

SPSO NEWS

September 2017

This e-newsletter highlights:

- our recently updated guidance on making a good apology
- a conference about the impact of complaints handling on staff and the ways in which organisations can support their employees through the process
- a Complaints Standards Authority update about the social work and NHS complaints handling procedures, and public sector complaints networks
- upcoming training courses and information on e-learning resources
- news from our Scottish Welfare Fund team.

As well as details of a full investigation into one NHS complaint, we are also publishing 67 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

This month we concluded our investigation of a case ([201603186](#)) where a woman who was suffering from cancer had undergone a procedure to drain urine from her kidney. After the procedure was carried out, she began to show signs of infection and although she was given antibiotics, she developed sepsis and died. We identified clinical issues in relation to her treatment following the procedure. We were also concerned that the board did not identify the issue until our office became involved. We encourage other organisations to read this report and reflect on how they would conduct an investigation in similar circumstances.

Making a good apology: updated SPSO guidance

In the investigation report we published this month, we recommended that the board apologise. We were critical that they failed to take the opportunity to acknowledge that their original response to the woman's daughter was inaccurate, and therefore missed an opportunity to offer an apology at an earlier stage.

An apology is an important part of resolving complaints. A good, well-meant apology demonstrates that an organisation can be open and transparent when things go wrong. Making an apology is our most frequently made recommendation to organisations, and is a vital part of putting things right for individuals.

When we recommend an apology, we now direct organisations to our apology guidance and expect that the apology issued will be in line with that guidance. To support organisations in getting the apology right first time and to help people who have complained understand what it is they can expect from an apology, we have recently updated our guidance. It now sets out more clearly the elements that make for a good apology and the elements they must avoid. [The updated guidance is now available on our SPSO site. It is also available on our Valuing Complaints site, which is specifically provided for organisations.](#)



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 and the University of Glasgow, 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. They can also undermine the confidence of individuals in how they deliver public services. Until now, limited research has been carried out about how complaints impact upon staff and about how staff can be supported when they are complained about. Queen Margaret University and the University of Glasgow will be joined by a range of speakers including 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 (CHPs), along with an update on the progress Integration Joint Boards are making towards producing CHPs in line with the model CHP. It also provides an update from the local government complaints handlers' network and college sector complaints advisory group meetings.

Investigation skills training

We are holding open courses in complaint investigation skills in Edinburgh on 28 November 2017. [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

SPSO's Learning and Improvement Unit (LIU) continue to work to promote learning from our findings, and to explore ways in which we can encourage wider improvement across Scottish Welfare Fund (SWF) decision making.

As part of this project, we are visiting a local authority later this month to learn more about their processes, listen to the challenges faced and discuss ways in which we can provide support. This will build on what we learned from previous visits to councils about variances in

approaches based on geographical and demographic differences. We also continue to engage with local authorities and third sector representatives through our regular sounding board meetings. Having gained these valuable insights into SWF administration locally, we are currently working to develop tools and approaches to enhance learning for all councils.

Statistics, reporting and casework

During August 2017 we:

- responded to 67 SWF enquiries
- made 57 decisions (22 crisis grants and 35 community care grants).

Of the 57 SWF decisions, we upheld:

- 45% of applicants' review requests in respect of crisis grant applications
- 54% of community care grant applications.

We will continue to monitor our uphold rates to identify trends and themes.

Recently we have had several cases involving councils' consideration of whether the assistance sought by applicants should be excluded as 'on-going' need in line with Annex A of the statutory guidance. [Further details about these cases, and what we decided, can be found on our Scottish Welfare Fund website.](#)

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