

## COMPLAINTS POLICY AND PROCEDURE

The Office of The Scottish Road Works Commissioner (OSRWC) is committed to providing high-quality customer service. We value complaints and use the information from them to help us improve our service. If something goes wrong or you are dissatisfied with our service, please tell us. We aim to resolve complaints about our service quickly, and whenever possible in a simple and straightforward way.

### COMPLAINTS POLICY

If you have a complaint about our service or our staff, the OSRWC will work with you to resolve the complaint. If something has gone wrong we will try to resolve the problem quickly and implement any improvements that are needed to prevent similar mistakes happening again. This document describes our complaints procedure and how to make a complaint. Details of our service standards and what you should expect from the OSRWC can be found on the Commissioner's website at [www.roadworksscotland.gov.uk](http://www.roadworksscotland.gov.uk)

#### WHAT IS A COMPLAINT?

As a public body, the OSRWC identifies a complain using the Scottish Public Sector Ombudsman's definition (SPSO). The SPSO definition of a complaint is:

*'An expression of dissatisfaction by one or more members of the public about the organisation's action or lack of action, or about the standard of service provided by or on behalf of the organisation.'*

#### WHAT CAN I COMPLAIN ABOUT?

Your complaint can relate to any matter in connection with the work of the Commissioner or the OSRWC for which you feel dissatisfaction. Complaints may be about, but are not limited to:

- Delays in responding to your enquiries and requests;
- Failure to provide a service;
- Our standards of service;
- Our policy;
- Treatment by or attitude of a member of staff; and
- Our failure to follow proper procedure.

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

If your complaint is about the Commissioner, the complaint will be referred to the Head of Operations at the OSRWC who will consider the complaint and make arrangements to have the complaint independently investigated.

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## WHAT CAN'T I COMPLAIN ABOUT?

There are some things that are not dealt with through our complaints handling procedure for example:

- a routine first-time request for service
- an appeal against a Commissioner imposed penalty

This list is not exhaustive and advice on making a complaint can be sought from staff in the OSRWC if required. If other procedures or rights of appeal can help you resolve your concerns, we will give information to try to help you.

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## WHO CAN COMPLAIN?

Anyone can make a complaint to us. You can also make a complaint on behalf of, or as a representative of someone who is dissatisfied with our service.

## HOW TO COMPLAIN

It is easier for us to resolve complaints if you make them quickly and directly to the OSRWC. We aim to solve problems informally in the first instance so please contact a member of staff using the telephone number below.

However, if the response you are given is unsatisfactory, you can formally complain in person, by phone, in writing, or by email. Our contact details are as follows :



You can phone us on

**0131 244 9936**



You can email us at

**[enquiries@srwc.gsi.gov.uk](mailto:enquiries@srwc.gsi.gov.uk)**



You can contact us by post at

**Office of the Scottish Road Works Commissioner  
E Spur  
Saughton House  
Broomhouse Drive  
Edinburgh  
EH11 3XD**

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## 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. Complaints are not normally considered 12 months after the event.

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.

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## WHAT HAPPENS ONCE I HAVE MADE A COMPLAINT?

The OSRWC will acknowledge your complaint and advise you who is dealing with it. In line with the procedure set out by the Scottish Public Services Ombudsman (SPSO) the complaint will be handled in the following way.

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## STAGE ONE – FRONTLINE RESOLUTION

The OSRWC aims to resolve complaints quickly. When we receive your complaint it will be assessed as a Stage 1 complaint. We will give you our decision at Stage 1 within five working days, unless there are exceptional circumstances. If your complaint cannot be resolved at this stage, we will contact you and explain this, we will also tell you what you can do next. One of the actions proposed may be to escalate your complaint to Stage 2.

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## STAGE TWO – INVESTIGATION

The OSRWC will look at your complaint at this stage if you are dissatisfied with the response at Stage 1. We also look at some complaints immediately at this stage, if it is considered that they are complex or require detailed investigation. The OSRWC will acknowledge your complaint within three working days and will give you a decision as soon as possible. This will be within 20 working days unless there is clearly a good reason for needing more time. If additional time is required, the investigating officer will contact you to discuss this.

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## FINAL STAGE

After the OSRWC has investigated your complaint, 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 consider it. The Ombudsman will normally only be able to act if you have followed the steps above.



You can phone SPSO on **0800 377 7330**



You can contact SPSO by email at **ask@spso.org.uk**



You can contact SPSO by post at: **SPSO, Freepost EH641, Edinburgh, EH3 0BR**

Or if you would prefer to contact the SPSO in person at **SPSO, 4 Melville Street, Edinburgh, EH3 7NS**

## GETTING HELP TO MAKE YOUR COMPLAINT

If you would like assistance to make your complaint, please contact us using the details above. However, we understand that you may be unable, or reluctant, to make a complaint yourself. If this is the case, we accept complaints from representatives of a person who is dissatisfied with our service. We can take complaints from a friend, a relative, or an advocate, if you have given them your consent to complain for you.

## OTHER FORMATS

The OSRWC is committed to making our services, policies and guidance available to everyone. This document may be available in other formats. Please contact us if you wish to discuss this matter.

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PM	1.0	Jul 2015	July 2016