

Scottish Public Services Ombudsman

**Strategic Plan 2018-2020: Putting People at
the Heart of Public Services**

SPSO Scottish
Public
Services
Ombudsman

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Ombudsman's Introduction

1. This document is laid before the Scottish Parliament by Rosemary Agnew, the Scottish Public Services Ombudsman (SPSO) as required by section 17A of the Scottish Public Services Ombudsman Act 2002.
2. If you require this document in another format (for example large print, audio or Braille), please contact us on 0800 377 7330 or www.spsos.org.uk/contact-us.

Overview

The SPSO's statutory functions

3. The SPSO has a broad range of statutory functions including: complaint handling, Complaints Standards Authority (CSA) and the Scottish Welfare Fund Independent Review Service. From 2018 the SPSO will also take on the role of the Independent National Whistleblowing Officer for the NHS in Scotland (INWO).
4. The SPSO is subject to the same requirements as other public sector bodies in relation to governance, efficiency, data protection and freedom of information. Her organisation is funded through the Scottish Parliamentary Corporate Body (SPCB), but she is independent of the Parliament and Government in the conduct of her statutory functions.
5. For more information go to the SPSO's [website](#).

Complaints

6. The SPSO is the final stage for complaints about most devolved public services in Scotland, including complaints about:
 - the NHS
 - local authorities
 - prisons
 - Scottish Government and associated agencies and public bodies
 - registered social landlords
 - universities
 - colleges and
 - water providers.

Complaints Standards Authority

7. The CSA, conferred under the Scottish Public Services Ombudsman Act 2002 as amended¹:
 - 7.1. gives the SPSO the power to publish standardised complaints handling procedures for listed authorities which she exercises through model complaints handling procedures, and
 - 7.2. requires the SPSO to monitor and promote best practice in complaints handling.

¹ The complaints standards amendments in 2010 by the Public Services Reform (Scotland) Act 2010

Scottish Welfare Fund Independent Review Service

8. The SPSO provides the independent review service for the Scottish Welfare Fund. She carries out independent reviews of decisions councils make on community care and crisis grant applications², and has the powers to change part or all of the council's decision or tell the council to make a new decision.

Independent National Whistleblowing Officer

9. The SPSO will take on this role from 2018. The role of the INWO will be to set the standards for, and to consider, complaints about the application of the local NHS whistleblowing processes, including examination of the decision-making and outcomes of the whistleblowing complaint

The SPSO's approach

10. The SPSO takes a dual approach:
 - 10.1. an "oversight" approach under which she considers and determines complaints, reviews and compliance with model complaints handling standards and procedures, and
 - 10.2. a "developmental" approach where she works with public bodies and other stakeholders to improve standards and services through learning, promoting consistency and taking a resolution-based approach to complaints wherever possible.
11. The "oversight" part of the SPSO's work is largely driven by the volumes of complaints and reviews she receives, and the number and type of organisations within jurisdiction. In essence this means that if volumes rise, either the resources to deliver them need to increase, or performance suffers.
12. It is the "developmental" elements of the SPSO's work that will deliver long-term benefits to Scottish public services through a more collaborative approach to delivering sustainable service improvements and more effective complaints handling³. It is strategically important that resources are available to carry out this "developmental" work effectively.

² Community care grants are made to help people on a low income live independently in the community or to help people maintain their home in the face of exceptional pressure. Crisis grants are made to help people cope with unexpected expenses arising out of an emergency or disaster

³ It is a requirement under section 16G of the SPSO Act 2002 to monitor practice and identify any trends in practice and promote best complaints handling practice.

Achievement against strategic objectives

13. In the last strategic plan, the SPSO committed to:

1. Provide a high quality, user-focussed independent complaints handling service
2. Provide a high quality, user-focussed independent review service for Scottish Welfare Fund decisions
3. Simplify the design and operation of the complaints handling system in Scottish public services
4. Improve complaints handling by public service providers
5. Be an accountable, best value organisation
6. Support public service learning and improvement

14. Performance and achievement is reported through the SPSO Annual Reports⁴, SPSO Annual Report and Accounts⁵, and the Scottish Welfare Fund Independent Review Annual Report.⁶

15. The organisation has a track record of delivering quality services in a demanding environment. Over the last two years it:

- saw a rise in both the volume and complexity of complaints. In 2016-17 the organisation received 1,404 enquiries and 4,182 complaints a 4% increase on the previous year. The majority of investigations were of health complaints – often the most complex
- continued to improve accessibility, for example through developing the on-line complaint form. 2016-17 saw a 20% increase in the number of complaints received this way
- completed implementation of the Model Complaints Handling Procedures (CHP). In 2016-17 the CSA led on the development of the NHS Model CHP, the final sector to adopt standardised, simplified procedures
- exceeded its target for completion of its oldest cases. In 2016-17 for example, 96.1% of investigation complaints were decided within 260 working days against a target: 95%
- built (and continues to develop) a bank of independent, Scotland-based professional advisers that provides advice on a range of specialities in health, planning and mental health
- successfully launched a highly efficient Scottish Welfare Fund review service on 1 April 2016

⁴ <https://www.spsso.org.uk/annual-reports>

⁵ <https://www.spsso.org.uk/finance>

⁶ <https://www.spsso.org.uk/scottishwelfarefund/2016-17-annual-report#overlay-context=2016-17-annual-letter-and-statistics>

- developed and published a new social work Model CHP , preparing for the SPSO's extended role to consider professional judgement in relation to social work complaints which commenced on 1 April 2017
- supported organisations to monitor, report and learn from complaints by providing advice, support, training and guidance on good complaints handling
- continued to deliver services to budget, receiving unqualified audits of accounts
- undertook active stakeholder engagement through, for example, sounding boards, surveys and feedback, service complaints and a monthly newsletter highlighting trends and learning from the 742 decisions published
- published two thematic reports: on Informed Consent in March 2017⁷ and on Making Complaints Work for Everyone in December 2017⁸
- continued to develop its people to meet the challenges of delivering services, achieving Investors in People gold standard and being recognised as a Living Wage Employer.
- redesigned the SPSO's valuing complaints website adding new and updated tools and resources

16. If you are interested in finding out more, or would like to talk to me about the work of my office, please get in touch.

Rosemary Arnold.



⁷ <http://www.spsso.org.uk/news-and-media/informed-consent-report>

⁸ <https://www.spsso.org.uk/news-and-media/making-complaints-work-everyone-report>

The SPSO's Strategy: 2018-2020

Vision and values 2018-2020

Strategic vision

The Scottish Public Services Ombudsman contributes actively and positively to Scotland's development and delivery of first class public services: putting people and learning at the heart of what we do by being innovative and world-leading in our approach to complaints, reviews and standards.

SPSO Values

- ✓ We work **independently** and **fairly**
- ✓ We are **people-focused** and **value integrity and respect**
- ✓ We **value learning and improvement**

Strategic aims 2018-2020

17. The SPSO will:

1. Be recognised and consulted as a **world-leading Ombudsman service** of independent accessible experts with a reputation for: being run transparently and efficiently, governed effectively, and leading by example in the delivery of the full range of statutory functions.
2. Develop organisational capacity to: deliver existing statutory functions **efficiently, proportionately and effectively**, and develop and adopt new, or enhanced, services and functions.
3. **Drive improvement** in Scottish public services by setting and applying high complaints handling and review standards and promoting a culture and practice where learning and improvement from complaints or reviews is embedded in practice, governance and organisational systems.
4. **Enable and support** the Scottish public sector to achieve and maintain high standards of policy and practice through a combination of sharing learning from SPSO complaints and reviews, monitoring, advice and guidance, training and appropriate collaboration.
5. Through active engagement **ensure people are knowledgeable** about their rights to complain or request a review, and help them understand what standards and level of services they can expect and how to access them easily and responsibly.

Context

18. Since the SPSO was created, the organisation has taken on a range of functions and responsibilities. Some of these, such as the CSA, both reinforce and enhance traditional ombudsman services in relation to complaints handling. Others capitalise on the independence and impartiality of the Ombudsman in areas not traditionally associated with Ombudsmen, such as the Scottish Welfare Fund Independent Reviewer.
19. At the same time, Scottish public services themselves are increasing in complexity and facing huge challenges in how they resourced to deliver services to expected standards and a changing service-user demographic.
20. As the range of SPSO responsibilities widens, the strategic challenge is to develop a coherent approach that ensures the organisation operates and delivers its functions in an holistic way. The SPSO recognises that she must ensure that interdependencies; opportunities for development, improvement and efficiencies; and common areas such as stakeholder engagement, transcend functional silos created by specific legislation. At the same time strategic approaches should enable the delivery and monitoring of performance of specialist areas such as the Scottish Welfare Fund Review Service.
21. This strategy sets out broad, outward-looking, outcome focussed strategic aims, which can each only be realised through contributions from the whole organisation. These will be supported by functionally specific objectives set out in an annual business plan which places equal weight on both “oversight” and “development” activities.
22. Short term (2-year) priorities include:
 - 22.1. moving to new office accommodation
 - 22.2. taking on the INWO role
 - 22.3. developing clear policies and procedures for support and intervention with organisations under jurisdiction to promote and enable improvement through learning
 - 22.4. developing a communication strategy to ensure the organisation delivers clear, coherent communications and builds on its strong stakeholder relationships
 - 22.5. pursuing changes to update our governing legislation to ensure it supports the development of a modern, forward-looking ombudsman service.

Reporting progress

Main reporting mechanisms

Annual

23. The SPSO will report achievement against plans through:
 - 23.1. Annual Reports
 - 23.2. Annual Report and Accounts

24. These annual reports will set out achievement against the published business plan. The business plan sets out the activities of the organisation and how they each support the delivery of strategic aims. The plan is a mixture of regular business as usual activity, and initiatives to deliver specific pieces of work.

Quarterly

25. A quarterly update will be published providing an overview of progress against business plan.

Other

26. Achievement and progress will also be reported through other mechanisms as needed including:
- Parliamentary scrutiny
 - Specific reports required by legislation and national guidance
 - Special reports
 - Publication of documents such as minutes and governance reports
 - Ad hoc reports
 - Stakeholder engagement

Managing and measuring performance

27. The annual Business plan is supported by a Quality and Performance Framework which sets out annual operational performance indicators, targets and quality standards for every area of the business. This is reviewed annually.

Resources

28. The SPSO recognises that resourcing the public sector is increasingly challenging, and the operating environment uncertain. In common with other public services, the SPSO understands that it is incumbent on her to ensure the services her organisation delivers are reviewed and scrutinised to achieve best value and continuous improvement.
29. The SPSO will seek funding in five ways:
1. Consolidated, annual budget from the SPCB⁹
 2. Operational contingency funding
 3. Specific project funding
 4. Set-up funding for new or changing functions
 5. Volume driven requirements

⁹ NB: although funding for the Scottish Welfare Fund Independent Reviewer role is provided through the SPCB, it is top sliced from the Scottish Government's overall Scottish Welfare Fund.

Consolidated, annual budget from the SPCB

30. The SPSO's consolidated annual budget is the minimum to fund resources to deliver current statutory functions to published standards and timescales. The 2018-19 consolidated budget is used as the baseline as it reflects the changes to functions of the last two years.
31. On the assumption that case volumes/ complexity will remain steady over the next two years, the SPSO will not seek additional funding beyond pay increases, additional costs in relation to accommodation and any new functions including the INWO role and contractual/ actual increases to running costs such as business rates.

Consolidated budget	Baseline 2018-19 ¹⁰	Indicative 2019-20
Staff costs		
Office holder costs	117,000	117,000
Management staff costs	413,000	413,000
Non-management staff costs	2,879,000	2,879,000
Total Staff Costs (inc office holder)	3,409,000	3,409,000
% of total budget		
Running costs		
Staff related costs	61,000	61,000
Property costs	360,000	360,000
Professional fees	453,000	453,000
Running costs	198,000	198,000
Total Gross Revenue costs	4,481,000	4,481,000
% of total budget		
Total capital costs	0	0
Projected income	80,000	80,000
TOTAL	4,401,000	4,401,000

32. The SPSO will manage her resources flexibly to deliver her entire business within the budget allocated, it should be recognised that in reality, her ability to do so is limited because the majority of costs are for staffing, or running costs that are in effect fixed.

Operational contingency funding

33. The SPSO's funding model does not provide for the holding of contingency funding. As now, the SPSO will call on the SPCB's Office Holder contingency funds to cover one-off operational contingencies such as legal costs, corporate changes driven by legislation (such as Data Protection, Health and Safety) and infrastructure investment.
34. The SPSO will exhaust any potential to absorb costs before making requests for contingency funding, and keep the SPCB informed as early as possible if requests are likely to be made.

¹⁰ This budget reflects current operations and does not include increases for additional functions

Specific project funding

35. Funding will be sought from the SPCB for one-off planned projects or initiatives. Requests will be based on demonstrating benefits to Scottish public services, and will not impose on-going increases to the SPSO's consolidated budget.

Set-up funding for new or changing functions

36. If the SPSO is given additional functions, or external drivers change or expand existing functions, additional funding will be required in two ways:
 - 36.1. Development and set-up costs. These will be one-off, unconsolidated funding required to scope, develop and implement the new functions.
 - 36.2. On-going consolidated funding, included in the SPSO's baseline budget for on-going delivery of the new functions.
37. While it is expected the funding will be accessed via the SPCB, the SPSO will liaise with other stakeholders, such as the Scottish Government, for provision of funding.

Complaints and Welfare Fund cases: volume driven requirements

38. Statistical information shows that over time case volumes are more likely to rise than fall. Volumes also need to be considered in the context of complexity. While volumes may show overall or marginal reductions, increased complexity often leads to an increase in resource requirements as some cases require more investigation and professional advice.
39. The SPSO identifies and monitors case activity levels to inform her about complexity of the office caseload.

Reduction

40. Short-term (one to two year) reductions in volume driven resources will be redeployed within the organisation to either relieve operational pressures in other areas to deliver specific improvement projects.
41. This approach is critical to long term effectiveness as it ensures that the SPSO is able to retain vital skills and experience. It is essential as it takes many months for new staff to be fully effective, and over time reduces avoidable expenditure on recruitment and induction.
42. If volume driven resources show a sustained reduction, the SPSO will liaise directly with the SPCB about resources.

Increase

43. Increases in volume driven cases have a direct impact on the SPSO's capacity to deliver her statutory duties to the standards, timescales and extent expected (and demanded) of her.
44. While the SPSO will explore absorbing increased demand through improvements and efficiencies, ultimately, the organisation's ability to maintain services and standards will require additional resources. Should this be the case, the SPSO will liaise directly with the SPCB.

45. By way of illustration, the table below gives an indication of what a 5%, 10% and 15% increase across the board of volume driven work could look like in relation to the SPSO's baseline budget.

	baseline budget £	5% increase in reviews and complaints additional £	10% increase in reviews and complaints additional £	15% increase additional £
2018-19	£4.4 million	£96,000	£192,000	£281,000
2019-20	£4.4 million	£96,000	£192,000	£281,000

46. These costs are for the handling of casework. They include case related costs for professional advice, but exclude unknown statutory and contractual increases to salary and benefits, as well as indirect casework costs such as related senior management time, quality assurance and learning and improvement follow up work.

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