

Complaints Policy

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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 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.

2. What is a complaint?

- 2.1 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.

3. What can I complain about?

- 3.1 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.
- 3.2 Your complaint may involve more than one of our services or be about someone working on our behalf.

4. What can't I complain about?

- 4.1 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;
 - 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.
- 4.2 If other procedures or rights of appeal can help you resolve your concerns we will give information and advice to help you.

5. Who can complain?

- 5.1 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'.

6. How do I complain?

- 6.1 You can complain in person at our office at 50 Scott Street, Motherwell, by phone, in writing, email or by using our complaints form which can be downloaded from our web site at www.cvha.co.uk.
- 6.2 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.
- 6.3 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.

7. How long do I have to make a complaint?

- 7.1 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.
- 1.2 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

8. 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.

9. 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 @SPSO_OMBUDSMAN

Telephone: 0800 377 7330

10. 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.
- 10.3 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.
- 10.4 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

11. 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

12. 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

- **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

- **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

12.3 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.

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

13. 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

Quick guide to our complaints procedure

Complaints procedure

You can make your complaint in person, by phone, by e-mail or in writing.

We have a **two-stage complaints procedure**. We will always try to deal with your complaint quickly. But if it is clear that the matter will need a detailed investigation, we will tell you and keep you updated on our progress.

Stage 1: frontline resolution

We will always try to resolve your complaint quickly, within **five working days** if we can.

If you are dissatisfied with our response, you can ask us to consider your complaint at stage 2.

Stage 2: investigation

We will look at your complaint at this stage if you are dissatisfied with our response at stage 1. We also look at some complaints immediately at this stage, if it is clear that they are complex or need detailed investigation.

We will acknowledge your complaint within **three working days**. We will give you our decision as soon as possible. This will be after no more than **20 working days** unless there is clearly a good reason for needing more time.

The Scottish Public Services Ombudsman

If, after receiving our final decision on your complaint, you remain dissatisfied with our decision or the way we have handled your complaint, you can ask the SPSO to consider it. We will tell you how to do this when we send you our final decision.