



# **Orkney Housing Association**

## **Complaints Procedure**



Orkney Housing Association is committed to providing high-quality customer services. 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 leaflet describes our complaints procedure and how to make a complaint. It also tells you about our service standards and what you can expect from us.



## 1. 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.

## 2. What can I complain about?

You can complain about things like:

- delays in responding to your enquiries and requests
- failure to provide a service
- our standard of service
- dissatisfaction with our policy
- treatment by or attitude of a member of staff
- our failure to follow proper procedure.

Your complaint may involve more than one of our services or be about someone working on our behalf.

## 3. 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
- issues that are in court or have already been heard by a court or a tribunal
- an attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our **final** decision following a stage 2 investigation. If you are still not satisfied, you can ask the Scottish Public Services Ombudsman for an independent review of the complaint.

If other procedures or rights of appeal can help you resolve your concerns we will give information and advice to help you.

#### 4. Who can complain?

Anyone can make a complaint to us, including the representative of someone who is dissatisfied with our service. Please also read the section on 'Getting help to make your complaint'.

#### 5. How do I complain?

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

It is easier for us to resolve complaints if you make them quickly and directly to the service concerned. So please talk to a member of our staff at the service you are complaining about. Then they can try to resolve any problems on the spot.

When complaining, tell us:

- your full name and address
- as much as you can about the complaint
- what has gone wrong
- how you want us to resolve the matter.

#### 6. How long do I have to make a complaint?

Normally, 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, but no longer than 12 months after the event itself.

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.

#### 7. 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 close to where we provided the service. 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 we can't resolve your complaint at this stage, we will explain why. If you are still dissatisfied you can ask for your complaint to be investigated further through stage 2. You may choose to do this immediately or some time after you get our initial response. We can help you with making this request.

### Stage two – investigation

Stage 2 deals with two types of complaint: those that have not been resolved at stage 1 and those that are complex and require detailed investigation.

When using stage 2 we will:

- acknowledge receipt of your complaint within three working days
- discuss your complaint with you to understand why you remain dissatisfied and what outcome you are looking for
- give you a full response to the complaint as soon as possible and 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.

## 8. What if I'm still dissatisfied?

After we have fully investigated, if you are still dissatisfied with our decision or the way we dealt with your complaint, you can ask the Scottish Public Services Ombudsman (SPSO) to look at it.

The SPSO cannot normally look at:

- a complaint that has not completed our complaints procedure (**so please make sure it has done so before contacting the SPSO**)
- events that happened, or that you became aware of, more than a year ago
- a matter that has been or is being considered in court.

## 9. Complaints about factoring

Complaints about our factoring service should be directed to the First-tier Tribunal for Scotland who will try to resolve complaints and disputes between home owners and property factors. So if your complaint is about a factoring service, and you are still dissatisfied after our investigation stage you will be able to go them. Their contact details are:

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

Telephone: 0141 302 5900  
Fax: 0141 302 5901  
Email: [www.housingandpropertychamber.scot/](http://www.housingandpropertychamber.scot/)

## 10. Reporting a Significant Performance Failure to the Scottish Housing Regulator

The Scottish Housing Regulator (SHR) can consider issues raised with them about 'significant performance failures'. A significant performance failure is defined by the SHR as something that a landlord does or fails to do that puts the interests of its tenants at risk, and which the landlord has not resolved. This is something that is a systematic problem that does, or could, affect all of a landlord's tenants. If you are affected by a problem like this, you should first report it to us. If you have told us about it but we have not resolved it, you can report it directly to the SHR.

A complaint between an individual tenant and a landlord is not a significant performance failure. Significant performance failures are now, therefore, dealt with through this complaints handling procedure. You can ask us for more information about significant performance failures. The SHR also has more information on their website.

## 11. Getting help to make your complaint

We understand that you may be unable, or reluctant, to make a complaint yourself. We accept complaints from the representative of a person who is dissatisfied with our service. We can take complaints from a friend, relative, or an advocate, if you have given them your consent to complain for you.

You can find out about advocates in your area by contacting the Scottish Independent Advocacy Alliance or Citizens Advice Bureau.

We are committed to making our 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 leaflet in other languages and formats (such as large print, audio and Braille).

## Contact Details

### Advocacy Orkney

18 Queen Street, Kirkwall, Orkney KW15 1JE  
Telephone: 01856 870111  
Email: [info@advocacyorkney.org](mailto:info@advocacyorkney.org)

### Citizens Advice Scotland

Website: [www.cas.org.uk](http://www.cas.org.uk)

### Orkney Citizens Advice Bureau

Anchor Buildings, 6 Bridge Street, Kirkwall  
Telephone: 01856 875266

### Orkney Housing Association Limited

In Person: 39a Victoria Street, Kirkwall KW15 1DN  
Telephone: 01856 875253 Fax: 01856 876764 Email: [complaints@ohal.org.uk](mailto:complaints@ohal.org.uk)  
Website: [www.ohal.org.uk](http://www.ohal.org.uk)

### Scottish Housing Regulator (SHR)

Website: <http://www.scottishhousingregulator.gov.uk/> Telephone: 0141 271 3810

### Scottish Independent Advocacy Alliance

Telephone: 0131 260 5380 Fax: 0131 260 5381 Website: [www.siaa.org.uk](http://www.siaa.org.uk)

### Scottish Public Services Ombudsman (SPSO)

In Person: SPSO, 4 Melville Street, Edinburgh, EH3 7NS  
By Post: Freepost SPSO  
Freephone: 0800 377 7330 Mobile site: <http://m.spsso.org.uk>  
Online contact: [www.spsso.org.uk/contact-us](http://www.spsso.org.uk/contact-us) Website: [www.spsso.org.uk](http://www.spsso.org.uk)

## Quick guide to our complaints procedure

### Complaints procedure

You can make your complaint in person, by phone, by e-mail or in writing.

We have a two-stage complaints procedure. We will always try to deal with your complaint quickly. 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.

We will acknowledge your complaint within three working days. We will 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 Scottish Public Services Ombudsman

If, after receiving our final decision on your complaint, you remain dissatisfied with our decision or the way we have handled your complaint, you can ask the SPSO to consider it.

We will tell you how to do this when we send you our final decision.

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