

# **PE2161/E: Extend the time period for complaints through the Scottish Public Services Ombudsman for neurodivergent people to two years**

## **Rhoda Grant MSP written submission, 9 February 2026**

I am writing to formally record my disappointment with the response recently provided by the Ombudsman to Petition PE2161 -: Extend the time period for complaints through the Scottish Public Services Ombudsman for Neurodivergent People.

I believe that their submission fails to acknowledge the core tenets of the petition and instead advocates for the retention of a status quo that is demonstrably failing Scotland's neurodivergent community.

The evidence presented to the Committee suggests a systemic failure to provide equitable access to justice, characterised by the following points:

Despite statutory obligations, the Ombudsman's office appears to maintain a pattern of inflexibility that effectively discriminates against neurodivergent individuals. In the specific case outlined in the submission, the refusal to grant extensions to accommodate cognitive conditions represents a significant compromise of safety and human rights compliance. It is a matter of record that multiple, evidenced requests for extensions were summarily denied, even when supported by:

The Citizens Advice Bureau.

Specialist Autism advocates.

Formal medical certification.

Furthermore, the internal appeals mechanism lacks the necessary independence, as decisions are often reviewed by the same individuals who issued the initial denials, creating a closed loop that precludes genuine scrutiny.

The Ombudsman continues to defend its internal policies in a vacuum, refusing to provide the statistical data required to verify the efficacy of their "exceptional circumstances" policy. By invoking privileged powers under their own Act to withhold information regarding the success rate of neurodivergent applicants, the service effectively operates without accountability.

The Ombudsman's reliance on discursive and diffuse communication creates a disproportionate burden on those with atypical cognitive profiles. For many in the neurodivergent community, who comprise approximately 15% of the Scottish population, this lack of clarity causes acute distress and a breakdown in executive functioning.

When a public body communicates in this way, it creates a system where those who observe the world literally are systematically disadvantaged. The resulting fallout often leads to acute illness and the forced abandonment of legitimate complaints.

The current lack of equilibrium, where the Ombudsman's own missed deadlines carry no penalty while service users are excluded via rigid timelines, highlights a deficit in their system with the neurodivergent community being the ones losing out as a result. The service appears more concerned with the administration of waiting times than with the equitable resolution of serious complaints.

The Ombudsman's service currently lacks the flexibility required to serve the neurodivergent population. To prevent the "re-traumatisation" of vulnerable citizens, we must move toward a system where the law provides robust protection for disability and where public bodies are no longer permitted to "mark their own homework."

In light of the significant evidence of systemic exclusion, I respectfully urge the Committee to review this submission in its entirety. I further request that the Committee ensures this petition remains active following the forthcoming Scottish elections, as the pursuit of a fair and transparent public service for the neurodivergent community remains an urgent priority.