



# COMPLAINTS POLICY

---

## Contents

1. Introduction .....	2
2. What is a Complaint? .....	2
3. What can I complain about? .....	2
4. What can't I complain about? .....	3
5. Who can complain? .....	3
6. How do I complain? .....	4
7. How long do I have to make a complaint? .....	4
8. What happens when I have complained? .....	5
9. What if I'm still dissatisfied .....	6
10. Reporting a significant failure to the Scottish Housing Regulator .....	7
11. Getting help to make your complaint .....	7
12. Factoring, Shared Owners and Mid-Market Rent (MMR) Complaints .....	8
13. Contact details and other information .....	9
14. Dealing with unacceptable behaviour .....	9
15. Other Related Policies .....	10
16. UK General Data Protection Regulation 2018 (UK GDPR) .....	10
17. Policy Review .....	10
18. Equality Impact Assessment .....	10
Appendix 1 .....	11

## 1. Introduction

ng homes is committed to delivering high-quality customer services.

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

If something goes wrong or you are dissatisfied with our services, please tell us. This policy describes our complaints handling 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.

## 2. 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.

## 3. 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 it may be about someone working on our behalf.

#### 4. 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
- 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 Behaviour Policy
- 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).

If other procedures or rights of appeal can help you resolve your concerns, we will give information and advice to help you.

#### 5. Who can complain?

Anyone who receives, requests or is 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.

## **6. How do I complain?**

You can complain in person at either of our offices listed below:

**50 Reidhouse Street, Springburn G21 4LS**

Or

**139 Saracen Street, Possilpark G22 5AZ**

**By phone on 0141 560 6000 or by email at [complaints@nghomes.net](mailto:complaints@nghomes.net)**

Alternatively, you can submit your complaint via our website [complaints \(nghomes.net\)](https://complaints.nghomes.net) or through our app which you can download for free from the APP Store or Google Play.

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; and
- what outcome you are seeking.

## **7. 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.

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.

## **8. What happens when I have complained?**

We will always tell you who is dealing with your complaint. Appendix 1 provides a quick guide flowchart showing the staff process for dealing with complaints.

Our complaints procedure has two stages:

### **Stage 1: Frontline response**

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.

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

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).

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 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.

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.

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.

## 9. 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.

The SPSO is the final stage for complaints about public services in Scotland. This includes complaints about the Housing sector. 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 our 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 our final response to your complaint. You can do this online at [www.spsso.org.uk/complain/form](http://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. Organisations that may be able to assist you are:

- Citizens Advice Scotland
- Scottish Independent Advocacy Alliance

See the section below on **Getting help to make your complaint** for contact details.

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](http://www.spsso.org.uk/contact-us)

Website: [www.spsso.org.uk](http://www.spsso.org.uk)

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.

## **10. Reporting a significant 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 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.

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: <https://www.housingregulator.gov.scot/>

## **11. 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.

You can find out about advocates in your area by contacting the Scottish Independent Advocacy Alliance on Telephone: 0131 510 9410 or at their Website: [www.siaa.org.uk](http://www.siaa.org.uk)

If you wish us to respond to the person who has contacted us on your behalf, you will have to provide us with a signed mandate form to allow us to correspond with the third party and deal with the complaint effectively that way.

You can find out about advisers in your area through Citizens Advice Scotland at their website [www.cas.org.uk](http://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, or want this information in another language or format, such as large font, or Braille, please tell us in person, contact us by Telephone: 0141 560 6000 ; by email [info@nghomes.net](mailto:info@nghomes.net); through our website [complaints \(nghomes.net\)](http://complaints(nghomes.net)); through the ng homes app or by speaking to your housing officer.

please tell us and we can ensure that your complaint is received in a format that is suitable for you.

## **12. Factoring, Shared Owners and Mid-Market Rent (MMR) Complaints**

The SPSO does not normally look at complaints about our factoring service, complaints from shared owners or mid-market rent tenants. These complaints can be considered by the First Tier Tribunal for Scotland (Housing and Property Chamber). They can be contacted at:

Housing and Property Chamber  
First-tier Tribunal for Scotland  
Glasgow Tribunals Centre  
20 York Street  
Glasgow  
G2 8GT

Telephone: 0141 302 5900

Email: [HPCAdmin@scotcourtribunals.gov.uk](mailto:HPCAdmin@scotcourtribunals.gov.uk)

Website: [www.housingandpropertychamber.scot](http://www.housingandpropertychamber.scot)



The above body can provide relatively informal and flexible proceedings to help resolve issues that arise between homeowners, mid-market rent tenants and property factors.

### **13. Contact details and other information**

You can contact the Association in person at either of our offices listed below:

**50 Reidhouse Street, Springburn G21 4LS**

Or

**139 Saracen Street, Possilpark G22 5AZ**

Alternatively, you can contact us by: **Telephone on 0141 560 6000 or email: [complaints@nghomes.net](mailto:complaints@nghomes.net) or through our website [complaints \(nghomes.net\)](https://www.nghomes.net), the ng homes app or your Housing Officer.**

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

### **14. Dealing with unacceptable behaviour**

The Association has an Unacceptable Behaviour Policy in place. We understand that people may act out of character in times of trouble or distress. The circumstances leading to a complaint may result in the customer acting in an unacceptable way. We recognise that customers who have a history of challenging or inappropriate behaviour, or have difficulty expressing themselves, may still have a legitimate grievance.

A customer's reasons for complaining may contribute to the way in which they present their complaint. Regardless of this, we must treat all complaints seriously and properly assess them. However, we also recognise that the action of customers who are angry, demanding or persistent may result in unreasonable demands on staff time and resources or unacceptable behaviour towards our staff. We will, therefore, apply our policies and procedures to protect staff from unacceptable behaviour such as unreasonable or persistent demands, threats or offensive behaviour from customers.

We have a zero tolerance approach to this type of behaviour and where we decide to restrict access for a customer in relation to the above, we have a procedure in place to communicate that decision, notify the customer of a right of appeal, and review any decision to restrict contact with us. We will review this decision where appropriate to allow the customer to demonstrate a more reasonable

approach. We will also make clear to the customer that they can still request other services such as repairs while their access is restricted.

## **15. Other Related Policies**

- Repairs and Maintenance
- Tenants Right to Repair
- Mid-Market Rent (MMR) Complaints
- Customer Care
- Data Protection
- Openness, Accountability and Confidentiality
- Equality and Diversity
- Unacceptable Behaviour
- Anti-Social Behaviour

## **16. UK General Data Protection Regulation 2021 (UK GDPR)**

The ng group will treat your personal data in line with our obligations under the UK General Data Protection Regulation 2021 (UK GDPR) and our own Data Protection Policy. Information regarding how your data will be used and the basis for processing your data is provided in our Fair Processing Notices. The organisation will treat your personal data in line with our obligations under the UK General Data Protection Regulation and our own Data Protection Policy. Information regarding how your data will be used and the basis for processing your data is provided in our Fair Processing Notices.

## **17. Policy Review**

This Policy will be reviewed every two years or earlier in line with regulatory or legislative guidance/changes or good practice guidelines.

## **18. Equality Impact Assessment**

This Policy is equally applicable to all and has no detrimental impact on protected characteristic groups as specified within the Equality Act 2010.

**Appendix 1**

**Quick Guide Flowchart: ng homes Complaints Handling Procedure**

