

# How to ask for a review of our decision

**This leaflet explains when you can ask us to review a decision, how to ask for a review, and what information you need to provide.**

Before asking for a review, please read the criteria carefully. This will help you decide whether the review process is the right route for your concerns.

We can only change a decision where there has been a material error that affected the decision. This is why only a small proportion of reviews lead to a decision being changed.

A material error is a significant mistake that could have affected our decision.

We encourage people to request a review only where they believe a material error has occurred.

## **I have received a decision and I am unhappy. What can I do?**

We recognise that you may be dissatisfied if our decision is not the one you wanted.

We make our final decisions after considering the available facts, evidence and information.

A decision review is available only in limited circumstances. It is not a way to have your complaint looked at again because you disagree with the outcome.

We will only review a decision where the review criteria are met.

## Who can ask for a review?

You can ask for a review if you are:

- the person who made the complaint
- the organisation complained about

If the organisation complained about asks for a review, the request should come from the Chief Executive, or equivalent, or someone authorised to act on their behalf.

## When must I ask for a review?

You must ask for a review within **4 weeks** of the date of our decision.

We will only accept a late review request if we consider there are special circumstances. If your request is late, you must explain clearly why you could not contact us in time.

You should not delay asking for a review because you are waiting for a response to a subject access request or freedom of information request.

## When will we review a decision?

We will only review a decision if you can show that there may have been a material error in our decision.

A material error is a significant mistake that could have affected our decision.

You must explain:

- what you think the material error is
- why you think it is an error
- how it affected our decision

We will not review or change a decision simply because you disagree with it.

## Examples of a material error

A material error may include where:

- our decision says we did not receive an important document, but you have evidence that we did receive it
- our decision says something happened, or did not happen, on a specific date, but you have evidence showing this is wrong
- our decision relies on the wrong policy or rule
- we did not follow our process, and affected the decision

These are examples only. We will consider each request based on its own circumstances.

## What is not a material error?

The following are not usually material errors:

- you disagree with the decision
- you think the decision is unfair or wrong, but you cannot identify a material error
- you want us to look again at information we have already considered
- you want to repeat points that have already been addressed
- you have re-read the decision and want to emphasise different points
- you disagree with how much weight we gave to some evidence
- there is a small mistake, such as an incorrect date, but it does not affect the decision
- you believe there was bias, but you have not provided information to support this
- you are unhappy about events that happened after our decision was made

## What if I have new information?

New information is information that existed at the time of our decision but was not available to us when the decision was made.

It is not new information if:

- it relates to events or circumstances that happened after our decision
- it was reasonably available to you before our decision but was not provided to us

If you send us new information, you must explain why you did not provide it before we made our decision and how it affected the decision.

If your request does not explain this, we will not take it forward.

## What do I need to provide?

To ask for a review, you must clearly explain what material error you think we made. You should provide only relevant evidence that supports your request.

If you do not explain the material error, or do not explain how it could have affected our decision, we will not take your request forward.

## What happens after I ask for a review?

- We will check whether your request meets the review criteria.
- If your request meets the criteria, we will consider it in more detail.
- If your request does not meet the criteria, we will explain why and close the request.
- We will not continue to revisit a decision where the review criteria are not met and we will not continue to correspond about a final review decision.

### **If you need support**

If you need information in another format, or need help to communicate with us, please let us know using the contact details on the back of this leaflet.

# How to contact us

For enquiries relating to public service complaints:



**SPSO**  
**Bridgeside House**  
**99 McDonald Road**  
**Edinburgh EH7 4NS**

A freepost envelope can be sent to you. Please call us if you need one.



SPSO freephone **0800 377 7330**

This line is open during the following hours:

Monday: Closed  
Tuesday: 1pm - 5pm  
Wednesday: 9am - 1pm  
Thursday: Closed  
Friday: 9am - 1pm

Calls outside of these hours can be arranged by appointment using our online contact form.



Website **[www.spsso.org.uk](http://www.spsso.org.uk)**  
Online contact form  
**[www.spsso.org.uk/contact-form](http://www.spsso.org.uk/contact-form)**

For enquiries relating to whistleblowing complaints:



**SPSO - INWO Team**  
**Bridgeside House**  
**99 McDonald Road**  
**Edinburgh EH7 4NS**

A freepost envelope can be sent to you. Please call us if you need one.



INWO freephone **0800 008 6112**

This line is open during the following hours:

Monday: 9am - 1pm  
Tuesday: 12pm - 4pm  
Wednesday: 9am - 1pm  
Thursday: 12pm - 4pm  
Friday: 9am - 1pm

Calls outside of these hours can be arranged by appointment using our online contact form.



Website **<https://inwo.spsso.org.uk/>**  
Online contact form  
**<https://inwo.spsso.org.uk/contact-form>**

Calls to and from SPSO phone lines may be recorded to check the quality of our service and help us do our job to help you. More details are in the privacy notice: **[www.spsso.org.uk/privacy-notice](http://www.spsso.org.uk/privacy-notice)**. Please ask if you want to confirm if a call is or is not being recorded or if you would like to know what options may be available to you if you do not wish to be recorded. INWO calls are not recorded.