

Independent Service Delivery Reviewer Annual Review 2009-10

I commenced as the Independent Reviewer in January 2009. During the year I have had 16 cases referred to me, including three which related to two separate complaints. This resulted in a review of 19 complaints in total during the year.

Three complaints remained outside my remit; therefore I reviewed 13 complaints relating to 16 separate issues.

Most of the complaints I handled related to how the Scottish Public Service Ombudsman's office handled complaints regarding 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
- 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
- Failure to follow SPSO's own complaints procedure
- 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
- 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 have made a range of recommendations which I have discussed with the Director of Investigations and the Director of Policy and Development. The key recommendations that I have made for the office are:

- 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 complaints 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 the current complaint procedure to highlight the separation of complaints about outcome 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

I am happy to discuss these recommendations in more detail with senior management within the organisation.