

What is a complaint?

We regard a complaint as any expression of dissatisfaction about our action or lack of action, or about the standard of service provided by us or on our behalf.

What can complaints be about?

- delays in responding to your enquiries and requests
- failure to provide a service
- our standard of service
- failure to follow our policy
- treatment by or attitude of a member of staff
- our failure to follow proper procedure.

Your complaint may involve more than one service or be about someone working on our behalf.

What can't complaints be about?

- A request for compensation
- A routine first time request or enquiry
- Previous complaints where a final decision has been made
- Action being taken by another organisation that does not involve the Crofting Commission
- A disagreement where a right of appeal already exists
- A request for us to investigate the actions of another body. In certain circumstances, we may be able to carry out an investigation but this will not be treated as a complaint against the Commission.

Our complaints procedure does not affect any rights under statutory formal appeals procedures in terms of the Crofters (Scotland) Act 1993, as amended. Decisions on regulatory applications can be appealed to the Scottish Land Court within 42 days of the date of our decision letter. The Land Court may confirm our decision, or instruct us to come to a different decision, or ask us to reconsider the application.

Complaints about legislation or Ministerial policy should be raised through your MP or MSP who, in turn, will take the matter up on your behalf with Scottish Cabinet Directors or Ministers.

If other procedures or rights of appeal can help you resolve your concerns, we will try to provide information and advice to help you.

Who can make a complaint?

Anyone who is affected by the work of the Crofting Commission can make a complaint. That includes representatives of those affected by what we do. Please also read the section on 'Getting help to make your complaint'.

How do I make a complaint?

You can make a complaint in person, by letter, email, phone or fax. You may wish to use our Complaints Form, which you can download [here](#) or ask us to send one to you.

You can also have somebody make a complaint on your behalf, or call a staff member to write out a complaint for you.

When complaining you should tell us:

- Your full name and address
- As much as you can about the complaint (including dates, staff you have

spoken to, etc.)

- What has gone wrong
- How you want us to resolve the matter.

We would also like to know what you would like to happen as a result of your complaint.

How long do I have to make a complaint?

You must make your complaint no later than 6 months after the event you want to complain about. 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.

Can I remain anonymous?

Complaints can be made anonymously but you should provide us with as much information as possible to enable us to investigate. Please state when contacting us if you would like to remain anonymous and no record of your name will be attached to our files.

How to contact us:

You can come into the office, but it's essential that you book an appointment before you visit to ensure someone is able to talk to you. Our office is based at:

Great Glen House,
Leachkin Road,
Inverness. IV3 8NW.

You can telephone us on: 01463 663450

You can fax the office on: 01463 725067

Or you can email us at: info@crofting.scotland.gov.uk

What happens next?

We will always tell you who is dealing with your complaint. Our complaints procedure has two stages.

Stage One – Frontline resolution

We aim to fix problems as soon as we're made aware of them. This could mean an on-the-spot apology and explanation or action to resolve the issue quickly.

We will give you our decision at Stage 1 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 2. You may choose to do this immediately or sometime after you get our initial decision.

Stage Two – Investigation

Stage 2 deals with two types of complaint: those that have not been resolved at Stage 1 and those that are complex and require detailed further investigation.

- We will acknowledge your complaint within three working days of receipt.
- Where appropriate, we will discuss your complaint with you to understand why you remain dissatisfied and what outcome you are looking for.
- A full response will be issued as soon as possible but no later than 20 working days.

If longer is needed to investigate the complaint thoroughly we will keep you updated on the reason for the delay and when a full response will be issued.

What if I'm not satisfied with the outcome?

If you remain dissatisfied after our investigation, you have the right to seek an independent review from the Scottish Public Services Ombudsman (SPSO). Any complaints referred to the SPSO will have been thoroughly investigated by the Crofting Commission first.

The SPSO will assess whether there is evidence to suggest service failure or maladministration not identified by the Crofting Commission. They're the final stage for complaints about most organisations that provide public services in Scotland, including the Crofting Commission.

However, the SPSO cannot normally consider complaints when:

- You have not gone all the way through our complaints procedure
- Events that happened, or that you became aware of, more than a year ago
- The complaint has been, or is being, considered in Court.

You can phone the SPSO directly on 0800 377 7330, contact them electronically via www.spso.org.uk/contact-us or send them a letter addressed to:

SPSO,
Freepost,EH641,
Edinburgh EH3 0BR

You can also contact them in person at SPSO,4 Melville Street,Edinburgh,EH3 7NS.

Getting help to 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 the advocates in your area by contacting the Scottish Independent Advocacy Alliance by telephone on 0131 260 5380, by fax on 0131 260 5381 or contact them electronically via www.siaa.org.uk

We are committed to making our service easy to use for all members of the public. 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, or Braille, please tell us. You can call us on 01463 663439 or email us at info@crofting.scotland.gov.uk