

25 September 2012

Marieke Dwarshius  
Director  
Consumer Focus Scotland  
Royal Exchange House  
100 Queen St  
GLASGOW  
G1 3DN

Dear Marieke,

Thank you for the opportunity to respond to the proposed design principles for a Regulated Industries Unit (RIU).

The primary roles of the Scottish Public Services Ombudsman are to deal with complaints raised by members of the public about specified public services and to improve complaints standards throughout those public services. The only regulated industry of which we have any experience is water and this has only newly come within our jurisdiction. This means our current understanding of the regulated industries and involvement with any future RIU is limited to this area and this is reflected in our comments.

The abolition of Waterwatch Scotland in 2011 led to a separation of their functions with the complaints handling role coming to our office. The role of representing consumers in relation to this critical resource was given to Consumer Focus. In a memorandum of understanding signed with Consumer Focus we committed to sharing information when possible to support that role. At all times, we have found Consumer Focus engaged and proactive in pursuing the interests of consumers.

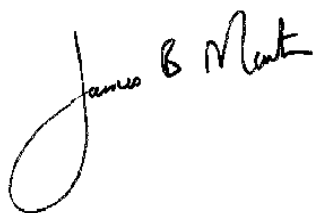
We would like to see this replicated in the Regulated Industries Unit and are pleased that the design principles build on the work already undertaken. We note, in particular, that the new organisation will intend to build on the experience of Consumer Focus and that it should have an independent research capacity. It can be difficult to fully understand the needs and concerns of the consumer, and this may be particularly the case where the consumer is vulnerable. It is our experience that the most vulnerable consumers are unlikely to initiate complaints and there is a need to ensure their voice is heard. The role Consumer Focus has undertaken in representing consumers has also been of value to us in our work on complaints standards and we were pleased to also note that this role will remain, for the consumers of regulated industries, an aspect of the RIU.

In water, the devolved position in Scotland is different from that elsewhere in the UK and the RIU will only have a role in Scotland in connection with water. It is appropriate that this is clearly recognised in the design principles. The style and approach in design principle 10 is one we would support.

Reference is made to the use of advocacy as a source of insight. Complaints are clearly another possible source and we would be very happy to work with the proposed RIU in line

with the commitments already made in our memorandum of understanding with Consumer Focus.

Yours sincerely,

A handwritten signature in black ink that reads "James B Martin". The signature is written in a cursive style with a large, looping initial 'J'.

Jim Martin  
Ombudsman

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