ORKNEY Housing Association

Complaints Procedure

Version 6: October 2026



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 or requests;
- failure or refusal to provide a service, or an unreasonable delay in providing a service;
- inadequate quality or standard of service;
- dissatisfaction with one of our policies or its impact on the individual;
- conduct, treatment by or attitude of a member of staff or contractor;
- 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 timeframe;
- failure to properly apply law, procedure or guidance when delivering services;
- failure to follow the appropriate administrative process;
- disagreement with a decision, (except where there is a statutory procedure for challenging that decision, or an established appeals process followed throughout the sector); or
- dissatisfaction with how your Subject Access Request (SAR) has been handled or how your data has been used

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;
- a request for compensation only;
- 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 (or Information Commissioner's Office (ICO) for complaints about how a Subject Access Request or how your data was handled) for an independent review of the complaint;
- disagreement with a decision where there is a statutory procedure for challenging that decision (such as for freedom of information requests), or an established appeals process followed throughout the sector;
- a concern about a child or an adult's safety, which should be reported to the Police or Social Services as appropriate;
- abuse or unsubstantiated allegations about our organisation or staff where such actions would be covered by our [Unacceptable Actions Policy or equivalent]; 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 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 who receives, requests or is directly affected by our services can make a complaint to us. This includes the representative of someone who is dissatisfied with our service (eg 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 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 and contact details;
- as much as you can about the complaint;
- what has gone wrong; and
- what outcome you are seeking.

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.

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 (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 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 6 months of the event you want to complain about or finding out that you have a reason to complain; or
- within 2 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: those that have not been resolved at stage 1 and those that are complex and require detailed investigation. 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 complaint 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.

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) or ICO (for complaints relating to how a Subject Access Request or how your data was handled) to look at it.

The SPSO and ICO are independent organisations that will investigate your complaints. They are not an advocacy or support service. You can ask them to look at your complaint if:

- you have gone all the way through the Association's complaints handling procedure
- it is less than 12 months after you became aware of the matter you want to complaint about; and
- the matter has not been (and is not being) considered in court.

The SPSO will ask you to complete a complaint form and provide a copy of our final response to your complaint. You can do this online at www.spso.org.uk/form/complaint-checker or call them on Freephone 0800 377 7330.

You may wish to get independent support or advocacy to help you progress your complaint. See the section on *Getting help to make your complaint* below.

The SPSO and ICO's contact details are listed under Contact Details.

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: https://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 www.scottishhousingregulator.gov.uk/ .

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, or want this information in another language or format, such a large font, or Braille, please tell us.

Contact Details

Advocacy Orkney
Telephone: 01856 870111
Email: info@advocacyorkney.org

Citizens Advice Scotland
Website: www.cas.org.uk

Orkney Citizens Advice Bureau
In Person: Anchor Buildings, 6 Bridge Street, Kirkwall
Email: bureau@orkneycab.casonline.org.uk
Telephone: 01856 875266

Orkney Housing Association Limited
In Person: 39a Victoria Street, Kirkwall KW15 1DN
Telephone: 01856 875253
Email: complaints@ohal.org.uk
Website: www.ohal.org.uk

Scottish Housing Regulator (SHR)
Website: http://www.housingregulator.gov.scot/
Telephone: 0141 242 5642

Scottish Independent Advocacy Alliance
Website: www.siaa.org.uk
Telephone: 0131 510 9410

Scottish Public Services Ombudsman (SPSO)
In Person: SPSO, Bridgeside House, 99 McDonald Road, Edinburgh EH7 4NS
By Post: Freepost SPSO
Freephone: 0800 377 7330
Online contact: www.spso.org.uk/contact-us
Mobile site: m.spso.org.uk
Website: www.spso.org.uk

Information Commissioner's Office
In Person: Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
Telephone: 0303 123 1113
Website: https://ico.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.

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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.

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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 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.

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The Scottish Public Services Ombudsman / Information Commissioner's Office

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/ICO to consider it.

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