

# SPSO NEWS

## December 2017

This e-newsletter highlights:

- A public investigation report about a health board's treatment of a vulnerable patient whose abnormal blood test result was overlooked on several occasions
- Our new report "[Making Complaints Work For Everyone](#)", which focuses on the impact of complaints on staff who have been complained about
- An update from our Complaints Standards Authority (CSA), including details of a number of stakeholder engagements this month
- Scottish Welfare Fund news, including booking details for our first SWF engagement event in February 2018.

This month we are publishing 71 reports of complaints we investigated about a range of sectors including local authorities, health, colleges and universities, housing associations, the prison service and water authorities. [These are available on our website.](#)

### **SPSO Christmas closure dates**

The SPSO office will close on Friday 22 December and re-opens on Wednesday 3 January 2018 (we are providing a Scottish Welfare Fund service over this closure period – [please see the SWF website](#) for further details about these arrangements). We wish you all a happy holiday and fun-filled Hogmanay.

### **Casework decisions**

Of the 71 cases we are publishing this month:

- 43 are about the health sector (42 summaries of decisions and 1 public investigation report)
- 16 are about local authorities
- We upheld in full or part, 46 complaints and made recommendations in 48 cases.

This month, we are publishing one full public investigation report ([201607558](#)) about a board's treatment of a patient who had attended the emergency department with abdominal pain. We found that the board had overlooked an abnormal blood test result on three separate occasions. We considered that, had a more senior doctor overseen the patient's care, and due attention been given to this test result, she would have been admitted to hospital which may have avoided her death.

In this case, we are also very critical of the board as the elderly and frail patient with multiple health problems was discharged home in the early hours of the morning, by taxi. The Ombudsman was critical, even shocked, that this happened at all, particularly as the board's own complaints investigation failed to identify any concerns about the circumstances of the patient and their discharge, and without her next of kin being contacted in advance.

We have made a number of recommendations to address the failings that we found.

## **Our new report: Making Complaints Work for Everyone**

This month we are pleased to publish our second thematic report: "[Making Complaints Work for Everyone](#)".

The report focuses on the impact of complaints on staff who have been complained about, bringing together relevant research and SPSO case studies. Whilst organisations are increasingly more likely to describe themselves as 'learning organisations', research suggests that being subject to a complaint can have an adverse impact on the individual involved and can limit, rather than promote, learning.

The overriding message that has emerged from this report is that organisations need to actively support their staff through complaints processes and engage staff in positive and purposeful activities to manage and learn from complaints. Getting this right will encourage staff, help drive improvement in services and promote learning.

**The report contains information about a range of resources that organisations can draw on, and we encourage the use of these resources.**

Input and advice was provided to the report by the staff of the Equality and Human Rights Commission in Scotland, and by Dr Gordon Skilling, who is a specialist psychiatric adviser to SPSO. Dr Skilling produced a detailed overview of querulousness in support of SPSO's thematic report which is also available [to read on our website](#).

The report was launched at a conference co-organised by SPSO, Queen Margaret University and the University of Glasgow which explored how best to support public service employees who have been subject to a complaint. A report of the conference, including some of the key research findings from the day, is available to view [on the UK Administrative Justice Institute website](#).

## Complaints Standards Authority

[The latest CSA update includes:](#)

- an update on stakeholder engagement activity, including a workshop for GP practice managers on the work of the SPSO, and a presentation to members of Scotland's Housing Network.
- complaints handling procedure compliance checks
- details of recent and future complaint handlers' networks meetings.

## SPSO training: E-learning

Our e-learning resources are once again available on our website and are free to access. Developed for frontline staff, each course consists of several modules to support staff in dealing with complaints. [Please see the training page of our Valuing Complaints website for more information.](#)

## Scottish Welfare Fund

### SWF Communications and engagement

Planning is well underway for our SWF engagement event on Thursday 8 February 2018, at the Wheatley Academy in Glasgow. We will be joined by a range of speakers on the day, covering a number of key topics including robust decision making; ensuring accessibility, managing difficult behaviour and quality assurance.

We anticipate that this event will be of interest to those involved in the delivery of SWF; third sector representatives and other organisations who may be working with potential applications to the fund. [A draft agenda and booking details can be found on our website.](#)

This month we also met with Scottish Government to discuss arrangements for the annual review of the SWF Statutory Guidance. Observations from our casework and recent findings were also discussed.

**We recognise that this time of year can be difficult for those on a low income, particularly those who are facing crisis situations. To ensure that we respond quickly to applicants in crisis, we are offering a service between Christmas and New Year .**

[Full details are available on the SWF website.](#)

## SWF Statistics and reporting

During November 2017 the SWF team:

- responded to 76 enquiries
- made 62 decisions (30 crisis grants and 32 community care grants)
- recorded 95 findings throughout the month.

25 of the findings the team made were material, resulting in us disagreeing with the original decision.

The most common example of findings that were not material to our decision concerned written communication (we identified this 38 times this month). Examples of the feedback we gave included insufficient reasons for decisions being provided; information being included that was not relevant to the application, and inaccuracies.

We also noted several instances of good practice throughout the month. These included one council's case notes being clear, concise and well-structured; and examples of clear decision letters, which outlined the decision maker's rationale and referred to the applicant's specific circumstances.

## Casework outcomes

In recent weeks, we have determined a number of cases where it was necessary to consider whether the assistance requested can be provided by SWF. This includes a case involving a decision about whether an application was excluded on the grounds of being on-going expenditure, and a case about travel expenses. [These can be read on our SWF website.](#)

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