

Bob Doris MSP submission of 8 November 2022

PE1964/F: Create an independent review of the Scottish Public Services Ombudsman

My thanks to your committee clerks for drawing the progress of the above petition to my attention, and, in particular the further consideration by the committee of the petition on Wednesday 7 December 2022.

Whilst other parliamentary commitments mean I will not be attending said meeting, my thanks for the opportunity to make some brief remarks based on my experience in supporting my constituents engagement with the SPSO, as well as the Scottish Government response to the petition.

In the first instance the Scottish Government reply lacked clarity in one aspect. Whilst it was clear that resource implications will mean there is unlikely to be a review in the near future, the Scottish Government did not engage with what I would consider the underlying matter to be, that is - is there value in having a review of the SPSO 20 years on?

For me there is a clear value in doing so although I also acknowledge resource implications may delay any potential review. I accept that on occasions members of the public will never be able to reconcile any SPSO findings which do not uphold their complaints. However I am not convinced there is a robust and effective process by which individuals, who believe the SPSO has erred in its conclusions, can have a meaningful review of SPSOs decisions. I would include the Independent Customer Service Complaints Reviewer in that regard.

That has certainly been the experience of my constituent.

The Scottish Government has described the process and safeguards within the SPSO process and system at present. However it is silent as to whether these are effective or otherwise. This may be because there has been no meaningful or detailed analysis of these. I am also well aware of the desire of the SPSO to have additional powers. It would seem reasonable to review how effective the SPSO is currently and

what changes may be required as matters stand, before considering extending the SPSO's remit or powers.

It would be helpful to better understand the Scottish Government's thinking in this area.