

Complaints Policy

2017 – 2020

Policy Owner	Policy Manager
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1. Purpose of the Complaints Policy

- ☐ To describe how River Clyde Homes will deal with customer complaints and the standards customers can expect from us.
- ☐ To promote quick resolution of complaints at the point of service delivery wherever possible, with detailed investigations reserved for more complex or serious complaints.
- ☐ To make sure River Clyde Homes learns from complaints and makes improvements that will benefit our customers.

- To meet the complaints handling standards set by the Scottish Public Services Ombudsman (SPSO) and in the Scottish Social Housing Charter.

2. Terms used in the Complaints Policy

Complaint	An expression of dissatisfaction by one or more members of the public about River Clyde Homes' action or lack of action, or about the standard of a service provided by us or by another organisation providing a service on our behalf.
Complaints Handling Procedures	River Clyde Homes' detailed procedures for meeting the objectives and standards 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: <ul style="list-style-type: none"> • 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 at the end of the River Clyde Homes' complaints procedure.

3. Policy Statement

River Clyde Homes is determined to resolve complaints to the satisfaction of the customer, where we can reasonably do so. We will 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.

River Clyde Homes' approach to complaints handling will be based on the following **statement of principles**. We expect all of our people to follow these principles if they are involved in investigating or resolving customer complaints.

RIVER CLYDE HOMES COMPLAINTS POLICY

complaints we receive

- We will always ask the complaints customer what they want to happen as a result of their complaint, and then do our best to achieve this outcome where reasonable.
- We will encourage customers to make a complaint, if they tell us about something they are not happy with.
- We will resolve using the frontline resolution method wherever possible. If this is not possible and an investigation is needed, we will tell the customer why.
- We will be sensitive to each individual available to all. respond to their complaint.
- We will publicise the complaints procedure and make sure that information is and how long it will take to respond to their complaint.
- We will use feedback from complaints to help improve River Clyde Homes' policies, procedures and services.

Our handling of complaints will be in respect of the following principles, our staff will be proportionate and consistent objective, impartial and fair

- We will keep enquiries to the minimum to establish the relevant facts.
- Customers will feel that we have listened, needed understood and considered the relevant facts
- We will always ask ourselves whether when reaching our decision. things went wrong as a result of our actions, and if so, what we should do to put things right for the customer.

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

We will use complaints to help improve River Clyde Homes' policies, procedures and services

- We will always treat our customers with and respect and expect the same consideration to be shown to our staff.
- We will use feedback from complaints to help improve River Clyde Homes' policies, procedures and services.
- If necessary, we may apply measures to manage contact with customers who aggressively or unreasonably.
- We will use information from complaints to measure our performance, identify trends and behave highlight opportunities for service improvement.

River Clyde Homes 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.

4. Scope of the Complaints Policy

River Clyde Homes will consider complaints from the following people:

Anyone who receives or requests a service from River Clyde Homes

Example: River Clyde Homes tenants and factored owners
People seeking to use our services

Example: people who have applied to us for housing

Others who could be affected by the actions of

River Clyde Homes

Example: people who live beside our housing

Customers can ask another person or agency to make a complaint on their behalf, as long as they give us a Representation Mandate to show they have authorised the arrangement. A mandate is not needed if the person acting on the customer's behalf is an elected representative, i.e. a Councillor, MSP, MP or MEP.

Customers who receive care services from River Clyde Homes or from other agencies under a contract with us may complain about these services either to River Clyde Homes, the care provider or the Care Inspectorate.

The Complaints Policy and procedure can be used to express dissatisfaction with most aspects of River Clyde Homes' service delivery, such as:

Service failure, such as providing an inadequate service or no service at all

Dissatisfaction with a River Clyde Homes policy

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
(this includes how we have treated customers and the attitude shown towards them)

Failure to follow the appropriate administrative process, including River Clyde Homes' own policies and procedures

Failure to respond to enquiries and requests in a timely way

Failure to provide information, or providing information and advice that is unreliable or incorrect

Unfairness, bias or prejudice in service delivery

Issues that could affect some or all River Clyde Homes tenants
(known as a "Significant Performance Failure", as defined by the Scottish Housing Regulator)

Some issues are not covered by the complaints procedure, but in some cases can be addressed through more appropriate procedures

Challenging a housing decision where there is another appeals route available

Complaints against other tenants

(these will be investigated using our Neighbour Relations and Harassment Policies)

A routine first-time request for a service, or a first-time interaction that successfully addresses concerns expressed by a customer who does not wish to make a complaint

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)

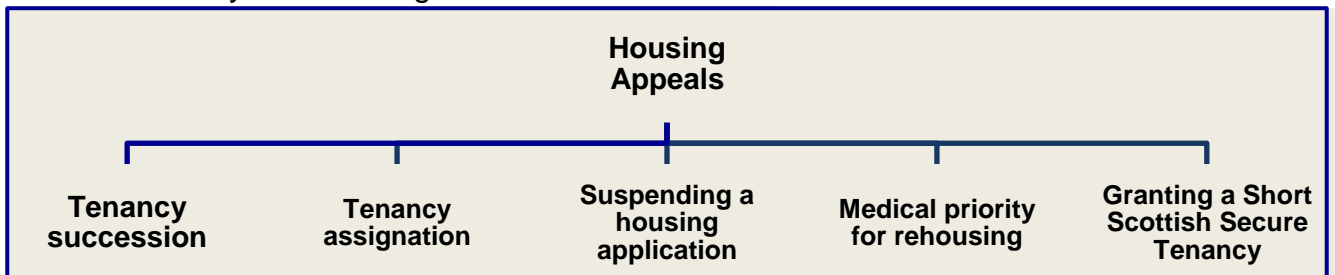
A communication issue being reported for the first time

A request for compensation only

An issue that is in court or that has already been heard by a court or a tribunal

Asking to reopen a previously concluded complaint, or to have a complaint reconsidered after our final decision. Customers may refer their concerns to the Scottish Public Services Ombudsman after River Clyde Homes has made its final decision.

Customers have the right to appeal a wide range of housing decisions. We will always direct customers to the appropriate appeals procedure if they are dissatisfied with our decisions on any the following matters:



5. Roles and Responsibilities within River Clyde Homes

Complaints handling may involve a number of teams and individuals within River Clyde Homes, depending on the nature of the complaint. Resolving a complaint will often involve joint working between the relevant service team and the customer experience team.

The following framework of responsibilities shall apply, with more detailed procedural guidance provided in the Staff Guide to Complaints.

Summary of 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 (Performance and Services Committee) 	<p>Board promotes a culture in which:</p> <ul style="list-style-type: none"> Complaints are welcomed Staff at all levels can help to resolve complaints River Clyde Homes learns from complaints
Executive Management Team	<ul style="list-style-type: none"> Monitors the operation of the Policy across River Clyde Homes as a whole 	<ul style="list-style-type: none"> Is accountable to the Board for policy implementation (overall complaints resolution and organisational learning)
Senior Managers	<ul style="list-style-type: none"> Ensure implementation of the complaints policy/procedures in their business area Review complaints reasons and outcomes regularly. With their teams, assess and implement opportunities for learning and service improvement. 	<ul style="list-style-type: none"> Involved in/kept apprised of complaints that are serious, high risk or high profile. Sign off such complaints. Establish investigation and response responsibilities for complaints covering more than one service area.
Customer Experience Team and frontline service office	<ul style="list-style-type: none"> Identify complaints and seek to resolve them on the spot where possible. Any member of staff can resolve a complaint on the spot. 	<ul style="list-style-type: none"> For Stage 1 complaints not resolved on the spot, service officer/manager support customer experience team in assessing and responding to complaints. For Stage 2 complaints, investigations led by a relevant service manager or senior manager.
Governance and Executive Team	<ul style="list-style-type: none"> Responds to all enquiries from elected representatives, some of which may be customer complaints 	<ul style="list-style-type: none"> Resolved in accordance with the Complaints Policy and procedures, with the response signed off by the Governance and Executive Team

6. Complaints Process and Service Standards

Appendix 1 summarises the complaints process in flowchart format.

This section provides a short overview of the process and the service standards our customers can expect if they make a complaint.

There are two main elements to River Clyde Homes' internal consideration of complaints:

- **Frontline resolution** (also known as Stage 1 complaints)
- **Investigation** (also known as Stage 2 complaints).

Frontline Resolution Complaints

- Complaints should be resolved on the spot with the customer, where possible. Remedies may include an apology and immediate action to rectify a failure or error on our part.
- Otherwise, the complaint will be resolved with the aim of resolving it as quickly as possible and **within a maximum of 20 working days**.
- If there has been a negative impact on the customer as a result of a failure 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 River Clyde Homes' response to their complaint.

Complaints that require an investigation

- We will provide the customer with a written acknowledgement of the complaint within 5 working days of receiving it, or of our decision to escalate the complaint to the investigation stage.
- The customer will receive a response from a named officer responsible for resolving the complaint, and a written response will be provided within a maximum of 20 working days. If this timescale cannot be met, we will give the customer an explanation.

- The customer should receive □ The customer will be advised that our response represents the end of River Clyde Homes' complaints procedure and of their right to seek an independent review of our decision by the SPSO.

Redress and Compensation

River Clyde Homes will consider what form of redress is appropriate, taking account of the circumstances of a complaint.

The types of redress that can be considered are set out in River Clyde Homes' **Policy on Redress and Compensation** 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 flowers, chocolates or a gift voucher
- Correction of information held on our systems
- Financial compensation, in the circumstances permitted by the Policy

Financial Compensation

Claims for compensation are considered separately from complaints.

River Clyde Homes 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 River Clyde Homes' insurance policies.

Consideration of complaints must 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.

The most relatively skilled service or team will assess entitlement to compensation, and provide recommendations to the officer or manager leading on the complaint.

Responding to Complaints

When responding to a complaint, we will:

- Address all areas that River Clyde Homes is responsible for, and
- Explain the reasons for our decision.

For Stage 2 complaints, our response will advise the customer of any relevant bodies they can approach, in addition to the SPSO.

This may include the Care Commission or, for factored owners, the First-tier Tribunal for Scotland (Housing and Property Chamber).

Promising to take follow-up action

If the resolution of a complaint commits River Clyde Homes to taking follow-up action, we will make sure that the actions are monitored and carried out within the agreed timescales.

If we fail to deliver the agreed actions or timescales, the customer will be entitled to submit a new complaint.

Unacceptable Actions

It is appreciated that people may act out of character at times of trouble or distress.

However, River Clyde Homes will not tolerate aggressive or abusive behavior towards our staff, nor will we accept conduct that results in unreasonable levels of contact that adversely affect our service to other customers.

River Clyde Homes has an **Policy on Unacceptable Actions** to deal with such situations.

Staff who directly experience aggressive or abusive behaviour have the authority to deal

immediately with that behaviour.

River Clyde Homes may also consider restricting contact with a customer. If we do this:

- We will base our approach on the Unacceptable Actions Policy.
- A senior manager will authorise the course of action that is proposed.
- We will advise the customer that a decision has been made to restrict future contact, the contact arrangements that will apply and, if relevant, the length of time that the restriction will be in place.

7. Confidentiality and Data Protection Statement

River Clyde Homes will treat all complaints we receive as confidential, unless we have a legal obligation to disclose information to a third party such as the Police.

We will do our best to investigate anonymous complaints that state clearly the matters of concern. However, our ability to investigate will be greater if we know the identity of the person making the complaint and are able to discuss the matter with them.

Within River Clyde Homes, information will be shared among staff members on a need to know basis so that we can establish the facts and decide how to respond to a complaint.

In some cases, we may need to contact other tenants or staff members to investigate or resolve a complaint. We will respect the customer's wishes if they ask us not to speak to particular individuals, although this may restrict our ability to resolve the problem.

Our response to complaints will generally not disclose personal information about other individuals, such as other customers or River Clyde Homes employees, unless there are exceptional circumstances and disclosure has been authorised by our Legal Officer. 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.

8. Complaints about River Clyde Homes Staff and Board Members

Line managers will deal with any complaints about members of staff (for example, relating to a staff member's attitude or the quality of their work) in accordance with the relevant terms and conditions of employment and HR policies.

If a complaint relates to the Chief Executive, the matter will be dealt with by the Personnel Committee. If a complaint about the CEO is of a serious nature, we will follow the advice set out in the Scottish Housing Regulator's regulatory expectations.

Serious complaints about Board members or other senior staff will be treated as Notifiable Events and may be investigated independently (this will always be the case for serious complaints that relate to the Chairperson or CEO).

River Clyde Homes staff members will be able to raise concerns using River Clyde Homes' grievance procedures and Policy on Whistleblowing.

9. Performance Management and Learning from Complaints

River Clyde Homes 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 an ethos of continuous improvement in service delivery.

The Executive Management Team and the Board's Performance and Services Committee will receive regular performance reports describing:

Stage 1 and Stage 2 complaints responded to within SPSO target timescales

Stage 1 and Stage 2 complaints upheld and not upheld

Complaints analysis by service, reasons for complaints and any underlying factors

Remedies offered and improvements made or planned

Heads of service or department will be responsible for:

Maintaining oversight of complaints handling in their business areas

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, and referring improvement proposals outside these criteria to the Executive Management Team.

Ensuring that the customer experience team receives all information needed to maintain River Clyde Homes' complaints recording systems.

10. Equality and Diversity

This Policy complies fully with River Clyde Homes' Equality and Diversity Strategy. River Clyde Homes will be proactive in valuing and promoting diversity, fairness, social justice and equality of opportunity by adopting and promoting fair policies and procedures.

We are committed to providing fair and equal treatment for all our stakeholders including customers and will not discriminate against anyone on the grounds of age; disability; gender reassignment; being married or in a civil partnership; being pregnant or on maternity leave; race; religion and belief; sex; and sexual orientation.

We carry out Equality Impact Assessments when we review our policies. We check policies and associated procedures regularly to ensure accessibility for all. We take appropriate action to address inequalities likely to result or resulting from the implementation of the policy and procedures.

11. Supporting Policies

- Complaints Handling Procedures
- Staff Guide to Complaints
- Policy on Redress and Compensation
- Policy on Unacceptable Actions
- Policy on Data Protection and Confidentiality

12. Publicising the Complaints Policy and Our Performance

River Clyde Homes will actively publicise the Complaints Policy and procedures to our customers, for example in newsletters, our annual report and on 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 will also signpost customers to other support or advice services, such as citizens advice, advocacy groups, elected representatives etc.

We will be sensitive to customers' particular needs. All our complaints publications shall meet equality and diversity requirements. All staff at River Clyde Homes shall be able to provide details of our complaints policy and procedures to our service users.

Information about our Complaints Policy shall be easily accessible at all times, not just being made available when customers wish to complain.

13. Policy Review

We have consulted with our customers in preparing this updated version of the Complaints Policy.

We will review the Policy at least every 3 years.

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Appendix 1 Complaints Handling Procedure: Flow Chart

