

Scottish Parliamentary Corporate Body Complaints Handling 2022-23, Quarter 3 (1 October – 31 December 2022)

Status definitions

RED – One or more issues outside agreed parameters which cannot be resolved at operational level and require Leadership Group input

AMBER – One or more issues outside agreed parameters which can be resolved at operational level

GREEN – Operating within agreed parameters

Complaints received

Total number of complaints received: 18

Stage 1: 2

Stage 2: 16

All complaints closed in this quarter were responded to on time.

The timescale for responding to complaints is 5 working days at stage 1 and 20 working days at stage 2.

(A 'working day' is any day that is not a weekend or a public holiday.)

The average time taken to reply to complaints:

Stage 1 **3.5** working days

Stage 2 **20** working days

Outcomes

Resolved **0**

Fully upheld: **1** (0 at stage 1; 1 at stage 2)

Partially upheld: **5** (2 at stage 1; 3 at stage 2)

Not upheld: **0**

Not pursued: **0**

Pending: **13** (1 at stage 1; 12 at stage 2)

Overall status: Amber

Summary / Commentary / Actions taken

- 18 complaints received in Quarter 3. Total complaints 2022-23 to date: 28
- The significant increase in Quarter 3 is due to complaints on matters relating to stage 3 of the Gender Recognition Reform (Scotland) Bill, with half the Quarter 3 total being received after 22/12/2022. Staff leave meant that these were not acknowledged within the 3-working days deadline, hence the amber status.
- Responses (due in late January 2023) are pending for 12 stage 2 complaints received in late December.

Fully upheld, 1 complaint:

- A complaint at stage 2 about the removal of a woman from a committee meeting for wearing a scarf of suffragette colours: The SPCB's Protest Policy and the Visitor Code of Conduct will be reviewed.

Partially upheld, 5 complaints:

- A stage 2 complaint about the lack of live subtitles on SPTV: While the SPCB complies with the relevant regulations, we are continuing to explore options for providing live captioning.
- A stage 2 complaint about the removal of a woman from a committee meeting for wearing a scarf of suffragette colours (upheld) and about inconsistency in the application of rules on dress for the public and MSPs (not upheld): Clarification was given on the different codes applicable, and the Protest Policy and Visitor Code of Conduct will be reviewed.
- A stage 2 complaint about the terminology used in reporting data in the SPCB's Diversity Monitoring Report 2020-21 and about how the query on the reporting was handled: The SPCB was compliant in terms of reporting, but we will review the presentation of the next Diversity Monitoring and Pay Gaps Report and how we collect data.
- A stage 1 complaint that an incident of misgendering was a 'hate crime': There was no evidence of a hate crime but an apology was given, new training options explored and staff reminded to use gender neutral language.
- A stage 1 complaint about the handling of an enquiry: We agreed that a substantive answer could have been provided more quickly but not that responses were 'deliberately abusive'.

Pending from Quarter 3, 13 complaints:

- 1 stage 2 complaint relates to procedures around a petition.
- 11 stage 2 complaints relate to matters connected with stage 3 of the Gender Recognition Reform (Scotland) Bill.
- For a stage 1 complaint from Quarter 3 in 2019-20, the outcome is pending the conclusion of discussion on lighting in the area with Historic Environment Scotland and City of Edinburgh Council.