

Finance Committee

Draft Public Services Ombudsman (Wales) Bill

DB PSOW 11 Janet Treharne Oakley

Public Services Ombudsman for Wales – extended powers of investigation.

Evidence

To cut a long story short, I've struggled along in the Ombudsman complaints system for six years – with two Ombudsmen – Wales and the Parliamentary Health & Services Ombudsman, after my father's sad death.

In this time I've had two complaints upheld, as well as a supplementary court case. So I feel qualified to give evidence as a user of the service.

I have recently given evidence to PACAC (both by invitation to attend Parliament and written online).

The Committee might be interested in the comparative statistics of some UK Ombudsmen, including Wales in the written submission.

The last section states what happened after the Welsh Ombudsman had upheld my complaint – How effective in practice, its Decision was in the long run.

This is a link to my written evidence, printed to PACAC on January 12, 2016.

<http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidence/document/public-administration-and-constitutional-affairs-committee/phso-annual-review/written/25501.html>

The committee will be pleased to know that I found the Welsh Ombudsman to be generally superior in its communications with the public to the PHSO and I feel that this accounts to a lower rate of service complaints – even though the Welsh Ombudsman upholds fewer cases than other Ombudsmen.

I'm therefore not just disgruntled by Wales' contribution to this prolonged complaint and I have nothing to gain by being opposed to extra wide-ranging investigations.

The committee will know that the Cabinet Office has just turned down the same plea for extended investigations from the PHSO.

Loth has I am to agree with the Cabinet Office, it's right.

The reasoning is that they are basically a waste of time and money.

The PHSO has carried out three investigations.

1 Sepsis – too many people are dying of it.

2 The NHS complaints system – it's not very good.

3 The elderly – find it difficult to complain.

1. The PHSO cannot state that the sepsis death stats have reduced due to the pronouncements. Apparently they haven't.

2. Neither will it be able to state that the NHS complaints system has suddenly improved after its report.

3. ...Or elderly patients somehow been freed from the worry about complaining.

There is no measurable outcome with any of these reports – other than the PHSO gleaning extra press coverage column inches and a few Nanny-sounding sound bites.

Therefore my argument is that any ombudsman should put its own complaint system in order first, rather than wasting public money by making obvious statements such as ...'Care for the elderly should be better'to no appreciable effect.

There is now a whole 'reports industry', paid for by the public, saying exactly the same things.

With the same conclusions, interlaced with the same rent-a-phrase homilies.

It doesn't need to be duplicated. It doesn't even need to be shored up.

The second reason is that nobody listens to the Ombudsman any more.

There is no shame in being criticised by one.

No one – shown to be negligent – resigns after a critical Ombudsman decision.

And, from my perspective – and others, nothing much seems to be done.

So, sadly, it appears that the Ombudsman has no real impact.... or even much respect any more.

Extended investigations will cost money and time that should be invested in individual complaints.

That is the prime concern of the ombudsman.

These complaints are from people who are badly affected by NHS deaths and injustices.

And how will the Ombudsman explain to bereaved complaints that they will have to wait even longer (my complaint took around a year) as staff have been diverted from their casesto make reports on unspecific 'wide ranging' investigations?

And how will AM's explain to their constituents that their specific cases are just not as important as the production of amorphous reports?

When investigations are carried out in other Ombudsman in countries round the world they are normally done by teams of lawyers.

Wales doesn't have this structure.

No doubt about it – External investigations are a nice thing to do ...but to be even slightly effective they need to be undertaken by specialists.

So how will the Assembly measure the effectiveness of how the taxpayers money spent?

Because the effectiveness of the work will be also unaccountable to the public, via a solid statistical outcome.

In an economic downturn, after having spent the public pound, it's just not enough that:

'Tut- it's not good enough'

has been said.

Conclusion:

The Welsh Ombudsman needs to concentrate on it's bread-and -butter business before diverting money from it and adding to the pile of reports which already comprise the professional grumblers public reports output.

....Unless the Assembly is prepared to substantially increase its budget.

Is it willing to do so?

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