



Police Investigations &
Review Commissioner

A guide to **complaints** about the PIRC



The Police Investigations & Review Commissioner (PIRC) is committed to providing high-quality customer services. 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 leaflet describes our complaints procedure and how to make a complaint. It also tells you about our service standards and what you can expect from us.

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About our complaints procedure

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:

- Our standard of service.
- Dissatisfaction with our policy.
- Treatment by or attitude of a member of staff.
- Our failure to follow the proper admin procedure.

The complaints handling process is also there to deal with instances where there is a disagreement with a decision made by us and no other appeal route exists to resolve the matter.

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

If your complaint about a member of staff requires to be investigated, that person will be consulted about the incident and asked for their views but they will not be involved in looking into the complaint.

The Director of Operations has responsibility for handling any complaints about the Commissioner, including whether it should be referred to an external agency.



WHAT CAN'T I COMPLAIN ABOUT?

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

- Disagreement with the conclusions and findings of a Complaint Handling Review (CHR) report.
- A routine first-time request for a service, where for example we may have refused to review a complaint concerning the police because the matter had never been taken through the police complaints handling procedure in the first instance.
- Requests for compensation.
- Issues that are in court or have already been heard by a court or tribunal.
- Disagreement with a decision where a statutory right of appeal exists.
- An attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision.

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

WHO CAN COMPLAIN?

Anyone can make a complaint to us and we accept complaints brought by third parties and the representative of someone who is dissatisfied with our service. Please also read the section on *getting help to make your complaint* on page 8.

HOW LONG DO I HAVE TO MAKE A COMPLAINT?

Normally, you must make your complaint within six months of first knowing about the problem.

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.



HOW DO I COMPLAIN?

You can complain in writing or by email to the contact at the end of this leaflet.

It is easier for us to resolve complaints if you make them quickly and directly to the relevant department. So, please talk to a member of our staff there and they will try to resolve your complaint 'on-the-spot'.

When complaining, please tell us:

- Your full name and address.
- As much as you can about the complaint.
- What has gone wrong.
- How you would like us to resolve the matter.



What happens when I have complained?

We will always tell you who is dealing with your complaint. Our complaints procedure has two stages:

STAGE 1: FRONTLINE RESOLUTION

We aim to resolve complaints quickly and easily, which 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 2: INVESTIGATION

Stage 2 deals with two types of complaint: those that have not been resolved at Stage 1 and those that are complex, serious 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 complaints:

- That have not gone through all stages of our complaints procedure (so please make sure it has done so before contacting the SPSO).
- More than 12 months after you became aware of the matter you want to complain about, or events that happened.

Or:

- That have been or are being considered in court.

YOU CAN CONTACT THE SPSO:

In Person:

SPSO, Bridgeside House, 99 McDonald Road
Edinburgh, EH7 4NS

By Post:

Freepost SPSO

By telephone:

Freephone: 0800 377 7330

Online:

www.spsa.org.uk/contact-us





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. If this is the case, we will need to write back to you to verify you have given this consent.

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

Scottish Independent Advocacy Alliance

www.siaa.org.uk

0131 524 1975



Accessibility

We are committed to making our service easy to use for all members of the community and 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 would like this information in another language or format (such as large print, audio or Braille), please contact us at the details below.

CONTACT DETAILS

Please contact us in writing, by email or by phone:

Police Investigations & Review Commissioner
Head of HR and Corporate Services
Hamilton House, Hamilton Business Park
Caird Park, Hamilton, ML3 0QA

Telephone: 01698 542900

Email: enquiries@pirc.gov.scot



Quick guide to our complaints procedure

You can make your complaint in person, by phone 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.



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