

Nationality Instructions

Procedural section

Parliamentary commissioner for administration

1. Popularly known as the Ombudsman (grievance man), the Swedish name for his counterpart in Sweden where the idea originated, the first PCA was appointed in 1967 under the Parliamentary Commissioner Act 1967. The 1967 Act gives him the power to investigate any written complaint which:

- comes to him via a member of the House of Commons, and
- is made by a member of the public who claims to have suffered injustice through maladministration (i.e. any fault of administration, such as breach of courtesy, bias, carelessness or unnecessary slowness) by a government department

2. A complainant may not take the grievance direct to the PCA, but must first put it in writing and then find a member of the House of Commons who will forward it to the PCA. Complaints sent direct to the PCA will either be:

- forwarded to an MP, or
- returned to the complainant who will be advised to contact an MP

3. If the PCA decides that the case should be investigated, he will write to the department concerned to see if the case can be disposed of by the preliminary written comments of the department and without the need for further investigation. Further investigations, if needed, may include:

- informal discussions and correspondence between the PCA and departmental officers
- examination of files
- taking oral evidence, etc

4. The final decision will be sent to the MP concerned.

5. PCA cases will not normally be the concern of any officer below Senior Caseworker, but the PCA's right of access to files underlines the need for care at every level to ensure that minutes do not reveal personal prejudice or carelessness in assessing the evidence provided.