

# OMBUDSMAN INFORMATION

## BOOKLET



**ARE YOU HAVING PROBLEMS  
WITH A GOVERNMENT DEPARTMENT  
OR A STATUTORY BODY?**

**THE OMBUDSMAN  
MAY BE ABLE TO HELP YOU**



*The Office of the Ombudsman is a worthwhile option for the general public in Grenada, Carriacou & Petit Martinique.*



*This booklet contains:*

- 1. Introduction*
- 2. Brief History of the Ombudsman*
- 3. Independence & Integrity*
- 4. Information on the Power of the Ombudsman*
- 5. The roles played/not played by the Office of the Ombudsman in resolving complaints*
- 6. Information on complaints-handling*
- 7. Benefits of using the Ombudsman Office as a resource*
- 8. Helpful tips*



# 1. INTRODUCTION

We exist to serve the State of Grenada Carriacou and Petit Martinique.

Clearly defined, the role of the Ombudsman is an independent, impartial body that functions as the Office of last resort for public concerns or complaints related to poor public administration. The Office is as an important mechanism for promoting accountability, fairness, improved public service, and heightened public confidence in Government through a professional, objective review of government operations.

We examine complaints from people who feel they have been unfairly treated by certain public bodies, for example, Government Ministries, Departments and Statutory Bodies.

The work of Ombudsman may lead to improvements large and small in Government systems and services which may include new policies and procedures, new by-laws, staff training, new communication practices.

We provide a free public service which is open and accountable. At its core, this Office is about helping the Public Service serve people better while providing justice and fairness for everyone.

## **2. BRIEF HISTORY OF THE OMBUDSMAN**

The word Ombudsman and the first known Ombudsman was created in Scandinavian countries. It has no plural nor does the gender of the person holding the post alter its spelling.

The Ombudsman can be described as a Complaints Commissioner. In the Grenadian context, as outlined in the Legislation, Act 24 of 2007, it is to look into actions taken by or on behalf of Government Ministries, Government Departments or Boards, Commissions, Committee or similar body providing a public function.

So, persons (not just Grenadians, can be someone temporarily residing in our country) who think they have been mistreated, disrespected or were the victims of mal-administration, are aggrieved from interaction with a Public Authority can make a complaint to the Office of the Ombudsman.

## **3. INDEPENDENCE AND INTEGRITY OF THE OFFICE**

- The Prime Minister and Leader of the Opposition have to agree on the person selected to the Office who is then appointed by the Governor-General;
- Ombudsman to hold Office for a period not exceeding five (5) years and shall, at the expiration of such period, be eligible for reappointment;
- Stipulated procedure for the removal from Office contained in Section six (6) of Act #24 of 2007;
- Ombudsman cannot be a Public Officer;
- Cannot be employed in any other post of remuneration;
- Shall not at any time after he/she has ceased to hold the Office as Ombudsman, be eligible for appointment in the Public Service.

#### **4. INFORMATION ON POWER OF THE OMBUDSMAN**

The Ombudsman ACT #24 of 2007 gives powers to the Ombudsman:

1. During the course of an investigation he/she can, as a High Court Judge, summon witnesses/persons to give evidence and demand pertinent documents and information (Section 28);
2. Examine a witness under oath;
3. Publish investigation reports which the Ombudsman thinks is in the public interest to do so;
4. Even though there is no complaint, he/she can initiate an “own motion investigation”;
5. Cannot make binding decisions or censure any public official;
6. Any person who fails to co-operate with the Ombudsman commits an offence and is punishable by law to a fine not exceeding ten (\$10,000.00) thousand dollars or three (3) months in prison or both (Section 34).

#### **5 (a) ROLES PLAYED BY THE OMBUDSMAN**

1. Listening to concerns;
2. Providing a confidential place to talk;
3. Informally investigating complaints;
4. Gathering information;
5. Explaining policies and procedures, rules and processes;
6. Reframing issues;

7. Analyzing, identifying and evaluating options;
8. Making referrals/recommendations;
9. Acting as a neutral resource between a complainant and the complained, using informal mediation and/or other problem solving techniques;
10. Facilitating communication between and among individuals;
11. Suggesting ways to effectively deal with a problem;
12. Explaining the informal resolution process and providing information on filing formal grievances;
13. Recommending policy changes to alleviate chronic problem.

## **5 (b) ROLES NOT PLAYED BY THE OMBUDSMAN**

### *The Ombudsman Does **Not Investigate**:*

1. Matters or problems between private individuals;
2. Any matter that the complainant knew about **more than one year** ago (Section 24);
3. The commencement or conduct of civil or criminal proceedings in a court of law in Grenada or before any international court or tribunal;
4. Action taken by the Minister responsible for Foreign Affairs relating to the extradition of any person;
5. Any decision or action of the Governor-General or the Public Service Commission relating to the appointment, removal or disciplinary control of any person;

6. Any matter which affects the security or external relations of Grenada.

Additionally he/she does not:

- Take sides
- Give legal advice
- Take action without one's permission
- Act as a witness or later testify in a formal legal proceeding
- Make binding decisions
- Censure any public official

## **6. COMPLAINTS HANDLING**

The complaints process is modeled on the principles of fairness, accessibility, responsiveness and efficiency and has the following steps:

1. The complainant is interviewed about the complaint being made against a public authority;
2. He/she is asked to complete the Complaints Form which would be part of the Office's official records of the case;
3. A letter of acknowledgement is sent to the complainant setting out the complaint made to the Ombudsman against the Public Authority;
4. A copy of the letter of acknowledgement is sent by the Ombudsman to the Public Authority against whom the complaint was made;



5. The Ombudsman sends a separate letter to the Public Authority asking them to explain what has been done to try to deal with the complaint that has been made against it;
6. The Ombudsman studies the response from the Public Authority. If he/she is satisfied, then he/she closes the case informing the complainant accordingly but if he/she is dissatisfied, then he/she makes further enquiries into the complaint.
7. He/she may also do a formal investigation at the end of which recommendations are made to the Public Authority on what should be done to resolve the complaint and bring satisfaction to the complainant.

**7. BENEFITS OF USING THE OFFICE OF THE OMBUDSMAN AS A RESOURCE:**

- Services are offered at no cost;
- Operations are independent from Government;
- Reports may be published as to systematic issues arising within an Agency or with delivery of a Government program/service;
- Bad practices may be remedied;
- Ombudsman can offer mediation as well as investigation.

*A confidential,  
impartial, and independent  
resource for the Grenadian community.*

*If you have any questions about the Office or if we can be of assistance to you, please call the Office of the Ombudsman at (473) 435-9315/16, Fax; (473) 435-9317, visit our web site at [www.ombudsman.gd](http://www.ombudsman.gd) or email us at [ombudsmangd@spiceisle.com](mailto:ombudsmangd@spiceisle.com)*

## 8. HELPFUL TIPS

### *(a) Dealing With Negative Aspects in People*

- Recognize that it is useless to argue with someone who is defensive or in an attack mode
- Realize that the person may be feeling insecure at that time
- Don't push them ~ it will only make things worse
- If you have noticed that a person seems to act out during times of stress, wait until another time to pursue the discussion
- Stay confident and don't allow yourself to be verbally abused
- Help to show the person how much their negative behavior is affecting them
- Set goals for them to work better with others

### *(b) Overcoming Negative Aspects in Oneself*

- Learn to recognize when your defense mechanisms are up;
- Don't react quickly when you are feeling defensive;
- Learn to listen when someone asks a question or makes a suggestion;
- Ask the person to re-state their question/comment/suggestion;
- Do consider that other people have good ideas that are as valid as yours;
- Learn listening skills and team building by taking courses or workshops;
- Confide in a person who can help you work on this negative aspect of yourself, such as a friend, colleague or counselor;
- Remember that changing learned patterns of insecurity and defensiveness may take years of work;
- Learn to understand your own personality and your unique strengths and weaknesses.



**"JUSTICE AND FAIRNESS  
FOR ALL"**

## ***MISSION***

**Providing  
effective service through  
complaints- handling  
procedures that are timely,  
ensuring always the highest  
level of confidentiality and  
impartiality!**

## **OFFICE OF THE OMBUDSMAN**

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