

COMPLAINTS HANDLING PROCEDURE

External

Governance Framework

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1. INTRODUCTION

This document describes how to make a complaint to the Water Industry Commission for Scotland (WICS), and how your complaint will be handled. It also tells you about our service standards and what you can expect from us.

We value the complaints we receive, and we use information from them to help us improve the way we operate. If something goes wrong or you are dissatisfied with our services, please tell us.

We do not deal with individual consumer complaints or enquiries about water companies or individual water bills. If you are concerned about the service you are receiving from your water supplier, or the bills you are receiving, you should first discuss these concerns with the water provider. Following this, if you remain dissatisfied, you should contact the Scottish Public Services Ombudsman (SPSO) who will be able to help and advise.

2. WHAT IS A COMPLAINT?

A complaint is an expression of dissatisfaction about our action or lack of action, or about the standard of service provided by us, or on our behalf.

2.1. What can I complain about?

You can complain about things like:

- failure or refusal to provide a service
- inadequate quality or standard of service, or an unreasonable delay in providing a service
- dissatisfaction with one of our policies or its impact on the individual
- failure to properly apply law, procedure or guidance when delivering services
- failure to follow the appropriate administrative process
- conduct, treatment by or attitude of a member of staff or contractor (**except** where there are arrangements in place for the contractor to handle the complaint themselves); or
- disagreement with a decision (**except** where there is a statutory procedure for challenging that decision, or an established appeals process followed throughout the sector).

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

2.2. What can't I complain about?

There are some things we cannot deal with. These include:

- a routine first-time request for a service
- a request for compensation only
- issues that are in court or have already been heard by a court or a tribunal (if you decide to take legal action, you should let us know as the complaint cannot then be considered under this process)
- disagreement with a decision where there is a statutory procedure for challenging that decision (such as for freedom of information and subject access requests), or an established appeals process followed throughout the sector
- a request for information under the Data Protection or Freedom of Information (Scotland) Acts
- a grievance by a staff member or a grievance relating to employment or staff recruitment
- a concern raised internally by a member of staff (which was not about a service they received, such as a whistleblowing concern)
- an attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision

- abuse or unsubstantiated allegations about our organisation or staff where such actions would be covered by our Unacceptable Actions Policy; or
- a concern about the actions or service of a different organisation, where we have no involvement in the issue (**except** where the other organisation is delivering services on our behalf).

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

2.3. Who can complain?

Anyone who receives, requests or is directly affected by our services can make a complaint to us. This includes the representative of someone who is dissatisfied with our service (for example, a relative, friend, advocate or adviser). If you are making a complaint on someone else's behalf, you normally need their written consent.

2.4. How do I complain?

You can complain in writing, by e-mail or by phone. We don't have an office facility currently because of covid-19 so in person complaints are not available at this present time.

When complaining, tell us:

- your full name and address
- as much as you can about the complaint
- what has gone wrong, and
- what outcome you are seeking.

2.5. 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, but no longer than 12 months after the event itself.

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.

2.6. Contact details

You can contact us in the following ways:

- Via e-mail by sending a message to: complaints@wics.scot. Please title the e-mail “Complaint against WICS”.
- In writing to: Complaints, WICS, First Floor, Moray House, Forthside Way, Stirling, FK8 1QZ
- Via phone on: 01786 430200.

3. HOW YOUR COMPLAINT WILL BE HANDLED

3.1. What happens when I have complained?

Our complaints procedure has two stages:

3.1.1. STAGE 1: FRONTLINE RESPONSE

We aim to resolve complaints quickly. This could mean an on-the-spot apology and explanation if something has clearly gone wrong, or immediate action to resolve the problem.

We will give you our decision at stage 1 in **5 working days** or less, unless there are exceptional circumstances.

If you are not satisfied with the response we give at this stage, we will tell you what you can do next. If you choose to, you can take your complaint to stage 2. You must normally ask us to consider your complaint at stage 2 either:

- within six months of the event you want to complain about or finding out that you have a reason to complain; or
- within two months of receiving your stage 1 response (if this is later).

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.

3.1.2. STAGE 2: 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 investigation.

If you do not want your complaint to be handled at stage 1, you can ask us to handle it at stage 2 instead.

When handling at stage 2 we will:

- acknowledge receipt of your complaint within **3 working days**
- confirm our understanding of the complaint we will investigate and what outcome you are looking for
- try to resolve your complaint where we can; and
- give you a full response to the complaint as soon as possible and within **20 working days**.

If our investigation will take longer than **20 working days**, we will tell you. We will tell you our revised time limits and keep you updated on progress.

3.2. What if I'm still dissatisfied?

After we have fully investigated, and given you our final decision, if you are still dissatisfied, you can ask the Scottish Public Services Ombudsman (SPSO) to look at it.

The SPSO is an independent organisation that investigates complaints. It is not an advocacy or support service (although there are other organisations who can help you with advocacy or support).

You can ask the SPSO to look at your complaint if:

- you have gone all the way through WICS's complaints handling procedure
- it is less than 12 months after you became aware of the matter you want to complain about; and
- the matter has not been (and is not being) considered in court.

The SPSO will ask you to complete a complaint form and provide a copy of our final response to your complaint. You can do this online at www.spsso.org.uk/complain/form or call them on Freephone 0800 377 7330.

You may wish to get independent support or advocacy to help you progress your complaint.

The SPSO's contact details are:

SPSO
Bridgeside House
99 McDonald Road
Edinburgh
EH7 4NS

Their freepost address is:

FREEPOST SPSO

Freephone: 0800 377 7330

Online contact: www.spsso.org.uk/contact-us

Website: www.spsso.org.uk

4. GETTING HELP TO MAKE YOUR 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 on your behalf.

You can find out about advocates in your area by contacting the Scottish Independent Advocacy Alliance:

Scottish Independent Advocacy Alliance

Tel: 0131 260 5380

Website: www.siaa.org.uk

You can find out about advisors in your area through Citizens Advice Scotland:

Citizens Advice Scotland

Website: www.cas.org.uk or check your phone book for your local citizens advice bureau.

We are committed to making our service easy to use for all members of the community. In line with our statutory equalities duties, we will always ensure that reasonable adjustments are made to help you 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 contact us.

APPENDIX 1: QUICK GUIDE TO OUR COMPLAINTS PROCEDURE

Complaints procedure

You can make your complaint by phone, by e-mail or in writing.

We have a **two-stage complaints procedure**. We will always try to deal with your complaint quickly. But if it is clear that the matter will need a detailed investigation, we will tell you and keep you updated on our progress.



Stage 1: Frontline response

We will always try to resolve your complaint quickly, within **5 working days** if we can.

If you are dissatisfied with our response, you can ask us to consider your complaint at stage 2.



Stage 2: Investigation

We will look at your complaint at this stage if you are dissatisfied with our response at stage 1. We also look at some complaints immediately at this stage, if they are complex or need detailed investigation.

We will acknowledge your complaint within **3 working days**.

We will confirm the points of complaint to be investigated and what you want to achieve.

We will investigate the complaint and give you our decision as soon as possible. This will be after no more than **20 working days** *unless* there is clearly a good reason for needing more time.



The Scottish Public Services Ombudsman

If, after receiving our final decision on your complaint, you remain dissatisfied with our decision or the way we have handled your complaint, you can ask the SPSO to consider it.

We will tell you how to do this when we send you our final decision.



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E: enquiries@wics.scot

WICS Economic
regulation for
Scotland's water

