

Report to: The Executive Board
Month: May 2009
From: Fiona Paterson
For: Noting and Discussion
Subject: Service Delivery Complaints – 2008-09 Annual Report
Status: Open

1. Purpose

To provide the Executive Board with a summary of the nature and outcome of service delivery complaints received by the SPSO in 2008-09.

2. Contribution to the Business Plan

Strategic objective 1 – to provide a high quality, independent complaint handling service.

3. Key points

Service delivery complaints (SDCs) during 2008-09 were determined under the interim Service Delivery Process.

16 SDCs and six appeals were recorded for 2008-09. Of the seven which were upheld or partly upheld five complaints related to delay. The three upheld appeals also related to delay.

2008-09

Total Received 16
Total Closed 14
Ongoing 2

Main Reason for complaint	YEAR TOTAL	Fully Upheld	Partly Upheld	Not Upheld	Discontinued
Delay	5	5	0	0	0
Communication	4	1	0	3	0
Process	2	1	0	1	0
Other	0	0	0	0	0
Combination	3	0	2	1	0
TOTAL	14	7	2	5	0

Appeals closed	5	3		2	
Appeals ongoing	1				

Annex 1 shows a detailed breakdown of all the complaints received.
 Annex 2 is the Independent Reviewer's quarter four report.

4. Recommendations

- Approve this report for publishing on website, including the yearly statistics.
- Incorporate SDC statistics in Quarterly Statistics Report for operations paper from 2009-10.
- Provide an annual report the Executive Board for approval, summarising the SDCs and appeals received, which can be tabled at the AAC meeting and published on our website. This is in place of the current quarterly paper.

SDC Record 2008-09

Four service standards: Being Accessible, Clear Contact, Timely Action, Listening to you.

<i>SQC #</i>	<i>Date Received</i>	<i>Case #</i>	<i>Outcome</i>	<i>Summary of complaint, including feed-back / learnings for upheld complaints - Individual coaching, cross-office issues, tech update</i>	<i>Closed date</i>	De	lay	Co	m	Pr	o	Co	m
SDC 07/39	13/03/08	200401620	Upheld	PROCESS – Upheld Jurisdictional decision incorrect: case worked, but not in jurisdiction.	10/04/08					X			
SDC 07/39 Appeal	12/05/2008	200401620	Not upheld	PROCESS - Accepted apology but wanted recompense.	14/07/2008					A			
SDC 08/01	01/04/08	200502961	Partly Upheld	DELAY – upheld, apologies given COMMUNICATION – upheld, re expression of regret by CI that he was being complained about – discussion with line manager about appropriate communication. PROCESS – not upheld. Errors in draft changed for final report, did not affect findings.	09/04/08								X
SDC 08/02	02/04/08	200502668	Not upheld	COMMUNICATION – Claim that incorrect information given by front office regarding Scrutiny Review. Line Manager explained the confusion and confirmed the information given was correct.	21/04/08			X					
SDC 08/03	24/04/08	200601783	Upheld	DELAY - Delays in arranging meetings between you and representatives of the SPSO	01/12/08	X							
SDC 08/03 - SDC 08/16 Appeal	24/04/08	200601783	Independent Review UPHELD	DELAY - The failure of the Ombudsman to meet the agreed date for the review of your case, although the agreement had been put in writing. Counted separately to SDC08/03 after recommendations received from Independent Reviewer April 2009	31/03/09	A							
SDC 08/03 - SDC 08/17 Appeal	24/04/08	200601783	Independent Review UPHELD	PROCESS - The failure of the SPSO to follow their own Service Delivery Complaint procedure. Counted separately to SDC08/03 after recommendations received from Independent Reviewer April 2009	31/03/09					A			
SDC 08/04	08/05/08	200503430	Upheld	DELAY – CI promised due dates in good faith but failed to deliver due to sickness and workload. Lessons learned – very careful when giving target dates that they can be delivered on.	30/05/08	X							
SDC 08/05	15/05/08	200800406	Upheld	COMMUNICATION - One question not answered properly - could have responded in a more clear fashion after consulting with other colleagues. One question misinterpreted resulting in further enquiries. Request that if complaint is made, different staff members will deal with the case. Ombudsman agrees to request.	18/06/08			X					
SDC 08/06	15/05/08	200800149	Not upheld	COMMUNICATION – not upheld. Letters examined by Manager and communication found to be appropriate.	06/06/08			X					

Quarter 4 Report of Service Delivery Reviewer

Introduction

I was appointed to the role of Independent Service Delivery Reviewer in January 2009. My initial contract, for three months, has now been extended to one year, until March 2010.

I have reviewed two cases within this period:

Case 1

This complaint related to the SPSO's handling of a complaint against a Hospital. On investigation I found that SPSO missed its own service standards. These included:

- Lack of clarity regarding the Ombudsman's remit, leading to mismanaged expectations on the part of the complainant;
- Changes to the elements of the original complaint were not explained to the complainant;
- Significant delay in the decision to investigate the complaint;
- The pre-investigation stages were confusing to the complainant;
- There were a number of delays during the investigation and report writing stages;
- The report took nearly one year to complete.

I recommended that the complaint be upheld.

I subsequently sent a number of recommendations, relating to the operational issues of complaint handling, to SPSO. These have now been accepted by the Ombudsman and action has been taken to implement them.

Case 2

This complaint related to the SPSO's handling of a complaint against a Council. The key elements of the complaint were:

- Delays in arranging meetings between the complainant and SPSO personnel;
- Failure of SPSO to meet its own Service Delivery Complaint procedure;
- The failure of the Ombudsman to meet the agreed date for the review of the case.

As part of my investigation of this case I met the complainant to discuss his concerns.

I found the SPSO failed to meet their own published service standards during the investigation of this complaint. Specifically:

- There were significant delays in the initial investigation of the complaint.
- The service delivery complaints made by the complainant were not recorded as separate complaints. This resulted in one complaint not being responded to.

- This also resulted in confusion regarding the Ombudsman's response to the Service delivery Complaints.
- Promises regarding the completion of the initial investigation were not met.

I recommended that the complainant's second and third Service Delivery Complaints be upheld. I noted the original complaint regarding West Lothian Council was still outstanding.

I have recently made recommendations to SPSO following my investigation of this complaint. I am awaiting the response to these recommendations.

ROS GARDNER
Service Delivery Reviewer