

Transcript of Radio Ombudsman #33: Rob Behrens reflects on seven years as the Ombudsman.

In a very special episode of Radio Ombudsman, Rob Behrens takes the hot seat as he's interviewed by his Private Secretary, Faye Glover. As his term comes to an end, he reflects back on seven years as the Ombudsman, his early life and career, and shares his future plans.

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Faye Hello and welcome to a very special episode of Radio Ombudsman. My name is Faye Glover and I've been Private Secretary to the Ombudsman for almost five years. Today we're turning the tables and I'll be interviewing the host of the podcast, the Parliamentary and Health Service Ombudsman himself, Rob Behrens. Rob should need no introduction to our regular listeners of the podcast, having hosted more than 30 episodes.

He became Ombudsman in 2017, and after seven years in the role, his term finishes at the end of the month. Rob, it's a pleasure to have you on the show.

Rob Well, thank you, Faye. It's a great privilege to be here and to have you as the host.

Faye Can you tell us about your early life? What beliefs and values were instilled in you when you were young?

Rob Well, as you know, I was born at a very early age, as Basil Brush would say. I was born at home in Didsbury in South Manchester. I came from a lower-middle class Jewish family. My father had been in the Coldstream Guards. He was captured in Tobruk, and he was a prisoner of war in Italy and Germany for three years between 1942 and 1945.

My mother was a working mother. She travelled selling labels for a company called Nelson's Labels, which was based in Moss Side. She was a wonderful woman who smoked 60 untipped cigarettes a day and lived to be 91. And I have a sister who was much cleverer than me and a bit older and still is, and we have a close bond and see each other regularly.

I was brought up in a close-knit community where the core values were family came first - you had to stick with your family. There should be no outward signs of emotion. That was a sign of weakness if you did that.

Loyalty to your friends was absolutely vital. And the people that I grew up with, I'm still in touch with. They're still my friends. I still meet them on a regular basis from Manchester. Went to a restaurant recently, and the waiter said to us, "What did you find to talk about after all these years?" And we said, "Oh, the same thing. You know, we're still arguing about the same thing." So, the moral values were quite clear.

On the one side, from my mother's side, I came from a family of rabbis. From my father's side, I came from a long history of soldiers and the British army. I had a great-grandfather who had an incredible career in South Africa as both a British soldier and a Reuters correspondent during the Anglo South African War.

Two other things. My father and my grandfather were both supporters of Manchester City, and I had no choice about which team I supported when I was born. Indeed, on the day I was born, I've still got the telegram in which my grandfather wrote and said, "Well, he's a City supporter now. That's settled then."

And I went through decades of awful play by City. And my father used to encourage me about relegation by saying, "Well, it keeps us interested until the end of the season," which was a good way of looking at it.

I was taught the values of honesty, cleanliness, loyalty and respecting other people.

Faye Lovely, thank you. You value your family first and supporting City, did you take that forward with your family and your children?

Rob I mean, the shocking thing which I can disclose perhaps in public for the first time is that my youngest son at the age of three or four announced that he had become a United supporter which was a real shock. The first time it had ever happened in our family.

And it took me until he was 17 before I got him back. And I took him to a game in Manchester. And I said, "Look, Sam, why did you do this?" And he said something which I won't forget. He said, "I knew it would get up your nose." And apart from that, everyone has made the right decision.

Faye Brilliant. On to your career. Can you tell us about the start of your career? How did you get started and what drew you to a career in the civil service?

Rob Yes, I mean, I went to university, first to Nottingham then to Exeter, and I had to choose at the end of my master's degree what to do. And I was offered a place on a doctoral program in Canada to edit the

letters of Benjamin Disraeli, which I thought was really one of the most exciting things you could ever do.

And for some reason, I turned it down because I thought it's time I was earning some money and getting a job. So, I took a lecturing job in public administration at Coventry Polytechnic, and I specialised teaching students about race relations, public administration and social policy. And that was very interesting because I was the only academic who attended and wrote about the Scarman inquiries into the Brixton disorders in 1981.

I used to go down to London every day to attend the hearings and I wrote a book about the Conservative Party. And I remember one review said, "Mr. Behrens has set out to write a bad book, but fortunately he's not quite succeeded." But, you know, it was fame of a kind.

And then I became seriously ill in 1983 and I had a long period in the Christie Hospital in Manchester, which is a cancer hospital and was treated by an amazing consultant called Mr. Wilkinson, who basically saved my life.

And after I got better, I recuperated in London for a number of months getting over the chemotherapy. And I got a 'get well' card from an old friend from university who I hadn't met for ten years and she said, "I hear you not well, can I come and see you?" And of course I said, "Yes." And that was Debbie who I hadn't seen for ten years.

And we met up and started going out. And so, you know, good things come from bad events. And eventually I proposed to her, and her reply was famous. She said, "Yes, but if you want to marry me, you have to come and live in London." So, working in Coventry was no longer as attractive as it had been before.

And I started looking around for a job, and I had sensed in the hospital when I was recovering, lying in bed that if I was going to get another chance, I wanted to do something practical and not so theoretical as a punk academic. So, I was attracted to the idea of joining the Civil Service because it had a big base in London, and I had done some work for the Civil Service College when I was at the Polytechnic.

And so I applied for the job and I had 12 years working as a civil servant in the Cabinet Office, which were wonderful, character building. And as a result of that, when Nelson Mandela asked John Major for help to create a post-apartheid Civil Service I got involved in that project basically because nobody wanted to do it, which was very interesting.

I had a sense that this was one of the most important things you could ever do. And so I volunteered to do it, and I spent seven years working on that project, bringing over 200 people to the UK. Spending a lot of time in South Africa, looking at the situation there. And I met all the people from Robben Island.

I got invited to speak at the Constitutional Assembly, and I got the nickname from the ANC (African National Congress), which is my favourite nickname of all the other things that people have called me. They used to call me 'Comrade Rob'. And I think that's good. I'll settle for that. But it was an amazing experience, and it was a great privilege to be involved.

And then I worked on wider international public service issues and then became the secretary to the Committee on Standards in Public Life, where the Prime Minister used to disregard all the recommendations we made about propriety in ethics.

And so I left the Civil Service and became Complaints Commissioner to the Bar in England and Wales, where I had my first encounter with prisoners in jail who used to write to me as a Complaints Commissioner. And they would say that they had done nothing wrong. It was their barristers who had caused them to end up in prison.

Although one prisoner wrote to me in a kind of 'burglar bill' fashion and said, "I have learned the error of my ways", which I thought was very good. I did that for a couple of years and then I was lucky enough to get the job as Higher Education Ombudsman, which I think I did for eight years before I came to the end of that.

So, I had quite a lot of experience as an Ombudsman before I got this job.

Faye A very impressive career.

Rob It's not so much a career. I would call it a series of skating on thin ice.

Faye So then you became Parliamentary and Health Service Ombudsman in 2017. What were your feelings when you first took office?

Rob I knew it was a big ask. A big national institution which had lost its way. It had lost the respect of its stakeholders. It had lost the confidence of its staff. And I knew that anybody who would take on that job would have to know what they wanted to do. Would have to be very consultative about the way that they did it. And would have to make sure that the leaders acted together in a way which affirmed the integrity not only of the people who are working for the Ombudsman, but also the complainants.

And, you know, it was very hard to do that. But I was lucky that there were really outstanding people to work in the organisation, and people wanted a new vision about how to undertake the role of Ombudsman. And I listened to that. And together we produced something which made us more outward facing, more respectful of complainants, but also trying to work in partnership with bodies in jurisdiction.

Faye You've now been Ombudsman for seven years. What are you most proud of in that time?

Rob I think it's dangerous to want to be proud of something. You need to be competent. You need to demonstrate that what you do works and is useful. And I think that we together have raised serious issues for public attention about avoidable death in the health service multiple times, about the culture of the National Health Service and how it needs to improve, about the suboptimal way in which complaints are handled by government bodies.

Windrush is a very important example of that. And today we published a report about the poor communication practice of the Department of Work and Pensions which blighted the lives of a very large number of women.

So, if you can do something to draw attention to adversity and injustice, then that's a good thing. And I think it has made a contribution.

Faye You mentioned earlier about the office when you first became Ombudsman. What are the challenges of that experience?

Rob Well, I think the first challenge has been to get ministers to listen to me actually. Ministers are good and honourable people but in the seven years that I have been the Ombudsman, in general, they've had a view that while what we were doing was important, it wasn't important enough for them to pay great attention to it.

And it certainly wasn't important enough to introduce the key structural changes to the role of the Ombudsman, which were set out in a Bill in 2016 which never saw the light of day in the end because it was abandoned.

Now I can understand that the combination of the referendum, Brexit, COVID, post-COVID have had to concentrate the minds of politicians and civil servants. But I think the disappointment is the government as a whole hasn't seen the opportunity that a strengthened Ombudsman service would have in building back trust that people should have in the Government process. And if they had more quickly come round to the view that we needed a Public Service Ombudsman, joined up, that we should have own-Initiative powers,

that we should get rid of the MP-filter, that would have brought more people into the system and given them confidence that they could get justice out of British public administration.

Faye Is there anything that you wish that you had done during your time?

Rob I've done quite a lot of things. I think that you can always do more. You can always be more sensitive to the people who are bereaved and are traumatised by what has happened and we have tried to develop our professional capacity to take that into account.

In handling cases I can remember Scott Morrish, who lost his son, saying to me that people came to his house to listen to him and his wife, but basically they were traumatised by him being traumatised. And I think that that made it very clear to me that we had to do a great deal more to promote the emotional intelligence of our case handlers so that they could be more used to people in crisis.

And maybe we came to that, but slowly. Maybe we came to mediation a bit slowly. It's developed, but it hasn't developed as quickly as I would like. But basically we've gone in the right direction and we've kept together as a team. And the office is a lot stronger than it was when I came, despite setbacks and errors that we all make in part of our professional life.

So, I think without being arrogant, I think the answer is probably no. I think most of what I would like to have done at least we've had a go at.

Faye Brilliant. Can you share some of your favourite experiences of doing the podcast? Any memorable guests?

Rob Radio Ombudsman was an attempt by me to make us more outward facing. To demystify what the Ombudsman does and to give people an opportunity who felt they had not been well-served by the Ombudsman to come back and tell us what we could do better.

So some of the best exchanges that I've had have been with people who were former complainants, who lost children in awful circumstances, and who came back with the courage and the integrity to reflect on their experience and to say how we could have done it better, or to say what they learned and what the policy field should look like.

There's a whole tranche of people who came: Scott Morrish, James Titcombe, Will Powell, Melissa Mead, **Derek Richford**. And they were all brilliant in terms of the insight that they gave us. So that's one thing.

I had an amazing interview with Bill Kirkup, one of the great investigators into injustices in the health service. I had arranged to meet a group of people to interview them, and they didn't show up. Bill agreed to be interviewed at no notice and we had a very interesting exchange because as usual, he was frank and open and wise. And I think we got the flavour of that.

I can also remember interviewing Rebecca Hilsenrath. It was one of the first times I'd met her, when she became a guest on Radio Ombudsman, and she had the best opening line of anyone, which was when she was asked about her background. She said her grandfather was a British spy in the Netherlands during the Second World War, and that takes some beating.

Baroness Hale of Richmond, President of the Supreme Court, that was really cool to hear her experiences after she had adjudicated a very big case brought by Boris Johnson about the proroguing of Parliament.

And I think one more, which is interesting, the present Patient Safety Commissioner, Henrietta Hughes, used to be the Speak Up Guardian. She came on Radio Ombudsman and without warning she asked me a question about who our Speak Up Guardian was. And we didn't have one. So she persisted and said, "Are you going to have a Speak Up Guardian?" And I said, not wanting to be humiliated or embarrassed, "Yes, of course we are. We're in the process of planning to get one", which of course we did very quickly. But it wouldn't have happened without Henrietta's prompting. So, you can always learn from that.

And then very finally, Day Riley, who's a colleague of ours, came on and talked about her incredible, brave journey in transition, which is still exemplary to listen to and to learn from.

So, I think it's been really important in helping to demystify what we do.

Faye Yes, you've definitely had a lot of interesting guests. Looking forward, what will we be doing next? Do you have any big plans?

Rob First of all, I'll be talking to my wife. I will be delivering on my promise not to take on another full-time job. I hope to be able to have a bit more time for travelling and learning about the world.

And I'm going to do two things which are work related. I'm going to write a book about the world of Ombudsman, and I'm going to accept invitations which have already come in to speak at Ombudsman conferences in other countries so that I can continue to learn from their experiences. And I'll just say this, that one of the great things about my seven years has been the way people have been generous in sharing their experiences in other countries about how to do things.

So, the Dutch have taught us about outreach strategies. The Scots taught us about complaint standards. We learned mediation from the Higher Education Ombudsman. The South African Health Ombudsman's way of reporting cases has enabled me to understand the importance of having passion as well as impartiality in reports. And so going and looking has been very important. It's not a fancy franchise.

Faye Definitely. You touched on earlier about your passion for Man City. What are your other biggest passions outside of the Ombudsman world?

Rob Yes well, number one is family life, particularly my wife and my two boys. I need to put that on the record. I learn an enormous amount and I'm very proud of all of them. And from what they do, their lives, their values and their partners. It's just brilliant.

I'm very interested in reading 19th and 20th century history, and I spend a lot of time doing that. And thanks to my wife, I now read a lot of literature before I go to bed to try and make myself less boring, more attuned to the world outside work, and to reflect on what it's like to be a person in very dark times.

I mean, these are awful times to live in and we have to think of ways of trying to make it better. I think sometimes reading and then applying what you read to real life does help.

So I'm not going to be sorry about going. I'm not going to look back and say, I wish I was still there. I'm going to move forward. And I hope that that will be to some extent useful.

Faye And you'll have some time now hopefully to learn how to...

Rob To use a computer, to reset my phone, to apply for tickets online, you know, all that stuff. To dress more in fitting with being an elderly person.

Faye I couldn't possibly comment. What advice would you give to the next Ombudsman?

Rob I don't give advice. I think it's very important that... We don't have a full permanent successor yet, which is very disappointing. The Government and Parliament have had two years to appoint my successor. They've not done that. That is not really good practice. Hopefully we'll get an interim Ombudsman very soon, but whoever is appointed will have my quiet support. I won't be a backseat driver.

I'm not going thinking that we've solved all the problems. We haven't even begun. But we've created an organisation which is capable now

of moving forward, of addressing the big challenges that are there and it will take guts and determination and steel of the next Ombudsman to do that.

But I'm sure whoever is appointed will be very capable of rising to that challenge, particularly with the brilliant colleagues that we all know and have and respect who are still around to help lead the way forward for them.

Faye Brilliant. Rob, thank you so much for joining us for this special episode of Radio Ombudsman. Thank you for your excellent hosting of the show since the very start and for your time today. We wish you all the best for the future. Would you like to sign off one last time?

Rob Absolutely. It's been the privilege of my life to be the Ombudsman. I won't forget it.

I thank everyone for listening to Radio Ombudsman. I was in Malta recently talking about Radio Ombudsman and a Maltese MP came up to me afterwards and he said, "Mr. Behrens", he said, "I heard what you had to say about transparency and outreach work." He said, "But frankly, I have never heard of Radio Ombudsman, but I have heard you on the Manchester City Show Football Podcast", so we've got some way to go on that.

I wish everyone luck. I want to thank you Faye for being a brilliant supporter and stopping me making so many mistakes on a daily basis. You're wise and brilliant and generous. And to James Lowther and Caroline Dobbins and to James Maloney. I'm most grateful for enabling us to reach out to people we wouldn't be able to reach out to if we didn't have access to their skills and their generosity.

And I won't forget going around Westminster making a video with James for the IOI World Conference, and it's lovely. I'll look back at that forever with remembering his genius and the wonderful office I'm now leaving.

So this is Rob Behrens for the final time saying that's the end of Radio Ombudsman for today. We look forward to a new host and the next episode very soon.

From London and Manchester, all the best and have a good day.