

HOMES FOR LIFE HOUSING PARTNERSHIP

COMPLAINTS POLICY and PROCEDURE

Date Effective From: April 2006

1.0 INTRODUCTION

- 1.1 Whilst the Board, staff, agents and contractors of Homes for Life Housing Partnership expect its service delivery to be of the highest possible standard, it is possible that customers may occasionally have cause for complaint. The Company genuinely welcomes comments from anyone on the quality of service delivery, even when these comments are adverse and this is the reason for having a complaints policy.
- 1.2 Throughout 1999 the SFHA consulted widely on the characteristics of a good complaints policy. This culminated in the issue of the revised Raising Standards Chapter 8 in January 2000. As a fully researched piece of guidance, Homes for Life embraces its key principles. Whilst the Company has tailored the new policy to suit its own needs, much of this policy has been taken directly from Raising Standards so as to avoid "reinventing the wheel". The policy also seeks to comply with section GS3.3 of Performance Standards for Registered Social Landlords.
- 1.3 It should be noted that the "complainant" referred to throughout this document may be a housing or job applicant, tenant, sharing owner, owner who receives a management service, other customer, contractor or supplier, neighbouring residents and their households, or anyone else who feels that they have not been treated well by the Company.
- 1.4 Any member of staff or Board can be contacted at:

*Homes for Life Housing Partnership
Tolbooth Gate
57 Market Street
HADDINGTON
East Lothian EH41 3JG*

*Our telephone number is **01620 829300***

Our fax number is **01620 829993**
Our e-mail address is info@homesforlife.co.uk

2.0 DEFINITION OF A COMPLAINT

2.1 Homes for Life Housing Partnership defines a complaint as:

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

(Raising Standards, Chapter 8)

The underlying notion is that the customer's viewpoint should be adopted. The question is not whether staff believe that a complaint is being made; it is what the customer believes.

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

- Avoidable delay, poor quality, incompleteness or absence of services provided
- Unfairness, bias or prejudice in the way in which the services are delivered
- Faulty procedures (or a failure to follow correct procedures)
- The attitude or approach of staff members: giving advice that is misleading or unsuitable; refusing to answer a reasonable question; being impolite and not apologising for mistakes
- Not offering a suitable remedy when one is necessary
- Dealing with a complaint about a contractor or agent acting on the Company's behalf
- Complaints about the contents of policies – in such circumstances an explanation of why the Board agreed (part of) a policy should be given

2.2 The Company does not require complaints to be made in writing. However, it is helpful to have a written record of the complaint in the interests of clarity and accuracy. If the complainant wishes to put the complaint in writing, this will be welcome. Equally, however, a member of staff can record a statement to be kept on file. For the avoidance of doubt, customers should be assured that the outcome of the complaint will not be affected by the manner in which it is made.

2.3 Occasionally, complaints may be considered continuous, vexatious or malicious. Each separate issue will be treated separately and on its own merits, and the Company undertakes to ensure that any new aspects are investigated.

2.4 Anonymous complaints will not normally be investigated through the Complaints procedure. However, anonymous complaints of a serious nature

will be investigated, and kept on file.

3.0 THE COMPANY'S PROCEDURE - STAGES 1, 2 AND 3

3.1 Wherever possible, the Company encourages its residents, customers and their representatives to solve complaints informally. Sometimes this will not be possible, and a more formal process will be invoked. As recommended by Raising Standards, Homes for Life has decided to divide all complaints into three distinct stages. These are described below.

Stage 1 – Initial Complaints

3.2 This part of the procedure deals with day-to-day housing management issues. It is intended to avoid passing complainants on to others, unless they want to see a particular person. The first stage has the following objectives:

- To promote informal and direct contact with the complainant
- To offer an on-the-spot resolution
- To keep the ownership of the complaint where solutions are most likely to be found – especially given the small staff team employed by the Company
- To provide advice on the next stage of the procedure

3.3 To help achieve this, the member of staff in question should be approached where possible. This will allow the problems to be brought directly to the person's attention and will provide an opportunity for redress. If this stage cannot be used because the complainant feels uncomfortable about raising it with the member of staff directly involved or if an informal solution cannot be found, the complainant should move on to Stage 2.

3.4 All complaints should be recorded in the Complaints Register. Details provided should include the complainant's name, address, details of the complaint, the redress the complainant wishes and the action taken. Timescales should also be noted.

3.5 The target timescale for this stage is 1 week.

Stage 2 – Complaint to the Business Manager and Review

3.6 The objectives of this stage are to:

- Offer a review of the earlier decision or a full re-examination of the matter
- Manage cases where the complainant wants to complain to the Business Manager (as the senior member of staff)

- Handle matters that must be investigated by a senior officer, such as maladministration, impropriety or allegations about members of staff
- 3.7 All Stage 2 complaints will be investigated by the Business Manager who should review all previous action on the complaint and decide the best way forward. This will usually result in both parties being interviewed. Whatever the method adopted, the complainant should be kept informed of progress at all times and the Company's final decision should be made available in writing, together with supporting reasons. Where the complainant is dissatisfied with the outcome, Stage 3 should be used.
- 3.8 The target timescale for this stage is 2 weeks.

Stage 3 – Complaints Panel and Appeal

- 3.9 The objectives of the final stage are to provide:
- The complainant a means of appealing directly to Board Directors asking them to change an earlier decision
 - The Company with a way of giving a full and final response to a complaint
- 3.10 Whilst Stage 3 complaints may appear more formal, proceedings should be done as informally as the situation allows. This does not mean that the approach used by the Board will be "light touch" or that the outcome of the process is not of paramount importance to the Company. It is, however, crucial that the complainant (and any representative or other person accompanying them) is as much at ease as possible so that the Board can gather as much information as possible.
- 3.11 The Board will not be present in its entirety: instead a Complaints Panel, agreed at the time and comprising three Board Directors, will conduct the process. Members will decide the best way to deal with the complaint. For example, there may sometimes be witnesses to be heard.
- 3.12 The Complaints Panel's investigation will be as thorough as possible and its decision will be given to the complainant in writing.
- 3.13 Additional time may be required to set up a meeting with appropriate members but following target times will be sought.
- Acknowledgement of the request for the Complaints Panel to consider the matter within 3 working days of the request arriving
 - Notifying the date of the governing body hearing within 2 working weeks of the request, to take place within the following 4 working weeks

If for any reason the target times cannot be met the Complaints Panel will ensure the complainant is notified in writing and new dates set as soon as possible.

- 3.14 This is the final stage in the Company's procedure. Complainants are advised to raise any continuing dissatisfaction with the Scottish Public Services Ombudsman. Contact information can be found at Section 5 of this Policy, is included on the summary leaflet automatically given to all complainants or can be provided by staff at the office in Market Street.

4.0 IMMEDIATE STAGE 3 COMPLAINTS

- 4.1 The majority of complaints received will be taken through each stage systematically until a satisfactory solution is found. Exceptionally, however, a complaint may be so serious that it requires to be dealt with under Stage 3 immediately. Examples of these include allegations that:

- The complainant has been discriminated against by a member of staff – ie there has been a breach of the Equal Opportunities Policy
- The complainant has been verbally abused by a member of staff and the complainant is sufficiently upset to request that Stages 1 and 2 be bypassed
- There has been violent behaviour by a member of staff
- The complaint relates to a lack of respect for personal dignity

5.0 OTHER OPTIONS

- 5.1 Please note that the above list is not exhaustive. Use of the Complaints Policy does not preclude any complainant having recourse another body or agency, such as the Commission for Racial Equality or the Police.

6.0 THE SCOTTISH PUBLIC SERVICE OMBUDSMAN

- 6.1 The Scottish Public Services Ombudsman service has been operating since October 2002 and replaces the Housing Association Ombudsman in dealing with all complaints made in relation to Registered Social Landlords.
- 6.2 Anyone who has used the Company's complaints procedure up to and including Stage 3 and is still dissatisfied with the Company may raise their complaint with the Ombudsman. Customers should note that the Ombudsman will not normally investigate complaints unless the Company's own procedure has been exhausted. However, in the interests of openness, we would not dissuade anyone from making initial contact with the Ombudsman's office.

- 6.3 Complaints taken up by the Ombudsman are investigated fully and independently. At the end of the investigation, the Ombudsman will make the decision known and, if appropriate, will recommend what action the Company should take.
- 6.4 The Ombudsman service is free, independent and confidential.
- 6.5 Leaflets are available from the Company's office and the Ombudsman can be contacted at the following address:

*Scottish Public Services Ombudsman
4 Melville Street
EDINBURGH
EH3 7NS*

Telephone 0870 011 5378 [local call rate]

7.0 OTHER SOURCES OF INDEPENDENT ADVICE

- 7.1 You may feel it is important for you to get independent advice before you decide to complain formally. Advice agencies in this area include:

Welfare Rights Team	Musselburgh	0131 665 3711
	Advice line on Mondays -	0131 665 2075
Citizens Advice Bureaux	Haddington	01620 824471
	Musselburgh	0131 653 2748
East Lothian Shelter Housing Advice Centre	Brunton Hall	
	Musselburgh	0131 653 4304
	Monday + Friday 10am-1pm	
	Wednesday only 2pm-4 pm	

8.0 MONITORING AND DISSEMINATING RESULTS

- 8.1 The Board will not necessarily become aware, on an individual basis, of those complaints being resolved at Stages 1 or 2. These are nonetheless important indicators of how the Company's customers view it. Staff will therefore prepare an annual report detailing all complaints received and resolved throughout the year. In particular, the report will attempt to

highlight any patterns and advise what remedial action can be taken. This report will be taken in May of each year, beginning in 2004.

- 8.2 These details, along with those reaching Stage 3 or the Ombudsman, should be disseminated to the membership in the Annual Report. Details of individual complaints will not be provided. However, there will be a résumé of complaints received during the year, an analysis of any trends that are emerging, details of how complaints have been resolved and a statement on any remedial action proposed as a result of patterns that have emerged.

9.0 TRAINING AND PUBLICITY

- 9.1 The Company will ensure that all staff receive appropriate training on the complaints policy and related procedures, including how individual complaints are to be handled. This is likely to be via an in-house session.
- 9.2 The policy will be well publicised in the office reception, summary leaflets will be available, and anyone wishing to discuss how the policy operates will be taken through the policy and related procedures on request.

10.0 REVIEW

- 10.1 This policy will be reviewed every three years, the next review date being April 2006, or earlier in line with legal, regulatory or best practice requirements.