

SPSO decision report

Case: 201604718, Audit Scotland
Sector: Scottish Government and devolved administration
Subject: communication / staff attitude / confidentiality
Decision: some upheld, no recommendations

Summary

We investigated a complaint about the audit of a further education college and an associated report. We found that there had been a change in the scope of the audit on the basis of legal advice but that a record of this advice had not been maintained. We also found that after the scope of the audit changed, a person who was previously advised they would be interviewed was not advised that this would no longer go ahead. Consequently, they were unaware of the progress of the audit until they were sent a copy of the report the day before publication. Audit Scotland acknowledged the issues with communication and there being no record of the legal advice during their own consideration of the case. Audit Scotland concluded that the person should have been informed at an earlier stage as this would have allowed them the opportunity to submit evidence for consideration. Audit Scotland also advised that as a result of their review of this case, they were considering their approach in engaging with people who have a clear interest in their work but are no longer employed by the organisation being audited. Our investigation highlighted some issues with complaints handling and found that in relation to one point, information Audit Scotland provided was misleading. We did not identify any other failings in Audit Scotland's approach in this case. We made a number of recommendations to address the issues highlighted.

Recommendations

What we asked the organisation to do in this case:

Apologise for the failings highlighted in this investigation, including providing inaccurate information. The apology should meet the standards set out in the SPSO guidelines on apology available at <https://www.spsso.org.uk/leaflets-and-guidance>.

In relation to complaints handling, we recommended:

Complaints within correspondence should be identified and recorded as quickly as possible. If complaints are so closely linked to other concerns that they are to be dealt with together, the rationale should be explained to the complainant from the outset.

Complaint responses should be accurate and unambiguous.

We have asked the organisation to provide us with evidence that they have implemented the recommendations we have made on this case by the deadline we set.