



COMPLAINTS POLICY

GS3.3 – Complaints and Appeals

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.

Document Control

Title	Complaints Policy				
Responsible Person	Chief Executive				
Date of Board Approval	Tuesday 29 th March 2011				
Review by	AICC				
Review Frequency	3 Yearly			Next Review April - 2014	
Consultation Required	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	
Equalities Impact Assessment	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	
Rights	Private/Public				

Associated Documents

This document should be read in conjunction with:

Tenants' Handbook
Complaints Procedure
Complaints Leaflet

Unacceptable Actions Guidelines
Compensation Policy

Translation Statement

If you have any difficulties reading this information or need further help understanding our processes please call us (01450 364200) or visit our office (27 North Bridge Street, Hawick, TD9 9BD). We can make this document available in a variety of formats. All you need to do is let us know what you need and we will try to assist.

Compliance

This policy has been drafted to ensure that it complies with the Regulatory Code of Governance Guidance Standards (GS3.3 – Complaints and Appeals) and Scottish Public Services Ombudsman Guidelines .

Equality & Diversity

Waverley Housing is committed to providing services which embrace diversity and which promote equality of opportunity. As an employer we are also committed to equality and diversity within our workforce. Our goal is to ensure that these commitments, reinforced by our Values, are embedded in our day to day working practices.

Openness & Confidentiality

Waverley Housing believes that its members, tenants, and other interested parties should have access to information on how it conducts itself. This means that unless information requested is considered commercially sensitive or personally confidential it will be made available on request.

Data Protection

Waverley Housing recognises that the Data Protection Act 1998 is an important piece of legislation to protect the rights of individuals in respect to any personal information that we may keep about them, whether on computer or in manual systems.

We are registered with the Information Commissioner as a Data Controller under the Data Protection Act, and must ensure that our practices in the handling of personal information are of a high standard and comply fully with the Act.

1 Introduction

- 1.1 Waverley Housing aims to learn from all customer feedback. We will actively encourage compliments, comments and complaints. We will use them as an opportunity to learn about our strengths and about areas requiring improvement, to inform and improve the services we deliver.
- 1.2 This document is a statement of our policy for dealing with complaints about our practices, activities and services.
- 1.3 Nothing in this policy or the relevant procedures shall affect any legal remedies that may be available to the complainant.

2 Aims

- 2.1 This document aims to provide clear and concise guidance to staff, tenants and other stakeholders on complaints handling.

We aim to:

- provide opportunities to receive and use feedback
- make it easy for people to exercise their right to complain when they are dissatisfied
- deal with complaints appropriately, confidentially and within set timescales
- ensure that any shortcomings in our services and procedures which have been identified are addressed appropriately
- ensure that principles of equal access to services and respecting the diversity of our customers is applied
- turn dissatisfied customers into satisfied customers

3 Compliments and Comments

- 3.1 Compliments and comments are welcomed, as they provide:
 - informal feedback on the standards we achieve
 - opportunities to improve existing services
 - 'early warning' of issues that could evolve into complaints, allowing us to take early action

4 Complaints

- 4.1 Definition of a complaint:

An expression of dissatisfaction, however made, about the standard and quality of service, action or lack of action by Waverley Housing or its staff affecting an individual customer or a group of customers.

4.2 The following are examples of what may be considered a complaint:

- a repair which has not been undertaken properly
- information has been requested but not provided
- unreasonable behaviour of staff, contractor or Board Member
- improper processing of a housing application
- if complainant feels they have been unfairly discriminated against
- if we fail to achieve our standards

4.3 The following cases **will not** be dealt with as a complaint:

- if legal action is being taken by the complainant against the company or by the company against the complainant
- any issues where there is the potential for legal action, e.g. invoice disputes
- any decision made by a third party for which the third party has sole responsibility and is outwith the control of Waverley Housing, e.g. decline of insurance claim by insurer
- issues over 4 months old
- claims considered unreasonable
- any matter not directly affecting the complainant

5 Scope

5.1 To enable persons to raise a complaint either formally or informally against the company; its staff, agents or contractors and to be given an adequate response to such a complaint.

6 Two Stage Complaint Process

Stage 1 - Informal Complaint – Frontline Response

- 6.1 Wherever possible, we encourage our stakeholders to resolve complaints informally. All staff are authorised to resolve complaints by being able to offer immediate redress wherever practical and appropriate.
- 6.2 The aim of frontline resolution is to provide a quick, informed response however, it will occasionally be necessary for staff to find out more about the points raised before a response can be issued. Should this be necessary we will endeavour to do so within 3 working days of receiving the complaint.
- 6.3 Informal complaints will be recorded in the same way that formal complaints are recorded.
- 6.4 Where it is not possible to resolve complaints informally or if the complainant is not satisfied with the outcome, they can request that their complaint be considered at the second stage of our complaints process as follows.

Stage 2 - Formal Complaint – Investigative Stage

- 6.5 The Company Administrator or delegated person will be the sole point of contact for Stage 2 Complaints, the complainant will be given the name and contact details of this person at the outset of the complaints procedure.
- 6.6 Where possible, complaints to be considered at this stage should be in writing. However, this will not present a barrier and where the complainant cannot provide a complaint in writing, the Company Administrator or delegated person will write the complaint for them and read it back to ensure that an accurate record of the complaint has been taken.
- 6.7 The complaint will be acknowledged within three working days of receipt and will set out the timescale for responding i.e. within 20 working days. This will allow time for the Company Administrator or delegated person to gather all information relative to the complaint. Depending on the complexity of the complaint, if the response is likely to be delayed, the complainant will be advised and given a revised timescale.
- 6.8 The Company Administrator or delegated person will issue a definitive response based on the facts gathered by a thorough investigation of the points raised by the complainant.
- 6.9 Should the complainant feel that their complaint has not been resolved to their satisfaction they have the right to appeal to the Scottish Public Services Ombudsman at SPSO, Freepost EH64, Edinburgh, EH3 0BR (Tel: No: 0800 377 7330; Fax No: 0800 377 7331; Email: <http://www.spsso.org.uk>).
- 6.10 The Scottish Public Services Ombudsman will not consider a complaint until it has first been made formally to Waverley Housing and a definitive response has been issued by Waverley Housing.
- 6.11 We will publicise the rights of any complainant to refer a matter to the Ombudsman in our Tenants' Handbook as well as in any other general documentation relevant to our services and in particular relevant to our complaints procedure.

7 Complaints Against a Member of the Board or the Chief Executive

- 7.1 Complaints against a Member of the Board or the Chief Executive should be addressed to the Company Secretary. We will aim to resolve such issues informally but where necessary shall seek external independent professional advice to support the handling of such complaints.

8 Abusive, Persistent or Vexatious Complaints

- 8.1 Our approach to abusive, persistent or vexatious complaints is outlined in our Unacceptable Actions Guidelines.

9 Use of Alternative Dispute Resolution

- 9.1 When appropriate and where parties agree, mediation will be used to facilitate communication. Mediators will be appropriately trained and qualified to perform their role.

10 Monitoring and Review

- 10.1 All complaints will be recorded and actioned within the timescales aforementioned.

11.2 All correspondence, notes of verbal discussions and any other documentation relevant to complaints, will be retained with the complaint.

12.3 Each complaint received will be issued with a unique reference number.

11 Training and Publicity

11.1 We will ensure that all staff receive appropriate training on the complaints policy and related procedures, including how individual complaints are to be handled.

11.2 This policy will be publicised within our contact centre and on our website. Summary leaflets will be available and will be issued on request.

12 Performance Reporting

12.1 We will report to the Management Team and Board on key performance indicators on a monthly basis.

12.2 A quarterly report will detail all formal complaints received, outcome and service improvements made as a result. This report will be reviewed by the Management Team and Board Members.