

## Complaints Policy

Policy Number: G04

<b>Prepared By</b>	Customer Services		
<b>Policy Created</b>	Complaints Policy		
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			X
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<b>Posted on Website</b>	Yes		

If you need this publication in larger print, audio form, Braille, or in another language, please contact our office and we will try to help you.

## **1. Introduction**

- 1.1 Clyde Valley Housing Association is committed to providing high-quality customer services.
- 1.2 We value complaints and use information from them to help us improve our services.
- 1.3 If something goes wrong or you are dissatisfied with our services, please tell us. This policy outlines our approach to dealing with complaints.

## **2. Equality, Diversity and Inclusion**

Clyde Valley Group (CVG) are committed to tackling the inequalities and barriers that hold our communities back by responding to the needs of our customers. We believe that by embracing diversity and challenging discrimination we will ensure that people from all backgrounds are treated equally and fairly.

Our responsibility is to ensure compliance with our legal duties as detailed in the Equality Act 2010 and the Housing (Scotland) Act 2010.

We ensure a full Equality and Diversity Impact Assessment is applied to all of our Policies and Procedures.

For more information on our legal duties and approach please refer to the Clyde Valley Group Equality, Diversity and Inclusion Policy (Policy Number HR10). This is available on our website or it can be posted to you. If you need the document in special format, please let us know your requirements.

## **3. What is a complaint?**

- 3.1 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.

## **4. What can I complain about?**

- 4.1 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.
- 4.2 Your complaint may involve more than one of our services or be about someone working on our behalf.
- 4.3 If you feel you have been treated differently or unfairly due to your personal circumstances or personal characteristics, we want you to share this with us. We need to ensure you are being treated fairly and that our services, staff, and policies and procedures are fully compliant with our duty to ensure that the principles of Equality and Diversity are at the core of our service delivery.

## **5. What can't I complain about?**

5.1 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 that don't relate to a complaint;
- 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.

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

## **6. Who can complain?**

6.1 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'.

## **7. How do I complain?**

7.1 You can complain in person at our office at 50 Scott Street, Motherwell, by phone, in writing, email or by using our complaints from which can be downloaded from our web site [Customer Complaints \(cvha.org.uk\)](http://cvha.org.uk).

7.2 It is easier for us to resolve complaints if you make them quickly and directly to the service concerned. Please approach any member of our team to raise your complaint. Our Contact Centre team are available during office hours to discuss any requests or complaints.

7.3 When complaining, tell us:

- Your full name, address and email
- As much as you can about the complaint
- What has gone wrong
- How you want us to resolve the matter.

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

8.1 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.

8.3 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

Clyde Valley Housing Association  
50 Scott Street  
Motherwell  
ML1 1PN

Telephone: 01698 268855

Email: [cvha@cvha.org.uk](mailto:cvha@cvha.org.uk)

## 9. What happens when I have complained?

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

### **Stage one – frontline resolution**

8.2 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.

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

8.4 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**

8.5 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.

8.6 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.

8.7 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.

## 10. What if I'm still dissatisfied?

9.1 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.

9.2 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 at:

SPSO

Bridgeside House

99 McDonald Road

Edinburgh

EH7 4NS

[www.spsso.org.uk](http://www.spsso.org.uk) @SPSO\_OMBUDSMAN

Telephone: 0800 377 7330

## 11. Complaints about factoring

### 10.1 Housing and Property Chamber

Under Section 17 of the Property Factors (Scotland) Act 2011, homeowners can make an application to the Housing and Property Chamber for a determination of whether their property factor has failed to carry out their property factoring duties or failed to comply with the Code of Conduct.

10.2 To take a complaint to the Housing and Property Chamber, homeowners must firstly notify their property factor in writing of the reasons why they consider that the property factor has failed to carry out their duties or failed to comply with the Code of Conduct. The property factor must also have refused to resolve the homeowner's concerns or have unreasonably delayed attempting to resolve them.

11.3 The property factor must keep a written record of all complaints made by homeowners or third parties during the past three years in case this information is required by the Housing and Property Chamber.

11.4 The property factor must comply with any request from the Housing and Property Chamber to provide information relating to an application from a homeowner.

Housing and Property Chamber

First-tier

Tribunal for Scotland

Glasgow Tribunals Centre

20 York Street

Glasgow

G2 8GT

Telephone: 0141 302 5900

Fax: 0141 302 5901

[HPCAdmin@scotcourtribunals.gov.uk](mailto:HPCAdmin@scotcourtribunals.gov.uk)

## 12. Reporting a Significant Performance Failure to the Scottish Housing Regulator

- 11.1 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.
- 11.2 A complaint between an individual tenant and a landlord is not a significant performance failure. Significant performance failures are now, 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

## 13. Getting help to make your complaint

- 12.1 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.
- 12.2 You can find out about advocates in your area by contacting the Scottish Independent Advocacy Alliance or Citizens Advice Bureau.
- **Citizens Advice Scotland**  
Citizens Advice Scotland may be able to give you further advice and guidance. You can discuss your concerns with your local Citizens Advice Bureau. To find your nearest Bureau please visit [www.cas.org.uk](http://www.cas.org.uk)
  - **Shelter Scotland**  
Shelter Scotland has plenty of advice, including a benefits calculator, on their website. You can call their free national helpline for advice. Make sure you say you're calling from Scotland as advice for people living here will be different from that given for England and Wales.  
Telephone helpline: 0808 800 4444  
Website: [www.scotland.shelter.org.uk](http://www.scotland.shelter.org.uk)
  - **Law Society of Scotland**  
You may also wish to seek advice about whether there is a legal route for your concerns.  
The Law Society of Scotland may be able to help you find a solicitor.  
Telephone: 0131 226 7411  
Website: [www.lawscot.org.uk](http://www.lawscot.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 customers access and use our services. If you have trouble putting your complaint in writing, please tell us and we will assist you.

#### Accessibility

To read this document in the language of your choice please use the 'change language' icon on the CVHA website. You can also access the document by using the text to speech icon on our website.

要以您选择的语言阅读文档，请使用 CVHA 网站上的“更改语言”图标

Aby wyświetlić ten dokument w preferowanym języku, użyj ikony zmiany języka w witrynie internetowej CVHA.

ਦਸਤਾਵੇਜ਼ ਨੂੰ ਆਪਣੀ ਮਨਪਸੰਦ ਭਾਸ਼ਾ ਵਿੱਚ ਪੜ੍ਹਨ ਵਾਸਤੇ, ਕਿਰਪਾ ਕਰਕੇ CVHA ਵੈੱਬਸਾਈਟ 'ਤੇ 'ਭਾਸ਼ਾ ਬਦਲੋ' ਆਇਕੋਨ ਦੀ ਵਰਤੋਂ ਕਰੋ

Щоб прочитати документ обраною вами мовою, скористайтесь значком «змінити мову» на веб-сайті CVHA

دستاویز کو اپنی پسند کی زبان میں پڑھنے کے لیے CVHA ویب سائٹ پر 'زبان بدلیں' آئیکن کا استعمال کریں۔  
براہ کرم

#### 14. Our contact details

Please contact us by the following means:

Clyde Valley Housing Association  
50 Scott Street  
Motherwell  
ML1 1PN

Telephone: 01698 268855  
Email: [cvha@cvha.org.uk](mailto:cvha@cvha.org.uk)

## Policy Change History

Version No:	Substantive Change	Author of Change	Approval	Date	Website
1.0	The Equalities section has been expanded to reflect additional work and responsibilities. An Equalities Impact Assessment was carried out as part of the review.	Angela Cairns	Board	16/01/23	
1.1	New policy front cover and version control added	Anne Cavinue		30/01/23	