



Compliments, Comments & Complaints Policy

Policy Ref: C01

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| Prepared By | Chief Executive |
| Date of Review | November 2024 |
| Date of Next Review | November 2027 |
| Reviewed By | PHA Board |

1. Introduction

- 1.1. Partick Housing Association (PHA) is committed to providing high-quality customer services. We value compliments, comments and complaints and use information from them to help us improve our services.
- 1.2. If something goes wrong or you are dissatisfied with our services, please tell us. If you feel we have done something that has delighted you, or, you simply want to leave us a comment on the services we deliver we welcome that feedback too.
- 1.3. This policy describes our comments, compliments and complaints procedure and how you can make one. It also tells you about our service standards and what you can expect from us.

2. What is a compliment?

- 2.1. A compliment is an indication by one or more customers that they were happy with the actions taken or services provided by PHA.
- 2.2. A compliment may relate to:
 - service delivery standards;
 - approval of PHA policy;
 - actions taken by a member of staff; or
 - service improvements.
- 2.3. You can make a compliment by contacting this office in person or by telephone, emailing info@partickha.org.uk or at our website www.partickha.org.uk

3. What is a comment?

- 3.1 A comment is feedback from one or more customers regarding a policy, procedure, service standard, etc. This can be, but is not restricted to, feedback during a consultation exercise, a feedback session or written survey.
- 3.2 A comment may relate to
 - a proposed policy (including amendments of current policies);
 - consultation regarding service standards;
 - consultation relating to annual rent reviews; or
 - regular customer feedback surveys.
- 3.3 You can make a comment by contacting this office in person or by telephone, emailing info@partickha.org.uk or at our website www.partickha.org.uk

4. Complaints

In April 2021 PHA adopted the Scottish Public Services Ombudsman (SPSO)'s updated Model Complaint Handling Procedures (MCHP) which is separated into 5 parts.

Part 1: Overview and structure

Part 2: When to use the procedure - guidance on identifying what is and what is not a complaint, handling complex or unusual complaint circumstances, the interaction of complaints and other processes, and what to do if the MCHP does not apply.

Part 3: The complaints handling process - guidance on handling a complaint through Stages 1 and 2, and dealing with post-closure contact.

Part 4: Governance of the procedure - staff roles and responsibilities and guidance on recording, reporting, publicising and learning from complaints

Part 5: Customer-facing guide - information for customers on how we handle complaints.

4.1. What is a Complaint?

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 on our behalf.

5. What can I complain about?

5.1. You can complain about things like;

- failure or refusal to provide a service
- inadequate quality or standard of service, or an unreasonable delay in providing a service
- delays in responding to enquiries or requests
- unfairness, bias or prejudice in service delivery
- lack of provision, or the provision of misleading, unsuitable or incorrect advice or information
- a repair that has not been carried out properly or in an agreed timeframe
- dissatisfaction with one of our policies or its impact on the individual
- failure to properly apply law, procedure or guidance when delivering services
- failure to follow the appropriate administrative process
- conduct, treatment by or attitude of a member of staff or contractor (**except** where there are arrangements in place for the contractor to handle the complaint themselves); or
- disagreement with a decision, (**except** where there is a statutory procedure for challenging that decision, or an established appeals process followed throughout the sector).

5.2. Your complaint may involve more than one of our services or be about someone working on our behalf.

6. What can't I complain about?

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

- a routine first-time request for a service
- a request for compensation
- issues that are in court or have already been heard by a court or a tribunal (if you decide to take legal action, you should let us know as the complaint cannot then be considered under this process)
- disagreement with a decision where there is a statutory procedure for challenging that decision (such as for freedom of information and subject access requests), or an established appeals process followed throughout the sector
- a request for information under the Data Protection or Freedom of Information (Scotland) Acts
- a grievance by a staff member or a grievance relating to employment or staff recruitment
- a concern raised internally by a member of staff (which was not about a service they received, such as a whistleblowing concern)
- a concern about a child or an adult's safety
- an attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision
- abuse or unsubstantiated allegations about our organisation or staff where such actions would be covered by our *[Unacceptable Actions Policy or equivalent]*; or
- a concern about the actions or service of a different organisation, where we have no involvement in the issue (**except** where the other organisation is delivering services on our behalf).

If other procedures or rights of appeal can help you resolve your concerns, we will give information and advice to help you.

6.2. If other procedures or rights of appeal can help you resolve your concerns we will give information and advice to help you.

7. The value of complaints

7.1. Complaints provide effective and valuable information for us to improve customer satisfaction. This complaints handling policy and supporting procedures will help us address customer dissatisfaction and also, where appropriate, provide learning opportunities to prevent the problems that gave rise to the complaint from happening again.

7.2. For our staff providing customer services, complaints provide us with a first-hand account of the experience and perspective of service users. This can highlight problems in our service delivery that could otherwise go undetected.

7.3. We recognise that if handled well, complaints can be valuable in providing our customers with a form of redress where things go wrong and can also inform our commitment to continuous improvement of services.

8. Who can complain?

8.1. Anyone can make a complaint to us, including a representative of someone who is dissatisfied with our service. Please also read the section below on 'Getting help to make your complaint'.

9. How do I complain?

9.1. You can complain in person at our office, by phone, in writing, by email or submitting comments through our website site at www.partickha.org.uk/contactus

9.2. It is easier for us to resolve complaints if you make them quickly and directly to the service concerned. So please talk to a member of our staff at the service you are complaining about. Then they can try to resolve the issue.

9.3. When complaining, tell us:

- your full name and address
- as much as you can about the complaint
- what has gone wrong
- what outcome you are seeking.

10. How long do I have to make a complaint?

10.1. 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.
- In exceptional circumstances, we may be able to accept a complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell why.

11. Contact details

Partick Housing Association
10 Mansfield Street
Glasgow G11 5QP

Telephone: 0141 357 3773

Email: complaints@partickha.org.uk or info@partickha.org.uk

12. What happens when I have complained?

12.1. We will always tell you who and how we are dealing with your complaint. Our complaints procedure has two stages., as summarised below.

Stage One – frontline response

We aim to resolve complaints quickly 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 within five working days, unless there are exceptional circumstances.

If you are not satisfied with the response we give at this stage, we will tell you what you can do next. If you choose to, you can take your complaint to Stage 2. You must normally ask us to consider your complaint at Stage 2 either:

- within six months of the event you want to complain about or finding out that you have a reason to complain; or
- within two months of receiving your Stage 1 response (if this is later).
- In exceptional circumstances, we may be able to accept a Stage 2 complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.

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;
- we will confirm our understanding of the complaint we will investigate and what outcome you are looking for;
- we will try to resolve your complaint where we can (in some cases we may suggest using an alternative complaint resolution approach, such as mediation); and
- where we cannot resolve your complaint, we will give you a full response as soon as possible, normally within 20 working days.

If our investigation will take longer than 20 working days, we will tell you. We will agree revised time limits with you and keep you updated on progress.

13. What if I am still dissatisfied?

13.1. 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 ensure you have exhausted this process before contacting the SPSO);
- events that happened, or that you became aware of, more than 12 months ago; or
- a matter that has been or is being considered in court.

The SPSO will ask you to complete a complaint form and provide a copy of our final response to your complaint.

You can contact the SPSO:

In Person (you must make an appointment)

SPSO
Bridgeside House
99 McDonald Road
Edinburgh
EH7 4NS

Freephone: 0800 377 7330

Online contact: www.spsso.org.uk/contact-us
Website: www.spsso.org.uk
Mobile site: www.m.spsso.org.uk

13.2 There are some complaints about housing that have an alternative route for independent review. We will tell you how to seek independent review when we give you our final response on your complaint.

14. Complaints about property factoring and private residential letting

14.1. PHA's subsidiary company, Partick Works Limited (PWL), delivers property factoring services and private residential letting services.

14.2. The SPSO does not normally look at complaints about property factoring or private residential landlord services. The First-Tier Tribunal for Scotland (Housing and Property Chamber) (HPC) will try to resolve complaints and disputes between factored homeowners and property factors or private residential tenants and private residential landlords. So if your complaint is about a property factoring or private residential landlord service, and you are still dissatisfied after our investigation stage, you should contact:

First-Tier Tribunal for Scotland (Housing & Property Chamber)
Scottish Courts and Tribunal Service
4th Floor
1 Atlantic Quay
45 Robertson Street
Glasgow G2 8JB

Telephone: 0141 302 5900
or visit their website at www.housingandpropertychamber.scot

15. Concluding a complaint

- 15.1. Once you have exhausted the complaints process and a decision has been reached by the SPSO or First-Tier Tribunal to not uphold the original complaint, we consider the matter closed. We will only re-engage with you if either body makes a recommendation to do so and/or they uphold or partially uphold your original complaint.

16. Persistent or Vexatious Complaints

- 16.1. We recognise that some complainants will not or cannot accept that we are unable to assist them further or provide a level of service other than that provided already. They may seek to persist in disagreeing with the action or decision taken in relation to their complaint or contact the office persistently about the same issue.
- 16.2. Examples of actions grouped under this heading include persistent refusal to accept a decision made in relation to a complaint; persistent refusal to accept explanations relating to what this office can or cannot do; and continuing to pursue a complaint without presenting any new information. The way in which these complainants approach our office may be reasonable, but their persistent or vexatious behaviour in continuing to do so is not.
- 16.3. We consider the actions of persistent or vexatious complainants to be unacceptable when they take up what we regards as being a disproportionate amount of time and resources.

17. Managing unacceptable actions

- 17.1. There are relatively few complainants whose actions are considered unacceptable (refer to our Unacceptable Actions Policy). How we aim to manage these actions depends upon their nature and extent. If it adversely affects our ability to do our work and provide a service to others, we may need to restrict the complainant's contact with our office in order to manage the unacceptable action. We aim to do this in a way, wherever possible, that allows a complaint to progress to completion through our complaints process.
- 17.2. We may restrict contact in person, by telephone, letter or electronically or by any combination of these. We try to maintain at least one form of contact. In extreme situations, we will tell the complainant in writing that their name is on a 'no personal contact' list. This means that they must restrict contact with our office to either written communication or through a third party.

18. Reporting a significant performance failure to the Scottish Housing Regulator

- 18.1. 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 many or 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.
- 18.2. A complaint between an individual tenant and a landlord is not a significant performance failure. Significant performance failures are not, therefore, dealt with through this complaints handling procedure. You can ask us for more information about significant performance failures. The SHR also has more information on their website at www.scottishhousingregulator.gov.uk or you can phone them on 0141 242 5642. Leaflets are also available within our reception area.

19. Getting help to make your complaint

- 19.1. 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.
- 19.2. You can find out about advocates in your area by contacting the Scottish Independent Advocacy Alliance on 0131 556 6443 or Citizens Advice Bureau at www.cas.org.uk.
- 19.3. 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 adjustments are made to help customers access and use our services. If you find it difficult to put your complaint in writing, or want this information in another language or format, such as large font, or Braille, please tell us. Contact us on 0141 357 3773 or email complaints@partickha.org.uk

20. Equality and Diversity

- 20.1. This policy has been developed with consideration to the Equalities Act 2010 and seeks not to consciously or unconsciously discriminate or to have an adverse impact upon any of the protected characteristic groups outlined in the Act.

21. Policy Review

- 21.1. We will review this policy every three years, but it may be amended from time-to-time to reflect legislative, regulatory or other changes.

Quick guide to our complaints procedure

You can make your 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 confirm the points of complaint to be investigated and what you want to achieve.

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.

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.