



# Rural Stirling

## Housing Association



Quality property  
management services

## RURAL STIRLING GROUP COMPLAINTS POLICY

<b>Rural Stirling Housing Association, Stirling Road, Doune, FK16 6AA. Registered as a Scottish Charity No. SC037849</b>	
<b>Policy Name</b>	<b>RSG Complaints Policy</b>
<b>Policy Category</b>	Governance/Corporate
<b>Date Approved by Committee/Board</b>	29 <sup>th</sup> April 2021/20 <sup>th</sup> May 2021
<b>Review Period</b>	3 years
<b>Review Date</b>	April/May 2024

## 1. Introduction

The Rural Stirling Group (RSG) strives “to deliver excellent services across the organisation”. We recognise that from time to time we will not always get it right and face service failures and we value feedback from customers.

We recognise the role that effective handling of complaints has in improving the quality of services we deliver to our tenants and in fostering a culture of continuous improvement.

We are committed to ensuring that concerns from anyone who uses our services are acknowledged appropriately and timeously responded to. We are also committed to learning from complaints and using the concerns raised as an opportunity to continuously improve our services.

All complaints received by us will be responded to in accordance with the Scottish Public Services Ombudsman’s (SPSO’s) Model Registered Social Landlord (“RSL”) Complaints Handling Procedure (“the Model”). We handle all complaints under the Model and adopt the Model wording and definitions.

## 2. Objectives of the policy

The core objectives of our policy are to:

- clearly define what we do and do not consider to be a complaint.
- set out our complaints handling process, including:
  - who will handle complaints received
  - the timescale in which we will respond to complaints
  - how and to whom complainants can appeal when they have exhausted our complaints process
- clearly set out for those complaining the legal and regulatory obligations we have, and are accountable for, in handling complaints
- set our approach to learning from complaints and recognising the value of complaints as a source of valuable feedback which can be used to inform the continuous improvement of our services

## 3. Complaint Handling Procedure (CHP)

We will make details of our Complaints Handling Procedure (CHP) available to all users of our service and publish performance information and details of how to complain on our website and in regular communications including Rural Matters and our Annual Performance Report. Our CHP is summarised below:

- **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.
- **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.

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

- **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
- 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 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.

- **Who can complain?**

Anyone can make a complaint to us, including the representative of someone who is unhappy with our service. In the case of a representative, we will require a mandate so we can respond to the complaint. We value all complaints, including those made anonymously.

- **How do I complain?**

You can complain in person; at our office; by phone; in writing; email; online; or by using our complaints form. It is easier for us to resolve complaints if you make them quickly and directly to the service concerned.

- **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.

- **How long do I have to make a complaint?**

We will normally deal with complaints within six months of:

- the event you want to complain about occurring, 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 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 us why.
- **What happens when I have complained?**  
We will always provide you with a named person who is dealing with your complaint.

#### 4. Complaint Stages

We handle all complaints via our complaints procedure which has two stages in line with the SPSO model:

- **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 within five working days or less, unless there are exceptional circumstances.

If we can't resolve your complaint at this stage, we will clearly explain why. If you are still unhappy you can ask for your complaint to be investigated further through Stage 2. You may choose to do this immediately or sometime after you get our initial response.

- **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 a complaint is escalated to stage 2, we will:
  - acknowledge receipt of your complaint within two working days
  - appoint a complaints investigator to handle your complaint
  - where appropriate, 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
  - If our investigation will take longer than 20 working days, we will advise you as soon as possible and provide a full explanation as to why. We will agree revised time limits with you and keep you updated on progress.
- **What if I am still dissatisfied after I have exhausted the complaints handling process?** Where the complaint has been through both stages and we have provided a stage 2 response, 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:** Scottish Public Services Ombudsman,  
Bridgeside House, 99 McDonald Road,  
Edinburgh, EH7 4NS

**By Post** SPSO Freepost SPSO (No Stamp is  
required)

**Freephone:** 0800 377 7330

**Online:** [www.spsso.org.uk](http://www.spsso.org.uk)

The SPSO does not normally look at complaints about our factoring service, complaints from shared owners or complaints about private residential tenancies. These complaints can be considered by the First Tier Tribunal for Scotland (Housing and Property Chamber).

**You can contact the First-tier Tribunal for Scotland as follows:**

First-tier Tribunal for Scotland (Housing and Property Chamber)  
Glasgow Tribunals Centre  
20 York Street  
Glasgow  
G2 8GT

Telephone: 0141 302 5900  
Fax: 0141 302 5901

Website: [www.housingandpropertychamber.scot/contact-us](http://www.housingandpropertychamber.scot/contact-us)

Email: [HPCAdmin@scotcourtribunals.gov.uk](mailto:HPCAdmin@scotcourtribunals.gov.uk)

## **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 a landlord’s tenants. If you believe 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. Significant performance failures are not, therefore, dealt with through our CHP. You can ask us for more information about significant performance failures. The SHR also has more information on their website: [www.scottishhousingregulator.gov.uk](http://www.scottishhousingregulator.gov.uk) or you can telephone 0141 242 5642.

## **6. Serious complaints against a Governing Body Member or the Chief Executive Officer**

The Scottish Housing Regulator (SHR) expects us to notify them of any serious complaint or grievance against our Governing body members or senior officer, our CEO. These types of complaints do not arise often but because of their nature and sensitivity and potential impact on leadership arrangements, they have the potential to seriously damage the organisation.

The SHR does not become involved in employment matters. Employment issues are for our governing body, our Management Board, as employer, to resolve with the individual employee. The SHR does however need to be assured that the governing body will handle a serious complaint or grievance about our CEO properly and will get external advice and support to help the Management Board manage these situations and discharge its employment responsibilities fully and properly.

Any complaints made against a Governing Body member will be dealt with in accordance with our Notifiable Events Policy and Protocol.

Any complaints made against our CEO will be dealt with in accordance with our Notifiable Events Policy and Protocol and our Disciplinary and Grievance Procedures which sets out what we will do in such circumstances.

Details of the above can be found on our website.

## **7. Redress**

We acknowledge the role of complaints in providing customers with a form of redress, where we fail to meet their expectations. SPSO guidance on redress advises service providers to, where possible, seek to re-instate an individual to the position they were in prior to the event which is the subject of the complaint. This can include compensating for direct financial loss. In such cases we shall make an informed judgement of the level of financial hardship resulting from the event experienced.

Where we feel that a complainant has unrealistic expectations or submits a claim that we consider unreasonable, we may ask them to provide some form of substantiating evidence.

We note that redress can similarly involve providing an explanation and genuine apology through personal contact; and that often a person making a complaint seeks this rather than a financial payment. Claims for redress or compensation are not complaints. Details of how we deal with compensation claims are set out in our Compensation Policy which is available on our website.

## **8. Monitoring, reporting, and learning from complaints**

Complaints give us valuable information we can use to improve customer satisfaction. Our complaints handling procedure enables us to address a customer's dissatisfaction and will help to prevent the same problems that led to the complaint from happening again.

For our staff, complaints provide a first-hand account of the service user's views and experience and can highlight problems we may otherwise miss. Handled well, complaints can give our customers a form of redress when things go wrong and can also help us continuously improve our services.

The detail of complaints is analysed for trend information to ensure we identify any service failures and take appropriate action as soon as possible. We report on complaints performance as follows:

- Board meetings – Quarterly performance and analysis
- Published statistical data and analysis of complaints on our website
- Published information regarding actions we are taking as a direct result of our complaints
- in our newsletters and on our website

In addition, we also report our performance in handling complaints to the SHR through the Annual Return on the Charter (ARC). This includes performance information and key performance details. This information is publicly available via the SHR's website (website details above).

## **9. Regulatory and legislative requirements**

We adopt and regularly review best practice in the effective management of complaints and ensure our complaints handling procedure complies with legislative requirements. We recognise our duty to comply with the Scottish Public Services Ombudsman (SPSO) model complaint handling procedures. This policy and associated procedures also comply with the Scottish Social Housing Charter outcomes and the SHR Regulatory requirements.

## **10. Equality, Diversity & Inclusion**

We will ensure that this policy is applied 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/faith, gender, disability, age, sexual orientation or any other grounds. Our commitment to equal opportunities and fairness will apply irrespective of factors such as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, or other personal attributes.

In accordance with our commitment to equality and diversity, we will:

- Ensure information about our complaints handling procedure is easily and widely available. This will include using our various publications to make tenants and customers aware of their right to complain. Leaflets and other relevant information will be displayed and freely available in our office reception area and on our website.
- Treat all complainants fairly, respectfully and as individuals and, as far as practicably possible, accommodate any specific needs they may have.

- Support and assist any customer who wishes to make a complaint. This will include for example:
  - Explaining our procedure and its application
  - Providing on request, our procedure in formats or languages other than written English and make it available in other formats e.g., Braille, large print, audio etc.
  - Providing other practical assistance, such as help with scribing

## **11. Review**

We will review and update this policy every 3 years. More regular reviews will be considered where, for example, there is a need to respond to new legislation/policy guidance issued by the SPSO.

## **12. Related Documents**

- Complaints Handling Procedures adopted February 2021
- Notifiable Events Policy and Protocol February 2021
- Compensation Policy May 2020
- Group Structures and Constitutional Partnerships Statutory Guidance February 2019
- Schedule of Delegation Revised February 2021
- Group Whistleblowing Policy
- Employers in Voluntary Housing Disciplinary and Grievance Procedures