



Cassiltoun

Housing Association

COMPLAINTS POLICY

Date Approved	Proposed Review Date
February 2024	February 2027
Chair Person/Office Bearers Signature:	

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Cassiltoun Housing Association is a recognised Scottish Charity SC035544

CONTENTS PAGE

1.	Purpose	2
2.	Scope	2
3.	Definitions	2
4.	Policy Statement	2-6
5.	Review	6

PURPOSE

This policy sets out our overall arrangements for handling complaints and is supported by the Complaints Handling Procedure (COMPLAINTS HANDLING PROCEDURE). This policy also sets out our arrangements for redress for customers in the event of significant inconvenience or distress having been caused.

SCOPE

This policy is applicable to all Cassiltoun Housing staff in dealing with any complaints against staff or our organisation. This policy does not cover complaints made by customers against other customers – these are dealt with under the Neighbour Relations Policy.

DEFINITIONS

Complaint

An expression of dissatisfaction about our action or lack of action, or about the standard of service provided by or on behalf of us.

Complaints Stages

There are two stages for handling complaints:

Stage 1: Frontline (straight forward, easily resolved), responded to within 5 working days.

Stage 2: Investigation (require more investigation, complex or high risk), responded to within 20 working days.

Scottish Public Services Ombudsman (SPSO)

The final stage for complaints about public services: <https://www.spsso.org.uk/>

First-tier Tribunal for Scotland (Housing & Property Chamber)

The final stage of complaints for factored owner

POLICY STATEMENT

Principles

In implementing this policy and the supporting procedures we are adopting and complying with the SPSO's Model Complaints Handling Procedure. Full details of how complaints will be handled, along with accompanying guidance for staff, are found in the Complaints Handling Procedure.

Roles and responsibilities

All staff will be aware of:

- the Complaints Handling Procedure (COMPLAINTS HANDLING PROCEDURE).
- how to handle and record complaints at the frontline response stage.
- who they can refer a complaint to, in case they are not able to handle the matter.

- the need to try and resolve complaints early and as close to the point of service delivery as possible.
- their clear authority to attempt to resolve any complaints they may be called upon to deal with.

Training on this procedure will be part of the induction process for all new staff. Refresher training will be provided for current staff on a regular basis.

Senior management will ensure that:

Cassiltoun Housing Association's final position on a complaint investigation is signed off by an appropriate manager in order to provide assurance that this is the definitive response of Cassiltoun Housing Association and that the complainant's concerns have been taken seriously.

It maintains overall responsibility and accountability for the management and governance of complaints handling.

It has an active role in, and understanding of, the Complaints Handling Procedure.

Mechanisms are in place to ensure a consistent approach to the way complaints handling information is managed, monitored, reviewed and reported at all levels of the Association.

Complaints information is used to improve services.

The role of the Board is:

- to approve the adoption of the COMPLAINTS HANDLING PROCEDURE.
- to ensure that staff keep to the COMPLAINTS HANDLING PROCEDURE and associated internal processes.
- to ensure that information and learning from complaints are used to improve our understanding of, and to steer, our policies and practices.

Particularly important is the Board's role in developing and fostering a culture that values complaints. The Board must ensure that recording and reporting of complaints is thorough and effective, so that reports to the Board reflect a true picture of all complaints.

The Chief Executive Officer is responsible for ensuring that there is an effective COMPLAINTS HANDLING PROCEDURE, with a robust investigation process that demonstrates how we learn from the complaints we receive.

The Chief Executive Officer is also responsible for ensuring that there are governance and accountability arrangements in place in relation to complaints about contractors. This includes:

- ensuring performance monitoring for complaints is a feature of the service/ management agreements between Cassiltoun Housing Association and contractors.
- setting clear objectives in relation to the Complaints Handling Procedure and putting appropriate monitoring systems in place to provide Cassiltoun Housing Association with an overview of how the contractor is meeting its objectives.

The Chief Executive Officer may delegate these responsibilities to appropriate senior staff. Regular management reports will be used to assure the Chief Executive Officer of the quality of complaints performance.

On the Chief Executive Officer's behalf, senior managers may be responsible for:

- managing complaints and the way we learn from them.
- overseeing the implementation of actions required as a result of a complaint.
- investigating complaints.
- deputising for the Chief Executive Officer on occasion.

They may also be responsible for preparing and signing off decisions for customers, so they should be satisfied that the investigation is complete and their response addresses all aspects of the complaint. However, senior managers may decide to delegate some elements of complaints handling (such as investigations and the drafting of response letters) to other senior staff. Where this happens, senior managers should retain ownership and accountability for the management and reporting of complaints.

Senior Managers are responsible for ensuring all new staff receive training on the Complaints Handling Procedure as part of the induction process, and that refresher training is provided for current staff on a regular basis.

Recording, reporting, learning from and publicising complaints

Complaints provide valuable customer feedback. One of the aims of the Complaints Handling Procedure is to identify opportunities to improve services across Cassiltoun Housing Association. By recording and analysing complaints data, we can identify and address the causes of complaints and, where appropriate, identify training opportunities and introduce service improvements.

We also have arrangements in place to ensure complaints about contractors are recorded, reported on and publicised in line with this Complaints Handling Procedure.

Recording complaints

It is important to record suitable data to enable us to fully investigate and respond to the complaint, as well as using our complaint information to track themes and trends. As a minimum, we should record:

- the customer's name and contact details
- the date the complaint was received
- the nature of the complaint
- the service the complaint refers to
- staff member responsible for handling the complaint.
- date the complaint was closed.
- the underlying cause of the complaint and any remedial action taken.
- outcome/decision (i.e. resolved, upheld or not upheld).
- any learning that will help prevent similar complaints in future.

If the customer does not want to provide any of this information, we will reassure them that it will be managed appropriately, and record what we can. Individual complaint files will be stored in line with our document retention policy.

Learning from Complaints

We must have clear systems in place to act on issues identified in complaints. As a minimum, we will:

- Seek to identify the root cause of complaints.
- Take action to reduce the risk of recurrence.
- Systematically review complaints performance reports to improve service delivery.

Learning may be identified from individual complaints (regardless of whether the complaint is upheld or not) and from analysis of themes evident in complaints data.

Learning will be recorded and reported on quarterly to the Senior Leadership Team and the Board of Management.

Our Learning from Complaints group will meet quarterly to review recorded learning and complaints data.

Reporting of complaints

We will report quarterly to the Senior Leadership Team and the Board of Management on:

- performance statistics, in line with the complaints performance indicators published by the SPSO and from the Annual Return on the Charter.
- analysis of the trends and outcomes of complaints.

Publicising complaints information

We will publish information on complaints on a quarterly basis, including 'you said, we did' information around complaints outcomes and actions taken to improve services. This will be published on our website and in our customer newsletter. We will publish an annual complaints performance report on our website in line with SPSO requirements, and provide this to the SPSO on request. This summarises and builds on the quarterly reports we have produced about our services. It includes:

- performance statistics, in line with the complaints performance indicators published by the SPSO.
- complaint trends and the actions that have been or will be taken to improve services as a result.

Complaints Redress

Redress is setting right what went wrong for an individual or group of individuals. This means that, wherever possible and practicable, a customer negatively affected as a consequence of when something has gone wrong should be returned to the position they would have been in if the failure had not occurred.

Redress may include some or all of the following:

- An apology
- An explanation.
- Practical action to mitigate any detriment.
- Where possible, reimbursement of demonstrable loss and/or costs incurred.
- Other appropriate action suggested by the complainant or the Association.

Redress should:

- Be fair and reasonable.
- Take into account the wishes and needs of the complainant.
- Be procedurally sound.
- Be provided in a timely manner
- Provide, as far as possible, a comprehensive resolution of the issue remembering that it may apply not only to the complainant but others who have suffered as a result of the same failure.

Redress may be limited by:

- The time elapsed since the problem occurred.
- The degree to which the complainant had a contributory responsibility for the failure and the detriment suffered.
- The capability of the Association to comply.
- Damage that should be covered by an insurance or liability claim (discuss areas of doubt with the Asset Manager who can direct you to our Brokers for advice).

Any calculation for financial payment should take into account the degree to which the customer has contributed to the failure or loss suffered, and the extent to which loss can be demonstrated.

In the assessment of any time and trouble payment, consideration should be given to all relevant factors, such as:

- The passage of time, including response times by the Association in relation to the nature of the problem.
- The amount of time and effort which the complainant had to devote.
- Difficulty experienced by the complainant in dealing with Cassiltoun Housing Association
- The degree of inadequacy in the response of the Association to letters, phone calls and visits.
- Whether this is a repeat issue that the complainant has previously complained about.

All calculations and reasons for each element should be clearly recorded on Homemaster (Housing Software). All financial redresses will be coded to the compensation budget, enabling us to report on the total amount spent on redress each year.

In the spirit of dealing with complaints swiftly and fairly, Cassiltoun Housing Association will deal with redress related to issues caused by contractors in exactly the same way as we deal with our own errors. After providing the customer with redress, the staff member responsible for doing so should take the necessary action to recover costs from the relevant contractor.

Prior to making a gesture or payment to a customer, their account should be checked for outstanding payments (rent arrears, rechargeable repairs arrears or factoring arrears). If the customer is not up to date with payments, the case should be discussed with the Director of Operations and/or Asset Manager to assess the best way forward. Consideration should be given to applying any credit to a customer in such a situation's account, rather than directly to the customer.

EQUALITY AND DIVERSITY

We are committed to promoting an environment of respect, understanding, encouraging diversity and eliminating discrimination by providing equality of opportunity for all. This is reflected in our Equality and Diversity Policy.

GDPR

We will treat personal data in line with our obligations under the current data protection regulations and our Privacy Policy. Information regarding how data will be used and the basis for processing your data is provided in our Fair Processing Notice.

REVIEW

We will review and update this Policy at least every 3 years or earlier, if required by changes in legislation.