

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

28th September, 2022

Proposition No. P.2022/74

Committee for Health & Social Care

Review of the Children Law and Outcomes

AMENDMENT

Proposed by: Deputy H J R Soulsby

Seconded by: Deputy Y Burford

After Proposition 24 insert new Propositions as follows:

1. "25. To note that the Marshall report made 21 recommendations, one of which was consideration of setting up an independent avenue for complaints, such as an ombudsman.

26. To note that the Government of Jersey is currently progressing the establishment of a Public Services Ombudsperson to act as an independent arbiter to resolve complaints of maladministration or service failure across the public sector.

27. To direct the Policy & Resources Committee, on behalf of the States of Guernsey, to work with the Government of Jersey to investigate the establishment of a Channel Islands Public Services Ombudsperson and to report back to the States, before the end of July 2023, with a summary of the outcome of the joint working."
2. To renumber Proposition 25 as Proposition 28.

Rule 4(1) Information

- a) The propositions contribute to the States' objectives and policy plans by helping to make government more efficient and effective.

- b) In preparing the propositions, consultation has been undertaken with the Committee *for* Health & Social Care.
- c) The propositions have been submitted to His Majesty's Procureur for advice on any legal or constitutional implications.
- d) No additional resources are required to carry out the investigation and part of those investigations will involve establishing the cost of creating the ombudsperson. Those costs will be one of the factors that determines whether the proposal goes ahead. The ombudsperson would replace the existing Administrative Review Board and could potentially replace other functions. Costs would be shared with Jersey if a joint project goes ahead.

Explanatory note

Professor Marshall's report flagged the need for consideration of an independent ombudsman in the context of the family care and justice system but it is important for users of all government services to have a low-cost, simple option for raising concerns about the timeliness or quality of service provided. The size of our jurisdiction is such that it is not feasible to create separate ombudspersons for different service areas and the creation of a public service ombudsperson would provide that option for all.

Jersey is in the process of setting up an ombudsperson and the timing is such that this presents a good opportunity to expedite the work.