



PUBLIC COMPLAINTS COMMISSION
(THE NIGERIAN OMBUDSMAN)

STANDARD
OPERATING PROCEDURE
OF THE
COMMISSION

STANDARD OPERATING PROCEDURE FOR HANDLING COMPLAINTS IN THE PUBLIC COMPLAINTS COMMISSION

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PART 1 PROCEDURE FOR HANDLING COMPLAINTS RECEIVED THROUGH PETITIONS

1. Receipt of Complaints

- (a) A person may lodge a** complaint before the Commission in the following manner:
- (i) complaints are lodged in writing and signed by the Complainant before they are submitted to the Commission's Registry;
 - (ii) the letter of Complaint shall be addressed to the Honourable Chief Commissioner at the Headquarters or to the Honourable Commissioner, if lodged at any of the Commission's State offices;
 - (iii) an illiterate Complainant shall be assisted by a designated officer of the Commission to write down the complaints and this shall be read over and interpreted to the Complainant in the language the Complainant understands in the presence of a witness;
 - (iv) the writer of the complaint, the interpreter and the witness shall write their names and append their respective signatures to the complaint letter, while the illiterate Complainant shall append his or her right thumb impression to the letter of complaint or such other finger to be indicated, in the absence of a right thumb;

- (v) copies of all relevant documentary evidence shall be attached to the letter of complaint;
- (vi) the letter of complaint, if received by hand, shall be instantly acknowledged by the Registry, but if received by post, same shall be acknowledged forthwith and sent to the Complainant by post;
- (vii) a complaint may be lodged through the Commission's integrated online Complaints Management System (in the case of the Head Office) through the following platforms:
Website; www.Pcc.gov.
Email; info@Pcc.gov.ng/complaint@pcc.gov.ng
Call; 07003425722
Facebook: www.facebook.com/Pccnigeria
- (viii) a complaint may be lodged with the State office through their e-mail addresses contained in **Appendix 1**.
- (ix) a complaint may be referred to a sister office of the Commission for handling due to reason of proximity of the Respondent to the complaint object or the Respondent.

2. Issues that should be covered in a Complaint

- 2 (a) Summary of issues to be covered in a letter of

complaint are –

- (i) name, address, telephone numbers and email addresses of the Complainant;
- (ii) name and address of the Agency, Organization or Institution complained against;
- (iii) name and address of the place where the failure of justice occurred;
- (iv) names and addresses of witnesses including all documentary and other evidence vital to the complaint;
- (v) date when the subject matter of the complaint occurred and the Complainant became aware of the grievance; and
- (vi) location of the subject matter of the complaint whether movable or immovable.
- (vii). The Complainant's prayers or remedies desired.

3. Appraisal of a Complaint

- (a) Mail opening is done by all Divisional Heads of the Investigation Department, Head of Legal Unit, and Head of Public Relations Unit under the auspices of the Director of Investigation. All mails received howsoever shall be opened on same day of receipt.
- (b) At the mail opening meeting, complaints are sorted, read and assigned to the relevant Divisions, Sections and Units for handling.
- (c) Complaints are thereafter assigned to relevant

Investigation officers with special regard to the skills, experience, schedule and emotional stability of the Investigator to whom a complaint is assigned depending on the nature of the complaint.

- (d) The Investigator shall, within 72 hours from the time of receipt, critically examine the complaint and write a Memorandum to a superior officer with detailed analysis of the complaint and suggesting whether the Complaint is within the Commission's Jurisdiction or what action is required.
- (e) The Chief Commissioner, Commissioner in charge of a State office, or the Director of Investigation, as the case may be, shall within 72 hours give directives on how and when investigations may be conducted.
- (f) The investigator shall, within 24 hours of receipt of such directive, effect the necessary action.

PART 2 SELECTING THE APPROPRIATE INVESTIGATIVE APPROACH

4. Letter Writing

- (a) A letter requesting for comments from a Respondent shall be scrutinized by a Divisional Head before it is dispatched. **(See Appendix 2)**
- (b) Letters addressed to:
 - (i) the President of the Federal Republic of Nigeria,

- (ii) Vice President;
- (iii) President of the Senate;
- (iv) Speaker of the House of Representatives;
- (v) Chief Justice of the Federation;
- (vi) State Governors;
- (vii) Deputy Governors; and
- (viii) Ministers

shall be signed by the Honourable Chief Commissioner or Commissioner or in extenuating circumstances by delegation to an officer not below the rank of Director.

- (c) Letter requesting for comments from Respondents must be responded to not later than 30 (thirty) days of the receipt of such letter.
- (d) where on the 15th day, a response has not been received, a reminder shall be issued forthwith and failing an on-the-spot visit on the 25th day.
- (e) Failure, neglect or refusal of a Respondent to respond to the Commission's letter of inquiry within the specified period shall within 24 hours be reported to the Honourable Chief Commissioner or Commissioner who may direct the Legal Department/levit as circumstances shall warrant. (See Appendix 3 showing a Timeline Chart for Complaints Handling).

5. On - the - Spot Investigation or Visit to the Locus in quo

- (a) An on the spot visit may be paid to a Respondent where –
 - (i) such respondent refuses, neglects or fails to respond to a Letter requesting for comments within 30 days of the receipt of such a letter and the reminder thereof.
 - (ii) visual information is required or the context is important in terms of a proper understanding of the issues raised;
- (b) An on - the - spot investigation shall be carried out by a team of Investigators led by an experienced team leader.
- (c) In carrying out an on-the-spot investigation, special care shall be taken to ensure that –
 - (i) there is clarity about why the on-the-spot investigation is being conducted;
 - (ii) adequate preparation is made for the assignment;
 - (iii) investigators take detailed notes, gather documentary evidence and prepare file notes at the end of the exercise; and
 - (iv) the Investigator is not drawn into too much informality with parties.
- (d) Report of the on-the-spot visit shall be submitted to appropriate officer within 24 hours of the visit.

6. Case Chats

- (a) A Case Chat is a one-on-one meeting of the Investigation officer handling a case with either the Complainant or

Respondent to resolve ambiguities or discuss grey areas in a pending complaint either in person or through electronic means.

- (b) The outcome of a Case Chat shall be properly documented in a File Note as it is crucial in the complaint resolution value chain

7. Case Conference

- (a) A case conference becomes expedient where –
 - (i) the parties to a complaint have joined issues vide their correspondences to the Commission; and
 - (ii) it becomes desirable that the grey areas be thrashed out in a tripartite meeting involving the Commission, the Complainant and the Respondent under the auspices of the Commission.
- (b) A Commissioner may issue Summons in a prescribed form in furtherance of his/her powers under **section 9** of the Commission's enabling Act to compel parties and witnesses to appear before him/her in a case conference (**See Appendix 4**).
- (c) The Commission may deploy any or all of the Alternative Dispute Resolution (ADR) mechanisms of Mediation, Conciliation, Arbitration, and Negotiation to settle disputes in a Case Conference.

- (d) A Case Conference shall be presided over by the Honourable Chief Commissioner or Commissioner as the case may be. Power to preside over a Case Conference shall not be delegated to any officer below the Directorate rank.
- (e) Before the commencement of a Case Conference, the presiding officer shall set the ground rules governing the conduct of the Conference.
- (f) Legal Representatives of Parties may attend the Case Conference and may only be granted audience after the parties must have stated their cases.
- (g) Any summons issued to compel the attendance of any party or witness before the Commission shall be signed either by the Chief Commissioner or Commissioner, provided that any of them may delegate the responsibility to a Director of Investigation or Director/Head of Legal Unit.

PART 3 REFERRAL AND WHISTLE BLOWING

8. Referral of cases outside the Commission's jurisdiction

The Commission may refer cases not falling within its purview to any relevant Agency of government that is statutorily empowered to handle such complaints.

9. Duty to report crimes discovered in the course of investigation to relevant Authorities

Pursuant to the Commission's power under **section 7(3)** of its enabling Act, whenever the Commission discovers that a crime may have been committed by any person, it shall report its findings to the relevant law enforcement Agency(ies).

10. Whistleblowing and Safe Reporting

- (i) The Commission as the Chair of the Inter-Agency Task Team's Working Group on Safe Reporting, creates a veritable platform for safe reporting of corrupt practices by receiving all manner of complaints bordering on corrupt practices and sends the complaints to the relevant anti-corruption Agencies.
- (ii) Pursuant to **Section 10(2)** of the Act, the Commission shall ensure full protection of a whistleblower through the instrumentality of privilege and non-disclosure of identity.

PART 4 PROCEDURE FOR HANDLING PROACTIVE INVESTIGATIONS

11. Rationale for proactive investigation

- (a) Pursuant to the provision of **Section 5(2)** of the Act, the Commission may decide to undertake a proactive inquiry into a particular societal malaise without necessarily waiting for petitions or complaints to be lodged.
- (b) A proactive investigation may be carried out when –
 - (i) a pattern of similar complaints has been received

- or observed on a large scale;
- (ii) a large number of people are directly affected by the issue raised;
- (iii) there is a potential for the Ombudsman Investigation to improve good administration across the public or private sector on a broad basis or in a particular Agency;
- (iv) a systemic investigation is required to correct observable societal or institutional administrative deficiency.

12. The Process

- a) The Commission shall observe the following processes while carrying out proactive investigation –
 - (i) the key issues to be investigated as well as the Agency or Institution involved shall be clearly identified, as well as the desired outcomes.
 - (ii) identification of the key personnel involved in the decision making process in the Agency or Institution to be investigated and determination of whether or not they should be interviewed;
 - (iii) draw up an investigation action plan detailing the persons to be interviewed, places to be visited and documents to be examined;
 - (iv) establish clear timelines of completion for specific tasks, the dates may be tentative as the complexity of the investigation shall dictate;
 - (v) prepare a budget for the exercise;
 - (vi) raise a team of competent investigators to execute the

- case; and
- (vii) submit a comprehensive report.

PART 5 REPORT AFTER INVESTIGATION

13. Report of Investigation

- (a) Upon receipt of the report of investigation, the Commission shall thoroughly analyse and prepare a comprehensive Report articulating its findings and recommendations which shall encompass any of the following —
 - (i) that a further investigation of the matter be made to clear observed lacunae;
 - (ii) that a modification or cancellation of the offending administrative act or other act be effected;
 - (iii) that an alteration of a regulation or ruling be effected; or
 - (iv) that full reason behind a particular administrative or other act be given.
- (b) The Commission may refer cases where its findings reveal inadequacy of administrative regulations or procedures to the relevant Agency, or in the case of legislation to the National Assembly or the appropriate House of Assembly for legislative review.
- (c) In every case where the Commission discovers that the conduct of any person is such that disciplinary action be taken against such a person, the Commission shall make a report in that regard to the appropriate authority which

shall take such further actions as may be necessary in the circumstances.

- (d) The full Report of Investigation and determination of the Commission shall be sent to the responsible Agency and its Supervisory Authority.
- (e) The Honourable Chief Commissioner or Commissioner under whose auspices the investigation is being conducted may also decide to present the report to the citizenry through the mass media or such other medium he shall determine in line with the powers of a Commissioner under **section 5(3)(b) of the enabling Act.**

14. Enforcement Procedure.

- (a) The Legal Unit upon the approval of the Honourable Chief Commissioner shall cause criminal proceedings to be instituted against any person who contravenes the provisions of **Sections 3(7), 8 and 9 of the Public Complaints Commission Act, CAP P.37 Laws of the Federation of Nigeria, 2004** through any of the followings procedures:
 - i. obtaining the prosecutorial fiat of the Attorney General of the Federation pursuant to **Section 174 of the Constitution** of the Federal Republic of Nigeria, 1999 (as altered);
 - ii. lodging of direct criminal complaints in a

- Magistrate Court; and
- iii. instituting criminal proceedings by the Police pursuant to the extant statutory provisions.

15. Citation

15. This Standard Operating Procedure may be cited as the Standard Operating Procedure for Handling Complaints in the Public Complaint Commission 2018.

HON. CHILLE W. IGBAWUA LLM, FCIPA
HON. CHIEF COMMISSIONER OF THE FEDERATION
22ND DECEMBER, 2018

APPENDIX 1

HEADQUARTERS, STATES AND FCT OFFICIAL EMAIL ADDRESSES		
NAME	DISPLAY NAME	USER PRINCIPAL NAME
Headquarters	Headquarters	headquarters@pcc.gov.ng
Nigeria ombudsman	Nigeria ombudsman	nigeriaOmbudsman@pcc.gov.ng
Ict	Ict	ict@pcc.gov.ng
Private investigation dept.	Private investigation dept.	privateinvestigation@pcc.gov.ng
Public investigation dept.	Public investigation dept.	publicinvestigation@pcc.gov.ng
Admin department	Admin department	admin@pcc.gov.ng
Investigation registry	Investigation registry	investigationregistry@pcc.gov.ng
Welfare unit	Welfare unit	welfare@pcc.gov.ng
Admin registry	Admin registry	adminregistry@pcc.gov.ng
Finance & account dept	Finance & account dept	account@pcc.gov.ng
Appt and records	Appt and records	appointmentsandrecords@pcc.gov.ng
Promotion and discipline	Promotion and discipline	promotion@pcc.gov.ng
Info	Info	info@pcc.gov.ng
Complain	Complain	complain@pcc.gov.ng
Abia	Abia	abia@pcc.gov.ng
Adamawa	Adamawa	adamawa@pcc.gov.ng
Akwaibom	Akwaibom	akwaibom@pcc.gov.ng
Anambra	Anambra	anambra@pcc.gov.ng
Bauchi	Bauchi	bauchi@pcc.gov.ng
Bayelsa	Bayelsa	bayelsa@pcc.gov.ng
Benue	Benue	benue@pcc.gov.ng
Borno	Borno	borno@pcc.gov.ng
Cross river	Cross river	crossriver@pcc.gov.ng
Delta	Delta	delta@pcc.gov.ng

Ebonyi	Ebonyi	ebonyi@pcc.gov.ng
Edo	Edo	edo@pcc.gov.ng
Ekiti	Ekiti	ekiti@pcc.gov.ng
Enugu	Enugu	enugu@pcc.gov.ng
Fct	Fct	fct@pcc.gov.ng
Gombe	Gombe	gombe@pcc.gov.ng
Imo	Imo	imo@pcc.gov.ng
Jigawa	Jigawa	jigawa@pcc.gov.ng
Kaduna	Kaduna	kaduna@pcc.gov.ng
Kano	Kano	kano@pcc.gov.ng
Katsina	Katsina	katsina@pcc.gov.ng
Kogi	Kogi	kogi@pcc.gov.ng
Kwara	Kwara	kwara@pcc.gov.ng
Lagos	Lagos	lagos@pcc.gov.ng
Nasarawa	Nasarawa	nasarawa@pcc.gov.ng
Niger	Niger	niger@pcc.gov.ng
Ogun	Ogun	ogun@pcc.gov.ng
Ondo	Ondo	ondo@pcc.gov.ng
Osun	Osun	osun@pcc.gov.ng
Oyo	Oyo	oyo@pcc.gov.ng
Plateau	Plateau	plateau@pcc.gov.ng
Rivers	Rivers	rivers@pcc.gov.ng
Sokoto	Sokoto	sokoto@pcc.gov.ng
Taraba	Taraba	taraba@pcc.gov.ng
Yobe	Yobe	yobe@pcc.gov.ng
Zamfara	Zamfara	zamfara@pcc.gov.ng

APPENDIX 2

PROTOTYPE LETTER REQUESTING FOR COMMENTS EXPLANATION FROM THE RESPONDENT.

Respondent's Address

RE: COMPLAINT ON ALLEGED ILLEGAL SUSPENSION AND DISMISSAL OF MR. ISMAIL BUKOLA OKECHUKWU FROM SERVICE.

I am directed to inform you that that a Complaint has been lodged with the Commission against your Organization in respect of the above subject matter.

- 2 The Complainant alleged that he was vide letter dated...
The Complainant further submitted that he was...
- 3 In view of the foregoing, you are hereby requested to respond to these allegations **NOT** later than **30 (Thirty) days** of the receipt of this letter pursuant to the provision of **Section 5(7) of the Public Complaints Commission Act, CAP P.37, Laws of the Federation of Nigeria, 2004.**
- 4 **TAKE NOTICE** that anyone who fails, refuses or neglects to respond to the Commission's request to furnish information within the period specified under Section 5(7) of the Public Complaints Commission Act shall be

guilty of an offence and liable on conviction to a fine or imprisonment for 6 (Six) months or to both such fine and imprisonment under Section 8(2) of the Act.

- 5 While expecting your speedy response to the above inquiry, accept the assurances of the Honourable Chief Commissioner's warm regards.

Signed

For: Honourable Chief Commissioner/Commissioner.

Appendix 3
IMELINE CHART FOR COMPLAINTS HANDLING.

S/N	ACTIVITY	ACTION BY	TIMELINE
1	Mail Opening	DI/Sectional Head	24 hours
2	Complaint Analysis and forwarding of prima facie recommendation to Superior Officer.	Schedule Officer (Investigation Officer)	72 hours from the time of receipt of Case file.
3	Directive on how and when investigation may be conducted	Chief Commissioner or Commissioner/ Dir, of Investigation	72 hours upon presentation of file.
4	Taking Necessary Action pursuant to directive on how investigation should be conducted	Investigation Officer	72 hours of receipt of directive.
5	Response to letter requesting for comments	Respondent	Not later than 30 days of the receipt of correspondence or letter of inquiry.
6	Issuance of Reminder	Investigation Officer	15 days after the failure of the Respondent to comment on the allegation
7	On-the-Spot Visit.	Investigation Officer	25th day after failure of the Respondent to comment on the allegation.
8	Submission of Report of On-the-Spot Visit.	Investigation Officer	24 hours after the visit
9	Referral of Complaint file to Legal Department	Chief Commissioner or Commissioner	24 hours after the expiration of the 30 days' timeline within which the Respondent shall respond.
10	Issuance of Summons or Seven-day Ultimatum	Chief Commissioner or Commissioner	24 hours after referral of complaint to the Legal Department

Appendix 4: Summons

**FEDERAL REPUBLIC OF NIGERIA
IN THE PUBLIC COMPLAINTS COMMISSION
HOLDEN AT PLOT 25, AGUIYI LRONSI STREET,
MAITAMA-ABUJA.**

IN THE MATTER OF THE COMPLAINT OF

.....COMPLAINANT

AGAINST

.....RESPONDENT

TO:

SUMMONS

By virtue of the powers conferred on the Honourable Chief Commissioner under Section 9 of the Public Complaints Commission Act, CAP P37, Laws of the Federation of Nigeria, 2004, you are hereby summoned to appear and give evidence before the Honourable Chief Commissioner, Public Complaints Commission, Headquarters at Plot 25, Aguiyi Ironsi Street, Maitama Abuja at on theday of..... 20..

You are also required to bring along with you all documents and other evidence relevant to the complaint lodged against the by

PLEASE TAKE NOTICE that any person who fails, neglects or refuses to appear before the Commission or to produce any document as may be required by him/her is guilty of an offence and is liable on conviction to imprisonment for six months or a fine or to both such fine and imprisonment under Section 9 (2) of the Public Complaints Commission Act, CAP P37, Laws of the Federation of Nigeria, 2004.

Dated this day of 20 .

**HON. CHIEF COMMISSIONER
PUBLIC COMPLAINTS COMMISSION
HEADQUARTERS, ABUJA.**