

Chief Executive
Council

Dear Chief Executive,

Scottish Welfare Fund Independent Reviews: Annual Letter from SPSO

I am delighted to send you our second annual report as independent reviewer for the Scottish Welfare Fund (SWF). The report includes an overview of councils' performance and the general findings and trends that we have identified throughout the year.

Attached to this letter, you will also find information specific to your council. I hope you find this useful in comparing this year's performance with last year, and to benchmark against the average statistics for Scotland. It also includes information about the proportion of reviews we upheld and about the number of findings and suggestions for improvement we observed.

SPSO Findings

I recognise that we only see a very small proportion of all SWF cases. It was pleasing to see a number of examples of good practice in our casework. These examples included appropriate, and often significant, enquiries being made by the councils to ensure robust decision making; and clear, structured notes and decision letters. We fed back directly on a case-by-case basis.

While I was encouraged to see good practice, we observed an increase in our uphold rates in comparison to 2016-17. This demonstrates that we disagreed with councils' overall decisions in a higher number of cases. While it was apparent that the increase was linked to a rise in cases where we had new information which had not been available when the council considered the case (and which could not reasonably have been gathered), the figures suggest there is room for learning and improvement.

The most common reasons for us disagreeing with councils' decisions were:

- we assessed that the council had incorrectly interpreted the available information
- we considered that the statutory guidance had not been followed.

We also continued to observe poor written communication in a significant number of cases. As a consequence, we asked the Scottish Government to amend their guidance to require that decision letters refer to the applicant's specific circumstances and provide sufficient information for the applicant to understand their decision. This change was implemented in February 2018, and we hope that this will have an impact on the quality of the communication issued by councils.

Accessibility

SWF applicants can be amongst the most vulnerable in our society and so it is of the utmost importance that the SWF is accessible. As such, we take independent review requests by telephone, as well as in writing, and 69% of applications chose this method of initial contact. However, this is at odds with the first tier review stage, where applicants must ask councils for a review in writing unless exceptional circumstances apply. We consider that this puts some people at a distinct disadvantage, and we have highlighted this inconsistency to Scottish Government.

Additionally, from an informal audit of councils' contact details, we noted that less than 10% have a Freephone number. We recorded several examples of this being a barrier to the application process. It is something you may wish to check for your Council.

Learning and Improvement

We are keen to support the improvement of the delivery of the SWF as a whole by promoting and enabling a culture where learning and improvement is embedded in practice, governance and organisational systems within councils. We do this with the support of our learning and improvement colleagues in SPSO. As part of our learning and improvement work during 2017-18, we were delighted to be joined by representatives from 24 councils and 27 representatives from the third-sector at our first SWF engagement event in February.

The event focused on key themes including:

- good decision making
- quality assurance
- supporting staff to handle challenging behaviours and
- ensuring accessibility.

We also participated in regional workshops for decision makers and continued to chair our Local Authority Sounding Board on a quarterly basis to gather feedback and impart information about our service.

In the coming year, we look forward to working with councils collaboratively. Key objectives will include supporting councils to develop Quality Assurance mechanisms, and developing a decision making tool.

If you have any comments or feedback, I'd love to hear from you.

Yours sincerely

Rosemary Agnew
Scottish Public Services Ombudsman

cc. Leader of the Council
SWF SPSO Liaison Contact