



## Complaints Policy

### Policy Objectives

Ayrshire Housing seeks to provide a high quality of service to all its residents, applicants and those whom our services may affect indirectly. We aim to continuously improve our services. Inevitably there will be occasions where users feel let down or are dissatisfied in some way with the services provided. This policy aims to:

- provide a means of redress to complainants wherever possible.
- improve service delivery by treating complaints positively as customer feedback.
- ensure that service users are fully aware of their right to complain should they feel unhappy with any aspect of their dealings with the company.
- provide a clear and straightforward way for complaints to be dealt with.

### Principles

The Complaints Policy is underpinned by the following key principles:

- access to the procedure should be simple and straightforward.
- appropriate weighting to written and spoken comments.
- take complainants seriously, being sympathetic and understanding.
- be discrete, respecting the privacy and integrity of complainants and those who may be the subject of a complaint.
- anticipate and respond to complaints from those with special needs who may require advocates to represent them.

The response to a complaint should aim to:

- offer redress appropriate to any breakdown in service, restoring as far as possible complainants to the position they would have been in had the problem not occurred.
- be quick and efficient, within set time limits, addressing all the points at issue, and keeping the complainant informed of developments.
- be as open as possible, giving full explanations about the decisions taken, subject to respecting the privacy and interests of others.

### What Do We Mean by a Complaint

A complaint can arise if any of the following has happened:

- there has been an avoidable delay, poor quality or the absence of services provided.
- if there has been a failure to follow correct procedures.
- not telling a person who has complained informally that there is a right to take the matter further.
- unfairness, bias or prejudice.
- giving advice that is misleading or unsuitable.
- refusing to answer reasonable questions.
- being impolite and not apologising properly for mistakes.
- mistakes in handling someone's claims.
- not offering a suitable remedy when one is necessary.

For a complaint to be considered it should be specific. It should relate to incidents or issues personally affecting individual complainants. A complaint can be received from either an individual, a group of individuals or from a third party with the explicit approval of the complainant(s).

### **What is not Covered by this Policy**

If the issue is about the content of a policy rather than how it has been applied, this will not be dealt with under the Complaints Policy. The individual will, however, be invited to write to the Director or the Chair with their views on how the policy might be altered.

Complaints about neighbours are dealt with under a separate Neighbour Disputes Policy. If the complaint, however, is about the way in which the dispute has been handled by the company, then it would be addressed in accordance with the Complaints Policy.

### **Dealing with Anonymous or Malicious Complaints**

The Director will be given discretion to disregard or respond in an appropriate way to complaints that are:

- made anonymously
- malicious

Each complaint will be considered on its own merits. Any disregarded complaints will be recorded and included in the annual summary presented to the Board.

### **Access to the Complaints Procedure**

The company will make its procedure's for dealing with complaints as widely known as possible. The company will therefore ensure the following:

- publicity about the policy is in clear English and is easy to follow.
- it is available in leaflet form in the office's Reception Area.
- access to a translating and interpreting facilities for service users.
- it is available in a variety of formats such as large print and on tape.
- a summary is included with leaflets which accompany application forms and in the tenant's handbook and on the association's website.
- that contractors in possession of development sites have adequate complaints' procedures in place and that anyone complaining about building works is made aware of these separate procedures.
- summaries of the policy available to local advice centres and care providers.

### **Role of the Board**

The role of the Board in the complaint's procedure is to:

- monitor the number of complaints received and their outcome.
- hear appeals through an appeals panel.

Board members who are approached directly by anyone with a complaint will direct that person to follow the complaint's procedure as detailed below since any involvement by members may undermine the ability to hear appeals at a later stage with impartiality.

### **Monitoring and Review**

Monitoring arrangements serve two purposes. The first is to ensure that the overall system is working as intended and meeting the response targets set. The second is through the collation and processing of information to be used in the improvement of services.

Good record keeping is vital and all complaints should be recorded. A complaints log notes every complaint made and progress is then recorded at each stage. complaints will be categorised by problem type, eg:

- access to services
- service levels
- delay in service delivery
- communications
- discrimination
- attitude or conduct of staff and Board members
- faulty procedures
- policy issues
- other matters

An annual report is submitted to the Board on the type and number of complaints, and their outcomes. The Board can then decide if services are being delivered to the highest standard possible. Annual information provided to the Board will be in an anonymous form. It will deal with the number and types of cases responded to, response times against targets, and record any changes proposed in policy and practice to improve services. The report will also include a summary of any cases taken up by the Ombudsman.

### **Confidentiality**

As far as is possible all complaints will be treated in confidence. The name of the person making the complaint will not be divulged any more than is absolutely necessary within the organisation.

Complainants should appreciate that if the issue involves another tenant or member of staff, then it may be difficult to address it without also talking to the other parties. If the person asks the company not to reveal their name in such circumstances, this will be respected but it may not be possible for the company to come to any conclusion as to the basis of the complaint.

### **Review**

The Complaints Policy will be reviewed on an ongoing basis with a formal policy review at least every five years.

## **Detailed Procedures for handling complaints:**

### **Informal Resolution of Complaints**

Service users have every right to make a formal complaint if they wish to do so, see below. It is often, however, in everyone's best interest if the problem can be resolved in an informal and friendly manner.

If a service user (a tenant, applicant etc) is not satisfied with the service that they have received, they are encouraged to contact us as soon as possible. We always want to hear of instances where it is felt that we have not provided a high standard of service and suggestions of how we might improve matters.

The staff member should clarify with the complainant the nature of the problem and what solution is being sought. Every effort should be made to sort out the problem quickly.

The member of staff should:

- o explain the action which can or will be taken

- apologise if appropriate
- let the complainant know when a full response might be expected

If the relevant member of staff is not available, the details should be noted and passed on for action as soon as is possible. In all cases, complaints should be acknowledged within 3 working days in writing. The most directly responsible member of staff should advise the complainant of the outcome within 10 working days in writing.

A written response should be made even when the complaint is made and initially dealt with verbally.

Although this is likely to be done on the phone or in person, it is important that the staff member receiving the complaint records it in a central Log. This should record:

- the complainant's name
- Date of first contact
- Nature of complaint
- Action taken
- Date of response
- Whether or not the issue appeared to have been resolved
- Confirmation that complainant is informed of formal complaint's procedure and local opportunities to get independent advice
- File response
- Person/s dealing with complaint

No member of staff should investigate a complaint which implies wrongdoing on their part. Informal complaints of this nature must be referred to the employee's line manager who will deal with the matter.

### **Formal Complaints**

If the complainant is not satisfied with an attempt at informal resolution or wishes to make a formal complaint, then this should be made to the Director. If the complaint is against the actions of the Director or implies wrongdoing on their part, then the complaint should be addressed to the Chairman. The Director must refer any such complaints that he or she receives to the Chairman.

Preferably formal complaints should be made in writing. If this is difficult, they may be made by telephone or in person. If the Director (or if appropriate, the Chairman) is not available, the complaint must be noted by the person receiving it and then passed as soon as possible to the Director or Chairman.

All formal complaints will be acknowledged in writing within 3 working days. If the complaint has been made verbally, the complainant will be asked to sign a

summary of the main points at issue to confirm that these have been correctly noted.

Within 10 working days, the company will seek to fully respond in writing to the complainant. If, for reasons outwith the its control, a full response cannot be given, then an alternative deadline for dealing with the matter will be proposed.

The complaint will be logged in the same manner as for informal ones

### **Appeals to the Board**

If the Complainant feels that their (formal) complaint has not been dealt with in a satisfactory manner by, as appropriate, the Director or the Chairman, they may write to the Secretary to request that an appeal hearing be held.

The request will be acknowledged within 3 working days and a hearing will be convened as soon as practicable.

The appeal panel will consist of 3 Board members selected by the Secretary from members who have indicated their willingness to take part in such hearings. The three members will select a convenor from their ranks. The Chairman of the Board will be excluded from membership if he or she has determined the initial formal complaint.

The panel may seek statements from the staff, Chairman and others at its discretion. It may examine relevant files and carry out a site visit if this is appropriate.

The complainant may make written and verbal statements, call witnesses, and be represented if they desire by a friend or advisor.

The decision of the panel will be final (in terms of the company's own processes). Within 5 working days of the hearing, the panel convenor will write to the complainant to:

- State the outcome of the complaint.
- If required to propose any redress
- To advise that the complainant may refer the matter to the Ombudsman

A note of the complaint, the outcome and key dates will be entered in the complaints monitoring log.

### **The Scottish Public Services Ombudsman**

The Ombudsman only deals with complaints that have been through the company's complaints procedure, and which centre on the company's role as a landlord, including factoring to non-tenants.

If after investigation, the Ombudsman finds that the company is in the wrong then he will require that it make redress to the complainant and rectify any administrative failings. We will make available investigation reports by the Ombudsman by placing a link to the reports on the company's website. This is the form of dissemination recommended by the Ombudsman.

Ayrshire Housing will co-operate fully with the Ombudsman's staff in their investigations. Leaflets describing the service will be made available through the office.