Complaints Policy

Version: 2_0
Owner: Governance & Legal
Approved: Executive April 2018
# Complaints Policy

<table>
<thead>
<tr>
<th>CONTENTS</th>
<th>PAGE NUMBER</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Purpose and Scope</td>
<td>3</td>
</tr>
<tr>
<td>2. What is a complaint?</td>
<td>3</td>
</tr>
<tr>
<td>3. What can I complain about?</td>
<td>3</td>
</tr>
<tr>
<td>4. What can’t I complain about?</td>
<td>3</td>
</tr>
<tr>
<td>5. Planning and Access matters</td>
<td>4</td>
</tr>
<tr>
<td>6. Confidentiality</td>
<td>4</td>
</tr>
<tr>
<td>7. How do I complain?</td>
<td>4</td>
</tr>
<tr>
<td>8. When complaining, tell us</td>
<td>4-5</td>
</tr>
<tr>
<td>9. Who can make a complaint?</td>
<td>5</td>
</tr>
<tr>
<td>10. Complaints we don’t have responsibility for</td>
<td>5</td>
</tr>
<tr>
<td>11. How much time do I have to make a complaint?</td>
<td>5</td>
</tr>
<tr>
<td>12. What happens when I make a complaint?</td>
<td>5</td>
</tr>
<tr>
<td>13. What if I’m still not happy?</td>
<td>6</td>
</tr>
<tr>
<td>14. Unacceptable Behaviour</td>
<td>6</td>
</tr>
<tr>
<td>15. Equality and Diversity Impact Assessment</td>
<td>6</td>
</tr>
<tr>
<td>16. Best Value</td>
<td>6</td>
</tr>
</tbody>
</table>

Appendix A - Quick Guide to our Complaints Procedure 7
Appendix B – Document Control Sheet 7
Complaints Policy

1. **Purpose and Scope**

   The Park Authority is committed to providing high quality services for the public in all areas of our business. If something goes wrong or you are unhappy with our services, please tell us.

2. **What is a complaint?**

   We regard a complaint as: an expression of dissatisfaction by one or more members of the public about the Park Authority's action or lack of action, or about the standard of service provided by or on behalf of the Park Authority.

3. **What can I complain about?**

   You can complain about things like:

   - Delays in responding to your enquiries and requests
   - Failure to provide a service
   - Quality of service provided
   - Incorrect application of a Park Authority policy
   - Attitude of, or treatment by, a Park Authority employee
   - Failure to follow proper procedure

4. **What can’t I complain about?**

   - Routine first-time request for a service or information
   - A request for compensation from the Park Authority
   - A complaint where you or the Park Authority has started legal proceedings or has taken court action
   - Complaints to do with planning applications that are still being considered, unless it concerns an aspect of service delivery
   - A complaint that has already been heard by a court or tribunal
   - Insurance claims
   - A request for information in terms of the Freedom of Information (Scotland) Act 2002
   - A request for an explanation on the application of the law
   - Most commercial or contractual issues
   - A complaint about our decision to decline the request to fell a healthy tree protected by a Tree Preservation Order (unless your complaint is about how we handled your request)
Complaints Policy

5. Planning and Access Matters

If we decide that a complaint is to be handled in our capacity as a Planning and Access Authority, under our processes for dealing with these issues, you will be advised of this. Should you remain dissatisfied on the completion of a planning or access investigation, your concerns may then be considered as an investigation under our Complaints Policy.

6. Confidentiality

Your complaint will be kept confidential and details will only be shared with those people who are involved in the investigation process.

7. How do I complain?

- Email us at info@lochlomond-trossachs.org
- Write to us at:
  Loch Lomond & The Trossachs National Park Authority
  Carrochan
  Carrochan Road
  Balloch
  G83 8EG
- Telephone us: 01389 722600

8. When complaining, tell us

- Your full name
- As much as you can about the complaint
- What has gone wrong
- How you want us to resolve the matter

We value all customer feedback and use it to help us improve our services.

9. Who can make a complaint?

Anyone who receives requests or is affected by our services can make a 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. Their contact details are:

Scottish Independent Advocacy Alliance
Tel 0131 260 5380
Email: www.siaa.org.uk
Complaints Policy

If your complaint is about a Park Authority Board Member, you can contact:

Public Standards Commissioner
39 Drumsheugh Gardens
Edinburgh
EH3 7SW

Tel: 0300 011 0550   Fax: 0131 220 5419
E-mail: investigations@ethicalstandards.org.uk

10. Complaints we don’t have responsibility for

If we receive a complaint about something that we have no authority to deal with, we will tell you and we will offer to pass on your complaint, with your consent, to the organisation that should be able to look at your complaint. We will not forward on your complaint to anyone else without first receiving your consent.

11. How much time do I have to make a complaint?

Normally, you must make your complaint within six months of:

• the issue you want to complain about; or
• finding out that you have a reason to complain, but no longer than 12 months after the issue 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.

12. What happens when I make a complaint?

Our complaints procedure has two stages:

Stage One: Frontline Resolution
We aim to resolve complaints quickly, and as 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 One 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 Two. You may choose to do this immediately or sometime after you get our initial decision.

Stage Two: Investigation
Stage Two deals with those complaints that have not have been resolved at Stage 1 and those that are complex and require detailed investigation.

At Stage Two we will:
• acknowledge receipt of your complaint within three working days;
• discuss your complaint with you to understand why you remain dissatisfied and what outcome you are looking for;
• respond to the complaint as soon as possible and within 20 working days. If our investigation is going to take longer than 20 working days, we will tell you. We will agree revised time limits with you and keep you updated on progress.
13. **What if I'm still not happy?**

If you're still not happy after you've been through our complaints process, you can ask the Scottish Public Services Ombudsman (SPSO) to look into your complaint. You can contact the SPSO at any time for advice, but they won't normally investigate a case until the Park Authority’s complaints procedure has been completed.

The SPSO cannot normally look at complaints:

- where you have not gone all the way through the Park Authority’s complaints handling procedure
- more than 12 months after you became aware of the matter you want to complain about, or
- that have been or are being considered in court.

The SPSO's contact details are:

SPSO Freephone: 0800 377 7330
4 Melville Street Freepost EH641 Online: www.spso.org.uk/contact-us
Edinburgh Edinburgh Website: www.spso.org.uk
EH3 7NS EH3 0BR

14. **Unacceptable Behaviour**

While you are entitled to make a complaint to us, we have an Unacceptable Behaviours Policy, available on our website, that sets out our approach to those relatively few people whose actions or behaviour we consider unacceptable. This policy is in place to ensure that our effectiveness in carrying out our business as a Public Authority is not compromised by people who act in a manner which makes excessive and unacceptable demands on our resources.

15. **Equality and Diversity Impact Assessment**

We are committed to making our services 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, please ask us and we will do our best to help meet your requirements.

16. **Best Value**

The policy meets the best value criteria, specifically in terms of governance and accountability. As a public authority we are required to comply with our statutory obligations under the complaints handling procedures as set out by the Scottish Public Services Ombudsman, with appropriate policies and processes in place to manage complaints.
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 2-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 as quickly as possible. 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 **3 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.
Complaints Policy

Prepared By: Governance and Legal Team

Date Effective From: April 2018

Review Frequency: As required to comply with SPSO regulations

Contact: Governance and Legal Team

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