the Complaints Policy. This includes tenants, people applying for housing, owners or sharing owners, customers receiving factoring services and people living in neighbouring property, Board Members or other organisations and contractors and suppliers. It also applies to people who may be acting on a tenant’s behalf, such as a councillor, Member of Parliament, advice agency, solicitor, friend or relative, tenants’ group or Resident’s Association.

What can Customers complain about?

The complaint can be about any aspect of our service which they are unhappy about. The complaint does not have to be put in writing and can be taken over the telephone, face to face or by email.

Our Service Standards in Managing Complaints

- All complaints about the service will be fully considered and dealt with.
- To resolve complaints as quickly as possible, they will be treated with priority and the complainant kept informed on when they will be resolved, if the problem can't be dealt with immediately.
- Where the complaint can't be resolved immediately, the customer will be advised of the timescale for its resolution within 3 working days. If this timescale has to change, the customer will be advised of why within the 3 days and of the new timescale.
- Once the problem is resolved the customer is to be advised of the outcome over the telephone if the complaint is informal and in writing if it is formal by the timescale advised.
- No complaint should take more than 2 weeks to resolve, however where information is required from an external agency this timescale may be extended. The customer will be advised of why and the new timescale.

Staff Issues

Where conduct or performance of a member of staff is the issue of a complaint this will be referred to the relevant Line Manager who will be responsible for conducting an investigation. The Line Manager will conduct an investigation and must consult with the Personnel Manager before informing the member of staff of the concerns, as it may result in disciplinary action. All stages in this procedure must be confidential.

Contractor Complaints

The Complaints Procedure will be followed when managing complaints regarding contractor performance/attitude.

Recording of Complaints

All complaints, both informal and formal, received by post and through the info@polha email address will be recorded on the by the member of staff receiving the complaint on the complaints database. The complaint must then be forwarded to the appropriate employee to action. Managers will collate the information and report to the Manager's Meeting monthly and quarterly to the Management Group and annually to the Board of Management. This will let us monitor if we are continuing to provide good services and ensure the complaint, plus any underlying ineffectual processes are resolved. The number of complaints and whether complaints have been dealt with in the policy timescales will also be reviewed regularly by the Management Team.

The Corporate Services Director has overall responsibility to co-ordinate and report on complaints.

The relevant Manager will ensure appropriate action is taken in each complaint case.

Complaints will be monitored under the following categories:

- Access to services (including allocations, transfers etc).
- Quality of service (including complaints regarding contractor performance and complaints that our staff has not kept to an appointment).
- Unfairness or discrimination.
- Procedural failure.
- Policy issues.
- Attitude of staff.
- Anti social behaviour
- Estate management complaints within our control.

Publicity

To ensure customers know how to make a complaint and how we will respond, we will provide a copy of the Complaints Policy at the start of each tenancy, include a summary in the Tenants Handbook, display copies of the policy in the office and display on the website. Copies will also be displayed on notice boards at sheltered housing developments and on any other notice board within Association developments. A form to assist complainants make their complaint in writing is available from the Association's office or can be downloaded from our website: www.polha.co.uk.

Confidentiality

As far as possible all complaints will be treated in confidence. The name of the complainant will not be divulged any more than is necessary within the Association. However people making complaints must appreciate that if their complaint involves another tenant or a member of staff, it may be difficult for the Association to investigate without talking to that tenant or employee.

We will not normally deal with anonymous complaints, other than in a very general way, given the difficulty of carrying out a full investigation. We will, however, retain such complaints on file as they may provide an early warning of a service delivery failure.

Independent Advice

Customers may seek independent advice from agencies before making their complaint from organisations such as the CAB or a solicitor

Equalities

A copy of the Policy will be made available, where required on tape, in large print or in ethnic languages. We will assist customers with particular needs to make a complaint.

Complaints to the Scottish Public Services Ombudsman

All staff will ensure that complainants are advised that once the complaint has been through the Association's Complaints Procedure, that they can make a complaint to the SPSO and provide the 'Bringing a Complaint to the SPSO' leaflet.

We will co-operate fully with the Ombudsman during any investigation and will respond to any findings. Copies of all correspondence with the Ombudsman and any reports will be maintained by the Corporate Services Director.

Training

All staff will receive a copy of the Policy and Procedure as part of induction training. Training will be provided on the benefits of handling complaints properly, using customer feedback to review process, the steps in the process, staff responsibility, logging complaints, who to ask for advice.

Board of Management

Complaints against the Chief Executive will be heard by a panel comprising 3 members of the Board of Management. Complaints against a Director will be heard by a panel comprising the Chief Executive and two members of the Board of Management.

Policy Review Cycle

The policy will be reviewed on a 2 yearly basis by the Board of Management.

Scottish Housing Regulator Guiding Standards 3:

SERVICE DELIVERY AND COMMUNICATION

GS 3.3 Complaints and Appeals

We will 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.

The Complaints Procedure should include the possibility of complaining to the governing body. In assessing compliance account will be taken of:

- The quality and comprehensiveness of the Complaints Policy and the method of publication and dissemination.
- The number and nature of complaints received by the RSL.
- The manner in which complaints are recorded, the efficiency and fairness of the RSL in dealing with complaints and the RSL's response in making good any failures in service or other actions.
- The RSL's response to any recommendations by the Ombudsman.

Department	Corporate Services
Policy Reference	CS 1.02
Housing Regulator Reference	GS3.3 Complaints and Appeals
Date policy reviewed	April 2009
Review Period	2 Years
Associated policies and procedures	Customer Care Policy and Procedure Equality and Diversity Policy (Service Provision)



PORT OF LEITH
HOUSING ASSOCIATION

MAKING A COMPLAINT

Making a complaint

We aim to provide excellent services to all customers and pride ourselves in putting our customers first. However if you are unhappy about our service we welcome your complaint.

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

- If a repair has not been carried out properly.
- If you have not received information you have asked for.
- If you feel that a member of staff, a board member or contractor has not behaved reasonably towards you.
- If you feel your housing application has not been handled properly.
- If you feel you have been unfairly discriminated against.

Who will know about your complaint?

We will make every effort to respect the confidentiality of your complaint. Whilst we are looking into your complaint, your name will not be given out to staff in the Association more than is absolutely necessary to help with our investigation.

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

We will not normally deal with anonymous complaints, other than in a very general way, as it is difficult for us to carry out a full investigation. We will, however, retain such complaints on file.

You have every right to make a formal complaint whenever you wish but before you make a complaint you may want to get advice before you decide whether to complain to us formally. Advice is free from the Citizens Advice Bureau, 166 Great Junction Street, Leith. 0131 554 8144. You may wish to contact a solicitor but there will be a charge for this.

Please take the following steps to help you make your complaint:

Step 1 – contact us so we can discuss this together

- Phone us to arrange an appointment to speak to your Housing or Property Officer. This can often be the best way for us to resolve your problem. A meeting will be arranged within 4 working days.
- If you prefer, write to your Housing or Property Officer and let them know what the problem is and how you would like it to be put right.
- We also have a form called 'Making a Complaint' on this leaflet – complete the tear off section and return it to us.

- If we can't resolve the problem immediately we will write to you within 3 working days advising that your complaint is being dealt with. We will then write to you again within 2 weeks of receiving the complaint to let you know the outcome. If this timescale has to change, you will be advised of why and the new timescale. Do please remember that some things may not be within our control and may therefore be less easy to sort out. If you are not happy with our response we will let you know how to make an appeal.

Step 2 – If you are still unhappy

- Where you are unhappy with the response about your initial complaint you should then address your complaint to the Housing Manager if your complaint is about a housing application or general tenancy matter, or the Property Manager if your complaint is about a repair or maintenance problem.
- We would encourage you to do this in writing wherever possible. If this is not easy you can do this over the telephone or in person by speaking to a member of our staff. Alternatively, complete the tear-off slip attached.
- When you make the complaint it is really important that you let us know exactly what the problem is, how you have suffered as a result and how you would like to see it resolved.
- Once we receive your complaint we will write to you within 3 working days to let you know that it is being dealt with.
- We will then write to you again within two weeks of receiving the complaint to let you know of the outcome. If the timescale has to change you will be advised of why and the new timescale.
- If you are not happy with the response you will be able to use the appeals procedure.

Step 3 – taking things further

- If you don't feel that we have resolved your complaint satisfactorily, you can appeal by writing to the Association's Corporate Services Director. You should give some background information about the complaint and why it was not handled to your satisfaction.
- The Corporate Services Director will write to you within 3 working days advising of when your appeal will be reviewed.

- The Corporate Services Director will review your appeal within 2 weeks and you will be given a written response to let you know the decision. This timescale may be longer if we have to contact other agencies and we will write to you to advise you of the action we are taking and the new timescale.
- If you are not happy with our decision we will advise you that you have reached the end of our internal Complaints Process and that you will normally be able to contact the Scottish Public Services Ombudsman. We will give you information on how to appeal.

Scottish Public Services Ombudsman Service

The Scottish Public Services Ombudsman investigates complaints against Housing Associations. This is a free and impartial service and a leaflet is available from our office. Your complaint must have gone through the Association's own Complaints Procedure before the Ombudsman can deal with your complaint. Normally a complaint must be submitted to the Ombudsman within 12 months after the day on which you first raised your complaint. This time limit is sometimes extended, but only if there are special reasons.

The contact for the Ombudsman service is:

Scottish Public Services Ombudsman,
4 Melville Street,
Edinburgh,
EH3 7NS.
Telephone: 0800 377 7330 Email: ask@spsso.org.uk
Website: www.spsso.org.uk

Care Commission

If you are a resident in one of our Sheltered Housing Developments who can make a complaint directly at any stage to:

The Scottish Commission for the Regulation of Care,
Compass House,
11 Riverside Drive,
Dundee,
DD1 4NY.
Telephone: 0845 603 0890 Email: enquiries@carecommission.com
Website: www.carecommission.com

If you have any difficulties reading this information or need further help understanding our processes please call us or visit our offices. We can make this document available in a variety of forms, for example on tape, in large print, Braille or in ethnic languages. All you need to do is let us know what you need and we will do the rest.

Making a Complaint Form

Please ask a member of staff if you would like help completing this form. If you need the form in a different format or language please contact us on 0131 554 0403 or email info@polha.co.uk.

<p>1. Your name and address</p> <p>Name.....</p> <p>Address</p> <p>.....</p> <p>Post code</p> <p>Telephone.....Email</p>
<p>2. What are you complaining about? (please explain to us what has gone wrong)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
<p>3. How have you suffered as a result?</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
<p>4. What would you like to happen? (please explain to us what would help to put things right)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>