

June 2021

In this month's e-newsletter:

- Our findings this month
 - Complaints
 - Scottish Welfare Fund reviews
- Call for professional advisers
- Annual statistics 2020-21
- Good Complaints Handling training course
- INWO: Decision review process
- COVID-19 information

Our findings

Complaints

This month we:

- published 31 decision reports available [here](#)
- upheld 15 complaints in full or part
- made 37 recommendations for learning and improvement.

Decision reports: Learning points

This month we are publishing two cases relating to care and treatment around elective surgeries:

[201901733](#) - we found that board failed to provide reasonable care and treatment to a patient who underwent surgery to treat their Crohn's disease. While investigations carried out were reasonable, we found that the surgeon should have performed a midline incision which would have likely meant that a bowel resection would have been carried out as originally planned. We also found no evidence to show that appropriate explanations were given to the patient following the surgery, and no evidence to demonstrate the board's clinicians effectively communicated with them about their condition.

We asked the board to apologise to the patient and ensure that there are appropriate pathways in place for the management of Crohn's disease.

[201904291](#) – we found that the board failed to arrange gallbladder surgery for a patient within a reasonable timeframe. Following two emergency admissions to hospital, the patient should have been regarded as a high-priority case and after each admission, should have been offered surgery once their inflammation had settled. Instead, due to an administrative error, an initial follow-up appointment was not offered after the first admission. After the second admission, the patient was added to the waiting list with no indication as to when their surgery would take place. As a result, the patient underwent surgery privately.

We asked the board to apologise to the patient and reimburse them the amount the operation would have cost the board. For more information on how we resolve complaints through recommendations for redress, please see our [Redress Policy](#).

Scottish Welfare Fund reviews

Statistics

During May we:

- responded to 80 enquiries
- made 59 decisions
 - 13 community care grants
 - 29 crisis grants
 - 17 self-isolation support grants
- upheld five (38%) community care grants, ten (34%) crisis grants and four (24%) self-isolation support grants. We referred one self-isolation support grant back to the council to remake their decision due to a change in the statutory guidance.
- signposted an additional 122 applicants to other sources of assistance. More than half of these (67) called us instead of their local council in error. Seventeen applicants told us that they had accessibility issues relating to contacting the council as there was no Freephone number in place (something we encourage them to have in place). Ten calls were from councils seeking advice.

Case studies

In May we considered a number of crisis grants where we disagreed with the amounts awarded because councils had not taken into consideration the applicants' children.

In one case, C, a charity worker, had applied on A's behalf to the council for a crisis grant in order to obtain food, gas and electricity for A's family while they were waiting on their Universal Credit (UC) coming into payment.

The council assessed that A was eligible for a grant, but their award did not include A's three children. The council explained that no award was made for the children as they were not included in A's UC claim. At first tier review stage, C explained that the amount was insufficient for the family and noted that the council had been provided with evidence to confirm that A had three children and that their omission from the UC claim was currently under investigation. Although the council then changed their decision, the additional amount awarded was only for two children. The council advised that an award would not be payable for the third child as they were born

after benefit changes came into force in April 2017 and were therefore subject to the benefit cap.

While we agreed with the council that A was eligible for a grant and met the qualifying conditions, we disagreed with the council's assessment not to award for the youngest child. Section 7.25 of the SWF guidance offers a definition of a dependent child, and neither the SWF guidance nor the regulations state that children subject to the benefit cap cannot receive support from the fund. As such, we changed the council's decision and awarded a further payment to cover A's third child. We provided feedback to the council as we deemed that not assessing this application in line with the SWF guidance had caused unnecessary hardship to a vulnerable family.

Further examples can be found in the searchable directory [on our website](#) under the title 'Meeting the need'.

Call for professional advisers

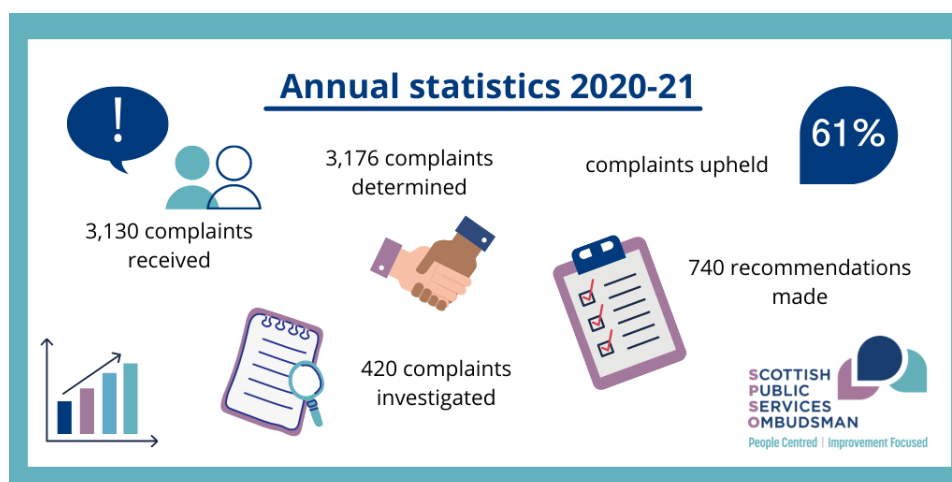
We are currently seeking professional advisers (consultants and senior professionals with appropriate qualifications and experience) to provide specialist advice on our casework in the following areas:

- Psychiatry (including CAMHS)
- Social work
- General practice (including expertise in prison healthcare)
- Acute medicine

For more information, please contact our lead adviser Dorothy Armstrong at dorothy.armstrong@spsso.gov.scot.

Annual statistics 2020-21

We recently published our annual statistics for 2020-21. These detail the enquiries and complaints we have received and determined in the past year. Below are some of the highlights of this year, the full statistics are available on our website at <https://spsso.org.uk/statistics-2020-21>.



Good Complaints Handling training course

Our online Good Complaints Handling course is available as an "in-house" course delivered to organisations or as an open course. It is aimed at staff handling complaints at Stage 1 of the Model Complaints Handling Procedure (MCHP). It is trainer-led, approximately 2.5 hours long, and delivered via Webex. It covers:

- what a complaint is and isn't
- improving the complaint experience
- MCHP overview
- responses and recording
- strategies for managing difficult behaviour, and
- signposting to useful resources.

For more information, costs and how to book, please contact training@spsso.gov.scot

INWO: Decision review process

As with our approach to public sector complaints, we have established a review process for NHS whistleblowing complaints which, under certain circumstances, enables both the complainant and the organisation complained about to request a review of our decision.

The grounds on which a review can be requested are limited, and not all cases will meet them. You can find further details about our approach to INWO decision reviews on the [INWO website](#).

INWO e-bulletins

Our INWO team sends out regular updates with further information about the service. [Our June 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](#).

COVID-19 information

As lockdown restrictions are starting to be lifted, our office remains closed and our service provision is not changing.

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

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

Website: www.spsso.org.uk