

Contents

WHY DO WE HAVE A COMPLAINTS HANDLING PROCEDURE?	3
WHAT IS A COMPLAINT?	3
WHAT CAN'T I COMPLAIN ABOUT?	3
WHO CAN COMPLAIN?	4
HOW DO I COMPLAIN?	4
OUR CONTACT DETAILS.....	4

Why do we have a complaints handling procedure?

Argyll and Bute Council & The Argyll and Bute Health and Social Care Partnership is committed to providing high-quality customer service. 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 leaflet describes our complaints procedure and how to make a complaint. It also tells you about how we will handle your complaint and what you can expect from us.

What is a complaint?

We regard a complaint as any expression of dissatisfaction about the Council/Partnership's action or lack of action, or about the standard of service provided by us or on our behalf. For example:

- x failure or refusal to provide a service
- x inadequate quality or standard of service, or an unreasonable delay in providing a service
- x dissatisfaction with one of our policies or its impact on the individual
- x failure to properly apply law, procedure or guidance when delivering services
- x failure to follow the appropriate administrative process
- x 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); or
- x 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 Council/Partnership service or be about someone working on our behalf.

What can't I complain about?

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

- x a routine first-time request for a service
- x a first-time report of a fault (for example, potholes or street lighting)
- x a request for compensation only
- x 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)
- x disagreement with a decision where there is a statutory procedure for challenging that decision (such as for freedom of information and subject access requests), or an established appeals process followed throughout the sector – such as council tax, planning, or a parking ticket appeal
- x disagreement with decisions or conditions that are based upon social work recommendations, but determined by a court or other statutory body, for example decisions made by a children's panel, parole board or mental health tribunal
- x a request for information under the Data Protection or Freedom of Information (Scotland) Acts
- x a grievance by a staff member or a grievance relating to employment or staff recruitment
- x a concern raised internally by a member of staff (which was not about a service they received, such as a whistleblowing concern)
- x a concern about a child or an adult's safety

How long do I have to make a complaint?

Normally, you must make your complaint within six months of:

- x the event you want to complain about; or
- x 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.

What happens when I have complained?

The Council/Partnership wants to resolve complaints, to the satisfaction of the customer as early as possible in the process. We will always tell you who is dealing with your complaint. Our complaints procedure has two stages.

Stage 1: Frontline response

We aim to respond to complaints quickly (where possible, 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 1 in five working days or less, 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 2. You must normally ask us to consider your complaint at stage 2 either:

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

In exceptional circumstances, 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: Investigation

Stage 2 deals with two types of complaint: those that have not been resolved at stage 1 and those that clearly require investigation, and so are handled directly at this stage. If you do not wish your complaint to be handled at stage 1, you can ask us to handle it at stage 2 instead.

When using stage 2:

- x we will acknowledge receipt of your complaint within three working days

- x we will confirm our understanding of the complaint we will investigate and what outcome you are looking for
- x we will try to resolve your complaint where we can (in some cases we may suggest using an alternative complaint resolution approach, such as mediation); and
- x 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.

The outcome of the investigation should be communicated to you by letter or email, whichever is the preferred method of contact.

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.

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:

- x you have gone all the way through the Council /Partnership's complaints handling procedure
- x it is less than 12 months after you became aware of the matter you want to complain about; and
- x

Our contact details

Please contact us by the following means:

Argyll and Bute Council

Telephone: 01546 605516

Email: complaints@argyll-bute.gov.uk

Social Work Complaints Email: argyllandbutehscp.feedback@nhs.scot or
SWComplaints@argyll-bute.gov.uk

Website: https://argyllandbute.custhelp.com/app/LAP_Forms/LAP_Complaints

We can also give you this leaflet in other languages and formats

BrowseAloud technology on our website reads out text and resizes text for the visually impaired and has a built in translation service for those who require a different language.

