I want to complain – What do I do?

Sometimes, despite our best efforts, things go wrong and we do not deliver the service you expect. We need to know when this occurs so that we can investigate what happened, put things right and learn from our mistakes.

This leaflet tells you what you can do if you are unhappy about the administrative service you have received from HM Courts & Tribunals Service staff or the facilities provided.

How to make a complaint

When making your complaint you should:

- explain the nature of your complaint, describing any facts and events relating to it;
- say why you think that a member of staff has made a mistake or the service you have received was poor;
- explain what loss (if any) you have incurred as a result;
- say why you thought the facilities were inadequate.

Who do I complain to?

In the first instance, you should make your complaint, verbally or in writing, to the office where the problem arose. We will investigate your complaint and try to resolve it immediately. If your complaint needs further investigation, we will aim to respond to you within 10 working days. The response will address all the points you raised, explain any remedial action taken to address your concerns and give the contact details of the person you can ask to review your complaint if you remain unhappy.

Review

If you are not happy with the response to your complaint, you can write to the senior manager at the office where your complaint arose explaining why you are not satisfied and ask for your complaint to be reviewed. They will aim to respond to you within 10 working days. The response will confirm the outcome of the review, any remedial action proposed or taken and give the contact details of the team you can escalate your complaint to, if you remain unhappy.
Appeal

If you are not satisfied with the senior manager’s response, you can appeal to the Complaints, Correspondence and Litigation Team (CCLT) for your complaint to be re-considered. Their contact details will be provided to you by the senior manager who conducted the review.

The CCLT team will carry out a final review of the way your complaint was dealt with and how the decision was reached. You should expect to receive a response within 15 working days from the date your complaint was received by the CCLT.

If you remain dissatisfied with the way your complaint has been handled or the outcome of it, you may ask the Ombudsman to investigate your complaint.

For England and Wales it is the office of the Parliamentary and Health Service Ombudsman (PHSO). Complaints about government organisations must be referred to the Ombudsman by a Member of Parliament (MP). To find out who your local MP is go to findyourmp.parliament.uk or contact the House of Commons Information Office on 020 7219 4272.

If you would like to discuss a complaint, or would like more information about the work of the ombudsman, you can contact them on 0345 015 4033, email them at phso.enquires@ombudsman.org.uk or visit their website at www.ombudsman.org.uk

For Scotland it is the office of the Scottish Public Services Ombudsman. More information on how to do this can be found on their website at www.spso.org.uk or by telephoning the helpline on 0800 377 7330.

The Ombudsman is completely independent from Government and the Civil Service and their role is to investigate claims that individuals have suffered because a government department, agency or public body has not acted properly or fairly or have provided a poor service.

When does our complaint procedure not apply?

Judicial decisions

Even if you feel that a decision is incorrect, you cannot use the HM Courts & Tribunals Service complaints procedure to challenge a judicial decision. The correct course of action is to consider whether to appeal the decision. If in doubt, you should seek legal advice.

Staff in HM Courts & Tribunals Service cannot give legal advice, so will not be able to discuss:

- whether you should appeal;
- whether you have the right to appeal; and
- the likelihood of any appeal succeeding.
Judicial conduct

If you have a complaint about the way a member of the judiciary has behaved towards you, you should write to one of the following offices:

i) for judges sitting in Crown and county courts you should write to the Office for Judicial Complaints which is based at the 3rd Floor, 11 Tothill Street, London SW1H 9LJ.

ii) for magistrates, a complaint should be lodged within 12 months of the hearing. A complaint, should in the first instance, be considered by the local Advisory Committee, the contact details of which can be obtained from the court.

iii) for tribunal judges and members, you should contact the office where the problem arose and they will tell you whether your complaint should be sent to the Regional Judge, Tribunal President or the Office for Judicial Complaints.