



53 Ballindalloch Drive, Glasgow G31 3DQ

COMPLAINTS HANDLING

POLICY

PH/August.2019/Ref:P9

(1) INTRODUCTION

Milnbank Housing Association's (MHA) Complaints Handling Policy (the Policy) reflects the commitment to valuing genuine complaints, to resolve customer dissatisfaction as close as possible to the point of service delivery and to conduct thorough, impartial and fair investigations of customer complaints so that, where appropriate, we can make evidence-based decisions on the facts of the case.

The procedure has been developed by the Scottish Public Services Ombudsman (SPSO), with significant input from housing complaints handling professionals. A standard approach to handling complaints across the housing sector, which complies with the SPSO's guidance on a model complaints handling procedure, has been produced. This procedure aims to help MHA 'get it right first time' to enable a quicker, simpler and more streamlined complaints handling with local, early resolution by capable, well-trained staff.

Throughout the Policy reference is made to 'customer'. This is in recognition that, as well as tenants and owners, the Complaints Handling Policy also extends to any member of the public who has access to or is affected by any of MHA services.

Genuine complaints give us valuable information that we can use to improve customer satisfaction. The MHA Complaints Handling Procedure will enable us to address customer's dissatisfaction and may also prevent the same problems that led to the complaint from happening again. For staff, complaints provide a first-hand account of service users views and experiences, and can highlight problems that we may otherwise miss. Handled well, genuine complaints can give our customers a form of redress when things go wrong, and can also help us continuously improve services.

MHA recognise that by resolving complaints early saves money and creates better customer relations. By sorting them out as close to the point of service delivery as possible means they can be dealt with quickly, so they are less likely to escalate to the next stage of the procedure. Complaints that we do not resolve swiftly can greatly add to our workload.

The Policy aims to help us do our job better, improve relationships with our service users and enhance public perception of MHA. It will help us keep the customer at the heart of the process, while enabling us to look to improve our services by learning from complaints received.

(A summary of the Complaints Handling Policy is available from MHA's office and our website)

(2) WHAT IS A COMPLAINT?

Milnbank Housing Association's definition of a complaint is:

'An expression of dissatisfaction by one or more members of the public about MHA's action or lack of action, or about the standard of service provided by or on behalf of the Association'

A complaint may relate to:

- Failure to provide a service
- Inadequate standard of service
- Dissatisfaction with MHA policy
- Treatment by or attitude of a member of staff
- MHA's failure to follow the appropriate administrative process
- Delays in responding to enquiries and requests
- Disagreement with a decision where the customer cannot use another procedure (e.g.an appeal) to resolve the matter

This list does not cover everything. For example, complaints may also be about:

- Unfairness, bias or prejudice in service delivery
- Failure to follow procedures
- A repair that has not been carried out properly
- Unacceptable behaviour by a member of staff, a committee member or a contractor
- Lack of provision, or the provision of misleading, unsuitable or incorrect advice or information

Note 1 Appendix 1 provides a range of examples of complaints we may receive, and how these may be handled

A complaint is **not**:

- A routine first-time request for a service
- A request for compensation only
- Issues that are in court or have already been heard by a court or a tribunal
- Reporting an anti-social issue (Refer to MHA's Dealing with Anti-Social Complaints Policy)
- An appeal against a decision where there is an established appeal route; these should be heard through the appropriate appeal process
- An attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision.

You should not treat these issues as complaints, and should instead direct customers to use the appropriate procedures.

Note 2 Appendix 2 gives more examples of 'what is not a complaint' and how to direct customers appropriately. This includes an example of when an anti-social behaviour complaint may and may not be considered a complaint.

(3) HANDLING ANONYMOUS COMPLAINTS

MHA treats all genuine complaints, including anonymous complaints, seriously and will take action to consider them further, wherever this is appropriate. Generally, we will consider anonymous complaints if there is enough information in the complaint to enable us to make further enquiries. If, however, an anonymous complaint does not provide enough information to enable us to take further action, we may decide not to pursue it. Any decision not to pursue an anonymous complaint must be authorised by the Directorate. If an anonymous complaint makes serious allegations, it will be referred to the Directorate immediately. If we pursue an anonymous complaint further, we will record the issues as an anonymous complaint on the complaints system. This will help to ensure the completeness of the complaints data recorded and allow us to take corrective action where appropriate.

(4) WHAT IF THE CUSTOMER DOESN'T WANT TO COMPLAIN?

If a customer expresses dissatisfaction in line with our definition of a complaint but does not want to complain, we will consider all expressions of dissatisfaction, as customer complaints offer MHA the opportunity to improve services where things have gone wrong. MHA will ensure that the customer is updated on the action taken and receives a response to their complaint.

In the circumstances where the customer insists they do not wish to complain, this will be recorded as an anonymous complaint. The customer's details will not record on the complaints database, and they will receive no further contact about the matter. The completeness of the complaints data recorded and will still allow us to fully consider the matter and take corrective action where appropriate.

(5) WHO CAN MAKE A COMPLAINT?

Anyone who receives, requests or is affected by MHA services can make a complaint. Sometimes a customer may be unable or reluctant to make a complaint on their own. MHA accepts complaints brought by third parties as long as the customer has given their personal consent. These complaints are treated in the same way as any other, regardless of who has brought the complaint.

(6) COMPLAINTS INVOLVING MORE THAN ONE SERVICE OR ORGANISATION

- a) If a complaint relates to the actions of two or more of our services, the customer who takes the lead in dealing with the complaint will get the one response covering all issues raised.
- b) If a customer complains about the service of another agency or public service provider, but MHA has no involvement in the issue, the customer will be advised to contact that organisation directly.
- c) If the complaint relates to one of MHA services and includes one or more of our contractors, we would normally deal with the complaint, however, depending on circumstances we may agree with the contractor that will take the lead. Where this happens we will work together to investigate all the matters simultaneously, in line with the Policy, and explain that they will receive only one response covering all

issues raised.

d) If a complaint relates to our service and the service of another agency or public service provider (E.g. a local authority or a government department, and we have a direct interest in the complaint the customer must handle the complaint about our service through the Policy). If MHA need to make enquiries to an outside agency in relation to the complaint, MHA takes account of GDPR and our guidance on handling our customers' personal information. The Information Commissioner has detailed guidance on data sharing and has issued a data sharing code of practice. (E.g. rent arrears complaint that is partly caused by problems with a claim for Housing Benefit to the DWP or a complaint to MHA about anti-social behaviour that relates to our service and a local authority service).

e) Care complaints

Anyone receiving care services from MHA has the right to either complain directly to the Care Inspectorate or to us. Customers may also receive care or support from other agencies under a contract with MHA. They may complaint about these services either to us (just like complaints about any of our other services) or directly to the Care Inspectorate. The Care Inspectorate's contact details are: Care Inspectorate, Compass House, 11 Riverside Drive, Dundee, DD1 4NY. Further details can be found on their website at www.careinspectorate.com or enquiries@careinspectorate.com or telephone 0345-600-9527.

(7) SIGNIFICANT PERFORMANCE FAILURES

The Scottish Housing Regulator (SHR) has a duty to consider issues raised with them about 'significant performance failures' (something that a landlord does, or fails to do, that puts the interests of its tenants at risk, and which the landlord has not resolved. This is something that is a systemic problem that does, or could, affect all of a landlord's tenants). A significant performance failure happens when:

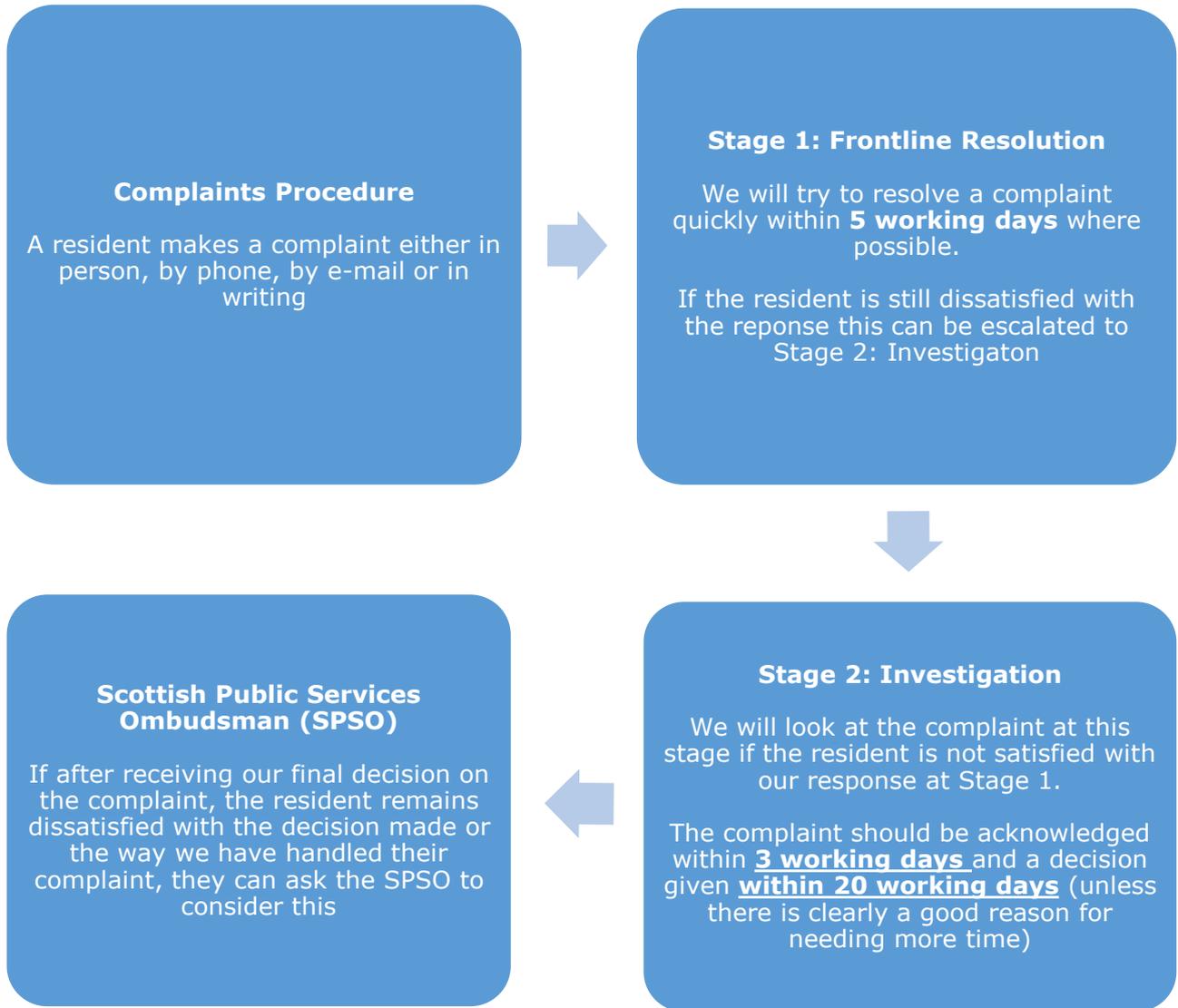
- A landlord is not delivering the outcomes and standards in the Scottish Social Housing Charter over a period of time; or
- A landlord is not achieving the regulatory standards on governance or financial management.

(8) THE COMPLAINTS HANDLING PROCESS

The Policy aims to provide a quick, simple and streamlined process for resolving complaints early by capable, well-trained staff. The process provides two opportunities to resolve complaints internally:

- 1. FRONTLINE RESOLUTION**, and
- 2. INVESTIGATION**

Below is a quick guide to our complaints procedure:



STAGE ONE: FRONTLINE RESOLUTION

Complaints – for issues that are straightforward, easily resolved and require little or no investigation

Conducted by- any trained member of staff

Resolution – ‘On-the-spot’ apology, explanation or other action to resolve the complaint quickly

Target Resolution – 5 working days or less

In essence, the aim is to close down a frontline complaint as quickly as possible. Examples of Stage One complaints include: MHA failed to attend to a repair as agreed or a rent payment direct debit set up wrongly. MHA use the information for future service delivery reviews.

A customer can make a complaint:

- In writing,
- In person,
- By telephone,
- By email to admin@milnbank.org.uk
- Online to www.milnbank.org.uk
- By having someone complain on their behalf.

Extension to the timeline

Our aim is to resolve front line complaints within five working days. However, in exceptional circumstances, where there are clear and justifiable reasons for doing so, MHA may agree an extension of no more than five working days with the customer. This will only happen when an extension will make it more likely that the complaint will be resolved at the frontline resolution stage. (E.g. this may be appropriate to include staff or contractors being temporarily unavailable). If, however, the issues are so complex that they cannot be resolved in five days, it may be more appropriate to escalate the complaint straight to the investigation stage. MHA will advise the customer about the reasons for the delay, and when they can expect a response. All extension requests will be authorised by the Data Protection Officer.

If the customer does not agree to an extension but it is unavoidable and reasonable, the Data Protection Officer should decide on the extension, advise the customer about the delay and explain the reason for the decision to grant the extension. All attempts to resolve the complaint at this stage must take no longer than ten working days from the date MHA receive the complaint.

Closing the complaint at frontline resolution stage

MHA's response to the complaint will address all areas that we are responsible for and explain the reasons for our decision. A full and accurate record of the decision reached will be given to the customer. The complaint will then be recorded in the Complaints Register.

STAGE TWO: INVESTIGATION

Complaints – issues that have not been resolved at frontline stage or that are serious or 'high risk'

Conducted by- senior level, Manager or Directorate

Resolution – aims to establish all the facts relevant to the points made in the complaint and to give the customer a full, objective and proportionate response that represents our final position

Target Resolution – 20 working days

Not all complaints are suitable for frontline resolution and not all complaints will be satisfactorily resolved at that stage. A complaint will be escalated to the investigation stage when:

- Frontline resolution was tried but the customer remains dissatisfied and requests an investigation into the complaint
- The customer refuses to take part in the frontline resolution process
- The issues raised are complex and will require detailed investigation
- The complaint relates to serious, high risk or high profile issues.

Particular care will be taken to identify complaints that might be considered serious, high risk or high profile, as these may require particular action or raise critical issues that need the Directorate's direct input.

The SPSO defines potential high risk or high profile complaints as those that may:

- Involve a death or terminal illness
- Involve serious service failure, (e.g. major delays in providing, or repeated failures to provide, a service)
- Generate significant and ongoing press interest
- Pose a serious risk to MHA operations
- Present issues of a highly sensitive nature, (E.g. immediate homelessness, a particularly vulnerable person or child protection).

What action will MHA take when a complaint for investigation is received?

MHA will make it clear from the start of the investigation stage exactly what we are investigating, and to ensure that the customer understands the investigation's scope.

Establish why the customer is dissatisfied and whether the outcome they are looking for sounds realistic. In discussing the complaint with the customer, MHA will consider:

1. What specifically is the customer's complaint or complaints?
2. What does the customer want to achieve by complaining?
3. Are the customer's expectations realistic and achievable?

In the event that the customer expects more than MHA can provide, they will be advised of this as soon as possible. Where possible, MHA will also clarify what additional information is needed to investigate the complaint. The customer may need to provide more evidence to help MHA reach a decision.

Details of the complaint will be recorded on the system for recording complaints. Where appropriate, this will be done as a continuation of the frontline resolution action. The details will be updated when the investigation ends.

Extension to the timeline

Not all investigations will be able to meet this deadline. (E.g. some complaints are so complex that they require careful consideration and detailed investigation beyond the 20 day limit). However, these would be the exception and MHA will always try to deliver a final response to a complaint within 20 working days.

If there are clear and justifiable reasons for extending the timescale, the Directorate or Data Protection Officer will set time limits on any extended investigation, as long as the customer agrees. MHA will keep the customer updated on the reason for the delay and give them a revised completion timescale. If the customer does not agree to an extension but it is unavoidable and reasonable, then the Directorate should consider and confirm the extension. The reasons for an extension might include the following:

- Essential accounts or statements, crucial to establishing the circumstances of the case, are needed from staff, customers or others but they are not available because of long-term sickness or leave
- MHA cannot obtain further essential information within normal timescales
- The customer has agreed to mediation as a potential route for resolution.
- Operations are disrupted by unforeseen or unavoidable operational circumstances, (e.g. industrial action or severe weather).

Mediation

Some complex complaints, or complaints where customers and other interested parties have become entrenched in their position, may require a different approach. Where appropriate, MHA may consider using services such as mediation or conciliation using suitably trained and qualified mentors to try to resolve the matter, and to reduce the risk of the complaint escalating further.

Mediation may help both parties to understand what has caused the complaint, and so is more likely to result in mutually satisfactory solutions. If MHA and the customer agree to mediation, revised timescales will be agreed.

Closing the complaint at the investigation stage

All complaints that reach Stage 2 Level will be investigated by staff operating at a senior level, a manager or the Directorate. To demonstrate good governance, all stage 2 complaints will be scrutinised and ultimately signed off by a member of the Management Committee. Both parties will agree the final decision and MHA will let the customer know the outcome, in writing, or by their preferred method of contact. MHA response to the complaint must address all areas that we are responsible for and explain the reasons for our decision. The decision, and details of how it was communicated to the customer, will be logged on the Complaints Register. MHA will also make clear to the customer their right to ask the SPSO to consider the complaint, the time limit for doing so, and how to contact the SPSO.

Independent external review

Once the investigation stage has been completed, the customer has the right to approach the SPSO if they remain dissatisfied. The SPSO considers complaints from people who remain dissatisfied at the conclusion of MHA complaints procedure. The SPSO looks at issues such as service failure and maladministration (administrative fault), as well as the way we have handled the complaint. The SPSO is the final stage for complaints about public services in Scotland. This includes complaints about Scottish Housing Associations. If still dissatisfied with a housing association after its complaints process, the SPSO can be asked to look at the complaint. The SPSO cannot normally look at complaints where the person has not gone all the way through the HA's complaints handling procedure more than 12 months after becoming aware of the matter, or that have been or are being considered in court. The SPSO's contact details are:

Scottish Public Services Ombudsman
Bridgeside House
99 McDonald Road
Edinburgh
EH7 4NS
Freephone: 0800 377 7330
Online contact www.spsso.org.uk/contact-us
Website: www.spsso.org.uk
Mobile site: <http://m.spsso.org.uk>

Factoring complaints

The SPSO does not normally look at complaints about MHA factoring services. The First-Tier Tribunal for Scotland (Housing and Property Chamber) will try to resolve complaints and disputes between home owners and property factors. If the complaint is about a factoring service, and the person is still dissatisfied after MHA investigation stage, the First-Tier Tribunal for Scotland (Housing and Property Chamber), 4th Floor, 1 Atlantic Quay, 45 Robertson Street, Glasgow, G2 8JB. Tel: 0141 302 5900, Email: HPCAdmin@scotcourtribunals.gov.uk can be contacted.

(9) GOVERNANCE OF THE COMPLAINTS HANDLING PROCEDURE

a) Roles and responsibilities

Overall responsibility and accountability for the management of complaints lies with the Directorate who report directly to the Management Committee. MHA's final position on stage 2 investigations is signed off by the Directorate (plus a Committee Member) to confirm that this is MHA final response. This ensures that our senior managers own and are accountable for the decision. It also reassures the customer that their concerns have been taken seriously.

b) Management committee

As the governing body with responsibility for overseeing MHA's work, the Management Committee provides leadership and strategic guidance. It also has overall control of our affairs and ensures compliance with MHA policies and procedures. In relation to complaints, the Management Committee is charged with approving the adoption of the Policy, ensuring that staff keep to this policy and associated internal processes (through involvement with the Directorate) and ensuring that information and learning from complaints are used to improve our understanding of, and to steer, our policies and practices.

The Management Committee develops and fosters a culture that values genuine complaints. It ensures the recording and reporting of complaints is thorough and effective, so that reports to committee reflect a true picture of all complaints and accompanying statistics.

The Management Committee also support all staff in resolving complaints quickly and effectively, to reduce the potential for a complaint to escalate, encourage frontline staff to be 'active listeners' and to understand and act on the information they receive, set out how complaints data will be reported and used to promote continual improvement and ensure that tenants and other customers are kept informed about how we have used feedback to improve services.

c) The Directorate

The Directorate, as the most senior managers in MHA, provides leadership and direction in ways that guide and enable MHA to perform effectively across all services. This includes ensuring that there is an effective Complaints Handling Policy with a robust investigation process that demonstrates how we learn from the complaints we receive. The Directorate will take a direct role in all or some complaints. Regular reports will assure the Directorate of the quality of complaints performance. The reports will subsequently be presented to the Management Committee.

d) All MHA staff

A complaint may be made to any relevant member of staff. All staff are aware of the Policy, how to handle and record complaints at the frontline stage. They are also aware of whom to refer a complaint to, in case they are unable to personally handle the matter. MHA encourage all staff to try to resolve complaints early, as close to the point of service delivery as possible, and quickly to prevent escalation.

e) Complaints about senior staff or committee members

Complaints about the Directorate or committee members can be difficult to handle, as there may be a conflict of interest for the staff investigating the complaint.

When serious complaints are raised against the Directorate or committee members, it is particularly important that the investigation is conducted by an individual who is independent of the situation. The SHR specifies that a serious complaint against senior staff or the governing body of an RSL is a 'notifiable event', and as such the SHR must be informed immediately. It has also drawn up 'regulatory expectations' for the handling of serious complaints against the Directorate which specifies that MHA must seek independent professional advice to support the Association in handling, and in some cases investigating, the complaint.

The SHR's expectations also specify that strong governance arrangements must be in place that set out clear procedures for handling such complaints, including the governing body's role and MHA processes specify the measures in place to ensure this is achieved, and the types of complaints that are considered 'serious'.

Minor complaints against the Directorate and the Management Committee will be investigated by an independent body. These arrangements take account of the need to ensure that the final decision is fair, objective and impartial. The SHR's Regulatory Expectations on serious complaints against the Directorate or the Management Committee can be found on the SHR website.

(10) RECORDING, REPORTING, LEARNING AND PUBLICISING COMPLAINTS

Complaints provide valuable customer feedback. One of the aims of the Policy is to identify ways to improve services, update procedures across MHA and any staff training opportunities. All complaints are recorded in a systematic way so that the details can be analysed and reported to the Management Committee. MHA regularly publish the outcome of complaints, the actions taken in response and examples to demonstrate how complaints have helped improve services. This demonstrates the improvements resulting from complaints and shows that complaints can influence our services. It also helps ensure transparency in our complaints handling service and demonstrates to our customers that we value genuine complaints.

Where MHA has identified the need for service improvement, we will identify the action needed to improve services, identify a designated owner of the issue who will be responsible for ensuring the action is taken within a set date. Complaints handling is monitored as part of MHA's internal compliance checks.

(11) PUBLICISING COMPLAINTS PERFORMANCE INFORMATION

MHA also report our performance in handling complaints to the SHR, through the ARC. This includes performance statistics showing the volumes and types of complaints and key performance details, for example on the time taken and the stage at which complaints were resolved.

(12) MAINTAINING CONFIDENTIALITY

Confidentiality is important in complaints handling. This includes maintaining the customer's confidentiality and explaining to them the importance of confidentiality generally. MHA is aware of meeting legal requirements like GDPR, as well as internal policies on confidentiality and the use of customers' information.

(13) MANAGING UNACCEPTABLE BEHAVIOUR

People may act out of character in times of trouble or distress. The circumstances leading to a complaint may result in the customer acting in an unacceptable way. Customers who have a history of challenging or inappropriate behaviour, or have difficulty expressing themselves, may still have a legitimate grievance. A customer's reasons for complaining may contribute to the way in which they present their complaint. Regardless of this, MHA will treat all complaints seriously and properly assess them. However, we also recognise that the action of customers who are angry, demanding or persistent may result in unreasonable demands on time and resources or unacceptable behaviour towards our staff. MHA will, therefore, apply our policies and procedures to protect staff from unacceptable behaviour such as unreasonable persistence, threats or offensive behaviour from customers.

(14) SUPPORTING THE CUSTOMER

All members of the community have the right to equal access to our Complaints Handling Policy. Customers who do not have English as a first language may need help with interpretation and translation services, and other customers may have specific needs that we will seek to address to ensure easy access to the Policy. MHA will always take into account our commitment and responsibilities to equality. This includes making reasonable adjustments to our service to help the customer where appropriate. Several support and advocacy groups are available to support customers in pursuing a complaint and customers should be signposted to these as appropriate.

(15) TIME LIMIT FOR MAKING COMPLAINTS

The Policy sets a time limit of six months from when the customer first knew of the problem, within which time they may ask MHA to consider the complaint, unless there are special circumstances for considering complaints beyond this time. We will apply this time limit with discretion. In decision making we will take account of the SPSO Act 2002 (Section 10(1)), which sets out the time limit within which a member of the public can normally ask the SPSO to consider complaints. The limit is one year from when the person first knew of the problem they are complaining about, unless there are special circumstances for considering complaints beyond this time. If it is clear that a decision not to investigate a customer's complaint will lead to a request for

external review of the matter, we may decide that this satisfies the special circumstances criteria. This will enable us to consider the complaint and try to resolve it.

(16) COMPLAINTS HANDLING POLICY REVIEW

The monitoring of Complaints Handling Policy is delegated to the Directorate and findings presented to Management Committee. The policy is reviewed and adopted annually or as otherwise deemed necessary by the Management Committee.

APPENDIX 1

The following gives examples of complaints that may be considered at the Stage 1 frontline stage and suggests possible actions to achieve resolution.

COMPLAINT	POSSIBLE ACTION TO ACHIEVE RESOLUTION
The customer complains that her rent payment direct debit has been set up wrongly	<ul style="list-style-type: none"> • Apologise to the customer and resolve the issue by properly updating the direct debit details. • Record the complaint on the form and pass to the DPO to log on the complaints database
The customer complains that a tradesman did not attend to carry out a repair as had been agreed	<ul style="list-style-type: none"> • Speak to maintenance staff to explain the customer's complaint and agree how to resolve the issue, e.g. by arranging a new time and date to do the repair • Explain the reasons for the failed appointment and apologise to the customer • Record the complaint on the form and pass to the DPO to log on the complaints database.
The customer complains that the quality of a repair carried out by us or our contractor is not satisfactory	<ul style="list-style-type: none"> • Ask maintenance to examine the repair to assess whether or not it is acceptable. • If it is not acceptable, agree that maintenance should arrange more work to resolve the matter • Explain and apologise to the customer • Record the complaint on the form and pass to the DPO to log on the complaints database. • Obtain a report from maintenance to confirm that the repair is now complete • Feedback the lessons learned from the complaint
The customer expresses dissatisfaction in line with the definition of what a complaint is, but says they don't want to complain – just wants to tell us about the matter.	<ul style="list-style-type: none"> • Tell the customer that we value complaints because they help to improve services. • To improve our service and learn from mistakes, we need to record, evaluate and act upon customer feedback like this. Therefore, if the customer still insists they do not want to complain, record the matter as an anonymous complaint. This will avoid breaching the CHP. Reassure the customer that they will not be contacted again about the matter.

APPENDIX 2

The following gives examples of what should not be classed as a complaint.

WHAT IS NOT A COMPLAINT

A concern may not necessarily be a complaint. For example, a customer might make a routine first-time request for a service. This is not a complaint, but the issue may escalate into a complaint if it is not handled effectively and the customer has to keep asking for service.

A customer may also be concerned about the various decisions we make. These decisions may have their own specific review or appeal procedures, and where appropriate, we should direct customers to the relevant procedure. However, if a customer expresses dissatisfaction with the administrative process we have followed to arrive at a decision, we should treat this as a complaint. This distinction is shown in the example below about how an allocations policy applies.

The following paragraphs provide examples of the types of issues or concerns that should not be handled through the Complaint Handling Procedure. This is not a full list, and you should decide the best route for resolution based on the individual case.

Example 1 – Housing Allocation Decisions

Decisions about the allocation of homes follow a specific internal policy, in line with legal requirements. The Association should steer customers who are dissatisfied with an allocation decision towards the associated appeals process.

Customer A complains that they were not given enough priority for housing, given their current housing circumstances and health needs.

Customer A should be steered towards the appeal process for allocation decisions.

However, if the customer is dissatisfied about how the policy was applied or how the process was administered, the complaint can go through the complaints handling procedure.

Customer B complains that a home was allocated to someone else, who they knew were in less need than them, and had not been on the waiting list as long.

The customer's complaint should be recorded. It should be explained that personal details are not disclosed, so cannot discuss the other applicant's details. The customer will also need to be clear that the Association will review the basis for the decision to see if there is any fault.

If it is found that the decision was based on sound evidence of need, the customer should be informed of the outcome. But if there is evidence that there was maladministration (fault) in the process following to reach our decision, suitable action must be taken and Customer B informed.

The complaint should be updated as appropriate and consideration given on whether to report the case to senior management/the management committee.

Customer B can also request a review of their circumstances, or they may appeal their points through the appeals process.

Example 2 – Claims for Compensation

A customer may seek compensation from the Association if they consider us liable. This includes issues such as personal injury or loss of or damage to property. Claims for compensation only are not complaints, so should not be handled through the complaints handling procedure. However, where a customer wants to complain about the matter leading to their request for compensation, for example workmen damaging their home, this matter may be considered as a complaint, but the request for compensation should be dealt with separately. It may be decided to suspend complaint action pending the outcome of the claim for compensation. If this is done, the customer should be notified and it should be explained that the complaint will be fully considered when the compensation claim has been resolved.

If a compensation claim is received, it should be explained to the customer the process for seeking resolution in line with the policy on these claims.

'Time and trouble' payments can still be made for inconvenience suffered by customers, in line with the policy on such matters. This is distinct from compensation claims.

Example 3 – Anti-Social Behaviour Complaints

The Association must respond well to concerns or dissatisfaction about tenant's behaviour from a neighbour or a member of the public (eg. a home owner living nearby). Such concerns will initially be dealt with through the Dealing with Anti-Social Complaints Policy. However, someone may complain about the way an anti-social behaviour complaint has been handled.

Mr A complains that his neighbour has been playing music late at night for the last three nights. This is the first time he has phoned to complain.

This should be handled through the anti-social behaviour policy. The process should be full explained to Mr A and say what he should do if the situation continues.

Ms B complains she has reported her neighbour's barking dog several times over the last year, and nothing has been done about it.

This should be handled as a complaint and passed to the right team to establish what has happened so far and Ms B should be updated. It should be considered whether the policy is has been applied properly, and whether anything else could be done to resolve the situation. The complaint should be recorded on the complaints system.