

Meeting of Local Government and Regeneration Committee 16 November 2011: Comments on the SPSO submitted by Accountability Scotland

We are also sending with this a report that we recently submitted to the Scottish Parliamentary Corporate Body. This amplifies some of the points we make here.

We support Jim Martin in saying that there is a need for a parliamentary procedure by which a committee may receive a special report from him and act upon it when a body under SPSO jurisdiction fails to carry out recommendations.

We also support Jim Martin in calling for powers to investigate more extensively - but assurances are needed that investigations are carried out effectively and adequately.

Our main criticism of much of the discussion is that complaint statistics are less important than the delivery of administrative justice to both complainants and service providers. If the SPSO delivers a quality report, both sides should be satisfied – provided that the reasons for a judgment are clearly explained to both sides. However, the Craigforth reports have shown that this happens too infrequently.

Whilst we acknowledge that Jim Martin has made improvements in procedure since he took office, as examined by his internal and external advisors, there has been no investigation of the adequacy and effectiveness of the outcomes.

These have not been addressed by anyone.

There has been independent assessment of procedural issues only. In the past the questionnaires analysed by Craigforth were largely concerned with complainant satisfaction with procedures, and now the surveys have been discontinued.

The SPSO Annual Report for 2009-10 stated: “In 2009-10 we began a project to begin collecting data on complainants’ views of our service in the first quarter of the year. The data will be compared with the feedback from complainants in the first quarter of 2010-11.” There is no mention of this in the Annual Report for 2010-11 and Helen Littlemore has told us that no such comparison has been carried out.

The historical statistics on complainant satisfaction are available on the SPSO website, but not given in annual reports.

The concern of Accountability Scotland is with administrative justice to both complainants and service providers. The statistics in the Annual Report for 2010-11 have no bearing on this.

Jim Martin's says that "our statistics stand up to scrutiny". However, they cannot do so as they are hard to scrutinize. This is because of errors and unexplained terminology, as discussed in our submission to the SPCB.