



Service
Complaints
Ombudsman
for the Armed Forces

2017

Summary of the 2017 Annual Report of the
Service Complaints Ombudsman

INDEPENDENCE

IMPARTIALITY

INTEGRITY

I am pleased to present a summary of my Annual Report for 2017.

This summary highlights the key information from the report, including the:

- work undertaken by my office in 2017;
- work of the Service complaints system in 2017; and
- recommendations made in my report.

2017 marked the second year of operation for the reformed Service complaints system and my assessment is that despite clear improvements that have been made, the system is still not efficient, effective or fair. To that end I have made 10 further recommendations for improvement.

I hope you find this an interesting and useful document, whether as a companion to the full report or a standalone summary.



A handwritten signature in black ink that reads "Nicola Williams".

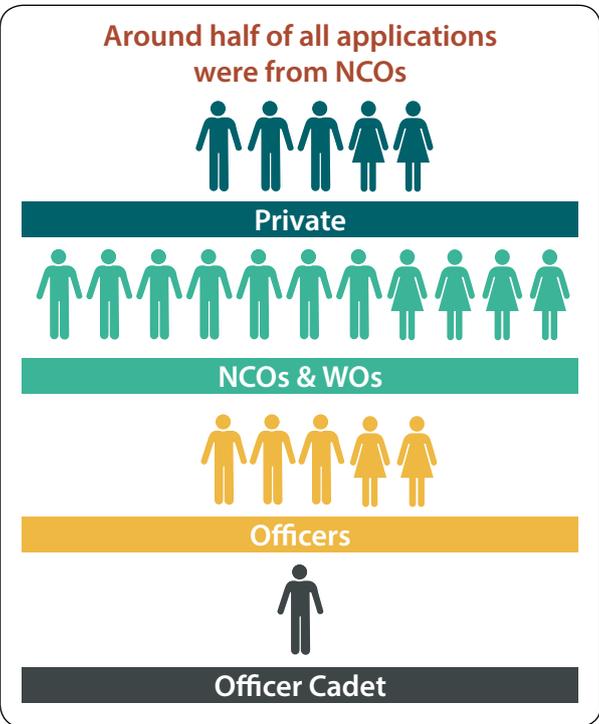
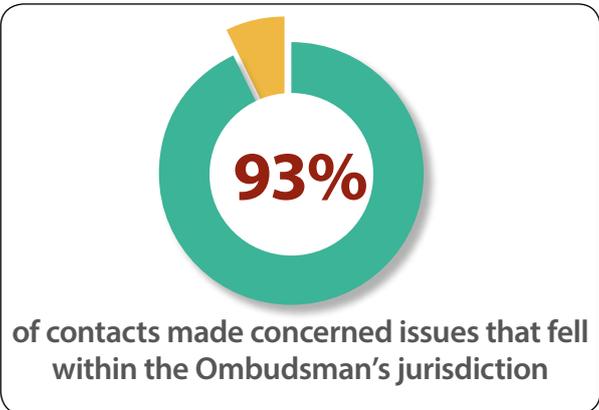
Nicola Williams

Service Complaints Ombudsman for the Armed Forces

Independence | Impartiality | Integrity

The work of the OSCO in 2017

The Office Service Complaints Ombudsman for the Armed Forces (OSCO) provides independent and impartial oversight of the Service complaints system. The information below reflects the work of the OSCO.



406 applications for investigation were received



67% of all applications received were accepted for investigation

57% of investigations were completed within the time target

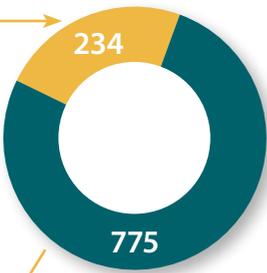


- Substance
- Royal Air Force
- Review of Admissibility Decision
- Naval Service
- Undue Delay
- British Army
- Maladministration
- Unknown

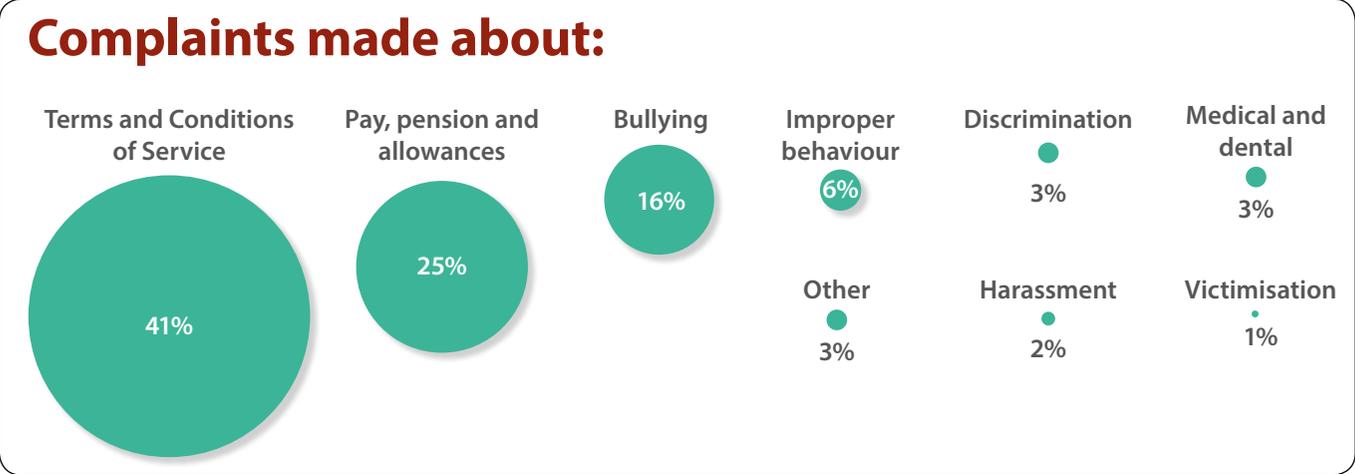
The work of the Service complaints system in 2017

The Service complaints system is an internal workplace grievance system for members of the Armed Forces in the United Kingdom. The information below reflects the work of this internal process.

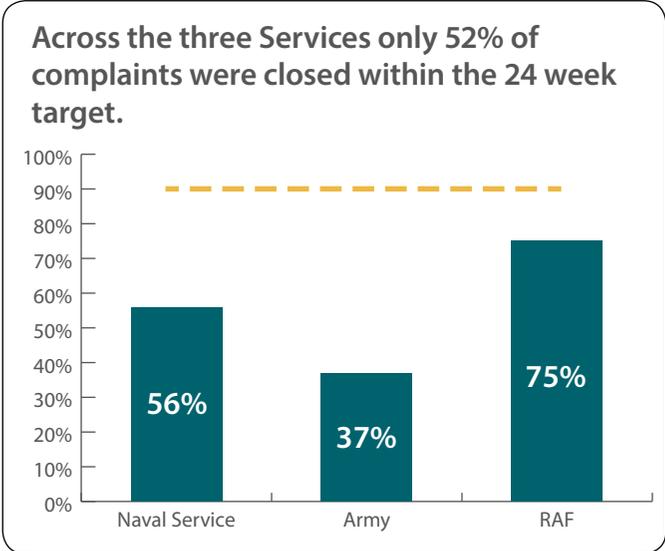
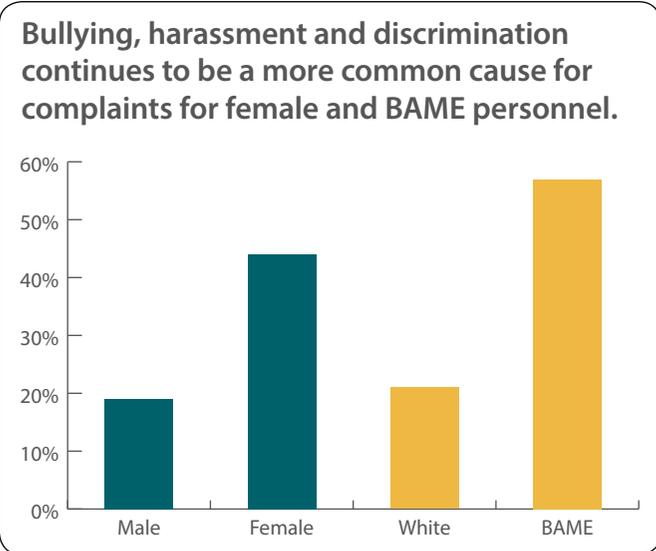
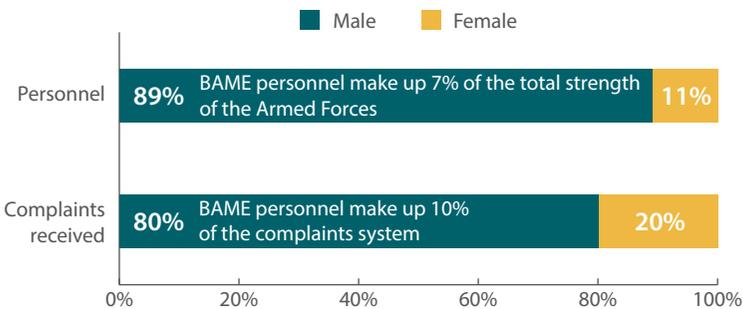
1,009
Service complaints received by the Services



775
Admissible
234
Not admitted



Female and BAME Service personnel were overrepresented in the Service complaints system in 2017.



47 legacy complaints (complaints made before 1 January 2016) remain open.

Recommendations

Based on the work undertaken by the OSCO in 2017 and the current state of the Service complaints system, the Ombudsman makes the following recommendations in her report.

Recommendation 2.1

That by December 2018, the Ministry of Defence completes its review of JSP 763 and publishes the updated version that corresponds with the reformed Service complaints process.

Recommendation 2.2

That by December 2018, JSP 831 is amended to explicitly set down as a required step that upon receipt of:

- a written statement of complaint (whether or not on an Annex F), or
- a referral from the Ombudsman

the Specified Officer *speaks* to the individual Service person to establish the nature of their complaint. Given the nature of the work of the Armed Forces, this could be done in a face to face meeting, by phone or video conferencing. The guidance should further acknowledge that in some cases there will be legitimate reasons for omitting this step, but that it is expected that such instances will be rare. Furthermore, any such decisions must be properly documented.

Recommendation 2.3

That by December 2018, all guidance and training provided to Commanding Officers and Specified Officers is reviewed to ensure that it includes specific reference to the extended timeframes to make a Service complaint that concerns a matter that could be taken to an Employment Tribunal. This guidance should include examples of the types of complaints which may give rise to the extended timeframe.

Recommendation 2.4

That by April 2019, training is available to personnel involved in making decisions as part of the Service complaints process, including Specified Officers, Decision Bodies and Appeal Bodies, on decision writing for complaints handlers. This could be discreet training or part of a wider package on Service complaints as referred to in Recommendation 2.7.

Recommendation 2.5

That by December 2018, the Ministry of Defence develops guidelines on the handling of informal complaints that can be included as an Annex to JSP 831. This guidance must provide, as a minimum, information on when it is and is not appropriate to follow informal processes and the steps to be taken in recording the informal process. The guidelines must also state that a complainant cannot be forced or unduly pressured/encouraged to agree to informal resolution.

Recommendation 2.6

That by October 2018, the method for approval and payment of compensatory sums under the amount of £500 is standardised across the single Services. The Ombudsman recommends that the Naval Service and RAF follow the lead of the Army and seek delegated authority from Her Majesty's Treasury to make such payments in order to avoid further delays.

Recommendation 2.7

That by April 2019, an online training module on the Service complaints process, including a module on how to handle Service complaints for personnel charged with that process, i.e. Commanding Officers, Specified Officers, Decision Bodies and Appeal Bodies, is developed and implemented tri-Service.

Recommendation 2.8

That by April 2019, the Ministry of Defence reviews the existing primary and secondary legislation and determine how amendments can be made to provide a mechanism for respondents to a Service complaint to ask the Ombudsman to investigate alleged undue delay in the handling of that complaint. This mechanism should be available to all respondents, regardless of whether they are currently serving.

Recommendation 2.9

That by December 2018, in time for the 2019 survey, a section is added to the Reserves Continuous Attitude Survey that mirrors that in the Armed Forces Continuous Attitude Survey looking at fairness at work, the Service complaints process and knowledge of the Service Complaints Ombudsman.

Recommendation 2.10

That by December 2018, the Ministry of Defence amends JSP 831 to stipulate that the single Service secretariats are responsible for challenging withdrawals where the complainant, or potential complainant, has indicated they have been discouraged from making a complaint, or had undue pressure placed on them to withdraw their complaint. This must be accompanied by clear processes to be followed in such instances. Such processes can be developed at the local level so long as there is a consistency in approach across the single Services.

About the Service Complaints Ombudsman

The Service Complaints Ombudsman for the Armed Forces provides independent and impartial oversight of the Service complaints system. The primary way in which she does this is through her powers of referral and investigation. Using these powers the Ombudsman can:

- refer a Service person's intention to make a Service complaint to their chain of command
- review a decision by the chain of command to not accept a complaint for investigation or to not allow a complaint to proceed to appeal for a further decision
- investigate allegations of undue delay in the handling of a Service complaint or Service matter
- investigate the substance (merits) of a Service complaint which has completed the internal process
- investigate allegations that there was maladministration in the handling of a Service complaint which has completed the internal process

Contacts

Enquiries about this publication should be directed to:

Media enquiries 020 7877 3438
ExternalRelationsManager@servicecomplaintsombudsman.gsi.gov.uk

Statistical enquiries 020 7877 3452
StatisticsManager@servicecomplaintsombudsman.gsi.gov.uk

Contact details for individuals wishing to make an application to the Ombudsman or to find out more about the OSCO are:

Website <https://www.servicecomplaintsombudsman.org.uk>
Email contact@servicecomplaintsombudsman.gsi.gov.uk
Phone 020 7877 3450
Postal Address PO Box 72252, London SW1P 9ZZ