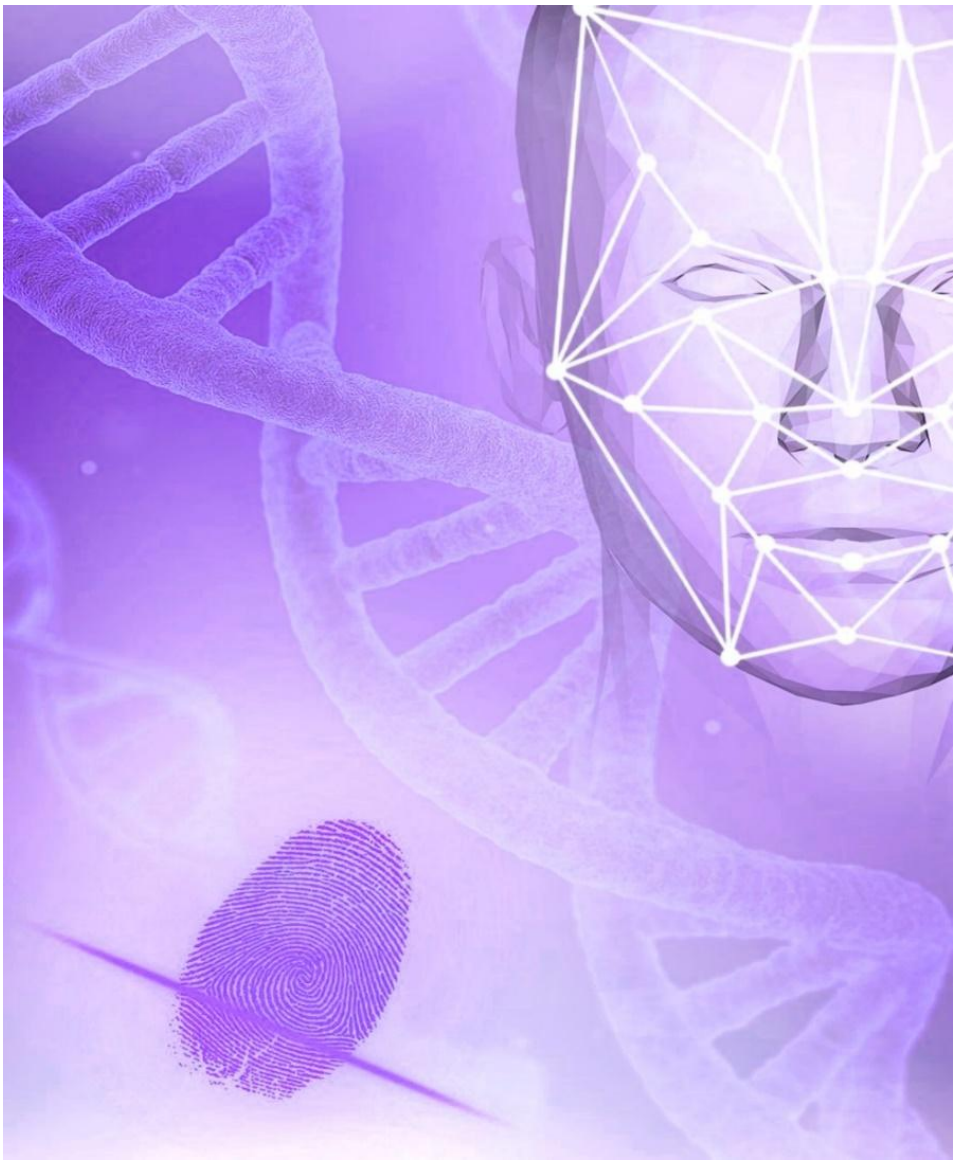
Scottish Biometrics Commissioner
Coimiseanair Biometrics na h-Alba

SCOTTISH BIOMETRICS COMMISSIONER

COMPLAINTS PROCEDURE

October 2026



Safeguarding our biometric future

Scottish Biometrics Commissioner
Coimiseanair Biometrics na h-Alba

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The Scottish Biometrics Commissioner (SBC) is committed to providing high-quality customer services.

We value complaints and use information from them to help us improve our services

If something goes wrong or you are dissatisfied with our services, please tell us. This leaflet describes our complaints procedure and how to make a complaint. It also tells you about how we will handle your complaint and what you can expect from us.

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 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
- 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 SBC service or be about someone working on our behalf.

What can't I complain about?

There are some things we can't deal with through our complaints handling procedure. 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)

- a concern about a child or an adult's safety
- 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
- a concern about the actions or service of a different organisation, where we are not involved in the issue

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

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 will normally need their written consent. Please also read the section on Getting help to make your complaint.

When a child is involved in a complaint the process will be tailored and personalised to their individual needs and circumstance, taking account of their views and wishes when deciding how to run the process and communicate with them.

How do I complain?

You can complain in person at our office, by phone, in writing, by email or via our complaints form. It is easier for us to address complaints if you make them quickly and directly to the service concerned. So please talk to a member of our staff at the service you are complaining about. Then they can try to resolve the issue.

When complaining, please tell us:

- your full name and contact details
- as much as you can about the complaint
- what has gone wrong
- what outcome you are seeking
- if you are under the age of 18 or if you are an adult raising a complaint on a child's behalf, or about matters that affect a child

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
- finding out that you have a reason to complain

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.

What happens when I have complained?

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

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Stage 1: Frontline response

We aim to respond to complaints quickly (where possible, when you first tell us about the issue). 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 five 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
- within two months of receiving your stage 1 response (if this is later)

In exceptional circumstances, we may be able to accept a stage 2 complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.

Stage 2 - Investigation

Stage 2 deals with two types of complaint: 1) where the customer remains dissatisfied after stage 1 and 2) those that clearly require investigation, and so are handled directly at this stage. If you do not wish your complaint to be handled at stage 1, you can ask us to handle it at stage 2 instead.

When using stage 2:

- we will acknowledge receipt of your complaint within three working days
- we will confirm our understanding of the complaint we will investigate and what outcome you are looking for
- we will try to resolve your complaint where we can (in some cases we may suggest using an alternative complaint resolution approach, such as mediation)
- where we cannot resolve your complaint, we will give you a full response as soon as possible, normally 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.

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What if I'm still dissatisfied?

After we have given you our final decision, if you are still dissatisfied with our decision or the way we dealt with your complaint, you can ask the Scottish Public Services Ombudsman (SPSO) to look at it.

The SPSO is an independent organisation that investigates complaints. They are not an advocacy or support service (but 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 the [organisation]'s complaints handling procedure
- it is less than 12 months after you became aware of the matter you want to complain about
- 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 https://www.spso.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. See the section on **Getting help to make your complaint**.

The SPSO's contact details are:

SPSO
Bridgeside House
99 McDonald Road
Edinburgh EH7 4NS
(if you would like to visit in person, you must make an appointment first)

Freepost address: **FREEPOST SPSO**
Freephone: **0800 377 7330**
Online: www.spso.org.uk/contact-us
Website: www.spso.org.uk

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 and you can find out about advisers in your area through Citizens Advice Scotland.

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 tell us in person, contact us on 0131 202 1043, or email us at contact@biometricscommissioner.scot.

Our contact details

Bridgeside House
99 McDonald Road
Edinburgh
EH7 4NS
Phone: 0131 202 1043
Email: contact@biometricscommissioner.scot
Online: Scottish Biometrics Commissioner | Contact Us | Scottish Biometrics Commissioner

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Quick guide to our complaint's procedure

Complaint's procedure

You can make your complaint in person, by phone, by email or in writing

We have a two-stage complaint's procedure

We will always try to deal with your complaint quickly. But if the matter needs investigation, we will tell you and keep you updated on our progress

Stage 1: Frontline response

We will always try to respond to your complaint quickly, within five 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 need investigation

We will acknowledge your complaint within three 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

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