The Committee has agreed to take evidence on the Public Services Reform (Social Work Complaints Procedure) (Scotland) Order 2016. This Scottish Statutory Instrument is available at the following link: http://www.legislation.gov.uk/sdsi/2016/9780111031025

The Draft order contains provisions for:

- Extending the remit of the SPSO to enable them to consider complaints made about social work which are not solely about maladministration, but enable the SPSO to consider the professional judgment of social work staff.
- Repealing the existing power for Scottish Ministers to require local authorities to create a social work complaints procedure. The Scottish Government have indicated that one effect of this repeal is that the SPSO will be able to use its existing functions to create a model complaints handling procedure for social work complaints, and that local authorities will be obliged to adopt a procedure which complies with that model. The Scottish Government want to bring SPSO functions in relation to social work into line for those for health, where the SPSO sets out its model complaints handling procedures which it expects local authorities to follow.
- Allowing the sharing of information between SPSO, Care Inspectorate and the Scottish Social Service Council (SSSC) where relevant to their regulatory functions.

Procedure for consideration of the Scottish Statutory Instrument:

This Scottish statutory instrument is subject to affirmative procedure which means that it requires the approval of the Parliament to allow the provisions in the instrument to come into force.

This instrument has been referred to the Health and Sport Committee for consideration.

A member of the Scottish Government must lodge a motion that the Committee recommend approval of the instrument to the Parliament. The Committee will then consider the motion and decide whether it wishes to agree to recommend approval of the instrument to the Parliament.

To inform its consideration of the instrument the Committee has issued a call for written views and will also hold a one off oral evidence session with stakeholders. This is expected to be held at the Committee’s meeting on 1 March 2016.

Call for written views

The Committee has issued a call for written views which will run from **10 February to 23 February 2016**.

Read the call for views

Organisations and individuals are invited to submit written views to the Committee in relation to the legislation. Those submitting views are invited to address the questions set out below—
1. Do you support the new regulations?
2. What are your views on Local Authority Complaints Review Committees being replaced?
3. What are your views on the SPSO being given a new role to investigate social work complaints?
4. What are your views on the SPSO being given a remit to consider the professional judgment of social work staff?
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?

How to submit your evidence

Before making a submission, please read our Policy on Treatment of Written Evidence by Subject and Mandatory Committees.

Please send your views on the Bill by no later than Tuesday 23 February.

Responses should be sent, wherever possible, electronically and preferably in MS Word format to:

HealthandSport@scottish.parliament.uk

Hard copy responses may be sent to:

Health and Sport Committee, T3.60, Scottish Parliament, Edinburgh EH99 1SP

Ideally, responses should be no more than four sides of A4 in length.

All written evidence received may be published by the Parliament and will be treated as a public document. If you wish to submit evidence in confidence or anonymously please read the policy at the link above or contact Jane Williams, details below.

Contact

Should you require alternative formats of this information or further assistance in making a written submission to the Committee, please do not hesitate to contact the clerking team of the Committee.

For Committee information, contact: Rebecca Macfie 0131 348 5247

For public information enquiries, contact: 0131 348 5000

For general enquiries, contact: 0845 278 1999 (local call rate), email: sp.info@scottish.parliament.uk

Oral evidence

The Committee has agreed to hold a one off oral evidence session on the Public Services Reform (Social Work Complaints Procedure) (Scotland) Order 2016.

It is expected that this evidence session will be held at the Committee’s meeting on 1 March.