

RECEIVED 14 DEC 2007

Mr D.W.R. Whittet QPM
Mr Frank McAveety
Convener
Public Petitions Committee
The Scottish Parliament
EDINBURGH
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10 Dec 07

Gillaroo House
Beech Hill Road
Coupar Angus
Perthshire
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Dear Mr McAveety

Petition PE1076

I refer to the above Petition raised in my name and which had its initial Hearing at the Petitions Committee Meeting on Tue 4th inst. I am encouraged by the Committee's decision to continue the Petition for further enquiry.

In the meantime please find enclosed a brief Summary of my submissions which is intended to clarify and amplify the unacceptable situation which I - and numerous others - have experienced at the hands of the Scottish Public Services Ombudsman. I would add that no personal gain accrues to me in respect of the Petition which was prepared only after careful thought and submitted in the general public good. All that was ever asked of the Ombudsman was a fair hearing and sound judgement based on the compelling and substantive evidence adduced. Regrettably, this was never forthcoming.

I await developments.

Yours sincerely



Encl:

Copies: Murdo Fraser MSP
Clerk to Petitions Committee
File

SCOTTISH PARLIAMENT PETITION PE1076 – SUMMARY 22 Nov 07

This Petition arose as a direct result of unacceptable maladministration by Perth & Kinross Council, subsequently repeated in similar vein by the Scottish Public Services Ombudsman.(SPSO). **Having spent almost 35 years in Tayside Police, the last 12 in senior supervisory rank, I found this very disturbing and my confidence in these two major public bodies was shattered.**

My Complaints against the Council's senior transport official were:-

- Fail to answer correspondence.
- Fail to address issues raised.
- Fail to carry out risk assessment involving a public road.
- Provision of false and misleading information to a Councillor.
- Provision of false and misleading information about another Council official.

And against the Council's Chief Executive:-

- Fail to answer correspondence.
- Failure to adopt procedures to prevent recurrence.
- Failure to have any Procedure to deal with complaints against herself.
- Failure to offer an apology.

The Council declined to accept my complaints and referred me to SPSO.

SPSO then referred me back to the local Council.

After some enquiry, Council dismissed all complaints and referred me back to SPSO.

SPSO also guilty of maladministration and malpractice, viz:-

- Initial enquiry unduly delayed and new enquiry official only appointed after I complained.
- SPSO "lost" Recorded Delivery mail and claimed they never got it, despite a signature to the contrary.
- SPSO carried out a "document only enquiry" and issued a lengthy draft Report for my comment. I wrote an extensive critique on this Report which contained numerous errors of fact, e.g. it claimed that that my complaints related to **Fife Council**, a body with which I have never had contact. Unsurprisingly, **all NINE of my complaints had been ruthlessly dismissed**, having ignored extensive and irrefutable evidence of maladministration and malpractice. Not one single mention of my critique was included in the final Report despite a carefully prepared document supported by compelling evidence. An Appeal for independent review was also dismissed.

It is clear that the current Ombudsman and her staff lack the necessary skills and experience to thoroughly and independently investigate complaints and to assess the validity of all evidence adduced. Thus, an independent Appeal body with in-built accountability is urgently required to review cases involving dissatisfaction on the part of the complainer.