

SPSO NEWS

November 2018

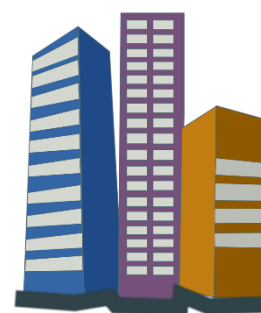
In this month's e-newsletter:

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We are moving!

From the 1st of December 2018 SPSO's new home will be Bridgeside House, 99 McDonald Road, Edinburgh, EH7 4NS. Visitors are still welcome, and our Freepost address won't change. [You can find our new address on Google Maps.](#)

We will be in touch with stakeholders shortly to discuss signposting to us – keep an eye out for our letter! If you have any questions about this, please contact communications@spsso.org.uk.



Our Visual Identity

Back in June we invited you to participate in a survey about our visual identity. Thank you to everyone who responded. We are excited to announce we will be launching this new identity in December when we move! In the meantime, here is a sneak peek...



A note from the Ombudsman

As you may know, the Scottish Public Services Ombudsman Act 2002 sets out my statutory powers. This includes my powers to demand information or documents relevant to an investigation and what action I can take if I don't receive it – in technical terms – if I am obstructed in the performance of my functions, without lawful excuse.

My intention here is to remind public bodies of their obligation to provide information to my office, in good time, when requested to do so and inform you that we are reviewing our approach.

SPSO do not, as a matter of course, refer to our statutory powers when asking organisations for information; but I recognise there may be occasions where it would be helpful to do so. For example, it can provide reassurance if an organisation is concerned about disclosing personal or confidential information because it would confirm there is an obligation, based on statute, for them to do so. Equally, SPSO also need to demonstrate we have taken appropriate action to gather evidence to support our decision-making.

When we ask for information we always set a deadline for receipt. It is important organisations send us information by the deadline. If that is simply not possible, organisations can ask us to consider extending this deadline provided they have good reason. We are working to update our internal guidance to make sure we are consistent in how we ask for information and apply deadlines, while ensuring we continue to respond to requests for extensions in a consistent and fair manner. This work is due to be finalised in January 2019.

My staff are always available to respond to any enquiries you may have in relation to our information requests. If you have any concerns about any of the information we request please contact us directly to discuss.

Casework Decisions

This month we:

- are publishing 50 decision reports available [here](#)
 - 31 about the health sector
 - 9 about local government
 - 10 about a range of other organisations and subjects
- upheld 32 complaints in full or part

- made 109 recommendations for learning and improvement
- are publishing one full investigation report:
 - [201800015](#), Dumfries and Galloway NHS Board – the Board failed to provide reasonable care and treatment to a man who died of an aneurysm shortly after being admitted to hospital. There was also failings in communication, including the family of the man being informed of his death in a corridor. We made eight recommendations directly in relation to these findings. The Board accepted these recommendations.

Of the 9 decision reports about local government, 6 concerned primary schools. They included complaints about bullying and failure to follow the correct policy and/or procedure.

We upheld 3 of these complaints identifying failure to follow policies, or the GIRFEC principles (Getting it Right for Every Child, which sets out the nationwide policy which puts the child at the centre of decision-making and ensures their views are heard). Our recommendations sought to address these failings and where appropriate to ensure that complaint responses are appropriately empathetic and include a recognition of impact.

We did not uphold 3 of these complaints as we found that child protection procedures had been properly applied, and actions taken to deal with disruptive behaviour had been reasonable.

Local authorities have a duty to promote and ensure the care and welfare of children in their schools. They must make sure that all schools have an anti-bullying policy and procedure in place. All staff should be aware of the policy and be appropriately trained to ensure the effective application of the procedures. Complaints about bullying in schools must be taken seriously, and promptly investigated. Handled well by schools and local authorities, these complaints can help to promote positive relationships and behaviours throughout the school environment, and help to ensure children suffer no ongoing adverse or detrimental effects from their experiences at school.

Independent National Whistleblowing Officer (INWO)

Watch this space

We are all set to consult on the draft National Whistleblowing Standards (the Standards). We continue to work with the Scottish Government as they prepare the legislation for consultation, the plan being we consult at the same time.

In the meantime we are planning for implementation of the draft Standards. You can find further details on our recent INWO work [on our website](#).

Complaints Standards Authority (CSA) news

We were pleased to participate in the General Medical Council's (GMC) national workshops to consider 'What patients expect of their doctors'. We welcomed the opportunity to provide feedback on complaints handling issues, which we hope will help to ensure every patient receives a high standard of care.

We also presented to the Academic Registrars Annual Conference which considered 'The New Age of the Student as Consumer and/or Partner'. You will find further information on the CSA's work [on our website](#).

Training

Our next open training course for the public sector is Complaint Investigation Skills on Wednesday 6 March 2019. This course will be held at our new accommodation – Bridgeside House! [To find out more or book a place, please visit our website](#).

Scottish Welfare Fund (SWF) updates

SWF Communications and engagement

Workshops for SWF decision makers are due to take place in:

- 29 November 2018 in Glasgow
- 3 December 2018 in Edinburgh
- 10 December 2018 in Aberdeen

The workshops are being held in collaboration with Scottish Government, and will focus on three main themes: ways of evaluating evidence; decision making and reasoning, and hot topics in SWF decision making.

In addition to holding our local authority sounding board this month, we also visited a local authority to meet with their SWF decision makers and discuss some key topics.

SWF Statistics and reporting

During October 2018, the SWF team:

- responded to 59 enquiries
- made 47 decisions (11 community care grants and 36 crisis grants)
- signposted 50 people to other sources of assistance.

SWF Casework outcomes

This month's most common reason for us disagreeing with the council's decision was we assessed that they had incorrectly interpreted the available information.

The most frequent suggestion for improvement concerned councils' written communication with applicants. In many cases this involved not referring to the applicant's circumstances; or failing to provide sufficient information for the decision to be understood. [For related case studies, please see our SWF website.](#)

For further information contact:

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