



The Scottish Parliament
Pàrlamaid na h-Alba

Officeholders – Scottish Public Services Ombudsman (SPSO) Contingency Fund Application 23 September 2021 Reference: SPCB (2021) Paper 50

Executive summary

1. At its meeting of 9 September 2021, the SPCB was invited to approve, in principle, contingency funding of £123,867 for the SPSO for temporary staff to cover maternity and sick leave absences in the public services complaints team. SPCB (2021) Paper 47 refers and is attached for ease of reference.
2. The SPCB sought further information on staffing levels which is provided below.
3. The SPCB is invited to approve contingency funding of up to £123,867 this financial year and to approve contingency funding for a further 6 months in 2022/23 as part of the budget bid process.

Further Information

4. In her contingency application the SPSO is seeking funding for five temporary Complaints Reviewers to cover for staff on maternity and long-term sick leave in the public services complaints team. Up until now the SPSO has absorbed any shortfall within existing resources but cannot maintain the position in the public services complaints team this year without significant detriment to the statutory service given the significant rise in the number of complaints. She is therefore seeking contingency funding of £96,947 for maternity cover and £26,920 for long term sick absences.
5. Additional information on staffing levels has now been gathered to enable the SPCB to determine the funding. There are currently four employees off on maternity leave and three on sick leave. Six of the seven absences are in the public services complaints team.
6. The Ombudsman employs 72.9 FTE staff. There is a team of 46.1 FTE who deal with public services complaints. Other staff deal with Scottish Welfare Fund reviews; the Independent National Whistleblowing Officer (for NHS cases); the Complaints Standards Authority and support services

7. Of the 46.1FTE staff dealing with public services complaints, 26.6 FTE employees are Complaints Reviewers. There are currently three Complaints Reviewers off on maternity leave and two Complaints Reviewers and a Complaints and Investigation Manager off on sick leave.
8. Given the lead in time to train Complaints Reviewers, the ongoing need for maternity leave cover to December 2022 for three Complaints Reviewers and based on known circumstances for the three members of staff on sick leave, the SPSO is seeking contingency funding to recruit five temporary Complaint Reviewers on 12-month employment contracts.

Governance

9. The SPCB has established a central contingency fund for the officeholder it supports. Individual officeholders' budgets do not contain any contingency funding. The contingency fund is used for additional funding requirements that cannot be met from approved budgets. It is mainly used for legal fees, maternity cover and one-off projects.
10. SPSO employees are entitled to statutory maternity and sick leave.

Resource implications

11. The Officeholders Contingency Fund for 2021/22 is £400k. Recovered legal fees has increased the fund to £402,892. Although the Contingency Fund is almost fully committed with £380,718 having been approved, given contingency funding should not be drawn down until the end of the financial year when it is clear that the officeholder cannot meet in full or part the additional costs, we anticipate that we should be able to balance the requests with available funding.

Publication Scheme

12. This paper can be published.

Decision

13. The SPCB is invited to approve in principle the SPSO's request for contingency funding of £123,867 in 2021/22 and as part of the budget process, contingency funding for a further 6 months to enable the SPSO to recruit five temporary Complaints Reviewers on 12-month employment contracts.

Officeholder Services
September 2021