**Complaints Handling Procedure**

Social Security Scotland is committed to giving you a high-quality of service. Some times things go wrong. This document tells you how to complain.

We want to hear when things go wrong so want to make it as easy as we can for you to make a complaint. Even if we have fixed the problem the lessons we learn from your complaint might help others.

If something goes wrong or you are unhappy with our services, please tell us. We value all complaints and use information from them to help us improve our services.

**Contents**

* [What a complaint is](#What)
* [What you can complain about](#About)
* [What complaints can’t we deal with](#Cantdealwith)
* [Who can make a complaint](#Who)
* [How to make a complaint](#How)
* [Making an anonymous complaint](#Anonymous)
* [Time limits for complaints](#Timelimit)
* [What happens when you complain](#Whattoexpect)
* [What happens if you are still unhappy](#Ifstillunhappy)
* [Getting help to complain](#Help)
* [Quick guide](#Quickguide)
* [Complaint examples](#Examples)

**What a complaint is**

A complaint is any expression of dissatisfaction about our action or lack of action, or about the standard of service provided by us or on our behalf.

**What you can complain about**

You can complain about things like:

* delays with your application or payments
* the information we have given to you
* the way we have treated you
* a decision (if you cannot ask us to look at it again in another way) our offices

Your complaint may be about than one Social Security Scotlandservice or be about someone working on our behalf. Sometimes we might have to redirect your complaint. We will make it clear to you if we are not able to accept your complaint and will let you know who you should contact.

**What complaints we can’t we deal with**

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

* issues that are in court or have already been heard by a court or a tribunal, like an appeal about your benefits
* disagreement with a decision where we can look at the decision again. We will let you know if there is another way to ask us to look at our decision and how to do that.
* a request for information under the Data Protection or Freedom of Information (Scotland) Acts
* a complaint that we have investigated and we have given you a full written letter with our final decision.

If we can’t deal with your complaint we will tell you why and offer advice and information to help you.

**Who can make a complaint**

Anyone who uses our services can make a complaint. If you need help to make a complaint we can take complaints from other people on your behalf, as long as you have agreed to it.

If you are making a complaint on someone else’s behalf, you will need their consent. Please also read the section on [**Getting help to make your complaint**](#Help) below.

**How to make a complaint**

You can complain in person, by phone, in writing, online or on social media. If you have trouble making your complaint or want this information in another language or format please tell us in person or contact us.

We have

* interpretation, translation and transcription services in over 100 languages
* British Sign Language (BSL) video relay service, available through Contact Scotland
* letters, information and guidance available in braille, large print, easy read and various audio formats
* online content that is compatible with screen reader software on Jaws, Voiceover and Non Visual Desktop Access (NVDA) platforms

Our contact details are -.

* 🕿 Telephone 0800 182 2222
* 🖰 Online - [Social Security Scotland - Feedback](https://www.socialsecurity.gov.scot/contact/feedback)
* Webchat [Online web chat - Social Security Scotland](https://chat.socialsecurity.gov.scot/)

Complaints should be made as quickly as you can so we can try to resolve the issue as quickly as possible for you.

When complaining, please tell us:

* how you would prefer us to contact you
* your full name and contact details
* as much as you can about the complaint
* what has gone wrong; and
* what you want to happen

We realise that sometimes you still want to complain even though your problem may have already been fixed. We still value these complaints so that we can learn from them.

Your complaint is not held on your personal benefit record. We do not use a National Insurance numbers to record a complaint.

**Make an anonymous complaint**

We can take a complaint without giving your name and personal details but we will not be able to let you know what we have done.

**Time limits for a complaint**

You should 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 some cases, 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.

**What to expect when you make a complaint**

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

**Stage 1**

* We try to respond to complaints as quickly as possible. This could mean an apology and explanation if something has clearly gone wrong, or taking action quickly to resolve the problem.
* We will give you our decision in five working days or less. Unless there something we need that will help us fix the problem. These should be rare. We will try to deal with your complaint quickly by phone if we can. We can write to you if you wish.

If you are not satisfied with what we tell you at this stage, you can take your complaint to stage 2.

**Stage 2**

At this stage we do a full investigation of what has happened.
You must ask us to consider your complaint at stage 2 either:

* within six months of the event you want to complain about or finding out that you have a reason to complain; or
* within two months of receiving your stage 1 response (if this is later).

We may be able to accept a stage 2 complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.

Stage 2 deals with two types of complaint:

* where you are still unhappy after Stage 1 OR
* when a complaint is too complex and you want us us to do a full investigation of what happened.
We have 20 working days to do this.

When using stage 2: process

* we will send you a letter to let you know who is looking at your complaint within three working days
* we will speak to you as soon as we can to make sure we understand what your complaint is about and what outcome you are looking for
* we will send you a letter with what we have found and our decision 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 about any change in time limits and keep you updated.

**If you are not happy about the result of your complaint**

After we have given you our final decision, if you are still unhappy with our decision or the way we dealt with your complaint, you can ask the Scottish Public Services Ombudsman to look at it.

|  |
| --- |
| The Scottish Public Services Ombudsman 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 Social Security Scotland’s 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 Scottish Public Services Ombudsman 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.spso.org.uk/complain/form**](http://www.spso.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** below.The Scottish Public Services Ombudsman’s contact details are:SPSOBridgeside House99 McDonald RoadEdinburghEH7 4NS(if you would like to visit in person, you must make an appointment first)Their freepost address is:FREEPOST SPSOFreephone: 0800 377 7330Online contact [**www.spso.org.uk/contact-us**](http://www.spso.org.uk/contact-us)Website: [**www.spso.org.uk**](http://www.spso.org.uk/) |

**Getting help to make your complaint**

We understand that you may not be able to make a complaint yourself. We accept complaints from the representative of a person who is unhappy 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:

|  |
| --- |
| **Scottish Independent Advocacy Alliance**Tel: 0131 510 9410 Website: **www.siaa.org.uk** |

You can find out about advisers in your area through Citizens Advice Scotland:

|  |
| --- |
| **Citizens Advice Scotland**Website: **www.cas.org.uk** or check your phone book for your local citizens advice bureau. |

**Quick guide to our complaints procedure**

**Complaints procedure**

You can make your complaint in person, by phone, by email or in writing.

We have **a two-stage complaints procedure**. We will always try to deal with your complaint quickly. But if it is clear that the matter will need investigation, we will tell you and keep you updated on our progress.

**Stage 1:**

We will always try to respond to your complaint quickly, within **five working days** if we can.

If you are unhappy with our response, you can ask us to consider your complaint at stage 2.

**Stage 2: Investigation**

We will fully investigate your complaint. We will look at your complaint at this stage if you are unhappy with our response at stage 1. We also look at some complaints immediately at this stage, if it is clear that they need investigation.

We will acknowledge your complaint within **three working days.**

We will confirm the points of complaint to be investigated and what you want to happen.

We will investigate the complaint and give you our decision as soon as possible. This will be after no more than **20 working days** *unless* there is clearly a good reason for needing more time.

**Scottish Public Services Ombudsman**

If, after we have sent our final decision on your complaint, you remain unhappy with our decision or the way we have handled your complaint, you can ask the Scottish Public Services Ombudsman to consider it.

We will tell you how to do this when we send you our final decision.

We will tell you how to do this when we send you our final decision.

**Examples**

These are some examples of complaints we deal with and what actions were taken to improve our service.

**Case 1**

Shahida was deaf and used British Sign Language to communicate. She made an application for a Funeral Support Payment after the death of her daughter. We sent a letter telling her that she was not entitled to a payment because she was not the nearest relative of her daughter.

Shahida made a complaint. She told us that she had not been given the chance to fully explain her circumstances.

We looked into her complaint and found that we had been trying to contact Shahida by telephone to get more information. Our calls were not answered, so we made our decision without getting the extra information we needed.

We did not check her preferred contact method. This was a British Sign Language video call.

We resolved Shahida’s complaint by saying sorry, and gathering the information we needed via a British Sign Language video call. We looked again at her application for Funeral Support Payment using this new information. We also arranged training for staff to make sure that they check all client cases for their preferred contact method before getting in touch with them.

**Case 2**

Sara and her wife Lucia applied for Best Start Foods while Lucia was pregnant.

Sara and Lucia complained because their application for Best Start Foods had still not been processed a month after they applied.

We looked into their complaint and found that their application was delayed because Lucia did not have a National Insurance number, as she is not a UK citizen and had recently arrived in the UK. This caused an error in our system when trying to process their application, as the system uses National Insurance numbers to record a client’s details.

We resolved Sara and Lucia’s complaint by apologising, and fixing the system error which was preventing the application from being processed. This resulted in Sara and Lucia receiving the Best Start Foods they were entitled to. They were paid Best Start Foods from the day they applied.

**Case 3**

Angelika made an application for Best Start Grant because her daughter, Lucia was starting school in August. Angelika had seen adverts on social media about applying for a School Age payment. We denied the application as Lucia was too old. Lucia could have started school a year earlier but Angelika chose to wait a year before enrolling Lucia in school. There is a set time frame for applying. Angelika complained that the social media advert was misleading as it did not give any dates or say that children had to be the right age to get a payment.

We apologised and added information into our social media advertising to make it clearer about when clients can apply for a grant.

**Case 4**

Luke is a carer for his mum Caroline. He applied for a Young Carer Grant for looking after his mum. Luke put an application form into us and had not heard anything for 4 weeks. When he called us we advised him that his application had been looked at within a week. He was entitled to the Young Carers Grant but there had been a wrong digit in his bank account number which stopped us from issuing a payment.

We had not contacted Luke during this time to ask for his correct bank account.

We apologised to Luke for the delay, confirmed his bank account number and arranged a payment to his correct bank account. We reminded our staff to make sure that they contact clients to let them know of any problems as quickly as possible.