



**Craigdale**  
HOUSING ASSOCIATION

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## COMPLAINTS POLICY

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**Date of Review: September 2020**

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**Craigdale Housing Association can provide this document on request, in different languages and formats, including Braille and audio formats.**

## 1. Introduction

Craigdale Housing Association (Craigdale) strives “to deliver excellent services across the organisation”. We recognise that from time to time we will not always get it right and face service failures and we value feedback from customers.

We recognise the role that effective handling of complaints has in improving the quality of services we deliver to our tenants and in fostering a culture of continuous improvement.

The Association is committed to ensuring that concerns from anyone who uses our services are acknowledged appropriately and timeously responded to.

The Association is also committed to learning from complaints and using the concerns raised as an opportunity to continuously improve our services.

The Association handles all complaints under the Scottish Public Services Ombudsman’s (SPSO’s) Model Registered Social Landlord (“RSL”) Complaints Handling Procedure (“the Model”).

## 2. Objectives of the policy

The core objectives of our policy are to:

- clearly define what we do and do not consider to be a complaint.
- set out our complaints handling process, including: - who will handle complaints received - the timescale in which we will respond to complaints - how and to whom complainants can appeal within the Association- how and to whom complainants can appeal to when they have exhausted the Association’s complaints process
- clearly set out for those complaining the legal and regulatory obligations we have, and are accountable for, in handling complaints
- set our approach to learning from complaints and recognising the value of complaints as a source of valuable feedback which can be used to inform the continuous improvement of our services

We handle all complaints under the Model and adopt the Model wording and definitions.

## 3. Complaint Handling Process

The details of our Complaints Handling Procedure are set out below, as well as summarised at Appendix 1.

### 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.

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

## 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 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 for an external review of the complaint from the Scottish Public Services Ombudsman or the First-tier Tribunal for Scotland (Housing and Property Chamber). 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 unhappy with our service.

In the case of a representative, we will require a representation mandate so we can respond to the complaint. Please also read the section on 'Getting help to make your complaint'.

We value all complaints, including those made anonymously. Staff must therefore consider anonymous complaints if there is sufficient information to allow them to make further enquiries. If the complaint does not provide enough information staff may decide not to pursue it.

Any decision not to pursue an anonymous complaint should be authorised by the Chief Executive Officer.

### **How do I complain?**

You can complain: in person; at our office; by phone; in writing; email; online; 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.

When complaining, please 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

### **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.

### **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.

### **What happens when I have complained?**

We will always provide you with a named person who is dealing with your complaint.

## 4. Complaint Stages

We handle all complaints via our complaints procedure which 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 within five working days or less, unless there are exceptional circumstances.

If we can't resolve your complaint at this stage, we will clearly explain why. If you are still unhappy 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.

### 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 a complaint is escalated to stage 2, we will:

- acknowledge receipt of your complaint within two working days
- have a senior member of staff handle your complaint
- where appropriate, 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 advise you as soon as possible and provide a full explanation as to why.

We will agree revised time limits with you and keep you updated on progress.

### What if I'm still dissatisfied after I have exhausted the complaints handling process?

Where the complaint has been through both stages, the potential options are dependent on what your complaint relates to.

The options for each type of complaint are set out below:

### Housing Service Complaints:

After we have fully investigated your complaint and provided a stage 2 response, 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:** Scottish Public Services Ombudsman, Bridgeside House, 99 McDonald Road, Edinburgh, EH7 4NS  
**By Post** SPSO Freepost SPSO (No Stamp is required)  
**Freephone:** 0800 377 7330  
**Online:** <https://www.spsso.org.uk>

## 5. Factoring Complaints:

The SPSO does not normally look at complaints about our factoring services.

The First-tier Tribunal for Scotland (Housing and Property Chamber) will try to resolve complaints and disputes between homeowners and property factors.

After we have fully investigated and given you a final response to your complaint, if you are still dissatisfied with our decision or the way we dealt with your complaint, you can ask the First-tier Tribunal for Scotland (Housing and Property Chamber) to consider it.

Before considering a complaint, the First-tier Tribunal for Scotland (Housing and Property Chamber) will expect you to advise them that we have refused to resolve your concerns or have unreasonably delayed attempting to resolve them.

They will also expect you to have notified us in writing why you consider we have failed to carry out our duties.

For more details contact:

**In Person or** Housing and Property Chamber First-Tier Tribunal for Scotland,  
**By Post** Glasgow Tribunals Centre, 20 York Street, Glasgow, G2-8GT  
**Telephone:** 0141-302-5900  
**Email:** [HPCAdmin@scotcourtribunals.gov.uk](mailto:HPCAdmin@scotcourtribunals.gov.uk)  
**Online:** <https://www.housingandpropertychamber.scot>

## 6. 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 believe 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 271 3810

## 7. Monitoring, reporting and learning from complaints

Complaints give us valuable information we can use to improve customer satisfaction.

Our complaints handling procedure enables us to address a customer’s dissatisfaction and will help to prevent the same problems that led to the complaint from happening again.

For our staff, complaints provide a first-hand account of the service user’s views and experience and can highlight problems we may otherwise miss.

Handled well, complaints can give our customers a form of redress when things go wrong and can also help us continuously improve our services.

The detail of complaints are analysed for trend information to ensure we identify any service failures and take appropriate action as soon as possible.

We report on complaints performance as follows:

- Board meetings – Quarterly performance and analysis
- Publish on our websites statistical data and analysis of complaints
- Publish in our newsletters and on our website what actions we are taking as a direct result of our complaints

In addition, we also report our performance in handling complaints to the Scottish Housing Regulator through the Annual Return on the Charter (ARC).

This includes performance information showing the volume of complaints and key performance details, for example the time taken to resolve complaints at each stage in the procedure. This information is publically available via the SHR's website (website details above).

## **8. Regulatory and legislative requirements**

We adopt and regularly review best practice in the effective management of complaints and ensure our complaints handling procedure complies with legislative requirements.

We recognise our duty to comply with the Scottish Public Services Ombudsman (SPSO) model complaint handling procedures as outlined in the SPSO Act 2002.

This policy and associated procedures also complies with the Scottish Social Housing Charter outcomes and the Scottish Housing Regulator's Regulatory requirements.

## **9. Equalities Issues**

In accordance with our commitment to equality and diversity, we shall:

- Ensure information about our complaints handling procedure is easily and widely available. This will include using our various publications to make tenants and customers aware of their right to complain. Leaflets and other relevant information will be displayed and freely available in our office reception area and on our website.
- Treat all complainants fairly, respectfully and as individuals and, as far as practicably possible, accommodate any specific needs they may have.
- Support and assist any customer who wishes to make a complaint. This will include for example:
  - Explaining our procedure and its application
  - Providing on request, our procedure in formats or languages other than written English
  - Providing other practical assistance, such as help with scribing

## **10. Redress Policy**

We acknowledge the role of complaints in providing customers with a form of redress, where we fail to meet their expectations. We note the SPSO guidance on redress, which advises service providers to, where possible, seek to re-instate an individual to the position they were in prior to the event which is the subject of the complaint.

This can include compensating for direct financial loss. In such cases we shall make an informed judgement of the level of financial hardship resulting from the event and experienced by the complainant in making and pursuing their complaint. Where a



customer appears to have unrealistic expectations or submits a claim that we consider unreasonable, we may ask them to provide some form of substantiating evidence.

We note that redress can similarly involve providing an explanation and genuine apology through personal contact; and that often a person making a complaint seeks this rather than a financial payment.

## **11. Policy Review**

We will review this policy every three years. More regular reviews will be considered where, for example, there is a need to respond to new legislation/policy guidance issued by the SPSO in particular.

Appendix 1 – Complaint Handling Procedure



# Craigdale Complaints Handling Procedure

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Craigdale Housing Association is committed to providing high-quality customer services.

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

1. 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 how we will handle your complaint and what you can expect from us.

**What is a complaint?**

2. 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?**

3. You can complain about things like:
  - failure or refusal to provide a service
  - inadequate quality or standard of service, or an unreasonable delay in providing a service
  - delays in responding to enquiries or requests
  - unfairness, bias or prejudice in service delivery
  - lack of provision, or the provision of misleading, unsuitable or incorrect advice or information
  - a repair that has not been carried out properly or in an agreed timeframe
  - dissatisfaction with one of our policies or its impact on the individual
  - failure to properly apply law, procedure or guidance when delivering services
  - failure to follow the appropriate administrative process
  - conduct, treatment by or attitude of a member of staff or contractor (**except** where there are arrangements in place for the contractor to handle the complaint themselves); or
  - disagreement with a decision, (**except** where there is a statutory procedure for challenging that decision, or an established appeals process followed throughout the sector).
4. Your complaint may involve more than one [*organisation*] service or be about someone working on our behalf.

**What can't I complain about?**

5. There are some things we can't deal with through our complaints handling procedure. These include:
  - a routine first-time request for a service
  - a request for compensation only
  - issues that are in court or have already been heard by a court or a tribunal (if you decide to take legal action, you should let us know as the complaint cannot then be considered under this process)

- disagreement with a decision where there is a statutory procedure for challenging that decision (such as for freedom of information and subject access requests), or an established appeals process followed throughout the sector
  - a request for information under the Data Protection or Freedom of Information (Scotland) Acts
  - a grievance by a staff member or a grievance relating to employment or staff recruitment
  - a concern raised internally by a member of staff (which was not about a service they received, such as a whistleblowing concern)
  - a concern about a child or an adult's safety
  - an attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision
  - abuse or unsubstantiated allegations about our organisation or staff where such actions would be covered by our *[Unacceptable Actions Policy or equivalent]*; or
  - a concern about the actions or service of a different organisation, where we have no involvement in the issue (**except** where the other organisation is delivering services on our behalf).
6. 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?**

7. Anyone who receives, requests or is directly affected by our services can make a complaint to us. This includes the representative of someone who is dissatisfied with our service (for example, a relative, friend, advocate or adviser). If you are making a complaint on someone else's behalf, you will normally need their written consent. Please also read the section on **Getting help to make your complaint** below.

### **How do I complain?**

8. You can complain in person at our office, by phone, in writing, by email [or via our complaints form at <https://www.craigdaleha.co.uk/make-a-complaint/>]
9. It is easier for us to address 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 the issue.
10. When complaining, please tell us:
- your full name and contact details
  - as much as you can about the complaint
  - what has gone wrong; and
  - what outcome you are seeking.

## Our contact details

We can be contacted on 634 6473 or by e mail at [info@craigdaleha.co.uk](mailto:info@craigdaleha.co.uk).

Alternatively, we can be contacted via our website at: [www.craigdaleha.co.uk](http://www.craigdaleha.co.uk)

## How long do I have to make a complaint?

11. 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.

12. 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.

## What happens when I have complained?

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

### Stage 1: Frontline response

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14. We aim to respond to complaints quickly (where possible, when you first tell us about the issue). This could mean an on-the-spot apology and explanation if something has clearly gone wrong, or immediate action to resolve the problem.

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

16. If you are not satisfied with the response we give at this stage, we will tell you what you can do next. If you choose to, you can take your complaint to stage 2. You must normally ask us to consider your complaint at stage 2 either:

- within six months of the event you want to complain about or finding out that you have a reason to complain; or
- within two months of receiving your stage 1 response (if this is later).

17. In exceptional circumstances, we may be able to accept a stage 2 complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.

### Stage 2: Investigation

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18. Stage 2 deals with two types of complaint: where the customer remains dissatisfied after stage 1 and those that clearly require investigation, and so are handled directly at this stage. If you do not wish your complaint to be handled at stage 1, you can ask us to handle it at stage 2 instead.

19. When using stage 2:

- we will acknowledge receipt of your complaint within three working days

- we will confirm our understanding of the complaint we will investigate and what outcome you are looking for
- we will try to resolve your complaint where we can (in some cases we may suggest using an alternative complaint resolution approach, such as mediation); and
- where we cannot resolve your complaint, we will give you a full response as soon as possible, normally within 20 working days.

20. If our investigation will take longer than 20 working days, we will tell you. We will tell you our revised time limits and keep you updated on progress.

## What if I'm still dissatisfied?

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21. After we have given you our final decision, 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 are an independent organisation that investigates complaints. They are not an advocacy or support service (but there are other organisations who can help you with advocacy or support).

You can ask the SPSO to look at your complaint if:

- you have gone all the way through the *[organisation]'s* complaints handling procedure
- it is less than 12 months after you became aware of the matter you want to complain about; and
- the matter has not been (and is not being) considered in court.

The SPSO will ask you to complete a complaint form and provide a copy of our final response to your complaint. You can do this online at [www.spso.org.uk/complain/form](http://www.spso.org.uk/complain/form) or call them on Freephone 0800 377 7330.

You may wish to get independent support or advocacy to help you progress your complaint. See the section on **Getting help to make your complaint** below.

The SPSO's contact details are:

SPSO  
Bridgeside House  
99 McDonald Road  
Edinburgh  
EH7 4NS  
(if you would like to visit in person, you must make an appointment first)

Their freepost address is:

FREEPOST SPSO

Freephone: 0800 377 7330

Online contact [www.spso.org.uk/contact-us](http://www.spso.org.uk/contact-us)

Website: [www.spsso.org.uk](http://www.spsso.org.uk)

22. There are some complaints about housing that have an alternative route for independent review. We will tell you how to seek independent review when we give you our final response on your complaint.

## Care complaints

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23. *If your complaint relates to a care service we provide, you can choose whether to complain to us or the Care Inspectorate. You can find out more about their complaints procedure, or make a complaint, by contacting them.*

The Care Inspectorate has several offices around Scotland. Please refer to: <http://www.scswis.com/>

## Reporting a significant performance failure to the Scottish Housing Regulator

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24. 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 systemic 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.
25. 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: [www.scottishhousingregulator.gov.uk/](http://www.scottishhousingregulator.gov.uk/)

## Getting help to make your complaint

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26. 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.
27. You can find out about advocates in your area by contacting the Scottish Independent Advocacy Alliance:

**Scottish Independent Advocacy Alliance**

Tel: 0131 510 9410 Website: [www.siaa.org.uk](http://www.siaa.org.uk)

28. You can find out about advisers in the Castlemilk area through Citizens Advice Scotland:

**Citizens Advice Scotland**

Website: <https://www.cas.org.uk/bureaux/glasgow-castlemilk-citizens-advice-bureau>

29. 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 you access and use our services. If you have trouble putting your complaint in writing, or want this information in another language or format, such as large font, or Braille, please tell us in person, contact us on [*phone number*], email us at [*email address*] or text us at [*number*].

## Our contact details

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30. Please contact us by the following means:

- We can be contacted on 634 6473 or by e mail at: [info@craigdaleha.co.uk](mailto:info@craigdaleha.co.uk).
- Alternatively we can be contacted via our website at: [www.craigdaleha.co.uk](http://www.craigdaleha.co.uk)

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



## Quick guide to our complaints procedure

### Complaints procedure

You can make your complaint in person, by phone, by email 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 investigation, we will tell you and keep you updated on our progress.

If your complaint relates to a care service you can choose to complain to us or to the Care Inspectorate.



### Stage 1: Frontline response

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 need investigation.

We will acknowledge your complaint within **three working days**.

We will confirm the points of complaint to be investigated and what you want to achieve.

We will investigate the complaint and 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.



### 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.

There are some complaints about housing that have an alternative route for independent review. We will tell you how to seek independent review when we give you our final response on your complaint.