

## **CAIRNGORMS NATIONAL PARK AUTHORITY (CNPA) COMPLAINTS POLICY AND PROCEDURE**

### **To Make a Complaint**

A complaint may be made to any member of staff of the Cairngorms National Park Authority. It is the members of staff's responsibility to deal with your complaint in accordance with this policy and procedure. You can make your complaint in writing, by phone, in person, by email or by any other permanent media you find most appropriate, such as a recording on CD or tape.

Please contact the Authority at: 14 The Square, Grantown on Spey, PH26 3HG  
Telephone: 01479 873535  
Email: [enquiries@cairngorms.co.uk](mailto:enquiries@cairngorms.co.uk)  
Or use our website contact form: [www.cairngorms.co.uk/contactus](http://www.cairngorms.co.uk/contactus)

If you are unsure which member of staff to contact, or are not comfortable in making your complaint to a member of staff you have been dealing with, please contact the Director of Corporate Services in the first instance.

We will deal with your complaint within 20 working days of receiving it.

If you remain unsatisfied by our response, you may appeal the decision of the complaint investigation by contacting the Director of Corporate Services, or Chief Executive if the Director of Corporate Services has dealt with the complaint in the first instance, within one calendar month of the date of our response to your original complaint.

Where there is an appeal, it shall be passed directly to the Director of Corporate Services or Chief Executive, as appropriate, who should acknowledge receipt and offer an official response to the appeal within 10 working days.

A further appeal may be made to third parties, ie the Scottish Public Services Ombudsman or the Scottish Government after the internal CNPA processes have been exhausted. The Scottish Public Services Ombudsman (SPSO) will normally consider complaints only after the Authority's own complaints procedures have been followed in full: ie an initial complaint has been investigated and, if necessary, an appeal to the original response has also been determined. The SPSO can be contacted either by:

Mail: SPSO, 4 Melville Street, Edinburgh, EH3 7NS  
Telephone / text: 0800 377 7330  
Online: An online complaint form is available at [www.spsso.org.uk](http://www.spsso.org.uk)

There may be time limits within which you must refer your complaint to the Ombudsman. If you wish to pursue your complaint after it and any appeal have been dealt with by the Park Authority, please contact the Ombudsman as soon as possible to determine whether there are any time limits for your complaint to be referred.

# **CAIRNGORMS NATIONAL PARK AUTHORITY (CNPA) COMPLAINTS POLICY AND PROCEDURE**

## **Purpose**

The purpose of this document is to describe the procedure to be followed in the receiving, monitoring and resolving of all complaints in connection with Cairngorms National Park Authority, its operations and/or the work or behaviour of any of its staff.

## **Scope**

This procedure applies to all staff of Cairngorms National Park Authority on all sites.

## **Responsibility**

Any member of staff may be the recipient of a complaint. It is the responsibility of all staff, in receiving a complaint, to deal with it in accordance with this procedure.

## **Background**

### What is a Complaint?

There is a distinction to be drawn between a complaints and a criticism. In the context of this guidance, a criticism is taken to be an expression of a difference of opinion; it may extend to expressing the view that someone has, for example made a wrong decision/ developed a faulty policy/ not taken action on a point. A complaint by implication includes criticism, but goes further in that it carries a degree of grievance, in that the person complaining has suffered directly through some wrong-doing by the subject of the complaint, and clearly seeks some redress.

Criticisms are part and parcel of working in the public sector – people will inevitably (and indeed are entitled to) take a different view from a public agency, and wish to point out that the agency has ‘got it wrong’. That is perfectly legitimate, provided the criticism is based on evidence, and fairly and constructively delivered. Robust exchanges are inevitable, and criticism will not always be or feel fair. We all need to develop ways of being open to fair criticism, and dealing effectively with unfair criticism. If you feel you are the subject of unfair criticism, and don’t know how to deal with it, seek the advice and support of your line manager. If you hear a colleague being the subject of unfair criticism, you should do your best to support them.

A complaint is different in kind, and arguably more serious than a criticism. It is a clear expression of grievance to the effect that the complainant has suffered some sort of wrongdoing, and is seeking redress. A complaint could be made against a specific individual, or against the organisation more generally, but even in the latter case actions of an individual or individuals will ultimately be the source of the complaint.

## Formal or Informal?

A distinction is sometimes drawn between a formal and an informal complaint. The distinction essentially one of degree, and may not be particularly useful in practice. Some complaints may be relatively minor, and be relatively easily dealt with; others will be more serious, imply substantial wrongdoing which might be a personal slur on the subject's professional standing, and in extremes could lead to disciplinary consequences. On the other side of the coin, serious allegations which turn out to be unfounded or untrue need to be dealt with robustly by the organisation.

So the message is:

- any complaint is potentially serious;
- no judgements are made on the validity of a complaint until the case has been considered;
- a member of staff who is the subject of a complaint will be treated fairly and even-handedly at all times.

## **Procedure**

### Receipt of Complaint

All staff are nominated as complaint receivers and shall take full and complete details of the complaint, recording, as a minimum, the following information in a note of acknowledgement that a complaint has been received:

- Name of complainant
- Address
- Contact No
- Officer receiving complaint
- Date of receipt
- Nature of Complaint
- What the complainant wishes to happen
- Officer dealing with complaint

Where a complaint is in writing, either by letter or email, this will simply be a case of extracting the relevant information from that document. Where a complaint is made orally, it is important to use the above structure in order to ensure the key details of the complaint are recorded.

If a complainant wishes to make the complaint anonymously they may do so, and the complaint will be investigated. However, the complainant should be informed that any investigation into anonymous complaints would be difficult to conduct adequately.

In determining who should deal with a complaint, it is normally best practice to inform your Director of the complaint and discuss with them who should deal with it. This may not always be the officer or Group receiving the complaint. For example, where the complaint is made against a member of staff, the Director should consult with the Director of Corporate Services or HR Manager to determine the appropriate officer to deal with the complaint.

### Informing the Subject of a Complaint

- The person being complained about (the subject) should be told as soon as possible in the process and kept up to date with progress. Their line manager should inform the subject as soon as reasonably possible. Ideally they should do this face to face, but timeliness is more important, and a phone call should be used to broach the subject if necessary or if a face to face meeting would mean too much delay.
- The approach should be businesslike but supportive, and should not imply any judgements or decisions on the merits of the complaint at this stage.

### Acknowledging a Complaint

- Once the officer dealing with the complaint has been determined, the note of acknowledgement should be issued to the complainant with a commitment that the Authority will respond on the complaint within 20 working days of receiving it. It is therefore important that the appropriate officer to deal with the complaint is identified promptly after receipt.
- A copy of the complaint acknowledgement should also be submitted to the Grantown administration team in order that a central record may be maintained of complaints received.

### Investigating a Complaint and Responding

- The staff member dealing with the complaint will investigate the matter as appropriate, and respond to the complainant within 20 working days of receipt of the complaint. This response should inform the complainant of the right to appeal if they are dissatisfied with the outcome, in which case the complainant should write, within 1 calendar month of the date of the response, to the Director of Corporate Services, or Chief Executive if the Director of Corporate Services has dealt with the complaint in the first instance.
- Always be sensitive to the fact that a complaint, even if seemingly quite minor, is likely to be upsetting.
- The recipient of the complaint should pass the complaint on to the subject's line manager, and it is their responsibility to inform the subject.
- A copy of the response should also be sent to the Grantown Administration Team.
- If an appeal is not received within the given time, the complaint will then be assumed as CLOSED.
- Where there is an appeal, it shall be passed directly to the Head of Corporate Services or Chief Executive, as appropriate, who should acknowledge receipt and offer an official response to the appeal within 10 working days. The internal appeals process will then be CLOSED in the normal fashion.
- A further appeal may be made to third parties – ie the Scottish Public Services Ombudsman or the Scottish Government after the internal CNPA processes have been exhausted. The Scottish Public Services Ombudsman (SPSO) will normally consider complaints only after the Authority's own complaints procedures have been followed in

full: ie an initial complaint has been investigated and, if necessary, an appeal to the original response has also been determined. The SPSO can be contacted either by:

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