

27 NOV 2012

Peter Stein of Counsel - S/11150/10

Revised Judgment 27th July 2011

PLEASE CAN THIS BE PUT TO
THE EQUALITY HUMAN RIGHTS
COMMISSION, SCOTLAND,

INVESTIGATIONS AND
ENFORCEMENT UNIT

AS A MATTER OF URGENCY
REQUEST BY COUNSEL

Peter Stein of S/11150/2010

✓

Teedee Stores Ltd +

John Eivroot, Bruce Barber
Guy Henderson, John Clegha

enclosed with means for request



Mental Health Advocacy Project
West Lothian

Mental Health Resource Centre
Stathbrock Partnership Centre
189a West Main Street
BROXBURN
West Lothian
EH52 5LH

Tel: 01506 857230
Fax: 01506 852954
Email: admin@mhap.org.uk

Oliver Varney
Corporate Communications Officer
Equality and Human Rights Commission
2nd Floor Arndale House
The Arndale Centre
Manchester
MA 3AQ

27th November 2013

Dear Mr Varney

I am writing to you on behalf of Mr. Peter Thomas Still and have enclosed a mandate authorising me to do so.

Mr. Still lodged a complaint, dated 14th October 2013, ref – SCOM18, which was in relation to EHRC complaints policy and procedures. Following receipt of an email sent Friday 22nd November 2013, ref SCOM18R/SCOM188 regarding his complaint. Mr. Still has asked me to see if it would be possible to arrange a telephone link with yourself and a senior solicitor within your legal department. His is keen to discuss this matter as soon as possible as he says it is affecting his health.

He has requested that any further contact regarding this matter been sent to me.

Thank you for your time in this matter.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'K. Campbell', written over a horizontal line.

Karen Campbell
Senior Development Worker,
Mental Health Advocacy Project

SENT BY POST

Karen Cambell
MHAP
Mental Health Resource Centre
Strathbrock Partnership Centre
189 a West Main Street
Broxburn
West Lothian
EH52 5LH

Email: admin@mhap.org.uk

05 December 2013

Our ref: **SCOM18R**

Dear Ms Cambell

Subject: Your letter to the Equality and Human Rights Commission (EHRC) dated 27 November 2013 regarding Mr Peter Still

Thank you for your letter dated 27 November, which we received by post on 03 December 2013, in which you have provided a form signed by Mr Peter Still giving his consent for you to contact the EHRC on his behalf. In your letter you state that your client, Mr Peter Still, has requested a telephone link with an EHRC solicitor.

Please be advised that we will respond to your letter of 27 November, together with the review of our initial complaint response to Mr Still (dated 11 November 2013) by no later than **16 December 2013**.

Yours sincerely

Oliver Varney
Corporate Communications Officer
Equality and Human Rights Commission

2nd Floor Arndale House
The Arndale Centre
Manchester
M4 3AQ

Tel: 0161 829 8324
Text phone: 0203 117 0238

Email: complaints@equalityhumanrights.com

Mr Peter T W Still
113 Glebe Road
Whitburn
West Lothian
Scotland
EH47 0AX

Email: peterstill1969@hotmail.co.uk

Our ref: COM417

03 January 2014

Dear Mr Still

Subject: Complaint dated 19 December 2013

Thank you for your email dated 19 December 2013 (acknowledged on the 24 December 2013) in which you raised a complaint about the loss of medical and legal documents.

We have looked into your complaint and respond as follows:

We can see from our records that your documents were sent from our Scotland office to our Manchester office on 01 November 2013. The documents were sent by first class post in a reinforced envelope, marked for the attention of the Corporate Communications Team. Regrettably, it appears that the papers did not arrive at the Manchester office as the package cannot be located and we have no record of receiving it.

It is usual practice for documents such as these to be sent by recorded or special delivery, the latter being the preferred option as it enables

2nd Floor Arndale House
The Arndale Centre
Manchester
M4 3AQ

Tel: 0161 829 8323
Textphone: 0203 117 0238
Email: complaints@equalityhumanrights.com

tracking and provides compensation in the event of loss. Unfortunately, on this occasion, the decision was taken to send the documents by first class post. The reasoning for this was that the parcel was being sent out on a Friday and there would be nobody in the office on Saturday to sign for it. Unfortunately, as a consequence of the decision to use this method of posting, we have no way of locating the parcel, as first class mail cannot be tracked. Staff from our Scotland office have been in contact with the Royal Mail Sorting Office in an attempt to locate the parcel. Unfortunately, they have confirmed that there is no way of tracking ordinary first class mail.

Although it is clearly regrettable that the documents have been lost in transit, we believe that we do hold copies of the majority of these papers as we took copies of the documents you sent us up to last December. We therefore understand that any loss would be limited to any additional papers you forwarded in 2013. We also understand, from previous contact, that your MSP may have copies of all the documents and therefore the documents may not have been lost entirely.

Please let us know if you would like us to send you copies of the documents we hold, and we will arrange for these to be sent to you by special delivery without delay.

With respect to the lost documents, we would advise that you can report the loss to the Royal Mail customer services on: 08457 740 740. You can also report lost mail online at: www.royalmail.com.

Finally, please accept our apologies for using a non-trackable postal service when forwarding your papers to our Manchester office. The decision to send by first class post was made with good intention, to facilitate delivery. However, we recognise that papers such as these should have been sent via special delivery.

We hope we have addressed your complaint.

If however you are dissatisfied with the response and require a review under stage two of our complaints procedure, please let us know, stating your reasons. On receipt I shall arrange for a review to take place by

2nd Floor Armdale House
The Armdale Centre
Manchester
M4 3AQ

Tel: 0161 829 8323
Textphone: 0203 117 0238
Email: complaints@equalityhumanrights.com

another person who has not been involved in dealing with your initial complaint.

As a closing point, we should note that we are aware that you have also requested a review of our response to your previous complaint referenced: SCOM18. The response to this review will be sent to you in a separate letter.

Yours sincerely

Jackie Driver
Head of Correspondence

2nd Floor Arndale House
The Arndale Centre
Manchester
M4 3AQ

Tel: 0161 829 8323
Textphone: 0203 117 0238
Email: complaints@equalityhumanrights.com

Mr Peter T W Still
113 Glebe Road
Whitburn
West Lothian
Scotland
EH47 0AX

Email: peterstill1969@hotmail.co.uk

Our ref: COM417

08 January 2014

Dear Mr Still

Subject: EHRC Response to complaint re lost documents

Further to your conversation with Oliver Varney this afternoon, please find attached a copy of our response to your complaint regarding lost documents.

A copy of this response has also been sent by email to the following address: peterstill1969@hotmail.co.uk.

Yours sincerely

Philippa Bullen
Corporate Communications Officer

Equality and Human Rights Commission
2nd Floor Arndale House
The Arndale Centre
Manchester
M4 3AQ

Email: complaints@equalityhumanrights.com

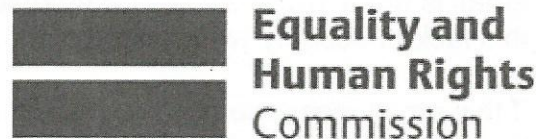
Tel: 0161 829 8323
Text Phone: 0203 117 0238
Fax: 0161 829 8332

Dalvi Arif

From: peter still <peterstill1969@hotmail.co.uk>
Sent: 15 August 2014 08:30
To: Complaintsphso
Subject: FW: COM417: EHRC Response to Complaint re Lost Documents
Attachments: image002.jpg; COM417 Still 20140103
ResponseToComplaintDated19December2013.doc

VF-ITEM-ID: 2456935:1847817:197518:M02878238

From: complaints@equalityhumanrights.com
To: peterstill1969@hotmail.co.uk
CC: admin@mhap.org.uk
Date: Wed, 8 Jan 2014 15:23:24 +0000
Subject: COM417: EHRC Response to Complaint re Lost Documents



Dear Mr Still

Subject: Response to complaint re lost documents (Ref: COM417)

Further to your conversation with Oliver Varney this afternoon, please find attached a copy of our response to your complaint regarding lost documents.

A paper copy of this response will also be sent to you by post as requested.

Kind regards

Philippa Bullen
Corporate Communications Officer

Equality and Human Rights Commission
2nd Floor Arndale House
The Arndale Centre
Manchester
M4 3AQ

Email: complaints@equalityhumanrights.com

Tel: 0161 829 8323
Text Phone: 0203 117 0238
Fax: 0161 829 8332

We have teamed up with AbilityNet and BCS to develop a new e-learning course that will equip individuals and businesses with the right skills to create accessible websites. Visit: www.equalityhumanrights.com/webaccessibilityessentials

Our vision

A modern Britain where everyone is treated with dignity and respect, and we all have an equal chance to succeed.

Legal disclaimer

This email has been originated in the Equality and Human Rights Commission, which is an information and guidance service and not a legal advice service. If you require legal advice, please contact a solicitor. This paragraph does not apply to an individual who is assisted under section 28 Equality Act 2006. This email message, including any attachments, is from the Equality and Human Rights Commission and is intended for the addressee only. It may contain information that is privileged and confidential. If you are not the intended recipient, you must not copy, distribute or take any action in reliance of it.

Security warning: Please note that this email has been created in the knowledge that Internet email is not a 100% secure communications medium. We advise that you understand and accept this lack of security when emailing us.

If this email message has been sent to you in error, please notify us immediately by replying to this email. The Equality and Human Rights Commission accepts no responsibility for any changes made to this message after it has been sent by the original author. This email or any of its attachments may contain data that falls within the scope of the Data Protection Acts. You must ensure that any handling or processing of such data by you is fully compliant with the requirements of the Data Protection Act 1984 and 1998.

The Equality and Human Rights Commission was established by the Equality Act 2006 as the Commission for Equality and Human Rights.

--Forwarded Message Attachment--

From: complaints@equalityhumanrights.com

To: admin@mhap.org.uk

Date: Fri, 3 Jan 2014 12:31:59 +0000

Subject: FAO: Karen Campbell - EHRC Response to complaint from Peter Still re lost documents (Ref: COM417)



Dear Ms Campbell

Subject: Peter Still, 113 Glebe Road, Whitburn, West Lothian

On 19 December 2013, the Equality and Human Rights Commission received a complaint from Mr Still regarding lost documents. The complaint was allocated the reference number: COM417.

Dalvi Arif

From: peter still <peterstill1969@hotmail.co.uk>
Sent: 15 August 2014 08:30
To: Complaintsphso
Subject: FW: SCOM18R Still 20140109 Complaint review response
Attachments: SCOM18 Still 20131111 EHRC response to complaint.doc; SCOM18R Still.20140109 Complaint review response.doc; SCOM18R Still 20131209 SCOTCOM188 Response.pdf; complaints_policy_and_procedure_-_jdps_final121113.pdf

VF-ITEM-ID: 2456935:1782235:197518:M02878237

From: complaints@equalityhumanrights.com
To: peterstill1969@hotmail.co.uk
Date: Thu, 9 Jan 2014 17:10:16 +0000
Subject: SCOM18R Still 20140109 Complaint review response

Dear Mr Still

Further to our telephone conversation yesterday (08 January 2014), please find attached the review findings of our complaint response letter dated 11 November 2013.

Please note we are sending a separate hard copy to you in the post.

Kind regards

Oliver Varney

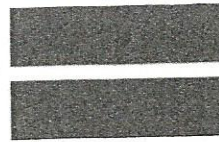
Corporate Communications Officer

Equality and Human Rights Commission
2nd Floor Arndale House
The Arndale Centre
Manchester
M4 3AQ

Email: complaints@equalityhumanrights.com

Tel: 0161 829 8324

Text Phone: 0203 117 0238



**Equality and
Human Rights
Commission**

SENT VIA EMAIL AND BY POST

Mr Peter T W Still
113 Glebe Road
Whitburn
West Lothian
Scotland
EH47 0AX

Email: peterstill1969@hotmail.co.uk

Our Ref: SCOM18R

09 January 2014

Dear Mr Still

Subject: EHRC complaint review – reference: SCOM18R

Further to our acknowledgement letter dated 22 November 2013, thank you for your email to the Equality and Human Rights Commission (EHRC) dated and received 21 November 2013. For ease of reference I have copied your email directly below:

- "i,ve been trying to understand that email dated the 19/11/2013 , regards updated regards documents , dated 29/11/2013 , sent to scotland office , you know the rest , 2 days been trying to figure the email out , just before i was about to reply to it today , bingo , complaint review email , 18/11/2013 , email sent regards review , not happening , so whoever is actually in control , dont know how to explain it , be decent and sort this out , i have told countless times , how this was affecting me to the point of ending my life , and still not attempt to end this not once did anyone show any concern , if you dont give me a decision by tommorow , i will be contacting the mp to get this dealt with by parlimintary and health service ombudsman , without this

2nd Floor Arndale House
The Arndale Centre
Manchester
M4 3AQ

Tel: 0161 829 8324
Text phone: 0203 117 0238

Email: complaints@equalityhumanrights.com

continued discrimination / as i state by tommorow email reply will do , peter still"

In our acknowledgement letter of 22 November 2013, we explained the following to you:

"Please be advised that we will be carrying out a review of your initial complaint to the Equality and Human Rights Commission in which you made the following complaints:

- That following advice given to you by the EHRC Helpline in Scotland in 2010 and 2011, you made an employment tribunal claim that was dismissed and this has exacerbated your mental health condition
- That you are not happy that the EHRC is unable to assist you further and have asked us for further help.

To undertake this review, we will require time to give your complaint due consideration, and will not be able to provide a response to you today. Your complaint review will be allocated the reference number **SCOM18R**.

Please note that the EHRC complaints policy does not cover the following:

- a. comments about our policies or policy decisions
- b. **dissatisfaction with our policies or decisions about individual cases or grants or requests for legal assistance**
- c. matters that have already been fully investigated through this complaints procedure, or
- d. anonymous complaints".

[ENDS]

On 12 December 2013, you contacted EHRC Corporate Communications Officer Ms Sarah Whelan by telephone and informed Sarah that you no longer wished to have any further contact with the EHRC. We therefore did not respond to your complaint review as you had asked that we do not correspond with you.

2nd Floor Arndale House
The Arndale Centre
Manchester
M4 3AQ

Tel: 0161 829 8324
Text phone: 0203 117 0238

Email: complaints@equalityhumanrights.com

However, you informed us on 23 December 2013 by email (10.06am) that you now require a copy of our complaint review response by no later than 10 January 2014. You informed us that you wish to receive our review findings for this date in order to meet with your member of parliament and refer the matter to the Parliamentary and Health Service Ombudsman.

Therefore, we now provide a response (below) to your request for a review of our original complaint response of 11 November 2013. For ease of reference, we have copied your complaints and provide our response to each point directly below:

Complaint 1

That following advice given to you by the EHRC Helpline in Scotland in 2010 and 2011, you made an employment tribunal claim that was dismissed and this has exacerbated your mental health condition

Our response:

In our complaint response to you dated 11 November 2013, we explained that the enquiries you raised with the (now closed) EHRC Helpline regarding your grievance against Tesco Ltd were captured on our Helpline Client Records Management (CRM) data base under file ref 1-7692839. We explained that our records show that you contacted the Helpline on three separate occasions; June 2010, 17 March and 30 September 2011. On both of the latter two occasions you received a callback from a Helpline advisor.

As we stated in our complaint response to you of 11 November, we cannot retrieve the calls made to you by our Helpline in 2011 as our call recording system 'Witness' did not retain every call owing to the storage capacity of the system. Consequently, we are unable to review the conversation between yourself and our Helpline on both of these occasions.

However, as we informed you previously, we hold a copy of our email response to you of 08 June 2010 in which you were given general advice on the Disability Discrimination Act (DDA) which was the relevant equality enactment in force at the time.

2nd Floor Arndale House
The Arndale Centre
Manchester
M4 3AQ

Tel: 0161 829 8324
Text phone: 0203 117 0238

Email: complaints@equalityhumanrights.com

Having reviewed the advice contained within the email again, we note that you were given general advice (about the definition of disability applicable at the time of your enquiry), as well as a number of helpful links including guidance on our website regarding the DDA 'reasonable adjustment duty'. The Helpline email concluded with a section entitled 'Using your rights'. This section provided a set of seven general links to guidance on the EHRC website as well as the 'Direct.gov' website and 'Employment Tribunals.gov' website. The links offered general advice and guidance on means of redress and steps you could take regarding your grievance with your employer.

We would reiterate that our email response of 08 June 2010 contained statements such as; *"We aim to give information and support that will enable people to make informed decisions about their own situation"*.

While we empathise with you regarding the dispute between your ex- employer, we do not consider such statements as contained within our email of 08 June to be a direct instruction on how you should proceed with your grievance. The decision to take the matter to tribunal was therefore yours and not one that was made (or could be endorsed) by the now closed EHRC Helpline - on the evidence of our email dated 08 June 2010. The information that you were provided with by our Helpline was generic and guidance based.

We find no reason to disagree with our statement provided in our complaint response of 11 November that:

"Therefore we conclude that you were not provided with incorrect advice and that the Helpline responded to you accordingly within the remit of the Helpline as an information and guidance service both professionally and accurately".

In addition, we would also like to reiterate that as stated in our acknowledgement email to you of 11 November 2013, complaints about dissatisfaction with decisions about individual cases or requests for legal assistance are not covered by the EHRC complaints policy.

Complaint 2

That you are not happy that the EHRC is unable to assist you further and have asked us for further help.

Our response:

In our complaint response dated 11 November 2013, we stated the following in regard to your dissatisfaction that we are unable to assist you further:

"Further to the advice and guidance given to you by the (now closed) EHRC Helpline in 2010 and 2011, it is understood that you wrote to our Scotland office on 27 November 2012 to request assistance with your case. Our Legal department looked into your case and wrote to you on 06 December 2012. Your most recent correspondence, the complaint letter dated 14 October 2013, again asks if we are able to help you.

"Unfortunately our initial decision remains the same and we must reiterate our initial response in that we will not investigate this matter any further".

We concur with the response we provided to you as above dated 11 November and would add that a separate complaint you have made to the effect that your human rights have been violated by a member of the EHRC Scotland Legal Team, has been dealt with in our separate letter to you dated 09 December 2013 (EHRC reference SCOTCOM 188). Our letter of 09 December 2013 provides a time line of correspondence between yourself and our Scotland legal Team as well as the reasons why we could not assist you. We attach a copy of our letter dated 09 December to our cover email for your ease of reference.

As advised in our response to Complaint 1, please note that dissatisfaction regarding requests for EHRC legal assistance is not covered by the EHRC complaints policy.

If you remain dissatisfied with our response to your complaint, you can ask to have your complaint reviewed externally by someone who does not work for the Commission.

To do this, you should contact your Member of Parliament and ask for your complaint to be referred to the Parliamentary and Health Service Ombudsman.

The Ombudsman can carry out independent investigations into complaints about government departments, agencies and some public bodies which include the Equality and Human Rights Commission.

The address to contact the Parliamentary and Health Service Ombudsman is:
Millbank Tower
Millbank
London
SW1P4QP

Telephone or fax: 0345 015 4033

Yours sincerely

Colin Douglas – EHRC Interim Director of Communications

Sent on behalf of Colin Douglas by Oliver Varney – Corporate Communications Officer

Equality and Human Rights Commission
2nd Floor Arndale House
The Arndale Centre
Manchester
M4 3AQ

Tel: 0161 829 8324

Email: complaints@equalityhumanrights.com



**Equality and
Human Rights
Commission**

Mr Peter Still
113 Glebe Road
Whitburn
West Lothian
Scotland
EH47 0AX

Email: peterstill1969@hotmail.co.uk

Our ref: COM417R

22 January 2014

Dear Mr Still

Subject: Request for review of complaint.

Thank you for contacting the Equality and Human Rights Commission on 20 January 2014 via telephone, in which you have made a verbal request for a review of your recent complaint Com417.

Your request for a review has been passed to the Communications Director for the matter to be looked into and a response prepared.

In accordance with the Commission's complaints procedure we aim to provide our response to you within 20 working days of receipt of your complaint. In this instance, we will provide you with a response by 17 February 2014.

If for any reason we are not able to meet this deadline, we will notify you as soon as possible and give you an indication of when we will send you a full response.

EHRC Correspondence Unit
2nd Floor Arndale House
The Arndale Centre
Manchester
M4 3AQ

Tel: 0161 829 8100
Textphone: 020 7832 7880
Email: complaints@equalityhumanrights.com

If you have any queries regarding the review of your complaint, please contact us using the details below.

Yours sincerely

Markus Piscapore-Caruana
Corporate Communications Officer

EHRC Correspondence Unit
2nd Floor Arndale House
The Arndale Centre
Manchester
M4 3AQ

Email: complaints@equalityhumanrights.com

EHRC Correspondence Unit
2nd Floor Arndale House
The Arndale Centre
Manchester
M4 3AQ

Tel: 0161 829 8100
Textphone: 020 7832 7880
Email: complaints@equalityhumanrights.com

.: peter still [mailto:peterstill1969@hotmail.co.uk]

Sent: 12 February 2014 05:12

To: Complaints

Subject: RE: COM417R Still 20140203 AcknowledgementOfEmail

hi markus , could you send me the documents that you did copy in december 2012 , need them to send some to the pension advisory service , who is handling my pension claim , thought i would have got them off the bundles i picked up from my msp , but not in them , could you send them special delivery so can get stage 1 of IDR much appreciated , got a letter from ombudsman about this review , com417r still , who is doing the review and on the 20/01/2014 was it that i spoke to on the phone requesting a review , let us know cheers peter still

From: complaints@equalityhumanrights.com

To: peterstill1969@hotmail.co.uk

Date: Mon, 3 Feb 2014 10:00:59 +0000

Subject: COM417R Still 20140203 AcknowledgementOfEmail



Mr Peter Still
113 Glebe Road
Whitburn
West Lothian
Scotland
EH47 0AX

Email: peterstill1969@hotmail.co.uk

Our ref: COM417R

03 February 2014

Dear Mr Still

Subject: Request for compensation

Thank you for your email dated 01 February 2014, in which you have made a request for a £150,000 in compensation for the loss of legal and medical document.

This email is to acknowledge receipt of your email and to advise you that your email has been passed to the Communications Director who is dealing with the review of your complaint.

If you have any further queries regarding the review of your complaint, please contact us using the details below.

Yours sincerely

Markus Piscapore-Caruana
Corporate Communications Officer

Correspondence Unit
Equality and Human Rights Commission
Arndale House
The Arndale Centre
Manchester
M4 3AQ

Email: complaints@equalityhumanrights.com

From: peter still [<mailto:peterstill1969@hotmail.co.uk>]

Sent: 01 February 2014 16:12

To: Complaints

Subject: RE/COM417/COM417R/PETER STILL

i peter still the complainer in the ref/com417/com417r i will be asking for compensation regards my lost documents as the lost documents were the originals , and dont have any copys and these were medical , legal/ very private i sent these 1st class recorded delivery as requested by email dated 29/10/2013 from lynn welsh head of legal EHRC SCOTLAND, WHO, WAS HANLING MY COMPLAINT REF/SCOM18 STILL/ 14/10/2013 . ON THE 30/10/2013 I SENT THE DOCUMENTS TO ANGELA BARCLAY LEGAL COR EHRC SCOTLAND , IN THAT CONTAINED A LETTER ASKING FOR THE DOCUMENTS TO BE COPIED AS THEY WERE ORIGINALS AND TO SEND THEM BACK RECORDED DELIVERY, I HAVE A WITNESS MY SAMH MENTAL HEALTH SUPPORT WORKER CHRIS WATT , WHO TOOK ME TO THE POST OFFICE TO SEND THEM ON WED/30/10/2013 , I ALSO EMAILED ANGELA BARCLAY ON THE 7/11/2013 ASKING FOR MY DOCUMENTS AS I DONT HAVE ORIGINALS, IT WASNT REPLED TO UNTIL AGAIN BY ME REGARDS SCOM18/STILL AFTER 11/11/2013 .THIS WAS ON THE 15/11/2013 AND 19/11/2013 I HAVE SPOKEN TO ANGEL BARCLAY AND ASKED ABOUT MY DOCUMENTS SENT ON THE 30/10/2013 REGARDS MY COMPLAINT SCOM18 14/10/2013 STILL AND ASKED WHY WERE THEY SENT ANYWHERE ELSE WITHIN THE EHRC OFFICES IN UK AS IT WAS LYNN WELSH HEAD OF LEGAL WHO WAS ASKING FOR THE INFORMATION TO HANDLE MY COMPLAINT SCOM18 STILL , [TO BE GIVEN THE REPLY TO MY COMPLAINT 19/12/2013 COM417 STILL /ACKNOLDGD ON THE 24/12/2013 ON 3/01/2014 COM417 STILL SIGNED BY JACKIE DRIVER EHRC AFTER LAST YEAR SPENDING XMAS IN MENTAL HEALTH WARD SUICIDAL AFTER DEALING WITH THIS LEGAL MATTER ON MY OWN IRENE HENERY WAS TOLD THIS ON 19/12/2012 BYME AND ON 21/12/012 EMAILED ME TELLING ME CANT HELP ME / A YEAR LATER EVERY ONE AT EHRC IN SCOTLAND AND ENGLAND /WALES INVOLVED IN MY COMPLAINTS SCOM18 COM417 STILL THE OTHERS MADE BY THOSE INVOLVED SCOM18R SCOM188 STILL CLAIMS I NEVER MADE / NOT ONCE HAVE I COMPLAINED ABOUT THE ADVICE I WAS GIVEN BY THE EHRC SCOTAND IN FACT I SAID THIS NUMERUS TIMES THAT THE ADVICE I WAS GIVEN IN JULY 2010 WAS 99% TRUE AND THE 1% WAS REGARDS TRUSTING THE JUDGE SUSAN A CRAIG WHOHNDLED MY CASE S/111150/2010 PETER STILL V TESCO STORES LTD /JOHN GILCREST / BRUCE BALBERSTON/ JOHN CLENGHAN / GUY HENDERSON ET1 9/08/2010/ALL C/O TESCO DISTRIBUTION CENTRE LIVINGSTON SCOTLAND /ETJUDGE ON 08/04/2011 AT PRE-HEARING REVIEW FRIDAY / ATTENDED BY CLAIMANT PETER STIL PPL MR PASACONDOLO SQUIRE SANDERS LLP FOR ALL NAMED RESPONDENTS / WITHOUT EITHER THE CLAIMANT OR MR PASACONDOLO BEING INFORMED UNTIL LETTER ORDER DATED 12/04/2011 TAT THE

I WAS DIRECT DDA95 AND UNFAIR DISMISSAL I CONTACTED ET JUDGE CRAIG AND TOLD HER THAT I DIDNT UNDERSTAND THAT DDA95 DIRECT DISCRIMINATION AND AND TE ADVSOR FROM EHRC TOLD ME NEVER TO CLAIM THAT SORT OFF DDA 95 REFUSED BY JUDGE CRAIG HEARING ON THE 16/06/2011 MR KENNETH MIGUIRE ADVOCATE FOR ALL RESPONDENTS OPENING SUBMISSION THAT DDA CLAIM DIRECT WAS SINCE LEWISHAM V MALCOLM HOUSE OF LORD 2008 BOUND TO FAIL , LOST BEFORE HARING BEGAN JUDGE CRAIG CHANGED MY WHOLE CLAIM TO A FORM OF THE DDA95 DIRECT DISCRIMINATION AND LEFT ME WITH A NORAL UNFAIR DISSMISAL WHICH WAS BOUND TO FAIL AS WELL ON 23/06/2011 I REQUESTD RITTEN REASONS AND RECEIVED THIS ON ORDER DATED 22/07/2011 SIGNED BY ET JUDGE SUSAN A CRAIG , SHE LEFT OUT THE OPENING SUBMISSION ON 16/06/2010 AND ALL THE REST OF THE PART THAT SHOWED IT WAS JUDGE CAIGS WHO RUINED MY WHOLE LEGAL CLAIM S/111150/2010 22/07/2011 IN THE APPEALS THAT FOLLOWED UKPAS/0100/11/BI PETER STILL V TESCO STORES LTD AND OTHERS APPEAL TO EAT SCOTLAND 18/08/2011 COURT OF SESSION 22/09/2012 AND CONTINUES TO PRESENT WITHOUT ANY HELP DOING ALL THIS ON MY OWN LOST EVERYTHING EVERY HAD AND TE WILL TO LIVE AT XMAS LAST YEAR AND TO BE PUT THOUGH SAME AGAIN YEAR LATER BY SAME PEOPLE ATTHE EHRC SCOTLAND AND JOINED BY THE EHRC IN ENGAND WALES HAD ME SUICDAL THIS YEAR AT XMAS AGAIN HAD BE TOLD BY MYSELF AND MENTAL HEALTH ADVOCACY AND THAT WAS ALL IGNORED / IM ASKING FOR COMPENSTION REGRDS THE COMPLAINT COM417 STILL/ 19/12/2013 COM417 03/01/2014 JACKIE DRIVER COM417R THE SUM OF 150,000 POUNDS STERLING / ONE HUNDRED AND FIFTY THOUSAND POUNDS , I WOULD ASK YOU DO DEAL WITH THIS REVIEW ASAP AS FROM 14/10/2013 UNTIL PRESENT DATE NOT MENTIONED ONCE WHAT MY COMPLAINT AGAINST EHRC WAS I NEED THIS DEALT WITH TO TAKE MY ORGINAL COMPLAINT SCOM18/STILL 14/10/2013 11/11/2013 / TO THE PARLIMENTARY OMBUDSMAN YOUR ORGINISATION IS SUPPOSED TO HELP DISABLED PEOPLE LIKE MYSLFWHO AS DISABLED PHYSICALLY AND MENTAL HEALTH INSTEAD YOU CONTINE TO DO THE OPPOSITE PLEASE STOP CANT TAKE MUH MORE OF THIS OF EHRC . PETER STILL 01/02/2013 SEND THIS COMPLAINT REVIEW DIRECTLY TO ME AND ALSO TO MENTAL HEALTH ADVOCAY ASAP

We have teamed up with AbilityNet and BCS to develop a new e-learning course that will equip individuals and businesses with the right skills to create accessible websites. Visit: www.equalityhumanrights.com/webaccessibilityessentials

Our vision

A modern Britain where everyone is treated with dignity and respect, and we all have an equal chance to succeed.

Legal disclaimer

This email has been originated in the Equality and Human Rights Commission, which is an information and guidance service and not a legal advice service. If you require legal advice, please contact a solicitor. This paragraph does not apply to an individual who is assisted under section 28 Equality Act 2006. This email message, including any attachments, is from the Equality and Human Rights Commission and is intended for the addressee only. It may contain information that is privileged and confidential. If you are not the intended recipient, you must not copy, distribute or take any action in reliance of it.

Security warning: Please note that this email has been created in the knowledge that Internet email is not a 100% secure communications medium. We advise that you understand and accept this lack of security when emailing us.

If this email message has been sent to you in error, please notify us immediately by replying to this email. The Equality and Human Rights Commission accepts no responsibility for any changes made to this message after it has been sent by the original author. This email or any of its attachments may contain data that falls within the scope of the Data Protection Acts. You must ensure that any handling or processing of such data by you is fully compliant with the

requirements of the Data Protection Act 1984 and 1998.

The Equality and Human Rights Commission was established by the Equality Act 2006 as the Commission for Equality and Human Rights.

We have teamed up with AbilityNet and BCS to develop a new e-learning course that will equip individuals and businesses with the right skills to create accessible websites. Visit: www.equalityhumanrights.com/webaccessibilityessentials

Our vision

A modern Britain where everyone is treated with dignity and respect, and we all have an equal chance to succeed.

Legal disclaimer

This email has been originated in the Equality and Human Rights Commission, which is an information and guidance service and not a legal advice service. If you require legal advice, please contact a solicitor. This paragraph does not apply to an individual who is assisted under section 28 Equality Act 2006. This email message, including any attachments, is from the Equality and Human Rights Commission and is intended for the addressee only. It may contain information that is privileged and confidential. If you are not the intended recipient, you must not copy, distribute or take any action in reliance of it.

Security warning: Please note that this email has been created in the knowledge that Internet email is not a 100% secure communications medium. We advise that you understand and accept this lack of security when emailing us.

If this email message has been sent to you in error, please notify us immediately by replying to this email. The Equality and Human Rights Commission accepts no responsibility for any changes made to this message after it has been sent by the original author. This email or any of its attachments may contain data that falls within the scope of the Data Protection Acts. You must ensure that any handling or processing of such data by you is fully compliant with the requirements of the Data Protection Act 1984 and 1998.

The Equality and Human Rights Commission was established by the Equality Act 2006 as the Commission for Equality and Human Rights.

PLEASE NOTE: THE ABOVE MESSAGE WAS RECEIVED FROM THE INTERNET.

On entering the GSI, this email was scanned for viruses by the Government Secure Intranet (GSI) virus scanning service supplied exclusively by Cable & Wireless in partnership with MessageLabs.

In case of problems, please call your organisational IT Helpdesk.

The MessageLabs Anti Virus Service is the first managed service to achieve the CSIA Claims Tested Mark (CCTM Certificate Number 2006/04/0007), the UK Government quality mark initiative for information security products and services. For more information about this please visit www.cctmark.gov.uk

You can contact me on: 0300 061 4291
gemma.johnson@ombudsman.org.uk

Our reference: EN-182252/0073

In Confidence
Mr Peter Still
113 Glebe Road
Whitburn
BATHGATE
EH47 0AX



5 February 2014

Dear Mr Still

Your complaint to the Parliamentary Ombudsman

Thank you for your complaint which we received on 31 January 2014 about The Equality and Human Rights Commission (The EHRC). You complain about the decision of the EHRC not to assist you with your case. You also have concerns about documents they have lost. I was sorry to learn of your concerns.

At this time we have decided that we should wait until you have completed The EHRC's complaints process before we look at your concerns further. This is because we often find that organisations themselves are in the best position to resolve complaints about their service quickly and effectively. It is also important for organisations to have full opportunity to resolve complaints themselves before we become involved.

I have contacted The EHRC about your complaint. They have advised me that they are currently reviewing your complaint about lost documents at stage two of their complaints procedure. The EHRC hope to respond to you by 17 February 2014.

If The EHRC is unable to resolve your complaint to your satisfaction, you can then return to the Ombudsman. If you do need to return to us, it is important that The EHRC have provided you with their final response to your complaint, and confirmed that there is nothing further that they can do to try to resolve your concerns.

At that stage you will need to ask an MP to refer your complaint to us, as we cannot consider a complaint about The Equality and Human Rights Commission unless it has been



INVESTORS
IN PEOPLE | Bronze



Printed on 100%
recycled paper

Millbank Tower
Millbank
London SW1P 4QP

Enquiries: 0345 015 4033
Fax: 0300 061 4000

Email: phso.enquiries@ombudsman.org.uk

www.ombudsman.org.uk

referred to us by an MP. You can contact your local MP, Mr Michael Connarty, using the following details:

Mr Michael Connarty, MP
Room 8
5 Kerse Road
Grangemouth
FK3 8HQ

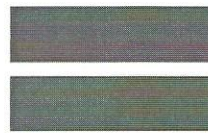
Telephone: 01324 474832

The easiest way to bring your complaint to us is by completing our complaint form and then passing it to your MP to sign. I have enclosed a copy of our form, which can also be downloaded from our website at: www.ombudsman.org.uk.

When you complete the form, please make sure you give us as much information as you can, as this will help us to deal with your complaint as quickly as possible. In particular, you will need to:

- explain what was wrong with the response(s) you have already received to your complaint;
- say what you want us to achieve for you;
- send us copies of any relevant correspondence and papers that you have;
- give written permission for us to obtain any papers and records connected to the complaint; and
- confirm whether you are taking legal action about it (because, by law, that may prevent us from looking at the complaint).

I should make you aware that we are unable to overturn the decision of The EHRC to not assist you with your case. We can only look at whether there has been any failings in the decision making process.



**Equality and
Human Rights
Commission**

Peter Still
113 Glebe Road
Whitburn
West Lothian
Scotland
EH47 0AX

Email: peterstill1969@hotmail.co.uk

Our Ref: COM417R

06 February 2014

Dear Mr Still

Subject: Review of Complaint dated 19 December 2013

I am writing in response to your request for a review of the complaint about the loss of documents that you sent to the Equality and Human Rights Commission.

Firstly, I would like to repeat the apology given to you in writing by Jackie Driver in her letter to you of 3 January 2014. I am extremely sorry for this error, and for any inconvenience and distress that this may have caused you. It is regrettable that on this occasion we did not send your sensitive and important documents by registered or recorded delivery, as would be normal in such cases. I would like to reassure you that we have learnt from this mistake and are carrying out training for all our staff on how to treat sensitive information. We have also written to all our staff to stress the need to take greater care in arrangements for posting such personal information in the future.

EHRC Correspondence Unit
2nd Floor Arndale House
The Arndale Centre
Manchester
M4 3AQ

Tel: 0161 829 8100
Textphone: 020 7832 7880
Email: correspondence@equalityhumanrights.com

I understand that we have copies of the majority of the documents that you sent to us up until the end of 2013. We hold a file of documents that are copies of your paperwork up to March 2013 which I understand has already been sent to you. However if you do not have copies of any of these documents and would like us to send copies to you, please do let me know.

In your email of 1st February 2014 you refer to requesting that Angela Barclay copy and return the documents that you had sent in to the Commission towards the end of October 2013. When Angela received your email on 7th November making this request she had already sent the documents to the Complaints team on 1st November. While we have no way of knowing if there were additional documents that related to the period March 2013 to end October 2013 our hope is that there were at most a few given the historic nature of your complaint(s). We note that in an email to Angela on 29th October 2013 you state "was at msp yesterday and they have all my documents which they are going to copy and give me the originals back". From this it would seem that your MSP may have your original documents or may have already returned the original documents to you.

Finally, since starting my review of your complaint we have received an email from you requesting compensation. Before we could consider this, we would need an explanation of the scale of the loss that you have suffered that would justify the level of compensation you are asking for. I would be grateful, therefore, if you could provide justification for this claim. In the meantime, I would like to reiterate my apology for our failure and assure you that we have taken steps to prevent its recurrence.

Yours sincerely

Colin Douglas
Director of Communications

EHRC Correspondence Unit
2nd Floor Arndale House

EHRC Correspondence Unit
2nd Floor Arndale House
The Arndale Centre
Manchester
M4 3AQ

Tel: 0161 829 8100
Textphone: 020 7832 7880
Email: correspondence@equalityhumanrights.com

The Arndale Centre
Manchester
M4 3AQ

Email: correspondence@equalityhumanrights.com

EHRC Correspondence Unit
2nd Floor Arndale House
The Arndale Centre
Manchester
M4 3AQ

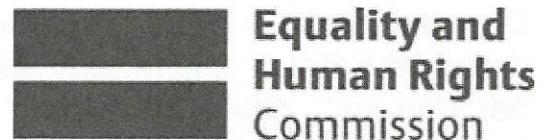
Tel: 0161 829 8100
Textphone: 020 7832 7880
Email: correspondence@equalityhumanrights.com

Dalvi Arif

From: peter still <peterstill1969@hotmail.co.uk>
Sent: 15 August 2014 08:29
To: Complaintsphso
Subject: FW: COM417R Still 20140212 AcknowledgementOfEmail

VF-ITEM-ID: 2456935:1759151:197518:M02878236

From: complaints@equalityhumanrights.com
To: peterstill1969@hotmail.co.uk
Date: Wed, 12 Feb 2014 15:19:04 +0000
Subject: COM417R Still 20140212 AcknowledgementOfEmail



Mr Peter Still
113 Glebe Road
Whitburn
West Lothian
Scotland
EH47 0AX

Email: peterstill1969@hotmail.co.uk

Our ref: COM417R

12 February 2014

Dear Mr Still

Subject: Request for documents and Information concerning your review

Thank you for your email dated today, in which you have made a request for the following:

1. A copy of the documents held by the EHRC, which you request to be sent to you by special delivery

2. The name of the member of staff conducting the stage 2 review of your complaint
3. The name of the member of staff you spoke to on 20 January 2014 when requesting a verbal review of your stage complaint

Question 1

In regards to question 1 and your request to be sent copies of the documents held on file by the Commission. Copies of these document will be sent to you as quickly as possible, and by no later than 26 February 2014 by special delivery mail as requested.

Question 2

The member of staff who conducted the stage 2 review of your complaint was Colin Douglas the Director of Communication. This was highlighted in the final response dated 06 February 2014, and sent to Ms Campbell your Mental Health Advocate as per your instructions in previous correspondence and most recently, verbally to Lynn Welsh on 24 January 2014, stating that you did not want any direct communication with the Commission and that communication should be made via your mental health advocate. If these instructions have now changed and you would like the Commission to communicate directly with you, then please let us know.

Question 3

The member of staff who spoke to you and took details of your verbal request for a stage 2 review of your complaint on 20 January 2014, was Oliver Varney a Corporate Communications Officer from the Correspondence Unit.

If you have any further queries regarding the review of your complaint, please contact us using the details below.

Yours sincerely

Markus Piscapore-Caruana
Corporate Communications Officer

Correspondence Unit
Equality and Human Rights Commission
Arndale House
The Arndale Centre
Manchester
M4 3AQ

Email: complaints@equalityhumanrights.com

Dalvi Arif

From: peter still <peterstill1969@hotmail.co.uk>
Sent: 15 August 2014 08:27
To: Complaintsphso
Subject: FW: Mr. Peter Still and the EHRC (for the attention of Karen Campbell at mhap)

VF-ITEM-ID: 2456935:1673103:197518:M02878233

From: CorporateLaw@equalityhumanrights.com
To: admin@mhap.org.uk; peterstill1969@hotmail.co.uk
Date: Mon, 17 Feb 2014 14:54:17 +0000
Subject: Mr. Peter Still and the EHRC (for the attention of Karen Campbell at mhap)

Dear Mr Still,

Thank you for your e-mails of 1st and 12th February 2014. We also acknowledge the addition 8 emails we received from you on 14th February 2014.

We have reviewed your correspondence history with the Commission (email and telephone) and we consider your comments made about the EHRC officer Oliver Varney unfounded. We are of the view that Oliver has made every attempt to assist you with your various requests. If you have not found this to be the case we apologise but we cannot see any evidence for the assertions you have made against him.

We understand the matters you have raised in previous e-mails and phone calls have now been referred to the Public and Health Services Ombudsman (PHSO) for consideration. While the PHSO is looking into the issues you have raised we will correspond directly with the Ombudsman, and provide any information they may request from us. However, until PHSO's assessment has concluded we do not consider it appropriate for us to continue to correspond directly with you in relation to these matters.

As such, please do not contact the Commission further on these matters and please note we will not acknowledge or respond to further contact from you. Having said this, and at your previous request, we will respond to your appointed health advocate, Karen Campbell, if deemed necessary. The single point of contact for her to raise matters with us is the following email address corporatelaw@equalityhumanrights.com. This email has been copied to Ms. Campbell.

Regards,

karen campbell

From: peter still [peterstill1969@hotmail.co.uk]
Sent: 12 February 2014 05:33
To: karen.campbell@mhap.org.uk
Subject: FW: Mr Still - paperwork
Attachments: Letter to the Law Society re Mr Still.doc

From: karen.campbell@mhap.org.uk
To: peterstill1969@hotmail.co.uk
Subject: FW: Mr Still - paperwork
Date: Wed, 22 Jan 2014 03:42:17 -0800

Hi Peter

How is the reply I got from Fiona's office regarding your paperwork. Let me know what you want to respond.

Speak to you soon

Karen

From: Jennifer.Adam@scottish.parliament.uk [mailto:Jennifer.Adam@scottish.parliament.uk]
Sent: 21 January 2014 05:37
To: karen.campbell@mhap.org.uk
Subject: RE: Mr Still - paperwork

Hi Karen,

Thanks for contacting me, I had tried to get in touch with someone from MHAP since Mr Still's visit in October to get him to check off a letter but have had no reply. I have attached it and my emails below.

Have Mr Still's files in Parliament at the moment, are you able to advise if he is still looking for assistance?

Many thanks for your help,

Best wishes,

Jen

From: Adam JL (Jennifer)
Sent: Wednesday, December 04, 2013 3:16 PM
To: Morgan Callachan (morgan.callachan@mhap.org.uk)
Subject: FW: FAO Morgan Callaghan

Hi Morgan,

Can I check if this has been picked up?

Letter to the Law Society:

Dear XX,

I am writing on behalf of a constituent of mine who has been experiencing difficulty in acquiring legal representation.

To give you some background, my constituent had worked at the Tesco Distribution centre in West Lothian until May 2010. However due to back problems he had to take time off. I understand that he supplied his employer with a doctor's note. This led to certain shift changes, he was moved to night shift in a different building.

He was given a disciplinary and eventually let go. He has informed me that his union USDAW would not intervene.

Although he wanted to appeal this decision on the grounds of Wrongful Dismissal, he was advised by (Susan Craig? Tesco Employment Manager?) that he would have a better chance of appealing on the grounds of disability – his reason for needing time off in the first place.

Despite disputing this, I understand that Ms Craig went ahead with what she felt was best for my constituent. Unfortunately, he lost his appeal and believes it is the fault of Ms Craig who is now an employment judge and cannot be called upon to question her actions in her past role.

My constituent has been told on a number of occasions that he has a case and that he is eligible for legal aid. Indeed he has spoken to (list lawyers) However he has also been informed by a number of solicitors that they will not take on his case. Further to this they informed my constituent that no solicitor would likely take on his case.

It seems that my constituent has been misled through much of his appeal procedure. I am aware that he has learning difficulties however he has assistance in this area from MHAP (Mental Health Advocacy Project West Lothian) who advised him to visit me to request further assistance.

I was hoping you could help clarify why he has been advised that he does have a case, yet no solicitor in Scotland will take it on. I would also appreciate your advice on how my constituent could obtain a lawyer to assist him with his case.

Thank you for your time and I look forward to hearing back from you.

Kind regards,

[Print](#)[Close](#)

**RE: URGENT FOR THE ATTENTION OF FIONA HYSLOP
MSP FROM PETER STILL**

From: **Jennifer.Adam@scottish.parliament.uk**

Sent: 14 February 2014 15:12:43

To: peterstill1969@hotmail.co.uk

Dear Mr Still,

Thank you for your further email, happy to chat more on this on Monday. I will speak to your project worker on Monday too, she does not work on a Friday.

I'm sorry if wires have been crossed, but please be assured that if Fiona can help you with this she will.

Kind regards,

Jennifer Adam

Parliamentary Assistant to

Fiona Hyslop MSP for Linlithgow

Scottish Parliament

Holyrood

EH99 1SP

0131 348 5921

From: Morgan Callachan [<mailto:morgan.callachan@mhap.org.uk>]
Sent: Friday, September 20, 2013 10:47 AM
To: Adam JL (Jennifer)
Subject: RE: FAO Morgan Callaghan

Dear Jennifer,

Thank you for your reply.

I have spoken to Mr Still and he would like to arrange an appointment with Fiona; his issue is now with the Scottish justice system rather than the employment issue itself and so he feels it would be more appropriate to speak to his MSP.

I have tried to call you a number of times this week to arrange an appointment and have left a message on your answering machine, however have been unable to reach you. I have also left a message with the Constituency Office asking if you would be able to call me back.

Please could you call me on the number below so that we can arrange a time for Mr Still to meet with Fiona, or alternatively could you advise a suitable time that I can call you.

Thank you in advance for your help.

Kind regards,
Morgan



Morgan Callachan
Project Worker
Mental Health Advocacy Project (West Lothian)
Mental Health Resource Centre
Strathbrock Partnership Centre
189a West Main Street
BROXBURN
West Lothian
EH52 5LH

Tel: 01506 857230
Email: morgan.callachan@mhap.org.uk

From: Jennifer.Adam@scottish.parliament.uk [<mailto:Jennifer.Adam@scottish.parliament.uk>]
Sent: 13 September 2013 14:48

0131 348 5921

Subscribe to Fiona Hyslop MSP eNewsletter by [clicking here](#)

www.fionahyslop.com

facebook/fjhyslop

twitter/fionahyslop

From: peter still [mailto:peterstill1969@hotmail.co.uk]

Sent: Friday, February 14, 2014 7:29 AM

To: Adam JL (Jennifer)

Subject: URGENT FOR THE ATTENTION OF FIONA HYSLOP MSP FROM PETER STILL

I AM CONTACTING YOU REGARDS MY MEETING WITH YOU ON THE 28/10/2013
REGARDS MY LEGAL CLAIM S/111150/2010 PETER STILL V TESCO STORES LTD AND
OTHERS REGISTERED JUDGEMENT 22/07/2011 SIGNED BY ETJ SUSAN A CRAIG , I HAVE
JUST SEEN THAT LETTER YOU HAVE REGARDS MY MEETING ON THE 28/10/2013 , ITS
CONTENTS AND MOST OF ALL THE PART WHERE YOU SAY THAT I HAVE LEARNING
PROBLEMS , AND THAT YOU WERE SENDING IT TO THE LAW SOCIETY , NOW I CAN
ASSURE YOU THAT IF I DONT GET A REPLY TO THIS EMAIL BY END OF TODAY YOUR
PHOTO WILL BE IN THE PAPER ALONG WITH YOUR BOSS ALEX SALMOND . AND THAT
LETTER THAT YOU INTENDED TO SEND AFTER NEARLY 3 AND A HALF MONTHS , SAME
TIME I ATTENDED YOUR WHITBURN OFFICE ONM THE 28/10/2013 , I HAD A COMPLAINT
ONGOING REGARDS MY LEGAL CLAIM TO THE EQUALITY HUMAN RIGHTS
COMMISSION , AND FOR THE SAME EXACT TIME ITS VTOOK YOU TO REPLY REGARDS
MY SAME LEGAL CLAIM , THE EHRC STAFF HAVE MADE MYU LIFE A TOTAL MISERY TO
THE POINT THEY HAD PUT ME IN LAST YEAR AT XMAS THINKING OF ENDING MY LIFE
ONCE AGAIN , NOW THEY SEEM TO KNOW A LOT ABOUT MY VISIT TO YOUR OFFICE
AND IM GOING TO TELL YOU WHY , I HAVE ONLY MENTIONED ONCE THAT I HAD
WENT TO SEE A MSP ABOUT MY LEGAL CLAIM THAT WAS ON THE 29/10/2013 , NOW
THIS IS THE ONLY TIME AND NEVER ONCE AFTER , NOW HOW MANY MSPS COULD I

Complaints Policy and Procedure (External) Policy

If you require this document in an alternative format please contact us at complaints@equalityhumanrights.com

The Equality and Human Rights Commission Complaints Policy and Procedure

The Equality and Human Rights Commission Complaints Policy and Procedure.....	1
What is a complaint?.....	2
Our standards for handling complaints.....	2
Confidentiality.....	4
How to Complain	4
Service complaints procedure.....	6
If you are still dissatisfied.....	6
Timescales	7
Our timescales for handling a complaint comply with guidance issued by the Public and Health Services Ombudsman.....	7
Remedies.....	8
Compensation.....	8
Vexatious and repetitive complaints, and unreasonable or abusive behaviour	9
We have a policy which sets out how we will respond to these situations.....	9
Recording complaints	9
Contacting us.....	10
Reasonable adjustments and alternative formats	10
Comments and non-service complaints.....	11

The Equality and Human Rights Commission is committed to providing a high quality, transparent and accessible service to everyone we deal with. In order to do this we need you to tell us when we get things wrong. We want to help resolve your complaint as quickly as possible.

We handle any expression of dissatisfaction with our service which calls for a response as a complaint. We listen to your complaints, treat them seriously, and learn from them so that we can continuously improve our service.

What is a complaint?

A complaint is an expression of dissatisfaction, whether justified or not.

Our policy covers complaints about:

- the standard of service you should expect from us
- the behaviour of our staff in delivering that service
- any action, or lack of action, by our staff or others engaged on Commission business

We refer to these complaints as "service complaints".

Our complaints policy does not cover:

- comments about our policies or policy decisions
- dissatisfaction or complaints expressed with our policies or decisions about individual cases, funding, or requests for legal advice and assistance
- matters that have already been fully investigated through this complaints procedure
- anonymous complaints

We refer to these types of comments or complaints as "non-service complaints". These are handled differently, as set out in the "Comments and Non-service complaints" section on page 11.

Our standards for handling complaints

- We can receive complaints by letter or email, or alternatively if required by virtue of reasonable adjustments. We treat all complaints seriously
- You can expect to be treated with courtesy, respect and fairness at all times. We expect that you will also treat our staff dealing with your complaint with the same courtesy, respect and fairness
- We will treat your complaint in confidence within the Commission

- We will deal with your service complaint promptly. We will acknowledge receipt of a written complaint within five working days where we have a return address and you can expect to have a full reply within 20 working days. In a few cases we will not be able to send a full reply within 20 working days of receipt, for example if your complaint is very complex. If this happens, we will tell you the reason why and let you know when we will be able to reply in full, keeping you fully informed of progress.
- You can find further information in our Annual Report and Accounts on the numbers and categories of service complaints and the percentage of those upheld
- We will not treat you less favourably than anyone else because of your:
 - sex or legal marital or same-sex partnership status: this includes family status, responsibility for dependants, and gender (including gender reassignment, whether proposed, commenced or completed)
 - sexual orientation
 - colour or race: this includes ethnic or national origin or nationality
 - disability
 - religious or political beliefs, or trade union affiliation
 - any other unjustifiable factors, for example language difficulties, age, pregnancy and maternity.

Third Party Reporting

Complainants may wish to have a third party act on their behalf. A third party is any person or organisation acting on behalf of or making enquiries for the complainant. For example, third parties may include:

- advice organisations
- professionals such as social workers, community psychiatric nurses or doctors, solicitors
- family members or friends

Where a third party is helping a complainant with a particular complaint, we need written consent to that effect. Where we have this authority, we will endeavour to take all possible steps to keep the third party informed of progress on the complaint.

We do not need written consent if a MP or elected Councillor is helping a constituent with a complaint, and we can disclose information to them in response to their enquiries.

Also, some lawyers and attorneys are legally empowered in certain circumstances to act on behalf of a complainant, and consent to disclose information is not required.

Confidentiality

All complaints received will be dealt with confidentially and in accordance with the requirements of the Data Protection Act 1998, subject to the need to disclose information as required by statutory authorities, and/or as a result of statutory, legal or parliamentary obligations placed on the Commission.

How to Complain

If you wish to make a complaint, you can do so by

- email
- letter

If you are disabled, and need a reasonable adjustment to ensure you can register your complaint, you can contact us alternatively by:

- text-phone
- telephone (one of our officers will help you by writing out your complaint)
- asking a member of staff to help you in writing out your complaint

Our contact details are in the Contacting Us section below. If you require different adjustments, let us know and we will try and put those arrangements in place where we can.

How we will process your complaint

Complaint received and logged

Stage 1
Acknowledgement sent within 5 working days
Complaint sent to senior officer to assess

Full response sent within 20 working days

Are you happy with our response?

Yes
Complaint closed and any lessons drawn - thank you

No
Ask for a review of our response

Stage 2
Acknowledgement sent within 5 working days
Complaint sent to Director to review

Full response sent within 20 working days

Are you happy with our response?

Yes
Complaint closed and any lessons drawn - thank you

No
Consider sending your complaint to the Ombudsman

Service complaints procedure

We have a two-stage service complaints handling procedure, explained above. At each stage it will help us to resolve your complaint quickly if you can give us as much clarity and detail as possible, including providing any documents and correspondence and stating that you are making a complaint. If we do not have all the details required to deal with the complaint, we may contact you and ask you for further information.

Our Correspondence Unit is responsible for managing the handling of service complaints including notifying you of the outcome.

Stage 1

This is the first opportunity for us to resolve your dissatisfaction. We expect the majority of complaints to be resolved at this stage. On receipt of your complaint we will contact a senior officer from the most appropriate directorate and ask them to respond to your complaint. This includes any service complaints about our former services where we still retain relevant information.

Stage 2

If you are dissatisfied with the response at stage 1, you may request a review. This will be carried out by a responsible Director (or Deputy Director). Your request together with all subsequent correspondence relating to it should be sent to our Correspondence Unit, who will forward your request to the relevant Director to be reviewed.

If you are still dissatisfied

If having followed the two internal stages of our service complaints procedure you remain dissatisfied, you can ask to have your complaint reviewed by the Parliamentary and Health Service Ombudsman (the Ombudsman) who is independent of the Commission. The Ombudsman will assess whether there is evidence of service failure or maladministration on our part. You have a maximum of **28 days** from the date of the Commission's final response to register a complaint with the Ombudsman.

You can only refer your complaint to the Ombudsman through your Member of Parliament (MP). You should contact your MP and ask them to refer your complaint to the Ombudsman. The Ombudsman can carry out independent investigations into complaints about government

departments, agencies and some public bodies which include the Equality and Human Rights Commission.

You can contact the Parliamentary and Health Service Ombudsman at:

**Millbank Tower
Millbank
London
SW1P 4QP**

Telephone or fax: 020 7217 4000

Textphone (Minicom): 0300 061 4298

<http://www.ombudsman.org.uk/>

Timescales

Our timescales for handling a complaint comply with guidance issued by the Public and Health Services Ombudsman.

Stage 1

We will acknowledge complaints within 5 working days of receiving each complaint. We will send a full response within 20 working days of receiving each complaint.

If you make a complaint in person to a member of our staff (at an event or meeting), we will record your complaint in writing within 3 working days, and acknowledge it within 5 working days thereafter. We will then deal with your complaint in accordance with our policy for written complaints.

Stage 2

We will acknowledge complaints within 5 working days of receiving each complaint. We will send a full response within 20 working days of receiving each complaint.

Extending time limits

We aim to complete our investigation into all complaints received about our service within the timescales set out above. However, in a limited number of cases - for example, if a complaint is very complex or requires further breakdown, it may be necessary to extend the time limit to ensure we have all the information necessary to deal with it. If this is the case we will keep you informed of progress with the investigation, the reasons for the delay, and inform you of next steps.

Remedies

When we get things wrong we will act to:

- accept responsibility and apologise
- explain what went wrong and why, and
- put things right by making any changes required
- learn lessons from mistakes and change policies and practices where proportionate and sensible to do so

The action we take to put matters right (i.e. redress) in response to a service complaint can include any combination of the remedies set out in the list below. The general principle we follow is that complainants should, so far as possible, be put in the position they would have been in, had things not gone wrong.

The remedy applied needs to be proportionate and appropriate to the failure in service, and take into account what redress people seek when they complain. An apology is generally the most appropriate action, but other action may also be necessary in some circumstances.

List of remedies

- A full apology, explaining what happened and/or what went wrong. (an apology is not an acceptance of liability under Section 2 of the Compensation Act 2006)
- Remedial action, which may include reviewing or changing a decision on the service given to an individual complainant
- Provide the service required in first instance (immediately, if appropriate)
- Putting things right (for example a change of procedure to prevent future difficulties of a similar kind, either for the complainant or others)
- Training or supervising staff; or a combination of both
- Financial compensation

Compensation

In the majority of cases, remedies other than financial compensation will satisfy the complainant. Financial compensation is a final option, and will

only apply in cases where the loss or suffering is considered to warrant such a payment i.e. in cases of actual direct or indirect financial loss.

In circumstances where it is decided that our action or lack of action has resulted in maladministration, if the complainant has suffered direct or indirect financial loss, compensation may be payable. In determining this, we will have regard to the Parliamentary and Health Service Ombudsman's (PHSO) published "Principles for Remedy".

Where it is decided, following investigation of a complaint, that a complainant has suffered an injustice and or hardship resulting in direct or indirect financial loss due to maladministration, we will determine whether compensation is an appropriate remedy by looking at all the evidence, including how much the complainant can demonstrate they have lost, or what extra costs they have incurred as a result of our maladministration.

The reason for our decision will be recorded by the decision maker and included in our response.

Vexatious and repetitive complaints, and unreasonable or abusive behaviour

All complaints will be dealt with in accordance with this policy. However, unreasonable or abusive complaint behaviour does happen from time to time, and vexatious and repetitive complaints are an increasing problem for public sector bodies. Difficulties in handling such situations can place strain on time and resources and can be stressful for staff who have to deal with these complex and challenging issues.

The Parliamentary and Health Service Commissioner defines unreasonably persistent complainants as:

"Those who, because of the frequency or nature of their contact with an authority, hinder the authority's consideration of their or other people's, complaints".

We have a policy which sets out how we will respond to these situations.

Recording complaints

Complaint details, outcomes and actions taken are recorded by us and used for service improvement. We record all complaints we receive and collate data from them to help us understand what types of problems are most prevalent, and how well we are doing to resolve them.

We value your feedback and expect to use it to help us to:

- get things right in the future if we have not done so already
- become more customer focused
- be more open and accountable
- act fairly and proportionately
- seek continuous improvement

We will handle your information so that it is only processed and retained appropriately and legally, in line with data protection legislation.

Contacting us

All complaints and requests for review under our complaints procedure should be sent to:

Correspondence Unit
Equality and Human Rights Commission
2nd floor Arndale House
The Arndale Centre
Manchester
M4 3AQ

Email: complaints@equalityhumanrights.com

If you are unable to contact us in writing as above, and require a reasonable adjustment because you are a disabled person, please contact us via

Telephone 0161 829 8327 or

Textphone 0203 117 0238

or

Fax: 0161 829 8110

Reasonable adjustments and alternative formats

The Commission is committed to equal opportunities and our aim is to make our corporate complaints policy easy to use and accessible to all of our customers. We will take reasonable steps to accommodate any reasonable adjustments you may have to enable you to access this policy or receive responses to complaints in other formats, and provide such assistance as you may reasonably require.

This policy is also available in Welsh.

Page 10 of 16

Complaints Policy and Procedure (External) Policy 20131002 MBB

If you would like the policy or a response to a complaint in another format (such as Braille, audio CD, BSL video, large print or Easy Read) please contact complaints@equalityhumanrights.com.

Comments and non-service complaints

Quality of service is an important measure for us of our effectiveness. Learning from complaints, including non-service complaints (complaints not covered by this policy), is a powerful way of helping continuous improvement at the Commission and enable us to better deliver to our values and standards. All non service complaints will be looked at by a responsible manager from the appropriate team, and a response, if required, sent to you directly within 20 working days where possible. Non-service complaints should be sent to the Correspondence Unit.

As well as learning from your complaints we are also interested in ideas you may have on how we might do things better. We would also like you to tell us when we do things well.

Your comments will be passed on to the relevant team and we will use them to help improve our service and the way we do things. You can make your comments by contacting any members of our staff, or you can e-mail the Correspondence Unit.

Schedule 1 to Service Complaints Policy

Vexatious Complaints, Unreasonable and Abusive Behaviour Policy

This policy is integrated with other existing Commission policies. It does not address issues of health and safety directly, which are dealt with elsewhere.

This policy deals with service complaints which Commission staff consider vexatious or repetitive, and behaviour which we deem as unreasonable. It has been developed taking into account the Information Commissioner's (ICO) guidance under the Freedom of information Act 2000.

Some complaints may relate to our final decisions on matters such as:

- applications for grants;
- applications for legal assistance;
- requests for enforcement action; or
- requests for changes to our policies.

There are separate Commission procedures addressing such matters. Where those procedures have been exhausted, any subsequent complaints which are deemed to be vexatious or repetitive, will also be dealt with in accordance with this policy.

1. Vexatious or repetitive complaints

We sometimes receive complaints which can be deemed '**vexatious**' or '**repetitive**'. Some of these complaints can be costly to handle; or responding to them may be a disproportionate use of our staff's time.

Deciding whether a complaint is vexatious requires us in each case to take into account the context and history of the complaint. We will consider whether the complaint is likely to cause unjustified distress, disruption or irritation. In particular, we will consider the following issues:

- Could the complaint fairly be seen as obsessive?
- Is the complaint harassing or causing distress to staff?
- Does the complaint appear to be designed to cause disruption or annoyance?
- Does the complaint lack any serious purpose or value?

The concern we will address is whether a complaint is vexatious in terms of the effect of the request on us and not whether the applicant is personally vexatious.

By its ordinary meaning, the term "vexatious" refers to activity that "is likely to cause distress or irritation, literally to vex a person to whom it is directed".

For a complaint to be vexatious, we will consider whether there is a proper or justified cause for it. We will not only examine the complaint itself, but also its context and history. That context may include other complaints made by the applicant to us (whether complied with or refused), the number and subject matter of the complaints, as well as the history of other dealings between the complainant and ourselves. The effect a complaint will have may be determined as much, or indeed more, by that context as by the complaint itself.

We will take into consideration the following factors (which is not an exhaustive list) when determining whether a complaint is vexatious:

- where the complaint requests information which has already been provided
- where the nature and extent of the complainant's correspondence with us suggests an obsessive approach to disclosure
- where the tone adopted in correspondence by the complainant is confrontational and/or haranguing and demonstrates that the purpose is to argue and not really to obtain information
- where the correspondence could reasonably be expected to have a negative effect on the health and well-being of our staff
- where the complaint, viewed as a whole, appears to be intended simply to re-open issues which have been disputed

several times before, and is, in effect, the pursuit of a complaint by alternative means

- where responding to the complaint would likely entail substantial and disproportionate financial and administrative burdens for us
- where it is not a one-off complaint, but a case of the same complaints having been made repeatedly, or where on repetition, the particulars of the complaints have been varied making it difficult to know exactly what the complainant is seeking and making it less likely that the request can be satisfied

No single one of the above factors would lead to a finding, by itself, that a complaint was vexatious. However, based on the strength of the various factors, taken together with the history and context of a complaint, a complaint may be deemed vexatious by the Commission.

It is important of course that all complaints from a single source should not be deemed vexatious just because some may have been so previously. This is particularly the case if, on the face of it, the complaint seems to be specific, stand alone and straight forward. However, it is entirely appropriate and necessary, when considering whether a complaint is vexatious, to view that complaint in context - if, say, the complaint is part of a wider grievance against the Commission and is, for example, inextricably linked to an individual's quest to hold the Commission to account for perceived shortcomings.

Complaints can sometimes become a vehicle for individuals to try to reopen previous issues. Although we recognise that people are not always satisfied with the responses they receive, the raising of complaints is not a panacea for problems that have not been resolved through other channels. Continued complaints after the underlying complaint has been addressed, go beyond the reasonable pursuit of resolution.

2. Unreasonable Behaviour

The Commission understands that people may act out of character in times of distress or due to frustration. We do not view behaviour as unreasonable just because a complainant is forceful or determined.

Commission staff make reasonable allowances for complainants' behaviour.

However, sometimes the situation between a complaint and the Commission staff can escalate and the behaviour of the complainant becomes unacceptable, for example becoming abusive, aggressive or threatening. Such abusive, aggressive, threatening or vexatious complaints are in the very small minority but we sometimes find ourselves in the position where we need to restrict or bring to an end communication and access to our premises or staff.

Our staff have the right to undertake their work free from abuse, threats and harassment, or vexatious and repetitive complaints. We expect our staff to be treated with courtesy and respect. The Commission has a duty to protect the welfare and safety of staff and considers that violence, threats or abuse towards staff is unacceptable. Staff are also expected to treat complainants with courtesy, respect and fairness.

Complainants who harass, or have been abusive, aggressive or threatening on one or more occasions towards our staff - or their families or associates - directly or indirectly, will be considered unreasonable.

Any threats or acts of violence will cause direct contact with the complainant to be discontinued. Violence includes behaviour or language (written, oral, or in tone or otherwise) that may cause staff to feel afraid, threatened or abused. Examples of unacceptable behaviour includes but not exclusively threats, verbal abuse, derogatory remarks, rudeness, racist, sexist, homophobic, transphobic, disablist or other harassment based on personal characteristic or obscene remarks, repeatedly demanding disciplinary action be taken against staff, and where complainants are known to have recorded meetings or telephone conversations without consent.

We also consider that inflammatory statements and unsubstantiated allegations can amount to abusive behaviour.

Furthermore, Commission staff will bring to an end phone calls if the caller is considered aggressive, abusive or threatening. The complainant will first be told that we consider their language offensive or their behaviour unacceptable and asked to stop using such language or behaviour.

Commission staff make reasonable allowances for complainants' behaviour.

However, sometimes the situation between a complaint and the Commission staff can escalate and the behaviour of the complainant becomes unacceptable, for example becoming abusive, aggressive or threatening. Such abusive, aggressive, threatening or vexatious complaints are in the very small minority but we sometimes find ourselves in the position where we need to restrict or bring to an end communication and access to our premises or staff.

Our staff have the right to undertake their work free from abuse, threats and harassment, or vexatious and repetitive complaints. We expect our staff to be treated with courtesy and respect. The Commission has a duty to protect the welfare and safety of staff and considers that violence, threats or abuse towards staff is unacceptable. Staff are also expected to treat complainants with courtesy, respect and fairness.

Complainants who harass, or have been abusive, aggressive or threatening on one or more occasions towards our staff - or their families or associates - directly or indirectly, will be considered unreasonable.

Any threats or acts of violence will cause direct contact with the complainant to be discontinued. Violence includes behaviour or language (written, oral, or in tone or otherwise) that may cause staff to feel afraid, threatened or abused. Examples of unacceptable behaviour includes but not exclusively threats, verbal abuse, derogatory remarks, rudeness, racist, sexist, homophobic, transphobic, disablist or other harassment based on personal characteristic or obscene remarks, repeatedly demanding disciplinary action be taken against staff, and where complainants are known to have recorded meetings or telephone conversations without consent.

We also consider that inflammatory statements and unsubstantiated allegations can amount to abusive behaviour.

Furthermore, Commission staff will bring to an end phone calls if the caller is considered aggressive, abusive or threatening. The complainant will first be told that we consider their language offensive or their behaviour unacceptable and asked to stop using such language or behaviour.

If an officer considers behaviour to be unreasonable they are advised in the first instance to refer it to their manager who may seek advice and guidance before determining future contact with the complainant, be that by telephone, in person, or electronically.

Where complaints are deemed vexatious, the complainant will be notified in writing that no further correspondence will be entered into on the matter in question. The Commission will initially keep one form of contact open so that there is not a 'blanket ban' on contact for any individual.

Where unreasonable or abusive behaviour is determined, the complainant will be notified in writing that no further contact will be undertaken, and this will apply to all Commission contacts. A copy of this policy will be included and, if and where appropriate, a no-contact period specified. If further contact is necessary, the complainant will be informed that it will be made through a Director or their nominated officer/s. A decision to restrict contact will be reconsidered if the complainant subsequently demonstrates more reasonable behaviour.

If you disagree with a decision made by the Commission to regard your behaviour as unreasonable, you can challenge it. Please refer to our Complaints Policy for any challenges.

All incidents of harassment or aggression will be documented and referred to senior staff. In appropriate circumstances these matters may be referred to the police and the Commission may consider taking appropriate legal action against the complainant, if necessary, without prior warning.

PARLIAMENTARY AND HEALTH SERVICE OMBUDSMAN

Principles of Good Complaint Handling

- ① GETTING IT RIGHT.
- ② Being Customer Focused.
- ③ Being Open and Accountable.
- ④ Acting fairly and proportionately.
- ⑤ Putting things Right.
- ⑥ Seeking Continuous Improvement.

These Principles of Good Complaint Handling should be read in conjunction with
and (Principles of good Administration)
AND (Principles For Remedy)

PHSO - Ref - EN-182252

PHSO - Ref - EN-189777

PHSO - Ref - EN-197514

PHSO - Ref - HS-205710.

PHSO - Ref - PA-205710.

PARLIAMENTARY AND HEALTH SERVICE OMBUDSMAN UK - MANCHESTER - LONDON

- ① Gemma JOHNSON - CUSTOMER SERVICE OFFICER
PHSO - UK.
- ② | GEORGE GALLOWAY MP - (SIGNATURE) SECTOR 9
PARLIAMT. LONDON.
- ③ AMIR BOTANJIC - CUSTOMER SERVICE OFFICER
PHSO - MANCHESTER - UK.
- ④ STUART POOLE - CUSTOMER SERVICE MANAGER
PHSO - MANCHESTER - UK.
- ⑤ JOSYLN GOODING - REVIEWER - TEAM
PHSO - UK.
- ⑥ JAMES HARRINGTON - REVIEWER - TEAM
PHSO - UK.
- ⑦ ARIF DALVI - CASEWORKER
PHSO - MANCHESTER - UK.
- ⑧ MICK MARTIN - MANAGING DIRECTOR
PHSO - LONDON - UK.
- ⑨ JULIE MELLOR - PARLIAMT + H - OMBUDSMAN
PHSO - LONDON - UK.

PARLINGFAR AND HEALTH SERVICE OMBUDSMAN
LONDON - MANCHESTER - UK

(10) AMANDA NICHOLS - CUSTOMER SERVICE BUSINESS
UK - PHSO

(11) GILLIAN HODGSON - HEAD OF CUSTOMER SERVICE
MANCHESTER - UK. PHSO.

(12) JOANNA LENNON - CUSTOMER SERVICE - PHSO
MANCHESTER. UK.

(13) GARY JONES - CUSTOMER SERVICE - PHSO
UK.

(14) DEAN MAYLON - CUSTOMER SERVICE OFFICER
MANCHESTER - UK.

(15) RUSSEC BARR - HEAD OF INVESTIGATIONS
PHSO - LONDON - UK.

(16) SAMANTHA MCKINTOSH - ASSURANCE -
PHSO - LONDON - UK.

(17) ANGELA HOLDEN - INVESTIGATOR - PHSO
MANCHESTER - UK.

PARLIAMENTARY + HEALTH SERVICE OMBUDSMAN,
MANCHESTER - LONDON
UK

⑪ Gillian Hodgson - Head of Customer Service
(Manchester - UK)

Ref. ~~HS~~ - HS - 205710

3/11/2014 - 2/12/2014

ON BEHALF - MICK MARTIN - MANAGING DIRECTOR

PHSO - 0300 - 061 - 4434

⑫ JOANNA Lennon - Customer Service Mgr
(19/01/2015) PA 205710

MANCHESTER - UK

(4/11/2014) - HS-205710

€ 0345 - 015 - 4033

⑬ GARY JONES - PHSO - UK. MANCHESTER

Ref - HS - 205710

0300 - 061 - 4620

⑭ DEAN MAYLON - PHSO - Customer Service Officer

Ref - PA - 205710

2/12/2014

VACCINATIONS - 0345 - 0154 - 033

PARLIAMANTARY AND HEREDITARY SERVICE OMBUDSMAN

(18) Samantha Playford
Business Support Manager. (12/2/2015)

(19) Glen Fairhall
Line Manager - Angela Holder (18/2/2015
4/3/2015)

Ref. EN-182252/0073

RECEIVE (PHSO)

H86

11 APR 2014

Dr

ACKNOWLEDGED -

Del Lyhard



Parliamentary
and Health Service
Ombudsman

Making a complaint about UK Government services

The Parliamentary Ombudsman can carry out independent investigations into complaints about government departments and other public organisations. We would normally expect that the organisation you are complaining about has had the opportunity to respond to your concerns.

This form is to help us decide if we can look at your complaint. We need specific information from you so that we can deal with your complaint as quickly as possible. If we feel that we do not understand your complaint, then we may return the form to you to be completed before we take any action on your complaint.

To help us consider your complaint, we need to see all the evidence that you have about it - in particular letters to and from the organisation you are complaining about. We are happy to copy originals and return them to you.

You will need an MP to sign Section 9 of this form.

If you are unable to fill in the form or you need any advice, you can contact our helpline on 0345 015 4033.

The helpline is open from 8:30am to 5:30pm Monday to Friday, excluding public holidays.

SECTION 1: About you

If you are complaining on behalf of someone else then they must complete Section 7 of this form if they are able to.

1. About you:

Name: PETER Thomas William Steu

Address: 113 glebe road, whitburn,
west Lothian, SCOTLAND,

Postcode: EH47 0AX

Telephone number: 07586715423

Email: PeterSteu1969@hotmail.co.uk

How and when would you prefer to be contacted? Phone or email
A.S.A.P.

Do you have any special requirements for us to communicate with you? We will make adjustments for you if we can.

Are you being supported by an advocacy organisation or other representative? Please provide their details if you would like us to copy them into our correspondence.

Karen Campbell (MHAP) email (chic complaints)

We'll keep in touch with you in whichever way works best for you. However, we do need to make you aware that with email there is always a small risk of messages being intercepted. If this is your preferred way for us to contact you please let us know by ticking one of the boxes below. As a precaution, and for added peace of mind, we will also password protect any sensitive documents we send you.

To confirm you are content for us to email you, please tick this box

If you do not want us to correspond with you by email, please tick this box

2. Is the complaint on behalf of someone else? YES / **NO**

If you have answered YES to this question, please also complete questions 3 and 4.

If you have answered NO to this question, please go to question 5.

3. Who are you complaining on behalf of:

Name: _____

Address: _____

Postcode: _____

Telephone number: _____

What is your relationship to them? _____

If the person has died, please tell us the date of death here:

4. Please explain why the person who has suffered as a result of the problem is not making the complaint. We would normally expect a person to make their own complaint if they are able to. However, you can represent someone to make a complaint if you have their consent.

SECTION 2: Information about the organisation that you are complaining about

You can contact us before filling in this form if you are not sure whether your complaint is about an organisation we can consider. Our helpline number is 0345 015 4033.

5. Which organisation(s) are you complaining about?

EQUALITY AND HUMAN RIGHTS COMMISSION,
(UK) AND COMMISSION STAFF.

SECTION 3: Your complaint

We need to know what happened and why you are unhappy with the response to your complaint. Please attach additional sheets of paper if you need more room to set out your complaint. Please do not just say 'see attached' and provide copies of previous correspondence. If the organisation has not addressed all of the issues raised in your complaint, then we may decide that there is further work for the organisation to do before we look at your concerns.

6. Please briefly explain what your complaint is about:

VIOLATION OF PETER STILL, HUMAN RIGHTS
ACT 1998, EUROPEAN CONVENTION HUMAN RIGHTS
Article 6(1) by AU judiciary,
Sheriff Susan A Craig, Lady Anne Smith,
UK ECHR COURT, JUSTICE BRIAN LAWSON,
Supreme Court Justices, Lord Robert Walker,
AND ECHR SENIOR SOLICITOR, IRONIE
Itinerary, claims, S/111150/2010, CAT,
UKCATPAS/0100/11/B, Peter Still v
Tesco Stores Ltd + four others [2011]

7. Why are you still unhappy following the response(s) from the organisation(s)?

Peter Still ECHR complaint. Policy + procedure,
ECHR Ref SCOM 18 - STILL,
14/10/2013, 30/10/2013, THIS IS
ONLY COMPLAINT AUTHORITY REGARDING
COMPLAINTS, FORWARDED WERE NOT KEPT
AS FAR AS PETER STILL ECHR COMPLAINTS
THIS WAS A CONTROLLED MESSAGE/ AS FAR
AS PETER STILL'S EXPERIENCE,

8. Has the organisation responded to all the issues raised in your complaint?

If the answer to this question is NO, then please set out below the issues that have not been addressed.

(No) Violation of Peter Stone's Human Rights Act 1998, ECHR, Article 6(1) Right to a fair hearing, judicial, Sheriff Susan Gray, Court Session Lady Anne Smith, CAT UK President, Justice Brian Langstaff, And Scottish Court of Session Lord Roddy, Dalrymple and Lord Senior Solicitor Irene Henry, all violated Peter Stone's human rights, legal claim S1115/2010 + cat/Pas/0100/11/BI, 9/8/2010 - 22/10/2013

9. How have you, or the person you represent, been affected by what happened?

Since 9th Aug 2010 continued to present date, S1115/2010 Peter Stone v Law Society Ltd + others, Having to be Party litigant, and 3 year plus experience of Scottish judicial system, has damaged me mentally + physically, at the hands of All members in et clear appeals, lost my home, family, finally, debts, total nervous breakdown, suicidal, isolation,

SECTION 4: Outcome

Examples of remedies we regularly achieve are apologies, improvements to services, and financial payments.

10. What outcome(s) do you want us to achieve for you?

JUSTICE, REITERATION OF S/111150/2010
Peter Seim v tesco Stores Ltd + others
c/o 9th August 2010, Regal's judgment 22/07/2011.
OR COMPENSATION, = TO SALARY OF AVE
FIVE NAMED, FROM 8/4/2011, TO PRESENT
DATE,

11. If you are seeking a financial remedy, what would be a reasonable sum of money to remedy your complaint?

£3,000,000, ESTIMATE, OR (REWARDS)

SECTION 5: When things happened

The law says that a complaint should be made to an MP within a year of you becoming aware there is a problem. We can extend this time limit but only where there are special circumstances.

12. When did the events occur? 9/8/2010 - PRESENT DATE +.

13. When were you aware there was a problem and when did you complain?

S/111150/2010, ORAL JUDGMENT 17/6/2011
c/o Peter Seim v tesco Stores Ltd +
4 others, FROM 23/6/2011, TO PRESENT DATE.

14. If you did not complain straight away, please explain why: Party LITIGANT

APPEAR THROUGH SCOTTISH c/o, c/o, c/o
of Session, ehrc, 25/11/2012, c/o to
present date / violation human Rights,

15. When did you first write to your MP about your complaint? 19/2/2014

16. If there was more than a year between you becoming aware of the problem and you contacting your MP, please explain why you did not complain to your MP earlier. It would be helpful if you could provide relevant dates of when key events happened. For example, the date of your initial complaint and dates of the organisation's responses.

eat 1 30/10/2011, Notice of Appeal
contracte ehrc, request for legal
help, requests et- claim of 11/15/2010
9th August 2010, 22 July 2011, 25/11/2012
various dates, cont 6th February, 17/2/2014,
ehrc final response to compute, Scan/18, 4/7,

17. If there is a long time between any of the above dates, please explain what was happening.

scotland legal procedure, appeal,
et, eat, court of session,

SECTION 6: Legal action

The law says that we must consider whether it is reasonable for you to pursue legal action to achieve the outcomes you are seeking.

We may not be able to look at your complaint: if you are already pursuing legal action; or are planning to take legal action; or if we consider that there is a course of legal action open to you that is reasonable for you to pursue.

18. Are you taking, or planning to take, legal action on your complaint? If YES please give details.

(Yes) current appeal reclaim, Court of Session
time have, requested ehrc, assess on
scan 18 30/10/2013, or compute, rehousing

SECTION 7: Authorisation

I wish the Ombudsman to investigate my complaint and I consent to the obtaining of all relevant papers for the purposes of investigating a complaint under the Parliamentary Commissioner Act 1967.

Signature: Pete Gill
Date: 19/02/2014

If you are complaining on behalf of someone else, they must sign here if they are able to. If they are not able to, please explain why.

I give my consent for a complaint to be made on my behalf and for the Ombudsman to obtain all relevant papers for the purposes of investigating a complaint under the Parliamentary Commissioner Act 1967. I understand that this may mean that my representative will be able to access personal information obtained for the investigation.

Signature: _____
Date: _____

SECTION 8: To the MP

This section must be completed by the person making the complaint

To (Name of MP) GEORGE GALLOWAY MP

House of Commons, London SW1A 0AA

Please consider the complaint described on this form and in any information attached.

Please complete section 9 and send this complaint to the Parliamentary Ombudsman.

SECTION 9: From the MP to the Ombudsman

This section must be completed by the MP

To: The Parliamentary Ombudsman, Millbank Tower, Millbank, London SW1P 4QP

Mr/Mrs/Miss/Ms _____

Has sent me a complaint. Please consider this complaint and let me know the outcome.

Signature of MP: _____



Print name: _____

GEORGE GALLOWAY MP

Date: _____

5/4/2014

Dalvi Arif

From: peter still <peterstill1969@hotmail.co.uk>
Sent: 15 August 2014 08:26
To: Complaintsphso
Subject: FW: REQUEST FOR REVIEW , EAT PRESIDENT REFUSED CLAIMANTS APPLICATION FOR LEAVE TO APPEAL , 25TH JUNE 2012 EAT EDINBURGH , SCOTLAND , UKEATPAS/0100/11/BI , PETER STILL V TESCO STORES LTD , OTHERS

VF-ITEM-ID: 2456935:1653889:197518:M02878232

From: peterstill1969@hotmail.co.uk
To: gemma.mckee@ombudsman.org.uk
Subject: FW: REQUEST FOR REVIEW , EAT PRESIDENT REFUSED CLAIMANTS APPLICATION FOR LEAVE TO APPEAL , 25TH JUNE 2012 EAT EDINBURGH , SCOTLAND , UKEATPAS/0100/11/BI , PETER STILL V TESCO STORES LTD , OTHERS
Date: Mon, 28 Apr 2014 14:36:54 +0100

going to forward this email and another from EHRC these were sent after i had sent my complaint to be signed by george galloway again look at where this email was sent from SCOTLAND , these judges come under uk law DDA95 CLAIMS up until friday and receiving your call from whoever it was in the courts and whoever else i had raised this injustice and a basic human rights , right to a fair hearing , every response ignored what i was putting forward , but on friday that call i got from your office told me right at the start you were not going to look at all these bastards , who have ruined my life and sit in the highest courts 3 in scotland and that low life sewer rat who signed the below email, now start with that judgement signed by susan a craig on 22/07/2011 , s/111150/2010 / peter still v tesco stores ltd and others , second page of that judgement the issues , a claim of direct dda95 , that form of indirect dda cant be justified so what follows there there can be no comparator as it cant be justified it the law , uk dda95 the act also check the house of lords mallcolm v lewisham house of lords 2008 affects that sort of dda95 as well as the indirect version , and everything thing signed by the 3 bastards signing that judgement there after including the email; below all in SCOTLAND , i have provide enough factual documents , complained right to the head of legal in scotland and finally the first minister about these JUDICARY MEMBERS YOU HAVE ALL THIS EVIDENCE THERE IS ENOUGH THERE TO HAVE ALL 4 STRIPPED OF ANY HONOURABLE OR JUSTICE CONTAINED IT THERE TITLE IN FACT THAT IS WHY WHOEVER IT WAS THAT CONTACTED ME WAS TELLING ME THAT NONSENSE , I NEVER MADE A CLAIM OFF DDA95 CHECK ALL THE LEGAL DOCUMENTS . , WHERE IS SUCH A CLAIM MADE BY ME CONTACT THE SOLICITORS SQUIRE SANDERS THAT HAVE LAST CONTACTED ME PUTTING A STOP TO MY ILL HEALTH PENSION , 4 YEARS AFTER LEAVING THE COMPANY , THAT IS MY COMPLAINT DESTROYED MY LIFE , MENTALLY , PHYSICAL , FAMILY LOST EVERYTHING , AND GETTING THAT CALL ON FRIDAY MADE ME AWARE AT THESE BASTARDS SITTING STILL IN THE HIGHEST COURTS IN SCOTLAND AND ONE WHO CAME AND JOINED IN THE DANCE WITH THE DEVILS BUT ONLY IN SCOTLAND , NOW I GOT MP GEORGE GALLOWAY TO SIGN MY COMPLAINT BECAUSE DONT TRUST ANYONE WITHIN IN SCOTTISH LEGAL OR POLITICAL AS WELL AS EHRC WHO THROUGH THEM THE COMPLAINT HAS ENDED UP AT YOUR SO CALLED OMBUDSMAN , I KNOW MP GEORGE GALLOWAY WILL HELP ME IF I HAVE ANY TROUBLE WITH THIS SCOTTISH LEGAL MAFIA JUDICARY , AND AS BRIAN LANGSTAFF IS LAST TO SIGN EMAIL BELOW , I HAVE PROVIDE ENOUGH EVIDENCE TO PUT IN FRONT OF THE LORD CHIEF JUSTICE , TO HAVE THESE SO CALLED JUDICARY REMOVED FROM THERE POSITIONS , OR RECOMMEND TO LORD CHANCELLOR TO REMOVE THEM , WAS TOLD BY LEGAL FIRM MAY 2012 THAT THE TWO INVOLVED IN MY

CLAIM UP UNTIL THAT DATE IE LADY SMITH AND ET JUDGE SUSAN A CRAIG ARE ABOVE THE LAW .,
ANSWER TO NO ONE , AT THAT TIME HE TOLD ME IF THE ONLY WAY TO GET THEM TO ANSWER WAS TO
GET MY LEGAL CLAIM OUT OF SCOTLAND AND BUT THAT WOULD NEVER HAPPEN IF IT I DID IT INTO A
COURT OR OTHER IE OMBUDSMAN , THAT WOULD BE ONLY WAY GET JUSTICE

From: edinburgheat@hmcts.gsi.gov.uk

To: peterstill1969@hotmail.co.uk

Date: Thu, 13 Mar 2014 13:24:07 +0000

Subject: RE: REQUEST FOR REVIEW , EAT PRESIDENT REFUSED CLAIMANTS APPLICATION FOR LEAVE TO
APPEAL , 25TH JUNE 2012 EAT EDINBURGH , SCOTLAND , UKEATPAS/0100/11/BI , PETER STILL V TESCO
STORES LTD , OTHERS

Our Reference: UKEATPAS/0100/11/BI

Mr Peter Still
113 Glebe Road
Whitburn
West Lothian
EH47 0AX

BY E-MAIL ONLY

13 March 2014

Dear Sir

Mr Peter Still v Tesco Stores Ltd. & Others

I refer to the above matter and write further to your e-mail of 10 February 2014, which was referred to the Judge, The Honourable Mr Justice Langstaff (President) for direction. The President has directed as follows:

- (a) insofar as Mr. Still seeks to re-open his case on the basis of fresh ("new") evidence, he should approach the Employment Tribunal, not the EAT – see the Practice Statement of 21 April 2012 and the EAT Practice Direction of 2013.*
- (b) He has not identified clearly what the new evidence is*
- (c) Insofar as he asks me to review the EAT decision, he has repeatedly asked for this and the grounds do not improve with repetition. I refuse for the same reasons as before*
- (d) He has the right to approach the Court of Session for permission to appeal this decision, if he has not already done so (this decision being the same decision as I first made over a year ago)*
- (e) Insofar as he wishes to complain about my own conduct, he may do so either to the Senior President of Tribunals or to the Judicial Conduct Investigations Office.*

Yours faithfully

Joanna Williamson
for Registrar

Joanna Williamson
Employment Appeal Tribunal (Scotland)
52 Melville Street
Edinburgh
EH3 7HF

Telephone: (0131) 225 3963

Dalvi Arif

From: peter still <peterstill1969@hotmail.co.uk>
Sent: 15 August 2014 08:25
To: Complaintsphso
Subject: FW: EN-189777

VF-ITEM-ID: 2456935:1637106:197518:M02878231

From: Phso.Enquiries@ombudsman.org.uk
To: peterstill1969@hotmail.co.uk
Date: Mon, 28 Apr 2014 14:55:24 +0100
Subject: EN-189777

PROTECT

We are committed to keeping your information secure. As part of that commitment we have decided that when we send you information by email we may have to remove some details. This includes information that may identify you, or any other person and sometimes the body complained about.

Dear Sir

Our reference: EN-189777 *(Please quote this reference in any further correspondence concerning this matter)*

I can confirm that I have attempted to contact you today. I am a Customer Service Agent and am currently considering your complaint.

I would really appreciate it if you could please contact me on 0345 015 4033? I will try to contact you again at 15:30 in the meantime.

Please note our numbers show up as withheld.

Yours faithfully

Amir Botonjic
Customer Servie Agent
Parliamentary and Health Service Ombudsman
T: 0345 015 4033
W: www.ombudsman.org.uk

Follow us on



The original of this email was scanned for viruses by Government Secure Intranet virus scanning service supplied exclusively by Cable & Wireless in partnership with MessageLabs.

On leaving the GSI this email was certified virus free.

All email communications with PHSO pass through the Government Secure Intranet, and may be automatically logged, monitored and/or recorded for legal purposes.

The MessageLabs Anti Virus Service is the first managed service to achieve the CSIA Claims Tested Mark (CCTM Certificate Number 2006/04/0007), the UK Government quality mark initiative for information security products and services. For more information about this please visit www.cctmark.gov.uk

PLEASE NOTE: THE ABOVE MESSAGE WAS RECEIVED FROM THE INTERNET.

On entering the GSI, this email was scanned for viruses by the Government Secure Intranet (GSI) virus scanning service supplied exclusively by Cable & Wireless in partnership with MessageLabs.

In case of problems, please call your organisational IT Helpdesk.

The MessageLabs Anti Virus Service is the first managed service to achieve the CSIA Claims Tested Mark (CCTM Certificate Number 2006/04/0007), the UK Government quality mark initiative for information security products and services. For more information about this please visit www.cctmark.gov.uk

Dalvi Arif

From: peter still <peterstill1969@hotmail.co.uk>
Sent: 15 August 2014 08:40
To: Complaintsphso
Subject: FW: gemma from peter still , urgent

VF-ITEM-ID: 2456935:2270319:197518:M02878261

From: peterstill1969@hotmail.co.uk
To: phso.enquiries@ombudsman.org.uk
Subject: FW: gemma from peter still , urgent
Date: Wed, 30 Apr 2014 12:50:20 +0100

From: peterstill1969@hotmail.co.uk
To: gemma.mckee@ombudsman.org.uk
Subject: gemma from peter still , urgent
Date: Mon, 28 Apr 2014 16:46:25 +0100

hi gemma dont bother forwarding those email to amir just spoke to him and he is telling me cant look at my complaint , i asked him why and if he had spoke to anyone about it he said didnt have jurisdiction and had not spoke to anyone else , my complaint is a complex legal complaint that a customer sevice assistant would have no idea to make such a stuopid statement i asked him what my complaint to the equality human rights was and he couldnt ewven tell me a got really upset and he hung up on me please give me the contact of someone who has some sort of legal , dda95 the act , also human rights instead of that fool because he has no right making such a decision please as i have asked before provide me with someone within the orginsation that i can speak to that fool told me to write but i have had enough of this cant belive a customer assistant is telling me cant look a something without an sort of legal expertise and couldnt even explain to me what my complaint was unbelievable as i say what contact number of someone else instead of a customer assistant , regards peter still

PLEASE NOTE: THE ABOVE MESSAGE WAS RECEIVED FROM THE INTERNET.

On entering the GSI, this email was scanned for viruses by the Government Secure Intranet (GSI) virus scanning service supplied exclusively by Cable & Wireless in partnership with MessageLabs.

In case of problems, please call your organisational IT Helpdesk.

The MessageLabs Anti Virus Service is the first managed service to achieve the CSIA Claims Tested Mark (CCTM Certificate Number 2006/04/0007), the UK Government quality mark initiative for information security products and services. For more information about this please visit www.cctmark.gov.uk

Dalvi Arif

From: peter still <peterstill1969@hotmail.co.uk>
Sent: 15 August 2014 08:41
To: Complaintsphso
Subject: FW: Mr. Peter Still and the EHRC (for the attention of Karen Campbell at mhap)

VF-ITEM-ID: 2456935:2361807:197518:M02878263

From: peterstill1969@hotmail.co.uk
To: phso.enquiries@ombudsman.org.uk
Subject: FW: Mr. Peter Still and the EHRC (for the attention of Karen Campbell at mhap)
Date: Wed, 30 Apr 2014 12:49:42 +0100

From: CorporateLaw@equalityhumanrights.com
To: admin@mhap.org.uk; peterstill1969@hotmail.co.uk
Date: Mon, 17 Feb 2014 14:54:17 +0000
Subject: Mr. Peter Still and the EHRC (for the attention of Karen Campbell at mhap)

Dear Mr Still,

Thank you for your e-mails of 1st and 12th February 2014. We also acknowledge the addition 8 emails we received from you on 14th February 2014.

We have reviewed your correspondence history with the Commission (email and telephone) and we consider your comments made about the EHRC officer Oliver Varney unfounded. We are of the view that Oliver has made every attempt to assist you with your various requests. If you have not found this to be the case we apologise but we cannot see any evidence for the assertions you have made against him.

We understand the matters you have raised in previous e-mails and phone calls have now been referred to the Public and Health Services Ombudsman (PHSO) for consideration. While the PHSO is looking into the issues you have raised we will correspond directly with the Ombudsman, and provide any information they may request from us. However, until PHSO's assessment has concluded we do not consider it appropriate for us to continue to correspond directly with you in relation to these matters.

As such, please do not contact the Commission further on these matters and please note we will not acknowledge or respond to further contact from you. Having said this, and at your previous request, we will respond to your appointed health

advocate, Karen Campbell, if deemed necessary. The single point of contact for her to raise matters with us is the following email address corporatelaw@equalityhumanrights.com. This email has been copied to Ms. Campbell.

Regards,

Corporate Law
EHRC

We have teamed up with AbilityNet and BCS to develop a new e-learning course that will equip individuals and businesses with the right skills to create accessible websites. Visit: www.equalityhumanrights.com/webaccessibilityessentials

Our vision

A modern Britain where everyone is treated with dignity and respect, and we all have an equal chance to succeed.

Legal disclaimer

This email has been originated in the Equality and Human Rights Commission, which is an information and guidance service and not a legal advice service. If you require legal advice, please contact a solicitor. This paragraph does not apply to an individual who is assisted under section 28 Equality Act 2006. This email message, including any attachments, is from the Equality and Human Rights Commission and is intended for the addressee only. It may contain information that is privileged and confidential. If you are not the intended recipient, you must not copy, distribute or take any action in reliance of it.

Security warning: Please note that this email has been created in the knowledge that Internet email is not a 100% secure communications medium. We advise that you understand and accept this lack of security when emailing us.

If this email message has been sent to you in error, please notify us immediately by replying to this email. The Equality and Human Rights Commission accepts no responsibility for any changes made to this message after it has been sent by the original author. This email or any of its attachments may contain data that falls within the scope of the Data Protection Acts. You must ensure that any handling or processing of such data by you is fully compliant with the requirements of the Data Protection Act 1984 and 1998.

The Equality and Human Rights Commission was established by the Equality Act 2006 as the Commission for Equality and Human Rights.

PLEASE NOTE: THE ABOVE MESSAGE WAS RECEIVED FROM THE INTERNET.

On entering the GSI, this email was scanned for viruses by the Government Secure Intranet (GSI) virus scanning service supplied exclusively by Cable & Wireless in partnership with MessageLabs.

In case of problems, please call your organisational IT Helpdesk.

The MessageLabs Anti Virus Service is the first managed service to achieve the CSIA Claims Tested Mark (CCTM Certificate Number 2006/04/0007), the UK Government quality mark initiative for information security products and services. For more information about this please visit www.cctmark.gov.uk

Dalvi Arif

From: peter still <peterstill1969@hotmail.co.uk>
Sent: 15 August 2014 08:25
To: Complaintsphso
Subject: FW: Your complaint to the Parliamentary Ombudsman [Our ref: EN-189777]

VF-ITEM-ID: 2456935:1617757:197518:M02878230

From: Phso.Enquiries@ombudsman.org.uk
To: peterstill1969@hotmail.co.uk
Date: Thu, 1 May 2014 10:12:45 +0100
Subject: Your complaint to the Parliamentary Ombudsman [Our ref: EN-189777]

PROTECT
Dear Sir

I am replying as Mr Botonjic's manager, as I understand that you are unhappy with the conversation you had with him earlier this week. I am currently composing a written response, as it seems that some confusion may have arisen over the telephone and we have quite strict policies over the type of personal or sensitive information we can send by email. I had hoped to get this in the post yesterday, but other matters intervened.

I will be sending that to you today, copied to Mr Galloway MP. I would also like to send a copy to Karen Campbell at MHAP as you say she is assisting you. However, we do not have an address for her. If you can email one to me, then I will send a copy to her.

Yours faithfully

Stuart Poole
Customer Service Manager
Parliamentary and Health Service Ombudsman
T: 0345 015 4033
E: phso.enquiries@ombudsman.org.uk
W: www.ombudsman.org.uk

Follow us on



The original of this email was scanned for viruses by Government Secure Intranet virus scanning service supplied exclusively by Cable & Wireless in partnership with MessageLabs.

On leaving the GSI this email was certified virus free.

All email communications with PHSO pass through the Government Secure Intranet, and may be automatically logged, monitored and/or recorded for legal purposes.

The MessageLabs Anti Virus Service is the first managed service to achieve the CSIA Claims Tested Mark

(CCTM Certificate Number 2006/04/0007), the UK Government quality mark initiative for information security products and services. For more information about this please visit www.cctmark.gov.uk

PLEASE NOTE: THE ABOVE MESSAGE WAS RECEIVED FROM THE INTERNET.

On entering the GSI, this email was scanned for viruses by the Government Secure Intranet (GSI) virus scanning service supplied exclusively by Cable & Wireless in partnership with MessageLabs.

In case of problems, please call your organisational IT Helpdesk.

The MessageLabs Anti Virus Service is the first managed service to achieve the CSIA Claims Tested Mark (CCTM Certificate Number 2006/04/0007), the UK Government quality mark initiative for information security products and services. For more information about this please visit www.cctmark.gov.uk

Office of the Pensions Ombudsman Accessibility policy

The Office of the Pensions Ombudsman recognises that some of our customers may have particular difficulties in accessing our service. Such difficulties might be as a result of, for example, language, literacy, disability or mental health issues.

We are committed to providing an accessible service within the constraints of the legislation which governs the way we work. We take steps to ensure that our service is accessible to those who may wish to or need to use it, in accordance with our Aims and Principles and commitment to equal opportunities. In addition, when we develop and implement new policies we conduct an Equality Impact Assessment to ensure that no one should be disadvantaged in using our service as a result of their disability, race or gender. We have a Welsh Language Scheme and Action Plan and a Disability Equality Scheme.

We are open to reasonable suggestions about how we can provide a more accessible service, and all complainants and respondents are given the opportunity to appoint a representative if they wish to (although we do not offer to pay the cost of engaging a representative such as a solicitor). This policy explains how we deal with customers who might have particular difficulties accessing our service.

Access to our Office

Our processes are such that, generally, the parties to a complaint to the Ombudsman do not meet each other or the staff investigating the complaint. However, in the event that this should be necessary, our building is equipped with step-free access, lifts and accessible toilet facilities.

Literacy

By law applications to us must be made in writing. We also, generally expect complainants to send us (or be able to send us) any relevant evidence and/or further information in written format. We are committed to taking reasonable steps to ensure that those who find this difficult are able to use our service.

Where a complainant requires help to make their complaint and/or complete an application form, we will normally refer them to the Pensions Advisory Service for advice and assistance. However, in very exceptional circumstances, we may make an appointment to take a complaint by telephone and send this to the customer for agreement and signature. In such circumstances we will take no further action to deal with that complaint until we receive signed agreement.

Language

Wherever possible, we will communicate clearly with our customers in English. We give customers the opportunity to tell us if they have particular language needs early on in our dealing with them, and we expect them to tell us if they require information in another language than English. Our leaflet(s) says that we are able to

Policy on unreasonably persistent complainants

The Pensions Ombudsman recognises that his office is often the last resort for complainants. However, we are also accountable for the proper use of public money and must ensure that that money is spent wisely and that the work of the office is not disrupted to the detriment of all users of the service.

We are committed to dealing with all complaints fairly and impartially and to providing a high quality service. As part of this service we do not normally limit the contact that parties to complaints have with the office. However there are a small number of complainants who, because of the frequency of their contact with the office, hinder our consideration of their, or other people's, complaints. We refer to such complainants as 'unreasonably persistent complainants'.

When we consider that a complainant's level of contact is unreasonably persistent we may take action to limit their contact with us. The decision to restrict access to the office will be taken at Team Leader level or above and will normally follow a prior warning to the complainant. Any restrictions imposed will be appropriate and proportionate. The options we are most likely to consider are:

- requesting contact in a particular form (for example, letters only);
- requiring contact to take place only with a named person within the office;
- restricting telephone calls to specified days and times; and/or
- asking the complainant to enter into an agreement about their future contacts with us.

In all cases where we decide to treat someone as an unreasonably persistent complainant, we will write to tell them why we believe his or her behaviour falls into that category, what action we are taking and the duration of that action. We will also tell them how they can challenge the decision if they disagree with it.

If these steps are taken during an investigation, and the investigation has not been completed within 3 months, we will review the situation to decide if the restrictions should still apply.

Where a complainant whose case is closed persists in communicating with us about that complaint, we may decide to terminate contact with that complainant. In such cases, we will read all correspondence sent to us but we will simply acknowledge it or place it on the file with no acknowledgement.

New complaints from people to whom this policy has been applied in the past will be considered. But, the policy may be invoked immediately where it is evident that these new complaints are in fact the same as complaints previously referred to the Pensions Ombudsman.