



Changes to the Social Work Complaints System Briefing Paper for Carers and Carer Support Organisations

Following a Scottish Government review of social work complaints, the complaints system changed on the **1st April 2017**.

This briefing paper explains what the changes are and how you can go about making a complaint about a social work service.

What are the main changes

Previously the role of the **Scottish Public Services Ombudsman (SPSO)** in investigating complaints about social work services was limited to complaints about administrative matters, such as unreasonable delays or failure to apply the law or rules properly.

However, from the 1st of April 2017, their role has been extended and they will now also consider complaints relating to social work professional judgement.

Previously, complaints from individuals about social work services were investigated through the complaints procedure set out by the local authority. This meant that the complaints process ended at the local authority level with a Complaints Review Committee (CRC).

Now if the complaint is not resolved by the local authority, it can be referred to the SPSO. The SPSO looks at complaints **after** you have gone through the organisation's complaints procedure to try to sort things out first. The SPSO is now the final stage for complaints about social work services

These changes will apply to any complaints made after the 1st of April 2017, but not any complaints that are currently going through the complaints procedure which were initiated before the 1st of April 2017

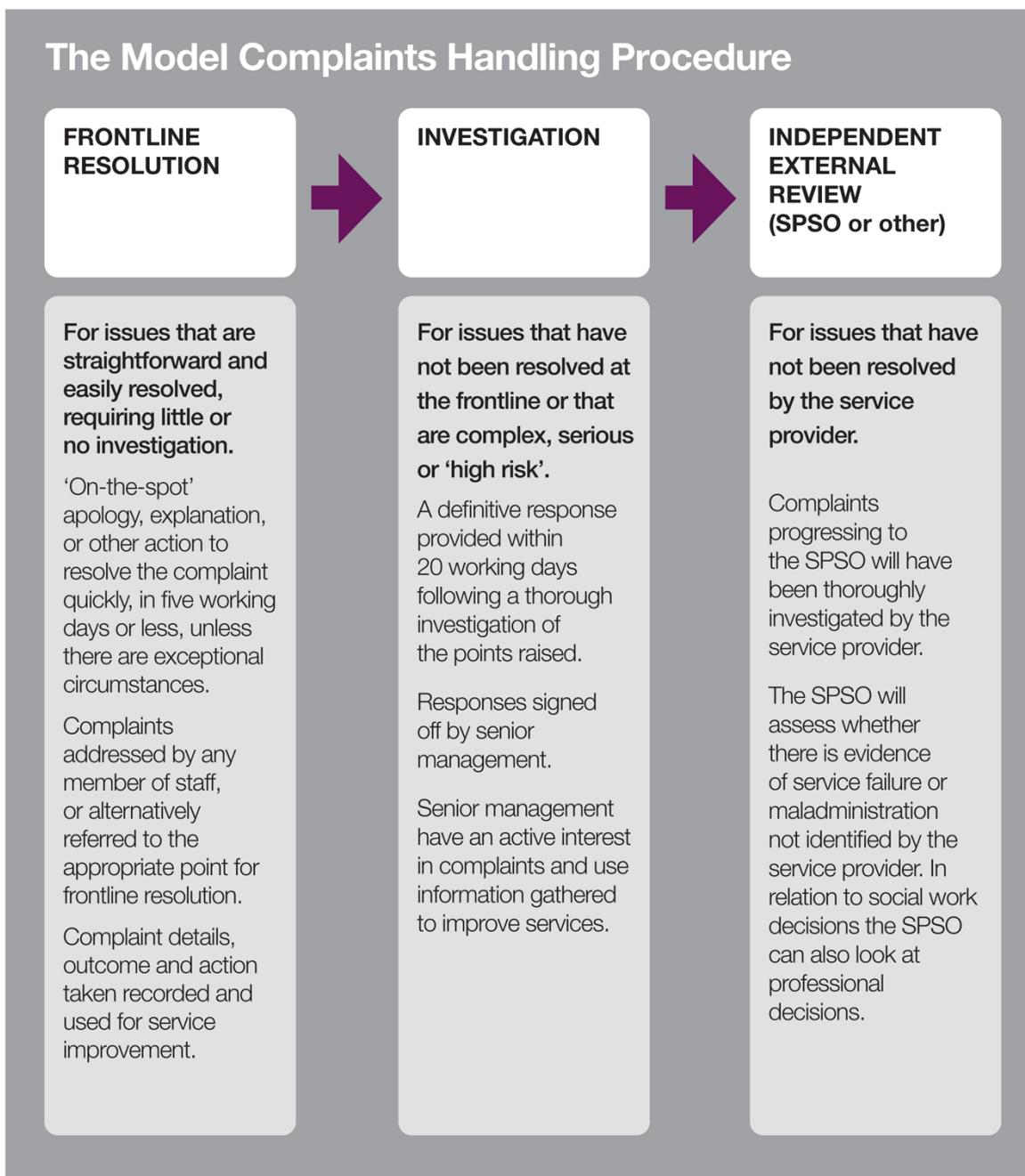
The New Social Work Model Complaints Handling Procedure

The focus is on early resolution, as close to the point of service delivery as possible. Staff are encouraged to take complaints and resolve them as quickly as possible, or seek assistance if necessary.

The timescale for responding to an initial complaint is five days, with the possibility of an extension by up to ten working days in exceptional circumstances.

More complex complaints, or those that have not been resolved at the first stage, can be investigated more thoroughly at stage 2 of the new procedure, for a final response within 20 working days.

The diagram below outlines the stages and timescales involved in the new procedure:



How the SPSO will investigate your complaint

The SPSO is also the final stage for complaints about councils, the National Health Service, housing associations, colleges and universities, the Scottish Government and others.

They already consider professional judgement in health complaints, which means that social work and health complaints now follow the same process.

When investigating professional judgement with health complaints, the SPSO's complaints reviewers obtain expert evidence from Independent Professional

Advisers (IPAs) when needed. For example, this could be a medical opinion from one of their independent GP advisers where someone has complained about the treatment, diagnosis or referrals made by their GP practice.

Their complaints reviewers will be able to enlist expert evidence from their social work IPAs in the same way as they do with their medical IPAs.

This means that social work IPAs will examine the facts and circumstances of each case and provide independent, expert advice on what it was reasonable to expect in terms of professional judgement, also taking into account any relevant legislation.

Once they have investigated your complaint the SPSO will write to you with their decision. They will tell you whether they have upheld or not upheld your complaint and about any recommendations they have made to put things right.

Scottish Public Services Ombudsman – Contact Details

For more information about the Scottish Public Services Ombudsman (SPSO). You can visit their Website or contact one of their officers. Details are below:

Francesca Richard by Email: francesca.richards@spso.gsi.gov.uk
Tel 0131 240 2992

Paul Smith by Email: paul.smith@spso.gsi.gov.uk
Tel: 0131 240 2969

Website: <https://www.spso.org.uk/>

About the National Carer Organisations

The National Carer Organisations are brought together by a shared vision that all Scotland's unpaid carers will be valued, included and supported as equal partners in the provision of care and will be able to enjoy a life outside of caring. They are Carers Scotland, the Coalition of Carers in Scotland, Minority Ethnic Carers of People Project (MECOPP), Carers Trust Scotland, the Scottish Young Carers Services Alliance, Crossroads Caring Scotland and Shared Care Scotland.

Further Information

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National Carer Organisations, April 2017