

SPSO NEWS

August 2017

This e-newsletter highlights:

- recommendations to health boards that demonstrate our new, value adding, approach
- a conference about the impact of complaints handling on staff and the ways in which organisations can support them
- social work, NHS and complaints network updates from the Complaints Standards Authority
- upcoming training courses and information on e-learning resources
- news from our Scottish Welfare team

As well as full investigations into three NHS complaints, we are publishing 56 reports of complaints we investigated about a range of sectors including local authorities, health, higher and further education, the prison service and water authorities. [These are available on our website.](#)

Recommendations to health boards: cases published this month

In the three NHS complaints we fully investigated this month, we identified a range of issues including

- delays in treatment
- care and treatment falling short of expected standards (including poor adherence to national guidance)
- inadequate communication (both with patients and their families) and
- failures to properly investigate complaints.

In each case, we have asked the board to apologise to the people affected by the failings we identified. We also made a total of 15 recommendations, across the three reports, asking the boards to improve the way that they do things.

Two cases involved delays in meeting treatment time targets.

The first of these ([201606803](#)) concerned a woman who had been referred to the gynaecology service by her GP but found that the hospital had downgraded her referral from urgent to routine. When she was seen by the gynaecology service, she was diagnosed with endometrial cancer. In this case, we asked the board to ensure that their practice reflects current NICE guidelines, as well as meeting Scottish Government treatment time targets.

The second case ([201605095](#)) concerned a woman who experienced delays before and after her diagnosis with bladder cancer, and then encountered further delays in being offered palliative care when her condition deteriorated. We wanted to ensure that the board uses this case to inform their future practice in relation to multi-disciplinary care, communication between specialisms, and in meeting their timescales for treatment and appointment times.

We are also publishing a case which relates to urgent trauma care and a board's response to a man presenting at the emergency department after a road traffic accident ([201607618](#)). We found a number of significant failings, including a missed opportunity to diagnose the man's spinal fracture, so we recommended that the board carry out a significant event review into the circumstances of the case. We also asked the board to carry out a review into why the serious failings we identified were not picked up in the board's own complaint investigation.

The three cases we published today are examples of where we have taken a more constructive and outcome-focused approach to making recommendations. We began to change how we make recommendations in April this year with the aim of promoting and achieving lasting improvement in public services. We are grateful to the organisations and other customers who gave us feedback before we did so. We expect our approach to evolve as we learn, and encourage complainants and organisations to continue to give us your views on our approach. Please give feedback on the new approach via our Learning and Improvement team at liu@spsso.gsi.gov.uk

Conference: Being complained about: What Can We Do To Support Public Sector Employees?

Tuesday 5 December 2017, Queen Margaret University, Edinburgh

On 5 December 2017, in partnership with Queen Margaret University, we will be holding a conference on this key topic. It is essential for organisations and service users that organisations know how to protect and support staff so that they can learn from, rather than fear, complaints.

Complaints can have a significant impact on those who are complained about. This can include stress, anxiety, defensive working practices and reduced productivity. Until now, limited research has been carried out about exactly how complaints impact upon staff and about how staff can be supported when they are complained about. Queen Margaret University will be joined by a range of speakers, including the new Ombudsman, Rosemary Agnew, to share their research and experience on this topic.

For more details, including booking information, [please visit the Queen Margaret University website.](#)

Complaints Standards Authority (CSA)

[The latest CSA update](#) includes information about compliance with the NHS and social work model complaints handling procedures, along with an update on the progress Integration Joint Boards are making towards producing complaints handling procedures in line with the template CHP. We also provide information about

complaints handlers' network meetings in the housing, local government, college and university sectors, along with information about a recent meeting of Social Work Scotland's complaints sub-group.

Investigation skills training

We are holding open courses in complaint investigation skills in Edinburgh on 5 September and 28 November 2017. Bookings for the September course close on Friday 1 September, so if you would like to attend please contact us asap.

Please see our Valuing Complaints website for [further details and booking information](#).

E-learning

Our e-learning resources are once again available on our website and are free to access. Developed for frontline staff, each course consists of several modules to support staff in dealing with complaints. [Please see the training page of our Valuing Complaints website for more information](#).

Scottish Welfare Fund

Communications, engagement and accessibility

This month we visited a council's SWF team to meet with decision makers, learn about local issues and discuss real casework examples. We also met with the Scottish Government to discuss plans for learning and improvement activity, and to share some of our recent findings.

Ensuring that the independent review process is accessible is a key priority, but it is not always evident to applicants when and how they can ask for a review. Applicants can only ask us to review their case once they have first asked the council to review their original decision and received a response. This is called a first tier review. The first tier review must be in writing unless exceptional circumstances apply, in line with the guidance. This is different to how applicants can ask us for an independent review, where applicants can apply by phone as well as in writing (including by email).

We have observed some variances in councils' approaches: some councils are more flexible, for example accepting email reviews, while others insist on paper reviews. We have also recorded a small number of applicants telling us that they are facing difficulties submitting their first tier review because they would have to walk a considerable distance to get to their local council office, or they have no access to the internet to submit an email review. This is a concern for us as it means that applicants are potentially facing barriers to reviewing their decision and reaching independent review stage, where applicable. We will continue to monitor and record any examples of such difficulties, and if this continues to be a concern we will explore ways of addressing it.

Statistics, reporting and casework

In July, we responded to 72 enquiries and made 49 decisions (20 crisis grants and 29 community care grants). 69% of initial contact by applicants was made by phone, 22% was online and 9% was by other means. [This month's casework examples](#) are about elderly applicants with severe and enduring health problems, who we considered were at risk of going into hospital or a care institution without a grant.

For further information contact:

Communications team

Tel: 0131 240 2990

Email: communications@spsso.org.uk

SPSO Advice: 0800 377 7330

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

Website: www.spsso.org.uk