

*at home with...*



# Complaints Policy

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## Translation:

English:	This document can also be made available on tape, in Braille, large print and translated into other languages. For information please contact Fife Housing Group on 08000 274 007 or email <a href="mailto:info@fifehg.org.uk">info@fifehg.org.uk</a> .
Gaelic	Faodaidh an sgrìobhainn seo a bhith ri fhaotainn cuideachd air teip, ann am Braille, clò mòr agus air eadar-theangachadh gu cànanan eile. Airson fiosrachadh cuir fios gu Buidheann Taigheadais Fife air 08000 274 007 no post-d <a href="mailto:info@fifehg.org.uk">info@fifehg.org.uk</a> .
Polish:	Dokument ten można również udostępnić na taśmie, alfabecie Braille'a, dużym drukiem i przetłumaczony na inne języki. W celu uzyskania informacji prosimy o kontakt z Fife Housing Group pod numerem 08000 274 007 lub e-mailem <a href="mailto:info@fifehg.org.uk">info@fifehg.org.uk</a> .
Chinese (simplified):	这个文件也可以用磁带，盲文，大字印刷，并翻译成其他语言。有关信息，请致电 Fife Housing Group，电话 08000 274 007 或发送电子邮件至 <a href="mailto:info@fifehg.org.uk">info@fifehg.org.uk</a> 。
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Russian:	Этот документ также может быть доступным на пленке, на Брайле, крупным шрифтом и переведен на другие языки. За информацией обращайтесь в Fife Housing Group по телефону 08000 274 007 или по электронной почте <a href="mailto:info@fifehg.org.uk">info@fifehg.org.uk</a> .
Latvian:	Šo dokumentu var arī padarīt pieejamu lentē, Braila rakstā, lielā drukā un pārtulkot citās valodās. Lai iegūtu informāciju, lūdzu, sazinieties ar Fife Housing Group 08000 274 007 vai e-pastu <a href="mailto:info@fifehg.org.uk">info@fifehg.org.uk</a> .
Urdu:	یہ دستاویز بھی ٹیپ پر دستیاب کیا جاسکتا ہے، بریل میں بڑی پرنٹ اور دیگر زبانوں میں ترجمہ سے رابطہ کریں Fife Housing Group کیا جاتا ہے۔ معلومات کے لئے برائے مہربانی <a href="mailto:007_274_08000info@fifehg.org.uk">007 274 08000info@fifehg.org.uk</a> یا ای میل
Punjabi:	ਇਹ ਦਸਤਾਵੇਜ਼ ਟੇਪ ਤੇ, ਬਰੇਲ, ਵੱਡੇ ਅੱਖਰਾਂ ਵਿਚ ਅਤੇ ਹੋਰ ਭਾਸ਼ਾਵਾਂ ਵਿਚ ਅਨੁਵਾਦ ਕੀਤੇ ਜਾ ਸਕਦੇ ਹਨ. ਜਾਣਕਾਰੀ ਲਈ ਕਿਰਪਾ ਕਰਕੇ 08000 274 007 'ਤੇ ਫਾਈਡ ਹਾਉਸਿੰਗ ਗਰੁੱਪ ਨਾਲ ਸੰਪਰਕ ਕਰੋ ਜਾਂ <a href="mailto:info@fifehg.org.uk">info@fifehg.org.uk</a> 'ਤੇ ਈਮੇਲ ਕਰੋ.

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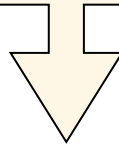
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## Complaints Quick Guide

### Complaints procedure

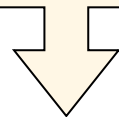
You can make your complaint in person, by phone, by e-mail or in writing.

We have a **two-stage complaints procedure**. We will always try to deal with your complaint quickly. But if it is clear that the matter will need a detailed investigation, we will tell you and keep you updated on our progress.



### Stage 1: Frontline resolution

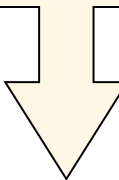
We will always try to resolve your complaint quickly; within **five working days** if we can. If you are dissatisfied with our response, you can ask us to consider your complaint at stage 2.



### Stage 2: Investigation

We will look at your complaint at this stage if you are dissatisfied with our response at stage 1. We also look at some complaints immediately at this stage, if it is clear that they are complex or need detailed investigation.

We will acknowledge your complaint within **three working days**. We will give you our decision as soon as possible. This will be after no more than **20 working days** *unless* there is clearly a good reason for needing more time.



### The Scottish Public Services Ombudsman (SPSO) / First Tier Tribunal

If, after receiving our final decision on your complaint, you remain dissatisfied with our decision or the way we have handled your complaint, you can ask the SPSO to consider it [or for owners where we are the appointed factor this will be the First Tier Tribunal].

We will tell you how to do this when we send you our final decision.

## **1. Introduction**

- 1.1 The Scottish Public Sector Ombudsman (SPSO) produced revised Model Complaints Handling Procedures (MCHPs) in 2019. The MCHPs aim to help us 'get it right first time', offer quicker, simpler and more streamlined complaints handling with early responses provided by capable, well-trained colleagues. Our aim is to be fully compliant with the MCHPs by the target date of April 2021.
- 1.2 Fife Housing Group (FHG) is the trading name for the group structure including Fife Housing Association and PACT Enterprises. FHG is committed to providing high-quality customer services. We value complaints and use information from them to help us improve our services.
- 1.3 If something goes wrong or you are dissatisfied with our services, please tell us. This document describes our complaints procedure and how to make a complaint. It also tells you about our service standards and what you can expect from us.

## **2. What is a complaint?**

- 2.1 We regard a complaint as any expression of dissatisfaction about our action or lack of action, or about the standard of service provided by us or on our behalf.

## **3. What can I complain about?**

- 3.1 You can complain about things like:
  - delays in responding to your enquiries and requests;
  - failure to provide a service;
  - our standard of service;
  - dissatisfaction with our policy;
  - treatment by or attitude of a Fife Housing Group colleague;
  - our failure to follow proper procedure; and
  - our provision of factored services
- 3.2 Your complaint may involve more than one of our services or be about someone working on our behalf.

## **4. What can't I complain about?**

- 4.1 There are some things we cannot deal with through our complaints procedure. These include:
  - a routine first-time request for a service, for example reporting a problem that needs to be repaired or initial action on anti-social behaviour;
  - requests for compensation;
  - our policies and procedures that have a separate right of appeal, for example, if you are dissatisfied with the level of priority you have been given when applying for a house, you may have the right to appeal against the decision;
  - issues that are in court or have already been heard by a court or a tribunal; and

- any attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our **final** decision following a stage 2 investigation. If you are still not satisfied, you can ask the Scottish Public Services Ombudsman for an independent review of the complaint

4.2 If other procedures or rights of appeal can help you resolve your concerns we will give information and advice to help you

## 5. Unreasonable conduct

5.1 On some occasions complainants can behave inappropriately when making a complaint. Colleagues and contractors are not expected to tolerate conduct by our customers that are, for example: abusive, offensive, threatening, or the frequency of contact is unreasonable, vexatious or excessive.

5.2 Where any of these apply, we will:

- take appropriate action against people who behave inappropriately;
- make it clear to the person behaving inappropriately about what action we are taking and why;
- be clear to everyone about what kind of behaviour we consider to be unacceptable and what actions we may take; and
- deal fairly, honestly, consistently and appropriately with everyone

5.3 More detailed information regarding what constitutes unacceptable conduct, together with the actions we will take to address such problems are contained in our Housing Policy.

## 6. Support for colleagues

6.1 Colleagues, named in a complaint, will always be afforded the right to be heard, understood and respected.

6.2 We will develop good practice principles and guidelines for colleagues and investigating managers, when handling complaints against colleagues.

## 7. Who can complain?

7.1 Anyone can make a complaint to us, including the authorised representative of someone who is dissatisfied with our service. Please also read the section on 'Getting help to make your complaint'.

## 8. How do I complain?

8.1 You can complain in person at our office, by phone or in writing..

### **Our contact details are shown below:**

E-Mail: info@fifehg.org.uk  
Telephone: 08000 274 007 / 01383 606162  
Office: Fife Housing Group  
7 Pitreavie Court

Pitreavie Business Park  
Dunfermline  
KY11 8UU.

8.2 It is easier for us to resolve complaints if you make them quickly and directly to the service concerned. So please talk to a member of our team at the service you are complaining about. Then they can try to resolve any problems on the spot.

8.3 When complaining, please tell us:

- your full name and address;
- as much as you can about the complaint;
- what has gone wrong; and
- how you want us to resolve the matter

## 9. How long do I have to make a complaint?

9.1 Normally, you must make your complaint within six months of:

- the event you want to complain about; or
- finding out that you have a reason to complain, but no longer than 12 months after the event itself

9.2 In exceptional circumstances, we may be able to accept a complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.

## 10. What happens when I have complained?

10.1 We will always tell you who is dealing with your complaint and of our escalation process in the event that you are dissatisfied with any aspects of our investigation.

10.2 Our complaints procedure has two stages:

### Stage one – frontline resolution

We aim to resolve complaints quickly and close to where we provided the service. This could mean an on-the-spot apology and explanation if something has clearly gone wrong and immediate action to resolve the problem.

We will normally give you our decision at stage 1 within five working days, but in exceptional circumstances, this could take up to a maximum of 10 working days.

Following the completion of your stage 1 complaint we will always advise you how to escalate your complaint to stage 2.

If we cannot resolve your complaint at stage 1, we will explain why.

If you are still dissatisfied you can ask for your complaint to be investigated further through stage 2. **If you choose to do this, we will also set out the points of the complaint and expected outcomes within a Stage 2 acknowledgement letter and ask you to get in**

**touch if you disagree.** You may choose to do this immediately or sometime after you get our initial response. We can help you with making this request.

## **Stage two – investigation**

Stage 2 deals with two types of complaint: those that have not been resolved at stage 1 and those that are complex and require detailed investigation.

When using stage 2 we will:

- acknowledge receipt of your complaint within three working days;
- discuss your complaint with you to understand why you remain dissatisfied and what outcome you are looking for; and
- give you a full response to the complaint as soon as possible and within 20 working days

If our investigation will take longer than 20 working days, we will tell you. We will agree revised time limits with you and keep you updated on progress.

- 10.3 **Investigation outcome** - Complaints will be recorded as either 'upheld/partially upheld', 'not upheld' or 'resolved'. A complaint will only be recorded as 'resolved' **where both you and Fife Housing group agree on the outcome and what action (if any) will be taken, without reaching a decision on whether the complaint is upheld or not upheld. It should also be noted that when a complaint is 'resolved' there is no requirement to respond to each and every point within the complaint, so long as we are in agreement that the matter has been resolved.**

## **11. What if I am still dissatisfied?**

- 11.1 After we have fully investigated, if you are still dissatisfied with our decision or the way we dealt with your complaint, you can ask the Scottish Public Services Ombudsman (SPSO) to look at it.

- 11.2 The SPSO cannot normally look at:

- a complaint that has not completed our complaints procedure (so please make sure we have done so before contacting the SPSO);
- events that happened, or that you became aware of, more than a year ago; or
- a matter that has been or is being considered in court

- 11.3 **The SPSO can be contacted as shown below:**

### **In Person:**

SPSO  
Bridgeside House  
99 McDonald Road  
Edinburgh  
EH7 4NS

### **By Post:**

Freepost SPSO



Freephone: 0800 377 7330 or call 0131 225 5300  
Fax: 0800 377 7331

## 12. Complaints about factoring

- 12.1 Fife Housing Association (FHA) has been formally appointed to provide factoring services to certain owned properties. The SPSO does not look at complaints about our factoring service.
- 12.2 The Property Factors (Scotland) Act 2011 aims to protect homeowners by providing minimum standards for property factors. It will apply broadly to all residential property and land managers whether they are private sector businesses, local authorities or housing associations and this includes Fife Housing Group (including our subsidiary company PACT).
- 12.3 There is a register of all property factors operating in Scotland and property factors have to comply with a Code of Conduct that sets out minimum standards of practice.
- 12.4 The Act allows homeowners to make an application to the First-tier Tribunal for Scotland Housing and Property Chamber Scottish Courts and Tribunal Service (see contact details below) for a determination as to whether their property factor has failed to carry out their factoring duties, or failed to comply with the Code of Conduct.
- 12.5 To take a complaint to the First-tier Tribunal for Scotland Housing and Property Chamber Scottish Courts and Tribunal Service, homeowners must first notify us at Fife Housing Association in writing of the reasons why they consider that, as the factor, we have failed to carry out our duties, or failed to comply with the Code. The property factor must also have refused to resolve the homeowner's concerns, or have unreasonably delayed in attempting to resolve them.
- 12.6 If the Tribunal Service which considers the application considers that FHA, as the property factor, has failed to comply with the Code or failed to carry out the required duties, then a Property Factor Enforcement Order can be made requiring the property factor to take such action or make such payment as is considered necessary.
- 12.7 Failure to comply with such a Property Factor Enforcement Order is a criminal offence.
- 12.8 The First-tier Tribunal for Scotland Housing and Property Chamber can be contacted as shown below:

Housing and Property Chamber  
First-tier Tribunal for Scotland  
Glasgow Tribunals Centre  
20 York Street  
Glasgow  
G2 8GT

Telephone: 0141 302 5900  
Email: [HPAdmin@scotcourtribunals.gov.uk](mailto:HPAdmin@scotcourtribunals.gov.uk)  
Website: [housingandpropertychamber.scot](http://housingandpropertychamber.scot)

### **13. Reporting a Significant Performance Failure to the Scottish Housing Regulator**

- 13.1 The Scottish Housing Regulator (SHR) can consider issues raised with them about 'significant performance failures'. A significant performance failure is defined by the SHR as 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 systematic problem that does, or could, affect all of a landlord's tenants.
- 13.2 If you believe that you are affected by a problem like this, you should first report it to us at FHG. If you have told us about it but we have not resolved it, you can report it directly to the SHR.
- 13.3 A complaint between an individual tenant and a landlord is not a significant performance failure. Significant performance failures are not, therefore, dealt with through this complaints handling procedure. You can ask us for more information about significant performance failures.
- 13.4 The Scottish Housing Regulator also has more information on their website, including a 'contact us' form.
- 13.5 The SHR can be contacted as shown below:  
Buchanan House  
58 Port Dundas Road  
Glasgow  
G4 0HF  
Telephone: 0141 242 5642  
Email: shr@scottishhousingregulator.gsi.gov.uk  
Website: scottishhousingregulator.gov.uk

### **14. Getting help to make your complaint**

- 14.1 In addition to our legal duties in relation to equalities and accessibility, we will seek to ensure that we support vulnerable groups in accessing our complaints procedure. We will consider what barriers exist for vulnerable tenants when making use of our complaints handling procedure and, where required, provide them with support to make a complaint. Types of vulnerabilities include, but are not limited to:
- Learning difficulties;
  - Mental health problems;
  - Physical difficulties; or
  - Poor literacy or numeracy skills
- 14.2 We understand that you may be unable, or reluctant, to make a complaint yourself. We accept complaints from the representative of a person who is dissatisfied with our service. We can take complaints from a friend, relative, or an advocate, if you have given them your consent to complain for you.
- 14.3 You can find out about advocates in your area by contacting the Scottish Independent Advocacy Alliance or Citizens' Advice Scotland as shown below:

#### **Scottish Independent Advocacy Alliance**

The Scottish Independent Advocacy Alliance  
Mansfield Traquair Centre  
15 Mansfield Place  
Edinburgh,  
EH3 6BB  
Tel: 0131 524 1975  
Website: [siaa.org.uk](http://siaa.org.uk)

**Citizens' Advice Scotland**

Website: [cas.org.uk](http://cas.org.uk)

Or check your phone book for your local bureau.

- 14.4 We are committed to making our service easy to use for all members of the community. In line with our statutory equalities duties, we will always ensure that reasonable adjustments are made to help customers access and use our services. If you have trouble putting your complaint in writing please tell us.
- 14.5 We can also give you this leaflet in other languages and formats (such as large print, audio and Braille).

**15. Roles and responsibilities**

- 15.1 The FHG Board has ultimate responsibility to ensure that complaints processes are accessible and fairly applied.
- 15.2 The Director of Housing is responsible for ensuring that this policy is consulted on with Board members and for its review, implementation and proper application.
- 15.3 The Engagement Manager is responsible for the management of the complaints function within the Housing team and for ensuring there is learning from complaints.

**16. Performance**

- 16.1 We produce a range of performance indicators including our performance in handling complaints.
- 16.2 We will publish information quarterly on complaints outcomes and actions taken to improve and this will be easily accessible and available in other formats on our website.
- 16.3 We will publish an annual complaints performance report and this will also be easily accessible and available in other formats on our website.
- 16.4 Any concerns regarding the adherence to this policy will be reported to the Board.

6.4

**17. Review**

- 17.1 This policy is due to be reviewed every three years - or earlier if a material change or regulatory standard requires this.