

Independent Service Delivery Reviewer's Report

Introduction

In 2009-10 we received service delivery complaints on 21 cases. Of these, 12 were fully or partly upheld and nine were not upheld. Six cases were escalated to the Independent Service Delivery Reviewer. The Reviewer's report below provides her account of those six cases, and the outcome of an additional four complaints that had been accepted in the previous year. We post the outcomes of all of the complaints we receive about our service on our website on a quarterly basis. Although it is difficult to identify systemic issues on the basis of such small numbers, we do have in place mechanisms to ensure that the lessons from service delivery complaints are fed back to the organisation. This takes place through formal reporting and action planning at Audit and Advisory Committee and Senior Management Team level.

Report

This is my first full year as Independent Reviewer, having been appointed in January 2009. I reviewed a total of 10 complaints. Most of the complaints I handled related to how the SPSO handled complaints about various public bodies in Scotland.

The issues raised included:

- Delays and the time taken to complete a report
- Issues regarding the Ombudsman's remit
- Lack of clarity regarding the detail of the complaint being considered by the SPSO
- Confusion in the period prior to SPSO deciding whether to investigate a complaint or not
- Use of SPSO advisers
- Issues regarding the transition period prior to the appointment of a new Ombudsman
- Perception of the independence of SPSO
- The SPSO's failure to follow its own policies and procedures for handling complaints about public bodies
- Signposting to the Independent Service Delivery Reviewer

Findings

Throughout my investigation of the various complaints certain themes reoccurred. These indicated areas of concern regarding the complaint handling process within the office. The major themes that arose were:

- Significant delays in the handling of complaints about public bodies
- Confusion regarding the detail of specific complaints (one complaint was changed four times during the investigation process)
- Confusion between the outcome (decision of the Ombudsman) and the process of investigation (service delivery)
- Lack of transparency in the process
- Categorisation of service delivery complaints
- Impact of controlling email contact

Recommendations

Following my investigation of a number of complaints I made a range of recommendations which I discussed with the Director of Complaints and Investigations and the Director of Policy and Development. The key recommendations that I made for the office were:

- Greater clarification regarding what exactly is being investigated
- SPSO to agree a contract with the complainant at the beginning of the process
- Separation, at an earlier stage, of customer dissatisfaction regarding the outcome (decision of the Ombudsman) from process (service delivery)
- SPSO to resist making unrealistic promises regarding the completion of reports
- When delays arise, SPSO to keep the complainant informed and amend timescales accordingly
- SPSO to establish a policy for handling unacceptable behaviour in relation to email contact
- SPSO to streamline the initial stages of the process, prior to the decision to take on an investigation
- SPSO to conduct a review of current policies and procedures to highlight the separation of customer dissatisfaction with outcomes from complaints about process
- SPSO to ensure that all service delivery complaints include signposting to the Independent Service Delivery Reviewer

- In response to service delivery complaints, SPSO to ensure that the reply reflects the complainant's initial concerns
- SPSO to provide for an annual review and update for the Independent Service Delivery Reviewer

During this year I have worked closely with Mr Jim Martin, the Ombudsman. I have been impressed by his commitment to quality and consistency. I applaud his efforts to provide a listening organisation that feeds back learning in order to improve. I have noticed that the level of complaints being referred to me recently has declined which I believe reflects the effect of the improvements put in place during the last year.

Ros Gardner

Independent Service Delivery Reviewer