



Name of policy	Complaints Policy
Responsible Officer	Operations Director
Approved by YourPlace Board	<i>29 October 2009</i>
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YourPlace will provide this policy on request at no cost, in large print, in Braille, on tape or in other non-written format, and in a variety of languages.

YourPlace Property Management

Complaints Policy

CONTENTS

Section	Subject	Page
1.	INTRODUCTION	1
2.	PRINCIPLES, AIMS & OBJECTIVES	2
3.	EQUALITY & DIVERSITY STATEMENT	5
4.	LEGAL & REGULATORY FRAMEWORK	5
5.	COMPLAINTS POLICY	5
6.	TRAINING AND AWARENESS	10
7.	PERFORMANCE MONITORING	10
8.	POLICY REVIEWS/CONSULTATION	10
9.	CUSTOMER SERVICE	14
	Appendix 1: Complaint Handling from the customers' perspective	
	Appendix 2: Customer Guide	
	Appendix 3: Services Provided & Powers in Law	

1. INTRODUCTION

- 1.1 YourPlace Property Management (trading name of GHA (Management) Ltd) is a wholly owned subsidiary of The Glasgow Housing Association Ltd (GHA), established to deliver the factoring service to owners of former Glasgow City Council (GCC) / GHA property initially sold under the Right to Buy legislation and also those properties subsequently sold on through the private market. Recently, YourPlace has also commenced the provision of factoring services directly to private homeowners on a commercial basis. As factor, YourPlace, whether on behalf of GHA or directly, is responsible for general management and administration of the common property. A list of services provided and Powers in Law is attached (Appendix 3).

YourPlace is committed to putting the needs and interests of our homeowners at the heart of everything we do. We are determined to improve the nature and quality of services for all our customers, with clear and easy to understand standards for services that are both customer-focused and customer-friendly. In the event that a customer is dissatisfied with any aspect of our services, they will be entitled and encouraged to make a comment or complaint.

This Complaints Policy outlines our principles, aims and objectives for responding to complaints, and also demonstrates our renewed enthusiasm for efficient, consistent and customer-friendly complaint handling, including a commitment to resolve, where possible, concerns on first contact and to check that customers are satisfied with their experience. It is important to us that our customers' experience is positive and that we support them through the complaints process and that they are treated with respect.

We welcome and encourage customers to also provide us with comments and compliments. We will record these, where possible, and use the information to see when we are doing well and how this information can help us do even better in the future.

We are committed to dedicating resources to the management and operation of the policy and related procedures including use of our consistent complaint recording to provide efficient and comprehensive feedback both individually with customers throughout the process as well as collectively with all customers.

- 1.2 Division of Responsibilities

We will ensure that staff and YourPlace Board responsibilities in relation to this policy are clear. The Board will be responsible for approving policy and evaluating performance. Staff members will have overall responsibility for implementing and monitoring the complaints policy. The Managing Director will be responsible for public reporting on the complaint management function.

2. PRINCIPLES, AIMS & OBJECTIVES

2.1 Principles

We are committed to achieving a culture of continuous improvement with customer service and customer satisfaction as key indicators of our performance. Our evaluation of customer complaints is one of a number of mechanisms for customer feedback and will inform how we improve and develop our services.

We consider that a customer-friendly complaints policy, that is positive about complaints, is essential in delivering continuous improvement. YourPlace has adopted a systems approach that puts the customer first and considers their needs.

We aim to resolve all complaints to the customers' satisfaction first time however there are occasions where it may not be possible to reach agreement on a resolution. In these circumstances we will clearly communicate the actions we have taken and advise the customer of their rights to escalate their complaint through the YourPlace complaint process.

Whilst there is currently no external body acting in an Ombudsman capacity for factored homeowners, with the Scottish Public Services Ombudsman (SPSO) being clear that this does not form part of their remit, it is expected that an Ombudsman who acts for factored homeowners will become available during 2010 as the result of the Scottish Government Accreditation Scheme being created. This will add an external review capacity to the YourPlace complaints process and associated documentation will be updated accordingly.

In addition, the SPSO is happy that there is a clear right to appeal for owners, in terms of the Scottish Public Services Ombudsman Act 2002, enshrined in the Deed of Conditions. This is a legally binding contract between the factor and an owner and gives the owner the right to refer a dispute to arbitration. The deed also advises that the arbiter is The Dean of the Royal Faculty of Procurators, 12 Nelson Mandela Place, Glasgow, G2 1BT.

- 2.2 Key principles for a customer friendly approach – We will ensure the following principles when implementing our approach to complaint handling and will aim to strike a balance between them:

Accessibility

We will maintain current and continuously pursue new ways for customers to report complaints, these will include: in person at our offices, in writing/email, by telephoning the GHA Customer Service Centre or directly to YourPlace staff. Each method of complaint reporting will be regarded equally.

We will provide support for customers who require assistance to make a complaint and, if necessary, escalate their complaint. This can include: interpretation, Braille, large print and completion of a customer feedback form if this is a problem.

Responsibility

All YourPlace staff will take responsibility for complaints that they become aware of and do all that they can to help customers and deal with problems as fully as possible.

Effectiveness

Complaints will not be divided into 'informal' and 'formal'. All complaints will be regarded equally and be dealt with in a timely manner to the point of resolution, as agreed with the customer, or to a point where the procedures have been exhausted.

We will aim to resolve complaints at first contact and, if this is not possible, within two working days. In the event that this is not possible, YourPlace will ensure that the customer does not have to repeat their complaint as it escalates and aims to ensure that time from first reporting to resolution does not exceed 10 working days. Where a complaint has escalated to appeal stage we will arrange an appeal hearing within 28 days of receipt of the appeal form.

We will set targets to monitor complaint handling performance including the end to end timescale.

Reflection and learning

Complaints will be monitored and where any area of potential improvement, weakness or uncertainty is identified appropriate action will be taken.

Openness & transparency

Lessons learnt, patterns identified from complaint handling and any resultant changes will be regularly published alongside complaint analysis.

Clarity

The roles and responsibilities of YourPlace staff and teams will be clearly defined in the complaints procedures and Customer Service Strategy.

Confidentiality & Anonymity

Any request from a customer for either them to remain anonymous or, where appropriate, for their identity to be kept confidential will be respected as far as is possible.

Where a complaint has been made to us anonymously, this will be dealt with where possible. Depending on the detail provided with the complaint limited investigation and action may be able to be taken. However, lessons to be learnt from this complaint will be identified.

Impartiality

Each complaint will be dealt with on its own merits and impartially.

Fairness

All those involved in the complaints process will be treated fairly and with respect at all times.

2.3 Aims

We aim to ensure an open and transparent approach to complaint handling where customers feel supported when complaining and have a clear understanding of the key principles of the complaints process.

We will proactively build up an understanding of the types, outcomes and learning points from customer complaints. The information gathered through complaints activity will be significant in the monitoring of delivery of our services for customers and will be reported back to customers through existing communication channels in anonymised form.

2.4 Objectives: Meeting our customers' requirements

We will ensure that the Complaints Policy is effectively implemented through procedures developed based on the customers' perspective and presented in a format relevant to customers and staff. To ensure this is achieved, we have involved customers in identifying the key requirements of a good complaints process. Customers highlighted the following as important:

- Customers can report the problem easily
- An investigation will take place, where required
- A complaint is resolved to the customer's satisfaction
- We learn from the complaint and stop it from happening again.

Full details of these requirements are listed at Appendix 1.

We will ensure the implementation of this policy will be supported by a commitment to delivering:

- A clear, simple, single process for dealing with complaints
- A single IT system, accessible by multiple users, for logging, tracking and reporting complaints (whilst this is in development, YourPlace will also continue to use its own complaints database to support data gathering and reporting requirements).
- Allocation of responsibility for analysis and acting on complaints linked to service improvement
- The required skills, knowledge and guidance for staff dealing with complaints.

3. EQUALITY & DIVERSITY STATEMENT

- 3.1 We are committed to providing fair and equal treatment to all customers and stakeholders, and will not discriminate against anyone on the grounds of race, colour, ethnic or national origin, religion, age, gender, sex, sexual orientation, marital status, family circumstances, employment status or physical ability.
- 3.2 This policy complies with GHA's Equality and Diversity Policy. We recognise our pro-active role in valuing and promoting diversity, fairness, social justice and equality of opportunity by adopting and promoting fair policies and procedures.
- 3.3 We will check our Complaints Policy and associated procedures regularly for their equality and diversity implications, taking appropriate action to address inequalities likely to result or resulting from the implementation of the policy and procedures.

4. LEGAL & REGULATORY FRAMEWORK

- 4.1 In formulating and implementing this policy, statutory requirements along with the Scottish Housing Regulator Performance Standards and good practice outlined in documents such as 'Raising Standards in Housing' have been incorporated, where required.

5. COMPLAINTS POLICY

- 5.1 What is a complaint?

We define a complaint as ***'an expression of dissatisfaction or concern about the quality of service provided by or on behalf of YourPlace'***.

This may include:

- Failure to provide a service or to achieve the standards of service we have promised
- Unacceptable delay or failure to respond to an enquiry or request
- Failure to fulfil our legal or contractual obligations
- Dissatisfaction with the process by which YourPlace has come to a decision, not about the decision itself
- Dissatisfaction with the attitude and behaviour of, or quality of work provided by, staff, contractors or agents
- Where we have not operated policies fairly

A complaint differs from an enquiry or a request for a service. We consider these as follows:

- An enquiry is when a customer seeks information or assistance related to a service provided by or on behalf of YourPlace.
- A request for a service is when a customer asks for a service for the first time or, following an enquiry, requests or agrees that required action is taken.

Complaints can be reported either explicitly, with a customer saying for example 'I am complaining' or implicitly, where a customer may not state they are complaining but express dissatisfaction, and can be warranted or not.

5.2 Who can complain?

Any customer can complain. A customer is anyone who receives or requests a service from us or who is affected by our activities. This includes services and activities provided on GHA or YourPlace contractors (including their workmen) and agents. Whatever we think of the justification of the complaint, a customer is complaining and there is procedure to follow.

The majority of complaints received are from homeowners or their representatives, although other stakeholders are welcome to complain. The term customer is used throughout the policy to ensure everyone's rights are provided for.

At times, customers may ask another organisation or individual to complain on their behalf, such as the Citizen's Advice Bureau or other advice agency, a relative or friend. In these circumstances, we check whether a current mandate exists and, where it does not, request that the customer representative completes a Representation Mandate form to allow them to complain on the customers' behalf and to correspond with YourPlace.

Where a Councillor, MEP, MSP or MP is making the complaint on a customer's behalf, they will not be required to produce evidence of a mandate being in force as they are elected representatives. This is in line with the provisions of Appendix 3 to GHA's Staff Code of Conduct, to which YourPlace complies, which sets out the protocol for handling communications received from elected representatives. Solicitors, when making a complaint on behalf of their client, will not be required to produce evidence of a mandate. Solicitors are governed by law and a professional Code of Conduct.

5.3 Complaints procedure

- 5.3.1 We have produced a Customer Guide containing procedures. The procedures detail each stage of the complaints process to ensure that both customers and staff are fully aware of what happens from reporting of a complaint to final resolution and follow up.

We work to a three stage procedure to ensure customers can raise and escalate their complaint where required but in a context that is also clear and easy to understand. The Customer Guide is attached at the end of this document (Appendix 2).

Stage 1 – First Contact

The first stage of YourPlaces complaints procedure is when the customer first reports their issue. The complaint can be received through any one of a number of methods and to any staff across the organisation. Irrespective of where and how the complaint is received, all will be treated equally.

Staff will aim to respond within 2 days. If this is not possible, we will contact the customer and advise of the expected timescale.

Stage 2 – Review and Investigation

Where the customer remains unhappy, they can ask for their complaint to be moved to stage 2. This provides the opportunity to review and investigate the actions taken and response made at stage 1, with the aim of identifying what else, if anything, could be done to ensure that the customer is happy.

Staff will aim to complete this stage within 10 working days.

Stage 3 - Appeal

The final stage of YourPlace's complaint procedure is formal appeal to YourPlace's Appeals Sub-Committee. Further guidance on the appeals stage is provided in the Customer Guide and the associated 'Appeals Leaflet'. The Appeals leaflet will be made available to those customers completing Stage 2 of the procedure and contains the Appeals Form.

If the request for appeal is within the scope of this policy (see section 5.4, Limitations) it will be heard within 28 days of receipt of the Appeals form.

The customer will be given at least 14 days notice of the date and time of the hearing. YourPlace will attempt to be as flexible as possible in order to arrange a date and time for the appeal that is suitable for the customer.

The customer will be invited to attend the appeal with a friend, relative, advisor or representative. A translation service will be provided where required.

The appeal will be heard by the three YourPlace Board members and facilitated by an Appeals Officer. The Appeals Officer will normally be YourPlace's Administration Officer.

Following the appeal, the customer will be informed that this marks the end of YourPlace's complaint procedures and provided with details of the GHA Appeal process, should they remain unhappy.

5.4 Limitations of the policy

Where the subject of the complaint is covered by another YourPlace policy and related procedure, the complaint will be recorded but referred to the correct team for investigation, resolution and any appropriate action. The outcomes and resolution of these complaints will be recorded under the complaints procedures with the exception of complaints against members of staff.

Complaints that will be dealt with through other policies and procedures include:

- Complaints specifically about the attitude or quality of work of a staff member will be dealt with by their line management in accordance with staff's terms and conditions of employment. Customers will be advised that the complaint will be considered but as we have a requirement to maintain employee confidentiality, no specific details will be provided other than whether the complaint has been upheld or not.
- Complaints against neighbours will be dealt with in terms of the GHA Neighbour Relations Policy and procedures where a tenant is involved. Where the complaint is about an owner from an owner, the parties will be referred to Glasgow City Council's Mediation Service at Nye Bevan House 2, 20 India St, Glasgow, G2 4PF (Tel: 0141 287 9498). A complaint to YourPlace can, however, be made about the way in which a neighbour complaint has been handled.
- Complaints where a customer is seeking financial compensation as they hold GHA responsible for loss, damage to property or personal injury. The complaint will be recorded and passed to the GHA Insurance Section for investigation and a decision.
- Complaints by staff members will be dealt with under the GHA Whistleblowing Policy and procedures.
- Complaints relating to matters which are already the subject of litigation.

Complaints where only limited investigation and action may be taken and therefore limited feedback provided to customers include:

- Those that involve third parties, where another person's confidentiality needs to be maintained
- Those where the customer asks for their identity to be kept confidential or where they have made an anonymous complaint.

In these cases, the customer may be provided with information on general policy and procedure to help explain a particular decision or action relating to the complaint, and in relevant cases where the complaint has been upheld or not.

Staff dealing with any complaints will ensure that if any personal data is likely to be disclosed, this will be checked with the GHA Information Compliance Advisor or Legal Team first before it is sent out.

5.5 Unacceptable Actions

It is YourPlace policy that unacceptable behaviour will be dealt with in an appropriate way and that YourPlace will provide support to its staff as detailed in the YourPlace Unacceptable Actions Policy. However, the complaint will still be recorded in the same way as any other complaint.

- 5.5.1 We understand that upsetting or distressing circumstances can result in people acting out of character and we do not view behaviour as unacceptable just because a complaint is forceful or determined. However, the actions of customers who are angry, demanding or persistent may result in unreasonable demands or unacceptable behaviour towards our staff. It is in these relatively few occasions that the behaviour of a customer or their representative is considered to be unacceptable.

As detailed in the policy there are three broad areas of unacceptable actions:

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

Unreasonable demands - Customers or their representatives 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

Unreasonable persistence - We recognise that some customers will or cannot accept that we are unable to assist them further or provide a level of service other than that provided already.

5.5.2 Deciding to Restrict Complaint Contact

As detailed in the Unacceptable Actions Policy, staff who directly experience aggressive or abusive behaviour from a customer have the authority to deal immediately with that behavior. Although immediate action may be needed in certain circumstances, wherever possible we will give the customer the opportunity to modify their behavior or action before a decision is taken. Customers will be told in writing why a decision has been made to restrict future contact, the restricted contact arrangements and, if relevant, the length of time that the restriction will be in place.

We will record all incidents of unacceptable actions. Staff are encouraged to report incidents to the police, both for their own protection if there are further incidents and to enable any required legal action to be taken where circumstances merit this. A decision to restrict contact may be reconsidered if the customer demonstrates a more acceptable approach.

5.6 Liaison with regulatory and key stakeholders

GHA, YourPlace's parent body, is regulated by a number of regulatory bodies, including the Scottish Housing Regulator, and Scottish Public Services Ombudsman (SPSO). YourPlace is regulated by the FSA. On occasion, regulatory bodies may have an interest in complaints raised with YourPlace. The required information will be provided in an accessible and timely manner with full co-operation from YourPlace staff members involved. We will comply with the Data Protection Act 1998 and will not disclose personal data unless this is necessary and justified.

Where a complaint raises matters concerning competency of staff from stakeholders, including public bodies, we will ensure that the complaint is passed to the appropriate governing body. This will be agreed with the customer beforehand and we will protect the customers identity where required.

5.7 Special cases

A complaint may be fast tracked through the complaints procedures, and any related bodies, including the police, notified, where it is identified that the issues raised may concern:

- Allegations of abuse or neglect of service users
- Conduct that may be a criminal offence
- Serious malpractice
- Circumstances indicative of a present or potential risk to service users.

6. TRAINING AND AWARENESS

- 6.1 We will ensure that all staff and governing body members are aware of the complaints policy and procedures. Frontline complaint handling staff will be empowered with clear responsibilities to resolve complaints wherever possible and will receive appropriate training and support. Information on the complaints policy and procedures will also form part of induction training for new staff and governing body members.

7. PERFORMANCE MONITORING

- 7.1 We have agreed a number of customer focused performance indicators. This information will be gathered through a combination of complaint analysis and regular customer satisfaction feedback. Group performance indicators will be reported to the Operations Committee, with quarterly trend and analysis report to GHA Board. This feedback will be used to provide Managers and other staff with information on learning outcomes from complaint analysis.

8. POLICY REVIEWS/ CONSULTATION

- 8.1 We will review this policy at least every 3 years. Any review will take account of all relevant legislative changes. Where we intend to amend this policy, we will consult with owners and other relevant stakeholders.
- 8.2 On a regular basis we will take account of the views of the customers and staff who use this policy and procedures.

9. CUSTOMER SERVICE

- 9.1 Confidentiality

We will comply with the requirements of the Data Protection Act 1998.

- 9.2 Compliments and Comments

We are happy that there are also many times when we get things right, where customers have been happy with the standard of service or times when our staff efforts are able to help our customers. We also want to hear about these times. We welcome and encourage customers to also provide us with compliments and comments.

As with complaints, compliments and comments can be received in a variety of ways. We will record these, where possible, and use the information to see when we are doing well and how this information can help us do even better in the future.

9.3 Customer Feedback and Satisfaction

We are committed to reflecting on, learning from and being open and transparent in the reporting of complaint activity. Recent customer engagement in this area has highlighted that the best methods for this communication to customers is through:

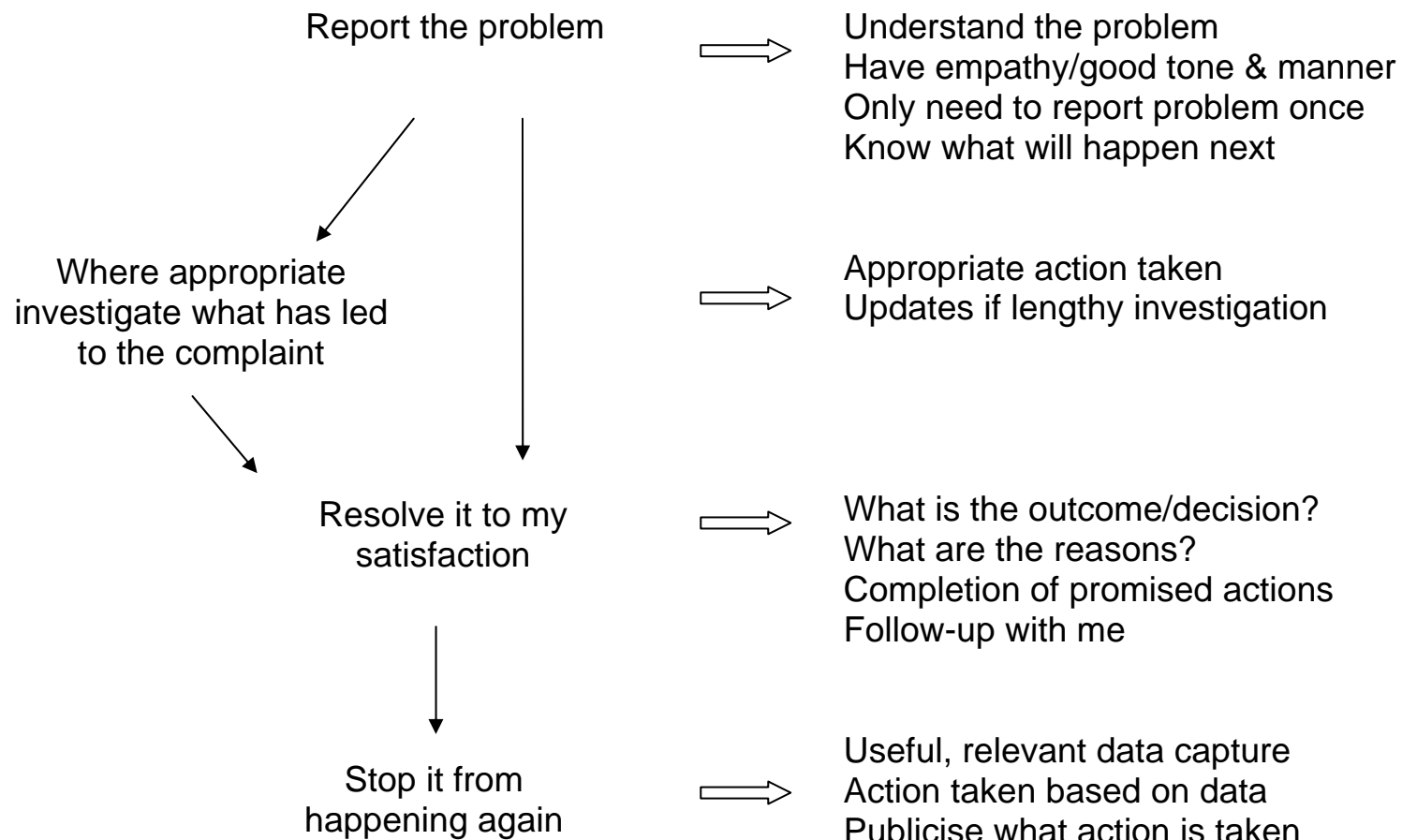
- Direct feedback to those customers who have complained
- Factoring Matters newsletter
- YourPlace and GHA websites.

We will analyse the complaints we receive, along with comments and compliments, to identify any patterns they may show. We will publish details of any action we take following this analysis, on an annual basis. All information that might identify anyone involved will be removed before this analysis takes place.

GHA, supported by YourPlace, undertakes representative monthly telephone customer satisfaction surveys throughout the year and will involve customers who have experienced the GHA and YourPlace complaints service. These surveys will provide:

- customers with the opportunity to provide feedback on the complaint handling process and achieved outcomes.
- accurate and up to date customer satisfaction information that can be used to implement changes and track performance over time.

COMPLAINT HANDLING FROM THE CUSTOMERS' PERSPECTIVE



APPENDIX 3 – SERVICES PROVIDED & POWERS IN LAW

YourPlace, as direct factor or acting as an agent for GHA, provides the following specific services to factored properties:

- Administrative Services
- Comprehensive Building Insurance
- Optional House contents Insurance
- Common Repairs and Property Inspection
- Stair cleaning and similar for tenements & multi-storey flats
- Concierge services for multi-storey flats
- Stair Lighting

In Law, the factor has the following powers:

- a) To instruct and execute repairs below the threshold levels set out in the Deed of Conditions for each property.
- b) To insure the property and collect the premiums.
- c) To manage and administer the property.
- d) To require repair, maintenance and renewal where a proprietor has failed to do this and the work is either below the threshold or otherwise authorised under the Deed of Conditions.
- e) To instruct interim work for protection or safety pending a majority decision.
- f) To carry out major work if so authorised.