

SSSC Complaints Handling Procedure

Guide for complainants
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Anna Fairweather	16/07/2024	Amendments to the “who can make a complaint?” and “particular circumstances” sections to make reference to our responsibilities under SPSO’s new child friendly complaints handling procedure.	

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1. Chief Executive's Foreword

We work hard to meet our values as an organisation. That is to listen, learn and then do the right thing.

How we manage and respond to feedback and complaints is a key part of this.

We value feedback and complaints and use information from them to help us improve our services. Handled well, complaints give our customers a form of redress when things go well and help us continuously improve our services.

This complaints handling procedure helps us resolve issues and dissatisfaction as quickly as possible. It guides how we conduct thorough, impartial and fair investigations into complaints so that we can make evidence-based decisions.

The procedure aims to keep the customer at the heart of the process and 'get it right first time'.

It allows us to handle complaints in a simple and streamlined way by capable and well-trained staff. We use a standardised approach that complies with the Scottish Public Services Ombudsman's (SPSO) guidance on a [model complaints handling procedure](#).

We also use this procedure to help prevent the same problems that led to the complaint from happening again and to improve customer satisfaction. Complaints give us valuable information and insight into customers' experience which can highlight problems we may otherwise miss.

While updating this procedure we took care to make sure that we have options and resources in place to support vulnerable customers regardless of their reasons for requiring support. This includes a specific section covering options for those who need help or support to make their complaint.

All customers can make a complaint in whichever way and format suits them best. This includes online, by phone and in person.

Our complaints handling procedure will help us do our job better, improve relationships with our customers and better understand how to improve our services by learning from complaints.



Maree Allison
Chief Executive

2. Complaints about the Scottish Social Services Council (SSSC)

We value complaints and use information from them to help us improve our services.

If something goes wrong or you are dissatisfied with our services, please tell us. This guide describes our complaints procedure and how to make a complaint. It also tells you how we will handle your complaint and what you can expect from us.

If you need help to make your complaint please let us know.

We treat all the information you give us as confidential. We will always comply with our data protection obligations in handling and managing information about your complaint. Our Data protection and privacy notice sets out how we process personal data. You can read it on our website here: [Data protection and privacy notice](#).

You can read our reports on our complaints performance on our website: [Complaints performance reports](#).

2.1 What is a complaint?

We regard a complaint as any expression of dissatisfaction about our action or lack of action, or about the standard of service provided by us or on our behalf.

2.2 What can I complain about?

You can complain about things like:

- failure or refusal to provide a service
- inadequate quality or standard of service, or an unreasonable delay in providing a service
- dissatisfaction with one of our policies or its impact on you or the person you are complaining on behalf of
- failure to properly apply law, procedure or guidance when delivering services
- failure to follow the appropriate administrative process
- conduct, treatment by, or attitude of a member of staff or contractor (**except** where there are arrangements in place for the contractor to handle the complaint themselves)
- disagreement with a decision, (**except** where there is a statutory procedure for challenging that decision, or an established appeals process followed throughout the sector).

Your complaint may involve more than one department or service within the SSSC or be about someone working on our behalf.

2.3 What can't I complain about?

There are some things we can't deal with through our complaints procedure. These include:

- a routine, first time request for a service
- a request for compensation only
- issues that are in court or have already been heard by a court or a tribunal (if you decide to take legal action, you should let us know as the complaint cannot then be considered under this process)
- any decision under the Registration Rules, Fitness to Practise Rules, Social Work Training Rules, Specialist Training for Social Service Workers Rules, Childhood Practice Rules or other SSSC Rules
- decisions made by SSSC staff using their professional judgement, except when the complaint is that the correct procedures weren't followed, there was an unreasonable delay or the decision is unreasonable
- a request for information under data protection or Freedom of Information legislation
- a grievance by a staff member or a grievance relating to employment or staff recruitment
- a complaint about a member of our Council
- a concern raised internally by a member of staff (which was not about a service they received, such as a whistleblowing concern)
- a concern about a child or an adult's safety
- an attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision. If you are unhappy with the decision on a previous complaint, this should be escalated as a stage two or stage three complaint – see sections 2.8, 2.9 and 2.11 for further information
- abuse or unsubstantiated allegations about our organisation or staff where such actions would be covered by our Expected Behaviour Policy
- a concern about the actions or service of a different organisation, where we have no involvement in the issue (except where the other organisation is delivering services on our behalf)
- a complaint about a social services worker. This is a different process and you can read more on the [Raising a concern](#) page of our website. If other procedures or rights of appeal can help resolve your concerns, we will give information and advice to help you.

2.4 Who can complain?

Anyone who receives, requests or is directly affected by our services can make a complaint to us. This includes the representative of someone who is dissatisfied with our service (for example, a relative, friend, advocate or adviser). If you are making a complaint on someone else's behalf, you will normally need their written consent. [Please also read the section on getting help to make your complaint.](#)

Where a complaint is made by a child (anyone under the age of 18), or where a complaint is made by an adult on behalf of a child, we will follow the [SPSO's Child Friendly Complaints Handling Principles](#). For more information on how a complaint made by a child will be handled, see [Getting help to make your complaint.](#)

2.5 How do I complain?

You can complain via our [complaints form](#), by phone, in writing or by email.

It is easier for us to address complaints if you make them quickly and directly to the service concerned so please talk to a member of our staff at the service you are complaining about. Then they can try to resolve the issue.

When complaining, please tell us:

- your full name and contact details
- as much as you can about the complaint
- what has gone wrong
- what outcome you are seeking.

2.6 How long do I have to make a complaint?

Normally you must make your complaint within six months of:

- the event you want to complain about, or
- finding out that you have a reason to complain.

In exceptional circumstances, we may be able to accept a complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.

2.7 What happens when I have complained?

We will always tell you who is dealing with your complaint. Our complaints procedure has two stages.

2.8 Stage one: frontline response

We aim to respond to complaints quickly. Where possible, this is when you first tell us about the issue. This could mean an on-the-spot apology and explanation if something has clearly gone wrong, or immediate action to resolve the problem.

We will give you our decision at stage one in five working days, unless there are exceptional circumstances.

If you are not satisfied with the response we give at this stage we will tell you what you can do next. If you choose to, you can take your complaint to stage two. You must normally ask us to consider your complaint at stage two either:

- within six months of the event you want to complain about or finding out you have a reason to complain
- within two months of receiving your stage one response (if this is later).

In exceptional circumstances we may be able to accept a stage one complaint after the time limit.

2.9 Stage two: investigation

Stage two deals with two types of complaint:

- if you remain dissatisfied after stage one
- those that clearly require an investigation.

If you do not wish your complaint to be handled at stage one, you can ask us to handle it at stage two instead.

When using stage two:

- we will acknowledge receipt of your complaint within three working days
- we will confirm our understanding of the complaint, what we will investigate and what outcome you are looking for
- we will try to resolve your complaint where we can (in some cases we may suggest using a different approach, such as mediation), and
- where we cannot resolve your complaint, we will give you a full response as soon as possible, normally within 20 working days.

If our investigation will take longer than 20 working days, we will tell you. We will tell you our revised time limits and keep you updated on progress.

In exceptional circumstances we may be able to accept a stage two complaint after the time limit.

2.10 Complaint outcomes

There are four possible outcomes to a complaint:

- resolved – we have agreed a resolution with you that does not require any further investigation or review of our processes.
- upheld – we have reviewed or investigated the issues in our complaint and found that we were at fault or could have done better. We will look at making changes or improvements to our processes.
- partially upheld – there were multiple points to the complaint. We have reviewed or investigated the issues and found some points should be upheld and some should not.
- not upheld – we have reviewed or investigated the issues in the complaint and found no fault on our part.

2.11 What if I'm still dissatisfied?

After we have given you our final decision, if you are still dissatisfied with our decision or the way we dealt with your complaint, you can ask the Scottish Public Services Ombudsman (SPSO) to look at it. This is a "stage three" complaint.

The SPSO are an independent organisation that investigates complaints. They are not an advocacy or support service (but there are other organisations who can help you with advocacy or support).

You can ask the SPSO to look at your complaint if:

- you have gone all the way through our complaints handling procedure
- it is less than 12 months after you became aware of the matter you want to complain about, and
- the matter has not been (and is not being) considered in court.

The SPSO will ask you to complete a complaint form and provide a copy of our final response to your complaint.

You can do this online at www.spsso.org.uk/complain/form or call them on Freephone 0800 377 7330.

You may wish to get independent support or advocacy to help you progress your complaint. See the section on [Getting help to make your complaint](#).

The SPSO's contact details are:

SPSO

Bridgeside House

99 McDonald Road

Edinburgh

EH7 4NS

(if you would like to visit in person, you must make an appointment first)

Their freepost address is:

FREEPOST SPSO

Freephone:

0800 377 7330

Online contact

www.spsso.org.uk/contact-us

Website:

www.spsso.org.uk

2.12 Getting help to make your complaint

We understand that you may be unable or reluctant to make a complaint yourself. We accept complaints from the representative of a person who is dissatisfied with our service. We can take complaints from a friend, relative, or an advocate, if you have given them your consent to complain for you.

You can find out about advocates in your area by contacting the [Scottish Independent Advocacy Alliance](#), 0131 510 9410.

You can also find out about advisers in your area through [Citizens Advice Scotland](#).

We are committed to making our service easy to use for all members of the community. In line with our statutory equalities duties, we will always make sure that reasonable adjustments are made to help you access and use our services. If you have trouble putting your complaint in writing, or want this information in another language or format, such as large font or Braille, please tell us in person or contact us. BSL users can contact us via

contact SCOTLAND-BSL, the online British Sign Language interpreting service. Find out more on the [contact SCOTLAND website](#).

Where a complaint is made by a child (anyone under the age of 18), or where a complaint is made by an adult on behalf of a child, we will follow the [SPSO's Child Friendly Complaints Handling Principles](#).

Each complaint should be dealt with on a case-by-case basis. If you are under the age of 18, you will be supported to make your complaint in a way that empowers you to make your views heard and make your own decisions on how you wish your complaint to be handled. This may include (but is not limited to) using your preferred method of communication, or communicating with an advocate you have identified.

Full details on how a complaint from a child will be handled can be found in the [SPSO's Child Friendly Complaints Handling Process Guidance](#).

Our contact details

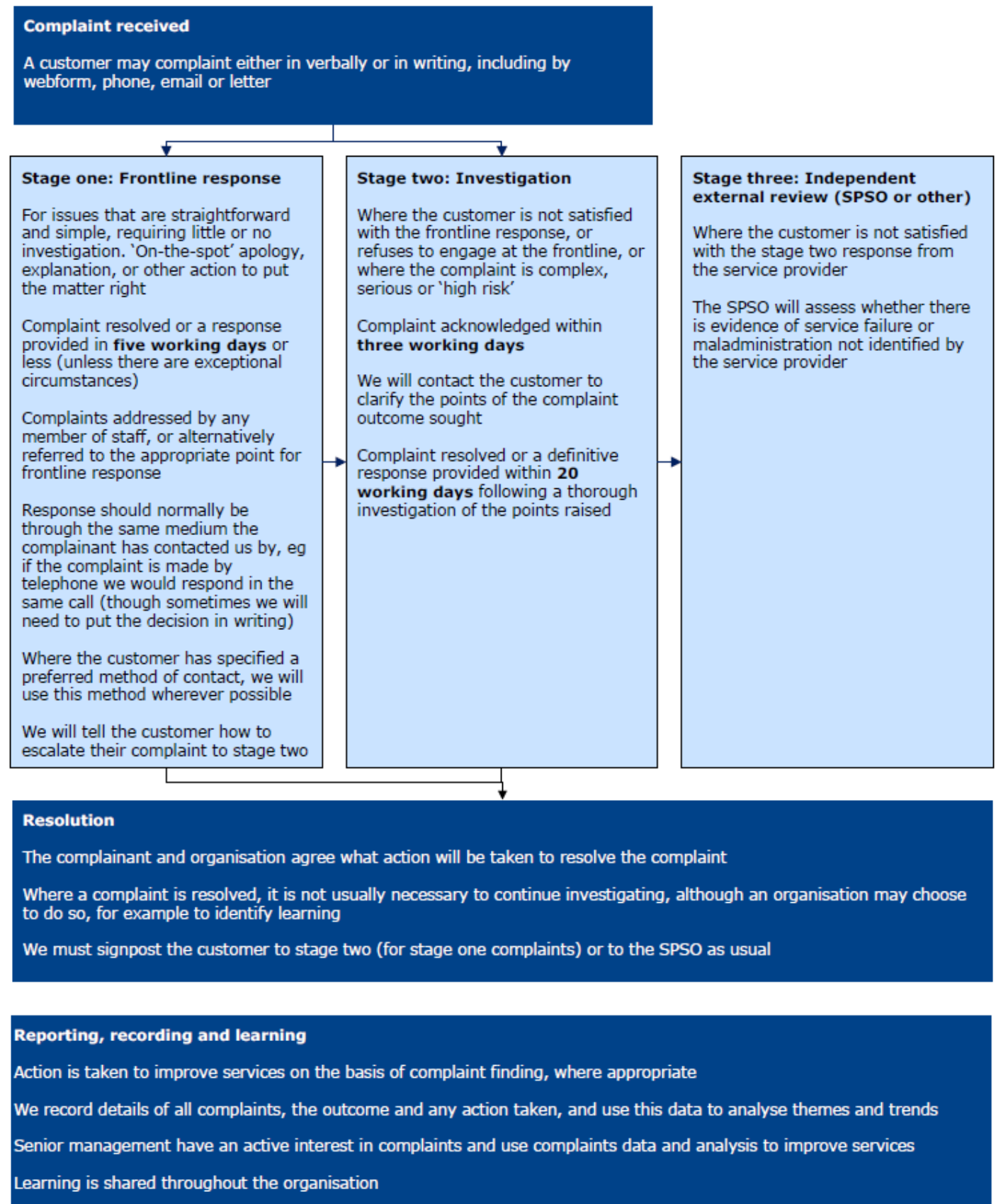
Our address is:

Scottish Social Services Council
Compass House
11 Riverside Drive
Dundee
DD1 4NY

You can call us on 0345 60 30 891.

You can email us directly at complaints@sssc.uk.com.

3. Quick guide to our complaints procedure





Scottish Social Services Council
Compass House
11 Riverside Drive
Dundee
DD1 4NY

Tel: 0345 60 30 891
Email: enquiries@sssc.uk.com
Web: www.sssc.uk.com

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