

## **Accountability Scotland Submission to the Local Government, Housing and Planning Committee in advance of its review of the Scottish Public Services Ombudsman (SPSO) 2024/25 Annual Report**

Since its establishment in 2002, serious and persistent concerns have been raised about the performance and effectiveness of the SPSO. Despite two Parliamentary Petitions receiving support and the SPSO itself agreeing to a review in 2024, no formal evaluation has ever been conducted. The gravity of the situation is underscored by Fergus Ewing MSP publicly advising constituents not to refer complaints to the SPSO, warning that doing so may cause them harm and the increase of 1 out of 5 Trustpilot ratings resulting in an overall score of Bad.

The SPSO's 2024/25 Annual Report reinforces these concerns. It paints a picture of an Ombudsman in decline:

- **Record-high complaint volume:** The SPSO received 5,021 complaints—its highest ever. This upward trajectory over five years suggests systemic failure in public sector complaint handling. A well-functioning Ombudsman should drive improvements that reduce complaints over time.
- **Collapse in investigation throughput:** Only 176 investigations were closed—just 3.5% of complaints received and the lowest in five years. This marks a 58% drop compared to five years ago, indicating a troubling decline in operational capacity.
- **Data suppression on health complaints:** Following Accountability Scotland's 2024 concerns about the dominance of health-related complaints, we note that this breakdown is no longer published. This omission is especially concerning given the SPSO's prior acknowledgment of the need for transparency during Committee scrutiny in December 2024.
- **Rising uphold rate:** 86% of investigated complaints were upheld—an increase for the fifth consecutive year. This trend suggests that public bodies' complaint handling is deteriorating, potentially because they know few cases will be investigated.
- **Loss of credibility:** The SPSO received a record 139 customer service complaints about itself. Of these, 46% were upheld at Stage 1 and a further 50% at Stage 2. This undermines its authority as the body setting complaint standards for others.
- **Missing satisfaction data:** The Annual Report fails to include customer satisfaction metrics, despite the Committee's 2024 position that such data is essential for scrutiny. Given the Committee's direct correspondence with the SPSO on this issue, its omission must be viewed as a serious failure of accountability.

## **Accountability Scotland: Request for Committee Appearance**

Ahead of the SPSO's forthcoming appearance before Parliament, two of our members have submitted personal statements for the Committee's consideration. These statements directly address two critical concerns raised by the Committee in 2024:

- The SPSO's ongoing detrimental impact on the mental health of complainants, including retraumatisation.
- Clear and documented evidence of systemic bias against complainants, even in cases where the public body has admitted fault.

In light of these concerns, Accountability Scotland formally requests the opportunity to appear before the Committee immediately prior to the SPSO's evidence session. We believe it is essential that the Committee hears directly from us and our members to understand the lived experience of those affected and the broader implications for public trust and accountability.

The current situation is untenable. Without meaningful and independent review, the SPSO risks further undermining the rights of complainants, their health and the integrity of Scotland's public complaints system.