



How to complain about the office of the Children and Young People's Commissioner Scotland

It is imperative that everyone is treated with dignity, respect and courtesy, and without discrimination. Members of the public should be free to raise concerns and make complaints and have such complaints dealt with appropriately and speedily if they feel that they have not been treated in this manner. We take complaints seriously. We aim to put things right when we fall below the standards we set ourselves. We value complaints and we use information from them to help us improve.

Our commitment is to:

- Communicate effectively with you
- Work in an open and fair way, and
- Carry out our duties competently and responsibly.

If something goes wrong or you are not satisfied, please tell us. You have the right to complain.

The Children and Young People's Commissioner Scotland is an independent public body with the general function to promote and safeguard the rights of children and young people in Scotland. The Commissioner's remit and the independent nature of their office mean that the Commissioner will reserve the right to apply a degree of discretion to matters relating to the scope and exercise of that function, reflecting the independence of their office as guaranteed in the Commissioner for Children and Young People (Scotland) Act 2003.

What is a complaint?

A complaint is an expression of dissatisfaction from one or more members of the public or from another agency about the office of the Children and Young People's Commissioner Scotland.

This might be because:

- you feel staff were rude or unhelpful;
- you think information you've been given is misleading or inaccurate; or
- you think staff haven't followed policies, rules, or procedures properly.

This list does not cover everything.

What isn't covered by our complaints process?

There are also some things we can't deal with through our complaints process. This would include when you are unhappy with our decision on your complaint. The following are not covered by our complaint process:

- Trying to reopen a previously concluded complaint or to get a complaint reconsidered
- Issues that are not within the remit or jurisdiction of the office of the Commissioner's remit or powers
- An expression of disagreement about our decision on a complaint or the evidence taken into account in reaching that decision
- A request for information

Who can complain?

Anyone can make a complaint to us, including the representative of someone who is unhappy with our service.

How do I complain?

You can complain by phone, in writing or by email.

If you require additional support, for example you want this information in another language or format (such as large print, audio, BSL or Braille), please contact us.

How long do I have to make a complaint?

Normally, you must make your complaint within six months of the event you want to complain about or finding out that you have a reason to complain.

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

We will provide particular flexibility for complaints made by children and young people.

What happens when I have complained?

Our complaints process has two stages:

Stage 1: Early resolution

We aim to resolve complaints quickly. This could mean an on-the-spot apology and explanation if something has clearly gone wrong. We'll try to take immediate action to resolve the problem wherever possible.

It's easier for us to resolve complaints if you make them quickly and directly to the person concerned. So please talk to a member of our staff who will try to resolve any problems on the spot.

We will respond to your complaint at stage 1 within 10 working days or less, unless there are exceptional circumstances. Occasionally, we may extend this timeline by up to 5 working days. We'll only do so when this will make it more likely that we can resolve your complaint at stage 1.

Stage 2: Investigation

Stage 2 deals with complaints that have not been resolved at Stage 1 and those that are handled at stage 2 straight away. This includes those that are complex and require more detailed investigation or where we feel it is otherwise appropriate to do so. When investigating your complaint, we will:

- Acknowledge receipt of your complaint within 10 working days, unless we have already discussed this with you.
- Contact you, where we think this is necessary, to understand the nature and scope of your complaint, and what outcome you are looking for
- Give you a full response within 20 working days unless there are exceptional circumstances.

Your complaint will be investigated by a member of our senior management team. If our investigation will take longer than 20 working days, we'll tell you and keep you updated on the progress.

Complaints about our senior management team will be investigated by the Commissioner or an independent external person.

Stage 3: Review

Stage 3 deals with complaints that are subject to review. Review may be carried out by another member of the senior management team, or where this is unsuitable by a suitably qualified external person.

These are discrete and exceptional circumstances and can only be applied where:

- There is a conflict of interest for members of the senior management team to investigate at stage 2 and therefore the complaint is escalated externally straight away.
- The complaint relates to a member of the senior management team and the Commissioner cannot carry out a Stage 2 investigation within the time limits of the complaint, or where it would be more suitable for an external person with impartiality or specific expertise to investigate the complaint.
- Where Stage 2 resolution has been completed and the person making the complaint is unhappy with the response and there is a basis on which an external review should take place by another member of the senior management team.

If a decision is made to raise a review, this will be communicated within 2 working days to the complainant. In these circumstances the complaint will be subject to a 28-day extension to allow the review to conclude.

What if I am still dissatisfied?

After we have responded to your complaint, if you are still unhappy you can ask for the complaint to be reviewed by an alternative member of the senior management team (see Stage 3 : Review) Complaints that are escalated to the Commissioner are final.

How to contact us

Children and Young People's Commissioner Scotland
Bridgeside House, 99 McDonald Road,
Edinburgh EH7 4NS
admin@cypcs.org.uk

Your information

We are committed to protecting your privacy. We use information about you and your complaint for its intended purpose in line with the Data Protection Act 2018. For more information about how we handle your privacy and protect your information see our website <https://www.cypcs.org.uk/privacy/>