

Scottish Welfare Fund

Asking us to reconsider our decision

This leaflet explains how you can ask us to reconsider the decision we made in our independent review of your Scottish Welfare Fund decision.

Our role is to make a decision by taking into account all the relevant facts and evidence, including carefully considering the views and opinions of both you and the council.

We expect you to accept the way we work and our authority to reach a final decision on our independent review. We will work with you and the council to make sure the facts are accurate. However, it is for us to interpret the facts and the available evidence and come to a decision.

There are limited reasons – explained below – for asking us to reconsider. We won't accept a request if you simply disagree with our decision.

Anyone who has received a decision from us – individuals and councils – can ask us to reconsider.

Asking us to reconsider

These are some possible examples of where we may reconsider our decision:

- We made our decision based on a material error of fact, which can be shown using readily available information.
- We failed to apply guidance or legislation correctly.
- We acted unreasonably or disproportionately, or showed bias in making our decision.

If you are unsure whether your reconsideration request is covered by the grounds set out, please contact us to discuss this before you send us your request for reconsideration.

We may share new information you provide with the council. We do this to give them the chance to consider it before we make a decision on your reconsideration request.

The council are also entitled to ask us to reconsider our decision. If this happens, we'll share with you any new information they give us to allow you to comment on it.

If you wish to ask us to reconsider our decision, you should do this **within one month** of receiving our decision. We won't accept a request that arrives late unless you can show special circumstances that mean you could not meet the time limit. This also applies to the council.

What happens to your request

A different decision-maker will consider your request and let you know whether we can reconsider, based on the above reasons. If we can, our response will also tell you whether we'll uphold our original decision, change the decision, or reopen our independent review for further investigation.

We aim to give you a response:

- for Crisis Grants, one working day from when we get all the information we need to make our decision, and
- for Community Care Grants, 21 working days from when we get all the information we need to make our decision.

Judicial review

If you want to challenge our decision again, you will only be able to do so using judicial review. Judicial review is a form of court proceeding where a judge reviews whether a decision or action by a public body is lawful. You may want to take legal advice before deciding whether this is appropriate in your case.

Contacting the SPSO

You can contact us:



by phone on 0800 014 7299 – calls are free to this number, even from mobiles



by writing to us at FREEPOST SPSO. You don't need to use a stamp.



through our website: www.spsso.org.uk/scottishwelfarefund

SPSO

4 Melville Street

Edinburgh

EH3 7NS

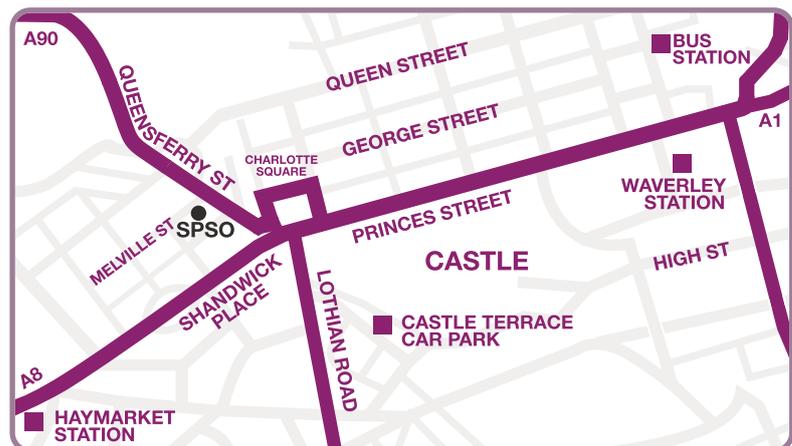
Opening hours:

Monday, Wednesday,

Thursday, Friday

9am – 5pm

Tuesday 10am – 5pm



Please contact us if you would like this leaflet in another language or format (such as large print, audio or Braille).



SPSO Scottish
Public
Services
Ombudsman