



Scottish Housing
Regulator

**Complaints Handling by
Social Landlords in Scotland**
A thematic inquiry

February 2017

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 610,000 **tenants** who live in homes provided by social landlords;
- around 118,000 owners who receive services from social landlords;
- around 44,000 people and their families who may be homeless and seek help from local authorities; and
- over 2,000 Gypsy/Travellers who can 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](#).

The Scottish Government's [Social Housing Charter](#) sets out the standards and outcomes, which social landlords should aim to achieve. We monitor, assess and report landlords' performance against the Charter, through our regulatory assessments, published analysis and thematic work.

Contents

Section	Page
Overview	1
About this thematic inquiry	3
Complaints handling in Scottish social housing	5
Our findings	8
Terms we use in this report	14
References	15

Overview

Introduction

1. This report is the outcome of our assessment of how social landlords handle complaints. As part of our inquiry, we reviewed national performance information, interviewed 12 social landlords, reviewed their websites and analysed supporting information supplied by landlords. Our tenant assessors visited landlords' offices as part of a mystery shopping exercise and reviewed all 12 landlords' websites to gain a tenant perspective. We have highlighted positive practice by social landlords.

Complaints handling in Scottish social housing

2. By complaints handling we mean:
 - how social landlords promote their complaints procedures;
 - how easy it is for service users to make a complaint;
 - how complaints are monitored; and
 - what lessons are learned from complaints to improve services.
3. The Scottish Government, through the [Scottish Social Housing Charter 2012](#) (Charter), sets standards and outcomes that all social landlords should aim to achieve when performing their housing activities. Charter Outcome 2: Communication requires social landlords to manage their businesses so that "tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides".
4. We have a range of indicators which help us assess the extent to which social landlords are meeting Charter Outcome 2. Two of those indicators relate to complaints handling, and social landlords must report performance on them in their Annual Return on the Charter (ARC). These indicators are:
 - **indicator 4:** percentage of all first and second stage complaints: upheld; responded to in full; and
 - **indicator 5:** percentage of all first and second stage complaints responded to within [Scottish Public Services Ombudsman](#) (SPSO) timescales.
5. Social landlords are required to adopt the [model Complaints Handling Procedure](#) (model CHP) and apply it when considering complaints received about themselves. The SPSO introduced the model CHP to help streamline and simplify complaints handling across Scotland. The SPSO issued best practice guidance on complaints handling from the Complaints Standard Authority (CSA) www.valuingcomplaints.org.uk
The CSA developed high level indicators for monitoring complaints handling under the SPSO's model CHP, these indicators provide the basis for self-assessment and benchmarking activities, which social landlords can use to assess and monitor their performance.

Main findings

6. Where tenants and other service users have a problem with the service their landlord is providing, they need to be able to make a complaint easily, have it considered quickly and thoroughly, and then find out the outcome of the complaint. And any organisation providing a service should welcome complaints positively as an opportunity to improve. Overall we found that most of the landlords we looked at have accessible complaints policies and handle complaints well. However some

need to be more open to complaints, be more responsive to complaints, and make better use of feedback from complaints to improve their services.

7. Most of the 12 landlords we spoke to welcomed complaints and provided information for tenants and other service users that was clear and accessible on the front page of their websites. This was in contrast to those where simple information such as how to make a complaint was not easily accessible.
8. Those landlords that made it easy for tenants and other service users to make a complaint, often had senior managers and/or governing bodies/elected committees that promoted, and took an active interest in, complaints handling.
9. While most frontline staff in case study landlords were knowledgeable and helpful, in a small number of cases frontline staff were unable to provide advice about, or explain the complaints procedure when asked for help to make a complaint.
10. We saw good examples from the majority of landlords who used the data collected to monitor performance, analyse trend information and provide detailed reports to senior management and or governing body members/elected members. These landlords also tended to report performance and the complaint outcomes to tenants and service users. In a small number of cases, we found that although information was recorded, little was done with the information collected.
11. Landlords should value complaints and take advantage of the opportunities to improve services as a result of complaints. We saw examples in some of the 12 landlords where their tenants and other service users worked together to do this. Others need to do more to embed a culture that values complaints as a way of improving services.

Recommendations

Social landlords should embed a culture, led by the top of the organisation, which welcomes and values complaints as a way of improving services. Tenants and other service users should find it easy to complain. As part of this, we recommend that landlords:

- » ensure that information on making a complaint is visible, transparent and easy to understand;
- » ensure that front line staff are empowered and well trained to understand both the complaints procedure and their role in it;
- » ensure systems for effective recording, management and performance monitoring of complaints are in place;
- » have appropriate reporting methods in place to inform senior management team and/or governing body/elected members on complaints handling performance including reviewing trends in complaints to help identify service failures;
- » report regularly to the senior management team and/or governing body/elected members on service improvements to ensure a strategic, joined up approach;
- » publish good quality, up-to date information for tenants and other service users on complaints handling performance including how complaints have been used to improve services;
- » consider using the SPSO self-assessment indicators to monitor complaints handling performance.

About this thematic inquiry

12. There were five main strands to our inquiry:



Focus groups

Discussions with members of our National Panel of Tenants & Service Users



Desk top information

Information assessments of 10 RSLs & 2 local authorities



Mystery shopping

By our tenant assessors to the 12 landlords



Follow up discussions

With the 12 landlords



Analysis of Performance Information

All landlords' ARC data for the last three years

13. The landlords we selected for closer study covered large and small landlords, urban and rural areas, and care services and housing services providers.

14. Landlords had the opportunity to tell us how they handle complaints including how:

- easy it was for tenants and other service users to make a complaint;
- they provide feedback on services;
- they monitor this feedback to improve services; and
- they tell their tenants and other service users what they have done in response to complaints.

We also asked all participating landlords if they openly welcomed complaints.

15. We reviewed information about the 12 landlords including analysing performance information we held about them and reviewing their websites. We also carried out telephone interviews with the landlords to gather further evidence. Almost all of the 12 landlords provided us with supporting information such as Board reports, printouts from complaints recording systems, and newsletters to evidence how complaints are handled within their organisations.

16.



The 12 case study landlords

- Ardenglen Housing Association
- Berwickshire Housing Association
- Dundee City Council
- Faifley Housing Association
- Glasgow West Housing Association
- Hanover (Scotland) Housing Association
- Key Housing Association
- Osprey Housing
- Renfrewshire Council
- West of Scotland Housing Association
- Williamsburgh Housing Association
- Yorkhill Housing Association

17. Our tenant assessors reviewed each landlord's website to find out how easy it was to make a complaint and how helpful the information was. Tenant assessors also did mystery shopping visits to these landlords' offices and asked frontline staff for information about, and assistance with, making a complaint. They also reviewed

complaint leaflets and other publically visible information about complaints in each of the landlord's offices.

17. SPSO good practice states that landlords should signpost service users to support services and all publications relating to the Model CHP should meet equality and diversity requirements. Our tenant assessors looked at this as part of their mystery shopping visits.
18. We established our [National Panel of Tenants and Service Users](#) in 2013 as a way of helping us to understand the opinions and experiences of tenants (from a range of landlords) and others who use social landlords' services, to help us shape our regulatory focus. We asked a focus group from the panel a number of questions to gauge their experience of making a complaint.
19. We have not reported on individual case study landlords. Where a landlord has told us about positive practice we have highlighted this and named the landlord concerned. We have not directly assessed the positive practice. We expect those landlords whose practice falls short of meeting the SPSO guidance or their obligations as part of the Charter Outcome 2 on communication to address any identified performance issues.

Complaints handling in Scottish social housing

The Scottish Social Housing Charter

20. The Scottish Parliament through the Charter has set out the standards and outcomes all social landlords should aim to achieve when performing their housing activities. The Charter requires that:

“Social landlords manage their businesses so that tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides.”

Scottish Social Housing Charter Outcome 2: Communication

Specifically this outcome refers to:

“..making it easy for tenants and other customers to make complaints and provide feedback on services, using that information to improve services and performance, and letting people know what they have done in response to complaints and feedback.”

SPSO guidance on best practice

21. The [model CHP](#) is a standardised complaints handling procedure, which applies to a range of organisations including local authorities and RSLs. The aim of the model CHP is to provide a quick, simple and streamlined complaints process with a focus on complaints being resolved at the local level. RSLs and local authorities were required to adopt a CHP consistent with the SPSO model by 1 April 2013.
22. The SPSO has published guidance that sets out how to apply the model CHP and provides advice on issues such as embedding a ‘culture’ that values complaints. The SPSO guidance explains that accurate identification of complaints, recording and learning from complaints are all key factors in embedding such a culture.
23. The SPSO model Complaints Handling Procedure works in two stages. The first stage is to provide a quick, informed response to a complaint without the need for detailed investigation, responded to within five working days, but in practice frontline resolution can be achieved more quickly. The second stage involves complaints that are not satisfactorily resolved at frontline resolution stage and require investigation. These are normally responded to in full within 20 working days.
24. Monitoring of performance data is an important element of complaints handling as it provides landlords with a valuable source of information to help identify any service failures and take action to avoid similar issues in the future. Therefore, it is important that landlords develop systems that allow them to record complaints in a systematic way, analyse their complaints data, and report on complaints handling performance.

- 25. Treating statements of dissatisfaction as a complaint is good practice and in line with SPSO guidance.
- 27. Social landlords should seek feedback from those tenants and other service users who made complaints, to help monitor how they performed in dealing with their complaints and to ensure continuous improvement in complaints handling.

Landlord performance

- 28. ARC data shows that landlords are generally performing well when it comes to dealing with complaints within SPSO timescales. For example, 1st stage complaints dealt with on time have improved since 2013/14 for both RSLs and local authorities and now stand at 88% and 83% respectively.

Percentage of 1st stage complaints dealt with within SPSO timescales 13/14-15/16

	13/14	14/15	15/16
RSL  up by 6.6% points 	81	81.9	87.6
LA  up by 1.4% points 	81.2	81	82.6

- 29. Similarly, there has also been improving performance in 2nd stage complaints albeit current performance is lower than it is for 1st stage complaints dealt with within SPSO timescales.

Percentage of 2nd stage complaints dealt with within SPSO timescales 13/14-15/16

	13/14	14/15	15/16
RSL  up by 1% point 	78	76	79
LA  up by 1.5% points 	75.1	72.7	76.6

30. SPSO statistics on complaints it receives about housing services show that for RSLs the number of complaints increased between 13/14 and 14/15 but then fell back in 15/16. The same pattern occurred for local authorities.

	2013/2014	2014/2015	2015/2016	% change 13/14 to 15/16
Total	797	858	808	+1.4
RSL	351	390	385	+9.7
Local authority	446	468	423	+5.1

Our findings

“Social landlords manage their businesses so that tenants and other customers find it easy to communicate with their landlord and get the information they need about the landlord, how and why it makes decisions and the services it provides.”

Scottish Social Housing Charter Outcome 2: Communication

“...making it easy for tenants and other customers to make complaints and provide feedback on services, using that information to improve services and performance, and letting people know what they have done in response to complaints and feedback.”

Making it easy to complain

31. Where tenants and other service users have a problem with the service their landlord is providing, they need to be able to make a complaint easily, have it considered quickly and thoroughly, and then find out the outcome of the complaint. And any organisation providing a service should welcome complaints positively as an opportunity to improve. Overall, we found that most of the landlords we looked at have accessible complaints policies and handle complaints well. However some need to be more open to complaints, be better at responding to complaints, and make use of the feedback from complaints to improve their services.
32. All 12 landlords told us that, while they wish to minimise cause for complaint, they nevertheless welcome them and that it is easy for tenants and other service users to make a complaint. Several told us that they thought they were very good at welcoming complaints and that they had adapted to the model CHP well. A smaller number acknowledged that they were making progress but still had to improve.
33. Most of the 12 landlords who told us they welcomed complaints did provide information for tenants and other service users that was clear and easy to find. Some of these landlords featured complaints prominently on their websites and in a number of their publications, for example, a clear link from the homepage to a dedicated page on their website.



Positive practice

Yorkhill Housing Association has a section of its [website](#) dedicated to complaints, accessible from the homepage. The information provided on complaints is clear, concise and contains all the information service users need to make a complaint.

34. Several of the landlords did make information available on how to make a complaint on their website, though it was not always clearly visible or transparent. In some cases:
- the information was confusing;
 - it was not clear how to make a complaint;
 - only standard contact details were available; and
 - there was only reference to 'Customer Feedback' or 'Comments and Compliments' while the word "complaint" was simply missing.

This does not clearly signpost tenants and other service users who may wish to make a complaint and it does not follow the SPSO guidance.

35. For most of the 12 landlords, our tenant assessors found that it was easy to make a complaint and front line staff were knowledgeable and helpful. Published complaints information was also relatively easy to find and use, for example, some of the landlords had posters up on their walls and clearly visible leaflets.



Positive practice

Williamsburgh Housing Association provides clear and accessible information on its website. It publishes information in its annual report, and had developed a customer guide to complaints and an information leaflet. Good, clear information was available in its office and frontline staff were able to explain the complaints process in detail.

36. Our tenant assessors found that a small number of the landlords did not display any visible information about complaints. Some frontline staff were also unable to provide advice about, or explain the complaints procedure and could only give our tenant assessors a leaflet.
37. While website, phone and other methods are important, tenants and other service users sometimes wish to go the landlord's office to make a complaint or simply to get advice about an issue face to face. At two of the landlords, the tenant assessors were unable to get into the landlord's office without providing their name and address. Tenants and other service users should be able to communicate with their landlord and get the information they need and social landlords should be open and accessible to the needs of their tenants and other service users.
38. National Panel members told us that they had limited experience of making a complaint but all stated that they were aware of how to make a complaint.
39. Some tenants and other service users require additional and person-specific support to make a complaint. This support could include help with filling out a complaint form, or arranging a home visit. Such support should be flexible depending on the needs of the complainant.
40. Our tenant assessors found that most of the 12 landlords offered some form of additional support. For example, some were helpful, talked the tenant assessor through the complaints process, and offered to complete a form on their behalf. However, a small number simply referred the tenant assessor to the complaints leaflet for information. This falls short of the SPSO guidance and Charter Outcome 2.



Positive practice

Glasgow West Housing Association provides service users with support to make a complaint. As well as signposting to external services available in their complaints leaflet, the Association does home visits, provides interpreting services and tells tenants they can bring someone to support them to make a complaint.

41. Those landlords who made it easy for customers to complain, tended to have senior managers and/or governing bodies/elected members who promoted, and took an active and strategic interest in, complaints handling. We saw examples of Management/Board reports that covered complaints handling performance, trends in complaints and service improvements because of complaints. This is good practice.



We recommend that social landlords

- » Establish a culture, led from the top, that values and welcomes complaints;
- » Ensure that information on making a complaint is visible, transparent and easy to understand; and
- » Ensure that front line staff are empowered and well trained to understand both the complaints procedure and their role in it.

Monitoring and recording

42. Most of the 12 landlords recorded complaints in line with SPSO guidance. We reviewed extracts and screen prints that clearly showed complaints being recorded systematically, facilitating good management reporting. For example, several landlords provided reports that showed their senior management team and/or governing body /elected members received appropriately detailed information on analysis of complaints handling such as trend information.



Positive practice

Ardenglen Housing Association records all complaints and statements of dissatisfaction. In addition, all staff are able to take complaints and record these in the system. The recording system alerts staff to timescales for each complaint and is used to generate reports on trends and complaints handling performance.

43. We identified a small number of landlords who were not recording all relevant complaints data in line with the model CHP. It is important that all landlords record complaints data in line with the model, as the figures reported to us via the ARC rely on landlords collecting and recording complaints data accurately.



Positive practice

Williamsburgh Housing Association - all staff can take complaints and know how to record complaints and what action to take to address them. Senior staff meet weekly to discuss reports generated from the IT system.

44. Just over half of the 12 landlords were correctly recording statements of dissatisfaction as complaints. For some of the remaining landlords, it was unclear from the evidence whether they recorded statements of dissatisfaction as complaints.



Positive practice

Yorkhill Housing Association ensures all expressions of dissatisfaction from tenants and other service users are recorded as complaints. Frontline staff do this at the time the issue is brought to their attention. The Association tells tenants when to expect a resolution to their concerns.

45. Benchmarking can be a useful tool for learning as it lets landlords see how their performance compares to their peers. Eight of the 12 participating landlords told us they did benchmark. Some had only just started to do this whilst others had been doing it for some time.



Positive practice

Williamsburgh Housing Association provides its Board with quarterly reports on complaints. These set out figures on complaints at the two stages and whether the SPSO timescales were met. There is also detailed narrative explaining the key trends in complaints and action taken to resolve complaints quarterly.

46. Six of the landlords use all of the SPSO self-assessment indicators to assist them in monitoring their complaints handling performance. One landlord uses some of the indicators and five of the landlords do not use them at all. Whilst the self-assessment indicators are not mandatory, they are a useful tool to assist social landlords in monitoring their performance in complaints handling.



We recommend that social landlords

- » Ensure systems for effective recording, management and performance monitoring of complaints are in place;
- » Have appropriate reporting methods in place to inform senior management team and/or governing body members/elected members on complaints handling performance, including reviewing trends in complaints to help identify service failures; and
- » Consider using the SPSO self-assessment indicators to monitor complaints handling performance

Using complaints to improve services

47. Complaints provide valuable service user feedback which social landlords can use to improve their services. Most of the 12 landlords sought to use the feedback from complaints to improve services. This is a key element of the Charter outcome on communication that all social landlords must meet.



Positive practice

Ardenglen Housing Association's complaints recording system allows the appropriate manager to record service improvements identified as a result of complaints and other feedback. The system also produces reports for contractors on the complaints received about the services they provide on behalf of the association. A member of staff meets the contractor to discuss the report and agree service improvements, which are then monitored by the Association.

48. Most of the participating RSL landlords provided senior officers and governing body members with good analytical data on complaints handling performance, including learning from complaints to improve services. The two local authority landlords also provided good information and data to senior managers and elected members.



Positive practice

Glasgow West Housing Association records the improvement action and key points of learning from each complaint. This allows senior managers and the Board to receive clear and easy-to-follow reports on service improvements as a result of complaints.

49. Although the remaining landlords largely recorded complaints well, analysed the data and provided management reports, it was unclear whether complaints influenced service improvements.
50. We saw that a small number of our participating landlords did not analyse the information they gathered which is a missed opportunity for those landlords to identify service failures and take appropriate action. These landlords were not able to provide us with any evidence that they learned from complaints to improve services.



Positive practice

Dundee City Council conducts mini-audits on complaints handling and provides quarterly reports to senior managers detailing the number of complaints responded to on target, how performance compares to the last quarter and how service improvements have been dealt with. This allows the council to regularly track complaints performance and how services have improved as a result of complaints.

51. Most case study landlords told us that they did not collect feedback from tenants and other service users about how their complaint was dealt with. Of the few that did, most told us that the response rate was very low. One landlord told us that they collected feedback but they did not do anything with it.



Positive practice

Williamsburgh Housing Association received complaints from a number of tenants about close cleaning. They arranged a meeting with the tenants and the contractor to discuss the concerns. As the contract was soon to be renewed, the Association upgraded the specification in the contract and put in place an enhanced schedule of works. This improved the service and allowed tenants to see how their complaints had been acted upon.



We recommend that social landlords

- » Report regularly to the senior management team and/or governing body members/elected members on service improvements to ensure a strategic, joined up approach.

Responding to complaints and feedback

52. Most of the 12 landlords published information on complaints handling performance and service improvements arising from complaints, for example, through newsletters, annual reports and websites.



Positive practice

Yorkhill Housing Association uses its tenant newsletters to report on complaints performance and how services have improved as a result of complaints, including information on categories of complaints and analysis of how this has changed over time. There is also detailed narrative explaining the figures and trends in complaints. Specific and clear examples of service improvements due to complaints are also published on its website.

53. Some of the participating landlords told us they only reported to tenants and other service users on the two ARC indicators. A few told us that they do not report to tenants or service users on complaints in any way. Neither approach is in line with either the SPSO guidance or the landlord's obligations as part of Charter outcome 2 on communication.



We recommend that social landlords

- » Publish good quality, up-to date information for tenants and other service users on complaints handling performance including how complaints have been used to improve services.

Terms we use in this report

Inquiry	The Housing (Scotland) Act 2010 gives the Scottish Housing Regulator powers to obtain information and carry out inquiries. An inquiry can be used to get assurance about an issue, assess an issue or concern with a landlord, or scrutinise or investigate a landlord's performance. A thematic inquiry focuses on a particular theme or topic across a number of landlords.
Registered Social Landlord (RSL)	A social landlord registered and regulated by the Scottish Housing Regulator, such as a housing association or housing cooperative.
Social landlords	RSLs and local authorities who provide housing services.
Tenant Assessor	SHR has a group of tenants (now known as tenant advisors) who are a pool of independent, volunteer tenants who speak directly to tenants and test landlords' services.
Governing Body	The management committee or board of management of an RSL
Scottish Public Services Ombudsman (SPSO)	The body with responsibility to oversee complaints handling in public bodies in Scotland. This includes central and local government, Further and Higher Education, the NHS and RSLs.
Scottish Government	Housing policy in Scotland is the responsibility of the Scottish Government. The Scottish Government also collects housing and homelessness data.
Scottish Social Housing Charter	The Scottish Government's outcomes that social landlords should be achieving for their tenants, homeless people and other service users
Tenant and other service users	Tenants are those that currently live in a home owned and managed by a social landlord. Other service users are those that are not tenants but use services provided by social landlords such as Gypsy/Travellers, homeless people and homeowners who receive factoring services.

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