The Public Services Reform (Social Work Complaints Procedure)(Scotland) Order 2015

Aberdeen City Council

1. Do you support the new regulations?

Yes.

2. What are your views on Local Authority Complaints Review Committees being replaced?

The current social work complaints process gives rise to elevating the expectations of complainants and they feel that they are being given a platform to air all of their issues at the hearing. This often involves points that are not directly relevant to the complaint and can lead to long Committee hearings that require the presence of multiple members of staff and therefore is an expensive process. As the panel is made up of lay members, it can be challenging to recruit suitable members, and likewise due to the small number of panel members, the scheduling of Committee hearings can be tricky when trying to accommodate the schedules of those required. Furthermore, as part of Health and Social Care integration, further efforts will be made to align complaints processes between the Council and the NHS and the presence of the Complaints Review Committee stage is at odds with how complaints to the NHS are dealt with at the final stage.

3. What are your views on the SPSO being given a new role to investigate social work complaints?

The proposal that social work complaints will be dealt with in a similar way to health complaints; utilising the practical advice of advisors, who are current practitioners will enhance the decision-making process and ensure that all salient points are considered. To complainants, the fact that the SPSO, is a neutral, entirely separate body investigating the complaint gives comfort that a fair decision will be reached.

4. What are your views on the SPSO being given a remit to consider the professional judgment of social work staff?

Allowing the SPSO to review professional judgement, as it does in health complaints, with the assistance of professional advisors aligns the process
with health. This is advantageous going forward in regard to Health and Social Care Integration. Furthermore, it allows for current practical experience to augment the decision-making process.

5. What are your views on how these proposals relate to the approach currently taken to complaints relating to the NHS and the consideration of complaints relating to Integrated Joint Boards?

The guidance which is due to be issued by the Scottish Government will be of great interest, as there are issues in dealing with integrated complaints, especially as currently social work complaints and NHS complaints are dealt with under different guidance/statutory regulations, with different timescales and appeal rights. It feels that the proposals do not accurately take into account the potential difficulties or give guidance on how this matter is to be approached until such time as social work complaints processes and NHS complaints processes are aligned.

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