

## Written evidence from Fiona Watts

### Parliamentary and Health Service Ombudsman Scrutiny 2019-2020

#### Evidence for the inquiry

1. This report responds to The Public Administration and Constitutional Affairs Committee request for evidence on the Parliamentary Health Service Ombudsman (PHSO).
2. My report to the Scrutiny Committee focuses on the two points of information that Members of Parliament will be scrutinising as part of Parliament's review of the PHSO,
3. The two points of information that I will be referring to in respect of the inquiry will be
  - a) The impact that the Parliamentary Health Service Ombudsman has had on other organisations.
  - b) The PHSO's reasonable adjustments to service users.
4. It is my hope that the Scrutiny Committee will best review how the Parliamentary Health Service Ombudsman could have best considered its position of power to ensure that domestic abuse data that the PHSO received was best protected to ensure that the Domestic Abuse Bill was relevant and fit for purpose in 2020.
5. The information on the progress of the Domestic Abuse Bill has been sourced from the [www.gov.uk](http://www.gov.uk) website. At the time of writing this report to the scrutiny committee, the Bill's webpage was last updated on 17.08.20.
6. The Government website on the Domestic Abuse Bill claims that;  
*"The Bill will create, for the first time, a cross-government statutory definition of domestic abuse, to ensure that domestic abuse is properly understood, considered unacceptable and actively challenged across statutory agencies and in public attitudes."*
7. The website for the PHSO claims  
*"The Ombudsman's role is to investigate complaints that individuals have been treated unfairly or have received a poor service from government departments and other organisations and the NHS in England."*
8. In respect of the forthcoming legislation, in 2019 and 2020, when did Sir Rob Behrens liaise with other agencies in order to collate a data base that would have provided an overview into how victims of domestic abuse had been treated by the NHS and other government departments?
9. The Ombudsman would have been the last stop on the NHS conveyor belt of complaints for a victim of domestic abuse. The only reason why a victim of domestic abuse would have sought a review from the PHSO would be in order to verify data and access best healthcare.
10. But a review of the PHSO communications suggests that the Ombudsman has not been engaged in the debate about how many victims of domestic abuse are victims of unremedied injustices?
11. The Domestic Abuse Bill was a legislation that intended to be "cross-government" and it is my understanding that the PHSO was the only Ombudsman that had the remit to cover all government departments. But a review of the PHSO website demonstrates that the PHSO has never contributed any data to the development of the Domestic Abuse Bill.

12. On which date did the PHSO consider the Ombudsman could review how many victims of domestic violence had sought assistance from the Ombudsman and a best resolution with their situation prior to the fifth reading of the Domestic Abuse Bill in 2020?

13. On the understanding that many domestic abuse victims struggle to best represent themselves to authorities or talk about they have felt violated; will the PHSO re-review how many multi-agencies have failed to best identify and protect a victim of domestic violence who sought their help?

14. Why has the PHSO failed to liaise or unite with Government Departments in assessing how many victims of Domestic Abuse have been failed by NHS sites and government departments before the victim sought the help of the PHSO in resolving the maladministration against them?

15. If the Ombudsman is disinterested in maintaining a best record of the types of grievances that victims have been forced to progress with Parliamentary Ombudsman, then how can any domestic abuse legislation being progressed in 2020 be considered fit for purpose?

16. In 2019 and 2020 has the PHSO kept a data base on how many victims of Domestic Violence have had their medical records and government data withheld from them since requesting to view them? If the victim's visits to Accident and Emergency are not registered on the victim's medical data then the victim is vulnerable and unable to access data based on factually correct data.

17. In 2019 and 2020, did the PHSO refer to any updates and notifications from previous service users that gave the Ombudsman an insight into how the Ombudsman staff might better support victims of Domestic Abuse who were being blocked from accessing best health care?

18. There are many campaign groups that have campaigned for the progression of legislation on Domestic Abuse but the PHSO website and press releases demonstrate that the Ombudsman has failed to even acknowledge the progress of the Domestic Abuse Bill.

19. Between 2019 and 2020, the PHSO was the only Ombudsman that had the legislation behind it to overview how multiple government agencies have failed to best support a victim of domestic abuse who had been failed by more than one government department, across three Council Tax Authorities.

20. The PHSO website states that

*"We make the final decisions on complaints that have not been resolved by the NHS."*

Between 2019 and 2020, have any of the government departments sought information from the PHSO that would provide a better insight into how healthcare services could improve their service to victims of Domestic Abuse?

21. The PHSO's apparent lack of reference to the issues in the Domestic Abuse Bill suggests that the PHSO is behind the times and I ask that this apathy is considered by the Committee.

*November 2020*