



Complaints Handling Procedure - Customer Guide

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SPSO Statement of Complaints Handling Principles (approved by Scottish Parliament 06/25)

Introduction

HfL complies with the Complaints Handling Principles and incorporates the principles into our Complaints Handling Procedure (CHP).

By adhering to the Principles HfL are expressing how complaints are handled within our organization by staff and ensure that the handling of complaints is a positive one.

HfL foster a complaint handling culture of respect, transparency and accountability, to enhance the relationships we have with our tenants and other service users. The key to this complaints culture is learning, to drive improvement in public service delivery. Embedded in our principles into complaints handling is an environment where people feel safe and empowered to exercise their right to complain.

Person-centered and rights-based complaints handling welcomes complaints, and ensures that people feel heard, respected, and valued throughout the complaints process. It supports public services in taking an approach which is compassionate, robust and considerate of the wellbeing of everyone involved.



About these principles

The Scottish Public Services Ombudsman Act 2002 (the Act), as amended, states at Section 16A(1) that the Ombudsman must publish a statement of principles concerning complaints handling procedures of listed authorities.

The statement sets out the principles that underpin an effective complaints procedure. They are the foundation for the Model Complaints Handling Procedures in place across most public services in Scotland. All public services and organisations within the Ombudsman's jurisdiction must have complaints procedures which comply with the principles.

Public services should foster a complaints handling culture of respect, transparency and accountability, to enhance relationships with citizens. Key to this complaints culture is learning, in order to drive improvement in public service delivery. Embedding the principles into complaints handling creates an environment where people feel safe and empowered to exercise their right to complain.

Person-centred and rights-based complaints handling welcomes complaints, and ensures that people feel heard, respected, and valued throughout the complaints process. It supports public services in taking an approach which is compassionate, robust and considerate of the wellbeing of everyone involved.

These principles do not stand alone, and must be read together with the SPSO's child-friendly complaints handling principles, and the resources and guidance on good complaints handling available on the SPSO's website.



Person-centred

- People are at the heart of the complaints process. The complaints process should reflect and respect their rights in how it is explained and applied.
- Complaints handling should be based on human rights principles, and should respect people's rights in line with relevant law, standards and guidance.
- Complaints handling should recognise and respect the different needs of people and be flexible and responsive to those needs as far as possible and appropriate.
- People complaining should be listened to with empathy and respect, and treated with dignity and compassion. Public service staff complained about, and those handling complaints, have the same right. If they are not, public services should have policies in place to address such actions or behaviour, fairly and proportionately.
- People should feel supported in making a complaint.
- Confidentiality should be observed where necessary and appropriate.



Accessible

- The complaints procedure should be clearly communicated, easily understood and available to all, giving people access to justice through everyday rights.
- Complaints should be handled by informed, well trained and empowered staff who are given the support, resources and capacity to handle the volume and complexity of complaints

received by a public service.

- The complaints procedure and how to access it should be actively promoted and publicised.
- The complaints procedure and how to access it should be easily understood without any specialist knowledge.
- The complaints procedure should follow the principle of universal design. It should be usable by all people, to the greatest extent possible, without the need for adaptation or specialised design.
- The complaints procedure should be accessible to, and meet the needs of, minority and vulnerable groups.
- Resources, materials and support to help people access and use the procedure should be made easily available, including information on advocacy services



Simple and timely

- The complaints procedure should be flexible, with as few steps as necessary.
- Complaints should be responded to promptly, within published and realistic timescales. Where timescales cannot legitimately be adhered to, complainants should be kept informed, reasons explained to them, and they should be told how long their complaint will take.
- Quality and thoroughness of investigation should not be compromised by attempts to meet timescales.



Thorough, proportionate, consistent and effective

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- The complaints procedure should achieve the best possible outcomes for people in the circumstances.
- Clear quality standards for complaints handling should be publicised and promoted to service users and staff. These should be supported by a clear explanation of what action will be taken if these standards are not met.
- The complaints procedures and quality standards should be reviewed regularly.
- The investigation and resolution of complaints should be proportionate and appropriate to the circumstances of each case.
- Investigations, outcomes and redress should be broadly consistent from one complaint to another, whilst being flexible in considering the needs of the individual person complaining.



Objective, impartial and fair

- The complaints process should be objective and led by evidence based investigation, and findings and decisions should be based on facts and established circumstances, not assumptions. This should be demonstrated clearly in the final decision issued.
- All relevant facts should be gathered and established impartially and objectively. Complaints handlers should act as fact finders and verifiers, not in defence of their public service.
- People should receive an honest and clear explanation of the investigation findings. They

should be told what actions will be taken, and about any changes that will be made as a result of their complaint.

- Complaints handling should be impartial and accountable. Complaints handlers should not be involved in investigating where they have been the subject of the complaint or involved in the issues complained about (unless unavoidable).
- The complaints procedure and how it is applied should be fair to people who complain, those handling complaints and those who are the subject of a complaint. This is demonstrated by how people are treated, achievement of person-centred outcomes, and showing respect for people's rights



Resolution

- A key aim of the complaints procedure is that complaints are resolved at the earliest opportunity, starting with the first point of contact with people who complain. The outcomes a person is seeking should be clarified at the outset.
- A good resolution is where the person complaining and the public service agree the outcomes, and what action will be taken to provide full and final resolution.
- Staff should be trained and empowered to resolve complaints.



Learn and improve

- The complaints procedure should drive learning, improvement and efficiency in both the service delivered and how complaints are handled, the overall purpose being continuous improvement of service delivery
- The complaints procedure should reflect and enhance the culture of good service delivery.
- Data from complaints should be collated and used to measure performance and impact, identify trends and highlight problems so they can be solved before they have a chance to escalate or recur.
- Complaint performance data, and changes made as a result of complaint outcomes, should be reported to senior leaders and proactively be made publicly available to demonstrate transparency, impact and improvement and share best practice in service delivery

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.



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.

Homes for Life Housing Partnership is committed to providing high-quality customer services.

We have fully adopted the Scottish Public Services Ombudsman's model complaint handling procedure.

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 how we will handle your complaint 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:

- 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).

Your complaint may involve more than one *Homes for Life Housing Partnership* service 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 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).

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 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?

You can complain in person at our office, by phone, in writing, by email.

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.

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

Homes for Life
57 Market Street
Haddington
East Lothian
EH41 3JG

Tel: 01620 829300
Email: info@homesforlife.co.uk
Fax: 01620 829993

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.

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 tell you who is dealing with your complaint. Our complaints procedure has two stages.

Stage 1: Frontline response

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.

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

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).

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

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.

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.

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?

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.spsso.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.spsso.org.uk/contact-us
Website: www.spsso.org.uk

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.

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 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.

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/

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:

Scottish Independent Advocacy Alliance

Tel: 0131 510 9410 Website: www.siaa.org.uk

You can find out about advisers in your area through Citizens Advice Scotland:

Citizens Advice Scotland

Website: www.cas.org.uk or check your phone book for your local citizens advice 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 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 01620 829300 or email us at info@homesforlife.co.uk.

Our contact details

1. Please contact us by the following means:

By calling us on: 01620 829300

By calling into our office at: Homes for Life
57 Market Street
Haddington
EH41 3JG

Or by emailing us on: info@homesforlife.co.uk

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

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