

# Governance Statement

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## Role of the Ombudsman

The Parliamentary and Health Service Ombudsman (the Ombudsman) is a post which combines the two statutory roles of Parliamentary Commissioner for Administration and Health Service Commissioner for England, whose powers are set out in the Parliamentary Commissioner Act 1967 and the Health Service Commissioners Act 1993 respectively.

The role of PHSO is to provide a service to the public by undertaking independent investigations into complaints that government departments, a range of other public bodies in the UK, and the National Health Service in England, have not acted properly or fairly or have provided a poor service.

Our aim and vision is to provide an independent, high quality complaint handling service that rights individual wrongs, drives improvements in public services and informs public policy.

Our values shape our behaviour, both as an organisation and as individuals working in PHSO, and incorporate our [Principles of Good Administration](#).

The values which underpin our work are:

### Excellence

We pursue excellence in all that we do in order to provide the best possible service.

### Leadership

We lead by example and believe our work should have a positive impact.

### Integrity

We are open, honest and straightforward in our dealings, and use time, money and resources effectively.

### Diversity

We value people and their diversity and strive to be inclusive.

Our values are set out in more detail in our current [Corporate Business Plan](#)

## Accountability of the Ombudsman

The Ombudsman is appointed by the Queen on the recommendation of the Prime Minister. She is independent of government and has statutory responsibilities and powers to report directly to Parliament. She may only be removed following a resolution of both Houses of Parliament.

The Ombudsman accounts to Parliament for the activities of the Office through a statutory Annual Report. She also produces Resource Accounts under arrangements agreed with the Treasury, which are subject to audit by the National Audit Office. Both the Annual Report and the Resource Accounts are published.

The Ombudsman reports annually on the general discharge of her functions, on the standards of service provided to complainants, and on the use of public money. She reports specifically from time to time on individual and/or systemic examples of maladministration. She appears at least annually before the Public Administration Select Committee, which Parliament has chosen (through its Standing Orders) to be its principal liaison mechanism with the Ombudsman, to give evidence on the work of the Office.

The Ombudsman is solely responsible and accountable for the conduct and administration of all work carried out by the Office and for the decisions made in each case. Decisions of the Ombudsman may be judicially reviewed by application to the Courts. The relationship between the Ombudsman and government is set out in a [Statement of Responsibilities](#) which has been agreed with the Head of the Home Civil Service, and the Permanent Secretaries of the Treasury, the Department of Health, and the Ministry of Justice.

## The Ombudsman's Office

To help her work, the Ombudsman is supported by staff to whom she may delegate authority to act on her behalf. They are employed by her and work for the Office of the Parliamentary and Health Service Ombudsman (PHSO), a non-governmental public body, funded by Parliament. As the permanent head of PHSO, the Ombudsman is its Accounting Officer under arrangements agreed with the Treasury. As Accounting Officer, she has responsibility for ensuring the regularity and propriety of the Office's activities and resources used, and for effective financial and internal control systems.

There are three executive officials appointed by and reporting to the Ombudsman (a Deputy Ombudsman, a Deputy Chief Executive, and a Director of Communications). To these individuals she has delegated responsibility to manage the core business and supporting functions of PHSO.

### The Advisory Board

To enhance the governance of the Office, improve the transparency with which it operates and bolster the independence of the role, the Ombudsman has appointed a non-statutory Advisory Board. This comprises the Ombudsman herself (as Chair and Chief Executive in line with her statutory accountability); and four non-executive external members. With the exception of another Ombudsman as a member, all Advisory Board members are appointed through a process of fair and open competition.

To reflect its advisory nature the executive officials referred to above are not formally members of the PHSO Advisory Board but are in attendance at meetings to provide such corporate input as necessary.

The role of the Advisory Board is to act as a 'critical friend' and provide support and advice to the Ombudsman in providing leadership and good governance of PHSO and to bring an external perspective to assist in the development of policy and practice. The Advisory Board provides specific advice and support on:

- purpose, vision and values;
- strategic direction and planning;

- accountability to stakeholders, including stewardship of public funds;
- internal control and risk management arrangements.

The Advisory Board has no role in casework processes or decisions.

View the full [Terms of Reference](#) for the Board.

The Advisory Board has two formal sub-committees, which have key roles in supporting the effective governance of PHSO:

- an [Audit Committee](#) which is responsible for providing advice and assurance to the Accounting Officer and the Executive Board on the adequacy and effectiveness of internal control and risk management. It also oversees internal and external audit arrangements which cover all areas of PHSO's work, including both financial and non-financial systems. It has four members: an external Chair appointed by the Ombudsman through a process of fair and open competition; the Ombudsman herself; and two further external members.
- a [Pay Committee](#) which is responsible for providing advice on pay arrangements in PHSO, and specifically for determining the pay of senior staff (except the Ombudsman herself, which is set separately under statutory arrangements) - its membership is the Ombudsman (as Chair) and any two of the external members of the Advisory Board.

## Executive Management of PHSO

### Executive Board

An Executive Board, chaired by the Ombudsman, and comprising the Deputy Ombudsman, Deputy Chief Executive and the Director of Communications, exercises management of PHSO's functions and activities. The Executive Board is responsible for the delivery of PHSO's strategic vision, policies and services to the public and other stakeholders.

The Executive Board meets regularly and is responsible for co-ordinating activity across the organisation. It is the ultimate forum (supported appropriately by other groups) for making executive decisions about operational, resource, communications and other administrative matters in order to deliver the Strategic and Corporate Business Plans, and for monitoring performance. The role of the Executive Board in decision making carries a recognition that on occasion there will be some issues for which the decision-maker is the Ombudsman alone.

Executive Board members also meet formally with other senior managers, corporately and in their divisions, to steer and lead on strategically important areas of work.

View the [Terms of Reference for the Executive Board](#).

### Responsibilities of the Deputy Ombudsman, Deputy Chief Executive, and Director of Communications

In addition to their corporate responsibilities, the Deputy Ombudsman, Deputy Chief Executive and the Director of Communications are accountable for delivery of specific functions for which they have line management and decision-making responsibility:

- **Deputy Ombudsman** - leads Operational teams responsible for delivery of casework and customer service - comprising a Director of Customer Services and Assessment, Investigations Directors, a Director of Clinical Advice, and a Director of Outcomes and Learning, casework staff, internal and external clinical advisers and support staff; the Deputy Ombudsman is supported in managing delivery of her functions through an Operations Directors Meeting (ODM).

- **Deputy Chief Executive** - leads Corporate Resources teams responsible for delivering financial, facilities, ICT, knowledge and information management, and human resource services and systems comprising: Director of Finance Planning & Performance, Director of People & Organisational Development, Head of Service Delivery, Head of HR Operations, Programme Managers for Knowledge and Information Management, and other professional, specialist and support staff: the Deputy Chief Executive is supported in managing delivery of corporate services through the Corporate Resources Management Team.
- **Director of Communications** - leads the teams responsible for media and communications, and public affairs comprising: a Head of Media and Communications, a Head of Public Affairs, and other professional, specialist and support staff.

The Executive Board members have a specific responsibility to act if they believe the Ombudsman is acting illegally or in gross violation of her duties. This responsibility is intended to provide an explicit and transparent assurance to Parliament and the public that the high standards of the Office will be protected.

The Ombudsman and other Executive Board members are supported by individual support teams each headed by an executive manager to deliver corporate governance and administrative services to the Executive and Advisory Boards. The executive manager for the Deputy Chief Executive is also the Head of Governance for the organisation.

The Ombudsman is also supported by a Legal Adviser who leads a small team to deliver in house legal services and commission external legal services.

[View the organisational structure of PHSO.](#)

## Other Committees

The formal governance structure of PHSO is supported by a number of other Committees set up to manage and provide assurance on specific areas of importance to the Office. These include:

- Health and Safety Committee;
- Whitley Committee (for consultation with the Trades Unions);
- Security Committee

These groups are advisory and report periodically to the Executive Board on matters to be considered, recommendations and, where appropriate, assurance that proper arrangements are in place for managing the specific issues and risks covered by each Committee.

## Consultation and discussion groups

The Office also has established a number of consultation and discussion groups to aid communication and to support effective management and relations within the Office. These include:

- the Senior Management Team - includes EB members, Directors and other senior managers who report directly to EB members;
- Operations Managers' Forum - comprises Operations Investigation Managers;
- other ad hoc groups set up to address specific issues as required such as Equality and Diversity and Knowledge Management Strategy.

## Review of governance statement

This governance statement will be reviewed on an annual basis from February 2010.