

# Local Government, Housing and Planning Committee

**29th Meeting, 2023 (Session 6), Tuesday 5 December 2023**

## **Scottish Public Services Ombudsman annual report and accounts 2022-23**

### **Introduction**

1. This briefing paper provides background information for the Committee's annual scrutiny of the Scottish Public Services Ombudsman's annual report for 2022-23.
2. The Report is available online at [SPSO Annual Report and Financial Statements 2022-23](#)
3. The Committee will take evidence on the Annual Report from—
  - Rosemary Agnew, Ombudsman
  - Niki Mclean, Director
  - Andrew Sheridan, Head of Improvement, Standards and Engagement

### **Background**

4. The Scottish Public Services Ombudsman is the final stage for complaints about most public services in Scotland including those provided by councils, the NHS, prisons, housing associations, government agencies and non-departmental public bodies, most water and sewerage providers and colleges and universities. The body also has a role in reviewing, and potentially reversing, decisions made regarding applications to the Scottish Welfare Fund. In 2021, the SPSO became the independent national whistleblowing officer for the NHS.
5. It is funded by the Scottish Parliament Corporate Body, although it functions independently of the SPCB. The [2002 Public Services Ombudsman Act](#) requires the SPSO to report annually to the Scottish Parliament on the exercise of his or her functions.
6. The 2002 Act sets out the SPSO's powers and duties which cover three distinct areas of statutory functions<sup>1</sup>—
  - The final stage for complaints about most devolved public services in Scotland including councils, the health service, prisons, water and sewerage providers, Scottish Government, universities and colleges;
  - Specific powers and responsibilities to publish complaints handling procedures, and monitor and support best practice in complaints handling;

- Independent Review Service for the Scottish Welfare Fund (SWF) with the power to overturn and substitute decisions made by councils on Community Care and Crisis Grant applications. SPSO decisions on SWF matters are binding on councils and must be implemented.

## **2022-2023 Annual Report**

7. Key information in the Ombudsman's 2022-23 annual report includes:

- In 2022-23, the Ombudsman received 3,527 complaints relating to devolved public bodies, 4% fewer than in 2021-22.
- Of the 3,527 complaints escalated to the Ombudsman last year, the sectors receiving the highest number of complaints were health and local authorities, accounting for 34% and 30% of the total.
- The SPSO closed 3,829 complaints during 2022-23, an increase of 337 (+10%) compared to 2021-22.
- The Whistleblowing Office received only 114 cases in their first year of service, and this had grown slightly in 2022-23 to 130 cases.
- By the end of 2022-23, the SPSO had reduced the length of time people were waiting to have their complaints allocated from 11 to five months.

## **Conclusion**

8. The Committee is invited to consider the above in its evidence session with the Scottish Public Services Ombudsman.

**Committee Clerks**  
**Local Government, Housing and Planning Committee**