

SPSO NEWS

24 May 2017

This e-newsletter contains an introduction from the new Ombudsman, Rosemary Agnew. We also highlight key points from today's reports and updates from the Complaints Standards Authority and our Scottish Welfare Fund team.

A word from the new Ombudsman

Welcome! I took up post on 1 May 2017, and since then I've been taking stock: getting to know my team, meeting some of the independent professional advisers who provide such valuable support and finding my way round the labyrinth of an office that is Melville Street...

I'm also meeting a range of stakeholders, including the college sector complaints advisory group last week. It was great to experience their enthusiasm for learning and improvement.

And, of course, I'm making decisions on complaints, seeking as ever to remedy injustice caused by maladministration. I will continue to promote learning through complaints handling, using our investigations and recommendations to make a difference to public services in Scotland.

Key points from our reports

Today we are laying 107 reports before the Scottish Parliament, including two full investigation reports. Case [201601342](#) was brought by a man who developed a pressure ulcer in hospital which required district nursing care for five months after his discharge. Case [201508474](#) concerns a council's failure to notify a man that his tenant's housing benefit would not be paid.

We are also laying over a hundred short reports of recently completed investigations. While each complaint has significance for the people concerned, we highlight below

some investigations which illustrate common themes we see and where we believe there is learning for others.

Cases [201602880](#) and [201507605](#) are about failures to obtain surgical consent. In the first case we found that the explanations of a possible adverse outcome were inadequate, and in the second it appeared that the procedure from which the patient died was only discussed with them on the day of the operation. Informed consent is the subject of our [recently published thematic report](#), which contains a checklist for boards to use to help ensure consent is properly obtained. Cases [201508155](#) and [201601710](#) concern the assessment of patients' falls risk, another area we seek to improve through our recommendations.

In the local authority sector, case [201508154](#) illustrates the impact that a council failing to adequately handle a planning application can have on people's homes and on the council itself in subsequently rectifying the situation. Case [201604163](#) is about the upset caused to a family who were not properly informed about what was happening, and why, when a primary school child's class was changed. Our recommendations highlight the importance of good communication between the council, the school and the family.

To read these and other reports, visit [our website](#).

Complaints Standards Authority (CSA)

Social work complaints

This month's [full CSA update](#) confirms that almost all councils have returned their self-assessment of compliance with the new social work complaints handling procedure (CHP) to us. Most councils have stated that they are compliant, and we are confirming this following detailed checks. We look forward to receiving documentation soon from the remaining councils.

Councils and Health and Social Care Partnerships should get in touch with the CSA directly if they would like further clarification, guidance or support on any aspect of the new procedure.

NHS complaints

At the time of writing, only one health board has yet to provide confirmation to the Scottish Government that they have implemented the relevant new complaints procedures and to submit their procedure for a compliance check. The CSA are available to answer any queries about the requirements of the new procedure.

Complaints Handling Networks

The [full CSA update](#) details the recent meetings of the **local government** and **college** sector networks, and dates of the next meeting of the **higher education** network.

Reminder to councils - annual complaints data

Councils agreed to provide their 2016-17 annual complaints data to the local government network's benchmarking sub-group by the second week in May. The success of the June network meeting is dependent upon this data being submitted. Any council that has not yet provided this information should do so without delay to csa@spsso.org.uk.

For all previous updates, and for more information about the networks and the CSA, visit our [Valuing Complaints website](#) or email csa@spsso.org.uk.

Scottish Welfare Fund

We are planning to publish our annual report in June. It will provide an overview of the first year of the independent review service and include details of our casework performance, analysis of our findings and information about how we have involved applicants and other stakeholders in improving our service.

Where we identify potential or actual failings by councils, we record suggestions for improvements which we highlight directly to them. In the coming months, we will be analysing these findings to help us identify recurrent themes and areas for development.

In April, we responded to 61 enquires and made 48 decisions (22 crisis grants and 26 community care grants). There are examples of [recent casework outcomes](#) on our SWF website, and this month they are about a council's award calculation, and a case from an applicant who was subject to the Habitual Residency Test.

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