

September 2022

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Our findings

Public service complaints

This month we:

- published ten decision reports available [here](#)
- upheld seven complaints in full or part
- made 15 recommendations for learning and improvement.

Decision reports: Learning points

This month we highlight the importance of clear communication and ensuring individual's concerns are fully addressed:

- [202004351](#) – we found that the health board failed to reasonably assess or explain the source of a patient's pain. The patient, who had experienced pain in the years following a porcine mesh implant, was not provided with a joint consultation between gynaecology and plastic surgery despite being told this would be arranged. While we found the board's treatment plan to be reasonable, there was no single, clear and comprehensive communication that addressed all the patient's concerns and queries.

We asked the board to apologise to the patient, arrange for a joint appointment to take place, and ensure complaint responses address all areas the board are responsible for, explaining their reasons for any decisions.

- [202101651](#) – we found that the health board failed to safeguard a complainant's elderly relative. While their Adult Support and Protection investigation was procedurally sound, it had been lacking in quality. We also found that the board failed to prioritise securing urgent short-term

accommodation that took account of the individual's circumstances. Finally, we found that, at times, correspondence with the complainant had been unreasonably slow and the board failed to respond to questions and requests for information regarding concerns.

We asked the board to apologise, use this case as a reflective exercise with staff and review how they track and respond to general correspondence to ensure all points are responded to fully and within a reasonable timescale.

Scottish Welfare Fund reviews

Statistics

During August we:

- received 113 requests for review
- made 115 decisions
 - 21 community care grants
 - 58 crisis grants
 - 35 self-isolation support grants
- upheld 11 (52%) community care grants, 11 (19%) crisis grants and 13 (37%) self-isolation support grants
- signposted an additional 155 people to other sources of assistance. The majority of these were contacting us in error instead of their local council and we signposted them accordingly. Ten reported accessibility issues, including having no credit to call their local council; their council's web form being down and the council preventing them from submitting a first tier review. We also signposted 12 applicants to other organisations including the DWP, Citizens Advice and another Ombudsman Service.
- received six calls from councils seeking advice.

Case studies

In recent weeks, we have determined a number of cases where we observed issues with award calculations for crisis grants.

In one such case, the applicant (C) asked for an independent review of the council's decision. They had applied for a crisis grant, stating that their ex-partner had stolen £350 from them during an incident in which C was also assaulted.

The council declined the initial application on the basis that C had not provided a bank statement or police reference number for the incident. C requested a first tier review of the decision, and the council awarded the applicant the amount the guidance suggests for a single householder. They did not award an amount for their child as they said they were over 16 and C no longer received child benefit for them.

We reviewed the council's case file and spoke with C for further information. We found that C provided us with inconsistent information about what had happened to the remainder of their benefits income, and about the benefits they receive. We also noted that the police reference number was in relation to lost money as opposed to a theft and had been submitted after it had been requested by the council. Finally, we reviewed C's application history and noted four previous applications for losing large

sums of money in the last 12 months, all of which were within two days of receiving their monthly benefit payment. Taking all of the above information into account we were not satisfied that the circumstances presented during the application process were true in line with section 4.21 of the guidance and did not grant an award. We did, however, provide feedback to the council about the award calculation as C's child was disabled and in full time non-advanced education. They continued to be part of C's Universal Credit claim and therefore should have been treated as a dependent for the purposes of an award.

Further examples can be found in the [searchable directory on our website](#).



Team Assistant -
Improvement,
Standards and
Engagement
Team

WE ARE HIRING

www.spsso.org.uk/working-for-us

We are looking to recruit a Team Assistant to join our Improvement, Standards and Engagement (ISE) team.

The post-holder will play a pivotal role in the effective running of our team by providing administrative support across all functions of the team. The role will involve management of all shared team email inboxes and administration associated with incoming emails. You will also provide important administrative support for work led by colleagues in the ISE team, such as supporting our Child Friendly Complaints project and our Engagement and Communications Team.

This vacancy closes at **2pm Friday 30 September 2022**.

[Visit our website for further details and how to apply](#).

INWO - Speak Up Week 2022



Our Independent National Whistleblowing Officer team will be holding their first major event later this year: **Speak Up Week**, which will run from 3 to 7 October 2022. Speak Up Week is an opportunity to promote and celebrate speaking up, and the difference it can make within the NHS in Scotland.

During Speak Up Week NHS Boards will be promoting and holding their own events. In addition to these INWO will be hosting two events:

Monday 3rd October 2022 (no registration required)

On Monday we will be presenting a videoed discussion **between Dr Jayne Chidgey-Clark**, the National Guardian, and **Rosemary Agnew**, the Independent National Whistleblowing Officer. Amongst other things, we can look forward to hearing about the benefits of speaking up, making speaking up work for everyone, and their thoughts on changing culture in the NHS. This discussion will be pre-recorded and will be available on our [Speak Up Week page](#).

Thursday 6 October 2022 from 3 to 4pm (registration required)

On Thursday, Niki Maclean, the SPSO Director, will be hosting an online panel discussion, on the theme of building trust and transparency.

We are very pleased to welcome speakers from a diverse range of backgrounds, and look forward to hearing interesting ideas and approaches from the health sector and beyond.

Our speakers are:

- **Simon Watson** - Director of Workforce at Healthcare Improvement Scotland (HIS)
- **Stewart Hughes** - Head of Group Security at SSE (formerly Scottish and Southern Energy)

- **Sean Parker** - Safety Reporting Programme Lead at the Civil Aviation Authority (CAA)

The webinar brings together considerable experience and expertise across a number of different fields:

- The CAA is the regulator for the aviation industry, where having an effective speak up culture is critical to public safety.
- SSE have done considerable work over the last decade to improve trust and transparency in their own speak up processes. They regularly achieve very high confidence ratings in speaking up, in their staff surveys.
- HIS help health and social care organisations to redesign and continuously improve services, and they also accept whistleblowing concerns.

While Speak Up Week is an initiative aimed at NHS boards, we welcome people from any organisations wishing to learn more about the importance of speaking up and building trust and transparency in the workplace.

To register for this live event please email INWO@spsso.gov.scot.

INWO e-bulletins

Our INWO team sends out regular updates with further information about the service. [Our September e-bulletin can be found here.](#)

If you would like to receive future e-bulletins from the INWO straight to your inbox, please [register here to sign up to the mailing list.](#)

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