



## **COMPLAINTS PROCEDURE (SERVICES)**

### **1.0 WHY HAVE A COMPLAINTS PROCEDURE?**

Ochil View Housing Association aims to provide a first class service however there may be occasions when you are unhappy with the service. It is important therefore for you to inform the Association if you are unhappy and give the Association the opportunity to try to resolve matters.

The aim of this procedure is to give clear details of the steps you can take to try and resolve matters where there is a problem

The complaints procedure also gives the Association the chance to monitor the quality of service we provide so that we can continually work to improve it.

### **2.0 WHO CAN USE THE COMPLAINTS PROCEDURE?**

Anyone who receives or requests a service from Ochil View can use the complaints procedure. This includes tenants, people applying for housing, owners or sharing owners and people living in neighbouring property. A notice to this effect is prominently displayed in the public area of the Association's offices.

The procedure is also open to people who may be acting on your behalf, such as a councillor, MP, MSP, advice agency or solicitor (but, as you will see later, we do encourage you to try to sort things out with us first).

People who supply a service to us such as contractors etc. can also use the complaints procedure.

### **3.0 WHAT CAN YOU COMPLAIN ABOUT?**

You can complain about any aspect of our service which you are unhappy about for example if:

- \* unfairness, bias or prejudice has been displayed in the delivery of service;
- \* a repair has not been carried out properly;
- \* you have not received information you have asked for;
- \* you feel that a member of staff, a committee member or a contractor has not behaved acceptably towards you;
- \* you feel your housing application has not been handled properly;
- \* disturbance from a neighbouring refurbishment or development project that the Association is undertaking and is causing an excessive nuisance.

Complaints against neighbours will be dealt with under our Anti Social Behaviour Policy & Procedures. But if you have a complaint about the way we have dealt with a neighbour dispute, you can use the complaints procedure; a copy of which can be obtained from the Association's office.

We will always try to deal with complaints sympathetically, but there are some things we will not be able to give you information about. For example, it would be wrong for us to discuss with you the details of someone else's housing application, as this would be a breach of confidentiality, but we can of course talk to you about how our allocations procedure works.

#### **4.0 TRYING TO SORT THINGS OUT INFORMALLY**

You have every right to make a formal complaint whenever you wish, but in the first instance it can often be quicker and easier for everyone if the problem can be sorted out informally.

To try and resolve a problem informally, the first thing you should do is to speak to a member of staff. If more appropriate or if you prefer, you may wish to write to the Housing Services Manager, and let her/him know about your problem and how you would like it to be resolved.

The Housing Services Manager will inform you how long it should take for the problem to be addressed and hopefully resolved

#### **5.0 THE FORMAL COMPLAINTS PROCEDURE**

If the problem has not been sorted out informally by the Housing Services Manager, you should write to the Director, who is based at the Association's offices in Ochil House, Marshall, Alloa. If your complaint is about the Director you should write to the Chairperson of the Management Committee at the same address.

When you make a complaint it is really important for you to let us know exactly what the problem is and how you would like to see it resolved. In order for action to be taken the Association requires all formal complaints to be put in writing. If you have difficulty with this you may be able to get assistance from one of the local agencies highlighted in Section 9.0. of this document.

We will then write to you within three working days to acknowledge that your complaint is being dealt with.

We will write to you again within two working weeks of receiving the complaint to let you know the outcome or, alternatively, what progress has been made.

Do please remember that some things will be out-with our control and may therefore be more difficult to resolve.

If you are still not satisfied with the outcome of this process an appeals procedure exists to enable you to take matters further.

The Association may, as part of its process of resolving Complaints informally, in situations where the Complainant has demonstrated that s/he has experienced financial loss as a result of action or omission on the part of the Association, make an ex-gratia payment provided that:

- The payment is made to address financial loss arising from a failure in service by the Association
- The Customer has experienced direct and quantifiable loss (not including a loss of earnings).

The Director may authorise payment of up to £250.00

The Management Committee may authorise payment of an amount greater than this. There is no automatic entitlement to ex-gratia payments claim will be considered on its merits. Any payment made is a gesture of goodwill and not an admission of liability. The complainant must confirm, in writing, that acceptance of the payment constitutes settlement of any claim.

Claims for injury or damage to property shall be referred immediately to the Association's insurers. Ex-gratia payments may be made if the amount of the claim falls below the excess payable on our Insurance Policy.

## **6.0 TAKING YOUR COMPLAINT FURTHER - THE APPEALS PROCEDURE**

If you do not feel that your complaint has been resolved satisfactorily, you can write to the Chairperson of the Management Committee, who will acknowledge receipt of your letter within three working days. The matter will then be dealt with at an appropriately convened committee meeting.

If in addition to your written complaint you wish to attend the meeting, you can do so.

It is also permissible for you to bring a friend or advisor to this meeting.

The Chairperson of the Committee will write to you within three working days of the meeting to let you know the decision.

If you are not happy with the decision reached at this stage you have the right to contact the **Scottish Public Services Ombudsman**, 4 Melville Street, Edinburgh EH3 7NS (Tel: 0870 0115378).

## **7.0 SCOTTISH PUBLIC SERVICES OMBUDSMAN**

A leaflet about the Scottish Public Services Ombudsman is available from the Association's office or from advice centres. The Ombudsman will not normally be able to deal with complaints until you have gone through the Association's own procedures first.

## **8.0 WHO WILL KNOW ABOUT MY COMPLAINT?**

We will as far as possible respect the confidentiality of your complaint. Whilst we are looking into your complaint your name will not be divulged any more than is absolutely necessary.

You will appreciate, however, that if your complaint involves another tenant or a member of staff it may be very difficult for us to look into this without talking to the tenant, staff member or committee member.

If you ask us not to talk to the tenant, staff member or committee member we will try to respect your wishes but it may not be possible for us to take any action to tackle the problem under such circumstances.

It is not possible for the Association to deal with anonymous complaints.

## **9.0 GETTING INDEPENDENT ADVICE**

We would always hope that a problem can be sorted out informally. However, you may feel it is important for you to get independent advice before you decide whether to complain to us formally. Advice agencies may include:-

- \* Welfare Benefits Service
- \* Housing Benefit Section of Local Authority
- \* Citizens Advice Bureau
- \* Tenant's Group or Federation
- \* Solicitor

## **10.0 HOW DO WE RECORD AND MONITOR COMPLAINTS?**

All formal complaints made to the Association are recorded in a complaints register and reported to the Management Committee on a quarterly basis by the Director. This report will detail the number of formal complaints received, the outcome and recommended course of action.

### **REMEMBER**

***COMPLAINTS CAN HELP THE ASSOCIATION IMPROVE ON ITS CURRENT PERFORMANCE***

## **11.0 POLICY REVIEW**

This policy will be reviewed every 4 years.

### **Policy Consultation and Review Process**

Presented to the Residents Forum	27th August 2002
Recommended by Housing and Development Committee	4 <sup>th</sup> September 2002
Reviewed by the Management Team	22 <sup>nd</sup> October 2002

**4<sup>TH</sup> REVISION APPROVED BY MANAGEMENT COMMITTEE 31<sup>st</sup> October 2002**

**Section 5 approved by the Management Committee on 28 April 2005. Other sections unaltered**