



### **How To Make A Complaint**

The Social Work Service has a legal duty to provide an accessible and responsive complaints procedure. Our objective is to continually improve so we aim to learn from any complaints.

All complaints will be treated seriously and will be investigated with the aim of putting things right as soon as possible if things have gone wrong.

You have the right to complain. Your confidentiality will be maintained and no discrimination will result from you making a complaint.

### **Who Can Complain?**

You or someone acting on your behalf can complain if you:-

- Receive a social work service
- Have been refused a social work service or a service provided on behalf of social work
- Have a need or possible need for a service and have been refused an assessment or advice.

### **Can I Complain on Behalf of Someone Else?**

Yes if you:-

- Are caring for someone who has a complaint
- Are a close relative of someone who has a complaint
- Have been asked to represent someone who has a complaint
- Are worried about what is happening to someone else

### **Anonymous Complaints**

Anonymous complaints will be looked into but if we do not have your contact details we will be unable to get back to you with the outcome.

### **How Do I Make a Complaint?**

You or your representative can make your complaint to any member of staff of the Social and Community Services Department or Education and Children Services Department:

- Face to face
- By telephone initially, followed up in writing
- By writing to any office
- By completing the Complaints Form attached
- By downloading and completing the Complaints Form from the Comhairle nan Eilean Siar website

### **What if I Need Assistance to Make My Complaint**

Please let us know. We will try to overcome any barriers you may have. You can have someone speak on your behalf or if you have language or communication difficulties we will help arrange assistance for you that meets your needs, including independence from the department or Comhairle if so required.

### **What Happens Next?**

Complaints can be either informal or formal. An informal complaint, which is deemed to be serious may well then be referred by the investigating officer to the formal process. Informal complaints will generally be made verbally. Formal complaints will generally be made in writing. For all complaints, within five working days we will write to let you know that we have received your complaint and that it has been recorded. We will tell you the name of the person who will be investigating it, this person is normally a senior manager.

For informal complaints, the senior officer will speak to those people normally involved in delivery of your social work services and possibly the manager. They will then respond to you within 15 working days of discussing the complaint with you, with the results of their investigation and tell you what action will be taken as a result. This may involve the case being investigated formally.

For formal complaints, the senior officer will invite you to discuss your complaint more fully at a convenient time and place. You will normally receive a written response to your complaint within 15 working days of the senior officer meeting with you

If you are not satisfied with the outcome of your complaint you have the right to request a Complaints Review Panel if the complaint is still not resolved.

If you want a Complaints Review Panel you must ask the council for this within 28 working days of receiving their letter. A Complaints Review Panel must meet and report their findings within 56 working days of your request. This is the last step in the social work complaints procedure.

### **What is a Complaints Review Panel and what do they do?**

It's a panel of three people who can look at your complaint. The council will arrange for it to meet. The Chair must be independent of the council. Other members may or may not be independent. The Complaints Review Panel looks at the facts presented by you and the council, and can make a recommendation to the appropriate council committee to try and resolve your complaint. The committee is not, however, obliged to accept the recommendation.

### **Taking Your Complaint Further**

#### **Scottish Public Services Ombudsman (SPSO)**

If you remain unhappy with the outcome of your complaint or the way it has been dealt with by the council, you or your representative may wish to contact the SPSO. They will only consider complaints if they have been through the Comhairle complaints process, and it is within 12 months of you becoming aware of the matter you wish to complain about, and has not previously been or currently being considered in court

Scottish Public Services Ombudsman  
4 Melville Street,  
Edinburgh  
EH3 7NS  
Tel: 0870 011 5378  
Fax: 0870 011 5379

#### **Social Care and Social Work Improvement Scotland (SCSWIS)**

If service is registered with SCSWIS and you have difficulty in complaining to the care provider, you have the right to take your complaint to SCSWIS.

Social Care and Social Work Improvement Scotland (SCSWIS),  
Custom House,  
Quay Street,  
Stornoway  
HS1 2XX  
Tel: 01851 706157

#### **Your Right To Be Heard Complaints Form**

Use this form and return in an envelope to one of the following addresses:

#### **Education and Children's Services Department**

Sandwick Road, Stornoway, Isle of Lewis HS1 2BW  
Tel: 01851 822727

#### **Social and Community Services Department**

Sandwick Road, Stornoway, Isle of Lewis HS1 2BW  
Tel: 01851 822708