

February 2021

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Our findings

Complaints

This month we:

- published 34 decision reports available [here](#)
- upheld 21 complaints in full or part
- made 47 recommendations for learning and improvement.

Decision reports: Learning points

This month we are publishing a number of cases relating to child and family support services provided by councils.

[201806620](#) - we found that the council failed to reasonably respond to complainants who had raised concerns about their child's additional support for learning needs. While we found no evidence to support the concern that the child's support hours had been unreasonably removed, we considered there was a significant failure by the council to signpost the complainants to resolution mechanisms for disagreement regarding additional support needs. We also found that the council incorrectly referred one parent to their Antisocial Behaviour Policy and failed to explain their actions in this regard to our office.

We asked the council to apologise to the complainants and ensure parents are appropriately signposted to resolution mechanisms for disagreement regarding additional support needs.

[202000338](#) – we found that the council failed to follow appropriate processes when placing a child in the care of their parent. The child had previously been placed with

kinship carers but this voluntary arrangement ended when the relationship broke down. We found that after this arrangement ended, the legal status of the child's care was unclear and at this point, the matter should have been referred back to the Children's Reporter. We considered that the council did not do enough to satisfy their obligation to clarify the legal status of the child's care, or the rights of the parent.

We asked the council to apologise to the complainant but made no further recommendations given the significant learning already identified by the council.

Scottish Welfare Fund reviews

Statistics

During January we:

- responded to 115 enquiries
- made 78 decisions
 - four community care grants
 - 55 crisis grants
 - 19 self-isolation support grants
- upheld three (75%) of the community care grant decisions, 13 (24%) of the crisis grant decisions and seven (37%) of the self-isolation support grant decisions
- signposted an additional 148 applicants to other sources of assistance. More than half of these were calling us instead of their local council in error. 29 applicants were calling at an earlier stage in the SWF process and we were not able to consider their case at independent review. They were signposted back to the council or given advice about the process. 25 applicants noted that they had accessibility issues relating to contacting the council as there was no Freephone number in place.

Case studies

In recent weeks we have observed examples of cases where we considered that the council failed to factor in the impact of the COVID-19 pandemic when assessing crisis grant applications.

In one such case, the applicant (C) had applied for a crisis grant for food, gas and electricity as they explained that they had been without a working cooker for almost a month and this meant that their food costs were increased.

The council declined the application on the basis that C had already received three awards in the last 12-month rolling period and one of these was due to an issue with C's fridge freezer, which they considered was similar to this application.

When we reviewed the case we took into consideration that the Scottish Government has provided some advice to local authorities about exceptional circumstances during the COVID-19 period. C explained that the cooker was not under warranty and they were not in position to afford for it be repaired or to buy a new one. C was able to ask a friend, who was an electrician, to repair the cooker. However, due to reasons linked to the pandemic, they were delayed in being able to assist C with the repair. We noted that C had received three awards in the past 12 months, but overall assessed that this application was exceptional compared to previous applications.

We also did not consider that C could be considered at fault for the situation occurring. Therefore, we changed the council's decision and made a fourth award under exceptional circumstances. We recorded a finding of 'inquisitorial failure' as we did not consider that the council made sufficient enquiries with the applicant.

Further examples can be found in the searchable directory [on our website](#) under the title '*Applications impacted by the COVID-19 pandemic*'.

New: INWO communication resources

The National Whistleblowing Standards (the Standards) come into force in Scotland on 1 April 2021 when the Ombudsman, Rosemary Agnew, takes up the role of the Independent National Whistleblowing Officer for the NHS in Scotland (INWO). To help NHS boards inform their staff of the new Standards, we have developed some suggested text which can be used in local communication materials. The text provides key messages and information and we encourage local NHS communications teams to adapt this for leaflets and webpages, adding local contact details and any other additional content as appropriate.

[These materials can be found on our website](#). We are also in the process of developing some posters for use by boards, which will be available from 1 March 2021.

Further information about the National Whistleblowing Standards and the Independent National Whistleblowing Officer service is available on the [INWO website](#). If you have any questions please contact the team at INWO@sps.gov.scot.

INWO e-bulletins

Our INWO team sends out regular updates with further information about the development of the service. [Our February e-bulletin can be found here](#). If you would like to receive future e-bulletins from the INWO straight to your inbox, please [register here to sign up to the mailing list](#).

We are hiring!

We are recruiting for a Head of Improvement, Standards and Engagement (ISE).

This role forms part of our Leadership Team and is responsible for leading and managing a small team covering a broad range of functions.

The ISE team has a key role in driving up the standards of complaints handling across Scotland's public sector through the work of the Complaints Standards Authority, learning from complaints, communications and training.

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

Service standards performance

We are committed to offering a high-quality service and have set ourselves customer service standards; a set of commitments describing how customers can expect us to act. We consistently seek feedback from a variety of sources, including satisfaction surveys that we ask complainants and public bodies to complete, to assess how we are performing against those standards.

We recently completed our 2019-20 customer and public bodies surveys report and will use this learning to bring about service improvements.

Thanks to all who responded to the surveys.



[An infographic summary highlighting our main findings and recommendations can be found here.](#)

COVID-19 information

Our service provision during the COVID-19 pandemic has not changed over the last few months. We continue to monitor and follow the latest Scottish Government and NHS Inform guidelines.

Please read our [website for more service information](#), such as operating hours of our Freephone advice line.

We also have detailed [information for public service organisations](#) looking for advice on complaints handling during the pandemic. If you are experiencing particular difficulties or issues please contact us directly on csa@spsso.gov.scot.

For further information contact:
Communications team
Tel: 0131 240 2990
Email: communications@spsso.gov.scot
SPSO Assessment and Guidance team
Tel: 0800 377 7330
Email: www.spsso.org.uk/contact-us
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