

Your Complaint, Our Decision

We provide a free, independent, and impartial service for handling complaints about public services in Scotland. Our role is to make a decision on each case by taking into account all the available facts and evidence. We do this by carefully considering the views and opinions of both the person making the complaint and whoever is being complained about.

Our duty is to help public services improve through our investigations and reports. We also help to put things right if you have experienced injustice and hardship because an organisation has delivered a service badly or has failed to provide a service. We are not an advocacy agency (an agency that acts in favour of a particular cause, idea or policy), but we do make sure that the rights of people who complain are respected.

In asking us to consider your complaint, you accept the way in which we work and our authority to come to a final decision in the matter. We will work with you and those you have complained about to make sure the facts of your complaint are accurate. However, it is for us to interpret the facts and the available evidence and come to a judgement.

The grounds on which you can ask us to review our decision on your case are limited. We will not accept a request for a review on the basis that you simply disagree with the outcome of your case.



Asking for a review

You can only ask for a review on the following grounds.

- You feel we made our decision based on important evidence which contains facts that were not accurate, and you can show this using readily available information.
- You feel you have new and relevant information that was not previously available and which affects the decision we made. (In this case, we recommend that you give the information to the organisation you complained about to give them the chance to consider it before you ask for a review.)

You should write to the Ombudsman within three weeks of the date of our decision on your case. The Ombudsman will decide if your request is eligible for a review based on the above grounds. We will give you a full response within 20 working days of receiving your request. The response will let you know whether the request is eligible, and, if it is, it will tell you whether we will uphold our original decision or reopen your complaint.

If you are still unhappy, we will only consider your case if we choose to based on the facts you provide. If you want to challenge our decision again, you will only be able to do this using judicial review proceedings. Judicial review is a form of court proceeding where a judge reviews whether a decision or action made by a public body is lawful. You may want to take legal advice before deciding whether this is appropriate in your case.

We can give you this leaflet in other languages and formats (such as large print or Braille) if you ask.

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