

Briefing: Parliamentary and Health Services Ombudsman

January 2012

The Parliamentary and Health Services Ombudsman (PHSO) is referred to in the [Compact Accountability and Transparency Guide](#) as a resource to use 'when things go wrong'. This briefing note explains when the PHSO can and cannot help, how you can use their services and how to contact them.

About the Parliamentary and Health Services Ombudsman

The PHSO provides a service to the public by considering complaints about government departments and agencies in the UK, and the NHS in England.

The PHSO's role is to consider complaints that the government or NHS have not acted properly or fairly or have provided a poor service. The PHSO aims to provide 'an independent, high quality complaint handling service that rights individual wrongs, drives improvement in public services and informs public policy'.

If a voluntary and community organisation is unhappy with the final response to their complaint about a government department, agency or the NHS, they can complain through an MP to the PHSO¹.

The Ombudsman is independent and will decide whether or not to investigate a complaint based on a range of criteria. The Ombudsman will only investigate if she believes there are indications of maladministration leading to injustice. Her investigations are carried out in private.

If the Ombudsman investigates, she will report her findings to the relevant government department, agency or public body and to the MP and complainant involved. If the complaint is upheld she will make recommendations for appropriate remedy. On the rare occasions when a public body refuses to follow the Ombudsman's recommendations, she presents a special report to parliament explaining her findings and stating that her recommendations have not been followed. It is then for Parliament to consider what action should be taken.

How to make a complaint to the PHSO

The Ombudsman will normally only take on a complaint after all other avenues of resolving the complaint have been exhausted. The Ombudsman believes that the organisation involved should be given a chance to respond and, where appropriate, try to put things right before she becomes involved.

Voluntary and community organisations can first contact NCVO's [Compact Advocacy Programme](#) to mediate disputes. See also [section 7 of Local Compacts: a User Guide](#) for steps to take to address Compact non-compliance prior to contacting the PHSO.

If you are still unhappy after completing this process, you will then need to ask your MP to refer the case to the PHSO. Details of local MPs can be found on findyourmp.parliament.uk.

¹ In 2011, the PHSO ran a consultation into whether or not complainants should have direct access to the Ombudsman – but at present a complaint must be referred to the Ombudsman by an MP. A report on the consultation is available on the [PHSO website](#).

You can download PHSO's [complaint form](#) (pdf) which gives all the information you need to make a complaint to the Ombudsman. There is a [full list](#) on the PHSO's website of public bodies within their jurisdiction.

To make a complaint to the PHSO, visit their website: www.ombudsman.org.uk. You can also phone their helpline on 0345 015 4033.

Read more about PHSO's [process for dealing with complaints](#).

What the PHSO can't help with

- Consumer issues (goods or services you have bought)
- Financial services and pensions
- Gas, electricity and water
- Local council (includes council tax benefits, housing, planning, social care)
- Members of Parliament
- Police
- Political parties
- Postal services
- Privately funded healthcare
- Social care
- Telecommunications (telephones and internet)
- Television, radio, newspapers and advertising

The PHSO website does, however, contain a [list of links](#) to other Ombudsmen, complaint handlers and advice and advocacy services.

Implications for local Compact groups and partnerships

Voluntary and community organisations can contact the PHSO to investigate further if they have a complaint about the Compact being breached by a government department or health service they were working in partnership with.

For example, a small voluntary and community organisation delivering services for older people may have had their funding withdrawn by an NHS trust at very little notice. The voluntary organisation was not consulted about the reduction, and no impact assessment was undertaken. This would be considered a breach of the Compact.

The recommended route for the voluntary organisation to take would be to follow the mediation or disagreement procedure outlined in their local Compact, or to contact NCVO's [Compact Advocacy](#) programme for advice. At this stage, the voluntary organisation involved would try to resolve their difference directly with the other party.

If they considered the response to their complaint from the NHS Trust to be unsatisfactory, the voluntary organisation could then contact the PHSO by [submitting a complaint form](#) or via the contact details below.

If the complaint was about a government department, voluntary organisations would follow the above steps and then [approach their local MP](#), who will refer them to the PHSO.

Further information

PHSO

The PHSO's complaints helpline – 0345 015 4033 – is open 8.30am to 5.30pm Monday to Friday. You can also email the PHSO on phso.enquiries@ombudsman.org.uk, or write to:

The Parliamentary and Health Service Ombudsman
Millbank Tower
Millbank
London
SW1P 4QP

For more information about the PHSO, visit www.ombudsman.org.uk.

Compact Voice

Please visit www.compactvoice.org.uk or call 020 7521 2451 if you have any questions or support needs.

Acknowledgements

Compact Voice would like to thank Tim Miller, Head of Public Affairs and Philip Trehitt, Director of Complex Parliamentary Investigations at the PHSO for their help and contribution towards producing this briefing.

