These notes refer to the Public Services Ombudsman Act (Northern Ireland) 2016 (c.4)

EXPLANATORY NOTES

PUBLIC SERVICES OMBUDSMAN ACT (NORTHERN IRELAND) 2016

INTRODUCTION

COMMENTARY ON CLAUSES

PART 1: THE NORTHERN IRELAND PUBLIC SERVICES OMBUDSMAN

C	ection [1 -	The	Nort	harn	Iro	land	I	Duh	lic	C	arvi	200	\cap	m	huc	lem	าก
	section	11	i ne	INOF	ınem	rre	iano	lt	1HD	HC		ervi	ces :	u	ш	OHC	isina	an

Section 2: Independence

Section 3: Appointment

Section 4: Abolition of existing offices

PART 2: INVESTIGATIONS

Section 5: Power to investigate complaints made by a person aggrieved

Section 6: Power to investigate complaints referred by a listed authority

Section 7: Acting on behalf of a person aggrieved

Section 8: Power to investigate on own initiative

Section 9: Criteria for own initiative investigations

Section 10: Alternative resolution of complaints

Section 11: Purposes of investigation

Section 12: Listed authorities

Section 13: Meaning of action taken by a listed authority

Section 14: Matters which may be investigated: general

- Sections 15, 16 and 17: Matters which may be investigated professional judgement
- Section 18: Matters which may be investigated: universities
- Section 19: Administrative functions of staff of tribunals
- Section 20: Exclusion: public sector employment
- Section 21: Exclusion: other remedies available
- Section 22: Other excluded matters
- Section 23: Decisions taken without maladministration
- Section 24: Complaint handling procedure to be invoked and exhausted
- Section 25: Duty to inform person aggrieved about the Ombudsman
- Section 26: Form and time limit for making complaint
- Section 27: Meaning of exhausting the complaints handling procedure
- Section 28: Procedure for complaint referred to the Ombudsman
- Section 29: Procedure for own initiative investigations
- Section 30: Investigation procedure
- Section 31: Information, documents, evidence and facilities
- Section 32: Privileged and confidential information
- Section 33: Obstruction and contempt

PART 3: COMPLAINTS HANDLING PROCEDURE

- Section 34: Meaning of complaints handling procedure
- Section 35: Statement of principles
- Section 36: Obligation for listed authority to have complaints handling procedure
- Section 37: Model complaints handling procedures
- Section 38: Obligation for listed authority to comply with model CHPs
- Section 39: Declaration of non-compliance of complaints handling procedure

Section 40: Submission of description of complaints handling procedure; general

Section 41: Application

Section 42: Promotion of best practice etc.

PART 4: MISCELLANEOUS AND GENERAL

Section 43: Reports on investigations

Section 44: Publication of reports on investigations in the public interest

Section 45: Publication of reports on own initiative investigations

Section 46: Reports to the Assembly

Section 47: Reports and privileged information

Section 48: Privilege for certain publications

Section 49: Disclosure of information

Section 50: Disclosure contrary to public interest

Section 51: Consultation and co-operation with other ombudsmen

Sections 52 and 53: County court applications by a person aggrieved

Sections 54 and 55: High Court applications by the Attorney General

Section 56: Court proceedings and privileged information

Section 57: Supplementary provision in relation to court proceedings

PART 5: NORTHERN IRELAND JUDICIAL APPOINTMENTS OMBUDSMAN

PART 6: SUPPLEMENTARY PROVISIONS

Section 59: Interpretation

Section 60: Power to make further provision

Section 61: Orders

Sections 62 and 63: Consequential amendments

Section 64: Commencement

Section 65: Repeals

Schedule 1: The Northern Ireland Public Services Ombudsman

Schedule 2: Transfer of assets, liabilities, staff and other transitional and savings arrangements

Schedule 3: Listed authorities

Schedule 4: Tribunals referred to in section 19

Schedule 5: Other excluded matters

Schedule 6: Amendments consequent upon the Ombudsman being the Northern Ireland Judicial Appointments Ombudsman

Schedule 7: Amendments to Part 9 of the Local Government Act (Northern Ireland) 2014

Schedule 8: Other minor and consequential amendments

Schedule 9: Repeals

HANSARD REPORTS