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<b>Name</b>	Complaints Policy
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<b>Lead Officer</b>	Chief Executive
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<b>Website</b>	Yes
<b>Secure Area of Website</b>	Yes

## **PENTLAND HOUSING GROUP**

### **COMPLAINTS POLICY**

#### **Our approach:**

We aim to provide a high quality service in response to the needs of our customers and to get things right first time, every time. However, we accept that sometimes things do go wrong. If a customer is dissatisfied with our service, we want to know about it so we can try to resolve the matter and learn how we can improve our service in the future.

If a customer expresses dissatisfaction with our service we will, where possible, immediately try to resolve the matter. If the nature of the complaint means that we cannot take immediate action or, having done so, the customer is still not satisfied, we will follow our complaints process.

Our complaints system is designed to:

- provide customers with a fair, consistent, impartial and confidential process through which they can express dissatisfaction about an element of our service;
- give us an opportunity to apologise and put right what has gone wrong; and
- be an integral part of our service provision whereby we actively encourage staff to record service failures so that we can learn from our mistakes and continue to improve.

#### **What is a complaint?**

“An expression of dissatisfaction by one or more members of the public about Pentland Housing Group's action or lack of action, or about the standard of service provided by or on behalf of Pentland Housing Group.”

The following will be considered to be a complaint:

- we have failed to provide a service or failed to complete work within a given timescale;
- a customer is dissatisfied with the standard or quality of the service provided (whether directly provided or via a contractor);
- a customer is dissatisfied with the service they have received from an Pentland Housing employee;
- a customer has suffered a loss due to failures with our service;
- a customer does not feel that our policy has been fairly applied to their circumstances; or
- we have failed to perform in accordance with our own or the Scottish Social Housing Charter standards.

The above are not intended to be an exhaustive list. The following are not considered to be complaints:

- an initial request for a service;
- a request for information;
- an enquiry regarding progress on a previously requested service, if our published timescale has not been exceeded; or
- a request for clarification of a policy or procedure.

The following will not be considered within this complaints system:

- A neighbour dispute or a complaint about a neighbour's behaviour. A separate system exists for recording and monitoring anti-social behaviour (see Anti-Social Behaviour Policy and Procedure). If, however, the complaint is that we failed to address the original complaint promptly or satisfactorily, then that should be recorded under the complaints system.
- Dissatisfaction with the standard or quality of the service or work carried out by any party who is not contracted or endorsed by Pentland Housing. In this case the member of staff should assist the complainant to pursue the complaint through the appropriate party.
- A request for review regarding decisions made under the Choice Based Lettings Allocation Policy. These will be processed and monitored according to that policy.
- Dissatisfaction with the annual rent increase. This is a condition of tenancy and decided by our Board of Management in accordance with our regulator's guidelines. We will, however, record this dissatisfaction.
- If the issue involves a claim that needs to be dealt with by our insurance company. We will, however, review insurance claims so that we can address any underlying cause.

### **Receiving a complaint:**

We will:

- Accept complaints by phone, letter, e-mail, fax, in person, on our complaints form and through our website.
- Accept complaints made by advocates or other people authorised to act on the customer's behalf.
- Provide support or direct customers to independent advice and support if they have difficulty making or pursuing their complaint.
- Acknowledge the complaint within the SPSO guidelines.
- Provide a full written response to a complaint or a review request within the SPSO guidelines or if we are unable to do this determine a mutually agreeable timeframe.
- Provide the complainant with the opportunity to have their complaint reviewed and investigated further if they believe the matter has not been fully investigated or responded to.

Persons complaining will receive a full and fair investigation conducted by staff who are not directly involved with the complaint and who will be impartial and sensitive to the needs of the individual.

If the complaint refers to a specific member of staff, they will be advised about the complaint, given the opportunity to explain the circumstances from their perspective and be kept informed of progress.

### **The complaints process:**

We aim to seek a speedy resolution of complaints without unnecessary formality and will seek to reach agreement with the complainant wherever possible. Pentland Housings' complaints system is based upon the following process:

Stage 1 – investigated by the most relevant member of staff or a partner contractor / agency

Stage 2 – reviewed by the Pentland Housing Management Team.

Stage 3 – reviewed by the appropriate Sub Committee acting on behalf of the Board

Stage 4 – reviewed by the Chair and Vice Chair

In exceptional circumstances it may not be possible to follow the above process because, for example, in order to resolve the complaint;

- we need to develop or amend a policy which requires approval by our Board of Management;
- we need guidance from our regulator; or
- we need another organisation to take action.

In these cases we will explain the situation to the complainant and keep them informed.

If we find that we have not provided the right level of service, we will:

- provide the complainant with an explanation and apology;
- do what we can to correct the situation;
- if appropriate, pay the complainant compensation in line with our compensation policy; and
- if appropriate, review our systems or policies so that we can get it right in future.

If we are unable to resolve the complaint the complainant can request an external review of the case as follows:

- If the complaint is from a tenant, an applicant or in connection with a service charge for the management of the complainant's home, the complainant can approach the Scottish Public Services Ombudsman (SPSO)
- If the complaint relates to factoring services these complaints should be directed to the Homeowners Housing Panel (hohp). This panel deals with all complaints under the **Property Factors (Scotland) Act 2011**

Pentland Housing will co-operate fully with any decisions of the SPSO and hohp.

### **Unreasonable complainant behaviour:**

We recognise that most complaints are entirely legitimate. However, on occasions a complainant may be unreasonably persistent or behave unacceptably by:

- persistently refusing to accept a decision in relation to a complaint(s);
- continuing to pursue a case without presenting any new evidence;
- making an excessive number or excessively lengthy contact with the association about their complaint(s) regardless that we are keeping them informed of progress;
- demonstrating harassing or abusive behaviour towards our members of staff;
- acting deceitfully, such as making covert recordings or presenting false information;
- not clearly identifying their precise issues and continually changing what their issues are; or
- making frivolous or an excessive number of complaints which the association do not uphold.

If we regard a complainant's actions as unreasonable the following can be considered and applied appropriately.

- Restrict a person's contact in order to manage the time spent dealing with this person. However, we will try and maintain at least one form of contact, for example written communication only, calls taken only at set times of the day/week, allocate a single named contact from the association for the complainant, or agree future contact through a third party.
- Draw up a code of behaviour between the association and the complainant, which should be signed, in order that we can continue to process the complaint. Contact can be suspended if the complainant breaches the code of behaviour.
- Notify the complainant that we have reasonably tried to resolve the complaint and no further correspondence in relation to the matter will be considered, unless it contains new and relevant information. The complaint will be considered closed and the complainant can appeal to the SPSO (as above)
- Notify the complainant that future complaints will not be dealt with in accordance with this system.

Any decision to treat a complainant in this way will be made by the Chief Executive. A complainant may request a review of this decision, or the length of any restriction. Any review will be considered by the Chair and or Vice Chair.

### **Learning from complaints:**

We will record and monitor all dissatisfaction with our service delivery. Even if we immediately resolve the matter, we will record this as a service failure. We will monitor service failures in order that we can tackle any systemic failures that are identified. We will also record as 'feedback' comments and suggestions received that will help us improve our service.

Once a complaint has been resolved we will survey a sample of complainants to establish if they were happy with how the complaint was handled and the outcome.

Regular reports will be considered by the Management Team identifying:

- The number and type of complaints
- The action taken
- Whether the complaint was upheld
- Whether it was responded to within timescale
- Service improvements being implemented
- Results of satisfaction surveys.

The Board of Management will review performance information on complaints handling at least quarterly and will also receive an annual report. The annual report will include complainant characteristics which will help us identify and remove any barriers that make it difficult to complain.

We may also present information to other customers, or ask them to be involved, in order that they can help us review our procedures and how we respond to complaints. We will take appropriate steps to maintain the confidentiality of the complainant.

### **Publicity:**

We will publish information about complaints on our website, in our tenants' newsletter, and in our Annual Performance Review. This will include information about our performance, the number and type of complaints and examples of resulting changes to policy or practices.

### **Consultation and review:**

We will review the complaints system on a biennial basis taking account of the views of customers and staff as well as examples of good practice and guidance.

**Value for money:**

We view expressions of dissatisfaction and complaints as free advice that helps us to develop and improve our services. We have tried to keep the process simple and, where we can resolve the matter immediately, aim to do so with the minimum of bureaucracy for all concerned. We consider this policy to represent value for money.

**Equality and Diversity:**

This policy complies with our Equalities Policy and both policies should be used in conjunction to ensure the fair and appropriate resolution of all complaints.

**Risk Management:**

The Complaints Policy is a key process in supporting our Corporate Plan and business strategy in the provision of measures to ensure we continue to improve services, minimise the adverse effect of poor services, and take into account customer views. The processes and procedures contained within this policy should only have a positive impact on Pentland Housing and our customers.

**Customer Impact:**

Identifying and addressing service failures will have a positive impact on our customers by improving their experience of receiving our services, increasing customer satisfaction and giving them an opportunity to influence Pentland Housings' services and policies.

Version 1     April 2010  
Version 2     August 2012  
Version 3     August 2015  
Version 4     February 2017