

How to complain about a social work service

We are a free and independent service.

We are the Scottish Public Services Ombudsman (SPSO), the final stage for complaints about most devolved public services in Scotland. This includes councils and their social work services, the NHS, housing associations, prisons, water and sewerage providers, Scottish Government and associated public bodies, universities and colleges.

Have you already complained?

Before we can look at your complaint, you will normally need to complain to the social work service you are unhappy with. They will look into your concerns, tell you their decision and let you know how to contact us.

If you are not satisfied with their response, you can ask us to look at your complaint. You should normally bring your complaint to us within 12 months of becoming aware of the issue.

When you first complain to us

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

Complaining for someone else

You can complain on behalf of someone else, but 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.

If you are complaining on behalf of a child or young person under the age of 18, we will need to consider the complaint in line with the **SPSO's Child Friendly Complaints Handling Principles**.

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:

- the assessment of your care needs under self-directed support and other related matters
- the assessment of your eligibility for social work support e.g. kinship care
- 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 may be better 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 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, for example if it is about the protection of a child or adult that may be at risk, please contact social work services or you may wish to take legal advice.
- We cannot investigate a healthcare worker or social worker's 'fitness to practice'. It may be more appropriate for this to be referred to their regulatory body such as the Scottish Social Services Council (SSSC).

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.

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 decision again following the proper process if we have found errors in how that decision was made
- 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 staff dismissed, disciplined or de-registered. If you have concerns about a worker's 'fitness to practice' it is open to you to raise your concern with the relevant regulatory body, i.e. SSSC or the Nursing and Midwifery Council (NMC).

More help, advice and information

People can help you make a complaint. You could ask a friend, relative, councilor, 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. If you need advice or assistance regarding kinship care you can contact Kinship Care Advice Service.

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 <https://www.cas.org.uk/get-advice> or call **0800 028 1456**.

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:

The Melting Pot, 15 Calton Road, Edinburgh, EH8 8DL

Tel: **0131 510 9410** Email: enquiry@siaa.org.uk Website: www.siaa.org.uk

Other useful contact details are:

Care Inspectorate

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

Tel: **0345 600 9527**

Email: enquiries@careinspectorate.com Website: www.careinspectorate.com

Scottish Social Services Council

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

Tel: **0345 60 30 891** Website: www.sssc.uk.com/

Kinship Care Advice Service for Scotland

Association for Foster, Kinship and Adoption Scotland (AFKA)

Foxglove Offices / GF2, 14 Links Place, Edinburgh, EH6 7EZ

Tel: **0131 332 8490**

Email: info@afkascotland.org Website: <https://afkascotland.org/>

How to contact the SPSO



A freepost envelope can be sent to you. Please call us if you need one.



SPSO, Bridgeside House, 99 McDonald Road, Edinburgh EH7 4NS

Opening hours: Monday, Wednesday, Thursday, Friday 9am–5pm,
Tuesday 10am–5pm

If you would like to visit our office in person, you must arrange an appointment first by phoning 0800 377 7330 or using our online contact form.



Freephone **0800 377 7330**

This line is open during the following hours: Mon, Wed & Fri 9am–1pm,
Tues & Thurs 1pm–5pm

Calls outside of these hours can be arranged by appointment using our online contact form.



Website **www.spsso.org.uk**



Online contact form **www.spsso.org.uk/contact-form**

You can fill in our complaints form online at **forms.spsso.org.uk/spsso**

Calls to and from SPSO phone lines may be recorded to check the quality of our service and help us do our job to help you. More details are in the privacy notice: **www.spsso.org.uk/privacy-notice**. Please ask if you want to confirm if a call is or is not being recorded or if you would like to know what options may be available to you if you do not wish to be recorded.

Please contact us if you would like this leaflet in another language or format (such as large print, audio, BSL or Braille).