



Route Map
**Your guide to
complaining about
Public Services
in Scotland**

- Scottish Parliament
- Scottish Executive
and UK Government
- Councils and Police
and Fire Boards
- Other Public Bodies
including Quangos
- Other Statutory
Complaints Agencies



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**This leaflet provides a brief
guide to the agencies which
deal with complaints about
public bodies in Scotland.**

Where to start?

If you have a complaint about any public body in Scotland **the first thing you should do is contact the body directly**. Most bodies have an efficient procedure for dealing with complaints and problems can often be resolved quickly by the body itself. However if your complaint is still unresolved after exhausting the body's own procedure you should contact one of the agencies outlined in this leaflet.

Which agency?

This leaflet has been split into five broad sections –

- ❖ Scottish Parliament
- ❖ Scottish Executive and UK Government
- ❖ Councils and Police and Fire Boards
- ❖ Other Public Bodies
- ❖ Other Statutory Complaints Agencies.

Each section details the various types of complaints you might need to make and which agency you should contact in each instance. This leaflet is not intended to be exhaustive but should help you find the agency most likely to be able to deal with your complaint. If the public body you wish to complain about doesn't appear in any section you should ask the body to tell you which agency they fall under.

Making a complaint

Generally agencies will require you to make your complaint in writing, outlining as much detail as possible and supplying any supporting evidence you have (eg, letters from when you complained to the organisation directly). "In writing" usually means either by letter, email or on a specially designed form if the agency you are complaining to has one. Agencies will be able to help you if you are having difficulties putting your complaint in writing.

Please note that this guidance is general and that each agency will have a slightly different procedure in place so please contact them directly to find out exactly what they require.

Scottish Parliament

Complaint about	Agency
An MSP breaching the code of conduct for members of the Scottish Parliament	Scottish Parliamentary Standards Commissioner
An MSP's use of allowances	Scottish Parliamentary Corporate Body
An MSP's conduct at a meeting of the Parliament	Presiding Officer
An MSP's conduct at a Committee meeting	Committee Convenor
Employees of the Parliament	Scottish Public Services Ombudsman
The finances of the Parliament	Auditor General for Scotland through Audit Scotland
How members of Scottish Public Bodies are appointed	Commissioner for Public Appointments in Scotland
Access to information (after 2005)	Scottish Information Commissioner

Scottish Executive and UK Government

including Executive Agencies

Complaint about	Agency
Ministers breaking the Scottish Ministerial Code of Conduct	The Office of the First Minister
Employees of the Scottish Executive	Scottish Public Services Ombudsman
UK departments (eg, Inland Revenue, Dept for Work & Pensions)	UK Parliamentary Ombudsman (complaints should be referred to your MP in the first instance as the Ombudsman can only look at complaints referred by an MP)
The finances of the Scottish Executive	Auditor General for Scotland through Audit Scotland
The finances of the UK Government	National Audit Office
Access to information (after 2005) in the Scottish Executive	Scottish Information Commissioner
Access to information in UK governments and all data protection and personal data*	UK Information Commissioner
How members of UK public bodies are appointed	Commissioner for Public Appointments for the UK
Treatment of a prisoner	Scottish Prisons Complaints Commission

*The UK Information Commissioner is responsible for the regulation of the Data Protection Act 1998 across all public bodies in Scotland. As from 1 January 2005 he will be responsible for the regulation of the Freedom of Information Act 2000 as it concerns those UK public bodies who operate in Scotland irrespective of where they are based. If you are dissatisfied by the way in which any public body in Scotland has handled or mishandled your personal data then contact the UK Information Commissioner.

Councils and Police and Fire Boards

Complaint about	Agency
Councillors breaching their code of conduct (eg, failing to register an interest, breach of confidentiality, disrespect towards employees or other Councillors)	Standards Commission for Scotland
The finances of a council	Accounts Commission for Scotland through Audit Scotland
Services provided by a council (maladministration, poor service)	Scottish Public Services Ombudsman
A police board	Scottish Public Services Ombudsman
A fire board	Scottish Public Services Ombudsman
Decisions made by local authorities on taxi fares and bus services	Traffic Commissioner for Scotland
Access to information (after 2005)	Scottish Information Commissioner
Data Protection and personal data	UK Information Commissioner

Other Public Bodies including Quangos

(for example, NHS bodies, Scottish Enterprise bodies)

Complaint about	Agency
Members of public bodies breaching their code of conduct (eg, failing to register an interest, breach of confidentiality, disrespect towards employees or other members)	Standards Commission for Scotland
Services provided by public bodies (maladministration, poor service)	Scottish Public Services Ombudsman
The finances of public bodies	Auditor General for Scotland through Audit Scotland
Doctors, nurses, dentists and other healthcare professionals	Scottish Public Services Ombudsman
Scottish Water	Water Industry Commissioner for Scotland
Operators of public service vehicles (PSVs) and heavy goods vehicles (HGVs)	Traffic Commissioner for Scotland
The way the Law Society of Scotland or the Faculty of Advocates has dealt with a complaint against a practitioner	Scottish Legal Services Ombudsman
Access to information in devolved bodies (after 2005)	Scottish Information Commissioner
Access to information in UK bodies and all data protection and personal data	UK Information Commissioner
A Charity	Scottish Charity Regulator

Other Statutory Complaints Agencies

Complaint about	Agency
Immigration advisers	Immigration Services Commissioner
Financial service providers such as banks, insurance companies and investment advisers	Financial Ombudsman Service



**Your guide to the
various agencies**

AGENCY DETAILS

Scottish Public Services Ombudsman

The Scottish Public Services Ombudsman can consider complaints against most Scottish public bodies about administrative failure, or failure to provide a service, or failure in a service, provided you have suffered injustice or hardship as a result of these failures.

UK Parliamentary Ombudsman

The Parliamentary Ombudsman investigates complaints that injustice has been caused by maladministration on the part of UK government departments or other public bodies.

Scottish Information Commissioner

The Scottish Information Commissioner is responsible for promoting and enforcing the Freedom of Information Scotland Act, which comes fully into force on 1 January 2005. If Scottish public authorities refuse to give information which you have requested, appeals can be made to the Commissioner to determine whether the information must be released.

UK Information Commissioner

The Information Commissioner has specific responsibilities for the promotion and enforcement of the Data Protection Act 1998 and the Freedom of Information Act 2000 as it concerns UK public bodies together with a number of other areas of legislation. The Commissioner is independent of Government, reporting directly to Parliament and has both a national and international role.

Office of the Scottish Charity Regulator

OSCR is a new executive agency, set up in December 2003, which is developing a regulatory framework for supervision of all charities in Scotland. OSCR is responsible for investigation of allegations of misconduct and mismanagement within individual charities and may bring court action where necessary.

Parliamentary Standards Commissioner

The Scottish Parliamentary Standards Commissioner investigates complaints that an MSP has breached the Code of Conduct for MSPs. He does this independently of Parliament and reports his findings to Parliament, but within a set of rules laid down in an Act of Parliament, the Scottish Parliamentary Standards Commissioner Act 2002. The Code of Conduct is published on the Parliament website www.scottish.parliament.uk on the MSP page.

Auditor General for Scotland

The Auditor General for Scotland is the Parliament's watchdog for ensuring propriety and value for money in the spending of public funds. He is responsible for investigating whether public spending bodies achieve the best possible value for money and adhere to the highest standards of financial management.

Accounts Commission for Scotland

The Accounts Commission is a statutory, independent body, which through, the audit process, assists local authorities in Scotland to achieve the highest standards of financial stewardship and the economic, efficiency and effective use of their resources.

Audit Scotland

Audit Scotland is a statutory body set up in April 2000 under the Public Finance and Accountability (Scotland) Act 2000. It provides services to the Auditor General for Scotland and the Accounts Commission. Together they ensure that the Scottish Executive and public sector bodies in Scotland are held to account for the proper, efficient and effective use of public funds.

Scottish Legal Services Ombudsman

The Ombudsman looks into complaints about the way the Law Society of Scotland or the Faculty of Advocates has handled a complaint against a legal practitioner.

Water Industry Commissioner

The Commissioner promotes the interests of customers of Scottish Water.

AGENCY CONTACTS

Auditor General for Scotland
Accounts Commission for Scotland
Audit Scotland
110 George Street
Edinburgh EH2 4LH
T 0131 477 1234
F 0131 477 4567
info@audit-scot.gov.uk

Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews KY16 9DS
T 01334 464610
enquiries@itspublicknowledge.info

Scottish Legal Services Ombudsman
17 Waterloo Place
Edinburgh EH1 3DL
T 0131 556 9123
F 0131 556 9292
ombudsman@slso.org.uk

Scottish Parliamentary Corporate Body
The Scottish Parliament
Edinburgh EH99 1SP
T 0131 948 5000 / 0845 278 1999
(local rate)

Scottish Parliamentary Standards Commissioner
The Scottish Parliament
Edinburgh EH99 1SP
T 0131 348 6666
standards.commissioner@scottish.parliament.uk

Scottish Public Services Ombudsman
4 Melville Street
Edinburgh EH3 7NS
T 0870 011 5378
enquiries@scottishombudsman.org.uk

Traffic Commissioner for Scotland
J Floor
Argyle House
3 Lady Lawson Street
Edinburgh EH3 9SE
T 0131 200 4955
F 0131 229 0682
Joan.Aitken@vosa.gov.uk

Standards Commission for Scotland
Chief Investigating Officer
Forsyth House
Innova Campus
Rosyth Europarc
Rosyth
Fife KY11 2UU
T 01383 428061
F 01383 428020
enquiries@standardscommission.org.uk

The Office of the First Minister
Scottish Executive
St Andrew's House
Regent Road
Edinburgh EH1 3DG

UK Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF
T 01625 545 700
F 01625 524 510
mail@ico.gsi.gov.uk

The UK Parliamentary Ombudsman
Millbank Tower
Millbank
London SW1P 4QP
T 0845 015 4033
OPCA.Enquiries@ombudsman.gsi.gov.uk

Water Industry Commissioner for Scotland
Ochil House
Springkerse Business Park
Stirling FK7 7XE
T 01786 430200
enquiries@watercommissioner.co.uk

Immigration Services Commissioner
Fleetbank House
2-6 Salisbury Square
London EC4Y 8JX
T 020 7311 1500
F 020 7211 1553

Financial Ombudsman Service
South Quay Plaza
183 Marsh Wall
London E14 9SR
T 020 7964 1000
F 020 7964 1001
Complaint.info@financial-ombudsman.org.uk

Scottish Charity Regulator
Argyll House
Marketgait
Dundee DD1 1QP
T 01382 206076
F 01383 220314
jane.ryder@oscr.org.uk

Scottish Prisons Complaints Commission
Government Buildings
Broomhouse Drive
Edinburgh EH11 3XD
T 0131 244 8423
F 0131 244 8430
vaughan.barrett@scotland.gsi.gov.uk

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This information was prepared and published by Audit Scotland on behalf of the Scottish complaints handling agencies.