



Northern Ireland  
Assembly

Audit Committee

# OFFICIAL REPORT (Hansard)

Draft Budget 2022-25: Northern Ireland  
Public Services Ombudsman

24 November 2021

# NORTHERN IRELAND ASSEMBLY

## Audit Committee

Draft Budget 2022-25: Northern Ireland Public Services Ombudsman

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**Members present for all or part of the proceedings:**

Mr Daniel McCrossan (Chairperson)

Mr William Irwin (Deputy Chairperson)

**Witnesses:**

Ms Margaret Kelly

Northern Ireland Public Services Ombudsman

Mr Sean Martin

Northern Ireland Public Services Ombudsman

Mr John McGinnity

Northern Ireland Public Services Ombudsman

**The Chairperson (Mr McCrossan):** I welcome the NIPSO witnesses: Ms Margaret Kelly, the ombudsman; Mr Sean Martin, acting deputy ombudsman; and Mr John McGinnity, director of finance and corporate services, who is attending via StarLeaf. You are all very welcome. I advise you that the session is being reported by Hansard and that the transcript will be published on the Committee's web page. Do you have any opening remarks? If so, will you keep them brief, please? Thank you.

**Ms Margaret Kelly (Northern Ireland Public Services Ombudsman):** I will make a few opening remarks. Good afternoon, everybody. Thank you to the Committee for taking a further opportunity to consider our budget as we continue to focus on making a difference to people and public services in Northern Ireland by independently investigating complaints and ensuring learning and accountability.

As a little reminder to the Committee, I will say that we are seeking an increase of £307,000 in our budget, a third of which is for inescapable pressures, with the remaining two thirds linked to the need for new roles because of an increased demand and in order to increase awareness.

I want to bring to the Committee's attention a few further issues on increased demand that have emerged since the last time I was here. We continue to experience what I can only refer to as an unprecedented increase in our complaint numbers. To give you a sense of what that means for us, our initial assessment team, which looks at complaints as they come through, normally has around 90 live cases at any point in time. Currently, it has 167 live cases. The case officers in that team normally hold between 10 and 12 cases at any point in time, but they are currently sitting at 18 to 20 cases. The officers in our first-stage investigation team normally hold around 12 cases at any point in time, but the current caseload for each officer in that team is 23 to 25 cases. We are seeing that increase translate into a huge increased demand on staff. When we extrapolate the figures, we think that we could get as many as 1,200 complaints in the current year, which would be a really significant increase. In order that the Committee understands, I will say that, while we are feeling the pressure in the current year with the initial assessment and first investigation stages, we will feel the pressure next year in our final investigation stage. We will see those caseloads really increase.

I wanted to give those figures to the Committee in order to give some sense of the pressures on the team at the moment. We hope that the Committee will support us as we seek to deliver what I consider to be the critical role that my office plays in providing redress for individual citizens, providing learning and improvement for public services and sharing the wider lessons with the Assembly by providing the information and analysis that can assist MLAs and Committees in their scrutiny role.

**The Chairperson (Mr McCrossan):** Thank you very much. I appreciate that information. Thank you for spelling out the challenges that you continue to face as a result of the demand on the important service that you provide.

What scope do you have for income generation? In previous sessions, it was mentioned that there may be the opportunity to generate income from training provisions related to the complaints standards authority role. Will you give us some information on that, please?

**Ms Kelly:** I will ask Sean to answer that. I do not think that, as we stand, we have that provision. Sean, will you come in on that?

**Mr Sean Martin (Northern Ireland Public Services Ombudsman):** One of the key elements of delivering the change in culture that we are looking for in complaints standards is the provision of training and guidance to public services as we work through our engagement programme. Our analysis of it is that charging for training in the public sector is circular. Whether it is funded through the ombudsman by using what we currently have — you have made provision for us to appoint an officer to lead on that training provision — if we charge for that service, the money still comes out of the public purse, albeit it comes back to us. While it might reduce our budget, it would not reduce the overall cost. Administration would also be required that may not make that the most effective and efficient way of providing it. We want to encourage the uptake of training as a key to changing culture and changing the experience of individual complainants who have issues to raise with public bodies. Our judgement at the moment is that we should develop training programmes that we will deliver through various means to public services in order to help them to improve.

**The Chairperson (Mr McCrossan):** Thank you. The Committee will write formally about this, but will you give members an idea of how far efficiencies can be delivered to offset the pressures that you face in the budget period?

**Ms Kelly:** Over the past number of years, we have sought to make as many efficiencies as we possibly could, and the Committee knows that we said we could manage our complaints for the last year within that budget. I feel that we are not in a position now to do that. Were we to have to seek efficiencies, I would have to look at whether I should elongate my KPIs so that it takes longer for the individual citizen to bring a complaint through to us.

I feel that the pressure on the service is such that I am not in a place to say to you at this point, "That is where we would make efficiencies". However, I reassure the Committee that we constantly look at our budget to see whether there is anywhere that we could make those efficiencies, but, as it stands, we are under really significant pressure.

I do not know whether John has anything to add.

**The Chairperson (Mr McCrossan):** I appreciate that. I have always taken a keen interest in the importance of the service to ensure that it is properly resourced and meets the demand on it, so I appreciate your honesty in that regard.

William, do you have any questions that you would like to raise?

**Mr Irwin:** What percentage of the overall budget is the increase in the budget of £307,000 that you require? Maybe you do not know that.

**Mr Martin:** With regard to the overall increase in our budget, that £307,000 amounts to 8.6%.

**Mr Irwin:** Am I right in saying that most of that relates to staff pressures?

**Mr Martin:** Yes. Those costs are primarily staff-related costs. We have held our general administrative expenditure at the same level as last year, so those increases provide for a pay rise, the National Insurance increase and additional posts.

**Mr Irwin:** I reckoned that that was the case.

**The Chairperson (Mr McCrossan):** I have no further questions. Is there anything that you would like to raise with us?

**Ms Kelly:** No, I think that we have covered everything. We want to leave you with a strong sense of the current pressure on my teams to respond, the current volume of complaints that are coming in and how we want to respond to them and use them to drive improvement in learning. That is what I will leave with the Committee.

**The Chairperson (Mr McCrossan):** I appreciate your honesty in the matter and your openness with us about those pressures. Just for the sake of explaining this and putting it on the record, will you outline the range of queries that are coming to you and where the increases in demand have been?

**Ms Kelly:** I will answer that, and then I will ask Sean to assist. We see those issues across a wide number of areas. A number of complaints are now linked to COVID. Some of those are linked to health and the treatment of COVID, some of them are linked to waiting lists and some of them are linked to things like some of the COVID grants that have been made available. A bunch of complaints are linked to that.

We have seen our education complaints increase really substantially across the past number of years, and we are seeing an increase in the volume of our health and social care complaints. Those are the main areas, and I am looking at Sean to see whether I have forgotten anything there.

**Mr Martin:** No. That is right. The increase in complaints goes right across all public services, with health still accounting for about a third of the complaints and probably about 70% of the further investigations that we do. That has not really changed, but we have housing, council services, Departments and their agencies, and we have worked with some of those bodies to support them on dealing with complaints more effectively so that they do not actually get to us in cases where there has been significant disruption to their services and they have lots of complaints. We have been doing that work with some public services that have been particularly disrupted in order to try to reduce the numbers that come to us, but, despite that, the graph in our paper shows that increase being steady over the past number of years. As we move towards our complaints standards work, we hope that more of those complaints can be resolved at a local level. However, for more serious issues, people obviously need to be able to come to the ombudsman.

**Ms Kelly:** The other thing is that we have a big focus on resolution and settlement. Not every complaint that comes to us goes all the way to final investigation. We have seen a real increase in the number of complaints where we have sought resolution and settlement. Nonetheless, the seriousness and appropriateness of complaints that come through mean that quite a number continue to final investigation stage.

**The Chairperson (Mr McCrossan):** That is very helpful. Thank you very much. Thank you all for being with us and for taking our questions. We appreciate it, and we wish you well as you continue to deal with the many challenges that are arising, particularly with COVID. Thank you very much for your attendance.

**Ms Kelly:** Thank you. We appreciate it.