



WILLIAMSBURGH
HOUSING ASSOCIATION LTD

Complaint against a Senior Officer

Revision History

Creation Date	Reviewer(s)	Review Date
July 2023	Corporate	July 2026

Introduction

This policy sets out how Williamsburgh Housing Association (WHA) will deal with a serious complaint against the Association's Chief Executive and in so doing, comply with the Scottish Housing Regulator's (SHR) requirements.

Aim of the policy

This policy aims to ensure WHAs compliance with the SHR expectations of a Management Committee, when dealing with a serious complaint or grievance against the senior member of staff – the Chief Executive.

Scottish Housing Regulator's Expectations

The SHR requires Registered Social Landlords (RSLs) to advise them when there is a serious complaint, investigation or disciplinary action relating to senior staff – for WHA this is the Chief Executive. While such complaints do not arise often, given their nature and sensitivity and potential impact on leadership arrangements, they have the potential to seriously damage the organisation. As such, the SHR expects the Association to have a clear process to deal with such matters appropriately.

The SHR does not become involved in employment matters. They do, however, expect assurance that the Management Committee will handle a serious complaint or grievance properly and to get external advice and support, to help it manage these situations, in order to discharge its employment responsibilities fully and properly.

The SHR expects the Association, when dealing with a serious complaint against the Chief Executive, to:

- tell them about it, in accordance with their guidance on notifiable events, and
- to take prompt, independent and professional advice, as appropriate to the individual complaint or grievance.

WHA will deal with and resolve minor issues informally, at a local level and there is no expectation of the SHR being notified about minor grievances. While even serious complaints can be dealt with informally, some serious complaints cannot be successfully resolved at the informal stage or if they are raised formally.

If there is a formal serious complaint against the Chief Executive, the Chairperson will notify the SHR along with information about how Management Committee intends to deal with the complaint.

Advice

WHA may seek independent professional advice for support in handling any complaint or grievance raised, in relation to the Chief Executive. The Chief Executive is expected to take no part in the investigation other than to co-operate with the investigator.

The Management Committee's role

Should a complaint or grievance be raised against WHA's Chief Executive, the Finance, Audit and Corporate Services (FAC) Sub Committee will have delegated authority to deal with the situation. The FAC will hear and decide on the grievance. In some cases, however, it may be appropriate to commission an independent party to conduct the chair the grievance hearing, investigate and report back to the Sub Committee. Where there is an investigation, the Sub Committee will oversee the investigation and record all decisions, to ensure transparency.

Where the decision is taken to investigate a serious complaint, the full Management Committee must be kept informed at a summary level. It should not be told any of the detail.

This must be kept confidential, to ensure:

- the full Management Committee retains control over WHA affairs,
- the details of the grievance remain confidential (the individual at the centre of allegations has the right to confidentiality),
- the full Management Committee knows the grievance is being dealt with by the FAC Sub Committee,
- if WHA needs to bring in outside help, then the full Management Committee will need to be aware of the situation, from the outset, in order to authorise any associated costs,
- the Management Committee can monitor if a pattern of grievances 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 Management Committee, who are untainted by detailed knowledge about the issue.

At the end of the process, the full Management Committee will be advised of the outcome of the grievance/complaint.

Procedure

In the event of a grievance being raised against the Chief Executive then the Grievance Policy and Procedures will apply with consideration of the delegated authority and where it is deemed inappropriate for a Committee member to chair the hearing and/or investigation, an independent advisor will be appointed. If an investigation deems it necessary for a Disciplinary procedure to follow then this policy will apply.

Evaluation and Monitoring

WHA seeks to maximise the efficiency of our business performance while maintaining our reputation and financial well-being. These objectives will be pursued while protecting the interests and safety of our staff, committee, tenants and service users.

Having identified our aims and objectives, we will assess whether the policy is being implemented effectively, through monitoring:

- instances where we have addressed complaints levelled against the Chief Executive, and
- our compliance with the Scottish Housing Regulator's expectations, as outlined in Notifiable Events, Statutory Guidance, February 2019 and in relation to The Housing (Scotland) Act 2010.

Unless the monitoring arrangements identify problems with the procedures or non-compliance with the Scottish Housing Regulator's guidance, the Management Committee will be advised, at the time of the policy review, whether we are achieving our objectives or whether more effective measures require to be introduced.

Review

The Management Committee will have regard to this policy, as per our policy review schedule. As such, the policy will be considered every three years to ensure that it responds to any changing circumstances.