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**Scottish Association  
of Citizens Advice Bureaux**

Ms Marie Crawley  
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December 2008

Dear Ms Crawley

**APPLICATION FOR DESIGNATION AS A 'SUPER-COMPLAINANT' UNDER THE  
ENTERPRISES ACT 2002**

I write to apply for Citizens Advice Scotland to be designated as a super-complainant under Section 11 (6) (a) of the Enterprise Act 2002. We have included an introduction to Citizens Advice Scotland and responses to the designation criteria, as published under Section 11 (6) (b) of the Enterprise Act. Appendices are attached where more detailed information is enclosed on:-

1. annual report and accounts
2. our legal constitution
3. details concerning trustees (not for publication)
4. policy publications

Yours sincerely

A handwritten signature in black ink, appearing to read 'K. Lyle'.

Kaliani Lyle  
Chief Executive Officer

Hard copies of documents supplied by Citizens Advice Scotland in support of this application can be obtained from Marie Cawley, Consumer and Competition Policy Directorate, BERR. Tel: 020 7215 6771, or e-mail: [marie.cawley@berr.gsi.gov.uk](mailto:marie.cawley@berr.gsi.gov.uk)



INVESTOR IN PEOPLE

Patron HRH The Princess Royal  
Chair Graham Blount  
Chief Executive Kaliani Lyle

The Scottish Association of Citizens Advice Bureaux – Citizens Advice Scotland  
(Scottish charity number SC016637)  
Scottish Association of Citizens Advice Bureaux trading as Citizens Advice Scotland is  
a Company Limited by Guarantee No. 89892  
Registered Office 1st Floor Spectrum House 2 Powderhall Road Edinburgh EH7 4GB





## **Application for designation as 'super-complainant'**

### **Name and address of organisation**

Citizens Advice Scotland  
1<sup>st</sup> Floor, Spectrum House  
2 Powderhall Road,  
Edinburgh  
EH7 4GB

### **Contact for correspondence**

Kaliani Lyle  
(Chief Executive Officer)

### **Nature of organisation**

**1.2** Citizens Advice Scotland (CAS) is the operating name of Scottish Association of Citizens Advice Bureaux, which is a company limited by guarantee. CAS:

- is a registered charity
- a membership organisation that is democratically governed by its members – Scottish Citizens Advice Bureaux
- commenced operations in 1975. It is governed by its Memorandum and Articles of Association as amended and as adopted by Special Resolution passed on 25 June 1998, a copy of which is attached as Appendix 1.

Citizens Advice Scotland (also known as CAS) is the umbrella organisation that all Citizens Advice Bureaux (CABx) in Scotland are members of. Citizens Advice Bureaux are independent local charities that are members of Citizens Advice Scotland (CAS). CABx provide advice and information to people through 216 outlets. Over 2000 volunteers in some 70 offices deal with 750,000 clients every year on a wide range of issues, the top five of which are around Benefits, Debt, Employment, Housing and Consumer problems.

The Scottish CAB Service is united by 2 aims:

- to ensure that individuals do not suffer through lack of knowledge of their rights and responsibilities, or of the services available to them, or through the inability to express their need effectively.

And equally

- to exercise a responsible influence on the development of social policies and services, both locally and nationally.

CAS and Scottish bureaux work together to achieve these aims. Copies of the Annual Reports for 2006/07, and 2007/08 which include information about the service, its funding and the enquiries CABx receive are enclosed as Appendix 2.

An Ipsos MORI Scotland survey of CAB clients was undertaken in 2006 in which 500 recent CAB clients were surveyed:

- 98% said they felt able to trust the service
- 97% praised the advice it offered
- 94% would be 'certain to' or 'very likely' to recommend the CAB to a friend or relative

Ipsos MORI Scotland also surveyed over 1,000 members of the public – one in 5 had used a CAB in the past 3 years – of these:

- 93% were satisfied with the advice and with the service they received, and
- 95% with the way it was accessed

Citizens Advice Scotland sets standards for advice and equal opportunities and supports CABx with an information system, training and a range of other services. Citizens Advice Scotland also co-ordinates social policy, media, publicity and parliamentary work.

We also operate an equal opportunities policy: the CAB Service is independent and provides free, confidential and impartial advice to everybody regardless of race, sex, age, disability and sexuality.

### **Criterion 1:**

**The body is so constituted, managed and controlled as to be expected to act independently, impartially and with complete integrity.**

- 1.9 The Citizens Advice Bureaux Service had its origins in 1939. During the war more than 60 bureaux operated all over Scotland. In 1975 the regional office for Scotland the Scottish Association of Citizens Advice Bureaux (SACAB) became an autonomous umbrella organisation to take account of Scotland's distinct legal and educational systems. SACAB became fully independent in 1980, and a charitable company limited in guarantee in 1984. In 1988, SACAB adopted a trading name of Citizens Advice Scotland.

A service with principles

The CAB service is led by 12 principles that guide the work we do. These 12 principles are: A free service; Confidentiality; Impartiality; Independence; Accessibility; Effectiveness; Community accountability; The client's right to decide; A voluntary service; Empowerment; Information retrieval and a generalist service.

## **Constitution, legal status, board and management structure**

Citizens Advice Scotland is a registered charity (number SCO16637) and a company limited by guarantee (no 89892). Citizens Advice Scotland has a Board of Directors, working under the Chair. The Board and Standing Committees are elected at the Annual General Meeting where all member CABx have voting rights.

The Board consists of a Chair, Vice Chair, Honorary Treasurer and 16 members.

The management structure is that of a Chief Executive Officer and 7 Sectional Heads namely:

Field Services  
Finance  
Human Resources  
IT  
Information  
Social Policy and Public Affairs  
Training

Citizens Advice Scotland has 2 sister organisations, Citizens Advice (England and Wales) and Northern Ireland Association of Citizens Advice Bureaux.

### **Current list of Board members:**

<b>Chair:</b>	Graham Blount
<b>Vice Chair:</b>	Dominic Notarangelo
<b>Hon. Treasurer:</b>	Peter Boyd
	Robert Bee
	Margaret Burgess
	Alasdair Christie
	Gloria Fleming
	Jim Henderson
	Ginny Jackson
	Rosaleen Kavanagh
	Chris Keegan
	Gavin Kenny
	Mary Kinninmonth
	George MacDonald
	Kirsteen McDonald
	Fiona Magennis
	Irene Mungall
	Margaret Murdoch
	George Russell

**CVs of Board members** - attached as Appendix 3

**Current list of directorships, shareholdings and any other substantial interests in companies held by council members - attached as Appendix 4**

**Last two year's accounts for 2006/07 and 2007/08 - attached as Appendix 5**

#### **1.10 Past conduct of board of directors**

None of the directors fall into any of the categories listed in paragraph 1.11 of the 'Guidance for prospective designated super complaints bodies' issued by the BERR's Consumer and Competition Policy Directorate, nor is there any other known circumstance which might affect the integrity of any director.

The Board of Directors is nominated at the Annual General Meeting by member CABx who have voting rights. The Board's activities adhere to the Articles and Memorandum of the Association. In addition the Association is internally and externally audited on an annual basis. As part of the Board's induction, a pack of relevant information is issued which includes Standing Orders, Management Statement and Financial Memorandum, Responsibilities of an Accounting Officer and Code of Practice for Board of Directors. At the first Board meeting following the AGM, a presentation on the duties of the Board members and any changes to the Charity Law etc is undertaken if required.

#### **Criterion 2**

**The body can demonstrate considerable experience and competence in representing the interests of consumers of any description.**

#### **1.14. Evidence demonstrating experience of acting in the interests of consumers/particular groups, with examples and over what period.**

The Citizens Advice Bureaux Service has twin aims, to ensure that people do not suffer through a lack of knowledge of their rights and responsibilities and to exercise a responsible influence on the development of social policies and services, both locally and nationally. The Social Policy work is co-ordinated through the social policy department of CAS. Scotland's CAB service isn't just the country's leading independent advice service – it's also a leading advocate for social change. We collect evidence from around the country and use it to demonstrate that change is required.

We use the parliamentary process, both in Westminster and Holyrood, for the benefit of the CAB service and its clients. Much of this involves taking the social policy issues raised by the CAB Service to the politicians, in order to achieve change.

**“I would like to praise the work of citizens advice bureaux, which provide such a marvellous service.”**

**Stewart Maxwell MSP**

By working with parliament we can raise the profile of issues, examine the Government’s activity and where required, call for change.

**Recent parliamentary work includes:-**

- Calling for a committee inquiry on fuel poverty
- A parliamentary reception as part of the UK Credit Options Conference
- Campaigning on the Bankruptcy and Diligence Bill
- Gaining an amendment to the Legal Profession and Legal Aid Bill to enable grant funding for legal advice

**“The Government greatly values the work Citizens Advice Scotland and individual Citizens Advice Bureaux carry out in major areas such as debt, welfare rights and employment.”**

**Anne McGuire MP**

Attached as Appendix 6 is a copy of the CAS Publications Catalogue and copies of Social Policy Success Stories which illustrate examples of how CAS has used evidence to influence policy.

**Evidence of expertise within or available to the Association**

The Chief Executive Officer and the members of the Management Team have worked for the Association for a number of years. Consequently there is a broad base of experience within the Association representing expertly the interests of a wide range of consumers. Our expertise has been called upon by both the Scottish Parliament and the UK Parliament, in terms of providing evidence to parliamentary committees on a wide range of topics including debt and benefits.

### **Criterion 3**

**The body has the capability to put together reasoned super-complaints on a range of issues.**

- 1.15** Citizens Advice Scotland has an established mechanism for CABx to regularly report cases that illustrate market features which are harming consumers.  
This bank of case reports would be a primary source of evidence for any super complaint. The CAB Service has a long tradition of compiling evidence reports that rely on reasoned argument extrapolated from case

evidence reported by CABx. These reports have been used as a mechanism for arguing the need for change and have been published in all the areas on which CABx provide individuals with advice. The scope for the subject matter of super-complaints will include issues raised by CAB as evidenced by areas that may include health, housing, legal services, credit and debt.

Citizens Advice Scotland has referred to OFT guidelines on how to make a super-complaint and can confirm we are able to fully comply.

In the last 12 months we have produced 3 evidence reports covering:

- Exploitation of works (joint with Citizens Advice)
- The Debt Arrangement Scheme
- Older CAB clients and Debt

**Evidence of being able to deal with competition and economic issues involved in super-complaint cases.**

1.17 As detailed at 1.15.

#### **Criterion 4**

**The body is ready and willing to co-operate with the Office of Fair Trading (OFT) and/or with any other authority, body or person having responsibility for responding to super-complaints. In particular, the body agrees to take account of any guidance issued by the OFT.**

#### **1.19 Statement of willingness to co-operate.**

Subject to constraints relating to individual client confidentiality and resources at any one time, Citizens Advice Scotland are ready and willing to co-operate with the Office of Fair Trading and with any other authority, body or person having responsibility for responding to a super-complaint, including taking account of guidance issued by the Office of Fair Trading.

#### **Criterion 5**

**The fact that a body has a trading arm will not disqualify it from being designated provided that the trading arm does not control the body, and any profits of the trading arm are only used to further the stated objectives of the body and the body has established procedures to ensure that any potential conflicts of interest are properly dealt with.**

1.22 Citizens Advice Scotland does not have a trading arm.

**Withdrawal of designation**

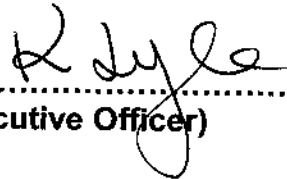
**1.25 Formal undertaking to notify the Secretary of State of any material change to the information supplied on this application.**

Citizens Advice Scotland undertake to notify the Secretary of State of any material changes to the information we have supplied, which could be relevant to the criteria for super-complainants as laid down in the guidance document.

**1.32 Information to be omitted when this website is placed on the BERR Website.**

Citizens Advice Scotland asks that, mainly for security reasons, the addresses and CV's of the board of directors should not be made public.

Signed by .....  
(Chief Executive Officer)



Date: .....  
11<sup>th</sup> December 2008.

