

Annual Report 2023

Independence | Impartiality | Integrity



Annual Report 2023

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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This publication is available at https://www.scoaf.org.uk/annual-reports

ISBN: 978-1-5286-4674-1

E03061135 04/24

Printed on paper containing 75% recycled fibre content minimum.

Printed in the UK by HH Global on behalf of the Controller of His Majesty's Stationery Office.

Contents

Foreword from the Ombudsman	'
Message to my team	vi
Executive summary	i
About the Service Complaints Ombudsman for the Armed Forces	3
Our mission	>
Our vision	>
Our customer charter	>
Our Strategic Objectives	X
Stakeholder engagement	Х
Our people	Х
Our workforce	Х
Senior Leadership Team	Х
Service Complaints in 2023	xi
The work of SCOAF in 2023	xii
Chapter 1 – Efficient, effective and fair: the Ombudsman's assessment	•
Performance against previous year	3
Efficient	4
Effective	7
Fair	11
Chapter 2 – The work of the Service Complaints system in 2023	18
Overview	16
Who raises complaints?	16
What do Service personnel complain about?	16
Service Complaint handling	16
Service Complaint outcomes	17
What if a complainant was not happy with how a complaint was handled	
or its final outcome?	18
Single Service performance	18

Chapter 3 – The work of SCOAF in 2023	25
Key findings	27
Our performance	30
Recommendations and wider learning points	30
Unallocated backlog	30
Operational process review	30
Customer satisfaction	31
Service Complaints reform	32
Resource and staffing	32
Staff engagement	33
Business Plan	33
Outreach and engagement	34
Chapter 4 – Recommendations progress	35
Appendix A – Progress report of previous recommendations	39
Appendix B – Governance	46
Appendix C – Financial statement	47
Financial expenditure by SCOAF 2023	47
Appendix D – Events, visits and external appointments	48
Appendix E -Tri-Service statistical factsheet	52
Key findings	52
Appendix F – Single Service statistical factsheets	54
Royal Navy	54
Army	56
Royal Air Force	58
Appendix G – Single Service narrative	60
Royal Navy narrative	60
Army narrative	64
Royal Air Force narrative	67
Appendix H - Sources of further information	69

Foreword from the Ombudsman



Dear Secretary of State,

I am pleased to present the Annual Report for 2023, covering my third year in post as the Service Complaints Ombudsman for the Armed Forces. There have been a number of improvements made this year, which demonstrate that the goal of a system which is efficient, effective and fair is within reach.

The Services have made further progress in the efficiency of Service Complaints, the results of which can be seen in the achievement of a timeliness figure of 74% 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 represents the third continuous year of improvements and should be commended. It should also be noted that the Services have achieved this improvement whilst dealing with a significantly increased volume of incoming complaints, for the second year running. All three Services have engaged with each other and with my office in a positive and meaningful fashion this year, seeking to learn from each other and identify areas for improvement.

In last year's Annual Report, I made a number of recommendations designed to deliver real change in the way the Service Complaints system operates. Whilst the majority of these have now been accepted and work is in progress (with recommendation 7.5 remaining under review), final agreement was not reached until late October 2023. Going forward, it is imperative that any future recommendations are discussed and understood at all levels before any decisions are taken. My office stands ready to be involved in any conversations which are deemed necessary, to ensure that recommendations can be agreed and progressed as quickly as possible.

Due to the delay in reaching agreement, I have chosen not to make any further recommendations in this report. This is not a decision I have made lightly. However, I remain convinced that the measures outlined in last year's Annual Report have the capability to deliver real and lasting change. As such, it seems counterproductive to make further recommendations until the Service Complaints Transformation Team have been afforded the opportunity to make progress against the agreed recommendations.

I am pleased to report SCOAF once again succeeded in meeting our own KPI this year, with 100% of all cases closed within timeliness targets in-year. This has been delivered in the face of a 36% increase in applications received. Our backlog has reduced further, which is a key part of ensuring that my office provides the same level of service as we expect from the Service Complaints system, in line with our Strategic Objectives.

The increased volume of admissible Service Complaints and applications to SCOAF demonstrate how important it is that we continue to make improvements and get things right, for the benefit of all Service personnel. Whilst there remain areas to work on, I do believe that the system is improving, and will continue to do so. However, we will only achieve the vision of an efficient, effective and fair Service Complaints system if we continue to work and drive for change together.

Mariette Hughes

Service Complaints Ombudsman for the Armed Forces

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Message to my team

SCOAF has had another landmark year in 2023, with the entire team delivering incredible results in the face of some real challenges. I am beyond thankful for the efforts of the entire organisation this year.

The fact that SCOAF has been able to deliver further improvements in performance, despite a huge increase in the amount of incoming applications, is testament to the dedication, professionalism, and engagement of our staff. I am thrilled to be able to report that we have met our KPIs for the second year running, and the fact that 100% of cases closed in-year were resolved within the target timeframes, is nothing short of exceptional. The entire Operations Team have worked together to improve the service we provide, and the pride they take in their work absolutely shines through. Over and above this, the team have embraced new ways of working and have played an active role in changing our business processes to deliver an improved customer experience.

I must say a particular thank you to our Fee Earning Investigators, who had been with SCOAF for a number of years. Intended to be a flexible resource to help deal with increases in casework, they provided a huge amount of support and became a really important part of the team. It is bittersweet that the improvements made to date mean that we can no longer justify the use of this resource – but I recognise very keenly that they themselves were instrumental in our success. I am very grateful for their hard work and wish them all the best in the future.

The Business Team have delivered to a high standard this year, despite a number of gapped positions. In addition to ensuring the smooth running of SCOAF as a whole, we delivered another successful Stakeholder Symposium, conducted an extensive outreach programme, and gave oral evidence to the House of Commons Defence Committee. None of these activities would have been possible without the efforts of this small, but extremely hardworking and professional team.

Most of all, I am grateful for the levels of enthusiasm and commitment from everyone at SCOAF. This year has been challenging for a number of reasons, but everyone has pulled together, and brought so much positivity to the office. I remain extremely honoured to be able to work with such a wonderful, diverse, motivated team – and I look forward to seeing what more we can achieve together.

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Executive summary



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About the Service Complaints Ombudsman for the Armed Forces

The Service Complaints Ombudsman for the Armed Forces' (SCOAF) Annual Report 2023 details the work undertaken by the Ombudsman's office in 2023, and reviews the work undertaken by the Services.

Our mission

SCOAF provides independent and impartial oversight of the Service Complaints system for all members of the UK Armed Forces.

Our vision

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

Our customer charter



We will always treat you with respect and expect the same in return for our staff.

We will ensure that the information we provide is clear and easy to understand within the remit of the powers of the Ombudsman. We undertake all aspects of our work fairly and impartially as an independent body and never compromise confidentiality. We will continually look to improve the service we offer and listen to the feedback provided. The full version of SCOAF's customer charter can be found on our website.

Our Strategic Objectives

- Improve organisational performance to ensure SCOAF operates in a way that is efficient, effective and fair.
- Increase confidence in the Service Complaints system by sharing knowledge and insight and driving awareness and visibility of the Ombudsman.
- Identify and drive forward systemic change through continued engagement with wider stakeholders.

Stakeholder engagement

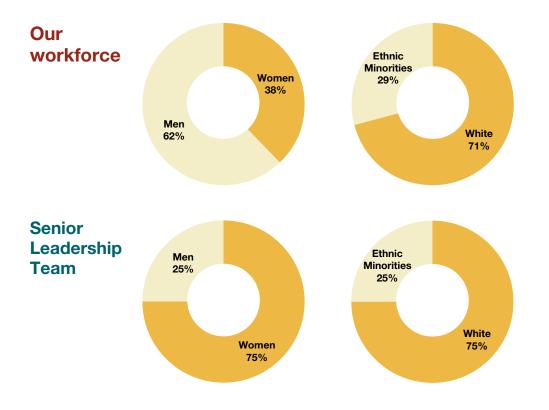
In addition to regularly scheduled meetings, the Ombudsman conducted several stakeholder engagements and visits in 2023, in order to increase awareness of the system and her office. A full list is at Appendix D.



Our people

Every day, we work together independently of the Ministry of Defence to ensure an effective Service Complaints system and create a culture to be proud of. Our employees are the foundation of our mission-driven culture.

We are committed to fostering an inclusive and diverse workplace, and aim to maximise the talent of our team by attracting, retaining and developing people with diverse skills, increasing representation at all levels to build a workforce where differences are recognised and valued.



Service Complaints in 2023

The Service Complaints system is an internal workplace grievance process for members of the UK Armed Forces, both Regular and Reserves.

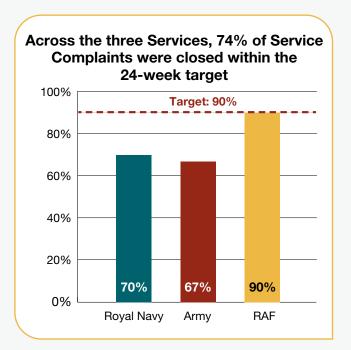
1,225 Service Complaints were ruled admissible in 2023

1 in 154 Service personnel raised a Service Complaint

4 out of 5 applications resulted in a complaint being investigated

39% of Service Complaints were upheld

All Service Complaints are judged on the merits of the case



Categories of Service Complaints

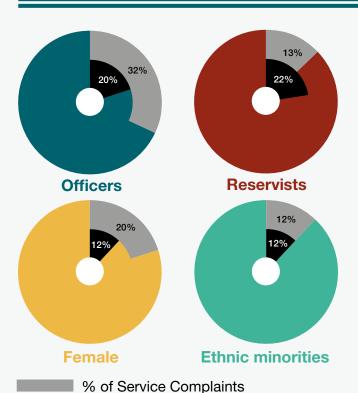




Bullying, harassment and discrimination



Pay, pensions and allowances



% of Service personnel

Officers overrepresented: 20% of personnel, 32% of admissible complaints.

Reservists underrepresented: **22**% of personnel, **13**% of admissible complaints.

Female Service personnel overrepresented: 12% of personnel, 20% of admissible complaints.

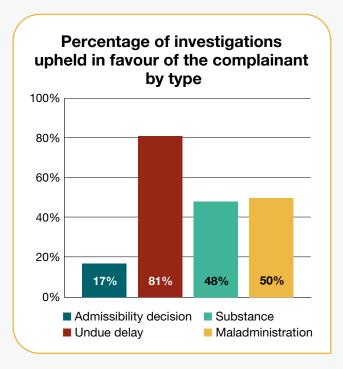
Ethnic minorities Service personnel proportionately represented: 12% of personnel, 12% of admissible complaints.

The work of SCOAF in 2023

SCOAF provides independent and impartial oversight of the Service Complaints system.

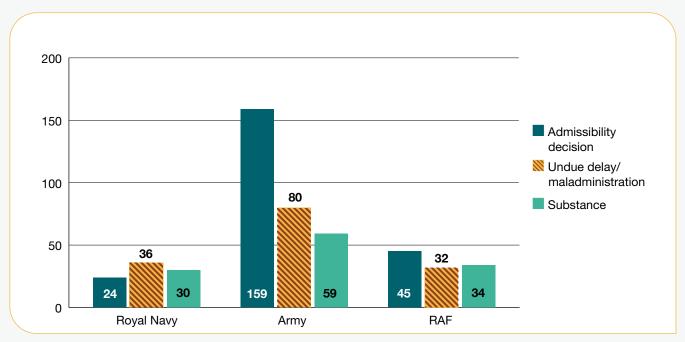






499 applications for investigation were received
90% of applications were eligible for investigation
67% of applications were accepted for investigation
100% of investigations were completed within the

time target



Owing to the RAF having fewer than five undue delay cases, Official Statistics advises that the precise number should not released. Therefore, undue delay and maladministration have been combined when reporting the number of investigation applications received.

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



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

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, ensuring that the correct outcomes are reached, in a way that is open and transparent.

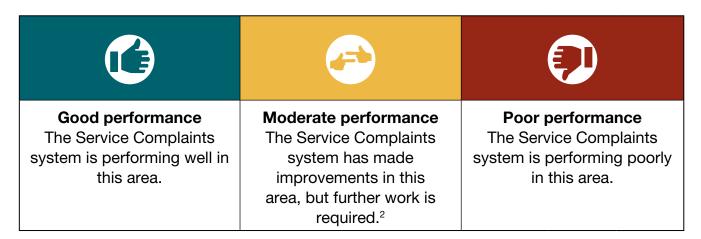
As was the case last year, whilst there have been some shifts in the assessments made, the Ombudsman remains unable to say overall that the system is efficient, effective and fair.

The system is very close to being considered fair. However, ongoing concerns with the handling of bullying, harassment and discrimination complaints are preventing this measure from being achieved. In terms of efficiency, should performance continue on the current trajectory, it is anticipated that this, alongside further work on developing informal resolution, will result in this measure being achieved in the next few years. Similarly, the Ombudsman anticipates that if the planned work on open recommendations is delivered in 2024, the system may be capable of being marked as effective.

This year the Ombudsman has not made any new recommendations. This is because the recommendations made in last year's Annual Report have not yet had sufficient opportunity to be implemented and deliver the anticipated change.

Performance against previous year

Ombudsman's assessment	2022	2023
Efficient		
Deals with complaints at the lowest suitable level		
Resolves complaints within the allocated timeframes and without undue delay		
Operates to keep up with demand		
Effective		
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		
Fair		
Is independent and impartial		
Has openness and transparency		
Is accessible		
Does not disadvantage or discriminate		
Achieves appropriate outcomes		



² Issues preventing a higher assessment may be outside of the immediate Service Complaints system.

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 crucial part of the user experience. This means individuals engaging directly with the process, identifying the issues to be rectified and for any potential redress to be granted. Dealing with complaints at the lowest appropriate level can also result in swifter resolutions, improving the efficiency of the system.

As highlighted in last year's Annual Report, the introduction of Central Admissibility Teams improved independence and confidence in the system. However, it remains the case that the ability to submit Service Complaints directly to the single Service Secretariats can mean that the chain of command is not able to provide swift, local resolution on less complex complaints.

This year, an increased number of users of the system reported to SCOAF's Service Complaints User Feedback Survey that there had been some attempts at informal resolution - 42% compared with 33% last year, which is positive. Nevertheless, there is still no mechanism within the system to allow for complaints that have been identified as admissible Service Complaints to be resolved at a local level, without requiring a full investigation and formal determination.

> In my case no other action occurred such as mediation or chain of command intervention. This should be made compulsory before the Service Complaint in my honest opinion.

Recommendations 6.1 and 6.3 made in 2021, sought to address the issues of consistency in approach across the Services with the amendment of Joint Service Publication 831 'Service Complaints: Redress of Individual Grievances' (JSP 831) and the reframing of the Annex F complaint form respectively. Work is underway to design a process whereby local resolution can be attempted with the agreement of the parties, without restricting an individual's right to utilise the full Service Complaints process. Therefore, no further recommendations have been made on this issue. Delivering the intention of recommendations 6.1 and 6.3 would allow the Ombudsman to say that the system does in fact deal with issues at the lowest appropriate level.

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, SCOAF will also consider the time taken for an admissibility decision to be made, as well as the time being taken to investigate the complainant's concerns.

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. This 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. Continuing the trend from last year, 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

The overall timeliness figure in 2023 was 74% for cases which were deemed admissible. This represents a further 8% increase on last year, and marks the third consecutive year of improvements. Whilst this still falls short of the 90% KPI, this performance is to be commended and represents a commitment to continuous improvement of the system.

Within each of the Services, timeliness was 70% for the Royal Navy, 67% for the Army and 90% for the RAF. This shows individual improvements across each Service, and marks the first time a single Service has attained the KPI. The overall average handling time for all Service Complaints has dropped to 22 weeks, from 25 weeks in 2022, improving the user experience.

However, the time taken to resolve cases that are appealed remains a significant concern. The average resolution time for a case that was not appealed was 19 weeks in 2023: for those where an appeal was admitted, this increased to 33 weeks.

This figure does represent an improvement of 21 weeks on last year. However, it remains the case that this is simply too long and can discourage individuals from pursuing their complaint. The changes to the handling of appeals were intended to ensure they have a tighter focus, centred around admissible grounds. It is therefore unclear why appeals are still taking so long. The Ombudsman reiterates that a review of the number and category of complaints proceeding to appeal should form part of the future work taking place under recommendation 7.1.

In terms of undue delay on specific cases, SCOAF continued to receive fewer applications asking that we investigate undue delay. However, in the applications we did receive, we found undue delay in 81% of cases, compared with 70% last year. It should also be noted that many individuals may not raise a separate undue delay application, but will include this aspect of case handling when asking SCOAF to investigate maladministration.

The main drivers of delay in 2023 were staff shortages, along with backlogs and queues created by the significantly increased number of admitted complaints. This reinforces the need for the work outlined in **recommendation 7.1** to be taken forward, to ensure the system can cope with these issues.

Operates to keep up with demand

In 2023, the Services experienced a further 31% increase in the number of Service Complaints admitted, which represents a continuation of a significant shift in demand. The number of complaints admitted to the system has risen 64% in the last two years.

The Services closed fewer cases (1,182), than they ruled admissible (1,225) in 2023. This has naturally resulted in a slightly higher number of cases which remain in progress. However, the Ombudsman notes the difficulties the Services have faced in keeping pace with the increased demand and does not consider that this represents a significant issue. Therefore, this measure continues to be recorded as having been achieved, but will be reviewed next year. The importance of **recommendation 7.1** cannot be understated, as it will allow for forward planning to deal with any further increase in demand.

SUMMARY – is the system efficient?

Improvements continue to be made to the efficiency of the system, but performance is not yet in line with the KPI and the time taken for appeals remains a concern. The system cannot yet be reported as being efficient – however performance this year indicates that this measure is within reach.

Effective

An effective complaints system is one that:

- People have knowledge of.
- People have confidence in.
- Has clarity of purpose.
- Is flexible and proportional.
- Acts on the results of complaints and lessons learned to bring about change.

People have knowledge of

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 continued the programme of outreach and focus visits in 2023 (see Appendix D) 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. Furthermore, the number of individuals who were aware of the significant legislative changes implemented in 2022 remains low.

It is 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. The introduction of the My Complaint app as an easily located and accessed resource is a positive development.

The role of Assisting Officers is vital in helping individuals navigate the Service Complaints system. Despite this, in 2023, SCOAF's Service Complaints User Feedback Survey indicated that 26% of those responding were not offered an Assisting Officer. Of those who were offered an Assisting Officer, 50% said they did not find this helpful. This is a marked deterioration on last year's results, which is concerning. The Ombudsman considers that this needs to be carefully monitored, and steps should be taken to ensure that the support of an Assisting Officer is offered. This can be monitored through the implementation of the new Case Management System, and reviewed through the quality sampling framework set out in **recommendation 7.3**.

People have confidence in

To ensure user confidence in the complaints process, Service personnel 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.

The Armed Forces Continuous Attitude Survey (AFCAS) reported that in 2023, 13% of personnel had experienced bullying, harassment and discrimination in the last 12 months (a further 1% increase on 2022). However, only 13% of those individuals went on to make a complaint. The reasons given for not raising complaints were that personnel did not believe anything would be done about it (60%) and that complaining would adversely affect their career (55%). These figures represent a deterioration since last year, and indicate that confidence in the system, particularly for those experiencing inappropriate behaviours, remains worryingly low. Of particular concern is that 15% of those who said they had experienced bullying, harassment and discrimination said that they were discouraged from raising a complaint.

There remains in Service [...] stigma attached to Service Complaints, and a feeling that people will be upsetting the apple cart, and that has a detrimental effect on career progression.

However, this must be balanced by the fact that there has been a 31% 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 could be interpreted as increased confidence in the system, but may also indicate that a large number of incidents remain unreported. Further analysis is required, which will be possible once the new Case Management System has been released.

Since the establishment of the Service Complaints system 16 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 implementation of recommendation 7.3 will allow the Ombudsman to conduct dip sampling within an agreed quality assurance framework. This should improve trust and confidence in the system.

Has clarity of purpose

A common trend observed by the Ombudsman in 2023, is the lack of understanding of how the Service Complaints system and disciplinary processes sit alongside each other. The Ombudsman reiterates that a clear statement of purpose, along with a simple explanation of what can be expected and what can be achieved should be provided under **recommendation 7.2**. This could also be supported by the provision of anonymised case studies demonstrating the process and outcomes of Service Complaints.

The policy document which governs Service Complaints is <u>JSP 831</u>. Discussions with key stakeholders around the Service Complaints system tend to focus only on formal Annex F submissions, Specified Officer decisions, along with Decision Body and/or Appeal Body determinations following investigation of a complaint. However, the purpose of the system should be about the resolution of all individual grievances, through whichever method is most appropriate. In line with comments made earlier in this report, and the outstanding **recommendations 6.1** and **6.3**, it must be remembered that resolution can take many forms. A full investigation may not always be required.

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 2023, 71% 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. Whilst this represents a 10% improvement on 2022, this figure remains concerning. The implementation of **recommendations 6.1** and **6.3** should assist in improving experiences of the system in this regard.

A recurring theme is that many people this year 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 may make individuals feel like there is a lack of flexibility in the process, and that it is too formal.

There was no interaction with the Decision Body, nor did they contact me at any point to allow me to provide mitigation or context.

However, all three Services have made efforts to engage more directly with individuals in 2023. The Ombudsman is pleased to note an increased use of telephone and Teams calls to interact with those involved in a complaint, which may alleviate some of these concerns.

This is of particular importance when defining the Heads of Complaint to be investigated. The Ombudsman is pleased that there has been a marked increase in Specified Officers engaging with complainants prior to making admissibility decisions, which provides an opportunity to ensure that the issues are understood.

As set out in last year's Annual Report, 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. This can also be monitored through an agreed quality assurance process, as set out in recommendation 7.3.

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. In 2023, quarterly meetings with the Services continued. These proved incredibly valuable in ensuring that trends and feedback could be discussed and actions agreed, in terms of the Ombudsman's observations on specific cases.

It is of significant concern that 90% 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. Whilst this is a small improvement of 8% on last year, it remains a significant issue in an individual's experience of the system.

Another issue which has come to the forefront this year, is a desire for complainants to understand what action will be taken as a result of their complaint. The purpose of the system is to provide redress to put the complainant back in the position they should have been in, had the wrong not occurred. Any disciplinary action which may be taken against individuals who have been found to have acted poorly is an entirely separate process. The Ombudsman acknowledges this, but understands that complainants would value the assurance that action is in fact being taken to address any poor behaviours, and to ensure reoccurrence is avoided in the future.

> I believe the complainant should be made aware of the actions taken against a respondent if their complaint is upheld.

The Ombudsman remains keen to see the closure of recommendation 1.10, relating to the experiences of female and ethnic minorities. The Ministry of Defence has provided an update (Appendix A) 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.

SUMMARY - is the system effective?

There have been improvements in this area – however, the Ombudsman has concerns over trust and confidence in the system. Whilst the system cannot yet be reported as being effective, the completion of outstanding recommendations will go a long way to ensuring this measure is met in the future.

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

As was the case last year, the Ombudsman has not observed anything in 2023 which would give rise to serious concerns about the independence and impartiality of the Service Complaints system. The Central Admissibility Teams are working well and ensure that the chain of command does not have any involvement in determining admissibility.

In 2023, 44% of individuals who had raised a complaint reported to AFCAS that they were happy with the objectivity and fairness with which their complaint was handled. This is a 16% improvement on last year, which is significant. Furthermore, the number of individuals who said they were dissatisfied with the levels of objectivity and fairness dropped 20%.

The Ombudsman continues to support the notion that the first level investigation and decision should be provided by the relevant Service themselves. As the provider of the environment in which a complaint arises, it is essential that the Services are provided the opportunity to rectify any issues and put things right. SCOAF continues to play a vital role in overseeing these processes and providing external assurance. The implementation of **recommendation 7.3** will further strengthen this oversight of the Service Complaints system.

Conly an external light on the senior decision makers can provide transparency to improve the situation.

The Ombudsman remains satisfied that whilst a positive and collaborative relationship has been established with both the Ministry of Defence and the Services, SCOAF remains able to assess the performance of the system with objectivity and complete independence. There have been no changes to the way SCOAF operates and no barriers to discharging the Ombudsman's statutory functions. The publication of the framework agreement setting out the governance arrangements for SCOAF³ represents a significant milestone in demonstrating our independence and impartiality.

³ Ministry of Defence SCOAF Governance Framework Agreement

I just want to say thank you to SCOAF as the advice I've been given has enabled me to have the confidence to put a complaint through and to know what to do. In addition it is confidence giving to know that the process is overseen and if there are any problems going forward I can make use of the options brought to my attention by SCOAF. I am also encouraged that lessons will be learnt to help others.

Has openness and transparency

The Ombudsman considers that there has been some progress in this area. Of those responding to SCOAF's Service Complaints User Feedback Survey, 28% of surveyed complainants found the process to be simple and straightforward. Whilst this figure remains low, it has nearly doubled since last year, which is encouraging. Furthermore, the number of individuals reporting that they received regular and informative updates on the process rose by 15%. There was also an 8% increase in people saying that the decisions on their complaints were clearly explained.

Whilst the Ombudsman is satisfied that the process for handling Service Complaints is clearly set out in policy, it remains the case that individuals may not understand what is happening wth their complaint, or what they can expect from the process. The appointment of Assisting Officers plays a vital role in bridging the gap in understanding and offering support.

> Once my Assisting Officer was in place, the process felt less burdensome as this lifted some of the pressure.

Is accessible

Overall, accessibility of the system has improved, with the bedding in of Central Admissibility Teams, and the introduction of the My Complaint app, which allows individuals to submit and track their complaint online.

> Service Complaints process was fast and seamless, easy to fill out.

SCOAF provides an important function in referring complaints into the system, to ensure that all Service personnel are able to access it. In 2022, 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. This appears to have been linked to the introduction of the new process, with individuals being unclear how to raise a

complaint and to whom this should now be submitted. The level of referrals has decreased in 2023, and is now broadly in line with previous years, indicating that this was a temporary increase which should not cause concerns around the overall accessibility of the system.

There remains some 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 of appeal. Examples of what can be brought as an appeal and an explanation of the different options on receipt of a Decision Body decision should be included as part of **recommendation 7.2**.

Does not disadvantage or discriminate

From the responses to SCOAF's Service Complaints User Feedback Survey, 90% of those who had been a complainant and 80% who were respondents said their health and well-being was impacted negatively by the Service Complaints process. Whilst this shows some improvement on last year, the figures remain worryingly high.

The stress and worry it has caused me has been immense – worrying about the repercussions on myself personally and professionally in the unit.

The impact that the Service Complaints process has on an individual's well-being cannot be understated. Whilst the underlying cause for complaint may itself be stressful, the feedback from users of the system indicates that the process itself causes them significant distress. Respondents remain particularly vocal about the impact a Service Complaint may have on them.

The Service Complaint that I was a Respondent in took nearly two years before it was completed at Appeal Body stage.

During that time, I suffered from many sleepless nights, much reduced sleep, headaches, weight loss, stress-related issues, emotional, I would burst into tears for minor reasons.

Although the system itself does not actively discriminate, it remains the case that those who raise complaints are still waiting too long to have them resolved. This is of particular importance when looking at those complaints relating to bullying, harassment and discrimination. Within this category, cases which do not go to appeal take on average 24 weeks to resolve, and this rises to 49 weeks when appealed. When complaints that relate to protected characteristics and poor behaviours take nearly one year to go through the entire process, there is a clear disadvantage to the parties involved. In addition, female and ethnic minorities Service personnel remain overrepresented within this category of complaint, and are therefore disproportionately affected by any failings within the system.

Achieves appropriate outcomes

Individuals using the Service Complaints system must have confidence that the right outcome will be reached. In 2023, SCOAF partially or fully upheld 48% of substance investigations (compared with 36% in 2022). However, it should be remembered that SCOAF uses a triage system and will only investigate cases where we believe there is value in doing so, therefore these figures should be viewed with this in mind. It is rare that the Ombudsman will direct that a final determination must be reconsidered in its entirety – in the majority of cases where SCOAF upholds an element of substance, this relates to one area where the original decision did not go far enough.

These cases only represent a small proportion of those that go through the Service Complaints process. The implementation of **recommendation 7.3** will allow for further oversight and assurance into whether the outcomes reached are appropriate in all cases.

SUMMARY – is the system fair?

Overall, the Ombudsman is satisfied with the fairness of the system and the way in which it is operating. However, there remain serious concerns around the experiences of those who have cause to raise complaints about bullying, harassment and discrimination.

Chapter 2 – The work of the Service Complaints system in 2023



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Chapter 2 – The work of the Service Complaints system in 2023

Overview

The Service Complaints system is a process for serving or former members of the UK Armed Forces to resolve grievances on matters relating to their Service and seek redress. Details of time limits for bringing complaints are set out in <u>JSP 831</u>.

Who raises complaints?

Regular Service personnel, Veterans or Reservists may raise a Service Complaint.

Proportionally, more complaints were raised by RAF personnel than the other Services in 2023. Also, officers and Regular Service personnel were proportionally more likely to raise Service Complaints than other ranks or Reservists.

Female and ethnic minorities Service personnel were more likely to submit a complaint than their counterparts, and a higher proportion of these related to bullying, harassment and discrimination.

What do Service personnel complain about?

In 2023, the three main categories of Service Complaints were:

- career management (35%);
- bullying, harassment and discrimination (21%); and
- pay, pensions and allowances (12%).

Service Complaint handling

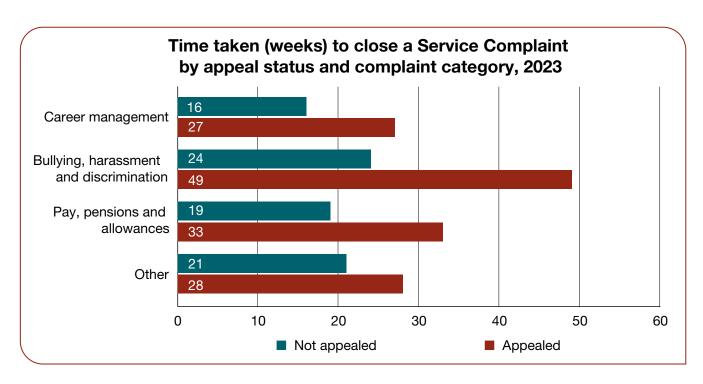
How many Service Complaints did the Services handle?

In 2023, 1,225 Service Complaints were ruled admissible, which is a significant increase (31%) from last year. Despite this increased volume, the Services succeeded in closing 1,182 complaints over the year. Of the 634 cases remaining open as at 31 December 2023, 22% were 'red flag' cases (i.e., cases which were not 'stayed' or suspended and which had been open for more than 24 weeks).

How long did the Services take to process a Service Complaint?

The average time taken to close a Service Complaint was 22 weeks, which is an improvement on last year's performance (25 weeks).

The average number of weeks to close a case which was not appealed was 19 weeks. However, cases which were appealed took an average of 33 weeks to close.



The Services are set a KPI target of resolving 90% of all Service Complaints in 24 weeks. In 2023, the Service percentage of in-year Service Complaints closed within target was 74%. This is a solid improvement on last year's figure of 66%, but still some way short of the KPI target.

Service Complaint outcomes

Normally, the outcome of a Service Complaint is initially decided by a Decision Body following an investigation. In 2023:

- 39% of Service Complaints were known to be partially or fully upheld.
- 33% of Service Complaints were known to be not upheld.
- 10% of Service Complaints were known to be remedied before a final decision was made.
- 2% of Service Complaints were known to be withdrawn before a final decision was made.
- 17% of Service Complaints were appealed, but not heard. Details of the original decision were not known by SCOAF.⁴

⁴ The sum of the figures for outcomes may not add up to 100% due to rounding.

Appeal process

Apart from ineligible cases⁵, decisions concerning a Service Complaint may be appealed by a complainant if:

- there was a material procedural error.
- the decision was based on a material error as to the facts of a case.
- there is new evidence that could materially affect the outcome of a case.

In 23% of eligible Service Complaints, the complainant sought an appeal.

What if a complainant was not happy with how a complaint was handled or its final outcome?

SCOAF investigations

If a complainant is unhappy with a decision that their complaint or appeal is inadmissible, they can ask SCOAF to review the decision.

In addition, SCOAF can investigate undue delay in the handling of a Service Matter⁶ or a Service Complaint.

As part of the Service Complaints process, a complainant may ask SCOAF to investigate the substance of a Service Complaint or alleged maladministration in the handling of a Service Complaint, after a final determination has been made.

Single Service performance

While the annual assessment of the Service Complaints system is based on 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 2023, and an assessment of their performance in general. This performance assessment is mainly based on statistical returns 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 <u>Appendix F</u>, and the narratives have been reproduced in full at <u>Appendix G</u> with the consent of the PPOs.

⁵ Service Complaints decided by either a Service Board or the Defence Council are not eligible for the Service Complaints appeal process.

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

Royal Navy⁷



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KPI – 70% Timeliness Rate (Target: 90%)

In 2023, the Royal Navy ruled 283 complaints admissible as Service Complaints, which was a 43% rise compared with last year, and a 90% increase over the last two years.

The Royal Navy succeeded in closing more complaints than last year (38% more). However, because this fell slightly short of the increase in complaints received, there was a rise in the number of cases open at the end of the year compared to the start, although the number of red flag cases did fall.

The in-year timeliness rate of 70% represents a small improvement on last year's performance. The average resolution time fell to 23 weeks, which is an improvement from taking 29 weeks to resolve Service Complaints in 2022.

Year	Number of cases ruled admissible	Number of cases closed	Number of cases open as at 31 December	Number of red flag cases	Average time taken	Timeliness rate
2022	198	193	145	52	29 weeks	69%
2023	283	267	161	46	23 weeks	70%
Trend	Rise (+43%)	Rise (+38%)	Rise (+11%)	Fall (-12%)	Improvement	Slight improvement

⁷ 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:

- An increase in demand not being equalled by change in resources, and a number of posts being gapped.
- Implementing a number of refinements to business processes including:
 - o a new governance regime to validate the decisions and processes taken within the complaints system; and
 - o seeking to identify local resolution opportunities at an early stage, noting that: "of the cases admitted and decided in 2023, 20% were resolved without the need for a formal Decision Body decision".
- Bringing cases 'in-house' to be decided by a panel of VeRRS⁸ officers, with all but seven complaints decided in 2023 being dealt with in this way, which has led to: "quicker, sounder and more consistent decisions".

The Royal Navy also highlighted that there were a number of complaints which had to be paused for reasons outside of its control - for example where there were pending police investigations, or where parties to a complaint were deployed without access to communications. This would have affected the KPI performance figure. The Ombudsman notes this and would be supportive of further conversations with the Ministry of Defence as to how this could be reflected in future. However, the KPI is not owned by SCOAF, so this would need to form part of a wider, collaborative piece of work to ensure alignment between the Services.

In its narrative, the Royal Navy notes that the increase in the number of Service Complaints suggests they are "on the right trajectory", but also comments that the principal objective is to be able to address any underlying behaviours. With this in mind, the Royal Navy has placed significant focus on culture and leadership, along with ensuring that the complaint system can be used for wider organisational learning, and holding individuals to account to prevent further occurrences of poor behaviour.

The Ombudsman acknowledges the efforts the Royal Navy has made this year and notes the very low numbers of overturned admissibility decisions, which is a positive trend. The Royal Navy has also placed significant focus on reducing the number of cases experiencing undue delay, which is welcomed.

The Ombudsman notes the issues the Royal Navy has had with staffing this year and recognises the need to ensure that Secretariat teams are sufficiently resourced to deliver both operational and support functions going forward. Whilst it is not possible to predict the number of complaints that will be raised in the future, the Ombudsman thanks the Royal Navy for its openness and transparency, and for its commitment to working together to make further improvements.

Army



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KPI – 67% Timeliness Rate (Target: 90%)

In 2023, the Army ruled 614 complaints admissible as Service Complaints, which was a 27% rise compared with the previous year, and a 67% increase over the last two years.

The Army rose to this challenge, closing nearly 50% more cases than last year. This has led to a slight fall in the number of cases open at the end of the year compared to the start.

The in-year timeliness rate of 67% represents an improvement for the fifth consecutive year and the best performance for the Army. While this remains some way behind the KPI, the Army is starting to close in on this target.

The average median resolution time also saw an improvement, with cases taking 24 weeks to close, compared with 27 weeks in 2022. However, appealed cases took 43 weeks to resolve – the highest of all three Services. This is, in part, a result of the number of red flag cases falling by nearly half, which should have a significant positive effect on next year's timeliness rate.

2023 Trend	614 Rise (+27%)	628 Rise (+49%)	348 Fall (-4%)	81 Fall (-46%)	24 weeks Improvement	67% Improvement
2022	482	421	362	150	27 weeks	55%
Year	Number of cases ruled admissible	Number of cases closed	Number of cases open as at 31 December	Number of red flag cases	Average time taken	Timeliness rate

The Army, in its narrative, notes the high performance against career management Service Complaints, achieving a KPI of 88%. The specialist career management cell dealt with 23% of these Service Complaints, and achieved a KPI of 97%. The Army has completed an internal review of Service Complaints processes and considers that the resultant transformation programme will deliver a professionalised and more efficient operation, with the implementation expected to be completed in July 2024. The Ombudsman is grateful for the engagement with SCOAF on this review and is very supportive of the proposed changes.

The Army has increased performance against the KPI for bullying, harassment and discrimination cases from 29% in 2021, to 61% in 2023. This is a significant improvement and very much welcomed by the Ombudsman.

The Army also reduced its red flag cases and commented: "there are now just 40 Service Complaints that predate 2023, down from 80 that predated 2022 last year. Resolving these final older cases remains a priority and I am confident we can do so this year."

In 2023, the number of admissibility decisions made by the Army that the Ombudsman was asked to review increased by 92%: a much greater rise than was seen by the other Services. The Army noted that this may be because of a lack of unit guidance at complaint submission, which could be tied to centralised admissibility.

The Army reiterated its concerns that having centralised admissibility results in reduced opportunities for informal resolution. The Ombudsman shares this concern and welcomes the Army's support in developing ways in which this can be addressed in the forthcoming Service Complaints Review.

The Army highlighted three main areas of outstanding work that it considers to be the immediate priorities:

- Delivery of the new Case Management System to allow for more efficient processing of complaints;
- Developing a Service Complaints approach that allows for informal resolution; and
- Analysing data to optimise performance and provide insights on best practice.

The Ombudsman is encouraged by the continued enthusiasm and engagement of the Army this year and supports the delivery of these priorities, which align closely with the outstanding SCOAF recommendations.

Royal Air Force



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KPI – 90% Timeliness Rate (Target: 90%)

In 2023, the RAF ruled 328 complaints admissible as Service Complaints and this represents another year of increasing demands (29% rise). The volume of admissible complaints has more than doubled over a three-year period.

Unfortunately, the number of Service Complaints closed in 2023 has fallen compared with last year, and coupled with the increased demand this has led to a near 50% rise in the number of open cases at the end of the year compared to the start. However, despite this, the number of red flag cases remains low.

The in-year timeliness rate of 90% represents another year of improvement and is the highest ever recorded timeliness of any Service Complaints Secretariat. The average median resolution time of 18 weeks is also an improvement from 2022.

It is noteworthy that there were fewer than five applications for SCOAF to investigate undue delay in RAF Service Complaints in 2023.

Year	Number of cases ruled admissible	Number of cases closed	Number of cases open as at 31 December	Number of red flag cases	Average time taken	Timeliness rate
2022	255	336	84	11	23 weeks	81%
2023	328	287	125	10	18 weeks	90%
Trend	Rise (+29%)	Fall (-15%)	Rise (+49%)	Fall (-9%)	Improvement	Improvement

Key updates provided by the RAF are:

- The RAF has embraced continuous improvement in its handling of Service Complaints with its use of the RAF Service Complaints Journey survey.
- The RAF continues to expand the use of 'Rapid Case Hearings', first used widely in 2022. Most complaints are now resolved in a single case hearing lasting one or two hours, with decision letters typically issued within a few days.
- It has expanded its Volunteer Reserve Decision Maker team, ensuring Decision Bodies are appropriately trained and mentored.
- A team that included independent external experts completed a 100% review of RAF complaints made in 2022. This gave valuable insight on why RAF personnel complain and the outcomes of their complaints. This review has been used to help drive internal policy/process changes, and the RAF is reassured the review found no evidence of erroneous or improper decisions.

The Ombudsman notes the efforts made by the RAF and commends them for their achievement of a 90% timeliness figure. The Ombudsman is also supportive of the use of case hearings as a means of speaking directly to the parties. Whilst this achievement is to be celebrated, the Ombudsman would urge caution in pursuing speed at the expense of quality. SCOAF has seen some cases this year where a more in-depth investigation would have been of benefit.

The Ombudsman understands the challenges associated with a significant rise in the number of admissible Service Complaints. The drop in the number of complaints resolved in year by the RAF is of slight concern and it will be important for the Service to ensure that it can keep pace with the number of incoming complaints over the coming years.

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Chapter 3 – The work of SCOAF in 2023



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Chapter 3 – The work of SCOAF in 2023

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 Service's Secretariat directly to make their complaint.
- Review admissibility decisions made by the Services to not accept a complaint (either in whole or in part) or an appeal, to determine whether that decision was correct.
- Investigate undue delay in the handling of a Service Complaint or Service Matter.
- Investigate the substance and/or handling of a complaint (maladministration) once the internal Service Complaints process is complete.

What is a referral?

Individuals usually raise a complaint via their single Service Secretariat. If they do not want to do this, they can ask the Ombudsman to refer their Service Complaint directly to the single Service Central Admissibility Team.

What is admissibility?

This is a decision made by the single Service Central Admissibility Team whether to accept or exclude a complaint from the Service Complaints system. SCOAF has the power to review admissibility decisions and make a finding to either uphold or overturn the admissibility decision.

What is undue delay?

In general terms it means the complainant thinks the time taken to process their complaint has been unwarranted, excessive or unjust.

What is substance?

This is what the Service Complaint was about. SCOAF can investigate the substance of a complaint, but is not a further level of appeal.

What is maladministration?

It means that something was wrong or improper in the way the Service handled the complaint. SCOAF can investigate allegations of maladministration in the handling of Service Complaints.

Key findings

Volume

- We received 499 investigation applications, which is a 36% increase from last year's 367.
- 90% were eligible for investigation and 67% were investigated.
- All eligible admissibility and delay cases were investigated, but due to our triage process, not all eligible substance and/or maladministration cases were.
- We had an unallocated backlog of 11 substance and/or maladministration cases on 31 December 2023.

Timeliness

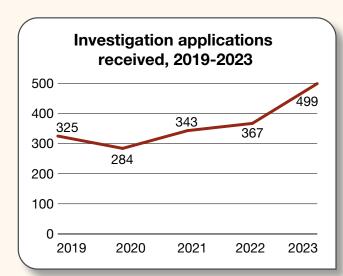
- 100% of investigations were completed within our time targets.
- The target was 17 working days for admissibility and delay cases, and 100 working days for substance and/or maladministration cases.
- The average time taken to carry out admissibility and delay cases was 3.4 weeks, made up of 1.1 weeks unallocated and 2.3 weeks investigated.
- The average time taken to carry out substance and/or maladministration cases was 28 weeks, made up of 14 weeks unallocated and 14 weeks investigated.

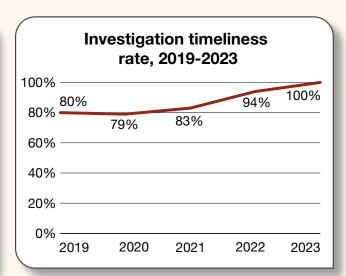
Outcome

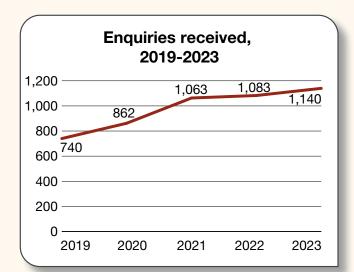
- The investigations with the highest rate of being upheld were undue delay cases, at a rate of 81%.
- 48% of substance, 50% of maladministration and 17% of admissibility review cases were upheld.

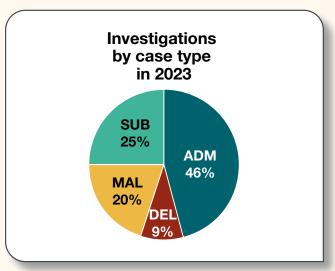
Enquiries and Referrals

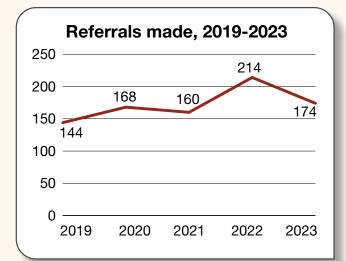
- 1,140 enquiries were received, which is up 5% from last year.
- 174 referrals were made by SCOAF, which is down 19% from last year.

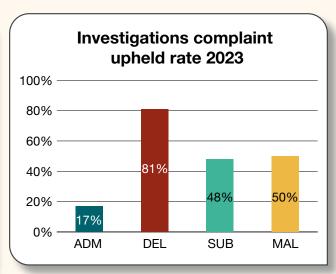


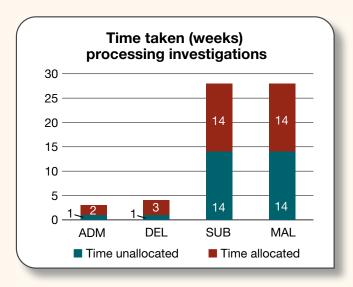


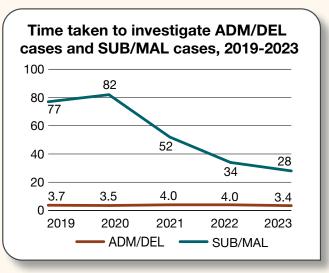


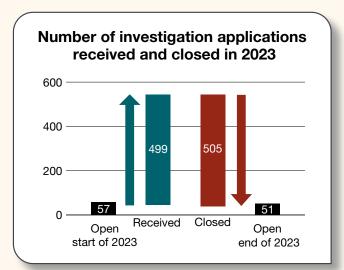


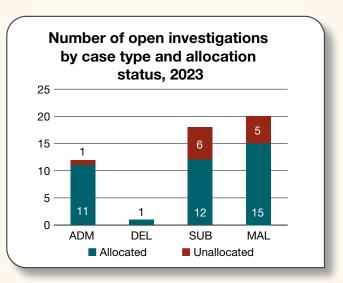


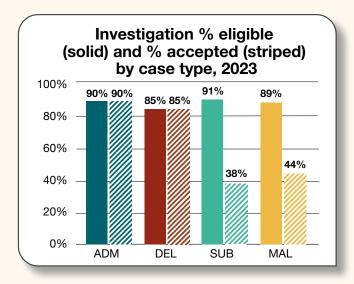


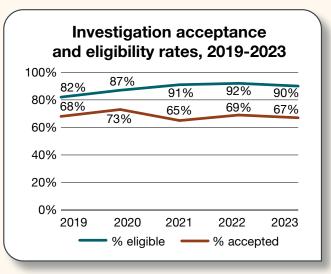












Our performance

It has been a busy year for SCOAF, having received our highest number of enquiries (up by 5%) and investigation applications (up by 36%) during a period where we have not been fully staffed. Despite these challenges, we have completed a comprehensive internal process review that has delivered real change to the way that we do things for the better. As a result, 2023 has been SCOAF's best year on record for performance overall.

It is the second year that the timeliness KPI of carrying out 90% of investigations within our specified timescales has been exceeded, and this year we have achieved 100% in all areas. We completed 100% of all substance and/or maladministration investigations within 100 working days, which closely mirrors the Ministry of Defence policy that 90% of Service Complaints should be completed within 24 weeks.

Recommendations and wider learning points

Following an investigation, the Ombudsman may make recommendations and/or wider learning points. In 2023, SCOAF made 129 recommendations and 87 wider learning points. The types of recommendations fell into three main categories:

- Process 75
- Apology 32
- Consolatory award 22

Unallocated backlog

As SCOAF's timeliness has improved, unallocated cases on the backlog have decreased to 11 substance and/or maladministration cases, compared to 18 the year before.

By the end of December 2023, it was taking two months for these types of cases to be allocated to an Investigator for investigation. By comparison, at the end of 2022, it was taking four months to allocate. This is a significant reduction in wait time for complainants before their concerns are investigated by SCOAF.

Operational process review

SCOAF strives to continuously improve in order to provide an excellent customer experience. We recognised that it was important to reduce the number of cases on the unallocated backlog, as well as the wait time for complainants to have their case allocated to an Investigator. We decided to add these as stretch objectives to our 2023-2024 Business Plan.

⁹ One of our cases that was targeted to close in 2023 remained open and will now close in 2024. This case will be reflected in our 2024 statistics.

As well as this, it is important that once cases are allocated, they are then processed and investigated in a timely manner, with complainants' expectations managed from the outset and updates provided regularly. In our quest for timeliness and efficiency, it was vital that we maintained our high-quality decision making.

With this in mind, throughout 2023, we have carried out work to review and improve all investigative processes with customer experience at the forefront. We did this by including all operational staff, using their first-hand experience and insight. Through this we have been able to remove unnecessary steps, reduce double handling and streamline processes. We have created new internal process maps and have started to work differently. We have restructured all our written communication, including reports. They are now more concise, easier to understand, and in plain language.

We are managing expectations of complainants better from an earlier stage. If we are unable to investigate a complaint, we are informing complainants sooner and providing better explanations.

Our process changes have resulted in greater efficiencies. Our unallocated case backlog has reduced, the wait time for cases to be allocated to an Investigator has gone down and the time taken to investigate is achieved within our targets. In addition to this, we have maintained high quality decision making and customer experience standards.

We have also been working on improving our external digital communications to ensure wider accessibility to SCOAF, with the introduction of online applications.

This has made it more accessible for individuals to submit requests. We are currently carrying out an audit of our website to ensure all information is accessible and as user-friendly as possible, with any changes to be made in the coming months.

Customer satisfaction

Complaints about us

SCOAF received three complaints in 2023. We investigated them all and upheld one, where we found that our service had not been of the required standard and provided an apology.

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

Judicial review

The decisions made by the Ombudsman, 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.

Service 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 introduced, reducing it from six weeks to two weeks. Three grounds of appeal were also introduced.

It is evident that the Services have seen an increase in complaints since these changes were introduced. It has also resulted in a significant increase in the number of appeal admissibility review applications and substance and/or maladministration applications made to SCOAF. Between 2021 and 2023, the number of admissibility applications to SCOAF have more than doubled from 108 to 228; and substance and/or maladministration applications have increased by 49% from 150 to 224. In 2023, 24% of admissibility applications to SCOAF related to appeal admissibility reviews. To put this in context, in 2021, the appeal admissibility applications only amounted to 6% of all admissibility applications received.

While it may not have been the intention of the legislative changes, we have seen that not all complainants appeal the decision on their complaint before making a substance and/or maladministration application to SCOAF. This is partly the reason for the rise in applications to our office. SCOAF continues to engage with the Service Complaints Transformation Team to clarify and improve the process.

Resource and staffing

SCOAF has funding for 26 members of staff, including the Ombudsman.

Since 2018, SCOAF has been engaging Fee Earning Investigators on a case-by-case basis. This was envisaged to be a short-term resource to assist with our unallocated case backlog, but has continued for much longer. As we have now reached a position where we have significantly reduced our unallocated case backlog and are achieving all our case timeliness KPIs, we ended our engagement of our final three Fee Earning Investigators on 12 December 2023.

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, Statistics Support Officer, 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. At the end of December 2023, SCOAF had three vacancies.

Staff engagement

People are an essential part of our business – without them, we cannot deliver against our objectives, Business Plan nor provide a high-quality service.

Understanding the needs and concerns of those who work for SCOAF is key to us performing and is one of the drivers for many of the changes that we have made over the past year.

Following an all staff away day, our staff created an internal SCOAF Empowerment Charter which supplements our values and behaviours in how we go about doing things together as a team. We regularly review this, and all staff are encouraged to come up with suggestions and better ways of doing things. Everyone is empowered to make SCOAF a better place to work and to keep making sure we are providing a better service for our users. Not only have we seen great performance results this year, but we have also seen a huge improvement in our People Survey results at 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 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 2023 to 31 March 2024, we set 12 objectives. With a number of vacant positions during 2023, particularly in the Business Team, and an increase in demand for our service, it has been challenging to progress and meet all of our objectives. Despite the challenges, our staff have shown great resilience and teamwork, and have excelled.

SCOAF continues to be on track with its Business Plan objectives. Some of those things that we continue to progress with are: reducing our unallocated case backlog and the time to process and investigate those cases; continued development of SCOAF's media presence, including a review of our website to make it more user friendly; and to continue to work collaboratively with the Service Complaints Transformation Team on several key projects. A full list of the in-year priorities and progress on recommendations can be found on our website.

Outreach and engagement

The Ombudsman carried out a comprehensive outreach and engagement programme in 2023. One part of the programme included outreach visits to military units, giving an opportunity to interact with the Armed Forces community and gain an understanding of their lived experience and Service life. These visits are split proportionately between each of the three Services, covering all of the UK, supported by SCOAF members of staff.

The visit format usually consists of group sessions, split into different ranks and levels, allowing individuals to discuss issues and provide feedback within their peer group. It is not only an opportunity to increase awareness of SCOAF but also gives real insight into the lived experience of Service personnel. Being on base gives context and enables us to collect feedback from surveys taken on the day. These visits are invaluable and provide information we cannot obtain from investigations alone.

SCOAF delivers training sessions and presentations in support of making the system better. One of the ways we do this is by speaking at the mandatory training courses offered to all new Commanding Officers in each of the Services. Our sessions provide an in-depth overview of the purpose of SCOAF, how it sits in the wider process and how it might affect them as new Commanding Officers in terms of dealing with complaints and interacting with our office.

Over the last year, we developed our training and have delivered a 'tone of language and writing' training session to Decision Bodies and Appeal Bodies for each of the Services. In this, we have looked at practical ways of providing good complaints handling, using real examples to show what good looks like when it comes to language and wording when writing a clear, concise and easy to understand decision. We have received positive feedback from this training and have seen changes and improvements as a result.

We held our fourth Stakeholder Symposium in 2023: an event bringing together the key interested parties in the Service Complaints system and the work of SCOAF. It provided an opportunity for us to reflect on our work over the previous year and that of the Services and overall system. As well as presentations, workshop sessions were held, which allowed for networking, and the day culminated in a plenary panel session.

Chapter 4 – Recommendations progress



Recommendations progress

The Ombudsman's recommendations are made to improve standards or to address specific issues noted during the year, based on comments and observations identified via engagement, surveys and investigations.

Recommendation deadlines are considered against the scope of the issue, with the aim to create improvements to the process with the Service person at the forefront. The Ombudsman continues to be disappointed at the length of time taken for the Ministry of Defence to respond to the outstanding legacy recommendations, particularly those from 2016 and 2019.

Recommendations made in the Annual Report 2022, despite publishing in May 2023, were not accepted until October 2023. The initial response was received in August 2023, with most being rejected by the Ministry of Defence. However, following further engagement between SCOAF, the Service Complaints Transformation Team and the Chiefs of Staff Committee, these were subsequently agreed. As a result, there has been limited opportunity for progress to be made against the recommendations made in Annual Report 2022. To assure continuous improvement, recommendation 7.4 has now been accepted to create a process in which regular discussions are held and progress is tracked and recorded.

The Ombudsman has determined not to make any new recommendations in 2023 to allow the previous ones to develop¹⁰. To date, SCOAF has made 44 recommendations in its Annual Reports, varying between policy, process and cultural change.

The Ministry of Defence's approach to the Ombudsman's recommendations has been encouraging, in that 39 of the 44 recommendations have been accepted, although notably, recommendation 1.10, which was made in 2016, still remains open. The pace of progress of recommendations was discussed during SCOAF's oral evidence at the House of Commons Defence Committee session on 24 October 2023. The Ombudsman said:

If those recommendations have been accepted as things that will help the Service Complaints system get better, but they are then not actually enacted, the message that it sends is that it is not important. I absolutely take a different viewpoint on that

While the pace of change is not where we would hope it to be, the Ombudsman is pleased to note that recommendations 1.8, 6.2 and 7.2 were closed in 2023.

In October 2023, recommendation 1.8, dating back to 2016, saw the development and delivery of Assisting Officer training guides and videos to provide support to Service personnel. While welcoming this, publicising of this initiative must be developed further.

Recommendation 6.2 was accepted in January 2023, which required the Services to submit a quarterly progress report to SCOAF relating to open cases and explaining steps being taken to reduce delays and to progress older cases. The first of these quarterly updates was provided in April 2023, and continue to be provided as routine business. SCOAF has received nine months of efficient and thorough updates, which the Ombudsman has found invaluable in ensuring meaningful discussions.

Recommendation 7.2 has also been adopted. The original intent was to create a dedicated landing site on the Ministry of Defence's intranet (defnet) site with information and signposting specifically for Service Complaints. SCOAF is satisfied that action has been taken in relation to this recommendation: the Service Complaints Transformation Team determined to add links to the 'Call it out – unacceptable behaviours hub' and the launch of the My Complaint app has raised awareness of the process.

However, navigation to the site is via various platforms and specific guidance for Service Complaints may be difficult to locate within the site structure. Discussions will continue regarding accessibility and enhancing the user experience.

As at 31 December 2023, the position was:

Report year	Number of recommendations	Overdue	Ongoing	Completed ¹¹	Rejected	
2022	5	0	3	1	1	
2021	4	0	2	2	0	
2020	No recommendations made					
2019	4	1	0	3	0	
2018	9	0	0	9	0	
2017	10	0	0	6	4	
2016	12	1	0	11	0	
Current standing	44	2	5	32	5	

^{11 &}lt;u>Appendix A</u> lists those recommendations that were completed in 2023, in addition to recommendations which remain overdue, in progress and rejected as at 31 December 2023.

Appendix A – Progress report of previous recommendations

In line with **recommendation 3.9**¹² the Ministry of Defence provides regular updates on progress against the recommendations, which have been published below.

Recommendations have been colour-coded and grouped.

Completed in 2023. No longer reported against, reviewed regularly for compliance	In progress. Reported against until completed
Overdue. Work is overdue for implementation	The recommendation has been rejected by the Ministry of Defence or the single Services

STATUS: OVERDUE

1.10 Original recommendation from Annual Report 2016. Target 2018

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:

Internal investigations were undertaken by each single Service between 2016 and 2019. In September 2020, the Ministry of Defence commissioned an independent study, shared with SCOAF. Report recommendations were adopted into the Women in the Armed Forces programme and built into the Armed Forces Race Action Plan, launched in 2023. In January 2023, the Ministry of Defence conducted internal assurance reviews to learn lessons and improve access and offer further support.

With the introduction of a live Case Management System (CMS), in April 2024, the Ministry of Defence will be able to conduct analysis based on search results. Engagement with Diversity and Inclusion Networks was built into the testing stages of the My Complaint app to ensure those who may be overrepresented could directly feed into design and development.

The Ombudsman notes the Ministry of Defence's position, but this will remain open until internal assurance has been satisfied across all the single Services and effective analysis is conducted (and regularly repeated) upon delivery of the CMS.

¹² Recommendation 3.9 – <u>Annual Report 2018</u>, which invited the Ministry of Defence and SCOAF to agree on the frequency of providing updates on open recommendations.

STATUS: OVERDUE

4.2 Original recommendation from Annual Report 2019. Target: not specified

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:

A review was conducted in 2019 on the feasibility of a CMS to manage the end-to-end processing of complaints. In development by Navy PIIAC¹³, the initial working group meetings were held with stakeholders from January 2023. Platform testing and training were ongoing throughout 2023, with an estimated launch date in April 2024. The Ministry of Defence will ensure continuous development of the system continues after it goes live.

Anticipate closure on Full Operational Capability (FOC) of the CMS in May 2024.

STATUS: IN PROGRESS

6.1 Original recommendation from Annual Report 2021. Target: not specified

The Ministry of Defence engages with SCOAF in order to amend <u>JSP 831</u>, particularly the Annex F: Service Complaints form to ensure a consistent approach in the recording of all grievances.

Update:

An updated JSP 831 was published in June 2022, which included a new Service Complaints form (Annex F), which is better structured and easier to complete. A further update due to complete in February 2024 will transfer JSPs to new templates and structure with a new layout and simplified language.

A CMS has been commissioned to standardise the processing and recording of Service Complaints. Testing and training are ongoing, due for Initial Operating Capability in April 2024.

The introduction of Central Admissibility in 2022, and release of the My Complaint app in October 2023, have increased the volume of complaints Service-wide. The Ministry of Defence has proposed a two-tier Service Complaints system where the unit chain of command can be brought back into the Service Complaints process for lower-level matters in order that individuals have the opportunity to decide how they wish to resolve their concerns (with the unit Discrimination and Inclusion Advisors). Should this be accepted by Chief of Defence People, the Ministry of Defence will look to enable the tracking of grievances onto the new CMS.

There must be a standardised adherence to JSP 831 across the Services to prevent disadvantage between single Services.

STATUS: IN PROGRESS

6.3 Original recommendation from Annual Report 2021. Target: not specified

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 (STT) process, allowing them to be streamed to the most appropriate method of resolution.

Update:

The Annex F was updated in 2023. The Service Complaints Transformation 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. Tracking and processing should be possible with the new CMS.

STATUS: IN PROGRESS

7.1 Original recommendation from Annual Report 2022. Target: not specified

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.

Update:

The Service Complaints Transformation Team have been working with the single Services (sS) Secretariats to standardise the CMS. There are only minor deviations from the main workflow for each Secretariat for instances where the sS are required to undertake tasks specific to their Service, including legal sign off and endorsement of Terms of Reference for investigations.

Once the CMS reaches FOC, the sS will be able to monitor performance, enabling tracking and interventions to be made as required. The Service Complaints Transition Team are planning further scoping work and initiatives to address professionalisation. This is being considered as part of the Service Complaints Review work when developing centralisation models. This will be a standing agenda item at the quarterly Service Complaints Working Group.

STATUS: IN PROGRESS

7.3 Original recommendation from Annual Report 2022. Target: within the next 12 months

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.

Update:

The Service Complaints Transformation Team will develop an overarching framework by April 2024 with SCOAF and the Services to detail the model going forward in line with General Data Protection Regulations and data protection policy.

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

STATUS: IN PROGRESS

7.4 Original recommendation from Annual Report 2022. Target: within the next 12 months

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.

Update:

Initial scoping has been undertaken between SCOAF and the Service Complaints Transformation Team. The Service Complaints Transformation Team will draft a tool with the aim to seek agreement and implement in Spring 2024. The Ministry of Defence proposes that the tool be shared online with the SCOAF and discussed on a quarterly basis.

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

STATUS: COMPLETED 2023

1.8 Original recommendation from Annual Report 2016. Target: 30 April 2018

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:

An online training resource and easy read guides were developed. Defence Learning Environment (DLE) course with the Defence Academy was not deemed a suitable solution at this time. Online video guides made available online and in the My Complaint app from October 2023. Additionally, both the Army and RAF have published easy read guides, the Navy is at drafting stages.

SCOAF is disappointed at the time taken to provide this vital support for Assisting Officers. The effectiveness of the training will be measured through the Service Complaints Working Group and in the new Service Customer satisfaction surveys.

STATUS: COMPLETED 2023

6.2 Original recommendation from Annual Report 2021. Target: not specified

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:

SCOAF receives a monthly Service 'red flag' report with details of Service Complaints still open after 24 weeks. The single Services provide 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.

STATUS: COMPLETED 2023

7.2 Original recommendation from Annual Report 2022. Target: not specified

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.

Update:

The Ministry of Defence developed a new area on the Defence Gateway, My Complaint which houses all Service Complaints information. The Service Complaints Transition Team are now looking at how they can deconflict to limit duplication and future-proof for ease for users. The Service Complaints Transition Team will continue to populate this area, it will be then linked from the My Complaint app.

This recommendation is closed, however, it will be kept under review and fed into the Service Complaints Working Group agenda for continuous improvement.

STATUS: REJECTED

2.3 Original recommendation from Annual Report 2017. Target: 31 December 2018

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

STATUS: REJECTED

2.4 Original recommendation from Annual Report 2017. Target: 30 April 2019

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

STATUS: REJECTED

2.7 Original recommendation from Annual Report 2017. Target: 30 April 2019

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

STATUS: REJECTED

2.8 Original recommendation from Annual Report 2017. Target: 30 April 2019

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: REJECTED

7.5 Original recommendation from Annual Report 2022. Target: not specified

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'.

Remains rejected - under review

Appendix B – Governance

Details of SCOAF's key governance documents have been provided below. These documents provide an insight into how SCOAF works and the standards to which it sets itself.

SCOAF Business Plan	SCOAF's Business Plan provides information on agreed objectives, staffing and finance. SCOAF Business Plan 2023-2024
Ombudsman Association (OA) Service Standards Framework	The OA is the professional association for Ombuds Institutions and complaint handlers in the UK, Ireland and the overseas dependencies/territories. The Service Standards 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 can be found via the link below. OA Service Standards performance report
Governance Framework Agreement	This framework document has been agreed between SCOAF and the Ministry of Defence and sets out the broad governance framework within which SCOAF and the Ministry of Defence operate. The document was published in October 2023. Ministry of Defence SCOAF Governance Framework 2023

Appendix C - 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 2023

Category	Spend
Staff costs	£1,311,526
Accommodation and office running costs (including IT and office machinery)	£356,404
Training and professional membership fees	£11,072
Independent legal advice	£1,663
Travel and subsistence	£6,081
Fee Earning Investigators	£74,007
Total	£1,760,753

Appendix D – Events, visits and external appointments

The table below lists all the official events attended by the Ombudsman in 2023. This does not include regularly scheduled meetings held with the Service Chiefs and PPOs.

Date	Event type	Event	Location		
January					
11 January	Meeting	Service Complaints Quarterly Collaborative (Royal Navy, Army, RAF)	SCOAF Office, London		
19-20 January	Visit	Army Personnel Centre (APC)	Glasgow		
26 January	Meeting	OA Legal Meeting	MS Teams		
30 January	Presentation	RAF Future Command Study Period (FCSP)	MS Teams		
February					
2 February	Presentation	Naval Commanding and Executive Officer Designate Course (COXODC)	MS Teams		
6 February	Presentation	Army Generalship Programme	Royal Military Academy, Sandhurst		
9 February	Presentation	Army Intelligence Corps Diversity and Inclusion Conference	Chicksands		
March					
1 March	Visit	4th Infantry Catterick Garrison	Richmond		
6 March	Meeting	Army Legal Team	Andover		
8 March	Presentation	Army Commanding Officer Designate Course (CODC)	MS Teams		
10 March	Meeting	Service Complaints Digitalisation - progress update and demonstration	MS Teams		
14 March	Presentation	Overview of Service Complaints for Independent Panel Members	MS Teams		
23 March	Conference	Strategic Command Conference 2023	London		
30 March	Workshop	Association of Chief Executives: The changing nature of public leadership	MS Teams		

Date	Event type	Event	Location
April			
6 April	Meeting	Service Complaints Quarterly Collaborative (Royal Navy, Army, RAF)	RAF Odiham
May			
2 May	Visit	Army Headquarters (Army Inspector; Army Families Foundation)	Andover
4 May	Presentation	RAF Mediation Conference	London
10 May	Visit	Military Corrective Training Centre	Colchester
11 May	Meeting	OA Legal meeting	MS Teams
15 May	Meeting	Service Police Complaints Commissioner	SCOAF Office, London
17 May	Visit	Household Cavalry	Hyde Park Barracks, London
18 May	Presentation	COXODC	MS Teams
22 May	Conference	SCOAF Stakeholder Symposium	Broadway House, London
24 May	Presentation	Defence People Team dial in – Overview of Service Complaints	MS Teams
June	<u>'</u>		
6 June	Meeting	Service Complaints Quarterly Collaborative (Royal Navy, Army, RAF)	Portsmouth
14 June	Presentation	CODC	MS Teams
17 June	Event	Trooping the Colour – King's Birthday Parade	London
19-20 June	Conference	DCAF-International Conference of Ombuds Institutions for the Armed Forces (ICOAF) 2023	Vienna
21 June	Conference	OA Conference	Birmingham
29 June	Presentation	Army Decision Body Training	Andover

Date	Event type	Event	Location
July			
3–7 July	Visit	Op CABRIT	Estonia
12 July	Visit	HMS Collingwood	Fareham
12 July	Presentation	COXODC	HMS Collingwood
18 July	Visit	HMNB Devonport	Plymouth
20 July	Meeting	Parliamentary Commissioner for the Armed Forces of Germany	Birmingham
24 July	Presentation	FCSP	MS Teams
26 July	Visit	Army Training Reserve	Grantham
28 July Presentation		Power of Language – RAF Decision Bodies and Independent Members	MS Teams
August			
11 August	Meeting	Navy Executive Committee	MS Teams
14 August	Event	Edinburgh Tattoo	Edinburgh
22 August	Visit	RAF Brize Norton	Oxfordshire
September			
11 September	Visit	RAF Cosford	Albrighton
13 September	Presentation	CODC	Royal Military Academy, Sandhurst
19 September	Visit	HMNB Portsmouth	Portsmouth
20 September	Meeting	Army Legal Team Meeting	SCOAF Office, London
25 September	Meeting	Navy Legal Meeting	MS Teams
26 September	Meeting	Chiefs of Staff Committee	London

Date	Event type	Event	Location
October			
5 October	Visit	29 Explosive Ordnance Disposal and Search – 35 Engineer Regiment	Saffron Walden
5 October	Meeting	COXODC	MS Teams
5 October	Event	Naval Service Women's Network Dinner	London
12 October	Meeting	OA Annual General Meeting 2023	MS Teams
24 October	Committee	House of Commons Defence Committee, Oral Evidence	Westminster
24 October	Meeting	Mr John Healey MP	MS Teams
25 October Event Ro		Royal Marines Corps Dinner	Plaisterers' Hall, London
November			
7 November	Visit	UK Strategic Command	Northwood
8 November	Meeting	Service Complaints Quarterly Collaborative (Royal Navy, Army, RAF)	Andover
13 November	Presentation	FCSP	MS Teams
16 November	Meeting	Public Chairs' Forum Chairs' Challenge: Managing risk and performance	MS Teams
21 November	Visit	Bulford Military Court	Salisbury
22 November	Visit	4 Armoured Medical Regiment	Tidworth
23 November	November Visit Personnel Recovery Unit		Tidworth
December			
5 December	Meeting	OA Board Meeting	MS Teams

Appendix E - Tri-Service statistical factsheet

Key findings

Timeliness

- 74% of Service Complaints received and closed in 2023, were decided within the 24-week target. The target was 90%.
- The average time taken to close a Service Complaint was 22 weeks.
- Bullying, harassment and discrimination Service Complaints took the longest – 29 weeks.
- As at 31 December 2023, there were 634
 Service Complaints open, of which 22% were
 still open beyond the 24-week target and not
 suspended or stayed.

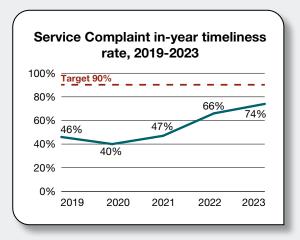
Volume

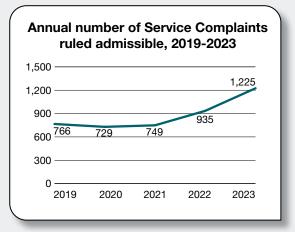
- In 2023, 1,225 Service Complaints were ruled admissible.
- This represented 81% of Service Complaint applications.
- 39% of Service Complaints closed in 2023 were decided as fully/partially upheld and 33% as not upheld.
- 23% of Decision Body decisions were appealed.

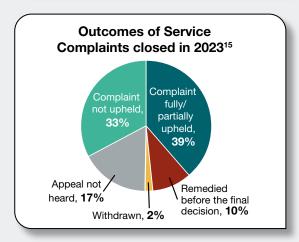
Bullying, harassment and discrimination¹⁴

- 13% of Service personnel say they experienced bullying, harassment and discrimination.
- Of those, 13% said they raised a written complaint.

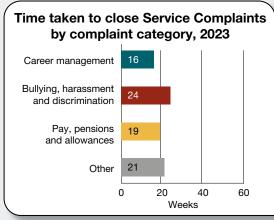
14 Source: AFCAS 2023

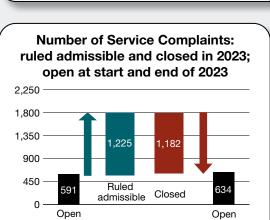






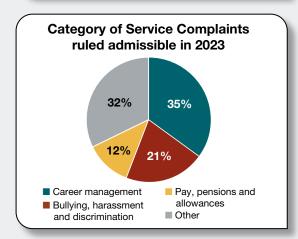
Service	Service	Proportion of	Proportion	Proportion	Proportion	Average
	Complaints	statements	of Service	of Service	of Decision	time taken
	per 10,000	of complaint	Complaints	Complaints	Body	to close
	Service	ruled	resolved	upheld	decisions	a Service
	personnel	inadmissible	early		appealed	Complaint
Tri-Service	65	19%	10%	39%	23%	22 weeks

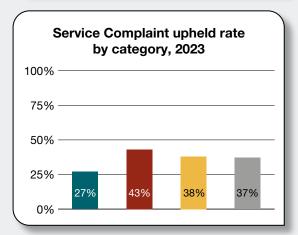


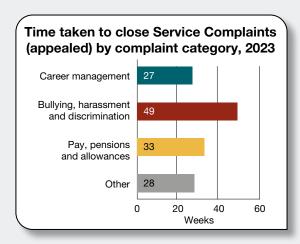


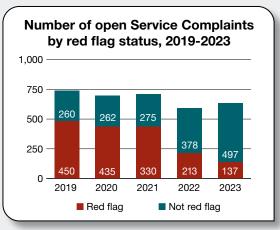
end of 2023

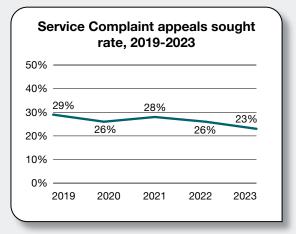
start of 2023

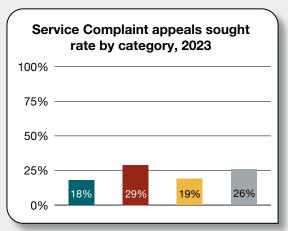












■ Career management
■ Bullying, harassment and discrimination
■ Pay, pensions and allowances
■ Other

Appendix F - Single Service statistical factsheets

Royal Navy - Key findings

Timeliness

- 70% of Service Complaints received and closed in 2023, were decided within the 24week target. The target was 90%.
- The average time taken to close a Service Complaint was 23 weeks. Bullying, harassment and discrimination Service Complaints took the longest – 37 weeks.
- As at 31 December 2023, there were 161 Service Complaints open, of which 29% were still open beyond the 24-week target and not suspended or stayed.

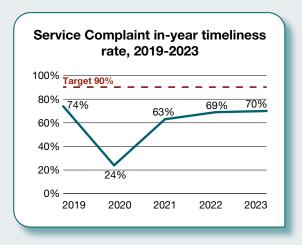
Volume

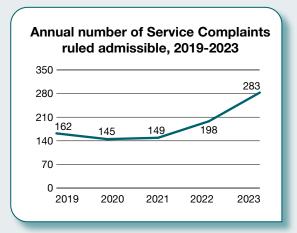
- In 2023, 283 Service Complaints were ruled admissible.
- This represented 89% of Service Complaint applications.
- 35% of Service Complaints closed in 2023 were decided as fully/partially upheld and 34% as not upheld.
- 26% of Decision Body decisions were appealed.

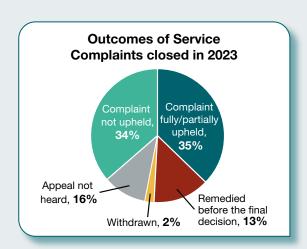
Bullying, harassment and discrimination¹⁶

- 15% of Royal Navy¹⁷ personnel say they experienced bullying, harassment and discrimination.
- Of those, 15% said they raised a written complaint.
- 7% of Royal Marine personnel say they experienced bullying, harassment and discrimination.
- Of those, 17% said they raised a written complaint.

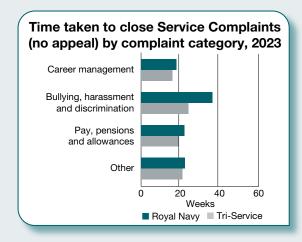
16 Source: AFCAS 202317 Excluding Royal Marines

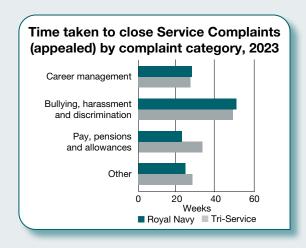


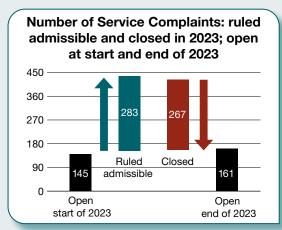


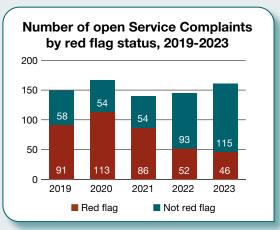


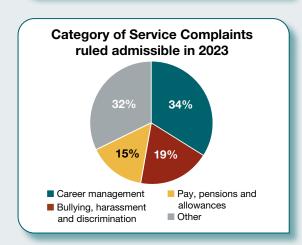
Service	Service Complaints per 10,000 Service personnel	Proportion of statements of complaint ruled inadmissible	Proportion of Service Complaints resolved early	Proportion of Service Complaints upheld	Proportion of Decision Body decisions appealed	Average time taken to close a Service Complaint
Royal Navy	73	11%	13%	35%	26%	23 weeks
Tri-Service	65	19%	10%	39%	23%	22 weeks

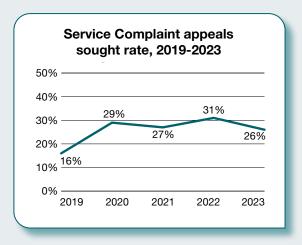


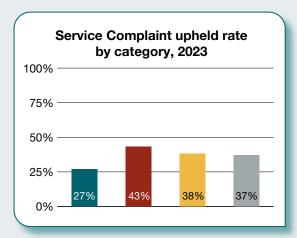


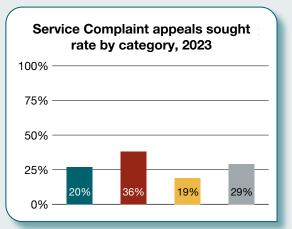












Army - Key findings

Timeliness

- 67% of Service Complaints received and closed in 2023, were decided within the 24week target. The target was 90%.
- The average time taken to close a Service Complaint was 24 weeks. Bullying, harassment and discrimination Service Complaints took the longest – 34 weeks.
- As at 31 December 2023, there were 348
 Service Complaints open, of which 23% were
 still open beyond the 24-week target and not
 suspended or stayed.

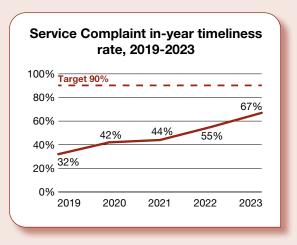
Volume

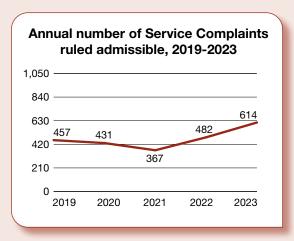
- In 2023, 614 Service Complaints were ruled admissible.
- This represented 76% of Service Complaint applications.
- 44% of Service Complaints closed in 2023 were decided as fully/partially upheld and 27% as not upheld.
- 21% of Decision Body decisions were appealed.

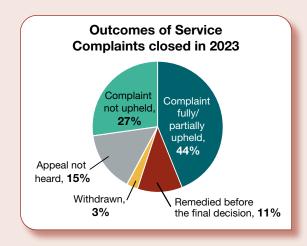
Bullying, harassment and discrimination¹⁸

- 12% of Army personnel experienced bullying, harassment and discrimination.
- Of those, 13% raised a written complaint.

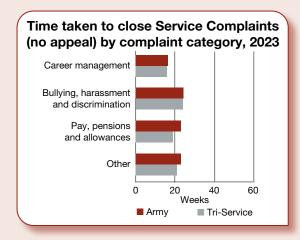
18 Source: AFCAS 2023

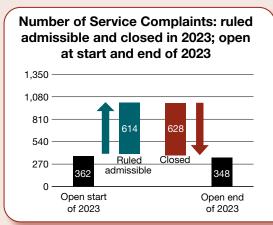


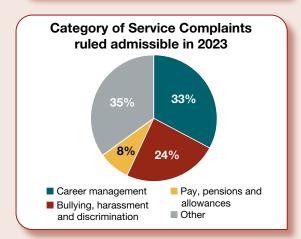


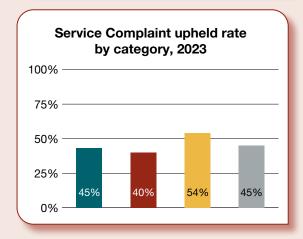


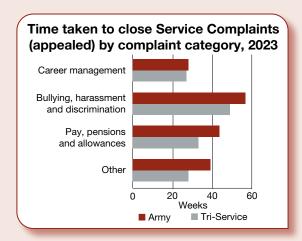
Service	Service Complaints per 10,000 Service personnel	Proportion of statements of complaint ruled inadmissible	Proportion of Service Complaints resolved early	Proportion of Service Complaints upheld	Proportion of Decision Body decisions appealed	Average time taken to close a Service Complaint
Army	54	24%	11%	44%	21%	24 weeks
Tri-Service	65	19%	10%	39%	23%	22 weeks

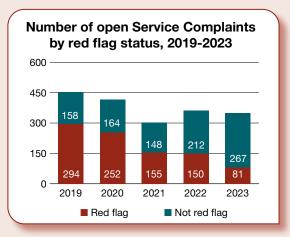


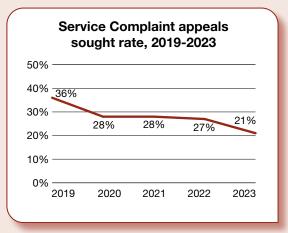


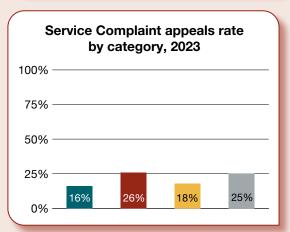












■ Career management
■ Bullying, harassment and discrimination
■ Pay, pensions and allowances
■ Other

Royal Air Force - Key findings

Timeliness

- 90% of Service Complaints received and closed in 2023, were decided within the 24week target. The target was 90%.
- The average time taken to close a Service Complaint was 18 weeks. Bullying, harassment and discrimination Service Complaints took the longest – 22 weeks.
- As at 31 December 2023, there were 125 Service Complaints open, of which 8% were still open beyond the 24-week target and not suspended or stayed.

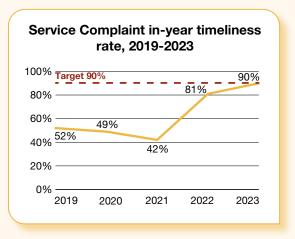
Volume

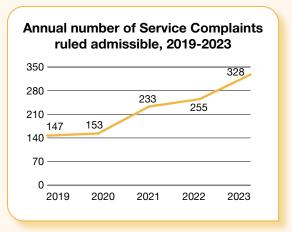
- In 2023, 328 Service Complaints were ruled admissible.
- This represented 86% of Service Complaint applications.
- 30% of Service Complaints closed in 2023 were decided as fully/partially upheld and 44% as not upheld.
- 22% of Decision Body decisions were appealed.

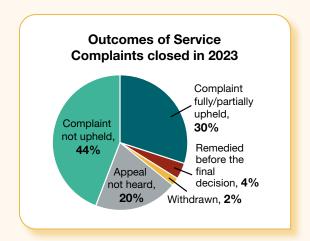
Bullying, harassment and discrimination¹⁹

- 14% of RAF personnel experienced bullying, harassment and discrimination.
- Of those, 8% raised a written complaint.

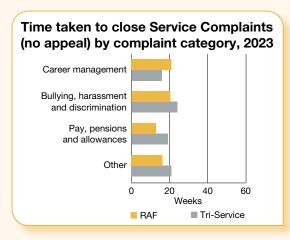
19 Source: AFCAS 2023

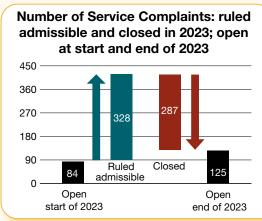


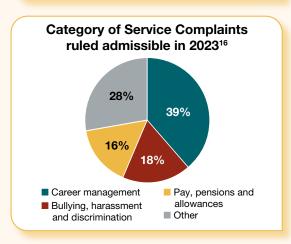


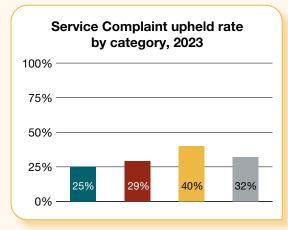


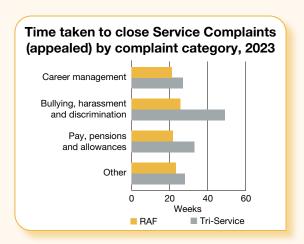
Service	Service Complaints per 10,000 Service personnel	Proportion of statements of complaint ruled inadmissible	Proportion of Service Complaints resolved early	Proportion of Service Complaints upheld	Proportion of Decision Body decisions appealed	Average time taken to close a Service Complaint
Royal Air Force	90	14%	4%	30%	22%	18 weeks
Tri-Service	65	19%	10%	39%	23%	22 weeks

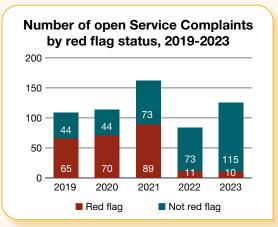


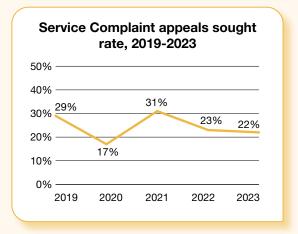


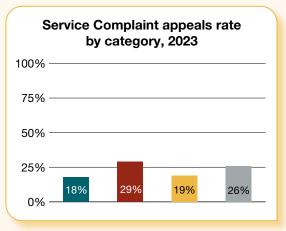












■ Career management ■ Bullying, harassment and discrimination ■ Pay, pensions and allowances ■ Other

Appendix G – Single Service narratives

Royal Navy narrative



Second Sea Lord

NAVY COMMAND

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

ROYAL NAVY SERVICE COMPLAINTS HANDLING IN 2023Introduction

- 1. During 2023 the Royal Navy received 332 statements of complaint and admitted 283. This represents a 43% increase on the number admitted during 2022. This, in the first full year since Central Admissibility was introduced is almost twice the 149 that we admitted in the last complete year before it.
- 2. The increased volume of complaints has presented challenges for the SC team, exacerbated by recruiting restrictions, which have meant that we have had to carry a gap of 2 civilian members of the team for much of 2023. We have, however, recently appointed three additional temporary staff which we will seek to make permanent if the current level of complaints is maintained. Despite this challenge, as shown in the table below, we have been able to close more complaints than in previous years, with 269 complaints receiving a final decision this year.

Year	SCs Admitted	SCs Resolved	Red Flag Resolved
2023	283	269	118
2022	198	190	117
2021	149	170	105
2020	145	119	87
2019	162	157	68
2018	171	160	67

3. Our ability to resolve more complaints has been facilitated by our approach to Central Admissibility: during the admissibility process, we seek to identify those cases which might lend themselves to informal resolution, mediation or resolution at unit level. Of the cases admitted and decided in 2023, 20% were resolved without the need for a formal DB decision. A further 11 Statements of Complaint were resolved by the Central Admissibility Team prior to admissibility. Bringing cases "inhouse" to be decided by our panel of VeRRS officers has also had a significant impact. Last year, I reported that we had increased the size of our panel and



throughout 2023, as the new panel members have come on board, been trained, and become increasingly familiar with the role, they have been ever more productive. All but 7 of the complaints decided in 2023 have been decided by this panel. It is clear that having decisions made by highly experienced senior officers, familiar with the SC process, and without the distraction of the competing priorities faced by Commanding Officers in the Fleet, has led to quicker, sounder and more consistent decisions.

- 4. Our KPI shows that 70% of complaints have been decided within 24 weeks. This refers to the 149 cases that were opened and closed in 2023, and these were closed within a median average time of 17.24 weeks. However, 75% of our complaints have received a final decision within the 24-week timescale if periods where a complaint has been "stayed" for example pending police investigations, or where parties to a complaint are deployed without access to communications are discounted.
- 5. The number of Red Flag cases is down to 46 compared to 56 at the end of 2022. This includes 6 cases closed in the latter part of December. We now have only 1 case pre-dating January 2022 which has been stayed due to the deployment of the participants.
- 6. Bullying, harassment and discrimination cases represent 55, or 19%, of admitted complaints compared to 59 or 29% in 2022. Of these complaints, 20 were made by women, with 3 complaints alleging sexual harassment.
- 7. Our regular engagements with your team, both in responding to SCOAF findings, and through our informal interaction throughout the year have also enabled us to refine working practices and improve the way we do business. I know my team has particularly valued, and benefited from, the informal quarterly meetings with yourself and our colleagues from the Army and RAF. These have provided a useful opportunity to share experiences and learn from one another. As a result of these discussions, we have implemented a new governance regime to validate the decisions and processes taken within our complaints system: We shared the findings of that review with you towards the end of last year in the hope that it goes some way towards meeting recommendation 7.3 in your 2023 Annual Report.
- 8. In terms of our formal interaction, during 2023, the following outcomes resulted from the work undertaken by your office:
 - Admissibility Reviews: Of the 24 applications your office received seeking review of a gateway decision, only one was overturned in favour of the complainant.
 - **Undue Delay**: This was one of the areas we specifically targeted this year, so I am particularly pleased to say that, despite the increased volume of complaints, there was a very marked reduction in the number of applications alleging undue delay in comparison with recent years. This year, there were



18 applications in total (10 of which were submitted by 4 people.) This compares with 33 in 2022 and 36 in 2021.

- Maladministration and Substance: Your office received 16 applications in 2023, of which 7 were not taken for investigation following initial review.
 Maladministration and substance was upheld in 1 case, maladministration only in 1 case, and substance only in one further case.
- Maladministration only. Two cases of maladministration were accepted for investigation and maladministration was found in both cases.
- **Substance**: Of the 13 applications received by your office, 11 were not accepted for investigation following initial review. I am encouraged by that statistic which suggests decisions made by DB/AB are, reasonable, well explained, and sound. Although you have upheld the substance on two of these cases you did not disturb the decision reached by the DB/AB.
- 9. I have also welcomed the opportunity to engage with work across the MOD as we look to refine and improve the process. Recent consideration on the benefits of central admissibility, whether we should go further still with centralisation, or indeed whether we should take a step back have provided a healthy opportunity to reflect on successes and identify areas where improvements are still needed.
- 10. I would observe that the sustained increase in the number of Service Complaints suggests that we are on the right trajectory, the introduction of the My Service Complaints App suggests that easier access to the system will generate more complaints but whilst I welcome the increase as an indicator of improved confidence in the system, our principal objective has always been to address any underlying issues or behaviours.
- In Jan 23 we therefore established the post of Hd RN Culture to review holistically our culture, where and how it was allowing such behaviours to go unchecked and any blockers to resolving issues around unacceptable behaviours and unfairness. It also reviewed where we were falling short of our values and where resistance to change has prevented modernisation in how we lead and manage our people. Initiatives that were already running were cohered and we have invested more in Advocates, Allies and Networks to build a supportive environment for all, while enhancing and reinvigorating interventions in key leadership courses to ensure the Chains of Command understand their responsibilities in this. Three Leadership development pilots are running and a Health Performance Management Programme to support our ambition for change. As well as the D&I Climate Assessments (CA1 and CA2 for RN) a Culture & Leadership Advisory Team has evolved supporting front and second line units with data capture, workshops and forums to critically look at what is working well and not so well allowing Command teams to address and lead the changes necessary to drive improvements in the lived experience and therefore outputs too. Interventions on formal training courses, as well as through



education and engagement, is modernising our people leadership approach, while addressing our remedial challenges. Alongside this we are setting the conditions for a positive and modern RN Culture. Tactical level interventions to make it easier for our people to raise concerns and have confidence in the system before resorting to formal complaint routes are also being trialled (i-Trust; centralised mailboxes; guidance flowcharts).

- 12. There is also increasing collaboration between that team, and the Service Complaints team to promote wider organisational learning and holding to account for implementing any DB recommendations to prevent further occurrences. All decision letters are forwarded to the Culture & Leadership Team to help build the wider recognised cultural picture and identify early any trends.
- 13. In 2024 we look forward to the introduction of a new Casework Management System which is being developed, on behalf of Defence, by the Navy's People, Intelligence Insights and Analytical Centre and we will continue engaging with your office and CDP's team as we seek to refine and improve the complaints process.

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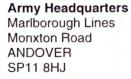
Vice Admiral Martin Connell CBE Second Sea Lord



Army narrative

Lieutenant General Sharon Nesmith

Deputy Chief of the General Staff



25 January 2024

Par Marrette,

SERVICE COMPLAINT PERFORMANCE - 2023 ARMY ANNUAL REPORT NARRATIVE

OF THE GENER

PERFORMANCE

- The data within this report indicates that the Immediate Improvement Programme of late 2022, and the subsequent Army Service Complaints (SC) Transformation Programme and the investment that we have made in it are having the desired effect. The Army SC continues to build on last year's success, up from 55% of Army being resolved within the Key Performance Indicator (KPI) of 24 weeks in 2022, to 67% in 2023. This is a 22% increase on last year and the fifth successive year of improvement1. Looking at performance more broadly, I observe that we have made a 52% improvement in KPI performance in the last two years, the highest rate of improvement since 2016. Resolution of Career Management SC, which make up one third of all Army SCs, has been particularly successful this year, achieving a KPI of 88%. I am also pleased to report that significant progress has also been made in reducing the number of SC that remain open over 24 weeks. That these results have been secured in the face of the very significant rise in the volume of SC being submitted, and concurrent with delivering a wholesale reform of the Army SC operation, illustrates both the potential of the new process and the commitment of the people operating within it.
- 2. I would draw your attention to the following:
 - Volume of SCs made Admissible. This year we received 815² new SC, of which we admitted 6143, the largest volume of SC recorded to date. This increase coincided with the introduction of Central Admissibility in June 2022 and constitutes a c35% increase in the number of SC admitted since Central Admissibility went live. Data analysis shows a rapid inflection point in SC inflow in July / August 2022 followed by a sustained new and more demanding steady state thereafter. Our analysis continues to indicate that the main driver for this increase is the reduced opportunities for early informal resolution - the result of removing COs from the front end of the process. We have shared with you and the MOD ideas of how we might address this whilst maintaining the integrity of the principle of Central Admissibility. We look forward to developing these ideas in the forthcoming Service Complaint Review being undertaken by the MOD.
 - Female and Ethnic Minority Representation. Females currently comprise 10.3% of the Army, 15.0% of the Army Reserve, but continue to be overrepresented in

^{1 55%} in 2022, 44% in 2021, 42% in 2020 and 32% in 2019.

² 38% increase compared with the same period (Jan to Dec) last year (815 v 592)

³ 27% increase compared with the same period (Jan to Dec) last year (614 v 482)

terms of SCs submitting 21% (126 cases) of SCs this year. This is a very slight decline on the preceding year.⁴ Ethnic minority Army personnel are overly representative, comprising 15.5% of the Army, 6.6% of the Army Reserve but submitting 19% (118 cases) of SCs in 2023.⁵ We continue to remain committed to improve the lived experience of our people, and to develop a fairer and more inclusive environment. Op TEAMWORK, now on a campaign (and programmatic) footing, remains our principal vehicle to achieve this. Finally, we look forward to working with the MOD to deliver the review into over-representation of women and Ethnic Minorities in SCs.

c. **Red Flag Cases**. This year has seen considerable progress in reducing the volume of SCs that remain open over 24 weeks - down from 163 in January 2023 to 81 in December 23 and still reducing. There are now just 40 SCs that predate 2023, down from 80 that predated 2022 last year. Resolving these final older cases remains a priority and I am confident we can do so this year.

NEXT STEPS

3. In this reporting period the Army completed a five-month full review of the complete Army SC operation. I accepted all the recommendations made by the study and directed their immediate implementation. It will, by July 2024, have created a professionalised and more efficient operation, and one that is fully independent of a complainant's immediate chain of command. Moreover, and as important, the new model will create a more transparent and empathetic process. I know that you have been scrutinising the review and its implementation closely and I am grateful for your continuing support to it.

CONTINUING DEFENCE SC REFORM

- 4. I warmly welcome the commitment of the MOD SC Transformation Team to the development and implementation of 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 future improvement will depend, are:
 - a. **Digitalisation: A Case Management System (CMS).** The delivery of the MyComplaint App has been a useful addition in improving access to the SC system. We look forward to the delivery by the MOD of CMS, which will be vital to the efficient and effective management of the SC operation and unlocking the full potential of our new operating model. Moreover, it will provide a safe and rapidly adaptable platform that will allow us to be innovative in resolving current challenges and taking future opportunities. The timely and effective delivery and subsequent development of an effective CMS remains 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 having a process that facilitates informal resolution at the earliest opportunity. We note too the threefold increase in the volume of SCs ruled inadmissible or out of time, and judge that this is the result, in large part, of a lack of unit guidance at the submission point, another effect of Centralised Admissibility. The Army is keen to contribute to the development of an SC approach that allows and facilitates opportunities for early, appropriate, safe, and effective informal resolution of complaints.

In 2021 Females comprised 10.5% of the Army, submitting 22.1% of SCs.

⁵ In 2021 Ethnic Minority personnel comprised 15.1% of the Army and submitted 17.2% of admissible SCs.

SC Research. It will be important, as we seek to drive continual improvement, that there is a well-considered, appropriately funded, and actively managed research programme to support and shape our evolving SC Strategy. It should seek to better analyse our data to optimise performance, provide insights on best practice within and beyond Defence, and to contribute to our understanding of the environment within which our people live and work. We stand by to contribute to this work.

Thank you for your conscienced

support - personally. And

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Lost found to seeing you again soon

You Shan

Royal Air Force narrative

From: Air Marshal Paul Lloyd CBE MSc MA MDA BEng CEng FlMechE RAF



Deputy Chief of Air Staff HEADQUARTERS AIR COMMAND

1N79, Hurricane Block Royal Air Force HIGH WYCOMBE HP14 4UE

Mrs Mariette Hughes Service Complaints Ombudsman for the Armed Forces

29th January 2024

SCOAF 2023 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 data for 2023.

Over the last year we have again seen an increase in Service Complaints submitted, with 328 complaints found admissible. This was an increase of 29% when compared to the 255 complaints made admissible in 2022. We are pleased that confidence in the Service Complaints System is increasing, and that our people are increasingly confident that their grievances will be handled efficiently and fairly.

We are very pleased that despite this rise in complaints the continued success of the RAF Service Complaints Journey has resulted in the achievement of the key performance indicator of 90% of complaints resolved within 24 weeks.

Key Actions in 2023

- We have continued to closely analyse the RAF Service Complaints Journey to allow us to continuously improve our approach, but also to learn lessons from complaint outcomes, changing policy where necessary.
- A team that included independent external experts completed a 100% review of RAF complaints made in 2022. The review gave us much better fidelity than the JPA data on why our people complain, and the outcomes of their complaints. We have used this evidence to help drive internal policy/process changes. We are reassured the review found no evidence of erroneous or improper decisions.
- We have expanded our Volunteer Reserve Decision Maker team ensuring our Decision Bodies are appropriately trained and mentored.

- We have continued to expand the use of 'Rapid Case Hearings', first used widely in 2022; most complaints are now resolved in a single case hearing lasting one or two hours. Decision letters are typically issued within a few days.
- The RAF Case Management System continues to prove invaluable in progressing complaints and providing us management information. We have continued to work closely with MOD on developing the tri-Service Case Management System and 'My Complaint' Application to ensure there is a further step-up in delivery for our Service and our people.

Finally, on behalf of the RAF I would like to thank you for the energy, enthusiasm, and support that you have provided to RAF Service Complaints over the last 12 months.

Appendix H – 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	SCOAF's website contains copies of all past Annual Reports and statistical briefings concerning the Service Complaints system, publications and SCOAF processes. www.scoaf.org.uk		
Ministry of Defence	This site provides information on the organisations within the defence system, reports and data, and guidance. https://www.gov.uk/government/organisations/ministry-of-defence/		
Ministry of Defence Service Complaints information	The site provides information and guidance on the Service Complaints process. https://www.gov.uk/guidance/armed-forces-service-complaints-process		
Details of Ministry of Defence Statistical and Research publications	https://www.gov.uk/government/organisations/ministry-of-defence/about/statistics.		
In depth statistical analysis can be found in SCOAF's 2023 Service Complaints Brief. https://www.scoaf.org.uk/statistics-hub			

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

Royal Navy	http://www.royalnavy.mod.uk		
Royal Marines	https://www.royalnavy.mod.uk/royalmarines		
Army	https://www.army.mod.uk		
Royal Air Force	http://www.raf.mod.uk		

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Combat Stress 24-Hour Military Mental Health Helpline: 0800 138 1619.