



**Scottish Housing**  
Regulator

# **Complaints Handling Procedure**

**March 2016**

## About Us

We are the independent Regulator of just under 200 social landlords – around 160 Registered Social Landlords (RSLs) and 32 local authorities. We are led by a Board of non-executive members and directly accountable to the Scottish Parliament.

Our one objective is **to safeguard and promote the interests of:**

- nearly 600,000 **tenants** who live in homes provided by social landlords;
- around 90,000 **owners** who receive services from social landlords;
- around 40,000 **people and their families** who may be homeless and seek help from local authorities; and
- over 2,000 **Gypsy/Travellers** who use official sites provided by social landlords.

Our role is to gather, monitor, assess and report on social landlords' performance of housing activities and RSLs' financial well-being and standards of governance, and to intervene where appropriate to achieve our objective. We also keep a public register of social landlords.

You can see more on how we regulate social landlords in our published [Regulatory Framework](#) available on our [website](#).

## **Our Commitment**

We are committed to working to a high standard.

We value complaints and use information from them to help us improve the way we work.

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

## **What is a complaint?**

We regard a complaint as any expression of dissatisfaction by one or more individuals or organisations about our action or lack of action, or about the standard of our work provided by or on our behalf.

## **What can I complain about?**

You can complain about things such as:

- our failure to act in accordance with our published policies and/or not responding in line with our stated targets;
- discourteous or unprofessional treatment by, or attitude of, a member of our staff;
- disagreement and/or dissatisfaction with a decision (with the exception of disagreement with our judgement on a specific regulatory decision);
- dissatisfaction that we have not acted in accordance with our published policies (including our Regulatory Framework and *How We Work* publications) when making a regulatory decision; and/or
- our failure to follow appropriate administrative processes.

Your complaint may involve more than one aspect of our work 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 handling procedure. These include:

- a routine first-time request to us;
- disagreement and/or dissatisfaction with how we have exercised our judgement in relation to a decision arising from regulatory activity;
- issues that are in court or have already been heard by a court or a tribunal; disagreement with a decision where a statutory right of appeal exists; an attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision; and
- a request for compensation only.

If other procedures or rights of appeal can help you resolve your concerns, we will give information and advice to help you. In particular, information about our review and appeals procedures are available on our website

## **Who can complain?**

Anyone can make a complaint to us, including the representative of someone who is dissatisfied with our work. Please also read the section on 'Getting help to make your complaint'.

## **How do I complain?**

You can complain in person at our office, by phone, in writing, or by email.

It is easier for us to resolve complaints if you make them quickly and directly. So please talk to a member of our staff directly involved in the work concerned and 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; and
- 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.

## **Contact details**

You can make a complaint directly via our feedback and complaints form on our website: [www.scottishhousingregulator.gov.uk/feedback-and-complaints-about-us](http://www.scottishhousingregulator.gov.uk/feedback-and-complaints-about-us)

Alternatively, you can write to us at:

**Scottish Housing Regulator  
Buchanan House  
58 Port Dundas Road  
Glasgow  
G4 0HF**

You can also **call us on: 0141 242 5642**

Or you can **email us at: [shr@scottishhousingregulator.gsi.gov.uk](mailto:shr@scottishhousingregulator.gsi.gov.uk)**

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

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

### **Stage one – frontline resolution**

We aim to resolve complaints quickly and close to the area of work which the complaint relates to. 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 and tell you what you can do next. We might suggest that you take your complaint to Stage 2. You may choose to do this immediately or sometime after you get our initial decision.

### **Stage two – investigation**

Stage 2 deals with three types of complaint:

- those that have not been resolved at Stage 1;
- those that are complex and require detailed investigation; and
- those where the matter has already been considered through our review procedure.

When using Stage 2 we will:

- acknowledge receipt of your complaint within three working days;
- where appropriate, discuss your complaint with you to understand why you remain dissatisfied and what outcome you are looking for; and
- 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; or
- a matter that has been or is being considered in court.

It is for the SPSO to consider whether it is able to take action about your complaint in the specific circumstances of your case.

You can approach the SPSO directly to look at a complaint, without going through our complaints procedure, where the matter has already been considered as part of an appeal (providing you are not bringing forward new evidence at that point).

## You can contact the SPSO:

### In person:

SPSO  
4 Melville Street  
Edinburgh  
EH3 7NS

### By post

SPSO  
Freepost EH641  
Edinburgh  
EH3 0BR

### Freephone:

0800 377 7330

### Online contact:

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

### Website:

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

### Mobile site:

<http://m.spsso.org.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.

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

### **Scottish Independent Advocacy Alliance**

Tel: 0131 260 5380 Fax: 0131 260 5381 Website: [www.siaa.org.uk](http://www.siaa.org.uk)

We will make reasonable adjustments wherever necessary to make sure we are accessible to individuals and organisations. If you have trouble putting your complaint in writing, or want this information in another language or format, such as large font, or Braille, tell us in person, contact us on **0141 271 3810** or email us at [shr@scottishhousingregulator.gsi.gov.uk](mailto:shr@scottishhousingregulator.gsi.gov.uk).

## Our contact details

You can write to us at:

**Scottish Housing Regulator  
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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 e-mail 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 a detailed investigation, we will tell you and keep you updated on our progress.



### Stage 1: frontline resolution

We will always try to resolve 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 are complex or need detailed investigation.

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



### The 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.

We will tell you how to do this when we send you our final decision.



