



COM/22	ADOPTED: 28.8.93	REVIEWED: 26.3.97; 29.3.00, 27.2.02; 26.5.04; 22.2.06; 28.2.07
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## COMPLAINTS POLICY AND PROCEDURE

### 1. POLICY STATEMENT

- 1.1. Prospect Community Housing's policy is to ensure that appropriate procedures exist so that any tenant, applicant or member of the public, who is unhappy about the standards of service provided or the conduct of any staff or Committee Member, may make a complaint and have this investigated.
- 1.2. The Procedures which follow describe how Prospect will deal with and respond to any verbal or written complaints received, the appeals process, and any sources of independent advice available to complainants.
- 1.3. This policy is based on the guidance in the chapter of Raising Standards on Customer Complaints and on current Communities Scotland performance standards.
- 1.4. This policy does not cover neighbour complaints or whistleblowing. These issues are dealt with under separate policies.

### 2. INFORMAL COMPLAINTS

- 2.1. Informal complaints are matters which an individual wishes to bring to the attention of an appropriate staff member, where the individual is not seeking e.g. a formal apology, reversal of a decision or possible compensation, but where they are mainly seeking an assurance that the matter will be looked into and, if necessary, dealt with appropriately.
- 2.2. An informal complaint is a means of obtaining customer feedback and will often be made verbally. The staff member who receives it will ensure that they have obtained all the necessary information and will clarify that the complaint is not a formal one. The staff member will either investigate the complaint, or pass the details to an appropriate colleague for investigation.
- 2.3. A written complaint will be passed to the appropriate staff member who will normally contact the sender to confirm that they have all the necessary details, and clarify whether the complaint is formal or informal.

- 2.4.** Informal complaints will be “logged” to allow us to gain valuable feedback and help us improve the service we offer. These complaints might include contractor complaints, compensation claims or anti-social behaviour complaints. Informal complaints will not be subject to specific timescales for responses.

If agreed at the time of speaking to the complainant, the staff member will advise them either verbally or in writing when the matter has been investigated and, if appropriate, give details of any action taken or proposed.

- 2.5.** At any appropriate time in dealing with an informal complaint, or if the complainant states they are not satisfied with the results of the investigation, they will be offered the opportunity to make a formal complaint.

### **3. FORMAL COMPLAINTS**

- 3.1.** When an individual states that they wish to make a formal complaint, they will be provided with a copy of the information leaflet entitled “Your Right to Complain” (Appendix I).

The leaflet will advise that the complaint should be addressed to the Director (or if the complaint is about the Director, to the Chairperson) and be made within 28 days of the event giving rise to the complaint.

- 3.2.** Written complaints addressed to any other staff member, as soon as it has been established that they are formal complaints, will be passed to the Director.

- 3.3.** The Director will either investigate the complaint personally or delegate the investigation to a Manager.

The Chairperson will nominate a Manager to assist in investigating a formal complaint against the Director.

- 3.4.** The investigating officer will normally contact the complainant to go over the details of the complaint and clarify any necessary points. The final version of a formal complaint will always be written. If the complainant requires assistance, the investigating officer will write out the complaint details and ensure that the complainant understands and agrees with the written version. The complainant will sign and date any statement written out on their behalf.

- 3.5.** A formal written complaint will be allocated a reference number (the next consecutive number comprising year/number e.g. 97/01) and will be acknowledged within 2 working days of receipt.

- 3.6.** Following investigation of the complaint, the Director (or Chairperson) will send a written response to the complainant within 20 working days of receipt. The response will detail the results of the investigation, whether the complaint was wholly, partly or not upheld, and where appropriate, any action taken or proposed.

The complainant will also be advised how to submit an appeal, if they are dissatisfied with the response.

If the complaint is an exceptionally serious or complicated one which requires more than 20 working days to investigate, an interim reply will be sent within 20 days to report on progress and give an estimate of when the final reply will be sent.

### **4. INDEPENDENT ADVICE**

- 4.1. A complainant may wish to obtain independent advice from an appropriate agency and/or a Solicitor regarding their complaint.
- 4.2. Prospect will make available on request details of independent advice agencies, and will consider the comments made by any agency and/or a Solicitor on behalf of a complainant.

## **5. APPEALS**

- 5.1. If the complainant is not satisfied with the response, they may appeal to the Management Committee within 28 days of receiving the response letter, stating why they are not satisfied and requesting reconsideration of their complaint.
- 5.2. The appeal will be in writing, addressed to the Director, and will be acknowledged in writing within 2 working days. If the complainant requires assistance in writing their appeal this will be provided as described in para. 3.4. If it will take longer than 20 working days to hear or respond to the appeal, e.g. because of the date of the next Management Committee meeting, details of the timescale will be given in the acknowledgement letter.
- 5.3. The investigating officer will prepare written reports on the original complaint and the investigation undertaken, for the Management Committee. The complainant may ask or be asked to attend the Committee meeting to put their complaint in person and answer any questions. The complainant has the right to be accompanied or represented at the meeting. Should Management Committee agree to the attendance of a complainant, the following will leave the meeting, as appropriate, while the complainant is in attendance:
  - all staff in attendance, except for the investigating officer;
  - any individual Committee Member who is the subject of the complaint;
  - the Chairperson, if the complaint is about the Chairperson or the appeal is about the Chairperson's response to an initial complaint.

If the Chairperson has to withdraw, the Vice-chairperson will chair the meeting for that item. If the Vice-chairperson is absent, the Secretary or Treasurer will take the chair.

- 5.4. After the complainant has stated their case and answered any questions, they will leave. The Committee may then choose to question the Committee Member, Director or staff member(s) involved before discussing their response to the appeal. Anyone invited back in will leave again before Committee discuss and agree their response.
- 5.5. The Director (or Chairperson, as appropriate) will advise the complainant in writing of the Committee's decision within 5 working days of the date of the meeting, unless there is a need for further investigation, in which case an interim reply will be sent within 5 working days.

**6. OMBUDSMAN**

If an individual has exhausted Prospect's own Complaints Procedures and is still not satisfied with the outcome, they may be able to have their complaint investigated by the Scottish Public Services Ombudsman. Where appropriate, details of how to contact the Ombudsman will be provided with the final written response from Prospect.

**7. MONITORING AND REVIEW**

- 7.1. The Depute Director will submit 6 monthly reports to the Management Committee on formal complaints received.
- 7.2. Each report will contain brief details of the complaint, the outcome of the investigation, the time taken to respond, and whether or not the complainant was satisfied, if known (see Appendix 2).
- 7.3. The Director will arrange for this Policy to be reviewed every 3 years by the Management Committee at their May meeting.

Review approved by the Management Committee on 28 February 2007

Signed.....Date.....  
(Chairperson)

Insert "Your Right to Complain" Leaflet

COMPLAINTS - SUMMARY REPORT FOR THE PERIOD

No.	Date		Details	Action Taken	Outcome	Reply Date	No of Days	Satisfied? (Yes/No)
	Rec'd	Ack'd						