

Consultation Response form

Please use this version if you wish to fill the form in electronically. To use this form, use tab / shift-tab keys to move between fields, and type your responses. Save the form, and email to consultation@spsoc.org.uk

If you wish to respond by printing the consultation and filling in the responses by hand, please download the document called “consultation questions print version” from our website, or contact us to receive a copy.

Respondent information form

This information must be completed and returned with your comments in response to the consultation to ensure that we handle your submission appropriately.

About you

Name: Gail Walker

Email address: gail.walker@cas.org.uk

Organisation (if applicable): Citizens Advice Scotland

Address: Spectrum House, 2 Powderhall Road, Edinburgh

Postcode: EH7 4GB

Phone number: 0131 550 7189

Permissions

If you are responding as an individual, please fill in section A. If you are responding on behalf of a group or organisation, please fill in section B.

Section A	I am responding as an individual
Do you agree to your response being made available to the public, including on the SPSO website?	Please let us know your answer (yes or no):Yes
Where confidentiality is not requested, we will make your responses available to the public on the following basis: (please select one option): a) Yes, make my response, name and address all available b) Yes, make my response available, but not my name and address c) Yes, make my response and name available, but not my address	Please let us know your answer (Option A, B or C):A
We may wish to contact you in the future to discuss the issues you raise, but we require your permission to do so. Are you content for us to contact you again in relation to this consultation exercise?	Please let us know your answer (yes or no):Yes
Section B	I am responding on behalf of a group or organisation
The name and address of your organisation will be made available to the public and may be included on the SPSO website. Are you content for your response to be made available?	Please let us know your answer (yes or no):Yes
We may wish to contact you in the future to discuss the issues you raise, but we require your permission to do so. Are you content for us to contact you again in relation to this consultation exercise?	Please let us know your answer (yes or no):Yes

Your response

We welcome comments on all aspects of the draft Strategic Plan. Please write your comments below.

Introduction

Citizens Advice Scotland (CAS), our 61 member Citizen Advice Bureaux (CAB), the Citizen Advice consumer helpline, and the Extra Help Unit, form Scotland's largest independent advice network. Advice provided by our service is free, independent, confidential, impartial and available to everyone. Our self-help website provides information on rights and helps people solve their problems.

In 2014-15 the Citizens Advice Service network helped over 323,000 clients in Scotland alone and dealt with over one million advice issues. With support from the network clients had financial gains of over £124 million and the Scottish zone of our self-help website received approximately 5.4 million unique page views.

Our aim within the water industry is to challenge and shape policy to ensure it reflects the needs of consumers. CAS, therefore, welcomes the opportunity to respond to the SPSO's Draft Strategic Plan 2016-2020 consultation.

Summary

1. The increase in the number of complaints about public sector services that SPSO has reported it has received is evidence of:
 - a. Improved access to information for consumers on how to make a complaint against a public sector organisation;
 - b. A more educated and empowered public that will make a complaint against a public sector organisation when they are dissatisfied.

It could also suggest that standards in the services provided by public bodies have fallen.

2. As the recognised consumer representative body, we strongly support that when service delivery goes wrong, it is important that consumers have access to robust and supportive redress services to put it right. CAS is concerned that a lack of adequate resources available to SPSO to allow it to respond appropriately to the increase in the number of contacts and complaints it receives, may result in a reduction in the services it can offer to consumers raising issues. It could also lead to more limited access to justice for consumers and, in consequence, to outcomes which consumers do not believe are satisfactory or fair.
3. SPSO has identified three specific measures in response to the issues around limited resources it is likely to face. Of these three measures, improving the quality of first tier complaints, and negating the need for consumers to seek redress with

SPSO, would help to improve consumer trust in public services and in the relationship between the State and its citizens.

4. Further developments in SPSO's range of services, resulting from: additional functionality and public services, technological developments and changes to the consumer and ombudsman landscape, may place additional pressure on SPSO's existing resources. Against this background, CAS would support a move by the Scottish Government to review the issues raised within the SPSO Draft Strategic Plan. We believe that such a review could make an important contribution to assessing and safeguarding the quality of administrative justice available to the general public from SPSO services, and thereby also protecting the relationship between the State and its citizens.
5. The Report of the Scottish Government's Working Group on Consumer and Competition Policy for Scotland sets out four key areas for consumer protection including advocacy and redress. A supportive and resourced framework for redress would help support the delivery of policy advocating for improved access to justice for consumers.

Key Points

Strategic objectives and equalities commitments 2016-21

6. CAS welcomes the strategic objectives that have been set out by SPSO within its Draft Strategic Plan. They clearly focus on driving improvements in services available to consumers both from SPSO, and from its client public bodies through access to information and support via the delivery of more robust contact management and complaints handling procedures available to the public.
7. Most consumers are unable to choose which public service provider should provide them with a particular service. There is also often limited opportunity for a consumer to switch to another public body service provider. It is, therefore, important that when things go wrong for consumers, requiring them to seek a specific improvement to a service or to potentially seek redress, that the service provider should make every effort to put things right first time. CAS welcomes the strong focus placed by SPSO on working with public sector service providers, and with other key stakeholders, to improve outcomes for consumers that use public services. In particular, we consider that, when issues are raised with a public body, the public body must take ownership and responsibility to ensure its complaints handling procedures support resolution of issues as quickly and effectively as possible without the need for redress to the Ombudsman.

Performance measurement and impact

8. Although we welcome the principles set out within the high-level performance measures, there is scope to also define how these will benefit service users. Ultimately, measures are put in place to improve outcomes, and to benefit consumers of services. In this respect, although the measures set out are high-level,

they are worded in a way that is organisational and process focussed, rather than being consumer focussed. As a result it is not clear what consumer benefits are to be derived from each point. We believe including a clear consumer outcome for each measure would significantly strengthen links between the performance measure and the benefits for service users.

9. CAS acknowledges the work that SPSO has carried out to develop an improved complaints handling system, and to roll this out to key partners. We recognise that the next step would be to increase internal capacity within key partner organisations to deliver better complaints management, as per SPSO's strategic plan. However, CAS is of the view that, in order to strengthen accountability to service users and ownership of any issues arising as a result of service delivery, key partners should commit to developing and championing complaints handling best practice.
10. CAS notes SPSO's use of customer surveys to measure satisfaction with its services provided. We are also aware that SPSO intends to conduct a further customer satisfaction survey during 2016. We believe there is a significant opportunity for SPSO to extend 'customer conversations' with its users through the use of focus groups or other participative discussions. This would provide SPSO with more holistic customer feedback across a wider range of topics. It would also help SPSO to conduct gap analysis in respondents to the survey as compared to clients as a wider group e.g. difficult to reach groups and ways of engaging these groups. CAS is keen to encourage innovative methods of consumer engagement, is preparing a discussion paper, and stands ready to assist with any participatory consumer engagement.

Complaints service

11. We commend SPSO's commitment to, and aspirations to, deliver demand-led services to consumers. However, given the nature of the organisation's concerns set out in the Ombudsman's Foreword, regarding the growing pressures on existing resources, we would welcome additional measures by the Scottish Government to resource SPSO to meet its growing remit. We believe this is essential to ensure that the quality of services currently provided by SPSO to consumers are protected, and indeed can continue to improve.
12. We fully support the view that public bodies should take 'responsibility for complaints and take actions on findings, for the benefit of both customers and public bodies'. Indeed, as stated in point 6 above, we believe that public bodies should commit themselves to championing complaints handling best practice. This would self-motivate public bodies, and incentivise improvements in the ways that they deliver services to consumers. Furthermore, we believe that in principle, public bodies should engage with consumers to find out what the latter need from the services provided by public bodies, and how services should be delivered.
13. Based on the principle that all consumers should have access to redress, the application of proportionality, could limit, or remove, access to justice for consumers

whose complaints may be meritorious, but may not score as highly as other complaints if a test is applied to measure injustice and hardship. For these consumers, justice may prove to be inaccessible. Against this background, we believe it is vital that the Scottish Government provides SPSO with sufficient levels of resources to protect the accessibility of justice for all consumers whose complaints qualify for investigation.

14. We welcome SPSO's commitment to follow up recommendations it has made to public bodies, and to ensure these are implemented. We are also aware, however, of public bodies which ignore the SPSO's recommendations, and fail to effectively mitigate issues that cause detriment to consumers. We are further aware that such conduct can result in repeated complaints to SPSO against certain public bodies. CAS takes the view that such public bodies should face stronger measures to bring them to account.

Scottish Welfare Fund

15. We welcome the role of SPSO in becoming the ombudsman body for the Scottish Welfare Fund. As part of the Working Group for the Scottish Welfare Fund, we endorse SPSO's commitment to ensuring that applicants to receive as quick a decision as possible to alleviate the urgency of their circumstances. This will help prevent people being unable to pay for basic living essentials including food and heating or having to rely on other forms of emergency support including food banks.
16. In addition, we welcome SPSO's approach to providing fully accessible services to members of the public. For the difficult to reach groups that will form the majority of those accessing SPSO's services, such as low income consumers, measures that make services as accessible as possible are critical.

Running the business

17. We welcome the approach outlined by SPSO in the Draft Strategic Plan, involving the use of a range of best practice frameworks to support the work of SPSO and to maximise available resources to deliver value. CAS also welcomes supporting this dynamic, through membership of SPSO's Customer Sounding Board, and will endeavour to continue working in partnership with SPSO and other key stakeholders to support the ongoing continuous improvement of its services to users.

Responses can be sent by email to: consultation@spsso.org.uk or by post to: SPSO Strategic Plan consultation, Scottish Public Services Ombudsman, FREEPOST EH641, Edinburgh, EH3 0BR . The closing date for responses is Friday 18 December 2015.

If you have any questions, please contact us on 0131 240 2974.