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# Annual Report **2022**

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Independence | Impartiality | Integrity





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Presented to Parliament pursuant to Section 340O of the *Armed Forces Act 2006*, as amended by the *Armed Forces (Service Complaints and Financial Assistance) Act 2015*, c.19.

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# Our mission

To provide independent oversight and investigations in support of an effective Service Complaints process for members of the UK Armed Forces.

# Our vision

That all Service personnel have access to, and confidence in, a Service Complaints system that is efficient, effective and fair.

# Our customer charter



## Respect

We will treat you with courtesy and respect at every stage of the process and we expect you to treat our staff in the same way.

## Communication

We will always ensure that the information we provide is clear and easy to understand. This includes information about our role and what we can and cannot do. We expect you to provide the information we ask for and to be honest in your communications with us.



## Impartiality

We will undertake all aspects of our work fairly and impartially as an independent body.

## Transparency

We will always act openly and transparently and will publish information about our work and the Service Complaints system. In doing this, we will never compromise confidentiality.



## Improvement

We will continually look to improve the service we offer and listen to the feedback you provide. We hope that you will help us achieve this by responding to our requests for feedback at the end of the process.

The full version of SCOAF's customer charter can be found on our website  
<https://www.scoaf.org.uk/about-us/customer-charter/>

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## Foreword from the Ombudsman



Dear Secretary of State,

I am pleased to present the Annual Report for 2022, covering my second year in post as the Service Complaints Ombudsman for the Armed Forces. Whilst there have been a number of changes delivered and improvements made this year, unfortunately the system is still not yet operating in a way which is efficient, effective or fair. However, this should not detract from the progress that has been made, and I am persuaded that real, lasting change is within our reach.

The Services have once again invested considerable time, effort and resource into improving the timeliness of Service Complaints, the results of which can be seen in the achievement of a timeliness figure of 66% of cases meeting the KPI. Whilst still falling short of the ambition to close 90% of all in-year Service Complaints within 24 weeks, this still represents the most significant improvement and strongest performance to date across all three Services. Further work remains to be done in terms of streamlining the process and introducing casework efficiencies, the specifics of which are addressed through recommendations made in this report.

Changes to Service Complaints legislation implemented in June 2022 have improved the independence of the system, the effect of which is that more people are coming forward with their complaints. This is a positive development, which speaks to the need to ensure that the single Service Secretariats are equipped to deal not only with current volumes, but also with any future increases. There is however a balance to be struck between improving independence and access at the front end, without losing the opportunity for informal resolution.

The pace of change within Service Complaints has long been commented on by this office. Whilst this remains a concern, a number of recommendations have been closed this year, and there has been an increased level of engagement between the Service Complaints Transformation Team and my office in terms of how changes should be taken forward. This engagement should remain a key focus for progressing open and future recommendations, in order to ensure that any changes implemented are fully understood and bought into, and that they deliver the intended impact.

There are some specific recommendations which the Ministry of Defence considers should be closed; however, I have disagreed, and these remain in progress. It must be remembered that this report covers the period up to and including 31 December 2022. Therefore, I have not agreed that recommendations 1.10, 6.2 and 6.4 should be considered closed for the purpose of this report. Notwithstanding this, there is a clear plan in place to complete the outstanding work required, and I see no reason why these specific recommendations cannot be closed within the first half of 2023. I am grateful for the renewed efforts of the Service Complaints Transformation Team in progressing this work.



I am pleased to report SCOAF succeeded in meeting our own KPI this year, representing an 11% improvement and the best performance on record. This is due in no small part to the dedication of my team, and a commitment to improving our own operational procedures as set out in our Strategic Objectives. Additional work is ongoing to reduce our backlog further and ensure that we are providing the best possible service for users of the Service Complaints system.

Whilst this has been a challenging year, progress is being made. The level of engagement and enthusiasm from the Services is extremely heartening, and I remain convinced that with continued focus and dedication, real and lasting improvements are well within reach.



**Mariette Hughes**

Service Complaints Ombudsman for the Armed Forces



## Message to my team

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2022 has been another busy year, with the return of the Stakeholder Symposium, an enhanced number of outreach visits and engagements, and the implementation of new Service Complaints legislation. Throughout all of this, the SCOAF team has remained dedicated, engaged and enthusiastic about the important work that we do.

The changes brought about by Service Complaints reform legislation represent the biggest change to the system in a number of years and understanding how these changes fit with the work of SCOAF and our operational processes has not been easy. However, the members of my Investigations Team have faced these challenges together and have worked collaboratively with both myself and the Services to understand the best way to address these. I am incredibly grateful to the whole team for their involvement in getting these new processes off the ground, and I must pay particular tribute to my Enquiries and Referrals Officers, who have guided complainants through the new system with exemplary professionalism and understanding.

Operational performance in 2022 reflects a landmark achievement – the best performance on record, and the first time that SCOAF has met our own KPI. This significant achievement is the culmination of hard work, an openness to new ideas, and the commitment of all staff across SCOAF to delivering a quality service.

I must also thank my Business Team, who have worked tirelessly to support the work of SCOAF. Significant progress against our objectives has been achieved this year. This includes a refreshed communication strategy, further improvements in our internal management and governance, and close and ongoing liaison with the Ministry of Defence in relation to legislative changes and the closure of a number of recommendations.




As I look back over the Strategic Objectives we set together as a team, I am thrilled with the progress that has been made and the improvements we have brought about, both internally, and in support of the wider Service Complaints system. I am incredibly excited to see what more can be achieved in the future with the support of this fantastic team – without whom, none of this would be possible.

# Executive summary

The Service Complaints Ombudsman for the Armed Forces' Annual Report 2022 reports on the work undertaken by her office throughout 2022, and the current state of the Service Complaints system.

## Efficient, effective and fair

Whilst there have been some shifts in the assessments made, most notably in relation to efficient, the Ombudsman remains unable to say overall that the system is efficient, effective or fair. A more detailed analysis can be found in [Chapter 1](#).

		
<p><b>Good performance</b></p> <ul style="list-style-type: none"> <li>● Operates to keep up with demand</li> <li>● Is independent and impartial</li> <li>● Achieves appropriate outcomes</li> </ul>	<p><b>Moderate performance</b></p> <ul style="list-style-type: none"> <li>● Deals with complaints at the lowest suitable level</li> <li>● Resolves complaints within the allocated timeframes and without undue delay</li> <li>● People have knowledge of the complaints process</li> <li>● People have confidence in the complaints process</li> <li>● Has clarity of purpose</li> <li>● Acts on the results of complaints and lessons learned to bring about change</li> <li>● Has openness and transparency</li> <li>● Is accessible</li> </ul>	<p><b>Poor performance</b></p> <ul style="list-style-type: none"> <li>● Is flexible and proportional</li> <li>● Does not disadvantage or discriminate</li> </ul>

## The performance of the Service Complaints system in 2022:

**935** Service Complaints were ruled admissible (25% rise)

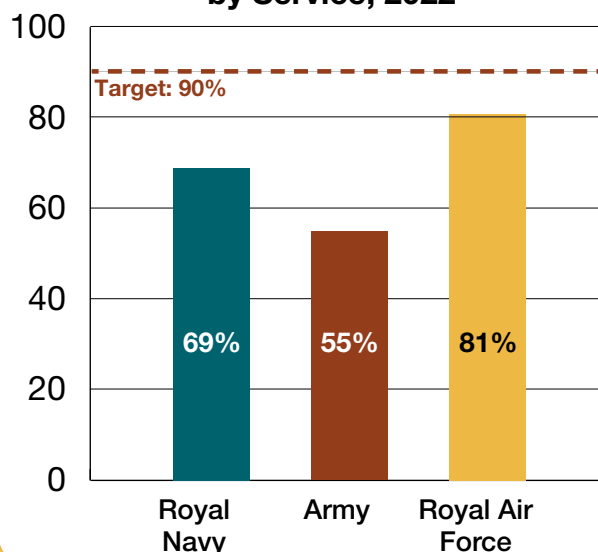
**1 in 210** Service personnel raised a Service Complaint

**8 out of 9** applications result in a complaint being investigated

**43%** of Service Complaints are upheld

**37%** of Service Complaints are not upheld

**In-year timeliness rate by Service, 2022**



The three largest areas of complaint concerned:

**39%**

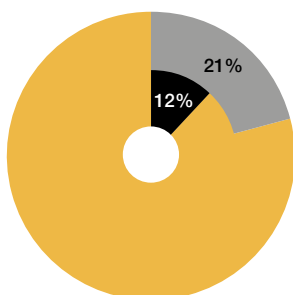
**Career management**

**24%**

**Bullying, harassment and discrimination**

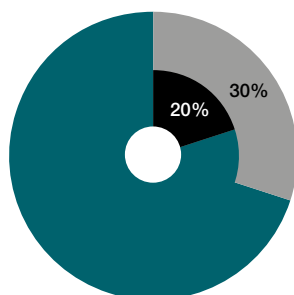
**9%**

**Pay, pensions and allowances**



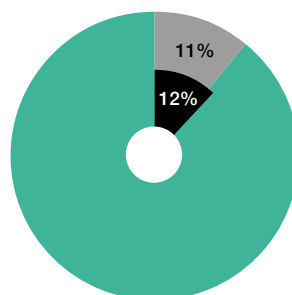
### Female

Females are overrepresented: **12%** of personnel, **21%** of Service Complaints.



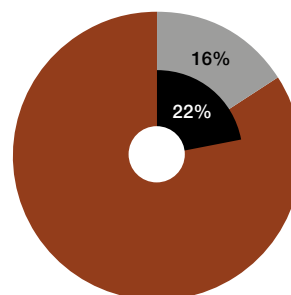
### Officers

Officers are overrepresented: **20%** of personnel, **30%** of Service Complaints.



### Ethnic minorities

Ethnic minorities are not overrepresented: **12%** of personnel, **11%** of Service Complaints.



### Reservists

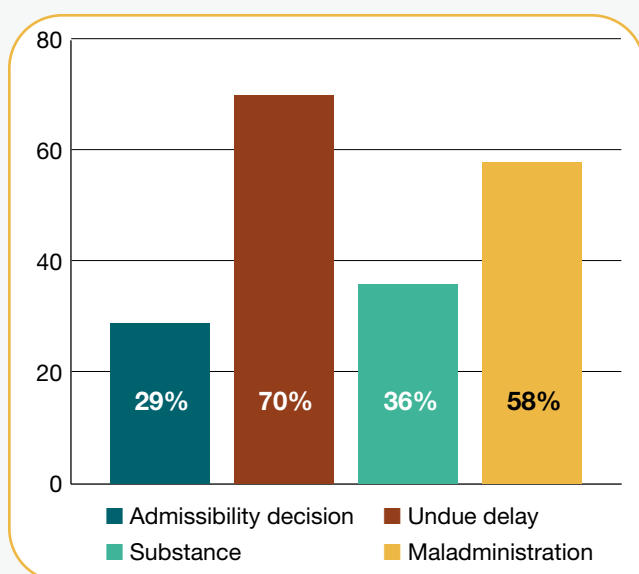
Reservists are underrepresented: **22%** of personnel, **16%** of Service Complaints.

A more detailed analysis of this can be found in [Chapter 2](#) of this report.

## Our performance in 2022:

 **1,083**  
contacts logged

### Percentage of SCOAF investigations upheld in favour of the complainant by type, 2022



**356** applications for investigation were received

**91%** of applications were eligible for investigation



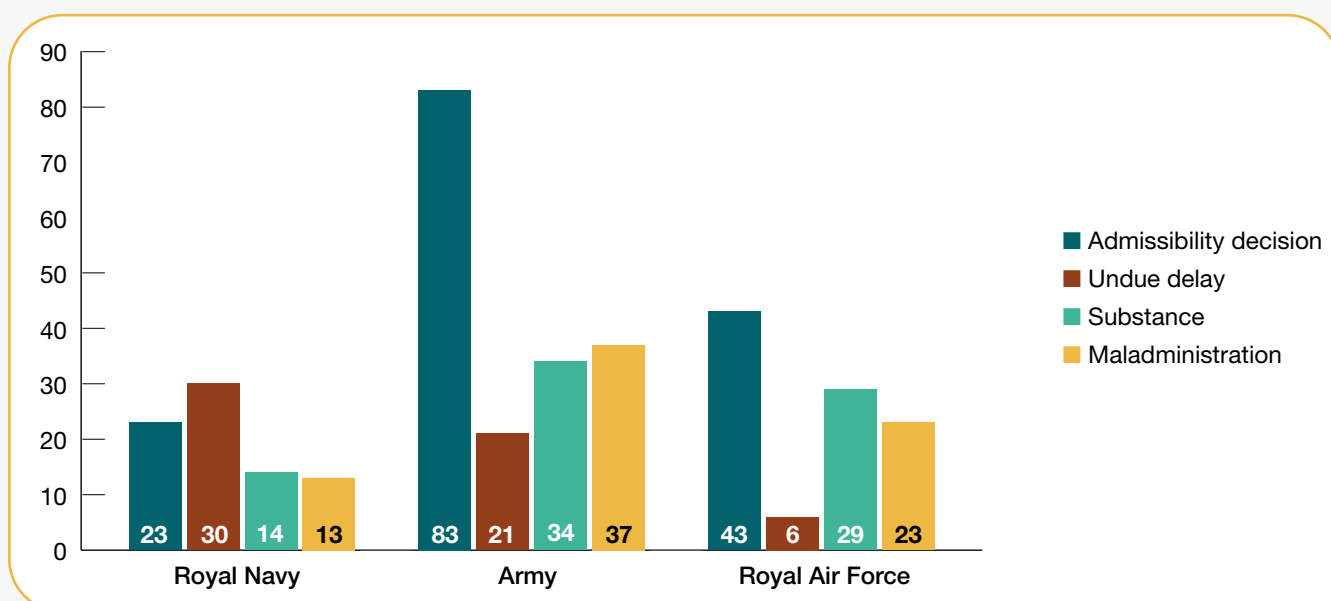
**70%** of applications were accepted for investigation

**94%** of investigations were completed within the time target



**214** referrals made  
**100%** of referrals were made within the time target

### Number of SCOAF investigation applications received in 2022 by type and Service

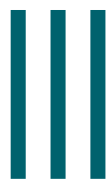


A more detailed analysis of this can be found in [Chapter 3](#) of this report.

## Recommendations

This year the Ombudsman made five recommendations. Further details are in [Chapter 4](#) of this report.





# Chapter 1 – Efficient, effective and fair: the Ombudsman's assessment

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Our vision is that all Service personnel have access to, and confidence in, a Service Complaints system that is efficient, effective and fair.

The system must show itself to be efficient in the handling and processing of complaints, eliminating backlogs and unnecessary delays. It must be effective, meaning that it achieves the purpose of resolving issues appropriately for Service personnel. And finally, the system must be fair, and ensure that the correct outcomes are reached, in a way that is open and transparent.

Whilst there have been some shifts in the assessments made, most notably in relation to efficient, **the Ombudsman remains unable to say overall that the system is efficient, effective or fair.**

This year the Ombudsman has made five new recommendations with the intention of driving further improvements. These recommendations are intended to provide a clear direction of travel, whilst noting that their effects will be felt across many of the measures used to consider whether the system is efficient, effective and fair. For this reason, the new recommendations are set out in full at the end of this chapter but are referenced in **blue** throughout this chapter.

Ombudsman's assessment	2021	2022
<b>Efficient</b>		
Deals with complaints at the lowest suitable level		
Resolves complaints within the allocated timeframes and without undue delay		
Operates to keep up with demand		
<b>Effective</b>		
People have knowledge of the complaints process		
People have confidence in the complaints process		
Has clarity of purpose		
Is flexible and proportional		
Acts on the results of complaints and lessons learned to bring about change		
<b>Fair</b>		
Is independent and impartial		
Has openness and transparency		
Is accessible		
Does not disadvantage or discriminate		
Achieves appropriate outcomes		

		
<b>Good performance</b> The Service Complaints system is performing well in this area.	<b>Moderate performance</b> The Service Complaints system has made improvements in this area, but further work is required. <sup>1</sup>	<b>Poor performance</b> The Service Complaints system is performing poorly in this area.

<sup>1</sup> Issues preventing a higher assessment may be outside of the immediate Service Complaints process.



## Efficient

An efficient complaints system is one that:

- Deals with complaints at the lowest suitable level.
- Resolves complaints within the allocated timeframes and without undue delay.
- Operates to keep up with demand.

### **Deals with complaints at the lowest suitable level**

Resolving complaints as early as possible, with the minimum formality, is a fundamental aspect of complaints handling, which improves the experience of those using the system, as well as bringing benefits in terms of timeliness and efficiency.

The legislative reforms introduced in 2022 mean that individuals no longer submit complaints via their chain of command, instead they go directly to the single Service Central Admissibility Team. Whilst this brings about positive change in terms of the independence of the system and improving trust and confidence, feedback from all three Services indicates that there are still benefits to involving the chain of command in the early stages of a complaint, where appropriate.

Feedback from the Central Admissibility Teams demonstrates that without the support of the chain of command in submitting a complaint, opportunities for informal resolution may be lost or missed. Furthermore, there are advantages to complainants being able to discuss what they may wish to achieve from a Service Complaint, possible types of redress, and any available Special to Type procedures, before submitting the complaint. This is supported by the fact that SCOAF's Service Complaints User Feedback Survey reports that 67% of those who raised a Service Complaint said there had been no attempts to resolve the matter informally. By contrast, an increased number of complaints this year were resolved after admissibility decisions were made, but without the need for a formal decision (9% compared with 6%<sup>2</sup> in 2021). This suggests that there are opportunities to resolve complaints quickly, without the need for full investigations.

In last year's Annual Report, SCOAF recommended that the Annex F complaint form be reframed to ensure a consistent recording of all grievances, whether proceeding to a formal Service Complaint or not, and that there should be a single point of entry for formal and informal resolution of complaints (recommendations 6.1 and 6.3). This was on the basis that individuals are often unclear on the possible resolutions available to them, or the best course of action to address their concerns. SCOAF has also seen cases where individuals have been attempting to resolve matters informally, and as a result have missed the window to raise a Service Complaint and had their complaint ruled out of time.

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<sup>2</sup> The percentage of cases remedied before final decision has been adjusted from 8% to 6% for 2021 due to a revision of outcome classifications.

**“My complaint was deemed inadmissible because I waited too long for the individuals to provide a response before submitting a complaint. To date they still have not provided a response to my two emails and this seems unfair as I was attempting to resolve at the lowest level.”**

Recommendations 6.1 and 6.3 have been accepted by the Ministry of Defence, and discussions have taken place as to the best way to implement these changes. SCOAF does not therefore intend to make further recommendations on this issue. It remains the case that a solution needs to be agreed which will maintain a focus on assistance and support for individuals in seeking informal/early resolution. Such a solution also needs to ensure there is still an independent Central Admissibility Team to make admissibility decisions on those cases which may require investigation.

### **Resolves complaints within the allocated timeframes and without undue delay**

The KPI for timeliness within the Service Complaints system requires that 90% of complaints are resolved within 24 weeks of being ruled admissible. The target leaves a 10% allowance for Service Complaints that are too complex to be resolved within that time. This does not include the time taken to make a decision on the admissibility of a Service Complaint. However, this remains an important stage of the process, particularly from the perspective of those raising complaints.

Therefore, when investigating complaints about delay in the handling of a complaint, SCOAF considers the time taken for the admissibility decision to be made, as well as the time being taken to investigate the complaint.

SCOAF understands that, on occasion, issues will occur which mean the Services are unable to resolve a matter within the recommended timeframes. When SCOAF investigates undue delay, the fact that a case may have missed the 24-week target does not automatically lead to a finding of undue delay. Undue delay occurs when there is significant delay or inactivity on a case, for which there is no good reason, and which has caused an injustice to the complainant.

### ***Delays at admissibility***

Guidance says an admissibility decision should be made by a Specified Officer within ten working days of a statement of complaint being acknowledged. Statistical data on this aspect of the process remains limited. However, the intention is that this will be included within reforms to the KPI (as per recommendation 3.6).

Anecdotally, SCOAF has observed far fewer examples of significant delays at the admissibility stage since the introduction of Central Admissibility Teams. Indications are that the time taken to make admissibility decisions has reduced significantly as a result of the new process. This means that Service personnel are able to gain clarity at a much earlier stage as to whether or not their complaint will be taken forward, which is a positive development.

### ***Delay within the Service Complaints system***

For cases deemed admissible, the overall timeliness figure in 2022 was 66%. This represents a 19% improvement on last year, and the best performance on record. Whilst this still falls short of the 90% KPI, this performance is to be commended and represents a significant improvement in the user experience. Within each of the Services, timeliness was 69% for the Royal Navy, 55% for the Army and 81% for the RAF. The overall average handling time for all complaints tri-Service has dropped slightly to 35 weeks, from 36 weeks in 2021.

A significant factor in the overall timeliness figure has always been the time taken for an appeal. Part of the improvement in timeliness can therefore be attributed to a reduced number of cases where appeals were eligible to proceed, after the legislative reforms introduced in June 2022. The new grounds for appeal introduced under the reforms have only been in place for six months, and it therefore remains to be seen if this will have significant, long-lasting effects on timeliness.

Whilst overall improvements in timeliness are to be welcomed, it remains the case that the average resolution time for appealed cases was 79 weeks. This means that for cases which proceed to appeal, individuals are waiting on average an additional 53 weeks to receive a final determination, which is simply too long. In many cases, the seniority of those appointed to determine appeals means that it is not always possible to align diaries and progress cases quickly. Standard operating procedures and expected timeframes for the allocation and handling of appeals should be considered as part of [recommendation 7.1](#).

**“What was a simple complaint has now dragged on for eight months. It is nothing short of torturous [...] Why not resource a team whose role is to deal with SCs and close them down?”**

In terms of undue delay on specific cases, in 2022, SCOAF received fewer applications requesting that we investigate undue delay, which may well reflect the improved experience for users. However, in the applications we did receive, we found undue delay in 70% of cases, compared with 57% last year.

Of the cases investigated by SCOAF, the main reasons leading to findings of undue delay related to case handovers, caseworker capacity and/or staff shortages, and poor administrative practices. The Ombudsman welcomes the development of a new tri-Service Case Management System, which will improve the administrative handling of complaints and further reduce delays. The Ombudsman also recognises the efforts of all three Services to identify efficiencies in their own process, which is covered in more detail within [Chapter 2](#).

Several cases also experienced undue delay in the time taken for a Decision Body (DB) to be assigned, to write a decision, and to have legal advice provided. It should be noted that the use of a standing pool of specialist/Volunteer ex-Regular Reserve DBs is something that has been embraced across all three Services and which has had the effect of reducing some of these delays. However, as observed in Annual Report 2021, the Ombudsman considers that the practice of having DBs decide on cases investigated by someone else is not an efficient way of resolving complaints. There is an element of duplicated work in requiring someone new to read and consider the case file. Efficiencies could be gained by establishing a pool

of permanent DBs who are also tasked with the investigation of cases (noting that certain cases will still require the use of a specialist Harassment Investigation Officer). This should therefore be considered as part of **recommendation 7.1**.

### **Operates to keep up with demand**

In 2022, the Services experienced a 25% increase in the number of Service Complaints admitted, which represents a significant shift in demand. Despite this, the Services have still managed to close slightly more cases (950) than they ruled admissible (935). This is a significant achievement in the face of increased demand, and the Services are to be commended for this.

This is the second year running where the Services have closed more cases than were admitted, and I am therefore satisfied that this measure can currently be recorded as being achieved.

The rise in demand coincided with the introduction of Central Admissibility Teams under the new legislation, which suggests that individuals are now more comfortable coming forward with their complaints. Given that the legislation was introduced halfway through the year, it is to be expected that demand will increase further in 2023.

Significant additional funding has been allocated to the staffing of Service Complaints; however, it is equally important to ensure that the processes and staffing of Service Complaints are configured in such a way as to ensure efficiency. The Ombudsman considers that lessons can be learned from process reviews, successes experienced this year, and external complaints handling organisations. The development of standardised processes and staffing ratios would better enable the Services to manage peaks in demand in the future and better articulate any further funding requirements. This therefore also forms part of **recommendation 7.1**.

“ Across the board, everyone involved in the process [...] need formal training – or have a team whose full time job is to manage SCs. ”

### **SUMMARY – is the system efficient?**

*Significant improvements have been made in the efficiency of the Service Complaints system in 2022, and it is performing better than in previous years. However, performance is not yet in line with the KPI and delays remain a concern – therefore the system is not yet operating in a way which is fully efficient.*

## Effective

An effective complaints system is one where:

- People have knowledge of the complaints process.
- People have confidence in the complaints process.
- The system has clarity of purpose.
- The system is flexible and proportional.
- The system acts on the results of complaints and lessons learned to bring about change.

### People have knowledge of the complaints process

For a complaint system to be effective, people must have knowledge of it. They need to know how it works, how it can help them, and understand how to use it.

The Ombudsman has conducted several outreach and focus visits in 2022 (see [Appendix E](#)) with the intention of both gauging, and increasing, awareness of the complaints process. During these visits, the Ombudsman noted that there is a general level of awareness that the Service Complaints system exists and can be accessed by personnel. However, knowledge of how to go about raising a complaint, the process to be followed in an investigation, potential outcomes and access to SCOAF were not well understood. This is supported by the Armed Forces Continuous Attitude Survey (AFCAS) for 2022, which reports that only 20% of personnel knew 'a lot' about the system.

In addition to this, Service personnel spoken to on outreach visits were not clear on the legislative changes introduced in June 2022, in terms of how admissibility is determined, and the changes to the appeals process.

It is also recognised that individuals may not require detailed knowledge of the system until they have need of it, and this information should therefore be easily accessible at the point of need. Whilst the policy that governs the Service Complaints system is tri-Service, it is of note that there is no single landing page within defnet to access information on Service Complaints, provide an overview of the system, and raise awareness of any changes. Such a page could also be used to signpost individuals, provide contact details for the single Service Secretariat Central Admissibility Team, and provide information about and signposting to SCOAF. This is therefore the subject of [recommendation 7.2](#).

The role of Assisting Officers (AO) is vital in helping individuals navigate the Service Complaints system. In 2022, SCOAF's Service Complaints User Feedback Survey indicated that 17% of those responding were not offered an AO, which rose to 23% for those raising bullying, harassment and discrimination complaints. Of those who were offered an AO, 38% said they did not find this helpful.

Recommendation 1.8, which was issued in Annual Report 2016, recommended that a training programme be developed for AOs and completion records be held centrally, to ensure the availability of suitably qualified AOs. A training needs analysis has now been carried out; however, the full intention of this recommendation has yet to be implemented.

The need to provide support to complainants and respondents both at the outset and throughout a complaint is well established. Once the training programme outlined in recommendation 1.8 is operational, there is benefit in considering whether the automatic allocation of an AO should be brought alongside recommendations 6.1 and 6.3.

### **People have confidence in the complaints process**

For individuals to have confidence in the complaints process, they have to believe that their complaint will be taken seriously, handled properly, investigated thoroughly, and that a fair outcome will be reached. They also have to feel confident that they will not face any adverse impact as a result of raising their complaint.

AFCAS reported that in 2022, 12% of personnel had experienced bullying, harassment or discrimination in the last 12 months (a 1% increase on 2021). However, only 7% of those individuals went on to make a complaint. This is a substantial drop from 11% in 2021. The reasons given for not raising complaints were that personnel did not believe anything would be done about it (56%) and that complaining would adversely affect their career (51%). These figures indicate that confidence in the system, particularly for those experiencing inappropriate behaviours, remains worryingly low.

However, this must be balanced by the fact that there has been a 25% increase in the number of complaints submitted, which is not mirrored by the small increase in people reporting that they have experienced bullying, harassment and discrimination. This may indicate that overall confidence in the system has increased.

Since the establishment of the Service Complaints system 14 years ago, confidence in, and the effectiveness of, it has remained low. To a certain extent, an individual's level of confidence in the system will be driven by performance in other areas – confidence may well increase if Service personnel are persuaded that the system is operating efficiently, effectively and fairly.

To support an increased level of confidence, the Ombudsman plays a vital role in assuring the operation of the system. However, SCOAF does not have direct access to the entirety of the system and is only able to review decisions which have been finally determined, and only then on receipt of an application. The result of this is that the Ombudsman can only provide limited assurance, based on a combination of case reviews, external and internal surveys, and anecdotal feedback.

Confidence in the system could be improved by the introduction of formalised quality assurance processes, with the ability for the Ombudsman to conduct dip samples. This is therefore the subject of [recommendation 7.3](#). It should be noted that the required staffing and processes for this would need to be considered alongside [recommendation 7.1](#). If it is decided that the Ombudsman would simply be able to provide commentary and feedback on the results of dip sampling, this could be achieved within the current legislative framework. However, should there be an appetite to enable the Ombudsman to direct specific action as a result of any concerns, this may require amendment to legislation.



## The system has clarity of purpose

A common trend observed by the Ombudsman in 2022 is the delta between what complainants wish to achieve as a result of a Service Complaint, and the likely/possible forms of redress. The system would benefit from a clear statement of purpose, along with a simple explanation of what can be expected and what can be achieved. This could also be supported by the provision of anonymised case studies demonstrating the process and outcomes of Service Complaints. This should be included in the consideration of [recommendation 7.2](#).

Many of the conversations which have taken place this year between the Ombudsman and the Service Complaints Transformation Team have focused on the relevant legislation and policy supporting the system. On occasion, there is a sense that the intention of previous recommendations has been lost in the delivery of specific outcomes, and it is rare that completed recommendations are revisited in terms of effectiveness and impact.

It is vital to ensure that, in all these conversations, the focus is on what the system is trying to achieve, and the commonly accepted principles of good complaints handling. There is also a need to keep completed recommendations under review, to ensure that they are delivering the correct outcomes for Service personnel. This is therefore addressed in [recommendation 7.4](#).

## The system is flexible and proportional

All complaints are unique to the individual circumstances, and those involved will have differing needs. To be effective, a complaints system should be flexible enough to adapt the approach in order to support resolution.

In 2022, 81% of individuals responding to SCOAF's Service Complaints User Feedback Survey said the system did not take account of their individual circumstances, although the exact nature of those circumstances is unclear. However, as an example, the Ombudsman is aware of one case where an individual had been through an extremely traumatic experience and asked to be assigned a female Investigating Officer in order to make them feel more comfortable during the investigation. The Service declined to provide this – yet this is a prime example of a situation where the ability to grant a simple request would have vastly improved this individual's experience of the process. Under [recommendation 7.1](#), consideration should also be given to ensuring a diverse demographic of personnel in the staffing of the system, to ensure requests such as this can be accommodated, where possible.

Many people have mentioned to the Ombudsman that they wanted to speak with someone about their concerns, and to fully explain the basis for their complaint, in a less formal setting than evidence gathering interviews. Anecdotal feedback suggests that the current approach to investigation makes individuals feel like there is a lack of flexibility in the process, and that it is too formal.

“For some one that struggles with IT, I think I would have been more comfortable and been able to give more depth to aspects/areas of my SC if it had been a recorded phone conversation.”

The Ombudsman has also observed instances where the defined Heads of Complaint admitted as the Service Complaint are too restrictive and do not allow for the complainant to add further examples and evidence. SCOAF provides feedback to the relevant Service on individual cases. The Ombudsman has also set up quarterly collaborative meetings with all three Services to discuss different approaches which may be considered, and any common issues. The Ombudsman notes the openness of all three Services to these different approaches as noted in their narratives and welcomes this, as not all complaints will require the same length and style of investigation.

The proportionality of complaints investigations remains a concern, and the Ombudsman has noted the sheer size of evidence bundles and disclosure packs, which form part of the Service Complaints process. As part of **recommendation 7.1**, consideration should be given to establishing clear guidelines on what evidence is required in order to make a decision, and how that information is presented and disclosed.

As mentioned under efficient, it is simply not proportional for appeals to take an additional 53 weeks. The Ombudsman would hope to see this timeframe reduce, given the new requirement to bring appeals on specific grounds. Again, any implementation of **recommendation 7.1** should also include guidelines on how appeals are handled, and who is appointed to consider these.

### **The system acts on the results of complaints and lessons learned to bring about change**

The Ombudsman is committed to ensuring that feedback and learning from all complaints is shared and that changes are made as a result. The newly established quarterly meetings with the Services will ensure that trends and feedback can be discussed, and actions agreed, in terms of the Ombudsman's observations on specific cases.

The Ombudsman understands that the Services compile information on the outcomes of Service Complaints and any redress/further action required as a result of this. It should be considered whether a review of the issues identified in Service Complaints and any further action taken should be included as part of the wider quality assurance described in **recommendation 7.3**. It is of significant concern that 98% of individuals responding to SCOAF's Service Complaints User Feedback Survey said the underlying issue at the heart of their Service Complaint was not resolved.

In terms of wider cultural change within the Services, the Ombudsman is keen to see the closure of recommendation 1.10, relating to the experiences of female and ethnic minorities personnel. The Ministry of Defence has provided an update in terms of how formalised reviews of the experiences of these individuals and their complaints will be carried out. The Ombudsman will be pleased to see these reviews implemented, with the intention that organisational learning and improvements can be sought as a result.



It also remains the case that the pace of change within the Service Complaints system is too slow. Progress has been made on several of the open recommendations this year, and the Ombudsman is grateful for the renewed focus that has been given to implementing changes. It is anticipated that the remaining open recommendations from previous years, and therefore recommendation 6.4, will be closed in the first half of 2023. However, this does not mean that there will be no further changes required: continued drive and commitment will be necessary to ensure that the system can change and respond as required to provide Service personnel with access to a Service Complaints system which is efficient, effective and fair.

**SUMMARY – is the system effective?**

*The Ombudsman found knowledge of, and confidence in, the system remain areas to work on. Furthermore, continued focus must be given to ensuring that changes can be implemented at pace, to act on lessons learned. For this reason, the Ombudsman cannot yet report the system as being effective.*

## Fair

A fair complaints system is one that:

- Is independent and impartial.
- Has openness and transparency.
- Is accessible.
- Does not disadvantage or discriminate.
- Achieves appropriate outcomes.

### Is independent and impartial

The Ombudsman has not observed anything in 2022 which would give rise to serious concerns about the independence and impartiality of the Service Complaints system. The introduction of Central Admissibility Teams is welcomed by the Ombudsman, as the individuals making admissibility decisions are not in the chain of command and have not had any involvement in the events leading to the Service Complaint. The Ombudsman also welcomes the requirement to have an independent member sit on appeal panels where bullying, harassment and discrimination is alleged.

However, there remains an issue with perceived independence of the system, with 59% of individuals reporting to AFCAS that they were unhappy with the objectivity and fairness with which their complaint was handled. Following comments made in Annual Report 2021 and reiterated in outreach with the Services, the Ombudsman is pleased to note fewer instances of overly personal observations and potentially negative language being used in decisions. However, complainants continue to raise concerns around perceived bias in the decisions they receive. The Ombudsman has observed that these tend to arise less from actual bias or poor decision making, and more from a failure to explain the decisions made and the reasoning used in a way that can be easily understood. Feedback on this has been provided to the Services and will continue to form part of the Ombudsman's schedule of outreach and shared learning.

**“I am grateful to the SCOAF, without whom my complaint would never have been deemed admissible nor investigated.”**

SCOAF provides independent and impartial oversight of the Service Complaints system, and it is essential that an Ombudsman sits outside of the sector which it has oversight of. The Ombudsman is satisfied that whilst a positive and collaborative relationship has been established with both the Ministry of Defence and the Services, she remains able to assess the performance of the system with objectivity and complete independence. It is frustrating that the public facing framework agreement setting out the governance arrangements for SCOAF has not yet been published. However, there have been no changes to the way SCOAF operates and no barriers to discharging the Ombudsman's statutory functions.

Whilst this aspect of the system is operating well, this could be improved even further through the acceptance of **recommendation 7.3**.

### **Has openness and transparency**

Of those responding to SCOAF's Service Complaints User Feedback Survey, 88% of surveyed complainants did not find the Service Complaint process open and transparent. Whilst this represents an improvement compared with 2021, it remains an area of concern. Of particular note is the fact that this figure does not change significantly based on whether the complaint was upheld in the individual's favour. This suggests that even where the desired outcomes are achieved, the process itself is not viewed as open or transparent.

The Ombudsman considers that this relates to the management of expectations at the start of an investigation, along with the provision of information setting out what individuals can expect in terms of how their case will be investigated and how a determination will be reached. This should therefore be considered in the implementation of **recommendation 7.2**.

In a number of cases this year, the Ombudsman has noted that initial interviews at the admissibility stage are still not being routinely carried out. This is an important part of the process as set out in 'Redress of Individual Grievances: Service Complaints' (JSP 831).<sup>3</sup> Where there are valid reasons why this cannot be done, these should be explained clearly at the outset.

The Ombudsman is also disappointed that 77% of individuals responding to SCOAF's Service Complaints User Feedback Survey said they did not receive regular or informative updates, compared with 67% last year. The development of a new tri-Service Case Management System may provide scope for automating updates to individuals. Also, the implementation of **recommendation 7.1** should provide greater clarity on the stages of an investigation, anticipated timeframes and next steps – enabling more meaningful updates to be provided.

### **Is accessible**

SCOAF provides an important function in referring complaints into the system, to ensure that all Service personnel are able to access it. Despite the introduction of Central Admissibility Teams removing perceived barriers in raising a complaint, SCOAF experienced a 34% increase in the number of individuals requesting a referral. Indications are that this is linked to the introduction of the new process, as individuals are unclear how to raise a complaint and to whom this should now be submitted. This can be addressed through the implementation of **recommendation 7.2**.

There is also confusion around whether complainants should apply for an appeal, or whether they can ask SCOAF for a substance and/or maladministration investigation, on the basis that they are not aware of any valid grounds for appeal. Examples of what can be brought as an appeal and an explanation of the different options on receipt of a DB decision should be included as part of **recommendation 7.2**.

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3 JSP 831

## Does not disadvantage or discriminate

The Ombudsman remains concerned that there is an overly negative perception of Service Complaints amongst Service personnel. It is therefore pleasing that 61% of surveyed complainants reported in SCOAF's Service Complaints User Feedback Survey that their colleagues were supportive of the fact that they had raised a Service Complaint – a significant improvement on last year which was 33%.

However, the Ombudsman has spoken to many individuals on visits this year who have provided their personal experiences of trying to raise Service Complaints. In a worrying number of cases, individuals described being ostracised and treated poorly as a result of being involved with a complaint. In one case, an individual was told that they would be removed from their current posting if they chose to raise a complaint. This is not acceptable, and therefore the implementation of **recommendation 7.2** should include clear information as to the right to raise a Service Complaint, and the support and protections offered.

**“I am fearful of the impact on my career by assisting this soldier. The soldier seems to have a valid case, but the Chain of Command clearly wish to protect a senior officer, and are prepared to destroy the soldier in order to do this. I am scared of guilt by association.”**

As in last year's report, the time taken to receive a final decision, particularly in appealed cases, remains a concern. Of those responding to SCOAF's Service Complaints User Feedback Survey, 100% of those who had been a complainant and 95% who were respondents said their health and well-being was affected by the Service Complaints process. Respondents remain particularly vocal about the impact a Service Complaint may have on them.

**“All parties in an SC have a fair and equal voice, however support – be it counselling, advice or process updates – for Respondents are unhealthily poor.”**

Female personnel remain overrepresented in the Service Complaints system, and as set out above, the Ombudsman is keen to see the closure of recommendation 1.10 relating to the experiences of female and ethnic minorities personnel. Whilst the implementation of this recommendation may not affect the number of complaints being brought, it will provide far greater oversight into the issues being faced by female and ethnic minorities personnel.

The legislative changes introduced in June 2022 mean that appeals can now only be brought on three specific grounds: material error of fact; material error in procedure; or material new evidence becoming available. As a result, fewer individuals now have recourse to an appeal determination. The Ombudsman considers that the correct decisions on appeal admissibility are being made by the single Service Secretariats, however, she remains concerned that these grounds are too restrictive. These grounds do not allow for individuals to bring an appeal on the basis that the decision reached is plainly wrong, as a result of a material error

in reasoning. The Ombudsman considers that this is detrimental to complainants, and that the grounds for appeal should be expanded as set out in [recommendation 7.5](#).

Complaints of individuals who have an appeal request denied are considered to be 'finally determined'. This means the individual is able to ask SCOAF for a substance and/or maladministration investigation. However, SCOAF is unable to conduct new investigations in the same way that an Appeal Body can, and is limited to reviewing the evidence available to the DB. The Ombudsman also considers that in cases where an initial decision may not have been correct, it is more beneficial to allow the Service the opportunity to rectify this before applying to SCOAF for an investigation. Therefore, the Ombudsman also considers that as part of [recommendation 7.5](#), complainants should be required to fully exhaust the appeals route before coming to SCOAF for a substance and/or maladministration investigation.

### **Achieves appropriate outcomes**

Individuals using the Service Complaints system must have confidence that the right outcome will be reached. In 2022, SCOAF partially/fully upheld 36% of substance investigations (compared with 50% in 2021). Bearing in mind that SCOAF also uses a triage system and will only investigate cases where we believe there is value in doing so, this is an encouraging development. This demonstrates that the correct decision is being reached in more cases than previously.

The Ombudsman has observed that decisions issued by the Services sometimes do not give full enough consideration to the emotional impact of any upheld complaints or are not clear enough about why the redress recommended will put things right for the individual. This feedback is provided on individual cases and will continue to form part of the Ombudsman's schedule of outreach and shared learning. In addition, the measures set out at [recommendation 7.3](#) will allow for continued monitoring of the outcomes reached on cases, and whether these decisions were correct.

### **SUMMARY – is the system fair?**

*The Ombudsman is encouraged that the system is independent, and that decisions received on cases appear appropriate. However, there are concerns around the fairness of the new appeal process, and further work remains to be done on accessibility.*

## Recommendations



**Recommendation 7.1** – that the Ministry of Defence, in collaboration with the Ombudsman and the Services, commits to reviewing case handling processes with a view to achieving standardisation and professionalisation across the Services. This may include considering the nature and volume of roles involved in staffing and supporting the system. *For a system that: resolves complaints within allocated timeframes and without undue delay; operates to keep up with demand; people have confidence in; is flexible and proportional.* (See pages [5](#), [6](#), [8](#), [9](#), [10](#) and [13](#).)



**Recommendation 7.2** – that the Ministry of Defence develops a dedicated area on defnet to provide information and signposting on Service Complaints, to include information on outcomes, process and appeals. *For a system that: people have knowledge of; has clarity of purpose; has openness and transparency; is accessible; does not disadvantage or discriminate.* (See pages [7](#), [9](#), [13](#) and [14](#).)



**Recommendation 7.3** – that the Ministry of Defence, in collaboration with SCOAF and in consultation with the Services, establishes a formal process of quality review allowing for oversight and dip sampling to be provided by SCOAF. *For a system that: people have confidence in; acts on the results of complaints and lessons learned to bring about change; is independent and impartial; achieves appropriate outcomes.* (See pages [8](#), [10](#), [13](#) and [15](#).)



**Recommendation 7.4** – that the Ministry of Defence and the Ombudsman agree a standard operating procedure to ensure that when changes are made and/or recommendations are carried out, the purpose and intended effect of these changes is captured and understood. This should also include a process for reviewing the impact of any changes introduced, whether prompted by the Service Complaints Transformation Team or by SCOAF recommendations. *For a system that has clarity of purpose.* (See page [9](#).)



**Recommendation 7.5** – that the Ministry of Defence seeks to amend the allowable grounds of appeal to include material error of reasoning, and to require individuals to exhaust the appeals process before their complaint is considered ‘finally determined’. *For a system that does not disadvantage or discriminate.* (See page [15](#).)

## Chapter 2 – The work of the Service Complaints system in 2022

This chapter provides an overview of the operation of the Service Complaints system in 2022, including a summary of performance and activity for each of the single Services.

A tri-Service statistical factsheet can be found at [Appendix F](#) and more in-depth statistical analysis can be found in SCOAF's 2022 [Service Complaints Brief](#).

### How many complaints were handled?

In 2022, 935 Service Complaints were ruled admissible, which is a significant increase (25% rise) from last year. Despite this increased volume, the Services succeeded in closing 950 complaints over the year. Furthermore, only 36% of open cases as at 31 December 2022 were 'red flag' cases (those cases not stayed and which had been open for more than 24 weeks), compared with 54% in 2021.

### Who submitted complaints?

Complaints were received from both Regular and Reservist Service personnel, from all three Services, and from various ranks, genders and ethnicities. Proportionally, more complaints were raised by RAF personnel than the other Services in 2022.

Tri-Service, female personnel are more than twice as likely to put in a Service Complaint than male personnel, and these complaints were disproportionately raised in relation to bullying, harassment and discrimination.

Ethnic minorities personnel were not overrepresented within the Service Complaints system as a whole but were nearly twice as likely to raise a complaint about bullying, harassment and discrimination.

### What were they complaining about?

The three main categories of Service Complaints made in 2022 were: career management (39%); bullying, harassment and discrimination (24%); and pay, pensions and allowances (9%). The category "Other" (28%) includes: inappropriate behaviour (10%); and welfare, accommodation, medals, and other terms and conditions of Service (10%).

### What was the outcome from the Service Complaint?

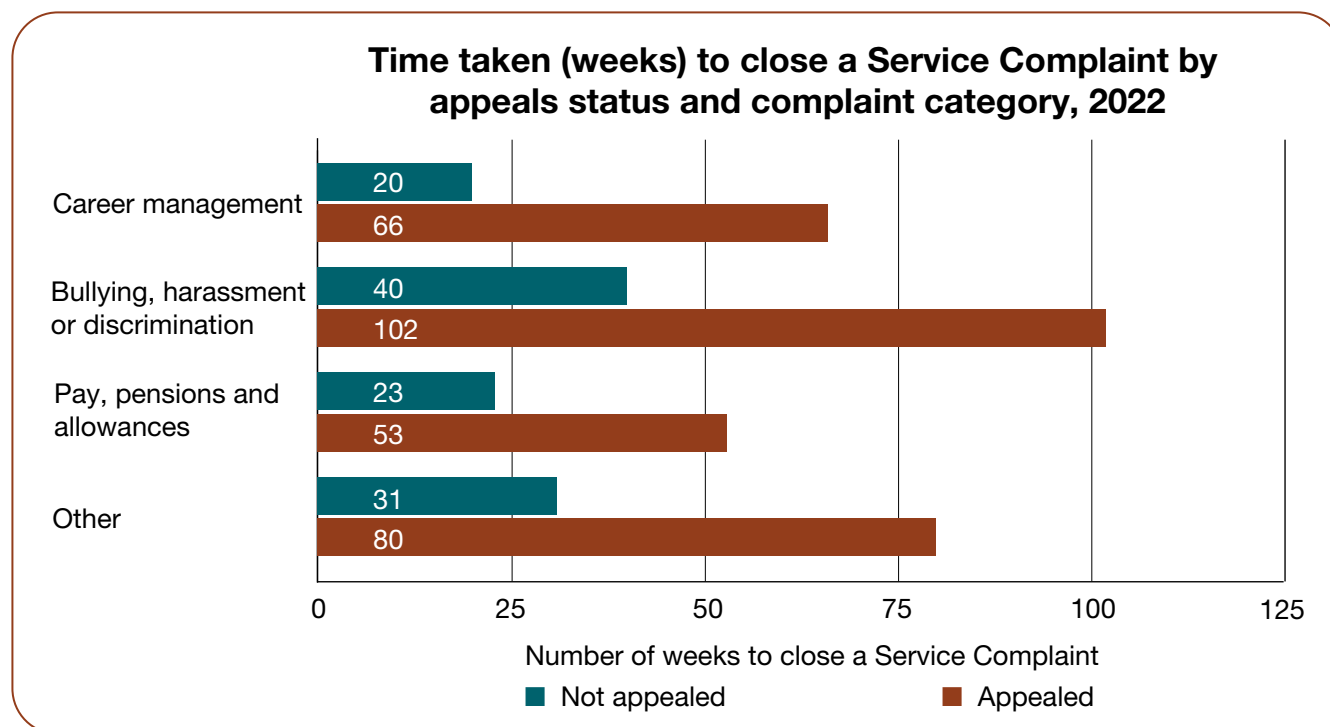
9% of complaints were remedied before a final decision was made; 43% were fully upheld or partially upheld in favour of the complainant; and 37% were not upheld. Within the Service Complaints system, there is an opportunity to appeal a DB decision and just over a quarter (26%) of such decisions were appealed in 2022.



## How long did it take?

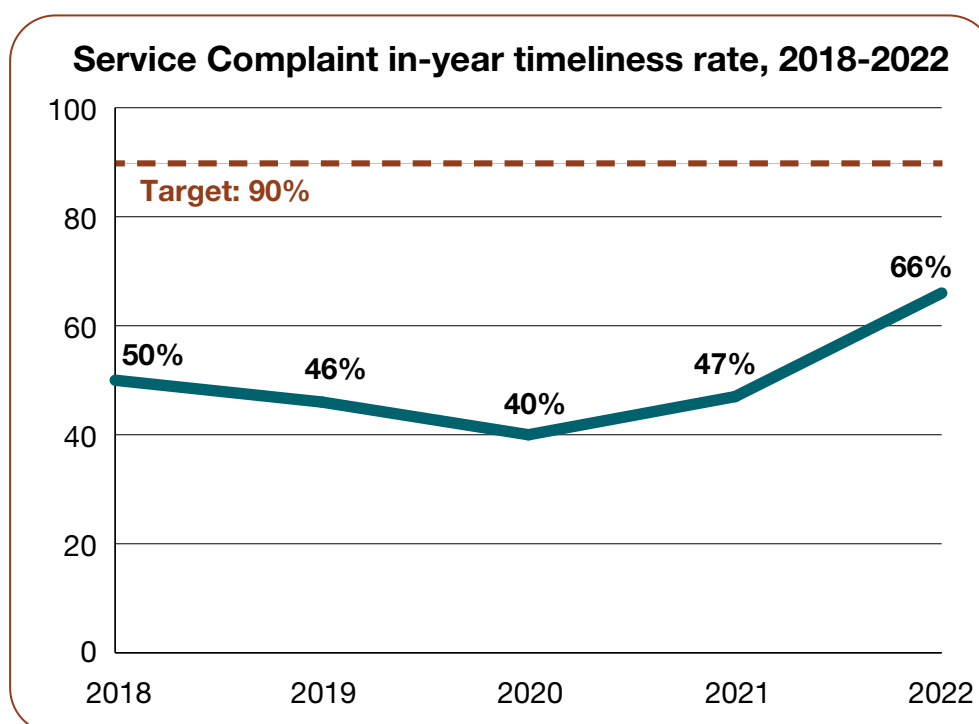
The average time taken to close a Service Complaint was 35 weeks, which is a slight improvement on last year's performance (36 weeks).

The average number of weeks to close a case which was not appealed was 26 weeks. However, cases which were appealed took an average of 79 weeks to close. As in previous years, complaints which involved allegations of bullying, harassment and discrimination took significantly longer to resolve.



The current KPI target is to resolve 90% of all Service Complaints in 24 weeks. In 2022, the tri-Service percentage of in-year Service Complaints closed within target was 66%. This is a solid improvement on last year's figure of 47% but still some way short of the KPI target.





### Single Service performance

While the annual assessment of the Service Complaints system is based on tri-Service performance, the Ombudsman appreciates that each Service has individual challenges and achievements. For this reason, the Ombudsman also provides a brief update on the work of each of the single Services in 2022 and an assessment of their performance in general.

This performance assessment is mainly based on statistical returns<sup>4</sup> from the Services, and a written narrative provided by each Principal Personnel Officer (PPO) concerning their Service's performance. A statistical factsheet for each Service can be found in [Appendix G](#), and the narratives have been reproduced in full at [Appendix H](#) with the consent of the PPOs.

<sup>4</sup> These statistics are based on figures from each Service's Annual Statistical Return to SCOAF, which is completed using data from the Case Management System JPA. The statistics cover (amongst other points) the volume of complaints ruled admissible and being processed and their timeliness.

## Royal Navy<sup>5</sup>



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### Key Performance Indicator – 69% Timeliness Rate (Target: 90%)

In 2022, the Royal Navy ruled 198 complaints admissible as Service Complaints, which was a 33% rise compared with last year.

Despite this, the Royal Navy also succeeded in closing more complaints than last year (193 cases compared to 170 in 2021). This has led to a slight increase (of five Service Complaints) in the number of cases open at the end of the year compared to the start. However, there was a large (40%) fall in outstanding red flag cases.

The in-year timeliness rate of 69% represents a further improvement on last year, with timeliness returning to the levels seen in 2018 and 2019. The average resolution time is 27 weeks, which is a significant improvement from taking 42 weeks to resolve Service Complaints in 2021.

<sup>5</sup> Royal Marine Service Complaints are included in the figures for the Royal Navy Service Complaints as both are dealt with by the same Secretariat.

The Royal Navy in its narrative attributes this year's performance to:

- Changes in resources, as: *"In addition to the permanent staff, we have also recently recruited a further 7 personnel to act as Decision Bodies, bringing our total DBs on a Volunteer Ex Regular Reserve Service (VeRRS) commitment to 13."*
- Refined business processes including: *"reducing legal input where possible and training our caseworkers to better understand the level of investigation necessary to deliver a sound decision."*
- *"Over the past year, we have seen the value of having experienced personnel making decisions both in the quality and timeliness of the decision and of the 190 decisions made at Decision Body and Appeal Body level, 141 of them (74%) were made by our 'In-House' Decision Bodies."*

The Royal Navy also reports an increased investment in the early resolution of complaints, providing greater support at admissibility to *"better define Heads of Complaint, manage complainants' expectations as to what can and cannot be achieved and also point them [complainants] in the direction of additional support. Crucially we [the Royal Navy] are often able to identify alternative means of resolution [...]"*. The Ombudsman welcomes this approach and is encouraged to see that 15% of admissible complaints were able to be resolved without the need for a final decision. The Ombudsman is also encouraged by the view that *"the system has evolved from one of simply delivering a process to one of providing a service"* and considers this will improve the experience of those using the system.

The Royal Navy acknowledges the high number of upheld undue delay investigations, and the Ombudsman supports the decision to be more proactive and transparent with all parties as soon as any potential delay comes to light. The Ombudsman also welcomes the development in AO training, and the wider engagement with networks to identify and address the concerns being raised.

The Ombudsman notes the Royal Navy's comments on the KPI and the support given to the work on KPI reform. The Ombudsman shares the view that whilst the KPI has not yet been met, this should not detract from the positive progress made in 2022.

## Army



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### Key Performance Indicator – 55% Timeliness Rate (Target: 90%)

In 2022, the Army ruled 482 complaints admissible as Service Complaints, which was 31% higher than in 2021.

However, this year saw a 10% fall in the number of Service Complaints closed – 421 Service Complaints in 2022, compared to 466 in 2021. This has led to an increase in the number of cases open at the end of the year compared to the start.

The in-year timeliness rate of 55% represents an improvement for the fourth consecutive year and the best performance for the Army. However, this remains some way behind the KPI target.

The average resolution time also increased slightly to 42 weeks, compared with 40 weeks in 2021. It is however worth noting that applications from Army Service personnel asking SCOAF to investigate undue delay dropped by a third in 2022.

The category with the biggest improvement in timeliness was bullying, harassment and discrimination, where the timeliness rate has risen from 29% in 2021 to 46% in 2022.

The Army, in its narrative, attributes this year's performance to:

- “a 30% [sic] rise in the volume of admissible SC being admitted [which] has had a significant impact on the nascent Central Admissibility Team. This increase, we believe, is the result of the centralisation of SC admissibility [...].”

- The Army has: *“maintained a steady state of the number of SC that remain open over 24 weeks, allowing the SC Branch to focus on managing the increase in SC workload being managed by the newly established Central Admissibility Team.”*
- Regarding the improvement in timeliness, the Service Complaints Career Management Cell made a valuable contribution in 2022: *“achieving a KPI of 81%.”*

The Ombudsman notes the impact that the shift to centralisation of Service Complaints admissibility has had, both in terms of adopting a new way of working, and the increase in volumes. The Ombudsman is pleased that the Army has continued to make improvements in the face of these challenges.

The Ombudsman recognises the ongoing focus to address overrepresentation by minorities. While women remain overrepresented with regards to Service Complaints, ethnic minorities personnel no longer are in all Service Complaints, but remain overrepresented with regards to bullying, harassment and discrimination Service Complaints. As the Army narrative comments: *“We continue to pursue with vigour and focus our drive to improve the lived experience of our people, to develop a fairer and more inclusive environment, with particular focus on improving behaviours across the Army [...]”*

The Ombudsman notes the progress the Army is making with developing and introducing a new operating model as part of the Service Complaints Reform Review and is grateful for the engagement with her office as this work progresses. The increase in funding attributed to the resolution and investigation of Service Complaints is noted.

The Ombudsman agrees the need to ensure that early informal resolution opportunities are not lost. She is pleased to see the Army’s commitment to engage with the Ministry of Defence’s Service Complaints Transformation Team strategy, which includes digitisation of the Service Complaints Case Management System and reform of the KPI.



## Royal Air Force



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### Key Performance Indicator – 81% Timeliness Rate (Target: 90%)

In 2022, the RAF ruled 255 complaints admissible as Service Complaints, which was a 9% rise compared with last year, building further on the significant rise in Service Complaints ruled admissible in 2021.

Despite this, the RAF nearly doubled the number of Service Complaints closed – 336 in 2022, compared to 174 in 2021. This led to a halving in the number of cases open at the end of the year (81 cases) compared to the start of the year (162 cases), and a significant (88%) reduction in outstanding red flag cases to 11 Service Complaints.

The in-year timeliness rate of 81% represents a vast improvement on last year (42%), is the highest recorded timeliness of any Service for at least five years and is within striking distance of the KPI timeliness target of 90%. The RAF also achieved a median resolution time of 24 weeks, which is an improvement from 2021 when it took 28 weeks to close a Service Complaint.

It is noteworthy that there were only six (eligible) applications for SCOAF to investigate undue delay in RAF Service Complaints in 2022.

Key updates provided by the RAF include:

- *“The Central Admissibility Team (CAT) initiative launched on 1 Jul 21 continues to deliver efficient and effective admissibility decisions within 2 weeks of submission of an Annex F. The process continues to evolve, with the requirement for formal legal advice being removed but oversight provided by an OF3 Legal Officer.”*

- *“Industrialisation of Case Hearings is one of the ways the [Service Complaint Team] SCT are personalising complaints, by making SCs admissible, investigating the SC, and, if appropriate, deciding on the SC during single ‘Teams’ meeting. Feedback has been very positive as personnel are listened to directly, with VeRR Decision Bodies as Lead Panel Members and with Independent Members and Subject Matter Experts, where appropriate.”*
- The use of a customer experience survey to see where to improve the effectiveness, efficiency and fairness of the RAF Service Complaints Process. One innovation that has come out of this is to introduce the concept of a Participant in a Service Complaint, who will not be criticised in the decision. This: *“is intended to remove the anxiety and stress of feeling they’re being ‘accused’ and therefore having to defend themselves.”*
- In 2022, a review of complaints submitted by female personnel in 2021 was carried out, and: *“In Feb 23, we will commission an analysis of SCs from 2022; focusing on those submitted by women and individuals from minority backgrounds.”*

The Ombudsman is pleased with the progress from the RAF, and the continued appetite for trialling new ways of working to improve the experience for all users of the Service Complaints system. The commitment to training and mentoring outlined by the RAF for 2023 is welcome and aligns with the Ombudsman’s desire to increase knowledge and understanding within the handling of Service Complaints.

The Ombudsman applauds the commitment to using the outcomes of Service Complaints to resolve systemic issues and looks forward to the results of the analysis of women’s and minorities’ experiences of the RAF Service Complaints process, and any wider learning which may flow from this.



## Chapter 3 – The work of SCOAF in 2022

This chapter provides an outline of SCOAF's work in 2022 under each of the Ombudsman's key legislative functions, and an overview of SCOAF including information on structure, outreach and engagement.

The role of SCOAF is to provide independent and impartial oversight of the Service Complaints system. This is primarily achieved through the execution of the Ombudsman's four key powers:

**Help Service personnel access the Service Complaints system by making referrals for individuals who do not want to approach their chain of command directly to make their complaint.**

**Review admissibility decisions made by the Services to determine whether a decision to not accept a complaint, either in whole or in part, or an appeal, was correct.**

**Investigate undue delay in the handling of a Service Complaint or Service Matter.<sup>6</sup>**

**Investigate the substance (merits) and/or handling of a complaint (maladministration) once the internal Service Complaints process is complete.**

<sup>6</sup> A Service Matter is any matter that has been raised with the Service and could potentially be a Service Complaint, but a Service Complaint has not been made. This could mean an individual has made an informal complaint or submitted an Annex F/statement of complaint, but an admissibility decision has not been made yet.



## Our performance

### Contacts

SCOAF logged 1,083 new enquiries in 2022. This is an increase of 2% compared to 1,063 enquiries in 2021.

### Referrals

In 2022, SCOAF made 214 referrals. This is an increase of 34% compared to 160 referrals in 2021. The largest number of referrals was made to the Army: 146 referrals (or 68%); followed by the RAF: 35 referrals (or 16%); and the Royal Navy: 33 referrals (or 15%).<sup>7</sup> This is not in line with the proportion of Service strength with the Army accounting for 60% of Service strength, the Royal Navy accounting for 20% and the RAF accounting for 19%.<sup>8</sup> 100% of referrals were made within seven working days, which exceeds SCOAF's target of 90%.

### Investigations

In 2022, SCOAF received 356 applications asking the Ombudsman to use her powers of investigation, which is a 4% rise compared with 338 applications in 2021.

Of these 356 applications, 324 (91%) were ruled eligible for investigation and 250 (70%) were accepted for investigation. It should be noted that the Ombudsman is not an extra level of appeal and not all eligible applications are accepted for investigation. All eligible substance and maladministration applications are triaged. This is an initial case review which is carried out to determine if the matter warrants further investigation by SCOAF. In 2022, SCOAF declined to investigate 74 cases at this triage stage.<sup>9</sup>

#### Number of investigation applications received by SCOAF by application status and case type, as at 31 December 2022

Application status	Admissibility decisions	Undue delay	Substance	Maladministration
Applications received	149	57	80	70
Accepted for investigation	130	50	34	36
Not accepted for investigation	16	7	46	34
Pending acceptance decision	3	0	0	0

In 2022, 94% of investigations were completed within the time target; this is an improvement of 11% from a figure of 83% for 2021. This represents the best ever annual timeliness performance since SCOAF began investigating individual Service Complaints in 2016; and exceeds the KPI of completing 90% of investigations on target.

<sup>7</sup> Figures do not add up to 100% owing to rounding.

<sup>8</sup> Figures do not add up to 100% owing to rounding. The proportion of Service strength each Service accounts for is the Army: 60.44%; the Royal Navy: 20.45%; and the RAF: 19.11%.

<sup>9</sup> There were 80 substance and/or maladministration cases not accepted for investigation, of which 6 were ruled ineligible and 74 were declined at triage.

## Review of admissibility decisions

In 2022, SCOAF received 149 applications requesting a review of an admissibility decision. 29% of completed reviews found in favour of the complainant, either in whole or part. This is a slight rise in the upheld rate compared to 27% in 2021.

95% of admissibility reviews were completed within 17 working days. This exceeds SCOAF's KPI target of completing 90% of admissibility reviews within 17 working days.

## Undue delay

In 2022, SCOAF received 57 applications requesting an investigation into alleged undue delay, with 50 applications (88%) eligible for investigation.

SCOAF found undue delay in 70% of investigations completed into the handling of the Service Complaint or Service Matter, compared to last year's figure of 57%.

100% of undue delay investigations were completed within 17 working days. This exceeds SCOAF's KPI target of completing 90% of undue delay investigations within 17 working days.

## Substance

In 2022, SCOAF received 80 applications requesting an investigation into the substance (merits) of a Service Complaint.

Of the 36 investigations completed, which included 21 carried over from the previous year, 36% of these found in favour of the complainant, either in whole or part, which is a decrease from last year's figure of 50%.

86% of substance investigations were completed within 100 working days, which is a 9% improvement on last year's figure of 77%.

## Maladministration

In 2022, SCOAF received 70 applications requesting an investigation into maladministration in the handling of a Service Complaint.

Of the 36 investigations completed, which included 20 carried over from the previous year, 58% of investigations into the handling of a Service Complaint found that there was maladministration, compared with 74% in 2021.

86% of maladministration investigations were completed within 100 working days, which is an 11% improvement on last year's figure of 75%.

## Recommendations and wider learning points

Following an investigation, the Ombudsman may make recommendations and/or wider learning points. In 2022, SCOAF made 152 recommendations and 83 wider learning points. The types of recommendations fell into four main categories:

- **Process – 102**
- **Apology – 36**
- **Policy – 2**
- **Consolatory awards – 12**

The recommendations made have remained broadly similar to 2021. SCOAF is still seeing the same basic errors such as not providing updates; not following the JSP guidelines; or not engaging fully with the complainant to understand the detail of the complaint submitted.

## Backlog

Efforts to further reduce the backlog have been made by SCOAF during 2022. SCOAF had 18 unallocated substance and/or maladministration investigations awaiting allocation to an investigator at the end of 2022, compared with 22 last year.

Whilst the reduction in the number of cases in the backlog may not appear substantial, in 2022, it averaged four months to allocate a new case to an investigator for all cases closed in 2022. This is compared with seven months for cases closed in 2021, and thirteen months for cases closed in 2020.<sup>10</sup> This therefore represents a significant improvement in the service level provided by SCOAF.

As an independent and impartial office that provides oversight of the Service Complaints system, it is important to be transparent about our own delays and what is being done to address the issue. The Ombudsman recognises that the backlog is not acceptable as the time taken to allocate cases to an investigator remains too high and may initially create a negative perception of our overall service. However, this should not discourage complainants from approaching the Ombudsman as our top priority is working towards rectifying this issue.

The Investigations Team remains committed to processing cases as efficiently as possible, while ensuring that they continue to deliver quality investigations and outcomes. Monthly updates on our current delays are available on our website. Complainants are provided with regular updates, which include information such as a revised timetable for the allocation of their case to an investigator, the reasons for the delay and timeframes for the completion of an investigation. Operational process reviews are taking place at SCOAF during 2023 to ensure efficiencies and a positive customer experience with the expectation that this will further reduce the backlog and the time taken to allocate a case to an investigator.

<sup>10</sup> It took on average three months to allocate a new case to an investigator as at 31 December 2022, compared with four and a half months as at 31 December 2021, and nine months as at 31 December 2020.

## Customer satisfaction

### Complaints about us

SCOAF received no complaints about our service in 2022.

Other contacts were made to SCOAF to disagree with our decisions. Where this happens, we explain to complainants their option to seek independent legal advice with a view to apply for judicial review.

### Continuous improvement

SCOAF strives to continuously improve in order to provide an excellent customer experience. Work was started in late 2022 to review and improve all investigative processes with customer experience at the forefront of these reviews. We have also been working on improving our external digital communications to ensure wider accessibility to SCOAF.

## Judicial review

The decisions made by the Ombudsman in any investigation, including those made under delegated authority, are final. If an individual believes that the correct process or legislation was not followed by the Ombudsman, they may apply for a judicial review.

In 2022, we received four pre-action letters under the judicial review process to challenge a decision issued by SCOAF.

Information on the costs incurred defending these actions can be found in our financial statement at [Appendix D](#).

## Services Complaints reform

On 15 June 2022, the Service Complaints process changed with Service Complaints no longer being submitted through the chain of command but via single Service Secretariat Central Admissibility Teams. A change to the appeals timeframe was also introduced, reducing it from six weeks to two weeks.

The Ombudsman welcomed these reforms and has been monitoring their impact on both the Service Complaints process and SCOAF. While it is evident that the Services have seen an increase in Service Complaints, the legislative changes in relation to appeals has created some confusion, particularly in how SCOAF responds to admissibility of appeal requests. SCOAF is continuing to engage with the Ministry of Defence Service Complaints Transformation Team to clarify the process.

## Resource

SCOAF has funding for 26 members of staff, including the Ombudsman. In addition, SCOAF uses three Fee Earner Investigators on a case-by-case basis.

The Chief Operating Officer oversees both the Business Team and the Operations Team.

The Business Team consists of: Head of Office, Policy and Improvement Manager, Statistics Manager, Communications Officer, Business Manager, Ombudsman's Executive Assistant, Business Support Officer and an Administrative Assistant. The Business Team is responsible

for managing the Ombudsman's diary and external engagements, production of the annual report, finance, accommodation, and IT.

The Operations Team consists of: Head of Investigations, nine Senior Investigators, three Investigators, Investigator Support Officer and two Enquiries and Referrals Officers.

As at 31 December 2022, SCOAF had three vacancies.

### Staff engagement

2022 was a more settled year in terms of COVID-19. People are essential to our business – without them we cannot deliver against our objectives and provide a quality service. Understanding the needs and concerns of those who work for SCOAF is key to us performing, and one of the drivers for holding a team building session for all SCOAF staff in May 2022. The purpose of this event was to focus on key areas that impact staff: for example, training and development, change, and health and wellbeing. With the support from Human Resource facilitators, we were able to hold meaningful discussions, through presentations and breakout sessions. All of which led to some valuable feedback and staff engagement.

### SCOAF Business Plan

Every year SCOAF issues a new Business Plan which flows from, and supports, our five-year Strategic Objectives and long-term vision. Having a Business Plan enables us to look back at work we have delivered, identify areas that need development and where we could design and implement new processes. This ensures we continue to grow and adapt as an organisation and continue to deliver a high standard of work to our stakeholders.

SCOAF's Business Plan is published on our website. For the period covering 1 April 2022 to 31 March 2023, we set ourselves 15 objectives. While some of these remain ongoing, as at 31 December 2022, we have delivered the following:

- SCOAF hosted a Stakeholder Symposium in June 2022.
- We have liaised with Service charities and other stakeholders to broaden our reach and increase the knowledge and understanding of our work.
- Internally, SCOAF has developed and implemented a training package for new joiners.
- SCOAF's staff engagement team has delivered a package of work which included a SCOAF team building event.

We are on track to deliver a comprehensive outreach programme, finalise a SCOAF Strategic Workforce Plan, and provide shared learning to improve knowledge and understanding of good complaint handling.

A full list of the in-year priorities and progress can be found at [Appendix A](#).

## Outreach and engagement

In 2022, the Ombudsman embarked on a comprehensive outreach and engagement programme, which had largely been prohibited in the previous two years due to COVID-19. Outreach and engagement provide the Ombudsman with an opportunity to interact with the Armed Forces community and gain an understanding of their lived experience and Service life.

To encourage wider engagement on these visits the focus groups were altered in 2022, to ensure there was an opportunity for breakout sessions. These changes have enabled meaningful discussion which provides a wider context to the Service Complaints narrative. A feedback survey was also created and handed to attendees. SCOAF received 48 completed surveys for 2022. The general feeling was the attendees found the focus groups useful with a small minority stating they would have benefited from longer sessions. In terms of the Service Complaints system, over half believe the process is not well advertised, which links to [recommendation 7.2](#) and the creation of a defnet page focussing on Service Complaints. SCOAF staff, particularly those who undertake investigations, have been encouraged to accompany the Ombudsman on outreach visits. Meeting Service personnel can provide context to the type of applications they receive, as well as enabling them to share their knowledge of SCOAF and issues they see within the Service Complaints system.

SCOAF held its third Stakeholder Symposium, following a hiatus of two years due to COVID-19. This event brought together key stakeholders for a presentation on the work of the office as well as the introduction of focus groups. The themes for each focus group were collaborative working; information and analysis; and access to justice. These focus groups provided an opportunity for stakeholders to air their views and concerns on elements of the Service Complaints process and the work of SCOAF, while also generating ideas on how elements of the process could be improved.

SCOAF continues to advertise its Service Complaints User Feedback Survey on its website. This is a useful tool for gathering information on the Service Complaints process and helps inform the Ombudsman's Annual Report. Unfortunately, following a high uptake after it was launched in 2021, this year's uptake has not been as high, with only 80 completed surveys received by 31 December 2022, compared to 188 in 2021.

## Chapter 4 – Recommendations

Annual Report recommendations are produced based on observations, trends and themes which are identified throughout the year. They can be a culmination of information drawn from the Ombudsman's outreach and engagement programme, investigations, meetings, feedback surveys and conferences.

The purpose of these recommendations is to highlight areas not just within the Service Complaints system, but also within SCOAF, which need further development. These recommendations will not always present easy solutions and will often take time to implement but their aim is to help drive forward wider systemic change.

To date the Ombudsman has published seven Annual Reports and has made 44 recommendations covering the period 2016 to 2022. These recommendations have been wide ranging, covering policy, process, and cultural change.

### Benefits of making recommendations

Looking back over the last seven years and reviewing the recommendations made and implemented to see how they have made a difference has not been undertaken in previous years. In some respect the exercise was frustrating, in part because the impact of delivering some of the recommendations is not quantifiable, or we are not yet able to see the benefits; for example, the review of the KPI. However, some of the changes which have been made following implementation of the recommendations are listed below.

- Implementation of recommendation 1.5 has seen a move to meet plain English standards for both JSP 831 and JSP 763.<sup>11</sup> It has also resulted in the publication of a Service Complaints easy read guide, which was published in 2021 and gained an accredited plain English Crystal Mark.
- The introduction of the Outsourced Investigation Service was a direct result of recommendation 1.6 which asked the Ministry of Defence to review the training provided to Fee Earning Harassment Investigation Officers. This service is independent from the chain of command. SCOAF will continue to monitor this service to see if it has increased confidence.
- Recommendation 4.1 enabled the questions relating to Service Complaints and the Ombudsman to be separated in both the AFCAS and Reserves Continuous Attitude Survey. This has provided greater clarity and given SCOAF a clearer picture on the wider knowledge and understanding of the Ombudsman in the Armed Forces community.

<sup>11</sup> [JSP 763: The MOD Behaviours and Informal Complaints Resolution Policy](#)



- Recommendations 3.6, 3.7 and 3.8 have fed into the wider Service Complaints reform changes which were introduced in June 2022, with the creation of Central Admissibility Teams, where admissibility decisions are made, rather than by a complainant's chain of command.

While the above is a snapshot of what has been delivered, what is evident, is that the recommendations have either informed or supported the findings of other significant pieces of work, such as the Wigston Review into inappropriate behaviours<sup>12</sup> and the Defence Sub-Committee report on Women in the Armed Forces.<sup>13</sup> Collectively these bodies of work have recognised the need for reform, not just within the Service Complaints system but the Armed Forces as a whole. This has led to some positive steps to improve the Service Complaints system, some of which were implemented during 2022. With ongoing work by the Service Complaints Transformation Team to roll out a new tri-Service Case Management System and implementation of changes to how Service Complaints will be measured due for 2023, there are positive signs ahead. The Ombudsman will monitor these with interest.

### Delays in implementing recommendations

The Ombudsman understands that recommendations may not provide a quick fix and could take time to implement, but there has been a sense of frustration at the time taken to complete some of the recommendations. At the time of writing the Ombudsman's 2021 Annual Report, there were still four open recommendations dating back to 2016.

The delays to implementing the recommendations led to the Ombudsman making recommendation 6.4 in Annual Report 2021, in which the Ministry of Defence was tasked to commit to substantively conclude all open and accepted recommendations that were made prior to Annual Report 2020: eight recommendations in total. Five of these were closed in 2022. Three legacy recommendations remain open.

The Ombudsman notes the comments provided by the Ministry of Defence in relation to recommendation 1.10, and recognises the work undertaken to date by the Ministry of Defence in response to the Defence Sub-Committee's report on Women in the Armed Forces. However, there is further work still to be actioned, which has been alluded to in the Ministry of Defence's update, which can be found in [Appendix C](#). The Ombudsman believes it would be better to keep this recommendation open until the work the Ministry of Defence has committed to, such as undertaking the first round of internal reviews, has been concluded, rather than open a new recommendation at this time.

Four new recommendations were issued in Annual Report 2021, all of which remain open as at 31 December 2022. We understand 6.2 will be closed by mid-January 2023.

<sup>12</sup> [The Wigston Review into inappropriate behaviours](#)

<sup>13</sup> [Report: Protecting Those Who Protect Us: Women in the Armed Forces from Recruitment to Civilian Life](#)



As at 31 December 2022, the position was:

Report year	No. of recommendations	Overdue	Ongoing	Completed <sup>14</sup>	Rejected
2016	12	2	0	10	0
2017	10	0	0	6	4
2018	9	0	0	9	0
2019	4	1	0	3	0
2020	No recommendations made				
2021	4	0	4	0	0

A detailed summary of work the Ministry of Defence has undertaken against those recommendations which remain ongoing or were completed during 2022, can be found at [Appendix C](#).

### New recommendations

The Ombudsman has made five recommendations for her 2022 Annual Report, which are detailed in full overleaf:

<sup>14</sup> Appendix C only lists those recommendations that were completed in 2022 in addition to recommendations which remain overdue, in progress and rejected as at 31 December 2022.

## 2022 recommendations



**7.1 – Process:** That the Ministry of Defence, in collaboration with the Ombudsman and the Services, commits to reviewing case handling processes with a view to achieving standardisation and professionalisation across the Services. This may include considering the nature and volume of roles involved in staffing and supporting the system. *For a system that: resolves complaints within allocated timeframes and without undue delay; operates to keep up with demand; people have confidence in; is flexible and proportional.* (See pages [5](#), [6](#), [8](#), [9](#), [10](#) and [13](#).)



**7.2 – Communication and Training:** That the Ministry of Defence develops a dedicated area on defnet to provide information and signposting on Service Complaints, to include information on outcomes, process and appeals. *For a system that: people have knowledge of; has clarity of purpose; has openness and transparency; is accessible; does not disadvantage or discriminate.* (See pages [7](#), [9](#), [13](#) and [14](#).)



**7.3 – Process:** That the Ministry of Defence, in collaboration with SCOAF and in consultation with the Services, establishes a formal process of quality review allowing for oversight and dip sampling to be provided by SCOAF. *For a system that: people have confidence in; acts on the results of complaints and lessons learned to bring about change; is independent and impartial; achieves appropriate outcomes.* (See pages [8](#), [10](#), [13](#) and [15](#).)



**7.4 – Process:** That the Ministry of Defence and the Ombudsman agree a standard operating procedure to ensure that when changes are made and/or recommendations are carried out, the purpose and intended effect of these changes is captured and understood. This should also include a process for reviewing the impact of any changes introduced, whether prompted by the Service Complaints Transformation Team or by SCOAF recommendations. *For a system that has clarity of purpose.* (See page [9](#).)



**7.5 – Policy:** That the Ministry of Defence seeks to amend the allowable grounds of appeal to include material error of reasoning, and to require individuals to exhaust the appeals process before their complaint is considered ‘finally determined’. *For a system that does not disadvantage or discriminate.* (See page [15](#).)

# Appendices

## Appendix A – SCOAF Strategic Objectives<sup>15</sup>

Strategic Objective	Business Plan Activity 2022/23	Target Date
<b>Improve organisational performance to ensure SCOAF operates in a way that is efficient, effective and fair</b>  <i>SCOAF should be able to hold themselves to the same standards used in appraising the performance of the Services. By improving the way we operate, SCOAF will be able to provide a better experience for those accessing our service, to the Services, and to our own staff.</i>	Continue to improve the customer experience: <ul style="list-style-type: none"> <li>– Review current KPIs</li> <li>– Continue to reduce backlog</li> <li>– Increase information shared with users</li> </ul>	December 2022 (ongoing)
	Set up programme of activity with staff engagement group to help them deliver meaningful positive change for staff	August 2022
	Produce a workforce/skills plan to ensure SCOAF has a greater understanding of its workforce; how it can improve resilience and respond to challenges	March 2023
	Finalise and publish the Governance paper with the Ministry of Defence to give reassurance around our independence and governance	June 2022 (ongoing)
	Develop more structured/organised training for new starters, to cover all aspects of the role, department and Service Complaints system	August 2022

<sup>15</sup> SCOAF Business Plan 2022/23

Strategic Objective	Business Plan Activity 2022/23	Target Date
<b>Increase confidence in the Service Complaints system by sharing knowledge and insight and driving awareness and visibility of the Ombudsman</b>  <i>SCOAF must go further to share the trends, learning and insight in order that improvement to the Service Complaints system as a whole can be made, along with ensuring that Service personnel are aware of SCOAF and the services provided.</i>	Deliver a full outreach programme maximising focus groups to increase learning and understanding of the Service Complaints process and issues faced	March 2023
	Commit to producing a quarterly thematic which will be shared with the Services to help improve their knowledge about complaint handling and customer service	March 2023
	Anonymised examples of good responses/ language to share with the Services to highlight good work	October 2022 (ongoing)
	Liaise with Service charities and federations to explore the option of publishing articles on the work/powers of SCOAF	December 2022
	Development of an online form to increase the accessibility of SCOAF to complainants	December 2022 (ongoing)
	Engage with Chief Defence People on plans/ recommendations to ensure they are aware of issues and successes	August 2022 (ongoing)
<b>Identify and drive forward systemic change through [continued] engagement with wider stakeholders</b>  <i>SCOAF must ensure it is correctly positioned to be able to drive systemic change through focused engagement. By ensuring our voice is heard in the right places, we will be in a better position to improve the system.</i>	Build networks with the International Conference of Ombuds Institutions for the Armed Forces (ICOAF) and Ombudsman Association community to share best practice	December 2022 (ongoing)
	Hold a Stakeholder Symposium	July 2022
	Begin a scoping exercise to understand the feasibility of participating at events/roadshows	March 2023
	Work collaboratively with the Ministry of Defence Service Complaints Transformation Team to drive forward the legislative changes delivered in June 2022	December 2022 (ongoing)

**Key:****Complete**

## Appendix B – Ombudsman Association Service Standards Framework

The Ombudsman Association (OA) is the professional association for Ombuds institutions and complaint handlers in the United Kingdom, Ireland, and the overseas dependencies/territories. The purpose of the OA is to:

- Support and promote effective systems of complaint handling and redress.
- Encourage, develop and protect the role of an ombudsman as the ‘best practice’ model for resolving complaints, in both the public and private sectors.
- Provide an authoritative voice and promote best practice and policy for those involved in complaint handling and redress to ensure an effective service for the public.
- Support open and transparent accountability and endorse principles of good complaint handling.<sup>16</sup>

As part of this role, the OA developed its Service Standards Framework, which came into effect in 2017. The framework sets out what is considered to be good practice in the provision of fair and efficient complaint handling. SCOAF has adopted this framework and will report against it annually. This year’s assessment is detailed below.

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16 Objectives of the OA

OA Service Standard	Our performance
<p><b>Future Improvement work</b></p> <ul style="list-style-type: none"> <li>– Members' service should be free to complainants.</li> <li>– Members should ensure that their procedures are customer focused.</li> <li>– Members should work with complainants to understand their needs, in order for complainants to access their service easily.</li> <li>– Members should make reasonable efforts to support access to their services for any user, including working with representatives and others to support complainants through their service, and publish their procedures for doing this.</li> <li>– Members should listen to what complainants want from them and ensure they understand their complaint. If a complainant is complaining about an organisation or issue that the member cannot consider complaints about, where possible they should direct the complainant to the relevant Association member, or another organisation who may be able to help.</li> </ul>	<p>SCOAF is a free and impartial service open to current and former members of the UK Armed Forces.</p> <p><b>Surveys and Feedback</b></p> <p>SCOAF has a bespoke survey which is designed to understand how members interact with our services, the level of information users want us to provide and the opportunity to provide overall feedback. This ensures our external facing media presence remains current, as well as enabling us to make continuous improvements.</p> <p>We also seek feedback following a completed investigation to understand the end-to-end user experience.</p> <p><b>Procedures for understanding and processing complainants' needs</b></p> <p>Individuals continue to make enquiries by phone and email. COVID-19 meant a larger proportion of our outward facing work was dealt with via phone or email, and this has remained the case. We still hold a PO Box address for those who wish to post applications and/or correspondence.</p> <p>Every person making an application to our office is asked about restrictions in contacting them and can specify when and how they would like to be contacted.</p> <p><b>Enquiries and Blogs</b></p> <p>Enquiries relating to any issues outside of our jurisdiction, we signpost to the most appropriate organisation. We provide a link to the OA's Ombudsman Finder on our website and regularly include this in our social media content and blogs.</p>

OA Service Standard	Our performance
<p><b>Communication</b></p> <ul style="list-style-type: none"> <li>– Members should treat service users courteously, respectfully and with dignity.</li> <li>– Members should communicate with complainants through complainants' own chosen method where possible.</li> <li>– Members should explain their role to service users.</li> <li>– Members should let complainants know what they can and cannot do, and, if they are unable to help them explain why.</li> <li>– Members should clearly explain to service users their process for handling complaints about organisations and likely timescales.</li> <li>– Members should keep service users regularly informed of the progression of their case, and how long things are likely to take.</li> <li>– Members should tell service users who they can contact if they have any questions at different stages in the handling of the case, and how they can do so.</li> <li>– Members should be accurate in their communications with service users using plain and clear language.</li> </ul>	<p>SCOAF sets out what individuals can expect when accessing our services. This incorporates the values of respect and open communication.</p> <p>The principles set out in the customer charter are incorporated in all of our internal processes and procedures.</p> <p><b>Explaining our processes</b></p> <ul style="list-style-type: none"> <li>● An introductory step by step process was updated on the website documenting how people can access our office. This also facilitates the release of internal process pamphlets and factsheets which gives a better perspective of how we provide effective communication.</li> <li>● Individuals are provided with contact details for the person responsible for their case throughout the process. Once the case is allocated, the investigator is responsible for providing information on the process, in addition to regular updates, throughout the life of the complaint. Prior to allocation, our Investigation Support Officer provides regular updates on the estimated wait time. The office continues to move towards plain language to ensure that our communication is as succinct and accurate as possible.</li> <li>● The survey/website data provides a summary of areas where we tend to score highest on our feedback and service. 50% of users are satisfied with SCOAF services (i.e., referrals and investigations).</li> <li>● We are actively offering better communication to the Services and continue to encourage shared learning. We have had several open communications through facilitating meetings and inviting complainants to explain things in a succinct way to enable clearer understanding and better results.</li> </ul>



OA Service Standard	Our performance
<p><b>Professionalism</b></p> <ul style="list-style-type: none"> <li>– Members should ensure that the staff who consider complaints have the relevant knowledge, training and skills to make decisions, or have access to suitable professional advice.</li> <li>– Members should deal with complaints in a timely manner, considering the complexity of the case.</li> <li>– Members should ensure that remedies are appropriate and take account of the impact any identified faults have had on the complainant.</li> <li>– Members should use the outcomes of complaints to promote wider learning and improvement of the service and the sector complained about.</li> <li>– Members should ensure their record keeping is accurate and that they hold data securely.</li> <li>– Members should ensure that when sharing of information is necessary, it is done appropriately.</li> <li>– Members should follow their published processes when dealing with complaints about their own service, and they should acknowledge and apologise for any mistakes they make.</li> <li>– Members should actively seek feedback about their service and use it to improve.</li> </ul>	<p><b>Staff knowledge and skills profile</b></p> <p>All operational staff are trained to the same standard when joining our office, regardless of previous experience or education.</p> <p><b>Timeliness handling of complaints</b></p> <p>We publish timelines for all aspects of our work:</p> <ul style="list-style-type: none"> <li>● 2 working days to respond to an enquiry</li> <li>● 7 working days to make a referral</li> <li>● 10 working days to allocate an application to an investigator for an eligibility assessment</li> <li>● 17 working days to complete an admissibility review</li> <li>● 17 working days to complete an investigation into undue delay</li> <li>● 100 working days to complete substance (merits) and maladministration investigations</li> </ul> <p>Where we are likely to exceed the published timeframe, the individual will be informed of the reasons why and the expected date of completion.</p> <p>We publish a comprehensive set of statistics on our website and provide an annual assessment on our backlog in our Annual Report and monthly backlog updates on our website.<sup>17</sup></p>

<sup>17</sup> <https://www.scoaf.org.uk/news/latest-news>



OA Service Standard	Our performance
<p><b>Professionalism</b></p> <ul style="list-style-type: none"> <li>– Members should ensure that the staff who consider complaints have the relevant knowledge, training and skills to make decisions, or have access to suitable professional advice.</li> <li>– Members should deal with complaints in a timely manner, considering the complexity of the case.</li> <li>– Members should ensure that remedies are appropriate and take account of the impact any identified faults have had on the complainant.</li> <li>– Members should use the outcomes of complaints to promote wider learning and improvement of the service and the sector complained about.</li> <li>– Members should ensure their record keeping is accurate and that they hold data securely.</li> <li>– Members should ensure that when sharing of information is necessary, it is done appropriately.</li> <li>– Members should follow their published processes when dealing with complaints about their own service, and they should acknowledge and apologise for any mistakes they make.</li> <li>– Members should actively seek feedback about their service and use it to improve.</li> </ul>	<p><b>Redress and recommendations</b></p> <p>The Ombudsman does not have the power to grant redress, only to make recommendations for redress and wider learning points that seek to bring about systemic change. In making these recommendations, a number of factors are taken into consideration, including the circumstances of the complainant and the impact the wrong has had on them.</p> <p><b>Freedom of Information and Subject Access Requests</b></p> <p>We have clear policies on FOI and SAR on our website. In 2022, we processed seven SARs and 13 FOI applications.</p>

OA Service Standard	Our performance
<b>Feedback</b>	<p>Feedback on satisfaction with the service SCOAF provides is routinely sought from everyone who makes an application to our office. Response rates are low. In 2022, only 21% of our customers completed a feedback survey.</p> <p>SCOAF launched the Service Complaints User Feedback Survey in 2021, which initially had a high return rate. This has fallen considerably in 2022, with only 80 responses received.</p>
<b>Fairness</b> <ul style="list-style-type: none"> <li>– Members should work with service users without discrimination or prejudice.</li> <li>– Members should make decisions on cases based on their independent and impartial evaluation of the relevant evidence.</li> <li>– The reasons for decisions should be documented and explained to relevant parties.</li> <li>– Members should publish information concerning any opportunities that may exist for service users to challenge their decisions.</li> <li>– Members should make clear to service users their approach to unacceptable behaviour.</li> </ul>	<p>SCOAF is independent and impartial. All service users are treated equally and with respect in accordance with our customer charter.</p> <p><b>Our decisions</b></p> <p>Thorough and independent investigations are undertaken, and findings are supported by decision reports.</p> <p><b>Appealing our decisions</b></p> <p>There is no mechanism to appeal a decision made by SCOAF. However, if an individual believes the correct process was not followed, they can seek a judicial review. Information on judicial review is made available on our website and included in all decision letters.</p> <p><b>Unacceptable behaviour</b></p> <p>Our customer charter includes information on our right to place restrictions on access to our service should an individual consistently fail to meet their responsibilities under the charter.</p>

OA Service Standard	Our performance
<p><b>Transparency</b></p> <ul style="list-style-type: none"> <li>– Members should publish information about the most senior staff in charge of decisions on complaints within their organisation, including the rules under which members operate.</li> <li>– Members should have procedures in place to deal with any conflicts of interest around the handling of complaints.</li> <li>– Members should be transparent about their investigation with the relevant service users.</li> <li>– Members should publish the learning that can be drawn from the complaints they handle in order to drive service improvement across the sector.</li> <li>– Members should provide service users with information explaining the approach they take to handling complaints about their own service.</li> <li>– Members should explain to complainants the procedures in place about what action can be taken if remedies are not implemented by the organisation complained about.</li> </ul>	<p><b>Our senior staff</b></p> <p>Information about the Ombudsman is published on our website alongside information about the legislative framework the organisation operates within. The Senior Management Team are not made up of staff of Senior Civil Servant grades and therefore no personal information about the senior managers is made available on the website.</p> <p><b>Conflict of interest</b></p> <p>We have a clear conflict of interest policy that is revised on an annual basis.</p> <p><b>Transparency</b></p> <p>Investigators are transparent about their work as far as is allowed within the boundaries of privacy and national security. Preliminary reports are made available to complainants and other affected parties for substance (merits) and maladministration investigations. This allows for any errors or concerns to be addressed. Information on how to make a complaint about members of the Ombudsman's team or our service is made available on our website and upon request.</p> <p>The Ombudsman publishes an Annual Report in which learning about the complaints that are handled is analysed and discussed and recommendations made to improve the complaints system.</p> <p>The Ombudsman does not have the power to compel the Armed Forces to provide redress; only to make non-binding recommendations.</p>

## Appendix C – Progress report of previous recommendations

In line with recommendation 3.9<sup>18</sup> the Ministry of Defence provides regular updates on progress against the recommendations, which have been published below.

Recommendations have been colour-coded and grouped.

	<b>Completed in 2022 – Recommendation will no longer be reported against</b>
	<b>In progress – Recommendation will be reported against until it is completed</b>
	<b>Overdue – Work is overdue for implementation</b>
	<b>The recommendation has been rejected by the Ministry of Defence or the single Services</b>

<sup>18</sup> Recommendation 3.9 – [Annual Report 2018](#) which invited the Ministry of Defence and SCOAF to agree on the frequency of providing updates on open recommendations.

**STATUS: OVERDUE**

**Original issue date: Annual Report 2016. Timeframe for completion: 30 April 2018.**

- 1.8** That the Ministry of Defence develops a general training programme for all Assisting Officers and that a record of their completion of that training is held centrally to ensure that suitably qualified Assisting Officers can be identified with greater ease. This should be rolled out by the end of April 2018.

**Update on progress:**

The role of Assisting Officers (AO) was examined as part of the review into the Service Complaints system, and it was agreed early access to an AO prior to the submission of a formal complaint would be built into the process, as well as highlighting further in the JSP the benefits of an AO to assist Complainants and Respondents through the process. A revised publication of JSP 831 was published in June 2022 and included these provisions.

With regards to the training of AOs, the Ministry of Defence has completed a Training Needs Analysis (TNA), which confirmed the need to increase both Knowledge and Skills for AOs. A Training Options Analysis (TOA) is being conducted to assist in the development of a training plan – including how it will be delivered, by whom, and the frequency.

Early interventions are in place to accelerate the uplift in AO knowledge:

- The Services have all produced easy read guides to reflect the updated policy, and these will be reviewed by the Plain English Campaign. We anticipate obtaining their diamond accreditation by the end of Jan 23.
- The Services will each record a video to supplement this information by the end of March 2023.
- The Defence Academy is working with the Service Complaints Transformation Team to create a training module so that AOs can receive training as soon as they take the role.
- A Service Complaints conference was held in July 2022 to update AOs and Diversity & Inclusion advisers on changes to JSP 831.
- A further conference is planned for end of March 2023.

**Original issue date: Annual Report 2016. Timeframe for completion: 31 December 2018.**

**1.10** That the Ministry of Defence commissions a study by the end of April 2018 to determine the root causes of the overrepresentation of female and ethnic minorities personnel in the Service Complaints system and that appropriate action is taken to try and redress this by the end of December 2018, including putting the appropriate support mechanisms in place.

**Update on progress:**

An investigation into the overrepresentation of women and ethnic minority Service personnel in the Service Complaints system was undertaken by each single Service between 2016 and 2019 and shared with the SCOAF at the time. The SCOAF, whilst accepting that she had not specified that the review should be carried out independently, subsequently stated that she wished to see the review carried out by an outside organisation.

In September 2020 the Service Complaints Transformation Team commissioned an independent secondary analysis study by a multi-disciplinary team of academics using lived experience study data to better understand why females and ethnic minority personnel are overrepresented in the complaints process. This research further explored the types of unfair treatment/disadvantage experienced - the finalised report was shared with SCOAF. The report included several recommendations for the Ministry of Defence to consider, along with findings – many of these were taken into the Women in the Armed Forces programme and are being built into the race action plan for 2023.

The Ministry of Defence wrote to the SCOAF in January 23, providing an update. This included details of initiatives that have been implemented, along with future frameworks to ensure women and ethnic minority personnel are further supported in the Service Complaints system going forward.

In addition, the Ministry of Defence committed to undertake internal assurance reviews to learn lessons as to why Women and ethnic minority personnel may be overrepresented, and how further support is built going forward. The Ministry of Defence believe this recommendation should now be considered closed and would welcome a future recommendation to build on the progress made so far.

The Ministry of Defence will undertake further work when the case management system goes live to enable analysis and continuous improvement for these groups. In addition, questionnaires about user experiences will be introduced to gather further insight.

**The Ombudsman notes the Ministry of Defence's position, but as highlighted in Chapters 1 and 4, this recommendation should remain open until the commitments identified above have been delivered.**

**Original issue date: Annual Report 2019. Timeframe for completion: Not specified.**

**4.2** That a comprehensive review of data collection is conducted as part of any reorganisation of the Service Complaints system in order to ensure that the correct data is being collected and reported against. This review must consider the following key issues:

- a. What is the overarching objective of the Service Complaints system and what data is required to report against this?
- b. What do stakeholders want to know about the Service Complaints system and can this data be collected and reported on?
- c. How is qualitative analysis conducted in order to ensure comprehensive reporting and understanding of the issues?

**Update on progress:**

The review of the Service Complaints system identified a further review was required to see if a new technological solution was needed to better track Service Complaints, and to provide data and information to enable the Ministry of Defence to properly monitor and improve the performance of the system - the introduction of a new case management system which captures and reports against the required data, is key to the delivery of this recommendation.

The case management system is being developed by Navy PIIAC, who will be working with the Services, SCOAF and a wide range of users to ensure it meets their needs with an initial working group meeting being held on 30 January 2023.

Digital delivery of the case management system is being rolled out through an iterative agile approach; this will ensure the product developed is user centric, and plans are in place to user test during its development. The Ministry of Defence will ensure continuous development of the system continues after it goes live.

**STATUS: IN PROGRESS**

**Original issue date: Annual Report 2021. Timeframe for completion: Not specified.**

**6.1** The Ministry of Defence engages with SCOAF in order to amend Joint Service Publication 831 - Redress of Individual Grievances: Service Complaints, particularly the Annex F: Service Complaints form to ensure a consistent approach in the recording of all grievances.

**Update on progress:**

A new version of JSP 831 (Redress of Individual Grievances: Service Complaints) was published on 15 June 2022. This included a new Service Complaints Form (Annex F). The new form is better structured and easier for individuals to complete, allowing them to clearly set out the facts and circumstances of how they believe they have been wronged.

Further discussions with the SCOAF regarding this recommendation, and recommendation 6.3 which are linked were held. This made clear they are also intended to address the issue of how all grievances should be recorded as part of the Service Complaints system to enable better tracking of outcomes and streaming to the most appropriate method of resolution. We acknowledge the clear link between informal complaints and the SC system, but also recognise that these are not currently within the scope of the SCOAF. Informal complaints are usually resolved at a unit level, and it is important to give individuals the opportunity to decide how they wish to resolve their concerns.

The SCOAF has provided the Ministry of Defence with a summary of her broader thinking and explanations around the intention of these recommendations. These will be shared and discussed with the Services in early 2023.



**Original issue date: Annual Report 2021. Timeframe for completion: Not specified.**

**6.2** The Services should submit a quarterly progress report to SCOAF setting out the age profile of open cases, and explaining what steps are being taken to reduce delays and progress older cases.

**Update on progress:**

The SCOAF receives a monthly tri-Service ‘Red Flag’ report with details of Service Complaints still open after 24 weeks. This includes the number of days a Service Complaint has been open; reasons for delay; and actions being taken by the Services to progress the complaint. The single Services have committed to provide the SCOAF with a quarterly progress report which will give greater transparency on open cases, particularly those which have exceeded 24 weeks along with what is being done to progress them more widely. The first of these quarterly reports will cover the period 1 January 2023 to 31 March 2023 and will be provided to the SCOAF in April 2023.

**As at 31 December 2022, this recommendation remained open: however, the Ombudsman understands this was closed in mid-January 2023.**

**Original issue date: Annual Report 2021. Timeframe for completion: Not specified.**

**6.3** That the Ministry of Defence reframe the Annex F form to be a single point of entry for all grievances which sit outside of the Special to Type process, allowing them to be streamed to the most appropriate method of resolution.

**Update on progress:**

An area identified by the Service Complaints Transformation team as part of the Service Complaint reform work was to further examine the current processes surrounding STT complaint procedures and how they interact with the Service Complaints system. The SC Team is working to identify all existing STT procedures; gain a better understanding of their processes and standards; and assess the number of complaints made through each procedure.

Further discussions with the SCOAF regarding this recommendation and recommendation 6.1, which is linked, were held. This made clear they are also intended to address the issue of how all grievances should be recorded as part of the Service Complaints system to enable better tracking of outcomes and streaming to the most appropriate method of resolution.

The SCOAF has provided the Ministry of Defence with a summary of her broader thinking and explanations around the intention of these recommendations. These will be shared and discussed with the Services in early 2023.

**Original issue date: Annual Report 2021. Timeframe for completion: Not specified.**

**6.4** The Ministry of Defence commits to substantively concluding all open and accepted recommendations made by the Ombudsman prior to Annual Report 2020, within 12 months of this report (Annual Report 2021). Quarterly meetings between the Ombudsman, Chief of Defence Staff and Chief of Defence People should take place in order to provide assurance to SCOAF on the level of progress being made, and so that issues preventing progress are clearly articulated, understood and mitigated.

**Update on progress:**

At the beginning of 2022, 8 pre-2020 SCOAF recommendations remained open. In response to this recommendation made by the SCOAF in her Annual Report published in May 2022, the Ministry of Defence made a significant drive to progress these outstanding recommendations. The Ministry of Defence have committed the necessary resource to ensure that these recommendations were addressed as priority.

We consider that the Ministry of Defence has met the requirements of committing to delivering the 8 historic recommendations. The Ministry of Defence believes it has closed 6. With regards to the remaining 2 open recommendations (1.8 and 4.2), considerable progress has been made to address these. More detail on the work that has taken place and future work that is planned is provided above. It is expected that that these 2 open recommendations will be concluded within the timeframe of May 2023, which will be 12 months from the publication of the SCOAF's last report.

The Ministry of Defence believes this recommendation should be closed as it has committed and actively sought to resolve these as requested in the recommendation.

In addition to this recommendation of closing historic recommendations, there were 4 new recommendations from the 2021 SCOAF Annual report. The Ministry of Defence believe 2 of the 4 recommendations have been closed, thus demonstrating its commitment to delivering outcomes in-year.

CDP and VCDS will continue to engage with the SCOAF regarding progress against these and any new recommendations as they did do in 2022. The Ministry of Defence will also continue to provide the SCOAF with a written quarterly update on all open recommendations.

**The Ombudsman notes this is on track to close within the twelve month timeframe.**

**STATUS: REJECTED**

**Original issue date: Annual Report 2017. Timeframe for completion: 31 December 2018.**

- 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.

Remains rejected – under review

**Original issue date: Annual Report 2017. Timeframe for completion: 30 April 2019.**

- 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, Appeal Bodies, on decision writing for complaints handlers. This could be discreet training or part of a wider package.

Remains rejected – under review

**Original issue date: Annual Report 2017. Timeframe for completion: 30 April 2019.**

- 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 is developed and implemented tri-Service.

Remains rejected – under review

**Original issue date: Annual Report 2017. Timeframe for completion: 30 April 2019.**

- 2.8** That by April 2019, the Ministry of Defence reviews primary and secondary legislation and determines 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.

Remains rejected – under review

**STATUS: COMPLETED IN 2022**

**Original issue date: Annual Report 2016. Timeframe for completion: 31 June 2018.**

- 1.5** That the Ministry of Defence instigates a review of JSPs 831 and 763 to ensure that the language is accessible to all Service personnel by the end of December 2017, using “plain language” standards and make the necessary changes by the end of June 2018.

**Update on progress:**

The Ministry of Defence conducted reviews of both JSPs 763 and 831 which were released in Summer 2021, and a further version of JSP 831 was released in June 2022. A Service Complaints Easy Read Guide, approved by the Plain English Campaign, was also published by the Ministry of Defence in October 2021 to provide an accessible short summary of the process and what can be expected from it.

All future editions of the JSPs and the Service Complaints Easy Read Guide will be reviewed by the Plain English Campaign to ensure that the language is accessible to all.

**Original issue date: Annual Report 2016. Timeframe for completion: 30 April 2017.**

- 1.11** That the Ministry of Defence identifies an appropriate working group by the end of April 2017 to evaluate the current target for resolving 90% of Service Complaints within 24 weeks to ensure that it is appropriate, including the method for calculating when the 24 weeks begins. A representative from SCOAF should be involved in this review.

**Update on progress:**

In December 2022, the Ministry of Defence agreed following consultation with the SCOAF, a plan to finalise future KPI targets that will be reported against in the SCOAF’s 2023 report. We are working with the SCOAF and the Services to ensure that teams are appropriately resourced, with a clear plan of how they will achieve the 2026 and 2030 targets. The Ministry of Defence believes through working closely with SCOAF and agreeing reformed KPIs with the Services completes this recommendation. The Ministry of Defence will continue to work closely with the SCOAF to incorporate best practice for monitoring the Service Complaints system.

**Original issue date: Annual Report 2018. Timeframe for completion: 31 October 2019.**

**3.6** That by the end of October 2019, the Ministry of Defence sets a suitable KPI for making admissibility decisions within the existing 2-week target. This KPI should be determined following further work to ascertain why this target is routinely missed. Performance against this target will be measured and reported to the Ombudsman annually.

**Update on progress:**

Current policy sets out that an initial admissibility decision should be made within two weeks. The Ministry of Defence has agreed that it will provide statistics to the SCOAF relating to this KPI to inform future Annual Reports. Performance against this KPI will also be monitored as part of Defence's quarterly performance and risk reporting session.

**Original issue date: Annual Report 2018. Timeframe for completion: 30 April 2020.**

**3.7** That legislation and/or Service Complaints policy is amended by the end of April 2020, to allow for the appointment of a Specified Officer with the availability and capacity to take a complaint forward in accordance with the timeframe set out in JSP 831.

**Update on progress:**

The Ministry of Defence committed to moving initial admissibility decisions to outside of the complainant's direct chain of command. This reduces the number of hand offs that occur between Commanding Officers and the single Service Secretariats, providing a consistency in approach, reduces delays and introduces a level of independence away from the chain of command. This change to policy was included in a revised version of JSP 831 which came into effect in June 2022, following the introduction of the relevant primary and secondary legislation.

**Original issue date: Annual Report 2018. Timeframe for completion: 30 April 2020.**

**3.8** That by the end of April 2020, the single Services establish a pool of permanent Specified Officers and Decision Bodies with full-time responsibility for making admissibility decisions and deciding complaints where capacity issues prevent Commanding Officers from dealing with complaints expeditiously.

**Update on progress:**

The roles of the Specified Officer (SO) and the Decision Body (DB) were considered as part of our review of the Service Complaints system. The Ministry of Defence also agreed that certain types of complaint should be decided by regular standing or specialist DBs. These DBs will be knowledgeable Subject Matter Experts who are more familiar with the process. These changes to policy were included in a revised version of JSP 831 which came into effect in June 2022, following the introduction of the relevant primary and secondary legislation.

## Appendix D – Financial statement

SCOAF is a fully independent organisation. However, as a government-funded organisation, its budget is derived from the defence budget. While wholly independent of the Ministry of Defence in its role, SCOAF is still required to abide by the financial rules, regulations and procedures laid down by both His Majesty's Treasury and the Ministry of Defence in the commitment of its financial resources.

### Financial expenditure by SCOAF 2022

Category	Spend
Staff costs	£1,298,670
Accommodation and office running costs (including IT and office machinery)	£781,170
Training and professional membership fees	£7,231
Independent legal advice	£78,333
Travel and subsistence	£9,717
Fee Earning Investigation Officers	£79,643
Total	£2,254,764

## Appendix E – Events, visits and external appointments

The table below lists all the official events attended by the Ombudsman, Mariette Hughes in 2022. This does not include regularly scheduled meetings held with the Service chiefs and PPOs.

Date	Event type		Location
<b>January</b>			
17 January	Meeting	OA Legal Interests Meeting	MS Teams
25 January	Meeting	Defence Team Leadership Team Meeting	MS Teams
25 January	Meeting	Army Legal Team Meeting	MS Teams
<b>February</b>			
1 February	Presentation	Army Generalship Programme	Royal Military Academy, Sandhurst
3 February	Presentation	Naval Commanding and Executive Officer Designate Course (COXODC)	MS Teams
10 February	Presentation	RAF Future Commanders Study Period (FCSP)	Skype
<b>March</b>			
1 March	Meeting	Army Legal Meeting	SCOAF Office, London
8 March	Presentation	Army Commanding Officers Designate Course (CODC)	Skype
22 March	Visit	Larkhill Garrison	Wiltshire
28 March	Conference	RAF Mediation Conference	The RAF Club, London
<b>April</b>			
1 April	Meeting	Royal Marines Diversity Working Group	MS Teams
5 April	Conference	Association of Chief Executives (ACE): Public Service in the context of declining trust and confidence	Institute for Government, London
6 April	Meeting	Navy Legal Meeting	MS Teams
26 April	Visit	RAF Northolt	London



Date	Event type		Location
<b>May</b>			
3 May	Meeting	OA Equality, Diversity and Inclusion Network	MS Teams
5 May	Event	RAF Inspirational Women's Dinner	RAF Northolt, London
11 May	Meeting	Chiefs of Staff Committee	Whitehall
13 May	Interview	British Forces Broadcasting Service Interview	SCOAF Office, London
18 May	Visit	Royal Gurkha Regiment	Folkestone
24 May	Visit	RAF Brize Norton	Oxfordshire
26 May	Presentation	Naval COXODC	MS Teams
<b>June</b>			
1 June	Meeting	Army Roundtable Discussion	MS Teams
9 June	Presentation	Naval Servicewomen Network Leadership	HMS Nelson, Portsmouth
20 June	Conference	OA Annual Conference	Egham, Surrey
23 June	Visit	3rd Battalion Parachute Regiment	Colchester
29 June	Conference	SCOAF Stakeholder Symposium	HMS President, London
30 June	Visit	Flag Officer Sea Training including Thursday's War Exercise	HMNB Devonport, Plymouth
<b>July</b>			
6 July	Presentation	Executive Committee Army Board	Andover, Hampshire
14 July	Event	Royal Marines Beating Retreat	Horse Guards Parade, London
19 July	Visit	29 Commando Regiment Royal Artillery	Royal Citadel, Plymouth
20 July	Visit	42 Commando Royal Marines	Bickleigh, Plymouth
21 July	Presentation	RAF FCSP	MS Teams

Date	Event type		Location
<b>August</b>			
10 August	Event	Edinburgh Tattoo	Castlehill, Edinburgh
<b>September</b>			
1 September	Visit	HMNB Clyde	Faslane, Scotland
2 September	Visit	43 Commando Royal Marines	Faslane, Scotland
8 September	Meeting	Meeting with Australian High Commission	Strand, London
9 September	Meeting	OA Annual General Meeting	Zoom
12 September	Event	Army Expo' 22	Salisbury Plain
14 September	Presentation	Army CODC	MS Teams
22 September	Presentation	RAF FCSP	MS Teams
28 September	Meeting	Army Legal Team	SCOAF Office, London
29 September	Meeting	Inspector General of Australian Defence Force	SCOAF Office, London
<b>October</b>			
3-4 October	Conference	DCAF-ICOAF 2022	Oslo, Norway
6 October	Presentation	Naval COXODC	MS Teams
12-13 October	Presentation	Army Legal Service Conference	Worthy Down
18 October	Visit	Infantry Training Centre	Catterick
19 October	Visit	Army Foundation College	Harrogate
20 October	Presentation	RAF Service Complaints Conference	Shrivenham
26 October	Workshop	RAF Bullying, Harassment and Discrimination Workshop	SCOAF Office, London

Date	Event type		Location
<b>November</b>			
2 November	Presentation	Army Appeal Body/Decision Body Conference	Army HQ, Andover
9 November	Meeting	Army Advanced Programme	SCOAF Office, London
12 November	Performance	Royal British Legion Festival of Remembrance	Royal Albert Hall, London
15 November	Visit	RAF Halton	Aylesbury
21 November	Presentation	RAF FCSP	MS Teams
23 November	Presentation	Ministry of Defence Top Flight Speaking Engagement	Ministry of Defence HQ, London
<b>December</b>			
14 December	Event	ACE: Supporting your employees through the cost-of-living crisis	MS Teams

## Appendix F – Tri-Service statistical factsheet

### Key findings – Timeliness

- 66% of Service Complaints received and closed in 2022, were decided within the 24-week target. The target was 90%.
- The average time taken to close a Service Complaint was 35 weeks.
- Bullying, harassment or discrimination Service Complaints take the longest – 54 weeks.
- As at 31 December 2022, there were 590 Service Complaints open, of which 36% were still open beyond the 24-week target and not suspended or stayed.

### Key findings – Volume

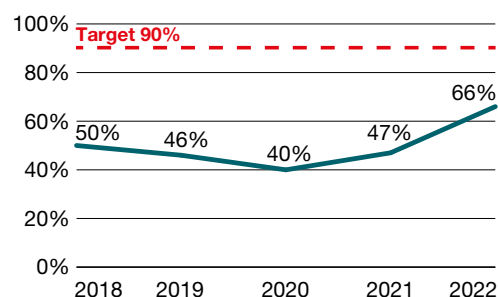
- In 2022, 935 Service Complaints were ruled admissible.
- This represented 89% of Service Complaint applications.
- 43% of Service Complaints closed in 2022 were decided as fully/partially upheld and 37% as not upheld.
- 26% of Decision Body (DB) decisions were appealed.

### Key findings – Bullying, harassment or discrimination<sup>1</sup>

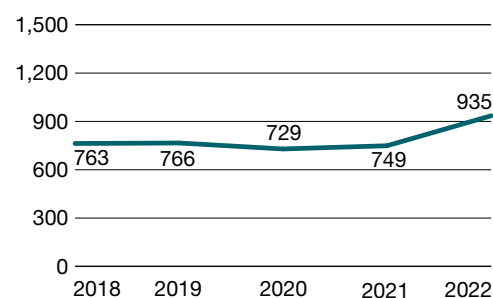
- 12% of Service personnel say they experienced bullying, harassment or discrimination.
- Of those, 7% said they raised a written complaint.

<sup>1</sup> Source: Armed Forces Continuous Attitude Survey 2022

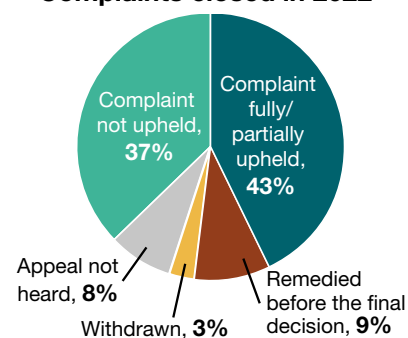
#### Service Complaint in-year timeliness rate, 2018-2022



#### Annual number of Service Complaints ruled admissible, 2018-2022

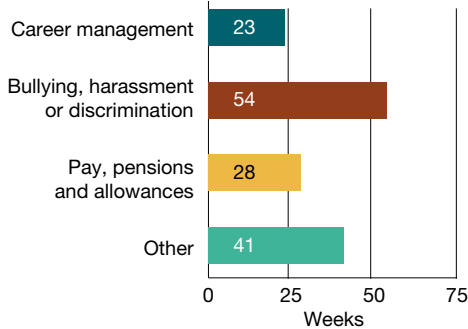


#### Outcomes of Service Complaints closed in 2022

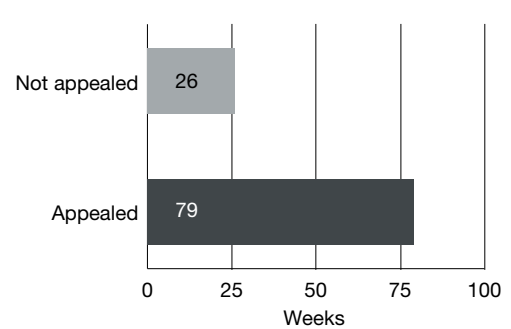


Service	Service Complaints per 10,000 Service personnel	Proportion of statements of complaint ruled inadmissible	Proportion of Service Complaints with early resolution	Proportion of Service Complaints upheld	Proportion of DB decisions appealed	Average time to close a Service Complaint
Tri-Service	48	11%	9%	43%	26%	35 weeks

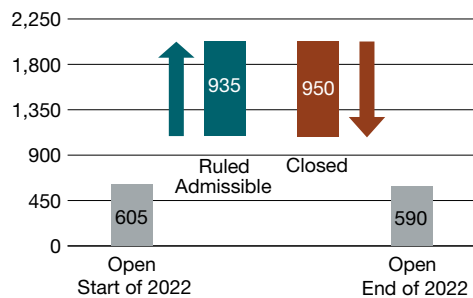
**Time taken to close Service Complaints by complaint category, 2022**



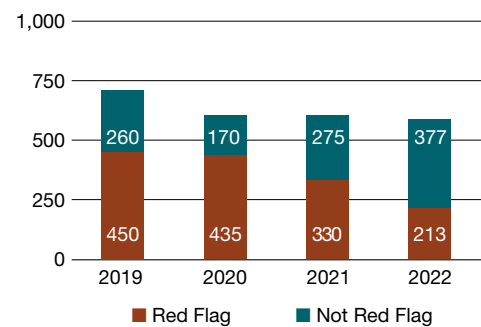
**Time taken to close Service Complaints by appeal status, 2022**



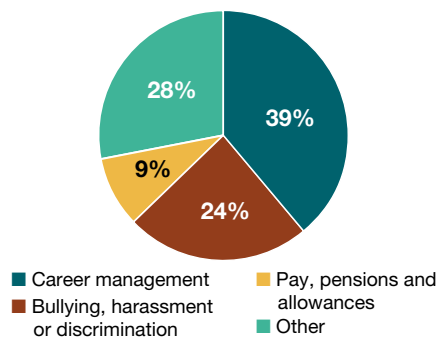
**Number of Service Complaints: ruled admissible and closed in 2022; open at start and end of 2022**



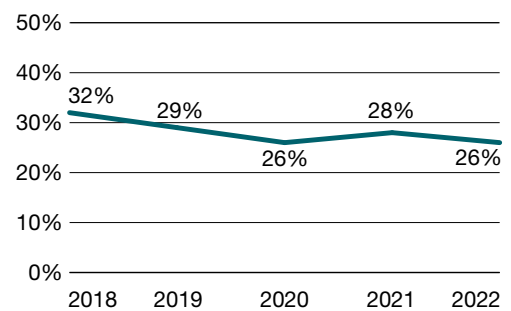
**Number of open Service Complaints by red flag status, 2019-2022**



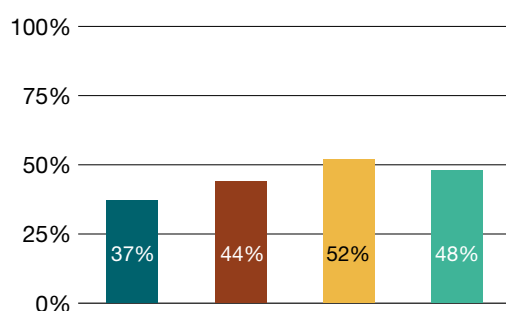
**Category of Service Complaints ruled admissible in 2022**



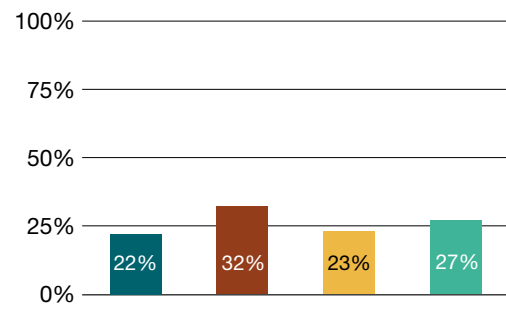
**Service Complaint appeals rate, 2018-2022**



**Service Complaint upheld rate by category, 2022**



**Service Complaint appeals rate by category, 2022**



## Appendix G – Single Service statistical factsheets

### Royal Navy\*

#### Key findings – Timeliness

- 69% of Service Complaints received and closed in 2022, were decided within the 24-week target. The target was 90%.
- The average time taken to close a Service Complaint was 27 weeks. Bullying, harassment or discrimination Service Complaints take the longest – 52 weeks.
- As at 31 December 2022, there were 145 Service Complaints open, of which 36% were still open beyond the 24-week target and not suspended or stayed.

#### Key findings – Volume

- In 2022, 198 Service Complaints were ruled admissible.
- This represented 90% of Service Complaint applications.
- 33% of Service Complaints closed in 2022 were decided as fully/partially upheld and 42% as not upheld.
- 31% of Decision Body (DB) decisions were appealed.

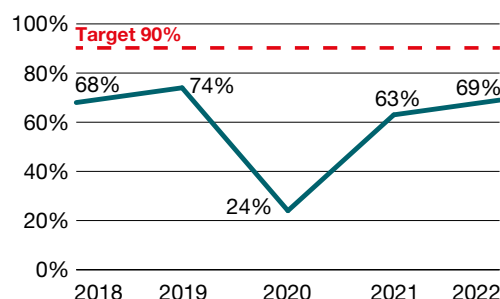
#### Key findings – Bullying, harassment or discrimination<sup>1</sup>

- 14% of Royal Navy<sup>2</sup> personnel say they experienced bullying, harassment or discrimination.
- Of those Royal Navy<sup>2</sup> personnel who say they had experienced bullying, harassment or discrimination, 9% said they raised a written complaint.
- 7% of Royal Marine personnel say they experienced bullying, harassment or discrimination.
- Of those Royal Marines, 9% said they raised a written complaint.

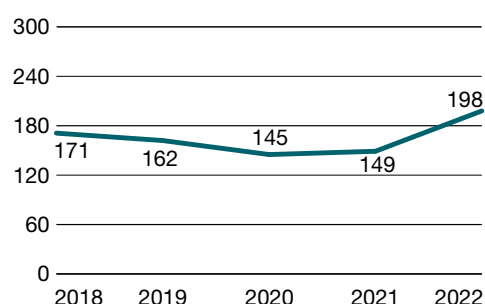
1 Source: Armed Forces Continuous Attitude Survey 2022

2 Excluding Royal Marines

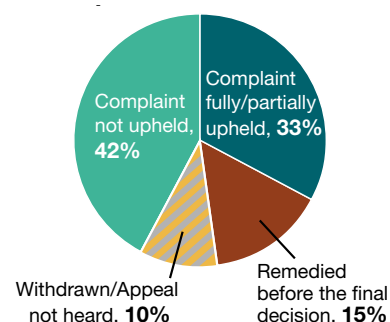
#### Service Complaint in-year timeliness rate, 2018-2022



#### Annual number of Service Complaints ruled admissible, 2018-2022



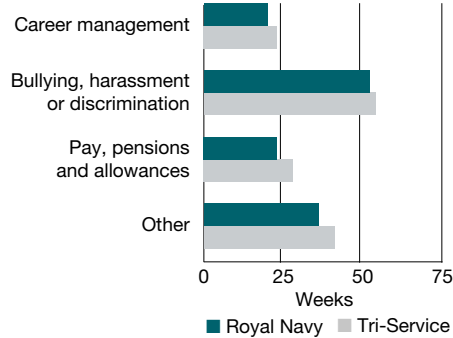
#### Outcomes of Service Complaints closed in 2022



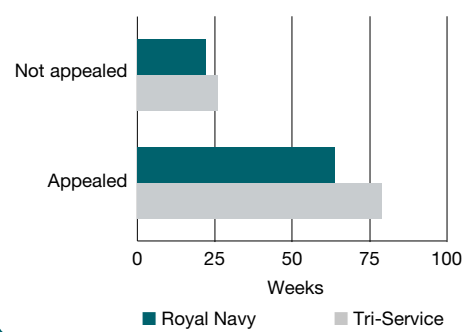
Service	Service Complaints per 10,000 Service personnel	Proportion of statements of complaint ruled inadmissible	Proportion of Service Complaints with early resolution	Proportion of Service Complaints upheld	Proportion of DB decisions appealed	Average time to close a Service Complaint
Royal Navy*	49	10%	15%	33%	31%	27 weeks
Tri-Service	48	11%	9%	43%	26%	35 weeks

\* Unless stated otherwise, figures for Royal Navy including Royal Marines.

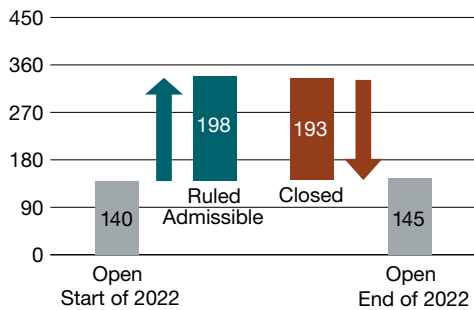
### Time taken to close Service Complaints by complaint category, 2022



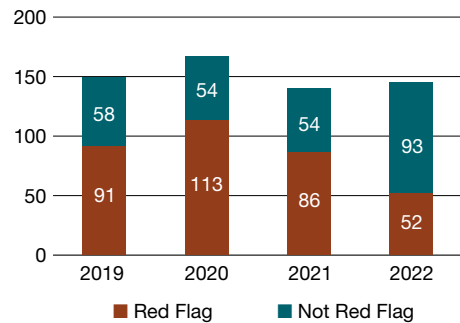
### Time taken to close Service Complaints by appeal status, 2022



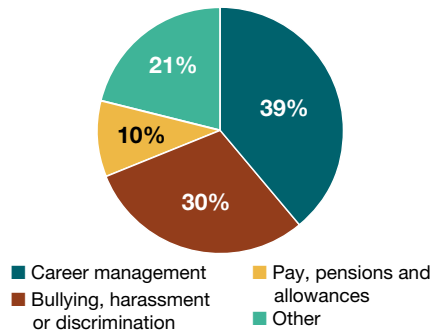
### Number of Service Complaints: ruled admissible and closed in 2022; open at start and end of 2022



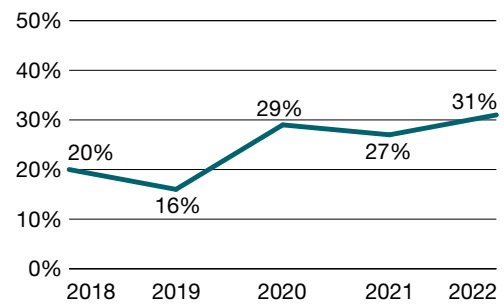
### Number of open Service Complaints by red flag status, 2019-2022



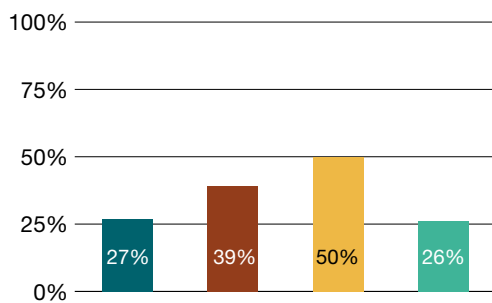
### Category of Service Complaints ruled admissible in 2022



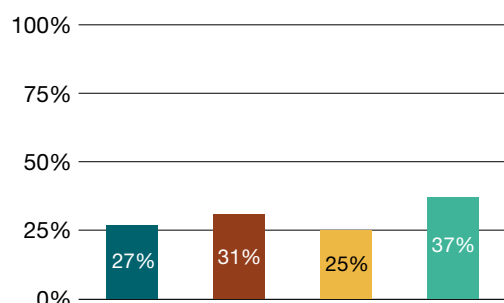
### Service Complaint appeals rate, 2018-2022



### Service Complaint upheld rate by category, 2022



### Service Complaint appeals rate by category, 2022



## Army

### Key findings – Timeliness

- 55% of Service Complaints received and closed in 2022, were decided within the 24-week target. The target was 90%.
- The average time taken to close a Service Complaint was 42 weeks. “Other” Service Complaints take the longest – 54 weeks<sup>1</sup>.
- As at 31 December 2022, there were 364 Service Complaints open, of which 41% were still open beyond the 24-week target and not suspended or stayed.

### Key findings – Volume

- In 2022, 482 Service Complaints were ruled admissible.
- This represented 90% of Service Complaint applications.
- 46% of Service Complaints closed in 2022 were decided as fully/partially upheld and 30% as not upheld.
- 27% of Decision Body (DB) decisions were appealed.

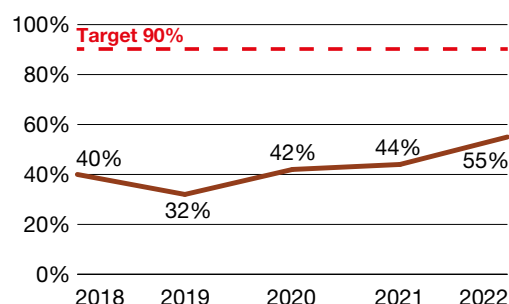
### Key findings – Bullying, harassment or discrimination<sup>2</sup>

- 12% of Army personnel experienced bullying, harassment or discrimination.
- Of those Army personnel who had experienced bullying, harassment or discrimination, 7% raised a written complaint.

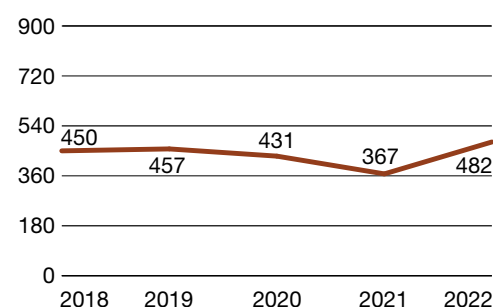
1 Can include time spent in the special-to-type complaints process for some accommodation and medical Service Complaints

2 Source: Armed Forces Continuous Attitude Survey 2022

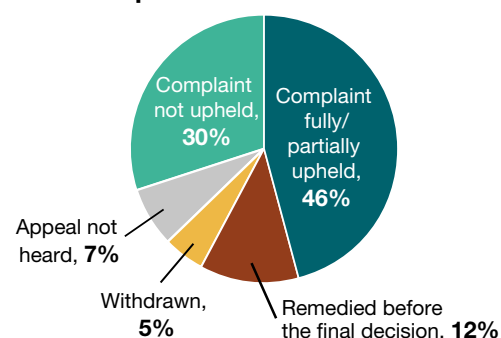
#### Service Complaint in-year timeliness rate, 2018-2022



#### Annual number of Service Complaints ruled admissible, 2018-2022



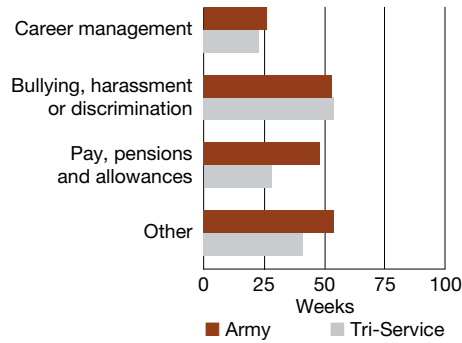
#### Outcomes of Service Complaints closed in 2022



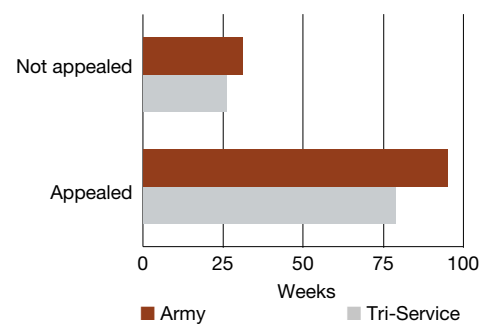
Service	Service Complaints per 10,000 Service personnel	Proportion of statements of complaint ruled inadmissible	Proportion of Service Complaints with early resolution	Proportion of Service Complaints upheld	Proportion of DB decisions appealed	Average time to close a Service Complaint
Army	41	10%	12%	46%	27%	42 weeks
Tri-Service	48	11%	9%	43%	26%	35 weeks



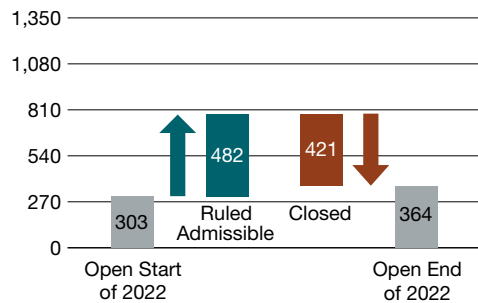
**Time taken to close Service Complaints by complaint category, 2022**



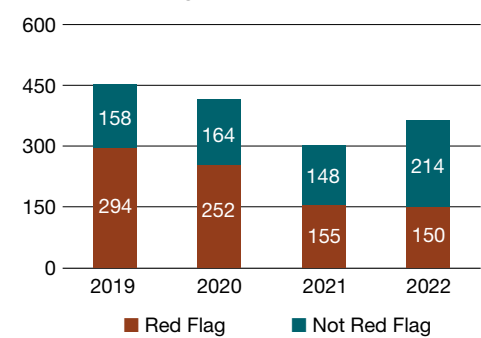
**Time taken to close Service Complaints by appeal status, 2022**



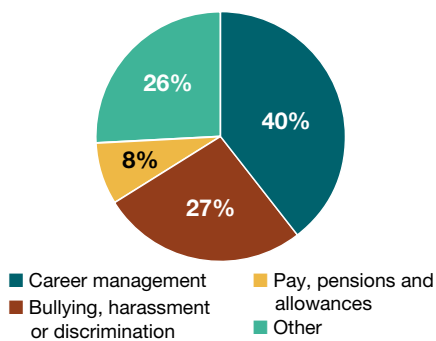
**Number of Service Complaints: ruled admissible and closed in 2022; open at start and end of 2022**



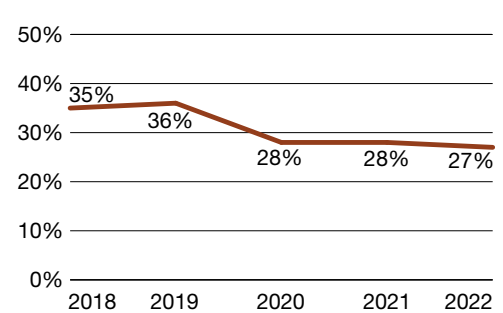
**Number of open Service Complaints by red flag status, 2019-2022**



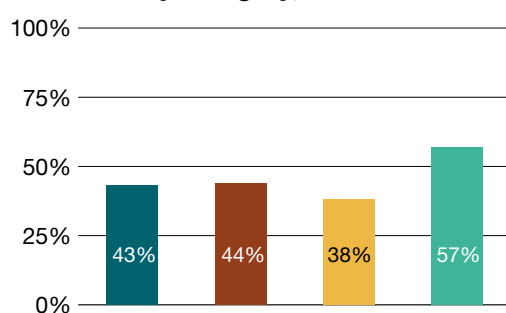
**Category of Service Complaints ruled admissible in 2022\***



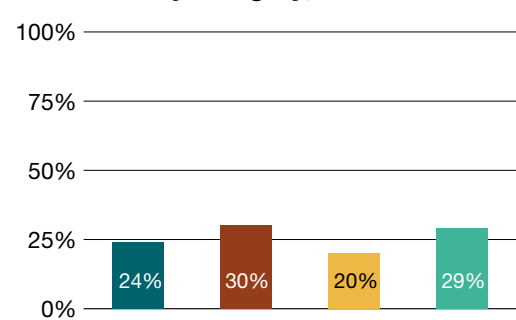
**Service Complaint appeals rate, 2018-2022**



**Service Complaint upheld rate by category, 2022**



**Service Complaint appeals rate by category, 2022**



■ Career management
 ■ Bullying, harassment or discrimination
 ■ Pay, pensions and allowances
 ■ Other

\* The sum of % category may not add up to 100% due to rounding.

## Royal Air Force

### Key findings – Timeliness

- 81% of Service Complaints received and closed in 2022, were decided within the 24-week target. The target was 90%.
- The average time taken to close a Service Complaint was 24 weeks.
- Bullying, harassment or discrimination Service Complaints take the longest – 56 weeks.
- As at 31 December 2022, there were 81 Service Complaints open, of which 14% were still open beyond the 24-week target and not suspended or stayed.

### Key findings – Volume

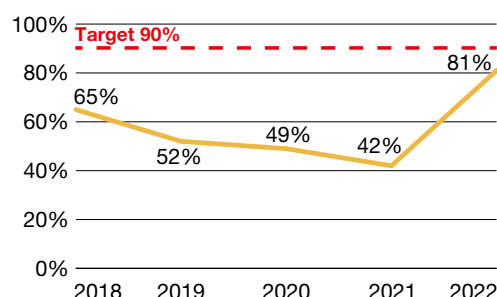
- In 2022, 255 Service Complaints were ruled admissible.
- This represented 89% of Service Complaint applications.
- 45% of Service Complaints closed in 2022 were decided as fully/partially upheld and 42% as not upheld.
- 23% of Decision Body (DB) decisions were appealed.

### Key findings – Bullying, harassment or discrimination<sup>1</sup>

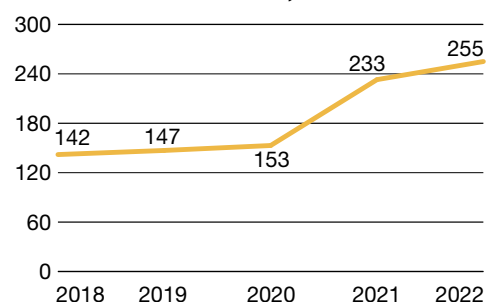
- 12% of RAF personnel experienced bullying, harassment or discrimination.
- Of those RAF personnel who had experienced bullying, harassment or discrimination, 8% raised a written complaint.

<sup>1</sup> Source: Armed Forces Continuous Attitude Survey 2022

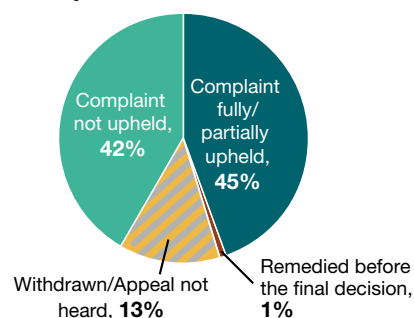
### Service Complaint in-year timeliness rate, 2018-2022



### Annual number of Service Complaints ruled admissible, 2018-2022



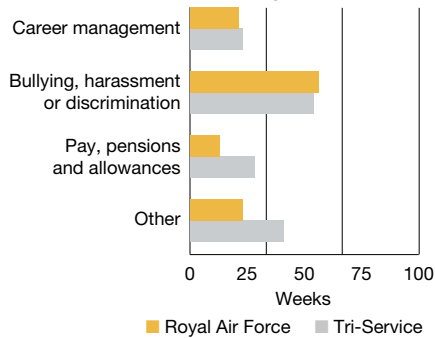
### Outcomes of Service Complaints closed in 2022\*



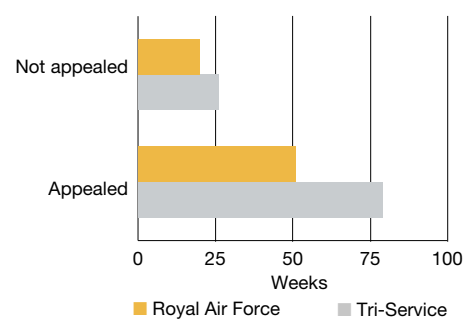
Service	Service Complaints per 10,000 Service personnel	Proportion of statements of complaint ruled inadmissible	Proportion of Service Complaints with early resolution	Proportion of Service Complaints upheld	Proportion of DB decisions appealed	Average time to close a Service Complaint
Royal Air Force	67	11%	1%	45%	23%	24 weeks
Tri-Service	48	11%	9%	43%	26%	35 weeks

\* The sum of % outcomes may not add up to 100% due to rounding.

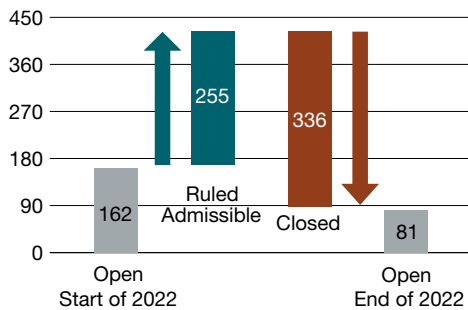
**Time taken to close Service Complaints by complaint category, 2022**



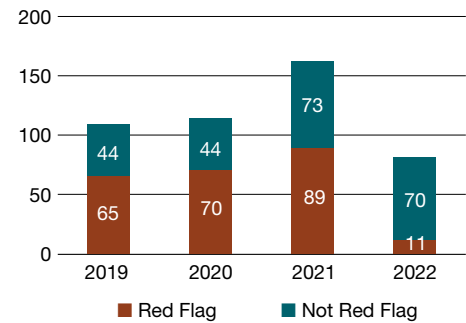
**Time taken to close Service Complaints by appeal status, 2022**



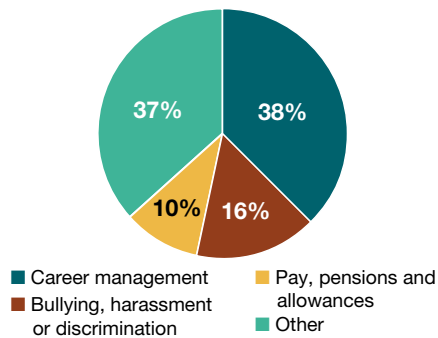
**Number of Service Complaints: ruled admissible and closed in 2022; open at start and end of 2022**



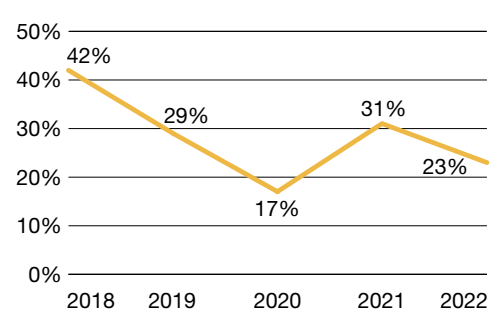
**Number of open Service Complaints by red flag status, 2019-2022**



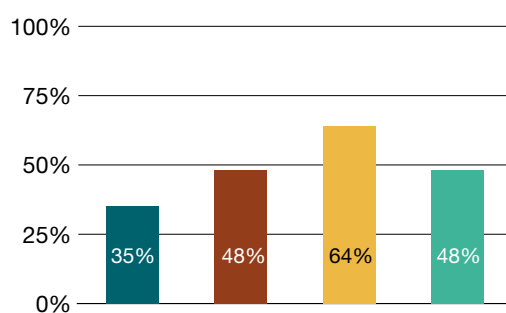
**Category of Service Complaints ruled admissible in 2022\***



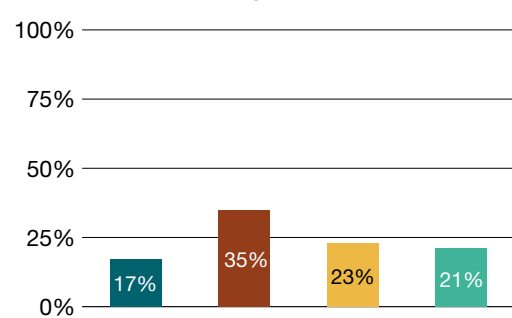
**Service Complaint appeals rate, 2018-2022**



**Service Complaint upheld rate by category, 2022**



**Service Complaint appeals rate by category, 2022**



■ Career management
 ■ Bullying, harassment or discrimination
 ■ Pay, pensions and allowances
 ■ Other

\* The sum of % category may not add up to 100% due to rounding.

## Appendix H – Single Service narratives

### Royal Navy narrative

From Vice Admiral Martin Connell CBE



The Second Sea Lord

**NAVY COMMAND**

Navy Command Headquarters  
MP 2-1, Leach Building  
Whale Island, PORTSMOUTH  
Hampshire, PO2 8BY

Tel:  
Email:

Service Complaints Ombudsman for the Armed Forces

10 February 2023

#### ROYAL NAVY SERVICE COMPLAINTS HANDLING IN 2022

##### Introduction

1. I am pleased to confirm that we have built upon the improvements reported last year to deliver further progress during 2022. We have received more complaints than in any of the previous 5 years, but have closed more, and closed them quicker. The number of Red Flag cases has been reduced by around a third, and we have successfully integrated the policy and processes needed to implement the new legislation for Service Complaints. Our Service Complaints management team is fully resourced, but we are monitoring the impact of the new legislation to determine whether more is required.

##### Service Complaints Reform

2. The new legislation went live on 15 June. Central Admissibility appears to be working well and there are strong, early, indications that this has had the desired effect of improving confidence in the system. About two thirds of the complaints received in year were received after 15 June; this has resulted in a 33% increase in the number of Service Complaints admitted in 2022. A total of 198 complaints was admitted compared to 149 last year. Since June, we have seen a sustained increase in the volume of complaints suggesting that this is a trend that will continue into 2023.

3. We are managing Central Admissibility through a Central Admissibility Team and whilst we have reassigned some members of the team to administer this function, an additional EO was provided to absorb some of the extra work. Our processes are being refined based on experience and feedback from complainants but although admissibility decisions are still taking a little longer than we had originally envisaged – on average<sup>1</sup> about 43 days – we have found that this investment at the front end of the process is delivering benefits later. Also, importantly, it has provided a valuable opportunity to give complainants, or, indeed, other parties to the complaint, advice and support and the system has evolved from one of simply delivering a process to one of providing a service.

4. For example, it enables us to better define Heads of Complaint, manage complainants' expectations as to what can and cannot be achieved and also point them in the direction of additional support. Crucially, we are often able to identify alternative means of resolution, be that through mediation, back with the unit when it transpires that the Chain of Command was unaware of a problem or, on occasion, ourselves, where the issue is simply about knowing the right point of

<sup>1</sup> Median averages have been used unless otherwise stated.



### From Vice Admiral Martin Connell CBE

contact. During 2022, 15% of cases were resolved through this activity. Whilst additional work for the team in the short term, it has also prevented several complaints from having to be admitted, saving time and disruption for all parties over the longer term. There have also been several cases where although we determined a case to be inadmissible as a formal Service Complaint, matters were raised which we felt needed further investigation – whether by the Chain of Command, or occasionally the Service Police. We therefore believe that the new processes are not only generating confidence in the system, but they are enabling us to achieve quicker and better resolutions.

5. We received 37 appeal requests during 2022, of which 25 were received after 15 June. From those requests 18 were admitted, 7 of which were under the new rules. It's still too early to be certain of the impact of the new legislation, but initial indicators suggest that whilst there might be more appeal requests, fewer appeals will be admitted. What is certain is that appeal admissibility decisions now demand far greater scrutiny and therefore resource, but whether this demand will be offset by fewer appeals overall remains to be seen.

### Management of Service Complaints

6. For 2022, the Service Complaints team focussed on giving equal priority to improving performance against the KPI and reducing the number of Red Flag Cases and I am pleased to report that progress was made in both areas. Performance against the KPI has improved from the 63% reported last year to 69% and we have delivered a 40% reduction in the number of Red Flag cases with the total number reducing from 86 to 56 of which just under half are from the early part of 2022, 14 predate 2021 and the oldest is from December 2019. In taking this approach, we have refined a number of business processes; reducing legal input where possible and training our caseworkers to better understand the level of investigation necessary to deliver a sound decision. Through this, we have seen the average time taken to resolve a complaint reduce from the 42 weeks recorded last year, to 27 this and we believe this will enable us to manage the expected increase in caseload.

7. Given that these improvements were achieved against a 33% increase in the number of admissible complaints, and the backdrop of diverting staff resource towards developing and implementing the new legislative arrangements, I am confident that further improvements can be achieved in 2023. Our figures suggest that average appeal times take around 3 times longer to resolve than where there is no appeal - 22 weeks compared to 66 - so with an expectation of fewer admissible appeals, there is all the more reason to believe further improvements are possible.

The table below summarises complaints received and resolved over the past 5 years.

Year	SCs Admitted	SCs Resolved	Red Flag Resolved
2022	198	193	118
2021	149	170	105
2020	145	119	87
2019	162	157	68
2018	171	160	67

8. In workforce terms, the Service Complaints Team is now fully resourced with 21 personnel and has 15 caseworkers compared to the 7 employed in 2021. We are monitoring closely the impact of the new arrangements to determine whether further increases will be necessary.

9. In addition to the permanent staff, we have also recently recruited a further 7 personnel to act as Decision Bodies, bringing our total DBs on a Volunteer Ex Regular Reserve Service (VeRRS)



**From Vice Admiral Martin Connell CBE**

commitment to 13. These personnel are all former senior officers with experience of managing service complaints or having relevant subject matter expertise and include a former Naval Secretary and Head of Legal Services amongst their number. Over the past year, we have seen the value of having experienced personnel making decisions both in the quality and timeliness of the decision and of the 190 decisions made at Decision Body and Appeal Body level, 141 of them (74%) were made by our 'In-House' Decision Bodies. Whilst we do provide training and outreach to support Decision Bodies in the Fleet, the reality is that most officers are extremely busy individuals with their own workloads and are unlikely to receive more than one or two Service Complaints during their tenure. It follows that using our own experienced, dedicated Decision Bodies will lead to quicker and sounder decisions. We therefore intend to gradually induct the new members with a view to ultimately increasing the number of decisions we can bring 'in house'.

10. We have also continued to use the Admiralty Board and Defence Council to make decisions. This provides a hugely valuable means of keeping senior personnel engaged with the Service Complaints process, ensuring they are aware of the issues affecting their people and who are well placed to make recommendations for change when appropriate. Ultimately, it also provides high quality and timely decisions.

**Confidence in the System**

11. Our engagement with your office suggests that we are getting our decisions right, but undue delay remains a concern. No decisions have been overturned in 2022 but the high number (78% of the applications you accepted) of undue delay findings will be one of our areas of focus for 2023 as we recognise that delay is one of the major sources of dissatisfaction. At the same time as improving efficiency to resolve cases faster, we have already taken steps to be more transparent and proactive in informing all parties of any potential delay, including the reasons for the delay, and giving an indication of when we expect to reach a decision. In order to better manage expectations and reduce uncertainty, we are now doing this as soon as delay comes to light, rather than waiting for an Ombudsman judgement.

12. We have also re-energised our engagement with the Navy's focus groups such as Compass, the Commonwealth Network and the Naval Servicewomen's Network to identify and address the concerns that are being raised and hopefully encourage advocacy for the system. We ran a pilot course for Assisting Officers with the aim of creating a pool of trained individuals who would be available for complainants to select from if unable or unwilling to choose somebody from within their unit. We intend to run more courses in 2023 and we will also introduce periodic 'dial in' training sessions for Assisting Officers where we can provide up-to-date advice and information and address any concerns that are raised. We will also be issuing a Plain English-approved AO's Guide. Additionally, our Mediation Team is actively seeking opportunities to brief across the Navy of the service they offer and the benefits of mediation.

13. With the above measures, and confidence seemingly improved as a result of Central Admissibility, I very much hope to see this reflected in future AFCAS surveys.

**Interaction with the Service Complaints Ombudsman**

14. I am grateful for the productive interaction we have had during 2022 and I am also pleased that you have had the opportunity to visit a number of Navy and Marine units during the year. I know you have more programmed for 2023 and we stand ready to support these in any way that we can.

15. During 2022 we had the following outcomes from the formal work conducted with your office.

- Admissibility Reviews. The original admissibility decision by the RN was upheld by the SCOAF in 72% of cases (13 out of 18).



**From Vice Admiral Martin Connell CBE**

- Undue Delay. In 25 out of 32 accepted applications (78%) undue delay was found.
- Maladministration and Substance. Of the 12 applications received in year, maladministration was only found in one case. The SCOAF did not take 8 for investigation following initial case review (67%), and a decision is awaited in 3 others.
- Maladministration. Maladministration was not found in any the 4 applications made in 2022 although a decision is still awaited in one of these.
- Substance. None of the 3 applications made to the SCOAF seeking investigation into the substance (merits) of the finally determined complaint were accepted.

**Looking Forward**

16. Looking forward to 2023 we will keep a close eye on the volume of service complaints to determine whether we have sufficient resource, whether we have placed our resource in the right places or whether additional resource is required. I hope to build upon the progress we have made in 2022 and we will strive to close all complaints predating 2023. We will further develop our programme of outreach throughout the Navy to do what we can to ensure that sailors and marines have confidence in the Service Complaints process.

17. The case for KPI reform has been made and I am encouraged by the progress that is being made in this respect. We will continue to work with colleagues in developing them but whilst recognising the need for reform, it would also be disappointing if the progress made towards achieving the existing KPI is completely ignored.

18. You will be aware that CDP has directed Navy Command to develop a new Casework Management System and the digital team within the Personnel and Training Directorate are now developing this on behalf of Defence. We know that the introduction a new CMS is a vital to further improve the efficiency of Service Complaint management and we will be working closely with colleagues to ensure that we deliver something that meets our collective requirements.

Yours sincerely,

**Annex:**

Royal Navy Statistical Data for 2022.

**Copy to:**  
MA/1SL  
Dir P&T

**Vice Admiral Martin Connell CBE**  
**Second Sea Lord**





## Army narrative

Lieutenant General Sharon Nesmith  
Deputy Chief of the General Staff

Army Headquarters  
Marlborough Lines  
Monxton Road  
ANDOVER  
SP11 8HJ



*Marek*

30<sup>th</sup> January 2023

### SCOAF 2022 THE ARMY ANNUAL REPORT NARRATIVE

#### PERFORMANCE

1. The Army continues to build on previous success and reports that 54.7% of Army Service Complaints (SC) were resolved within the Key Performance Indicator (KPI) of 24 weeks in 2022. This is a 23% improvement on last year's figure and the fourth successive year of steady improvement.<sup>1</sup> Some specific areas of the process show even greater improvement, the SC Career Management Cell achieving a KPI of 81%.

2. I would draw your attention to the following:

a. **Volume of SCs made Admissible.** The proportion of Army personnel who submit a formal SC has increased slightly from 0.3% in 2021 to 0.4% in 2022 (from 367 to 482 SCs). This has created a 30% rise in the volume of admissible SC being admitted and has had a significant impact on the nascent Central Admissibility Team. This increase, we believe, is the result of the centralisation of SC admissibility, which has both improved the confidence in Service Personnel to raise a SC outwith the chain of command, but also restricted opportunities for early informal resolution before entering the SC process. This last issue we will seek to address with you and the SC Transformation Team in MoD.

b. **Female and Black Asian and Minority Ethnic (BAME) Representation.** Females currently comprise 10.7% of the Army but continue to be overrepresented this year, submitting 20% (97 cases) of SCs. This is a slight improvement on the preceding year.<sup>2</sup> BAME Army personnel are more representative, comprising 15.8% the Army but submitting 15% (71 cases) of SCs in 2021, a continuing improvement over the last two years.<sup>3</sup> We continue to pursue with vigour and focus our drive to improve the lived experience of our people, to develop a fairer and more inclusive environment, with particular focus on improving behaviours across the Army through the Op TEAMWORK initiatives.

c. **Red Flag Cases.** We have maintained a steady state of the number of SC that remain open over 24 weeks, allowing the SC Branch to focus on managing the increase in SC workload being managed by the newly established Central Admissibility Team.<sup>4</sup> Reducing Red Flag cases to the minimum will be a focus throughout 2023, and I look forward to reporting progress in the new quarterly reporting schedule.

<sup>1</sup> 44.4% in 2021, 42.4% in 2020 and 32.4% in 2019.

<sup>2</sup> In 2021 Females comprised 10.5% of the Army, submitting 22.1% of SCs.

<sup>3</sup> In 2021 BAME personnel comprised 15.1% of the Army and submitted 17.2% of admissible SCs.

<sup>4</sup> 155 cases open over 24 weeks in 2021 reducing slightly to 152 in 2022.



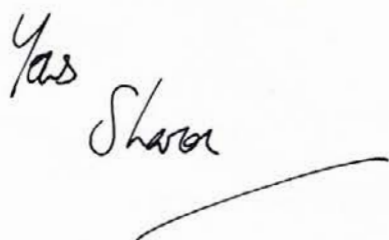
## NEXT STEPS

3. Whilst I am pleased with the progress that we are making, I am not complacent and recognise that there is still much to be done. You will be aware of the SC Reform Review now under way across the Army, which will deliver a new operating model in April this year to realise the scale of improvement to which we collectively aspire. The intent is to deliver a system that is **simpler, quicker**, and create a process that is **more accessible, empathetic, efficient, effective**, and **transparent**, thereby **increasing confidence** of our people that their complaints will be addressed in a way that is efficient, effective and fair.
4. To ensure we have the new model properly resourced; since the last report I have committed an additional £25M over the next 10 years, a reflection of our continuing commitment to improvement. Of this, a further £500,000 p.a. is allocated to enhance the Outsourced Investigation Service, the remainder providing an additional uplift of 23 Full Time Equivalent posts to augment the capacity of the SC Secretariat. Thank you for your continuing support to the review and we look forward to discussing the development of it with you shortly.

## CONTINUING DEFENCE SC REFORM

5. Progress will continue to be dependent on the SC Transformation Team developing and progressing an active and effective SC Transformation strategy that delivers, amongst other outcomes, the outstanding recommendations from previous SCOAF reports. We remain committed to that. The three most immediately important elements of it, and on which the rate and scale of Army improvement will depend, are:
- a. **Digitalisation: A Case Management System.** The Centre is developing a proposal for a future Case Management System (CMS), which will be vital to the future efficiency and effectiveness of our new SC operating model. Whilst this initially evolved quickly, the future options appear unclear at this stage. The timely delivery of an effective CMS is our most pressing priority.
  - b. **Informal Resolution.** There is a tension between creating a central admissibility process that removes the Chain of Command from the point of submission and admission, and allowing it the earliest opportunity to achieve informal resolution where it is appropriate. The Army is keen to contribute to the development of an SC approach that allows and facilitates opportunities for early and effective informal resolution of complaints.
  - c. **KPI Reform.** The COS Committee was exposed to the Centre's KPI Reform paper which aims to progress the development of a new KPI from January 2023. The Army is committed to the progress of KPI improvement and DPers remains the Army lead for this.

Yas  
Sharon



## Royal Air Force narrative

From: Air Marshal Sir Richard Knighton KCB FREng RAF



**DCom Cap and AMP&C  
Air Command**

Royal Air Force  
HIGH WYCOMBE  
HP14 4UE

Mrs Mariette Hughes  
Service Complaints Ombudsman for the Armed Forces

Jan 23

### SCOAF 2022 ANNUAL REPORT – RAF PERFORMANCE

Thank you for affording me the opportunity to contribute to your Annual Report, I have the pleasure of attaching the RAF Service Complaints (SC) data for 2022.

Over the last 18 months the RAF has taken decisive action through the SC Action Plan and launch of the RAF SC Journey. Our aim throughout was to respond to the concerns raised in your previous reports and to enhance the experience for all involved in the SC process. Whilst acknowledging that we still need to do more, I am delighted by the improvements made by my Service Complaints Team (SCT) which have resulted in our highest ever KPI achievement in 2022, closing 81% of SCs in 24 weeks, up from 42% in the previous year. Please also note that we have not applied any MOD endorsed exemptions within our performance data.

In the year ahead, my first objective is to ensure this achievement is sustained and improved for the long term so that we meet or exceed the KPI within the next 1-2 years. I am proud and heartened that the SCT are delivering a Defence leading, transparent process that encourages personnel to raise grievances, and which are then solved in a more efficient, effective, and fair manner than ever before. This accords with the vision of the RAF SC Journey to provide 'a frictionless journey, with empathetic care and faster resolution'.

The RAF has continued to see an increase in both admissible and non-admissible SCs. Admissible SCs are 255, up from 233 in 2021, and 153 in 2020. This demonstrates increasing confidence in the RAF SC process, with individuals feeling empowered to complain earlier when issues arise. The RAF SC Journey and initiatives therein have enabled the SCT to close 93% more complaints this year, up from 174 in 2021 to 336 this year. This has halved the number of active SCs at any one time and has enabled the SCT to focus on reducing the legacy (pre-2021) SCs and Red Flag Cases. The RAF closed all pre-2021 legacy cases in Jun 22 and Red Flag Cases have reduced from 89 in Dec 21, to 11 in Dec 22.

### Key Updates

- In Sep 21, the RAF SC Journey replaced the 170-page Air Publication; this increased access to, and flexibility of, the SC process, enabling each grievance to be resolved in a more bespoke way. Industrialisation of Case Hearings is one of the

ways the SCT are personalising complaints, by making SCs admissible, investigating the SC, and, if appropriate, deciding on the SC during single '*Teams*' meeting. Feedback has been very positive as personnel are listened to directly, with VeRR Decision Bodies as Lead Panel Members and with Independent Members and Subject Matter Experts, where appropriate.

- The Central Admissibility Team (CAT) initiative launched on 1 Jul 21 continues to deliver efficient and effective admissibility decisions within 2 weeks of submission of an Annex F. The process continues to evolve, with the requirement for formal legal advice being removed but oversight provided by an OF3 Legal Officer.
- The feedback from customer experience surveys is improving steadily. A new category of individuals involved in SCs has been created, called Participants. They are involved in the SC, or named in the Annex F, but will not be criticised in the Decision. Participants are afforded the same protections as Respondents, but their reclassification is intended to remove the anxiety and stress of feeling they're being 'accused' and therefore having to defend themselves.

### Looking Forward to 2023

The RAF believes that more must be learnt from SCs if we are to succeed as a Next Generation Air Force. To that end we have already taken one SC recommendation into the People Innovation Office to investigate how to resolve a systemic issue that has operational impact. Moreover, the report by Air Cdre B Cooper, VeRR, Decision Body (DB) and Ms L Ball, Independent Member, who reviewed SCs submitted by women in 2021 has been both inciteful and valuable, and my team are addressing the recommendations. In Feb 23, we will commission an analysis of SCs from 2022; focusing on those submitted by women and individuals from minority backgrounds.

Following the success of the DB 2\* lead training, mentoring and monthly training sessions, we will launch more online and in person training in 2023 than ever before to ensure increased awareness and understanding, and to reap the benefits that training offers.

The RAF are supportive of MOD led KPI reform, and believe that 90% of complaints resolved within 24 weeks is achievable with an enhanced Case Management system. Investment in an enduring end to end tri-Service Case Management System is essential to enabling SCs to be resolved in a timely manner. My team is ready to lead and develop an enhanced and enduring system that builds on the experiences of our current approach.

Finally, on behalf of our Units, my Service Complaints Team, and the RAF as a whole, I would like to thank you for the guidance and support that you have provided to us over the last 12 months and your continued dedication to be our critical friend. We confidently look forward to confronting the challenges that will come this year and to working with you to develop a more efficient, effective, and fair grievance process.

Annex:

A. RAF SCOAF Annual Statistics 2022.

## Appendix I – Sources of further information

Further information on the Service Complaints process, in the form of publications and/or statistics, can be found at the following sites.

Service Complaints Ombudsman for the Armed Forces	<p><b><a href="http://www.scoaf.org.uk">www.scoaf.org.uk</a></b></p> <p>The SCOAF website contains copies of all past Annual Reports and statistical briefings concerning the Service Complaints system in addition to publications and information concerning SCOAF processes.</p>
Ministry of Defence	<p><b><a href="https://www.gov.uk/government/organisations/ministry-of-defence/">https://www.gov.uk/government/organisations/ministry-of-defence/</a></b></p> <p>This site provides information on the organisations within the defence system, reports and data, and guidance.</p>
Ministry of Defence Service Complaints information	<p><b><a href="https://www.gov.uk/guidance/armed-forces-service-complaints-process">https://www.gov.uk/guidance/armed-forces-service-complaints-process</a></b></p> <p>The site provides information and guidance on the Service Complaints process.</p>

Details of Ministry of Defence Statistical and Research publications can be found at:

**<https://www.gov.uk/government/organisations/ministry-of-defence/about/statistics>**

Further information on the individual Services covered by the Service Complaints system can be found at:

Royal Navy	<b><a href="http://www.royalnavy.mod.uk">http://www.royalnavy.mod.uk</a></b>
Royal Marines	<b><a href="https://www.royalnavy.mod.uk/royalmarines">https://www.royalnavy.mod.uk/royalmarines</a></b>
Army	<b><a href="https://www.army.mod.uk">https://www.army.mod.uk</a></b>
Royal Air Force	<b><a href="http://www.raf.mod.uk">http://www.raf.mod.uk</a></b>

## Enquiries about this publication should be directed to:

Media enquiries	<b><a href="mailto:Commsofficer@scoaf.org.uk">Commsofficer@scoaf.org.uk</a></b>
Statistical enquiries	<b><a href="mailto:Statistics@scoaf.org.uk">Statistics@scoaf.org.uk</a></b>
Requests for hard copies of the full report	<b><a href="mailto:Commsofficer@scoaf.org.uk">Commsofficer@scoaf.org.uk</a></b>

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

 Website:	<b><a href="http://www.scoaf.org.uk">www.scoaf.org.uk</a></b>
 Email:	<b><a href="mailto:contact@scoaf.org.uk">contact@scoaf.org.uk</a></b>
 Phone:	<b>0300 369 0689</b>
 Postal Address:	<b>PO Box 72252 London SW1P 9ZZ</b>





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