

February 2023

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Our findings

Public service complaints

This month we

- published ten decision reports available [here](#)
- upheld six complaints in full or part
- made 16 recommendations for learning and improvement

Decision reports: learning points

This month we highlight the importance of reassessing patient's needs if their condition changes:

- [202102718](#) – we found that the health board failed to provide appropriate care to a patient who fractured their hip after falling from their bed. We considered that the lack of a proper assessment of the patient's mental capacity and their previous attempts to climb out of bed contributed to the incident.

We asked the board to apologise, ensure that patients are assessed in line with their admission procedures and are appropriately reassessed when there is a change in their behaviour

- [202006034](#) – we found that the board failed to provide reasonable end of life care to a patient at home. While we considered that there was appropriate

review and prompt action taken around pain control and symptom management, we found significant gaps in communication and clinical assessment which impacted on the care delivered. We noted a failure to monitor the patient's baseline symptoms and consider whether a need for hospice care was indicated.

We asked the board to apologise and ensure patients receiving end of life care at home are appropriately assessed and monitored in line with their symptoms and any deterioration acted on.

Scottish Welfare Fund reviews

Statistics

During January we

- responded to 92 enquiries
- made 72 decisions
 - 7 community care grants
 - 65 crisis grants
- upheld 71% of community care grants and 23% of crisis grants
- signposted an additional 130 applicants to other sources of assistance. The majority were calling us instead of their local council in error but one applicant reported that they had a learning difficulty and could not submit their tier one review in writing. We contacted the council and asked that they make a reasonable adjustment and accept the review by phone
- received seven calls from councils seeking advice.

Stakeholder engagement

We met with a council in January who are anticipating that they may need to adopt the 'High Most Compelling' priority rating due to the level of demand in their area and funding constraints. This can be applied if a local authority encounters very high levels of demand, and there is a real risk that the funds will be exhausted before the end of the financial year. In practice, this can mean that only the most vulnerable and at risk would be prioritised, and less items would potentially be awarded.

We had a constructive discussion with the council around decision making at High Most Compelling. We also provided feedback to the Scottish Government that the current guidance covering High Most Compelling priority rating requires an update to improve clarity for decision-makers.

We contacted two councils to raise issues in line with our [Support and Intervention Policy](#) during January. The first of these concerned failing to make enquiries to

ensure that a crisis grant met the need. We are awaiting an update on this. The second related to not assessing previous applications within a 28-day period and the council concerned responded promptly to advise of the steps they are taking to resolve this.

Case studies

We regularly update the [searchable directory on our website](#) with sample cases to share learning from our findings. Follow the link to find out more!



Ombudsman parliamentary appearance

Health, Social Care and Sport Committee: Patient Safety Commissioner for Scotland Bill

On Tuesday 7 February 2023, Scottish Public Services Ombudsman, Rosemary Agnew, appeared before the Health, Social Care and Sport Committee to give evidence on the [Patient Safety Commissioner for Scotland Bill](#). The committee discussed:

- remit
- data monitoring and gathering information
- medicines and medical devices
- independence
- resources

We recognise the importance of the patient voice and are supportive of a role that would represent this.



“The investigatory remit of the [Patient Safety Commissioner] is important, but I keep returning to the fundamental objective, which is to ensure that the patient safety voice is heard and amplified.”

**Rosemary Agnew,
Scottish Public Services Ombudsman**

[A recording of the session is available to watch on Scottish Parliament TV](#). A [transcript of the session](#) is also available.

Complaints Investigation Skills Training - May 2023



Following the successful launch of our online training courses, places on our Complaints Investigation Skills course are filling up fast! This course is aimed at staff who investigate complaints at stage 2 of the [Model Complaints Handling procedure](#) and covers the investigation journey from preparation to making and communicating decisions.

Our February dates are now fully booked but visit our [training webpage](#) to reserve a spot in May!

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