

Independent Service Delivery Complaints Reviewer

Annual Report 2016-17

Overview

(NB: Names in red for SPSO reference only)

Our role is to provide a final external stage for complaints about the service delivered by SPSO under its Service Standards. Where a complainant has made a service complaint to SPSO and is dissatisfied with the final response, we review SPSO's handling of matters and give our view on whether SPSO has acted in accordance with its Service Delivery Standards. We aim to provide closure for complainants by giving thorough, independent assessments of the issues, and, if we find any service failures, recommendations for appropriate redress. For SPSO we aim to offer constructive feedback and practical ideas for further improvement.

During the year we received 7 referrals and completed 2 full reviews (*name redacted*). One complaint was withdrawn by the complainant (*name redacted*), and in 4 cases (*names redacted*) we did not carry out a full review because the issues the complainant wished us to look at related to decisions made by SPSO rather than to a service failure. At the end of the year there were no cases outstanding.

Both the total number of referrals and the number of cases investigated were substantially lower than the numbers for 2015-16 (when there were 18 referrals and 8 reviews). This suggests that SPSO has been successful in learning the lessons of past service complaints. As in 2015-16 the majority of complaint issues were not upheld as we were satisfied that SPSO had dealt with matters appropriately in line with its published procedures and service standards.

Our findings in the two cases where we carried out a full review are set out in table 1 below. As far as investigation procedures were concerned we were satisfied that SPSO had been thorough and fair. Where there had been administrative errors or failures of communication, we found that SPSO had, on the whole, been quick to apologise and had taken action to reduce the risk of similar problems in future. The complaint issues which we did uphold related to delays or oversights in replying to correspondence and led to 3 recommendations to SPSO.

We are grateful for the opportunity to attend meetings of the Audit and Advisory Committee and to report directly to the Committee on our work.

Finally we should like to express thanks to SPSO staff for the assistance they have provided – supplying files and responding to questions about policy and procedure. Without this support we would have been unable to deliver an effective, timely, service.

	Complaint issues	Issues upheld	Issues partially upheld	Recommendations
1 Mrs A	7	4	0	2
2 Mr B	4	0	1	1
	11	4	1	3

Summary of cases reviewed and recommendations

(For information of the Audit and Advisory Committee)

Mrs A complained about SPSO's response to a recommendation made by ICRS in relation to an earlier complaint. SPSO had accepted that there had been a serious delay in responding to the recommendation and had apologised, but Mrs A was dissatisfied with the explanation offered for the delay and also with the way in which her new complaint had been handled. We upheld four of the seven complaint issues raised by Mrs A as we found that SPSO, while admitting the delay in responding to the recommendation, should have done more to explain the delay, and also that it had failed to respond within published timescales to her new complaint and to explain that the complaint had been referred directly to stage 2 of the service complaints process. We recommended that SPSO should consider making a consolatory payment for the inconvenience and distress caused to Mrs A and that it should review and report publicly on the timeliness of service complaint responses. In response SPSO confirmed that it had learnt from the complaint and had changed its systems for responding to recommendations to prevent similar failures in future. It said that it had considered making a consolatory payment but had decided that this would not be appropriate as there had been no financial loss. With regard to service complaint response times it confirmed that these are already reviewed and published.

Mr B complained that SPSO had whitewashed his complaint, failing to address the issues he had raised and displaying bias against him, and that he had had to write repeatedly before he received a response. We found no evidence of bias and were satisfied that SPSO had followed appropriate investigation and decision review procedures, but noted that it had failed to make clear, at the end of its consideration of his complaints, that there was no provision for further review. We recommended that SPSO should issue a closure letter and apologise for not having done so before. SPSO accepted the recommendation.