

## May 2022

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## Our findings

### Complaints

This month we:

- published 31 decision reports available [here](#)
- upheld 25 complaints in full or part
- made 63 recommendations for learning and improvement.

### *Decision reports: learning points*

This month we are publishing two cases that relate to cancer care and treatment:

- [202009009](#) – we found that a GP practice failed to provide appropriate prostate specific antigen testing to a patient who was at increased risk of prostate cancer genetically. The practice unreasonably assessed that regular testing was not required and failed to seek further advice and clarity from specialist services on the request to consider regular testing. We also noted that when the test was subsequently agreed as part of other blood tests, this was missed in error. The practice did not identify this error or notify the patient, leaving them with the impression that the test had provided normal results.

We asked the practice to apologise to the patient, ensure they provide appropriate screening for any patient at increased risk of developing cancer and appropriately consider the results of any tests requested to ensure that they are fit for the purpose they were requested for.

- [201907885](#) – we found that a health board mishandled a patient's referral to another health board for heart surgery. The patient was diagnosed with bladder cancer but could not undergo surgery for this until the heart surgery was complete. As a result of the delays, by the time the patient had undergone heart surgery, their cancer had progressed to a point where treatment was no longer possible. The board also failed to identify radiotherapy as a possible alternative treatment.

We asked the board to apologise to the patient and ensure that a full range of treatment options are considered when deciding a treatment plan for patients. We also asked that all referrals made to other boards include full details of any time sensitivity around treatment.

## Scottish Welfare Fund reviews

### *Statistics*

During April we:

- received 178 requests for review
- made 125 decisions
  - 8 community care grants
  - 73 crisis grants
  - 44 self-isolation support grants
- upheld 38% of community care grants, 18% of crisis grants and 52% of self-isolation support grants
- signposted an additional 117 applicants to other sources of assistance throughout the month. More than 79% of these were calling us instead of their local council in error. Some applicants noted that they had accessibility issues relating to their local council as they had no Freephone number in place, while others contacted us too early in the process
- responded to seven enquiries from councils seeking advice.

### *Case studies*

The applicant (C) applied to their local council for a community care grant as they had secured a tenancy after fleeing domestic abuse and needed a number of household items. C advised that they had mental health issues, historic substance misuse issues and were receiving ongoing support.

The council assessed that the application met the eligibility criteria but stated that C did not meet any of the qualifying conditions. C requested a first tier review of the decision, however, the council did not change their original decision and reiterated that C did not qualify for a grant.

We reviewed the council's case file and contacted C for further information. C explained that they were involved in a court case with their ex-partner and were receiving support from Victim Support. They said that their move had been arranged as a 'management transfer' by their social landlord. They also advised that they faced a number of mental health issues which were made worse by their recent personal issues. Overall we determined that C was facing exceptional pressure to

establish themselves in their new home and maintain a settled home. Therefore, we changed the council's decision and awarded the items that met the necessary priority level. We provided feedback to the council as we assessed that they did not make sufficient enquiries with C about their application, their circumstances and need for the items.

Further examples can be found under the category '*exceptional pressure*' in the [searchable directory on our website](#).

## **Delays in allocating complaints**

Like many public bodies, the SPSO is working hard to recover from the impact of COVID-19 on our services. Unfortunately, there is currently a delay of up to eleven months in allocating some complaints to an SPSO Complaints Reviewer for detailed consideration and investigation. It is important to note that not all complaints are affected and we continue to prioritise cases where the complainant (or person affected) is vulnerable, the matter is urgent and ongoing, or where there is a significant public interest.

We are focused on recovery and reducing the backlog of work created during 2020-21, due to the unforeseen change in our working environment, reduced resourcing and technological challenges. We have taken a number of steps including:

- recruited more staff
- monitoring resources and service delivery, adapting where we can to make more effective use of our services
- taking a more considered approach to our investigations and attempting to resolve cases where possible.

[Please see our website for detailed information on delays and what we are doing to decrease waiting times.](#)

## Signposting to the SPSO

It has come to our attention that some organisations may be advertising the incorrect mailing information for the SPSO. The current and correct address is:

SPSO  
Bridgeside House  
99 McDonald Road  
Edinburgh EH7 4NS

We also have a Freepost option: **FREEPOST SPSO**. This is all that needs to be written on the envelope (no street name, no postcode) and no stamp is required.

We kindly ask any organisation signposting to SPSO using our old address, to update their communications material to reflect the correct address. This ensures that our service remains accessible and all mail reaches us as quickly as possible.



We are happy to provide complainants with Freepost envelopes on request.

## Independent National Whistleblowing Officer e-bulletin

Our INWO team sends out regular updates with further information about the service. The latest e-bulletin features information on whistleblowing arrangements for students, timescales for investigations, network news and more! [Our May 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

Our office remains closed to visitors, with most of our staff continuing to work from home. We intend to move to hybrid working arrangements on 1 July 2022 which will enable us to accept visitors (with an appointment) and spend more time in the office.

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

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For further information contact:

### Communications team

Tel: 0131 240 2990

Email: [communications@spso.gov.scot](mailto:communications@spso.gov.scot)

**SPSO Assessment and Guidance team**

Tel: 0800 377 7330

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