



Scottish Charity Regulator's Service Standards

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1. Background

The Scottish Charity Regulator (OSCR) is a Non-Ministerial Department and part of the Scottish Administration.

We are the independent regulator and registrar for over 24,000 Scottish charities including community groups, religious charities, schools, universities, grant-giving charities and major care providers.

Our work as Regulator ultimately supports public confidence in charities and their work.

2. Our values

As a public body, we have agreed a set of values drawn from the principles of regulation developed by the Better Regulation Task Force.

In carrying out our duties we will be:

Independent: we maintain our operational independence, acting without fear or favour, in the public interest.

Proportionate: our actions as a regulator are appropriate and necessary taking into account the degree of risk, size of charity, the nature of the issues to be addressed and the potential impact on charity beneficiaries or assets or the public interest.

Accountable: we are answerable, in different ways, to our stakeholders which includes involving others on a continuous and appropriate basis, demonstrating our impact, providing value for money and welcoming external scrutiny.

Transparent: we act in a way that is open, predictable and understandable. This includes making available the relevant criteria and facts underpinning our actions.

Consistent: we act consistently in our decision making on the basis of publicly stated principles and policies and act as an exemplar, observing best practice.

Fair: we exercise our powers and discretion in a way which is consistent, impartial and even-handed.

Targeted: our regulatory activities are clearly focused on the basis of evidence and we act in such a way as to minimise any negative consequence.

Informed: we gather adequate information from the appropriate sources to ensure that our actions are properly informed.

3. Our service standards

3.1 Calls

We will be available to answer calls between the hours of 9am and 4.30pm Monday to Thursday, and 9am and 4pm on Fridays, excluding Bank Holidays.

We will answer your calls promptly, courteously and identify ourselves clearly. If you wish to speak to someone who is not available or we are unable to answer your query at the time we will take a message and arrange for a suitable person to call you back.

3.2 General correspondence

We will endeavour to respond to general written correspondence within fifteen working days of receipt of your letter or e-mail. If we are unable to respond in full within this timescale we will write to you advising of the time it will take to respond in full.

All paper correspondence generated by us will be on OSCR headed notepaper and will be dated and signed by an appropriate member of staff.

All email correspondence will be sent from a @oscr.org.uk address.

3.2 General correspondence

If you visit our office you will be seen at the time of any pre-arranged appointment.

If you visit our office wishing to speak to one of our staff, but have no formal appointment, while we will endeavour to assist you, we cannot guarantee that someone will be able to meet you. In such circumstances, an appointment for a subsequent date will be made with you. In order to prevent wasted journeys, we recommend that you make an appointment by telephone before visiting our office.

3.4 Visits to a charity by OSCR Investigators

The Charities and Trustee Investment (Scotland) Act 2005 allows OSCR to make inquiries into:

- charities and other bodies such as those controlled by a charity or charities;
- or any that represent themselves as charities while not on the Register

The powers to make such enquiries are contained within Sections 28 and 29 of the legislation. An inquiry may be made either generally or for a particular purpose.

As far as possible, OSCR Compliance and Investigations staff will arrange to visit you at a mutually convenient time and venue. At the start of the visit, OSCR staff member(s) will identify themselves clearly, and provide you with one of their business cards.

OSCR officer(s) will outline why the visit has been arranged and the matters for discussion. The meeting will conclude with the OSCR officer(s) briefly summarising the key points from the discussion, and outlining any recommendations/actions agreed. Information on what OSCR proposes to do next will be provided where possible and appropriate.

4. Comments and compliments

If you wish to make a comment or compliment any aspect of the service you have received from us, or you feel someone deserves praise for the work they have carried out, please complete our online **contact form** or write with full details to:

Judith Hayhow
Head of Support Services
2nd Floor
Quadrant House
9 Riverside Drive
Dundee
DD1 4NY

Email: info@oscr.org.uk

BSL users can contact us through **contactSCOTLAND-BSL**



Contact us through an online
sign language interpreter
contact**SCOTLAND-BSL**

5. Complaints

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.

If something goes wrong or you are dissatisfied with our services, please tell us. Our **Guide for Complainants** and **Complaints Handling Procedure** sets out what you can expect of us when making a complaint.

Any concerns about charities will be addressed through our Inquiry and Intervention Policy and not through our Complaints Handling Procedure.

Our complaints procedure has two stages:

Stage one: frontline resolution

We aim to resolve complaints quickly and close to where we provided the service. This may mean an immediate apology and explanation, and immediate action to solve the problem. This should take five working days unless there are exceptional circumstances. If you are unhappy with a particular aspect of our service you can raise this with the OSCR staff member that you are dealing with.

If we can't resolve your complaint at this stage, we will explain why and tell you what you can do next.

Stage two: investigation

We deal with two types of complaint at this stage:

- those that could not be resolved at stage one
- those that are more complex and require more detailed investigation

We aim to resolve stage two complaints within 20 working days, although sometimes we may take longer.

To make a complaint please complete our **complaints form** or write to Judith Hayhow, Head of Support Services, at the address noted previously.

If you remain unhappy with our decision or the way in which we dealt with your complaint, you can ask the Scottish Public Services Ombudsman (SPSO) to look at it.

You can contact them in person:

SPSO
4 Melville Street
Edinburgh
EH3 7NS

By post:

SPSO
Freepost EH641
Edinburgh
EH3 0BR

Freephone: 0800 377 7330

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

Website: www.spsso.org.uk

Moblie site: <http://m.spsso.org.uk>

6. Requests under Freedom of Information

OSCR is committed to carrying out its activities in an open and transparent manner and has adopted a Freedom of Information (FoI) culture from the outset.

Information about OSCR is available online at www.oscr.org.uk and all the information we publish is listed in our Publication Scheme.

The FoI Act entitles individuals to see information held by public authorities such as OSCR. The law states that we must respond to requests within 20 working days.

You have the right to a review of your FOI request, and if after review you remain dissatisfied, you can lodge an appeal with the Scottish Information Commissioner.

More information about this process is available through our **Making a Request for Information video** or directly from the Scottish Information Commissioner's website: www.itspublicknowlege.info

The effective regulation of charities requires OSCR to make inquiries into the running of Scottish charities. While OSCR aims to be as open and transparent as possible in our operations, there are legitimate exemptions contained within the FOI Act which enables information to be withheld.

OSCR may lawfully withhold information in order to ensure the effectiveness of the investigatory process. This withholding of information may be particularly relevant to the following categories of information:

- Witness statements provided to OSCR in confidence
- Correspondence to/from a charity during an ongoing investigation into that charity
- Correspondence to/from a complainer during an ongoing investigation
- Internal file notes, memos and reports relating to an ongoing investigation.

7. Making a Subject Access Request (SAR)

Under the General Data Protection Regulations (GDPR) you have a Right of Access to your own personal Data that we hold about you. If you wish to exercise this right, you can do so by making a Subject Access Request (SAR) to us.

When making a SAR it is important for you to be aware of the following:

- i. Your request must be made in writing to:

Data Protection Officer
OSCR
2nd Floor
Quadrant House
9 Riverside Drive
Dundee DD1 4NY

Alternatively, you can make your request by email to info@oscr.org.uk or through our social media channels.

- ii. We must respond to you within one month of receiving your request.
- iii. Before considering your request, we will ask you to confirm your identity by providing some kind of proof, such as a copy of your passport or driving licence and some official letter with your address on it. If you are making a request, you may wish to submit this information along with your request, to save time later.

Please read our [Privacy policy and GDPR guide](#) page for more information on how we protect your personal data and how to make a SAR.

8. Consultation with stakeholders

We are committed to consulting and engaging with our stakeholders in the development and delivery of our policies, procedures and functions. Our **Consultation and Participation Strategy** sets out the manner in which we will achieve this.

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The Scottish Charity Regulator (OSCR)
2nd Floor
Quadrant House
9 Riverside Drive
Dundee
DD14NY

T 01382 220446
E info@oscr.org.uk
 [@ScotCharityReg](https://twitter.com/ScotCharityReg)
 [ScottishCharityRegulator](https://www.facebook.com/ScottishCharityRegulator)
www.oscr.org.uk

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