



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 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:

- Promote the Ethical Standards Framework;
- 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, the Ethical Standards Commissioner (ESC), when it is determined that a potential breach of a Code has occurred;
- Decide to hold a Hearing following receipt of the report from the ESC, to determine whether a councillor or member of a devolved public body has contravened the Councillors' or the Members' Code; and
- Following a Hearing, where the Panel has found that a councillor or member has breached the relevant code, 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 to maintain confidence in the ethical standards framework.

2.2 It recognises that a key element of achieving its aims is to listen to those who are, or have been, affected by the work that it does and, in turn, the service it provides.

2.3 It will welcome hearing about your experience when you dealt with the Standards Commission, whether those experiences were good or bad. It wishes to learn from these and will use the information provided to seek to improve its services. To assist it in obtaining feedback it may also engage with you through the use of surveys.

2.4 The Standards Commission is committed to:

- giving those affected by its work the opportunity to comment on the service the Standards Commission provides, including its 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 it delivers a better service.

3. THE STANDARDS YOU CAN EXPECT

3.1 The Standards Commission will respond to you promptly.

Telephone

- Its staff will answer all calls quickly; or, if not available to take your call, a message may be left on the telephone voicemail service.
- Standards Commission staff will greet you politely and clearly.
- Its staff will return messages left on the voicemail service within 3 working days.
- If your query cannot be dealt with immediately, The Standards Commission will respond within 20 working days. If, in exceptional circumstances, it cannot do so, its staff will tell you why it is not possible, and give a commitment as to when it will be able to provide a response.

Correspondence

- The Standards Commission will acknowledge your correspondence within 5 working days of its receipt, and will give you a full written response within 20 working days. If, in exceptional circumstances, it cannot do so, its staff will tell you why and when we may be able to do so.

Attendance in person

- If you make an appointment to attend the Standards Commission's office in person, our staff/members will see you promptly at the time arranged.
- If you do not have an appointment, it may not be able to see you. However, if they can, the staff will take details of your enquiry and arrange a date for a further meeting, or for someone to respond to you, 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, the Standards Commission will try to ensure staff/members arrive on time. If, for some exceptional reason, there is a delay, the Standards Commission will notify you of the delay as soon as possible.

Information about Hearings

- Notification of upcoming Hearings concerning potential breaches of the Codes of Conduct by councillors and members of devolved public bodies will be published on its website at <http://www.standardscommissionscotland.org.uk/cases>, within 5 working days of the decision to hold a Hearing being made.
- Outcomes of Hearings will be published on the Standards Commission website within 21 days of the conclusion of the Hearing.

4. FEEDBACK

Who can provide feedback?

- 4.1 Any person or organisation with whom the Standards Commission works, or deals in connection with it, or is affected by its work, as well as any member of the public.

What is feedback?

- 4.2 Feedback is any complaint, comment, compliment or suggestion received from those affected by the Standards Commission's 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 the Standards Commission provides.

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 its work, both positive and negative, including complaints, can provide a valuable insight into the public perception of the service provided. It can also help the Standards Commission make improvements to its standards of service.
- 4.5 It wants to identify good practice within the Standards Commission and to ensure best practice is achieved consistently across all functions of the organisation.
- 4.6 It also wants to put things right, wherever possible, when something goes wrong.

Standards Commission's response to feedback

- 4.7 The Standards Commission aims to record all feedback received. Members of the Standards Commission will be notified of any complaint(s) received about the organisation at its next meeting following receipt of any complaint(s).
- 4.8 The Standards Commission will analyse regularly all feedback and consider whether lessons can be learned from these to improve still further its service. As part of that, it will review its policies and procedures to see if any changes require to be made.
- 4.9 The Standards Commission will also monitor the operation of this policy and will review it formally every 3 years.

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 method for you from the options listed below:

By telephone – you can call the Standards Commission on 0131 348 6666. Its office is open from 09:00 – 17:00 on Monday to Friday.

In writing – by submitting a letter to: The Executive Director, The Standards Commission for Scotland, Room T2.21, The Scottish Parliament, Edinburgh, EH99 1SP.

By E-mail – to enquiries@standardscommission.org.uk

Via the Website – complete the ‘contact us’ form on the Standards Commission's website which is at <http://www.standardscommissionscotland.org.uk/contact>

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 may be found on the website at <http://www.standardscommissionscotland.org.uk/cases>

- 5.3 If you contact the Standards Commission by telephone it may, on occasions, ask you to make your complaint formally in writing, by e-mail or letter. The Standards Commission will do this if it is unable to clarify the nature of your complaint over the telephone, or if your complaint is of a complex nature.
- 5.4 The Standard Commission's aim is to make simple the process of providing feedback to it. Please let it 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 may 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 can advise you accordingly.

6. COMPLAINTS PROCEDURE

- 6.1 There are 2 stages to The Standards Commission's main complaints procedure, as well as specific procedures for complaints relating to The Standards Commission.

Main Procedure Stage 1 - Informal Resolution

- 6.2 The Standards Commission knows that members of the public complaining about an aspect of our service will want the matter dealt with as quickly as possible.
- 6.3 Therefore it aims to resolve problems as soon as possible: Often it is possible to sort them out straightaway so you should make the person you are dealing with aware of your concerns or of a problem, at the time it arises.

Main Procedure 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 e-mail to enquiries@standardscommission.org.uk).
- 6.5 You should do this as soon as possible after the matter you wish to complain about occurs. If you have already made an informal complaint, you should indicate why it is that 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, as applicable.
- 6.7 The Executive Director will seek 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 If you telephone us to request us to progress to your complaint through the Standards Commission's formal procedures this will be acknowledged verbally during that call. The Standards Commission will then acknowledge its 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 makes use of the formal procedure is made to us either by telephone or in writing) and, in any event, within 20 working days. If appropriate, the Executive Director will advise you of any changes or improvements to Standards Commission service or procedures that have been made in light of your complaint.
- 6.10 If the Executive Director is unable to provide a full response within 20 working days, the Standards Commission will keep you informed of progress within 20 working days, and then every 20 working days thereafter, until a full response is issued.

- 6.11 If your complaint is about the Executive Director or relates to a Member of the Standards Commission, you can ask for your complaint to be referred directly to the Convener of the Standards Commission.

Standards Commission-related – Complaints referred to the Convener

- 6.12 Complaints about the Executive Director or a Member should be directed in writing to the Convener, by e-mail or post, to the above listed address. The Standards Commission 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 this, the Standards Commission will contact you to let you know when it anticipates that a full reply will be provided. If appropriate, the Convener will advise you of any changes or improvements that have been made in light of your complaint.

Standards Commission-related – Complaints about the Convener

- 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. If appropriate, the Member will advise you of any changes or improvements that have been made in light of your complaint.

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

Complaints about matters outwith the Standards Commission's jurisdiction

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

Unacceptable actions

- 7.3 The Standards Commission may refuse to deal with complaints received from any (in its experience, relatively few) correspondents whose actions or behaviour it considers unacceptable. Whilst the Standards Commission aims to provide a service that is

accessible to everyone affected by our work and who wish to make a complaint, it retains the right, where it considers actions to be unacceptable, reasonably to restrict or change access to our service.

- 7.4 The Standards Commission does not view behaviour as unacceptable just because an individual is forceful or determined. However, the Standards Commission does consider that the actions of those who are angry, overly demanding or unduly persistent may result in unreasonable demands being placed upon it or unreasonable behaviour being directed towards its staff.
- 7.5 The Standards Commission may say that it considers 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.
- 7.6 Actions which the Standards Commission considers to be unacceptable are grouped under the following 4 headings:
- Aggressive or abusive behaviour
 - Unreasonable demands
 - Unreasonable persistence
 - Vexatious correspondence.

Aggressive or abusive behaviour

7.6.1 The Standards Commission will not tolerate aggressive or abusive behaviour towards its staff or Members. Examples of behaviour under this heading include physical violence, threats, verbal abuse, swearing, derogatory remarks and/or rudeness. The Standards Commission also considers that inflammatory statements and/or unsubstantiated allegations may amount to abusive behaviour.

Unreasonable demands

7.6.2 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 telephone calls or letters, repeatedly changing the substance of the complaint, and/or the raising further unrelated concerns.

7.6.3 The Standards Commission will consider these to be unacceptable and unreasonable demands because, especially for a small organisation, they impact substantially on its work and diminish its service to all.

Unreasonable persistence

7.6.4 Examples of actions grouped under this heading include a persistent refusal to accept a decision made at a Hearing, a persistent refusal to accept explanations relating to what this office can or cannot do, and for a person to continue to contact The Standards Commission on the matter without presenting any new information.

7.6.5 The Standards Commission will not consider these persistent complaints to be acceptable when they take up a disproportionate amount of time and resources.

Vexatious correspondence/contact

7.6.6 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

7.7 When an individual falls into any of the above categories considered unacceptable, The Standards Commission may take any actions as its consider appropriate. This may include:

- terminating a telephone call, should the caller act in a threatening, abusive, or unreasonable manner;
- asking a person to leave its office, should they act in a threatening, abusive or unreasonable manner;
- informing the person that no further action will be taken in response to a complaint because this has exhausted our complaints procedure;
- advising the person that only new or substantive issues will receive a further response;
- restricting the format of the contact that The Standards Commission has with the person; and/or
- advising then that a complaint it considers to be persistent or vexatious will not receive a substantive reply.

Complaint about maladministration

7.8 If you have followed The Standards Commission's complaints procedure, and continue to remain dissatisfied with its response, you may refer your complaint about maladministration to the Scottish Public Service Ombudsman (SPSO). [Please note that the SPSO does not normally investigate complaints if the complainer has known about the problem for more than 12 months before initiating their complaint with the SPSO.] The contact details for the office of the SPSO are:

- Website: www.spsso.org.uk
- Adviceline: 0800 377 7330 or 0131 225 5300
- Location: Bridgeside House, 99 McDonald Road, Edinburgh, EH7 4NS
- By post: FREEPOST SPSO (No stamp required)
- Fax: 0800 377 7331



Document Control & Version information

Summary of changes made to the document				
Date	Action by (initials)	Version Updated	New Version number	Brief Description
27/02/19	ET	2015	2019 v1	Reformat, update website links, abbreviation CESPLS to ESC & SPSO contact details
26/03/19	LJ	2019	2019 v1	Amendment made following review by Standards Commission.
09/04/19	PMW	2019	2019 v1.1	Further amendments following review.