

Complaints Handling Procedure





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Introduction

We aim to deliver excellent service every time, but we know things don't always go perfectly. If something goes wrong or you're unhappy with our service, please let us know.

Complaints and feedback help us understand what's working and where we need to improve. Every comment you share is an opportunity for us to learn and make things better. We're committed to continually improving what we do so we can provide the best possible experience for you.

Our complaints handling procedure reflects the Scottish Public Services Ombudsman's Statement of Complaints Handling Principles, Model Complaints Handling Procedure for Registered Social Landlords and Child Friendly Complaints Handling Principles.

Our process is designed to be person-centred, accessible, simple, timely, fair and impartial. We aim to resolve complaints as early and as close to the point of service delivery as possible and to use what we learn to improve our services.

All Trust staff receive complaints-handling training as part of their induction, with refresher training provided regularly.

For more information and to directly access our online feedback & complaints form, you can also scan the QR code below with your phone:





What is a complaint?

A complaint is: “an expression of dissatisfaction by one or more members of the public about Trust Housing Association’s action or lack of action, or about the standard of service provided by or on behalf of Trust Housing Association.”

You do not need to use the word “complaint”, put your complaint in writing or complete a particular form. If you tell us that you are dissatisfied and the matter meets this definition, we will recognise and respond to it as a complaint.

What can I complain about?

- 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).
- Disagreement with a decision, except where there is a statutory procedure for challenging that decision or an established appeals process followed throughout the sector.

What can't I complain about?

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.
- Disagreement with a decision where there is a statutory procedure for challenging that decision (such as 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 about a child or an adult's safety.
- A concern raised internally by a member of staff (which was not about a service they received, such as a whistle blowing concern).
- Issues that are currently being considered, or have already been determined, by a court or tribunal. Simply telling us that you may take legal action does not prevent us from considering your complaint. If court or tribunal proceedings begin, we may be unable to consider the same issues, but we will still consider any separate complaint issues where appropriate.

- An attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision.
- Unacceptable actions or unreasonable demands that are managed under our CE004 Managing Unreasonable Behaviour Policy. Restricting how someone contacts us will not normally prevent us from considering the substance of their complaint.
- 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).

Sometimes a concern includes several different issues. Some may be dealt with through this complaints procedure, while others may need to be considered through a different procedure or appeal route. We will explain which process applies to each issue and why. Where your concern cannot be handled under this procedure, we will provide clear information and signpost you to the appropriate process or organisation to help you.

If we decide that an issue cannot be handled through this complaints procedure, we will explain why, tell you what action we will take, signpost you to any appropriate process or organisation and explain your right to contact the SPSO if you disagree with our decision.

Who can make a complaint and how?



Who can complain?

If someone complains on your behalf, we will normally need to confirm that you have authorised them to act for you before we share personal information. Consent may be recorded in writing, verbally or in another appropriate way, depending on the circumstances.

Different considerations apply where a complaint involves a child or where someone cannot provide consent. We will consider the individual circumstances and explain what information we can share. Please also read the section on [Getting Help to Make Your Complaint](#) (pg 13).

You will not be treated differently because you make a complaint.

Making a complaint will not affect the service you receive from Trust. We want people to feel confident telling us when something has gone wrong.

Complaints involving children and young people

A child is anyone under 18. We use a child-friendly approach when:

- you make a complaint yourself;
- an adult makes a complaint for you; or
- an adult makes a complaint about something that directly affects you.

We will listen to your views and consider who the complaint belongs to. Your best

interests will be at the heart of decisions that affect you. You may not always want a parent, carer or other adult to be involved. We will listen to your views and consider your age, understanding, circumstances and best interests when deciding whether another adult needs to be involved. We will explain our decision to you.

You can communicate in a way that works for you. This may include speaking to us, writing, email, drawing, audio, video or using a communication aid.

You can ask for support from a parent, carer, advocate, trusted adult or another appropriate person. Where possible, we will agree a named person at Trust to keep in contact with you.

We will explain the process, outcome and next steps in a way you can understand. We will respect your privacy as far as possible, but we cannot promise to keep information secret if someone may be at risk of harm. If we need to share information to help keep someone safe, we will explain this to you wherever we can.

If someone may be in immediate danger, call 999.

Child-protection or safeguarding concerns are dealt with through the appropriate safeguarding process, rather than being

investigated as a complaint. You can still complain about how Trust handled a safeguarding concern.

If you'd like help from an advocate, we can help you find one, or you can look up local advocacy through the Scottish Independent Advocacy Alliance (www.siaa.org.uk).

How do I make a complaint?

You can complain in any reasonable and accessible way. You can speak to us in person at any Trust office or development, contact us by phone, write or [email us](#), use our [website](#) or make a complaint through [MyTrust](#). You do not need to complete a particular form.

If you express dissatisfaction through one of our official social media accounts, we will not discuss personal information publicly. We will help you move the conversation to a suitable private channel and record your complaint.

Edinburgh Office

12 New Mart Road
Edinburgh, EH14 1RL

Tel: 0131 444 1200

Glasgow Office

First Floor, Pavilion 5
Watermark Business Park
345 Govan Road
Glasgow, G51 2SE

Tel: 0131 444 1200

Wishaw Office

55 Kirk Road
Wishaw, ML2 7BL

Tel: 01698 377 200

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.

When complaining, please tell us:

- Your full name and contact details.
- As much as you can about the complaint.
- What has gone wrong.
- What outcome you are seeking.

Please provide as much information as you can, but we will not refuse to recognise your complaint because you cannot provide all these details. We can help you explain and record your complaint.

How long do I have to make a complaint?

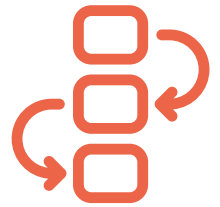


You should normally make your complaint within six months of when you first knew about the problem.

We may accept a complaint after this time where there are special circumstances. If you think the time

limit should not apply, please explain why. We will consider factors such as the seriousness of the issue, why the complaint was delayed, the information still available and whether considering the complaint could provide a practical benefit or useful learning.

What happens when I make a complaint?



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

Stage 1: Frontline Response

At Stage 1, we will respond within five working days. In exceptional circumstances, an appropriate manager may agree an extension of up to five further working days. We will explain why an extension is needed and tell you when you can expect our response.

A Stage 1 complaint must not remain at this stage for more than ten working days. If it cannot be completed within that time, it will be moved to Stage 2.

We will explain how your complaint has been dealt with, including any action agreed with you. Where we make a formal decision, we will tell you whether your complaint has been upheld, partially

upheld or not upheld. We will also tell you how to ask for Stage 2 consideration if you remain dissatisfied.

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).

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

Stage 2 is used where:

- you remain dissatisfied after our Stage 1 response;
- you do not wish to engage with attempts to handle the complaint at Stage 1 and want the matter investigated;
- your complaint is complex or requires detailed investigation;
- we need information from several sources; or
- the matter is serious, high-risk or high-profile.

Some complaints will therefore go directly to Stage 2 without first being considered at Stage 1.

When we handle your complaint at Stage 2:

- We'll confirm we've received your complaint within three working days.
- We'll make sure we understand the issue and what outcome you're looking for.

- We'll try to resolve your complaint where possible. In some cases, we may suggest an alternative approach, such as mediation.
- We'll provide a full final response as soon as possible and normally within 20 working days. We will communicate this in an accessible way, taking account of your preferred communication method.
- We'll explain what we investigated, what we found, our decision and the reasons for it. Where appropriate, we will also explain any apology, remedy, action or service improvement and tell you about your right to independent external review.

If the investigation will take longer than 20 working days, we will explain why, give you a realistic revised completion date and keep you updated at least once every 20 working days until your complaint is concluded.

Learning from complaints

We analyse complaints to identify themes, trends and opportunities to improve our services. We share learning with colleagues and, where appropriate, with our contractors and customers.

We publish information about our complaints performance and service improvements throughout the year, as well as an annual complaints performance report.



What if I'm still dissatisfied?

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.

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.

The SPSO

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). Normally, you can ask the SPSO to consider your complaint where:

- you have completed Trust's complaints procedure;
- you contact the SPSO within 12 months of when you first became aware of the matter; and
- the matter has not been, and is not being, considered in court.

The SPSO may accept a complaint outside the normal 12-month period in appropriate circumstances. The SPSO will decide whether it can consider your complaint.

Some complaints may have another external review route, depending on the service, your tenure and the subject of the complaint. We will give you case-specific information in our final response.

You can find information about how to complain to the SPSO, including the

information they may need from you, on the SPSO website. It may be helpful to have a copy of our final response available when you contact them. You can do this online at <https://www.spsso.org.uk/form/complaint-checker> 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 [Getting Help to Make Your Complaint](#) (pg 13) for more information.

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

(This is all you need to write on the envelope, and you don't need a stamp).



Care complaints

If your complaint relates to a care or housing-support service provided by Trust, you can choose whether to complain to us or directly to the Care Inspectorate. Complaining to Trust does not remove your right to contact the Care Inspectorate directly.

The Care Inspectorate has several offices around Scotland. Please refer to their website for more information.

Care Inspectorate

Tel: 0345 600 9527

Email: concerns@careinspectorate.gov.scot

Online: use the complaints and feedback section of the Care Inspectorate website.



Scottish Housing Regulator: reporting a serious concern



The Scottish Housing Regulator can consider a serious concern through its significant performance failure route. This may apply where a social landlord regularly and repeatedly fails to meet regulatory requirements, the failure affects or could affect a group of tenants, and tenants' interests are put at risk.

This is different from an individual complaint between a tenant and their landlord. Individual complaints about Trust's service should normally be considered through our complaints procedure.

If you believe there is a wider or systemic problem, you should normally tell us first and give us an opportunity to address it. If the concern remains unresolved, you can contact the Scottish Housing Regulator. You can find out more about reporting serious concerns on our website at www.trustha.org.uk or on the Scottish Housing Regulator website at www.scottishhousingregulator.gov.uk



Complaints about personal information



A request to exercise a data-protection right, such as asking for a copy of your personal information, is not itself a complaint under this procedure.

You can, however, complain about how Trust has collected, used, shared, retained or otherwise handled your personal information. We will explain how the data-protection complaint will be handled, the timescale that applies and your right to

contact the Information Commissioner's Office.

If the same circumstances also involve dissatisfaction with a Trust service, we may consider the data-protection complaint and service complaint at the same time under the appropriate processes.

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 on your behalf.

We can help you explain or record your complaint, provide information in alternative formats, arrange interpretation or translation and give you information about independent advocacy.

We are committed to making our complaints service accessible. We will ask whether you need support, a reasonable adjustment or a particular communication arrangement, and we will take reasonable and proportionate steps to meet your individual needs.

If you have trouble putting your complaint in writing, or want this information in another language or format, such as large print, Braille or audio, please tell us in person, contact us on **0131 444 1200** or email us at **complaints@trusha.org.uk**

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 independent advice through Citizens Advice Scotland or your local Citizens Advice Bureau. Contact details are available through the Citizens Advice Scotland website: www.cas.org.uk



Our contact details

Please contact us by the following means:

In writing: Trust Housing Association
12 New Mart Road
Edinburgh, EH14 1RL

Email: complaints@trustha.org.uk

Tel: 0131 444 1200

Website: www.trustha.org.uk

In person: at any of our offices or developments (for more information, visit our website or our contact page [here](#)).

We can use our Happy to Translate tool kit or arrange translation services if you need help with interpretation.

We can also provide interpretation and/or translation services if you are a British Sign Language user. BSL users can also contact us via www.contactscotland-bsl.org which is a free public service.

Our website also has a text-to-speech function available.

We can provide this document to you in other formats, including Braille, print and audio.

Our staff are trained to support you through the complaints process. If you are having any trouble with any stage, please let us know.



Complaints Procedure

A quick guide



Make a complaint

The easiest way to make your complaint is via our website, in your MyTrust portal (trustha.org.uk/mytrust). You can also make a complaint in person, by phone, by email, or in writing (see page 7 for details).

We have a two-stage complaints procedure and will always try to deal

with your complaint quickly. However, if it is clear that the matter will need investigation, we will keep you updated on our progress. If your complaint relates to a care service, you can choose to complain to us or directly to the Care Inspectorate. See page 11 for contact information.



Stage 1: frontline response

We will respond to straightforward complaints within five working days.

In exceptional circumstances, we may extend this by up to five further working

days. We will explain why and tell you when to expect our response.

If you remain dissatisfied, tell us and we will consider your complaint at Stage 2.



Stage 2: investigation

Stage 2 is used where you remain dissatisfied after Stage 1, the complaint requires detailed investigation, information is needed from several sources, or the matter is serious, high-risk or high-profile.

We will:

- acknowledge your complaint within three working days;

- confirm the points we will investigate and the outcome you are seeking;
- investigate fairly and proportionately; and
- provide our final response within 20 working days.

If we need longer, we will explain why, give you a revised date and update you at least once every 20 working days.



Independent external review

After our final Stage 2 response, you can ask the SPSO to consider your complaint if you remain dissatisfied. The normal SPSO time limit is 12 months from when

you first became aware of the matter. Some complaints have another external-review route. We will provide case-specific signposting in our final response.

Contact Us

(Head Office)
Trust Housing Association
12 New Mart Road
Edinburgh, EH14 1RL

complaints@trustha.org.uk
0131 444 1200

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If you would like this information in a different format or language, please get in touch.

trustha.org.uk

