

**Offices of the Ombudsman, Information Commissioner
& Commissioner for Environmental Information**

Strategy Statement 2016-2018



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1. Ombudsman's Foreword

I am pleased to present my first statement of strategy as Ombudsman and Information Commissioner. This Plan is the sixth review of strategic objectives by the Office of the Ombudsman and the Office of the Information Commissioner (OIC) (incorporating the Office of the Commissioner for Environmental Information (OCEI)).

The Office of the Ombudsman also provides shared services for the Office of the Commission for Public Services Appointments (CPSA) and provides a Secretariat for the Standards in Public Office Commission (SIPOC) (incorporating the Referendum Commission when established). The four Offices each carry out separate and distinct statutory functions. Nonetheless they function as a single amalgamated agency under one Vote and one Accounting Officer and a Management Team which manages the Organisation, while simultaneously protecting and preserving the statutory independence and functions of each of the constituent parts. Each Office has its own staff complement but the finance, human resources, legal, and information technology functions are shared between all four Offices.

This plan is concerned only with the Offices of the Ombudsman and Information Commissioner. There are separate strategic plans for both the CPSA and the Lobbying Unit of SIPOC. However, given the sharing of staff across all four Offices, in accordance with the needs and priorities of each Office, many aspects of this plan are clearly relevant to all staff. In particular, the plan reflects our commitment to a set of values that guide all of our staff in everything they do and our wider organisational goal of developing and enhancing our management and administrative frameworks to enable and underpin our objectives of improving the wider public service and delivering an excellent customer focused service.

The plan sets out our key objectives for the next three years, which will be supported by detailed annual business plans. It builds upon the significant achievements from the last three years and will help us to deliver continuous improvements in the services we provide to our customers.

My appointment in December 2013 coincided with an exciting time for both Offices. Over the past two years the legislation underpinning our work has undergone significant change. The Ombudsman (Amendment) Act 2012 extended my Office's remit to cover the administrative actions of almost 200 additional public service providers. In July 2015, under the terms of SI 300 of 2015, the Minister for Public Expenditure and Reform declared private nursing homes, of which there are almost four hundred and thirty, to be reviewable agencies.

The passing of the Freedom of Information Act 2014 also brought about significant changes to the FOI regime and consequential challenges for the OIC. This Act repealed and replaced the FOI Acts 1997 and 2003 and reversed many of the amendments introduced in 2003 that had seriously curtailed the breadth of application of the 1997 Act. Application fees for making FOI requests were abolished and application fees for internal review and review by my Office were significantly reduced. The Act also brought a significant number of additional bodies within remit. The Department consulted extensively with my staff in the development of both pieces of legislation.

Both Offices have also undertaken comprehensive structural and process reviews in recent years following which significant changes were introduced. This has allowed us not only to deal effectively with the increasing demands for our services but also to improve the effectiveness and efficiency of the services provided.

We have also had a significant impact on improving service delivery in the wider public service. In 2014, we published our first casebook containing summaries of a sample of complaints my Office has examined with a view to maximising opportunities for learning. In May 2015, we published a report on our first ever own-initiative investigation, Learning to Get Better. The investigation looked at how public hospitals in Ireland handle complaints about their services. The report contained a significant number of recommendations for improvement, all of which were accepted by the HSE and the Department of Health. In September, as a support for the private nursing homes that had recently come within remit, we developed a model complaints procedure for use within the sector.

The OIC has also introduced a number of initiatives aimed at improving service delivery in the wider public service. For example, it has commenced the drafting and publication of detailed guidance notes on all aspects of the FOI Act with a view to improving the standard of decision making within public bodies. It has also developed detailed guidance aimed at assisting public bodies in preparing focused submissions where their decisions are under review by the OIC.

This strategic plan aims to build upon the many successes we have achieved over the course of the current strategic period. It focuses in particular on extending/improving the impact of our Offices on the wider public service, on continuously improving the level of services we provide, and in ensuring that our systems and processes allow us to deliver on those objectives. For the first time, the plan also clearly identifies the core values that help to shape the way in which we deliver our services and that underpin everything we do.

Throughout the lifetime of the plan, we will continue to support and develop our staff through a variety of mechanisms such as induction, specialist training, broadening of work experience etc. in the interests of our staff and of our clients and the entire organisation. We will also continue to build and develop our relationship with the Oireachtas with a view to driving improved public service delivery.

The plan identifies a number of innovative process initiatives aimed at delivering upon the Office's vision of "a public service that is fair, open, accountable and effective". Based on the level of success achieved on foot of our last planning cycle, I have every confidence in our ability to again successfully realise the challenging key objectives we have set ourselves.



Peter Tyndall

Ombudsman & Information Commissioner

2. Role, Vision and Values

Role of the Ombudsman

Established under the Ombudsman Act, 1980, the core activity of the Office of the Ombudsman is the examination and investigation of complaints about administrative actions, delays, or inaction adversely affecting persons or bodies in their dealings with public service providers under remit. The Office also investigates complaints relating to certain functions of public bodies covered by the Disability Act, 2005. If the Ombudsman finds in any given case that the complainant has been treated unfairly or improperly and has been adversely affected as a result, then he will suggest an appropriate redress to remedy, mitigate or alter the adverse effect suffered. In dealing with and resolving individual complaints the Ombudsman will strive to bring about improvements in administration based on lessons learned from individual complaints.

Role of the Information Commissioner

Originally established under the Freedom of Information (FOI) Act, 1997 and continued under the FOI Act 2014, the role of the Commissioner is to review decisions made by public bodies in relation to FOI requests and to make binding new decisions. His role is also to keep the operation of the Act under review with a view to ensuring maximum compliance among public bodies and to prepare and publish commentaries on the practical operation of the Act. Typically, the objectives of a well-functioning FOI regime include:

- bringing transparency to Government decision making and discouraging corruption,
- helping to hold government to account,
- informing the public about government,
- improving the quality of decision making by public bodies,
- acting as a check on the exercise of power by government and its agencies, and
- promoting citizen participation.

In addition, the Information Commissioner is also the Commissioner for Environmental Information, whose main function is to decide on appeals by members of the public who are not satisfied with the outcome of their requests to public service providers for environmental information.

Vision

‘A public service that is fair, open, accountable and effective’

Our vision in this planning cycle remains of a public service that is fair, open, accountable and effective. It recognises the central role our Office has to play in meeting the challenge of ensuring that public service decision making processes are being applied in a proper and equitable manner and in a consistent way across all public services.

We aim to achieve this vision by seeking to extend and improve the impact our Office has on the wider public service, by continuously improving the level of services we provide for our customers, and in ensuring that our systems and processes are as effective and efficient as they can be.

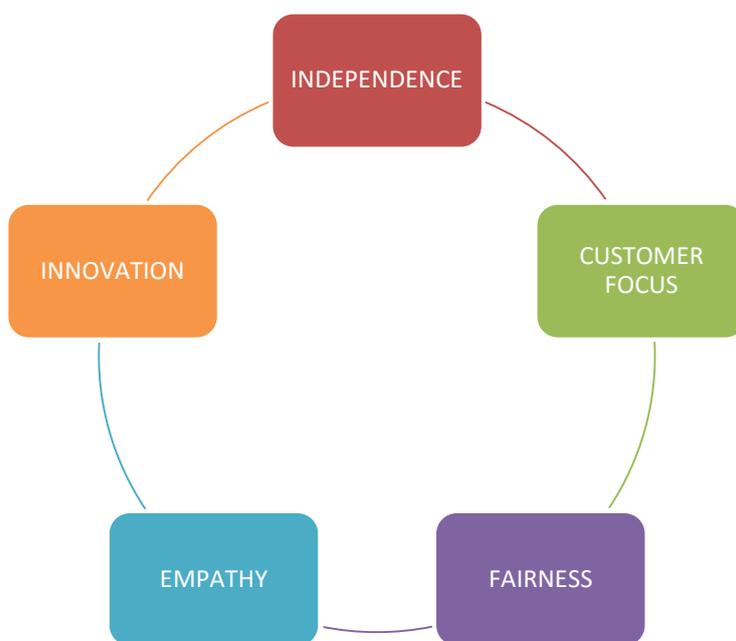
Values

As an Organisation we follow the Ombudsman Principles of Good Administration, namely;

- Get it right
- Be customer orientated
- Be open and accountable
- Act fairly and proportionately
- Deal with errors effectively
- Seek continuous improvement

The principles are not intended to act as a checklist but instead they provide a valuable framework to which all public service providers should adhere in carrying out their duties. In addition to the above principles we have committed to a set of values that guide our staff in everything they do. They cannot be considered in isolation from each other as they will often overlap.

Our organisational values are set out below. They describe the qualities that our staff are expected to demonstrate when carrying out their functions. In reviewing both the decisions of, and the services provided by, public service providers we expect that they have integrated similar values into their decisions, actions, policies, processes, and systems.



- 1. Independence** - We will examine complaints, conduct reviews, and make decisions in a fair, objective, and impartial manner.
- 2. Customer Focus** - We aim for excellence and professionalism in the delivery of our services. We will meet defined quality standards and continuously review our performance to ensure that the customer remains at the heart of everything we do.
- 3. Fairness** – Treating all people with respect, dignity and fairness is fundamental to our relationships with all of our stakeholders. It also contributes to a healthy work environment that promotes engagement, openness and transparency.
- 4. Empathy** – We understand that our customers generally avail of our services having exhausted all other avenues open to them. We will listen carefully to our customers with a view to understanding and being sensitive to their concerns.
- 5. Innovation** – We will deliver continuous performance improvements and avail of best practice methods for delivering a first class service and in doing so enhance confidence in public service delivery.

3. Strategic Objectives

The following three key high level objectives for the Office have been identified as primary enablers in the achievement of our vision.

1. We will drive improvements in the wider public service.
2. We will deliver a customer focused service that reflects our core values and that we can be proud of.
3. We will develop and enhance our management and administrative frameworks to enable and underpin our objectives of improving the wider public service and delivering an excellent customer focused service.

We have identified the following key actions, through which the Office will achieve the above objectives.

Improving Public Services

- Influence improvements in public services by raising awareness of service failure based on our findings/casework.
- Through multiple approaches we will engage with all stakeholders to improve the standards of administration in public service providers.
- Offer our perspective to public service providers through shared learning.
- Secure effective outcomes and change for our customers.

Customer Focused Service

- Further develop our investigation/complaint handling skills in order to deliver the best service to our customers.
- Simplify/increase options available to our customers for interacting with our Office, including improved online access.
- Ensure our quality standards are effectively measured using best practice metrics.
- Ensure that our communications with our customers reflect our core values.

Enhanced Management and Administrative Frameworks

- Ensure we are working in the most effective way in terms of structures, processes, and procedures.
- Develop and implement case management systems that will support the delivery of effective and efficient services.
- Be recognised by others as a source of expertise in all of our areas of operations.

4. Specific Initiatives for 2016-2018

The expectations of a modern, digital society have completely transformed the way information and services are provided and consumed. The way in which public services are set up to interact with customers has not always sufficiently kept pace with those expectations. Digital technology undoubtedly holds the potential to both improve the efficiency of our daily activities whilst also simplifying our customers' experience of public services. Significant investment, from both a financial and human resources perspective, is needed to purposefully make the transition. Over the course of this strategic cycle we plan to implement the following initiatives.

- **Sharing the Learning**

Our Offices will continue to explore further ways of sharing learning with public service providers with a view to raising standards of service generally. We will continue to work in partnership with public service providers to address systemic problems, which are identified by monitoring trends in our work.

The Office of the Ombudsman will consider new areas of attention for further own-initiative investigations and will continue to publish regular casebooks. The OIC will further develop the range and nature of guidance for public bodies for publication on its website and will explore further ways of sharing learning across all public bodies.

- **Single Public Sector Complaints Portal**

The complex pattern of public service delivery can serve to confuse people who want to complain. They are not always sure where they should go and how they should make a complaint. In order to address this confusion we are currently investigating the possibility of a single portal for all public sector complaints. Healthcomplaints.ie, which we developed in partnership with other bodies, is a useful building block towards a telephone and online service which can either signpost people who want to make a complaint about any public service or capture that complaint and send it on their behalf.

The Office currently signposts complainants, where appropriate, to the relevant agency or Ombudsman. The goal for the Ombudsman web portal is that it should have the capacity to support the hosting of a complaint portal for the public service and provide direct onward referral to public service providers' complaint systems.

- **Developing a First Class ICT System for the Future**

We are currently developing a new case management system (CMS) that can manage documentation, processes, workflow and reporting requirements for varying types of cases. It will be complemented by a new phone package that fully integrates with the system. We expect to deliver better throughput and quality in casework as a result of the enhanced CMS. Services will now be delivered digitally, where appropriate, with a view to automating routine tasks and therefore minimising staff data entry time. Providing appropriate elements of our services digitally will support increased quality of service for members of the public through improved case completion times. Electronic exchange of documentation will result in more effective engagement with public service providers and therefore greater support to them to improve public services.

The new CMS will also provide significantly enhanced management information with the capacity for detailed reporting including trend identification and analysis, therefore allowing us to operate more efficiently. It will be supported by an improved records management system for both case records and non-case related records. It will be a requirement that the systems will be adaptable for future use by other public sector organisations.

5. Section 42 of the Irish Human Rights & Equality Act, 2014

The role of an Ombudsman's Office stretches beyond a consideration of the legality of public service providers into a consideration as to whether their actions are just, and whether they are fair. Securing equality of opportunity and respect for human rights is at the heart of our work.

We want to make sure that our service is accessible to all, and not just those who are well placed to reach us. Where we identify that any group is not properly represented amongst our service users, we will look to target our outreach activity, and, where necessary, use our own-initiative powers to ensure that their concerns are investigated and addressed. People who are discriminated against or whose human rights are under threat are often least able to access those agencies charged with overseeing public services. We accept that it is our role to help to redress the imbalance of power which they experience.

We are committed to providing a service to all clients that respects their human rights and their right to equal treatment. This is equally applicable to how we interact with our own staff as it is essential in fostering a healthy work environment that promotes engagement, openness and dignity in the work place. Our approach is underlined by our core organisational values of independence, customer focus and fairness, which are evident in both the culture of our Office and our internal policies and practices. We have been proactive in providing training to our staff, which encourages them to bring a human rights perspective to their consideration of cases and requires them to treat breaches of human rights by public service providers as maladministration.

As set out earlier, the Ombudsman investigates complaints under the Disability Act, 2005 and we encourage caseworkers to adopt a rights-based approach when considering complaints and to be alert to any discrimination. To ensure that they are familiar with their responsibilities to customers and to each other, training in Disability and Diversity Awareness is provided to our staff.

Equality monitoring and reporting will be introduced as part of our new core IT systems. We will ensure that the people using our services are representative of the diversity of our communities and will monitor the outcomes of our work so that we are aware of any inadvertent bias.

Over the past number of years we made accessibility a priority for visitors and staff alike. We have carried out various works in our offices in this respect to assist people with mobility issues. Induction loops were installed in public areas and portable loops are also available onsite and at our outreach visits to assist people with hearing difficulties. Material for the public is provided in a variety of formats and languages to ensure that it meets the requirements of all users and potential users of our services. The Office has also participated in the Willing Able Mentoring (WAM) programme for a number of years, the aim of which is to promote access to the labour market for graduates with disabilities and build the capacity of employers to integrate disability into the mainstream workplace.

We will continue to seek a comprehensive jurisdiction to enable us to consider complaints from areas where human rights may be abused including prisons and the asylum and immigration process, especially in respect of Direct Provision.

We want our Office to be at the forefront of human rights and equalities issues and will strive at all times take practical and effective steps to move this agenda forward.

6. Next Steps

Each Office will now consult with their respective teams to produce detailed Business Plans, which will clearly reflect the Strategic Objectives and related key actions. The business planning process will be supported by individual staff action plans and sectional risk registers, all of which are monitored and reviewed on a regular basis against quantifiable and time-bound performance indicators.

7. Reporting on Progress

Reporting on progress on the objectives set out in this Plan will be done at regular intervals both internally and externally through a variety of mechanisms including annual reports, media releases, staff meetings, and minutes of meetings.