

STATES OF JERSEY



PROPOSED BUDGET (GOVERNMENT PLAN) 2026-2029 (P.70/2025): THIRD AMENDMENT

JERSEY PUBLIC SERVICES OMBUDSPERSON – HEAD OF EXPENDITURE

**Lodged au Greffe on 11th November 2025
by the Corporate Services Scrutiny Panel
Earliest date for debate: 8th December 2025**

STATES GREFFE

PROPOSED BUDGET (GOVERNMENT PLAN) 2026-2029 (P.70/2025):
THIRD AMENDMENT

1 PAGE 3, PARAGRAPH (b) viii) –

After the words “as set out in the Appendix 2 – Summary Tables 5(i) and (ii) of the Report” insert the words –

“, except that, in Summary Table 5(i) the expenditure proposal for the Cabinet Office head of expenditure shall be reduced by £398,000, with a new row inserted to create a new head of expenditure entitled “Jersey Public Services Ombudsperson”, with a proposed expenditure budget of £398,000.”

; and

2 PAGE 3, PARAGRAPH (b) xii) –

After the words “as set out in the Appendix to the accompanying report”, insert the words –

“except that, on page 42, immediately after Table 9, there should be inserted the following new paragraph –

“A new head of expenditure for the establishment of a Jersey Public Services Ombudsperson, totalling £398,000, has been created to ensure that this budget should not be used for any other States’ purpose than the Jersey Public Services Ombudsperson, to ensure that this undertaking is incorporated into the workstream of any new Government and funded accordingly.”

CORPORATE SERVICES SCRUTINY PANEL

Note: After this amendment, the proposition would read as follows –

THE STATES are asked to decide whether they are of opinion –

- (a) In accordance with Article 16 of the Public Finances (Jersey) Law 2019 (the Law) to approve an amendment to the Government Plan 2025 – 2028 (entitled “Budget 2025 – 2028”) to a reduction in the 2025 head of expenditure “Grants to States Funds” as included in Table 5(i) Revenue Heads of Expenditure of that Government Plan from £119,821,000 to £69,821,000.
- (b) To receive the Government Plan 2026 – 2029 (entitled “Budget 2026-2029”) specified in Article 9(1) of the Law and specifically –
 - i. to approve the estimate of total States income to be paid into the Consolidated Fund in 2026 as set out in Appendix 2 – Summary Table 1 to the Report, which is inclusive of the proposed taxation and impôts duties changes outlined in the Government Plan, in line with Article 9(2)(a) of the Law.

- ii. to refer to their Act dated 24th June 2003 in which they approved that no new ‘user pays’ charges be introduced without any such charge receiving prior in principle approval by the States Assembly and accordingly to approve the introduction of two new charges, to be levied by Health and Care Jersey to promote appropriate use of the Emergency Department and for repeated non-attendance of outpatient appointments, detailed in the section entitled “Departmental Income Sources” as set out in the Appendix to the accompanying Report.
- iii. to approve the proposed Changes to Approval for financing/borrowing for 2026, as shown in Appendix 2 – Summary Table 2 to the Report, which may be obtained by the Minister for Treasury and Resources, as and when required, in line with Article 9 (2)(c) of the Law, of up to those revised approval amounts.
- iv. to approve the transfers from one States fund to another for 2026 of up to and including the amounts set in Appendix 2 – Summary Table 3 in line with Article 9(2)(b) of the Law.
- v. to approve a transfer from the Consolidated Fund to the Stabilisation Fund in 2026 of up to £50 million, subject to a decision of the Minister for Treasury and Resources based on the availability of funds in the Consolidated Fund as at 31st December 2025 in excess of the estimates provided in this plan, or from budgeted underspends identified before 31st December 2026.
- vi. to approve a transfer from the Consolidated Fund to the Agricultural Loans Fund in 2026 of up to £5 million, subject to a decision of the Minister for Treasury and Resources based on availability of funds in the Consolidated Fund as at 31st December 2025 in excess of estimates provided in this plan, or from budgeted underspends identified before 31st December 2026;
- vii. to approve each major project that is to be started or continued in 2026 and the total cost of each such project and any amendments to the proposed total cost of a major project under a previously approved Government Plan, in line with Article 9(2)(d), (e) and (f) of the Law and as set out in Appendix 2 – Summary Table 4 to the Report.
- viii. to approve the proposed amount to be appropriated from the Consolidated Fund for 2026, for each head of expenditure, being gross expenditure less estimated income (if any), in line with Articles 9(2)(g), 10(1) and 10(2) of the Law, and set out in Appendix 2 – Summary Tables 5(i) and (ii) of the Report “, except that, in Summary Table 5(i) the expenditure proposal for the Cabinet Office head of expenditure shall be reduced by £398,000, with a new row inserted to create a new head of expenditure entitled “Jersey Public Services Ombudsperson”, with a proposed expenditure budget of £398,000”.

- ix. to approve the estimated income, being estimated gross income less expenditure, that each States trading operation will pay into its trading fund in 2026 in line with Article 9(2)(h) of the Law and set out in Appendix 2 – Summary Table 6 to the Report.
- x. to approve the proposed amount to be appropriated from each States trading operation's trading fund for 2026 for each head of expenditure in line with Article 9(2)(i) of the Law and set out in Appendix 2 – Summary Table 7 to the Report.
- xi. to approve the estimated income and expenditure proposals for the Climate Emergency Fund for 2026 as set out in Appendix 2 – Summary Table 8 to the Report.
- xii. to approve, in accordance with Article 9(1) of the Law, the Government Plan 2026-2029, as set in the Appendix to the accompanying Report, except that, on page 42, immediately after Table 9, there should be inserted the following new paragraph –

“A new head of expenditure for the establishment of a Jersey Public Services Ombudsperson, totalling £398,000, has been created to ensure that this budget should not be used for any other States' purpose than the Jersey Public Services Ombudsperson, to ensure that this undertaking is incorporated into the workstream of any new Government and funded accordingly.”

REPORT

The purpose of this Amendment to the Proposed Budget (Government Plan) 2026-2029 (hereafter the “Budget”) is to:

- Create a new head of expenditure for the Jersey Public Services Ombudsperson (hereafter the “Ombudsperson”).
- Ring-fence funds in the Budget for the purpose of establishing an Ombudsperson.
- Ensure that previous decisions of the States Assembly, including to establish an Ombudsperson and to bring forward detailed proposals for the establishment of an Ombudsperson in 2025, are reflected in this Budget.

Rationale for the Amendment

The Corporate Services Scrutiny Panel (hereafter “the Panel”) has decided to bring this Amendment to the Budget to specifically earmark funding within the Budget to establish an Ombudsperson in Jersey. The Panel is concerned that if funding is not ring-fenced within the Budget for the purpose of establishing an Ombudsperson the funding could be used for other purposes and that the Ombudsperson workstream will not progress.

Furthermore, the Panel is also concerned that following a previous decision of the States Assembly to accept the Panel’s 2024 Amendment [[P.51 Amd.\(4\)](#)] to the Proposed Budget (Government Plan) 2025-2028 (hereafter the “Previous Budget”), to ensure that detailed proposals for an Ombudsperson are brought forward in 2025, that these proposals are absent from the Budget. The Panel’s Amendment to the Previous Budget provided that:

“The establishment of a Public Services Ombudsperson, as approved in principle by the States Assembly in March 2018 [P.32/2018] and progressed by the preceding Government, remains under review by the Council of Ministers. The Complaints Panel is itself conducting a review of its own procedures and processes. In July 2024, the Jersey Law Commission published a report entitled “Keeping the Complaints Panel or creating the Ombudsperson”, which worked through the different choices about the basic design of Jersey’s independent complaints handling body with the aim of taking an informed decision as to whether to keep a reformed Complaints Panel or go forward with the Ombudsperson. Subsequent to that report, a consultation paper was published. The Council of Ministers will fully consider the consultation results published by the Jersey Law Commission and Complaints Panel respectively when considering the appropriate way forward. Detailed proposals will be brought forward in 2025 for States Assembly approval and also detailed in the successive Government Plan.”

This Amendment therefore seeks to ensure that funding for the Ombudsperson workstream is specifically earmarked for this purpose in this Budget.

Background and Context

The requirement for establishing an Ombudsperson has been recognised through multiple pathways to date, including via the [Clothier Report](#) in 2000 and was further supported in 2017 by the Independent [Jersey Care Inquiry](#) and the [Jersey Law Commission](#). In March 2018, through [P.32/2018](#), it was proposed that Jersey's existing complaints handling mechanism, the Complaints Panel, established under the [Administrative Decisions \(Review\) \(Jersey\) Law 1982](#), be replaced with an Ombudsperson. The States Assembly voted in favour of the proposals in principle.

The preceding Government progressed this workstream and a commitment was made at that time to establish an Ombudsperson as part of the 100 Days Action Plan commencing in 2022 [[R.139-2022](#)], which included a [Ministerial Decision](#) on 18th October 2022 to approve drafting instructions to request new legislation to establish an Ombudsperson.

In August 2023, the previous Panel received an update on the progress of the workstream and was agreeable to establishing an Ombudsperson in shadow form to ensure that necessary preparations to create the Office of an Ombudsperson, prior to the enactment of the legislation, could commence¹. A further [update](#) was received within the Delivery Plan Progress Report in December 2023, noting a delay in progressing the workstream. However, the intention was noted for the draft Law to be lodged for debate in the States Assembly in Quarter One 2024. An agreement by the States Employment Board not to establish an Ombudsperson in shadow form in advance of the legislation being enacted as previously intended was also noted at that time.

The Panel continued to monitor the progress of the Ombudsperson workstream throughout 2024, including through correspondence with the Chief Minister in [March](#) and [April 2024](#) which stated that the Ombudsperson workstream remained under consideration. During a [Quarterly Public Hearing](#) on 7th June 2024, the Chief Minister made a commitment that should the Council of Ministers seek to change a States Assembly decision regarding the Ombudsperson workstream, such changes would be brought back to the States Assembly for debate.

A further review and consultation was undertaken by the Jersey Law Commission, and in July 2024 the Jersey Law Commission published a [report](#) entitled *"Keeping the Complaints Panel or creating the Ombudsperson"*, which worked through the different choices about the basic design of Jersey's independent complaints handling body with the aim of taking an informed decision as to whether to keep a reformed Complaints Panel or go forward with the Ombudsperson. The Panel referenced this within its amendment to the previous Budget and asked the Council of Ministers to consider this work when deciding how to progress this workstream.

During its review of the Previous Budget, the Panel highlighted that *"no reference or allocation of funding was made"* to the Ombudsperson workstream in the Previous Budget². In a [response](#) to follow-up correspondence requesting a further update on the progress of the Ombudsperson workstream, the Chief Minister responded that work was underway to consider the best approach for improving complaints handling, with a view to this work being completed in early 2025.

¹ [Private Briefing – Jersey Public Services Ombudsman – 15th August 2023](#)

² [Amendment P.51 Amd.\(4\) – Proposed Budget \(Government Plan\) 2025-2028 – 7th November 2024](#)

The Panel also questioned the absence of any funding proposals or narrative related to the Ombudsperson workstream within the Previous Budget, during a [Quarterly Hearing](#) with the Chief Minister on 20th September 2024. It was advised that work was underway to develop a final-stage complaint handling mechanism, and that a working group was considering how to improve the existing States of Jersey Complaints Panel's processes.

The Panel decided to lodge an [Amendment](#) to the Previous Budget which sought to ensure that detailed proposals for the Ombudsperson workstream would be brought forward in 2025, for States Assembly consideration and approval in this Budget. This Amendment was accepted by the States Assembly when it approved the Previous Budget.

Current Status

The Panel has monitored and questioned the Government's work to establish an Ombudsperson throughout 2025, including through a briefing as well as correspondence and Public Hearings.

On 11th October 2024, a [Ministerial Decision](#) was signed which commissioned the Assistant Minister for Sustainable Economic Development to lead the next phase of a project to deliver a final stage complaints handling mechanism. The Panel notes that the 2025 [Business Plan](#) for the Cabinet Office includes a workstream entitled "complaints handling" which would "*Develop final proposals for a final stage complaint handling system*" by Quarter 3 of 2025.

On 26th March 2025 the Panel received a private update briefing on the feedback to the Ombudsperson [public services consultation](#) from the Assistant Minister for Sustainable Economic Development. The public services consultation ran from 10th March 2025 until 6th June 2025.

During its review of the Budget, the Panel requested a progress update on the Ombudsperson workstream in correspondence dated 23rd September 2025. In a [response](#) dated 6th October 2025, the Chief Minister confirmed that £398,000 was allocated to the Ombudsperson workstream in 2026, and that this "*...is recurring funding and falls under the Cabinet Office budget*". Furthermore, the Chief Minister informed the Panel that:

"Having considered proposals for an Ombudsperson on 16th September, the Council of Ministers has now commissioned a financial assessment – including a cost benefit analysis – which will be examined before a final decision is taken. If agreed, it would be possible for proposals to be lodged before the end of this year. Finalised proposals will be provided to the Panel accordingly".

However, the Panel remain concerned as no reference or specific allocation of funding to the Ombudsperson workstream is made in the Budget, and that it is not clear that the £398,000 from the Cabinet Office budget as referenced in the Chief Minister's response, will be used specifically to progress the Ombudsperson workstream.

At a [Budget Review Hearing](#) with the Chief Minister on 10th October 2025, the Panel highlighted its Amendment to the previous Budget and questioned the absence of the Ombudsperson proposals within the current Budget. The Panel was informed that the Chief Executive Officer and Government Officers had been tasked to produce "*some*

more detailed costings” and that the results of this work would be considered by the Council of Ministers at the “end of October”. The Panel asked the following of the Chief Minister:

The Connétable of St. Mary:

“...My question is about the public sector ombudsman if I may. In accordance with this panel's amendment to the 2025 budget, which was accepted by the Assembly, proposals for an ombudsman or otherwise should have been brought forward in the budget to 2026-29. This has not happened. Neither has funding been specifically allocated for this. Perhaps you could explain the rationale for this”.

The Chief Minister:

“So we did carry forward the £398,000 budget that was anticipated originally by the previous Government. So that stayed in the budget. As you know, Deputy Scott has presented her findings and recommendations to the Council of Ministers in September. At the meeting before last when it was considered, the Council of Ministers asked the Chief Executive Officer and officials to come back with some more detailed costings and that is what we are expecting to get back at the meeting after that, end of October, is it? So we are waiting for that and then we will make a decision.”

However, the Panel sought further clarification about the funding referenced in the Chief Minister’s response dated 6th October 2025, which highlighted that £398,000 was made available for the Ombudsperson workstream in 2026, and wished to confirm whether this funding was ring-fenced for this purpose. The Panel learned that whilst £398,000 has been ring-fenced “in the Cabinet Office”, the total funding allocated to the Ombudsperson workstream was reduced by £50,000, due to funding which was provided and continues to be provided per annum to the States of Jersey Complaints Panel “as and until the future of that has been determined”:

The Connétable of St. Mary:

“Okay. In correspondence, particularly a letter of 6th October, you noted that just short of £400,000 in the budget was accounted for this budget. Is this funding ring-fenced for this particular purpose?”

The Chief Minister:

“Yes, in the Cabinet Office”.

Chief Officer, Cabinet Office:

“It is an underspend in the Cabinet Office. £50,000 of that was given and continues to be given per annum to the Complaints Panel as and until the future of that has been determined”.

Whilst the Chief Minister confirmed that £398,000 of funding is available for the Ombudsperson workstream in 2026, the clarification that this is reduced by £50,000 to support the States of Jersey Complaints Panel, demonstrates that it is not clear how much funding will be allocated by Government to progress this work.

Conclusion

The Panel acknowledges that further consideration by Government is to be given to the Ombudsperson workstream by end of October 2025 that includes a review of the associated detailed costings. However the Panel believes that the funding commitment of £398,000 to the Ombudsperson workstream should be specifically ring-fenced within the Cabinet Office budget to ensure that this workstream progresses with the aim of establishing an Ombudsperson for Jersey.

The Panel are concerned that it is not currently clear that funding within the Cabinet Office budget will be spent on the establishment of an Ombudsperson, and the clarification from Government that this amount will be reduced by £50,000 to support the States of Jersey Complaints Panel is an example of this.

Furthermore, the Panel are concerned that despite previous decisions of the States Assembly to request that Government establishes an Ombudsperson, and ring-fences funding within the Budget for this purpose, it is still the case that narrative and funding references to the Ombudsperson workstream are absent from the Budget.

The Panel notes that a significant amount of work to review the merits or otherwise of establishing an Ombudsperson for Jersey has been undertaken since 2000 and believes that sufficient evidence is available to inform a decision on whether to progress the workstream.

The Panel's Amendment aims to ensure that the funding for the Ombudsman of £398,000, as referenced by the Chief Minister in correspondence dated 6th October 2025, is specifically earmarked for this purpose within the Budget.

The Panel urges the Chief Minister and the States Assembly to support this Amendment.

Financial and staffing implications

The Panel is of the view that the Amendment would not incur additional financial and staffing implications. The Amendment aligns with previously set ambitions of the States Assembly and within the existing priorities of the Chief Minister to determine the appropriate way forward in respect of establishing an Ombudsperson.

Children's Rights Impact Assessment

A Children's Rights Impact Assessment (CRIA) has been prepared in relation to this proposition and is available to read on the States Assembly website.