

9 March 2012

Douglas Sinclair
Chair
Consumer Focus Scotland
Royal Exchange House
100 Queen St
GLASGOW
G1 3DN

Dear Douglas,

Thank you for the opportunity to respond to Consumer Focus Scotland's draft plan for 2012-13. We support the valuable work CFS is carrying out, and the priorities identified in the plan. Given my office's role in dealing with complaints about public services and setting standards for how service providers handle complaints, I welcome three areas in particular. I also offer a suggestion for a further area of work.

1. Consumers of public services

The aim of ensuring that consumers are 'put at the heart of Scotland's public services, particularly those who are most disadvantaged and disenfranchised, including older consumers' resonates strongly with our organisation's standpoint. In my last annual report I describe the public's relationship with public authorities as being one where the public are 'the owners, shareholders and stakeholders rolled into one'. I have often said that public services are the people's services, and I therefore welcome your proposal to produce a set of best practice principles for consumer involvement in the design and delivery of public services and will read your research in that area with interest.

In our work in simplifying and standardising complaints handling procedures in Scotland, we are explicitly asking service providers to put the customer at the heart of the complaints process. As you are aware, the principles and model complaints handling procedures that we have developed for the public sector are based on the recommendations of your 2008 report into complaints handling. As well as ensuring clarity around procedures, we take very seriously the call for a change in the culture of complaints handling, and are making strides in producing training tools to empower staff to handle complaints effectively and to value the learning from them.

2. Consumers of water

We were pleased to work with CFS on the transition arrangements following the abolition of Waterwatch Scotland, when the consumer representation function passed to CFS and the complaints handling function passed to SPSO. I look forward to finalising our MoU with CFS on cooperation and agreement in due course.

3. Consumers of legal services

As part of the administrative justice framework, we share CFS' goal of increasing the public's legal capability. I strongly welcome CFS' proposal to research consumer behaviour when dealing with and avoiding law-related problems or disputes, with the aim of using the findings in ways that will support and empower people to avoid or resolve such issues informally

wherever possible. Like CFS, we are involved in the Government's Making Justice Work project looking at the area of Access to Justice. I welcome research in this area, to help people understand their rights and choices when they have problems, and to help the agencies that exist to resolve disputes better understand how and why people behave when they have problems.

4. Social work complaints and integration of health and social care

As I have highlighted to the Parliamentary Committees and Government departments involved, I think there is work to be done to reduce the complexity of social care/social work complaints, where there remain multiple appeal routes. We need to ensure greater simplicity and clarity from the consumer perspective about where to take a complaint. This is an area coming into sharp focus with the integration of health and social care and the Government's current consultation on social work complaints. That consultation proposes the setting up of a working group to look at this area, and I wonder if CFS would consider involvement in this work, perhaps in researching or representing consumer views. I think this would be an immensely valuable contribution to an important policy area that is undergoing significant change.

Please be in touch if you would like to discuss any of these areas further.

Yours sincerely,

Jim Martin
Ombudsman

Tel: 0131 240 8850 (Fiona Paterson, Personal Assistant)
Email: fpaterson@spsa.org.uk