

Personnel and Employment Problems Factsheet



This Factsheet is about complaints relating to personnel and employment problems. It should be read together with the general information leaflet about our service.

The Factsheet is mainly for employees of public bodies in Wales (for example the Welsh Assembly Government, Local Authorities – including Town and Community Councils – and the NHS), who may have an employment-related problem and who are considering making a complaint to the Ombudsman.

What the Ombudsman can do

He can consider complaints about the following:

- recruitment procedures; and,
- appointment procedures.

The Ombudsman's role in looking at complaints relating to employment matters is limited to these two areas.

What the Ombudsman cannot do

He cannot look into complaints about employment matters such as the following:

- disciplinary procedures;
- grievance procedures;
- decisions to terminate employment whether by dismissal or redundancy;
- pay or other benefits in kind, such as a company car or loans for season tickets;
- pensions;
- sick pay and maternity pay;
- the way the body treats its staff, such as entitlement to leave maternity or paternity leave;
- bullying in the workplace;
- work-related health problems;
- disagreements about the scope and terms of your employment;
- industrial disputes, such as a strike or work-to-rule.

Many complainants will have the right to go to an Employment Tribunal to try to resolve their grievances.

Issues to bear in mind



Whilst there are limits to the types of complaints about employment and personnel matters that the Ombudsman is able to investigate, he can still investigate complaints made by a Council employee as a service user in relation to services they receive from the council, for example problems with education, housing or social services. These complaints can be looked at in the usual way, regardless of the fact that the complainant is an employee of the Council.

If you are an employee (or member of the Council) and you have a complaint about the services that the council provides to you, you should read the relevant Factsheet for that type of complaint.

Further information



Personnel and employment problems often involve complicated legal issues and you should get appropriate advice.

- If you are a member of a Trade Union you should contact the Union directly as it may be able to help you.
- The Citizens Advice Bureau can provide free advice. You can find the nearest branch in the telephone directory and the website includes an employment advice section: <http://www.adviceguide.org.uk/wales.htm>
- Many solicitors are able to give you advice on personnel and employment problems; however, there is normally a charge for this advice.

The Ombudsman is independent and impartial; he cannot order public bodies to do what he recommends – but, in practice, they almost always do.

Examples of cases that the Ombudsman has looked at can be found on our website. Please see www.ombudsman-wales.org.uk

If you are unsure whether the Ombudsman would be able to look into your complaint, please contact us:

- **phone** 0845 601 0987;
 - **e-mail** ask@ombudsman-wales.org.uk;
 - **visit the website at** www.ombudsman-wales.org.uk;
 - **write to:** The Public Services Ombudsman for Wales
1 Ffordd yr Hen Gae, Pencoed CF35 5LJ
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