

## Complaints Policy

<b>Version Number</b>	Issue 7.0
<b>Date Revision Complete</b>	June 2020
<b>Policy Owner</b>	Quality and Improvement Manager
<b>Author</b>	Paul Nichol, Senior Improvement Officer
<b>Reason for Revision</b>	Revision of policy in line with SPSO revisions, and to move procedural elements to the relevant procedure'
<b>Proof Read</b>	Wendy Russell, Head of Business Services
<b>Date Approved</b>	July 2020
<b>Approved by</b>	OMT
<b>Next Review Due</b>	July 2023

<b>Audience – Training and Awareness Method</b>	<ul style="list-style-type: none"> <li>• Communication to all employee with quick step guide.</li> <li>• Ongoing training.</li> <li>• “How To” guide.</li> <li>• Specific SPSO training for named investigators.</li> </ul>
<b>Effective Date</b>	July 2020

<b>Internal References</b>	Unacceptable Actions Policy Anti-Social Behaviour Policy Tenants Handbook
<b>External References</b>	Scottish Public Services Ombudsman Act 2002

<b>Appendices</b>	Complaints Handling Procedure How to Guide Complaints Proforma (for those without PC access) SPSO Complaints Leaflet Care Inspectorate Complaints Leaflet Care Inspectorate Complaints Procedure
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<b>Comments:</b>	
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## Complaints Policy

### 1 Policy Statement

- 1.1 Blackwood aims to provide high quality, responsive services to all our customers, but there may be times when we do not provide the level or quality of service that we have promised or that customers can reasonably expect.
- 1.2 We aim to deal fairly and effectively with anyone complaining about any of our decisions or activities, in line with the Scottish Public Service Ombudsman's (SPSO) and Care Inspectorate guidance.
- 1.3 Our complaints handling approach is strongly linked to our Blackwood Values. When dealing with and responding to complaints we will:
- Have respect and understanding
  - Be open and honest
  - Take responsibility
  - Keep our promises
- 1.4 Our **Complaints Handling Procedure** gives clear details of who can raise a complaint, what steps will be taken to resolve issues and what we will do to ensure we use complaints information to improve services for the longer term.

### 2 Scope of the Policy

- 2.1 We have defined a complaint, in line with the SPSO guidance, as:
- 'An expression of dissatisfaction by one or more members of the public about Blackwood's action or lack of action, or about the standard of service provided by or on behalf of Blackwood.'**
- 2.2 Our Complaints Handling Procedure provides a range of examples of complaints we may receive, and how these will be handled. This is based on the SPSO's Model Complaints Handling Procedure.
- 2.3 Although the SPSO's Model Complaints Handling Procedure has been developed for Registered Social Landlords (RSLs), we also adopt this Model across Blackwood, incorporating Care and Corporate complaints.
- 2.4 Our complaints procedure has two stages. We expect the majority of complaints will be handled at stage 1, also known as a Frontline complaint. If the customer remains dissatisfied after stage 1, they can request that we look at it again, at stage 2, also known as an Investigation complaint. If the complaint is complex

enough to require an investigation, we will put the complaint into stage 2 immediately and skip stage 1.

- 2.5 Complaints about neighbours are dealt with under our separate Anti-Social Behaviour Policy. However, if the complaint is about the way in which the dispute or neighbour complaint has been handled, then it is appropriate to complain under this Complaints Policy. Please note that target timescales and template letters for anti-social behaviour complaints will differ from those outlined in this policy.

### **3 Principles**

- 3.1 Blackwood aims to provide high quality, responsive services. Complaints are only one way of receiving feedback on our services. We conduct regular customer satisfaction surveys, encourage customer engagement in improving our services, and actively seek customer feedback on our performance in key areas such as maintenance.
- 3.2 Team Blackwood, our regional scrutiny panels, examine our performance and our success in meeting customer expectations. They also play a role in analysing our performance in responding to customer feedback.
- 3.3 However there will be occasions when a user of our services is not happy with the level or quality of service. We recognise that complaints are key opportunities for us to improve our services and actively promote this to employees and customers.
- 3.4 All employees must be aware that customers have a right to complain. Any employee who receives and deals with a complaint should do so in a positive manner, whatever their initial view about the validity of the complaint.
- 3.5 Complaints can be made by any Blackwood customer, or prospective customer. Complaints can also be made by any person with reason to, even if they are not a Blackwood customer, for example, they may be a friend or family member of one of our customers or they may be acting as an advocate.
- 3.6 Customers will also have the opportunity to offer suggestions, where they do not wish to make a formal complaint.
- 3.7 We recognise that some of our customers may need help or support to make a complaint and will offer guidance and assistance.
- 3.8 All complaints should be treated sympathetically and in confidence.
- 3.9 Employees involved in investigating and reviewing complaints will be trained and supported to ensure complaints are dealt with consistently and effectively.

## **4 Who can use the Complaints Policy?**

4.1 Anyone who receives or requests a service from Blackwood can use the Complaints Policy. This includes:

- Tenants, sharing owners, and people who receive support or care services from Blackwood (or someone acting on their behalf, such as a relative or support worker).
- People applying to Blackwood for a house or for a care and support service.
- People acting on behalf of the person, such as a solicitor, advice agency, local councillor, MSP (Member of the Scottish Parliament) or MP (Member of Parliament) – although we do encourage that people try and resolve their complaint with us directly first.

4.2 If someone is acting on behalf of the person who has a complaint, depending on the issue and the complexity of the complaint, we may need to seek permission from the complainant to discuss the issue with his or her nominated representative.

## **5 Complaints about employees**

5.1 All complaints about employees are processed through the Complaints Policy in the first instance. Where necessary, each party involved may be contacted to find out more information about the issue and to agree a resolution. Where the outcome of this investigation requires the involvement of HR, we will ensure that the relevant HR procedure is followed.

5.2 Our Complaints Handling Procedure outlines the full procedure for investigating and responding to complaints about employee.

## **6 Unacceptable Behaviour by Complainants**

6.1 People may act out of character in times of trouble or distress. If there have been upsetting or distressing circumstances leading up to a complaint, in a small number of cases this can lead to a customer acting in an unacceptable way. Blackwood has a separate policy to deal with instances such as this. This is called the Unacceptable Actions Policy.

## **7 Independent advice**

7.1 Blackwood will always try to resolve problems directly with those who are dissatisfied. However, complainants may feel it is important to get independent advice before deciding to make a complaint. This advice is available from Citizens Advice Bureaux, Law Centres, Solicitors and Tenants' organisations.

## **8 Confidentiality**

- 8.1 As far as possible all complaints will be treated in confidence. The name of the complainant will not be made known any more than is necessary within Blackwood.
- 8.2 However complainants must appreciate that if their complaint involves another tenant, service user or an employee, it may be very difficult to look into this without talking to those people. If the person asks Blackwood employees not to do so, then that will be respected, but it may mean it will not be possible to take any action to tackle the problem.

## **9 Redress**

- 9.1 Blackwood aims to address and resolve complaints quickly and positively. In the event of a minor inconvenience or distress to a customer, Managers may feel that a gesture of regret (such as a bouquet of flowers or voucher) is appropriate and, subject to the approval of the Senior Manager, have discretion to offer a token of our regret up to a maximum value of £25.
- 9.2 In the event of prolonged periods of inconvenience or distress to a tenant in resolving a problem it may be appropriate to consider financial compensation in some form. This is considered by and at the discretion of the Senior Management Team up to a maximum of £300. If it is felt that more significant compensation should be considered this will be considered by and at the discretion of the Housing & Care Committee on receiving a full report and recommendation by a member of EMT.

## **10 Monitoring, reporting and learning**

- 10.1 The Operational Management Team is responsible for ensuring that all complaints are logged and reported as they relate to their service areas. They will encourage employees to use the complaints system, and use the opportunities presented to them to improve their service.
- 10.2 All employees who use the complaints system have a responsibility for ensuring it is managed and kept up to date. It is essential that enough detail is documented to ensure complaints can be processed accurately and in a timely manner.
- 10.3 The complaints system will be maintained and monitored within the Business Services Team.
- 10.4 It will be the responsibility of the Senior Managers of Blackwood to review the information provided by the complaints system. They should, within their own teams, carry out the following:
- Monitoring of response times in relation to agreed target timescales.
  - Identify common themes of issues and take action to improve.
  - Identify learning points for either the team or the organisation as a whole, and ensure that good practice is shared.
  - Monitor customer satisfaction with the complaints process.

- 10.5 A weekly complaints reminder email is sent by the Business Services Team to all complaint handlers currently managing an open complaint, highlighting those which are overdue, and sent to the Operational Management Team for information.
- 10.6 A number of performance reports are produced on a monthly and quarterly basis. The reports cover outcomes, trends, and actions taken, as well as examples and case studies to demonstrate how complaints have improved services. These reports are co-ordinated and provided by the Business Services Team, either as part of the Performance Framework or independently to the following meetings:
- Monthly complaints reports will be provided to Operational Management Team for discussion and review.
  - Quarterly performance reports, including customer feedback, will be provided to the Audit & Performance Committee.
  - An annual report will be provided to the Audit & Performance Committee, including total compensation paid to complainants.
- 10.7 Annual complaints statistics are also made available on Blackwood's website.
- 10.8 We also encourage complaint handlers to record and take forward any learning points from complaints, such as changes to process and training needs.

## **11 Satisfaction Monitoring**

- 11.1 Blackwood has a requirement to monitor our customers' satisfaction with complaints handling.
- 11.2 The Customer Engagement Plan project group will consider regular customer satisfaction monitoring of the complaints process as part of a wider programme of surveys and consultation. These will take the form of 'pulse surveys,' using electronic means such as text message, CleverCogs or social media channels to monitor satisfaction levels
- 11.3 Satisfaction with complaints can also be discussed with care customers on an ad hoc basis as part of their 6-monthly review, and also forms part of the question set used in the Care Quality Assurance surveys.
- 11.4 Responses of the above Satisfaction Monitoring activity will be provided to our Operational Management Team.

## **12 Equal Opportunities and Access to Information**

- 12.1 A summary of this Complaints Policy, and associated Complaints Handling Procedure is provided to all customers in the form of a leaflet. It is also included in the Tenant Handbook.

- 12.2 Information is made available on Blackwood's website and is available at the reception area of all offices.
- 12.3 Information on the Complaints Policy, and associated Complaints Handling Procedure will be highlighted to all new tenants and service users when they join Blackwood. Information on the Complaints Policy is included in the guidance for applicants that accompanies each application form.
- 12.4 All Blackwood employees should receive a copy of the policy and be aware of and receive training in their responsibilities in its implementation. This is included in the induction process for new employees.
- 12.6 A copy of the policy and procedure and summary information leaflet sheets will be made available on request on tape, in large print, or in other languages. Tenants, applicants, service users with particular needs will be assisted to make a complaint where necessary.

### **13. Policy Review**

- 13.1 This policy will be reviewed every 3 years or earlier if required.