



CUSTOMER SERVICE
COMPLAINT ABOUT THE SENIOR OFFICER
MARCH 2022
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Complaint about the Senior Officer

A complaint about Paisley HA Senior Officer will be treated as a Breach of the Staff Code of Conduct and investigated under this protocol.

Handling a serious Complaints against the Chief Executive of Paisley Housing Association

The Regulator requires the Association to inform them when there is a serious complaint, investigation or disciplinary action relating to the senior staff member. Such serious complaints do not arise often but because of their nature and sensitivity they have the potential to seriously damage the organisation.

The Regulator does not become involved in employment matters. Employment issues are for the governing body as employer to resolve with the individual employee. The Regulator does need assurance that the governing body will handle a serious complaint or grievance about its Chief Executive or Senior Staff properly and will seek external advice and support to help it manage these situations.

The Regulator's Expectations

The Association has effective governance systems that set out clear procedures for dealing with serious complaints or grievances about the Chief Executive, Senior Staff and the governing body. The Housing Association will be open and transparent about their decision-making process.

When dealing with a serious complaint or grievance against the CE, the Regulator will expect the Association to:

- Tell the Regulator about it, in accordance with this guidance on notifiable events
- Take prompt, independent and professional advice as appropriate to the individual complaint or grievance

The Association will deal with and resolve minor issues informally, at a local level, and the Regulator does not expect to be notified about minor grievances. And even serious complaints will be dealt with informally. But serious complaints cannot be successfully resolved at the informal stage or are raised formally.

The chairperson of the Association will notify the Regulator if there is a formal serious complaint against the Chief Executive, for example serious allegations from an individual employee of bullying or harassment by the Chief Executive. The chairperson will tell the Regulator how the governing body intends to handle it.

The Regulator recognises the highly sensitive nature of such serious complaints. If the Association gives the Regulator information in confidence, this will be respected, provided it

does not compromise the Regulator's ability to safeguard the overall interests of the Association, or the sector, or breach the Regulator's legal obligations.

The Regulator needs to be assured by the governing body that it is seeking independent professional advice to support it in handling the complaint. The Chief Executive cannot provide advice to the governing body due to the conflict of interest in managing a complaint against them. In such cases, the governing body will seek external advice and support to manage the complaint and this advice is likely to be from EVH and /or the Association's solicitor, T C Young.

The governing body will act quickly when a staff member raises a serious grievance about the Chief Executive. For instance, if the grievance is about bullying or aggressive behaviour then the governing body will be responsible for taking immediate action. Given the likely sensitive nature of the grievance, the governing body will handle the complaint carefully with independent, expert support and advice. The Association will seek an employment/personnel specialist to assist, or a consultant with expertise in investigating such matters, where this is deemed necessary.

Where a serious complaint has been made against the Chief Executive by a governing body member or someone else who is not an employee, then the Regulator would also expect the governing body to ensure that it is taking independent advice about how to handle the complaint and that the Chief Executive takes no part in any investigation.

The Association will apply the grievance procedures included within EVH's Statement of Terms and Conditions of Employment and guidance manual for handling discipline and grievance issues.

The Association's Human Resources Sub-Committee has delegated responsibility to deal with staffing matters. In the case of serious complaint against the Chief Executive, the Sub-Committee will be informed and involved, rather than the Chairperson dealing with the complaint alone. The Sub-Committee will be involved in the hearing and deciding on the grievance and in some cases, it may be more appropriate for the governing body to commission an independent party to conduct the investigation and report back to the Sub-Committee. When there is an investigation then the Sub-Committee will oversee the investigation and record all decisions to ensure transparency.

Where the decision is taken to investigate a serious complaint, then the full governing body will be told but not about any of the detail, which must be kept confidential. This ensures:

- The governing body retains full control over the Association's affairs
- The details of the grievance remain confidential (individuals involved have the right to confidentiality)
- The full governing body knows the grievance is being dealt with by the Sub-committee
- If external help is required, then the full governing body is aware of the situation from the outset and can authorise any associated costs
- The governing body can monitor if a pattern of grievance emerges and decide what action to take; and
- By keeping the substance of the grievance confidential, then there is a clean

route for any appeal to be heard by other members of the governing body who are untainted by detailed knowledge about the issue.

At the end of the process, the full governing body will be told about the outcome of the grievance.

The Regulator's involvement

If the Regulator has concerns about the action the governing body is proposing to take, or it appears that the Chief Executive is involved in advising the governing body or in handling the grievance, then the Regulator may act to support the governing body to carry out its role effectively and properly.

How to make a Complaint about the Senior Officer

Anyone who wants to make a serious complaint about the Senior Officer should write to the Association or email admin@paisleyha.org.uk

mark the correspondence

FAO of the Corporate Services Officer, Private & Confidential.

You will receive an acknowledgment within 1 working day of the CSO receiving the email and be kept up to date with progress via the CSO.