



The Scottish Parliament
Pàrlamaid na h-Alba

Citizen Participation and Public Petitions Committee – SPSO Petition

By correspondence

Reference: SPCB (2023) Paper 1

Executive summary

1. The Citizen Participation and Public Petitions Committee is considering a petition calling on the Scottish Parliament to urge the Scottish Government to create an independent review of the Scottish Public Services Ombudsman (SPSO) in order to investigate complaints against the SPSO; assess the quality of its work and decisions and establish whether the current legislation governing the SPSO is fit for purpose. The Committee has sought the views of the SPCB on the role of the SPCB in relation to the SPSO and what its views are on the petition specifically about an independent review. This paper covers a suggested reply to the Committee.

Issues and options

2. A suggested response to the Committee is attached at Annex A and the SPCB is invited to consider this.

3. The first part of the reply sets out the governance oversight role the SPCB has. We have also outlined the scrutiny role of committees in relation to the functions of the SPSO. The second part of the reply sets out suggested views on an independent review. We have concluded that there has not been any area of concern that has been highlighted to us to justify a review. Indeed, over recent times the SPSO's remit has been extended to cover the review service for the Scottish Welfare Fund and the Independent National Whistleblowing Officer for the NHS in Scotland which suggests some confidence in the office.

4. We have also highlighted some statistics from the recently published annual report about complaints and decisions the SPSO has reached. The Local Government, Housing and Planning Committee took evidence from the SPSO regarding this report on 6 December 2022 and no issues of any concerns appear to have emerged from this scrutiny.

Governance

5. The SPCB has governance oversight of the SPSO as provided in the Scottish Public Services Ombudsman Act 2002 and it is appropriate therefore that the Committee seeks the views of the SPCB.

Resource implications

6. There are no resource implications in preparing the reply to the Committee.

Publication Scheme

7. This paper can be published.

Next steps

8. The Committee has sought a reply by 19 January 2023 to allow the petitioner time to comment on the response. We would propose that the attached paper is issued with a cover letter from the Presiding Officer.

Decision

The SPCB is invited to consider the attached suggested reply to the Committee.

Officeholder Services

December 2023