



Commissioner for Ethical Standards in Public Life in Scotland

Complaint Handling Procedures – information for people who come into contact with us

April 2014

Commissioner for Ethical Standards in Public Life in Scotland - complaints procedure

We do not provide a public service but rather acquit statutory public functions. Our purpose is to make a visible, valued and lasting contribution to ethical standards in public life in Scotland. We are committed to performing our functions in an effective, efficient and professional manner.

We value complaints and use information from them to help us improve what we do

If something goes wrong or you are dissatisfied with your contact with us, please tell us. This leaflet describes our complaints procedure and how to make a complaint. It also tells you about 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 treatment of you by a member of our team.

What can I complain about?

You can complain about things like:

- delays in responding to your enquiries and requests
- our standards
- treatment by or behaviours displayed by a member of staff
- our failure to follow proper procedure.

Your complaint may involve more than one aspect of what we do or be about someone working on our behalf.

What can't I complain about?

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

- a routine first-time request for information about us
- requests for compensation
- things that are covered by a right of appeal.
- any decision made by the Commissioner in connection with the conduct or outcome of investigations carried out in accordance with the provisions of the Ethical Standards in Public Life etc. (Scotland) Act 2000

- complaints about the ministerial public appointments process as described in the Public Appointments and Public Bodies etc. (Scotland) Act 2003.

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. Please also read the section on 'Getting help to make your complaint'.

How do I complain?

You can complain in person at

The office of the Commissioner for Ethical Standards in Public Life in Scotland

Thistle House

91 Haymarket Terrace

Edinburgh

EH12 5HE

by phone, in writing, or by email:

Tel: 0300 011 0550

Email: info@ethicalstandards.org.uk

It is easier for us to resolve complaints if you make them quickly and directly to the function concerned. So please talk to a member of our staff involved in the function 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.

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 you first came into contact with us. 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 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
- where appropriate, 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'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
- a matter that falls outwith the SPSO's jurisdiction.

You can contact the SPSO:

In Person:

SPSO

4 Melville Street

Edinburgh

EH3 7NS

By Post

SPSO

Freepost EH641

Edinburgh

EH3 0BR

Freephone: 0800 377 7330

Online contact www.spsso.org.uk/contact-us

Website: www.spsso.org.uk

Mobile site: <http://m.spsso.org.uk>

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. 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: 0131 260 5381 Website: www.siaa.org.uk

We are committed to being accessible to all members of the community. In line with our statutory equalities duties, we will always ensure that reasonable adjustments are made to help people with an interest in our functions. If you have trouble putting your complaint in writing, or want this information in another language or format, such as large font, or Braille, tell us in person or contact us using the details given above.

We can also give you this leaflet in other languages and formats (such as large print, audio and Braille).

Quick guide to our complaints procedure

