

June 2020

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COVID-19 update

For customers

We continue to monitor and follow the latest Scottish Government and NHS Inform guidelines. As such, our office remains closed to visitors.

We have been looking for ways we can develop our capacity to continue to deliver high quality services and are pleased to now be able to offer a limited telephone service.

Our Assessment & Guidance team are available to take calls on 0800 377 7330 at the following times:

Monday: 2pm-4pm

Tuesday: 10am-12pm

Wednesday: 2pm-4pm

Thursday: 10am -12pm

Friday: 11am-1pm

We will provide the best service we can, but ask you to be patient with us as it will not be as comprehensive as normal. We will be able to answer general enquiries and offer advice on how to make a complaint but regret we will not be able to give immediate updates on current cases. We are still receiving emails and written enquiries and taking new complaints as normal. Please read our [information for customers](#) for more information on how you can get in touch.

We are sorry for the delays in our response times but assure you that we are doing our utmost to provide as near a normal service as we can.

Our Scottish Welfare Fund (SWF) team is providing an essential service to people in need and hardship and is available by phone as normal on Freephone 0800 014 7299.

For public service organisations

We appreciate that public services are under huge pressure as they continue to respond to COVID-19 and ensure the delivery of essential services. This is likely to impact on organisations' ability to continue to deliver services to their normal standards, including complaints handling. While we recognise and appreciate this, we would respectfully remind organisations that it is a legislative requirement (under the SPSO Act 2002 (as amended)) for public bodies to adopt and comply with the SPSO Model Complaints Handling Procedure. They must, therefore, ensure customers have access to complaints procedures during this time.

We are mindful of the challenges faced. We face many of them ourselves and recognise the need to make hard decisions about how to target scarce resources. That is why we have already written to public bodies, and put guidance [on our website](#) explaining that the Model Complaints Handling Procedure allows for timescales to be extended where appropriate. This extension should be used by organisations where applicable, and to help public bodies cope with constrained resources. If you need to extend timescales on some complaints, please ensure customers are kept informed and updated. Don't forget to also keep your website up to date in relation to complaints handling.

If you are experiencing particular difficulties or issues please contact us on CSA@sps.gov.scot.

We have published resources to answer common questions and provide suggestions on how to manage complaints in the current situation:

- [Guide for public service organisations](#) - complaints handling advice during COVID-19
- [Guide for MSPs and Councillors](#) - supporting constituents who have concerns or complaints about public services during COVID-19

We continue to update information on our website for both [customers](#) and [organisations](#) as we monitor the ongoing COVID-19 situation.

Our findings

Complaints

This month we:

- published 103 decision reports available [here](#)
- upheld 54 complaints in full or part
- made 172 recommendations for learning and improvement.

Learning points

This month we are publishing a number of cases that relate to child protection procedures. In the cases highlighted below, we found that the authority involved

followed their legal duty in relation to protecting a child's wellbeing and appropriately instigated their procedures following reports of concern.

We upheld the complaints in areas relating to communication and record-keeping and have highlighted the importance of these points as part of the responsibilities under the National Guidance for Child Protection in Scotland:

- [201803965](#) – we found that the board had failed to either communicate the decision to instigate child protection procedures to the complainant or to record the reason why they did not do so. We asked the board to apologise for this failing and ensure that when these procedures are instigated, the family involved is informed or the reason for the decision not to do so is clearly recorded.
- [201900179](#) – we found that the local authority failed to document why a police report was requested and to ensure that the request was confined to information relevant to the alleged incident. We asked the local authority to apologise and ensure it is recorded on file why child protection concerns have been raised and reasons for seeking information from the police.

Gender neutral decision summaries

In October last year, we announced we would be changing the format of our decision letters. Both parties now receive identical anonymised 'decision notices' with an appropriate covering letter. By not being able to identify individuals from the decision itself, this contributes to a 'privacy by design' approach. Following on from this, we are now starting to publish 'gender neutral' summaries, removing both gender-specific pronouns and titles as far as possible. By taking this step, we aim to protect the privacy of all individuals involved in complaints further while ensuring we continue to share learning and inform improvement through our published decisions.

Scottish Welfare Fund reviews

Statistics

During May we:

- responded to 88 enquiries
- made 58 decisions:
 - 12 community care grants
 - 46 crisis grants
- changed the council's decision on eight (67%) community care grants and 14 (30%) crisis grants
- signposted an additional 66 applicants to alternative sources of assistance, which in most cases was their local council.

Case studies

Recently we have received a number of applications where it has been necessary to assess whether the council has taken account of the full circumstances of the application, including the impact of COVID-19 and the advice from the Scottish Government to suspend sections 7.21 to 7.23 of the statutory guidance (which we mentioned in last month's newsletter, further information is available [here](#)). Related case studies can be found in the searchable directory [on our website](#) under the subject *Exceptional circumstances for crisis grants*.

We are hiring!

We are currently recruiting for **four** Complaints Reviewers. There are two permanent and two fixed term (1 year) positions available.

Our Complaints Reviewers play a key role in our work, analysing and resolving complaints across a wide range of sectors including councils, NHS, housing associations, most water and sewerage providers, the Scottish Government and its agencies and departments, colleges and universities, prisons, and most Scottish public bodies.

[Click here for further details and how to apply](#)

Please note that these vacancies close shortly, at **10am on 19 June 2020**. If you are interested in keeping up to date with our latest news and vacancies in the future, please follow our [Twitter account](#) where we post regular updates.

The Infected Blood Inquiry

The Infected Blood Inquiry was set up to examine:

- why men, women and children in the UK were given infected blood and/or infected blood products; the impact on their families;
- how the authorities (including government) responded;
- the nature of any support provided following infection; and
- questions of consent; and whether there was a cover-up.

The Inquiry has been in contact with SPSO and we have agreed to share some information relevant to their work. The Inquiry is keen to hear from anyone who may hold evidence or have experience relevant to their work.

More details can be found on their website: www.infectedbloodinquiry.org.uk

Tel: 0808 169 1377

Email: contact@infectedbloodinquiry.org.uk

For further information contact:

Communications team

Email: communications@spsso.gov.scot

SPSO Assessment and Guidance team

Tel: 0800 377 7330

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

Website: www.spsso.org.uk