

## **Scottish Courts and Tribunals Service complaints procedure**

The Scottish Courts and Tribunals Service is committed to providing high-quality services.

### **We value complaints and use information from them to help us to improve our services.**

If something goes wrong or you are dissatisfied with our services, please tell us. This leaflet describes our complaints procedure and how to make a complaint. It also tells you about our service standards and what you can expect from us.

### **What is a complaint?**

We regard a complaint as any expression of dissatisfaction about our action or lack of action, or about the standard of service provided by us or on our behalf.

### **What can I complain about?**

You can complain about things like:

- delays in responding to your enquiries and requests
- failure to provide a service
- our standards of service
- our policies
- treatment by or attitude of a member of staff
- failure to follow proper procedure.

Your complaint may involve more than one service or be about someone working for us.

### **What can't I complain about?**

There are some things we can't deal with through our complaints handling procedure. These include:

- an initial request for service, e.g. asking us for a form, or to accept payment of a fine
- a request for an explanation of our policies
- a complaint about or an appeal against a court or tribunal decision
- a complaint about the conduct of a judicial office holder or tribunal member
- a complaint about the conduct of other organisations in the justice system.

If other procedures or rights of appeal can help you resolve your concerns, we will give information and advice, though not legal advice, to help you.

### **Who can complain?**

Anyone can make a complaint to us, including the representative of someone who is dissatisfied with our service. Please also read the section on 'Getting help to make your complaint'.

### **How do I complain?**

You can complain in person at any of our courts or offices, by phone, in writing, or by e-mail. We aim to develop an online complaints form but this is not available yet.

It is often easier for complaints to be resolved if you make them quickly and directly to the service concerned. So please consider talking to a member of our staff providing the service you are complaining about. Then they can try to resolve any problems on the spot. Or write directly to the tribunal, office, or court concerned. You will find our location details on the right hand side of our website home page, with email addresses listed alphabetically.

When making a complaint, please tell us:

- your full name and address
- as much as you can about the complaint
- what has gone wrong
- how you want us to resolve the matter
- your preferred way of being contacted by us about your complaint.

### **How long do I have to make a complaint?**

Normally, you must make your complaint within six months of:

- the action or inaction you want to complain about, or
- finding out that you have a reason to complain, but no longer than 12 months after the action or inaction itself.

In exceptional circumstances, we may be able to accept a complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.

### **What happens when I have complained?**

We will always tell you who is dealing with your complaint.

Our complaints procedure has two stages:

#### **1 Frontline resolution**

We aim to resolve complaints quickly and close to where we provided the service. This could mean an on-the-spot apology and explanation if something has clearly gone wrong, and we will try to take immediate action to resolve the problem.

We will give you our decision within five working days, unless we think there are exceptional circumstances, in which case we will give you our decision within 20 working days.

If we can't resolve your complaint at this stage, we will explain why and tell you what you can do next. We might suggest that you make a formal written complaint. You may choose to do this immediately or sometime after you get our initial decision.

#### **2 Investigation**

We will investigate all complaints and those that appear to be complicated or serious may need a detailed investigation. We will also investigate if you are not satisfied with our frontline response.

When we investigate a complaint we will:

- acknowledge receipt of your complaint within five working days
- where appropriate, try to discuss your complaint with you to understand why you are dissatisfied and what outcome you are looking for
- give you a full written response to the complaint as soon as possible and within 20 working days.

If our investigation will take longer than 20 working days, we will tell you. We will try to agree revised time limits with you and will keep you updated on our progress, if you wish.

### **What if I'm still dissatisfied?**

If you are still dissatisfied with our final decision or the way we dealt with your complaint, you can ask the Scottish Public Services Ombudsman (SPSO) to look at it.

The SPSO considers complaints about Scottish public authorities and has produced a Statement of Complaints Handling Principles which we endorse – see <http://www.valuingcomplaints.org.uk/wp-content/media/principles.pdf>.

The SPSO **cannot** normally look at:

- a complaint that has not completed our complaints procedure (**so please make sure it has done so before contacting the SPSO**)
- events that happened, or that you became aware of, more than a year ago
- a matter that has been or is being considered in court.

You can contact the SPSO:

In Person:

SPSO

4 Melville Street

Edinburgh

EH3 7NS

By Post:

Freepost SPSO

Freephone: 0800 377 7330

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

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

Mobile site: <http://m.spsso.org.uk>

### Getting help to make your complaint

We understand that you may be unable, or reluctant, to make a complaint yourself. We accept complaints from the representative of a person who is dissatisfied with our service. We can take complaints from a friend, relative, or an advocate (someone who will support you), if you have given them your consent to complain for you.

You can find out about advocates in your area by contacting the Scottish Independent Advocacy Alliance.

#### Scottish Independent Advocacy Alliance

Tel: 0131 260 538

Fax: 0131 260 5381

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

We are committed to making our service easy to use for all members of the community. In line with our statutory equalities duties, we will always ensure that reasonable adjustments are made to help people access and use our services. If you have trouble putting your complaint in writing, or want information in another language or format, such as large print, audio, or Braille, please tell us in person, or contact us at the addresses / phone numbers below. Please Note: In all other circumstances your complaint should be made, in the first instance, directly to the tribunal, office, or courts providing the service you are complaining about. This can be done in writing, via email or in person.

Contact details, including the generic email addresses and phone numbers, for all courts and offices can be found on the right hand side of our website home page under the heading “Court Locations” and are listed alphabetically.

Or write to: Correspondence Manager  
Scottish Courts and Tribunals Service  
Saughton House (Spur N1)  
Broomhouse Drive  
Edinburgh EH11 3XD

Or e-mail [enquiries@scotcourts.gov.uk](mailto:enquiries@scotcourts.gov.uk)  
Or phone 0131 444 3312 or 0131 444 3311

We can also give you this leaflet in other languages and formats (such as **large print**, audio, and Braille).

## **Quick guide to our complaints procedure**

### **Complaints procedure**

You can make a complaint in person, by phone, by letter, or by email

We have a two stage complaints procedure. We will always try to deal with your complaint quickly. But if it is clear that the matter will need a detailed investigation, we will tell you and keep you updated on our progress.

### **Frontline resolution**

We will try to resolve your complaint quickly, within **five working days** if we can.

If you are dissatisfied with our frontline response, you can ask us to investigate your complaint.

### **Investigation**

We will investigate all complaints and those that appear to be complicated or serious may need a detailed investigation. We will also investigate if you are not satisfied with our frontline response.

We will acknowledge your complaint within **five working days**. WE will give you our decision as soon as possible. This will be after no more than **20 working days**, *unless* there is clearly a good reason for needing more time.

### **The Scottish Public Services Ombudsman (SPSO)**

If, after receiving our final decision on your complaint, you remain dissatisfied with our decision or the way we have handled your complaint, you can ask the SPSO to consider it.

We will tell you how to do this when we send you our final decision.