

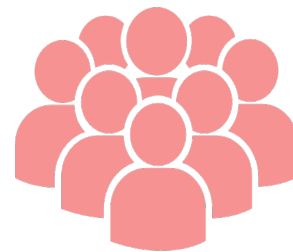
# **Social Security Experience Panels: Complaints, Re-determinations and Appeals Visual Summary**

## **Background**

The Scottish Government will become responsible for some of the benefits currently delivered by the Department for Work and Pensions (DWP).

As part of work to prepare for this change, Scottish Government have set up the Social Security Experience Panels with people who have experience of one of the benefits that the Scottish Government is becoming responsible for. There are more than 2,400 people on the panels.

The Scottish Government is working with Experience Panel members to create Scotland's new social security system.



**2,400+**  
**Experience Panel  
members**

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## About the research

This report summarises the results of 2 surveys and 7 focus groups on the feedback and complaints process for Social Security Scotland, and how you will be able to challenge a decision about your benefits.



**184**  
**survey responses on**  
**challenging a decision**  
**(online, paper and phone) and**

**181**  
**on feedback and**  
**complaints.**



**7**  
**Focus groups**  
**(in Galashiels, Dundee,**  
**Aberdeen, Castle Douglas,**  
**Dunfermline and Falikirk)**

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# About complaints, re-determinations and appeals

## Feedback and complaints



Feedback and complaints are an important way for Social Security Scotland to keep learning and improving.



It helps to make sure that it meets your needs.

## Re-determinations

If you think a decision about your benefits application is wrong you can ask for a re-determination.



“Re-determinations” are a way that Social Security Scotland can look again at your application if you don’t agree with the original decision made.

A new member of staff will look at the whole application form again and you can send in more information.

This is different from the “mandatory reconsideration” process which will still be used by the Department for Work and Pensions.

## Appeals



If you are still unhappy with the decision you can choose to appeal the decision.

Social Security Scotland will help you start the appeal process, which is through a tribunal.

## Challenging a decision: re-determinations and appeals

### Finding out how to challenge a decision

Most people said they would currently go to:

- The Department for Work and Pensions website
- Citizens Advice Scotland
- Welfare Rights Office



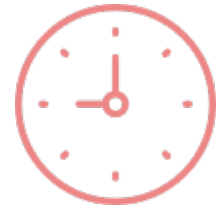
### How to challenge a decision

Some people said the current process of challenging a decision was unclear.



“An absolute nightmare thorough lack of understanding... People who answer the phones first time round are not aware.” (Focus group participant)

In particular how long things should take. They said you didn't get enough time to challenge the decision.



It also took too long to hear about a decision. Social Security Scotland is introducing clear timescales on when you will hear back.

“The time limit for appealing must be at least 3 months. This is extremely important for those who live in remote rural areas, cannot use mobile devices because there is no signal.” (Survey respondent)

People also said that they didn't know what kind of support you can get.



## Getting updates

People said it was important to have different ways they could receive updates if they challenged a decision.

This included:

- by letter
- email
- phone



The way people wanted to get updates was sometimes related to factors which included:

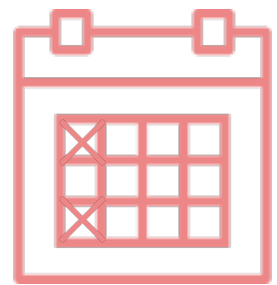
- where they live



- or who they are, such as if they are disabled or have a health conditions



Most people would want an update on their re-determination or appeal at least every two weeks.



“Regular feedback, as it can be stressful wondering if it is being dealt with and not hearing anything. An email or quick call. It just reassures people that they have not been forgotten.” (Survey respondent)

## **Mandatory reconsiderations**

People said that there were some issues with the DWP’s “mandatory reconsideration” process.

Many felt that this process is currently an unnecessary barrier to going to tribunal.



## Mandatory Reconsideration



“My belief is that the DWP only instituted this because there were too many appeals and they wanted to put an additional barrier in place to discourage and dissuade dissatisfied claimants from challenging a decision.” (Survey respondent)

Others said it could be useful, but there is not enough information available about it.



### Understanding the decision

People said it was important to make sure that decisions are explained clearly.

“I would like a more detailed explanation of why the decision had been made in the first place so that I would be in a better position to challenge it.” (Survey respondent)



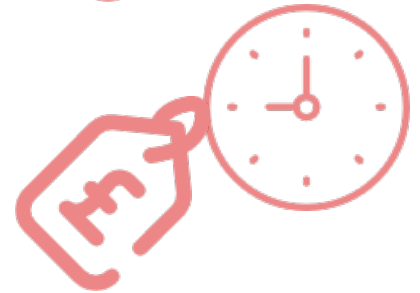
Participants also highlighted the importance of having support through the process of challenging a decision.

## Impact of challenging a decision

Some people said that having to challenge a decision could have a big financial impact.



This was important if you needed to wait for a long time for a decision to be overturned.



Social Security Scotland is going to offer short term assistance for people if they decide to challenge a decision on their benefits. This is to try to help stop the financial impact of appealing a decision.

Participants also highlighted the importance of helpful, respectful and empathetic staff.



## Feedback and complaints

### Finding out how to give feedback

Most people said they would go to the Department for Work and Pensions or Citizens Advice Scotland to find out how to give feedback or make a complaint about a benefit.





## How to give feedback

People said they wanted different options about how to give feedback or make a complaint. This included:

People said it was important to have different ways they could receive updates if they challenged a decision.

This included:

- by letter
- email
- phone
- online



## Positive feedback

Some people said that they thought that positive feedback was important. They said they would give positive feedback if they had a good experience.

But some people said you shouldn't have to give positive feedback for staff doing their jobs.



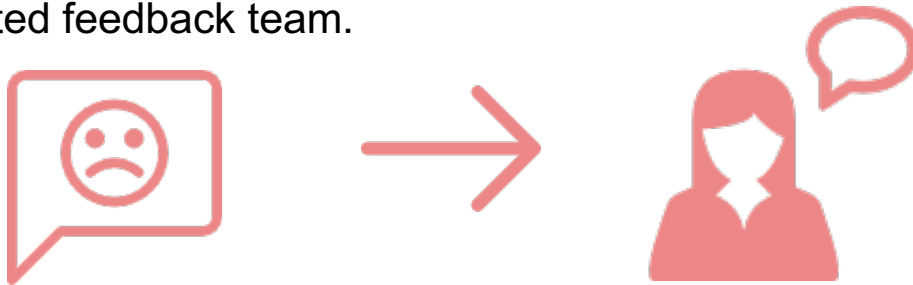
“Satisfactory service is the service level that we're supposed to get. The classic reaction to it is: "Why would I compliment them just for doing the job that they're paid to do?" People don't feel the need to compliment service providers and their staff unless the service provided really does go above and beyond "satisfactory"." (Survey respondent)

## Making a complaint

Most participants said that they would make a complaint if they were unhappy with how they were treated.

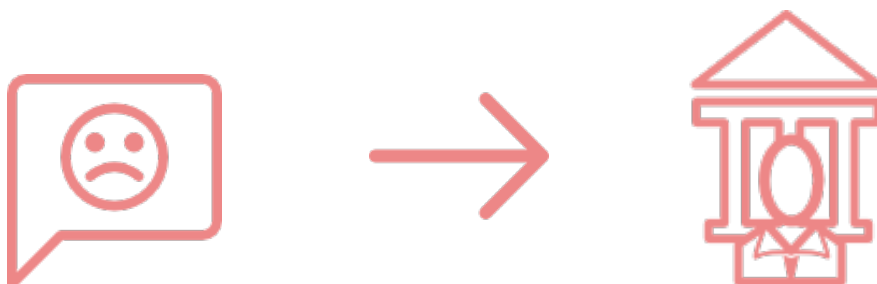


Most people said they would complain to a manager or to a dedicated feedback team.



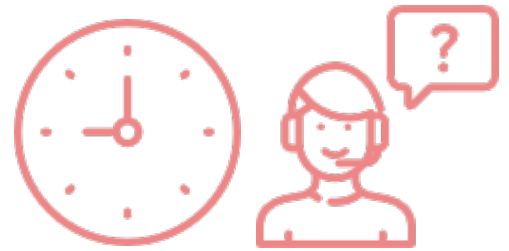
“In the first instance, I'd want to talk to the person about whom the complaint was being made before it goes any further. If I were not satisfied, I would go up, level by level, until I reached a satisfactory conclusion.” (Survey respondent)

Others people thought it was important to have an independent organisations who could deal with complaints.



## Getting updates on your complaint

People said it was important to get regular updates about their complaint.



They said it was important to have clear information about how to get in touch to check on the progress of their complaint.



## Challenges to making a complaint

People told us about things that made it more difficult to make a complaint.

This included:

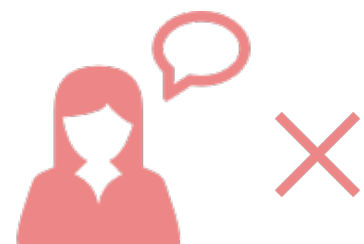
- Not knowing who to complain to



- Not knowing how to complain



- Not knowing how it would be dealt with



- Poor experiences when making a complaint in the past



- Concern about if complaining might affect their benefits or future applications

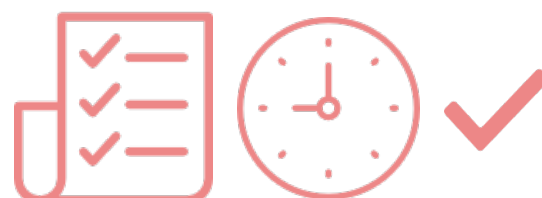


“Because the current system instils a culture of fear. If you draw attention to yourself, your claims will be overly scrutinized, and likely to be withdrawn even if you need and meet the criteria for social security. Any excuse is used to stop welfare payments, leaving you in dire financial straits.” (Survey respondent)

## How to make it easier to provide feedback or make a complaint

People said that the following things would make it easier to give feedback or complain:

- clear processes and times when you will hear back



- easy to access information about how to provide feedback



- listening and responding to feedback



- respond to people individually rather than send standardised messages.



“Make it simple and hassle free. Give your staff the ability to either fix the issue or to pass it someone who can help give the staff the ability to take positive feedback as well” (Survey respondent)

People said that a good response could include:

- fixing the issue



- Compensation



- an apology



Some people said Social Security Scotland should look at the feedback it gets overall and publish how it is responding.



## Next steps

We will keep asking the Experience Panels to help us develop Scotland's new social security system.

The feedback from this research is helping the Scottish Government and Social Security Scotland make decisions about the feedback and complaints process, and how you can challenge a decision.



### How to access background or source data

The data collected for this social research publication:

- are available in more detail through Scottish Neighbourhood Statistics
- are available via an alternative route
- may be made available on request, subject to consideration of legal and ethical factors. Please contact [socialsecurityexperience@gov.scot](mailto:socialsecurityexperience@gov.scot) for further information.



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ISBN: 978-1-78781-464-6 (web only)

Published by the Scottish Government, December 2018