

# Ombudsman Northern Ireland

1 July 2014

## **Maladministration Complaints about Public Service Delivery Increases by 31% - NI Ombudsman Annual Report**

### **Trend in Health & Social Care Sector Complaints continues with 46% increase**

Overall complaints about maladministration in public service delivery have increased by 31% this year, according to the latest annual report from Northern Ireland Ombudsman Dr Tom Frawley. This surge has been driven largely by a 46% increase in complaints relating to health and social care bodies – a continuing trend over recent years. As well as the hard statistics, the report, which was laid before the Assembly yesterday, 30 June 2014, noted that the gravity of these cases in Health and Social Care were increasingly profound. Many complaints received involved serious adverse clinical incidents or tragically the death of a loved one which understandably gave rise to deep anxiety and distress on the part of relatives.

Speaking about the key findings, Dr Frawley said; “The ongoing pressures facing some sectors including health and social care are evident in the notable increase in complaints to my office this year. The health and social care sector is being increasingly challenged to demonstrate openness and transparency in the way it investigates complaints and thus maintain the trust and confidence of patients and their families. It is essential, therefore, that it meets the challenge of delivering rigorous and professional standards of complaint handling and for clear explanations to be provided to the complainant as early in the process as possible.”

Complaints against government departments and their agencies also increased by 19% year on year with the Department of Environment (DOE) and Department of Finance and Personnel (DFP) between them accounting for some 41% of total complaints. DOE Planning Service (91%) and DFP Land and Property Services (92%) accounted for the majority of these complaints in each case.

At a time when the Ombudsman’s office has just added Local Government Ethical Standards to the jurisdiction to coincide with the reform of local government, the report notes an increase in complaints against local Councils which increased by 27.2% year on year. Equally the trend of complaints against housing associations which was also highlighted last year has continued with a further 57% increase in complaints this year.

Commenting on these findings, Dr Frawley said; “As the reform of local government proceeds and the new super councils begin the transition to take greater powers and responsibilities, the notable increase in dissatisfaction from citizens merits particular attention from those charged with delivering public services locally. With the recent extension of my jurisdiction as Commissioner for Complaints as part of the Local Government (NI) Act 2014, my office is now responsible for investigating and adjudicating on complaints about Councillors under the new mandatory Code of Conduct. The challenge is to introduce a cultural change that is effective but, crucially, also secures the confidence and trust of the public in respect of ethical standards in local government. Equally the process must be fair and proportionate and ensure natural justice for the individuals whose

conduct is the subject of a complaint. As the office embarks on this new era in which councillors will have an increasingly important role, particularly in planning matters, I expect this new jurisdiction to be of significance in the overall reform programme. Standards of behaviour matter and I urge Councillors to show leadership in their dealings with each other and the citizen so as to embed the values and principles that underpin the new Code of Conduct.”

The Annual Report includes statistics and a list of recommendations made by the Ombudsman as well as selected anonymised case summaries to aid learning and disseminate best practice across all bodies in jurisdiction. The Report also updates on the significant progress on the legislation to modernise the Ombudsman’s Office. Sponsored by the Assembly Committee for the Office of the First Minister and deputy First Minister the final policy proposals were agreed over a series of Committee meetings in 2013 and the proposals were introduced into the Assembly on 16 September 2013.

A draft Bill is currently being prepared and will, it is hoped, commence the legislative process in the Assembly in the Autumn of 2014. The Bill will propose the establishment of a single office and includes provision for the Ombudsman to have an authority for ‘own initiative’ investigations as well as additional bodies to be brought into the Ombudsman’s remit.

A copy of the Annual Report can be found online at <http://ni-ombudsman.org.uk/What-s-New-.aspx>

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Notes to Editor

- The title of Northern Ireland Ombudsman is the popular name for two offices – The Assembly Ombudsman for Northern Ireland and The Northern Ireland Commissioner for Complaints. Both offices are currently held by Dr Tom Frawley.
- Split across three reporting areas the Annual Report reflects the current statutory offices, and examines the complaints and relevant handling of each. It firstly outlines complaints made to the Assembly Ombudsman which covers complaints about government Departments and their agencies as well as Cross-Border bodies. The Northern Ireland Commissioner for Complaints examines complaints made about a wide range of NI public sector bodies including health trusts, NIHE and local Councils. Due to the high volume of complaints about Health & Social Care matters under this jurisdiction, this is reported separately so as not to unduly skew the reporting.
- The Ombudsman is independent from all bodies under his remit, and deals with complaints from people who claim to have suffered injustice because of maladministration by government departments and agencies and a wide range of other public bodies in Northern Ireland. The full list of bodies is available on [www.ni-ombudsman.org.uk](http://www.ni-ombudsman.org.uk)
- The term ‘maladministration’ is not defined in the legislation but is generally taken to mean poor administration or the wrong application of rules.