



Complaints Handling Procedure

Based in entirety on **The Model Complaints Handling Procedure for Registered Social Landlords** as published by the **Scottish Public Services Ombudsman**, April 2012.

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SPSO Scottish
Public
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Foreword

The Caledonia Group is committed to providing quality services that meet the individual needs of all who seek our assistance, support or advice. We set high standards and strive for excellence in all that we do. We also acknowledge the similarly high expectations of our tenants and other customers.

We know however, there can be occasions where we fall short of our standards or do not fully meet these expectations. This Complaints Handling Procedure is designed to help us resolve any customer dissatisfaction quickly and as close to the point of service delivery as possible. It is underpinned by our commitment to valuing and learning from complaints.

This procedure has been developed by The Scottish Public Services Ombudsman, with significant input from those working in housing associations, to ensure a standardised approach to handling complaints across the sector. The aim is to keep service users at the heart of the process, with complaints handled quickly and effectively through thorough, impartial and fair investigations.

Resolving complaints early makes complete business sense. It will help us preserve and enhance the relationship we share with our customers; save us time and resources; and ensure Caledonia enjoys a positive public perception. With this in mind, we will train and support our staff to ensure they can achieve early resolution wherever possible.

Complaints provide a first-hand account of service users' views and experiences, and can highlight problems that may otherwise go undetected. Handled well, complaints can provide our customers with a form of redress where things go wrong. Above all, we will use complaints to improve customer satisfaction; and to try and prevent problems that led to a complaint from happening again. We know this approach will make us better at what we do and help us as we try to continuously improve our services.

Julie Cosgrove
Chief Executive
Caledonia Group

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How to use this Model Complaints Handling Procedure

This document provides Caledonia Group staff with the necessary information and guidance on how to handle and resolve external complaints effectively. Another document has been produced by the Caledonia Group that provides information for customers on the complaints procedure, and together, these two separate documents combine together to form the Caledonia Group Complaints Handling Procedure (CHP)

This procedure is an internal document and contains references and links to more details on the CHP such as how to record complaints, and the criteria for signing off and agreeing time extensions. Furthermore, this document sets out how complaints are processed, managed, and how decisions are reached in relation different types of complaints. The language used in this procedure reflects its status as an internal document with 'We' referring to Caledonia Group which is made up of Caledonia Housing Association as the parent entity, with Cordale Housing Association as its subsidiary.

For the avoidance of doubt, in Cordale's Rules Caledonia Housing Association is described as the 'partner'.

In addition, the use of the word 'organisation' in this procedure documents is also used to describe both Caledonia, and Cordale Housing Associations.

When using this document, please also refer to the '[SPSO Statement of Complaints Handling Principles](#)' and best practice guidance on complaints handling from the Complaints Standards Authority (CSA) at the SPSO.

The CSA website is: www.valuingcomplaints.org.uk/

What is a complaint?

Caledonia Group defines a complaint as:

'An expression of dissatisfaction by one or more members of the public about our action or lack of action, or about the standard of service provided by or on behalf of Caledonia Group'.

A complaint may relate to:

- Failure to provide a service
- Inadequate standard of service
- Dissatisfaction with a policy implemented by Caledonia Group, including any policy specifically implemented by either Caledonia Housing Association or Cordale Housing Association
- Disagreement with a decision where the customer cannot use another procedure (for example an appeal) to resolve the matter
- Treatment by or attitude of a member of staff
- Failure by Caledonia Group to follow the appropriate administrative process
- Delays in responding to enquiries and requests.

This list does not cover everything. For example, complaints may also be about:

- Unfairness, bias or prejudice in service delivery
- Failure to follow procedures
- Lack of provision, or the provision of misleading, unsuitable or incorrect advice or information
- A repair that has not been carried out properly
- Unacceptable behaviour by a member of staff, a committee member or a contractor.

[Appendix 1](#) provides a range of examples of complaints we may receive, and how these may be handled.

A complaint is **not**:

- 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
- An appeal against a decision where there is an established appeal route; these should be heard through the appropriate appeal process
- An attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our **final** decision.

You should not treat these issues as complaints, and should instead direct customers to use the appropriate procedures. [Appendix 2](#) gives more examples of 'what is not a complaint' and how to direct customers appropriately. This includes an example of when an anti-social behaviour complaint may and may not be considered a complaint.

Handling anonymous complaints

We value all complaints. This means we treat all complaints including anonymous complaints seriously and will take action to consider them further, wherever this is appropriate. Generally, we will consider anonymous complaints if there is enough information in the complaint to enable us to make further enquiries. If, however, an anonymous complaint does not provide enough information to enable us to take further action, we may decide not to pursue it. Any decision not to pursue an anonymous complaint must be authorised by a senior manager. In all such cases, the complaint and any available information, together with the decision not to pursue, should be recorded and documented on our complaints system.

If an anonymous complaint makes serious allegations, we will refer it to a senior officer immediately. In most cases, this will be the Caledonia Housing Association Business Services Director who will investigate the matter, in discussion with the Chief Executive as necessary if the complaint relates to Caledonia Housing Association. Where the complaint relates specifically to Cordale Housing Association, the senior officer in the subsidiary will undertake the investigation.

Depending on the nature of the complaint however, it may be appropriate for a member of the Caledonia Housing Association Executive Management Team to fulfil this task if the complaint relates to either the Caledonia Housing Association Business Services Director, or the Cordale Housing Association senior officer.

If we pursue an anonymous complaint further, we will record the issues as an anonymous complaint on the complaints system. This will help to ensure the completeness of the complaints data we record and allow us to take corrective action where appropriate.

What if the customer doesn't want to complain?

If a customer has expressed dissatisfaction in line with our definition of a complaint but does not want to complain, tell them that we do consider all expressions of dissatisfaction, and that customer complaints offer us the opportunity to improve services where things have gone wrong. Encourage the customer to submit their complaint and allow us to deal with it through the CHP. This will ensure that the customer is updated on the action taken and gets a response to their complaint.

If, however, the customer insists they do not wish to complain, record the issue as an anonymous complaint. This will ensure that the customer's details are not recorded on the complaints database, and that they receive no further contact about the matter. It will also help to ensure the completeness of the complaints data recorded and will still allow us to fully consider the matter and take corrective action where appropriate. Please refer to the example in [Appendix 1](#) for further guidance.

Who can make a complaint?

Anyone who receives, requests or is affected by our services can make a complaint. This obviously includes our tenants. It also includes a member of the public who could have access to or be affected by our services, including our anti-social behaviour/ neighbour nuisance services. All these people are our customers.

Sometimes a customer may be unable or reluctant to make a complaint on their own. We will accept complaints brought by third parties as long as the customer has given their personal consent. These complaints are treated in the same way as any other, regardless of who has brought the complaint.

Complaints involving more than one service or organisation

If a complaint relates to the actions of two or more of our services, you must tell the customer who will take the lead in dealing with the complaint, and explain that they will get only one response covering all issues raised.

If a customer complains to us about the service of another agency or public service provider, but we have no involvement in the issue, you should advise the customer to contact that organisation directly.

If the complaint relates to one of our services and includes one or more of our contractors, we would normally deal with the complaint, however, depending on circumstances we may agree with the contractor who will take the lead. Where this happens we will work together to investigate all the matters simultaneously, in line with this CHP. You must also tell the customer who will take the lead in dealing with the complaint, and explain that they will receive only one response covering all issues raised.

However, if a complaint relates to a Group service **and** the service of another agency or public service provider (for example a local authority or a government department), and we have a direct interest in the issue, you must handle the complaint about our service through the CHP. If you need to make enquiries to an outside agency in relation to the complaint always take account of data protection legislation and our guidance on handling our customers' personal information. The Information Commissioner has detailed guidance on data sharing and has issued a data sharing code of practice.

Such complaints may include:

- a complaint to us about rent arrears that is partly caused by problems with a claim for Housing Benefit to the Department for Work and Pensions
- a complaint to us about anti-social behaviour that relates to our service and a local authority service.

Care complaints

Anyone receiving care services from us has the right to either complain direct to the Care Inspectorate or to us.

Customers may also receive care or support from other agencies under a contract with us. They may complain about these services either to us (just like complaints about any of our other services) or directly to the Care Inspectorate.

The Care Inspectorate's contact details can be found on their website:

<http://www.scswis.com/>

Or: Write to Quadrant House, 11 Riverside Drive, Dundee DD1 4NY

telephone 0845 600 9527

fax 01382 207 289

complete an online complaints form at <http://www.scswis.com/>, or

email enquiries@careinspectorate.com

Significant performance failures

The Scottish Housing Regulator (SHR) has a duty to 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. A significant performance failure happens when:

- a landlord is not delivering the outcomes and standards in the Scottish Social Housing Charter over a period of time;
- a landlord fails to do something, or takes action that puts tenants' interests at risks; or
- a landlord is not achieving the regulatory standards on governance or financial management.

We identify and treat significant performance failures in the same way as complaints that might be considered serious, high risk or high profile, which may require particular action or raise critical issues that need the direct input of the Executive Management Team, including the Chief Executive.

If you are made aware of an issue that you believe may constitute a significant performance failure, this should be referred to the Business Services Director for investigation. The Scottish Housing Regulator has provided [Guidance on Significant Performance Failures](#) which should be referred to for further information.

The SHR contact details can be found on their website: www.scottishhousingregulator.gov.uk

Or: Write to Scottish Housing Regulator, 58 Waterloo Street, Glasgow G2 7DA

telephone 0141 305 4199

fax 0141 221 5030

email: spf@scottishhousingregulator.gsi.uk

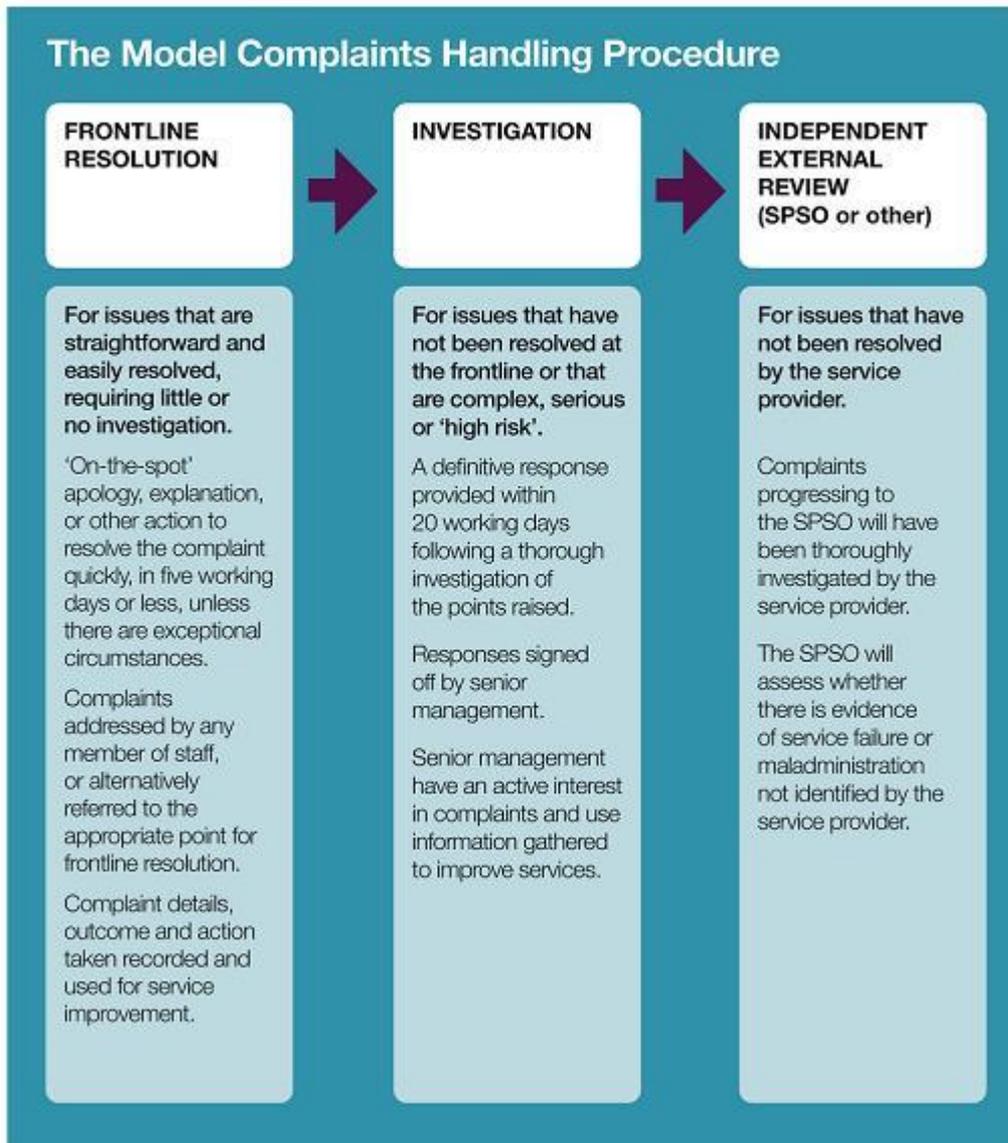
The complaints handling process

Our CHP aims to provide a quick, simple and streamlined process for resolving complaints early and locally by capable, well-trained staff.

Our complaints process provides two opportunities to resolve complaints internally:

1. **Frontline resolution**, and
2. **Investigation**.

The following diagram summarises this approach.



For clarity, the term 'frontline resolution' refers to the first stage of the complaints process. It does not reflect any job description within the Caledonia Group but means seeking to resolve complaints at the initial point of contact where possible.

Stage one: frontline resolution

Frontline resolution aims to quickly resolve straightforward customer complaints that require little or no investigation. Any member of staff may deal with complaints at this stage.

The main principle is to seek early resolution, resolving complaints at the earliest opportunity and as close to the point of service delivery as possible. This may mean a face-to-face discussion with the customer, or asking an appropriate member of staff to deal directly with the complaint.

[Appendix 1](#) gives examples of the types of complaint we may consider at this stage, with suggestions on how to resolve them.

In practice, frontline resolution means resolving the complaint at the first point of contact with the customer, either by the member of staff receiving the complaint or other identified staff.

In either case, you may settle the complaint by providing an on-the-spot apology where appropriate, or explaining why the issue occurred and, where possible, what will be done to stop this happening again. You may also explain that, as an organisation that values complaints, we may use the information given when we review service standards in the future.

A customer can make a complaint in writing, in person, by telephone, by email or online, or by having someone complain on their behalf. You should always consider frontline resolution, regardless of how you have received the customer's complaint.

For the avoidance of doubt, this principle applies to all staff, including those that are scheme based and more likely to receive complaints face to face from tenants (and their representatives) than through other means. It also applies where, office based staff are out with the office, for example in a tenants home, and they receive the complaint in a face to face situation.

What to do when you receive a complaint

- 1 On receiving a complaint, you must first decide whether the issue can indeed be defined as a complaint. The customer may express dissatisfaction about more than one issue. This may mean you should treat one element as a complaint, while directing the customer to pursue another element through an alternative route (see [Appendix 2](#)).
- 2 If you have received and identified a complaint, record the details on our complaints system.
- 3 Next, decide whether or not the complaint is suitable for frontline resolution. Some complaints will need to be fully investigated before you can give the customer a suitable response. You must escalate these complaints immediately to the investigation stage.
- 4 Where you think frontline resolution is appropriate, you must consider four key questions:
 - What exactly is the customer's complaint (or complaints)?
 - What does the customer want to achieve by complaining?
 - Can I achieve this, or explain why not?
 - If I can't resolve this, who can help with frontline resolution?

What exactly is the customer's complaint (or complaints)?

It is important to be clear about exactly what the customer is complaining of. You may need to ask the customer for more information and probe further to get a full picture.

What does the customer want to achieve by complaining?

At the outset, clarify the outcome the customer wants. Of course, the customer may not be clear about this, and you may need to probe further to find out what they expect, and whether they can be satisfied.

Can I achieve this, or explain why not?

If you can achieve the expected outcome by providing an on-the-spot apology, or explain why you can't achieve what the customer wants, you should do so. If you consider an apology is appropriate, you may wish to follow the SPSO's guidance on the subject:

[SPSO guidance on apology](#)

The customer may expect more than we can provide. If so, you must tell them as soon as possible. An example would be where the customer is so dissatisfied with a kitchen refurbishment that they demand a new kitchen, but we are only willing to repair any broken units.

You are likely to have to convey the decision face to face or on the telephone. If you do so face to face, by telephone or by email, you are not required to write to the customer as well, although you may choose to do so or the customer may ask you to. It is important, however, to keep a full and accurate record of the decision reached and passed to the customer.

If I can't resolve this, who can help with frontline resolution?

If you cannot deal with the complaint because, for example, you are unfamiliar with the issues or area of service involved, you should be able to pass details of the complaint immediately to someone who can attempt to resolve it.

Timelines

Frontline resolution should be completed within **five working days**, although in practice we would often expect to resolve the complaint much sooner.

You may need to get more information from other services to resolve the complaint at this stage. However, it is important to respond to the customer within five working days, either resolving the matter or explaining that their complaint is to be investigated.

Extension to the timeline

In exceptional circumstances, where there are clear and justifiable reasons for doing so, you may agree **an extension of no more than five working days** with the customer. This must only happen

when an extension will make it more likely that the complaint will be resolved at the frontline resolution stage.

When you ask for an extension, you must get authorisation from the appropriate Service Director/Senior Officer, who will decide whether you need an extension to effectively resolve the complaint. Examples of when this may be appropriate include staff or contractors being temporarily unavailable. If, however, the issues are so complex that they cannot be resolved in five days, it may be more appropriate to escalate the complaint straight to the investigation stage. You must tell the customer about the reasons for the delay, and when they can expect your response.

If the customer does not agree to an extension but it is unavoidable and reasonable, again the relevant Service Director/Senior Officer should decide on the extension. You must then tell the customer about the delay and explain the reason for the decision to grant the extension.

It is important that such extensions do not become the norm. Rather, the timeline at the frontline resolution stage should be extended only rarely. All attempts to resolve the complaint at this stage must take no longer than **ten working days** from the date you receive the complaint.

In all instances, any decisions to extend the timeline should be recorded and documented on the complaints system. It should be noted that even when an extension has been agreed with both the relevant Service Director/Senior Officer and the customer, any timeline extension will result in the complaint being recorded as being responded to outwith the original five working days timescale.

The proportion of complaints that exceed the five-day limit will be evident from reported statistics. These statistics will be considered by the Executive Management Team as part of its quarterly review of Key Performance Indicators; and reported to the respective governing bodies on an annual basis.

[Appendix 3](#) provides further information on timelines.

Closing the complaint at frontline resolution stage

When you have informed the customer of the outcome, you are not obliged to write to the customer, although you may choose to do so, or the customer may ask you to. You must ensure that our response to the complaint addresses all areas that we are responsible for and explains the reasons for our decision. It is also important to keep a full and accurate record of the decision reached and given to the customer. The complaint should then be closed and the complaints system updated accordingly.

If a written response is to be provided you should use our 'standardised' letter template. This aims to ensure consistency in language and format; and that all relevant information is provided. The template can be tailored to suit individual complaints and the required response.

When to escalate to the investigation stage

A complaint should be escalated to the investigation stage when:

- Frontline resolution was tried but the customer remains dissatisfied and requests an investigation into the complaint. This may be immediately on communicating the decision at the frontline stage or could be some time later (in which case the complaint will need to be re-opened on receipt of the request for investigation)
- The customer refuses to take part in the frontline resolution process
- The issues raised are complex and will require detailed investigation
- The complaint relates to serious, high risk or high profile issues.

When a previously closed complaint is escalated from the frontline resolution stage, the complaint should be re-opened on the complaints system.

Take particular care to identify complaints that might be considered serious, high risk or high profile, as these may require particular action or raise critical issues that need senior management's direct input. The SPSO defines potential high risk or high profile complaints as those that may:

- Involve a death or terminal illness
- Involve serious service failure, for example major delays in providing, or repeated failures to provide, a service
- Generate significant and ongoing press interest
- Pose a serious risk to our operations
- Present issues of a highly sensitive nature, for example concerning:
 - immediate homelessness
 - a particularly vulnerable person
 - child protection.

We add to this definition, those complaints that may:

- Involve a serious health and safety related matter
- Pose a serious threat to the reputation or public perception of Caledonia
- Have potentially significant financial consequences

Stage two: investigation

Not all complaints are suitable for frontline resolution and not all complaints will be satisfactorily resolved at that stage. Complaints handled at the investigation stage of the CHP are typically complex or require a detailed examination before we can state our position. These complaints may already have been considered at frontline resolution stage, or they may have been identified from the start as needing immediate investigation.

An investigation aims to establish all the facts relevant to the points made in the complaint and to give the customer a full, objective and proportionate response that represents our final position.

What to do when you receive a complaint for investigation

It is important to be clear from the start of the investigation stage exactly what you are investigating, and to ensure that both the customer and service understand the investigation's scope.

It may be helpful to discuss and confirm these points with the customer at the outset, to establish why they are dissatisfied and whether the outcome they are looking for sounds realistic. In discussing the complaint with the customer, you should consider three key questions:

1. What specifically is the customer's complaint or complaints?
2. What does the customer want to achieve by complaining?
3. Are the customer's expectations realistic and achievable?

It may be that the customer expects more than we can provide. If so, you must make this clear to the customer as soon as possible.

Where possible you should also clarify what additional information you will need to investigate the complaint. The customer may need to provide more evidence to help us reach a decision.

Details of the complaint must be recorded on the system for recording complaints. Where appropriate, this will be done as a continuation of the frontline resolution action. The details must be updated when the investigation ends.

If the investigation stage follows attempted frontline resolution, you must hand over all case notes and associated information to the officer responsible for the investigation, and record that you have done so.

As a general rule, Investigation Stage complaints shall be coordinated and dealt with by the Caledonia Housing Association Business Services Director, who shall conduct the investigation into the detail of the complaint if it relates to a Caledonia Housing Association service delivery issue.

Where the complaint relates to a Cordale Housing Association service delivery issue, the Investigation Stage will be co-ordinated and dealt with by the Cordale Housing Association Senior Officer.

We shall adopt a risk management approach, and where a complaint might be considered serious, high risk or high profile, the Caledonia Housing Association Business Services Director (or the Cordale Housing Association Senior Officer if it relates to Cordale Housing Association) will liaise closely with the Chief Executive and other relevant Executive Management Team members during the investigation; and in managing the associated implications. In such instances, the Chief Executive will sign off the Caledonia Housing Association Group final response.

Similarly, in the event that the complaint involves an activity or area of service provision for which the Caledonia Housing Association Business Services Director has functional responsibility, it should be passed to another member of the Executive Management Team for investigation, in order for an appropriate degree of independence to be maintained. This also applies to Cordale Housing Association where the complaint relates directly to the Cordale Housing Association Senior Officer, the complaint will be passed to an appropriate senior officer within the Caledonia Group for investigation. In each case, the appointed senior officer will take steps to ensure the Caledonia Group Chief Executive is aware of such instances, as appropriate.

Timelines

The following deadlines apply to cases at the investigation stage:

- complaints must be acknowledged within **three working days**
- you should provide a full response to the complaint as soon as possible but not later than **20 working days** from the time you received the complaint for investigation.

Extension to the timeline

Not all investigations will be able to meet this deadline. For example, some complaints are so complex that they require careful consideration and detailed investigation beyond the 20-day limit. However, these would be the exception and you must always try to deliver a final response to a complaint within 20 working days.

If there are clear and justifiable reasons for extending the timescale, senior management will set time limits on any extended investigation, as long as the customer agrees. You must keep the customer updated on the reason for the delay and give them a revised timescale for completion. If the customer does not agree to an extension but it is unavoidable and reasonable, then senior management should consider and confirm the extension. The reasons for an extension might include the following:

- essential accounts or statements, crucial to establishing the circumstances of the case, are needed from staff, customers or others but they cannot help because of long-term sickness or leave
- you cannot obtain further essential information within normal timescales
- operations are disrupted by unforeseen or unavoidable operational circumstances, for example industrial action or severe weather
- the customer has agreed to mediation as a potential route for resolution.

These are only a few examples, and you must judge the matter in relation to each complaint. However, an extension would be the exception and you must always try to deliver a final response to the complaint within 20 working days.

As with complaints considered at the frontline stage, any decisions to extend the timeline should be recorded and documented on the complaints system. Similarly, the proportion of complaints that exceed the 20-day limit will be evident from reported statistics.

These statistics will be reviewed by the Caledonia Housing Association Executive Management Team on a quarterly basis and will feature as part of an annual complaints report to Management Board. This arrangement will also be replicated for Cordale Housing Association in terms of quarterly review by the Senior Management Team and as part of the annual complaints report that will be submitted to the Cordale's Committee of Management for approval.

[Appendix 3](#) provides further information on timelines.

Mediation

Some complex complaints, or complaints where customers and other interested parties have become entrenched in their position, may require a different approach. Where appropriate, you may consider using services such as mediation or conciliation using suitably trained and qualified mentors to try to resolve the matter, and to reduce the risk of the complaint escalating further.

Mediation may help both parties to understand what has caused the complaint, and so is more likely to result in mutually satisfactory solutions.

If you and the customer agree to mediation, revised timescales will need to be agreed. Again this agreement should be properly recorded and documented on the complaints system.

Closing the complaint at the investigation stage

You must let the customer know the outcome of the investigation, in writing or by their preferred method of contact. Our response to the complaint must address all areas that we are responsible for and explain the reasons for our decision.

You must record the decision, and details of how it was communicated to the customer, on the system for recording complaints. You must also make clear to the customer:

- their right to ask the SPSO to consider the complaint
- the time limit for doing so, and
- how to contact the SPSO.

Independent external review

Once the investigation stage has been completed, the customer has the right to approach the SPSO if they remain dissatisfied.

The SPSO considers complaints from people who remain dissatisfied at the conclusion of our complaints procedure. The SPSO looks at issues such as service failure and maladministration (administrative fault), as well as the way we have handled the complaint.

The SPSO recommends that you use the following wording in informing customers of their right to ask SPSO to consider the complaint. The SPSO also provides a leaflet [The Ombudsman and your organisation](#) which you may find helpful in deciding how and when to refer someone to the SPSO.

Information about the SPSO

The Scottish Public Services Ombudsman (SPSO) is the final stage for complaints about public services in Scotland. This includes complaints about Scottish housing associations or co-operatives. If you remain dissatisfied with a housing association or co-operative after its complaints process, you can ask the SPSO to look at your complaint.

The SPSO cannot normally look at complaints:

where you have not gone all the way through the housing association's or co-operative's complaints handling procedure more than 12 months after you became aware of the matter you want to complain about, or that have been or are being considered in court.

The SPSO's contact details are:

SPSO
4 Melville Street
Edinburgh
EH3 7NS

Freephone: 0800 377 7330
Online contact www.spsso.org.uk/contact-us
Website: www.spsso.org.uk
Mobile site: <http://m.spsso.org.uk>

SPSO
Freepost EH641
Edinburgh
EH3 0BR.

Factoring complaints

The SPSO does not normally look at complaints about our factoring service. The Homeowner Housing Panel works to resolve complaints and disputes between home owners and property factors. So if a factoring customer is still dissatisfied after our investigation stage, they can go to the Homeowner Housing Panel.

The Homeowner Housing Panel's contact details are:

Homeowner Housing Panel
Europa Building
450 Argyle Street
Glasgow
G2 8LH

Telephone: 0141 242 0175
Fax: 0141 242 0141
Email: hohpadmin@scotland.gsi.gov.uk
Further information on the Homeowner Housing Panel is available at <http://www.prhpscotland.gov.uk/prhp/2157.html>

Governance of the Complaints Handling Procedure

Roles and responsibilities

Overall responsibility and accountability for the management of complaints lies with the Caledonia Group Chief Executive.

Our final position on the complaint is signed off by an appropriate senior manager and we will confirm that this is our final response. This ensures that our senior management own and are accountable for the decision. It also reassures the customer that their concerns have been taken seriously.

For Caledonia Housing Association, the **Management Board**, as the governing body is responsible for overseeing the work carried out by the association; provides leadership and determines Caledonia Housing Association strategic direction. It also has overall control of the association's affairs, including ensuring Caledonia Housing Association compliance with its policies and procedures.

In regards to the Cordale Housing Association, their **Committee of Management** as the governing body has responsibility for control and leadership, and ensuring policies and procedures such as the CHP are fully complied with.

In relation to complaints, both governing bodies for Caledonia and Cordale Housing Associations have the following roles:

- to approve the adoption of the CHP and our related policy statement on complaints handling
- to ensure staff adhere to the requirements of the CHP and associated internal processes (through involvement with senior management or directly)
- to ensure that information and learning from complaints is used to improve Group performance by revising Group policies and practices to address root causes of customer dissatisfaction.

Particularly important is the role that both governing bodies have for developing and fostering a culture that values complaints in their respective entities

Both governing bodies take an overarching view of complaints, their outcomes and their impact. As part of this, it approves the Caledonia Group approach to how complaints data will be reported and used to promote continual improvement, with a view to ensuring that tenants and other customers are kept informed about how the Group has used feedback to improve services.

The Chief Executive provides leadership and direction in ways that guide and enable us to perform effectively across all services. This includes ensuring that there is an effective CHP, with a robust investigation process that demonstrates how we learn from the complaints we receive. The Chief Executive will take a direct role in handling and managing some complaints including, in particular, those that may be considered serious, high risk or high profile. In such instances they

will retain responsibility for providing our final response to the complaint, but may delegate certain aspects of the handling process, including the investigation duties, to other members of the Executive Management Team.

The Executive Management Team is responsible for overseeing implementation of the CHP on a day to day basis within Caledonia Housing Association. The same responsibilities apply to the Senior Management Team in Cordale Housing Association

This will include managing complaints and the way we learn from them; advising staff within their respective departments and teams on the interpretation and implementation of this procedure; ensuring that recording and reporting on complaints is thorough and effective; overseeing the implementation of actions required as a result of a complaint; and monitoring performance and quality in relation to complaints handling.

The Caledonia Housing Association Business Services Director is responsible and accountable for the management of the investigation at stage 2 for those complaints that relate specifically to Caledonia Housing Association. The Business Services Director will be involved in investigating and co-ordinating all aspects of the response to the customer. Where this presents any potential conflict of interest, other members of the Executive Management Team will assume the investigation role, and liaise with the Chief Executive as necessary.

The Cordale Housing Association Senior Officer will carry out the same role as the Caledonia Housing Association Business Services Director in relation to Stage 2 complaints. Where the complaint may present potential conflict of interest, another senior officer from the Caledonia Housing Association Group will be appointed to carry out the investigation role, and liaise with the Chief Executive as necessary.

Following completion of the detailed investigation work, the Business Services Director/Senior Officer (or other Executive Management Team member as appropriate) will be responsible for identifying and reporting to their respective senior management teams the details of any procedural changes in service delivery that may be required as a result of the complaint. This will include actions that could result in wider opportunities for learning across the organisation.

All other members of staff are potential recipients of complaints. Accordingly all staff will be fully briefed on the CHP and trained in how to handle and record complaints at the frontline stage. We encourage all staff to try to resolve complaints early, as close to the point of service delivery as possible, and quickly to prevent escalation.

Where the recipient is personally unable to handle a frontline complaint, they should refer the matter to the individual they feel is best placed to resolve it. If there is any uncertainty around who this is, the complaint should be passed to the relevant service manager or senior staff member, who will assume responsibility for it and decide which member of their team should handle it.

Complaints about senior staff or governing body members

Complaints about senior staff or governing body members can be difficult to handle, as there may be a conflict of interest for the staff investigating the complaint.

When serious complaints are raised against senior staff or governing body members, it is particularly important that the investigation is conducted by an individual who is independent of the situation. The SHR specifies that a serious complaint against senior staff or the governing body of an RSL is a 'notifiable event', and as such the regulator must be informed immediately. It has also drawn up 'regulatory expectations' for the handling of serious complaints against the Chief Executive. This specifies that we must seek independent, professional advice to support us in handling, and in some cases investigating, the complaint.

The SHR's expectations also specify that strong governance arrangements must be in place that set out clear procedures for handling such complaints, including the governing body's role in such cases. Our processes specify the measures in place to ensure this is achieved, and the types of complaints we consider 'serious'.

We also have arrangements for handling minor complaints against the Group Chief Executive and for complaints against other senior staff and the governing body. These arrangements take account of the need to ensure that the final decision is fair, objective and impartial. If the complaint is about the Chief Executive, it would be handled by the **Chair of the Caledonia Housing Association Management Board**, who will secure the services of an independent external agency to provide professional advice and assistance as necessary. If the complaint is about another senior staff member, it would be handled by the Group Chief Executive.

The SHR's Regulatory Expectations on serious complaints against a Chief Executive can be found on the SHR [website](#)

We operate a separate [policy](#) that covers how serious complaints against the Group Chief Executive will be handled. This is available to all staff via our intranet site and should be referred to for further information.

Recording, reporting, learning and publicising

Complaints provide valuable customer feedback. One of the aims of the CHP is to identify opportunities to improve services across our business. We must record all complaints in a systematic way so that we can use the complaints data for analysis and management reporting. By recording and using complaints information in this way, we can identify and address the causes of complaints and, where appropriate, identify training opportunities and introduce service improvements.

Recording complaints

To collect suitable data it is essential to record all complaints in line with SPSO minimum requirements, as follows:

-
- the customer's name and address
 - the date the complaint was received
 - the nature of the complaint
 - how the complaint was received (for example by email, post etc.)
 - the service the complaint refers to
 - the date the complaint was closed at the frontline resolution stage (where appropriate)
 - the date the complaint was escalated to the investigation stage (where appropriate)
 - action taken at the investigation stage (where appropriate)
 - the outcome of the complaint at each stage
 - the date the complaint was closed at the investigation stage (where appropriate)
 - the underlying cause of the complaint and any remedial action taken.

We have structured systems for recording complaints, their outcomes and any resulting action. These provide a detailed record of services that have failed to satisfy customers.

The Caledonia Group housing management systems are configured in line with the requirements of this CHP and will be used to enable tracking of individual complaints recorded through the CHP.

Reporting of complaints

Complaints details are analysed for trend information to ensure we identify service failures and take appropriate action. Regularly reporting the analysis of complaints information helps to inform management of where services need to improve. It will also help us report efficiently on the Annual Return on the Charter (the ARC).

We publish on a quarterly basis the outcome of complaints and the actions we have taken in response. We will use our tenants and residents newsletter and our website as the principle means of achieving this. This demonstrates the improvements resulting from complaints and shows that complaints can influence our services. It also helps ensure transparency in our complaints handling service and will demonstrate to our customers that we value complaints.

We must:

- publicise on a quarterly basis complaints outcomes, trends and actions taken
- make use of case studies and examples to demonstrate how complaints have helped improve services.

This information is regularly (at least quarterly) reported to and reviewed by the Group senior management teams.

Key Performance Indicators relating to complaints will be feature as part of the regular corporate performance reports presented to the respective governing bodies. On an annual basis a comprehensive complaints analysis and impact report will also be prepared and presented to the respective governing bodies.

Learning from complaints

At the earliest opportunity after the closure of the complaint, the complaint handler makes sure that the service user and staff of the department involved understand the findings of the investigation and any recommendations made.

The Executive Management Team/Senior Management Team will regularly review the information gathered from complaints and consider whether our services could be improved or internal policies and procedures updated.

As a minimum, we must:

- use complaints data to identify the root cause of complaints
- take action to reduce the risk of recurrence
- record the details of corrective action in the complaints file
- systematically review complaints performance reports to improve service delivery.

Where we have identified the need for service improvement:

- the action needed to improve services should be authorised
- a staff member (or team) must be designated as the 'owner' of the issue, with responsibility for ensuring the action is taken
- a target date must be set for the action
- the designated individual must follow up to ensure that the action happens within the agreed timescale
- where appropriate, performance in the service area must be monitored to ensure that the issue has been resolved
- we must ensure that staff and management committee members all learn from complaints.

Publicising complaints performance information

We also report our performance in handling complaints to the SHR, through the ARC. This includes performance statistics showing the volumes and types of complaints and key performance details, for example on the time taken and the stage at which complaints were resolved.

Maintaining confidentiality

Confidentiality is important in complaints handling. This includes maintaining the customer's confidentiality and explaining to them the importance of confidentiality generally. We must always bear in mind legal requirements, for example, data protection legislation, as well as internal policies on confidentiality and the use of customers' information.

Managing unacceptable behaviour

People may act out of character in times of trouble or distress. The circumstances leading to a complaint may result in the customer acting in an unacceptable way. Customers who have a history of challenging or inappropriate behaviour, or have difficulty expressing themselves, may still have a legitimate grievance.

A customer's reasons for complaining may contribute to the way in which they present their complaint. Regardless of this, we must treat all complaints seriously and properly assess them. However, we also recognise that the action of customers who are angry, demanding or persistent may result in unreasonable demands on time and resources or unacceptable behaviour towards our staff. We will, therefore, apply our policies and procedures to protect staff from unacceptable behaviour such as unreasonable persistence, threats or offensive behaviour from customers.

Where we decide to restrict access to a customer under the terms of our Unacceptable Behaviour Policy, we will communicate that decision, notify the customer of a right of appeal, and review any decision to restrict contact with us. We will allow the customer to demonstrate a more reasonable approach later. We must also make clear to the customer that they can still request other services such as repairs while their access is restricted, and advise them on their options for contacting us.

Supporting the customer

All members of the community have the right to equal access to our CHP. Customers who do not have English as a first language may need help with interpretation and translation services, and other customers may have specific needs that we will seek to address to ensure easy access to the CHP.

We must always take into account our commitment and responsibilities to equality. This includes making reasonable adjustments to our service to help the customer where appropriate.

Several support and advocacy groups are available to support customers in pursuing a complaint and customers should be signposted to these as appropriate.

The Group Equalities and Diversity Policies provides further information on our general approach to ensuring equality of opportunity in all areas of service provision. This is accessible to all staff via our intranet site.

Time limit for making complaints

This model CHP sets a time limit of six months from when the customer first knew of the problem, within which time they may ask us to consider the complaint, unless there are special circumstances for considering complaints beyond this time.

We will apply this time limit with discretion. In decision making we will take account of the Scottish Public Services Ombudsman Act 2002 (Section 10(1)), which sets out the time limit within which a member of the public can normally ask the SPSO to consider complaints. The limit is one year from when the person first knew of the problem they are complaining about, unless there are special circumstances for considering complaints beyond this time.

If it is clear that a decision not to investigate a customer's complaint will lead to a request for external review of the matter, we may decide that this satisfies the special circumstances criteria. This will enable us to consider the complaint and try to resolve it.

Appendix 1 – Complaints at frontline resolution

The following tables give examples of complaints that may be considered at the frontline stage, and suggests possible actions to achieve resolution.

Complaint	Possible actions to achieve resolution
The customer complains that her rent payment direct debit has been set up wrongly.	<ul style="list-style-type: none">• Apologise to the customer and resolve the issue by properly updating the direct debit details.• Record the complaint on the complaints database.
The customer complains that a worker did not attend to carry out a housing repair as we had agreed.	<ul style="list-style-type: none">• Speak to the worker, the service or the service manager to explain the customer's complaint and to agree how to resolve the issue, for example by arranging a new time and date to do the repair.• Explain the reasons for the failed appointment and apologise to the customer.• Record the complaint on the complaints database.
The customer complains that the quality of a repair carried out by us or our contractor is not satisfactory.	<ul style="list-style-type: none">• Ask the service department to examine the repair to assess whether or not it is acceptable.• If it is not acceptable, agree that the service department should do more work to resolve the matter.• Explain and apologise to the customer.• Record the complaint on the complaints database.• Obtain a report from the service or contractor to confirm that the repair is now complete.• Feedback the lessons learned from the complaint into a service improvement plan.

Complaint	Possible actions to achieve resolution
<p>The customer complains that his support worker turned up late and was smoking.</p>	<ul style="list-style-type: none"> • Contact the care service to discuss the matter with a service manager. • The care service checks the timetable for visits and discusses with the home carer the complaint about smoking. The care service should let you know the outcome. • You in turn contact the customer to explain the policy, confirm the timing of visits (for example. between 8am and 12 noon) and where appropriate apologise for the inconvenience. • Record the complaint on the complaints database.
<p>The customer expresses dissatisfaction in line with the definition of a complaint, but says she doesn't want to complain – just wants to tell us about the matter.</p>	<ul style="list-style-type: none"> • Tell the customer that we value complaints because they help to improve services. Encourage her to submit the complaint. • To improve our service and learn from mistakes, we need to record, evaluate and act upon customer feedback like this. Therefore, if the customer still insists she does not want to complain, record the matter as an anonymous complaint. This will avoid breaching the complaints handling procedure. Reassure the customer that she will not be contacted again about the matter.
<p>Dissatisfaction with a planned maintenance programme</p>	<ul style="list-style-type: none"> • Take details of the complaint and pass them to the team involved in planned maintenance. Tell the customer about the timescales for planning such work, and that we will take their views into account for future work. • Record the complaint on the complaints database.

Appendix 2 - What is not a complaint

A concern may not necessarily be a complaint. For example, a customer might make a routine first-time request for a service. This is not a complaint, but the issue may escalate into a complaint if it is not handled effectively and the customer has to keep asking for service.

A customer may also be concerned about the various decisions we make. These decisions may have their own specific review or appeal procedures, and, where appropriate, we should direct customers to the relevant procedure. However, if a customer expresses dissatisfaction with the administrative process we have followed to arrive at a decision, we should treat this as a complaint. This distinction is shown in the example below about how an allocations policy applies.

The following paragraphs provide examples of the types of issues or concerns that should not be handled through the complaints handling procedure. This is not a full list, and you should decide the best route for resolution based on the individual case.

Example 1: Housing allocation decisions

Decisions about the allocation of homes follow a specific internal policy, in line with legal requirements. You should steer customers who are dissatisfied with an allocation decision towards the associated appeals process.

Customer A complains that they were not given enough priority for housing, given their current housing circumstances and health needs.

Steer the customer towards the appeals process for allocation decisions.

However, if the customer is dissatisfied about how we applied the policy or administered the process, the complaint can go through this CHP.

Customer B complains that a home was allocated to someone else, who they knew were in less need than them, and had not been on the waiting list as long.

Record the customer's complaint. Explain that personal details are not disclosed, so we cannot discuss the other applicant's details. The customer will also need to be clear that we will review the basis for the decision to see if we are at fault.

If we find that the decision was based on sound evidence of need, inform the customer of the outcome. But if there is evidence that there was maladministration (fault) in the process followed to reach our decision, we must take suitable action and inform Customer B.

Update the complaint as appropriate and consider whether to report the case to the Executive/Senior Management Team and relevant governing body.

Customer B can also request a review of their circumstances or may appeal their points through the appeals process.

Example 2: Claims for compensation

A customer may seek compensation from us if they consider us liable. This includes issues such as personal injury or loss of or damage to property. Claims for compensation only are not complaints, so you should not handle them through the complaints handling procedure. However, where a customer wants to complain about the matter leading to their request for compensation, for example workmen damaging their home, you may consider that matter as a complaint, but deal with the request for compensation separately. You may decide to suspend complaint action pending the outcome of the claim for compensation. If you do this, you should notify the customer and explain that the complaint will be fully considered when the compensation claim has been resolved.

If you receive a compensation claim, you should explain to the customer the process for seeking resolution in line with our policy on these claims.

You can still make 'time and trouble' payments for inconvenience suffered by customers. Our separate Complaints Policy describes our general approach to such matters. This is distinct from compensation claims.

Example 3: Anti-social behaviour complaints

We must respond well to concerns or dissatisfaction about our tenants' behaviour from a neighbour or a member of the public (for example, a home owner living nearby). We initially handle such concerns through our anti-social behaviour policy. However, someone may complain about the way we have handled an anti-social behaviour complaint.

Mr A complains that his neighbour has been playing music late at night for the last three nights. This is the first time he has phoned to complain.

We should handle this through our anti-social behaviour policy. We should fully explain our process to Mr A, and say what he should do if the situation continues.

Ms B complains she has reported her neighbour's barking dog several times over the last year, and nothing has been done about it.

We should handle this as a complaint and pass it to the right team to establish what has happened so far and update Ms B. We should consider whether we applied our policy properly, and whether we could do anything else to resolve the situation. We should record the complaint on the complaints system.

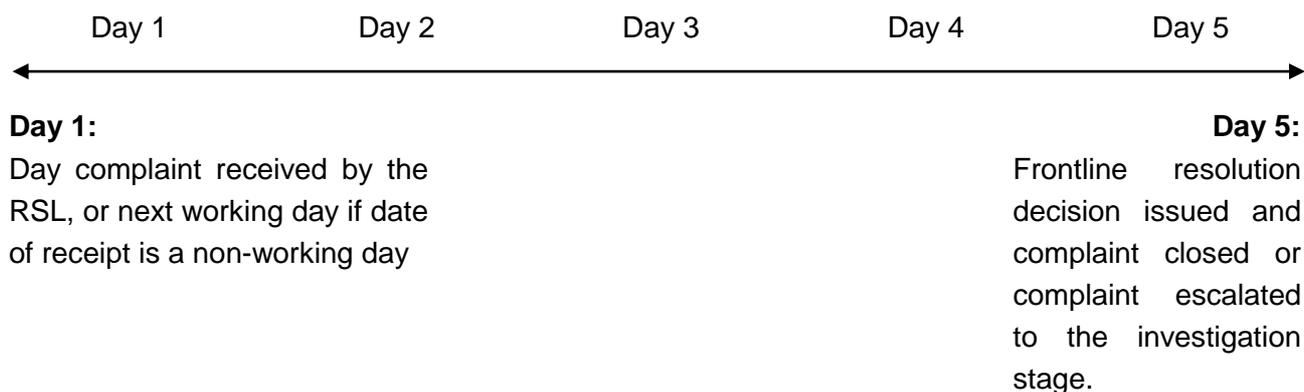
Appendix 3 - Timelines

General

Reference to timelines throughout the CHP relate to working days. When measuring performance against the required timelines, we do not count non-working days, for example weekends and public holidays.

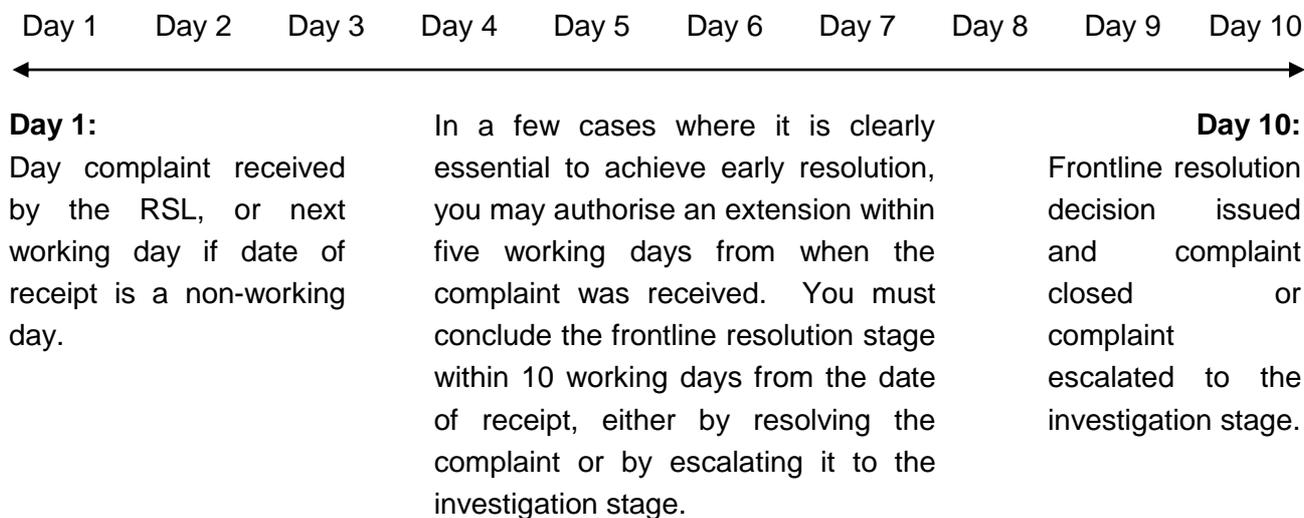
Timelines at frontline resolution

You should aim to achieve frontline resolution within five working days. The day you receive the complaint is day 1. Where you receive it on a non-working day, for example at the weekend or on a public holiday, day 1 will be the next working day.

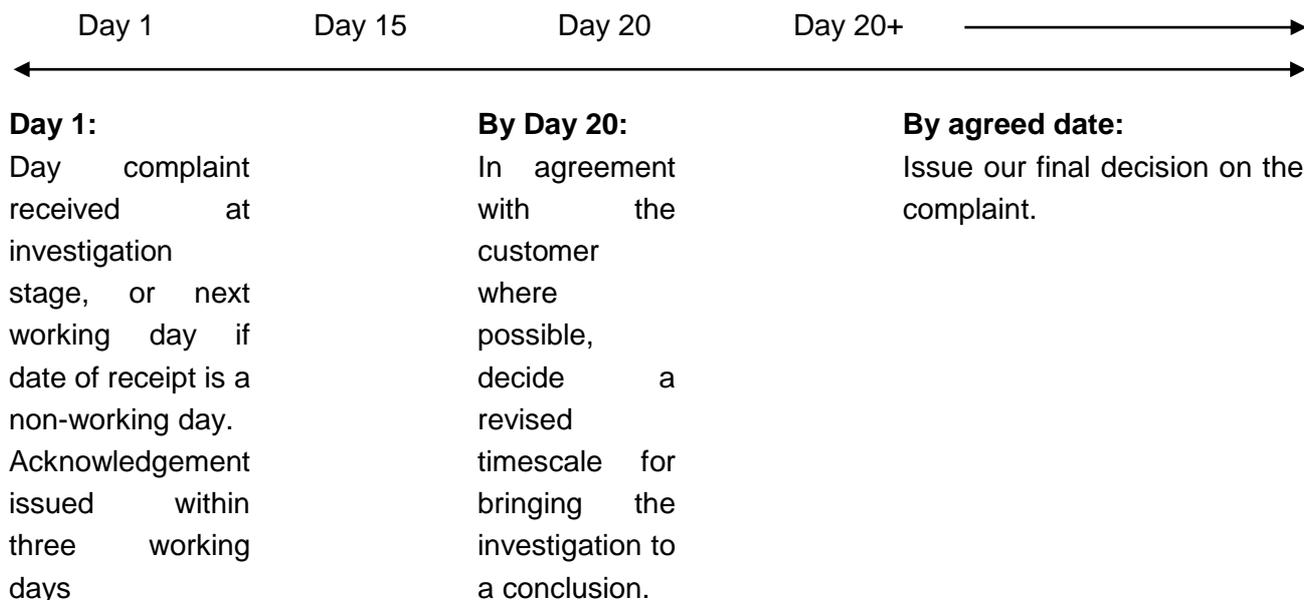


Extension to the five-day timeline

If you have extended the timeline at the frontline resolution stage in line with the procedure, the revised timetable for the response must take no longer than 10 working days from the date of receiving the complaint.

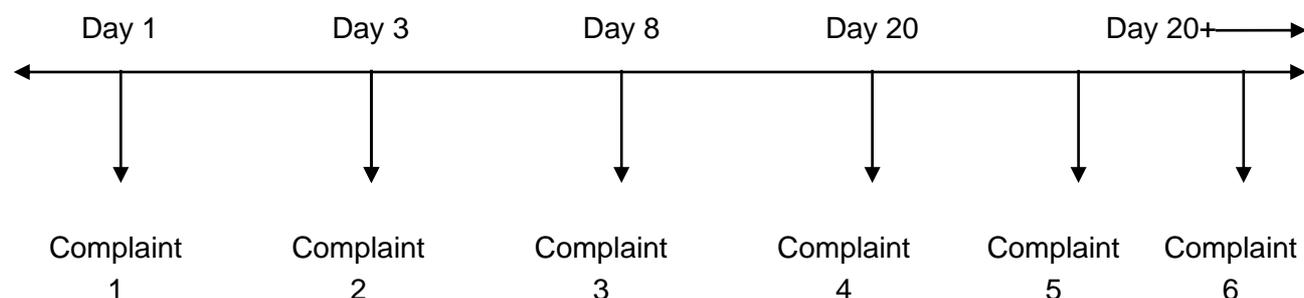


Exceptionally you may need longer than the 20-day limit for a full response. If so, you should explain the reasons to the customer, and agree with them a revised timescale.



Timeline examples

The following illustration provides examples of the point at which we conclude our consideration of a complaint. It is intended to show the different stages and times at which a complaint may be resolved.



The circumstances of each complaint are explained below:

Complaint 1 – is straightforward and we can resolve it by an on-the-spot explanation and, if appropriate, an apology. Such a complaint can be resolved on day 1.

Complaint 2 – is also straightforward and needs little or no investigation. Resolution is reached at day three of the frontline resolution stage.

Complaint 3 – refers to a complaint that we considered appropriate for frontline resolution. We did not resolve it in the required time of five working days. However, we authorised an extension because there was a clear and demonstrable expectation that the complaint would be satisfactorily resolved within a further five days. We resolved the complaint at the frontline resolution stage in a total of eight days.

Complaint 4 – was suitably complex or serious enough to pass to the investigation stage from the outset. We did not try frontline resolution; rather we investigated the case immediately. We issued a final decision to the customer within the 20-day limit.

Complaint 5 – we considered complaint 5 at the frontline resolution stage but a 5-day extension was authorised. At the end of the frontline stage the customer was still dissatisfied. At their request, we conducted an investigation and issued our final response within 20 working days. Although the end-to-end timeline was 30 working days we still met the combined time targets for frontline resolution and investigation.

Complaint 6 – we considered complaint 6 at both the frontline resolution stage and the investigation stage. We did not complete the investigation within the 20-day limit, so we agreed a revised timescale with the customer for concluding the investigation beyond the 20-day limit.

Appendix 4 - The complaints handling procedure flow chart

