



RCH Group Policy: Complaints

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Approval Body	Social Landlord Operations Committee
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This policy is available, on request, in different languages and in other formats such as large print, audio format and braille as required.

1. Scope

This is a Group policy and therefore applies to Staff, Board and Committee members of The RCH Group of companies. As at March 2023 The RCH Group consists of River Clyde Homes and its subsidiary, Home Fix Scotland Ltd.

2. Introduction

The purpose of this policy is to describe how River Clyde Homes (RCH) Group will handle complaints and the standards that customers and stakeholders can expect from us. RCH Group will promote quick resolution of complaints at the point of service delivery where possible, with detailed investigations reserved for more complex or serious complaints.

RCH Group are committed to learning from complaints and making improvements that will benefit our customers. RCH Group will continue to aim to achieve the complaints handling standard set by the Scottish Public Services Ombudsman (SPSO) and operate in line with the Scottish Social Housing Charter.

This policy should be read in conjunction with the following policies and documents:

- Unacceptable Behaviour Policy
- Customer Care Policy
- Data Protection Policy
- Anti-fraud, Bribery and Corruption Policy
- Whistleblowing Policy
- Redress and Compensation Policy
- Grievance and Dignity at Work Policy
- Code of Conduct for Staff
- Code of Governance
- Standing Order and Delegations

3. Definitions

- **Complaint:** an expression of dissatisfaction by one or more customers or members of the public about RCH GROUP's action, or lack of action, or about the standard or service provided by us or by another organisation providing a service on our behalf.
- **Complaints handling procedures:** RCH Group's detailed procedures for meeting the objectives set out in this Policy.
- **Frontline Resolution:** The first stage of the complaints process. It aims to quickly resolve straightforward complaints that require little or no investigation.
- **Investigation:** The second stage of the complaints process. It is used for:
 - More complex complaints that are not suitable for frontline resolution
 - Complaints where frontline resolution has been tried but the customer is dissatisfied with our response.
- **Scottish Public Services Ombudsman:** An independent body that will conduct an external review of complaints if a customer is dissatisfied after exhausting RCH Group's complaints procedure

4. Policy Statement and Responsibilities

RCH Group is determined to resolve complaints to the satisfaction of the customer, where we can reasonably do so. We encourage and welcome complaints from our customers and will use complaints to help us to:

- Address dissatisfaction expressed by customers
- Put right failures or omissions on our part
- Learn and take action to help improve our service delivery and performance

Statement of Principles

RCH Group's approach to complaints handling will be based on the following Statement of Principles. We expect all RCH Group staff to follow these principles if they are involved in investigating or resolving customer complaints.

The customer will be at the heart of the process

- We will always ask the customer what they want to happen as a result of their complaint, and then do our best to achieve this outcome where reasonable
- Where the request is unreasonable or outwith our ability to resolve we will explain this to the customer and seek to agree on a compromise to resolve the issue to the best of our ability
- We will be sensitive to each customer's individual circumstances when handling complaints

Our Policy will be accessible and easy to use

- We will publicise our complaints Policy and make sure information is readily available for all customers
- We will encourage customers to make a complaint if they tell us they are dissatisfied

We will aim to provide a timely resolution of all complaints we receive

- We will resolve complaints using the frontline resolution method wherever possible
- If this is not possible and an investigation is needed we will tell the customer why and how long it will take to respond to their complaint

Our handling of complaints will be proportionate and consistent

- We will keep enquiries to a minimum to establish the relevant facts
- We will always ask ourselves whether things went wrong as a result of our actions and if so, what we should do to put things right

In resolving complaints, our staff will be objective, impartial and fair

- We will listen to customers, understand their viewpoints and consider all the relevant facts when reaching our decision

Everyone involved in the complaints process is entitled to courtesy and respect

- We will always treat our customers with courtesy and respect and expect the same consideration to be shown to our staff
- If necessary, we may apply measures to manage contact with customers who behave aggressively or unreasonably

We will use complaints to help improve RCHG's policies, procedures and services

- We will use feedback from complaints to continually improve our overall service delivery and complaints handling
- We will use information from complaints to measure our performance, identify trends and highlight opportunities for service improvement

RCH Group has adopted the complaints handling principles and procedures published by the Scottish Public Services Ombudsman. We will also comply with the Scottish Social Housing Charter and the associated information and regulatory requirements published by the Scottish Housing Regulator.

Who we will accept complaints from

RCH Group will consider complaints from the following people:

Anyone who receives or requests a service from RCHG or others working on our behalf

- for example RCHG tenants and factored owners

People seeking to use RCHG services

- for example people who have applied to us for housing

Others who could be affected by the actions of RCHG or others working on our behalf

- for example people who live beside our housing

Customers may appoint another person or agency to make a complaint on their behalf. RCH Group will accept these complaints if they provide a completed Representation Mandate to show they have authorised the arrangement.

Customers who receive registered services with us, such as our Sheltered Housing Customers, may make complaints about these services to RCH Group or to the Care Inspectorate.

What type of complaints we will accept

The RCH Group Complaints Policy can be used to express dissatisfaction with most aspects of RCH Group's service delivery, such as:

- Service failure, such as providing an inadequate service or no service at all
- Dissatisfaction with a policy or the implementation of the policy principles
- Disagreement with a decision we have made (unless a separate appeals procedure is available)
- Unacceptable behaviour by a staff or Board member or a contractor
- Failure to follow RCH Group's own Policies or Procedures
- Failure to respond to enquiries and requests in an appropriate timescale
- Failure to provide information, or providing information and advice that is unreliable or incorrect
- Unfairness, bias or prejudice in service delivery
- Significant performance failures as defined by the Scottish Housing Regulator

Some issues will not be covered by the Complaints Policy and will be redirected to the most appropriate process. These include the following:

- Challenging a housing decision where there is another appeal route available
- Complaints against other tenants

- A routine first-time request for a service, or a first-time interaction that successfully addresses concerns
- A query or dispute regarding a bill or invoice unless the query or dispute has not been resolved and the customer wishes to pursue a complaint
- A communication issue being reported for the first time
- A request for compensation only
- An issue that is in court or that has already been heard by a court or tribunal
- A request to reopen a previously concluded complaint, or to have a complaint reconsidered after the final decision has been made.

Roles and Responsibilities

The Board	<ul style="list-style-type: none"> • Approval of Complaints Policy and formal adoption of Complaints Handling Procedure • Monitoring the number and type of complaints, along with underlying causes and improvement actions (Social Landlord Operation’s Committee) • The Board has responsibility which promotes a culture in that: <ul style="list-style-type: none"> ○ Complaints are welcomed ○ Staff at all levels can help to resolve complaints • RCH Group learns from complaints
Executive Leadership Team	<ul style="list-style-type: none"> • Monitor the operation of the Policy across the RCH Group as a whole • Is accountable to the Board for policy implementation
Senior Managers	<ul style="list-style-type: none"> • Ensure implementation of the complaints policy and procedures in their business area • Review complaints reasons and outcomes regularly with teams and identify opportunities for learning and service improvement • Manage complaints that are high risk or high profile • Establish investigation and response responsibilities for complaints covering more than one service area
Customer Experience Team and frontline officers	<ul style="list-style-type: none"> • Identify complaints and seek to resolve them on the spot where possible
Customer Experience Team	<ul style="list-style-type: none"> • Manage the complaints process including logging complaints, allocating to the appropriate team and sending responses

Complaints Process and Service Standards

There are two stages of complaints;

- Stage 1 – frontline resolution
- Stage 2 – investigation

Stage 1 Complaints

- Complaints should be resolved on the spot with the customer, wherever possible. Remedies may include an apology and immediate action to rectify a failure or error on our part
- Otherwise, the complaint will be reviewed with the aim of resolving it as soon as possible and within a maximum of 5 working days
- If there has been a negative outcome for the customers as a result of failure or error on our part, we will uphold the complaint and resolve it immediately without making detailed enquiries
- We will provide customers with a written response to Stage 1 complaints (other than those that were resolved on the spot)
- We may escalate a complaint to the investigation stage if it is too complex for frontline resolution or if the customer is dissatisfied with the response to the stage 1 complaint

Stage 2 complaints

- We will provide the customers with a written acknowledgement within 3 working days of receiving their complaint of our decision to escalate a complaint to the investigation stage
- The customer will receive full contact details for a named officer responsible for resolving the complaint and when they will receive a full response
- The customer should receive a full written response as soon as possible and within a maximum of 20 working days. If this timescale cannot be met we will provide the customer with an explanation
- The customer will be advised that our response represents the end of RCH Group's complaints procedure and of their right to seek an independent review of our decision by the SPSO or the Housing Property Chamber (HPC) if appropriate

Redress and Compensation

RCH Group will consider what form of redress is appropriate, taking into account the circumstances of the complaint.

The types of redress that can be considered are set out in RCH Group's Redress and Compensation Policy and may include:

- An apology
- Follow-up action to remedy the problem that led to the complaint
- An explanation of why the issue occurred and what will be done to stop it happening again
- A goodwill gesture such as a small gift or gift voucher
- Correction of information held on our systems
- Financial compensation as permitted by the appropriate policy

Claims for compensation are considered separately from complaints. RCH Group may make discretionary payments following capital or void works or where a customer has suffered an element of inconvenience, distress or pain and suffering.

We may also deal with some types of claims for damages or loss under RCH Group's insurance policies.

Consideration of complaints should not be used as a reason for delaying statutory compensation. For example, payments under the Right to Repair scheme, the Right to Compensation for Improvements, and Home Loss and Disturbance Payments.

Responding to complaints

When responding to a complaint we will:

- Address all areas that RCH Group is responsible for
- Explain the reasons for our decision

All responses will be written in plain English and will be succinct whilst ensuring that they fully provide the explanation for the decision.

Stage 2 complaints will also advise the customer of any relevant bodies that they can approach in addition to the SPSO.

Unacceptable Actions

Although it is appreciated that customers may be distressed when they get to the point of complaint, RHCG will not tolerate aggressive or abusive behaviour towards our staff. We will also not accept conduct that results in unreasonable levels of contact that adversely affect our service to other customers.

RCH Group may consider restricting contact with customer. This will be in line with our Unacceptable Behaviours Policy.

Confidentiality and Data Protection

RCH Group will treat all complaints received as confidential. Information sharing about the complaint and the person making the complaint will be kept to a minimum and will only be what is necessary to enable proper investigation and application of our complaint procedure.

Where a customer, or person making the complaint, has expressed a wish that we do not discuss the complaint with a named individual, we will respect this. However, where this impacts on our ability to fully investigate and resolve the matters raised, we will discuss this impact with the customer.

Anonymous complaints should be investigated as far as practicable. However it may not always be possible to fully investigate complaints where we have limited information available.

Our response to complaints will generally not disclose personal information about other individuals, such as other customers or RCH Group employees, unless it is necessary and reasonable in the circumstances. We will advise customers whether a complaint they have made has been upheld or not but will not provide specific details beyond this about our employees or customers.

Complaints about RCH Group staff and board members

Line managers will deal with any complaints about members of staff in accordance with the relevant terms and conditions of employment and relevant HR policies.

If a complaint is related to the Chief Executive the matter will be handled by **X**. RCH Group will also follow all guidance from the Scottish Housing Regulator.

Serious complaints about Board members or other senior staff will be treated at Notifiable Events and may be investigated independently.

RCH Group staff members may raise concerns using RCH Group's Whistleblowing Policy and grievance procedures.

Events notifiable to the Scottish Housing Regulator

There are situations where complaints may result in a notifiable event to the Scottish Housing Regulator (SHR). This includes situations such as:

- A serious complaint against the Chief Executive of RCH Group
- Escalations to the SPSO or HPC that are upheld against RCH

Notifiable Events should be reported immediately in the first instance to the Governance team who will ensure the Notifiable Events Policy is followed. More guidance can be found in the SHR Notifiable Events Guidance or by contacting the Governance Team.

Performance Management and Learning from Complaints

RCH Group will maintain a structured system for recording and reporting on complaints. We will use the information gathered to measure performance, identify trends and contribute to continuous improvement in service delivery.

Regular performance updates will be provided to both RCH Group's Executive Leadership Team, Senior Leadership Team and Social Landlord Operations Committee. This will include a review of escalations made to the Scottish Public Services Ombudsman (SPSO) or the Housing Property Chamber (HPC).

Heads of Service will be responsible for the following in their business areas:

- Maintaining oversight of complaints handling in their business area
- Ensuring that lessons learned from complaints are communicated to all staff in customer facing roles
- Implementing service improvements that can be achieved within existing policies and resources
- Ensuring that the Customer Experience Team receives all information required to maintain RCH Group's complaints recording systems

Publicising the Complaints Policy and Performance

RCH Group will actively publicise the Complaints Policy and procedures to our customers using a range of tools such as newsletters, annual reports and our website. We will also use these channels to communicate our performance in complaints handling.

We will provide information and assistance to any customer seeking help with making a complaint. We may also signpost customers to other support services such as advocacy services.

5. Equality, Diversity and Inclusion

An equalities impact assessment has been undertaken.

The RCH Group will apply this policy fairly and consistently. In implementing this policy, we will not directly or indirectly discriminate against any person or group of people because of their race, religion or belief, gender, disability, age, sexual orientation, or any other grounds. Our commitment to equality and fairness will apply irrespective of factors such as age, disability, gender reassignment, marital or civil partnership status, pregnancy or maternity, race, religion or belief, sex, sexual orientation, or other personal attributes.

6. Review

This policy will be reviewed in its entirety every 3 years, unless an earlier review is required due to changes in legal, regulatory or best practice requirements, or because monitoring and reporting reveals that a change in policy is required sooner.

Appendix 1 Complaints Handling Procedure Flowchart

