



4th July 2025

Peredur Owen Griffiths
Chair
Finance Committee
Senedd Cymru
Cardiff Bay
Cardiff
CF99 1SN

Dear Chair

Further to your letter of the 14th May, please find attached NIPSO's reply to the questions raised in the Annex. I apologise for the delay in getting this response to you.

If you have any questions about NIPSO's response, please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink that reads "Margaret Kelly". The signature is written in a cursive style.

Margaret Kelly
NI Public Services Ombudsman

Annex: Follow up questions after oral evidence session on 7 May 2025

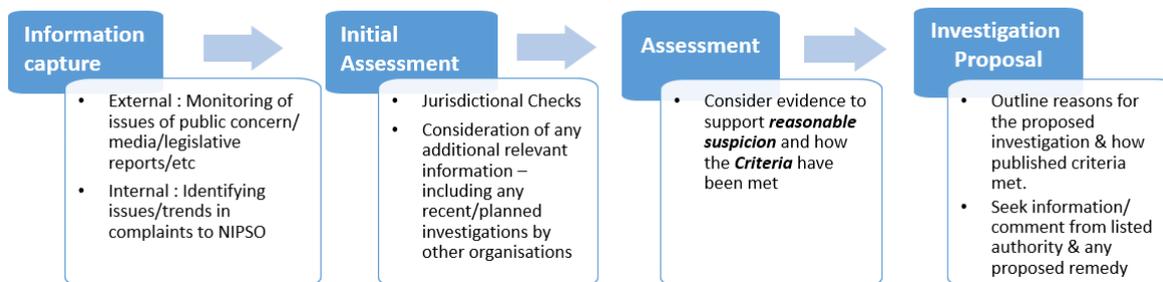
Own initiative investigations

1. Can you outline your procedure for deciding to undertake an own initiative investigation and the role that qualitative and quantitative data has in deciding the theme of the investigation.

[The Public Services Ombudsman Act \(NI\) 2016](#) contains a number of legislative requirements which have shaped the Ombudsman's decision-making procedures in relation to Own Initiative (OI) investigations. These include:

- **Reasonable suspicion:** The Ombudsman must have a reasonable suspicion of systemic maladministration or systemic injustice (section 8)
- **Criteria:** Consideration must be given to [NIPSO's published OI criteria](#) (section 9, 29)
- **Investigation Proposal:** NIPSO must inform the relevant authority/authorities of the reasons for the proposed investigation and how the criteria has been met (section 29)
- **Consultation:** NIPSO must consult with the bodies listed in section 51 (primarily the NI Audit Office and other regulators) who may be conducting an investigation into the same issue. This does not preclude NIPSO investigating and indeed there was added value in both the NIAO and NIPSO both conducting investigations into the administration of PIP. NIAO focused on value for money and NIPSO on the administrative processes for considering the use of 'further evidence'.

In order to meet these procedural obligations, identify potential issues, and inform the Ombudsman's decision, NIPSO undertakes a process of information capture and assessment:



Potential issues may be identified from a range of internal and external sources, including internal alert systems; quantitative analysis of NIPSO case handling system, monitoring of media outlets/public concern; referral from other organisations/individuals; published reports and research.

The main sources of qualitative and quantitative data used include published reports; NI Assembly questions and answers and NIPSO's case handling system. Where limited data is available, or where consultation with other oversight bodies or regulators is required, we will seek information from them or consult with affected individuals directly. Analysis of this data underpins any decision on whether to progress to an Own Initiative investigation.

The information/data obtained is analysed against the NIPSO published OI criteria, including whether an investigation of the issue would be the best and most proportionate use of resources.

It can be the case that the absence of good quality data is an indicator for an OI rather than the analysis of existing data sets. The NIPSO Own Initiative criteria remain the over-riding consideration in a decision to progress to investigation.

2. What feedback have you received from stakeholders regarding their experiences of own initiative investigations.

NIPSO have not, to date, undertaken formal feedback sessions/questionnaires with external stakeholders on their experiences of NIPSO Own Initiative (OI) Investigations or processes. This is an area which remains under consideration.

However academic analysis of the overall impact of our first Own Initiative investigation: PIP and the Value of Further Evidence may be found at the links below.

[The Northern Ireland Public Services Ombudsman's Report into Personal Independence Payment and Collective Administrative Justice \(Pt 1\)](#)

[The Northern Ireland Public Services Ombudsman's Report into Personal Independence Payment and Collective Administrative Justice \(Pt 2\)](#)

Further NIPSO's Own Initiative report [Strengthening Our Roots](#) published in 2023 contributed to a Private Member's Bill to strengthen the legal protection of trees across Northern Ireland. The consultation summary on the proposed legislation directly links a requirement to our recommendation on creating a single online map of all tree preservation orders. It further concludes that concerns about the perceived ineffectiveness of operational enforcement would be best addressed through implementation of our recommendations.

NIPSO often receive informal feedback from those who have participated in an OI investigation and from members of the public in-relation to their impact and effectiveness.

Complaints handling standards and procedures

3. Can you outline the engagement you undertake with stakeholders on complaints standards and what feedback you receive from public bodies regarding the implementation of model complaints policies and standards

Proactive, meaningful engagement with a wide range of stakeholders has been central to NIPSO's approach to Complaint Standards. The sector-by-sector roll-out initially worked with the local government sector and is now working with Health & Social Care organisations. The launch of the Health and Social Care complaint standards model took place on 1st July 2025. This includes all Health and Social Care Trusts as well as GPs, Care Homes, Pharmacists, Dentists and Opticians.

A two-tier approach of formal Strategic and Operational Networks with operational and strategic leaders from the sector chaired by NIPSO alongside widespread engagement with diverse stakeholders has been the model to date. The engagement with Health & Social Care organisations has included major statutory bodies including:

- Health and Social Care Trusts
- Department for Health
- individual HSC delivery organisations e.g. care homes and GPs
- professional membership bodies
- trade unions, regulatory bodies
- elected representatives and Assembly Committees
- existing networks in the wider sector and organisations representing H&SC users (such as people with disabilities, carers, children and young people).

Engagement methods have included in-person meetings with senior managers and other staff, workshops, presentations at events, briefing papers, a newsletter and working with statutory bodies and regulators to disseminate information to a wide audience.

The purpose of the engagement is to raise awareness and understanding of complaints standards and facilitate a sense of ownership and positivity about the potential for complaints to help improve services. It also provides an opportunity to listen to feedback to ensure any guidance and resources developed by NIPSO, to promote compliance and support implementation, are both relevant and useful.

The LG sector (more recently now joined by Health and Social Care with full implementation date of 1st January 2026) is currently the only sector in Northern Ireland required to implement the model complaints policies and standards and no formal feedback, in-terms of research has yet been sought from the sector. Although there have been several opportunities for ongoing and more informal feedback.

A Best Practice Network (BPN) was established for the Local Government sector, at the beginning of the process, and provides an opportunity for NIPSO to communicate on an on-going and regular basis. The BPN provides an opportunity to identify and support best practice and for feedback to NIPSO regarding implementation issues and for these to be escalated and addressed.

We will issue a questionnaire to the local Government sector in September 2025 to seek formal feedback, and this will follow the publication of the first set of complaints data. This is the final step in the implementation for the sector and therefore we consider it the most appropriate time to seek formal feedback.

Comparison of best practice

4. Do you feel the changes implemented through the 2019 PSOW Act reflected best international practice, and if so, do you think 6 years on that's still the case

The changes implemented by the 2019 Act are in line with the Venice principles and reflect international best practice. As with all legislation there are always opportunities to make improvements. As mentioned to the committee one area where it may be possible to increase access to justice is to extend the jurisdiction of the Ombudsman to include complaints about schools. This has been a growing area of work for NIPSO in-terms of the overall number of complaints and will also fall within NIPSO complaints standards.

A further area where there may be an opportunity to refine how the Act operates is in-relation to Own Initiative. To realise the full potential of the power contained within the 2019 Act it is important for the Ombudsman to be able to use the power in a flexible way to address areas of systemic concern. The current consultation requirements are more substantive than those of NIPSO and may make it more difficult to respond to emerging or current issues in a relatively timely manner.