



Rural Stirling

Housing Association



Quality property
management services

GROUP COMPLAINTS POLICY

Rural Stirling Housing Association, Stirling Road, Doune, FK16 6AA Registered as a Scottish Charity No. SC037849 Venachar Limited, Incorporated under the Companies Act (Company Number SC447415), Registered Office: Stirling Road, Doune, FK16 6AA	
Policy Name	Group Complaints Policy
Policy Category	Corporate
Date Policy Reviewed	16 May 2024
Review Period	3 Years
Equality Impact Assessment	Yes

1.0 Introduction

- 1.1 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.
- 1.2 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.
- 1.3 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.
- 1.4 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.

2.0 Scope

- 2.1 This policy is applicable to all services users of Rural Stirling Group and staff.

This policy does not cover complaints made by customers/tenants against other customers/tenants. These types of complaints are handled under our Anti-Social Behaviour Policy

3.0 Equality & Diversity Statement

- 3.1 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 or belief, gender, disability, age, sexual orientation, or any other grounds. Our commitment to equality and fairness will apply irrespective of factors such as age, disability, gender reassignment, marital or civil partnership status, pregnancy or maternity, race, religion or belief, sex, sexual orientation, or other personal attributes.

This policy and any other Rural Stirling Group (RSG) publication is available in other formats e.g., other languages, Braille, large print, audio.

4.0 SHR Regulatory Standards

- 4.1 The SHR’s regulatory framework sets out Regulatory Standards of Governance and

Financial Management to be achieved by all Registered Social Landlords (RSLs). The Board accepts that it is responsible for ensuring that the Rural Stirling Group complies with these standards. The standards of direct relevance to this policy are noted below:

Standard 1 – The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users

Standard 2 – The RSL is open and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. And its primary focus is the sustainable achievement of these priorities.

Standard 5 – The RSL conducts its affairs with honesty and integrity.

Standard 6 – The governing body and senior officers have the skills and knowledge they need to be effective.

5.0 Legislation

5.1 Key relevant legislation

- Public Services Reform (Scotland) Act 2010
- Housing (Scotland) Act 2010
- Data Protection Act 1998
- The Equality Act 2010

5.2 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.

6.0 Policy Details

6.1 In implementing this policy and the supporting Complaints Handling Procedure, we are adopting and complying with SPSO's Model Complaints Handling Procedure. Full details of how complaints will be dealt with, along with accompanying guidance for staff, are found in the Complaints Handling Procedure.

Definitions

6.2 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.

6.3 Complaint Stages

There are two stages for handling complaints, and these are as follows:

- **Stage one – frontline resolution** Straight forward, easily resolved and responded to with 5 working days.
- **Stage two – investigation** , require more investigation, complex or high risk and responded to within 20 working days.

Scottish Public Services Ombudsman (SPSO) – The final stage for complaints about public services, and this is for Association Tenants. Further information can be obtained at www.spsso.org.uk

First-tier Tribunal for Scotland (Housing and Property Change). This is the final stage of complaints for factored owners and mid market rent tenants.

www.housingandpropertychamber.scot/contact-us

7. Roles and Responsibilities

7.1 All staff will be aware of:

- The Complaints Handling Procedure (CHP)
- How to handle and record complaints at the frontline response stage
- Who they can refer a complaint to, if they are not able to handle the matter
- The need to try and resolve complaints early and as close to the point of service delivery as possible
- Types of complaints and their authority to deal with them
- The fact that they may be called upon to deal with a complaint

7.2 Training on our Complaints Handling Procedure will be part of the new staff induction process and refresher training will be provided for existing staff on a regular basis and if there are any changes to legislation.

7.3 Senior Management Team members will ensure that:

- RSG's final position on a complaint investigation is signed off by an appropriate manager to provide assurance that this is the definitive response and that the complainant's concerns have been taken seriously.
- they maintain overall responsibility and accountability for the management and governance of all complaints handling within RSG
- they maintain an active role in and responsibility of the CHP
- mechanisms are in place to ensure consistent approach to the way complaints handling information is managed, monitored, reviewed and reported to the Board of Management on a quarterly basis
- complaints information is used to improve services, and this is evident from regular publications.
- Ensure that we publish our annual report on complaints as per SPSO guidelines.

7.4 The Role of the Board is:

- to approve the adoption of the Complaints Handling Policy
- ensure that staff adhere to the CHP and any associated internal processes
- to ensure that information and learning from complaints are used to improve our understanding of and to steer our policies and procedures

7.5 The Chief Executive Officer is responsible for ensuring there is an effective CHP, with a robust investigation process that demonstrates how we learn from the complaint we received.

7.6 The Chief Executive officer is also responsible for ensuring that there are governance accountability arrangements in place in relation to complaints about contractors. This includes

- ensuring performance monitoring for complaints is a feature of the service/management agreements between RSG and our contractors
- setting clear objectives in relation to the CHP and putting appropriate monitoring systems in place to ensure we are meeting our objectives as an organisation and learning from the complaints received.

7.7 On the Chief Executive's behalf, senior management may be responsible for:

- managing complaints and the way we learn from them.
- Overseeing the implementation of actions required as a result of a complaint.
- Investigating Stage 2 complaints
- DCEO/DFCS will deputise for the CEO as required.

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

8.1 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 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.

8.2 A complaint between an individual tenant and a landlord is not a significant performance failure. Significant performance failures are not, therefore, dealt with through 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 or you can telephone 0141 242 5642.

9. Serious complaints against a Governing Body Member or the Chief Executive Officer

- 9.1 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.
- 9.2 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.
- 9.3 Any complaints made against a Governing Body member will be dealt with in accordance with our Notifiable Events Policy and Protocol and under Code of Conduct for Board Members.
- 9.4 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.
- 9.5 Further information can be found on the SHR website above.

10. Redress

- 10.1 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.
- 10.2 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.
- 10.3 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.

11. Monitoring, reporting, and learning from complaints

11.1 Complaints give us valuable information we can use to improve our services and customer satisfaction.

11.2 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.

11.3 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.

11.4 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
- As part of the Annual Return on the Scottish Housing Charter
- Annual Report on Complaints (as per SPSO guidelines)
- Lessons learned a result of the complaints received and actions we have taken
- in our newsletters and on our website

12.0 Related Documents.

12.1 This policy relates to the following documents:

- Complaints Handling Procedures adopted February 2021
- Group Notifiable Events Policy and Protocol February 2024
- Group Compensation Policy 2023
- Schedule of Delegation October 2023(Reviewed annually each June)
- Group Whistleblowing Policy 2023
- Employers in Voluntary Housing Disciplinary and Grievance Procedures
- Group Anti-Social Behaviour and Neighbour Nuisance Policy 2022
- Code of Conduct for Staff
- Code of Conduct for Board

13.0 Review

13.1 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 or regulatory guidance.