

Title/Subject: Social Work Complaints Procedure
Meeting: Integration Joint Board
Date: 3 February 2017
Submitted By: Chief Officer
Action: For Decision

1. INTRODUCTION

- 1.1. This report updates the Integration Joint Board members on the changes to the existing system for reviewing complaints about social work provision. These changes will be effective from 1 April 2017.

2. RECOMMENDATION

The members of the Integration Joint Board are asked to:

- 2.1. Note the requirement to adopt the Model CHP for handling social work complaints from 1 April 2017
- 2.2. Remit the Head of Adult Social Work Services and the Head of Governance and Performance, NHS Forth Valley, to ensure appropriate arrangements are in place to implement both the Council and NHS complaint procedures
- 2.3. Note the Chief Officer will provide an update, through the Chief Officer report on the compliance statement and self-assessment return required by 7 April 2017.

3. BACKGROUND

- 3.1. The Scottish Public Services Ombudsman (SPSO) Complaints Standards Authority (CSA) has been working with partners and stakeholders in Local Authorities, Health and Social Care Partnerships, the Scottish Government and the Third Sector to develop a new social work Model Complaints Handling Procedure (CHP).
- 3.2. In line with changes brought in through the Public Services Reform (Social Work Complaints Procedure) (Scotland) Order 2016, the existing system for reviewing complaints about social work provision will change on 1 April 2017. Any new complaints from that date will need to be handled in line with the Social Work Model CHP.

- 3.3. The SPSO Complaints Standards Authority has also created a new NHS Scotland Model Complaints Handling procedure which will be implemented in all health boards across Scotland from 1 April 2017. The revised procedure is intended to support a more consistently person-centred approach to complaints handling across NHS Scotland, and bring the NHS into line with other public service sectors by introducing a distinct, five working day stage for early, local resolution, ahead of the 20 working day stage for complaint investigations. NHS Forth Valley is currently preparing for implementation and updating the complaints policy to reflect these changes.

4. SOCIAL WORK MODEL COMPLAINTS HANDLING PROCEDURE

- 4.1. Every Authority that provides Social Work Services will be required to adapt and adopt the Social Work Model CHP from 1 April 2017.
- 4.2. The Model CHP was issued in December 2016. This has been developed following the publication of the Public Service Reform (Social Work Complaints Procedure) Order 2016, which abolishes the previous arrangements for handling social work complaints. An implementation guide has also been produced which provides advice about the requirement to adopt the Model CHP.
- 4.3. This brings social work complaints in line with the Model used by Local Authorities and a new CHP for Health, issued by the Scottish Government in October, which also comes into force on 1 April 2017.
- 4.4. This alignment of procedures will enable organisations to:
- handle complaints flexibly
 - reduce the number of conflicting complaints procedures currently in operation
 - improve services to the public by ensuring that they receive a joined up response to all complaints wherever possible.
- 4.5. The Model CHP is provided as a template with flexibility for organisations to adapt to ensure that it reflects their corporate identity and language. However it is important that the Model CHP is not amended to the extent that its purpose or substance is changed in a way which does not reflect the Model CHP or its key aims.
- 4.6. It is proposed that the Head of Adult Social Work Services and the Head of Governance and Performance, NHS Forth Valley, lead on work to ensure appropriate arrangements are in place to implement both the Council and NHS complaint procedures.
- 4.7. There is a requirement for authorities to complete a compliance statement and self-assessment. This should be completed and returned to the Scottish Public Services Ombudsman Office no later than 7 April 2017.

- 4.8. It is important to note that the 2016 Order abolishes the current Social Work complaints procedure, although it will remain in force for complaints made before 1 April 2017. This means that all social work complaints received prior to this date must be handled through the current procedure. This includes holding Complaints Review Committee hearings if requested, in line with that procedure.

5. CONCLUSIONS

- 5.1. The new arrangements will ensure the alignment of complaints procedures to enable organisations to handle complaints effectively.

Resource Implications

There are no resource implications arising from this report.

Impact on IJB Outcomes and Priorities

The implementation of the Model CHP will ensure the effective handling of complaints.

Legal & Risk Implications

There is a requirement to be compliant with the legislation from 1 April 2017.

Consultation

There are no requirements to consult on the procedures to implement the Model CHP.

Equalities Assessment

There is no requirement to produce an EPIA for this report.

Approved for submission by: Patricia Cassidy, Chief Officer

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Date: 13 January 2017

List of Background Papers:

SPSO Social Work Model Complaints Handling Procedure