



Complaints Policy

Date Policy Approved by Board	August 2008
Review Date	August 2011
Scottish Housing Regulator Guiding Standards	<p>Guiding Standards</p> <p>GS1.2 Policies and procedures: We have high-quality written policies and procedures to guide our actions.</p> <p>GS1.3 Commitment to continuous improvement: We actively strive for continuous improvement in all we do.</p> <p>GS3.1 Responsiveness to service users: We place the people who want to use our services at the heart of our work. We treat people with respect and are responsive to their views and priorities.</p> <p>GS3.3 Complaints and appeals: We deal fairly and effectively with anyone wanting to appeal against, or complain about, any of our decisions or activities. We make it clear that they can complain about us to the relevant Ombudsman</p>
National Care Standards	<p>National Care Standards</p> <p>NCS 1.1 - Influence and deciding</p> <p>NSC 8.1 & 11.2 - Expressing your views</p>

COMPLAINTS POLICY

1.0 Introduction

Viewpoint Housing Association (VHA) aims to provide a high quality responsive and consistent service. We recognise, however, that there will be occasions when we get things wrong or customers are unhappy about some aspect of our service. This policy aims to set out the key principles of our approach to complaints. A detailed procedure accompanies this policy, clearly setting out the steps to be followed at each stage in the complaints process, and by whom.

- 1.1 We are committed to ensuring that our Complaints Policy and the procedure are:
 - Easy to access,
 - Open and transparent,
 - Takes account of individuals' needs,
 - Provides a means of redress and improvements to service delivery.
- 1.2 Complaints will be treated as useful feedback, and acted on in a positive manner and help us shape future improvements in our services.
- 1.3 A complaint is defined as ***“an expression of dissatisfaction, however made, about the standard and/or quality of service, action or lack of action by the Association or its staff affecting an individual customer or a group of customers”***.
- 1.4 Viewpoint will strive to deliver an outcome to the complainant that is fair, reasonable and based on a full investigation of the facts.
- 1.5 We will ensure that systems and procedures are operating to enable effective monitoring, audit and reporting of complaints and the outcomes of complaints.
- 1.6 Viewpoint is committed to ensuring that staff are trained in dealing with complaints and are aware that customers have the right to complain. Viewpoint will provide appropriate staff with training on managing and dealing with complaints and all staff will be made aware of the complaints Policy and Procedures as part of their induction process.

2.0 Legislative framework

There is no legislative basis on which a complaints policy must be based. However, our Policy will take into account the National Care Standards, the SFHA's Raising Standards recommendations, our contractual obligations with Local Authorities and guidance from the Scottish Housing Regulator (formerly Communities Scotland) through the performance standards as well as guidance from the Scottish Public Services Ombudsman.

3.0 Policy aims

Viewpoint aims to respond to complaints:

- a) Quickly and effectively and within set time limits, addressing all the points raised and keeping the complainant informed of developments.
- b) As openly as possible by giving full reasons and explanations for decisions taken.
- c) By offering redress such as compensation, undertaking work or determining a suitable remedy appropriate to any breakdown in services and restoring complainants, wherever possible, to the position they would have been in had no problem been identified.
- d) By setting out a clear review and appeals process,
- e) By ensuring that customers, prospective customers, and those representing customers are aware that they can complain directly to other bodies such as Scottish Public Services Ombudsman, the Scottish Housing Regulator and the Scottish Commission for the Regulation of Care, and also that they can complain to these bodies if they remain dissatisfied with the outcome of VHA's internal procedure.

4.0 Relationship with other Policies

Viewpoint has in place a Customer Comments & Suggestion scheme which acts as a passive system for receiving information on customers' views. This feeds into our service review process and sits alongside data collected as a result of this Complaints Policy. The Quality Monitoring Policy is a positive tool which aims to provide good feedback from customers which informs the continuous improvement of services.

Viewpoint has a policy on the protection of vulnerable adults (*Elder Abuse Policy*) and incidents of suspected or alleged abuse can be reported to Viewpoint under this policy. VHA also has a 'Whistleblowing' Policy, which covers instances where an individual brings to our attention an issue, which generally goes beyond the day-to-day service delivery issues that this Complaints Policy covers. The 'Whistleblowing' Policy covers other more serious complaints, such as:

- Abuse of vulnerable adults
- Abuse or misuse of power
- Corruption
- Fraud
- Non-compliance with Health & Safety regulations
- Theft or misappropriation of money or the organisations property
- Action taken contrary to VHA's Code of Governance for Board Members

5.0 Who can use the complaints policy?

Anyone who receives or requests a service from Viewpoint can use the complaints policy. This includes:

- Tenants in our housing complexes, residents in our care homes (whether individually or as a group)
- Owners living in private owned housing which we manage
- People applying for a housing or care home service
- People acting on behalf of the above e.g relatives, solicitors, advice agency, councillor
- Members of the public who are affected by Viewpoint's services e.g neighbouring housing complexes

6.0 What can they complain about?

They can complain about any aspect of the service about which they are unhappy. Complaints are likely to be about the:

- service or accommodation provided by the Association, or lack of it
- way in which the service is delivered
- attitude or approach of staff

7.0 What areas are not covered by this policy?

As detailed above this policy does not cover complaints from tenants or residents about their neighbours or other VHA tenants/residents which are dealt with under a separate Anti-Social Behaviour policy. However, if the complaint is about the way in which the dispute has been handled, then it would be appropriate to use the Complaints policy.

This policy does not cover complaints from staff, which are dealt with under VHA's Grievance Procedure or Whistleblowing Policy.

We will not normally deal with anonymous complaints, other than in a very general way, given the difficulty of carrying out a full investigation. We will, however, keep such complaints on file as they could provide early warnings of a service delivery failure.

If the complaint is about the content of a policy rather than how it has been carried out, such as our Allocations Policy, this will not be dealt with under this Complaints Policy. However, we will encourage comments and feedback on policies via our Tenants Forum, tenant consultation processes, Care Home resident and relatives groups and the Comment & Suggestions scheme. Comments received on the policy will be taken into account during policy review periods.

8.0 Advocacy services

Staff will advise complainants that they will be helped and supported to use an independent and confidential advocacy service should they require it. We will hear complaints from independent representatives as if the complainant was expressing these complaints himself or herself. Viewpoint recognises that a complainant's advocate may be a family member or friend.

9.0 Accessing and publicising the complaints process

Viewpoint's 'Making a Complaint' information pack will be made available at all offices, staffed housing complexes and care homes and on our website. This information will also be provided to new tenants via the Tenants' Handbook and the Care Homes Welcome pack.

Where requested and appropriate, staff will assist the complainant to define, quantify and submit their complaint. The complaint stages are sequential and complaints must be dealt with fully under each stage before the complaint will progress to the next stage. No member of staff may investigate a complaint that relates to themselves.

10.0 Complaint stages

Our complaints procedure consists of various stages. Generally a complaint will be made at the earliest stage and then proceed, as appropriate, by way of appeal through the remaining stages. The stages are as follows:

Informal stage: Our customers have every right to make a formal complaint if they wish to do so. However, it is often quicker and easier if the issue can be resolved informally and directly with the day-to-day operational staff. This stage may be used to advise a member of staff of a particular problem, allowing them to resolve the matter first hand. The member of staff will clarify with the person whether a formal complaint is being made or whether the person would prefer to resolve the problem informally in the first instance. Where it is not possible to resolve the matter immediately staff will record the complaint, the solution the complainant is seeking and the action to be taken. The complainant will then be advised in writing of the action to be taken or the outcome within 15 working days.

This stage will normally be dealt with by the individual member of staff delivering the service (e.g. Housing Co-ordinator, Housing/Maintenance Officer, Senior Housing Officer/Team Leaders)

Formal Complaint Stage 1 (Senior Housing Officer/Team Leaders/Managers):

This stage formalises the complaint and will involve the line manager responsible for the service delivery. The manager will acknowledge the complaint within 5 working days of receipt and carry out an investigation which may involve a meeting or discussion with the complainant. They will then respond to the complainant in writing within 15 working days, to advise of the outcome and the method of appeal should the customer be unhappy with the response.

(Managers responsible will include: Senior Housing Officer/Team Leaders, Property Services Manager, Housing & Customer Service Manager, Project Manager, Care Home Manager or Head of Care Services/Corporate Services).

Formal Complaint Stage 2 (Chief Executive / Directorate)

This stage involves the Chief Executive or Departmental Director responsible for the service or function.

The Chief Executive or Director will acknowledge the complaint within 5 working days of receipt and respond to the complainant, again within 15 working days, to advise of the outcome and the method of appeal should the customer be unhappy with the response. This stage provides an opportunity for the Departmental Director/Chief Executive to review the action taken to date and the decision(s) reached.

Formal Complaint stage 3 Final Review (Chairman/Board):

This stage is intended to provide an opportunity for complainants to have their complaint heard by Board members where:

- The complainant seeks a final internal appeal of an earlier decision
- The complaint is about misconduct by Directorate level staff

The Chair shall select those Board members who will hear the appeal. The Chief Executive will normally act as advisor to the Board members. If the complaint is against the Chief Executive, the Chair shall personally co-ordinate this stage, taking whatever advice is deemed appropriate. The Chief Executive will acknowledge the complaint within 5 working days of receipt and respond, on behalf of the Board members, within 20 working days, to advise of the outcome and the external agencies which can assist the customer if they remain unhappy with the response.

Delays

You will receive a response within 15 days, however, if we are unable to respond fully we will advise you of the progress, what further investigation is required and when to expect a full response.

11.0 External Bodies

Viewpoint acknowledges the right of the complainant to raise concerns with various bodies, and recognises its duty to publicise these rights. However, Viewpoint would always welcome the opportunity to address any complaints internally prior to the involvement of other bodies.

In the event that a complaint is not resolved under Viewpoint's Complaints Policy, complainants may wish to refer their complaint to the following bodies. Contact details of these organisations will be included in the Association's 'Making a Complaint' information pack:

- **The Scottish Public Services Ombudsman (SPSO)**
- **The Care Commission**
- **The Local Authority**

12.0 Performance Monitoring

The Association's Board will receive anonymised quarterly reports detailing the number and type of complaints received as well as details of outcomes. An annual summary illustrating trends over the year and highlighting any policy or service changes implemented as a result of complaints will also be provided to the Board in our Annual Performance Report.

Viewpoint will monitor complaints internally to make use of the feedback these provide and this will drive improvements in service delivery and customer care standards. Complaints will be recorded and monitored to identify issues and any trends.

13.0 Confidentiality

As far as possible all complaints will be treated in confidence. The name of the person complaining will not be divulged any more than is absolutely necessary within the Association. However, people making complaints must appreciate that if their complaint involves another customer or a member of staff, it may be very difficult to look into this without talking to those being complained about.

14.0 Equal Opportunities

Viewpoint operates an Equality & Diversity Policy and this applies in all aspects of its services. When dealing with complaints, no complainant, or their representative, will be treated less favourably on the grounds of age; race; colour; nationality; ethnic origin; religious belief; disability; gender; sexual orientation; or any personal belief.

This Policy and all related information can be made available in different formats on request. Formats include large print, audiotape and community languages.

15.0 Policy Review

The Complaints Policy will be reviewed on a three yearly cycle. As part of the review process, consultation will take place with customers, staff and other relevant stakeholders.