**Updated SPSO Complaint Handling Principles**

Please respond by Friday 31 January 2025

**Introduction**

In accordance with the Scottish Public Services Ombudsman Act 2002, the Ombudsman must publish a statement of principles concerning complaints handling procedures of listed authorities.

The principles are the foundation for the SPSO’s Model Complaints Handling Procedures (MCHP). These principles apply to **all** organisations within the Ombudsman’s jurisdiction, even if they are not required to follow the MCHP.

We consulted on the first set of Principles in 2010, which were adopted in 2011. You can read the current principles here: <https://www.spso.org.uk/sites/spso/files/csa/principles.pdf>

We believe it is time to update some of the wording in the existing principles, considering changes in complaint handling, in public services, and wider society since 2011.

We want the principles to be read in a more clearly person-centred way, to help public services focus on developing a positive complaints handling culture.

Updating the wording will also help us prepare to review and overhaul the principles and the MCHP in the coming years, which will take account of advances in rights-based complaint handling.

This update is informed by our work on child-friendly complaints, and our Strategic Plan 2024-2028.

**This questionnaire**

We want to hear from any organisation that is required to comply with the principles as well as from public service organisations that are not within our jurisdiction; and from third-sector organisations, especially those that work with public bodies.

Please read the draft principles document, and then tell us if the updated wording is understandable: [SPSO Statement of Complaints Handling Principles](https://www.spso.org.uk/sites/spso/files/csa/241204SPSOStatementofComplaintsHandlingPrinciplesDRAFTforconsultation.pdf).This document is formatted for consultation and the content may be presented differently for different audiences and media.

Your responses will help us refine the principles and ensure they are clear to public service complaints handlers and staff.

Please only give one response per organisation.

**What we will do with your information**

All responses will be looked at, and we might produce a report about them. If you give us permission to, we might also publish some responses, or parts of them.

We might include some of your personal details, if you give us permission to do that.

We will never publish your contact details.

We might also get in touch to ask you about your response, if you are happy for us to.

Our privacy policy can be found here: <https://www.spso.org.uk/privacy-notice> **Principle 1 – Person-centred**

People are at the heart of the complaints process.  The complaints process should reflect and respect their rights in how it is explained and applied.

Complaints handling should be based on the human rights principles of Participation, Accountability, Non-discrimination, Empowerment and Legality (PANEL).

Complaints handling should recognise the different needs of people and be flexible and responsive to those needs where possible and appropriate.

People complaining should be listened to with empathy, respected and treated with dignity and compassion. Public service staff complained about and those handling complaints have the same right. If they are not, public services should have policies in place to address such actions or behaviour, fairly and proportionately.

People should feel supported in making a complaint.

Confidentiality should be observed where necessary and appropriate.

**1. How well do you understand this principle? \* required**

[ ]  Completely understand

[ ]  Mostly understand

[ ]  Partly understand

[ ]  Do not understand at all

**2. If you selected ‘Partly understand’ or ‘Do not understand at all’ to the above question, how could this principle be clearer? Please answer in 200-250 words max.**

**Principle 2 – Accessible**

The complaints procedure should be clearly communicated, easily understood and available to all, giving people access to justice through everyday rights.

Complaints should be handled by informed, well trained and empowered staff who are given the resources and capacity to handle the volume and complexity complaints received by a public service.

The complaints procedure and how to access it should be actively promoted and publicised.

The complaints procedure and how to access it should be easily understood without any specialist knowledge.

The complaints procedure should follow the principle of universal design.  It should be usable by all people, to the greatest extent possible, without the need for adaptation or specialised design.

The complaints procedure should be accessible to, and meet the needs of, minority and vulnerable groups.

Resources, material and support to help people access and use the procedure should be made easily available, including information on advocacy services.

**3. How well do you understand this principle? \* required**

[ ]  Completely understand

[ ]  Mostly understand

[ ]  Partly understand

[ ]  Do not understand at all

**4. If you selected ‘Partly understand’ or ‘Do not understand at all’ to the above question, how could this principle be clearer? Please answer in 200-250 words max.**

**Principle 3 – Simple and timely**

The complaints procedure should be flexible, with as few steps as necessary.

Complaints should be responded to promptly, within published and realistic timescales.  Where timescales cannot legitimately be adhered to, complainants should be kept informed, reasons explained to them, and they should be told how long their complaint will take.

Quality and thoroughness of investigation should not be compromised by attempts to meet timescales.

**5. How well do you understand this principle? \* required**

[ ]  Completely understand

[ ]  Mostly understand

[ ]  Partly understand

[ ]  Do not understand at all

**6. If you selected ‘Partly understand’ or ‘Do not understand at all’ to the above question, how could this principle be clearer? Please answer in 200-250 words max.**

**Principle 4 – Thorough, proportionate, consistent and effective**

The complaints procedure should achieve the best outcomes for people in the circumstances.

Clear quality standards for complaints handling should be publicised and promoted to service users and staff.  These should be supported by a clear explanation of what action will be taken if these standards are not met.

The complaints procedure and quality standards should be reviewed regularly.

The investigation and resolution of complaints should be proportionate and appropriate to the circumstances of each case.

Investigations, outcomes and redress should be broadly consistent from one complaint to another, whilst being flexible in considering the needs of the individual person complaining.

**7. How well do you understand this principle? \* required**

[ ]  Completely understand

[ ]  Mostly understand

[ ]  Partly understand

[ ]  Do not understand at all

**8. If you selected ‘Partly understand’ or ‘Do not understand at all’ to the above question, how could this principle be clearer? Please answer in 200-250 words max.**

**Principle 5 – Objective, impartial and fair**

The complaints process should be objective and led by evidence, and findings and decisions should be based on facts and established circumstances, not assumptions.  This should be demonstrated clearly in the final decision issued.

All relevant facts should be gathered and established impartially and objectively.  The complaints handler should act as a fact finder and verifier, not in defence of their public service.

People should receive an honest and clear explanation of the investigation findings. They should be told what actions will be taken, and about any changes that will be made as a result of their complaint.

Complaints handling should be impartial and accountable. Complaints handlers should not be involved in investigating where they have been the subject of the complaint or involved in the issues complained about (unless unavoidable).

Complaints handlers should act in accordance with the nine key principles of public life in Scotland: selflessness, integrity, objectivity, accountability and stewardship, openness, honesty, leadership, duty and respect.

The complaints procedure and how it is applied should be fair, and perceived to be fair by people who complain, those handling complaints and those who are subject of a complaint. This is demonstrated by how people are treated, people-centred outcomes, and application of the PANEL principles and the key principles of public life in Scotland.

**9. How well do you understand this principle? \* required**

[ ]  Completely understand

[ ]  Mostly understand

[ ]  Partly understand

[ ]  Do not understand at all

**10. If you selected ‘Partly understand’ or ‘Do not understand at all’ to the above question, how could this principle be clearer? Please answer in 200-250 words max.**

**Principle 6 – Resolution**

A key aim of the complaints procedure is that complaints are resolved at the earliest opportunity, starting with the first point of contact with people who complain.  The outcomes a person is seeking should be clarified at the outset.

A good resolution is where the person complaining and the public service agree the outcomes, and what action will be taken to provide full and final resolution.

Staff should be trained and empowered to resolve complaints.

**11. How well do you understand this principle? \* required**

[ ]  Completely understand

[ ]  Mostly understand

[ ]  Partly understand

[ ]  Do not understand at all

**12. If you selected ‘Partly understand’ or ‘Do not understand at all’ to the above question, how could this principle be clearer? Please answer in 200-250 words max.**

**Principle 7 – Learn and improve**

The complaints procedure should drive learning, improvement and efficiency in both the service delivered and how complaints are handled, the overall purpose being continuous improvement of service delivery.

The complaints procedure should reflect and enhance the culture of good service delivery.

Data from complaints should be collated and used to measure performance and impact, identify trends and highlight problems so they can be solved before they have a chance to escalate or recur.

Complaint performance data, and changes made as a result of complaint outcomes, should be reported to senior leaders and made publicly available to demonstrate impact and improvement and share best practice in service delivery.

**13. How well do you understand this principle? \* required**

[ ]  Completely understand

[ ]  Mostly understand

[ ]  Partly understand

[ ]  Do not understand at all

**14. If you selected ‘Partly understand’ or ‘Do not understand at all’ to the above question, how could this principle be clearer? Please answer in 200-250 words max.**

**General**

**15. Please share any other comments you have below in 200-250 words max.**

**About you**

**16. Are you responding for an organisation or yourself? \* required**

[ ]  Organisation

[ ]  Myself

**17. What is the name of the organisation? \* required**

**18. What is your role? \* required**

**19. If you are happy for us to, we might publish your response, or parts of it, and we would like your permission to do that.

If you choose the do not publish option, we will still take your comments into account when looking over the consultation responses, but we won’t use any of your comment in any report we publish. If you are responding for an organisation, we might still list that you have responded in any reports.

Select as appropriate: \* required**

[ ]  I am happy for you to publish my response with my name

[ ]  I am happy for you to publish the content of my response, but not with my name

[ ]  Please do not publish any part of my response

**20. Would you be happy for us to contact you to discuss your response? \* required**

[ ]  Yes

[ ]  No

**21. If so, please provide your full name, email address and phone number below:**

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|  |

**Thank you**

We are grateful for you taking the time to respond. We will use the feedback we get to refine the principles before we publish them.