# What you need to know and do for making a complaint to the Ethical Standards Commissioner.





A computer and phone with a email on the screen

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* call 0300 011 0550
* email: [info@ethicalstandards.org.uk](mailto:info@ethicalstandards.org.uk)
* or do it online at: [www.ethicalstandards.org.uk/contact-us](http://www.ethicalstandards.org.uk/contact-us)
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## What does the Ethical Standards Commissioner do?

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| The ethical standards commissioner logo and a magnifying glass | This document is about the kinds of complaints that can be checked by the Ethical Standards Commissioner. It also tells what you need to know about making a complaint.  If you would like to read about all the work that we do click here:  <https://www.ethicalstandards.org.uk/publication/esc-purpose-values-and-strategic-objectives-2024-2028-easy-read> |
| a rule book and a set of scales | **Ethical standards** are the rules about what is right and wrong.  **Ethical standards** help us know how to behave in a good way. |
| a set of scales | The Ethical Standards Commissioner was set up as part of a law called the Ethical Standards in Public Life (Scotland) Act 2000. |
| a rule book | This law says that people who work in **public services** must follow certain rules. |
| a classrooma hospitalthe scottish parliament | **Public services** are services we all use like the Scottish Government, schools, hospitals and councils. |
| a person making a complaint and a code of conduct document | If the people or organisations who work in public services do not follow their rules then you can make a complaint about them. |
| a person making a complaint | A **complaint** is when a person says or writes that they are not happy about something. |
| The letters ESC and a question mark. ESC means Ethical Standards Commissioner. | **It is important to know that who you complain to depends on who your complaint is about.** |

## What can you complain about?

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| A person thinking about a choice with a set of scales | The law says that the Ethical Standards Commissioner can only check complaints about some people. |
| a magnifying glass | You can complain to the Ethical Standards Commissioner about behaviour of:   * + Members of the Scottish Parliament (MSPs)   + local councillors   + and **board members** of **public bodies.** |
| a board room with a lady standing holding a document | A **Board** and its **members** look at the work an organisation is doing and check it is working well and following the rules. |
| a government chamber | **Public bodies** are organisations that work for the Government and give us public services**.** Examples of this include the police and health services. |
| a code of conduct | The law says that these people and organisations must follow a **Code of Conduct**.  A **Code of Conduct** is a set of rules that say how people should behave when they are at work. |
| a man being told off in front of a rule book with a line through it | If you feel that someone has not followed their Code of Conduct then you can complain to us about it. |
| two people talking in front of election ribbons | You can also complain to us if a **lobbyist** has not put their name on a government list.  A **lobbyist** is a person or group who tries to get an MSP to support a policy or campaign. |

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## What can’t you complain about?

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| a person thinking with a thumbs up and thumbs down | We can only check complaints about:   * + Members of the Scottish Parliament (MSPs)   + local councillors   + board members of public bodies   + and lobbyists. |
| a person taking notes with a red cross | We cannot check complaints about anyone else in public life.  For example we cannot check complaints about MPs or people who work at the council. |
| a rule book and a set of scales | That is because the law does not let us. |
| public buildings with a red line through them | We also cannot check complaints about things like:   * Your local council not doing what they say they will * NHS Waiting Times or delays you have had accessing NHS Services * A decision made in the Scottish Parliament. |
| a laptop | You can check how to complain about these things on the Scottish Public Service Ombudsman’s website:  <https://www.spso.org.uk/how-to-complain-about-public-service> |
| two people talking | If we cannot help you then we will try to tell you who can. |

## How do I make a complaint?

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| a rule book and a set of scales | The law says that complaints must have certain information before we can check them. |
| a list of the people you can complaint to the ESC about.  ESC means ethical standards commissioner | Because of this it is helpful if your complaint is sent using our **complaints form**.  A **complaints form** is a document where you put all the information about your complaint for us to check. |
|  |
| a laptop with the ethical standards commissioner logo | The complaints form can be found on our website:  <https://www.ethicalstandards.org.uk/make-complaint> |
| an image of the ethical standards complaints form. | Before you fill out the complaints form you will need to make an account on our website.  It will look like this image. |
| A computer and phone with a email on the screen | If you are not able to fill out the complaints form online there are other way to give us your complaint. |
| a red postbox. | You can get a copy of the complaint form to fill out and post it to us:  <https://www.ethicalstandards.org.uk/publication/complaint-form>  Our address is:  Ethical Standards Commissioner Thistle House 91 Haymarket Terrace Edinburgh EH12 5HE |
| a telephone. | If you would like to give us your complaint another way you can phone us to talk about how best to do this.  Our telephone number is:  0131 347 3890. |

## How to complete the complaints form and information you need to give us

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| a laptop with the ethical standards commissioner logo | The complaints form will tell you what you need to give us. |
| a mobile phone and a document with the words name and address on them | It will ask for information including:   * Your **personal details** * The name of your councillor, MSP or board member that you are complaining about * If you are a **whistle-blower**   **Personal details** is information about you. It includes:   * your name * your address * and your telephone number. |
|  |  |
| a list of people you can complain to the ethical standards about.an upset person making a complaint | A **whistle-blower** is a worker who tells information about an organisation doing things that are against the law or not safe.  A whistle-blower believes that because of sharing this information they might be treated badly at work.  The complaints form will ask you to tell us what you are complaining about. |
| a form | It is helpful if you give as much detail as possible. |
| a person comforting an upset person | The complaints form will ask you to tell us the date when the **incident** happened.  An **incident** is something that happens. It is usually not nice. |
| a calendar with the words 12 months | Normally you should make a complaint  within 12 months of when the incident happened. |
| a confused person | The complaints form will ask if you have made any other complaints to other organisations about the incident. |
| a laptopa blank folder of documents | The complaints form will ask you to give us any other **supporting** **material** that will help show your complaint.  **Supporting material** isinformation you have that helps to show what happened.  Supporting material might be:   * An email a councillor sent to you; * A copy of a Facebook post or comment; * A link to a recording of a council meeting * Notes of meetings that have happened |
| a confused person in front of a guidance document | If you are unsure whether you have given the right supporting material then do not worry. If we need anything else from you we will ask you for it. |
| a blank folder of documents with the number 1 and a red line through it | It is important that you do not give us the  **original** copies of any supporting material.  **Original** means the first of something. For example you should not give us the first copy of a document. You should make a copy and give us that. |
| a blank folder of documents with the number 1 and a red line through it | If you do not give us all of the supporting materials, after we have asked for them, we might not be able to look at your complaint. |
| a magnifying glass and a red question mark | This is because if we do not have all of the supporting material we will not be able to check whether the rules have been broken. |

## What happens next?

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| a picture of the ethical standards commissioner document about what happens when you make a complaint about Councillors and Board Members | How the Ethical Standards Commissioner checks a complaint and what will happen when you make a complaint is told in another document. |
| a picture of the ethical standards commissioner document about what happens when you make a complaint about MSPs | For Councillors and Board Members: <https://www.ethicalstandards.org.uk/publication/how-we-check-complaints-about-councillors-and-board-members-easy-read>  For MPS; <https://www.ethicalstandards.org.uk/publication/how-we-check-complaints-about-msps-easy-read> |