

November 2019

In this month's e-newsletter:

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 - Complaints, and
 - Scottish Welfare Fund reviews
- SPSO Complaints Improvement Conference
- Annual Report 2018-19

Our findings

Complaints

This month we:

- published 35 decision reports available [here](#)
- upheld 23 complaints in full or part
- made 71 recommendations for learning and improvement.

Learning points

The recurring themes this month remained around the standard of communication, particularly a failure to discuss treatment options with patients, and record-keeping:

- It is important that clinical staff discuss options with patients in order to make informed decisions on treatments and transfers.
- Clear and accurate record-keeping is essential, across all sectors, to evidence consultations have taken place and relevant policies and guidance have been considered and followed appropriately.

The following cases illustrate these key learning points across a number of sectors:

- [201806264](#) – we found that a board unreasonably discharged a patient on one occasion, admitted the patient for rehabilitation which was not appropriate due to their frailty and unreasonably transferred them to a general hospital. We asked the board to ensure that all possible options are considered before the decision is made to discharge or transfer a patient.

- [201803528](#) – we found that a dentist failed to communicate the treatment plan and options to a patient in a reasonable way. The patient was not in a position to give informed consent, and the breakdown of NHS and private options were not in line with relevant regulations. We asked the dentist to reimburse the patient for the costs of the dental treatment they underwent and to ensure that in future they communicate treatment options and obtain consent in line with regulations.
- [201709302](#) – a council were unable to provide evidence that they had consulted with residents around issues with bin storage. There was no evidence to say that they had carried out an assessment of alternative bin provision, and they did not carry out the actions they said they would in response to a complaint. We acknowledged that the council have already taken steps to improve record-keeping and to ensure that contact with the public is properly recorded. However, we asked them to ensure that residents are consulted and that future complaint responses are based on contemporaneous written evidence and not only on staff recollections.
- [201807417](#) – we found that a university failed to handle an academic appeal reasonably. The documentation of the board of examiners' decision was not clear and a member of staff did not communicate with the student precisely about the decision. We asked the university to ensure they provide explanations for decisions and respond to requests for clarifications clearly and accurately.

Scottish Welfare Fund (SWF) Reviews

During October we:

- responded to 85 enquiries
- made 64 decisions
 - 24 community care grants
 - 40 crisis grants
- changed the council's decision on 15 (63%) community care grants and 4 (10%) crisis grants
- signposted an additional 115 applicants to alternative sources of assistance, which in most cases was their local council.

We also provided some councils with feedback around signposting; this included guidance on when to advise customers to make a new application in situations in which nothing further can be achieved through the review process, versus when to review the amount awarded under previous grants.

For related case studies, please see our searchable directory available [on our website](#).

SPSO Complaints Improvement Conference

Tuesday 25 February 2020, Tynecastle Park, Edinburgh

Our next Complaints Improvement conference is now available to book! This is not a public event, rather it is designed for public sector staff, advice agencies and

academics for whom learning from complaints to improve services is a key part of their work or research.

The conference will focus on the recent review of the Model Complaints Handling Procedure (MCHP) and best practice in complaint handling – especially learning from complaints. There will be a mixture of presentations and workshops around the following key themes:

- resolution skills
- supporting vulnerable people and supporting staff who are the subject of a complaint
- encouraging positive behaviour (including the use of social media)

Alongside presentations from senior SPSO staff members, confirmed speakers include:

- Carolyn Hirst, mediator and former SPSO deputy Ombudsman
- Christian Gill, University of Glasgow
- Felicity Mitchell, Office of the Independent Adjudicator

There will also be time dedicated to networking within sectors. This will provide opportunity to discuss the revisions to the MCHP and the introduction of the Independent National Whistleblowing Officer for the NHS.

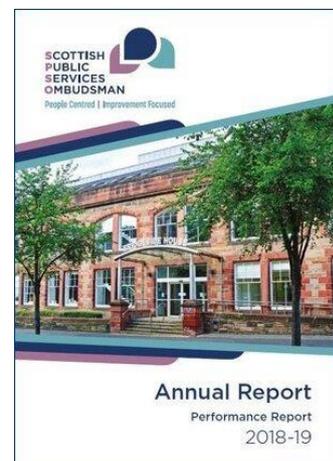
Download a booking form [here](#). Further information will be available in next month's newsletter!

SPSO Annual Report 2018-19

On 31 October 2019, we published our Annual Report for the year 2018-19. The Ombudsman, Rosemary Agnew, reported a strong performance and the office's many significant achievements over the year. These included: moving to new offices in McDonald Road, the introduction of provisional decisions, the publication of our Support and Intervention Policy and maintaining a good level of output by meeting or exceeding all but one of our key performance indicators.

Our performance at a glance:

- We handled 1,707 enquiries
- We received 4,188 and closed 3,955 complaints
- We upheld 58% of complaints
- We made 1,160 recommendations for redress and improvement to public services
- We handled 800 Scottish Welfare Fund review applications
- We decided 100% of Crisis Grant review applications within five working days



[The full report can be downloaded from our website.](#)

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