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Dear Mr Horne,

**REVIEW OF THE PUBLIC SECTOR OMBUDSMEN IN ENGLAND**

Thank you for your response to the consultation paper on the review of the public sector ombudsmen in England. The evaluation of responses has taken somewhat longer than anticipated but I am pleased to be able to report that this is now complete and that the Government have announced the action they will be taking as a result. A copy of the announcement, together with a corresponding statement, is attached.

Once again, many thanks for your contribution.

Yours sincerely

**SARAH CALLOW  
CENTRAL SECRETARIAT**



**Mr. Leslie:** Details of the title, cost and clients for each of the projects mentioned in my response of 3 July are set out in the tables.

Year 1998–99	
Client/title	Cost (£)
<b>Cabinet Office</b>	
Wave 1 (also includes £80,000 for set-up costs)	300,000
Wave 2	89,000
Modernising Government	12,750
Management fee to MORI	8,000
Top-up recruitment	49,250
<b>Total</b>	<b>459,000</b>

Year 1999–2000	
Client/title	Cost (£)
<b>Cabinet Office</b>	
Wave 3	6,000
Women's Unit—Listening to Women	63,800
Access pages	13,800
Older people	4,500
Management fee to MORI	40,000
Top-up recruitment	49,250
Evaluation report	17,690
<b>OST</b>	
Attitudes to bio-sciences	60,000
<b>DfEE</b>	
Parents' attitudes on value-added school performance tables	12,400
The literacy hour	2,500
<b>DETR</b>	
Urban White Paper	19,500
<b>HSE</b>	
Gas safety regulation	14,750
<b>Post Office Counter</b>	
One-stop shops/electronic service delivery	17,000
<b>Total</b>	<b>321,190</b>

Year 2000–01	
Client/title	Cost (£)
<b>Cabinet Office</b>	
Open All Hours?	14,400
Change of address portal	14,200
Wave 4	68,600
Public services and ethnic minorities	68,100
Public awareness of Charter Mark	6,000
Social Exclusion Unit—Attitudes to public services in deprived areas	14,100
Wave 5	64,400
The last 12 months	52,550
Management fee to MORI	36,000
<b>Department of Health</b>	
Attitudes towards Human Genetics issues	52,500
Health messages and young people	30,000
<b>The Patent Office</b>	
Benchmarking of intellectual property awareness	14,500
<b>DfEE</b>	
Service standards in working agency	10,600
<b>DETR</b>	
Research into public's expectations of transport in the future	29,050
<b>MAFF</b>	
Reactions to new GM food leaflet	19,200
Country of origin food labelling	31,665
<b>Total</b>	<b>525,865</b>

Summaries of the research results have been placed in the House Library and full reports are published on my Department's website.

**Mr. Oaten:** To ask the Deputy Prime Minister, pursuant to his answer of 3 July 2001, *Official Report*, column 124W, if the results of projects carried out for clients other than his own Department were published in full. [6235]

**Mr. Leslie:** The summaries of all research projects using the people's panel have been placed in the House Library. Full reports are available on the Internet at [www.servicefirst.gov.uk](http://www.servicefirst.gov.uk).

### Ombudsmen

**Mr. Keetch:** To ask the Deputy Prime Minister how many cases investigated and rejected by (a) the local government and (b) the parliamentary ombudsmen that have subsequently gone to judicial review have been successful and found in the complainant's favour; and if he will make a statement. [6210]

**Mr. Leslie:** This information is not held centrally. However, I would refer the hon. Gentlemen to general information on caseload which is published in the ombudsmen's annual reports.

**Judy Mallaber:** To ask the Deputy Prime Minister what action he intends to take following the consultation exercise on the review of the public sector ombudsmen in England. [6445]

**Mr. Leslie:** This Government are committed to the renaissance of public services, improving access and delivery and driving up standards. The effective handling of complaints is an important element of this programme of renewal, but there will be times where, having pursued a complaint about a particular public service, a complainant remains dissatisfied. Such cases need to be considered independently and that role is fulfilled by, among others, the public sector ombudsmen in England that were the subject of this review. These ombudsmen comprise the Parliamentary Commissioner for Administration, the Health Service Commissioner and the Commission for Local Administration (which comprises the three local government ombudsmen and the Parliamentary Commissioner for Administration ex officio).

In 1999, following representations from the ombudsmen, the Government announced a review to determine whether the present arrangements are in the best interest of complainants and others, against the background of moves towards more integrated public services and an increasing focus on the needs of the consumers of such services. The review team consulted widely and their report was published in April 2000. A consultation paper seeking views on the review's main recommendations and its other conclusions was published last June. In all we received 174 responses to the consultation paper and copies will be placed shortly in the Library of the House together with a statement of the Government's conclusions.

Briefly, these are that, in light of the responses received to the consultation paper, the Government are satisfied that there is broad support for the review's main recommendations.

We therefore intend to replace the existing arrangements by a unified and flexible ombudsman body for central and local government and the national health service (excluding NHS Pensions, which will continue to fall under the jurisdiction of the pensions ombudsman, established by Part X of the Pensions Schemes Act 1993 (as amended)). In line with the review's recommendations, there will be direct access to this new body irrespective of whether the complaint is concerned wholly or in part with a central Government body. Furthermore, and again in line with the review's recommendations, the new body will have a collegiate structure within which the individual ombudsmen are identified with a particular group of the bodies under jurisdiction but free to carry out crosscutting investigations. Proposals for the precise powers and accountability of the new body, and on whether its jurisdiction should be extended beyond the bodies subject to the Jurisdiction of the existing ombudsmen, will be published in due course.

#### Regulatory Impact Assessments

**Mr. Oaten:** To ask the Deputy Prime Minister if he will list the (a) subject, (b) responsible Department and (c) date of each regulatory impact assessment on which his Department has been consulted since the publication of the "Modernising Government" White Paper. [6237]

**Mr. Leslie:** The degree of consultation with my Department varies from telephone conversations (which may not be recorded), to detailed exchanges in writing, depending on the nature of the issue raised. However, no central record is maintained of the number of regulatory impact assessments on which my Department is consulted.

#### Transport and Social Exclusion

**Dr. Stoate:** To ask the Deputy Prime Minister when the Social Exclusion Unit will launch the consultation exercise for its prospect on transport and social exclusion. [6531]

**Ms Keeble:** I have been asked to reply.

The consultation exercise will be launched next week on Wednesday 25 July.

The consultation letter, copies of which will be placed in both Libraries, is aimed at anyone with an interest in transport and social exclusion issues and includes a wide-ranging questionnaire to help consultees frame their contributions. The SEU is keen to obtain the views of as wide a range of people as possible and the consultation period will include visits, interviews and focus groups.

The letter is also available on the SEU's website, which can be found at [www.cabinet-office.gov.uk/seu/index.htm](http://www.cabinet-office.gov.uk/seu/index.htm).

### SCOTLAND

#### Departmental Events

**David Maclean:** To ask the Secretary of State for Scotland what (a) national and (b) international awareness events her Department has participated in since June 1997

in the form of (i) sponsorship, (ii) departmental attendance, (iii) similar departmental activities and (iv) a message of support. [5035]

**Mrs. Liddell:** The Scottish Office before July 1999 and the Scotland Office since July 1999 have participated in many such events. Details could be obtained only at disproportionate cost.

#### Absence

**David Maclean:** To ask the Secretary of State for Scotland how many days on average were lost per employee in her Department because of sickness; and how many officials retired early from her Department in each of the past 10 years. [R] [5060]

**Mrs. Liddell:** The numbers of early retirements from the core departments of the former Scottish Office in each year from 1 April 1994 to 30 June 1999 are:

*Full time equivalent (FTE) staff retiring early, by financial year  
Scottish Office core departments, 1 April 1994–31 March 1999*

<i>Year</i>	<i>FTE staff retiring</i>
1994–95	61.1
1995–96	99.7
1996–97	124.7
1997–98	16.8
1998–99	13.0

On average, the number of working days lost per permanent employee in the Scottish Office core departments was 6.7 days in 1997–98, and 8.1 days in 1998–99.

Information for earlier years for early retirements and sickness absence is not available and could be obtained only at disproportionate cost.

The Scotland Office was established in its present form on 1 July 1999. No officials have retired early from the Department since that date. Information on sickness absence rates per employee are not available on a comparable basis.

### ADVOCATE-GENERAL

#### Mr. Surjit Chhokar

**Harry Cohen:** To ask the Advocate-General if she will arrange to be made available to the family of Mr. Surjit Chhokar the documents presented to (a) the inquiry into the conduct of the Crown Office and (b) the inquiry under Dr. Jandoo into the treatment of the Chhokar family during the investigation into the murder of Mr. Chhokar; what representations have been received from the Chhokar family about (i) those two inquiries and (ii) the murder of Mr. Chhokar; what has been the response to them; and if she will make a statement. [5656]

**The Advocate-General:** This is a matter for the Scottish Executive and my hon. Friend may wish to write to the Lord Advocate about the case.

**Review of the Public Sector Ombudsmen in England: Statement of the Government's Conclusions (as referred to in Christopher Leslie's written answer of 20 July 2001).**

This Government is committed to the renaissance of public services, improving access and delivery and driving up standards. The effective handling of complaints is an important element of this programme of renewal. But there will be times where, having pursued a complaint about a particular public service, a complainant remains dissatisfied. Such cases need to be considered independently and that role is fulfilled by, among others, the public sector ombudsmen in England that were the subject of this review. These ombudsmen comprise the Parliamentary Commissioner for Administration, the Health Service Commissioner and the Commission for Local Administration (which comprises the three Local Government Ombudsmen and the Parliamentary Commissioner for Administration *ex officio*).

In 1999, following representations from the ombudsmen, the Government announced a review to determine whether the present arrangements are in the best interest of complainants and others, against the background of moves towards more integrated public services and an increasing focus on the needs of the consumers of such services. The review team consulted widely and their report was published in April 2000. A consultation paper seeking views on the review's main recommendations and its other conclusions was published last June. In all we received 174 responses to the consultation paper and copies are being placed in the Library of the House.

The review's main recommendation was for creation of a new, independent body to carry out the responsibilities currently carried out by the different public sector ombudsmen concerned. Consumers are not always able to distinguish whether a particular service is delivered by central or local government or by the National Health Service; and the review concluded that the ombudsmen too would operate more effectively and efficiently if they were able to operate without artificial constraints.

A majority of respondents supported this recommendation, and agreed that a unified body, with clear jurisdiction and a collegiate structure and close co-operation among the ombudsmen, would make it simpler and easier for complainants and improve the handling of individual complaints, particularly those involving more than one public service. However, the Local Government Association and some local authorities argued that the Commission for Local Administration should remain entirely separate. Furthermore, a small number of respondents argued that the new body should comprise a single ombudsman with a number of deputies because they felt a collegiate structure would not ensure that similar complaints were handled consistently.

The review's second main recommendation concerned the requirement in the Parliamentary Commissioner Act 1967 for complaints about central government bodies to be referred to the Parliamentary Commissioner for Administration by a Member of Parliament. There is no such 'filter' for complaints about local government or the National Health Service. The review concluded that there should not be a 'filter' of any kind with respect to access to the new, joined-up body and noted that this would not prevent MPs being involved in lodging complaints about the way that a central government body had handled their complaint or from continuing to play a very valuable role in helping their constituents generally to resolve problems with such bodies.

Most of the respondents who commented on this issue strongly supported the review's recommendation. The Select Committee on Public Administration also supported the principle of direct access and said that, whatever the organisational arrangements proposed, it considered it essential that the link between the Parliamentary Ombudsman and a Select Committee of the House was maintained and strengthened. The Government agrees that this link has been a key feature of the Parliamentary Ombudsman's effectiveness. However, the Committee, and some other respondents too, also expressed concern that, because direct access was likely to lead to an increase in the number of complaints received by the ombudsmen, additional resources may

have to be made available to ensure that it did not take longer to resolve individual cases.

The review also made a large number of detailed recommendations about the working methods of the new body and the arrangements for ensuring its accountability. These recommendations were generally welcomed. Most respondents emphasised the need for the new body to be and be seen to be truly independent and accessible and also properly accountable to Parliament. Respondents also emphasised that the new body needed to be even-handed, effective and efficient in its relations with complainants and the bodies against which complaints are made. Furthermore, most respondents also agreed that the new body should work closely and share best practice with other ombudsmen and bodies with jurisdiction over the public sector.

The Government has considered carefully all of the responses we received to the consultation paper, and we are satisfied that there is broad support for the review's main recommendations.

We therefore intend to replace the existing arrangements by a unified and flexible ombudsman body for central and local government and the National Health Service (excluding NHS Pensions, which will continue to fall under the jurisdiction of the Pensions Ombudsman, established by Part X of the Pensions Schemes Act 1993 (as amended)). In line with the review's recommendations, there will be direct access to this new body irrespective of whether the complaint is concerned wholly or in part with a central government body. Direct access will ensure that the constitutional position of local government – that local authorities are accountable to their local electorates – continues to be properly recognised. Furthermore, and again in line with the review's recommendations, the new body will have a collegiate structure within which the individual ombudsmen are identified with a particular group of the bodies under jurisdiction but free to carry out crosscutting investigations. We believe that this will ensure that the concerns expressed by the Local Government Association and others do not arise in practice and that similar complaints are handled consistently. The

Government intends that these reforms will bring benefits including the swifter processing of complaints, increased efficiency and greater value for money. In particular, the new body will be better able to identify and spread best practice throughout the public sector as well as improving its own working methods.

We have also taken note of the comments of the Select Committee on Public Administration and others on some of the review's more detailed recommendations. We will take these carefully into account in developing proposals for the precise powers and accountability of the new body, and on whether its jurisdiction should be extended beyond the bodies subject to the jurisdiction of the existing ombudsmen. These proposals will be published in due course.