

From: Downfield PC Hutton S <sandra.hutton@tayside.pnn.police.uk>

To: Lormac1053@aol.com

Subject: The complaints for the inspectorate that is ongoing

Date: Fri, 27 Feb 2009 6:54

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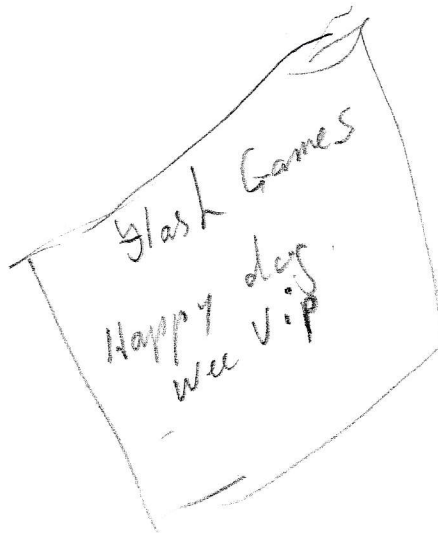
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Shortcut to: <http://www.bmis.gov.uk/Templates/Generic.aspx?NRMODE=Published&NRORIGINALURL=%2fgeneric%2fComplaints%2f&NRNODEGUID=%7bEC41A1FB-A0CB-4E13->

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Invoice
Invoice
Keeping Children
Clair Collins
K.C. Safe.
28 ALLHMORE
A VIVMORE
PH22 1QQ.

This document is also available in [PDF format](#)

What to do if you would like to comment on, compliment, or complain about the work of HMIE

Links to sections on this page:

- [How we define a complaint](#)
- [Raising an issue with us](#)
- [Complaints Manager](#)
- [Anonymous complaints](#)
- [How to complain](#)
 - [Step 1: Resolving matters informally](#)
 - [Step 2: Making a formal complaint](#)
 - [Step 3: Internal review](#)
 - [Step 4: External review](#)
 - [The Ombudsman](#)
- [Complaints about joint inspections](#)
- [Summary of a complaints procedure](#)
- [Unacceptable actions policy](#)

1. Our aim is to help improve standards, quality and learners' achievements in education and contribute to the wellbeing of the people of Scotland. We are committed to providing high quality services. One of the ways we can continue to improve is by listening to you. Your comments, positive and negative, and complaints help us to recognise high-quality work as well as to improve the services we provide.

2. We welcome your views about the the quality and impact of our work. Any suggestions you may have help us to improve the services that we provide. If you are pleased with what we have done, please let us know and we shall pass this on to the relevant members of staff. If you have a concern or complaint about our work, please also contact us. Even if you do not want to register an official complaint, your feedback may help us to deal with something we would otherwise overlook.

3. All of our inspection and review reports include details of how you can contact a Chief Inspector or Director. Alternatively, you can contact our Complaints Manager, Business Management Unit, Second Floor, Denholm House, Almondvale Business Park, Almondvale Way, Livingston, EH54 6GA, telephone 01506 600258/9.

[Back to top](#)

How we define a complaint

4. For the purpose of this procedure, we define a complaint as an expression of dissatisfaction with an aspect of the work of the Inspectorate.

Raising an issue with us

We aim to ensure that raising an issue with us is as easy as possible. We shall:

- treat it seriously;
- deal with it discreetly, promptly and politely; and
- where appropriate, deal with it informally - for example by telephone or face to face.

6. We shall apologise where we have got things wrong, give an explanation and tell you what action we have taken. We shall learn from the issues raised with us and use them to improve what we do. We shall tell the public in our Annual Report about any issues that we have addressed that have come through our complaints procedure.

7. If you wish to raise an issue about the conduct or actions of someone working for us, please do so in a reasonable way. We have a policy on unacceptable actions by complainants, a copy of which is available on this website. You should focus on the activities you consider to have adversely affected you or others.

8. We will share the details of the issue you raise with the person or persons concerned to give them the opportunity to respond and if appropriate, put matters right. Unless there are exceptional reasons not to do so, we will always let these persons know who it is who has raised the issue.

9. We will not consider dealing with an issue about any aspect of our work that is raised more than three months after the event (or in the case of an inspection, one year after the publication of the report), unless there are exceptional circumstances.

10. We sometimes receive complaints about other bodies such as schools, colleges or local education authorities. We can only deal with these if they relate to our activity with the organisation concerned. You need to address all other complaints about other organisations and their work to the head of those organisations. If you are concerned about an aspect of education, children's services or training provision and are not sure who to approach, please contact our Complaints Manager who will be happy to advise you whom to contact.

[Back to top](#)

Complaints Manager

11. Our Complaints Manager monitors the progress of all feedback and complaints received. We ensure that we keep to agreed dates and that everyone concerned is kept informed about the progress in our dealing with an issue or complaint.

12. To contact our Complaints Manager, please telephone 01506 600258/9 or write to Complaints Manager, HMIE Business Management Unit, Second Floor, Denholm House, Almondvale Business Park, Almondvale Way, Livingston, EH54 6GA or email HMIEComplaints@hmie.gsi.gov.uk

[Back to top](#)

Anonymous complaints

13. Anonymous complaints will not be dealt with through our normal complaints procedure. We shall consider any issues raised through an anonymous complaint and take action as we deem fit.

[Back to top](#)

How to complain

14. Our complaints procedure has four steps, starting with trying to put matters right straight away. The sooner we know about a problem the easier it is to resolve it.

[Back to top](#)

Step 1: Resolving matters informally

15. The first step is to talk to us. We almost always find that this approach resolves matters quickly and effectively without the need for any further action through the formal complaints procedure. You can do this informally, either face to face, or by telephone. Usually the best person to talk to will be the person who dealt with the matter you are concerned about. They will be in the best position to help you and put things right quickly.

16. If you have a complaint about any aspect of our administration, please ring the person you have been dealing with. If they are not available to help, or you would prefer to approach someone else, then ask for their manager.

17. If there is a problem during an inspection, please speak to the Managing Inspector or a member of the inspection team. It is helpful that we know about any issues you may have before the end of the inspection or before publication of the report. It may become more difficult to investigate matters and take the best approach to resolving them after that point. During an inspection, the school, college or service has the opportunity to provide all of the evidence needed for the inspection team to reach its evaluations. Because of this, we cannot accept a complaint afterwards if it is only about these evaluations. However, we will consider complaints about specific inaccuracies, references to third parties and key contextual omissions.

[Back to top](#)

Step 2: Making a formal complaint

18. We hope that you only feel the need to make a formal complaint as a last resort. If you remain unhappy after trying to resolve matters informally, the next step is to put your complaint in writing. We shall acknowledge your letter upon receipt. You should:

- tell us what or whom you are complaining about;
- let us know when it happened;
- provide any evidence you have;
- tell us what you have done about the matter up until now and what response you have received; and
- tell us what you would like us to do.

19. If your complaint is about an inspection report, you should:

- give us details of the exact nature of your complaint; and
- tell us what you would like us to do.

20. We shall make every effort to resolve the issues you raise. However, dealing with complaints is time consuming and we welcome your help in making sure that your complaint is justified and clear. We will not give extended consideration to complaints that are unclear or cannot be justified. If necessary, we may decide to involve an independent third party to help secure common agreement on the focus of the complaint.

21. Your complaint shall be passed to one of our senior management team to investigate. As part of this investigation, we shall contact the individual(s) whose work is being complained about, or in the case of inspection findings, the team responsible for an inspection report, show them the letter of complaint and ask for their views. We shall normally complete the investigation and send you a full response within 20 working days of us receiving your complaint. If it is not possible to respond fully within this time, we will let you know and give you the reason for any delay. The letter giving the outcome of the investigation will say:

- whether we have upheld, partly upheld or not upheld your complaint
- where we have upheld or partly upheld your complaint, what action we are taking to put matters right and to make sure that it does not happen again; and
- what to do if you disagree with our decision.

22. Where someone working for us has been the subject of your complaint, we shall give them a copy of the response.

23. If there were inaccuracies in an inspection report and it has been published, the version on our website shall be amended. We shall also send a corrector to those on the mailing list of the original report.

[Back to top](#)

Step 3: Internal review

24. If you are unhappy with the way we investigated your complaint, or you think that the outcome is unfair, the next step is to ask us to review the way your complaint was dealt with. You should write to our Complaints Manager to ask for your complaint to be reviewed within 20 working days of the date of our reply under Step 2. We shall acknowledge your letter upon receipt. You should:

- say why you are dissatisfied with the investigation
- give clear reasons and provide any supporting evidence and documents; and
- tell us what you would like us to do.

25. A Chief Inspector who has had no connection with the area of work and the earlier investigation shall undertake the review. The Chief Inspector shall complete the review and send you a full response within 20 working days of receipt of your request. If it is not possible to respond fully within this time, we shall let you know and give you the reason for any delay. The Chief Inspector shall examine whether we followed the complaints procedure. The Chief Inspector shall tell you:

- whether the earlier investigation was thorough, fair and objective;
- whether the review upholds the findings of the investigation or amends or dismisses the investigation outcomes;
- what, if anything, shall be done as a result of the review; and
- what to do if you are not satisfied with the outcome of the review.

[Back to top](#)

Step 4: External review

26. If you are still not happy with the way we have dealt with your complaint in the investigation and then internal review, you can ask for an independent, external reviewer to consider it. You must do so within 20 working days of the date of our reply notifying you of the outcome of the internal review. You should e-mail or write to the Complaints Manager asking us to pass your complaint to an external reviewer. We shall acknowledge your letter upon receipt. You should tell us why you are dissatisfied with the internal review and should provide any further supporting evidence.

27. HM Senior Chief Inspector (HMSCI) shall consider your request and send you a response within 20 working days. Where HMSCI decides not to refer your complaint to an external reviewer, the response shall explain the reasons why. Where HMSCI decides to refer your complaint to an external reviewer, we shall give you the names of two reviewers and ask you to choose which one you would like to undertake the review. If you do not wish to choose, HMSCI shall appoint one of them. The reviewer shall then review the case.

28. The reviewer shall report the outcome of the review to HMSCI within 20 working days of the start of the review. HMSCI will consider the recommendations in the reviewer's report and write to you enclosing a copy of the report and setting out any actions the Inspectorate intends to take as a consequence of any recommendations made by the external reviewer. If the reviewer is not able to respond fully within this time, we shall let you know and give you the reason for the delay along with a revised timescale.

29. The external reviewer cannot consider the evaluations made by an inspection team because they are based on the professional judgement of members of the team. The reviewer shall review the evidence previously considered and decisions reached in relation to areas such as:

- the conduct of staff;
- implementation of inspection procedures;
- maladministration such as mistakes and delays in the investigation and subsequent review of the complaint;
- the quality of responses provided to you; and
- the management of your complaint.

30. The external review is the final stage in our complaints procedure.

[Back to top](#)

The Ombudsman

31. If you are still not satisfied after completing our complaints process you can ask the Scottish Public Services Ombudsman (SPSO) to look at your complaint. You can send your complaint to SPSO, Freepost EH641, Edinburgh EH3 0BR. The SPSO freephone number is 0800 377 7330 (fax 0800 377 7331), email ask@spsos.org.uk and website is at www.spsos.org.uk

32. A leaflet about the SPSO is available from the SPSO's office. The SPSO can generally look at complaints where something has gone wrong in a service or function administered by or on behalf of our organisation. There are some restrictions to this but the SPSO's staff will be able to tell you more when they have received your complaint.

33. The SPSO will normally only look at complaints made within 12 months of the date that you became aware of the matter about which you are complaining.

34. Equally, after our complaints procedure has been completed, and under certain circumstances, we can ask the SPSO to investigate a complaint.

[Back to top](#)

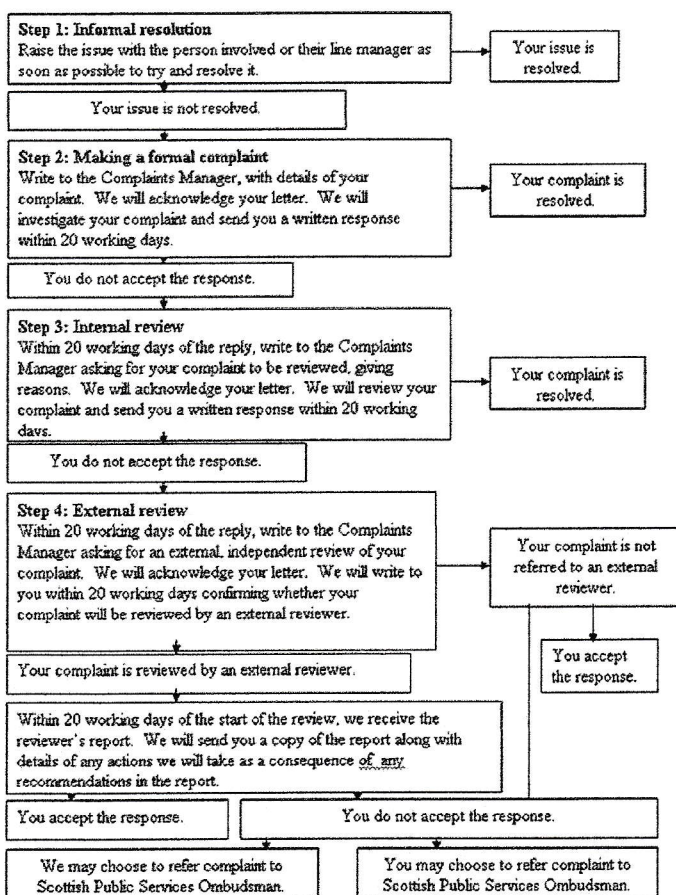
Complaints about joint inspections

35. We undertake some inspections jointly with other bodies. If your complaint is about a joint inspection, the four-step procedure described in this leaflet shall continue to apply for all HMIE aspects of your complaint. Where your complaint concerns the actions of one or more other bodies, we shall liaise with that body in dealing with your complaint. We may pass your complaint to them if it is more appropriate for them to respond. If we do this we shall let you know. Currently we undertake joint inspections with:

- Audit Scotland
- HM Inspectorate of Constabulary
- HM Inspectorate of Prisons
- Social Work Inspection Agency
- The Care Commission

[Back to top](#)

Summary of a complaints procedure:



[Back to top](#)

Unacceptable actions policy

We have established an unacceptable actions policy to ensure that complainants and correspondents are aware of our complaints and correspondence handling procedures and on what HMIE can or cannot do throughout those processes.

[Back to top](#)