

SPSO decision report

Case: 201609139, Commissioner for Ethical Standards in Public Life in Scotland
Sector: Scottish Government and devolved administration
Subject: handling of application
Decision: not upheld, no recommendations

Summary

Mrs C complained to the Commissioner for Ethical Standards in Public Life in Scotland (CESPLS) about a member of a public body. CESPLS decided not to investigate, and she complained to us about their handling of her complaint.

CESPLS have broad discretion under the Ethical Standards in Public Life etc. (Scotland) Act 2000 to decide whether, when and how to carry out an investigation.

We found that CESPLS' investigation procedures allowed them to carry out an initial assessment to decide if a complaint was relevant and admissible. In Mrs C's case, CESPLS decided that her complaint was neither relevant nor admissible. CESPLS' communication with Mrs C explained their intentions and decisions clearly. We considered that CESPLS acted in line with their investigation procedures, and we did not uphold Mrs C's complaint.