



Parliamentary  
and Health Service  
Ombudsman

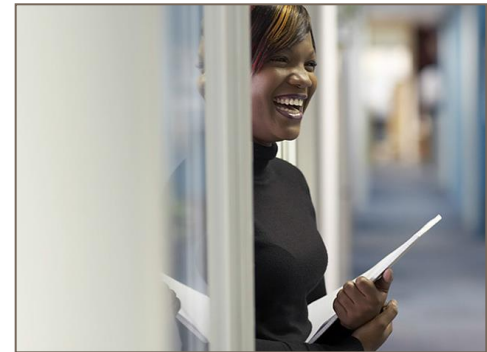
# The Constitutional Role of the Parliamentary and Health Service Ombudsman

Dame Julie Mellor DBE

UCL Constitution Unit, 17 April 2013

# The constitutional position of PHSO

“...to humanise the state bureaucracy”



# How should it work?



Knowledge and confidence about how & where to complain

A fair and impartial final decision on their complaint

Trust that their complaint will make a difference & confidence that systemic issues will be put right

A complaints system that is straight forward and easy to access

**Access to complaints system**

**An impartial final decision on complaints**

**Public services learning from complaints**

**Improvements to the complaints system**



Better access to Ombudsman for constituents

More information about areas of public dissatisfaction & concern about public services

Support in holding government and public services to account

Evidence of systemic problems in public service delivery with which to hold government to account

Confidence that learning is feeding service improvements

Better insight into a complex and hard-to-navigate complaints system for citizens



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# Unmet need: Access to the complaints system

- Strong evidence of unmet need

18%

of public service  
users have a  
reason to  
complain

40%

won't



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# Unmet need: An impartial, final decision

- Those who do complain encounter obstacles

Not  
listened  
to  
(36%)

*“I’m hitting  
my head  
against a  
brick wall”*

Nearly half  
(45%) not  
told about  
the  
Ombudsman

*“How many  
times will I  
have to  
explain this?”*

Feel that  
they are  
not taken  
seriously  
(46%)

Not kept  
up to  
date  
(57%)



# Unmet need: Learning and improvements

- Lack of trust that complaints will make a difference
- 64% do not expect any change as a result of their complaint.

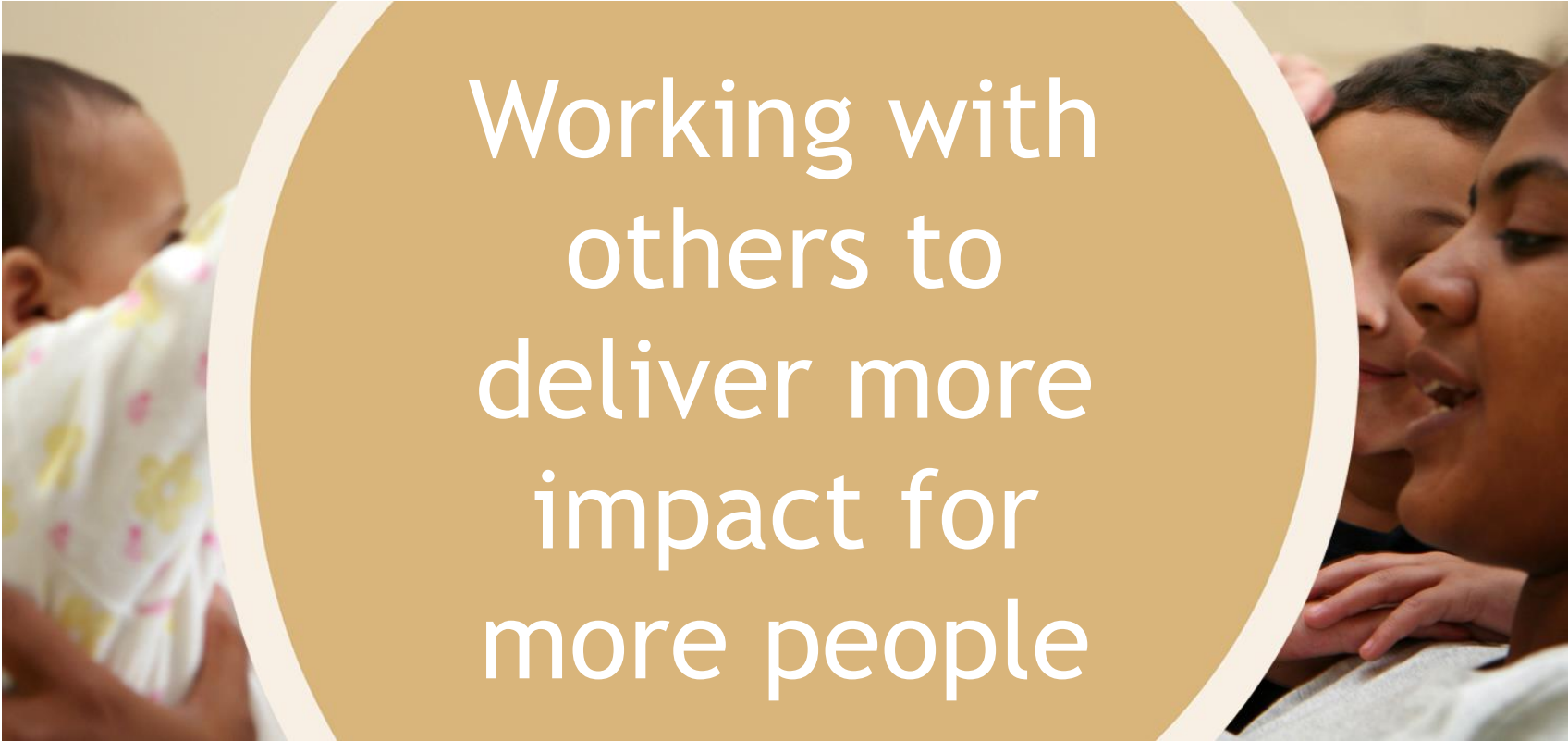
*“The system was not set up with the public in mind”*

*“Nothing changes”*

*“I feel like the little man against the system”*



# A new strategy



Working with  
others to  
deliver more  
impact for  
more people



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# Our strategic aims 2013-2018

## More impact for more people

1

**Make it easier**  
for people to  
find and use our  
service

2

**Help more people**  
by investigating  
more complaints  
and provide an  
excellent service for  
our customers

3

**Work with others**  
to use what we  
learn from  
complaints to help  
make public  
services better

4

**Lead the way**  
to make the  
complaints system  
better

5

**Develop our organisation**  
So that it delivers these aims efficiently and effectively



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# An agenda for wider change

- 2000 - Collcutt Review
- 2005 - NAO report
- 2011 - Law Commission
- 2011 - Open Public Services White Paper
- 2012 - Administrative Justice and Tribunals Council
- 2013 - Public Administration Select Committee

# The Ombudsman and the Public

“...the MP filter can no longer be sustained in an era of joined up government and we strongly recommend it is abolished”

Collcutt Review, 2000

# Ombudsman and administrative justice

- Parliamentary and Health Service Ombudsman
- Local Government Ombudsman
- Housing Ombudsman
- Care Quality Commission  
Mental Health
- Independent Police  
Complaints Commission

- Tribunals
- Regulators
- Inspectorates
- Internal reviewers

# The Ombudsman and Parliament

“..[the aim of the Ombudsman is] to humanise the administration and to improve relations between Westminster on one hand and the individual citizen.”

Harold Wilson, Prime Minister, 1964



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# The Ombudsman's Mandate

Only 7  
Ombudsman  
in Europe  
without own  
initiative  
investigations

UKBA

Better links  
to advice  
and  
advocacy  
sector

Private  
service  
users?

ATOS



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# A blueprint for reform

## Access

- Relaxation of the need for complaints to be made in writing
- Relaxation of the need for complaints to the Parliamentary Ombudsman to be made exclusively by MP referral

## Parliamentary Engagement

- Automatic grant of debating time in the House of Commons for Ombudsman reports that disclose un-remedied injustice
- Designation of the Ombudsman/PASC/Health Committee relationship as collaborative
- Creation of a separate scrutiny mechanism to ensure the Ombudsman's accountability to Parliament

# A blueprint for reform

## Ombudsman and the administrative justice system

- Harmonisation of the Ombudsman system in the short-term

## Ombudsman's mandate

- Extension of the Ombudsman's mandate to investigate complaints about the provision of privately funded services
- The grant of an express power to the Ombudsman to investigate suspected maladministration and/or service failure in the public interest without receipt of a formal complaint

# Your views

What reform is needed to create an Ombudsman system fit for 21<sup>st</sup> century Britain?

What recommendations do you think PASC should be making in the Autumn?



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