



The Scottish Charity Regulator's complaints procedure: A guide for complainants

About us

The Scottish Charity Regulator (OSCR) is a Non-Ministerial Department of the Scottish Government.

We are the independent regulator and registrar for over 24,400 Scottish charities including community groups, religious charities, schools, universities, grant-giving charities and major care providers. Our work as Regulator ultimately supports public confidence in charities and their work. You can find out more about what we do by visiting our website at www.oscr.org.uk

Our commitment

We are committed to working to a high standard. We value complaints and use information from them to help us improve our services. If something goes wrong or you are dissatisfied with our services, please tell us. This guide describes our complaints procedure and how to make a complaint. It also tells you about our work and what you can expect from us.

What is a complaint?

We regard a complaint as any expression of dissatisfaction about our action or lack of action, or about the standard of service provided by us or on our behalf.

What can I complain about?

You can complain about things like:

- delays in responding to your enquiries and requests
- failure to provide a service
- our standard of service
- our policy
- treatment by or attitude of a member of staff
- our failure to follow proper procedure.

Your complaint may involve more than one service or be about someone working on our behalf.

What can't I complain about?

There are some things we can't deal with through our complaints handling procedure. These include:

- a routine first-time request for a service, e.g. resetting of password for OSCR Online
- requests for compensation
- if you disagree with OSCR decisions that are covered by a right of review and appeal under charity or other law, such as:
 - a refusal to grant charitable status

- refusal to consent to changes made to a charity e.g. change to name, purposes and wind-up
- suspending a charity trustee
- directing a charity to do or not do something
- our response to a Freedom of Information request

If other procedures or rights of appeal can help you resolve your concerns, we will give information and advice to help you.

Concerns about a charity?

Concerns about a charity or a body misrepresenting itself as a charity are considered separately from this Complaints Handling Procedure. Concerns about charities and bodies misrepresenting themselves as charities are dealt with by our Compliance and Investigations Team. **More information is available on our website.**

Who can complain?

Anyone can make a complaint to us, including the representative of someone who is dissatisfied with our service. Please also read the section on 'Getting help to make your complaint'.

Anonymous complaints

You may wish to make a complaint without providing your personal details. We take all complaints seriously and this includes those made anonymously. If possible, we will attempt to investigate anonymous

complaints; however, it may be that the anonymous nature of the complaint will prevent a full investigation.

Any outcome from an anonymous complaint will be used to identify ways we can improve how we deliver our services.

How do I complain?

You can complain in person at our office, by phone, in writing, email or completing and returning our **Customer Service Complaint Form**.

It is easier for us to resolve complaints if you make them quickly and directly to the service concerned. So please talk to a member of our staff at the service you are complaining about. Then they can try to resolve any problems on the spot.

When complaining, tell us:

- your full name and address
- as much as you can about the complaint
- what has gone wrong
- how you want us to resolve the matter.

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, but no longer than 12 months after the event itself.

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

Contact Details

Judith Hayhow
Head of Support Services
2nd Floor
Quadrant House
9 Riverside Drive
Dundee, DD1 4NY

Email: info@oscr.org.uk, putting **Complaint about OSCR** in the subject line.

BSL users can contact us through [contactSCOTLAND-BSL](#).

What happens when I have complained?

We will always tell you who is dealing with your complaint.

Our complaints procedure has two stages:

Stage one – frontline resolution

We aim to resolve complaints quickly and close to where we provided the service. This could mean an on-the-spot apology and explanation if something has clearly gone wrong and immediate action to resolve the problem.

We will give you our decision at Stage 1 in **five working days or less**, unless there are exceptional circumstances.

If we can't resolve your complaint at this stage, we will explain why and tell you what you can do next. We might suggest that you take your complaint to Stage 2. You may choose to do this immediately or sometime after you get our initial decision.

Stage two – investigation

Stage 2 deals with two types of complaint: those that have not been resolved at Stage 1 and those that are complex and require detailed investigation.

When using Stage 2 we will:

- acknowledge receipt of your complaint within three working days
- where appropriate, discuss your complaint with you to understand why you remain dissatisfied and what outcome you are looking for
- give you a full response to the complaint as soon as possible and **within 20 working days**.

If our investigation will take longer than 20 working days, we will tell you. We will agree revised time limits with you and keep you updated on progress.

What if I'm still dissatisfied?

After we have fully investigated, if you are still dissatisfied with our decision or the way we dealt with your complaint, you can ask the Scottish Public Services Ombudsman (SPSO) to look at it.

The SPSO **cannot** normally look at:

- a complaint that has not completed our complaints procedure (**so please make sure it has done so before contacting the SPSO**)
- events that happened, or that you became aware of, more than a year ago
- a matter that has been or is being considered in court.

You can contact the SPSO:

In Person:
SPSO
4 Melville Street
Edinburgh
EH3 7NS

By Post:

SPSO
Freepost EH641
Edinburgh
EH3 0BR

Freephone: 0800 377 7330

Online contact: www.spsso.org.uk/contact-us

Website: www.spsso.org.uk

Mobile site: <http://m.spsso.org.uk>

Unacceptable actions policy

OSCR has an **Unacceptable Actions Policy**. If someone continues to correspond with us about a complaint that we have fully reviewed in line with the complaints procedure, we may respond in line with our Unacceptable Actions Policy.

Getting help to make your complaint

We understand that you may be unable, or reluctant, to make a complaint yourself. We accept complaints from the representative of a person who is dissatisfied with our service. We can take complaints from a friend, relative, or an advocate, if you have given them your consent to complain for you.

You can find out about advocates in your area by contacting the Scottish Independent Advocacy Alliance.

Scottish Independent Advocacy Alliance

Tel: 0131 260 5380

Fax: 0131 260 5381

Website: www.siaa.org.uk

We are committed to making our service easy to use for all members of the community. In line with our statutory equalities duties, we will always ensure that reasonable adjustments are made to help customers access and use our services.

If you have trouble putting your complaint in writing, or want this information in another language or format, such as large font, or Braille, tell us in person, contact us on 01382 220314 or Email us at info@oscr.org.uk.

BSL users can contact us through **contactSCOTLAND-BSL**.



Contact us through an online
sign language interpreter
contactSCOTLAND-BSL

Quick guide to our complaints procedure

Complaints procedure

You can make your complaint in person, by phone, by e-mail or in writing.

We have a two-stage complaints procedure. We will always try to deal with your complaint quickly. But if it is clear that the matter will need a detailed investigation, we will tell you and keep you updated on our progress.



Stage 1: frontline resolution

We will always try to resolve your complaint quickly, within five working days if we can.

If you are dissatisfied with our response, you can ask us to consider your complaint at Stage 2.



Stage 2: investigation

We will look at your complaint at this stage if you are dissatisfied with our response at Stage 1. We also look at some complaints immediately at this stage, if it is clear that they are complex or need detailed investigation.

We will acknowledge your complaint within three working days. We will give you our decision as soon as possible. This will be after no more than 20 working days unless there is clearly a good reason for needing more time.



The Scottish Public Services Ombudsman

If, after receiving our final decision on your complaint, you remain dissatisfied with our decision or the way we have handled your complaint, you can ask the SPSO to consider it. We will tell you how to do this when we send you our final decision.

Notes



The Scottish Charity Regulator (OSCR)
2nd Floor
Quadrant House
9 Riverside Drive
Dundee
DD14NY

T 01382 220446

E info@oscr.org.uk

 @ScotCharityReg

 ScottishCharityRegulator

www.oscr.org.uk

This policy was adopted in January 2014. This booklet was updated September 2018.