

Making Complaints Count | Episode one - Rebecca Hilsenrath

Acting Ombudsman Rebecca Hilsenrath kicks off the first episode of our brand new podcast, [Making Complaints Count](#). Joined by her Private Secretary, Faye Glover, she talks about her upbringing, priorities and future plans as Ombudsman.

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Faye Hello and welcome to Making Complaints Count, our new podcast where we'll be exploring the power of complaints and how organisations can use them to learn and improve. My name is Faye Glover and I'm your host for this episode. Today we're joined by the Parliamentary and Health Service Ombudsman, Rebecca Hilsenrath. Rebecca was appointed as Ombudsman in April this year. Before that, she was the chief executive officer at PHSO.

Thank you for joining us, Rebecca.

Rebecca Thank you for having me. Thank you.

Faye Rebecca, you were previously a guest on Radio Ombudsman four years ago when you were Chief Executive Officer of the Equality and Human Rights Commission. We heard all about your fascinating family history then. But for the benefit of people who may not have heard that episode, can you tell us about your background and how you think that it has shaped you into the person you are today?

Rebecca Thanks, Faye. So this is really quite a significant moment for me in a sentimental way because when Rob Behrens, the previous Ombudsman, interviewed me on Radio Ombudsman - is it really four years ago? If you say so! Of course, that was the start of what was such an important relationship for me, both in terms of working with him and in terms of our friendship.

And it actually all started when he asked me the first question and I responded, "Well, my grandfather was a spy..." and that became a bit of a line, and I remember that he laughed and said, "That's a good introduction! I haven't heard that one before."

But that was what I chatted to him about, my grandparents and my grandfather, my dad's father, was a spy, and my dad was brought up in Holland where my grandfather ran spy rings, which I think my dad said was actually quite unglamorous and involved going on picnics where my grandfather would sidle up

to a man in a park and pass him over documents in a brown paper bag.

But when the Second World War started my grandparents sent my father and my aunt back to the UK and they spent quite a chunk of the war being brought up by their au pair, or nanny, in a little hamlet on the Welsh border where there was no electricity, no running water, no indoor toilet, nothing like that at all.

For my dad that was utter heaven and he didn't miss his parents at all. All his life he regarded it as a period of complete idyllic bliss - much to my grandmother's dismay. My grandparents in the meantime got out of Holland on the last boat after the Nazi invasion. And my grandfather then went to Bletchley and worked as a decoder, in part because he was already in military intelligence, but he was also a fluent German speaker because his mother had been a German refugee.

And my father's recollection of that time was that my grandfather would reappear from days working in Bletchley angry and depressed. My dad's perspective was that my grandfather would have been one of the earlier people in this country to understand what was going on for the Jews in Hitler's Germany. And the impact on my father was a lifelong aversion to publicly owning his Judaism, which affected me because I was brought up in this space of not really being encouraged to stick my head above the parapet, as it were, and to be quite quiet about my ethnic origins.

I then grew up and married the son of a Holocaust survivor. My father-in-law who was born and brought up in Vienna was very lucky because he did get out with his immediate family. The extended family were murdered. They got as far as being arrested by the Gestapo and the street cleaning gangs. And in fact, he owed his life to the fact that one of those people in the SS recognised him from the neighbourhood and got him out, which was quite difficult for my father-in-law, because as a lifelong, very religious man, he struggled with the fact that he owed his life to somebody whose morals were obviously deeply questionable.

And my father and father-in-law have really have quite different reactions to what had happened. My father tended to move away from an overt recognition of his Judaism and my father-in-law always remained a very deeply religious man, but

somewhat withdrawn, I think, from the non-Jewish world. And I think a lot of that is something that I've taken away and think about what happens in the absence of fundamental rights, which I think has been something that all Jewish people and many others in my generation can be aware of and have taken forward in terms of a lot of the work I've done in the access to justice space. But also thinking about the individual impact on the individual responses and accountability in relation to tragedy. The way that my grandfather took forward his work in the military and the way that different people in our family have reacted to those tragedies and those disasters.

Two other very personal impacts. I've always spent half my life in Wales because I was profoundly affected by my dad's upbringing. He never settled back into being a Londoner, although he had a home in London and was brought up there. We always as kids spent our free time, weekends and holidays in Wales. And I afflicted the same sort of rather divided way of living on my own family.

The other thing that I think about often in relation to my family history and the work that I do now at PHSO is not related to any of this. But my mother's mother died when she was very young. She died of cancer right at the end of the war when my mother was a very small child, so I never met her. But I had spent all my life being aware of the impact of that early loss on my mother, on her siblings, and even onto, you know, their children, my cousins.

And you can sometimes see that in a family. You have a loss at a critical point and it impacts on how the next generation develops and grows up. And I think about that quite often when I look at cases that we work on where there has been a loss because I do understand the magnification of that. It's obviously, you know, immeasurable and enormously tragic and significant in terms of the loss of that life. But my own religion holds, and my own experience knows, that it isn't just that one life. You know, it impacts on so many other people in the family community. And that's why our learning needs to improve about how we do support people, how we manage a better health service to ensure that people have safe care.

Faye

Thank you. What a rich family history. You mentioned your husband. How did your family history and your background influence the family you have today?

Rebecca

So thank you for that. I've got five children in total. Four sons and I also have a foster daughter who's been part of our family

for the past ten years. I had four sons in five years at one stage, which was quite a busy, rather mad, period of time.

And we have brought up the boys to try to engage with and take further the values that we were brought up with. And within the context of an understanding of our family history and traditions. Family is hugely important to my boys, and I've seen that over the years. It gives me enormous pleasure to see how they reach out to the wider family and community and how important it is to them.

And of my four kids, three of them have careers in the public sector, which I'm also very proud of. One of them, like his great grandfather, after whom he was in fact named, but he never met him, works in the military. One is an assistant headteacher in a state school and one is a police officer. And my other son is studying to be an airline pilot.

And one of the things I'm proud of is that they experience, in some cases on the front line, some of the issues that I've spent my career working on from a more theoretical space, like domestic abuse and racism, disadvantage. And my youngest son has saved lives, which is something I've never managed to do. I just tend to chair lots of meetings instead. But I'm very proud of that and very proud of all of them.

And having grown up children around you is an enormous joy, which provides me with huge support as I go about my daily life. And one of the things that I was most proud of was that when we decided we were going to foster the person who's become my daughter, we discussed it with the boys first and the son who is studying to be an airline pilot in particular said, "Well, we've had the advantage of being brought up in a safe and loving home and lots of people aren't. And I feel very strongly that we should in fact do what you're proposing." And I was enormously proud that I had a son who could articulate that.

And having my daughter in the house has been an enormous experience, often quite challenging for all of us, including her, but I think as with many experiences like that, I've definitely got far more out of it than I've put in. And I think that would be true of everybody in our family.

I think that I have grown to admire enormously her resilience and how she has dealt with what's been a very difficult situation. I've learned how much you can form a bond with somebody who comes from a remarkably different place, with mental health challenges that make her very different from

me. But I've learned so much from her, including that none of those differences stop you loving somebody and getting close to them. And that's been a great blessing for all of us.

Faye

Can you tell us some more about your own career today and how that's brought you to where you are now?

Rebecca

Largely, it's brought me to where I am now because I've been absurdly lucky and blessed.

I started off as a lawyer working in the city, and I then had a career break to have my boys. And during that time I established a couple of schools, which was very formative for me in terms of the importance of having different experiences and using voluntary opportunities to spread your learning and use your time.

I always say to people who ask for my advice that are from the younger generation in terms of how to build their career, I think it's really important not to have career gaps. It doesn't really matter what you do, but use your time, ensure that you're learning, you're making a contribution. After that, I went to work in the Government Legal Service, as it was then called, and I have held a number of roles in the Department for Education and the Attorney General's Office as a government lawyer, learning a lot about Whitehall and about public policy and really had the most wonderful time.

I also learned about good management and my biggest learning when I was in the Government Legal Service was somebody I worked for. I was asked to do some work in relation to drafting regulations about school finance, quite a complex area, I won't go into detail. Before we took my draft to the clients, who were the policy team, I took it to my boss and he said, "Well, you've got it wrong so you're going to have to do it again."

So I did it again. Then we took it to the client who said, "Well, actually, no, you got it wrong." And my boss said, "Actually it was I who got it wrong because Rebecca got it right and I made her change it." And that was something that had a huge and lasting impact on me. I didn't expect him to do it and I was really moved and humbled by the fact that he was prepared to admit to people that he got it wrong, that I got it right.

And it made me think a lot about what makes a good lawyer. Is it actually about knowing every detail of the law? Is it about being a good person, giving credit where credit is due? And I've never forgotten what he did. I then moved on secondment to run a charity called Law Work, which is a national charity

providing clearing house and advisory work to support pro bono work for individuals who can't afford legal representation, advice and community groups. And that was a phenomenal opportunity to learn about leadership, but also to understand the enormous disadvantages of our legal system, which is world class but doesn't help individuals in this country. And there's a very, very low bar in terms of people who can't afford it.

I then went to the Equality and Human Rights Commission, first as Chief Legal Officer and then as Chief Executive, which was a phenomenal opportunity to learn about too many things than I can talk about in this interview. But a lot about evidence-based impact and the challenges of working with different disadvantaged groups and trying to look at what they had in common instead of looking at it individually and trying to improve joined-up cohesion and dialog.

And then I came to the Ombudsman and I think one of the many really exciting and wonderful things about coming here was that in many ways I sort of joined all my experiences up and made sense of my CV. It made me feel like I had a career as opposed to a collection of odd jobs and there's an awful lot that I value about being here, but I would include the fact that we do casework, and that this engagement with frontline work underpins everything we do.

The importance of systems and professionalisation, working with people, which always comes first and foremost for me, and just having an opportunity to look at the imbalance of power when it comes to access to justice, which is a thing that's guided so much of my career, and which I think is so important and so fundamental to the way society works.

Faye

Since you joined in 2021, what are you most proud of?

Rebecca

That's another impossible question to answer, there's so many things. But I think if I had to focus on one thing, I would say it was the establishment of our Public Engagement and Advisory Group, which I oversaw as Director of Strategy. And we work with a panel of former complainants and also members of the public who haven't to this point made a complaint.

I think the ability of our organisation to demonstrate good practice in developing a user-focused service is absolutely critical. We have already learned quite a lot from it and made genuine improvements to our service on the back of the conversations that we had with the panel. And I've been privileged to have a personal dialogue with those individuals on

the panel, which I found incredibly inspiring and interesting and learned a lot from it.

But I think if you look across both our jurisdictions in health, but also in terms of the work we do investigating government departments and other public sector bodies, that idea of user focus is common to everything we do. In the NHS, we call it patient-centred approaches, listening to the patient voice and the family voice. When we look at government departments, we talk about how you can craft a really effective public service which actually understands the people that you're working with and catering for. It's all the same. It's all about user focus, and the fact that we have a Public Engagement Advisory Group set up gives us both the understanding and perspective and the legitimacy to work with organisations we investigate to improve user focus across the piece, and that's why I think it's so important.

Faye

Thank you. So how do you feel about now becoming Ombudsman? What is it that appeals to you most about the role and how has it been different?

Rebecca

So, I'm still completely humbled and overwhelmed. It's an honour to have this opportunity and I've learned over the past few weeks to own it, even if it wasn't a role that I actually applied for. And it's an interesting experience in understanding the difference in terms of ownership and accountability.

And what I mean by this is that it is quite an interesting organisation because it has both an Ombudsman and a Chief Executive, and you might expect me to say that there wasn't that much difference between the two, but in fact there is. And the reason is that even when I was the Chief Executive, there was somebody else who was driving the car.

It's never actually the same playing a supporting and advisory role, however senior, as it is to actually taking the wheel. It is about being in that role and having ownership and accountability. Of course, like a learned driver, you actually start learning at the point you get your license, which is what I'm doing. Typically, I think probably when you're most likely to crash. I'm not planning to do that, but I'm aware of the risks.

In terms of what appeals to me, I think it's bound up in that idea of accountability because it is my chance to have a go at some things I really want to do. And I'd say they kind of fall into place. One is about supporting the team, and if I haven't made it clear, I ought to say that one of the most wonderful things about working at PHSO is the people, who have always

made me feel welcome and supported, and as though I'm working among friends. I genuinely do feel PHSO has a unique culture in that sense. I really value it. But I know we're going through a lot of change. I want to support the teams as we do that. And I am working closely with Gill Kilpatrick, who's our interim Chief Exec to do exactly that at a time of change.

But the other, going back to the conversation we had before, is about wanting to use my background in access to justice to try to tackle that imbalance, particularly in the sense of having fewer cases relating to government departments and other public sector bodies than we do at the moment in relation to the NHS. This is a really critical time in relation to public services and we'll see an incoming government which will have this on its agenda at quite a high level, whichever government it is, in terms of looking at public service reform. I think we have a lot to offer. I think we need to work with people to help us get those strategic cases through so that we can try to have a real impact in terms of our learning on what good public services ought to look like, including of course that user focus that we talked about earlier.

Faye

You've touched on there about complaints about government bodies as a priority. What are some other main priorities for the Ombudsman going forward?

Rebecca

I think that the key thing we need to do, which encompasses all of this, is to maximize the strategic impact that we can have. I would say there are three different parts to that. One of them is about managing incoming cases at a time when demand for us and many other public services is going through the roof and our public value model is going to be most impactful in terms of managing the sheer number of cases coming through.

At the same time, it's about getting the right cases. So it's about using our profile in the media, and it's about using stakeholder engagement to ensure that where there are systemic failings, we are getting the complaints so that we're in a position to be able to make a difference with them. And part of that is going to be working with a new government to see if we can persuade them to remove the filter that says at the moment that cases in relation to government departments have to be referred to us by an MP, which we know is a real barrier and needs to be addressed before we can have a really truly strategic impact on the sector.

And the third piece of that strategic impact is about our own transformation, both in terms of our casework and improvements and in terms of our digital ambitions, along with user focus, so that we have our digital ombudsman, which is going to enable us to make really evidence based data led decisions and work more effectively and efficiently in the face of that increased demand. And underpinning all of that is about how we support and develop our teams, including at leadership level, so we've got the absolute best cohort going forwards at the most critical time.

Faye You touched upon there, the general election is looming. What would be your one ask of any incoming government? You briefly touched upon the MP filter do you have any other asks?

Rebecca It's a massive opportunity for us because I think, as I said before, the new government ought to be interested in what we have to offer because public service reform is so important and so critical at the moment.

And thank you for mentioning the MP filter because it's such an enabler to anything we ask. So I'm not going to mention that because you said I only had one thing that I could ask. But I think for me it's about working with an incoming government to understand the need for a whole system approach to justice, which ought to see the tribunals and courts working far more closely with the Ombudsman services.

At the moment they're quite disparate and we often see the wrong case going one way or another, and I believe that with the assistance of the removal of the MP filter, a more joined-up system is going to see the best outcome for individuals and the most effective and efficient way of addressing complaints and cases, but also the most strategic systemic impact in terms of public services.

Faye Final question for me. Do you have any advice for others starting on the career in the access to justice sector?

Rebecca Well, my first piece of advice is to be as lucky as I've been. But if you don't count that one, I've come up with three suggestions. The first is, and I suppose this is true of any sector, is that there's lots of different roles in the access to justice sector. It could be casework, policy work, leadership work, strategy work. I think it's really important that within the sector we have respect and understanding for others, don't ever get stuck in one role and think it's the most important piece. Understand what other people do to work as a team. But I think particularly because it is such a values-driven

space, always make sure whatever you do, you spend time at the coalface. It was very important to me when I was working in the advice sector to give my own time pro-bono. It's incredibly important to me as an Ombudsman to oversee cases, but it's really important that we work as a team and that those values infuse everything we do.

The second thing I'd say is make sure that you mix passion with professionalism. So that's something about being committed and doing things the right way, but it's also about doing it with compassion and empathy. And both parts of that are so important. I think we abandon either passion or professionalism at our peril.

And the third thing is that access to justice is very rarely about money. I know that's a controversial point to make. And people have been lobbying for many years to have a restoration of civil legal aid. But the truth of the matter is, in this country for the foreseeable future, we don't have the option of waving a magic wand which is thrown out of the money tree.

And it's not about special interests either in terms of making sure we have a solution for that group or that group. The only real way forward in terms of access to justice is about collaboration and looking at things through strategic partnerships and coming together. And that means if you want to make it work, you have to leave your personal interest at the door and you have to work with other people, and that will always be the best way forward.

Faye

That's great advice. Thank you. Stay tuned for future episodes of *Making Complaints Count*.