
May 2023

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Our findings

Public service complaints

This month we

- published two investigation reports
 - [202100560: a GP practice in the Lanarkshire NHS Board area](#)
 - [202101928: a GP practice in the Ayrshire and Arran NHS Board area](#)
- published 22 [decision reports](#)
 - upheld eight complaints in full and six in part
- made 37 recommendations for learning and improvement

Findings published this month following investigation by the Ombudsman highlight the importance of clear communication, and good record keeping. These are particularly important in a health care setting where clear communication and records are needed to show clear reasons for decision making. [Read more about the themes and trends from our findings.](#)

Scottish Welfare Fund reviews

Statistics

During April we

- responded to 52 enquiries
- made 45 decisions
 - 13 community care grants
 - 32 crisis grants
- upheld 38% of community care grants and 12.5% of crisis grants.
- signposted an additional 207 applicants to other sources of assistance. More than 81% of these were calling us instead of their local council in error, with some unable to contact their council as no Freephone number was in place.
- received nine calls from councils seeking advice.



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

Local Government, Housing and Planning Committee: Damp and mould in social and private rented housing

On Tuesday 16 May 2023, Scottish Public Services Ombudsman, Rosemary Agnew, appeared before the Local Government, Housing and Planning Committee to give evidence on issues surrounding damp and mould in social housing. The committee discussion included

- the extent of the problem and available evidence
- regulatory standards
- landlords response to reports of mould
- tenants' lifestyles

We have recently started to log complaints specifically as mould and damp, an issue that would have previously fallen under a general 'repairs and maintenance category' and are committed to ensuring the complaints system in social housing is accessible.

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

NHS Model Complaints Handling Procedure (MCHP)

We recognise that the [NHS Scotland Model Complaints Handling Procedure \(MCHP\)](#) was last updated in 2017. This means it is not as up to date as the MCHPs for other sectors within SPSO jurisdiction, which were updated in 2021. Unlike the other MCHPs, the SPSO cannot unilaterally update the NHS MCHP because [section 15 of the Patient Rights \(Scotland\) Act 2011](#) places responsibility for the NHS MCHP on Scottish Ministers. When the Scottish Government asks SPSO to update the NHS MCHP, we engage and collaborate with them and all relevant stakeholders.

In 2022, the Scottish Government indicated to SPSO that they were considering a review of the NHS MCHP. However, the Scottish Government have now told SPSO that they are not minded to ask us to review the NHS MCHP at this time. We believe that the more recently updated MCHPs for other sectors represent current good practice in complaint handling and, therefore, we are concerned that the NHS MCHP is falling behind current good practice. To alleviate this, we will continue to share good practice and guidance in our ongoing engagement with complaint handlers in the NHS, and we will encourage them to apply it where possible, pending a decision by the Scottish Government to proceed with a review of the NHS MCHP.

[View our recently published good practice guide for NHS complaints handling.](#)



Thanks to all who completed our recent newsletter survey. We are currently examining the results and look forward to implementing future changes – stay tuned!

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