

This is Document “Schedule 3 Part 6” referred to in this Contract

SCOTTISH MINISTERS’ REQUIREMENTS

SCHEDULE 3 PART 6

CORRESPONDENCE ENQUIRIES AND COMPLAINTS

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CORRESPONDENCE ENQUIRIES AND COMPLAINTS

1 CORRESPONDENCE ENQUIRIES AND COMPLAINTS

1.1 Draft Responses and Briefing

1.1.1 The Operating Company shall provide to the Director on written request draft responses and briefing material to general and Ministerial correspondence which has been received by

- (i) the Scottish Ministers or
- (ii) the Scottish Executive

in respect of any matter referring to the Unit or to this Contract.

1.1.2 The Operating Company shall respond to the Director within five Working Days of receipt by the Operating Company of the written request from the Director to provide such responses.

1.1.3 Notwithstanding any other provision of this Contract the Operating Company shall submit all such information to the Director by facsimile or e-mail and the like as appropriate followed up immediately by a hard copy by first class post or other means of delivery acceptable to the Director.

1.1.4 The Operating Company shall nominate a suitably qualified and experienced Ministerial Commitments Officer whose appointment shall be consented to in writing by the Director.

The duties of this Ministerial Commitments Officer shall be as referred to in Annex 3.6/C of this Part 6 of this Schedule 3.

1.2 Direct Responses by the Operating Company

1.2.1 Notwithstanding the provisions as referred to in paragraph 1.1.1 to 1.1.4 inclusive of this Part 6 of this Schedule 3 the Operating Company shall respond directly to

- (i) correspondence
- (ii) enquiries and
- (iii) complaints

received from any source except as referred to below in paragraphs 1.2.1.1 to 1.2.1.3 inclusive of this Part 6 of this Schedule 3.

1.2.1.1 In respect of correspondence and other communications including but not limited to verbal communication made directly to the Operating Company by Members of Parliament and Members of the Scottish Parliament the Operating Company shall

Substitution 1/04/06

- (i) acknowledge all such correspondence and communications within five Working Days of receipt and
- (ii) forward a copy of the communication received within one Working Day of its receipt to the Director attaching a briefing note related to the topic being

raised and a draft letter of reply to allow the Director to develop a suitable response for the Minister to issue.

- 1.2.1.2 In some cases the Director may decide that the correspondence from a Member of Parliament or a Member of the Scottish Parliament relates to operational matters.

Substitution 1/04/06

The Director shall notify the Operating Company in such cases that the correspondence shall be deemed by the Director to relate to operational matters and the Operating Company shall on receipt of such instructions from the Director issue a direct reply to the correspondence or communication in the name of the Operating Company having received the prior to the written consent by the Director to the terms of the reply of its issue.

The Director shall be provided with a copy of the final reply issued by the Operating Company within one Working Day of such reply having been issued.

- 1.2.1.3 In respect of correspondence and communications regarding matters of

- (i) Scottish Executive policy
- (ii) Scottish Executive funding or
- (iii) matters where there shall be a possibility of political sensitivity for the Scottish Executive

the Operating Company shall within one Working Day of its receipt refer the correspondence or communication in writing to the Director and notify the originator accordingly.

The Director shall clarify in writing any issues raised by the Operating Company including clarification of whether the Operating Company or the Director shall respond.

- 1.2.2 All enquiries to the Operating Company from the media shall be dealt with by a nominated Operating Company Media Officer appointed by the Operating Company whose appointment shall be consented to in writing by the Director.

The Operating Company's Media Officer shall undertake the duties and operate in accordance with the Media Enquiries Procedure referred to in Annex 3.6/A of this Part 6 of this Schedule 3.

The Operating Company shall maintain at the Central Office a register of media enquiry forms as referred to in Annex 3.6/B to this Part 6 of this Schedule 3.

The register shall be available for inspection at all times by the Director and the Performance Audit Group.

The Operating Company shall propose arrangements for the written consent by the Director for dealing with media enquiries between 0800 hours and 1700 hours on each Working Day and shall also propose arrangements for dealing with media enquiries outwith these hours.

- 1.2.3 The Operating Company shall issue a response in writing to the originator of any

- (i) correspondence
- (ii) enquiry or
- (iii) complaint

within seven Working Days of receipt.

If it shall be anticipated by the Operating Company that a full reply shall not be possible within that period an acknowledgement shall be sent within the seven Working Days indicating the likely timescale for a full response and the name of the person dealing with the matter.

1.3 Courtesy and Consideration

1.3.1 In all verbal or written communication the originator shall always be treated with due courtesy and consideration by the Operating Company.

1.4 Communication Register

1.4.1 All written or verbal communications received by the Operating Company relating to the Unit or to this Contract including those referred to in this Part 6 of this Schedule 3 shall be logged in a register by the Operating Company.

The information recorded in the register by the Operating Company in respect of each communication received from the Director or any other source shall include but not be limited to the following

- (i) date of receipt of the communication where written (and whether by letter, facsimile or email)
- (ii) date of receipt of the communication where verbal (and whether in person or by telephone)
- (iii) details of the communication
- (iv) note on whether the communication requires a response
- (v) date(s) of issue of written information to the Director with the reference number and transmittal method(s)
- (vi) date(s) of issue of the communication to originator
- (vii) any follow up actions that shall be required by either the Operating Company or the Director
- (viii) details of any commitments made
- (ix) dates by which a commitment is to be completed and
- (x) actual date at which a commitment was completed.

1.5 Monthly and Annual Summaries to be Maintained

1.5.1 The register referred to in paragraph 1.4.1 of this Part 6 of this Schedule 3 shall be capable of providing the following information to the Director summarised

- (i) for each calendar month throughout the Contract Period and
- (ii) for each Annual Period

and shall be capable of providing

- (a) number of communications received from the Director
- (b) number of communications received from all other sources
- (c) number of communications requiring a response

- (d) number of communications responded to within the five Working Days limit referred to in paragraph 1.1.2 of this Part 6 of this Schedule 3
- (e) number of communications not responded to within the five Working Days limit referred to in paragraph 1.1.2 of this Part 6 of this Schedule 3
- (f) number of communications within the five Working Days limit referred to in paragraph 1.2.1.1 of this Part 6 of this Schedule 3
- (g) number of communications outwith the five Working Days limit referred to in paragraph 1.2.1.1 of this Part 6 of this Schedule 3
- (h) number of communications referred in accordance with paragraph 1.2.1.2 of this Part 6 of this Schedule 3
- (i) number of communications referred in accordance with paragraph 1.2.1.3 of this Part 6 of this Schedule 3
- (j) number of communications responded to within the 7 days limit referred to in paragraph 1.2.3 of this Part 6 of this Schedule 3
- (k) number of communications not responded to within the 7 days limit referred to in paragraph 1.2.3 of this Part 6 of this Schedule 3
- (l) average response time in days for all communications
- (m) number of commitments completed within the due date and
- (n) number of commitments not completed within the due date.

1.6 Monthly Summary to be Submitted to the Director

- 1.6.1 An Electronic Copy and one paper copy of the monthly summary referred to in paragraph 1.5.1 of this Part 6 of this Schedule 3 shall be provided to each of the Director and the Performance Audit Group by the 7th day of each month for the preceding month throughout the Contract Period.

1.7 Annual Summary to be Submitted to the Director

- 1.7.1 An Electronic Copy and one paper copy of the annual summary referred to in paragraph 1.5.1 of this Part 6 of this Schedule 3 for

- (i) the Mobilisation Period and
- (ii) each Annual Period

shall be provided to each of the Director and the Performance Audit Group on or before 15 April each year for the preceding year or part thereof to 31 March and a summary of performance shall be included in the annual report referred to in paragraph 4.1.1 and 4.1.2 of Part 3 of Schedule 5.

1.8 Access for Audit Purposes

- 1.8.1 Notwithstanding any other provisions of this Contract
- (i) the Director and
 - (ii) the Performance Audit Group

shall have access at any time to audit and inspect the register referred to in paragraph 1.4.1 of this Part 6 of this Schedule 3.

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ANNEX 3.6/A - Media Enquiries Procedure

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CORRESPONDENCE ENQUIRIES AND COMPLAINTS

ANNEX 3.6/A - Media Enquiries Procedure

This procedure sets out the arrangements for handling media enquiries received by the Operating Company.

- (i) The Operating Company shall nominate an Operating Company's Media Officer to speak for its organisation and liaise with the relevant Scottish Executive Media Officer.

The Operating Company's Media Officer shall be properly qualified and experienced to undertake the role of Operating Company's Media Officer.

The person nominated to undertake this role shall be appointed subject to the written consent by the Director.

- (ii) The Operating Company may propose that the Operating Company's Media Officer be sourced from a professional public relations organisation to handle media issues.

- (iii) Information requested and the Operating Company's proposed response shall be recorded on the media enquiry form set out in Annex 3.6/B to this Part 6 of this Schedule 3 and this shall be sent immediately to the Director and the Performance Audit Group by e-mail or facsimile.

The Operating Company shall also identify on the said media enquiry form further actions required as a consequence of the media enquiry and proposed response together with the timescale proposed for undertaking the further action required.

The Operating Company's Media Officer shall telephone the Scottish Executive Media Officer within one hour of the media enquiry form having been sent by e-mail or facsimile to discuss the proposed response.

- (iv) The Operating Company shall have discretion to give an immediate response when the media question shall be about routine non-controversial matters of fact or record.

The Scottish Executive Media Office and the Performance Audit Group shall be notified immediately of the media approach and response using the media enquiry form.

The form shall be marked "Factual - Non Controversial Media Call".

- (v) Any media questions on
 - (a) Trunk Road policy
 - (b) Government decisions and
 - (c) Ministerial accountability

shall be passed to the Scottish Executive Media Officer for action.

A copy of the Scottish Executive's response shall be passed to the Media Officer by the Director.

- (vi) The Operating Company's Media Officer shall maintain frequent contact with the Scottish Executive Media Officer.

The Scottish Executive media team shall be notified of all media contact with the Operating Company's Media Officer and shall be given the opportunity to comment on all proposed media statements.

- (vii) The Operating Company's Media Officer shall keep the Scottish Executive's media team notified of developing problems.

Early warning and close co-ordination shall be maintained to ensure that potentially damaging stories shall be prevented or rebutted as early as possible

- (viii) The Operating Company's Media Officer shall identify ways of presenting the Operating Company's work on the Unit in an open informative and responsive way.

Pro-active work shall be carried out which shall include but not be limited to

- (a) highlighting good news
 - (b) new initiatives
 - (c) improved services
 - (d) faster completion of work and
 - (e) the planning of major activities such as winter service.
- (ix) The Operating Company shall prior to commencement of Operations or Works on Site prepare and issue factual media releases notifying the local and regional media and NADICS of
 - (a) forthcoming roadworks
 - (b) expected commencement dates
 - (c) works rescheduling
 - (d) completion dates and
 - (e) any relevant diversionary routesfor the information of the public.

Such media releases shall be sent by Electronic Copy to

- (f) the Director
 - (g) Performance Audit Group and
 - (h) Scottish Executive Media Officer.
- (x) The Operating Company shall attend review meetings to be arranged between the Operating Company's Media Officer and the Scottish Executive media team every three months throughout the Contract Period
 - (xi) The Operating Company shall nominate appropriate staff who shall be trained to undertake media interviews when required to deal with issues of interest to the media.

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ANNEX 3.6/B - Media Enquiry Form

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ANNEX 3.6/B – Media Enquiry Form

To

From

As required in Annex 3.6/A to Schedule 3 Part 6 please find information requested by the following organisation that requires a response from the Operating Company and the Scottish Executive Media Officer.

Source of Enquiry

Organisation	Contact	Date and Time received	Operating Company Contact and telephone number

Details of Enquiry

Details of Proposed Response

Further Action Proposed

Deadline

This notice has been sent to

Name				SE Media Officer
Name				SE NMD
Name				Performance Audit Group

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ANNEX 3.6/C - Duties of Operating Company Ministerial Commitments Officer

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ANNEX 3.6/C - Duties of Operating Company Ministerial Commitments Officer

- (i) The Ministerial Commitments Officer shall compile and maintain a list of comments and commitments issued by Scottish Ministers in relation to the Trunk Road network within the Unit.
- (ii) The Ministerial Commitments Officer shall compile and maintain a list of commitments and follow up notices issued by the Operating Company in relation to the Trunk Road Network within the Unit.
- (iii) The Ministerial Commitments Officer shall produce a monthly report on the status of the lists referred to in paragraphs (i) and (ii) of this Annex 3.6/C of this Part 3 of this Schedule 6 and any actions taken in relation to the list.
- (iv) The Ministerial Commitments Officer shall ensure the Operating Company gives due priority to the Scottish Ministers' commitments and comments and Operating Company commitments and follow up actions and ensure liaison with the Operating Company's Media Officer in relation to the Scottish Ministers' correspondence.

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