

# How to complain about a social work service

## **We are a free and independent service.**

We are the Scottish Public Services Ombudsman (SPSO). We look at complaints about most public services in Scotland (such as schools, councils, the Scottish Government and the NHS). This includes complaints about social work.

## **Have you already complained?**

Before SPSO can look at your complaint, you need to have complained about the social work issues you are unhappy with to the social work service. Once they have received your complaint, they will look into it, tell you their decision and signpost to us. If you then want us to look at the complaint, please contact us.

## **1 April 2017**

This leaflet is about the social work complaints procedure after 1 April 2017. If you complained before 1 April 2017 you need to use a different procedure. Please call our Advice Line on 0800 377 7330 if you need further information about this.

We cannot intervene in urgent situations, or stop something from happening, such as children going into care. If you have an issue that needs urgent attention, please contact social work services or you may wish to take legal advice.

## When you first complain to us

We will let you know whether we are able to look at your complaint. If we are not able to, we will advise you why, and explain what you may be able to do next.

## Complaining for someone else

You can complain on behalf of someone else. If you are complaining on behalf of anyone over 12 years old, we will normally need their consent. If you are complaining on behalf of someone who cannot give consent, we may still be able to look at the complaint. Please let us know why you are a suitable person to bring the complaint to us.

## What we can look at

Here are some examples of what we can look at:

- social work decisions, such as:
  - decisions about your care needs;
  - decisions that might affect the service and support you may receive, including Self Directed Support; and
  - some decisions around child and adult protection, as long as other legal processes are not involved.
- social work services provided to children in local authority care
- the information provided about social work services
- the level of support provided to help you access social work services
- delays
- how you have been treated, including staff behaviour
- how people have communicated with you
- financial assessments
- how the social work service responded to your complaint.

## What we cannot look at

- We cannot look at something that has been looked at or is about to be used in a court or other legal processes like a children's hearing. This might include reports that social work have prepared for those processes.
- Complaints about the actual care and the *standards* of care delivered are looked at by the Care Inspectorate. This could include care delivered in care homes, nurseries, or in your own home. You can find their contact details at the end of this leaflet. We can advise you on whether your complaint should be looked at by SPSO or the Care Inspectorate.

We will be happy to discuss with you whether or not we can look at your complaint. See our contact details at the end of this leaflet.



*Timescales* – You should normally make your complaint to us within twelve months of realising that you think the social work service have done something wrong.

## What happens if we find something has gone wrong?

If we think that something has gone wrong with the social work service provided to you, we might:

- ask them to look at their decisions again
- ask them to change their decisions
- recommend that they improve their services in a particular way
- recommend that they apologise to you.

We will give you advice when you bring your complaint to us on what we may be able to do. Please note, we cannot have a member of the organisation's staff dismissed, disciplined or de-registered. If you think a member of staff should be de-registered, please contact the Scottish Social Services Council.

## Contacting the SPSO

If you would like advice on complaining about social work services, you can get in touch with us. We can also advise you on whether we will be able to look at your complaint.



### Call us

Freephone advice line: **0800 377 7330**



### Online

[www.spsso.org.uk/contact-us](http://www.spsso.org.uk/contact-us)



### In person

**SPSO, 4 Melville Street, Edinburgh EH3 7NS**

We are open Monday, Wednesday, Thursday and Friday 9am-5pm, Tuesday 10am-5pm. You don't need to make an appointment.



### By post

**Freepost SPSO**

(that is all you need to write on the envelope and you don't need a stamp)

## More help, advice and information

People can help you make a complaint. You could ask a friend, relative, councillor, MSP or an advocate. You can find out about advocates in your area by contacting the Scottish Independent Advocacy Alliance. Your local Citizens Advice Bureau can also help.

### Citizens Advice Bureau

Citizens Advice Scotland may be able to give you further advice and guidance. You can discuss your concerns with your local Citizens Advice Bureau. To find your nearest bureau please visit [www.cas.org.uk](http://www.cas.org.uk), or look in the phone book.

### Scottish Independent Advocacy Alliance

Scottish Independent Advocacy Alliance may be able to assist you in finding an independent advocate in your area. Their contact details are:

**Mansfield Traquair Centre, 15 Mansfield Place, Edinburgh EH3 6BB**

**0131 524 1975**

**[enquiry@siaa.org.uk](mailto:enquiry@siaa.org.uk)**

**<http://www.siaa.org.uk/>**

Other useful contact details are:

### Care Inspectorate

**Compass House, 11 Riverside Drive, Dundee, DD1 4NY**

**0345 600 9527**

**[enquiries@careinspectorate.com](mailto:enquiries@careinspectorate.com)**

**<http://www.careinspectorate.com>**

### Scottish Social Services Council

**Compass House, 11 Riverside Drive, Dundee, DD1 4NY**

**0345 60 30 891**

**<http://www.sssc.uk.com/>**