

SPSO decision report

Case: 201102519, Public Standards Commissioner
Sector: Scottish Government and devolved administration
Subject: complaints handling
Outcome: not upheld, no recommendations

Summary

Mr C complained to the Public Standards Commissioner about the Scottish Legal Complaints Commission (SLCC). The issue concerned a complaint about the SLCC's predecessor organisation, the Scottish Legal Services Ombudsman (SLSO). Mr C complained to us that the Commissioner did not respond to all of his allegations or look at specific evidence; looked into matters he should not have; and did not respond properly to all the issues raised in Mr C's letters.

We did not uphold Mr C's complaints. We looked at the law that set up the Commissioner's office and their investigation guidelines. Our investigation found that there was no obligation on the Commissioner to respond in detail to every matter raised in a complaint. From looking at the records, we also found that the Commissioner explained why he could not look at all Mr C's allegations. He also explained to Mr C that the matters raised could not amount to a breach of the SLCC's code of conduct. Although Mr C disagreed with this, we found that the Commissioner's actions were in keeping with the investigation guidelines and were reasonable in the circumstances. We also concluded that his written responses to Mr C were reasonable.

The Commissioner's office had requested a copy of an SLSO opinion from Mr C because it was a key document that Mr C mentioned in making his complaint. The Commissioner referred to the opinion in correspondence with Mr C for the same reason, and because it was central to the origin of Mr C's complaint. We found that requesting a copy of the opinion and referring to it in correspondence did not constitute an investigation. The Commissioner told Mr C he had carefully examined all of the information. He did not say he had examined all of the information about the SLSO's opinion. We understood the Commissioner's statement to mean that he examined all of the information provided to him, which we concluded was reasonable.