

# Melville Housing Association



## Policy: Complaints

**Subject:** Complaints

**Section:** HR & Corporate Services

**Objective:** To provide a quick, simple and streamlined process that resolves complaints to the satisfaction of customers and that meets the requirements of the Scottish Public Services Ombudsman's model complaints handling procedure for RSLs.

### Scottish Social Housing Charter

**Relevant Legislation** Policy developed to comply with Relevant Legislation.

**Issue Date:** March 2021

**Review Date:** January 2024

**Policy Ref No:** COR 002

## 1.0 Our approach to complaints

Melville Housing is committed to providing high-quality customer services. We value complaints and use information from them to help us improve our services so if something goes wrong or if you are dissatisfied with our services, we want you to tell us.

This complaints policy follows the revised (2020) Model Complaints Handling Procedure for Registered Social Landlords (RSLs) developed by the SPSO. It explains how to make a complaint and also tells you what you can expect from us.

## 2.0 What is a complaint and what can and can't I complain about?

We regard a complaint as any expression of dissatisfaction about our action or lack of action, or about the standard of service provided by us, or by a contractor or anyone else working on our behalf.

### 2.1 What can I complain about?

You can complain about things like:

- delays in responding to your enquiries and requests
- failure to provide a service
- our standard of service
- dissatisfaction with our policy
- treatment by or attitude of a member of staff
- our failure to follow proper procedure.

Your complaint may involve more than one of our services or be about someone, including a contractor, working on our behalf.

### 2.2 What can't I complain about?

There are some things we can't deal with through our complaints procedure. These include:

- a routine first-time request for a service, for example reporting a problem that needs to be repaired or initial action on anti social behaviour.
- requests for compensation.
- complaints that are not service-related but that instead are about your tenancy, such as a problem with a neighbour or antisocial behaviour. These will be dealt with in line with the relevant policy (Neighbour Disputes Policy in the case of antisocial behaviour).
- our policies and procedures that have a separate right of appeal, for example, if you are dissatisfied with the level of priority you have been given when applying for a house, you may have the right to appeal against the decision.
- issues that are in court or have already been heard by a court or a tribunal.
- an attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our **final** decision following a stage 2 investigation. If you are still not satisfied, you can ask the Scottish Public Services Ombudsman for an independent review of the complaint.

We will give you information and advice about any other procedures or rights of appeal that can help you resolve your complaint.

Please be aware that we will not always be able to provide the information you ask for. For example, we are not allowed to discuss the details of someone else's housing application or give out confidential information about another person.

### **3.0 Who can complain?**

Anyone can make a complaint to us, including the representative of someone who is dissatisfied with our service. Our staff can also help you with your complaint, should you need assistance. For more information on external organisations and services that can help you make your complaint see section 6: Getting help to make your complaint.

### **4.0 How do I complain and how long do I have to make a complaint?**

You can complain in person at our office, by phone, in writing, by email or by using our complaints leaflet that is available from our office and on our website and that has a tear-off section for you to complete and submit.

It is easier for us to resolve complaints if you make them quickly and directly to the service concerned. Please talk to a member of our staff involved with the service you are complaining about, they can then try to resolve any problems on the spot.

When complaining, tell us:

- your full name and address
- as much as you can about the complaint
- what has gone wrong
- how you want us to resolve the matter.

You may make an anonymous complaint, however if you choose to make a complaint without giving us contact details we will be unable to give you a direct response.

#### **4.1 How long do I have to make a complaint?**

Normally, you must make your complaint within six months of:

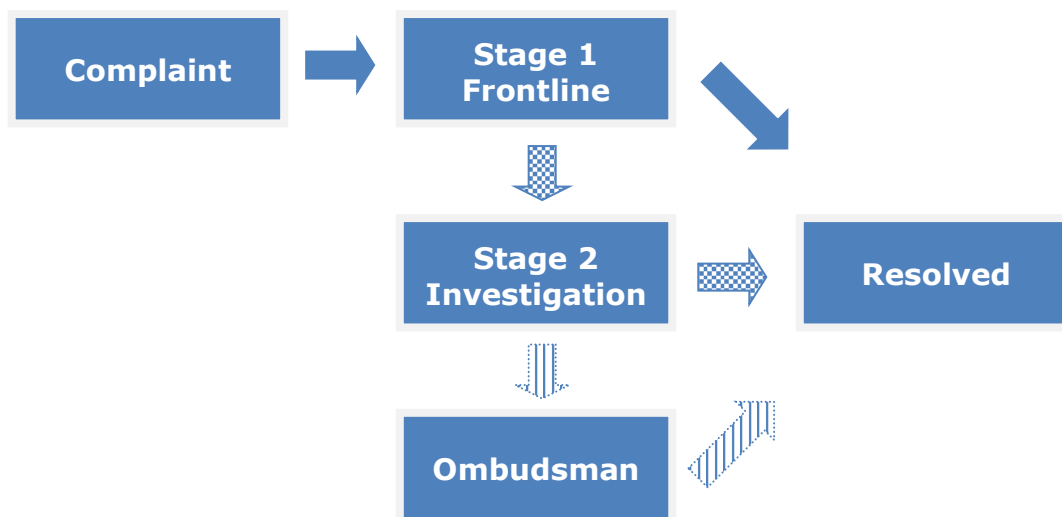
- the event you want to complain about, or
- finding out that you have a reason to complain, but no longer than 12 months after the event itself.

In exceptional circumstances, we may accept a complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.

### **5.0 Resolving complaints**

Our aim is to resolve complaints as quickly as possible (while providing a satisfactory outcome) and we will tell you who is dealing with your complaint at the outset.

Our complaints procedure has two stages, before an appeal stage:



### 5.1 **Stage one – frontline resolution**

We aim to resolve complaints quickly and close to where we provided the service. This could mean an on-the-spot apology and explanation if something has clearly gone wrong, and immediate action to resolve the problem.

We will give you our decision at stage 1 in five working days or less, unless there are exceptional circumstances.

If we can't resolve your complaint at this stage, we will explain why. If you are still dissatisfied you can ask for your complaint to be investigated further through stage 2. You may choose to do this immediately or some time after you get our initial response. We can help you to make this request.

### 5.2 **Stage two – investigation**

Stage 2 deals with two types of complaint: those that have not been resolved at stage 1 and those that are complex and require detailed investigation.

When using stage 2 we will:

- acknowledge receipt of your complaint within three working days
- discuss your complaint with you to understand why you remain dissatisfied and what outcome you are looking for
- give you a full response to the complaint as soon as possible and within 20 working days.

We will tell you if our investigation is going to take longer than 20 working days. We will agree revised time limits with you and keep you updated on progress.

### 5.3 **What if I'm still dissatisfied?**

After we have fully investigated, if you are still dissatisfied with our decision or the way we dealt with your complaint, you can ask the Scottish Public Services Ombudsman (SPSO) to look at it.

The SPSO **cannot** normally look at:

- a complaint that has not completed our complaints procedure (**so please make sure it has done so before contacting the SPSO**)
- events that happened, or that you became aware of, more than a year ago
- a matter that has been or is being considered in court.

You can contact the SPSO:

In Person (call freephone number first  
as by appointment only):  
Bridgeside House  
99 McDonald Road  
Edinburgh  
EH7 4NS

By Post:  
Freepost SPSO  
(This is all you need to  
write on the envelope –  
no stamp required)

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

#### 5.4 Tenancy Support complaints

If your complaint relates to our Tenancy Support service, provided by CHAI, you can choose to complain to us or to the Care Inspectorate.

You can find out more about the Care Inspectorate, its complaints procedure, or make a complaint, by visiting [www.scswis.com](http://www.scswis.com).

Or you can contact them by:

telephone 0845 600 9527  
fax 01382 207 289  
email [enquiries@careinspectorate.com](mailto:enquiries@careinspectorate.com)

#### 5.5 Reporting a significant performance failure to the Scottish Housing Regulator

The Scottish Housing Regulator (SHR) can 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 systematic problem that does, or could, affect all of a landlord's tenants. If you are affected by a problem like this, you should first report it to us. If you have told us about it but we have not resolved it, you can report it directly to the SHR.

A complaint between an individual tenant and a landlord is not a significant performance failure. You can ask us for more information about significant performance failures. The SHR also has more information on its website:

[www.scottishhousingregulator.gov.uk](http://www.scottishhousingregulator.gov.uk)

Or you can phone them on: 0141 271 3810

## 6.0 Getting help to make your complaint

We understand that you may be unable, or reluctant, to make a complaint yourself. We accept complaints from the representative of a person who is dissatisfied with our service. We can take complaints from a friend, relative, or an advocate, if you have given them your consent to complain for you.

You can find out about advocates in your area by contacting the Scottish Independent Advocacy Alliance or Citizens Advice Bureau.

### **Scottish Independent Advocacy Alliance**

Tel: 0131 260 5380 Fax: 0131 260 5381 Web: [www.siaa.org.uk](http://www.siaa.org.uk)

### **Citizens Advice Scotland**

Web: [www.cas.org.uk](http://www.cas.org.uk)

Or check your phone book for your local bureau

We are committed to making our service easy to use for all members of the community. In line with our statutory equalities duties, we will always ensure that reasonable efforts are made to help customers access and use our services. If you have trouble putting your complaint in writing please tell us.

We can also give you this leaflet in other languages and formats (such as large print, audio and Braille).

## 7.0 Our contact details

You can use any of the following methods to contact us:

In person or by writing to:  
Melville Housing Association  
200 High Street  
Dalkeith  
EH22 1AZ

Telephone: 0131 654 2733  
Website: [www.melville.org.uk](http://www.melville.org.uk)  
email: [info@melville.org.uk](mailto:info@melville.org.uk)

## 8.0 Unacceptable behaviour when complaining

There may be occasions during the complaints process when customers behave in a way that we consider unacceptable. This is covered by our Acceptable Behaviour policy (COR 008).

## 9.0 How we record and monitor complaints

If you complain to us we will record your complaint and use the information, where appropriate, to make improvements to our services, policies and procedures.

We have a quarterly log of complaints that is available on our website and also on request from our office in Dalkeith.

Complaints, along with compliments and general comments, are reported to our Board on a quarterly basis.

## **10.0 Training**

We provide training to all staff to make sure that our Complaints policy works effectively.

## **11.0 Equality & Diversity**

We are committed to Equality and Diversity and will not discriminate in the operation of this policy on the basis of age, gender, race, colour, ethnic or national origin, gender reassignment, religion, marital status, family circumstances, political or sexual orientation, medical condition or disability. We aim to promote equal opportunities and comply with all current legal requirements relating to equal opportunities.

### **Review of Policy**

The Chief Executive will ensure this policy is reviewed every three years or earlier if there are any changes to legislation. The Senior Management Team have delegated authority to approve minor changes to this policy. Significant changes will be submitted to the Board for approval.

## Quick guide to our complaints procedure

### Complaints procedure

You can make a complaint in person, by phone, by e-mail or in writing. We have a **two-stage complaints procedure**. We will always try to deal with your complaint quickly. But if it is clear that the matter will need a detailed investigation, we will tell you and keep you updated on our progress.

### Stage 1: frontline resolution

We will always try to resolve your complaint quickly, within **five working days** if we can. If you are dissatisfied with our response, you can ask us to consider your complaint at stage 2.

### Stage 2: investigation

We will look at your complaint at this stage if you are dissatisfied with our response at stage 1. We also look at some complaints immediately at this stage, if it is clear that they are complex or need detailed investigation. We will acknowledge your complaint within **three working days**. We will give you our decision as soon as possible. This will be after no more than **20 working days** *unless* there is clearly a good reason for needing more time.

### Appeal to the Scottish Public Services Ombudsman

If, after receiving our final decision on your complaint, you remain dissatisfied with our decision or the way we have handled your complaint, you can ask the SPSO to consider it. We will tell you how to do this when we send you our final decision.