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Ombudsman Consultation
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A Public Service Ombudsman – a Consultation

The Professional Standards Authority for the Health and Social Care welcomes the opportunity to contribute to the consultation on the creation of a new Public Service Ombudsman.

About the Professional Standards Authority

As you may know the Authority promotes the health, safety and wellbeing of patients, service users and the public by raising standards of regulation and registration of people working in health and care. We are an independent body, accountable to the UK Parliament.

As part of our work we:

- Oversee nine health and care professional regulators and report annually to Parliament on their performance
- Conducts audits and investigations and can appeal fitness to practise cases to the courts if sanctions are unduly lenient and it is in the public interest
- Conduct research and advise the four UK governments on improvements in regulation
- Promote our concept of right-touch regulation and publish papers on regulatory policy and practice
- Accredit voluntary health and care occupational registers to improve consumer protection and raise standards

More information about our work and the approach we take is available at www.professionalstandards.org.uk

Our response to the consultation

We are grateful for the opportunity to contribute to the consultation on the proposed creation of a public service ombudsman, merging the functions of the existing Parliamentary and Health Service Ombudsman, the Local Government Ombudsman and the Housing Ombudsman.

We appreciate that there is much detail still to be worked out. However, in principle we believe that the proposed merger will be of benefit to the public, creating a clearer route for complainants and building on the strengths of the existing organisations. A single organisation should provide a strong focus on complaints handling and will assist the public particular where complaints are complex and span different areas of public service provision. We are particularly supportive of the idea of a 'no wrong door' policy, since too often complainants themselves are made responsible for finding the right process or organisation by which their complaint should be heard. Understandably, complainants who are turned away can withdraw from the process, risking both harm to themselves being compounded and vital information about services being lost.

The consultation paper alludes to the possibility of the Ombudsman enjoying an enhanced role in dispute resolution and effective complaint handling. Bearing in mind the principles of our 2011 policy paper *Right-touch regulation*, and in particular to 'keep it simple', we strongly advocate that a new organisation focusses on its core Ombudsman role. While we support the establishment of a single organisation for the reasons we give above, multiple roles within the same organisation can result in a loss of focus on core issues, internal competition for resources, and a diffusion of purpose and responsibility. Further information on right-touch regulation can be found on our website:

<http://www.professionalstandards.org.uk/policy-and-research/right-touch-regulation>

Clearly, a new organisation would accumulate a wide range of data across different sectors which could provide insights into the causes of complaints and good practice in complaints handling. However, extension of the organisation's remit also brings with it the risk of jurisdictional overlap with other existing organisations and therefore potential confusion for the public. We also recommend that careful consideration is given to the design of the organisation's databases for storing information to enable analysis and comparison, since experience has shown that this can prove challenging using case management systems.

The consultation refers to the recommendation, which with the Government has agreed, that a strengthened governance and accountability structure is required. We agree that the governance structure should separate oversight of the performance of the organisation from the reporting of findings of investigations. A report published by the Authority in 2013, *Fit and Proper? Governance in the public interest* may prove useful in future discussions. In the paper, we set out our thoughts on the principles that should inform public sector governance. It can be found on our website here:

<https://www.professionalstandards.org.uk/docs/scrutiny-quality/130307-fit-and-proper-governance-in-the-public-interest.pdf?sfvrsn=0>

We would be pleased to discuss this response further with you. Please feel free to contact me at douglas.bilton@professionalstandards.org.uk

Yours sincerely

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