



**Aberdeenshire** *housing partnership*

## **COMPLAINTS POLICY**

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# COMPLAINTS POLICY

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## 1.0 Introduction

Aberdeenshire Housing Partnership aims to provide a first class service. There will however be occasions when Tenants or others may wish to complain about the level of service they receive.

A **Complaint** is an expression of dissatisfaction with the service provided. This may occur when the quality of service falls below the standard required, or when the service is not delivered within the timescales specified. Complaints against neighbours will be dealt with under the Anti Social Behaviour Policy.

Many comments and compliments may be received, some informally, either face-to-face or via the telephone others will be more formal including those made in writing. Suggestions and criticisms may be received in the same way. These will be dealt with under the Guidance to Handling Comments, Compliments, Suggestions and Criticisms.

## 2.0 Aims

AHP has three clear Aims that under pin the Complaints Policy

- To minimise the number of complaints received by having a range of effective feedback mechanisms in place.
- To provide a clear, prompt and fair response to tenant and others' complaints about the quality of the service.
- To learn from the complaints received.

## 3.0 Principles

**Clarity** - AHP respects the diversity of the people that use our services and will ensure that **all** tenants and others are aware of the ways that a complaint can be made and how this will be handled.

**Prompt** - AHP will acknowledge receipt of a complaint within two working days and provide a full response within 10 working days.

**Fair** - AHP will treat all complaints seriously and with respect, we will explain where we have got things wrong and set out what we will do about putting things right. If we don't think the complaint is justified we will say why and explain that there is a right to appeal. We will at all times take account of the Data Protection Act in reporting complaints and taking action on them

Complaints provide feedback on the services AHP provides, we will learn from them by:

**Consideration** - of the individual complaint and whether it raises any wider areas of concern

**Reporting** - complaints will be reported to the relevant Committee and **all** complaints will be reported to AHP's Board.

#### **4.0 Procedures**

The aim of this complaint procedure is to give clear details of what steps an aggrieved party can take to try and get things put right where there's a problem.

Having a complaints procedure, understood and followed by all staff, is essential if complaints are to be handled well and consistently.

The complaints procedure focuses on resolving complaints quickly. Ideally complaints should be dealt with on the spot, though some may require a full and thorough investigation.

The complaints procedure also gives us the chance to monitor the quality of service being provided so that we can continually work to improve it.

These procedures will apply to all agents working on our behalf.

## **4.1 Informal Complaints Made In Person or Over the Telephone**

The right exists to make a formal complaint at any time. However it can often be quicker and easier if the problem can be sorted out more informally. We should encourage any complainant to try to resolve the problem through normal channels, however if a complainant decides to go immediately to the formal procedures we will respect that choice.

To try and resolve a problem informally, we encourage complainants to talk (or write) to the relevant member of staff and let them know what the problem is. The staff member will let the complainant know how long it should take for the problem to be sorted out, and hopefully for a solution will be reached.

The staff member receiving the complaint should pass the complaint to the person most suitable to deal with the matter and the complainant advised accordingly.

When a complainant approaches employee, either in person or on the telephone, a judgement will be made as to whether the issue raised can be resolved there and then, or whether it will need further investigation.

If the complainant receives the answer straight away and they are satisfied with the outcome no further action will be taken.

If the complaint requires further investigation, the complainant's name, address and contact telephone number will be taken down, together with the details of the complaint.

All complaints which require further investigation must be formally recorded.

Some complainants may not wish to discuss the complaint in person, they may prefer to do so in writing. They may not wish to use the official form, but prefer to complain in a letter.

On occasions, the complaint may be made to their local councillor or other advisor. The councillor may then refer the matter to Aberdeenshire Housing Partnership for investigation.

In such circumstances the complaint should be treated as a formal complaint and dealt with accordingly.

On occasions, the complaint may be made to a member of Aberdeenshire Housing Partnership's Board. The Board member will refer the matter to the appropriate person (senior manager or Chief Executive) for investigation. In such circumstances the complaint should be treated as a formal complaint and dealt with accordingly.

In circumstances where the complaint was raised by a local Councillor or a Board member, the Councillor or Board member must be kept informed of progress with the investigation and should receive notification of the outcome at the same time as the complainant.

## **4.2 Formal Complaint**

If the problem has not been sorted out informally a written complaint should be made.

### **Complaints about a member of staff:**

If the complaint is against a member of staff the complainant should write to the relevant senior manager or Chief Executive. Complaints about senior managers should be sent to the Chief Executive and complaints about the Chief Executive should be sent to the Chair of the Board. Letters regarding staff should be marked 'Private & Confidential'.

### **Complaints about the service provided:**

It is important that we get as much information as possible about the problem and about how the complainant would like to see it resolved. People with a complaint should be asked to complete the Complaints Form (included in Appendix 1), on occasions however it will be necessary to accept complaints by letter, telephone or in person. If the appropriate member of staff is not available, the person who speaks to the complainant will note the complaint and pass it to the relevant person for action. The information must also be recorded in the Complaints register by the Chief Executive's personal assistant

A written acknowledgement must be made **within three working days**.

A full response must be provided **within ten working days** of the date of receiving the complaint with the outcome of the investigations. Occasionally it may not be possible to adhere to this timescale, in these cases the tenant must be informed and regularly updated on the progress of the matter until it is resolved.

If the complainant is not satisfied with the outcome they may appeal the decision.

## **5.0 Receiving an Appeal**

If a complainant feels that the resolution proposed by the member of staff is not satisfactory they can write to the Chair of Aberdeenshire Housing Partnership's Board to ask for the decision to be reviewed. The Partnership will confirm receipt of the appeal **within three working days** of it being received.

The Board may either deal with the appeal itself or delegate it to the most appropriate Committee. In the event that significant delay will be caused through the timing of the board meetings the Chair or in their absence the vice chair will determine how the appeal should be heard.

The Committee or Board may:

- Agree with the complainant and instruct a remedy.
- Agree (or vary) the decision taken by the staff.
- Refer the matter to the Board for final decision.

The Chair of the Partnership will write **within ten working days** to confirm the arrangements for considering the appeal. Complainants may attend the meeting and may be accompanied by a friend or adviser.

The Chair of the meeting will write to the complainant with the decision on the appeal **within three working days** of the meeting being held.

If the complainant is still not happy with the decision they have the right to contact the Scottish Public Services Ombudsman.

## **6.0 Confidentiality**

AHP is required to abide with the terms of the Data Protection Act. We will as far as possible respect the confidentiality of any person making a complaint. Whilst looking into a complaint, names will not be divulged any more than is absolutely necessary. Obviously if a complainant attends a meeting dealing with the appeal this anonymity is restricted.

If a complaint involves another tenant or a member of staff it may be very difficult for Aberdeenshire Housing Partnership to look into this without talking to that tenant or staff member. If asked not to talk to the tenant or staff member we will try to respect this wish. In this circumstance it will probably not be possible to take any action to tackle the problem. We will discuss these points with the complainant.

Where protecting the complainant's identify is difficult they will be asked if they wish to proceed with the complaint.

We will not normally deal with anonymous complaints.

## **7.0 Scottish Public Services Ombudsman**

All Aberdeenshire Housing Partnership Tenants have the right to appeal to the Scottish Public Services Ombudsman.

The Ombudsman service is free and independent. It investigates individual complaints against Housing Associations and Co-operatives. Leaflets about the Ombudsman service are available to all tenants from the Partnership's office.

The Scottish Public Services Ombudsman will not normally deal with complaints, which have not gone through Aberdeenshire Housing Partnership complaints procedure.

## **8.0 Independent Advice**

A wide range of organisations can assist complainants with their complaint, these include:

1. Welfare Rights Service;
2. Citizens Advice Bureau; and
3. Solicitors.

Further information is provided in the Tenants Handbook.

## **9.0 Recording and Monitoring Complaints**

All formal complaints made to the Partnership will be reported to and recorded by the Chief Executive.

The Board will be advised at its quarterly performance meeting on:

- The number of complaints received.
- The nature of the complaint.
- The outcome of the complaint.
- Any wider implications.

Summary information will also be provided in the Partnership's Annual Report

## **MAKING A FORMAL COMPLAINT**

### **How Do I Make A Formal Complaint?**

Use the standard form overleaf.

A formal complaint will be acknowledged **within three working days** of date of receipt of the complaint.

You will then be notified **within ten working days** of the receipt of the complaint of the outcome. It may take longer if the complaint needs further investigation.

### **What If I'm Not Satisfied With the Outcome?**

You can appeal against the decision if you are an Aberdeenshire Housing Partnership tenant. Appeals should be addressed to the Chair of Aberdeenshire Housing Partnership Board asking for the decision to be reviewed. We will confirm receipt of the appeal **within three working days**.

The Board may either deal with your appeal itself or delegate the handling of your appeal to the one of its three Committees which will meet as required. If the Committee takes the appeal, and they consider it appropriate, they may decide to refer your complaint and appeal to the full Board.

When you attend the meeting, you may be accompanied by a friend or adviser.

### **What Happens If I'm Still Unhappy about the way Aberdeenshire Housing Partnership has Dealt with my Complaint?**

If you are still not happy with the decision you have the right to contact the Scottish Public Services Ombudsman. This service is only available after you have gone through our complaints procedure and you are still unhappy.

The Ombudsman service is free and independent. It investigates individual complaints against Housing Associations and Co-operatives. Leaflets about the Ombudsman service are available on request.

The Scottish Public Services Ombudsman will not normally be able to deal with complaints, which have not gone through Aberdeenshire Housing Partnership complaints procedure.

### **I'm Still Not Sure About How to go about Things, What Other Help Can I Get?**

The staff are always available to give advice and assistance. A full copy of Aberdeenshire Housing Partnership's Complaints Policy is available from our offices. You can get independent advice to help from your solicitor, your local MSP, a local Councillor or an Advice Agency. Please refer to the Tenants Handbook for further contact details.

**If you want this information in a different format  
please let us know.**



## DEALING WITH COMPLAINTS FLOWCHART

