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blue triangle

Complaints Policy

28th March 2023

Our Mission Statement

“To empower people to thrive.”

Revision history

| Rev No. | Rev. Date | Consultation Requirements | Lead Officer | Committee | Approved by COM | Review Due: |
|---------|-----------|---|--------------|------------|-----------------|-------------|
| 0 | Oct 2012 | Revision and new template | PMcK | Management | 28 Mar 2013 | |
| 1 | Sept 2015 | Supported people not consulted as the complaints policy and CHP have limited availability to change anything as the content is stipulated by Ombudsman Staff consulted as part of production of procedures and policy Committee as part of approval process | FS | Management | | |
| 2 | Jan 2019 | General review | FS | Management | | |
| 3 | July 2021 | Revision of section 3.4 to allow complaints to be acknowledged via digital platforms | IM | Board | | |
| 4 | Mar 23 | Updated Policy | LM | Board | 30 March 23 | March 26 |

Chairperson

Signed:

Dated: 30th March 2023

Chief Executive Officer

Signed:

Dated: 30th March 2023

The complaint policy is part of our general customer care policy and procedures that set out how supported people and other customers should be treated. This includes treating all supported people with respect and ensuring that they have the right to complain whenever they are dissatisfied with service delivery. This policy explains how we address complaints. Our complaint policy sets out the framework through which we implement our complaint procedures

Our model complaints handling process (CHP) was developed by the Scottish Public Services Ombudsman (SPSO) for Scottish housing associations. The purpose of the CHP is to provide a standardised approach to dealing with customer complaints across the housing sector, whilst making it simpler for customers to complain.

The key benefits of our complaint strategy are to enable customers to:

- ▲ complain within set time scales;
- ▲ address complaints at local level and resolve them as quickly as possible;
- ▲ to use complaint information to improve our services; and
- ▲ to foster quality professional relationships with our customers.

Nature of complaints

This section explains the nature of a complaint and refers to some key aspects of processing complaints.

A complaint is defined by the SPSO as:

‘An expression of dissatisfaction by one or more members of the public about Blue Triangle (Glasgow) Housing Association’s action or lack of action, or about the standard of service provided by or on behalf of Blue Triangle (Glasgow) Housing Association Ltd.’

Dissatisfaction alone does not mean that there is a justifiable complaint as it is possible, for example, that there has been no failure of service or because a policy cannot be changed as it is a matter of law. This is one of the reasons why complaints are required to be investigated.

Who can make a complaint?

Anyone who received, requests or is affected by our services can make a complaint. This includes our supported people. However, it also includes a member of the public who could have access to, or be affected by our services, or a key stakeholder such as an allocated Social Worker or other Care Manager who has experienced dissatisfaction.

We will accept complaints brought by third parties as long as the customer has given their personal consent. We will also consider anonymous complaints but only if there is enough information in the complaint to enable us to make further enquiries and which allows us to have an audit trail.

Even where someone doesn’t want to register a complaint we will still take note of the issue and try to investigate it as much as possible.

Normally, we would only consider complaints made within 6 months of the event occurring.

Examples of complaints

A complaint may relate to:

- ▲ a failure to provide a service
- ▲ inadequate standard of service
- ▲ dissatisfaction with a policy
- ▲ unacceptable behaviour or attitude by a member of staff, a COM/Board member or contractor

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
- ▲ an appeal

How complaints can be made

Complaints can be made in a number of ways including the following:

- ▲ in writing;
- ▲ in person;
- ▲ by telephone;
- ▲ by email; and
- ▲ by digital platforms such as social media

Unreasonable presentation of complaints

Our staff are trained in how to deal with complaints and will always try to meet a complainant's expectations in both the way that the complaint is dealt with and also how it is resolved. With the nature of complaints, however, emotions can run high and there may be occasions when a complainant is unreasonably persistent, issues threats or exhibits offensive behaviour towards staff. In this event, a decision may be taken to withdraw or restrict services in terms of dealing with the complaint. Complainants will be advised of this in writing and this will be subject to review at the discretion of Blue Triangle. Any such restriction will not remain in place indefinitely.

Key aspects of processing complaints

The CHP process involves three main stages as follows:

- ▲ Stage 1: front line resolution;
- ▲ Stage 2: investigation; and
- ▲ Stage 3: independent external review, for example, referring complaints to the Scottish Public Services Ombudsman or the Care Inspectorate.

Brief information on each stage is now given with full details contained in the [CHP \(appendix 1\)](#). As a general note, complaints are handled by staff with members of committee involved in developing and monitoring complaint policy.

Stage 1: frontline resolution (normally within five working days)

This stage concerns issues that are straightforward and easily resolved requiring little or no investigation. In line with guidance, we strive to deal with most complaints at this stage.

In practice, frontline resolution means resolving the complaint at the first point of contact with the customer, for example, service staff who receive the complaint. The complaint may be settled by an on-the-spot apology where appropriate. Our staff procedures describe what staff should do to resolve matters.

Stage 2: Investigation (normally within twenty working days)

This stage concerns specific issues contained in the CHP. Examples include where a complainant is not satisfied with our response at stage 1; issues raised are complex and require detailed investigation often involving more senior staff; issues which could impact on the reputation of Blue Triangle because of, for example, media interest; issues raised by stakeholders with significant impact on Blue Triangle such as our MSPs, commissioners of our services, local authority senior managers, or any of our regulators.

Stage 3: Independent external review

After Stage 2 complaints are closed, and the decision has been communicated in writing to the complainant, the applicant has the right to:

- ▲ ask the SPSO to consider the complaint; or
- ▲ ask the Care Inspectorate to consider the complaint (they can only hear a complaint about a registered care service).

Note: If serious complaints are made against senior members of staff or Committee/Board members, it is important that the investigation is conducted by an individual who is independent of the situation. In cases like this, we will follow the Scottish Housing Regulator's regulatory expectations as per their guidance on their website.

Training

We provide comprehensive training for staff to ensure effective implementation of policy objectives.

We provide staff training on:

- ▲ the complaint policy and related good practice guidance, including promoting the organisational benefits of complaints (a complaint culture);
- ▲ the CHP;
- ▲ staff procedures relating to processing complaints on the data base, including staff responsibilities and time scales for dealing with complaints.

Complaint Information

We provide all supported people with a copy of our complaint leaflet that is based on the model document produced by the Scottish Public Services Ombudsman (this is called the Customer Facing Complaints Handling procedure). This document can be made available in "easy read" format.

We can also give supported people a copy of the policy and procedural documentation, on request. We also provide a link to our complaints policy and form on our website.

Supported people who receive a housing support service from us will also be advised of their rights to complain directly to the Care Inspectorate if they are unhappy with the service that they are receiving and that this does not jeopardise their right to complain to the SPSO.

We share on a quarterly basis complaints outcomes, trends and actions taken.

We publish information about complaints in various ways, including:

- ▲ information to supported people;
- ▲ reports to the COM/Board;
- ▲ information to the Scottish Housing Regulator (ARC return); and
- ▲ website updates for staff on trends and organisational developments.

Concerns relating to Wrongdoing

Where a concern or complaint is raised by an employee, supplier or contractor reporting suspected wrongdoing or risk of wrongdoing this should be raised through a Whistleblowing concern and can be escalated upwards depending on the subject of the matter(s) raised. Please see our Whistleblowing Policy for further information.

Concerns relating to Staff Issues

Where a concern or complaint relates to relationships between staff members/management, this should be raised through a grievance, either informal or formal. Please see our Grievance procedure for further information.

Appendix 1: Customer Facing Complaints Handling procedure

Blue Triangle is committed to providing high-quality customer services.

We value complaints and use information from them to help us improve our services.

1. If something goes wrong or you are dissatisfied with our services, please tell us. This leaflet describes our complaints procedure and how to make a complaint. It also tells you about how we will handle your complaint and what you can expect from us.

What is a complaint?

2. 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.

What can I complain about?

3. You can complain about things like:
 - ✦ failure or refusal to provide a service
 - ✦ inadequate quality or standard of service, or an unreasonable delay in providing a service
 - ✦ delays in responding to enquiries or requests
 - ✦ unfairness, bias or prejudice in service delivery
 - ✦ lack of provision, or the provision of misleading, unsuitable or incorrect advice or information
 - ✦ a repair that has not been carried out properly or in an agreed timeframe
 - ✦ dissatisfaction with one of our policies or its impact on the individual
 - ✦ failure to properly apply law, procedure or guidance when delivering services
 - ✦ failure to follow the appropriate administrative process
 - ✦ conduct, treatment by or attitude of a member of staff or contractor (**except** where there are arrangements in place for the contractor to handle the complaint themselves); or
 - ✦ disagreement with a decision, (**except** where there is a statutory procedure for challenging that decision, or an established appeals process followed throughout the sector).
4. Your complaint may involve more than one Blue Triangle service or be about someone working on our behalf.

What can't I complain about?

5. There are some things we can't deal with through our complaints handling procedure. These include:
 - ✦ 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 (if you decide to take legal action, you should let us know as the complaint cannot then be considered under this process)
 - ✦ disagreement with a decision where there is a statutory procedure for challenging that decision (such as for freedom of information and subject access requests), or an established appeals process followed throughout the sector
 - ✦ a request for information under the Data Protection or Freedom of Information (Scotland) Acts

- ⚠ a grievance by a staff member or a grievance relating to employment or staff recruitment
 - ⚠ a concern raised internally by a member of staff (which was not about a service they received, such as a whistleblowing concern)
 - ⚠ a concern about a child or an adult's safety
 - ⚠ an attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision
 - ⚠ abuse or unsubstantiated allegations about our organisation or staff where such actions would be covered by our [Unacceptable Actions Policy or equivalent]; or
 - ⚠ a concern about the actions or service of a different organisation, where we have no involvement in the issue (**except** where the other organisation is delivering services on our behalf).
6. If other procedures or rights of appeal can help you resolve your concerns, we will give information and advice to help you.

Who can complain?

7. Anyone who receives, requests or is directly affected by our services can make a complaint to us. This includes the representative of someone who is dissatisfied with our service (for example, a relative, friend, advocate or adviser). If you are making a complaint on someone else's behalf, you will normally need their written consent. Please also read the section on **Getting help to make your complaint** below.

How do I complain?

8. You can complain in person at any of our services or to Central Support, by phone, in writing, by email or via our complaints form <https://bluetriangle.org.uk/complaints/>
9. It is easier for us to address complaints if you make them quickly and directly to the service concerned. So please talk to a member of our staff at the service you are complaining about. Then they can try to resolve the issue.
10. When complaining, please tell us:
- ⚠ your full name and contact details
 - ⚠ as much as you can about the complaint
 - ⚠ what has gone wrong; and
 - ⚠ what outcome you are seeking.

Our contact details

Website: www.bluetriangle.org.uk

Phone: [0141 221 8365](tel:01412218365)

Email: complaints@bluetriangle.org.uk

How long do I have to make a complaint?

11. 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.
12. 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.

What happens when I have complained?

13. We will always tell you who is dealing with your complaint. Our complaints procedure has two stages.

Stage 1: Frontline response

14. We aim to respond to complaints quickly (where possible, when you first tell us about the issue). This could mean an on-the-spot apology and explanation if something has clearly gone wrong, or immediate action to resolve the problem.
15. We will give you our decision at stage 1 in five working days or less, unless there are exceptional circumstances.
16. If you are not satisfied with the response we give at this stage, we will tell you what you can do next. If you choose to, you can take your complaint to stage 2. You must normally ask us to consider your complaint at stage 2 either:
- within six months of the event you want to complain about or finding out that you have a reason to complain; or
 - within two months of receiving your stage 1 response (if this is later).
17. In exceptional circumstances, we may be able to accept a stage 2 complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.

Stage 2: Investigation

18. Stage 2 deals with two types of complaint: where the customer remains dissatisfied after stage 1 and those that clearly require investigation, and so are handled directly at this stage. If you do not wish your complaint to be handled at stage 1, you can ask us to handle it at stage 2 instead.
19. When using stage 2:
- we will acknowledge receipt of your complaint within three working days
 - we will confirm our understanding of the complaint we will investigate and what outcome you are looking for
 - we will try to resolve your complaint where we can (in some cases we may suggest using an alternative complaint resolution approach, such as mediation); and
 - where we cannot resolve your complaint, we will give you a full response as soon as possible, normally within 20 working days.
20. If our investigation will take longer than 20 working days, we will tell you. We will tell you our revised time limits and keep you updated on progress.

What if I'm still dissatisfied?

21. After we have given you our final decision, 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.
22. There are some complaints about housing that have an alternative route for independent review. We will tell you how to seek independent review when we give you our final response on your complaint.

SPSO

23. The SPSO is an independent organisation that investigates complaints. They are not an advocacy or support service (but there are other organisations who can help you with advocacy or support). You can ask the SPSO to look at your complaint if:

- you have gone all the way through Blue Triangle's complaints handling procedure
- it is less than 12 months after you became aware of the matter you want to complain about; and
- the matter has not been (and is not being) considered in court.

The SPSO will ask you to complete a complaint form and provide a copy of their final response to your complaint. You can do this online at www.spsso.org.uk/complain/form or call them on Freephone **0800 377 7330**.

You may wish to get independent support or advocacy to help you progress your complaint. See the section on **Getting help to make your complaint** below.

The SPSO's contact details are:

SPSO

Bridgeside House 99 McDonald Road Edinburgh EH7 4NS

(if you would like to visit in person, you must make an appointment first).

Their freepost address is:

FREEPOST SPSO

Freephone: **0800 377 7330**

Online: www.spsso.org.uk/contact-us

Website: www.spsso.org.uk

Care complaints

24. If your complaint relates to a care service we provide, you can choose whether to complain to us or the Care Inspectorate. You can find out more about their complaints procedure, or make a complaint, by contacting them.

The Care Inspectorate has several offices around Scotland. Please refer to:
<http://www.scswis.com/>

Reporting a significant performance failure to the Scottish Housing Regulator

25. 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 systemic problem that does, or could, affect all of a landlord's tenants. If you are affected by a problem like this, you should first report it to us. If you have told us about it but we have not resolved it, you can report it directly to the SHR.

26. 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. The SHR also has more information on their website: www.scottishhousingregulator.gov.uk

Getting help to make your complaint

27. 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.
28. You can find out about advocates in your area by contacting the Scottish Independent Advocacy Alliance:

Scottish Independent Advocacy Alliance

Tel: **0131 510 9410** Website: www.siaa.org.uk

You can find out about advisers in your area through Citizens Advice Scotland:

Citizens Advice Scotland

Website: www.cas.org.uk or check your phone book for your local citizens advice bureau.

29. 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 you access and use our services. If you have trouble putting your complaint in writing, or want this information in another language or format, such as large font, or Braille, please tell us in person, contact us on 0141 221 8365 email us at administration@bluetriangle.org.uk

Our contact details

30. Please contact us by the following means:

Website: www.bluetriangle.org.uk

Phone: [0141 221 8365](tel:01412218365)

Email: administration@bluetriangle.org.uk

We can also give you this leaflet in other languages and formats (such as large print, audio and Braille).

Quick guide to our complaints procedure

Complaints procedure

You can make your complaint in person, by phone, by email 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 investigation, we will tell you and keep you updated on our progress.

If your complaint relates to a care service you can choose to complain to us or to the Care Inspectorate.

Stage 1: Frontline response

We will always try to respond to 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 need investigation.

We will acknowledge your complaint within **three working days**.

We will confirm the points of complaint to be investigated and what you want to achieve.

We will investigate the complaint and 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.

Scottish Public Services Ombudsman

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.

There are some complaints about housing that have an alternative route for independent review. We will tell you how to seek independent review when we give you our final response on your complaint.