



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:
- Encourage high ethical standards in public life; including the promotion and enforcement of the Codes of Conduct and to issue guidance to councils and devolved public bodies.
 - Adjudicate on alleged breaches of the Codes of Conduct, and where a breach is found, to apply a sanction.

2. SERVICE COMMITMENT

- 2.1 Our aim is to promote and maintain confidence in the ethical standards framework. Our values underpin and inform all our work in this regard. We are dedicated to being:
- Fair** - we are objective, transparent, consistent and proportionate.
- Approachable** - we are collaborative, considerate, respectful and helpful.
- Proactive** - we will initiate, promote, deliver and learn.
- 2.2 We recognise that, in order to achieve this aim and demonstrate our values, it is essential that we seek, and listen to, the views of those who are, could be, or have been, affected by the work we do and the service we provide.
- 2.3 We want to hear about your experience of the ethical standards framework and, in particular, any interaction you have had with the Standards Commission, regardless of whether it was positive or negative. We want to learn from this and to use any information to improve our service, policies and procedures.
- 2.4 We are committed to:
- giving those affected by our work the opportunity to comment on the service we provide and the policies and procedures we follow;
 - listening to any comments made about our service;
 - responding to complaints in a timely and helpful manner; and
 - using feedback to inform changes and improvements, as appropriate, to deliver a better service.

3. THE STANDARDS YOU CAN EXPECT FROM US

Telephone

- 3.1 We will answer all calls quickly and will try to answer your query, or provide the information you are seeking, in a polite, clear and helpful manner.
- 3.2 If no one is available, we will ensure a voicemail message can be left. We will return any message left within three working days.
- 3.3 If your query cannot be dealt with immediately, we will explain why and will respond substantively within 20 working days. If, in exceptional circumstances, we cannot do so, we will explain why and give you a timescale for when we expect to be able to respond.

Correspondence

- 3.4 We will acknowledge your correspondence (by post or email) 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 explain why and give you a timescale for when we expect to be able to respond.

Attendance in person

- 3.5 If you make an appointment to attend the Standards Commission's office in person, we will see you promptly at the arranged time.
- 3.6 If you do not have an appointment, we may not be able to see you. We will take details of your enquiry, however, and will arrange a date for a 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

- 3.7 We will try to ensure we arrive on time for any external appointment. We will let you know as soon as possible if we are delayed.

Information about Hearings

- 3.8 Notification of upcoming Hearings concerning 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/cases>, within five working days of the decision to hold a Hearing being made.
- 3.9 Outcomes of Hearings will be published on our website within 21 days of the conclusion of the Hearing.

4. FEEDBACK

Who can provide feedback?

- 4.1 Any individual or organisation with whom we have contact, any connection, or is affected by our work.

What is feedback?

- 4.2 Feedback is any complaint, comment, compliment or suggestion received either verbally or in writing.
- 4.3 A complaint is any verbal or written expression of dissatisfaction with:
- our policies and procedures;
 - the service we provide, or have provided; or
 - the conduct of any of our staff or members.

Why does the Standards Commission value feedback?

- 4.4 We aim to deliver a high standard of service. Feedback from those affected by our work can provide a valuable insight into the public perception of the service provided. It can also help us make improvements to our standards of service.

- 4.5 We want to identify, and consistently achieve, good practice and improve our service. If something has gone wrong we want, wherever possible, to make it right.

Standards Commission's response to feedback

- 4.6 We aim to record all feedback received. Any feedback received, either positive or negative, is included in the papers to be considered by Standard Commission Members at the next scheduled meeting following receipt.
- 4.7 We will analyse regularly all feedback and will consider whether any lessons can be learned from it to improve our service. As part of that, we will review our policies and procedures to see if any changes should be made.
- 4.8 We will also monitor the operation of this policy and review it formally every two years.

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

- 5.1 There are several ways in which you can make a complaint, comment, compliment or suggestion. 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. Our office is open from 09:00 – 17:00, Monday to Friday.

In writing – by submitting a letter to: The Executive Director, Standards Commission, Room T2.21, 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 at <http://www.standardscommissionscotland.org.uk/contact>.

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

- 5.2 If you contact us by telephone we may, on occasion, ask you to make your complaint formally in writing, by e-mail or letter. We will normally only do this if we are concerned that we might not have understood the precise nature of your complaint or if it is complex in nature.
- 5.3 We aim to make the process of providing feedback as easy as possible. 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.
- 5.4 If you would like details of this policy in another language (including BSL), audio, large print, electronic or other format, please let us know.

Can someone make a complaint or provide feedback on my behalf?

- 5.6 You can ask someone else to make a complaint or provide feedback for you. You will need to confirm either verbally (if it is being provided over the telephone), or in writing, that you have given your permission for them to do so.

What information should I provide?

- 5.7 You should provide your full name and contact details. You should indicate whether you have already had contact with any of our staff or members about your feedback.
- 5.8 If you are making a complaint about a particular Hearing or case, you should try to provide the name of the Respondent, the date of the Hearing and/or the case reference.
- 5.9 We may seek clarification if we are unclear about any matters you raise. We may also ask you for further information. When we have the information we need, we will deal with your complaint in accordance with the procedure outlined below.
- 5.10 We can only consider feedback about our service or the conduct of our staff or members. If your feedback concerns another organisation we will advise you accordingly and will try to provide information about where and to whom your feedback should be directed.

6. COMPLAINTS PROCEDURE

- 6.1 There are two stages to our main complaints procedure. We also have separate procedures for complaints about our members or Executive Director.

Main Procedure Stage 1 - Informal Resolution

- 6.2 If you have concerns about a member of staff or our service, you should let whoever you are dealing with know as soon as possible, so that they can try to resolve the matter there and then. We may be able to resolve your concerns by, for example, offering an apology and advising you of the steps we intend to take to prevent any similar occurrence in future, or by providing an explanation about why we took a certain action or reached a particular decision.

Main Procedure Stage 2 – Formal Procedure

- 6.3 If matters cannot be resolved informally, and/or you wish to make a formal complaint, you should contact the Executive Director, either by telephone or in writing (including by sending an e-mail to enquiries@standardscommission.org.uk).
- 6.4 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 you remain dissatisfied.
- 6.5 You should provide as much detail as you can about your experience and why you are unhappy.
- 6.6 The Executive Director will note details of any formal complaint made by telephone. We will send a written acknowledgment outlining what we understand your complaint to be within five working days. We will also acknowledge receipt of any formal written complaint within five working days.
- 6.7 The Executive Director will investigate your concerns and will aim to provide you with a full response as quickly as possible and, in any event, within 20 working days. If appropriate, the Executive Director will advise you of any changes or improvements to our service, policies or procedures that have been made in light of your complaint.

- 6.8 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 then every 20 working days thereafter, until a full response is issued.
- 6.9 If your complaint is about the Executive Director or a member of the Standards Commission, you can ask for your complaint to be referred directly to the Convener.

Complaints about the Executive Director or Members

- 6.10 Complaints about the Executive Director or any member of the Standards Commission should be directed, in writing, to the Convener, by post to: The Convener, Standards Commission for Scotland, Room T2.21, The Scottish Parliament, Edinburgh, EH99 1SP or by email to: enquiries@standardscommission.org.uk. We will acknowledge receipt of any complaint addressed to the Convener within five working days.
- 6.11 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, we will contact you to let you know when we anticipate 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.

Complaints about the Convener

- 6.12 If your complaint is about the Convener, the Executive Director will ask another member of the Standards Commission to review it and determine the most appropriate way of resolving, or dealing with, the matter. The member reviewing 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.

Complaints about matters outwith the Standards Commission's jurisdiction

- 6.13 Sometimes we receive enquiries or complaints about the roles and responsibilities of other organisations. If your complaint concerns matters that are outwith our remit, we will let you know as soon as possible and will try to provide you with details of the appropriate organisation to contact.

7. THE STANDARDS WE EXPECT FROM YOU

- 7.1 We are committed to providing a fair, consistent and accessible service. We believe that everyone who contacts us has the right to be heard, understood and respected. We believe that our staff and members have the same rights and the right to work in a safe working environment. In addition, we must ensure the efficient and effective use of our resources, so that we can provide a good service and achieve our legislative obligations.
- 7.2 We may decide to restrict access to our service where we consider someone's actions or behaviour are likely to have a negative effect on our staff, members or our work. The policy below outlines the kinds of actions and behaviour that may have a negative effect, and what we will do in these circumstances. The policy applies to everyone who interacts or communicates with us (including in person, in writing and on social media).

- 7.3 We recognise that some people may have difficulties in expressing themselves or communicating clearly, especially when anxious or upset. We also understand that some people may find it difficult to identify what impact their behaviour might have on other people. We will always consider making reasonable adjustments if we are asked to do so. We may, however, still use the policy if there are actions or behaviours which are having a negative effect on our staff, members or our work.
- 7.4 We do not view behaviour as unacceptable just because an individual is forceful or determined. However, we have to act when the actions of those who are angry, overly demanding, or unduly persistent, are placing unreasonable demands on us, or when unreasonable behaviour is being directed towards our staff or members.
- 7.5 Actions which we consider to be unacceptable are grouped under the following three headings:
- Aggressive or abusive behaviour;
 - Unreasonable demands or persistence; and
 - Vexatious correspondence / contact.

Aggressive or abusive behaviour

- 7.6 All our staff and members have the right not to be subjected to aggressive, offensive or abusive actions, language or behaviour, regardless of the circumstances. This means any actions or behaviour that could cause staff and members to feel intimidated, threatened or offended. These include, but are not limited to: threats, physical violence, personal verbal abuse, derogatory remarks, and rudeness (whether made directly or elsewhere -including online). Making deliberately provocative or inflammatory statements and unsubstantiated allegations in bad faith can also amount to abusive behaviour.

Unreasonable demands or persistence

- 7.7 We may consider that someone is making unreasonable demands or is unreasonably persistent when they take up a disproportionate amount of time and resources, as this can have a negative impact on our ability to meet our statutory duties or to provide a service to others.
- 7.8 Examples of unreasonable demands can include: demanding a response within an unreasonable timescale; insisting on speaking to, or corresponding with, a particular individual; and making frequent phone calls or sending numerous emails or letters.
- 7.9 Examples of unreasonable persistence include: continually refusing to accept a decision made in respect of a case; insisting that we answer questions when we have done so or have explained why we cannot do so; and persistently refusing to accept explanations relating to the extent of our remit.

Vexatious correspondence/contact

- 7.10 We consider vexatious correspondence or contact to be matters that impose a significant burden on us and which:
- do not have a serious purpose or value;
 - are designed to cause disruption or annoyance;
 - have the effect of harassment;
 - would otherwise, reasonably be considered to be manifestly excessive or disproportionate.

Managing unacceptable actions

- 7.11 If we consider an individual's actions fall into any of the categories above, we will consider taking any actions we deem appropriate. This may include:
- terminating a telephone call;
 - asking them to leave our office or a Hearing;
 - informing them that no further action will be taken in response to a complaint they have made (if they have exhausted our complaints procedure);
 - blocking them on social media;
 - advising them that we will only correspond with them about any new and substantive issues; and
 - restricting the format of the contact that we have with them.
- 7.12 In extreme cases, we may consider whether it is appropriate to report an individual's conduct to the police, their employer or regulatory body, or any other organisation. We may also seek legal advice about whether it is appropriate to seek an interdict or raise an action of defamation.
- 7.13 It should be noted that nothing in this policy would prevent an individual member of staff or commission member from taking individual action at their own expense.

8. COMPLAINT ABOUT MALADMINISTRATION

- 8.1 If you have followed our complaints procedure, and continue to remain dissatisfied with our response, you may refer any complaint about maladministration to the Scottish Public Service Ombudsman (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 | | | | |
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| 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. |
| 16/12/19 | LJ | 2019 v1.1 | 2019 v2 | Full review to reflect values identified in strategic Plan |

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| 14/12/20 | LJ | 2019v2 | 2020v1 | Further amendments following review. |
| 25/07/22 | LJ | 2021v1 | 2022v1 | Minor formatting amendments and revisions to section 7 to strengthen actions that can be taken and to make it clear it covers unacceptable actions towards members as well as staff. |