



The Scottish Parliament
Pàrlamaid na h-Alba

Shona Robison MSP,
Cabinet Secretary for
Social Justice, Housing
and Local Government

Local Government, Housing and Planning Committee
The Scottish Parliament
Edinburgh
EH99 1SP

By email only

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14 December 2022

Dear Shona,

Scottish Public Services Ombudsman

As you will be aware, the Scottish Public Services Ombudsman has a long-standing request to be given additional powers, notably in respect of being able to consider complaints received in a format other than in writing and having the ability to undertake “own-initiative investigations” where no complaint has been made.

We note that any such changes would require an affirmative SSI and amendments to the Scottish Public Services Ombudsman Act 2002 respectively. We further note that the Cabinet Secretary for Justice confirmed in a letter to our predecessor committee in 2019¹ that the Scottish Government was supportive of the first proposal but did not have sufficient resource to progress the request at that time. In respect of the second request, the letter stated that “Parliament has previously rejected this request and in my view, there has been no material change in circumstances since that time which would require this decision to be revisited.”

The Committee took evidence on the Scottish Public Services Ombudsman’s Annual Report for 2021-22 on 6 December. The Official Report is available on the Parliament’s website².

The Ombudsman explained the rationale for her request for “own investigation powers” in evidence to the Committee and noted the possibility that “the work that is being done on the human rights bill might give us that power through another primary route.” I would be grateful if you could confirm whether this is an issue that is

¹ [SG - Gaelic - Cabinet Secretary for Justice.dot \(parliament.scot\)](#)

² [Meeting of the Parliament: LGHP/06/12/2022 | Scottish Parliament Website](#)

being considered as part of the Scottish Government's work on the Bill before it is introduced in the Parliament.

I look forward to your response.

Yours sincerely,

Ariane Burgess
Convener, Local Government, Housing and Planning Committee