

November 2022

In this month's e-newsletter:

- Our findings this month
 - Public service complaints
 - Scottish Welfare Fund reviews
- Annual Report 2021—22
- Independent National Whistleblowing Officer e-bulletin

Our findings

Public service complaints

This month we:

- published 18 decision reports available [here](#)
- upheld 14 complaints in full or part
- made 46 recommendations for learning and improvement.

Investigation report

In addition to our decision summaries, we are publishing one full investigation report: [202105473 Highland NHS Board](#) relating to a patient who was awaiting reversal of Hartmann's procedure (a surgical procedure for the removal of a section of the bowel and the formation of a stoma (an opening in the bowel)).

The patient underwent the Hartmann's procedure for a perforated sigmoid diverticulum (a complication of diverticulitis, an infection or inflammation of pouches that can form in the intestines).

The patient complained that the board continually delayed the procedure, which had still not taken place nearly three years after they had been told they were ready for surgery. The board apologised for the delays, explaining they had to reduce elective surgeries due to the rise in COVID-19 patients and that they had limited high dependency beds available.

We found that there was a delay in the patient having a flexible sigmoidoscopy (a non-surgical examination) due to them being placed on a 'named person list'. It was then a further year before they were placed on the waiting list for surgery. We also found that insufficient priority was given to their treatment post-pandemic. This meant that the patient now required more complex, demanding, and risky surgery.

We asked the board to apologise to the patient, review the systems they have in place for the management and prioritisation of patients awaiting elective surgery and ensure that there is a clear treatment path in place for patients whose surgery is delayed.

Scottish Welfare Fund reviews

Statistics

During October we:

- received 67 requests for review
- made 83 decisions
 - 19 community care grants
 - 45 crisis grants
 - 19 self-isolation support grants
- upheld 47% of community care grants, 29% of crisis grants and 42% of self-isolation support grants
- signposted an additional 92 applicants to other sources of assistance. More than of 76% of these were calling us instead of their local council in error. Two applicants told us that they had accessibility issues contacting their council as there was no Freephone number in place.
- received six calls from councils seeking advice.

Support and Intervention Policy

We contacted two councils to raise issues in line with our [Support and Intervention Policy](#) during October. We highlighted to the first council that there had been a repeat instance of a case file being returned late, which delayed us starting a crisis grant review.

We raised two issues with the second council. These included insisting that physical signatures be provided for first tier review requests, which we considered to be unnecessary; and incorrectly applying guidance that should only apply when applicants have received the normal maximum of awards.

We were encouraged by the responses received from both councils who accepted and acted on our intervention, meaning further escalation was not required.

Case studies

The applicant (C) asked for an independent review of the council's decision. They had applied for a community care grant after fleeing domestic violence. They had secured a new property and had applied for a number of household items for their new home.

The council declined the initial application on the basis that C did not meet the qualifying conditions for an award, as they were unable to find evidence of domestic violence. C requested a first tier review of the decision but the council did not change their decision.

We reviewed the council's case file and spoke with C for further information about their circumstances. We contacted C's support worker from Women's Aid, who confirmed C's situation and the abuse they had suffered. The council's housing team

also verified the situation as described by the support worker. We were satisfied that C's circumstances did meet the qualifying criteria and that the items requested met the necessary priority level. As such, we changed the council's decision on the basis that they had made insufficient enquiries and instructed them to award the items requested. We also provided feedback to the council concerning their written communications.

Further examples can be found under the category 'Decision making with limited information' in the [searchable directory on our website](#).

Annual Report 2021-22

On Thursday 27 October, we published our annual report. Watch the video below to see this year's highlights:



Rosemary Agnew, Scottish Public Services Ombudsman, said:

"We started 2021-22 in the knowledge we had high workloads and faced capacity and resourcing challenges. Despite uncertainty about lockdown and the ongoing impact of COVID-19, on ourselves and Scottish public services, we were, and remain, optimistic. We set ourselves an ambitious business plan, driven by our values and strategic aims and were successful in delivering many of these objectives.

We are committed to delivering the best service we can with the resources we have. Reducing the number of unallocated public service complaints, shortening the time taken to decide complaints, and increasing stakeholder engagement are top priorities for 2022-23. We also look forward to supporting the development of child friendly complaints procedures in anticipation of the incorporation of the United Nations Conference on the Rights of the Child (the UNCRC) developments."

[The full Annual Report and Financial Statements is available to read online.](#)

Independent National Whistleblowing Officer e-bulletin

Our INWO team sends out regular updates with further information about the service. If you would like to receive e-bulletins from the INWO straight to your inbox, please [register here to sign up to the mailing list](#).

[Previous e-bulletins can be accessed via our website](#).

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