

Complaint Policy

**Large font and easy to read
version**

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Introduction

Our vision

A Scotland where people of all ages are respected can make their own choices and lead independent and fulfilling lives.

Our mission:

To improve the quality of life of older people by offering a diverse range of housing, care, and other services.

There are times that we will get things wrong, and customers are not happy with the service we provide. We must make it easy for customers to tell us when things go wrong so that we can put it right.

As an organisation committed to providing high-quality customer services, we see customer complaints as a valuable source of customer information that can help us improve our services.

We want our customers to have confidence that we listen, learn and take prompt action to put matters right when they go wrong.

This policy embodies our values, which are:

Honesty
Dignity
Kindness

Equality and Diversity
Integrity

Ambition
Caring

Policy Outcomes

The purpose of this policy is to:

- Let everyone know the approach we will take to complaints
- Let everyone know the importance and value we put on responding to complaints quickly, helpfully, thoroughly, fairly, and impartially
- Meet the targets set out by the Scottish Housing Regulator and Scottish Public Services Ombudsman.

We will work to these standards, which are set out by the Scottish Public Services Ombudsman:

- a) We aim to resolve the majority of Stage 1 complaints within five working days
- b) We aim to resolve the majority of Stage 2 complaints within 20 working days.
- c) We have a clear escalation process for complaints not resolved within this timescale
- d) We will acknowledge all complaints and the complainant will be kept up-to-date with progress and given details of who is dealing with the complaint
- e) We use the complaint as an opportunity to improve our service standards
- f) We will provide contact details of the Scottish Public Service Ombudsman (SPSO) or First-Tier Tribunal for Scotland for homeowners, or the Care Inspectorate if the complainant remains dissatisfied.

Experiencing a problem or making a complaint can be associated with past and present overwhelming stress, which is also recognised as trauma.

We encourage people that work for Bield to be mindful of the sensitivities and vulnerabilities of people who may be trauma survivors, which means being respectful, acknowledging, and understanding.

Equality, Diversity, and Inclusion

When carrying out this policy we will adhere to our Equality and Diversity Policy which aims to promote diversity, fairness, social justice, and equality of opportunity. An Equality Impact Assessment was carried out concerning this policy and this is included in the main policy document.

Some complaints can be associated with protected characteristics, for instance, sex, gender alignment, ethnicity, age, sexuality, religion and belief, pregnancy and maternity, and marriage and civil partnership.

Colleagues are encouraged to be aware of these issues and ensure that complaints that can be linked with protected characteristics are recorded as such within the complaint handling system, and handled in a way that is most appropriate to the complainant's needs.

In addition to the points made above, to help promote equality and inclusion, the following steps will be taken for this policy:

- Large print and easy to read version
- Translation and interpretation message on the back of the policy
- Browse aloud on the website

Definitions

We define a complaint as

‘An expression of dissatisfaction by one or more members of the public about Bield’s action or lack of action or about the standard of service or quality of work provided by or on behalf of Bield’.

A complaint may relate to a wide range of scenarios, including, but not limited to:

- a. Failure to provide a service
- b. Inadequate standard of service
- c. Dissatisfaction with Bield policy
- d. Disagreement with a decision where the customer cannot use another procedure (for example an appeal) to resolve the matter
- e. Treatment by or attitude of a Bield colleague
- f. Bield’s failure to follow the appropriate administrative process
- g. Delays in responding to enquiries and requests
- h. Unfairness, bias, or prejudice in service delivery
- i. Failure to follow procedures
- j. Lack of provision, or the provision of misleading, unsuitable, or incorrect advice or information
- k. A repair that has not been carried out properly
- l. Unacceptable behaviour by a Bield colleague, a committee member, or a contractor

A complaint is not

- A routine first-time request for service
- A request for compensation only
- Issues that are in court or have already been heard by a court or a tribunal
- An appeal against a decision where there is an established appeal route; these should be heard through the appropriate process

- An attempt to re-open a previously concluded complaint or to have a complaint reconsidered when a final decision has already been made.

Complaint Procedure

We encourage people that work for Bield to take a pragmatic customer-focused approach to resolve complaints and expect that each complaint is investigated fully, the customer kept informed of the process and every complaint is seen as a real opportunity to practice our vision, 'a Scotland where people of all ages are respected, can make their own choices and lead independent and fulfilling lives'.

The procedure to follow is set out in the Bield Complaint Handling Procedure, which is based on the Scottish Public Services Ombudsman Model Complaint Handling Procedure published on 31 January 2020.

We will maintain robust, accountable, and auditable processes to record, manage and report on complaints received and action taken. This helps us to learn from complaints as well as comply with requirements set out by the Scottish Housing Regulator and Scottish Public Services Ombudsman.

Power of apology

When handling complaints, we will use the 'power of apology' to guide our approach and follow-up actions. This is an approach to customer care that recognises that a genuine apology when something goes wrong can help to repair the damage that a mistake or problem can cause.

The power of apology is relevant not only when a complaint is upheld, but also when responding to complainants. This approach reminds us that whether or not the problem has

been caused by us, the customer has been sufficiently upset to go to the effort of making a complaint to us.

The key to the power of apology is the five 'Rs':

- Recognise – show that you understand what the problem is
- Regret – show that you understand the impact it has had on them
- Responsibility – show that we understand where something has gone wrong
- Reasons – show that we have looked into the issue and understand what has gone wrong
- Remedy – show that we can take steps to put things right – this might be an unreserved apology, or it could be more if appropriate.

Complaints to External Bodies

We support the right of the complainant to escalate complaints with the Scottish Public Services Ombudsman (SPSO) for social housing tenants or First Tier Tribunal Housing and Property Chamber (FTT) for homeowners, who provide administrative justice and scrutiny, after the conclusion of the association's complaints process.

Complaints may also be raised with the appropriate local authority, as a service funder, and/or the Care Inspectorate, and the Scottish Housing Regulator who provide regulation of care and support providers and social housing in Scotland at any time.

We recognise our duty to publicise the rights of service users to contact external bodies regarding their complaints. However, we would welcome the opportunity to address any complaints internally and put things right before the involvement of any other bodies.

Publicising and Accessibility

Our policy, along with the Customer Complaint Leaflet will be available at all of our offices, staffed developments, and on the Bield website. We will also publish a summary of the complaints process, (including large print) so that customers are aware of the actions we will take and the timescales within which we will respond.

We will ensure customers can easily access our complaints process by:

- Funding advocacy support for vulnerable customers
- Taking complaints verbally, by email, and through the use of online forms on our web sites
- Demonstrating we listen by producing examples of learning from complaints that will be reviewed by our customer groups, staff, and Boards'
- Refunding reasonable travel and child care costs of a customer attending a review meeting
- Holding review meetings at times and locations convenient to our customers

Where requested, we can assist the complainant to define, quantify and submit their complaint.

Anyone making a complaint should be advised they can be helped and supported to use an independent and confidential advocacy service.

We will hear complaints from independent representatives as if these were being expressed by the complainant themselves. We also recognise that a complainant's advocate maybe a family member or friend.

We are happy to translate any of our policies and provide an interpreter if our customers need help.

Confidentiality

At all times we will maintain the confidentiality of complainants and the content of their complaints as far as possible, although if the complaint is about a Bield colleague, they will be fully briefed about the complaint made about them.

Only those that are designated to do so, by the procedure accompanying this document, will investigate complaints.

Persistent & Vexatious Complainants

Complainants identified as persistent and vexatious will be dealt with under the Unacceptable Actions Policy.

Complainants demonstrating unreasonable behaviour, as outlined in the policy, can be referred to Unacceptable Action Policy at any point during the process at the discretion of senior management only.

Once a complainant has been referred to the Unacceptable Actions Policy all of their complaints will be dealt with under that policy and procedure.

Referral to this procedure does not represent a diminished service from us.

Training and Competence

Training on the Bield Complaint Policy and Procedure is mandatory for all Bield colleagues and will be carried out via our online training platform.

In addition to training specifically on the Bield Complaint Policy and Procedure, further training on complaint handling and customer care is available on our online training platform. This can be accessed by colleagues where there is an identified training and development need.

Scheme of Delegation

As the governing body with responsibility for overseeing our work, our Board provides leadership and strategic guidance. It also ensures compliance with our policies and procedures. Concerning complaints, its role is threefold:

- *to approve the adoption of the Complaint Policy and Complaint Handling Procedure*
- *to ensure that staff keep to this Policy and Procedure and associated internal processes*
- *to ensure that information and learning from complaints are used to improve our understanding of, and steer our policies and practices.*

Particularly important is the Board's role in developing and fostering a culture that values complaints. The Board must ensure that the recording and reporting of complaints are thorough and effective so that reports to the committee reflect a true picture of all complaints.

The Chief Executive provides leadership and direction in ways that guide and enable us to perform effectively across all services.

This includes ensuring that there are an effective Complaint Policy and Complaint Handling Process with a robust investigation process that demonstrates how we learn from the complaints we receive.

The Chief Executive may take a personal interest in all or some complaints or may delegate responsibility for the Complaint Handling Process to senior staff. Regular management reports assure the chief executive of the quality of complaints performance.

The **Leadership Team** is responsible for monitoring complaints ensuring compliance with the Complaints Monitoring Procedure.

All **colleagues** should be aware of

- Complaint Policy and Complaint Handling Procedure
- How to handle and record complaints at stage 1
- Whom they can refer a complaint to, in case they are not able to handle the matter
- The need to try to resolve complaints early and as close to the point of service as possible; and
- Their clear authority to attempt to resolve any complaints they may be called upon to deal with.

Monitoring, Reporting, and Review

Complaints will be recorded and monitored using the complaint system; this is used for operational monitoring of complaints, but also as the data source for the Annual Return on the Charter Indicators 3 and 4. It is crucial therefore that all complaints are recorded and cases closed as appropriate.

As well as capturing information about individual complaints, this data will be used to undertake a monthly review of complaints to identify lessons learned

Other monitoring is outlined in the Complaint Monitoring Procedure, including the Quality Assurance Framework, which will be used to help support colleagues to improve complaint-related performance.

The Audit and Risk Committee will receive as a minimum, an anonymised bi-annual report detailing the number and type of complaints received as well as a summary of lessons learned.

The Complaints Policy will be reviewed on a five-yearly basis.

The purpose of the review is to assess the policy's effectiveness in meeting targets and objectives and identify any changes which may be required. As part of this policy review, a consultation will take place with both staff and customers to ensure that operational issues and the opinions of service users are taken into account.

Elements that will form part of the review will include:

Scale of complaints

Number of Stage 1 complaints received each year

Number of Stage 2 complaints received each year

Percentage of Stage 1 complaints resolved within working five days
Percentage of Stage 2 complaints within 20 working days
Percentage satisfied with Stage 1 complaint
Percentage satisfied with Stage 2 complaint
The proportion of Stage 1 complaints upheld
The proportion of Stage 2 complaints upheld

Compliance

Number of Quality Assurance Audits completed

Complying with the Law and Good Practice

As a Registered Social Landlord (RSL), we are regulated by the Scottish Housing Regulator (SHR). The SHR's statutory objective is to safeguard and promote the interests of current and future tenants, homeless people, and other people who use services provided by social landlords. In developing our policy, we have taken account of good practice, including that developed by the Scottish Housing Regulator.

The SHR uses the outcomes and standards in the Charter to assess the performance of social landlords. The key outcomes that have been considered in the development of this policy are

Outcome 1 Customers have their individual needs recognised, are treated fairly and with respect, and receive fair access to housing and housing services.

Outcome 2 Customers find it easy to communicate with us and get the information they need about us, how and why we make decisions about the services we provide

The ARC indicators relating to this policy area are:

Indicator 3. The percentage of complaints responded to in full at Stage 1 and the percentage of all complaints responded to in full at Stage 2

Indicator 4. The average time in working days for a full response at Stage 1 and the average time in working days for a full response at Stage 2

As a provider of care, we are regulated by the Care Inspectorate. The Care Inspectorate uses Health and Social Care Standards to assess the performance of care providers. The key standards that have been considered in the development of this policy are:

Standard 3 I have confidence in the people who support and care for me

Standard 4 I have confidence in the organisation providing my care and support

GDPR

We will treat all personal data in line with our obligations under the current data protection regulations and our Privacy Policy. Information regarding how all data will be used and the basis for processing your data is provided in our Customer Fair Processing Notice.

Risk Management

Several risk management activities have been identified to ensure this policy is adhered to and that Bield customers experience the best possible complaints process

- Bield colleagues, Board members, and volunteers are made aware of this policy on publication and during induction of new colleagues.
- Customers and carers are made aware of this policy during service entry.
- Colleagues with complaints regarding management functions are provided with ongoing support and professional development.
- Bield colleagues with grievance management functions are provided with ongoing support and professional development relating to complaints.