To: complaintsteam@sra.org.uk
Subject: Stage 2 Escalation – Service Complaint RGC-000[redacted] (linked to RGC-000[redacted])

Dear Corporate Complaints Team,

I am escalating my service complaint to Stage 2 under the SRA's Complaints Policy.

- Stage 1 ref: RGC-000[redacted] (Complaints Officer: Miss S[redacted] Salh; response dated 5 September 2025)
- Underlying report ref: RGC-000[redacted] (decision dated 31 July 2025)

Grounds for Escalation – Material Failings at Stage 1

At the outset, Stage 1 mischaracterised my complaint as a simple disagreement with outcome. My complaint was expressly about procedural flaws and service failings, including failure to apply the Assessment Threshold Test correctly and failure to make reasonable enquiries before closing the matter. These points were not addressed. The evidence I identified — council correspondence, access logs and internal records — is specific, obtainable and was clearly set out in my Stage 1 submission.

1. Failure to engage with the core procedural flaw
   The Stage 1 response does not explain how the ATT—particularly stage 3 ("capable of proof")—was applied where identifiable evidence was known to exist. It merely repeats that the Investigation Officer "did not consider additional information necessary," without addressing why no reasonable enquiries were made before deciding the matter was not capable of proof.
2. Non-response to my Rule 3.2 ANRAR request
   My request that the SRA consider using Rule 3.2 (own-initiative review/correction of an administrative error) was not addressed at all. If the SRA now declines to exercise Rule 3.2, please provide the reasons in writing.
3. Circular reliance on the original decision-maker
   Stage 1 simply endorses Mr Rayhan's judgment without independently reviewing whether his refusal to seek available evidence was itself a service failing (lack of care, contrary to the Enforcement Strategy).
4. Improper outsourcing of regulatory judgment to the ICO
   Miss Salh's response states that I "may wish to raise [my] concerns directly with the ICO" and suggests that the SRA would only revisit the matter if the ICO were critical. This is a fundamental flaw: the SRA has its own public interest duty to assess alleged breaches of the Principles and Codes of Conduct. Outsourcing that responsibility to the ICO is inconsistent with the Enforcement Strategy and fails to exercise independent regulatory judgment.

5. Rule 1.1 used as a shield from scrutiny
   The Stage 1 response does not engage with my point that treating this as a Rule 1.1 early-closure cannot immunise the decision from review where procedural errors exist. Rule 3.2 ANRAR specifically allows review/correction where necessary.

What I Request at Stage 2

- A full Stage 2 review of whether Stage 1 was handled thoroughly and fairly, against the Complaints Policy tests (correct procedure followed; all relevant information considered; no irrelevant information considered; correct application of the Standards and Regulations; reasonableness of the decision).
- A clear explanation of how each ATT stage was assessed, particularly stage 3, given the existence of identifiable, obtainable evidence.
- An express decision on whether the SRA will exercise Rule 3.2 ANRAR to review/correct the closure decision, with reasons if declined.
- Disclosure of the assessment notes and internal reasoning relied upon at triage and Stage 1 (redacted as necessary) to demonstrate how the policy was applied.
- Confirmation that the case file is retained and no administrative closure action will be taken while Stage 2 is under consideration.

Please acknowledge this escalation within five working days and provide a full Stage 2 response within 25 working days, as required by the Complaints Policy. I request that all communication remain in writing.

Faithfully
Mr Chris Bury

Attachments:

1. *Mr C Bury Response – RGC-000[redacted].pdf* — Stage 1 response (5 Sept 2025)
2. *SRA Stage 1 Service Complaint – RGC-000[redacted] (Porter-O'Connor).pdf* — my Stage 1 complaint
3. *SRA RGC-000[redacted]– Closure Letter.pdf* — original decision (31 July 2025)