



Complaints Handling Procedure Customer Guide

Orkney Islands Council 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.

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.

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.
- Council policy.
- Treatment by or attitude of a member of staff.
- Our failure to follow proper procedure.

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

What can I not complain about?

There are some things we cannot deal with through our complaints handling procedure. These include:

- A routine first-time request for a service, for example a first-time request for a housing repair or action on anti-social behaviour.
- Requests for compensation from the Council.
- Things that are covered by a right of appeal. Here are some examples:
 - If you are dissatisfied with the level of priority you have been given when applying for a house, you have the right to appeal against the decision.
 - If your planning application is refused, you will have a right to request either an appeal to Scottish Ministers or a review by the planning authority's Local Review Body. Which one depends on the circumstances of the application and the timescale for appeal or review will normally be explained in correspondence and the decision notice from the planning authority.
- If you believe your house is incorrectly valued for council tax, you can appeal to the Assessor.

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

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' on page 5 of this document.

How do I complain?

You can complain in person at the Council Offices, School Place, Kirkwall, Orkney, KW15 1NY, by phone, in writing, email to complaints@orkney.gov.uk. Further details can be found on our website www.orkney.gov.uk.

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.

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.

Head of Legal Services, Council Offices, School Place, Kirkwall, Orkney, KW15 1NY on telephone 01856873535.

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 cannot resolve your complaint at this stage, we will explain why and tell you what you can do next. We might suggest that you take your complaint to Stage 2. You may choose to do this immediately or sometime after you get our initial decision.

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.

What if I am 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.

You can contact the SPSO:

In Person: SPSO, Bridgeside House, 99 McDonald Road, Edinburgh, EH7 4NS.

By Post: Freepost SPSO.

Freephone: 0800377 7330.

Online contact: <https://www.spsso.org.uk/contact-us>

Website: <https://www.spsso.org.uk/>

Care complaints

If your complaint relates to a care/support service we provide, you can choose whether to complain to us or the Care Inspectorate. You can find out more about their complaints procedure, or make a complaint, by contacting them.

The Care Inspectorate has several offices around Scotland. Please refer to: <http://www.careinspectorate.com/>

Or

Telephone: 0845 600 9527

Fax: 01382 207 289

Online complaints form: <http://www.careinspectorate.com/index.php/contact-us>

Email: enquiries@careinspectorate.com

You could also contact the Care Inspectorate within Orkney at the following address: Care Inspectorate, East Bank, East Road, Kirkwall, Orkney, KW15 1LX.

Telephone: 01856870535.

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.

Scottish Independent Advocacy Alliance

Tel: 0131 260 5380 Fax: 01312605381

Website: <https://www.siaa.org.uk/>

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, or want this information in another format, such as large print or audio, tell us in person, contact us on 01856 873535, email us at customerservice@orkney.gov.uk or call into our Council Offices, School Place, Kirkwall, Orkney, KW15 1NY.

Our contact details for complaints.

How we will use your information

We will use the information that you provide us so that we can look into your complaint and attempt to resolve it. More information about how the Council uses personal information and your rights is available on the website here:

<http://www.orkney.gov.uk/Online-Services/privacy.htm>

Please contact us by the following means:

In person or by mail – Complaints, Orkney Islands Council, Council Offices, School Place, Kirkwall, Orkney, KW15 1NY.

Telephone – 01856873535.

E-mail – complaints@orkney.gov.uk

This guide can be made available on request in other formats (such as large print and audio).

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.

Document Control Sheet

Review/Approval History

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19 April 2016.	George Vickers.	1.1.	Final.	Updated web address and Freepost address of SPSO.
7 March 2019	George Vickers	1.2	Final.	Addition of privacy information.

Status Description

Final – The document is complete and is not expected to change significantly. All changes will be listed in the change record table.