



Northern Ireland
Assembly

Audit Committee

OFFICIAL REPORT (Hansard)

Budget 2020-21:
Northern Ireland Public
Services Ombudsman

4 March 2020

Mr John McGinnity (Office of the Northern Ireland Public Services Ombudsman): Similarly to the Northern Ireland Audit Office, we tend to have a recurring level of capital provision of £40,000 a year. Of course, that changed in the current year, which is coming to an end, when we had a significant accommodation project. We had a general, ongoing provision of £40,000. The other point to make is that, each year, the Department of Finance views the capital budget as starting from a zero base. From that zero base, we are saying that, for the incoming year, we will have that requirement for £40,000, which would cover a variety of as yet undefined minor capital works that may or may not arise. The provision is always sought so that, in the event that some of the requirement does not materialise, there is the opportunity to return it during monitoring rounds.

Of the £90,000 of capital DEL, the other £50,000 relates — again, pending commencement of the function — to a requirement that we foresee to develop what is variously described as an e-learning database or a platform to support the commencement of the Complaints Standards Authority function. We have an estimated £50,000. That figure was based on estimates from a couple of years ago. It may need to be refined in due course. Nevertheless, we felt that it was important to register it as a potential capital requirement going into next year. In summary, those are the two components of the £90,000.

Mr McFadden: I will expand on the Complaints Standards Authority training element. As John said, those figures are some years old now because there has been no commencement, and funding may not be drawn down if there is no commencement this year. Before we draw down that money, and in the event that we get complaints handling authority, we will need to look again at how we provide that training. I will just clarify what that is. If we are rolling out a new framework for how public bodies handle complaints with a consistent procedure model and standards, the obvious point that they will come back to us on is, "How do we train out staff?". It is a fair question. We should provide that. There are different ways of doing so. John talked about the e-learning model. It follows the model rolled out in Scotland, which provided a platform for all public-sector staff to access this training. We may or may not adopt that. We will have to come back to that later in the year.

The Chairperson (Mr McCrossan): Thank you. What are the benefits of the replacement complaints handling system, which is mentioned in the answer to the follow-up on question 3?

Mr McFadden: The main benefit is that our existing complaints handling system is in the region of eight years old and is, by any definition, particularly an IT definition, at end of life. It is not a satisfactory system for us to be operating. It was not satisfactory at the level of complaints received in the year before the ombudsman came into operation. We are now at double that level, and our remit and size have been significantly extended, as you know. For us to function as a modern office, that new system is a necessity.

The specific benefit of reporting is one that I referred to in an answer to a supplementary question. It is very important, and I referred to strategic objective 5, which is about learning and improvement, at our last discussion. Increasingly, we see our role as trying to help to stop the flow of complaints and improving the learning by public bodies on the basis of what we find. It is very difficult for us to do that when we do not have absolute confidence in the reports that we get on complaint information. We need to understand better, even down to a granular level, what issues are emerging, from a data perspective, so that we can analyse those and report back to the public bodies.

The other benefit is the efficient internal handling of complaints and the efficient handling of information. We are trying to move to a paper-light or paperless environment. Given the nature of what we do, we are a very paper-heavy office. All these things require that technology.

Mr McGinnity: There is, in addition, an imperative that we replace our current system. It is built on a technology platform that will no longer be supported by the suppliers. In that sense, it has genuinely reached its end of life, and that is also a consideration.

The Chairperson (Mr McCrossan): What about the coronavirus?

Mr McFadden: The lesson that I will take away from this is the availability of hand sanitiser. We have not yet reached that point, but we have discussed this.

Mr McGinnity: They are on order.

Mr McFadden: They are on order — I stand corrected.

The Chairperson (Mr McCrossan): Good luck with getting them. They are sold out everywhere.

Mr McFadden: We are putting coronavirus on our risk register. We had a discussion this week. Tomorrow, at our senior management team meeting, we will discuss the key risk, which is, of course, the health of our staff, as it is with other organisations in the public sector and more broadly. As to how we continue to operate, the significant risk is that, if the projection that 20% of the workforce might be off sick is accurate, or if there is a mass directive to work from home — those are the kind of things that we have heard from the UK Government and others this week — that will present a real issue because we do not currently have the flexibility to enable us to facilitate working from home for staff across our office. There are historical reasons for that: the confidentiality and sensitivity of the information that we hold. We are moving to a place where technology would enable us to do that. One of the key contingencies that we are trying to put in place with IT Assist is to get access to a larger number of secure laptops that we can distribute to our staff in the event that they need to self-contain or if they are unavailable for work purposes and, for example, cannot get to work. Whether we can get that access, given the demand, is another matter, but we are looking at all available options to try to mitigate the risk.

However we go about that, our priority will be to maintain a front-line service. Our gateway assist team is a priority. The members of that team are the ones who will take complaints from members of the public and receive and deal with enquiries. Our absolute priority will be to keep our operations running, as a minimum.

Ms Bunting: Gents, I apologise for missing your first-day brief.

Mr McFadden: It is nice to meet you.

Ms Bunting: If my questions were covered in that brief, you will, I hope, forgive and indulge me.

Mr McFadden: Sure.

Ms Bunting: To enhance my understanding of some of your answers to the Committee and information in your budget paper, will you tell me how many staff you have and can move to complaints? You project a 37% increase in complaints. To assist me in understanding what that looks like and what it involves, will you give me an idea of how complaints are taken forward? Will you outline the number of complaints that you have received and how those are broken down into complaints that are found to be vexatious, complaints that are upheld and complaints that are not upheld? I apologise if you have gone over that already.

Mr McFadden: No, it is helpful to get into a discussion on these matters. At our last meeting, for illustrative purposes, I highlighted that it was not just this year that the percentage increased. This year, the increase is about 40%, and it was previously higher. We need to see where it lands. That is significant in one year. However, there has been a sustained increase over the past five years. The Northern Ireland Public Services Ombudsman gave a figure of just under 500 complaints for the year before. This year, we are now past the 1,000 mark. That is an increase in complaints of over 100%.

Ms Bunting: That is what I am trying to get at. Is it a sustained increase based on justified complaints, or is it merely a sustained increase in complaints?

Mr McFadden: It is a sustained increase in both categories: complaints and areas in which failings are found. The rate at which we are finding failings is not dropping. There are complexities. Premature complaints have increased — those that come to us too early — and we need to analyse why that happens. A large number of complaints are, potentially, out of our jurisdiction, but we have to consider them. We need to look at that, and we will do so in our annual report at the year end and try to break that down further. However, there are also substantive complaints. People come to us with genuine complaints that we have to deal with. A breakdown of those complaints across sectors is provided in the information, but the majority relate to health and social care, as do the vast majority — about 80% — that we take through our process to investigation. That is to do with the nature of those complaints as well as the fact that we have a wider function of looking at that judgement.

As I talked about at our last meeting, we have increased dramatically the number of complaints that we try to settle or get an early resolution to before they get to the investigation stage. If there is a potential solution or outcome that means that we do not have to go into a full, lengthy investigation and all the resources that that entails, that is in everyone's interest. The individual complainant gets the solution — or, maybe, part of the solution — that helps to address their ongoing problem with a public service, and, of course, it is also in the interest of the public body. We are trying to look at ways in which we can reduce the number of full investigations.

On the case-handling system, I come back to your point about complaints-rich information: for example, how many complaints about a particular issue in a particular sector are upheld. We find that a challenge because of our current IT infrastructure. In future, we will be a lot better at being able to produce that information, which will help us in accounting for what comes through. It will also be incredibly helpful to us as we speak to public bodies about what they could do with their systems, staff and processes to address recurring issues.

Mr McGinnity: Joanne, you asked about staff numbers. Our current staff numbers are between 43 and 44 — a whole-time equivalent of about 40.

Ms Bunting: Thank you very much.

The Chairperson (Mr McCrossan): Members have no further questions. Thank you very much for your answers and for being here today.