

# Complaints Policy

Last Approved: September 2003  
Earlier Revisions: March 2003, November 2000

Approved 14 November 2006  
Housing & Community Services Committee

**BIELD HOUSING ASSOCIATION LIMITED**

Registered Office: 79 Hopetoun Street, Edinburgh EH7 4QF

Scottish Charities No SC006878

## **COMPLAINTS POLICY**

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## 01. Introduction

Bield Housing Association aims to provide a high quality service. We recognise, however, that there may be occasions when we get things wrong or service users are unhappy about some aspect of our service. The aim of our Complaints Policy is to give clear details of what steps can be taken to try to get things put right where there is a problem and to allow us to keep an eye on the quality of service we provide so that we can work to improve it.

## 02. Definition of a Complaint

The Association defines a complaint as:

***“an expression of dissatisfaction, however made, about the standard or quality of service, action or lack of action, by Bield or its staff affecting an individual or a group of individuals in receipt of a service provided by the Association”.***

It is important to differentiate between a service user notifying Bield of a routine repair request or other service matter. In such instances, these should be dealt with through established reporting procedures. A complaint, under the terms of this policy, will occur where there has been a failure in routine service delivery and the service user has then expressed their dissatisfaction with the earlier service or action taken.

## 03. Key Principles

Bield's Complaints Policy is based upon 4 key principles:

- ***It will be responsive***

We will offer those who complain a clear response to their complaint. Responses will be provided within clearly defined timescales and in a sensitive and sympathetic manner.

- ***It will seek to improve service delivery***

It will give us a second chance to achieve tenant and customer satisfaction, prevent recurrence and thus help shape future improvements in service delivery.

- ***It will be easy to access and be well publicised***

Bield will accept complaints from tenants, or customers, or from those appointed to represent the complainant; either in person, by telephone, by letter or via the internet. Bield's Complaints Policy will be made available on tape, in large print, or other formats, and, where required, in community languages. Assistance will be provided to service users with particular needs who wish to make a complaint; this may include the use of interpretation services where English is not the complainant's first language.

- ***It will be well managed***

Our complaints handling will aim to be objective and to resolve problems as soon as possible in a manner which respects confidentiality and privacy.

## 04. Using/...

## 04. Using the Complaints Policy

Bield's Complaints Policy may be used by those service users who:

- live in our Supported Housing
- live in our Registered Care Housing
- live in and/or own Private Retirement Housing which we manage
- make use of any of our community services such as:
  - Bield Response24
  - Home Care / Flexi-Care / Day-Care
- have applied to Bield for housing or services

As far as possible, all complaints will be treated in confidence. The only exception to this will be where there is a statutory requirement placed on Bield to notify specific agencies with regard to certain types of complaints.

The name of the person(s) making a complaint will not be divulged any more than is absolutely necessary within Bield. It should, however, be recognised that if a complaint involves another service user, or member of staff, it may be very difficult for us to look into the matter without talking to that service user or staff member. Where we believe it is necessary to share or release information to others outwith Bield, e.g. external agencies, we will first seek permission before doing so. Nevertheless, if asked to maintain confidentiality, we will try to respect the complainant's wishes; this may, however, impact on our ability to reach a satisfactory conclusion to the complaint.

Where complaints are made in relation to our general management, and in which other tenants or service users may reasonably have an interest, the process may involve our meeting with groups of tenants or service users to help us reach a satisfactory resolution.

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

## 05. The Complaints Procedure

Our complaints procedure consists of various stages. Normally a complaint will be lodged at the earliest stage and then proceed, as appropriate, by way of appeal through the remaining stages. Where a complaint is made and the person receiving the complaint has no authority to deal with it, he/she shall refer the complaint to the appropriate stage and advise the complainant accordingly. The stages are as follows:

- **Informal - Individual member of staff delivering the service or the Local Manager responsible for the service**  
(Individual staff / Scheme Manager / Care House Manager / Project Manager / Housing or Property Officer)

Often complaints can be resolved quickly and easily if raised at an early stage and directly with the operational staff responsible for the day to day service. 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 acknowledge the complaint and respond to it within 5 working days, indicating what is to be done to resolve the complaint and when.

- **Stage/...**

- **Stage One (Formal) - Manager responsible for an area or function**  
(Assistant Director / Service Manager / Manager of Private Retirement Housing / Bield Response24 Manager/ other Managers as appropriate)

This stage formalises the complaint and involves the external line manager responsible for service delivery. The manager 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.

- **Stage Two (Review) - Departmental Director responsible for the service or function**
  - Director of Housing Services
  - Director of Care Services
  - Director of Property Services
  - Other Directors or the Secretary of the Association as appropriate  
(the nature of the complaint will determine which of the Directors will respond)

This stage involves the Departmental Director responsible for the service or function. The Director will acknowledge the complaint within 5 working days of receipt and respond to the complainant, again within 15 working days, to advise the outcome. This stage provides an opportunity for the Departmental Director to review the action taken to date and the decision reached. It also provides an opportunity for first time complaints of a serious nature to be heard at Directorate level. These could be incidents of maladministration, impropriety or serious allegations about staff members.

- **Stage Three (Final Review) - Board Members**

This is the final internal Stage and is aimed at providing 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 a policy or resource issue normally handled by the Board
- The complaint is about misconduct by Directorate level staff

The Chair or Vice-Chair shall select those Board members who are to 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 or Vice-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.

## 06. Independent Advice

Bield will always try to resolve complaints informally. However, should a complainant feel it is important that they get independent advice before proceeding with a formal complaint, the following local agencies may be able to offer assistance:

- Welfare Right Services
- Citizens Advice Bureau
- Law Centre
- Solicitor

## 07./...

## 07. External Review

In the event that a complaint is not resolved under Bield's Complaints Policy, complainants may refer their complaint to one of the following bodies:

### **The Scottish Public Services Ombudsman**

The Scottish Public Services Ombudsman provides a free and impartial service. A leaflet about the service is available to all tenants and service users from Bield, or directly from the Ombudsman.

The service is available to anyone who receives a service or has applied for housing from a Housing Association. The Ombudsman will not deal with complaints about the level of rents or service charges, complaints against neighbours, or about the Association's policies. The Ombudsman does not deal with complaints about the contents of a policy but is concerned with how the policy is carried out. The complaint must usually have gone through the Association's own internal complaints procedure before the Ombudsman can deal with it. Normally a complaint must be submitted to the Ombudsman within 12 months after the day on which the aggrieved person was first aware of the grounds for his/her complaint. The time limit can sometimes be extended, but only if there are special reasons. The contact office for the Ombudsman service is as detailed below:

Scottish Public Services Ombudsman  
4 Melville Street  
Edinburgh EH3 7NS  
Telephone: 0870 011 5378  
Text: 0790 049 4372  
Fax: 0800 377 7331  
Email: [ask@spsso.org.uk](mailto:ask@spsso.org.uk)  
Website: [www.spsso.org.uk](http://www.spsso.org.uk)

### **The Care Commission**

If you live in a Registered Care Home, receive day/home care or respite services or housing support from Bield, you can complain directly to The Care Commission. This is an independent body which regulates care services throughout Scotland. A leaflet about the Care Commission Complaints Procedure is available from Bield directly or from The Commission.

The Care Commission complaints procedure allows you either to pursue the complaint with the local service provider (Bield) or contact The Care Commission who will investigate the complaint on your behalf. This can be done at any stage without using Bield's complaints procedure first, though we would stress our desire to have the opportunity to resolve any problems before they are taken to The Commission. Local contact details for The Care Commission are available from any Bield office or directly from the scheme or project that provides the service. The main contact office for The Care Commission is as detailed below:

The Care Commission  
Compass House  
11 Riverside Drive  
Dundee DD1 4NY  
Telephone 0845 6030890.  
Website: [www.carecommission.com](http://www.carecommission.com)

### **The Local Council**

In many instances, Bield provides a range of services, under contract, on behalf of Departments within the local Council, e.g. the Social Work Department or Supporting People Team. Where this is the case, service users will have a right to complain to them at any stage without using Bield's complaints procedure/...

procedure first. Again we would stress our desire to have the opportunity to resolve any problems before they are taken to a Council. However, should a service user wish to complain to their local Council, relevant contact details are available from any Bield office or directly from the scheme or project that provides the service.

### **INNIS– Private Retirement Housing Advice Service**

Those who live in a private retirement development managed by Bield, may refer complaints to INNIS. This agency may act on their behalf towards seeking a resolution of any dispute or complaint. Copies of the INNIS brochure can be obtained from any Bield office or directly from:

INNIS  
Age Concern Scotland  
Causewayside House  
160 Causewayside  
Edinburgh EH9 1PR  
Telephone 0845 833 0250  
Website: [www.ageconcernscotland.org.uk](http://www.ageconcernscotland.org.uk)

## **08. Recording & Monitoring Complaints**

All complaints, both informal and formal, will be recorded, collated and reported to all operational Committees and to the Board of Management, on an annual basis. In addition, key results will be reported annually through Bield's website and newsletter.

Complaints will be collated under the following service functions:

- supported housing
- registered care housing (including respite)
- private retirement housing
- Bield Response24 service
- day-care
- home-care
- property services
- general

Complaints will be monitored and reported under the following categories:

- access to services
- quality of service (including delay, level of quality etc)
- unfairness, discrimination or bias
- procedural failure
- attitude or approach of staff
- policy issues
- response times, outcomes, action or improvement
- periodic random sampling to assess satisfaction levels
- other

## **09. Suggestions & Comments**

Complaints tell us something about our service performance; however, we also welcome suggestions and comments on how we can improve our service. We understand that there may be some resistance to lodging a formal complaint and, therefore, encourage tenants and service users to write to/...

to us with their suggestions and comments for improving our service. To assist in this, we will make suggestion slips available within every scheme and project. These can be completed and returned to Bield for consideration and action as appropriate. Suggestion slips will also be available from Bield's website: [www.bield.co.uk](http://www.bield.co.uk) and we will regularly highlight their availability via Bield's newsletter.

## **10. Redress**

If Bield is at fault, where possible, redress should be offered, including an explanation of what went wrong, what steps will be taken to prevent a recurrence and what redress is proposed. These details will be outlined as part of our response to individual complaints.

## **11. Publicity**

The Complaints Procedure will be published and distributed as follows:

- copies of the full policy will be available from Bield offices and on our website
- copies of a Complaints Brochure (and form) will be available within every Bield scheme / project / office
- reference to the policy will be contained within:
  - ❑ the tenants' handbook (for all accommodation types)
  - ❑ applicant information when applying for housing or other services
  - ❑ the owners' information pack within private retirement housing
  - ❑ operational policies / leaflets for Bield Response24 and all day and home care projects
  - ❑ the tenants' newsletter, including a summary report annually on the number and nature of complaints received during the previous year

## **12. Complaints Form**

Should a complainant wish to make their complaint in writing, a form to assist this process is appended and is also available from all Bield's offices, schemes or projects, or can be downloaded from our website: [www.bield.co.uk](http://www.bield.co.uk)

## **13. Complaints Flow-Chart**

Appended is a visual representation of the process by which Bield will handle complaints through each stage of the process.

## **14. Future Policy Reviews**

Subject to changes to Statutory Guidance, this policy will be reviewed on a 3 yearly cycle.

## 13 COMPLAINTS POLICY & PROCEDURE : FLOW-CHART

