

# Consultation Response

## Cabinet Office: A Public Service Ombudsman

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# Introduction

Age UK welcomes proposals to reform the system for handling complaints about public

complex complaints, as poorly formulated complaints often exacerbate the problem at hand and can speed up the breakdown of customer-provider relations.

Allowing joint complaints, for example where a number of complainants have been affected by the same failure.

Discretion to accept complaints that are still going through the internal complaints-handling process, where delay would have an adverse impact on the service user or where the complaints procedure is being unnecessarily drawn out.

worse if resources were shifted away from investigation and onto early intervention schemes which do not work.

## **2. Would you welcome the creation of a single Public Service Ombudsman service and are these the right services to be included?**

Yes, with some caveats. It is clear that the current statutory foundation of the schemes, with excessively bureaucratic processes set out statute, badly needs reform. We hope that the creation of a single Ombudsman will give the opportunity to rationalise but also strengthen the schemes' powers and processes. It is also clear that if the Government is successful in its aim of greater integration of health and care, jurisdictional boundaries are increasingly problematic.

However, a single PSO would not be entirely free of jurisdictional judgements, as even if all the bodies involved are covered by the scheme, it may ultimately be necessary to decide which body or bodies is at fault in relation to a particular complaint. There will also be many cases where a complaint is not wholly within its remit (for example one of things that can be most confusing for the public is the wide variety of complaints bodies in the health sector and it is often unclear whether a complaint is with the doctor or the hospital). It is also clear that some Ombudsman are already working together and a single (non-statutory) portal for complaints could deal with some of the current complexity. The risk of merging schemes is that the new body becomes too big to manage effectively and that delays in one area could lead to delays in another - although other Ombudsman schemes have merged successfully and we hope that a merged Ombudsman could learn from their experience.

As this suggests, a single PSO should not be an aim in itself. The real value of a single PSO, beyond reducing complexity for complaints and service providers, is to ensure that all the complaints-handling systems covered by the schemes have the powers and processes they need to meet the principles set out earlier under Question 1 and that these are consistent between different public services. These new powers and processes should go hand in hand with a commitment for the PSO to offer a referral or triage service for people coming through to the wrong place.

We support proposals to include the public-sector functions of the Housing Ombudsman, as housing, health and care problems are often inter-linked. However, the Ombudsman operates rather differently, and is funded very differently, from the other schemes. We hope that the PSO can take the best practice from all the merged schemes.

If the decision is taken to include the HO, then it will be necessary to ensure that the private-sector complaints it currently deals with find a home, and to consider, for example

how the PSO relates to the Property Tribunal. We note that the Financial Ombudsman Service at one point had both a 'compulsory jurisdiction' for complaints within the scope of the Financial Conduct Authority, and a 'voluntary jurisdiction' for complaints outside that scope. This model enables one Ombudsman to deal with the industry as a whole. Alternatively, it will be necessary to ensure that another Ombudsman takes over responsibility for private sector providers. Whichever model is chosen, we believe that leasehold landlords should be obliged to belong to an effective scheme, and that new and existing residents are aware of the service.

**3. If so, do you agree that these are the right founding principles for such organisation?**

See our response to Question 1.

**4. Should a single public service ombudsman organisation also retain specific sector facing services and staff in eg. Health or Housing?**

Yes -

as a 'public service'.

**7. Do you agree that there should be the widest possible routes of entry to a Public Service Ombudsman?**