

## **Opening Statement**

**Mr Ger Deering Ombudsman**

**Joint Committee on Public Petitions and the Ombudsmen**

**Thursday 11<sup>th</sup> July 2024**

Cathaoirleach and members of the Committee, I am pleased to have the opportunity today to present the Ombudsman Annual Reports for 2022 and 2023 together with my colleagues David Tang and Barry Quirke.

I took up my role as Ombudsman early in 2022 so these two reports reflect the work and the achievements, of my team during my first two years in this Office. I am very proud of how the team has performed, with energy, with enthusiasm, and with the central objective of helping the public firmly at our core.

While investigating complaints about unsatisfactory public services and improving the quality of public services is at the core of what we do I am also anxious to recognise good public service and help to ensure that good practices and processes are acknowledged and maintained. So, I want take this opportunity to acknowledge the excellent work that is being done on a daily basis, across our public services, in what are undoubtedly challenging times for our country on many fronts.

It is a fact that when the world around us is under increased uncertainty and pressure, we rely on our public services to support those who are vulnerable or suffering most.

In particular, issues related to housing, healthcare and immigration have been to the fore during the years under review.

Despite these challenges, we continue to drive fairness, transparency and accountability in the delivery of public services. To ensure that public bodies respect the dignity and worth of every individual interacting with them we developed a guide for Ombudsman staff, in 2023, to assist us in ensuring that public bodies and our Office examine complaints through a human rights lens.

### **Complaints in 2022 and 2023**

We have embarked on an engaging and visible outreach programme with the aim of ensuring people know we are here and know how to reach us when they need our service. This includes engagement through national and local media, through the Public Participation Networks, Citizens Information Centres, and community, voluntary and social inclusion groups throughout the country.

We find there is no substitute for meeting people and hearing their stories first hand. It is the best way for us to understand the impact that poor public services can have on a person's life. It serves as a consistent reminder to me of how important the work of this Office is. I believe an enhanced awareness of the Office, and the service we provide, has contributed to what continues to be a rise in complaints and enquiries each year.

In 2022, my Office received a record number of complaints, 4,791, representing an increase of 19.6% on the previous year. We also responded to over 6,700 enquires meaning the Office had around 11,500 engagements with the public that year – that, in my view, is 11,500 attempts to help and assist people.

2023 was another busy year for the Office. We received 4,465 complaints and 8,171 enquires. That represents over 12,500 engagements with the public in a single year – an increase of over 1000 on the year before. We continue to receive and process an increased number of complaints and enquiries so far this year.

In terms of the categories of complaints we receive, that was largely consistent over 2022 and 2023.

### **Local Authorities**

Local authorities accounted for the second highest proportion of complaints received in 2022 and the highest in 2023. These complaints concerned various topics including housing, planning and traffic complaints.

Due to the different challenges faced by each Local Authority, they require a level of independence and discretion in the delivery of their services. However, discretion can lead to inconsistency. We have witnessed some of that inconsistency in how different Local Authorities deliver their services and deal with complaints. In response to this, we have developed a Model Complaint Handling Procedure for use by Local Authorities. This procedure is soon to be shared with Local Authorities, and the public. I expect Local Authorities to implement the procedure in order to deal better with complaints. I look forward to seeing it make real improvements, encouraging a more consistent, and best practice based approach, resulting in improved service delivery and better handling of complaints.

Housing made up around 60% of all Local Authority complaints in both 2022 and 2023. It is clear that housing was, and continues to be, *the* challenge that our country faces. In response, in 2022 I held a workshop with NGOs working in the field of housing and homelessness. We have since put in place a housing sector team focused on responding to our housing cases. I also initiated a systemic investigation into the administrative processes around the Housing Assistance Payment Scheme (HAP). With the investigation now complete, we are in the process of finalising the report for publication later this year. It is my hope that the implementation of the resulting recommendations will help make

real improvements in what has become a central mechanism for the Government in meeting the housing needs of thousands of people.

## **Government Departments and Offices**

The Sector that received the second highest number of complaints (1,175) in 2023 was Government Departments and Offices.

## **Health Sector**

The sector that had the third highest number of complaints in both 2022 and 2023 related to health and social services, with 839 complaints received in 2023. These figures include complaints about the HSE, public hospitals and Tusla.

People can feel vulnerable when engaging with health services. It is important that such engagement should be as good as could possibly be expected. However, such are the demands on our health service that experiences can vary. This has been the experience of our Office in recent years.

In April, 2023, we completed an investigation that culminated in the publication of “In Sickness and in Debt”. This was an investigation into the administration, by the HSE, of schemes that fund necessary medical treatment in the EU/EEA or the UK. The investigation was prompted by a number of complaints we had received from patients who faced difficulty navigating the three different treatment abroad schemes. I was very clear in my report that I welcome the fact that such schemes are in place, and that, in the main, they work well, but I was struck by the impact on the physical, mental and financial well-being that the process had on those complainants for whom the schemes didn’t operate as I believe they should have.

The published report contained 21 specific recommendations which focused on improving the administration of the schemes, both moving forward and in the investigation of existing complaints. The co-operation of the HSE with this report is to be commended and is a clear demonstration of how my Office and public bodies can work together to improve services. The HSE accepted all of the recommendations relating to it. As implementation progressed, over 200 cases were identified for review, and we have seen patients who were previously denied access to the Schemes receive reimbursements. The implementation of the recommendations has also delivered positive change to the administration of all three schemes - ensuring that patients are now at the centre of all decisions.

### **Follow up on previous reports**

My predecessors undertook a number of important investigations which culminated in various reports and recommendations. Part of my role as custodian of this Office is to ensure that such good work is not forgotten and to follow up on progress on the implementation of those reports.

“Wasted Lives” was a report published by this Office in May 2021 on foot of a systemic investigation into the appropriateness of the placement of people under 65 in private and public nursing homes. The report made a series of findings and recommendations, covering a wide range of issues. These recommendations were accepted by the HSE. However, progress on the implementation of the recommendations is disappointing. My understanding is that broader issues, such as the availability of suitable housing, suitable supports and access to healthcare professionals in the community have presented challenges. Recent industrial action in the HSE has disrupted the reporting of progress updates to my Office, but with those matters now resolved, it is my firm intention to push for further progress. I will publish a progress report later this year.

“Grounded”, published in 2021, sets out the investigations undertaken by the Office since 2011 into the lack of access to transport for people with disabilities. In my 2022 Annual Report I set out my firm view that leadership was required on this area and that the time for further reports from various government departments had passed. I described the way in which people with disabilities continue to be denied access to personal transport supports as nothing short of shameful.

Since then I met a number of times with the Department of An Taoiseach which sought to progress the matter. It has stated that its objective is to take a holistic view of all relevant transport schemes. It convened a Senior Officials Group to look into the issues raised and it states that the National Disability Strategy, which is being developed, will also assist progress on these matters. Prior to publication of my 2023 Annual Report I sought an update from the Department and this update is published on our website [www.ombudsman.ie](http://www.ombudsman.ie). While I welcome the Department of An Taoiseach’s involvement, and see merit in this more centralised approach, I remain of the view that the continued absence of a lead department and lack of action is unacceptable.

## **Conclusion**

I note that in recent research by the ESRI 56 per cent of people say housing is one of the two most important issues facing Ireland. While our work on housing complaints and issues, and our upcoming HAP report will hopefully contribute to improvements in this challenging sector, I feel that more still needs to be done. We are constantly listening, observing and consulting to establish where our focus should be, and where we can make the greatest impact in the coming years.

I also note, in that same ESRI research, that there was a rise in the importance of migration to respondents in Ireland, measured by the proportion of people

who say immigration is one of the top two most important issues facing Ireland: from 3 per cent in July 2022 to 14 per cent in November 2023. However, there is another important point to note from the ESRI research. In November 2023, Ireland ranked fourth most supportive of immigration in the 27 EU countries and the UK.

At a time when our economy and public services, such as health, are heavily dependent on migrants, and while people are fleeing war, persecution, genocide and starvation, it is important that our public services treat all people living here fairly, and with respect and dignity. Our services should aim to meet the basic human requirements of people, and should not contribute to the division that some people seek to sow.

I have sought to engage on this topic in a collaborative manner. I have engaged with senior officials of Departments, with the relevant bodies under the aegis of those Departments, with NGOs, with migrants and with people seeking protection, together with those helping to meet their needs. I have visited the sites at Mount Street, City West, Crooksling, Gormanston, Mosney and at the Grand Canal. I have heard the stories first hand. I acknowledge the great challenges being faced by our public services in this area and I commend some of the tireless work being done in the face of real challenges. I have personally witnessed the commitment and humanity of the people working to deliver services, both staff and volunteers. However, I also have questions about some decisions and actions. I propose to bring more scrutiny to the actions being taken in this area.

It is the 40-year anniversary of my Office this year and we have a number of initiatives and events to mark this important milestone. I will take great pleasure in updating the Committee on those events at a future date.

I believe we can rightly be proud of the achievements of the Office over the last 40 years. The Ombudsman team have developed a strong and insightful knowledge and empathetic approach to dealing with complainants and complaints, in what can be delicate and emotive circumstances. I want to thank them for their dedication and commitment. While we celebrate the achievements of the past our focus remains firmly on the future. We will continue to work to uphold our commitment to ensuring better administration and delivery of public services.

I would like to thank you, Cathaoirleach and members for this opportunity and we are happy to take any questions you may have for me.

A handwritten signature in cursive script, appearing to read 'Ger Deering', written in black ink. The signature is positioned above a short horizontal line.

Ger Deering

Ombudsman