

Dear Ariane,

SPSO half-year performance update

1. I am pleased to be providing my six-month update on the SPSO's performance. This update covers Q1 and Q2 of 2024—2025 (April to September 2024). As I have recently provided detailed evidence to the Committee in response to your call for views, it is shorter than some previous mid-year updates to avoid unnecessary repetition
2. I am mindful that this will be my last update for the Committee as I demit office shortly after the end of the business year. Given this, I am taking the opportunity to reflect briefly on my (nearly) eight years as Ombudsman. It has been my privilege (and a challenge) to have led this marvellous organisation through some of its most difficult periods. Like other Scottish public services, the team and I have weathered a global pandemic together, and faced unprecedented volatility in all areas of our work, especially complaints.
3. Despite this it has been a time of significant learning, improvement, and achievement.
 - 3.1. This office has taken on and are delivering a new, and for the UK, unique function in relation to whistleblowing in the NHS.
 - 3.2. We have moved office location. As the largest of the Scottish Parliamentary Supported bodies, we are contributing to public service efficiency by providing accommodation and corporate services to other office holders, saving those organisations (and ultimately SPCB) both money and time. We are also active in exploring further opportunities with my colleagues.
 - 3.3. The Scottish Welfare Fund which was in its first year when I arrived has matured and is now providing both an efficient service, and training and support to councils to raise the standards of decision-making at earlier stages in the process.
 - 3.4. We have issued our first rights-based set of complaints handling principles for child-friendly complaints.
4. Looking simply at the numbers, in my first annual report (which covered my predecessor's final year 2016—2017), I noted SPSO had received 4,182 complaints and closed 4,104. In my most recent (and final) annual report, 2023—2024 the equivalent figures are 4,686 complaints received and 4,651 closed. This

is an increase in complaints numbers of 12% and an increase in productivity over those years of 13%.

5. While SPSO has grown to absorb new roles, it is notable that over this period, the investigatory resource for public service complaints has been largely static. The impact of model complaints handling is that public bodies increasingly resolve straightforward cases at a local level. This means the complaints to SPSO have become more complex. As I explained in my response to the Committee's call for views, the rise in complaints has been met by an increase in our efficiency and productivity. We continue to focus on efficiency, but I should caution that there will be limits to what this office can realistically do if numbers continue to rise without additional resource; and my view is we are close to that point.
6. We are seeing specific pressure on our front-line assessment and guidance team. Their role, as well as being the first contact and assessment point for all complaints, includes providing advice by email and by phone to the public. We are seeing a rise in both volume and intensity of contact. I am concerned that our current resources are struggling to keep up with demand and that current workloads for the team are unsustainable.

Q1 and Q2 2024—2025 highlights

7. Work coming in
 - 7.1. SPSO received 2,544 complaints. This is a 7% increase on the same period last year (2,385 complaints). Historically, this is a significant increase but is, thankfully, lower than last year's unprecedented increase of 31%. Notably it is an increase of 10% on 2019—20 our baseline strategic planning year.
8. Output
 - 8.1. We achieved a **16%** increase in productivity over the year so far. This comes after a 21% increase in productivity the previous year, and contributes to the overall productivity increase since I took up office.
 - 8.2. We have seen volatility in premature complaints¹ rates which is a reasonable proxy indicator of the effectiveness of complaints systems at a local level, and/ or their ability to cope with increasing complaint numbers. Again, we will continue to monitor this for trends and patterns and provide support and advice where we can.
9. Recommendations
 - 9.1. We made **268** recommendations to public sector organisations, compared to 234 in 2022—23, a rise of 14%.
 - 9.2. **142** of these (over half) were for learning and improvement to ensure the issue complained about doesn't happen again.
 - 9.3. **34** were for complaint handling improvements.

¹ Complaints which have not exhausted the local process first

Allocation times

10. In my most recent update in May 2024, I was able to say that we had one priority case waiting for allocation and that was allocated within one week. I also reported we had 263 non-priority cases and the current time to allocate was 14—16 weeks.
11. I am extremely pleased to be able to tell the Committee that there are currently **no priority cases awaiting allocation** and any new priority cases are usually allocated within two weeks.
12. And, while this number fluctuates, today we have **189 awaiting non-priority allocation** and current waiting time for non-priority allocation is 12—16 weeks. Again, it should be stressed this is against the backdrop of also absorbing increased complaint numbers through efficiency gains.

Other highlights

13. I have recently laid before Parliament my first ever spotlight report. This relates to the Scottish Welfare Fund and reflects concerns I have about the use of high most compelling criteria, and the impact on some of the most vulnerable members in our society. I hope that the office continues to utilise this vehicle to highlight areas of concern.
14. As I come to the end of my term, I will shortly be consulting a review of the SPSO Complaints Handling Principles. It is 13 years since they were put in place and the complaints, and public services, environments have changed significantly in that time. The Principles need to adapt to and reflect those changes. In particular we aim to create principles which are more user focussed and rights based. I intend to lay these for Parliamentary approval next year. Once approved, they will provide a modern, forward-thinking framework within which my successor can move forward with the necessary detailed co-design work. This will go live on 9 December 2024, and a link to the consultation will be shared with the Committee via the clerk.
15. In closing, while I wish my successor a less turbulent time in office, I will demit office with immense pride in my colleagues and our achievements. I also thank the Committee for their interest in the work of this office. This has provided both challenge and support, and I look forward to my final annual appearance next month.

Yours sincerely

Rosemary Agnew
Scottish Public Services Ombudsman