

**COMPLAINTS HANDLING PROCEDURE**

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| **Date of Policy** | **July 2017** |
| **Reviewed** | **March 2021** |
| **Revised policy approved** | **March 2021** |
| **Date for review** | **March 2024** |

1. **Introduction**

Ruchazie Housing Association (RHA)) is committed to providing high quality customer services. We recognise that from time to time we will not always get it right and face service failures and we value feedback from customers.

We recognise the role that effective handling of complaints has in improving the quality of services we deliver to our tenants and in fostering a culture of continuous improvement.

The Association is committed to ensuring that concerns from anyone who uses our services are acknowledged appropriately and timeously responded to.

The Association is also committed to learning from complaints and using the concerns raised as an opportunity to continuously improve our services.

The Association handles all complaints under the Scottish Public Services Ombudsman’s (SPSO’s) Model Registered Social Landlord (“RSL”) Complaints Handling Procedure (“the Model”).

**2. Objectives of the policy**

The core objectives of our policy are to:

* clearly define what we do and do not consider to be a complaint.
* set out our complaints handling process, including: - who will handle complaints received - the timescale in which we will respond to complaints - how and to whom complainants can appeal within the Association- how and to whom complainants can appeal to when they have exhausted the Association’s complaints process
* clearly set out for those complaining the legal and regulatory obligations we have, and are accountable for, in handling complaints
* set our approach to learning from complaints and recognising the value of complaints as a source of valuable feedback which can be used to inform the continuous improvement of our services

**3. Complaint Handling Process**

The details of our Complaints Handling Procedure are set out below, as well as summarised at Appendix 1.

**4. What is a complaint?**

We regard a complaint as any expression of dissatisfaction about our action or lack of action, or about the standard of service provided by us or on our behalf.

**5. What can you complain about?**

You can complain about things like:

* delays in responding to your enquiries and requests
* failure or refusal to provide a service
* our quality or standard of service or an unreasonable delay in providing a service
* unfairness bias or prejudice in service delivery
* lack of provision , or the provision of misleading, unsuitable or incorrect advice or information
* a repair that has not been carried out properly or in an agreed timeframe
* dissatisfaction with our policy or its impact on the individual
* treatment by or attitude of a member of staff
* our failure to properly apply law, process, procedure or guidance when delivering services
* conduct, treatment or attitude of staff or contractor (exception if arrangements allow contractor to handle complaint)
* disagreement with a decision (except where there are statutory procedures in place or an established appeals process followed throughout the sector)

Complaints may involve more than one of our services or be about someone working on our behalf.

**6. What can’t you complain about?**

There are some things we can’t deal with through our complaints procedure. These include:

* a routine first-time request for a service, for example reporting a problem that needs to be repaired or initial action on anti-social behaviour.
* requests for compensation
* our policies and procedures that have a separate right of appeal, for example, if you are dissatisfied with the level of priority you have been given when applying for a house you may have the right to appeal against the decision.
* issues that are in court or have already been heard by a court or a tribunal
* an attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision following a stage 2 investigation.
* A request for information under the Data protection or Freedom of Information (Scotland) Acts
* A grievance by a staff member or a grievance relating to employment or staff recruitment
* A concern raised internally by a member of staff (which was not about a service they received such as a whistleblowing concern)
* A concern about a child or an adults safety
* Abuse or unsubstantiated allegations about our organisation or staff where such actions would be covered by another policy ( i.e. Unacceptable Actions Policy)
* A concern about the actions or service of a different organisation, where we have no involvement (except where the other organisation is delivering services on our behalf)

If other procedures or rights of appeal can help you resolve your concerns, we will give information and advice to help you.

**7. Who can complain?**

Anyone who receives, requests or is directly affected by our services can make a complaint to us. This includes a representative or someone who is dissatisfied with our service (for example, a relative, friend advocate or adviser).

In the case of a representative, we will require a representation mandate so we can respond to the complaint. Please also read the section on ‘Getting help to make your complaint’.

We value all complaints, including those made anonymously. Staff must therefore consider anonymous complaints if there is sufficient information to allow them to make further enquiries. If the complaint does not provide enough information staff may decide not to pursue it.

Any decision not to pursue an anonymous complaint should be authorised by the Director.

**8. How do you complain?**

Complaints can be made: in person; at our office; by phone; in writing; email; online; or by using our complaints form.

It is easier for us to resolve complaints if they are made directly to a member of staff who will try to resolve the issue.

When complaining, the following information is required 8. :

* your full name and address
* as much as you can about the complaint
* what has gone wrong
* how you want us to resolve the matter

**9. Getting help to make your complaint**

We understand that you may be unable, or reluctant, to make a complaint yourself. We accept complaints from the representative of a person who is dissatisfied with our service. We can take complaints from a friend, relative, or an advocate, if you have given them your consent to complain for you.

You can find out about advocates in your area by contacting the Scottish Independent Advocacy Alliance or Citizens Advice Bureau.

**10. How long do I have to make a complaint?**

Normally, you must make your complaint within six months of:

* the event you want to complain about, or
* finding out that you have a reason to complain, but no longer than 12 months after the event itself.

In exceptional circumstances, we may be able to accept a complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.

**11. What happens when I have complained?**

We will always provide details of who is dealing with a complaint.

**12. Complaint Stages**

Our complaints procedure has two stages:

**Stage one – frontline resolution**

1. We aim to resolve complaints quickly and close to where we provided the service. This could mean an on-the-spot apology and explanation if something has clearly gone wrong and immediate action to resolve the problem.

1. We will give you our decision at Stage 1 within five working days or less, unless there are exceptional circumstances.
2. If you are not satisfied with the response we give at this stage, we will tell you what you can do next. If you choose to, you can take your complaint to stage 2. You must normally ask us to consider your complaint at Stage 2 either:

* Within six months of the event you want to complain about or finding out that you have a reason to complain; or
* Within two months of receiving your stage 1 response (if this is later)

1. In exceptional circumstances we may be able to accept a stage 2 complaint after the time limit.

**Stage two – investigation**

Stage 2 deals with two types of complaint: where the customer remains dissatisfied after stage 1 and those that clearly require investigation, and so are directly handled at this stage. If you do not wish your complaint to be handled at stage 1, you can ask us to handle it at stage 2 instead.

When using stage 2

1. We will acknowledge receipt of your complaint within three working days
2. We will confirm our understanding of the complaint we will investigate and what outcome you are looking for
3. We will try to resolve your complaint where we can(in some cases we may suggest and alternative complaint resolution approach, such as mediation) ; and
4. Where we cannot resolve your complaint. we will give you a full response as soon as possible, normally within 20 working days

If your investigation will take longer than 20 working days, we will tell you. We will tell you our revised time limits and keep you updated on progress. If a complaint is escalated to stage 2, we will:

* acknowledge receipt of your complaint within two working days
* have a senior member of staff handle your complaint
* where appropriate, discuss your complaint with you to understand why you remain dissatisfied and what outcome you are looking for
* give you a full response to the complaint as soon as possible and within 20 working days

If our investigation will take longer than 20 working days, we will advise you as soon as possible and provide a full explanation as to why.

We will agree revised time limits with you and keep you updated on progress.

**What if I’m still dissatisfied after I have exhausted the complaints handling process?**

After we have given our final decision, if you are still dissatisfied with our decision or the way we dealt with your complaints, you can ask the (SPSO to look at it.

The SPSO are an independent organisation that investigates complaints. They are not an advocacy or support service (but there are other organisations who can help with advocacy or support)

You can ask the SPSO to look at your complaint if:

* You have gone all the way through RHA’s complaints handling procedure
* It is less than 12 months after you became aware of the matter you want to complain about: and
* The matter has not been (and is not being) considered in court

The SPSO will ask you to complete a complaint form and provide a copy of our final response to your complaint. You can do this online at

[www.spso.org.uk/complain/from](http://www.spso.org.uk/complain/from) or call them on

Freephone 0800 377 87330

You may wish to get independent support or advocacy to help you progress your complaint. See the section **Getting help to make your complaint** below.

The SPSO’s contact details are:

SPSO

Bridgeside House

99 McDonald Road

Edinburgh EH7 4NS

( if you would like to visit in person, you must make an appointment first)

Their freepost address is

FREEPOST SPSO

Freephone 0800 377 7330

Online contact [www.spso.org.uk/contct-us](http://www.spso.org.uk/contct-us)

Website [www.spso.org.uk](http://www.spso.org.uk)

There are some complaints about housing that have an alternative route for independent review. We will tell you how to seek independent review when we give our final response on your complaint.

**13. Factoring Complaints:**

The SPSO does not normally look at complaints about our factoring services.

The First-tier Tribunal for Scotland (Housing and Property Chamber) will try to resolve complaints and disputes between homeowners and property factors.

After we have fully investigated and given you a final response to your complaint, if you are still dissatisfied with our decision or the way we dealt with your complaint, you can ask the First-tier Tribunal for Scotland (Housing and Property Chamber) to consider it.

Before considering a complaint, the First-tier Tribunal for Scotland (Housing and Property Chamber) will expect you to advise them that we have refused to resolve your concerns or have unreasonably delayed attempting to resolve them.

They will also expect you to have notified us in writing why you consider we have failed to carry out our duties.

For more details contact:

**In Person or** Housing and Property Chamber First-Tier Tribunal for Scotland,

**By Post** Glasgow Tribunals Centre, 20 York Street, Glasgow, G2-8GT

**Telephone:** 0141-302-5900

**Email:** HPCAdmin@scotcourtstribunals.gov.uk

**Online:** [https://www.housingandpropertyRHAmber.scot](https://www.housingandpropertychamber.scot/)

**14.** **Reporting a significant performance failure to the Scottish Housing Regulator**

The Scottish Housing Regulator (SHR) can consider issues raised with them about ‘significant performance failures’. A significant performance failure is defined by the SHR as something that a landlord does or fails to do that outs the interests of its tenants at risk, and which the landlord has not resolved. This is something that is a systemic problem that does, or could, affect all of a landlord’s tenants. If you are affected by a problem like this, you should first report it to us. If you have told us about it but we have not resolved it, you can report it directly to the AHR>

A compliant between an individual tenant and a landlord is not a significant performance failure. Significant performance failures are not, therefore, dealt with through this complaints handling procedure. You can ask us for more information about significant performance failures. The SHR also has more information on their website

[www.scottishhousingregualtor.gov.uk](http://www.scottishhousingregualtor.gov.uk)

15. **Getting help to make your complaint**

We understand that you may be unable or reluctant to make a complaint yourself. We accept complaints from the representative of a person who is dissatisfied with our service. We can take complaints from a friend, relative, or an advocate, if you have given them your consent to complain for you.

You can find out about advocates in your areas by contacting the Scottish Independent Advocacy Alliance.

Website [www.siaa.org.uk](http://www.siaa.org.uk)

Telephone 0131 510 9410

You can find out about advisors in your area through Citizens Advice Scotland:

Website [www.cas.org.uk](http://www.cas.org.uk)

We are committed to making our service easy to use for all members of the community. In line with our statutory equalities duties, we will always ensure that reasonable adjustments are made to help you access and use our services. If you have trouble putting your complaint in writing, or want this information in another language or format, such as large font, or Braille, please tell us in person, contact us on 0141 774 4433 or email us at [administrator@ruchazieha.co.uk](mailto:administrator@ruchazieha.co.uk).

**15. Our contact details**

Ruchazie Housing Association

24 Avondale Street

Ruchazie

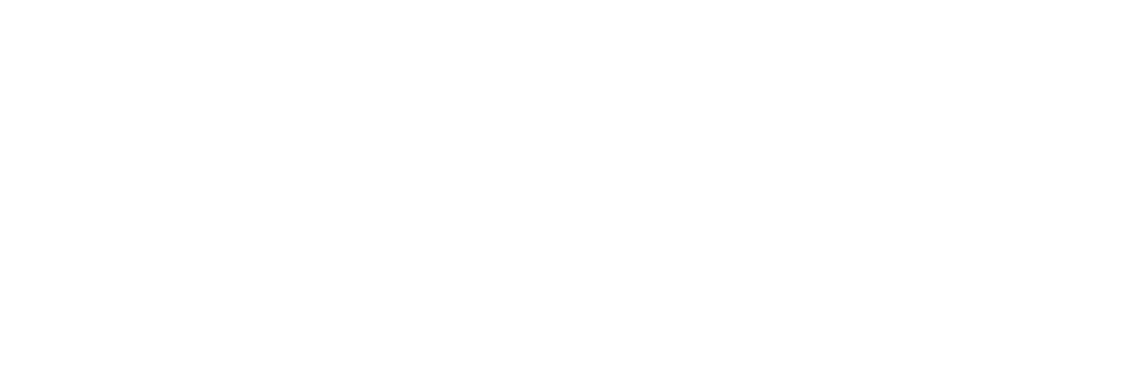
Glasgow G33 3QS

Tel 0141 774 4433

Email: [administrator@ruchazieha.co.uk](mailto:administrator@ruchazieha.co.uk)

Website: [www.ruchazieha.co.uk](http://www.ruchazieha.co.uk)





**Complaints procedure**

You can make your complaint in person, by phone, by email or in writing.

We have

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**-**

**stage complaints procedure**

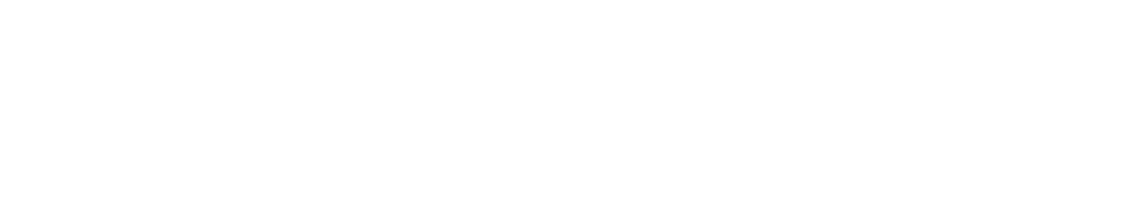
. We will always try to deal with your

complaint quickly. But if it is clear that the matter wil

l need investigation, we will tell

you and keep you updated on our progress.

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**Stage 1: Frontline response**

We will always try to resolve your

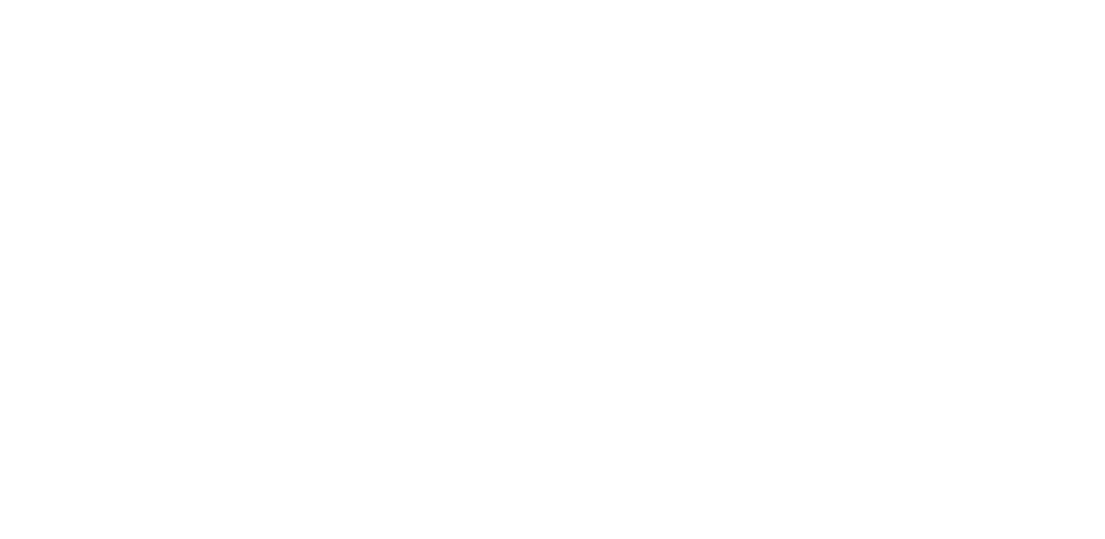
complaint quickly, within

**five working days**

if we can.

If you are dissatisfied with our response, you can ask us to consider your complaint at

stage 2.



**Stage 2: Investigation**

We will look at your complaint at this stage if you are dissatisfied with our

response

at stage 1. We also look at some complaints immediately at this stage, if it is clear

that they need investigation.

We will acknowledge your complaint within

**three working days.**

We will confirm the points of complaint to be

investigated and what you want to

achieve.

We will investigate the complaint and give you our decision as soon as possible. This

will be after no more than

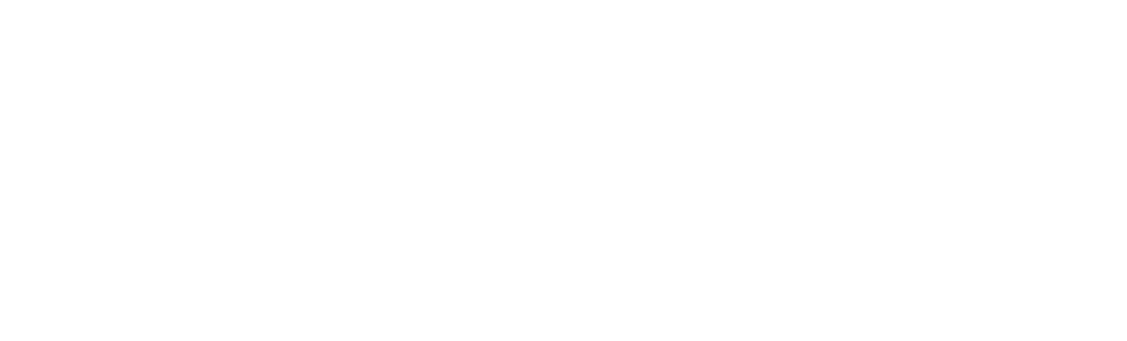
**20**

**working days**

*unless*

there is clearly a good reason for

needing more time.



**Scottish Public Serv**

**Ices Ombudsman**

If, after receiving our final decision on your complaint, you remain dissatisfied with our

decision or the way we have handled your complaint, you can ask the SPSO to consider

it.

There are some complaints about housing that have an altern

ative route for

Independent

review.

We will tell you how to seek independent review when we give

you our final response on your complaint.