

# Are you happy with our service?

As the national skills body for Scotland, Skills Development Scotland provides career information, advice, guidance and support for skills and lifelong learning to both individuals and employers. We're focused on delivering excellent customer services, and are committed to putting the needs of our customers at the heart of all we do.

**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.



## “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.

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## “What can I complain about?”

There are some things we can deal with through our complaints handling procedure. These include:

- inadequate quality or standard of service, or an unreasonable delay in providing a service
- dissatisfaction with one of our policies or its impact on the individual
- failure to properly apply law, procedure or guidance when delivering services
- failure to follow the appropriate administrative process
- 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)
- 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 Skills Development Scotland (SDS) 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, e.g. a request for an appointment at an SDS career centre
- requests for compensation only
- issues that are currently 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)
- 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
- a request made by an individual relating to their rights under the Data Protection legislation in force in the UK, such as a request to access their personal data or a request to have their personal data deleted from SDS systems or a request made by an individual relating to their rights under Freedom of Information legislation
- a grievance by an SDS staff member or a grievance relating to employment or recruitment
- a concern raised internally by a member of staff (which was not about a service they received, such as a whistleblowing concern)

- a concern about a child or adult’s safety
- an attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision
- abuse or unsubstantiated allegations about our organisation or staff
- a concern about the actions or service of a different organisation, where we have no involvement in the issue (except where the other organisation is delivering services on our behalf)
- things that are covered by a right of appeal e.g. a review of an Freedom of Information (FOI) response.

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

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## “Who can I complain?”

Anyone who receives, requests or is directly affected by our services can make a complaint to us. This includes the representative of someone who is dissatisfied with our service (for example, a relative, friend, advocate or adviser). If you are making a complaint on someone else's behalf, you will normally need their written consent. Please also read the section on ‘Getting help to make your complaint’.

## “How do I complain?”

You can complain in person at any SDS career centre, by phone, in writing using our online form at [sds.co.uk](https://sds.co.uk), or by email to [complaints@sds.co.uk](mailto:complaints@sds.co.uk)

**You can find the contact details of your local SDS career centre at:**  
[sds.co.uk/contact-us](https://sds.co.uk/contact-us)

It is easier for us to resolve complaints if you make them quickly and directly to the service concerned. So wherever possible please talk to a member of our staff regarding the service you are complaining about. Then they can try to resolve the issue.

### **When complaining, please tell us:**

- your full name and contact details, including your preferred method of contact
- as much as you can about the complaint
- what has gone wrong
- what outcome you are seeking.

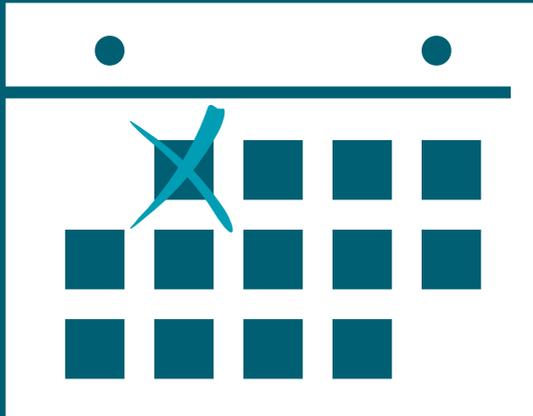


## “How long do I have to make a complaint?”

Normally, you must make your complaint within six months (but no later than 12 months) of:

- the event you want to complain about
- finding out that you have a reason to complain.

In exceptional circumstances, we may be able to investigate 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?”

### **Our complaints procedure has two stages:**

#### **Stage One – 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 One 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 Two – Investigation. You must normally ask us to consider your complaint at Stage Two either:

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

In exceptional circumstances we may be able to accept a Stage Two complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.

## Stage Two – Investigation

Stage Two deals with two types of complaint: those where the customer remains dissatisfied after Stage One 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 One, you can ask us to handle it at Stage Two instead.

### When using Stage Two:

- we will acknowledge receipt of your complaint within three working days
- we will confirm our understanding of the complaint we will investigate and what outcome you are looking for
- 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).

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 our revised time limits with you and keep you updated on progress.

After we have given you our full response, 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.

## “What if I’m still dissatisfied?”

The SPSO is 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:

- you have gone all the way through the Skills Development Scotland complaints handling procedure
- it is less than 12 months after you became aware of the matter you want to complain about
- the matter has not been (and is not being) considered in court.

The SPSO will ask you to complete a complaint form and provide a copy of our final response to your complaint. You can do this online at [spsso.org.uk/complain/form/start](https://spsso.org.uk/complain/form/start) or call them on freephone 0800 377 7330.

You may wish to get independent support or advocacy to help you progress your complaint. See the section on ‘Getting help to make your complaint.’

### The SPSO’s contact details are:

SPSO  
Bridgeside House  
99 McDonald Road  
Edinburgh EH7 4NS

If you would like to visit in person,  
you must make an appointment first.

### Their freepost address is:

Freepost SPSO  
Freephone: 0800 377 7330  
Online: [spsso.org.uk/contact-us](https://spsso.org.uk/contact-us)  
Website: [spsso.org.uk](https://spsso.org.uk)

## Getting help to make your complaint

We understand that you may be unable, or reluctant, to make a complaint yourself. We will accept complaints from the representative of a person who is dissatisfied with our service. We can take complaints from a relative, friend, advocate or adviser, 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 260 5380

Fax: 0131 260 5381

Website: [siaa.org.uk](http://siaa.org.uk)



We are committed to making our service easy to use for all members of the public. 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 print or Braille, please tell us in person at any SDS career centre, in writing using our online form at [sds.co.uk](http://sds.co.uk), or email [complaints@sds.co.uk](mailto:complaints@sds.co.uk)

# Quick guide to our complaints procedure

## Complaints procedure

You can make your complaint in person, by phone or by email. We have a two-stage complaints procedure. We will always try to deal with your complaint quickly. If it is clear that the matter will need a more detailed investigation, we will tell you and keep you updated on our progress.



## Stage One: Frontline Resolution

We will always try to resolve your complaint quickly, within five working days.

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



## Stage Two: Investigation

We will look at your complaint at this stage if you are dissatisfied with our response at Stage One. We also look at some complaints immediately at this stage, if it is clear that they are more complex or need a more 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 we require more time to investigate.



## 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 details of our final decision.

Skills  
Development  
**Scotland**

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