

# Wester Ross Area Salmon Fishery Board

## Complaints procedure (Section 46D) of the Freshwater Fisheries (Consolidation) (Scotland) Act 2003 (introduced by s24 of the Aquaculture and Fisheries (Scotland) Act 2013)

September 2013

### Introduction

Section 24 of the Aquaculture and Fisheries (Scotland) Act 2013 amends the 2003 Act to place a number of new duties on DSFBs relating to openness and accountability. The new section 46D requires a DSFB to:

*'maintain, and keep under review, proper arrangements for dealing with complaints made to the board about the way in which the board have carried out, or propose to carry out, their functions under this Act or any other enactment'*

Section 46D goes on to prescribe further detail about categories of complaints, who may make them and record keeping. Scottish Government have issued guidance to boards in relation to the Good Governance obligations.

### General statement on complaints

- All complaints will be treated seriously, whether they are made by telephone, by letter, or by email.
- Complainants will be treated with courtesy and fairness at all times.
- All complaints will be treated in confidence within the Board\*.
- Complaints will be dealt with promptly. Written complaints will be acknowledged within five working days and a full reply within 20 working days of receipt. If a full reply cannot be provided within 20 working days of receipt, the reason will be explained and notification provided as to when a reply will be forthcoming.
- The number of complaints received, a statement as to the nature of each complaint and how it was disposed of will be published in our annual report.

\*All complaints received will be dealt with confidentially and in accordance with the requirements of the Data Protection Act 1998.

### Complaints Procedure

Any complaint should be addressed to the Clerk to the Board. Complaints can be made by:

- Telephone: 01445 712899
- Email: [admin@wrasfb.org.uk](mailto:admin@wrasfb.org.uk)
- By letter: Wester Ross Area Salmon Fishery Board, Harbour Centre, Pier Road, Gairloch, Ross-shire, IV21 2BQ

A two-stage complaints procedure is in place. At each stage it will help us to resolve your complaint quickly if you can give us as much clear detail as possible, including any documents and correspondence and stating that you are making a complaint in line with our procedure.

#### Stage 1

This is the first opportunity for the Board to resolve a complainant's dissatisfaction, and most complaints should be resolved at this stage. In the first instance, the clerk will investigate the nature of the complaint in conjunction with the convener of the board. This gives the Board the opportunity to resolve and correct any resulting disadvantage

(upholding the complaint); or establish that the action of the Board was correct thereby enabling the Board to explain this to the complainant (not upholding the complaint).

### **Stage 2**

If the complainant is dissatisfied with the stage 1 response they may request a review by the full board and it would be expected that this would be discussed at the next scheduled meeting of the Board. Given the confidential nature of complaints, the Board might elect to hold this meeting, or part thereof, in private. In this instance the complainant will be given the right to attend the meeting.

### **Indicative timescales for handling a complaint**

#### **Stage 1** - maximum 20 working days

- Acknowledgement within 5 working days
- Full response within 20 working days

#### **Stage 2** – timing will depend on the scheduling of the next Board meeting

- Acknowledgement within 5 working days, with notification of the date and location of the meeting at which the complaint will be discussed

### **Extending time limits**

We aim to complete all complaints within the timescales above; however, if a complaint is very complex it may occasionally be necessary to extend the time limit. If this is the case we will keep the complainant informed of progress with the investigation, the reasons for the delay, and inform them of the new deadline.