

SPSO NEWS

July 2018

In this month's e-newsletter:

- Work with us! Vacancies at SPSO
- Our monthly casework decisions
- Learning and improvement recommendations and resources
- Positive feedback
- Training opportunities
- Annual letters
- Complaints Standards Authority (CSA) and new Independent National Whistleblowing Officer role news
- Scottish Welfare Fund (SWF) updates

SPSO Vacancies

We are currently recruiting for the following positions:

- Learning, Improvement and Standards Officer, Fixed Term/Secondment (13 months)
- INWO Project Officer/ Improvement, Standards and Engagement Officer, Fixed Term/Secondment (13 months)

We are customer focused, approachable and accessible, and this is reflected in the skills of the people who work with us. We look to recruit good communicators and, above all, we want people committed to helping us continuously improve the service we offer.

Casework Decisions

This month we are publishing 72 reports of complaints we investigated about a range of sectors. These are available on our website.

51 of our published cases are about the health sector; the rest being about a range of public bodies.

We upheld 36 complaints in full or part and made a total of 111 recommendations.

We published two full investigations reports this month.

- In case [201609138](#) we found treatment provided by an orthodontist fell below a reasonable standard, as did the subsequent complaints handling. The learning points, reflected in our recommendations were: keep detailed, complete and clear records; discuss treatment options and predicted outcomes fully with the patient before commencing a treatment plan; record valid consent; and respond to complaints in a reasonable timescale.
- In case [201701356](#) we identified serious failings by a board in diagnosing a patient's incomplete bowel obstruction and an unreasonable delay in referring them for surgery, despite a worsening condition. We highlighted the importance of reviewing carefully hospital test results and investigations, of considering earlier surgical intervention. Complaints handling systems should ensure that failings (and good practice) are identified, and that the learning from complaints is used to inform service development and improvement.

Learning and Improvement Resources

This month, we upheld a complaint about the unreasonable application of an Unacceptable Actions Policy by a council ([201702414](#)). We are often asked about how to manage that small number of cases where there is challenging behaviour. Our [guidance on dealing with problem behaviour](#) is available on our Valuing Complaints website.

In case ([201704939](#)), we found a health board failed to follow properly national guidance on consent. This was because a consent form had not been signed until the day of the surgical procedure and there had been a lack of evidence to confirm that the risks and benefits of surgery were discussed appropriately with the complainant. Our recommendations, included following national guidelines on the consent process. Last year, SPSO published in-depth information on the issue in a [thematic report called 'Informed Consent'](#) which is available on our website.

Positive Feedback

It is just as important to learn from and share what goes well, so we feed back the examples of good practice that we see. This month it included:

- Staff providing detailed comments to colleagues on the questions raised within a complaint. These detailed comments enabled complaints handlers to provide full responses to the questions raised, and are an element of good complaints handling.
- Clinicians engaging with the complaints process in a compassionate way.
- A complaints manager actively communicating and giving assistance to a family.

We give this feedback to bodies on a case by case basis when we issue the decision letters on their cases.

Training

Our next open training course for the public sector is:

Complaint Investigation Skills on Wednesday 19 September at the Edinburgh Training and Conference Venue. [To find out more and book a place, please visit our website.](#)

Annual Letters

We provide individual public authorities with annual statistics about their service issues that the public have complained to us about. These statistics will contribute to building a picture of what drives dissatisfaction with an organisation and whether there are systematic changes that can be made.

Annual letters will be sent to the relevant bodies by the end of August. In the meantime, the overall annual statistics for 2017-18 have already been published [on our website](#).

Complaints Standards Authority (CSA) and new Independent National Whistleblowing Officer role news

From 2019, the SPSO takes on the role of Independent national Whistleblowing Officer for the NHS in Scotland. Our Complaints Standards Authority team is working in partnership with a wide range of representatives from the sector to develop draft National Whistleblowing Standards. The draft Standards consist of the Principles and a model Whistleblowing Procedure.

The Scottish Government are planning to consult on the legislation in the autumn, and we will be finalising the draft Standards for consultation at the same time.

For further detailed information on the background for the development of the INWO function and current activities, [please visit our website](#).

Further news from CSA, including updates on complaints handlers' networking meetings, is [available online](#).

Scottish Welfare Fund

Communications and engagement

We will be publishing our SWF annual report by the end of July 2018, and sending annual letters to each council which has received at least one decision from us. As well as making decisions, we comment on examples of good practice and highlight opportunities for improvement. These include improving accessibility to the fund, and ensuring council's letters contain sufficient information for applicants to understand the reasons for decisions.

SWF Statistics and reporting

During June 2018, the SWF team:

- responded to 61 enquiries
- made 52 decisions (24 community care grants and 28 crisis grants).
- signposted 38 people to other sources of assistance (which in all cases was their local council)
- recorded 81 findings during the month, 15 of which caused us to disagree with the council's overall decision. The most common suggestion for improvement concerned councils' written communication with applicants.

SWF Casework outcomes

In recent weeks we have considered a number of crisis grant reviews where we were critical of councils' communication with applicants, both in cases where we agreed and disagreed with the council's decision.

[Further information about our cases can be found on our Scottish Welfare Fund website.](#)

For further information contact:

Communications team

Tel: 0131 240 2990

Email: communications@spsso.org.uk

SPSO Advice

Tel: 0800 377 7330

Email: www.spsso.org.uk/contact-us

Website: www.spsso.org.uk