

**SCOTTISH  
PUBLIC  
SERVICES  
OMBUDSMAN**



People Centred | Improvement Focused

# How to complain to the SPSO

We are a free and independent service. We investigate complaints about public services. This leaflet tells you about us. It explains when and how to make a complaint to us.

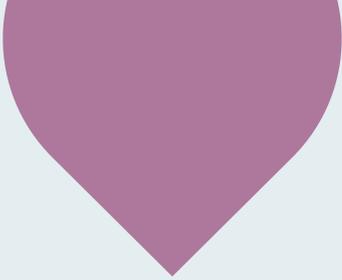
## About the SPSO and what we can do

We are the final stage for complaints about public services in Scotland. We normally investigate complaints after you have been through the organisation's complaints procedure. This gives them the chance to put things right.

We have to work within our legal powers (the SPSO Act 2002). The law describes the types of complaint we can and cannot look at, and what we can and cannot do about them.

Many complaints are about decisions. We cannot change a decision that has been made properly. This means we can look at how the organisation reached its decision – for example, we can check that it followed the correct process – but if the decision was made properly we cannot question it. Important exceptions to this are complaints about the NHS and social work, where we can look at professional judgements and decisions.

SPSO freephone **0800 377 7330**



## Complaining to the SPSO

Please use our complaints form. You can call us for a form on **0800 377 7330**, or you can complete the form online at: **[www.spsso.org.uk/complain/form](http://www.spsso.org.uk/complain/form)**

You should tell us:

- what happened
- why you are complaining
- why you feel things are still not resolved after complaining to the organisation
- what would put things right for you.

Please note: if you bring us a complaint, we will normally share information with the organisation you complained about. If you have concerns about this, please contact us as soon as possible.

## Is my complaint ready for the SPSO?

We can only deal with your complaint after you've complained directly to the organisation you are unhappy with. We need you to submit your complaint to us with a copy of the organisation's response referring you to SPSO.

There are some things we cannot look at:

- employment, personnel and most contractual matters
- matters that are being or have been dealt with in court
- complaints made anonymously.

Unless there are special circumstances, we can't look at issues you knew about more than 12 months ago.

## Getting help and consent

You can complain to us yourself. Or someone can complain on your behalf or help you to make a complaint. You could ask a friend, a relative, a councillor, your MSP or anyone else you trust.

You can find out about advocates in your area by contacting the Scottish Independent Advocacy Alliance. Your local Citizens Advice Bureau can also help you make your complaint.

If you are helping someone make a complaint, we will need their written consent – unless there is a reason they cannot give it.

If you have consented to someone else complaining on your behalf, we may share information with that person.

### Citizens Advice Scotland

Website: **[www.cas.org.uk](http://www.cas.org.uk)**

Or check your phone book for your local Citizens Advice Bureau.

### Scottish Independent Advocacy Alliance

Tel: **0131 510 9410**

Email: **[enquiry@siaa.org.uk](mailto:enquiry@siaa.org.uk)**

Website: **[www.siaa.org.uk](http://www.siaa.org.uk)**

## Our Customer Service Standards

We are committed to offering a high standard of service to everyone who uses our service.

We have customer service standards, so that our customers know what service they can expect to receive and how it will be carried out. You have the right to complain if you feel we are not meeting our customer service standards. You can get more information about how to do this from our website or by contacting us.

## Putting things right

We will discuss with you what you think would solve the problem. If we find that an organisation has done something wrong, we usually ask them to apologise to you and explain why things went wrong. We may also ask them to take action to fix the problem if possible, and make sure the same thing doesn't happen to someone else. Sometimes we may recommend they do something more generally to improve their service.

We give organisations deadlines to complete our recommendations. We always check they have taken the action we asked for and we get evidence of this.

Please be aware that there are some things we can't do. For example, we can't change an organisation's policies, ask for disciplinary action to be taken against a member of staff or get someone removed from their job.

More information can be found in our **Redress Policy**.

## Our decisions

If we publish your complaint as a public decision report, we send you a letter. This sets out our decision in detail.

You can ask for a review of our decision letter if you are the complainant or the organisation complained about.

The Ombudsman generally looks at all review requests. She will only change a decision if you:

- send new information, and/or
- demonstrate information we used was wrong, and/or
- demonstrate we made a mistake

AND

- it has an impact on the original decision.

She will not change a decision simply because you disagree with it.

You must send us your review request within **six weeks** of the date of our decision letter.

If you think you will not be able to meet the timescale, you should contact us as soon as possible to discuss this with us.

If we publish your complaint as a detailed public investigation report, you and the organisation will get an opportunity to comment on a draft of the report. The only way to challenge our decision in this kind of report is by using judicial review proceedings.

There is more information in our **Your complaint, our decision** leaflet which explains how we make our decisions and when you can ask us for a review. You can get this from our website or by contacting us.

## Your information

We are committed to protecting your privacy. We use information given to us about you and your complaint for its intended purpose and in line with the Data Protection Act 2018 and the SPSO Act 2002. We may need to collect and share information with a number of sources to carry out our investigation and we may do this orally, in hard copy or by email. We may report on the outcome of the investigation. When we do so we do not name individuals. We may also use information we collect to compile statistics and undertake research and analysis. There may be public interest benefits in reusing information for these purposes. Information is completely anonymised.

Your views are valuable to us, and we may contact you again to invite you to take part in our surveys for research purposes.

To find out more about how we handle your information and your rights, see our website. If you have any concerns about what we do, please let us know straight away.

## How to contact the SPSO



### Freepost SPSO

(this is all you need to write on the envelope, and you don't need to use a stamp)



### SPSO

**Bridgeside House**  
**99 McDonald Road**  
**Edinburgh EH7 4NS**

Opening hours: Monday, Wednesday, Thursday, Friday 9am–5pm, Tuesday 10am–5pm



SPSO freephone **0800 377 7330**



Website **[www.spsso.org.uk](http://www.spsso.org.uk)**



Online contact form **[www.spsso.org.uk/contact-form](http://www.spsso.org.uk/contact-form)**

You can fill in our complaints form online at **[www.spsso.org.uk/complain/form](http://www.spsso.org.uk/complain/form)**



Fax **0800 377 7331**



Please contact us if you would like this leaflet in another language or format (such as large print, audio, BSL or Braille).