

Written evidence from John Cull (PHO 08)

Public Administration and Constitutional Affairs Committee Parliamentary and Health Service Ombudsman Scrutiny 2020-21 inquiry

Having been a recent user of the PHSO service, I believe there to be a significant concern regarding corporate governance and the ability of the PHSO to properly investigate complaints in a competent and professional manner. Indeed, my own experience would indicate the following:

1. Failure to undertake a complete and full investigation of a complaint by personnel fully familiar with the organisation they are supposed to be investigating.
2. Failure to contact all parties involved in a complaint.
3. Failure to comply with PHSO's own investigation procedures.
4. Failure to undertake a fully independent Review.
5. Failure to independently investigate complaints in relation to personnel breaching the PHSO Charter.
6. Failure to correctly interpret Acts of Parliament.

It is my understanding that the PHSO has removed all external involvement in considering Service Complaints relating to PHSO investigations, allowing poor practices to continue unchallenged.

I am also somewhat surprised that the same Ombudsman is responsible for dealing with complaints regarding the operation of Government departments and public services, as well as those relating to the Health Service, where completely different issues and possible outcomes are involved.

I submitted a complaint to the PHSO in relation to the Office for Product Safety and Standards (OPSS), who I felt were failing in their responsibilities to effectively oversee safety standards in the UK. Whilst the case officer allocated to my complaint might well have been familiar with health service issues, it was quite apparent from our telephone conversation that he had little, if any, knowledge of the role of the OPSS, the applicable Acts of Parliament relating to safety matters, or relevant OPSS operational documentation.

From a Freedom of Information request, I recently received PHSO's Investigation and Compliance overview, which bears little resemblance to the process used to investigate my particular complaint. Indeed, between a phone call from the PHSO on 5th October 2020 to discuss my complaint and the subsequent receipt of a Case Assessment on 14th October 2020, there was just seven working days. A detailed letter I sent to the PHSO on 6th October 2020 was simply ignored in the Assessment and there was no attempt made by the PHSO to even accurately scope my complaint. As indicated in correspondence to Ms Amroliwala (Chief Executive Officer), it would appear to me that the intention of the PHSO from the very start was to simply close my complaint at the earliest opportunity.

I wrote to a Ms X (PHSO manager) as to why I considered her response to my Case Review, which incidentally took almost seven months to provide, to be highly questionable, as it was

quite clearly not undertaken by an ‘independent’ person as claimed. When I did not receive any acknowledgment to my correspondence to Ms X, I subsequently wrote to Ms Amroliwala to express my concerns. I have now written to Ms Amroliwala on two separate occasions in relation to the manner in which my complaint had been dealt with and although the first letter did result in a response eventually being received from Ms X, the second letter went completely unanswered. So much for PHSO’s Charter commitment as follows:

Clause 12 - We will 'treat you with courtesy and respect'.

In Summary

I have been shocked by both the lack of professionalism and integrity displayed by the PHSO in their dealings with me. To claim that an Appeal is ‘independent’, when it is undertaken by the investigating officer’s own line manager and signed by the investigating officer himself shows, in my considered view, a total lack of corporate governance within the PHSO organisation. Indeed, even my complaint to Ms Amroliwala, regarding the questionable conduct of Ms X, resulted in a reply being received from Ms X herself and not from anyone more senior in the organisation. It would seem that within the PHSO, the accused are allowed to be their own judge and jury.

To my mind, not having an external person considering Service Complaints has resulted in a poorly managed organisation, where standards fully compliant with operational procedures are no longer maintained, or a fully acceptable level service provided to the general public.

As a member of the general public, it is extremely worrying that the PHSO is there to consider complaints in relation to other Government departments, when its own conduct and standards are, based on my own experience and considered view, quite clearly below an acceptable level. Indeed, having written to Ms Amroliwala on two separate occasions regarding my concerns, it would seem to me that she should be aware of her organisation’s numerous failings, but either lacks the ability or determination to make the necessary changes.

Also in evidence in relation to how both current and previous users view the quality of service currently being provided by the PHSO, I have added a link to Trustpilot, which is well recognised within the UK for providing consumer feedback. The views from the majority of contributors – 97 per cent of the 168 reviews listed, find the current service provided by the PHSO to be ‘**bad**’. This reflects my own experience and is a state of affairs, which I believe the Select Committee needs consider as a matter of urgency.

<https://uk.trustpilot.com/review/www.ombudsman.org.uk>

I hope the Committee will find my own experience of some value, especially as the positive impression provided by the PHSO, when they last attended a Select Committee Hearing, is, in my considered view, very far from the actual truth. As someone who has spent many years as a project manager and work-study practitioner, it is my considered view that the PHSO is a failing organisation, which under performs and is in desperate need of reform. Furthermore, I would seriously question whether there is a reasonable synergy between complaints relating to Government departments and those applicable to the health service, where completely different issues and outcomes are to be considered.

I do have evidence to support the failures I have expressed above and will be more than willing to submit further information to the Committee if required.

October 2021