

ABERDEEN CITY COUNCIL

COMMITTEE	Audit, Risk and Scrutiny
DATE	23 November 2017
REPORT TITLE	Social Work Complaints
REPORT NUMBER	ECS/17/063
DIRECTOR	Gayle Gorman
REPORT AUTHOR	Jody McKenzie

1. PURPOSE OF REPORT:-

- 1.1 The report is to advise that Aberdeen City Council's process in handling Social Works complaints has been deemed fully compliant by the Scottish Public Services Ombudsman (SPSO).

2. RECOMMENDATION(S)

- 2.1. To note that the SPSO has provided external assurance that Aberdeen City Council is fully compliant with the Complaints Handling Procedure.

3. BACKGROUND/MAIN ISSUES

- 3.1. Up until 1 April 2017, Social Work complaints were dealt with under The Social Work (Representation Procedures) (Scotland) Directions 1996. As of 1 April 2017, complaints are dealt with in line with the Public Services Reform (Social Work Complaints Procedure) (Scotland) Order 2016.
- 3.2. Accordingly, Aberdeen City Council has developed a new Complaints Handling Procedure which is based on the Complaints Handling Procedure (CHP) developed by the SPSO specifically for social work.
- 3.3. The procedure requires that complaints are, where possible, dealt with at a frontline stage, within 5 working days but that can be extended to 15 days in exceptional circumstances. For more complex issues, it is recommended that they are dealt with under stage 2 (Investigation) of the process. This requires a full response within 20 working days. Where this is not possible, an extension can be agreed with the complainant to allow more time for investigation.
- 3.4. As part of the CHP, authorities are required to publish certain information on their website. This includes a fully tailored CHP relevant to the authority and

appropriate information on how individuals can make complaint and what to expect from the process.

- 3.5. The SPSO confirmed on 15 June 2017 that Aberdeen City Council is fully compliant with the CHP.

4. FINANCIAL IMPLICATIONS

- 4.1. There are no apparent financial implications to this change, as workload and staffing are expected to remain unchanged.

5. LEGAL IMPLICATIONS

- 5.1. There are no direct legal implications arising from the recommendations of this report.

6. MANAGEMENT OF RISK

Financial

- 6.1 No apparent risk identified.

Employee

- 6.2 No apparent risk identified.

Customer / citizen

- 6.3 No apparent risk identified.

Environmental

- 6.4 No apparent risk identified

Technological

- 6.5 No apparent risk identified

Legal

- 6.6 No apparent risk identified

Reputational

- 6.7 From 1 April 2017, those dissatisfied with how Aberdeen City Council respond to a complaint can raise the matter directly with the SPSO.

- 6.8 If the SPSO find that the Council response was lacking and that there had in fact been failings as raised by the complainant, the SPSO will publish their decision and recommendations.
- 6.9 Where the decision is not favourable towards Aberdeen City Council, this could cause reputational damage and cause citizens to have less trust in the social work service and the Council.
- 6.10 It is therefore important that when complaints are dealt with that a full and thorough investigation is done. Furthermore, where failings have occurred we must be open and honest about how this will be tackled.
- 6.11 Overall, the risk to reputational damage is low, given that a robust complaints process is in place and honest decisions are made when actions have fallen short of the standards expected. However, it is possible that individuals could raise matters with the SPSO, which could result in the circumstances being more widely reported.

7. IMPACT SECTION

Economy

- 7.1. Not applicable

People

- 7.2. The change in the complaints process does not affect how people can make complaints about social work, but does positively affect timescales for response and how matters can be appealed. Emphasis is now placed on trying to resolve issues frontline and within 5 working days, which provides a better service to the public. Where complaints are more complex, these will be investigated and responded to within 20 working days. The final right of appeal is to the SPSO, which replaces Complaints Review Committees had a more limited remit than the SPSO and which some complainants found to be intimidating and onerous.

Place

- 7.3. Not applicable

8. BACKGROUND PAPERS

- 8.1. Complaints Handling Procedure [Social Work Comments or Complaints](#)

9. APPENDICES (if applicable)

- 9.1. Not applicable

10. REPORT AUTHOR DETAILS

- 10.1 Jody McKenzie
Senior Complaints, Rights and Enquiries Officer

jdmckenzie@aberdeencity.gov.uk

01224 522004

HEAD OF SERVICE DETAILS

- 10.2. Euan Couperwhite
Head of Policy, Performance and Resources Job title
ecouperwhite@aberdeencity.gov.uk
01224 522073