



OAK TREE HOUSING ASSOCIATION LTD.

Property Factors Registration No. PF000264

Factoring Complaints Handling Policy & Procedure

This document can be made available on request in a variety of different formats, such as on tape, in large print and translated into other languages.

Adopted

Last Reviewed

June 2022

Next Review Due

June 2027

Date Reviewed

Oak Tree Housing Association Ltd is committed to providing a high-quality factoring service. It is important to the Association that owners are satisfied with the factoring service that it provides.

We actively encourage feedback from owners as we use the feedback to improve our service.

If you raise a telephone query, a member of staff will aim to get back to you within one working day.

If you have a complaint in relation to either the service which you have received or a specific matter, this Factoring Complaints Handling Procedure should be referred to. Complaints can be made verbally or in writing (letter or email).

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 procedure describes our complaints process and how to make a complaint. It also tells you about our service standards and what you can expect from us.

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.

What can I complain about?

You can complain about things like:

- delays in responding to your enquiries and requests
- failure or refusal to provide a service
- inadequate quality or standard of service, or an unreasonable delay in providing a service
- 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 timescale
- dissatisfaction with our policy or its impact on the individual
- failure to properly apply law, procedure or guidance when delivering services
- conduct, treatment by or attitude of a member of staff or contractor (**except** where there is a statutory procedure for challenging that decision, or an established appeals process followed throughout the sector).
- our failure to follow proper procedure

Your complaint may involve more than one of our services or be about someone working on our behalf (i.e. contractors carrying out any work).

What can't I complain about?

There are some things we can't deal with through our complaints procedure. These include:

- a routine first-time request for a service, for example reporting a problem that needs to be repaired or initial action on anti-social behaviour
- requests for compensation our policies and procedures that have a separate right of appeal
- 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).

- a request for information under the Data Protection or Freedom of Information (Scotland) Acts
 - an attempt to re-open a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision following a stage 2 investigation.
 - 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 adult's safety
- abuse or unsubstantial allegations about our organisation or staff where such actions would be covered under our Unacceptable Actions Policy; or
- 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 you are still not satisfied, you can ask the Housing and Property Chamber, First Tier Tribunal for Scotland (FTT) for an independent review of the complaint. Refer to the section 'What if I'm still dissatisfied?' for more details.

How do I complain about maintenance contractors?

It is important to note that all maintenance contractors who carry out work on our behalf must comply with our high standards of conduct in order to remain on our approved list. Contractors' performance is monitored on a regular basis. However, if you are dissatisfied with the service/conduct of any of our contractors you should, in the first instance, contact the Association's office and speak to a member of the maintenance team who will respond to your complaint within the timescales detailed below.

Who can complain?

Anyone who receives, requests or is directly affected by our services can make a complaint to us, including 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 'Getting help to make your complaint'.

How do I complain?

You can complain in person at our office, by phone, in writing, by email, using our website or via our complaints form.

It is easier for us to resolve complaints if you make them quickly and directly to the service concerned. So please contact our office regarding your factoring complaint and you will be directed to the appropriate member of staff and they will endeavour to resolve any problems on the spot.

When making a complaint, tell us:

- Your full name and contract details
- As much as you can about the complaint
- What has gone wrong; and

What outcome you are seeking

If you wish to complain in writing, we have attached a complaints form to this procedure for your use.

How long do I have to make a complaint?

You should make your complaint as soon as possible as this allows us to fully investigate it and resolve it. 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.

Our contact details

Oak Tree Housing Association Ltd
40 West Stewart Street, Greenock PA15 1YA
T: 01475 807000
F: 01475 807022
W: www.oaktreeha.org.uk
E: info@oaktreeha.org.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 directly (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 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 you are not satisfied with the response that 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 about; 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 two: 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 complaints 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 agree revised time limits with you and keep you updated on progress.

Getting help from other agencies

You can find out about advocates in your area by contacting any of the following:

- Scottish Independent Advocacy Alliance or Citizens Advice Bureau.
- Scottish Independent Advocacy Alliance Tel: 0131 260 5380 Website: www.siaa.org.uk
- Citizens Advice Scotland Website: www.cas.org.uk

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 Housing and Property Chamber to look at it.

One of the main elements of The Property Factors (Scotland) Act 2011 was the introduction of a dispute resolution mechanism for homeowners – which from 1st December 2016 became the Housing and Property Chamber, First Tier Tribunal for Scotland (FTT). The FTT will work to resolve complaints and disputes between homeowners and property factors. So if a factoring customer is still dissatisfied after our investigation stage, they can go to the First Tier Tribunal for Scotland.

To take a complaint to the First Tier Tribunal for Scotland, homeowners must first notify Oak Tree Housing Association in writing of the reasons why they consider that we have failed to carry out our duties, or failed to comply with the Code of Conduct. Oak Tree Housing Association must also have refused to resolve the homeowner's concerns, or have unreasonably delayed attempting to resolve them.

When making a complaint to the First Tier Tribunal for Scotland you should :

- provide clear reasons why you are not satisfied
- provide address of the property concerned
- provide, when appropriate, the date of the inspection of the property and/or the Hearing

You can contact the First Tier Tribunal for Scotland by telephone, e-mail or letter.

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

Telephone: 0141 302 5900

If you wish to submit an application form, you can use the postal details above or email a scanned copy of the signed application form and supporting documents to HPCAdmin@scotcourtribunals.gov.uk. This mailbox has an automated response and should not be used for requests for advice or general enquiries.

For further information, please look at their website at housingandpropertychamber.scot/contact-us

We are committed to making our factoring 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 please tell us.

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

Our contact details Please contact us by any of the following means:

Oak Tree Housing Association Ltd
40 West Stewart Street, Greenock PA15 1YA
T: 01475 807000
F: 01475 807022
W: www.oaktreeha.org.uk
E: info@oaktreeha.org.uk



Factoring Complaints Form

Part 1: About you

We cannot accept anonymous complaints. Please provide your details so that we can provide you with a response and details of our action

Name:

Address:

**Telephone number/
e-mail address:**

Part 2: What has gone wrong?

We want to get the full picture about your factoring complaint.
Please provide as much information as possible including dates, times, names and so on.

Please continue on a separate sheet if necessary.

Part 3: What outcome are you seeking?

Signed

Date

Quick Guide to our Factoring Complaints Handling Procedure

Complaints Procedure

You can make your complaint in person, by phone, by email or in writing.

We have a **two-stage complaints procedure**. We will always try to deal with your complaint quickly and directly. 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 from the outset.

We will acknowledge your complaint within **three working days**. We will confirm the points of complaint to be investigated and what you want to achieve. We will investigate the complaint and 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 First Tier Tribunal for Scotland (FTT)

If, after receiving our final decision on your complaint, you remain dissatisfied with our decision or the way that we handled your complaint, you can ask the FTT to consider it. We will tell you how to do this when we send you our final decision. Details can also be found within the full version of our Factoring Complaints Handling Procedure.

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