

Midlothian Council – Procedure for making a complaint

Midlothian Council is committed to providing high-quality customer services.

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 our service standards and what you can expect from us.

What is a complaint?

We regard a complaint as any expression of dissatisfaction about our action or lack of action, or about the standard of service provided by us or on our behalf.

What can I complain about?

You can complain about things like:

- delays in responding to your enquiries and requests
- failure to provide a service
- our standard of service
- council policy
- treatment by or attitude of a member of staff
- our failure to follow proper procedure

Your complaint may involve more than one council 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:

- a routine first-time request for a service, for example a first-time request for a housing repair or action on anti social behaviour
- requests for compensation from the council
- things that are covered by a right of appeal. Here are some examples:
 - If you are dissatisfied with the level of priority you have been given when applying for a house, you have the right to appeal against the decision.
 - If your planning application is refused, you have a right of appeal to Scottish Ministers within six months of the decision.

- If you believe your house is incorrectly valued for council tax, you can appeal to the Assessor.

If other procedures or rights of appeal can help you resolve your concerns, we will give information and advice to help you.

Who can complain?

Anyone can make a complaint to us, including the representative of someone who is dissatisfied with our service. Please also read the section on 'Getting help to make your complaint'.

How do I complain?

You can complain in person at any Council Office, by phone, in writing to Midlothian Council Feedback, Freepost SCO5613, Dalkeith, EH22 0BR, email at feedback@midlothian.gov.uk or on line at www.midlothian.gov.uk/feedback. Leaflets giving more information are available at Council Offices, Libraries and Leisure Centres and on line.

It is easier for us to resolve complaints if you make them quickly and directly to the service concerned. So please talk to a member of our staff at the service you are complaining about. Then they can try to resolve any problems on the spot.

When complaining, tell us:

- your full name and address
- as much as you can about the complaint
- what has gone wrong
- how you want us to resolve the matter.

How long do I have to make a complaint?

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

- the event you want to complain about, or
- finding out that you have a reason to complain, but no longer than 12 months after the event itself.

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?

We will always tell you who is dealing with your complaint.

Our complaints procedure has two stages:

Stage 1 – Frontline Resolution

We aim to resolve complaints quickly and close to where we provided the service. This could mean an on-the-spot apology and explanation if something has clearly gone wrong and 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 we can't resolve your complaint at this stage, we will explain why and tell you what you can do next. We might suggest that you take your complaint to Stage 2. You may choose to do this immediately or sometime after you get our initial decision.

Stage 2 – Investigation

Stage 2 deals with two types of complaint: those that have not been resolved at Stage 1 and those that are complex and require detailed investigation.

When using Stage 2 we will:

- acknowledge receipt of your complaint within three working days
- discuss your complaint with you to understand why you remain dissatisfied and what outcome you are looking for
- give you a full response to the complaint as soon as possible and within 20 working days.

If our investigation will take longer than 20 working days, we will tell you. We will agree revised time limits with you and keep you updated on progress.

Social Care Complaints

If your complaint relates to a social care service arranged and provided by the Council or another provider, you can choose whether to complain to the Council or the Care Inspectorate. You can find out more about their complaints procedure, or make a complaint, by contacting them:

CARE INSPECTORATE

tel: 0345 600 9527 | fax: 01382 207 289
email: enquiries@careinspectorate.com
web; [http://www.scswis.com/\(online complaints form\)](http://www.scswis.com/(online%20complaints%20form))

Complaint about Social Work Service Staff

To make a complaint about a member of Social Work Service staff, you can complain to the Council, or alternatively to the Scottish Social Services Council (SSSC). The SSSC can only consider concerns about Social Workers who are registered with them. You can check if a worker is registered using the following details:

THE CONDUCT SECTION**SCOTTISH SOCIAL SERVICES COUNCIL**

Compass House,
11 Riverside Drive,
Dundee.
DD1 4NY

tel: 0345 603 0891 |
fax: 01382 207 215
email: enquiries@sssc.uk.com
web; www.sssc.uk.com

Complaint about Services/Staff within our Health and Social Care Partnership (HSCP)

If you are dissatisfied with your health care and wish to make a complaint, you can either complain to the Council using the details overleaf or to NHS Lothian by contacting:

<https://www.nhsllothian.scot.nhs.uk/YourRights/>

What if I'm still dissatisfied?

After we have fully investigated your complaint, 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 **cannot** normally look at:

- a complaint that has not completed our complaints procedure (so please make sure it has done so before contacting the SPSO)
- events that happened, or that you became aware of, more than a year ago
- a matter that has been or is being considered in court.

You can contact the SPSO:

› in person

SCOTTISH PUBLIC SERVICES OMBUDSMAN

Bridgeside House, 99 McDonald Road,
Edinburgh. EH7 4NS

› by post

SCOTTISH PUBLIC SERVICES OMBUDSMAN

FREEPOST SPSO (this is all you need on the envelope, and you don't need to use a stamp)

Freephone: 0800 377 7330

www.spsso.org.uk/contact-us | www.spsso.org.uk | mobile site:

<http://m.spsso.org.uk>

Getting help to make your complaint

We understand that you may be unable, or reluctant, to make a complaint yourself. We accept complaints from the representative of a person who is dissatisfied with our service. We can take complaints from a friend, relative, or an advocate, if you have given them your consent to complain for you.

You can find out about advocates in your area by contacting the Scottish Independent Advocacy Alliance.

Scottish Independent Advocacy Alliance

Tel: 0131 524 1975

Website: www.siaa.org.uk

We can also give you this Information in other languages and formats (such as large print, audio and Braille).

We are committed to making our service easy to use for all members of the community. In line with our statutory equalities duties, we will always ensure that reasonable adjustments are made to help customers access and use our services. If you have trouble putting your complaint in writing, or want this information in another language or format, such as large font, or Braille, tell us in person, contact us on 0131 270 7500 or by email to enquiries@midlothian.gov.uk

Quick guide to our complaints procedure

Complaints procedure

You can make your complaint in person, by phone, by e-mail or in writing.

We have a **two-stage complaints procedure**. We will always try to deal with your complaint quickly. But if it is clear that the matter will need a detailed investigation, we will tell you and keep you updated on our progress.



Stage 1: frontline resolution

We will always try to resolve your complaint quickly, within **five working days** if we can.

If you are dissatisfied with our response, you can ask us to consider your complaint at Stage 2.



Stage 2: investigation

We will look at your complaint at this stage if you are dissatisfied with our response at Stage 1. We also look at some complaints immediately at this stage, if it is clear that they are complex or need detailed investigation.

We will acknowledge your complaint within **three working days**. We will give you our decision as soon as possible. This will be after no more than **20 working days** *unless* there is clearly a good reason for needing more time.



The Scottish Public Services Ombudsman

If, after receiving our final decision on your complaint, you remain dissatisfied with our decision or the way we have handled your complaint, you can ask the SPSO to consider it.

We will tell you how to do this when we send you our final decision.