Committee Approver	*Operations Committee*
Stakeholder Consultation	*JCC, Executive Team*
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Classification	Policy
Title	Serious Complaint against the CEO
Revision Date	May 2025
Revised by	HR Manager
Next Revision Date	May 2028
Related Documents	Grievance Policy & Procedure; Disciplinary Policy & Procedure; Whistle Blowing Policy; Code of Conduct; SHR Notifiable Events Regulatory Guidance.
Location of Electronic Copy	*V:\Policies and Procedures Shared\Policies\HR*

1. Viewpoint's Values

- Inspire with positive smiles and words;
- Say 'yes I can and I will';
- Celebrate age, experience and wisdom;
- Do according to our customers' wishes and ambitions;
- Treat people (everyone is a VIP) as we would a "loved one";
- Work hard, have fun and laugh;
- Stay courageous, creative and ahead of the game; and
- Work with those that share our values.

At Viewpoint our people make great things happen. We believe that Viewpoint staff provide a unique service and want our people to feel excited and engaged about working with us.

2. Policy Statement

2.1 Viewpoint is committed to maintaining integrity, accountability, and transparency across all levels, including executive leadership. This policy outlines procedures for handling serious complaints against the Chief Executive Officer (CEO), ensuring that concerns are addressed fairly, impartially, and professionally.

2.2 The policy aligns with the Scottish Housing Regulator (SHR) Statutory Guidance on Notifiable Events and its appendix concerning serious complaints against the CEO/Director of a Registered Social Landlord (RSL). By adhering to this guidance, we aim to ensure regulatory compliance and uphold public trust.

2.3 This policy promotes a safe environment for staff, stakeholders, and service users to report concerns regarding the CEO without fear of reprisal. We will handle all complaints promptly, objectively, and confidentially, safeguarding the integrity of the organisation and the rights of all parties involved.

3. Aim

3.1 The purpose of this policy is to set out the procedures for handling serious complaints against the CEO, ensuring a fair, transparent, and effective process. It aims to uphold organisational standards, maintain accountability, and support staff in raising concerns without fear of reprisal.

3.2 The policy seeks to safeguard the integrity of the organisation while providing clear guidelines for investigating and resolving serious complaints professionally and impartially.

4. Scope

4.1 This policy applies to all employees, board members, contractors, agency staff, and volunteers associated with Viewpoint. It specifically addresses serious complaints against the CEO.

4.2 The policy does not apply to grievances unrelated to the CEO, which should be addressed through the appropriate grievance or whistleblowing policies. Additionally, it does not cover complaints that are subject to legal action or

regulatory investigation, which will be managed in line with legal requirements and regulatory guidance.

5.0 What are the regulatory expectations?

5.1 RSLs are expected to:

- Notify SHR if there is a formal serious complaint or grievance against the CEO.
- Take prompt, independent and professional advice as appropriate to the event
- Put in place strong governance systems that set out clear procedures for dealing with such events and clarify the role of the governing body.
- Be open and transparent about the decision-making processes.

6.0 What constitutes a serious complaint/grievance?

6.1 It is difficult to create a list of all the possible eventualities, but a few examples are noted below:

- allegations from an individual employee of bullying or harassment by the CEO
- inappropriate behaviour which may bring Viewpoint into disrepute
- allegations of fraud

7.0 Immediate action required on receipt of a formal complaint/grievance

7.1 If a formal serious complaint or grievance is received concerning the CEO, the Chair of Viewpoint's Board (or in their absence the Vice Chair) will be informed immediately and is then the Responsible Person. Formal normally means that the complaint has been submitted in writing. However, there may be occasions where a verbal complaint is made. In this instance the complainant will be asked to confirm their complaint/grievance in writing to ensure the issues raised are clearly stated.

7.2 Anonymous allegations will be dealt with through the Whistleblowing Policy.

7.3 Viewpoint's Chair will in turn inform the Scottish Housing Regulator (SHR) of receipt of such a complaint/grievance in accordance with the SHR guidance note. Chair should also advise SHR how the Board intends to handle the complaint/grievance. The Chair will also consider whether any other body should be notified.

7.4 Acknowledgement of the complaint/grievance should be sent to the complainant as soon as is practicable, ideally within three working days. An appropriate Viewpoint HR Representative can assist the Chair with this task.

7.5 The CEO will be notified in writing of the complaint/grievance made against him/her within three working days of receipt of the complaint/grievance. The notification will contain sufficient information about the complaint/grievance to enable the CEO to prepare to answer the case at a meeting with the sub-committee, as part of the investigation process. An appropriate Viewpoint HR Representative can assist the Chair in compiling the notification letter.

8.0 Who will hear the complaint/grievance

8.1 Viewpoint's Chair would not be expected to deal with such matters alone. Therefore, a sub-committee of Viewpoint Board members will be selected to manage the complaint/grievance. This sub-committee will have a quorum of 3 members. One member will be designated chair for the purposes of managing the complaint/grievance. Members of this sub-committee will then be responsible for managing the investigation of the complaint, conducting the hearing and deciding on any action from the complaint/grievance.

8.2 Due to the highly sensitive nature of complaints at this level, it is vital that confidentiality is observed and maintained throughout.

The full Viewpoint Board may be told that a complaint/grievance has been received and is being dealt with but not about any of the detail. This is for a variety of reasons:

- The Board retains control over the affairs of the company.
- It ensures confidentiality for the CEO at the centre of the allegations, as is their right.
- The Board knows that the complaint is being handled.
- If independent help is required, then any associated costs can be authorised.
- The Board can monitor any emerging patterns of grievances and decide on an appropriate course of action.

8.3 By keeping the substance of the complaint confidential, it leaves a clean route for any appeal to be heard by other members of Viewpoint's Board who have had no involvement or detailed knowledge of the case

8.4 Should it be required, an Appeals sub-committee will be formed from remaining members of Viewpoint Board. The Board will be notified of the outcome of the complaint / grievance at the end of the full process.

9.0 Independent advice and support

9.1 Again, due to the sensitive nature of such situations, it may be inappropriate for any employees to be involved in the investigation or managing of a complaint/grievance against the CEO. Access to independent advice must therefore be sought by the sub-committee.

9.2 The Responsible Person will liaise with the HR Manager and arrange for a brief to be drafted and issued to a suitably qualified consultant to carry out an investigation. A briefing session for the sub-committee will take place asap.

9.3 Employee matters are complex and such advice will be sought from an employment law expert.

9.4 The Responsible Person or sub-committee may also ask Viewpoint's HR Manager for information on possible sources of independent advice. The HR Manager will provide this information and if requested may also assist with administrative tasks such as arranging meeting space or for delivery of confidential documentation.

10.0 Principles for hearing the complaint/grievance

10.1 The full process of hearing a complaint/grievance can be found in Appendix 3 of the Grievance Procedure. The general principles which the sub-committee must follow however, are:

- Investigate the complaint and gather information and evidence – this may require a meeting with the complainant and other relevant parties/witnesses. It may be appropriate to commission an independent party (e.g. an employment law expert as referred to in section 9.0) to undertake the investigation, but all findings will be reported to the sub-committee.
- Meet with the CEO and allow them to put forward their case in response to the complaint/grievance.
- Allow the CEO to be accompanied at the meeting by a representative of their choosing. Investigate further if required.
- Adjourn the meeting if required to consider the information presented.
- Notify the CEO of the outcome decision and the right of appeal.

10.2 Following the investigation, hearing and consideration of the information presented, it should be borne in mind that the findings may lead to the instigation of disciplinary action which would activate the disciplinary process.

10.3 At all stages it is important to keep accurate and appropriate records to document and evidence decision making.

11.0 Compliance & Support

11.1 The Board, other staff members involved in managing a serious complaint against the CEO and the CEO are responsible for familiarising themselves with this policy, and the procedure which supports it, as well as the legal consequences of non – compliance. Staff will be required to comply with current legislation and related policies and procedures. Training will be provided to ensure that those responsible for managing the process are aware of the risks if legislation is not adhered to.

12.0 Equality Impact Assessment (EIA)

12.1 No potential equalities issues have been identified in relation to the review of this policy, and consequently an EIA has not been completed.

13.0 Privacy Impact Assessment (PIA)

13.1 No data protection implications have been identified in relation to the review of this policy, and consequently a PIA has not been completed.

14.0 Monitoring & Evaluation

14.1 This policy is reviewed at least every three years, or early in line with any future SHR guidance.