

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



If you need this document in another format like large print, audio or Braille please contact us:

- call 0300 011 0550
- email: info@ethicalstandards.org.uk
- or do it online at:
www.ethicalstandards.org.uk/contact-us

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What does the Ethical Standards Commissioner do?



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>



Ethical standards are the rules about what is right and wrong.

Ethical standards help us know how to behave in a good way.



The Ethical Standards Commissioner was set up as part of a law called the Ethical Standards in Public Life (Scotland) Act 2000.



This law says that people who work in **public services** must follow certain rules.



Public services are services we all use like the Scottish Government, schools, hospitals and councils.



If the people or organisations who work in public services do not follow their rules then you can make a complaint about them.



A **complaint** is when a person says or writes that they are not happy about something.

ESC?

It is important to know that who you complain to depends on who your complaint is about.

What can you complain about?



The law says that the Ethical Standards Commissioner can only check complaints about some people.

You can complain to the Ethical Standards Commissioner about behaviour of:



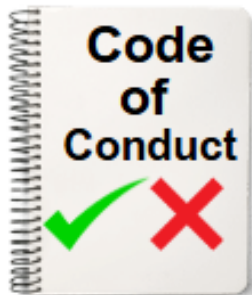
- Members of the Scottish Parliament (MSPs)
- local councillors
- and **board members of public bodies.**



A **Board** and its **members** look at the work an organisation is doing and check it is working well and following the rules.



Public bodies are organisations that work for the Government and give us public services. Examples of this include the police and health services.



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.



If you feel that someone has not followed their Code of Conduct then you can complain to us about it.



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.

What can't you complain about?



We can only check complaints about:

- Members of the Scottish Parliament (MSPs)
- local councillors
- board members of public bodies
- and lobbyists.



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.



That is because the law does not let us.



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.



You can check how to complain about these things on the Scottish Public Service Ombudsman's website:

<https://www.spsso.org.uk/how-to-complain-about-public-service>



If we cannot help you then we will try to tell you who can.

How do I make a complaint?



The law says that complaints must have certain information before we can check them.

- Councillor
- Board Member
- MSP
- Lobbyist
- Public Appointment
- Complaint about us
- Other

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.



The complaints form can be found on our website:

<https://www.ethicalstandards.org.uk/make-complaint>

A screenshot of a web form for account creation. At the top, there are three buttons: 'Log in', 'Create new account' (highlighted in green), and 'Reset your password'. Below these are two input fields: 'Email address' and 'Username'. Underneath the 'Email address' field is a CAPTCHA section with a checkbox labeled 'I'm not a robot' and a CAPTCHA image. Below the CAPTCHA is a small text note: 'This question is for testing whether or not you are a human visitor and to prevent'. At the bottom of the form is a dark button labeled 'Create new account'.

Before you fill out the complaints form you will need to make an account on our website.

It will look like this image.



If you are not able to fill out the complaints form online there are other way to give us your complaint.

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



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



The complaints form will tell you what you need to give us.

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.

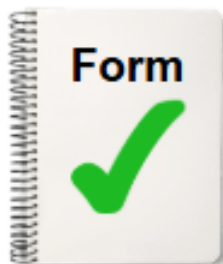


A **whistle-blower** is a worker who tells information about an organisation doing things that are against the law or not safe.

A whistle-blower believes that because of sharing this information they might be treated badly at work.

- Councillor
- Board Member
- MSP
- Lobbyist
- Public Appointment
- Complaint about us
- Other

The complaints form will ask you to tell us what you are complaining about.



It is helpful if you give as much detail as possible.



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.



Normally you should make a complaint within 12 months of when the incident happened.



The complaints form will ask if you have made any other complaints to other organisations about the incident.

The complaints form will ask you to give us any other **supporting material** that will help show your complaint.



Supporting material is information 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



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.



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.



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.



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?



How the Ethical Standards Commissioner checks a complaint and what will happen when you make a complaint is told in another document.

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-mmps-easy-read>

