

SCOTTISH PUBLIC SERVICES OMBUDSMAN

Report to AAC from Independent Service Delivery Reviewer

Quarter 3 – October – December 2009

Introduction

I have reviewed three complaints during this period, but have completed only one of these to date.

Case 1 – SDC 09/07

This complaint related to SPSO's handling of a complaint against the University of Edinburgh. SPSO decided not to proceed with this complaint and closed the case. The complaint included the following elements which, I considered, fell within my remit:

- delay in SPSO's response to the Service Delivery Complaint
- lack of independence on the part of SPSO
- SPSO's failure to adhere to its own regulations regarding the time taken to decide to reject the complaint
- refusal to provide a separate reference number for one element of the original complaint

On completion of my investigations, I arrived at the following conclusion:

- i) There was some slight delay in the handling of the Service Delivery Complaint. The 20 working day timescale was missed by one day. This was recognised by the Director of Policy & Development and apologised for.

The other elements of the complaint were not upheld. Again, some of these issues had arisen because the complainant had unrealistic expectations regarding SPSO's role and powers.

There is also an emerging issue of complainants' contact being mainly by email. I am identifying more and more complaints (in the various organisations I work with) where relationships between the complainant and the organisation are being damaged by the direct, immediate contact that email provides. I plan to do further work on this topic, and produce a further report on it in the next period.

A second complaint report has been completed by me but has been challenged by the complainant. Until I have resolved this challenge, it would be premature for me to publish my findings.

I am currently working on a third complaint and would hope to have this completed by the end of November 2009.

I have three further possible complaints received in this period which I have yet to fully consider. As yet I am not certain if any or all of them fall within my remit.

I regularly visit and communicate with SPSO personnel and keep them informed of any concerns that I may have, together with updates.

Should you require any further information in relation to this report, I will be happy to provide it.

ROS GARDNER
Independent Service Delivery Reviewer