



**Complaints handling  
policy and procedure**

# Complaints handling policy and procedure



Latest review date

September 2021

# Complaints handling policy and procedure



## 1. Introduction

- 1.1 Cernach Housing Association aims to provide a good and fair service that is consistent in all aspects of our service delivery. We provide services to tenants, housing applicants and owners whose properties are factored by us and this complaints handling policy and procedure can be used by anyone who receives, requests or is affected by the services we provide.
- 1.2 Despite our best efforts, it is inevitable that errors will be made and that these will result in complaints being made. If you feel we have let you down, we would encourage you to use the complaints procedure; this not only gives you an opportunity to tell us about it, but also for us to put it right.
- 1.3 Complaints provide effective and valuable information to improve customer satisfaction. The Complaints Handling Policy & Procedure will allow us to gather feedback on:
- What customers think of our services
  - How we can learn from mistakes
  - How we can continually improve the services we provide

## 2. Definition

- 2.1 A complaint is any expression of dissatisfaction by one or more members of the public about the Association's actions or lack of action, or about the standard of service provided by or on behalf of the Association.
- 2.2 We will take all expressions of dissatisfaction seriously, whether they are offered as comments, or whether they are raised informally or formally through the complaints handling procedure described below. There may be some instances where you feel you do not want to complain but simply want to express dissatisfaction. We will handle this as a complaint and record it appropriately.
- 2.3 The following list provides some examples of what a complaint may relate to:
- A repair not carried out properly
  - Lack of provision, or the provision of misleading, unsuitable or incorrect advice or information
  - Failure to meet our responsibilities in regard to the Tenancy Agreement
  - Failure to follow procedures

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- If our staff, Committee members, agency workers, contractors or consultants do not provide an efficient and courteous service
- If you feel you have been treated unfairly, or have been discriminated against

2.4 The following list provides some examples of issues that are not covered by the complaints handling procedure:

- A first time request for a repair
- Where you may disagree with the content of a policy or procedure. We are happy to accept feedback and in fact encourage this during our consultation period for service policy reviews. However you can complain if you believe we have not acted in accordance with these written policies and procedures
- Where any previous complaint has been closed
- Complaints about other tenants or harassment are dealt with under our Anti-Social Behaviour and Harassment Policies.

2.5 While complaints about staff, Committee members, agency workers, contractors and consultants will be considered by this policy, in addition we may refer to other policies when investigating. These will include:

- Code of Governance (Committee members)
- Notifiable Events Policy (senior officer)
- Code of Conduct (staff)
- Dignity at work (all)
- Contracts (agency workers, contractors and consultants)
- Whistleblowing (all)
- Unacceptable Behaviour Policy

## 3. Equality and diversity

3.1 The Association's equality and diversity policy, which was approved by the Committee in April 2018 following community consultation, outlines our commitment to promote a zero tolerance to unfair treatment or discrimination to any person or group of persons, particularly on the basis of any of the protected characteristics<sup>1</sup>. This includes ensuring that everyone has equal access to information and services and, to this end, the Association will make

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<sup>1</sup> The Equality Act 2010 identifies the "protected characteristics" as age, disability, marriage and civil partnership, race, religion or belief, gender, gender reassignment and sexual orientation.

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available a copy of this document in a range of alternative formats including large print, translated into another language or by data transferred to voice.

- 3.2 We are also aware of the potential for policies to inadvertently discriminate against an individual or group of individuals. To help tackle this and ensure that it does not occur, best practice suggests that organisations carry out Equality Impact Assessments to help identify any part of a policy that may be discriminatory so that this can be addressed (please see section 6 of the Equality and Diversity Policy for more information).
- 3.3 In line with section 6.3 of the Equality and Diversity Policy, the Association will apply a screening process based on that recommended by the Equality and Human Rights Commission to ascertain whether each policy requires an Impact Assessment to be carried out. The screening process was applied to this policy and it was decided that an impact assessment is required. Please refer to Appendix 1.

## 4. Legal and regulatory framework

- 4.1 The Association adheres to the legislation contained within the General Data Protection Regulation 2018 and Outcome 2 : Communication of The Scottish Social Housing Charter, which states: "...covers making it easy for tenants and other customers to make complaints and provide feedback on services, using that information to improve services and performance, and letting people know what they have done in response to complaints and feedback."

## 5. Summary of complaints handling process

- 5.1 The aim of this complaints handling procedure is to provide a quick simple and streamlined process with a strong focus on local, early resolution by empowered and well trained staff.
- 5.2 The process for handling complaints includes two opportunities to resolve complaints internally:

### Stage 1 – Frontline Resolution

Where issues are straightforward and easily resolved, and where little or no investigation is required, we will try to identify a resolution on-the-spot. This could be an apology, an explanation or other action, depending on the nature of the complaint/expression of dissatisfaction. Any member of staff will be able to take your complaint at this stage.

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## Stage 2 – Investigation

This is where issues have not been resolved at the frontline stage or are serious, complex or high risk. We will thoroughly investigate the points raised. As Complaints Investigator will be identified – this will be the Director or Housing Services Manager depending on the nature of the complaint.

## Unresolved complaints

Where issues cannot be resolved having exhausted the Association's complaints handling procedure, we will signpost complainants to the Scottish Public Services Ombudsman (SPSO) for assessment. They will decide whether there is evidence of service failure or maladministration not identified by the Association.

## 6. Complaints handling procedure

### 6.1 How to make a complaint

6.1.1 We will deal with any issues that are brought to the attention of front line staff for resolution as quickly as we can. There are a number of ways you can raise your issue(s):

<b>By telephone</b>	0141 944 3860
<b>In person</b>	79 Airgold Drive, Drumchapel, Glasgow, G15 7AJ
<b>In writing (letter or e-mail)</b>	Above address or <a href="mailto:admin@cernachha.co.uk">admin@cernachha.co.uk</a>
<b>Website</b>	<a href="http://www.cernachha.co.uk">www.cernachha.co.uk</a> where you can e-mail a staff member directly and also download a copy of the complaints handling policy and procedure
<b>By an advocate</b>	We are happy to deal with a third party advocating on your behalf. This could be a solicitor, advice worker, family member or friend. We would, however, require authorisation from you to allow us to discuss your case with your representative

### 6.2 Frontline Resolution (Stage 1)

6.2.1 Your complaint will be dealt with by the person providing you with the service and our staff members will be provided with the powers to resolve your

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complaint when it arises. Where a staff member is not familiar with the issues or areas of service involved or if the complaint is about that member of staff or there is a conflict of interest, they will direct you to the appropriate staff member for frontline resolution.

6.2.2 At this initial stage the staff member will speak with you to either:

- Allow the complaint to be dealt with quickly by issuing an apology or explanation for the failure that has occurred. Either way, an explanation will be provided about what will be done to stop this happening in the future
- Try to resolve the complaint to your satisfaction quickly as fewer people involved helps minimise costs and should reduce customer dissatisfaction

6.2.3 Examples of issues that can be resolved in this way are outlined below:

- A service that was not provided – for example, your close has not been cleaned
- A service is not provided to an appropriate standard – for example, the close was cleaned but the contractor left a mess behind
- A staff member or contractor was rude or unhelpful

6.2.4 Although every effort should be made to resolve the complaint quickly, where it is clear that there is not going to be frontline resolution, the complaint should be referred on for investigation.

6.2.5 Where your complaint has been resolved at frontline either by face-to-face, telephone or e-mail communication, there will be no requirement to communicate the complaint in writing unless this is requested by you. However, these complaints will be recorded by the staff member on the complaints handling database (Cirrus). On a day-to-day basis it will be the responsibility of every member of staff to ensure the database is kept up to date. It will be the overall responsibility of the Corporate Services Officer to monitor the complaints handling system, however each line manager will be responsible for their team and ensure that the Corporate Services Officer is notified of any active complaints.

6.2.6 Where your complaint is being made to a staff member who is working out of the office on visits, etc., the same principles above should be applied to resolve the complaint quickly and on-the-spot. This should then be entered into the Cirrus system upon return to the office.

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## 6.2.7 Timescales for Frontline Resolution

Clearly the aim of frontline resolution is to offer an immediate resolution when the staff member is face-to-face or on the telephone. However in most cases, the complaint should be dealt with within 24 hours but in exceptional cases where more information is required from other parts of the organisation or by referring the complaint for authorisation by a senior staff member before responding, up to five working days will be required to complete the complaint.

In exceptional circumstances we may need a bit longer to respond to your complaint. In these circumstances there is scope for another five working days to be provided to the Association. Where this is necessary we will make sure we notify you and give you the reasons why we need this extra time. An example of this is where a contractor is involved and they are temporarily unavailable.

## 6.3 Investigation (Stage 2)

6.3.1 Not all complaints can be resolved at Stage 1 Frontline Resolution, and complaints handled by the next level, known as Stage 2, are typically complex or serious in nature or require examination to establish relevant facts before the Association can respond appropriately. Stage 2 complaints should be made in writing and where appropriate the Association's Complaints Record Form (Appendix 2) may be used to assist.

6.3.2 Stage 2 will also aim to 'get it right first time' by establishing all the relevant facts to the points raised and provide a full, objective and proportionate response to the issues raised. Responsibility for such investigations will rest with the Association's Director, but s/he may be assisted by the Housing Services Manager depending on the nature of the complaint.

6.3.3 All complaints referred to investigation will be assigned via Cirrus to the Director or the Housing Service Manager and an acknowledgment issued (Appendix 3). The Director/Housing Services Manager will then instruct what is required for gathering information and for ensuring that the information gathered is of a suitable quality and accuracy to enable a full and informed response to the issues.

6.3.4 Examples of complaints considered serious or high risk/high profile are as follows:



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- Frontline resolution was attempted but the customer remains dissatisfied; this may be after the case has been closed following frontline resolution
- The customer refuses to engage with the frontline resolution process
- The issues raised are complex and will require detailed investigation
- The complaint relates to issues that have been identified as serious, high risk or high profile
- The complaint, if upheld, is likely to constitute a breach of the equality and diversity policy

Examples of potential serious or high risk/high profile complaints are as follows:

- Involves a death or terminal illness
- Involves serious service failure, for example, major delays in service provision or repeated failure to provide a service
- Where there is a significant or ongoing press interest
- Where serious operational risk to the Association is identified
- Involves homelessness
- Involves child protection issues
- Involves a vulnerable person

## 6.4 Timescales for investigation

6.4.1 The Association will respond to investigation complaints as follows:

- a) Complaints will be acknowledged within three working days
- b) A full written response will be provided within 20 working days. If there are reasons for further delays a revised timescale will be provided for bringing the complaint to conclusion
- c) Where a complaint needs to be 'suspended' for reasons outwith the Association's control and we cannot obtain the information required the Director will make the decision to suspend. Reasons for such a delay could be as a result of the incapacity/health issues or in a case where a person cannot be contacted or severe weather conditions or industrial action or indeed if mediation has been identified and agreed by the complainant. Whatever the reason for a suspension, this will be formally recorded on Cirrus and be for a defined period of time at the end of which it will be reviewed and the complaint concluded.

6.4.2 All responses will be issued by the Association's Director.

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## 6.5 Investigation Procedures

- 6.5.1 Complaints referred to investigation should be made in writing. Where help is required for this written complaint, staff members may assist by helping you complete the Complaints Record Form (Appendix 2). When completing the form, the staff member will read the complaint back to you before it is finalised and, where possible, you should sign the form. Complaints of this nature can also be taken over the telephone in the same manner without your signature.
- 6.5.2 It is important that you indicate what you wish to achieve by complaining. In investigating the complaint, consideration will be given to whether the desired outcome is realistic and/or achievable.
- 6.5.3 Complaints can be made through a third party, including solicitors, Citizens' Advice Bureau, Councillors, MP/MSP, family members and friends provided the third party has permission to do so by authorisation and completion of a signed mandate (Appendix 4).
- 6.5.4 The investigation stage will be thorough and proportionate to the issues that are raised. This will include ensuring the required information is available, where the information will come from, and what evidence will be obtained. However information of a confidential, sensitive nature, restricted or covered by data protection legislation will be respected. If medical records are required, such consents will be obtained where appropriate. Such information will be gathered and considered in a chronological order to ensure there are no gaps in the information or evidence required.
- 6.5.5 If required, the Director/Housing Services Manager will conduct interviews (including with the staff involved where appropriate), make site visits and obtain independent professional advice if this assists the investigation.
- 6.5.6 Where the use of an outside professionally trained mediator service or similar independent body would provide a useful tool to achieve resolution of an ongoing complaint, the Association will consider such services. The Association accepts the benefits that such mediation services can provide and, with agreement, this is likely to result in a mutually satisfactory solution to the complaint and to the relationship between the parties involved.

## 6.6 Investigation outcome

- 6.6.1 The Association's Director will conclude the outcome of the investigation and communicate this to you in writing. A full explanation of the facts will be

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provided and how these helped to reach the decision. If felt appropriate to you, a telephone call will also be considered where information is of a sensitive nature but this will mean following up the telephone call in writing. If the conclusion of the investigation results in further action required the dispute, full details of what will be done and when it will be done will be provided by the Association.

## 6.7 Independent external review – the Scottish Public Services Ombudsman

6.7.1 Once you have completed the Investigation Stage of the complaints handling procedure, you have the right to approach the Scottish Public Services Ombudsman (SPSO) if you remain dissatisfied.

6.7.2 The SPSO is the final stage for complaints about public services in Scotland. This includes complaints about Housing Associations. If you remain dissatisfied with the Association after following its complaints process you can ask the SPSO to look at your complaint. The SPSO cannot normally look at complaints:

- Where the Association's complaints handling procedure has not been exhausted
- Where more than twelve months has elapsed since you became aware of the matter you want to complaint about, or
- Where the details of the complaint have been or are being considered in court

6.7.3 Contact details for the SPSO are:

### **In person**

SPSO  
4 Melville Street  
EDINBURGH  
EH3 7NS

### **By post**

SPSO  
Freepost

Freephone: 0800 377 7330  
Text: 07900494372  
Fax: 0800 377 7331  
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>

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- 6.7.4 The SPSO has powers to examine and report upon cases where there is a claim that a member of the public has sustained injustice or hardship in consequence of maladministration, poor service or administrative failure.
- 6.7.5 In general the SPSO service may not agree to investigate a complaint if it considers that it relates to a properly made decision, which we, Cernach Housing Association, as a provider of services, were entitled to make.
- 6.7.6 Where the SPSO issues a report, the Association will ensure that it complies with the outcome and its duty to publish the report and make it available for inspection on, for example, the Association's website within a required timescale.
- 6.7.7 The SPSO does not normally look at complaints about our factoring service. Instead, factored owners are able to contact the First-tier Tribunal for Scotland Housing and Property Chamber. This works to resolve complaints and disputes between home owners and property factors. So, if a factored owner is still dissatisfied after our investigation stage, s/he can approach the Chamber.
- 6.7.8 Contact details for the Housing and Property Chamber are:

## **In person & by post**

Housing and Property Chamber  
4th Floor  
1 Atlantic Quay  
45 Robertson Street  
Glasgow  
G2 8JB

Telephone 0141 302 5900

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

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

## **6.8 Significant Performance Failures**

- 6.8.1 The Scottish Housing Regulator (SHR) has a duty to 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

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resolved. This is something that is a systemic problem that does, or could, affect all of a landlord's tenants.

6.8.2 A significant performance failure happens when:

- A landlord is not delivering the outcomes and standards in the Scottish Social Housing Charter over a period of time; or
- A landlord is not achieving the regulatory standards of governance and financial management.

6.8.3 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.

6.8.4 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.

6.8.5 The SHR also has more information on their website:

<http://www.scottishhousingregulator.gov.uk/> or you can phone them on 0141 271 3810.

## 7. Other important information about complaints

### 7.1 Confidentiality and anonymous complaints

7.1.1 We will respect the confidential nature of all complaints we receive.

Complaints will be dealt with impartially, objectively and professionally, with no adverse treatment of the person who has made the complaint.

7.1.2 If you ask us not to speak to particular individuals, we will respect your wishes but this may restrict our ability to resolve the problem.

7.1.3 We will do our best to investigate anonymous complaints. However our ability to investigate these complaints will be constrained and it will be much easier if the identity of the person making the complaint is known.

7.1.4 In keeping records about complaints and in allowing access to our complaints register we will comply with legislative requirements within the General Data Protection Regulation 2018.

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## 7.2 Persistent or repetitious complaints

7.2.1 The Association wishes to respond positively to any concerns that our customers may have. However very occasionally we may reject your complaint without a detailed investigation if we feel that it is deliberately repetitious. This is most likely to apply where the matter has been subject to a previous complaint; we have dealt with your original complaint to the best of our ability or you are asking us to investigate the same matter again.

7.2.2 Sometimes the failure of the Association to re-investigate a complaint may lead to unacceptable behaviour including anger, unreasonable demands on staff or unreasonable behaviour towards Staff. Where such complaints escalate to such a position that the Association feels it has no alternative but to protect staff from unacceptable behaviour such as unreasonable persistence or offensive behaviour from the complainant, the Association has adopted an Unacceptable Behaviour Policy which includes behaviour when reporting or responding to a complaint. Such actions when used are likely to restrict the contact the Association has with customers which may include written or third party correspondence.

7.2.3 The threat of (or use of) physical violence or verbal abuse or harassment towards staff may end in incidents being reported to the Police. Such action will only be considered as a last resort as the Association's track record for dealing with customers has not resulted in such actions being necessary.

## 7.3 Independent advice

7.3.1 There are several sources of independent advice and other assistance you may wish to use to help with making a complaint. Local advice agencies include the following:

Drumchapel Law and Money Advice Centre  
Unit 10, 42 Dalsetter Avenue, Drumchapel  
e-mail: law@dlmac.co.uk  
Tel: 0141 944 0507

Citizens Advice Bureau  
195c Drumry Road East,  
Drumchapel  
Tel: 01414 944 2612/0205

Locally Elected Members  
0141 287 2000

7.3.2 More information is available from the Association's office.

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## 8. Monitoring our service

- 8.1 The Association's Director has overall responsibility for ensuring all complaints made are recorded in the Association's complaints handling system, Cirrus, which is held electronically for reporting and monitoring purposes. This will include monitoring details of the complaint; all back-up information will be stored and scanned electronically with notes of telephone calls and meetings; e-mail correspondence and internal communications which are all to be kept in accordance with data protection legislation.
- 8.2 On a day-to-day basis, the Corporate Services Officer will monitor activity on Cirrus, liaising with staff who have deadlines looming and checking that appropriate audit trails are being kept. The CSO will also gather reporting information from Cirrus and assist senior staff to identify service improvements flowing from complaints that have been made.
- 8.3 The Staffing, General Purposes and Audit sub-Committee will receive quarterly reports on the complaints performance including numbers, outcomes, trends and service improvements for frontline resolution complaints and investigations. On a day-to-day basis, all staff are responsible for recording potential improvements to services or policy and procedural updates. The management team have overall responsibility for implementation and recommendations to Management Committee.
- 8.4 The Association will publish complaints performance data within our newsletters and on our website. This will provide general information about the type of complaints received, outcomes and how the process has helped improve delivery of services and the value of the complaints process to our customers.
- 8.5 General information will also be provided within our Annual Report, and experiences shared with our local partners, DRUMCOG and within our larger benchmarking group, the Quality and Efficiency Forum (QEF), as appropriate.
- 8.6 To gauge service users' views on the complaints handling procedure, we will ask all complainants to complete the pro forma at Appendix 5.

## 9. Policy review

- 9.1 The complaints handling policy will be reviewed every three years, or sooner in line with legal, regulatory or best practice requirements. The latest review date will be September 2021.

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## Appendix 1

### Equality impact assessment

Is further action required? Yes  No

Is the action achievable? Yes  No

Timescale for action NA

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### 1. Aims of the policy

a) What is the purpose of the policy?

- The policy outlines the Association's approach to dealing with complaints.
- A complaint is any expression of dissatisfaction by one or more members of the public about the Association's actions or lack of action, or about the standard of service provided by or on behalf of the Association.
- We will take all expressions of dissatisfaction seriously, whether they are offered as comments, or whether they are raised informally or formally through the Complaints Handling Procedure described below.
- There may be some instances where customers and others feel that they do not want to complain but simply want to express dissatisfaction. In line with recommended practice, we will handle this as a complaint and record it appropriately.

b) Who is affected by the policy/who will benefit from the policy and how?

- Cernach tenants and others who live in our properties
- Owners who use our factoring service
- People who live in our area of operation and housing applicants
- Staff and Management Committee
- Contractors and consultants who are required to observe the policy
- Partner agencies and other organisations who contact us
- Anyone who has any reason to contact us



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Everyone will benefit from the investigations undertaken that should map out the route to improving services as a consequence of expression of dissatisfaction or complaint. These will be published regularly on the website and in newsletters and will be used to drive service improvements.

c) Who is be responsible for delivering the policy?

The Corporate Services Manager on a day-to-day basis, the Director and ultimately the Management Committee.

d) How does the policy fit into our wider or related policy initiatives?

The policy directly contributes to two of our strategic objectives:

- Providing a quality service
- Your view is important to us

While complaints about Staff, Committee Members, Agency Workers, Contractors and Consultants will be considered by this policy, in addition we may refer to other policies when investigating. These will include: -

- Code of Governance (Committee Members)
- Notifiable Events Policy (Senior Officer)
- Code of Conduct (Staff)
- Dignity at Work (All)
- Contracts (Agency Workers, Contractors & Consultants)
- Whistleblowing (All)

2. **What do we already know about the diverse needs and/or experiences of our target audience?**

Do we currently have information on:

Age	Yes	✓		
Disability	Yes	✓		
Marriage and Civil Partnership	Yes	✓		
Pregnancy and Maternity	Yes	✓		
Race	Yes	✓		
Religion and Belief			No	✓
Gender	Yes	✓		
Gender Reassignment			No	✓
Sexual Orientation			No	✓

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- 2.1 Whilst we require to update and broaden the information we have on tenants and other residents, we would expect all of the protected characteristics to be represented within this target audience.
- 2.2 The policy helps us ensure that we are continuing to provide efficient and effective services that are responsive to the requirements of all groups, and allows us to become aware of areas where service improvements may be required.

## **Owners who use our factoring service**

- 2.3 As at 2.1 and 2.2, above.

## **People who live in the local area and housing applicants**

- 2.4 As at 2.1 and 2.2, above.

## **Staff and Management Committee**

- 2.5 All Staff and Committee receive training on the Association's Complaints Handling responsibilities and are conversant with the process to be followed. This includes recording data for regulatory returns, outlining those complaints/expressions of dissatisfaction that are equalities related.

## **Contractors and consultants and partner organisations**

- 2.6 Any contractors or consultants working for or representing the Association are made aware of our commitment to equality and diversity. They understand that complaints/expressions of dissatisfaction are monitored and analysed to ensure excellent levels of service are provided to our customers and what action will be taken should persistent failures be recorded.

3. **What does the information we have tell us about how this policy might impact positively or negatively on the different groups within the target audience?**

We plan to analyse complaints data on the basis of the protected characteristics to help identify whether any group is making a disproportionate number of complaints – as well as looking at whether any group makes a proportionately high number of complaints, we will also be interested to see whether any group is making proportionately few (or no) complaints as this may indicate that our procedure is not fully accessible.

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We are a relatively small RSL and would anticipate the number of complaints we receive annually to be in the tens rather than the hundreds. It may therefore be two to three years before we have sufficient data to carry out any analysis. In addition to the objective data relating to a person's age, gender, race, etc, we will also make use of the feedback we receive on how satisfied complaints were with the way in which their complaint was handled. This will be an invaluable source of information when we are considering the degree to which we have achieved our commitment to equalities in how we publicise and apply the policy.

In the meantime, we have considered the procedure in the context of each of the protected characteristics groups. In doing this, we are considering whether there may be anything potentially discriminatory in the way in which people can (or cannot) use the procedure and or in the way the complaint is investigated.

## 3.1 Age

Anyone can use the complaints handling procedure irrespective of their age. If someone believes that they have been unfairly treated because of their age, then not only would we investigate this as a Stage 2 complaint, but we would also seek to invoke action under the terms of our Equality and Diversity policy. We offer help in making complaints to anyone experiencing what could sometimes be considered an age-related condition, such as requiring information in larger typeface owing to deterioration in eyesight.

## 3.2 Disability

The Association ensures that the procedure is accessible to everyone irrespective of any disability that may exist. We actively publicise the availability of the procedure in alternative formats for people who may have visual impairment or hearing problems, and will visit someone at home to assist them with any part of the process if they have mobility problems or if they would prefer not to come to the office for any reason.

The procedure is explicit that we do not tolerate discrimination on the grounds of someone's disability and anyone who feels that they have been subject to disability discrimination is encouraged to contact the Association. This would include someone who felt that the complaints procedure was more difficult to use owing to a disability or if we were discriminatory in our handling of the complaint. Such complaints would be investigated as a Stage 2 complaint

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and we would also seek to invoke action under the terms of our Equality and Diversity policy.

## 3.3 Marriage and Civil Partnership

All individuals using the complaints procedure who happen to have a partner would be treated identically whether they are married, in a civil partnership or are co-habiting. Equally, we do not treat anyone differently because they are not married, not in a civil partnership or do not have a partner – ie because they are single.

The procedure is explicit that we do not tolerate discrimination on the grounds of someone's marital/civil partnership status and anyone who feels that they have been subject to this sort of discrimination is encouraged to contact the Association. Any complaint that we had treated someone differently owing to their marital/civil partnership status would be investigated as a Stage 2 complaint and we would also seek to invoke action under the terms of our Equality and Diversity policy.

## 3.4 Pregnancy and Maternity

All individuals using the complaints procedure who happen to be pregnant or in a period of maternity would be treated identically to all other complainants.

The procedure is explicit that we do not tolerate discrimination on the grounds of someone's pregnancy or maternity and anyone who feels that they have been subject to this sort of discrimination is encouraged to contact the Association. Any complaint that we had treated someone differently owing to the fact that they are pregnant or in a period of maternity would be investigated as a Stage 2 complaint and we would also seek to invoke action under the terms of our Equality and Diversity policy.

## 3.5 Race

The procedure is explicit that we do not tolerate discrimination on the grounds of someone's race and anyone who feels that they have been subject to this sort of discrimination is encouraged to contact the Association. Any complaint that we had treated someone differently owing to their race would be investigated as a Stage 2 complaint and we would also seek to invoke action under the terms of our Equality and Diversity policy.

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## 3.6 Religion or Belief

The procedure is explicit that we do not tolerate discrimination on the grounds of someone's religion or belief and anyone who feels that they have been subject to this sort of discrimination is encouraged to contact the Association. Any complaint that we had treated someone differently owing to their religion or belief would be investigated as a Stage 2 complaint and we would also seek to invoke action under the terms of our Equality and Diversity policy.

## 3.7 Gender and Gender Re-assignment

We intend that male, female and trans-gender people are afforded equal access to the procedure and that their complaints are handled identically under the terms of the policy.

As with the other protected characteristic areas, the policy is explicit that we do not tolerate discrimination on the grounds of gender, and anyone who feels that they have been subject to gender discrimination is encouraged to contact the Association. Any complaint that we had treated someone differently owing to their gender/gender re-assignment would be investigated as a Stage 2 complaint and we would also seek to invoke action under the terms of our Equality and Diversity policy.

## 3.8 Sexual Orientation

We intend that everyone is afforded equal access to the procedure irrespective of their sexuality and that their complaints are handled identically under the terms of the policy.

As with the other protected characteristic areas, the policy is explicit that we do not tolerate discrimination on the grounds of someone's sexuality, and anyone who feels that they have been subject to gender discrimination is encouraged to contact the Association. Any complaint that we had treated someone differently owing to their sexuality would be investigated as a Stage 2 complaint and we would also seek to invoke action under the terms of our Equality and Diversity policy.

## 4. Do we need to carry out a further Impact Assessment?

4.1 No.

# Complaints handling policy and procedure



## **5. How will we monitor and evaluate this policy to measure progress?**

- 5.1 The Director (assisted by the Corporate Services Officer) is responsible for collating the data and preparing feedback updates and reports to Committee and the Regulator. Trends and further action will be discussed and implemented by the management team on a regular basis. We will also produce articles for newsletters, website and in the Annual Report which is sent to tenants and members.

# Complaints handling policy and procedure



## Appendix 2

### Complaints record

This form may be completed by/for anyone showing dissatisfaction from the Association's services if they wish to use as an alternative to putting complaint in writing. Complaints can be reported either in person, in writing, by e-mail or by telephone. Staff assistance can be provided to help complete the form, if required.

Section 1 – Complainant details			
<b>Name of Complainant</b>			
<b>Address</b>			
<b>Other Contact Details</b>	<b>Telephone No.</b>	<b>E-mail address</b>	
<b>Tenure Definition</b>	<b>General Needs</b> <input type="checkbox"/> <b>Amenity</b> <input type="checkbox"/> <b>Non-factored Owner</b> <input type="checkbox"/>	<b>Sheltered</b> <input type="checkbox"/> <b>Factored Owner</b> <input type="checkbox"/> <b>Sharing Owner</b> <input type="checkbox"/>	
<b>Method of Complaint</b> (e.g. face-to-face, telephone)			
<b>Date of Incident</b>		<b>Location of incident</b> (if appropriate)	
Please provide <u>brief</u> details of incident being reported			
Please outline what you would like the outcome of your complaint to be			
Confirmation of details and Signature of Complainant			
<b>Date Complaint Received</b>		<b>Date recorded on Cirus</b>	
<b>Name(s) of Staff Members dealing with complaint</b>			
<b>Category of Complaint</b>	<b>Repairs &amp; Maintenance</b> <input type="checkbox"/> <b>Housing Management</b> <input type="checkbox"/> <b>Other</b> <input type="checkbox"/>		
<b>Type of Complaint</b> (please tick)	<b>Frontline Resolution</b> <input type="checkbox"/>	<b>Investigation</b> <input type="checkbox"/>	

# Complaints handling policy and procedure



## Appendix 3

### Letter of acknowledgement

Ref:

Date:

Name

Address

Dear

### **COMPLAINT INVESTIGATION – [BRIEF HEADING]**

Thank you for your recent contact regarding the above complaint.

Although Cernach Housing Association is committed to providing a high level of service we accept that despite our best efforts issues may arise occasionally. I am therefore sorry that you have found it necessary to complain to the Association and you can be sure that the Association will strive to ensure that you are provided with a thorough response to your complaint.

Your complaint, which the Association received on [ ] will now be investigated and a detailed response will follow. We aim to provide you with a response within 20 working days from when you contacted us. You should therefore receive a reply from us by [ ]. If you require further information please contact [ ] on 0141 944 3860.

In the meantime we have enclosed a summarised copy of our Complaint Handling Policy which lets you know how we will deal with your complaint. This policy outlines our procedures and should be followed by you if you remain unhappy. You can ultimately take your complaint to the Scottish Public Services Ombudsman, but you must follow our Complaints procedure first.

Yours sincerely

Caroline Shepherd

Director

Encl.



# Complaints handling policy and procedure



## Appendix 4

### Mandate for third party authorisation

Date:

I, \_\_\_\_\_ (name of complainant) authorise

\_\_\_\_\_ (name of third party) to  
investigate on my behalf the complaint relating to :

<b>Nature of Complaint:</b>	
<b>Redress sought:</b>	

**Signed:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Contact details:**

<b>Telephone</b>	
<b>E-mail</b>	

# Complaints handling policy and procedure



## Appendix 5

### Customer complaints feedback questionnaire

Name			
Address			
Nature of Complaint			
Date Complaint Initiated		Date Complaint resolved	

**You have recently made a complaint to the Association and in order to meet our obligation to continually improve our service delivery to you we would be grateful for your feedback on how the process was for you.**

---

**Please tick appropriate boxes below**

**1. How easy was it to make your complaint?**

Very easy  Fairly Easy  Neither/Nor  Fairly Difficult  Very Difficult

**2. Overall how satisfied were you with the way Cernach dealt with your complaint?**

Very Satisfied  Fairly Satisfied  Neither/Nor

Fairly Dissatisfied  Very Dissatisfied  Don't Know

**3. Do you feel the Association understood your complaint?**

Yes  No  Don't Know

**4. Do you feel that the time taken to deal with your complaint was acceptable?**

Yes  No  Don't Know

**5. How helpful were the Staff dealing with your complaint?**

Very Helpful  Fairly Helpful  Neither   
Fairly Unhelpful  Very Unhelpful  Don't Know

# Complaints handling policy and procedure



**6. Overall, how satisfied or dissatisfied are you with the final outcome of your complaint?**

Very Satisfied       Fairly Satisfied       Neither/Nor

Fairly Dissatisfied       Very Dissatisfied       Don't Know

**7. Could the Association have done anything to make it easier for you to complain?**

Yes       No       Don't Know

If yes, please provide a brief description here

**8. Are you satisfied with the service you are receiving from the Association currently?**

Very Satisfied       Fairly Satisfied       Neither/Nor

Fairly Dissatisfied       Very Dissatisfied       Don't Know

**9. How willing would you be to make a complaint to Cernach in the future?**

Very Willing       Fairly Willing       Neither/Nor

Fairly Unwilling       Very Unwilling       Don't Know

**10. Any additional comments:**

Signature \_\_\_\_\_

Date \_\_\_\_/\_\_\_\_/\_\_\_\_

# Complaints handling policy and procedure



## Appendix 5 (con'd)

### Equality and diversity

This section is removed from your feedback form to maintain anonymity and to respect your privacy. It is entirely optional and you therefore do not have to complete it if you would prefer not to do so.

1. Are you:

Single (including separated, widowed or divorced)

Living with a partner (including marriage, civil partnership or co-habiting)

Prefer not to say

2. Please note your age group:

16 – 24

25 – 34

35 – 44

45 – 54

55 – 64

65 – 74

75 or over

Prefer not to say

3. Please note your gender:

Male

Female

Transgender

Other

Prefer not to say

4. Please note your sexual orientation:

Heterosexual

Homosexual

Bisexual

Other

Prefer not to say

# Complaints handling policy and procedure



5. Are you:

- Atheist or agnostic
- Church of Scotland/England
- Hindu
- Jewish
- Muslim
- Roman Catholic
- Sikh
- Other
- Prefer not to say

6. Disability:

Do you consider yourself to have a disability?

- Yes
- No
- Unsure
- Prefer not to say

Under the Equality Act 2010, a person has a disability if they have a physical or mental impairment that has a “substantial” and “long-term” negative effect on their ability to do normal daily activities.

For the purposes of the Act, these words have the following meanings:

- **Substantial** means more than minor or trivial.
- **Long-term** means that the effect of the impairment has lasted or is likely to last for at least twelve months.

A progressive condition is one that gets worse over time. People with progressive conditions can be “disabled” under the terms of the Act. Anyone diagnosed with the HIV infection, cancer or multiple sclerosis automatically meets the “disability” definition under the Act.

7. Ethnicity – are you:

White		Asian, Asian Scottish or Asian British		Black, Black Scottish or Black British		Other Ethnic Background	
White Scottish	<input type="checkbox"/>	Indian	<input type="checkbox"/>	Caribbean	<input type="checkbox"/>	Arab	<input type="checkbox"/>
White English	<input type="checkbox"/>	Pakistani	<input type="checkbox"/>	African	<input type="checkbox"/>	Arab Scottish	<input type="checkbox"/>
White Welsh	<input type="checkbox"/>	Bangladeshi	<input type="checkbox"/>	Other black background	<input type="checkbox"/>	Arab British	<input type="checkbox"/>
White Northern Irish	<input type="checkbox"/>	Chinese	<input type="checkbox"/>			Any other group	<input type="checkbox"/>
White British	<input type="checkbox"/>	Other Asian background	<input type="checkbox"/>				
White Irish	<input type="checkbox"/>						
Gypsy/traveler	<input type="checkbox"/>						
Polish	<input type="checkbox"/>						
Other white background	<input type="checkbox"/>						
Mixed or Multiple Ethnic Background	<input type="checkbox"/>						