

**CLYDE VALLEY HOUSING ASSOCIATION**  
**Compliments, Comments and Complaints Policy & Procedure**  
**Policy Number G04**

• Policy prepared by	Nareen Owens Corporate Services Manager
• Reviewed by Board of Management	January 2009
• Last Approved by Board of Management	April 2010
• Date of Next Review	April 2013
<b>COMPATIBLE WITH:</b>	
• Legislation	Yes
• Equalities Policy	Yes
• Business Plan	N/A
• Performance Standards	Yes
• Tenant Participation Strategy	Yes
• Risk Strategy	Yes
• Statement on Openness and Confidentiality	Yes

On request, the Association will provide translations of all our documents, policies and procedures in various languages and other formats such as computer disc, tape, large print, Braille etc, and these can be obtained by contacting the Association's offices.

## 1. Introduction

- 1.1 Clyde Valley Housing Association is committed to providing the best services and making sure our service users are satisfied. We want to improve the quality of our services and our service users' experience of them.
- 1.2 We welcome our residents' and service users' views. Compliments, comments and complaints are important to us in providing insight into what we are doing well and where we need to focus improvements. We record this feedback, regularly monitoring what our service users tell us, and using the information within our planning processes to help us shape services that meet their needs.
- 1.3 We have introduced a sensitive, fair, consistent and effective policy and procedure to ensure all feedback received is handled in an efficient manner.
- 1.4 This document sets out how we manage and respond to compliments, comments and complaints.
- 1.5 We are committed to providing high quality services to all. To help us tackle discrimination and promote equalities, we will ask complainants to include in our form their gender, ethnic origin and any disability. We will carry out periodic equality monitoring exercises to assess whether there are any equalities issues behind the issues raised by complainants.

## 2. Compliance with Performance Standards

- 2.1 The Association has sought to ensure compliance with regulatory and best practice guidelines. This includes:
  - Performance Standard GS3.3 - Complaints and Appeals
  - Raising Standards in Housing – Chapter 8 Customer Complaints
  - Scottish Public Services Ombudsman Publications
  - Data Protection Act 1998 and Human Rights Act 1998

## 3. Corporate Fit

- 3.1 The degree of compatibility of the Association's Complaints Policy, with other corporate policies, plans and strategies is as follows:-
  - **Relevant Legislation** – the Policy seeks to comply with the Scottish Public Services Ombudsman Act 2002.
  - **Equalities Policy** – in line with the ethos of equality of opportunity for all, the Policy ensures that the Association fully recognises customers' and other stakeholders' rights to provide feedback.
  - **Business Plan** – this policy principles bear directly on our ability to conduct our affairs openly and honestly, and in doing so will add value to our subsequent ability to deliver on our Business Plan aspirations.

- **Tenant Participation Strategy** - promotion of the availability of the Policy will increase awareness about our commitment to deal with complaints effectively and efficiently.
- **Risk Strategy** – increasing awareness of Policy will minimise risks arising from stakeholder complaints and feedback and help to reduce risk associated with tenant satisfaction, through continual monitoring and effective action.
- **Other Relevant Policies:**
  - (i) **Dignity at Work Policy** – this Policy outlines the standards expected from staff, Board, contractors, and any person who has access to the Associations premises to ensure that the workplace is free from bullying, harassment and intimidation.
  - (ii) **Openness and Confidentiality Statement** – the statement makes provision for the publication of CVHA’s performance in relation to complaints and access to information concerning Ombudsman’s investigation reports.
  - (iii) **Customer Care and Service Standards Policy** – this policy details the Associations standards and targets in relation to customer care.

#### 4. COMPLIMENTS

##### 4.1 Definition of a compliment

4.2 A compliment is defined as a service user statement of positive recognition or praise for a service or individual.

Example:

"I am writing to thank you for the excellent service provided to me following my repair request last week".

4.3 When the Association receives a compliment the details will be logged in the Customer Contact system and the staff concerned advised of the details of the compliment by their line manager.

4.4 A letter of acknowledgement should also be sent to the person making the compliment. This will be done in accordance with our performance standards for responding to general correspondence.

#### 5. COMMENTS

##### 5.1 Definition of a comment

5.2 A comment can be described as a personal opinion or belief, feedback or remark expressed by a customer.

Example:

"Regarding the office opening hours, I think they should consider opening at weekends".

- 5.3 Comments will be recorded in the Customer Relationship Management system and reviewed as part of continuous improvement processes. A letter of acknowledgement should be sent to the person making the comment.
- 5.4 This will be done in accordance with our performance standards for responding to general correspondence.
- 5.5 All comments and suggestions received will be recorded in the Customer Contact system.

## **6. COMPLAINTS**

### **6.1 Definition of a Complaint**

6.2 Clyde Valley defines a complaint as an expression of dissatisfaction, however made, about the standard and quality of service, action or lack of action by the Association or its staff affecting an individual customer or group of customers. Complaints can also be made about a service as the result of a policy decision.

6.3 Whilst there is not a prescriptive definition of a complaint, the following are examples of what may be a complaint:

- Avoidable delay, poor quality, incompleteness or absence of services provided;
- Unfairness, bias or prejudice in the way in which the services are delivered;
- Faulty, or a failure to follow correct, procedures;
- The attitude or approach of staff members: giving advice that is misleading or unsuitable; refusing to answer a reasonable question; being impolite and not apologising for mistakes;
- Not offering a suitable remedy when one is necessary;
- Dealing with a complaint about a contractor or agent acting on the Association's behalf;
- Complaints about the contents of policies – in such circumstances an explanation should be given.

6.4 Occasionally, complaints may be considered continuous, vexatious or malicious. Each separate issue will be treated on its own merits and the Association will ensure that any new aspects are investigated. Similarly, complaints made anonymously will also be investigated, albeit not knowing the identity of the person making the complaints may constrain the investigation.

### **6.5 Who can complain?**

6.6 Anyone dissatisfied with our services, our actions or lack of actions or someone acting on their behalf, and with their consent, can use the complaints procedure. At both stage one and two, we will accept complaints in person, by telephone, or in writing (by letter, fax or e-mail). Any staff member may accept complaints and anonymous complaints/comments may be acted upon at our discretion especially where it affects the welfare of vulnerable people.

- 6.7 We encourage our staff to seek to resolve issues at the first stage. We will make sure that we provide contact information for people needing support and we will also give assistance to people who have difficulty with written or spoken English or whose first language is not English and to disabled people who require assistance.
- 6.8 What type of complaints does the policy deal with?
- 6.9 The policy deals with complaints about our service delivery, the way our staff deliver the services, the policies we develop, or the decisions that we take.
- 6.9 Making a complaint
- 6.10 We aim to make sure that we will deal with complaints as quickly as possible and in a fair, consistent, sensitive and confidential manner.
- 6.11 Service users can complain in the following ways:-
- completing a Complaints Form
  - in person
  - by letter
  - by email
  - by telephone
  - by fax
- 6.12 We want to resolve complaints as early as possible and the majority of complaints received will be resolved quickly and at the point of service delivery. At this point Departments will be responsible for investigating their own complaints and where appropriate, recording the details in the Customer Contact system.

## **7. The Association's Procedure: Stages 1 and 2**

- 7.1 Wherever possible, the Association encourages its residents and their representatives to solve complaints informally. Sometimes this will not be possible, and a more formal process will be invoked. Clyde Valley has decided to divide all complaints into 2 distinct stages. These are described below.

### **Stage 1 – Initial Complaints**

- 7.2 This part of the procedure deals with day-to-day housing management issues and also issues affecting other services such as factoring, development, finance etc. It is intended to avoid passing complainants on to others, unless they want to see a particular person. The first stage has the following objectives:
- To promote informal and direct contact with the complainant.
  - To offer an on-the-spot resolution.
  - To keep the ownership of the complaint where solutions are most likely to be found.
  - To provide advice on the next stage of the procedure.

- 7.3 To help achieve this, the member of staff who normally deals with the complainant, should be approached where possible. This will allow the problems to be brought directly to the person's attention and will provide an opportunity for redress. If this stage cannot be used because the complainant feels uncomfortable about raising it with the member of staff directly involved or if an informal solution cannot be found, the complainant should move on to Stage 2.
- 7.4 All complaints should be recorded in the Customer Contact system. Details provided should include the complainant's name, address, details of the complaint, the redress the complainant wishes and the action taken. Timescales should also be noted.
- 7.5 The target timescales for this stage is that it will be acknowledged the same working day and a full response within a maximum of 10 working days.

### **Stage 2 – Formal Complaint**

- 7.6 The objectives of this stage are to:
- Offer a review of the earlier decision or a full re-examination of the matter.
  - Manage cases where the complainant wants to complain to the Departmental Manager or where necessary the Board or Chief Executive (as the senior member of staff).
  - Handle matters that must be investigated by a senior officer, such as maladministration, impropriety or allegations about members of staff.
- 7.7 All Stage 2 complaints will be investigated by the functional Director and where necessary the Board or Chief Executive (or most senior member of staff available) who should review all previous action on the complaint and decide the best way forward. This will usually result in both parties being interviewed. Whatever the method adopted, the complainant should be kept informed of progress at all times and the Association's final decision should be made available in writing, together with supporting reasons.
- 7.8 The target timescales for this stage is that it will be acknowledged the same working day and a full response within a maximum of 10 working days.
- 7.9 This is the final stage in the Association's procedure. If the complainant is still not satisfied with the outcome of their complaint, the complainant or their representative has the right of independent appeal through:

Scottish Public Services Ombudsman  
4 Melville Street, Edinburgh  
EH3 7NS  
Tel No: 0800 377 7330  
E-Mail: ask@spsso.org.uk

## **8. Immediate Stage 2 Complaints**

- 8.1 The majority of complaints received will be taken through each stage systematically until a satisfactory solution is found. Exceptionally, however, a complaint may be so serious that it requires to be dealt with under Stage 2 immediately. Examples of these include:
- Where the complainant has been discriminated against by a member of staff – i.e. there has been a breach of the equalities policy.
  - Where the complainant has been verbally abused by a member of staff and the complainant is sufficiently upset to request that Stages 1 and 2 be by-passed.
  - Where the complaint relates to a lack of respect for personal dignity.

Please note that the above list is not exhaustive.

- 8.2 Where there has been behaviour of a violent nature by staff, the Association will encourage the customer to contact the Police as opposed to using the complaints procedure.

## **9. Unacceptable Actions by Complainants**

- 9.1 People may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading up to a complaint coming to our office. We do not view behaviour as unacceptable just because a claimant is forceful or determined. In fact, we accept that being persistent can be a positive advantage when pursuing a complaint. However, the actions of complainants who are angry, demanding or persistent may result in unreasonable demands on our office or unacceptable behaviour towards Clyde Valley staff. It is these actions that we consider unacceptable and aim to manage under this Policy. We have grouped these actions under three broad headings:

### 9.2 Aggressive or Abusive Behaviour

- 9.3 Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether oral or written) that may cause staff to feel afraid, threatened or abused.

- 9.4 Examples of behaviours grouped under this heading include threats, physical violence, personal verbal abuse, derogatory remarks and rudeness. We also consider that inflammatory statements and unsubstantiated allegations can be abusive behaviour.

- 9.5 We expect our staff to be treated courteously and with respect. Violence or abuse towards staff is unacceptable. CVHA staff understand the difference between aggression and anger. The anger felt by many complainants involves the subject matter of their complaint. However, it is not acceptable when anger escalates into aggression directed towards CVHA staff.

### 9.6 Unreasonable Demands

- 9.7 Complainants may make what we consider unreasonable demands on our office through the amount of information they seek, the nature and scale of service they expect or the number of approaches they make. What amounts to unreasonable demands will always

depend on the circumstances surrounding the behaviour and the seriousness of the issues raised by the complainant.

- 9.8 Examples of actions grouped under this heading include demanding responses within an unreasonable time-scale, insisting on seeing or speaking to a particular member of staff, continual phone calls or letters, repeatedly changing the substance of the complaint or raising unrelated concerns.
- 9.9 We consider these demands as unacceptable and unreasonable if they start to impact substantially on the work of the office, such as taking up an excessive amount of staff time to the disadvantage of other complainants or functions.
- 9.10 Unreasonable Persistence
- 9.11 We recognise that some complainants will not or cannot accept that the CVHA is unable to assist them further or provide a level of service other than that provided already. Complainants may persist in disagreeing with the action or decision taken in relation to their complaint or contact the office persistently about the same issue.
- 9.12 Examples of actions grouped under this heading include persistent refusal to accept a decision made in relation to a complaint, persistent refusal to accept explanations relating to what this office can or cannot do and continuing to pursue a complaint without presenting any new information. The way in which these complainants approach our office may be entirely reasonable, but it is their persistent behaviour in continuing to do so that is not.
- 9.13 We consider the actions of persistent complainants to be unacceptable when they take up what CVHA regards as being a disproportionate amount of time and resources.
- 9.14 Managing Unacceptable Actions
- 9.15 There are relatively few complainants whose actions we consider unacceptable. How we aim to manage these actions depends on their nature and extent. If it adversely affects our ability to do our work and provide a service to others, we may need to restrict complainant contact with our office in order to manage the unacceptable action. We aim to do this in a way wherever possible, that allows a complaint to progress to completion through our complaints process. We may restrict contact in person, by telephone, fax, letter or electronically or by any combination of these. We try to maintain at least one form of contact. In extreme situations, we tell the complainant in writing that their name is on a 'no personal contact' list. This means that they must restrict contact with our office to either written communication or through a third party.
- 9.16 The threat or use of physical violence, verbal abuse or harassment towards CVHA staff is likely to result in the ending of all direct contact with the complainant. Incidents may be reported to the police. This will always be the case if physical violence is used or threatened.
- 9.17 We do not deal with correspondence (letter, fax or electronic) that is abusive to staff or contains allegations that lack substantive evidence. When this happens we tell the complainant that we consider their language offensive, unnecessary and unhelpful. We ask them to stop using such language and state that we will not respond to their

correspondence if they do not stop. We may require future contact to be through a third party.

- 9.18 CVHA staff will end telephone calls if the caller is considered aggressive, abusive or offensive. The staff member taking the call has the right to make this decision, tell the caller that the behaviour is unacceptable and end the call if the behaviour does not stop.
- 9.19 Where a complainant repeatedly phones, visits the office, sends irrelevant documents or raises the same issues, we may decide to:
- *only take telephone calls from the complainant*
  - *at set times on set days or put an arrangement in place for only one member of staff to deal*
  - *with calls or correspondence from the complainant in the future.*
  - *require the complainant to make an appointment to see a named member of staff before visiting the office or that the complainant*
  - *contacts the office in writing only.*
  - *return the documents to the complainant or,*
  - *in extreme cases, advise the complainant that further irrelevant documents will be destroyed.*
  - *take other action that we consider appropriate.*
  - *We will, however, always tell the complainant what action we are taking and why.*
- 9.20 Where a complainant continues to correspond on a wide range of issues, and this action is considered excessive, then the complainant is told that only a certain number of issues will be considered in a given period and asked to limit or focus their requests accordingly.
- 9.21 Complainant action may be considered unreasonably persistent if all internal review mechanisms have been exhausted and the complainant continues to dispute the CVHA decision relating to their complaint. The complainant is told that no future phone calls will be accepted or interviews granted concerning this complaint. Any future contact by the complainant on this issue must be in writing. Future correspondence is read and filed, but only acknowledged or responded to if the complainant provides significant new information relating to the complaint.

## **10. Timescales**

- 10.1 Services should, where appropriate, respond to complaints in advance of the maximum response time stated above, and which are outlined in detail in the Customer Care and Service Standards Policy.
- 10.2 In the event that investigations require a longer period of time, the responding officer must contact the complainant outlining the reason for the delay and detailing the expected final response date. All information must be recorded in the Customer Contact system.

## **11. Compliments, Comments and Complaints Recording**

- 11.1 The system used to record service user feedback is the Customer Contact Management software incorporated as part of our Documotive system. This is a newly integrated module.
- 11.2 In the first instance it records information to track complaints and their progress. It records comments and compliments and can produce management information to monitor service performance, highlight areas of service failure, gaps in provision and feed into the processes for identifying areas for service improvement. All complaints, comments and compliments, no matter how they are received will be recorded by a central complaints co-ordinator (Chief Executive's Department), who will log, circulate, monitor and report on these. This will allow a central function to manage this area, and ensure all timescales are being met and the process is being managed in accordance with the procedure.
- 11.3 Information will be reported to the Corporate Management Team, service committees, the Board and used in performance publications.

## **12. Staff Training and Development**

- 12.1 The policy and procedure will be published to all our staff. Training on the policy and procedure will be built into our induction programme.
- 12.2 Managers will have a responsibility to inform, support and monitor staff to ensure that the policy and procedure is properly implemented and to ensure that all staff are aware of the main stages of the complaints procedure and the person responsible for co-ordinating complaints within their services.
- 12.3 Staff Responsibilities
- 12.4 Frontline staff and managers are best placed to resolve complaints and it is important for us to support and train these staff to handle and resolve complaints in an efficient manner.
- 12.5 Within each service there will be a nominated officer to co-ordinate with complaints. This officer will be responsible for commenting on the progress of complaints, resolving issues on the progress of complaints and being the contact for information requirements.

We expect all staff to:

- strive to resolve complaints as early as possible and if this is not possible, refer the matter to a senior officer to try and resolve;
- understand the complaints policy and procedures and the different stages involved;
- give good advice to people who want to complain about the policy and the procedure;
- make sure that the timescales are met and procedures are followed;
- make sure that all details relating to the complaints are logged on Customer Contact system;

- make sure that the quality and content of the responses to complaints are appropriate, acceptable and use plain English;

We expect Managers dealing with complaints to:

- make sure that the stage 1 process is completed within the timescales and that all information is added to the Customer Contact Management system;
- oversee the handling of complaints by their staff;
- make sure that the quality and content of the responses to complaints are appropriate, acceptable and use plain English;
- give advice to staff on the complaints policy and procedure and make sure they receive training if required;
- make sure complaint information is kept in accordance with monitoring requirements.

We expect the Directorate Team to:

- oversee the handling of complaints by their staff;
- review and investigate stage two appeals;
- make sure that the stage two process is completed within the timescales and that all information is added to the complaints system;
- make sure that the quality and content of responses to complaints;
- are appropriate, acceptable and use plain English;
- when required, report details of the performance of complaint management to the relevant Sub Committee and/or Directorate Team;
- Identify further improvements to the Customer Contact Management system and reporting facilities.

### **13. Informing and Involving Stakeholders**

- 13.1 This Policy is endorsed by the Board of Management, and will be communicated to all of those who require to be made aware of its contents.
- 13.2 All employees are informed at Section Meetings of the policy's contents and where it can be accessed internally.
- 13.3 The Policy Name and Number is included in a full list of policies that is published on our web site and in our newsletters for all stakeholders. Stakeholders are advised that a copy of the policy can be made available on request (in different languages and formats) and that comments are welcome.
- 13.4 We will produce a Compliments, Comments and Complaints leaflet to publicise this Policy. All publicity materials for the Policy will be presented in plain English and available, on request, in minority languages, audiotape and braille.

### **14. Review**

- 14.1 This policy will be reviewed, by the Board every three years, or earlier in line with legal, regulatory or best practice requirements.

**Clyde Valley Housing Association Ltd**

**A Step-By-Step Guide To Making A Complaint**

**Stage 1**

**INITIAL COMPLAINT**

Contact the Officer you usually deal with to resolve the problem informally.

You will receive an immediate acknowledgement and a full response within a maximum of 10 working days.

**Stage 2**

**FORMAL COMPLAINT**

If the problem has not been resolved informally, contact the Association to lodge a formal complaint, which will be investigated by the Chief Executive or other appropriate senior member of staff.

You will receive an immediate acknowledgement and a full response within a maximum of 10 working days.

*If Still Dissatisfied;*

**SCOTTISH PUBLIC SERVICES OMBUDSMAN**

If you are still dissatisfied with the decision you may contact the Ombudsman. This body is both independent and impartial.

**Clyde Valley Housing Association Ltd**

**COMPLAINT FORM**

Your Name	
Your Address	
Daytime Contact Number	
E-Mail Address	

What is your complaint? (Please describe the problem as fully as possible and give details of why it arose and who was involved).

*Please continue on a separate page, if necessary.*

Why are you dissatisfied with the response?			
What do you think Clyde Valley Housing should do to put things right?			
Signed		Date	

*Please return form to:*

The Chief Executive  
 Clyde Valley Housing Association Ltd  
 50 Scott Street  
 Motherwell  
 ML1 1PN

(T) 01698 268855  
 (F) 01698 266271  
 (E) [complaints@cvha.org.uk](mailto:complaints@cvha.org.uk)