

You can contact the SPSO:

**In Person:**

SPSO 4 Melville Street Edinburgh EH3 7NS

**By Post:**

SPSO Freepost EH641 Edinburgh EH3 OBR

**Freephone:**

0800 377 7330

**Online contact:**

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

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

**Mobile site:** <http://m/spso.org.uk>

**Text phone**

0790 049 4372

**Complaints about factoring**

From 1<sup>st</sup> 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 factoring services, and you are still dissatisfied after our investigation stage you will be able to go to First-tier Tribunal for Scotland Housing and Property Chamber

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

Telephone Contact: 0141 302 5900  
Email Contact: [HPCadmin@scotcourtribunals.gov.uk](mailto:HPCadmin@scotcourtribunals.gov.uk)  
Website Contact: [www.housingandpropertychamber.scot](http://www.housingandpropertychamber.scot)



**MOLENDINAR PARK HOUSING ASSOCIATION**

**COMPLAINTS PROCEDURE**

Molendinar Park Housing Association  
3 Graham Square  
Glasgow G31 1AD

*Registered in Scotland 2400 R (S)  
Registered Scottish Charity SC043725  
Registered Property Factor PF 000125*

## POLICY

### 1. Introduction

Our Complaints Handling Procedure reflects Molendinar Park Housing Association's commitment to valuing complaints. It seeks to resolve customer dissatisfaction as close as possible to the point of service delivery and to conduct thorough, impartial and fair investigations of customer complaints so that, where appropriate, we can make evidence-based decisions on the facts of the case.

### 2. What is a Complaint

#### What is a complaint?

Molendinar Park Housing Association's definition of a complaint is:

***'An expression of dissatisfaction by one or more members of the public about Molendinar Park Housing Association's action or lack of action, or about the standard of service provided by or on behalf of Molendinar Park Housing Association'***

A complaint may relate to:

- failure to provide a service
- inadequate standard of service
- disagreement with a decision where the customer cannot use another procedure (for example an appeal) to resolve the matter

the Association's failure to follow the appropriate

Stage two deals with two types of complaint: those that have not been resolved at stage one and those that are complex and require detailed investigation.

When using stage two 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 twenty working days

If our investigation will take longer than twenty working days, we will tell you. We will agree revised time limits with you and keep you updated on progress.

#### What if I am 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 handling 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

discretion. In decision making we will take account of the Scottish Public Services

Ombudsman Act 2002 (Section 10(1)), which sets out the time limit within which a member of the public can normally ask the SPSO to consider complaints. The limit is one year from when the person first knew of the problem they are complaining about, unless there are special circumstances for considering complaints beyond this time.

### The complaints handling process

Our complaints process provides two opportunities to resolve complaints internally:

- **frontline resolution**, and
- **investigation**

#### 3. Stage 1 – Frontline Resolution

The Association aims 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 our decision at stage one in five working days or less, unless there are exceptional circumstances.

If we cannot 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 two. You may choose to do this immediately or sometime after you get our initial response.

We can help you with making this request.

#### 4. Stage 2 - Investigation

- administrative process

- delays in responding to enquiries and requests.
- unfairness, bias or prejudice in service delivery
- failure to follow procedures
- lack of provision, or the provision of misleading, unsuitable or incorrect advice or information
- a repair that has not been carried out properly
- unacceptable behaviour by a member of staff, a committee member or a contractor

A complaint is **not**:

- 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
- an appeal against a decision where there is an established appeal route; these should be heard through the appropriate appeal process
- an attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our **final** decision.

### Handling anonymous complaints

We value all complaints. However, it is recognised that individuals may not wish to be identified. In this situation we recommend that you use an advocacy service.

### Who can make a complaint?

Anyone who receives, requests or is affected by our services can make a complaint. This obviously includes our tenants. It also

includes a member of the public who could have access to or be affected by our services.

Sometimes a customer may be unable or reluctant to make a complaint on their own. We will accept complaints brought by a friend, relative, or an advocate as long as the customer has given their personal consent. These complaints are treated in the same way as any other, regardless of who has brought the complaint.

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

#### **Scottish Independent Advocacy Alliance:**

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

#### **Citizens Advice Scotland**

Website: [www.cas.org.uk](http://www.cas.org.uk)  
Or check your phone book for your local bureau

#### **Significant performance failures**

The Scottish Housing Regulator (SHR) has a duty to 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. A significant performance failure happens when:

- a landlord is not delivering the outcomes and standards in the Scottish Social Housing Charter over a period of time; or
- a landlord is not achieving the regulatory standards on governance or financial management.

The SHR also has more information on their website: [www.scottishhousingregulator.gov.uk](http://www.scottishhousingregulator.gov.uk) or you can phone them on: 0141 271 3810

#### **How do I complain?**

A customer can make a complaint in writing, in person, by telephone, by email or online.

It is easier for us to resolve complaints if you make them quickly and directly to the service concerned, ie repairs or housing management. 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

#### **Contact Details:**

Visit our website: [www.molendinar.org.uk](http://www.molendinar.org.uk)  
Call us on: 0141 564 5256  
Visit us at: 3 Graham Square Glasgow G31 1AD  
Write to us at: 3 Graham Square Glasgow G31 1AD

#### **How long to I have to make a complaint?**

Normally, you must make your complaint within six months from when you first knew of the problem. We will apply this time limit with