

Complaints Procedure

We are committed to providing high-quality customer service. 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 document describes our complaints procedure and how to make a complaint. It also tells you about 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:

- failure or refusal to provide a service
- inadequate quality or standard of a facility or service, or an unreasonable delay in providing a service
- failure to properly apply law, procedure or guidance when delivering services
- failure to deliver 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); or
- 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 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, or fault report
- a request for compensation
- issues that are in court or have already been heard by a court or tribunal
- a grievance by a staff member or a grievance relating to employment or staff recruitment
- a concern raised internally by a member of staff, such as a whistleblowing concern
- a concern about a child or an adult's safety (refer to Child & Protected Adult Policy)
- 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 where such actions would be covered by our Unacceptable Actions Policy; or
- 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).

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

Who can 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. Please read the section on 'Getting help to make your complaint'.

Getting help to make your complaint

We understand that you may be unable, or reluctant, to make a complaint yourself. We accept complaints from representatives of a person who is dissatisfied with our service. We can take a complaint 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 this area by contacting the Scottish Independent Advocacy Alliance.

www.siaa.org.uk Tel: 0131 510 9410

How do I complain?

You can complain in person at any of our centres or Head Office, by phone, in writing, by email or through our [complaints portal](#)

In order for us to formally deal with any issues Live Borders complaints procedure must be used, we do not take complaints made via social media i.e. Facebook or Twitter.

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 staff at the services you are complaining about. They can try to resolve any problems on the spot.

When complaining, please tell us:

- Your full name and address, complaints may be made anonymously.
- As much as you can about the complaint
- What has gone wrong
- How you want us to resolve the matter
- What outcome you are seeking

How long do I have to make a complaint?

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

- The event you are want to complain about, or
- Finding out that you have reason to complain.

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?

Your complaint will be logged and assigned to an officer who will endeavour to resolve the issue as soon as possible, and within the timescales.

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 1 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 chose to, you can take your complaint to Stage 2. You must normally ask us to consider your complaint at stage 2 either:

- within six months of the event you want to complain about or finding out that you have a reason to complain; or
- within two months of receiving your stage 1 response (if this is later)

Stage two – 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 3 working days
- Where appropriate, 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 within 20 working days (30 working days for complaints received under the Data protection Act or Data (use and access) Act)
- If our investigation will take longer than 20 working days, we will tell you. We will agree revised time limited with you and keep you updated on progress

We adhere to the SPSO Complaints handling principles which are person centred.

[SPSO Statement of Complaints Handling Principles | SPSO](#)

SPSO Statement of Complaints Handling Principles



What if I am still dissatisfied?

If, after full investigation you are still dissatisfied with our decision, or the way we have handled your complaint you may still contact the Live Borders for an explanation or clarification of any points raised or the reasons for the outcome contained in this letter.

However, if you remain dissatisfied with the Live Borders position and wish to take the matter further, you may ask the Scottish Public Service's Ombudsman (SPSO) to look at your complaint. The SPSO considers complaints from people who remain unhappy after the completion of the Live Borders complaints process and is the final stage for complaints about public services in Scotland. Issues considered by SPSO include service failures and maladministration together with the complaints handling process of Live Borders.

The SPSO cannot normally look at complaints:-

- where the complaint handling procedure of the council has not been exhausted
- more than 12 months after you became aware of the matter you want to complain about; or
- that have been, or are being considered in court

The SPSO's contact details are:

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

Freepost SPSO

Freephone 0800 377 7330

www.spsso.org.uk

Contact Us

You can contact us at:

Live Borders

Council Headquarters

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