

Complaints & Compliments



This document describes our complaints procedure and how to make a complaint. It also tells you about our service standards for managing complaints and what you can expect from us.

What Is A Complaint?

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?

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).

Your complaint may involve more than one of our services or be about someone working on our behalf.

What Can't I Complain About?

There are some things we can't deal with through our complaints 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).

How Do I Make A Complaint?

You can complain in person at our office, by phone, in writing, email or by using our complaints form on our website www.calvay.org.uk

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 staff at the service you are complaining about. Then they can try to resolve any problems on the spot. When complaining, tell us:

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

How Long Do I Have To Make A Complaint?

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.

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 Made A Complaint?

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

1. 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 give you our decision at stage 1 in five working days or less, unless there are exceptional circumstances.

If we can't resolve your complaint at this stage, we will explain why. If you are still dissatisfied you can ask for your complaint to be investigated further through stage 2. You may choose to do this immediately or some time after you get our initial response. We can help you with making this request.

2. 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
- 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.

What if I'm Still Dissatisfied?

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.

The SPSO **cannot** normally look at:

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

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

Website: www.spsso.org.uk

Complaints About Factoring

The SPSO does not normally look at complaints about our Factoring Service. From 1 December 2016 the First-tier Tribunal for Scotland Housing and Property Chamber will try to resolve complaints and disputes between home owners and property factors. So if your complaint is about a Factoring Service, and you are still dissatisfied after our investigation stage you will be able to go to the First-tier Tribunal for Scotland Housing and Property Chamber

**Housing and Property Chamber
First-tier Tribunal for Scotland
Scottish Courts and Tribunal Service
4 th Floor, 1 Atlantic Quay
45 Robertson Street
GLASGOW
G2 8JB**

Tel: 0141 302 5900
Email: HPCadmin@scotcourtribunals.gov.uk
Website: www.housingandpropertychamber.scot

Reporting Significant Performance Failure To The Scottish Housing Regulator

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. 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.

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:

<http://www.scottishhousingregulator.gov.uk/>

Getting Help to Make Your Complaint

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. Mandates can be obtained from the office.

You can find out about advocates in your area by contacting the Scottish Independent Advocacy Alliance or Citizens Advice Bureau.

Scottish Independent Advocacy Alliance

Tel: 0131 510 9410

Website: www.siaa.org.uk

Citizens Advice Scotland

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

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.