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Dear Sir or Madam

Written evidence submitted by Daniel McMorrow

In my recent submission to The Public Administration and Constitutional Affairs Committee (PACAC) I discussed how my experience with Parliamentary and Health Service Ombudsman left me feeling let down and victimized. I came to the Parliamentary and Health Service Ombudsman with one unanswered question, however left with 50

I've been reading your "Service Charter" and must say it's exactly the poor standard I've come to expect from The Parliamentary and Health Service Ombudsman. Like a lot of the documents you publish it's full of false promises and misguidance.

You open the document with **"We make final decisions on complaints that have not been resolved by the NHS in England and UK government departments and some UK public organisations. You can complain to us if you believe there has been an injustice or hardship because an organisation has not acted properly or put things right."**

This portrays the Ombudsman as a thorough, fair organization. Who will look at a complaint in an impartial manner. While this might be an internal view of the Ombudsman, the reality is that you look for any viable excuse not to investigate. You provide as vague response to the complaint as possible. Often, as in my case leaving many unanswered questions.

In the associated "steps" you do not outline that prior to seeking your assistance you must have completed the organisation's complaint procedure and some complaints need "PM" referral.

There is nothing on the "1 year time limit" on coming to you with a complaint.

Under the heading **"Throughout our contact with you"** you list several points including **"treat you with courtesy and respect"** and **"make sure our record keeping is accurate, keep your information safe and share it appropriately"**

With my contact with Ombudsman, I've felt victimised for having a complaint. I've asked several questions either regarding my complaint or the process employed by you, only to be ignored.

I was advised to ask for my case file. On 8th July 2015 I made a Subject Access Request for my case file. On 5th August 2015 Daniel Norman gave me an electronic copy of these file.

There were so many mistakes and assumptions made in these files. I asked Daniel Norman who I could speak to, but never got a response.

Under the heading “**When we carry out an investigation**” you have “**consider all the evidence and information you and the organisation complained about give us**” even before you declined an investigation you had dismissed a critical part of my evidence. Claiming permission had been given, however the email you ignored would have removed that permission.

At no point in the “Charter” do you explain what do when you don't investigate. This gives a false impression of the Ombudsman. Given that in April 2015 (<http://www.ombudsman.org.uk/improving-public-service/performance-statistics/2015-16/april15-performance-statistics2>) You had **2097** cases but only investigated **631** (39.0%) the cynically side of me would say this is a deliberate oversight.

You don't give any advice on “Advocate” groups who can assist vulnerable people in making a complaint.

You don't give any advice on “Judicial Review” why this may not affect the outcome of a complaint but it allows the “process” of concluding that outcome to be examined.

I asked a Twitter if the “Service Charter” had any legal standing, and what recourse a broken “promise” under the charter would have. At time of submitting this I had no answer other than it having no illegal standing. Making it another document full of empty promise that can (and will be) broken.

Daniel McMorrow