



INTEGRITY IN PUBLIC LIFE

SERVICE CHARTER

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1. INTRODUCTION

1.1 The Standards Commission for Scotland (Standards Commission) is an independent public body comprising of five Members appointed by the Scottish Parliamentary Corporate Body. The Standards Commission's functions, as provided for by the Ethical Standards in Public Life etc. (Scotland) Act 2000 ("the Act"), are to:

- Provide guidance to the Councillors' Code of Conduct and the Model Code of Conduct for members of devolved public bodies on the application of the Codes of Conduct;
- Consider reports submitted by the Commissioner for Ethical Standards in Public Life in Scotland ("CESPLS") where it is determined that a potential breach of a Code has occurred.
- Decide to hold a Hearing following receipt of the report from the CESPLS to determine whether a councillor or member of a devolved public body has contravened the Councillors' or the Members' Code; and
- Where, following a Hearing, the Panel find that a councillor or member has breached the relevant code, to determine, in accordance with the Act, the sanction to be applied.

2. SERVICE COMMITMENT

2.1 The Standards Commission aims to serve the public interest and maintain confidence in the ethical standards framework.

2.2 We recognise that a key element of achieving our aims is to listen to those who are, or have been, affected by the work that we do and, in turn, the service we provide.

2.3 We would welcome hearing about your experience when you dealt with the Standards Commission, whether those experiences were good or bad. We wish to learn from these and will use the information provide to seek to improve our services. To assist us in obtaining feedback we may also engage with you through the use of surveys.

2.4 We are committed to:

- giving those affected by our work the opportunity to comment on the service the Standards Commission provides, including our policies and procedures;
- listening to your comments;
- responding to complaints in a timely and helpful manner; and
- using feedback to inform changes and improvements, as appropriate, so that we deliver a better service.

3. THE STANDARDS YOU CAN EXPECT FROM US

3.1 We will respond to you promptly.

Telephone

- We will answer all calls quickly; or if we are not available to take your call a message may be left on the telephone voicemail service.
- We will greet you politely and clearly.
- We will return messages left on the voicemail service within three working days.
- If your query cannot be dealt with immediately, we will respond within 20 working days. If, in exceptional circumstances, we cannot do so, we will tell you why it is not possible and give a commitment to when we will be able to provide a response.

Correspondence

- We will acknowledge your correspondence within five working days of receipt and will give you a full written response within 20 working days. If, in exceptional circumstances, we cannot do so, we will tell you why and when we will be able to do so.

Attendance in person

- If you make an appointment to attend our office in person, we will see you promptly at the time arranged.
- If you do not have an appointment, we may not be able to see you. However, if we can, we will take details of your enquiry and arrange a date for a further meeting or for someone to respond in writing within 20 working days of your visit or by telephone within five working days of your visit.

External appointments

- When an external appointment is made, we will try to ensure we arrive on time. If for some exceptional reason we are delayed, we will notify you of the delay as soon as possible.

Information about Hearings

- Notification of upcoming Hearings about potential breaches of the Codes of Conduct by councillors and members of devolved public bodies will be published on our website at <http://www.standardscommissionscotland.org.uk/> within five working days of the decision to hold a Hearing being made.
- Outcomes of Hearings will be published on our website no later than 20 working days after the Hearing concludes.

4. FEEDBACK

Who can provide feedback?

- 4.1 Any person or organisation who we deal with in connection with our work or who is affected by our work and any member of the public.

What is feedback?

- 4.2 Feedback is any complaint, comment, compliment or suggestion from those affected by our work regarding the work of, and/or the service provided by the Standards Commission.
- 4.3 Specifically, a complaint is any written or spoken expression of dissatisfaction with the service we provide.

Why does the Standards Commission value feedback?

- 4.4 The Standards Commission aims to deliver a high standard of service. Feedback from those affected by our work, both positive and negative, including complaints, can provide a valuable insight into the public perception of the service we provide. It can also help us make improvements to our standards of service.
- 4.5 We want to identify good practice within the Standards Commission and ensure best practice is consistently achieved across all functions of the organisation.
- 4.6 We also want to put things right, if possible, when something goes wrong.

Standards Commission's response to feedback

- 4.7 We aim to record all feedback received.
- 4.8 We will regularly analyse all feedback and consider whether lessons can be learned to improve our service. As part of that, we will review our policies and procedures to see if any changes require to be made.
- 4.9 We will also monitor the operation of this policy.

5. HOW TO MAKE A COMPLAINT, COMMENT, COMPLIMENT OR SUGGESTION

- 5.1 There are a number of ways in which you can make a complaint, comment, compliment or suggestion.
- 5.2 You can choose the most convenient way for you from the options listed below.

By telephone – you can call us on 0131 348 6666. Our office is open from 0900 – 1700 on Monday to Friday.

In writing – submit a letter to The Executive Director, The Standards Commission for Scotland, Room T2.20, The Scottish Parliament, Edinburgh, EH99 1SP.

Email– email us at enquiries@standardscommission.org.uk

Website – complete the contact us form on our website at <http://www.standardscommissionscotland.org.uk/content/contact-us>

In person at a Hearing – speak to a member of staff during a formal adjournment in proceedings or after the Hearing has concluded. Details of forthcoming Hearings can be found on our website at http://www.standardscommissionscotland.org.uk/full_list

- 5.3 If you contact us by telephone, on occasion, we may ask you to make your complaint in writing, by email or letter. We may do this if we are unable to clarify the nature of your complaint over the telephone or if your complaint is of a complex nature.
- 5.4 Our aim is to make it simple and easy to provide feedback to the Standards Commission. Please let us know if, for any reason, you are unable to use any of the options listed above and would like to provide feedback in a different way.
- 5.5 For example if you would like details of our Complaints & Feedback Policy in another language, audio, large print, electronic or other format, please let us know.

Can someone make a complaint on my behalf?

- 5.6 You can nominate someone else to make a complaint for you. You will need to give permission in writing that you wish for someone else to make the complaint on your behalf.

What information should I provide?

- 5.7 You should provide your full name and contact details.
- 5.8 You should provide details of any members of Standards Commission staff with whom you have already had contact regarding your feedback.
- 5.9 If you are making a complaint about a particular case, if possible, you should provide the name of the Respondent and / or the case reference.
- 5.10 We may seek clarification of any matters that are unclear. We may also ask you for further information. When we have the necessary information we will deal with your complaint in terms of our complaints procedure described below.
- 5.11 We can only consider feedback about the service provided by the Standards Commission. If your feedback relates to another organisation we will advise you accordingly.

6. COMPLAINTS PROCEDURE

- 6.1 There are two stages to our complaints procedure.

Stage 1 - Informal Resolution

- 6.2 We know that members of the public complaining about an aspect of our service will want the matter dealt with as quickly as possible.
- 6.3 We aim to resolve problems as soon as possible. Often it is possible to sort them out straightaway and you should make the person you are dealing with aware of your concerns problem, at the time they arise.

Stage 2 – Formal Procedure

- 6.4 If matters cannot be resolved informally and/or you wish to make a formal complaint, you should contact the Executive Director of the Standards Commission either by telephone or in writing (which includes sending an email).
- 6.5 You should do this as soon as possible after the matter you wish to complain about occurs, and in any event no later than 6 months of the matter being complained about. If you have already made an informal complaint, you should indicate why you remain dissatisfied.
- 6.6 You should provide details of the relevant case reference number and / or name of the Respondent or the particular member of staff who dealt with the matter, if applicable.
- 6.7 The Executive Director will try to resolve your complaint immediately at this stage by noting details of your complaint and discussing it with you to clarify, and if possible, explain what has happened.
- 6.8 Where you telephone us to ask us to progress to your complaint through our formal procedure we will acknowledge your complaint verbally during that call. We will aim to acknowledge receipt of any formal written complaint within 5 working days.
- 6.9 The Executive Director will investigate your concerns and will aim to provide you with a full response as quickly as possible (whether your request to make use of the formal procedure is made to us by telephone or in writing), and in any event within 20 working days.
- 6.10 If the Executive Director is unable to provide a full response within 20 working days, we will keep you informed of progress within 20 working days, and every 20 working days thereafter, until a full response is issued.
- 6.11 If your complaint is about the Executive Director or a Member of the Standards Commission, you can ask for it to be referred to the Convener of the Standards Commission.

Stage 3 – Complaints referred to the Convener

- 6.12 Complaints about the Executive Director or a Member should be directed in writing to the Convener by email or post to the address listed above. We will aim to

acknowledge receipt of any complaint addressed to the Convener within 5 working days.

- 6.13 The Convener may need to make enquiries into your complaint. The Convener will do this as soon as possible and aim to contact you within 20 working days. If for any reason the Convener cannot do that we will contact you to let you know when we anticipate a full reply will be provided.
- 6.14 If your complaint is about the Convener, the Executive Director will ask another Member of the Standards Commission to access and determine the appropriate action necessary to resolve this matter. The Member dealing with your complaint will take this action as soon as possible and will aim to contact you within 20 working days. If for any reason the Member cannot do that we will contact you to let you know when we anticipate they will be able to reply fully.

7. WHEN THE STANDARDS COMMISSION MAY NOT DEAL WITH YOUR COMPLAINT

Complaints about matters outwith our jurisdiction

- 7.1 Sometimes the Standards Commission receives enquiries or complaints about the roles and responsibilities of other organisations. We cannot deal with complaints about matters which do not fall within the Standards Commission's remit.
- 7.2 If we cannot deal with a complaint (or parts of a complaint) for that reason, we will try to provide you with details of the appropriate organisation that may be able to assist you.

Unacceptable actions

- 7.3 The Standards Commission may refuse to deal with complaints received from the relatively few correspondents whose actions or behaviour we consider unacceptable. We aim to provide a service that is accessible to all those affected by our work who wish to make a complaint. However, we retain the right, where we consider actions to be unacceptable, to restrict or change access to our service.
- 7.4 We do not view behaviour as unacceptable just because an individual is forceful or determined. However, we do consider that the actions of those who are angry, demanding or unduly persistent may result in unreasonable demands on us or unreasonable behaviour towards our staff.
- 7.5 Actions which the Standards Commission considers to be unacceptable are grouped into the following four headings:
- Aggressive or abusive behaviour; or
 - Unreasonable demands; or
 - Unreasonable persistence; or
 - Vexatious correspondence.

- 7.6 We may say that we consider an individual to be making unreasonable demands or as being unreasonably persistent because of the amount of information they seek, the nature and scale of service they expect or the number of approaches they make.

Aggressive or abusive behaviour

- 7.8 We will not tolerate aggressive or abusive behaviour towards our staff or Members. Examples of behaviour under this heading include threats, physical violence, verbal abuse, swearing, derogatory remarks and rudeness. We also consider that inflammatory statements and unsubstantiated allegations can be abusive behaviour.

Unreasonable demands

- 7.9 Examples of actions under this heading include demanding responses within an unreasonable timescale, insisting on seeing or speaking to a particular member of staff, continual phone calls or letters, repeatedly changing the substance of the complaint or raising further unrelated concerns.

- 7.10 We will not consider these unacceptable and unreasonable demands because they impact substantially on our work and diminish service to all.

Unreasonable persistence

- 7.11 Examples of actions grouped under this heading include persistent refusal to accept a decision made at a Hearing, persistent refusal to accept explanations relating to what this office can or cannot do, and to continue to contact us without presenting any new information.

- 7.12 We will not consider these persistent complaints to be acceptable when they take up a disproportionate amount of time and resources.

Vexatious correspondence/contact

- 7.13 We consider vexatious correspondence or contact as matters which would impose a significant burden on the Standards Commission and which:
- do not have a serious purpose or value; and/or
 - is designed to cause disruption or annoyance; and/or
 - has the effect of harassment; and/or
 - would otherwise, in the opinion of a reasonable person, be considered to be manifestly unreasonable or disproportionate.

Managing unacceptable actions

- 7.14 Where an individual falls into any of the above categories considered unacceptable we may take any actions as we consider appropriate. This may include:
- terminating a telephone call should you act in a threatening, abusive, or unreasonable manner;
 - asking you to leave our office should you act in a threatening, abusive or unreasonable manner;
 - informing you that no further action will be taken in response to a complaint which has exhausted our complaints procedure;
 - advising you that only new or substantive issues will receive a further response;
 - restricting the format of the contact that we have with you; and /or

- advising you that a complaint we consider to be persistent or vexatious will not receive a substantive reply.

Complaint about maladministration

7.15 If you have followed our complaints procedure and continue to remain dissatisfied with our response you may refer your complaint about maladministration to the Scottish Public Service Ombudsman (SPSO). The contact details for the office of the SPSO are:

- Website: <http://www.spsso.org.uk/>
- Freephone: adviceline: 0800 377 7330
- Online form: <http://www.spsso.org.uk/online-contact>
- In person: 4 Melville Street, Edinburgh, EH3 7NS
- By post: FREEPOST EH641, Edinburgh, EH3 0BR
- Fax: 0800 377 7331