

Housing and Property Chamber
First-tier Tribunal



Complaints Procedure

Waverley Housing is committed to providing high-quality customer services.

We value complaints and use information from them to help us improve our services.

If something goes wrong or you are dissatisfied with our services, please tell us. This leaflet describes our complaints procedure and how to make a complaint. It also tells you about our service standards and what you can expect from us.

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.

What can I complain about?

You can complain about things like:

- delays in responding to your enquiries and requests
- failure to provide a service
- our standard of service
- dissatisfaction with our policy
- treatment by or attitude of a member of staff
- our failure to follow proper procedure.

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

How do I complain about maintenance contractors?

It is important to note that all maintenance contractors who carry out work on our behalf must comply with our high standards of conduct in order to remain on our approved list. Contractors' performance is monitored on a regular basis, however, if you are dissatisfied with the service/conduct of any of our contractors you should, in the first instance, contact our office and speak to a member of our Dedicated Complaints Team who will respond to your complaint within the timescales detailed below.

What can't I 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. If you are still not satisfied, you can ask the Scottish Public Services Ombudsman for an independent review of the complaint or for factoring, the Housing and Property Chamber (First-tier Tribunal).

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

Who can complain?

Anyone can make a complaint to us, including the representative of someone who is dissatisfied with our service. Please also read the section on 'Getting help to make your complaint'.

How do I complain?

You can complain in person at our office at 51 North Bridge Street, Hawick, TD9 9PX by phone, in writing, email or by using our complaints form.

It is easier for us to resolve complaints if you make them quickly and directly to the service concerned. So please talk to a member of our staff at the service you are complaining about. Then they can try to resolve any problems on the spot.

When complaining, tell us:

- 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.

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.

Contact details

Waverley Housing

51 North Bridge Street

HAWICK

TD9 9PX

TEL: 01450 364200

Fax: 01450 379966

Email: info@waverley-housing.co.uk

What happens when I have complained?

We will always tell you who is dealing with your complaint. Our complaints procedure has two stages:

Stage One – Frontline Resolution

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.

We will give you our decision at stage 1 in five working days or less, unless there are exceptional circumstances.

If we can't resolve your complaint at this stage, we will explain why. If you are still dissatisfied you can ask for your complaint to be investigated further through stage 2. You may choose to do this immediately or sometime after you get our initial response. We can help you with making this request.

Stage Two – Investigation

Stage 2 deals with two types of complaint: those that have not been resolved at stage 1 and those that are complex and require detailed investigation.

When using stage 2 we will:

- acknowledge receipt of your complaint within three working days
- 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 tell you. We will agree revised time limits with you and keep you updated on progress.

What if I'm still dissatisfied?

With the exception of factoring complaints, after we have fully investigated, if you are still dissatisfied with our decision or the way we dealt with your complaint, you can ask the Scottish Public Services Ombudsman (SPSO) to look at it.

The SPSO **cannot** normally look at:

- a complaint that has not completed our complaints procedure (**so please make sure it has done so before contacting the SPSO**)
- events that happened, or that you became aware of, more than a year ago
- a matter that has been or is being considered in court.

You can contact the SPSO:

In Person:

SPSO

4 Melville Street

Edinburgh

EH3 7NS

By Post:

Freepost SPSO

(this is all you need to write on the envelope, and you do not need to use a stamp).

Freephone: 0800 377 7330

Online contact www.spsso.org.uk/contact-us

Website: www.spsso.org.uk

Mobile site: <http://m.spsso.org.uk>

Factoring Complaints

After we have fully investigated your complaint and if you are still dissatisfied with our decision or the way we dealt with your complaint, you can register your complaint with the Housing and Property Chamber. The Housing and Property Chamber will determine whether we have failed to carry out our factoring duties, or failed to comply with the Code of Conduct for Property Factors.

To take a complaint to the Housing and Property Chamber, homeowners must first notify Waverley Housing in writing why you consider that we have failed to carry out our duties, or failed to apply with the Code of Conduct for Property Factors. Waverley Housing must also have refused to resolve your concerns, or have unreasonably delayed attempting to resolve them.

When making a complaint to the Housing and Property Chamber, you must provide clear reasons why you are not satisfied.

Contact details:

By Letter to:-

Housing & Property Chamber
First-tier Tribunal for Scotland
4th Floor
1 Atlantic Quay
45 Robertson Street
GLASGOW G2 8JB

Tele: 0141 302 5900

Fax: 0141 302 5901

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 puts the interests of its tenants at risk, and which the landlord has not resolved. This is something that is a systematic 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 SHR.

A complaint 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:

<http://www.scottishhousingregulator.gov.uk/>

Or you can phone them on: 0141 242 5642 or email:
shr@scottishhousingregulator.gsi.gov.uk

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.

Scottish Independent Advocacy Alliance

Tel: 0131 524 1975 Website: www.siaa.org.uk

Citizens Advice Scotland

Website: www.cas.org.uk

Or check your phone book for your local bureau.

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 customers access and use our services. If you have trouble putting your complaint in writing please tell us.

We can also give you this leaflet in other languages and formats (such as **large print**, audio and Braille).

Our contact details

Please contact us by telephone on 01450 364200.

Quick guide to our complaints procedure

