

# Making a complaint

## Introduction

If you want to make a complaint, we have a procedure for you to use. This leaflet explains the procedure. All the lottery distributors in the UK use this procedure. It applies to all aspects of our work, not just lottery funding.

Making a complaint will not affect in any way the level of service you receive from us. For example, if your complaint is about an application for funding, this will not affect your chances of getting a grant from us in the future.

## What can I complain about?

You can complain if you think that:

- 'maladministration' has taken place (for example, if we have delayed, made mistakes in or failed to follow the procedures in our application process);

- we have failed to give you access to information or have given you incorrect advice or information;
- we have not treated you politely; or
- we have discriminated against you or not treated you fairly.

If your complaint is about an application for funding, we can only look at your application again if:

- we discover (through dealing with a complaint) that we did not follow the published procedures for assessing your application;
- you can show that we have misunderstood a significant part of your application; or
- you can show that we did not take notice of relevant information.

You may not be sure what information you should include or how best to set out your complaint. You should set out the facts as clearly as possible, in a logical order. Remember to include important details and dates where possible. We can give you information about how we will process your complaint. Our contact details are given in the 'Getting in touch' section at the end of this document.

If you need any help, you can contact your local citizens advice bureau (their contact details are in The Phone Book or at [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)).

We will keep all complaints confidential. If you make a complaint, we will treat you with respect, and we expect you to treat our staff in the same way.

## **What you cannot complain about**

You may be disappointed if we turn down your application for funding, but you cannot use the complaints procedure to appeal against our decision on giving a grant if we have followed our decision-making process correctly.

You cannot complain about our published policies or any government policy. If you have any comments about our policies, send these to our chief executive.

Do not use this complaints procedure to make a complaint about any fraud you think has taken place. You should report this to our director, finance or the police.

## How do I make a complaint?

### Stage one

If you are not happy with the service you have received, contact the office you first dealt with. They will try to put things right. We hope that we can settle complaints as quickly as possible in this way. You will receive a written response to your complaint at stage one.

### Stage two

If you are not satisfied with the response you receive, you can take this further by:

- writing to our chief executive; or
- sending an audio tape or CD to our chief executive.

Please tell us:

- what happened;
- when it happened;
- who dealt with you; and
- what you would like us to do to put things right.

Also tell us if there is anything we need to know about how to contact you (for example, if you would like us to reply by textphone or on audio tape).

You must do this within four weeks of receiving our response to stage one.

If you cannot make your complaint in writing, please contact us by phone on 0845 300 6200 or by textphone on 020 7973 6564.

## When will I hear from you?

Within three working days of receiving your complaint we will write to or phone you to say that we have received it. We will also tell you how you can contact the person who is dealing with your complaint and when you can expect a reply.

You will receive a reply to your complaint within 10 working days. If we cannot give a full reply in this time, we will tell you why and when you are likely to receive it.

We may ask you to come to a meeting with us to discuss your complaint in more detail. This meeting would normally be held within 10 working days of us receiving your complaint. We would send you a written record of the meeting and a formal reply to your complaint from our chief executive.

If your complaint is about the way we have used our powers to make, refuse or manage funding, you can then move on to stage three. If your complaint is about the way we conduct any other aspect of our business, we will let you know about alternatives that may be open to you. In our response to stage two we will tell you whether stage three is open to you.

### **Stage three**

If you are not satisfied with our chief executive's reply, you can refer your complaint to the independent complaints reviewer (ICR).

The ICR is unbiased and hears both sides of the complaint.

The ICR is not part of our organisation and their investigations and recommendations are independent. You can ask the ICR to look at your complaint, or our chief executive can ask them to do this. There is no charge for using the ICR. The ICR's office will contact you within five working days of receiving your complaint.

The ICR has the power to decide whether or not to investigate a complaint, and will explain their reasons if they decide not to investigate it.

If the ICR investigates your complaint and finds that it is justified, he or she will recommend ways for us to put things right, and how to prevent a similar situation in future. The ICR will report within three months, and usually more quickly. We will normally make any changes the ICR recommends to our current procedures as quickly as possible.

The ICR cannot consider complaints that have not gone through the procedure set out in this document. If you want the ICR to consider your complaint, you must write to them, or send them an audio tape or CD, within four weeks of receiving our chief executive's reply.

The ICR cannot reverse funding decisions or make comments or changes to our legal responsibilities and policies on awarding grants.

To contact the ICR see 'Getting in touch' at the end of this document.

## Other ways to make a complaint

### **The Parliamentary and Health Service Ombudsman**

The Parliamentary Commissioner for Administration (known as the Parliamentary and Health Service Ombudsman) investigates complaints by members of the public who have suffered injustice because of maladministration by public organisations. The Ombudsman also looks at complaints about being refused access to official information.

By law, the Ombudsman is independent of the Government and the civil service, and has wide powers to investigate.

The Ombudsman does not normally investigate complaints if they have not been through our complaints procedures first.

The Ombudsman's services are free.

You can get an explanatory leaflet about the Ombudsman – see 'Getting in touch' at the end of this document.

### **Judicial review**

A judicial review is where a judge examines your complaint to see whether we have behaved illegally. The judge cannot rule that we must change a funding decision, but can ask us to reconsider our decision.

## **Freedom of information**

Our publication scheme gives details of what information we make available to the public as a matter of course.

If you want information that we do not include in our publication scheme, the Freedom of Information Act 2000 gives you the right to ask us for it. Under the Act, we must provide you with the information you ask for unless it is not covered by the Act (that is, it is 'exempt'). If the information you want is exempt, we have to tell you why.

If you do not agree with us, you should follow stages one and two of the procedures set out in this document. If you are still not satisfied, you may ask the Information Commissioner to review our decision.

You can get a copy of our publication scheme by visiting [www.artscouncil.org.uk](http://www.artscouncil.org.uk) or by phoning 0845 300 6200.

To contact the Information Commissioner, see 'Getting in touch' at the end of this document.

## **Your personal information**

If you use our complaints procedure, you are agreeing that we can use any personal information you send us for purposes connected with your complaint. We may also give your personal information to other people and organisations if we have to do so by law or if you have given us permission.

## **Equal opportunities**

We are committed to equal opportunities and take complaints about discrimination seriously.

We may use complaints about discrimination to review our policies and procedures. This is to make sure we treat everyone equally.

We may record information about the ethnic background, sex and disability of everyone who makes a complaint so that we promote and maintain our equal opportunities commitment. We will keep all information confidential.

## Comments and suggestions

We welcome comments and suggestions as these can help us improve our services. Please send any comments or suggestions to the director, information. The contact details are given in 'Getting in touch'.

## Getting in touch

You can contact our chief executive and the director, information, at the Arts Council England address listed on the back cover of this booklet.

You can get the addresses of our regional offices from our website, or by phoning 0845 300 6200. You can also make general enquiries at that number.

If you want to comment on government policy on the arts, you can contact the:

**Department for Culture, Media and Sport**

2-4 Cockspur Street

London

SW1Y 5DH.

Website: [www.culture.gov.uk](http://www.culture.gov.uk)

Phone: 020 7211 6000 (general enquiries)

Email: [enquiries@culture.gsi.gov.uk](mailto:enquiries@culture.gsi.gov.uk)

You can contact the Independent Complaints Reviewer that deals with complaints about Arts Council England at:

**Office of the Independent  
Complaints Reviewer**

Lottery Forum

7 Holbein Place

London

SW1W 8NR.

To get information about the Freedom of Information Act you can contact:

**The Information Commissioner**

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF.

Phone: 01625 545 700

Fax: 01625 524 510

Email: [mail@ico.gsi.gov.uk](mailto:mail@ico.gsi.gov.uk)

You can get an explanatory leaflet about the Ombudsman from:

**The Parliamentary and Health Service Ombudsman**

Millbank Tower

Millbank

London

SW1P 4QP.

Helpline: 0845 015 4033

Fax: 020 7217 4000

Textphone: 020 7217 4066

Email: [phso.enquiries@ombudsman.org.uk](mailto:phso.enquiries@ombudsman.org.uk)

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