

## Written evidence from Rosamund Ridley (PHS 11)

### Public Administration and Constitutional Affairs Committee Parliamentary and Health Service Ombudsman Scrutiny 2019-20 inquiry

- In The Ombudsman's Annual Report and Accounts 2019-2020, the statement that '96% of complaints handled by our helpline were closed within 7 days' is only evidence of delivering 'value for money', if 'value for money' only looks at the cost to the PHSO and not to the value to complainant, or that the overall impact of the PHSO's work is positive. No information is presented regarding the nature of complaints closed within a week.
- At the foot of the 2019/20 report, it is stated that 'Out of jurisdiction' refers to those complaints about an organisation that we cannot legally investigate.
- Establishing the parameters of a complaint, for example, a case involving a complaint about an NHS Trust, PHSO caseworkers must not ask leading questions to identify a complaint as being 'out of jurisdiction.' For example, 'Was the doctor working outside their NHS employment when the action prompting the complaint took place?'
- If a complainant, either the patient or their appointed representative, is advised by a PHSO caseworker that the complaint is out of PHSO jurisdiction, a full explanation of the reason for this decision must be given.
- All relevant documents supporting the caseworker's decision must be cited.
- Every casework decision that a complaint is 'out of jurisdiction' should be scrutinised by a senior caseworker.
- At year end, all such decisions concerning cases identified by caseworkers as being 'out of jurisdiction' should be further evaluated and the number of cases identified as 'out of jurisdiction' should be published clearly in the Annual Report.

\* Extract, PHSO internal case file, caseworker to an NHS Trust staff member.

I am concerned about the identification of any complaint as 'out of jurisdiction'. If a complaint has been made about matters which took place within an NHS Trust, that complaint is about the NHS and is within the PHSO's jurisdiction. NHS patients and their representatives are not advised that an NHS staff member could be 'working outside their NHS employment' when engaged in patient care and having access to NHS patient data.

*October 2020*