

Background

1. The SPSO (Scottish Public Services Ombudsman) is the final stage for complaints about public services including complaints about local authorities and Scottish Government agencies. As well as considering individual complaints, the SPSO plays a key role in supporting improvements in complaints handling.
2. In responding to this call for evidence on the financial memorandum, we wanted to highlight to the Committee the uncertainty that exists about the impact on the SPSO of the proposed Bill.

The role of the SPSO

3. As a Government Agency, the proposed Social Security agency will automatically come within the jurisdiction of the SPSO. This means that we will be able to receive and, where appropriate, investigate complaints made about the services they provide. We will also be able to provide them with support and advice from our Complaints Standards Authority and they will be able to access SPSO training.
4. The current Financial Memorandum does not list us as one of the organisations who may be impacted by the proposed Bill. In terms of our role in providing advice, support and training, we are currently resourced for this role and do not consider we would need additional funding to support this agency. We are already providing advice and support as the Scottish Government are considering how the agency will comply with the model complaints handling procedure.
5. The impact on us of complaints is of more potential significance. As we reported in our strategic plan published last year¹, we have concerns about the impact of any rise on complaints on our ability to meet demand within current resources. This means that the impact of even a relatively low number of new complaints may be significant. At present it is difficult to assess this impact; this is partly because it is genuinely difficult to assess complaints numbers before a system is

¹https://www.spsso.org.uk/sites/spsso/files/communications_material/business_information/StrategicPlan16-20/SPSOSTrategicPlan2016-2020.pdf

in operation. To give an example, the UK-wide scheme that preceded the Scottish Welfare Funds saw nearly 6,000 requests for review². After experience of the interim Scottish Scheme which changed the delivery model, this had significantly dropped and in our first year, we determined 437 reviews. It is also notable that the Bill puts in place an appeal route to a Tribunal. It is our experience that such routes can limit the complaints received. For example, in 2016/17 we received only a single complaint about Revenue Scotland.

6. Given the level of uncertainty, and the possibility that complaints may be modest in number, we are not suggesting specific resource should be included in the financial memorandum.
7. We would also like to reassure the Committee that the Scottish Government has been in contact with us and we are pleased with the level of engagement we have had to date about the proposed bill and its possible impact.
8. While we are not suggesting specific resources are included, it is important for the Committee to note that we are one of the other organisations/individuals and businesses who may be impacted by the creation of the new agency. As the Committee will be aware we are a Parliamentary-supported organisation and we will be keeping the SPCB fully informed as we better understand any actual or potential impact on us.

² The Financial Memorandum for that Bill details the numbers and the level of uncertainty see paras 43 on. [http://www.parliament.scot/S4_Bills/Welfare%20Funds%20\(Scotland\)%20Bill/b51s4-introd-en-bookmarked.pdf](http://www.parliament.scot/S4_Bills/Welfare%20Funds%20(Scotland)%20Bill/b51s4-introd-en-bookmarked.pdf)