

How to ask for a review of our decision

This leaflet explains how to ask us for a review of our decision.

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

We make our decisions by taking into account all the available facts and evidence and the views and opinions of both the person making the complaint and the organisation being complained about.

When we consider a complaint, we expect the parties to accept the way we work and our authority to make a decision about the complaint. We will work with complainants and those complained about to make sure the facts upon which we rely are accurate and that we have enough evidence to make a decision.

It is then for us to weigh up the evidence and make a decision. A complaint may be upheld in full, upheld in part, or not upheld. We may also decide not to investigate a complaint beyond our initial enquiries.

How to ask for a review

If you want to ask for a review, please use a **review request form**. We can send you a copy if you call us on Freephone **0800 377 7330**.

Contact us on this number if you would like to make your review request in a different format, and we will help you to make sure that it covers everything it needs to.

If you are the organisation complained about, it is important that the review request comes from the Chief Executive (or equivalent) or someone authorised to act on their behalf.

The Scottish Public Services Ombudsman (SPSO)/Independent National Whistleblowing Officer (INWO) generally looks at all review requests. The SPSO/INWO will only change a decision if you

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

AND

- it has an impact on the original decision.

The SPSO/INWO will not change a decision or reopen a case simply because you disagree with the outcome of your complaint.

New information

If you have new information that we have not seen and feel it could affect our decision, send it to us. The information should be readily available and have been available when we made our decision. You are responsible for sending it to us. You must explain why you think the new information changes our decision. You must also explain why you did not send this to us sooner.

We may need to share the new information with the organisation complained about, or the complainant if you are the organisation asking for a review. We would do this to give both parties the chance to consider it before the SPSO/INWO issues a response.

Information we used was wrong

If you think our decision was based on information or facts that were wrong, please tell us what the information or facts were, why you think they were wrong, and send us information to support your view. The information should be readily available, and you are responsible for sending it to us.

Timescales

You should send us your review request and all the supporting information within **four weeks** of the date of our decision letter. We will not accept review requests made beyond this period, unless you can show there were special circumstances that meant you were unable to do so.

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

If you are waiting for a response to a Freedom of Information request, or a Subject Access request that you consider is crucial to the review of our decision, **do not delay** sending your review request. You should send it with the information you have and tell us when you made your information request, to which organisation, when you expect a reply, and why you think it is relevant to your review request.

If you are unsure about your request for review or how to make it, please contact us to discuss this before you send it.

Please contact us if you would like this leaflet in another language or format.

What happens to your request

We will confirm we have received your review request and information you send with it. We aim to respond to review requests on a timely basis, with the majority of requests being responded to within 90 working days (so not including weekends and public holidays). We will let you know if it is going to take us longer to respond.

If your review request is sent to us later than the four week deadline, we will tell you within 10 working days whether the SPSO/INWO will accept it.

We may need to contact the public body for information, or we may decide to share the SPSO's/INWO's decision with them.

The SPSO's Annual Reports contain information about how many review requests we receive and how long it takes us to respond. You can view these at www.spsso.org.uk/annual-reports

Your information

We are committed to protecting your privacy. We use information given to us about you and your application (or review) for its intended purpose and in line with the Data Protection Act 2018 and the SPSO Act 2002. To find out more about how we handle your privacy and protect your information, see our website www.spsso.org.uk/privacy-notice or ask us for a copy.



How to contact us

For enquiries relating to public service complaints:



SPSO
Bridgeside House
99 McDonald Road
Edinburgh EH7 4NS

Opening hours:

Monday, Wednesday,
Thursday, Friday 9am-5pm,
Tuesday 10am-5pm

If you would like to visit our office in person, you must arrange an appointment first by phoning 0800 377 7330 or using our online contact form.



A freepost envelope can be sent to you. Please call us if you need one.



SPSO freephone **0800 377 7330**

This line is open during the following hours: Mon, Wed & Fri 9am-1pm,
Tues & Thurs 1pm-5pm
Calls outside of these hours can be arranged by appointment using our online contact form.



Website **www.spsso.org.uk**
Online contact form
www.spsso.org.uk/contact-form

For enquiries relating to whistleblowing complaints:



SPSO – INWO Team
Bridgeside House
99 McDonald Road
Edinburgh EH7 4NS

Opening hours:

Monday, Wednesday,
Thursday, Friday 9am-5pm,
Tuesday 10am-5pm

If you would like to visit our office in person, you must arrange an appointment first by phoning 0800 377 7330 or using our online contact form.



A freepost envelope can be sent to you. Please call us if you need one.



INWO freephone **0800 008 6112**

This line is open during the following hours: Mon, Wed & Fri 9am-1pm,
Tues & Thurs 12pm-4pm
Calls outside of these hours can be arranged by appointment using our online contact form.



Website **<https://inwo.spsso.org.uk/>**
Online contact form
<https://inwo.spsso.org.uk/contact-form>

Calls to and from SPSO phone lines may be recorded to check the quality of our service and help us do our job to help you. More details are in the privacy notice: **www.spsso.org.uk/privacy-notice**. Please ask if you want to confirm if a call is or is not being recorded or if you would like to know what options may be available to you if you do not wish to be recorded. INWO calls are not recorded.