

## Agenda – Finance Committee

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Meeting Venue: Hybrid – Committee  
room 3, Senedd and video conference  
via Zoom

For further information contact:

Owain Roberts

Committee Clerk

Meeting date: 30 April 2025

0300 200 6388

Meeting time: 09.30

[SeneddFinance@senedd.wales](mailto:SeneddFinance@senedd.wales)

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- 1 **Introduction, apologies, substitutions and declarations of interest**  
(09.30)
- 2 **Paper(s) to note**  
(09.30) (Pages 1 – 5)  
Minutes of the meetings held on 20 February and 12 March.
  - 2.1 **PTN 1 – Letter from the Senedd Commission: Update to recommendations made in the Committee's report on the Scrutiny of the Senedd Commission Draft Budget 2025–26 – 24 March 2025**  
(Pages 6 – 14)
  - 2.2 **PTN 2 – Visitor Accommodation (Register and Levy) Etc. (Wales) Bill: Welsh Government response to the Committee's Stage 1 report recommendations – 28 March 2025**  
(Pages 15 – 24)
  - 2.3 **PTN 3 – Letter from the Electoral Commission: Timing of estimate – 28 March 2025**  
(Pages 25 – 26)
  - 2.4 **PTN 4 – Letter from the Deputy First Minister on the Disused Mine and Quarry Tips (Wales) Bill: Logic models and the theory of change – 31 March 2025**  
(Pages 27 – 28)
  - 2.5 **PTN 5 – Letter from the Cabinet Secretary for Health and Social Care: Handling of complaints about NHS Wales – 4 April 2025**  
(Pages 29 – 30)



- 2.6 PTN 6 – Letter from the Cabinet Secretary for Economy, Energy and Planning: Tourism Inter-Ministerial Group – 9 April 2025**  
(Page 31)
- 2.7 PTN 7 – Visitor Accommodation (Register and Levy) Etc. (Wales) Bill: Welsh Government response to the Legislation, Justice and Constitution Committee's Stage 1 report recommendations – 10 April 2025**  
(Pages 32 – 41)
- 2.8 PTN 8 – Letter from the UK Statistics Authority: Quarterly growth data for Wales – 17 April 2025**  
(Page 42)
- 2.9 PTN 9 – Letter from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs: Inter-Ministerial Standing Committee – 22 April 2025**  
(Pages 43 – 44)
- 2.10 PTN 10 – Letter from the Cabinet Secretary for Finance and Welsh Language: Publication of the Welsh Government's First Supplementary Budget 2025–26 – 23 April 2025**  
(Pages 45 – 46)
- 3 Post-legislative review of the Public Services Ombudsman (Wales) Act 2019: Evidence session 1**  
(09.30 – 10.30) (Pages 47 – 172)  
Michelle Morris, Public Services Ombudsman for Wales  
Katrin Shaw, Chief Legal Adviser and Director of Investigations
- 4 Motion under Standing Order 17.42 (ix) to resolve to exclude the public from the remainder of this meeting.**  
(10.30)
- 5 Post-legislative review of the Public Services Ombudsman (Wales) Act 2019: Consideration of evidence**  
(10.30 – 10.45)

- 6 Visitor Accommodation (Register and Levy) Etc. (Wales) Bill: Order of consideration for Stage 2 proceedings**  
(10.45 – 11.00) (Pages 173 – 177)
- 7 Welsh Government Draft Budget 2026–27: Update on engagement activities**  
(11.00 – 11.15) (Pages 178 – 188)
- 8 Consideration of Forward Work Programme**  
(11.15 – 11.30) (Pages 189 – 204)
- 9 Interparliamentary Finance Committee Forum: Update**  
(11.30 – 11.45) (Pages 205 – 206)

## Concise Minutes – Finance Committee

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Meeting Venue: **Hybrid – Committee room 5 Tŷ Hywel and video conference via Zoom**

This meeting can be viewed on [Senedd TV](#) at:

<http://senedd.tv/en/15058>

Meeting date: Thursday, 20 February 2025

Meeting time: 09.30 – 11.01

## Hybrid

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### Attendance

Category	Names
Members of the Senedd:	Peredur Owen Griffiths MS (Chair) Mike Hedges MS Rhianon Passmore MS Sam Rowlands MS
Witnesses:	Huw Irranca-Davies MS, Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, Welsh Government Chris Jones, Deputy Director, Mining Legacy and Reservoir Safety, Welsh Government Kelly Murphy, Head of Implementation, Supervisory Authority Implementation Team, Welsh Government
Committee Staff:	Owain Roberts (Clerk) Sian Giddins (Second Clerk) Mike Lewis (Deputy Clerk) Peter Davies (Researcher)



## **Registration**

### **Private pre-meeting**

#### **1 Introductions, apologies, substitutions and declarations of interest**

1.1 The Chair issued a statement.

1.2 The Chair welcomed Members to the meeting of the Finance Committee.

#### **2 Paper(s) to note**

2.1 The papers were noted.

2.1 PTN 1 – Response from the Office for Budget Responsibility to recommendations included in the Finance Committee's report on the Scrutiny of the Welsh Government Draft Budget 2025–26 – 6 February 2025

2.2 PTN 2 – Letter from the Cabinet Secretary for Finance and Welsh Language: Update on the Welsh Government's budget timetable – 10 February 2025

2.3 PTN 3 – Letter from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs to the Legislation, Justice and Constitution Committee: Inter-Ministerial Standing Committee (IMSC) – 13 February 2025

PTN 4 – Letter from the Chief Secretary to the Treasury to Interparliamentary Finance Committee Forum: HM Treasury Engagement with the Interparliamentary Finance Committee Forum – 12 February 2025

### **3 Financial implications of the Disused Mine and Quarry Tips (Wales) Bill: Evidence session**

3.1 The Committee took evidence on the financial implications of the Disused Mine and Quarry Tips (Wales) Bill from Huw Irranca–Davies MS, Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, Welsh Government; Chris Jones, Deputy Director, Mining Legacy and Reservoir Safety, Welsh Government; and Kelly Murphy, Head of Implementation, Supervisory Authority Implementation Team, Welsh Government.

### **4 Motion under Standing Order 17.42 (ix) to resolve to exclude the public from the remainder of this meeting**

4.1 The motion was agreed.

### **5 Financial implications of the Disused Mine and Quarry Tips (Wales) Bill: Consideration of evidence**

5.1 The Committee considered the evidence received.

### **6 Business Committee Review of Public Bill and Member Bill processes**

6.1 The Committee considered the paper on the Business Committee Review of Public Bill and Member Bill processes, and the letter from the Llywydd and agreed to consider the matter again at a future meeting.

# Concise Minutes – Finance Committee

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Meeting Venue: Hybrid – Committee  
room 3, Senedd and video conference  
via Zoom

Meeting date: Wednesday, 12 March  
2025

Meeting time: 09.30 – 11.44

## Hybrid, Private

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### Attendance

Category	Names
Members of the Senedd:	Peredur Owen Griffiths MS (Chair) Mike Hedges MS Rhianon Passmore MS Sam Rowlands MS
Committee Staff:	Owain Roberts (Clerk) Rachael Davies (Second Clerk) Sian Giddins (Second Clerk) Mike Lewis (Deputy Clerk) Christian Tipples (Researcher) Owen Holzinger (Researcher) Ben Harris (Legal Adviser)



**At its meeting on 6 March 2025, the Committee agreed a motion under Standing Order 17.42(ix) to exclude the public from today's meeting.**

## **Registration**

### **1 Introductions, apologies, substitutions and declarations of interest**

1.1 The Chair welcomed Members to the meeting of the Finance Committee.

### **2 Visitor Accommodation (Register and Levy) Etc. (Wales) Bill: Consideration of draft report**

2.1 The Committee considered the report and agreed it with minor changes.

### **3 Scrutiny of the Second Supplementary Budget 2024–25: Consideration of draft report**

3.1 The Committee considered the report and agreed it with minor changes.

### **4 Welsh Government Draft Budget 2026–27: Approach to engagement**

4.1 The Committee considered the paper on the approach to engagement in relation to the Draft Budget 2026–27 and agreed the actions included within the paper.

### **5 Consideration of Forward Work Programme**

5.1 The Committee considered its Forward Work Programme.

Senedd Cymru  
Welsh Parliament

# Agenda Item 2.1

Peredur Owen Griffiths AS  
Chair of Finance Committee  
Welsh Parliament  
Tŷ Hywel  
Cardiff Bay  
CF99 1SN

24 March 2025

Dear Peredur

I am writing to provide you with the information and updates to the following recommendations as part of the follow up to the Committee's Scrutiny Report of the Commission's Draft Budget 2025-26 as detailed below, including those agreed to be provided to the Committee by the end of this financial year.

- Recommendation 5 – Engagement with Members and Party Groups prior to the publication of the Draft Budget.
- Recommendation 12 – Update on development relating to pay agreements for Commission staff in 2025-26. This also provides for the Recommendations 4 and 5 from the 2024-25 scrutiny report.
- Recommendation 14 – update on plans for Artificial Intelligence software by the beginning of the 2025-26 financial year and setting out the governance arrangements and ethical considerations underpinning its use by Members, support staff and Commission staff.
- Recommendation 16 - planned projects for 2025-26, with estimated allocated funding (**Annex 2**)

As previously provided in relation to 2024-25 plans (Recommendation 11 - Report on Scrutiny of 2024-25 Draft Budget) we attach a 'SENEDD RESTRICTED' Report detailing the Communication and Engagement Plans for the forthcoming financial year (**Annex 3**)

The Commission confirms that the responses to the remaining recommendations will be provided in line with the letter dated 5 November 2024 sent to the Committee.



**Senedd Cymru**  
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The Commission continues to be committed to openness and transparency with the Finance Committee. If you need further information or wish to clarify any of the information provided, please let me know.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Hefin David MS'. The signature is stylized and cursive.

Hefin David MS  
cc Manon Antoniazzi

Croesewir gohebiaeth yn Gymraeg neu Saesneg / We welcome correspondence in Welsh or English

# Annex 1

**Recommendation 5 - The Committee recommends that the Senedd Commission considers formalising its engagement with Members of the Senedd and Party Groups prior to the publication of the Draft Budget for future budget rounds and that sufficient time is provided to ensure that the outcomes of this engagement is able to influence budgetary decision making.**

**Response:**

The Commission will take the views of Members throughout the budget setting process. Its aim is to engage effectively with Members of the Senedd on the Senedd Commission's annual budget. By reflecting diverse perspectives and ensuring robust dialogue, the aim is to create a budget that truly reflects the needs and priorities of the Members and the wider public they represent.

The Medium-Term Resourcing Framework is in the process of being refreshed and will be presented to the Commission in April. Following this, a further budget development paper will be presented in early June, followed by initial engagement with party groups and, as necessary, individual Members.

After the first draft of the budget has been approved in July and detailed work is undertaken by officials during the summer, there will be further engagement with party group leaders, party groups and party chairs during September, prior to the Commission approving the final draft budget later that month.

**Recommendation 12 - The Committee recommends that the Senedd Commission provides updates on developments relating to pay agreements for Commission staff in 2025-26 and, if the pay awards are above the five per cent figure included in the Draft Budget, the Commission provides an explanation of how these payments will be funded.**

**Response:**

Following the Senedd's approval of the Commission's budget for 2025-26 in November 2024 and negotiations with the Trade Unions, the Commission agreed:

- a targeted uplift in pay for the bottom three grades for 2024-25;
- a 5% pay increase for all staff for 2025-26; and
- enhancements to maternity and paternity leave/pay.

### **Targeted Uplift for 2024-25:**

Following the completion of a benchmarking exercise, which identified a pay lag at the lower grades in relation to comparable grades within the Welsh public sector, the Commission agreed a targeted, consolidated uplift in pay for staff in the lower pay bands for 2024-25. This was confirmed following the approval of the supplementary budget on 22 October. The uplift in pay was to be back-dated to 1 April 2024 and was paid to staff in February 2025, following the implementation of the new HR/Payroll system.

### **Pay Award 2025 Onwards:**

The Commission agreed to a 5% uplift for all Commission staff from 1 April 2025, as part of the 2025-26 Commission budget strategy. This is in keeping with both the most recent UK Civil Service Pay Remit recommendation and the recently announced 2024-25 pay award for Welsh civil servants.

The Commission also proposes to return to an index-linked deal for 2026-27 and 2027-28, using the Annual Survey of Hours and Earnings (ASHE) as an index (as per the current pay deal). As part of the ongoing negotiation with Trade Union Side, we will revisit the "cap and collar" arrangements (currently at 3% and 1%). Commission Management Side will seek to negotiate an agreement with Trade Union Side in sufficient time to allow the Commission to plan and agree its budget submission for 2026-27.

### **Enhancements to maternity and paternity leave/pay:**

From 1 January 2025, the Commission staff maternity and paternity leave entitlements will be increased. Maternity leave with full pay will increase from six to nine months and paternity leave with full pay from three to four weeks, with these entitlements applying as from the first day of employment with the Commission (i.e. a day one right, with no qualifying service required).

The Commission will evaluate the impact of the pay award on Commission staff via the next Wellbeing Survey to be conducted in March, and we will provide an update to the Committee by the end of the summer term.

**Recommendation 14 - The Committee recommends that the Senedd Commission provides an update to the Committee on its plans for Artificial Intelligence software by the beginning of the 2025-26 financial year and sets out the governance arrangements and ethical considerations underpinning its use by Members, support staff and Commission staff.**

## **Response:**

A pilot study, started in 2024 aims to assess the potential benefits of using Artificial Intelligence (AI) across the Senedd. The pilot, which will include Members, their Support Staff and the Commission services, will focus on the use of Microsoft's Copilot for Microsoft 365 and Microsoft Teams Premium. It will help to determine if these Generative AI tools can help to enhance productivity, collaboration, and efficiency. The pilot will run up to the end of December 2025 and will inform a decision on broader implementation.

The Executive Board has approved £62,508 from the Commission Project Fund to cover licence costs up to the end of the pilot. Training and support will be provided using a blend of existing internal ICT support, together with Microsoft support services included as part of the licence costs. Licences are purchased on a monthly basis and can be removed from the Senedd account at the end of December if the outcome of the pilot is not to proceed.

## **Governance Arrangements**

The Commission has established two key groups to oversee AI usage:

- AI Governance Group (AIGG) - Chaired by the Head of Legal Service, who is also the Senior Information Risk Owner (SIRO), the AIGG oversees AI governance, sets risk tolerance, and addresses AI-related risks.
- AI Opportunities Group (AIOG) - Chaired by the Director of Communications and Engagement, this group identifies AI opportunities to improve services, adhering to AIGG's guidance during the pilot phase.

## **Ethical Considerations**

The Commission emphasises ethical AI use, adhering to principles such as:

- Compliance with Data Protection legislation, GDPR, and cyber security standards.
- Alignment with the Commission's values of Respect, Passion, and Pride.
- Transparency in AI usage, understanding its limitations, and addressing potential biases and inaccuracies.
- Avoiding over-reliance on AI to preserve skills and critical thinking.
- Proactively managing risks such as privacy concerns, disinformation, and security vulnerabilities.

The Microsoft products used in the trial have an advantage over other Generative AI products available currently, in that they:

- provide document citations that highlight the source of the data used to generate the response,

- they are part of the Senedd's existing Microsoft environment, helping to ensure security and data integrity is maintained and
- they can analyse internal Senedd data as well as publicly available Internet data when producing a response.

### **Member and Staff Involvement**

Members and staff have been invited to participate in this pilot. Licences have also been issued to staff in each Commission service. All participants will be supported by Data Governance and ICT throughout the pilot to help ensure they are able to make best use of the tools. Continual updates and engagement is built into the pilot to ensure effective collaboration and feedback.

The outcomes of the pilot will be assessed and will form the basis of a further report to the Executive Board in the Autumn. This report will help to establish whether a broader permanent implementation is justified.

**Recommendation 16 - The Committee recommends that the Senedd Commission provides a list of planned projects for 2025-26, with estimated allocated funding, before the start of the 2025-26 financial year and for such an approach to be adopted for future budgets.**

### **Response:**

The Portfolio Management Group meets regularly to prioritise which projects should receive funding from the Project Fund. The funding is generally approved in three tranches – the first committing ~70% of the Project Fund, the second two tranches committing the funding remaining in the project fund.

The prioritisation for projects to be delivered in 2025-26 is due to take place on 13 March, from which the first tranche of projects will be identified and the submitted via business case for approval by Executive Board. These projects will be 'mission critical' in nature and the 'must do's' for the Commission. It will include lifecycle projects from the Estates and Facilities Management and ICT Forward Work Plans of rolling replacement / maintenance works as well as projects put forward by service areas to support operational delivery.

Without pre-empting the approval process, projects which may be expected for consideration in the 2025-26 financial year are discussed in **Annex 2**.

## Annex 2

### Senedd Commission Project Fund Schedule 2025-26

At the time of writing, the Commission is finalising its project portfolio for 25-26, which will be completed in April.

The Commission conducts a full prioritisation and portfolio building exercise each year that starts with Executive Board agreeing a Portfolio Strategy prior to the financial year. The strategy sets out its ambition and goals for the project portfolio. Once this is agreed all candidates' projects are prioritised against each other to ensure the overall portfolio aligns with the Executive Board's direction.

Part of the strategy includes a decision on the level of investment for 25-26 – this has been set at £2.25m, as opposed to a £1.3m forecast level of investment last year.

Prioritisation workshops are taking place in March with approval due in April. The Commission will write to the Committee following the conclusion of the exercise setting out the complete project portfolio for 25-26.

Whilst the complete portfolio is not yet set, it is possible to provide the Committee with information on projects that already have a financial commitment agreed in 25-26, or which will be prioritised on the basis of a clear Commission / Senedd direction being set to do so. Such projects are set out below – the projects relating to Senedd Reform and Ways of Working will be funded from the ring-fenced amounts provided in the budget:

- Bay 32 – the project to secure future Senedd accommodation beyond 2032;
- Tŷ Hywel 26 – the project to reconfigure Tŷ Hywel to provide space for additional Members;
- Siambr 26 – the project to decant Plenary into Siambr Hywel and conduct works in the Siambr to expand it to accommodate additional Members;
- Insourcing – activity to progress the Commission's statement of principle that its preference is for services to be delivered in-house;
- People and Remuneration – this project will continue delivery into 25-26 after the successful delivery of the payroll and HR modules in 24-25.
- Customer Relationship Management / Online Engagement Tool project – the project to enhance engagement with the people of Wales through the introduction of a customer management system, and digital tools to allow Committee's engage with the public online;
- Senedd Business Management System (SBMS) replacement – a business critical project to procure a document management system for Senedd Business on the current contract expiring; and
- Co-Pilot – the continuation of the Commission's AI pilot into 25-26.

It is anticipated that the majority of the investment made (outside of the above) will be on critical and essential estates and ICT maintenance and life-cycle projects.

During 25-26 the Commission will administer a small £250K “invest to save” fund as part of the overall £2.25m investment, which projects that are able to demonstrate a positive return on investment can access. This is in line with, and will support, the Medium-Term Resourcing Framework’s emphasis on finding efficiencies and a requirement to report against a Government Efficiency Framework.

Mark Drakeford AS/MS  
Ysgrifennydd y Cabinet dros Gyllid a'r Gymraeg  
Cabinet Secretary for Finance and Welsh Language

## Agenda Item 2.2



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref: MA-MDFWL-0643-25

Peredur Owen Griffiths MS  
Chair  
Finance Committee  
Senedd Cymru  
Cardiff Bay  
Cardiff  
CF99 1SN

28 March 2025

Dear Peredur

Thank you for the Finance Committee Report in relation to the Visitor Accommodation (Register and Levy) Etc. (Wales) Bill, published on 21 March 2025.

I am pleased that the Committee supports the general principles of the Bill. I have set out the Government's response to the Committee's recommendations in the Annex to this letter. I hope that the information attached will help inform your further scrutiny as the Bill progresses through Stage 2.

I am copying this letter to the Chair of the Legislation, Justice and Constitution Committee for information.

Yours sincerely,

**Mark Drakeford AS/MS**  
Ysgrifennydd y Cabinet dros Gyllid a'r Gymraeg  
Cabinet Secretary for Finance and Welsh Language

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

**Pack Page 15**

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

**Annex 1**

**Visitor Accommodation (Register and Levy) Etc. (Wales) Bill**

**Government Response to the recommendations from the Finance Committee Report**

Recommendation	Response	Comments
<p><b>Recommendation 1:</b> The Committee recommends that the Senedd, taking into account the recommendations in this report, agrees the general principles of the Visitor Accommodation (Register and Levy) Etc. (Wales) Bill. Sam Rowlands MS does not support this recommendation.</p>	<p>Accept</p>	<p>Thank you for supporting the general principles of the Bill.</p>
<p><b>Recommendation 2:</b> The Committee recommends that the Welsh Government amends the Bill at Stage 2 to commit to undertaking and publishing a review of the operation and effect of the whole Act no later than four years after Part 2 of the Act comes into force.</p>	<p>Accept in principle</p>	<p>We agree with the principle of reviewing the entire Act at an appropriate time in the future. This would be a sensible exercise to undertake. We will consider the most appropriate vehicle and timings to do this, and whether it would be pertinent to deal with this via an amendment to the Bill during Stage 2.</p> <p>It is important to consider the implications for the Welsh Ministers in a future government and provide the flexibility to them to determine the parameters and timings for any review.</p> <p>For any review to be undertaken, it would depend on an appropriate amount of evidence being gathered to inform findings.</p>

**Annex 1**

<b>Recommendation</b>	<b>Response</b>	<b>Comments</b>
<p><b>Recommendation 3:</b> The Committee recommends that guidance for Visitor Accommodation Providers produced by the Welsh Government or the Welsh Revenue Authority is:</p> <ul style="list-style-type: none"> <li>▪ appropriately targeted to both professional and non-professional users; and</li> <li>▪ clarifies the applicability of the registration requirements and levy proposals to the individual circumstances notified to the Committee by contributors to our scrutiny of the Bill.</li> </ul>	<p>Accept</p>	<p>The Welsh Revenue Authority (WRA) has developed an excellent reputation since its inception of delivering quality customer services, supporting and educating taxpayers. They will apply this ethos and values to all individuals who may interact with its services both now and in the future.</p> <p>Both the WRA and the Welsh Government are committed to ensuring that providers of visitor accommodation are aware of their duties and have access to guidance and support.</p>
<p><b>Recommendation 4:</b> The Committee recommends that, in advance of the Stage 1 debate, the Welsh Government should provide more detail to the Senedd on its policy intentions for the forthcoming statutory licensing Bill, together with an indication of the timescales for implementation should such a Bill be passed by the Senedd.</p>	<p>Accept</p>	<p>The First Minister will provide an update on the remainder of the legislative programme for this Senedd after Easter. We remain committed to bringing forward a bill to introduce licensing for visitor accommodation in Wales, as we set out in the Co-operation Agreement with Plaid Cymru, under which providers of visitor accommodation will have to be licensed to be able to operate.</p> <p>The licensing scheme will focus on safety, to reinforce confidence in visitors that accommodation in Wales is safe and providers are meeting the standards people expect. We will make the scheme simple and straightforward for businesses. Initially, we're proposing to focus on providers of self-catering accommodation referred to as 'short term lets'. However, we are still working through the legal detail of the bill and considering how best to give effect to these proposals in law. The Senedd will have the opportunity to consider those proposals in detail when we bring forward the bill later this year.</p>

Annex 1

Recommendation	Response	Comments
		<p>Given the interaction between registration and licensing, we would expect the implementation of licensing to follow the rollout of registration. However, we will continue to develop implementation plans as the detail of the Bill is finalised.</p>
<p><b>Recommendation 5:</b> The Committee recommends that the Welsh Government should bring forward an amendment to the Bill at Stage 2 to commit to publishing periodic reports analysing data collected from the register of visitor accommodation providers. Such a report should include an analysis of trends in the number and types of providers and accommodation across local authorities year-on-year</p>	<p>Accept in principle</p>	<p>Welsh Government already publishes regular research about the visitor accommodation sector in Wales without the need for a statutory requirement.</p> <p>We can commit that Welsh Government will publish research and analysis on a regular basis using information derived from the register.</p> <p>We are committed to open data and transparency. However, we will not bring forward an amendment to enshrine this in legislation.</p>
<p><b>Recommendation 6:</b> The Committee recommends that the Welsh Government, working with the Welsh Revenue Authority and relevant stakeholders, provides regular updates to the Senedd on the development of the Welsh Revenue Authority’s approach to compliance and enforcement under the Bill, including any steps being taken to ensure that compliance and enforcement activity is proportionate to the nature and size of the visitor accommodation provider.</p>	<p>Accept</p>	<p>We will provide regular updates to the Senedd on the development of WRA’s approach to administering the visitor levy and the national registration service. In addition, the WRA will be able to give direct evidence to the Finance Committee when called upon and at their regular scrutiny sessions.</p> <p>The WRA publishes a Corporate Plan and Annual Report which are both laid before the Senedd. This will provide opportunity for the Senedd to consider the WRA’s approach to compliance and enforcement under the Bill.</p> <p>Per the committee’s prior recommendation 2, a more comprehensive assessment could also be conducted at an appropriate time in the future once a suitable level of evidence has been gathered – in which the remit of this</p>

Annex 1

Recommendation	Response	Comments
		assessment could include the efficacy of the compliance and enforcement provisions.
<p><b>Recommendation 7:</b> The Committee recommends that the Cabinet Secretary should, in advance of the Stage 1 debate and in light of the comments received by the Committee, update the Senedd as to whether he remains of the view that 31 days is the appropriate maximum period for which stays in visitor accommodation in Wales should be subject to the levy.</p>	Accept	<p>We have considered the comments of the Committee and remain of the view that 31 days is the appropriate period. Those that can afford to stay for longer will be contributing for each night they stay. The levy is a small contribution to the local area, and I remain unconvinced that this would be a determining factor in someone staying additional nights or not.</p> <p>The 31 days rule is to distinguish between visitors and those who may be in the area for a prolonged period for work or other purposes and are more akin to residents.</p>
<p><b>Recommendation 8:</b> The Committee recommends that the Cabinet Secretary takes proactive steps to provide appropriate support to smaller visitor accommodation providers once the Bill comes into force.</p>	Accept	<p>We are committed to supporting all visitor accommodation providers and recognise smaller businesses may need extra guidance and support to implement the Bill.</p> <p>The Welsh Revenue Authority will work collaboratively to engage and educate, working with our partners to support the sector as a whole and ensure the success of the policy.</p> <p>More details on this engagement will be provided in the future.</p>
<p><b>Recommendation 9:</b> The Committee recommends that the Welsh Government should, in advance of the Stage 1 debate, provide more details about its proposals to strengthen the provisions of the Bill relating to the introduction of a premium.</p>	Accept in principle	<p>We recognise that there were competing views the committee heard in regard to a power for principal councils to levy an additional amount according to their local circumstances.</p>

Annex 1

Recommendation	Response	Comments
		<p>We recognise that this will be a new local levy, and it will be a change for everyone involved. We want to take a considered and evidence-based approach to future changes to the levy. That is why we will be introducing an additional regulation-making power at stage 2 which will allow further time to develop proposals, in collaboration with our stakeholders, which will permit principal councils to levy an additional amount.</p> <p>The Senedd and its committees will have the usual opportunities to scrutinise all regulations laid under the Bill. Those scrutiny procedures mean that there is no need for unprecedented statutory requirements to consult the Senedd and its committees before making and laying regulations.</p>
<p><b>Recommendation 10:</b> The Committee recommends that the Welsh Government commits to considering alternative approaches to the charging of premiums in the context of the visitor levy as part of any future assessment of the operation and effect of the Act.</p>	<p>Accept</p>	<p>We intend to amend the premiums provisions in the Bill at stage 2 so that they first require enabling regulations to be laid before an additional amount can be levied by a principal council.</p> <p>This will allow us time to consider the impact of the visitor levy at a local and national level, before implementing further changes. We anticipate this approach will allow sufficient time for the successful implementation of the levy before making any policy adjustments.</p>
<p><b>Recommendation 11:</b> The Committee recommends that, in advance of the Stage 1 debate, the Welsh Government should provide the Senedd with a summary of any analysis carried out regarding the potential exemption from the levy in relation to:</p>	<p>Accept</p>	<p>If implemented throughout Wales, a visitor levy could raise up to £33.3 million per year in revenue. Details of this estimate are included in the Explanatory Memorandum published alongside the Visitor Accommodation (Register and Levy) Etc. (Wales) Bill.</p>

Annex 1

Recommendation	Response	Comments
<ul style="list-style-type: none"> <li>▪ under-16s,</li> <li>▪ educational trips, and</li> <li>▪ bodies with charitable status</li> </ul>		<p>Official surveys of domestic travel do not directly sample under-16s, though adjustments are made to account for them. Similarly, data on international travellers under 16 in Wales are not readily available.</p> <p>Due to a lack of age-specific data on nights spent in Wales by domestic and international travellers, the Welsh Government has based its analysis of potentially exempting under-16s on more recent domestic travel data. In 2022, it was estimated that 36% of trips taken in Wales by domestic visitors included children under 16 in the travel party. In the absence of similar information for international travellers, the same share has been assumed for international visitors. If under-16s were therefore exempt, up to 36% of nights spent in Wales could potentially be excluded from the tax base, reducing the estimated revenue from the levy from £33.3 million to £21.3 million per year.</p> <p>Due to limited data, no estimate has been produced for exempting educational trips or charitable bodies from the levy. I recognise the limitations in the data and will write with more information as more information becomes available. I also plan to publish a revised Explanatory Memorandum before Stage 3 proceedings</p>
<p><b>Recommendation 12:</b> The Committee recommends that, in advance of the Stage 1 debate, the Welsh Government should review its approach to the 30-day deadline for the filing of returns, and provide an</p>	<p>Accept</p>	<p>We have considered this issue, and remain of the view that one month is the correct period. The levy has been designed to be straightforward and easy to understand. The returns and payment process will be designed with users in</p>

Annex 1

Recommendation	Response	Comments
<p>update to the Senedd on whether it remains of the view that the proposed timescale is appropriate.</p>		<p>mind. Most providers will only be submitting a return once per year.</p> <p>We know some charities were concerned about the reporting periods; however, the type of information that will be required on a return will be limited in nature.</p> <p>We understand this will be a new process for many providers, but there will be advice and assistance to support providers along the way.</p>
<p><b>Recommendation 13:</b> The Committee recommends that the Welsh Government should bring forward amendments at Stage 2 requiring principal councils wishing to introduce the levy to establish a Visitor Forum in line with the approach taken in the Visitor Levy (Scotland) Act 2024, and that:</p> <ul style="list-style-type: none"> <li>• membership of the forum should include businesses engaged in tourism, tourist organisations in the principal council’s area and other relevant local bodies;</li> <li>• principal councils must have regard to any recommendations made by the Visitor Forum when deciding on the use of proceeds of the levy</li> </ul>	<p>Accept</p>	<p>We will bring forward amendments at Stage 2 to ensure that there are effective partnership arrangements between principal councils, businesses and local communities in deciding how best to allocate visitor levy revenues.</p>
<p><b>Recommendation 14:</b> The Welsh Government should set out its plans for further work in relation to section 40 and should keep this Committee informed of subsequent discussions.</p>	<p>Accept</p>	<p>We will give further consideration as to the engagement and consultation to undertake in relation to this power in due course.</p>

Annex 1

Recommendation	Response	Comments
<p><b>Recommendation 15:</b> The Committee recommends that the Cabinet Secretary provides an update on discussions held between the Welsh Government and local authorities on additional ongoing costs associated with introducing the visitor levy and that these changes are made to the Regulatory Impact Assessment after Stage 2.</p>	<p>Accept</p>	<p>Officials met with the WLGA on 13 February 2025 to discuss the costs in the EMRIA. We are working with the WLGA to arrange a forum with local authorities where we can review the costs amongst other items like the development of guidance. Following that meeting, we will continue to work in partnership with principal councils to ensure all potential costs are adequately reflected in the Bill.</p> <p>We will update the EMRIA ahead of Stage 3 with any revisions to the identified costs.</p>
<p><b>Recommendation 16:</b> The Committee recommends that the Cabinet Secretary works with the Welsh Revenue Authority to assess:</p> <ul style="list-style-type: none"> <li>- the variabilities relating to the administrative costs the Welsh Revenue Authority will incur during the implementation of the Bill,</li> <li>- whether the Welsh Revenue Authority has sufficient capacity to deal with its additional responsibilities under the Bill.</li> </ul> <p>and reports back to the Committee with details of those findings.</p>	<p>Accept in principle</p>	<p>We have an ongoing well-established relationship with the WRA and are assured that the WRA are well placed to deliver their additional responsibilities through the Bill.</p> <p>The WRA supported the development and assessment of administrative costs which are presented in the EMRIA (in section 8.5). As the Bill progresses through Stage 2, an updated EMRIA will be prepared to account for the impacts of any amendments to the Bill, in collaboration with the WRA. We can write to the Committee on its publication ahead of Stage 3, highlighting where the relevant estimations are set out.</p> <p>There is an annual budget process through which WRA will articulate their spending requirements. That process will allow us an ongoing opportunity to evaluate the level of resources that the WRA needs to discharge its duties effectively.</p>
<p><b>Recommendation 17:</b> The Committee recommends that the Cabinet Secretary explains the medium to</p>	<p>Accept</p>	<p>We will write to the Committee with further explanation as to our proposed approach. We will look to use regulations to</p>

**Annex 1**

<b>Recommendation</b>	<b>Response</b>	<b>Comments</b>
long-term funding model it will use to cover the additional administrative costs falling on the Welsh Revenue Authority as a result of the Bill and that the Regulatory Impact Assessment is updated with these details after Stage 2.		establish that operating costs deducted will be up to a maximum percentage of revenues collected in each principal council area. We will update the EMRIA after Stage 2 with details of this approach.

Peredur Owen Griffiths, MS  
 Chair, Finance Committee  
 Senedd Cymru  
 Cardiff Bay  
 CF99 1SN

## Agenda Item 2.3

28 March 2025

Dear Peredur

As part of the Llywydd's Committee's scrutiny of the Electoral Commission's Main Estimate for Wales in 2025/26 we discussed the timing and alignment of the submission process to our three funding bodies, the UK Parliament, the Scottish Parliament Corporate Body and the Senedd.

The Committee in its [report on our 2025/26 estimate](#), said it was *“sympathetic to the challenges posed by the timing of the UK and Welsh Government Budgets and the impact this has on all Directly Funded Bodies to provide their Estimates by the statutory deadline. The Senedd's Finance Committee is currently conducting a review of the Budget Process Protocol in consultation with the Cabinet Secretary for Finance and Welsh Language, and we would urge the Commission to put forward its views on this matter.”*

You also suggested in our informal meeting of 19 February that we write to you, in your capacity as Chair of the Finance Committee on this issue.

As discussed previously, the Commission has a statutory obligation to present its estimate to the Llywydd's Committee (and to the Scottish Parliament) on its relevant devolved work by 30 September each year. This is six months before the end of the financial year, as outlined in the Senedd and Elections (Wales) Act 2020. This is significantly earlier than the deadline for submission of the UK Main Estimate which is provided to the Speaker's Committee of the UK Parliament around February/March in the year following the estimate submission in Wales. This poses a number of challenges to the Commission, including the following:

### **General lack of alignment and its impact on accurate financial planning / processes**

Internal discussions about budget requirements must start taking place around May in order for us to have sufficient time to build these into our costing model and present the resulting estimate to the Llywydd's Committee for approval by 30 September. Similar discussions then take place later in the summer on UK Parliament budget requirements.

Establishing budget requirements, and providing accurate current-year forecasts, (as requested by the Llywydd's Committee) a year in advance of the budget request year is particularly challenging. There is a high risk that circumstances will change between May, when the internal discussion process starts for the Wales estimate and February, the following year, when we finalise the UK Parliament's estimate – possibly making the Llywydd's Committee's voice in the process less impactful.

### **Difficulty in accurately planning for elections over 18 months away**

Operational planning this far ahead will tend to be reasonably high-level and subject to change, and so financial forecasting will typically involve high inherent levels of uncertainty.

### **Consistency across Parliaments given cost apportionment**

As the estimate figures for Wales and Scotland are allocated from that of the UK, presenting the estimates at the same time would ensure consistency in approach.

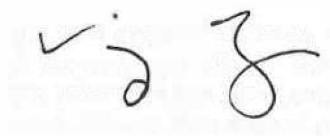
**Inefficiency (and cost) of carrying out multiple budgeting processes**

As noted above, we effectively have to carry out two budget exercises ahead of the following Financial Year, largely replicating the same process and effort. In our view it would be considerably more efficient to run a single budget-setting process.

We would be keen to work with you, as part of the Finance Committee's review, to explore how the deadlines could be amended so that the estimates, are prepared and submitted at the same time to each Parliament, or at least that the gap between submissions is reduced. This should not only assist the Commission in preparing accurate submissions but should also be beneficial to the Llywydd's Committee and other relevant Committees in ensuring consistent and coordinated scrutiny of what is submitted across the three Parliaments.

We welcome your engagement on this matter and look forward to hearing from you again shortly.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Vijay Rangarajan', is positioned above a light grey rectangular box.

Vijay Rangarajan  
Chief Executive and Accounting Officer

Huw Irranca-Davies AS/MS  
 Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros  
 Newid Hinsawdd a Materion Gwledig  
 Deputy First Minister and Cabinet Secretary for Climate  
 Change and Rural Affairs

Agenda Item 2/4  


Llywodraeth Cymru  
 Welsh Government

Eich cyf/Our ref: PO/HIDCC/0131/25

Peredur Owen Griffiths MS  
 Chair  
 Finance Committee  
 Welsh Parliament  
 Cardiff Bay  
 Cardiff  
 CF99 1SN

31 March 2025

Dear Peredur,

During the scrutiny session on 20 February 2025 on the Disused Mine and Quarry Tips (Wales) Bill, I offered to provide you with information about using logic models and the theory of change to evaluate the impact of policy.

Logic models and theories of change are commonly used to evaluate policies (see for example HM Treasury guidance on evaluation set out in the [Magenta Book](#)). A theory of change approach is popular because it provides an overarching framework which can be used to inform the detail of the evaluation design that accompanies the development of a policy at an early stage. The approach is used to describe how, and why, an intervention - in this case the Disused Tips Authority for Wales and the regime established by the Disused Mine and Quarry Tips (Wales) Bill - is expected to work.

The aim is to describe, in some detail, the change expected to happen as a result of a policy, and the pathways to this change; and to explain how a policy's activities are understood to produce a series of desired results which contribute to achieving the final intended outcomes and impact. This, in turn, informs decision making on data requirements and evaluation methods.

Importantly, developing a theory of change is typically undertaken in an iterative manner, and should involve collaboration with stakeholders, ensuring it reflects a wide range of views on how the intervention is likely to work. An initial theory of change can then be refined over time to reflect changes in understanding as a policy develops and is implemented.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

A logic model can be used to illustrate, in a simplified way, the steps necessary to achieve the stated goals of a policy, typically including:

- resources/inputs;
- activities/process;
- implementation/outputs; and
- outcomes/impact.

Elements of the logic underpinning the Bill that will contribute to achieving its stated aims, and will need to be considered as part of the evaluation design, are likely to include:

- establishing a single body, staffed by specialists, which has responsibility for monitoring and assessing the safety of disused tips, will improve the maintenance of disused tips, avoid instability and associated threats to human welfare;
- the creation of a proactive approach to managing disused tips will reduce the costs of interventions by reducing the likelihood and scale of disused tip failures;
- the creation of the regime will increase the pool of specialist staff by creating:
  - positive perception changes around the employment opportunities available;
  - attracting more people to train and work in the fields associated with maintaining disused tip stability; and
  - increasing the diversity of routes available to gain qualifications and experience in the specialisms required to staff the regime.

I would, of course be happy to have further discussions with the Committee on this or any other matter.

Yours sincerely,



**Huw Irranca-Davies AS/MS**

Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros Newid Hinsawdd  
a Materion Gwledig

Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs

Jeremy Miles AS/MS  
Ysgrifennydd y Cabinet dros Iechyd a Gofal Cymdeithasol  
Cabinet Secretary for Health and Social Care



Llywodraeth Cymru  
Welsh Government

Russell George MS  
Chair  
Health and Social Care Committee  
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c/c  
Peredur Owen Griffiths MS  
Chair  
Finance Committee  
[seneddfiance@senedd.wales](mailto:seneddfiance@senedd.wales)

Mike Hedges MS  
Chair  
Legislation, Justice and Constitution Committee  
[seneddLJC@senedd.wales](mailto:seneddLJC@senedd.wales)

4 April 2025

Dear Russell,

Thank you for your letter of 6 March asking for an update about actions to improve the handling of complaints about NHS Wales.

As you referred to in your letter, significant work is underway to redesign and refresh the complaints process which focuses on:

- Placing the patient at the centre of the complaints process
- Improving the focus on compassionate, patient-centred communication
- Improving the *Putting Things Right* process, to be more inclusive
- Including an escalation process for urgent concerns of deliberate abuse or harm
- Facilitating swifter provision of answers after someone dies
- Refreshing the arrangements to provide free legal advice and medical expert reports

This complex programme of work consists of amendments to the NHS Wales Concerns, Complaints and Redress Arrangements Regulations 2011; an overhaul of the guidance; the development of a people's charter and a set of standards for the NHS to adhere to; the development of modern training and education; co-design development work on children and young people's support materials and detailed support for the NHS to implement these changes.

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[Correspondence.Jeremy.Miles@gov.wales](mailto:Correspondence.Jeremy.Miles@gov.wales)

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

The work is being overseen by officials in close collaboration with NHS stakeholders, stakeholders from the Public Services Ombudsman for Wales and Llais. Additionally, a strategic implementation delivery group will be formed by the NHS Executive to oversee preparations for the commencement of these regulations in early 2026.

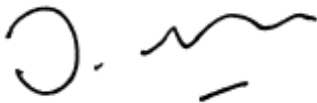
The current proposed timetable is for the regulations to be laid in the Senedd in the spring 2025, with a Plenary debate in early summer 2025.

I would therefore like to offer members of the Health and Social Care Committee a technical briefing from my officials about the detail of the scope of the changes.

I am copying this letter to the chair of the Legislation, Justice and Constitution Committee and the Finance Committee, as I would also like to offer members of these committees the same opportunity for a technical briefing.

I look forward to hearing from you about this offer.

Yours sincerely,

A handwritten signature in black ink, consisting of a large 'J' followed by a series of wavy lines and a short horizontal stroke at the end.

**Jeremy Miles AS/MS**

Ysgrifennydd y Cabinet dros Iechyd a Gofal Cymdeithasol  
Cabinet Secretary for Health and Social Care

Rebecca Evans AS/MS  
 Cabinet Secretary for Economy, Energy and Planning  
 Ysgrifennydd y Cabinet dros yr Economi, Ynni a Chynllunio



Our ref: RE/PO/160/2025

Llywodraeth Cymru  
 Welsh Government

Mike Hedges MS  
 Chair  
 Legislation, Justice and Constitution Committee  
 Welsh Parliament  
 Cardiff Bay  
 CF99 1SN  
[SeneddLJC@senedd.wales](mailto:SeneddLJC@senedd.wales)

09 April 2025

Dear Mike,

I am writing in accordance with the inter-institutional relations agreement to notify you that the Tourism Inter-Ministerial Group (IMG) will meet on 7 May 2025.

This will be the first meeting of the IMG since the publication of the Review of Intergovernmental Relations in January 2022 and will be chaired by the UK Government Minister of State for Creative Industries, Arts and Tourism, Chris Bryant MP. I will represent Welsh Government at this virtual meeting.

I anticipate the meeting will provide an opportunity to discuss the UK Government's plan to increase international tourism, and updates from all four governments in relation to activity and issues in their respective areas.

I have copied this letter to the Chairs of the Finance Committee, the Economy, Trade and Rural Affairs Committee, and the Culture, Communications, Welsh Language, Sport, and International Relations Committee.

Yours sincerely,

**Rebecca Evans AS/MS**  
 Cabinet Secretary for Economy, Energy and Planning  
 Ysgrifennydd y Cabinet dros yr Economi, Ynni a Chynllunio

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Llywodraeth Cymru  
 Welsh Government

Eich cyf/Your ref MA/MDFWL/0643/25

Mike Hedges MS  
 Chair  
 Legislation, Justice and Constitution Committee  
 Senedd Cymru  
 Cardiff Bay  
 Cardiff  
 CF99 1SN

10 April 2025

Dear Mike,

I would like to thank the Legislation, Justice and Constitution Committee for their scrutiny of the Visitor Accommodation (Register and Levy) Etc. (Wales) Bill at Stage 1 and for the report published on 21 March 2025.

I have set out the Government's response to the Committee's recommendations in the Annex to this letter. I hope that the information attached will help inform your further scrutiny as the Bill progresses through Stage 2.

I am copying this letter to the Chair of the Finance Committee for information.

Yours sincerely,

**Mark Drakeford AS/MS**

Ysgrifennydd y Cabinet dros Gyllid a'r Gymraeg  
 Cabinet Secretary for Finance and Welsh Language

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We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

**Visitor Accommodation (Register and Levy) Etc. (Wales) Bill****Government response to the recommendations from the Legislation, Justice and Constitution Committee**

Recommendation	Response	Comments
<p><b>Recommendation 1:</b> The Cabinet Secretary should respond to the conclusions and recommendations we make in this report at least two working days before the Stage 1 general principles debate takes place.</p>	<p>Accept in Principle</p>	<p>We endeavour to respond to the Committees as soon as reasonably possible, but it is not always practical for this to be done prior to the Stage 1 debate.</p>
<p><b>Recommendation 2:</b> The First Minister should consider providing the Senedd with information and clarity about the process by which consent of the Duke of Cornwall and HM the King is sought by the Welsh Government for provisions in Bills introduced to the Senedd when it is considered that those provisions would affect the prerogative, private interests or hereditary revenues of the Duke of Cornwall or HM the King.</p>	<p>Accept in Principle</p>	<p>We are of the view that given the property interests of the Duchy of Cornwall in Wales (which revert to the Crown when there is no Duke of Cornwall) that the consent of the Duke of Cornwall and the King will be required in relation to all the provisions in the Bill which deal with registration of visitor accommodation and the creation of a levy on overnight stays in visitor accommodation. Consent is generally sought following the completion of Stage 2 and must be obtained and signified to the Senedd prior to the commencement of Stage 4.</p>
<p><b>Recommendation 3:</b> The Cabinet Secretary should confirm whether, in preparing the Bill for introduction, the Welsh Government considered the Office for the Internal Market's Annual report on the operation of the UK internal market 2023 to 2024, specifically its views that tourism measures (including visitor levies and licensing of short-term lets) are an area of regulatory development that is affecting, or has the potential to affect, the UK internal market.</p>	<p>Accept</p>	<p>We did not consider the Office for the Internal Market's Annual report as this was not relevant to the policy development of a permissive local tax which is within devolved competence.</p>

Recommendation	Response	Comments
<p><b>Recommendation 4:</b> The Cabinet Secretary should explain the circumstances in which an occasional provider of visitor accommodation will need to register in accordance with Part 2 of the Bill.</p>	Accept	<p>An explanation was provided to the Committee as to how the provisions in the Bill work.</p> <p>An occasional provider will have to register where they are providing visitor accommodation and will need to register before they provide or offer to provide visitor accommodation at a premises in Wales. Part 2 of the Bill should be read in conjunction with Part 1 which sets out the key definitions of visitor accommodation and visitor accommodation provider.</p> <p>The ‘short-term’ basis referred to under Part 1 section 2 of the Bill relates to the nature of the contract a visitor accommodation provider has with a visitor. The term ‘short-term’ basis is to differentiate between longer-lets which may be provided in these types of accommodation. This is to ensure the correct application of the scope of the legislation towards visitor accommodation providers aligning to the policy intent.</p> <p>A response was provided to the Committee on this matter as follows: "after that 31 nights is hit, there is no levy payable past that point. So, for any stay where the contract determines that the stay is longer than those 31 nights, there will be no levy payable. In terms of the registration scenario, again, there is the concept in there of the short-term stays. For those stays that are longer than that 31-night period, again, they do not have to register, but if they are providing any stays under those 31 nights, then it is registrable accommodation". To re-iterate, an occasional provider who is providing visitor accommodation to visitors (i.e. contracting to make the accommodation available to a visitor or visitors for a period of 31 nights or less) would need to register.</p>
<p><b>Recommendation 5:</b> The Cabinet Secretary should confirm whether the Welsh Government considered making the regulation-making power in section 2(5) of the</p>	Accept	<p>We accept this recommendation on the basis that we considered making the regulation making power super-affirmative in section 2(5).</p>

Recommendation	Response	Comments
Bill subject to a super-affirmative procedure given its potential to extend taxpayer liability.		<p>In our consideration, we have concluded that the draft affirmative procedure is sufficient, as this provides the Senedd the opportunity to debate and scrutinise the regulations - Members can still vote against them, should they deem this appropriate.</p> <p>It is not felt proportionate or necessary to have a 'super - affirmative' procedure given that we would need to consult to effectively draft the regulations anyway.</p> <p>We are content for these regulations to be draft-affirmative.</p>
<p><b>Conclusion 1:</b> The regulation-making power in section 2(5) is a significant power. Changing the meaning of "visitor accommodation" has the potential to extend taxpayer liability under the Bill (if and when enacted), and this should be recognised by the Senedd.</p>		The Senedd will be provided with the opportunity to scrutinise regulations under the draft affirmative procedure.
<p><b>Recommendation 6:</b> The Cabinet Secretary should provide the Senedd with an explanation of any additional proposed power(s) the Welsh Government intends to bring forward at Stage 2 regarding the registration of visitor accommodation providers and associated data, including :</p> <ul style="list-style-type: none"> <li>▪ The Senedd scrutiny procedure that the Government proposes will apply to those power(s), and</li> <li>▪ The associated impact on the proposed powers contained in the Bill as introduced.</li> </ul>	Accept	<p>Officials provided a technical briefing on the registration provision amendments on 3 April, of which Members of the Committee were invited.</p> <p>We will also provide an explanation of any amendments tabled at Stage 2 and publish a revised Explanatory Memorandum and Regulatory Impact Assessment ahead of Stage 3 to reflect any estimated impacts as a result of amendments made to the Bill, this will also include an updated Statement of Policy Intent document.</p>
<p><b>Recommendation 7:</b> As a minimum, any power the Welsh Government does propose to retain in respect of imposing penalties should not be used so as to have retrospective effect.</p>	Accept	We have no intention for any penalty or offence to have retrospective effect.
<p><b>Recommendation 8:</b> Section 44 of the Bill should be amended so that:</p> <ul style="list-style-type: none"> <li>• Part 2 of the Bill comes into force no later than 31 December 2029, and</li> </ul>	Reject	It is entirely appropriate that the executive have the power to bring provisions in primary legislation into force by statutory instrument. As the Committee notes, Ministers have a clear timeline in mind. Specifying a date by which the provisions either should come into

Recommendation	Response	Comments
<ul style="list-style-type: none"> <li>The Welsh Ministers retain the ability to bring Part 2 into force at an earlier date by order.</li> </ul>		<p>force, or will come into force, may also have the effect of binding a future government.</p> <p>Settled public law principles will apply and require Ministers to keep under review the commencement of provisions which are not yet in force. There is also a potential question how any such provisions may interact with the forthcoming Licensing Bill.</p>
<p><b>Recommendation 9:</b> The Cabinet Secretary should confirm whether the Welsh Government considered making the regulation-making power in section 9(5) of the Bill subject to a super-affirmative procedure given its potential to extend taxpayer liability.</p>	<p>Accept</p>	<p>We accept this recommendation on the basis that we have considered making the regulation making power super-affirmative in section 9(5).</p> <p>In our consideration, we have concluded that the draft affirmative procedure is sufficient, as this provides the Senedd the opportunity to debate and scrutinise the regulations - they can still vote against them, should they deem this appropriate.</p> <p>It is not felt proportionate or necessary to have a 'super - affirmative' procedure given that we would need to consult to effectively draft the regulations anyway. We are content for these regulations to be draft-affirmative.</p>

Recommendation	Response	Comments
<p><b>Conclusion 2:</b> The regulation-making power in section 9(5) is a significant power. Changing the circumstances in which an overnight stay in visitor accommodation takes place and whether the levy is chargeable has the potential to extend taxpayer liability under the Bill (if and when enacted), and this should be recognised by the Senedd.</p>		<p>The Senedd will have the opportunity to scrutinise any proposed regulations via the draft affirmative procedure.</p>
<p><b>Conclusion 3:</b> While we make no comment on the policy merits or otherwise of the type of visitor accommodation that should be subject to a levy, we will again highlight that, by approving the inclusion in the Bill of section 13, the Senedd is providing a broad power to a future government whose intentions may be different from the current government.</p>		<p>Welsh Government note this conclusion and that the Senedd will have the opportunity to scrutinise any proposed regulations via the draft affirmative procedure.</p>
<p><b>Recommendation 10:</b> The Bill should be amended so that the draft affirmative scrutiny procedure applies to regulations made under section 17(3) of the Bill.</p>	<p>Accept</p>	<p>When drafting the powers we were conscious of the Senedd's time and whether such administrative matters would best be suited to the negative procedure. Although the power does amend primary legislation, the matters it concerns are operational and would normally be left to regulations.</p> <p>However, we accept the Committee's recommendation and are content for this power to be subject to the draft affirmative procedure.</p>

Recommendation	Response	Comments
<p><b>Recommendation 11:</b> The Cabinet Secretary should explain what statutory powers the Welsh Revenue Authority will rely on in connection with its anticipated duties as regards the register of visitor accommodation providers.</p>	<p>Accept in Principle</p>	<p>We will be tabling amendments at stage 2 to make clear how WRA will keep and maintain the register and we will provide an explanation of the amendment(s) during Stage 2.</p> <p>Draft registration provisions were provided to Committee on 1 April to support the Committee's scrutiny of the Bill.</p>
<p><b>Recommendation 12:</b> The Bill should be amended so that the draft affirmative scrutiny procedure applies to regulations made under section 24(4) of the Bill.</p>	<p>Accept</p>	<p>When drafting the powers we were conscious of the Senedd's time and whether such administrative matters would best be suited to the negative procedure. Although the power does amend primary legislation, the matters it concerns are operational and would normally be left to regulations. However, we accept the Committee's recommendation and are content for this power to be subject to the draft affirmative procedure.</p>
<p><b>Recommendation 13:</b> The Bill should be amended so that section 25(9) is removed from the Bill.</p>	<p>Reject</p>	<p>We would anticipate that principal councils would wait until the conclusion of the Bill process before preparing for or undertaking any formal notification and/or reporting requirements relating to the introduction of the levy in their area.</p> <p>However, we are keen for the Bill to afford those principal councils who may have already given the introduction of a levy considerable thought, as our trusted partners in delivering such a levy, a degree of flexibility in terms of taking some steps prior to the Bill becoming law. This provision removes doubt about their ability to get on with at least some of the initial steps towards introducing a levy, and about the validity of those steps, provided they act within the remit of the provision. It would therefore be a matter for each principal council to consider whether, and to what extent, they were prepared to take such pre-commencement steps. [For information, there is a similar precedent for this approach in the Local Government (Wales) Act 2015.]</p>

Recommendation	Response	Comments
		We hope that Committee Members now understand the policy and legal rationale behind this provision. In conclusion, should the provision be removed, principal councils may be reluctant to proceed with such pre-commencement steps and this may present a risk for those who wish to introduce the levy in their area at the earliest opportunity of 1 <sup>st</sup> April 2027.
<p><b>Conclusion 4:</b> The Welsh Government seeking such an 'intentionally wide' power in section 37 with no intention to use it is inappropriate.</p>		The intention to use the power is based upon necessity. It may become necessary to use the power however that will only be known once visitor levies are introduced in Wales. The Senedd will have the opportunity to scrutinise any proposed regulations via the draft affirmative procedure.

Recommendation	Response	Comments
<p><b>Recommendation 14:</b> The Cabinet Secretary should provide further information on what matters are intended to be covered in any guidance issued under section 39; in particular, what provisions may require clarification and for what reasons.</p>	<p>Accept in Principle</p>	<p>Providing guidance is a routine matter for Welsh Ministers to support public bodies in the administration of their powers or duties.</p> <p>The guidance power referred to by the committee relates to guidance Welsh Ministers will issue to Section 39 of the Bill provides that Welsh Ministers may provide guidance on the operation of the Act which principal councils must have regard to. That guidance will likely focus on chapter 3 and chapter 4 of the Act. This would include matters such as but not limited to:</p> <ul style="list-style-type: none"> <li>○ Use of proceeds of the levy for destination management and improvement</li> <li>○ Report on use of proceeds</li> <li>○ Consultations before introducing, changing or abolishing the levy.</li> </ul> <p>Guidance is intended to support the operation of the Act and aid principal councils in the discharging of their duties. We will work collaboratively with our partners to develop this guidance to ensure the smooth implementation and operation of the Act.</p>
<p><b>Recommendation 15:</b> Section 40 should be amended applying a super affirmative procedure to the regulation-making power to include a requirement:</p> <ul style="list-style-type: none"> <li>▪ For consultation (and a minimum period for that consultation), including with Senedd committees, before any such draft regulations are laid before the Senedd, and</li> <li>▪ That the Welsh Ministers must make a statement before any such regulations are laid before the Senedd, detailing the outcome of the consultation (including areas of agreement and disagreement with</li> </ul>	<p>Reject</p>	<p>It is the Welsh Government's responsibility to make statements and for the Senedd to scrutinise our decisions, and therefore we believe this recommendation goes further than the Senedd's legislative role. As per the response to recommendations 5 and 9, in our consideration of the use of the super affirmative procedure, it is unnecessary given that we would need to consult to effectively draft the regulations. The draft affirmative procedure is sufficient, as this provides the Senedd the opportunity to debate and scrutinise the regulations - they can still vote against them, should they deem this appropriate. In order to create effective regulations, we would need to consult and engage with relevant</p>

Recommendation	Response	Comments
<p>stakeholders) and accordingly how the draft regulations have taken account of engagement with stakeholders and the Senedd.</p>		<p>stakeholders. This is something we already do effectively as a government and therefore we do not see the need to add an express requirement to consult.</p> <p>We recognise the marine sector is sufficiently distinct from the broader visitor accommodation sector. That is why these powers have been proposed, recognising that further development and engagement is required before any regulations can be developed. This will be a careful and considered process working in collaboration with our partners.</p>
<p><b>Recommendation 16:</b> The Bill should be amended so that the Welsh Ministers are placed under an express duty to consult before exercising the delegated powers in sections 2, 9 and 37 of the Bill.</p>	<p>Reject</p>	<p>We consider that draft affirmative is an effective procedure to hold government to account. This approach provides the Senedd the opportunity to debate and scrutinise the regulations - they can still vote against them, should they deem this appropriate.</p> <p>In order to create effective regulations, we would need to consult and engage with relevant stakeholders. This is something we already do effectively as a government and therefore we do not see the need to add an express requirement to consult.</p>

**Professor Sir Ian Diamond | National Statistician**

Peredur Owen Griffiths MS  
 Welsh Parliament  
 Cardiff Bay  
 Cardiff  
 CF99 1SN

17 April 2025

Dear Mr Griffiths,

I wanted to follow up on my letter to the Committee of 21 October relating to quarterly growth data for Wales.

As you will be aware, the Office for National Statistics (ONS) made the decision to pause the publication of our Quarterly Regional GDP (QRGDP) publication due to concerns raised by users regarding the quality and volatility of the estimates. In the meantime, in agreement with the Welsh Government, we have continued the production and delivery of Welsh Short-Term Indicators (WSTI) to provide quarterly data for Wales.

The ONS have been working with the independent Economic Centre of Excellence (ESCoE) to review the methods for QRGDP. Their report has now been published<sup>1</sup>, and includes several short-term and longer-term recommendations to improve these key statistics.

I can confirm to the Committee that the ONS plans to take on many of these recommendations immediately, which will allow us to reinstate quarterly estimates of regional GDP in an improved form. We will recommence publication of these figures for Wales later this year. Further information on our plans for reintroduction are detailed in a blog<sup>2</sup>.

Yours sincerely,



**Professor Sir Ian Diamond**

<sup>1</sup> [Regional GDP: Methods review - ESCoE : ESCoE](#)

<sup>2</sup> [Improved quarterly regional GDP figures to bring fresh insights | National Statistical](#)

**Huw Irranca-Davies AS/MS**  
Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros  
Newid Hinsawdd a Materion Gwledig  
Deputy First Minister and Cabinet Secretary for Climate  
Change and Rural Affairs

**Agenda Item 2.9**



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref: PO/HIDCC/0188/25

Mike Hedges MS  
Chair  
Legislation, Justice and Constitution Committee  
Welsh Parliament  
Cardiff Bay  
Cardiff  
CF99 1SN

22 April 2025

Dear Mike,

I am writing in accordance with the inter-institutional relations agreement, and further to my letter of 26 March, to draw to your attention a [Written Ministerial Statement](#) summarising discussions at the most recent meeting of the Inter-Ministerial Standing Committee ('IMSC').

I have copied this letter to the Chairs of the Finance Committee, the Economy, Trade and Rural Affairs Committee, the Culture, Communications, Welsh Language, Sport, and International Relations Committee and the Health and Social Care Committee.

Yours sincerely,

**Huw Irranca-Davies AS/MS**  
Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros Newid Hinsawdd  
a Materion Gwledig  
Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
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[Gohebiaeth.Huw.Irranca-Davies@llyw.cymru](mailto:Gohebiaeth.Huw.Irranca-Davies@llyw.cymru)  
[Correspondence.Huw.Irranca-Davies@gov.wales](mailto:Correspondence.Huw.Irranca-Davies@gov.wales)

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

gohebu yn Gymraeg yn arwain at oedi.

Mark Drakeford AS/MS  
Ysgrifennydd y Cabinet dros Gyllid a'r Gymraeg  
Cabinet Secretary for Finance and Welsh Language

Agenda Item 2.10



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref: MA/MDFWL/0653/25

Peredur Owen Griffiths MS  
Chair Finance Committee  
The Senedd  
Cardiff Bay  
Cardiff  
CF99 1NA

23 April 2025

Dear Peredur,

I am writing to inform you of our approach to the publication of supplementary budgets during 2025-26.

I intend to continue with the practice adopted over recent years and publish two supplementary budgets during the financial year.

A first supplementary budget will be tabled on 17 June to allow for a debate on 8 July, prior to the summer recess. This allows a period of three weeks for scrutiny under Standing Orders.

The budget will also provide an opportunity to reflect the changes arising from the UK Government's 2025 Spring Statement and 2025-26 Main Estimates exercise, alongside any allocations from our reserves.

Following recent practice, it is my current intention to publish a Second Supplementary Budget later in the financial year.

A copy of this letter will be sent to the Business Committee, the Senedd Commission, Audit Wales, and Public Services Ombudsman for Wales for information.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1SN

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[Gohebiaeth.Mark.Drakeford@llyw.cymru](mailto:Gohebiaeth.Mark.Drakeford@llyw.cymru)  
[Correspondence.Mark.Drakeford@gov.wales](mailto:Correspondence.Mark.Drakeford@gov.wales)

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

I hope you find this update helpful.

Yours sincerely,

A handwritten signature in black ink that reads "Mark Drakeford". The signature is written in a cursive style with a large initial 'M'.

**Mark Drakeford AS/MS**

Ysgrifennydd y Cabinet dros Gyllid a'r Gymraeg  
Cabinet Secretary for Finance and Welsh Language

# Agenda Item 3

Cyflwynwyd yr ymateb i ymgynghoriad y [Pwyllgor Cyllid](#) ar [Adolygiad o weithrediadau, prosesau ac ymchwiliadau Ombwdsmon Gwasanaethau Cyhoeddus Cymru](#).

This response was submitted to the [Finance Committee](#) consultation on the [Review into the operations, processes and investigations carried out by the Public Services Ombudsman for Wales](#).

**PPSOWA1: Ymateb gan: Ombwdsmon Gwasanaethau Cyhoeddus Cymru | Response from: Public Services Ombudsman for Wales**

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**Ombwdsmon  
Ombudsman**  
Cymru · Wales

## Consultation response

**Consultation title : Post-legislative review of the Public Services Ombudsman (Wales) Act 2019**

**Organisation name: Senedd Cymru: the Finance Committee**

Submitted: 28 March 2025

As Public Services Ombudsman for Wales (PSOW), we have three main roles:

- We investigate complaints about public services.
- We consider complaints about councillors breaching the Code of Conduct.
- We drive systemic improvement of public services and standards of conduct in local government in Wales.

We are independent, impartial, fair and open to all who need us. Our service is free of charge.

[ombudsman.wales](https://www.ombudsman.wales)

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Mae'r ddogfen hon hefyd ar gael yn y Gymraeg.  
This document is also available in Welsh.

## Foreword

Thank you for the opportunity to respond to this inquiry.

The Public Services Ombudsman (Wales) Act 2019 was a landmark piece of legislation, designed to strengthen and futureproof our office with a suite of new powers—powers unmatched by any other ombudsman in the UK, at that time. The reform was intended to make our office more proactive in identifying and investigating issues in public services, more impactful in shaping complaints handling across the Welsh public sector and more accessible to those who might struggle to make their voices heard.

With these new powers came great responsibility. While the Senedd (then the National Assembly for Wales) was supportive of the reform proposals, it was clear that the new powers must add value for the people of Wales and the public services they rely on. The requirement for a five-year review was built into the legislation and, from the outset, we recognised the importance of demonstrating the impact of the reform.

At the time of the launch of the 2019 Act, no one could have foreseen the outbreak of the COVID-19 pandemic and its profound consequences for public services in Wales and beyond. Our ability to utilise the new powers was inevitably shaped by these challenges. This included the difficult decision to delay our first ‘own initiative’ investigation and the roll-out of our model complaints policy. We also experienced issues in embedding our new service to accept complaints other than in writing. Yet, despite these unprecedented circumstances, we are confident that we have realised the promise of the 2019 Act.

We know that no one organisation is responsible for delivering justice and improving services for the people of Wales. Identifying, quantifying and attributing impact is never a straightforward process and many factors come together to drive change. We also know that there is always room for improvement in how we work and we are open about ways in which our new powers could be more impactful.

Nevertheless, we believe this submission provides rich evidence of how our proactive powers have benefited service users, the Welsh public and service providers, alike. The 2019 Act has strengthened our ability to protect and promote fairness in public services. Supported by the proactive powers entrusted to us, our office remains at the forefront of best ombudsman practice in the UK and internationally.

This is legislation that Wales can be proud of.

## Summary

Since 2019, we have used our proactive powers broadly to deliver improvements for the people of Wales and to remove barriers for disadvantaged and vulnerable groups. Our use of these powers coincides with the rise of public confidence in our office.

To date, we have helped over 700 people to complain to us other than in writing, including using British Sign Language. There is evidence that this service is used commonly by disabled people, although it also removes barriers for other groups.

We have closed 10 extended investigations. Testimonies from complainants highlight the human impact of this power, as we are able to bring injustice to light without asking vulnerable people to repeat lengthy complaints processes.

We undertook 2 wider own initiative investigations. Both investigations looked into issues affecting vulnerable and disadvantaged groups: homeless people and unpaid carers. Our first investigation led to some service improvements, though further action is still needed. Evidence from third sector organisations pointed to appreciation of these investigations and general support for our recommendations. Evidence from organisations within our jurisdiction showed that, on the whole, our own initiative investigations were seen as an appropriate and constructive power, particularly in areas lacking regulatory oversight, by providing an external eye on public interest issues.

We have not yet had to use the power to investigate private healthcare, as we have not received any complaints that have met the requirements set out by the Act which reached our threshold for investigation. However, we firmly believe that the rationale for the Ombudsman to retain this power remains as strong as ever.

To date, 54 public service providers across Wales operate our model complaints policy. We regularly publish data on how local councils and Health Boards handle complaints. We have provided more than 550 training sessions to over 10,000 people. The majority of organisations under our complaints standards agree that our training and data monitoring has had a positive impact on their processes. There is also evidence that, since 2020, a higher proportion of the Welsh public finds complaints processes easier to navigate and is happier with how their complaints have been resolved.

In our view, our use of these powers has met the policy objectives of the 2019 Act and delivered value for money for the Welsh public.

However, there are ways in which the impact of our proactive powers could be improved and our broader ability to deliver justice strengthened.

As an office, we can:

- improve awareness of our power to accept complaints other than in writing
- strengthen third sector engagement with our own initiative work.

However, further improvements could only be delivered by the Senedd. These include:

- removing the statutory bar which prevents us from considering a complaint when it could be considered by the courts
- bringing into our jurisdiction complaints about schools and governing body decisions in Wales
- streamlining the process required to launch a wider own initiative investigation
- enabling us to issue sector-wide statutory recommendations, following a wider own initiative investigation.

## Terminology

Throughout this paper, we will refer to the Public Services Ombudsman (Wales) Act 2019 as ‘the 2019 Act’. We will also use the term ‘proactive powers’. This is how we refer to the new powers given to us by the Senedd under the 2019 Act – the power to:

- accept complaints other than in writing
- undertake investigations on our own initiative – so we can investigate even when we have not received a complaint
- act as the Complaints Standards Authority (CSA) for Wales – working with public service providers to improve how they handle complaints
- consider, in quite limited circumstances, private health care, when alleged

maladministration or failures in NHS care cannot be investigated effectively or completely without also investigating any private health care provision.

## **Data and research informing this submission**

Throughout this submission, we will be referring to the following data and research:

### **Our casework and equality data**

All casework and equality related data that we refer to is accurate as at 4 March 2025.

### **Complaints standards data**

The submission refers to complaints standards data between 2021/22 and September 2024.

### **Data on our financial performance**

All information on direct costs is reported up to 31 March 2024 (to reflect and match the 5-year period of financial estimates set out in the Regulatory Impact Assessment).

### **Wales Omnibus Survey**

Wales Omnibus Survey is a national survey undertaken annually by Beaufort Research. The sample is designed to be representative of the adult population resident in Wales aged 16 and over. We regularly commission a segment in this survey to gather information on general experiences of complaining in the public sector, and awareness and perceptions of our office.

### **Independent report on views from Third Sector Organisations in Wales on the Public Services Ombudsman for Wales Own Initiative Investigations 2021-2025**

This independent project was undertaken by Ruth Marks CBE (former Chief Executive of WCVA and Older People's Commissioner for Wales) between February and March 2025. We attach at Appendix A the report on this research to this submission.

### **Telephone survey of complaints officers at local councils, Health Boards and Housing Associations**

We commissioned this survey to gather views on the officers' experience of the most recent contact with us and general perceptions of the quality of our work. The survey was conducted in February and March 2025.

## **Stakeholder Research**

We commissioned eight in-depth personal interviews with representatives of local councils, Health Boards and Housing Associations. All stakeholders who took part were Chief Executives or were part of the senior leadership team within the organisation. The depth interviews lasted for around thirty minutes and were carried out online over Microsoft Teams between the 24th February and 20th March 2025. We attach at Appendix B the report on this research to this submission.

# **1. The effectiveness of our powers and public confidence in our office**

*The operation and effectiveness of the 2019 Act to date and whether it has enhanced the role of, and increased public confidence in, the Public Services Ombudsman for Wales (PSOW).*

## **Our general work**

The review considers the operation and effectiveness of the 2019 Act to date. Although it looks mainly at how we have used the 'proactive powers', it is important to firstly say a few words about our complaints service. This remains the core of our work, the 'bread and butter' of our service, and the main route through which we help complainants and support public services to improve.

Since April 2019, we have handled over 15,000 complaints about public services. We delivered justice for just over 2,900 people, either by resolving their complaint early or by upholding their complaint after investigation.

We issued over 7,600 recommendations to public service providers. Consistently, between 20% and 30% of these recommendations have been about longer term improvements – for example, through training or feedback for staff, reviews of current practice, or recommending that a procedure should change. We have also issued 38

public interest reports and 5 thematic reports, highlighting lessons for systemic improvement across the public sector in Wales.

Between 2019/20 and 2023/24, our caseload has increased by 37%. The ombudsman service has never been more needed and never has it been more important that we do all we can to support the systemic improvement of public services.

Our annual reports, which include full details of our performance, are [available on our website](#).

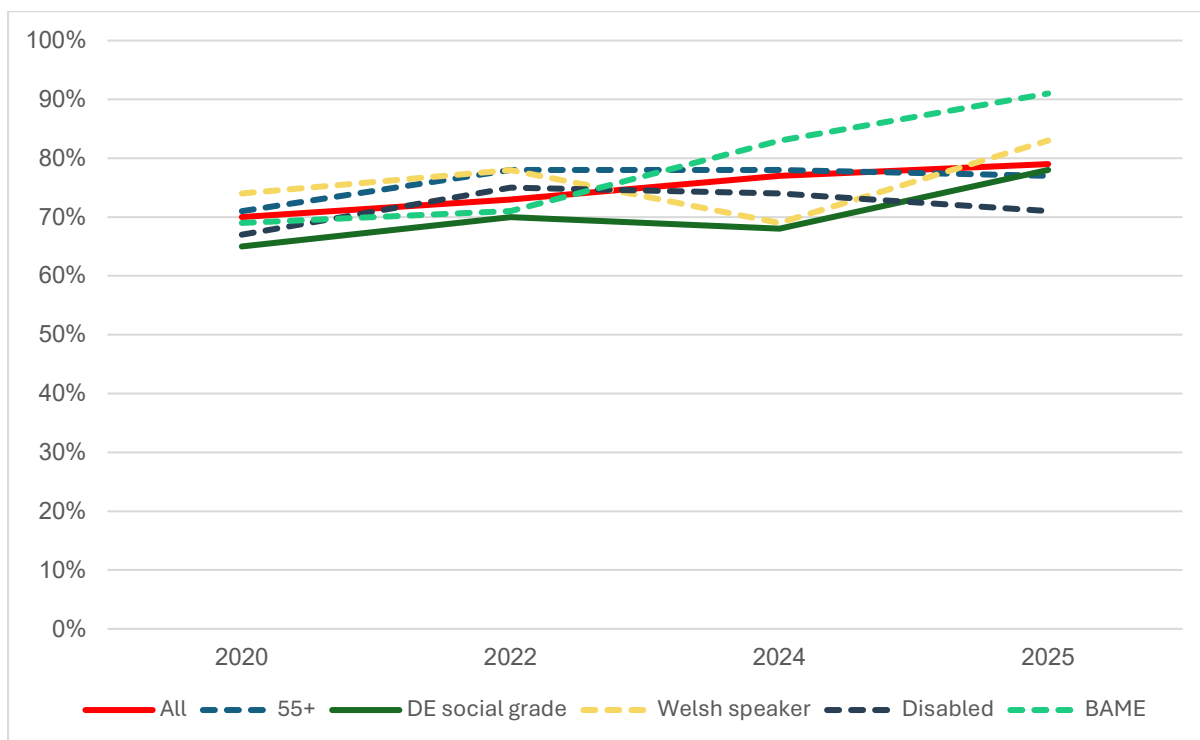
## **Perceptions of our integrity and impact**

While we talk in detail later in this paper about how we have used each of our proactive powers, we want to focus first on the general perceptions of our integrity and impact.

We regularly check the level of awareness of our office and confidence in our service. In 2012, only 35% of people surveyed recognised our name, when asked. In 2025, the national awareness of the office stood at 48%.

The same research has suggested that confidence in our office remains high. In 2025, 79% of respondents said that they had confidence in us – the highest proportion on record and 9 percentage points higher than in 2020. Positively, this assessment was higher than average for almost all potentially vulnerable groups of complainants:

Figure 1: Proportion of people in Wales who said they had confidence in our work



It is also important to know how our impact is assessed by public service providers. Of the complaints officers that responded to our survey this year:

- 90% said that we are impartial (with none disagreeing)
- 83% said that our findings positively influence their organisation
- 90% said that our findings contribute to improving public services in Wales.

In addition, senior respondents to our stakeholder research indicated, overall, a high level of trust in our decision making and recommendations, though implementing our recommendations promptly was noted as one of the main challenges.

*“As an organisation we take learning very seriously. So we will embed the Ombudsman learning into our normal learning processes... I think the learning and improvement is probably the most important part. It can be very useful because it's almost a third eye, isn't it? The Ombudsman is very good at seeing it from the complainant's lens and sometimes helps you to think a little bit differently about the learning and the recommendations.” (a Health Board representative)”*

*“I think it's fair to say it still carries a fair amount of gravitas. You don't want to be found wanting by the Ombudsman. I think it's got a certain amount of added*

*weight to it as opposed to perhaps by the inspectorate or another agency.” (a local council representative)*

Our proactive powers provide additional mechanisms through which we are able to highlight when things have gone wrong with public services and drive improvement. We consider that our use of the powers since the Act took effect, as evidenced in this submission, demonstrates how the proactive powers have enhanced our role and contributed to increasing levels of public confidence in the work of the office.

## **Areas for improvement**

### **The Statutory Bar - Alternative Legal Remedy**

When we first made the case for change to our legislation back in 2015, we highlighted that the [Law Commission](#) had reviewed the legislation governing public services ombudsmen in England and Wales, in its report of July 2011. One of the recommendations it made was to remove the statutory bar which prevents us from considering a complaint when the case could be considered by the courts. We have discretion to set this restriction aside in certain circumstances, on a case by case basis, under section 13(2) of the Act. However, the Law Commission recommended that this bar should be set aside entirely, so that complainants could choose which is the more appropriate route for them and so that ombudsmen have broad general discretion to accept complaints.

The existence of the statutory bar in the Act means that, even when we decide that a complaint has merit and meets our threshold for investigation, we must decline to accept a case for investigation if it appears that the complainant has, or had, a legal remedy available to them. We believe that removing this bar, in line with the Law Commission’s recommendation, would further strengthen public confidence in our office and lead to greater access to justice for citizens in Wales.

### **Education – school complaints**

We have a very limited role in relation to complaints about education matters. Our remit is mainly limited to school admission and exclusion appeal decisions.

Although the Office of the Independent Adjudicator considers complaints about further and higher education in Wales, there is no equivalent access to an independent and impartial complaints handling body in relation to complaints about schools and

governing body decisions in Wales. Both the Northern Ireland Public Services Ombudsman and the Scottish Public Services Ombudsman consider complaints about schools.

Of all devolved public services in Wales, it is only schools which fall outside our (or any other independent complaint handling body's) remit. In our view, this represents a significant gap in how parents and pupils can access administrative justice in Wales, beyond local complaint handling procedures. In addition, we are currently unable to promote better complaint handling practice in school complaints processes using our complaints standards powers.

## **2. Complaints other than in writing**

*The practical application of the process by which oral complaints are accepted by PSOW and whether the ability for PSOW to specify requirements for making a complaint in guidance has improved social justice and equal opportunities for citizens of Wales.*

### **Background**

Prior to the 2019 Act, we could only accept complaints in writing. Although we had discretion to accept a complaint in another form, if appropriate, we had to consider this on a case by case basis. However, when making our case for reform, we pointed out that this requirement can create barriers for many groups that could struggle to read or write in Welsh or English. In 2015, we highlighted that 13% of Welsh adults had not reached Level 1 of basic literacy skills, which meant that at least 1 in 8 adults could struggle with written complaints processes.

### **How we have used this power to date**

We have created guidance on how to submit complaints to us about service providers. This guidance explains that it is possible to complain to us by telephone. See [the guidance here](#). In addition, we also have a more detailed factsheet explaining our process for taking these complaints. See [the factsheet here](#).

We tend to take complaints other than in writing during a dedicated appointment. This gives the caller and our staff enough time (30-60 minutes) to discuss issues and record

all the necessary information. We also do this to make sure our main telephone line stays open to the public.

However, we can also take a complaint other than in writing “on the spot”, as long as we can make sure that we can look into the organisation complained about and that the complaint is duly in line with the requirements in the Act. We tend to take a complaint “on the spot” if a caller is in some distress or if the matter and circumstances appear extremely urgent.

Initially, the numbers of people using this service were low. In 2020/21, we took 63 oral complaints, against a target of 120. A significant factor was that, for almost half of that year, during the early period of the COVID-19 Pandemic, we could not record oral complaints in the normal way, as our staff had to work from home without access to appropriate telephony. We were able to take a small number of oral complaints, when staff could attend the office to do so, in the summer of 2020.

We then procured, installed and configured new telephony software and hardware to enable staff to take oral complaints from their homes and the numbers of people submitting complaints to us other than in writing began to increase. To date, we have helped over 700 people to complain in this way.

Figure 2: Complaints other than in writing in numbers

<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25 to date</b>
46	63	221	160	103	139

## **Our impact**

We asked for this power to make sure that people do not face any barriers when using our service. The power has contributed to the widespread accessibility of our service and reflects public expectations.

Analysis of our casework clearly shows that this service supports disabled people. Between April 2019 and March 2025, 39% of people who complained to us about public

services<sup>1</sup> said they had a health problem or disability that affected their daily life. However, among the people who submitted complaints other than in writing, this proportion raised to 53%.

Below, we include a few examples of complaints submitted to us other than in writing, illustrating the wide range of subject matters and personal needs of the complainants.

#### **Complaint reference 202302069**

A person who had difficulty with written words and needed information in large print told us that a local council did not meet his needs and restricted his contact with its offices. We found that, although the council may have been reasonable to restrict contact, it should have communicated with the complainant using large print. The council agreed to apologise to the complainant and ensure that all departments write to him in large print in the future.

#### **Complaint reference 202100256**

A caller who could not read or write complained to us by telephone about complex social services and housing matters. After we looked at all the evidence, we decided that we could not take the complaint forward - some issues related to events from over 10 years previously and others had been taken through a formal court process. However, we could help the caller to find an advocate to possibly assist in any future dealings with us and the organisations complained about.

#### **Complaint references 202105382 & 202303340**

Ms A complained about an ill-fitting dental brace which was causing her severe headaches. We took her complaint through a BSL signer and via video recording. Because Ms A had consulted a private dentist and her treatment was not provided by the NHS at all, we were not legally able to look further into her complaint. We explained our decision to her in a Zoom meeting (in addition to sending a written decision letter) and we advised her how to pursue her complaint with the private practitioner. The same person subsequently complained to us again, 18 months later, about an issue related to her social landlord. This shows confidence in our office and the accessibility of our service.

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<sup>1</sup> Who shared their equality information with us.

However, the power to take complaints other than in writing also improves how accessible we are to other groups.

### **Complaint reference 202405062**

We took an oral complaint from a disabled caller whose first language was not Welsh or English. The complaint was about housing repair issues: the shower was not working properly, there were damp and water ingress issues and a faulty extractor fan in the bathroom as well as broken taps. The caller raised these concerns repeatedly with the public sector landlord but to no avail. We spoke to the complainant on the telephone via a family member who acted as a “live translator”. We were able to resolve the complaint by agreeing with the landlord that they would carry out the works within a clear timescale. This outcome was only possible because the complainant could speak to us over the telephone, as they would not have been able to navigate a written complaints process

The testimonies of some of the people that we have helped clearly show the human impact of this service:

*“Immensely helpful. I have dyslexia and wouldn’t have been able to submit a complaint otherwise.”*

*“It was really helpful ... I’m not really good at filling in forms so couldn’t appreciate it more.”*

*“The lady on the phone was really understanding and went above and beyond to get my complaint written down accurately.”*

### **Areas for improvement**

We want to make sure that everyone who may need to use this service knows about it. Nation-wide awareness research that we commission shows consistently that about three quarters of respondents knew that we can accept complaints other than in writing. Just over a half knew that we can accept a complaint via British Sign Language (BSL).

Figure 3: Proportion of people in Wales who knew they could complain to us other than in writing

Survey respondent group	2020	2022	2024	2025
Knew that they could complain to us verbally	77%	80%	75%	76%
Knew that they could complain to us in BSL	45%	54%	52%	55%

This shows that the level of awareness of this option to complain is generally good, but could still be improved. Therefore, we take opportunities to raise awareness of this power through our outreach and communications channels. However, in doing so, we are always mindful of our capacity as an office, given the 37% increase in our caseload since 2019.

### 3. Investigations on own initiative

*How the PSOW has exercised the power to undertake own initiative investigations and whether this power has provided a mechanism to protect those most vulnerable in society.*

#### Background

Equipping the Ombudsman with the power to undertake own initiative investigations was a new development in Wales. However, these powers were widely and successfully used by ombudsmen throughout the world, for example, by the European Ombudsman and the Ontario Ombudsman. Using the power of an own initiative investigation, these ombudsmen were able to respond to current issues and significantly affect service provision.

With the 2019 Act, we have become only the second ombudsman's office in the UK to be granted this power (the Northern Ireland Public Services Ombudsman has had this power since 2016).

We called for this power first and foremost because we believed that it would help us “give voice to the voiceless” – that is, to deliver social justice for people who are most vulnerable and least likely to complain. However, the ability to undertake wider investigations, in particular, also supports our role to identify systemic improvements in public services, for the benefit of all citizens in Wales.

The 2019 Act grants us powers to undertake two types of own initiative investigations which we refer to as ‘extended’ and ‘wider’:

- Extended investigations happen when we are already investigating a problem (the original investigation) and we extend the investigation to other issues or complaints, or to another organisation, not yet complained about (the related investigation). We do this if, during the original investigation, we have a reasonable suspicion of systemic maladministration and when it is in the public interest for us to extend our investigation.
- Wider investigations happen when we conduct a standalone investigation which does not relate to a complaint made by an individual. Our published criteria for own initiative investigations help us to ensure that we only use this power when there is a sound basis and rationale for doing so.

By October 2019, we had developed draft criteria for undertaking own initiative investigations. We laid the criteria before the Senedd in January 2020. You can see our published criteria [here](#).

Step 1: The procedure which we must follow before starting a wider own initiative investigation is set out in section 4 of the Act.

We must

- have regard to the public interest in beginning an investigation
- have a reasonable suspicion that there is systemic maladministration or systemic injustice sustained as a result of the exercise of professional judgement in health or social care cases
- consult such persons as the Ombudsman considers appropriate (in addition to the further consultation set out in section 66 of the Act) and

- have regard to our published Criteria.

Step 2: When we then start a wider own initiative investigation we must follow the procedure set out in section 18 of the Act.

We must prepare an investigation proposal and submit it to the public body we are minded to investigate.

If we decide to extend an original investigation, the requirement to prepare an investigation proposal under step 2 does not apply. We are able to widen the scope of the investigation seamlessly, without the need for the complainant to return to the organisation and submit another complaint or for us to submit a proposal to investigate to the relevant public body, in accordance with Section 18 of the Act. This allows us to undertake a more holistic investigation of concerns without any delay in the process.

When we conclude our own initiative investigations we may make recommendations to the public bodies we have investigated. If we find evidence of systemic maladministration, we are not able to make wider recommendations to other public bodies delivering public services in the same sector. Whilst we 'invite' other relevant bodies to make similar improvements, we have no formal powers to follow up on this, under the Act.

We divide the remainder of our response in this section into two parts, to talk separately about the details and impact of our wider and extended investigations to date.

### **3.1. Wider investigations**

#### **How we have used this power to date**

When we decide on the focus of a wider own initiative investigation, we consider whether the matter could impact, especially vulnerable or disadvantaged groups (for example, those who could find it difficult to complain). To date, we have concluded two wider own initiative investigations and both focused on services for highly vulnerable groups – the homeless and unpaid carers. In both instances, third sector organisations were crucial in helping us to identify and shape the focus of our two wider investigations. In particular, the focus of our second investigation, about carers' needs assessments, stemmed directly from our conversations with Carers Wales.

Our **first wider investigation** considered how local authorities conducted homelessness assessments and looked at the work of three local councils – Cardiff, Wrexham, and Carmarthenshire. We originally launched the consultation on this investigation (step 1) in early 2020 and intended to complete that consultation by 10 April 2020. However, with the outbreak of the COVID-19 pandemic, we decided to suspend the process. We reissued the consultation in September and completed it by 30 October. Following our detailed investigation proposal to the public bodies we had decided to investigate (step 2), we commenced the investigation in the first days of 2021.

In October 2021, we published the report on this investigation, entitled ‘Homelessness Reviewed: An open door to positive change’. In our report, we praised the work done by these councils during the COVID pandemic and we acknowledged elements of good practice.

However, we identified several serious failings. This led us to make recommendations for improvements by the three Councils that we investigated:

- provide human rights and equality training to officers
- review communication methods
- revise template letters.

We invited the other 19 local councils in Wales to make similar improvements. We also invited the Welsh Government to consider introducing a housing regulator to help standardise practices in relation to homelessness assessments across Wales.

Our **second wider investigation** looked into carers’ needs assessments in Wales. We considered whether 4 local councils – Caerphilly, Ceredigion, Flintshire, and Neath Port Talbot - undertook carers’ assessments in line with their statutory obligations.

We launched the consultation (step 1) on our draft proposal on 9 January 2023 and completed it by 6 February. Following our detailed investigation proposal to the bodies we decided to investigate (step 2), we commenced the investigation on 6 June 2023.

We published the report on this investigation in October 2024. We found that only just over a quarter (28%) of people in those council areas who identified as carers had received a needs assessment. In addition, only 15% had received a proper support plan

following their assessment. Many carers were also not aware of their rights with regard to assessments and support services that might be available to them.

We identified some areas of good practice by the councils we investigated. However, we also made several recommendations including to:

- improve recording practices
- improve how information is shared with carers
- offer staff refresher training on carers' rights
- collaborate better with the healthcare sector.

As in the case of our first wider investigation, in this instance we also invited the other local councils in Wales to make similar improvements.

### **Our impact**

When we handle complaints, we always check how organisations complied with our recommendations. We have adopted a similar approach to the recommendations deriving from our first wider own initiative report. In 2023, we published a follow-up report, 'Homelessness Reviewed: Revisited'. The report outlined progress made in homelessness services in local councils, based on our recommendations. We found that, while some positive action has been taken by the local councils, there are some areas in which further action could be taken to improve homelessness services across Wales. We publicised these findings widely to help drive further improvement.

Of the complaints officers at local councils that responded to our survey this year, 77% agreed that their organisation was moderately or significantly influenced by our own initiative reports.

Chief Executives and senior respondents to our stakeholder research indicated that, on the whole, our own initiative investigations were an appropriate and constructive power, particularly in areas lacking regulatory oversight, by providing an external eye on public interest issues:

*"I think the way they went about doing it was quite positive. They engaged with people at the start of the process. They gave an idea of terms of reference. They gathered all the information that ultimately was needed. They gave an*

*opportunity to comment on the draft. So from a process perspective, no major issues at all.” (a local council representative)*

The oversight was seen as an opportunity for meaningful service improvements to be made. However, we refer to some suggested areas for improvement in the next section of this submission.

Third sector organisations that participated in the independent study undertaken for us by Ruth Marks felt that they were only able to comment on the first investigation, as the second investigation was too recent, at that point. Overall, the organisations that took part:

- spoke highly of the investigations and were impressed with the quality of reports produced
- widely supported our recommendations.
- felt that the report into homelessness reviews has stimulated thinking and added weight to policy discussions. For instance, the evidence base of the investigation has been used by the Expert Review Panel convened to review homelessness legislation:

*“It was great to have the Ombudsman’s report as an independent piece of research to highlight issues from its unique and respected perspective.”*

*“I am impressed by the two areas chosen...homelessness and carers are part of the unheard and unseen as they are maybe not as collectively represented.”*

One of the organisers of Cardiff and Vale Unpaid Carers Assembly told us that:

*“[The report] has really made some difference, it’s shone a light, even if it’s just a little spark for those of us who are on the receiving end of carers needs assessments or have expectations around how the law relates to the way that services manifest their commitment to it. It’s been really, really powerful amongst unpaid carers and clearly there is a lot more work to be done, just to say thank you”.*

## Areas for improvement

While we demonstrate the impact of our own initiative investigations above, we believe that there are ways in which this impact could be strengthened in the future.

### The process

We are using this power responsibly and we appreciate opportunities to engage as broadly as possible to ensure that the work we do adds value. However, we believe that the current consultation process that we have to complete to launch a wider own initiative investigation is too long and cumbersome.

This appears to be supported by some feedback from representatives of local councils subject to our own initiative work to date, who indicated a perception that the experience was ‘tricky’ and ‘time-consuming’:

*“I don't think they were clear on what they were trying to achieve when they went into it. We had lots of meetings with them around sort of terms of reference, representations, time frames. The thing ended up taking 18 months plus to bring to a conclusion... by the time they got to the end of it, a lot of the impetus had been lost. We were sort of almost beginning to make improvements because we were aware of what their concerns were as we were going through the process.” (a local council representative)*

Our duty under section 4(2)(c) of the Act to consult such persons as the Ombudsman considers appropriate, before starting an own initiative investigation, means that, as well as consulting generally, we consider that this duty requires us to also consult the public bodies we are minded to investigate at this first stage of the process, given their direct interest in the proposal. After this first consultation, we must then also prepare an investigation proposal and submit it to the public body/ies being investigated (section 18(2)).

We have found that the general duty under section 4(2)(c) to consult with ‘appropriate’ persons in advance of submitting an investigation proposal to the body being investigated prolongs the process and reduces our ability to act as swiftly as we would like, to respond to matters of public concern relating to suspected systemic maladministration. In comparison with the position in Northern Ireland, no such initial general obligation to consult ‘appropriate’ persons is included in the Public Services Ombudsman Act (Northern Ireland) 2016 – the Northern Ireland Public Services

Ombudsman is required only to prepare an investigation proposal and submit it to the public body it proposes to investigate (see section 6 below). Otherwise, we have a very similar duty to consult other commissioners/ombudsmen as the Northern Ireland Ombudsman, which has been a helpful step in our process (s66 of our Act).

Representatives of local councils and third sector organisations that took part in our research indicated concerns over duplication of efforts, inconsistencies and ‘mixed messages’ arising from different investigations conducted by different regulators. We understand and accept these concerns and would always consult with key stakeholders to ensure that our work adds value. However, the current legal framework is too rigid and prescriptive, hampering our ability to act swiftly when we see evidence that things may have gone wrong for broader groups of people.

### **The recommendations**

Under our own initiative powers, we can make recommendations only to investigated bodies – the specific three local councils we looked at during our first investigation, and the four local councils we selected for the second. The recommendations were relevant to all local councils, but we currently have no statutory power to make wider recommendations. In our reports, we could only invite the remaining local councils and the Welsh Government to take the actions we suggested, but these ‘invitations’ did not have statutory weight.

One local council representative who took part in our research questioned whether we were clear as to whether the recommendations at the end of the review were mandatory or good practice recommendations. They did not believe the recommendations should be mandatory for the four local councils that were investigated if these same recommendations were not mandatory for the other eighteen local councils that were not involved.

This is something that could benefit from further consideration, to maximise the impact of own initiative work.

### **Investigated organisations**

Local council representatives who had experienced our own initiative investigations had mixed responses, noting both positive and critical aspects. Stakeholders sometimes found the experience difficult, time consuming and, occasionally, overly critical due to the use of strong terminology like 'maladministration'. We understand those concerns,

but must underline that the investigative process for own initiative investigations is the same as that for our standard investigations – which means that we can only make recommendations if we find evidence of maladministration / service failure.

### **Third sector engagement**

Third sector organisations that took part in our study welcomed the opportunity to work with us and understood that engagement helped to clarify the scope of the investigation. However, the research helped us identify several areas for improvement:

1. Further develop ways to work with the third sector.

Make connections with the Third Sector Partnership Council which would improve communication across the whole of the sector and the diverse representative networks at local and national level.

2. Establish regular general and subject specific points of contact.

Examples include contributing to the People and Housing platform via Shelter Cymru or annual events such as gofod3 (an annual face-to-face event for the voluntary sector).

3. Exchange information on trends and data to highlight ongoing or emerging issues with service delivery.

Develop a simple system to share analysis of case work and cross reference this with information from the third sector sharing trends, evidence and data highlighting problem areas. Benefits include independently sourced evidence and data and lived experiences revealed by users of front line services. This could be achieved via the points above and also in liaison with the Third Sector Data Unit within Welsh Government.

4. Involve people with lived experience and people working in front line services.

This would help promote holistic approaches to the delivery of public services and encourage regular engagement between public bodies and the third sector, leading to increased trust and improved service delivery.

5. Increase publicity about the own initiative power.

Leading to greater understanding by individuals and organisations who might wish to draw specific service delivery issues to the attention of the Ombudsman.

While overall public awareness of this power is good, we accept that there is more that we can do to raise awareness among third sector organisations, encourage them to come forward with investigation ideas, and work with them to identify the impact of the investigations and ensure that they lead to tangible improvements in frontline services.

## **3.2. Extended investigations**

### **How we have used this power to date**

To date we have closed 10 extended investigations, with three further investigations ongoing.

Below, we include four examples of these investigations, showing how we can extend the focus on the original complaint to another issue or another organisation.

#### **Complaint reference 202002273**

Mr Y complained to us about his wait for prostate cancer treatment at Betsi Cadwaladr University Health Board. During our investigation into that complaint, the Health Board shared with us evidence suggesting there were 16 other patients of urgent clinical priority waiting for their treatment. In previous years, we had seen capacity issues within the Health Board's urology service. Therefore, we had grounds to believe that things may have gone wrong with this service for more patients. For these reasons, we started an extended investigation.

We found that there had been a breach in the Referral to Treatment Times of those 16 patients. This meant that they had to wait much longer than reasonable for their prostate cancer treatment. We also found that the Health Board reported the breach for only half of these patients. The rest of the patients had been referred to England for their treatment, under commissioning arrangements and, at the time, it was not the Health Board's policy to record any breach where a patient was referred elsewhere.

Our findings aligned with those of a critical review by Health Inspectorate Wales, some years earlier. We saw evidence that the Health Board continued to have capacity problems and that waiting time delays led to patients possibly deteriorating as they

waited for treatment. We also found that the Health Board was wrong not to consider whether those patients who had been referred elsewhere had suffered harm.

We recommended that the Health Board:

- reviewed the 8 patients who had been referred to England, to identify if they suffered any harm
- considered those cases through the NHS complaints process (Putting Things Right)
- reviewed its internal harm review guideline
- referred our report to its Board of Governance to consider capacity and succession planning within its urology service.

We would not have been able to identify the continued capacity issue and more widespread potential harm without the ability to conduct an extended own initiative investigation in this case.

#### **Complain reference: 202207320**

Mr B complained to us about his dental care and removal of a tooth by a Dental Practice in the area of Swansea Bay University Health Board. Mr B then told us that the Practice had subsequently refused to treat him because of the complaint investigation. We extended the investigation to robustly consider the events leading to the tooth's removal and also to consider the possibility that Mr B was denied access to dental care because he had complained to us.

We did not find failings in Mr B's dental care. However, we decided that there were shortcomings in how the Practice communicated with Mr B. It was also not right for it to refuse to see Mr B as a patient after he had made a complaint. These findings would not have been possible, had we not extended the investigation, as Mr B would have needed to make a fresh complaint about this issue, without which we would not have identified opportunities for improvements in how the Practice approached complaints.

#### **Complaint reference 202205146**

Mr L complained to us about his late wife's (Mrs L's) care by Hywel Dda University Health Board. We decided to extend that investigation, using own initiative powers, to

also look at the care provided by the Swansea Bay University Health Board. This was because Mrs L was receiving renal services from Swansea Bay University Health Board and we decided that it would not be possible to fully investigate the complaint before us without also looking at that aspect of care.

We ultimately found no fault with the care provided by Swansea Bay University Health Board. However, we were able to robustly investigate and make findings in relation to the original complaint. We also saved Mr L the need to go through the complaint process again. That would not have been possible without extending the investigation.

### **Complaint reference 202202525**

Ms C complained that Swansea Council had failed in its duty to safeguard her two children following a referral made to it by a local authority in England (which was under investigation by the Local Government and Social Care Ombudsman - LGSCO). Ms C and her children had moved to the Council's area, following the breakdown of her relationship with their father, but they retained contact with him (including overnight stays at weekends). During our original investigation, and from information provided by the LGSCO uncovered during its investigation, we extended the investigation, using the own initiative power to consider the Council's action during an earlier period.

Whilst we ultimately found that the Council's actions during the earlier period (own initiative investigation) were reasonable and in line with relevant guidelines, we found that there was a failure to act on information subsequently provided to the Council and we made recommendations to the Council, including to review its processes and train staff. Our own initiative investigation allowed us to consider the events holistically and provide assurance that the Council's action during the earlier period were appropriate.

### **Our impact**

The value of our power to extend ongoing investigations is that it helps us to bring to light things that may have gone wrong without forcing members of the public to repeat a lengthy complaint process. We include below examples of two cases to illustrate the impact of this power on the people affected:

### **Complaint reference 202205543**

Mr D had complained about his wife's, Mrs D's care and treatment in 2019 at Betsi Cadwaladr University Health Board. He said that there had been a delay in the surgery to remove her appendix and that the Health Board did not investigate her breathing

difficulties in a timely way. Following this, Mrs D had suffered a cardiac arrest, requiring a lengthy Intensive Care admission. This had significant impact on her daily life, once discharged from hospital.

Although Mr D complained about the events in 2019, we saw evidence that Mrs D underwent an earlier scan, relating to her appendix, in 2017. We wanted to check whether the Health Board should have considered the removal of her appendix then. We extended our investigation to look into that. We found that the Health Board did not arrange a follow up for Mrs D after the 2017 scan, and missed the opportunity to remove her appendix, then. Had that taken place as a planned procedure, Mrs D would not have needed an emergency surgery in 2019 and the resulting complications may not have happened.

We noted in our report at the time that Mr and Mrs D were entirely unaware of the missed finding on the 2017 scan and the problem was not identified during the Health Board's investigation of their later complaint. Had we not extended our investigation, this significant failing leading to serious injustice to Mr and Mrs D would otherwise not have come to light.

Mr D told us:

*"The Health Board didn't want to know until the Ombudsman got involved and after I complained it 'clammed up'. ... I would never have found out that my wife's appendix problem should have been dealt with sooner but for the Ombudsman's investigation. I know that this was only possible because of the extra powers given to the Ombudsman a little earlier. In my opinion the office needs all the powers it can get to get to the bottom of things for everyone, as they did in my wife's case."*

#### **Complaint reference 202005941**

Mrs E complained about the care provided to her late mother (Mrs F) in 2020 by a GP practice in the area of Cwm Taf University Health Board. Mrs F was suffering from increasing pain in her lower leg. ... We upheld the original complaint about delays in Mrs F's referral.

However, when we looked at the clinical records, we were concerned about how the Practice prescribed antibiotics and diuretics to Mrs F. We extended our investigation to look into this. We found that the prescribing practice was contrary to clinical guidance and was likely to make Mrs F feel worse. Furthermore, it was quite risky for Mrs F to

take the diuretics prescribed, as she was already taking a combination of medications at the time. Overall, these prescribing failures raised concerns about wider patient safety at the Practice and contributed to Mrs F's acute kidney injury, which prevented her from undergoing surgery on her leg later on.

Mrs E told us:

*"I am eternally grateful to the Ombudsman for the way my case was handled and without that help I would not have been able to pursue what I did, gain answers and help me to now move on. I was so glad the Ombudsman had those powers (to extend the investigation) as, at the end of the day, being able to get the outcome the Ombudsman did has finally given me some peace of mind. It was devastating to know that my mum suffered the way she did, but good to be vindicated in making the complaint as I knew something wasn't right.*

*I would hate to think that other people in a similar situation to me wouldn't have the reassurance to pursue things further with the Ombudsman if powers were taken away, as where would they then go to get answers? They need all the powers they can get, in my view. I cannot say enough about how grateful we were as a family to the investigator who took on my case and then went further to gain the answers. We were kept informed throughout, and knew it would take some time. We were very pleased with the outcome and only because I know the whole truth about what happened with my mother's care do I feel able to now speak about it and move on."*

## 4. Power to investigate private medical treatment

*The effectiveness of PSOW's ability to investigate private medical treatment (including nursing care) in a public/private health pathway.*

We note that the terms of reference includes a reference to our investigation of privately funded nursing care. For clarification and avoidance of doubt, we have held powers to investigate private nursing care in care homes, by domiciliary and independent palliative care providers since November 2014 (the formal implementation date of the power introduced by the Social Services and Well-being (Wales) Act 2014).

Since the introduction of the Act in 2019, in quite specific and limited circumstances, we are able to investigate private healthcare. This is when alleged service failure in the delivery of NHS care cannot be investigated effectively or completely without also investigating 'other health related services'.

Prior to the introduction of the 2019 Act, it was estimated that around 1% of health sector complaints received by us each year would contain an element of private healthcare. It was therefore always considered that this power would be used sparingly, whilst futureproofing the remit of the office, should complaint trends change.

In fact, we have not yet had to use the power to investigate private healthcare, as we have not received any complaints that have met the requirements set out by the Act which reach our threshold for investigation.

That said, we firmly believe that the rationale for the Ombudsman to retain this power remains as strong as ever. With the ongoing effects of the COVID pandemic, increasing pressure on the NHS and more citizens paying for some elements of their care when facing lengthy waiting times, there may yet be small numbers of cases where elements of private healthcare will need to be investigated as part of our investigation of NHS healthcare. As such, we believe that this power remains important in ensuring access to justice for citizens in Wales.

The factsheet on our [website](#) explains clearly our role and remit in relation to privately funded health care for service users. We published this factsheet when the Act took effect.

## 5. Complaints standards work

*PSOW's role in relation to complaints handling standards and procedures and the extent to which the 2019 Act provisions have improved complaints handling by bodies within PSOW's jurisdiction.*

### Background

Good complaint handling is an essential element of good administration. Over the years, we have seen consistently that a noticeable proportion of complaints reaching our office relate to complaint handling by public bodies.

While generally we welcome and encourage complaints, our hope was that improvement in public service complaint handling practice would be likely to reduce the number of complaints *about* complaint handling reaching our office.

Ultimately, however, we wanted the main beneficiary to be the Welsh public — with less time, effort and frustration being expended on 'putting things right' directly with the bodies concerned. This is why, as part of the reform of our office, we called for the strengthening of our powers to drive improvement in complaint handling.

### How we have used this power to date

Once the 2019 Act received Royal Assent, we immediately worked to establish our Complaints Standards team, which was fully in place by August 2019. We embarked on a widespread programme of engagement. The purpose of this programme was to understand the challenges faced by different public bodies, to highlight and share existing good practice, and to identify any barriers to improving performance.

Following a public consultation, we laid before the Senedd our draft Complaint Handling Statement of Principles, and issued our Model Complaints Handling Policy and accompanying guidance. These documents were approved in January 2020.

The formal launch of these documents and the first tranche of training events had to be delayed, due to the COVID-19 pandemic. Nevertheless, the Complaints Standards team was able to proceed with another strand of its work – gathering the data on complaints handled by some of the organisation in our jurisdiction. In 2021/22, for the first time, we published this data for local councils.

By today, **54 public service providers** across Wales operate our model complaints policy. These organisations – including all local councils, all Health Boards, Welsh Ambulance and most Housing Associations - represent about 85% of the complaints which we receive. We have targeted these bodies to adopt the policy first, to provide the most benefit to people using their services.

Eventually, our model policy will apply to the entire Welsh public service – realising our vision of “one complaints journey, regardless of where you live or who you are complaining to”.

Since September 2020, we have provided **more than 550 training sessions**. Our training has now reached **over 10,000 people**.

Since 2020/21, we have also regularly **published data** on complaints handled by local councils and then also Welsh Health Boards and Trusts. This data is now published twice a year.

## **Our impact**

Our training is almost universally well received by public service providers:

*“Probably one of the best training events I have attended and even though it was my first remote session everyone still managed to participate fully.”*

*“It was the first training I've had in a long time where I come from it thinking it was really worthwhile and beneficial to my role. It was so interactive, I really enjoyed it.”*

*“Since the training I am trying to change my behaviour so that I listen to incoming calls with an open mind and not type up the log notes before they have finished speaking”*

*“My many thanks for the training sessions. They really did make me think very deeply about how we respond to clients”*

*“Made me realise how important the process is in supporting not only those individuals that wish to make a complaint but also how it supports us an authority in ensuring continuous improvement.”*

*“I really enjoyed this training session. It has taught me the importance of acting on a complaint straight away, contacting the customer and listening to their individual concerns and trying to sort out a resolution but at the same time given the customer the confidence that we care for them and that we are willing to listen.”*

Of the complaints officers that responded to our survey this year:

- 97% agreed that we provide good quality guidance about complaint handling
- 79% agreed that we provide good quality training about complaint handling.

Chief Executives and senior respondents to our stakeholder research reported high levels of engagement and satisfaction with our complaints standards training. They indicated that our complaints standards work had led to improvements in organisations' complaints handling as well as in staff's understanding of our processes:

*“The conversations we've had with the Ombudsman I think gave us a clear focus about how we handle those complaints that do go into Ombudsman, how do we make sure that they are as effective as possible? But also how do we make sure our overall process for all complaints and concerns is as inclusive and easy for people to use as possible so that we try and minimise the sort of numbers that will end up going into an Ombudsman process.” (a Health Board representative)*

*“We had a big batch of training probably about six months ago now and we've just reached out recently. So part of us looking at trying to improve again is to get some more training, repeat for some people, new for people who have joined the organisation. So yeah, the training was good.... The training has been a step in the right direction in breaking down barriers and fears about the Ombudsman.” (a Housing Association representative)*

Another significant benefit of our complaints standards role is the availability - for the first time – of regular, reliable and comparable data on complaints across the public sector. Not only does this ensure that public bodies comply with our model policy, it also promotes better focus by public bodies on using complaints information to improve service delivery for everyone, not just those with the means and ability to complain.

Our complaints standards work has undoubtedly improved reporting standards – with better recognition of what constitutes a complaint increasing numbers of complaints being logged by local authorities and Health Boards:

*“I think it's made it visible ultimately that there are different rules and processes. So when we've had the opportunity to be able to revise and review our internal processes, we've always got a framework now ultimately in which to measure it against to ensure that we're meeting those requirements at the same time. So yes, naturally it has.” (a local council representative)*

The data allows us to better understand how service providers deal with complaints. For example, it enables us to look at what proportion of complaints considered by these organisations is then referred, or escalated, to our office. This helps us understand how effective the organisations are in resolving complaints. This proportion has decreased slightly for local councils since 2021/22, which could reflect greater satisfaction that complaints have been properly considered and responded to by the councils. However, we saw a small increase in the referral rate of complaints about Health Boards.

Another measure of impact of our complaints standards power is our intervention rate. Intervention means that we found that the body made a mistake and it needed to put things right. We can intervene through Early Resolution or after investigating. In general, we would want our intervention rate to be low. Our intervention rate in complaints about local councils and Health Boards has remained broadly similar since we launched the complaints standards work. However, our complaints trends halfway through the current financial year could suggest a reduction in our intervention rate for both sectors.

Figure 4: Our complaints standards data: local councils

<b>Local councils</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b> <b>(April to September only)</b>
<b>Number of new complaints logged</b>	15,307	15,525	18,276	10,957
<b>Proportion of complaints upheld</b>	44.96%	41.12%	47.45%	51.67%
<b>Proportion of complaints referred to us</b>	8.01%	7.09%	6.28%	7.04%
<b>Our intervention rate</b>	14%	13%	14%	12%

Figure 5: Our complaints standards data: Health Boards

<b>Health Boards</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b> <b>(April to September only)</b>
<b>Number of new complaints logged</b>	-	18,901	19,062	9,353
<b>Proportion of complaints referred to us</b>	-	5.22%	5.51%	6.41%
<b>Our intervention rate</b>	-	30%	31%	27%

However, it is most important that our complaints standards work leads to improvements for the Welsh public. The results of our national survey point to some positive trends in that respect. Since 2020, we have seen an increase in the proportion

of people who complain to local councils, healthcare providers or social landlords (17% in 2025). However, we have also seen an increase in the proportion who said that it was easy to make a complaint (72%) and that they were happy with how the complaint was resolved (47%).

Figure 6: Proportion of respondents who complained to local council, a healthcare provider or a social landlord (e.g. housing association) within last two years.

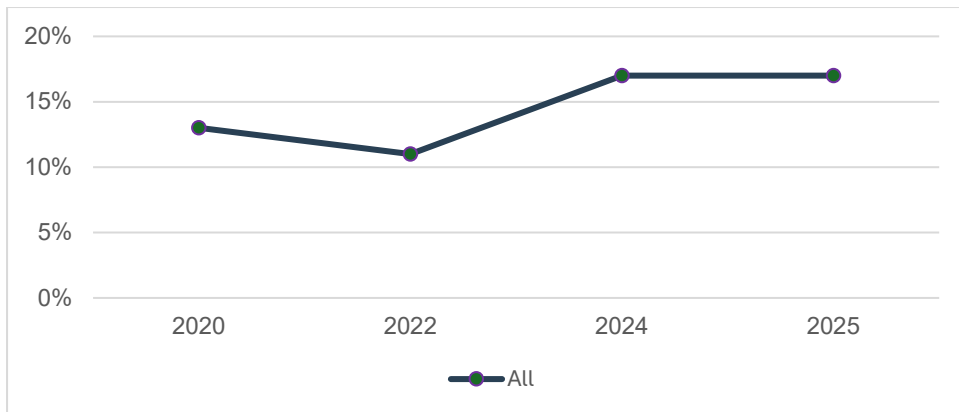


Figure 7: Proportion of respondents who complained and said that it was easy to make a complaint.

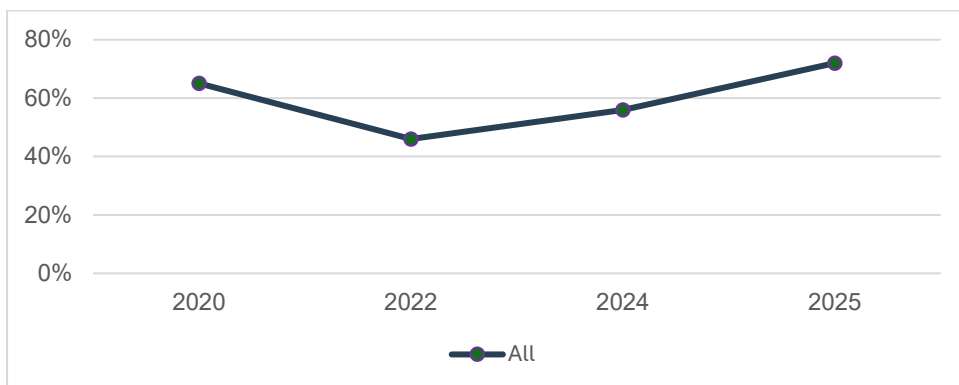
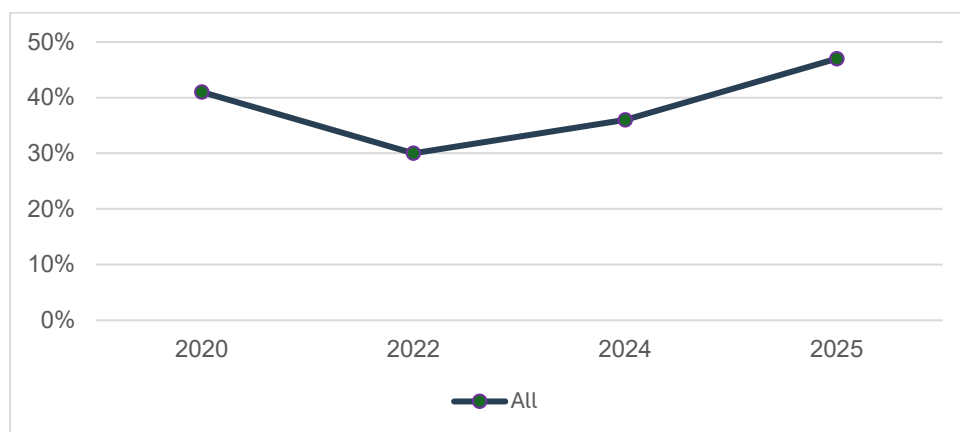


Figure 8: Proportion of respondents who complained and were happy with the way the complaint was resolved.



## Areas for improvement

Complaints officers and Chief Executives/senior respondents to our stakeholder research were generally supportive of our work but indicated some areas for attention in the future:

- challenges related to resources and workload when adhering to our complaints standards
- ensuring there are no inconsistencies in complaint recording data
- a scope for a more cooperative partnership with us and a collaborative development of new approaches
- benefits of limiting bureaucracy as far as possible
- appetite for more refresher sessions as well as more bespoke training, tailored to the issues relevant to each sector
- targeting training towards GP practices.

We will continue to engage with public bodies and the Welsh Government to ensure that our statutory principles of good complaint handling are:

- consistently applied by public bodies in Wales
- properly considered as part of any policy decisions which have the potential to affect how complaints are handled by public bodies in Wales.

We will also continue to engage and collaborate with other regulatory bodies and the Commissioners in Wales to support their work and to create greater standardisation in good complaint handling across the Welsh Public Service.

## **6. Our Act and the broader ombudsman sector**

*How the Act compares with current best practice.*

PSOW is already seen as a leading light amongst UK Ombudsman organisations, given the suite of powers in the Act. We are certainly the envy of England, whose jurisdiction remains wedded to legislation originally passed decades ago (in 1967 and 1993 in the case of the Parliamentary and Health Service Ombudsman (PHSO) and 1974, in relation to the Local Government and Social Care Ombudsman). In some instances (relating to complaints about UK government departments), complainants face an additional hurdle of needing to file a complaint through their MP (known as “the MP filter”). Despite initial proposals to introduce new legislation in England, these have not borne fruit and all complaints about public services have to be made in writing.

Whilst working with bodies to establish good complaint handling practice, neither the PHSO or the LGSCO in England have statutory powers in this regard and therefore have no statutory power to set complaints standards.

Whilst having more recent governing legislation (2002), complainants in Scotland also still have to submit complaints in writing. The Scottish Public Services Ombudsman has complaints standards powers and has worked to establish a model complaints process, as well as delivering training to public bodies.. Scotland charges fees for their courses, which we in Wales deliver to public bodies free of charge. The benefit of the training can be seen from the feedback already referred to above.

Neither England nor Scotland can undertake own initiative investigations.

It is only Northern Ireland, with its more recent legislation, that can, like us in Wales, take oral complaints, undertake own initiative investigations and has complaints standards powers. Like us, Northern Ireland has used its own initiative powers sparingly, but has a more streamlined process (see section 3 above).

Equipped with the suite of proactive powers, we remain at the forefront of best ombudsman practice in the UK and internationally.

## **7. Policy objectives of the 2019 Act**

*The extent to which the policy objectives of the 2019 Act have been met and any developments in the five years since the Act was introduced.*

In the previous sections of this submission, we talked in detail about the impact of our proactive powers to date. Here, we briefly highlight how that impact aligns with the policy intent of the 2019 Act:

- **Improve social justice and equal opportunities**

Our ability to accept complaints other than in writing improves access to our services and so strengthens our ability to secure administrative justice. As we show above, analysis of our casework clearly shows that this service supports disabled people. Case studies show that this service also improves access for other groups.

Our complaints standards training includes a detailed discussion on accessibility – and how public bodies can ensure they receive all the complaints they should, from all parts of society. This helps to contribute to our ambition to positively influence the accessibility of local complaints processes. Under our complaints standards powers, we have also reached out to local councils to query what arrangements they have in place to monitor who complains to them. We believe that this information is key if public service providers are to ensure that their complaints processes are accessible.

- **Protect the most vulnerable**

We know that many groups may find it difficult, or be reluctant, to complain, for example, due to lack of awareness or capacity to engage with complaints process; issues around trust, fear of reprisals or disillusionment with public service providers.

The power to undertake an own initiative investigation allows us to focus on matters that benefit those most vulnerable in our society, those who do not, or

are unable to complain; the seldom heard voices. This consideration is central to the statutory criteria underpinning our wider own initiative work.

To date, we have concluded two wider own initiative investigations and both focused on services for highly vulnerable groups that rarely complain to our office – the homeless and unpaid carers.

Our criteria also ensure that we use this power wisely and only when we have a sound basis to do so.

We have also used our power to extend existing investigations to look at other issues or organisations. We give examples of human impact of this power earlier in this document, as we are able to investigate more holistically and spare people having to repeat complaints processes.

- **Being more responsive to the citizen**

The COVID-19 pandemic has emphasised how important the own initiative powers are to any ombudsman service, if it is to take a proactive approach to improvement. By using this power, we were able to make a ‘real time’ difference for disadvantaged groups. We have outlined above, in section 3.1, how small changes to our general consultation duty could equip us to become more responsive to citizens in Wales on issues of public concern.

Our power to investigate private health-related services, in some limited circumstances, is designed to ensure that the complaints process will follow the citizen and not the sector. As we explain in section 4 above, we have not used this power to date, as we have not received any complaints that met the requirements set out by the Act which reached our threshold for investigation. Nevertheless, we firmly believe that the rationale for the Ombudsman to retain this power remains as strong as ever.

- **Driving improvement in public services and in complaint-handling**

The availability of regular, reliable and comparable data on complaints across the public sector drives accountability and better practice. The organisations already under our complaints standards remit indicate high levels of satisfaction with our complaints guidance and training and generally agree that this power has a positive impact on their complaints processes. Since the launch of our

complaints standards powers, we have also seen an increase in the proportion of the Welsh public who said that it was easy to make a complaint and that they were happy with how the complaint was resolved.

- **Contributing towards the achievement of well-being goals**

Although we are not subject to the requirements of the Well-being of Future Generations (Wales) Act 2015, our work since 2019 contributes to some of the goals set out in that Act:

- a healthier Wales – health continues to be the subject of the largest group of complaints we receive. Our complaints standards work and other efforts (such as our thematic reports) supports wider learning and improvement of health services in Wales.
- a more equal Wales – through accepting complaints other than in writing, and monitoring complaints processes and the performance of other organisations, we improve access to public services. Our use of own initiative powers enables us to investigate issues affecting those who are least likely to complain, addressing the imbalance of power between organisations and individuals.
- a Wales of Cohesive Communities – our use of own initiative and complaints standards powers helps us to identify and ‘call out’ differences in service quality across Wales.
- a Wales of vibrant culture and thriving Welsh Language – we can accept complaints other than in writing in Welsh as well as other languages. This service can support those who are more confident speaking than writing in Welsh.

## **8. Cost and benefits and value for money**

*The costs and benefits of the 2019 Act, how these compare with the estimates set out in the Explanatory Memorandum and whether value for money been achieved.*

The preceding sections discussed in detail the impact of our powers and how we have met the policy objectives of the Act. This section focuses on costs and the value for

money of the Act, with reference to the original Regulatory Impact Assessment (RIA). The RIA only set out estimates for a 5 year period (2019-20 to 2023-24), therefore only direct costs up to 31 March 2024 are included in our analysis below and assessment of value for money.

We have reported each year as part of our Annual Report & Accounts our expenditure on activities related to the Act. The total direct costs, as reported over the last 5 years, are summarised below:

	£000
Staff Costs	1,381
Premises	65
Communications	39
Computer Services	35
Office Costs	15
Training & Recruitment	11
Capital	8
Advisory & Legal	6
Travel & Subsistence	4
Total	1,564

Each year, we have reported a small under-spend against our budgeted expenditure on activities relating to the Act. The total under-spend over the last 5 years on activities relating to the Act was £95k, which means we have effectively used just under 95% of our allocated additional funding as set out in the RIA. All under-spends are repaid to the Welsh Consolidated Fund.

Overall actual costs have been lower than those allowed for in the RIA, as we have one dedicated member of staff who leads on our own initiative work, with support from other staff across the office, as required (rather than the two members of staff assumed in the RIA) and travel and subsistence costs associated with our Complaints Standards work have been significantly lower due to ongoing changes in working practices, as a result of the COVID pandemic.

Whilst the above table relates to our expenditure since 2019/20, it should also be noted that, by the end of the 2023/24, PSOW had provided more than 552 training sessions to public bodies, completely free of charge. The value of this training on the private market would be in excess of £1million.

We have continued to prudently deliver these services through 2024/25. The benefits that have arisen from how we have utilised this money have been explained in this evidence submission and demonstrate how we have effectively obtained value for money through maximising the output of the resources invested. We will continue to report on the benefits and identify expenditure related to the additional powers provided to the Ombudsman under the Act, as part of our Annual Report & Accounts.



**Michelle Morris**

**Public Services Ombudsman for Wales**

March 2025

**Appendix A** – Independent Report by Ruth Marks CBE on the views of the Third Sector organisations in Wales on Public Services Ombudsman for Wales Own Initiative Investigations 2021-2025

**Appendix B** – Stakeholder Research - Chief Executives or Senior representatives of local councils, Health Boards and Housing Associations.

## **Final report**

**Independent report on views from Third Sector Organisations in Wales on the Public Services Ombudsman for Wales Own Initiative Investigations 2021-2025.**

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## Executive summary

In 2019 the Senedd enacted a new [Public Services Ombudsman \(Wales\) Act](#). One of the new powers gave the PSOW an Own Initiative power of investigation under s4 of the Act. The purpose of the power is to enable the Ombudsman to undertake a Wales wide investigation of the delivery of a chosen public service. The outcome of the investigation is to identify how services can be better delivered to people across Wales.

Since the Act was introduced, the PSOW has undertaken two Own Initiative investigations which can be found on the website [here](#):

*Homelessness Reviewed: an open door to positive change.*

*Are we caring for our carers? An Own Initiative investigation into the administration of carers' needs assessments in Wales.*

In responding to the Senedd's Finance Committee investigation of the operation and effect of the new powers which were introduced in the Act, the Ombudsman commissioned an independent project to gauge feedback from Third Sector organisations who work either in direct ways to protect those most vulnerable in society or provide information to charities and groups delivering advocacy support.

The independent project was undertaken by Ruth Marks CBE, (former Chief Executive of WCVA) between February and March 2025 and the main findings are summarised below.

Third Sector organisations are active across every part of Welsh life and many work closely with public services. Some charities and voluntary organisations provide direct services to people who are in vulnerable circumstances and have significant expertise relating to all equality characteristics. Staff and volunteers provide support to people facing disadvantage, discrimination and inequity in service provision.

The size and scope of Third Sector organisations varies, however commitment and determination are constant. This is reflected in the positive response from Third Sector organisations approached for this project to discuss and reflect upon the Ombudsman's Own Initiative investigations.

The Third Sector have made a crucial contribution to the investigations undertaken to date, drawing on their experience of working with vulnerable people and groups in every community across Wales. Charities and voluntary organisations support people who feel let down by public services, people who have faced multiple difficult life events, disadvantages and trauma and as a result have very low trust in official systems and processes.

The Ombudsman is focussed on improving public services by addressing maladministration. Increased collaboration with the Third Sector would be mutually beneficial, but most importantly, result in better support and services for the most vulnerable in society.

Wales is the only country in the UK with formal systems of engagement between the Third Sector and Government. This report highlights real potential to build upon these systems with the Ombudsman, the wider public sector and the Third Sector. This would demonstrate value for money and increased democracy in line with national policy commitments and the principles of social partnership.

## **The process of making a decision to undertake an Own Initiative investigation.**

The decision making process involves several stages including casework analysis, scoping the issue, consultation with public bodies and wider stakeholders resulting in a focussed proposal. This process takes some time before an actual investigation can begin.

There was unanimous support across the organisations consulted that the Own Initiative investigation powers offered an essential and valuable additional level of scrutiny of public services.

One contributor said “*I am* impressed by the two areas chosen...homelessness and carers are part of the unheard and unseen *as they are* maybe not as collectively represented.”

## **The experience of engaging with PSOW throughout the Own Initiative investigation process.**

Third Sector organisations welcomed the opportunity to work with the Ombudsman and understood that engagement helped to clarify the scope of the investigation, the accuracy of findings and the focus of recommendations.

One stakeholder said “We would always see being asked by the Ombudsman for information as a really positive engagement that we would prioritise.”

Third Sector organisations noted that their front line services see injustices happening and are therefore well placed to engage with the Ombudsman sharing relevant evidence and data.

All organisations agreed that service user involvement is vital, and diversity amongst these voices is of the utmost importance. Therefore they welcomed the approach taken by the Ombudsman to put users views at the heart of investigations, and felt this was achieved by the Ombudsman consulting and collaborating with them throughout the process.

One stakeholder reflected the views of many of those consulted: “Thank you so much for thinking of us and reaching out to us because we do value the engagement and we do value the initiative reports as well.”

## **Perception of the impact of the investigations and whether the scope of the recommendations are supported.**

The first investigation into homelessness investigations took place in 2021 and the second investigation into carers needs assessments was completed in 2024.

In relation to understanding impact, the Third Sector organisations felt that they were only able to comment on the first investigation, as the second investigation is too recent.

Importantly the report into homelessness investigations has stimulated thinking and added weight to policy discussions. The evidence base of the investigation has been used in expert reference groups and influenced legislation.

Several Third Sector organisations spoke about the Expert Review Panel convened to review homelessness legislation. The Panel referred in detail to the Own Initiative Investigation report in the course of their work.

*“It was great to have the Ombudsman’s report as an independent piece of research to highlight issues from its unique and respected perspective.”*

Stakeholders who took part spoke highly of the investigations and were impressed with the quality of reports produced. A positive outcome is that the recommendations of both investigations were widely supported.

Third Sector organisations were keen to know how the Ombudsman would hold public bodies to account. They wanted the impact of the Ombudsman’s reports and recommendations to be monitored over time to evaluate whether they were making a positive difference to people’s lives and improving their experience of public services.

### **Opportunities for improvement**

1. Further develop ways to work with the Third Sector.
2. Establish regular general and subject specific points of contact.
3. Exchange information on trends and data to highlight ongoing or emerging issues with service delivery.
4. Involve people with lived experience and people working in front line services.
5. Increase publicity about the Own Initiative power.

## **Feedback from the organisations consulted**

### **1. How Third Sector organisations perceived the process by which PSOW decide what to investigate (or what not to investigate)**

#### **Shelter Cymru**

Understanding that the process drew information from casework trends to identify key issues providing valid reasons for assessment and investigation.

With technical areas of legislation and regulation it is often hard to take a detailed view to find out if the policy intention varies from the practice on the ground. However, when injustices are happening, the opportunity to look closely becomes even more important.

The PSOW staff were very positive about receiving data and evidence from the policy and casework teams of Shelter Cymru.

#### **Llamau**

The investigation process adds to democracy and therefore is essential to good practice.

There was significant discussion about the complexity of homelessness and the need to agree on the most important aspects of the investigation.

Increased collaboration during consultation and proposal stage might have been useful, helping to tighten the boundaries and focus of the investigation.

#### **Crisis**

Positive experience and pleased to be able to contribute to an independent investigation that looked at service delivery from a different perspective.

#### **Carers Wales**

Process was positive because the investigation dealt with more than an individual case and was able to look at wider and systemic impact.

The actual detail of this Own Initiative Investigation came from a stakeholder engagement event / sounding board event involving carers organisations.

#### **Round Table**

There was a varied understanding about the detail of the investigation process.

Some Third Sector organisations were aware of and understood the consultation, proposal and investigation process.

These organisations tended to be larger charities and Third Sector organisations with dedicated campaigns and policy functions based in Wales. However, smaller organisations had less knowledge of the process, but were confident and assured that the Ombudsman could undertake such investigations.

All agreed that the process allowed for issues impacting inequalities to be looked at more holistically.

Organisations recognised the considerable benefits of learning from casework investigations and a focus on 3 or 4 public bodies geographically spread across Wales.

They were keen to learn more and in future would like to develop ways to share information from lived experience that could help delivery of public services to people who face multiple disadvantages and discrimination.

Carers organisations pointed out that at the same time as the PSOW investigation into carers needs assessments, similar work was being undertaken by Care Inspectorate Wales and a Ministerial Advisory Group. It was therefore felt that this created additional work for Third Sector stakeholders and potential duplication of effort and some confusion.

## **2. Experience of engaging with PSOW throughout the Own Initiative investigation process - from sharing ideas about areas to investigate through to supporting the office with evidence and gathering feedback on impact.**

### **Shelter Cymru**

There was considerable positive engagement with individual staff to share data and evidence. A useful focus group was convened which gave the opportunity to share first hand lived experience. It has been possible to monitor impact over the several years since the investigation. It is important to note that good collaboration needs time and resource.

### **Llamau**

After initial discussions, there was less direct involvement due to resource constraints. The timeframe of the scoping exercise was felt to be too long and this was frustrating.

### **Crisis**

Noted that they had a positive experience of working with the Ombudsman and in future would value and prioritise the opportunity to provide further information when consulted.

### **Carers Wales**

Their involvement in the investigation was a very positive experience and they felt that PSOW staff were receptive to receive data and evidence from the organisation and from carers. They were able to facilitate service user involvement which in turn helped meet one of their own strategic priorities for carers to directly influence policy and practice.

Carers are less likely to make an individual approach to PSOW than other groups. The engagement collaboration with the PSOW helped build the picture and highlight differences and gaps in service delivery across Wales.

## Round Table

Smaller organisations felt they were being asked for a considerable amount of information and this placed additional strain on already stretched resources. These organisations know that the people they support are less likely to directly approach the PSOW.

Of critical importance is that they highlighted a concern that some public bodies are pulling back from engagement with the Third Sector. This is seen as detrimental to sharing knowledge and ideas to improve services for people in vulnerable circumstances.

One organisation commented “It was all quite smooth”.

However, levels of time and resources available to the organisations varied considerably. This resulted in larger organisations being better able to provide the evidence, data, research and case studies to the Ombudsman’s investigation. Feedback indicated that they greatly valued the opportunity to share their work.

Smaller voluntary organisations felt rather overwhelmed with the volume of information they were asked to provide. They have very useful evidence to share, however, due to the crisis driven nature of their work, do not have any spare capacity to maintain engagement in lengthy processes. Feedback indicated a strong desire to be involved in investigations, but it would help if the consultation and engagement processes could be more precise and focussed on what information would be the most useful in evaluating the most important impacts of service delivery.

### **3. Perception of the impact so far - or, if the recommendations are too recent to comment, whether the scope of the recommendations are supported**

## Shelter Cymru

As a result of the Own Initiative Investigation being evidence based, the Expert Review Panel into Ending Homelessness was able to draw information from the PSOW report. The work has informed and expanded policy discourse.

Specific impacts were noted: an increase of time from 56 days to six months which provides a greater opportunity to review the aspect of “reasonable steps”. Another concerned the timeframe for a review around temporary accommodation being reduced from 56 days to 21 days which has a positive impact for people facing homelessness.

Some Local Authorities clearly take a holistic, trauma informed approach and others do not. Involvement of the Take Notice function / service is having an impact in some areas across Wales.

As PSOW is independent of Welsh Government and public bodies there is an opportunity to involve people with lived experience in considering the effectiveness of a public service.

## **Llamau**

Less convinced that there has been significant impact. Recommendations could have been more hard hitting.

## **Crisis**

Reinforced many of the points made by Shelter Cymru and noting that Crisis were the organisation who convened the Expert Review Panel looking into changes to housing legislation and drew on the Ombudsman's report.

This stakeholder engaged with the Ombudsman and was also a member of the Expert Review Panel. They highlighted the ability to refer to particular issues "I was able to do that in large part because of the Ombudsman's work, because people knew what I was talking about and ...it didn't just sound like a random idea out of nowhere, but it had an evidence based behind it. It seems likely that some of those reforms will go forward."

The report is available here: <https://www.crisis.org.uk/media/uqgbuwpp/ending-homelessness-in-wales-a-legislative-review.pdf>

A key point to note is that as the Investigation had an evidence base behind it, members of the Expert Review Panel were able to refer to this in the course of their considerations around proposed legislative reform that is anticipated in the near future.

In addition, in relation to the recommendations of the Ombudsman's report "...some of them have informed the White Paper, which is absolutely great. It's definitely stimulated thinking about where the weaknesses were."

## **Carers Wales**

The report has added weight to key issues. Very useful to show multiple angles and make links to the Track The Act survey (Social Services and Wellbeing (Wales) Act 2014).

The detailed work with investigated authorities was useful and especially the ability to highlight deficiencies in data collection.

## **Round Table**

The PSOW needs to consider how to publicise its work more widely as some organisations were not aware that the investigated authorities are required to respond to the report.

Stakeholders were reassured that those bodies are obliged to respond and that the PSOW follows up the investigation after a period of time.

Feedback supported the focus on individual and practical outcomes rather than process and tick box activity.

Recommendations were seen as useful support for improved advocacy of service users interests.

#### **4. How the Ombudsman’s Own Initiative work could be improved, whether in terms of the length and complexity of the process, engagement with the communities affected or tracking of impact**

##### **Shelter Cymru**

Recommend increased engagement with front line colleagues as they have first hand experience and directly relevant information to share. It would be useful to connect with Third Sector organisations using shared platforms to ensure comprehensive communication – e.g. People and Housing Conference event and mailing lists.

##### **Llamau**

Develop a more collaborative approach to scope and methodology. Consider a joint steering group to identify critical issues and focus on what causes the most trauma.

##### **Crisis**

Recommended follow up reports consider both the investigated authorities and other Local Authorities and Welsh Government to achieve greater impact.

##### **Carers Wales**

Ensure clear understanding about the process to contact individual service users. The charity had contacted a number of carers who agreed to be involved in the investigation. The PSOW contacted some of the group, but not all. When the carers not contacted asked the charity about this, they were not aware and this put staff in a difficult position. Clarity of numbers required, who will contact who and when is vital.

##### **Round Table**

Communicate at regular intervals via established networks and systems which exist across the general Third Sector and within specialisms including homelessness, carers, and equality characteristics.

Clear language and the same terminology should be used – e.g. Carers Needs Assessments also called What Matters conversations, and this causes confusion in the whole system.

Consider link to Own Initiative investigations on home page of PSOW website. Language used is not immediately clear or understandable. Investigation on Own Initiative is correct regarding legislation, however this is not the most accessible language - in depth investigations might be one option?

Clearer branding of this important power would help service providers and users to better understand its relevance and possible impact on their lives.

It would be useful for Welsh Government to consider a dedicated written or oral statement in response to an Own Initiative Investigation report.

## **Opportunities for improvement**

1. Further develop ways to work with the Third Sector.

Make connections with the Third Sector Partnership Council which would improve communication across the whole of the sector and the diverse representative networks at local and national level.

2. Establish regular general and subject specific points of contact.

Examples include contributing to the People and Housing platform via Shelter Cymru or annual events such as gofod3.

3. Exchange information on trends and data to highlight ongoing or emerging issues with service delivery.

Develop a simple system to share analysis of case work and cross reference this with information from the Third Sector sharing trends, evidence and data highlighting problem areas. Benefits include independently sourced evidence and data and lived experiences revealed by front line services. This could be achieved via the points above and also in liaison with the Third Sector Data Unit within Welsh Government.

4. Involve people with lived experience and people working in front line services.

This would help promote holistic approaches to the delivery of public services and encourage regular engagement between public bodies and the Third Sector leading to increased trust and improved service delivery.

5. Increase publicity about the Own Initiative power.

Leading to greater understanding by individuals and organisations who might wish to draw specific service delivery issues to the attention of the Ombudsman.

## **Acknowledgements**

Thank you to representatives of Third Sector organisations who enabled their staff to engage with the project within the required timeframe.

AVOW (County Voluntary Council for Wrexham)

Carers Wales

CAVO (County Voluntary Council for Carmarthen)

Crisis

FLVC (County Voluntary Council for Flintshire)

Learning Disability Wales

Llamau

NEWCIS

Shelter Cymru

TGP Cymru

Thanks are given to the following staff of the office of the Public Services Ombudsman for Wales for the briefings and support given to undertake this project:

The Ombudsman

Chief Legal Adviser & Director of Investigations

Own Initiative Lead Officer

Executive Assistant

ICT support staff

Particular thanks are due to the Head of Policy, Communications and EDI who provided information and technical support.

## **Appendix 1**

### **Project brief**

To gain an understanding of the Own Initiative process and ways of working more generally, as well as with the details of the two Own Initiative investigations to date.

To hold semi-structured interviews with representatives of a selection of Third Sector organisations to discuss views and experiences on the processes, engagement and impact of the two Own Initiative investigations plus any areas for improvement.

The interviews to focus on the organisations working with vulnerable communities directly relevant to the investigations to date.

In addition, to engage with several organisations that have not been closely involved, to gather views on the visibility and understanding of the Own Initiative powers.

To analyse the results and produce a brief report, highlighting in particular any lessons and opportunities for improvement.

### **Methodology**

Familiarisation via reading and briefings

1-1 interviews with:

Shelter Cymru former Head of Campaigns

Shelter Cymru Head of Campaigns

Llamau Chief Executive

Crisis Head of Policy and Communications (Wales)

Carers Wales Senior Policy and Public Affairs Manager

Round table meeting with three County Voluntary Councils, TGP Cymru, NEWCIS, Learning Disability Wales

Analysis and report writing

## Appendix 2

### List of organisations involved in the project

<b>Organisation name</b>	<b>Type of involvement</b>
Shelter Cymru	1-1 Interviews, recorded and transcribed with 2 people
Llamau	1-1 interview, recorded and transcribed
Crisis	1-1 interview, recorded and transcribed
Carers Wales	1-1 interview, recorded and transcribed
CAVO - CVC for Ceredigion	Round table, recorded and transcribed
AVOW - CVC for Wrexham	Round table, recorded and transcribed
FLVC - CVC for Flintshire	Round table, recorded and transcribed
TGP Cymru	Round table, recorded and transcribed
LDW	Round table, recorded and transcribed
NEWCIS	Round table, recorded and transcribed

## Appendix 3

### Informed consent form

#### Qualitative interview participation

**Study title:** 'Third Sector view of Own Initiative investigations undertaken by the Public Services Ombudsman for Wales'

**Researcher(s):** Ruth Marks

**Institution/organisation:** this study has been commissioned by the Public Services Ombudsman for Wales

**Contact information:** [Insert contact details]

#### Introduction

You are invited to participate in a qualitative interview as part of a research study conducted by Ruth Marks and commissioned by the Public Services Ombudsman for Wales. Your participation is entirely voluntary, and you may withdraw at any time without providing a reason and without any consequences.

#### Purpose of the study

The purpose of this study is to gather views of Third Sector organisations in Wales on how the Ombudsman has exercised the power to undertake Own Initiative investigations to date; and whether this power has provided a mechanism to protect those most vulnerable in society.

This research will involve qualitative interviews. The study will be used by the Public Services Ombudsman for Wales to evaluate their Own Initiative work of the office and identify any areas for improvement.

#### What participation involves

If you agree to participate, you will take part in an interview that will last no longer than 1 hour. The interview will be recorded for accuracy, and your contributions will be analysed to create a report.

#### Confidentiality and data use

- The interview will be recorded and transcribed.
- Your contributions may be included in the final report, including some verbatim quotes.
- By default, you will be identifiable only by the name of your organisation; your personal name will not be used. While this measure ensures confidentiality, full anonymity cannot be guaranteed due to organisational identification. If you have concerns over your organisation being named, you can choose for that information to be redacted as well.
- The final report will be the property of the Ombudsman, and the Ombudsman may use it in their own publicity and consultation responses.
- All data will be securely stored and used solely for research purposes.
- The transcripts will be retained by the Researcher and kept securely for three months, after which they will be destroyed.

#### Potential risks and benefits

There are no anticipated risks linked to this study. Your participation will contribute to

the evaluation of the Ombudsman’s Own Initiative work and help identify areas for improvement.

**Right to withdraw**

You have the right to withdraw from the study at any time without providing an explanation. If you choose to withdraw, your data will be removed and not included in the final analysis.

**Consent statement**

I have read and understood the information provided in this consent form. I voluntarily agree to participate in this research study. I understand that I can withdraw my consent at any time without consequence.

I am / I am not happy to be identifiable by the name of my organisation.

**Participant name:** \_\_\_\_\_

**Organisation name :** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Researcher’s signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

If you have any questions or concerns about the study, please contact **[Insert Researcher Contact Information]**.

**RESEARCH REPORT**

# Stakeholder Research

Prepared for:  
Public Services Ombudsman for  
Wales





**Ombudsmon  
Ombudsman**  
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# Executive summary

## Introduction

Beaufort conducted eight in-depth personal interviews with a sample of stakeholders of the Public Services Ombudsman for Wales (PSOW). The eight respondents were recruited from a list of senior stakeholders provided to Beaufort by the PSOW. Interviews break down as follows: three interviews with representative from Local Authorities; three interviews with representatives from Health Boards, and two interviews with representatives from Housing Associations. All stakeholders who took part were Chief Executives or were part of the senior leadership team within the organisation. The depth interviews lasted for around thirty minutes and were carried out online over Microsoft Teams between the 24<sup>th</sup> February and 20<sup>th</sup> March 2025.

## Key findings

### Complaints handling

- Stakeholders interviewed across all sectors expressed a positive perspective on the PSOW's complaints handling, citing its effectiveness, fairness, and timeliness.
- The PSOW's pragmatic and reasonable approach led stakeholders to conclude that the process was efficient, balanced, and beneficial to both the public and the organisations involved.
- There was a high level of trust in the Ombudsman's decision-making and recommendations.
- Implementing recommendations promptly was often noted as one of the main challenges.
- The communication and engagement between the PSOW and public bodies was seen as constructive, fostering a generally collaborative environment for resolving complaints.

### Own-initiative investigations and thematic reports

- PSOW's own-initiative investigations were, on the whole, seen as an appropriate and constructive power, particularly in areas lacking regulatory oversight, by providing an external eye on public interest issues.
- Local Authority representatives who had experienced the PSOW's own-initiative investigations had mixed responses, noting both positive and critical aspects.
- The engagement by the PSOW and the overall process was praised by some, but stakeholders sometimes found the experience difficult, time-

consuming and, occasionally, overly critical due to the use of strong terminology like 'maladministration'.

- There were concerns about the clarity of objectives and occasional duplication of regulatory oversight.
- Despite these challenges, the oversight was seen as an opportunity for meaningful service improvements.
- Opinions on the value of thematic reports varied but were on the whole broadly positive. Some praised the insight and oversight they provide on known issues within the sectors.

### **Complaints handling standards and training support**

- Stakeholders reported high levels of engagement and satisfaction with the training provided by the PSOW in this area. The training was felt to help organisations to better adhere to the Complaints Standards as well as improve staff's understanding of the PSOW's processes.
- Introducing the Complaints Handling Standards had led to improvements in organisations' complaints handling according to all stakeholders interviewed across the different sectors.
- However, resource and workload pressures, as well as inconsistencies in complaint recording data, remain key issues.
- Stakeholder suggestions for the future included continuing to offer training and the sharing of approaches to enable consistent handling of complaints. Organisations interviewed expressed the desire for a more cooperative partnership with the PSOW and a collaborative development of new approaches, in addition to limiting bureaucracy as far as possible.
- Stakeholders stressed the importance of the PSOW continuing to foster positive and constructive relationships with them.

# Background and methodology

## The situation

The office of the Public Services Ombudsman for Wales (PSOW) was established in April 2006 by the PSOW Act 2005. That Act gave the Ombudsman the power to consider complaints about providers of public services in Wales, including:

- local government (such as county and community councils)
- the National Health Service (such as Health Boards, Trusts, GPs and dentists)
- registered social landlords (housing associations)
- Welsh Government and its sponsored bodies.

The Public Service Ombudsman for Wales's main role is to look into complaints about something that has gone wrong with Welsh public services; look into complaints that Welsh councillors have breached their Code of Conduct and ultimately to work with public bodies to improve public services and standards of conduct within local government across Wales.

In May 2019, the Public Services Ombudsman (Wales) Act 2019 gave the organisation new 'proactive' powers to:

- accept complaints other than in writing
- undertake investigations on its own initiative
- establish complaints handling standards for public bodies in Wales
- consider aspects of privately funded healthcare in specific circumstances.

The Act states that, after 5 years from the date of Royal Assent, the Senedd must prepare and publish a report on the operation and effect of the Act. Therefore, The Public Service Ombudsman for Wales commissioned Beaufort Research to explore these topics qualitatively with a small selection of highly senior stakeholders.

## Research objectives

The overall objectives for this research were to explore stakeholders' views on:

- the PSOW's handling of complaints including effectiveness, fairness, timeliness and impact
- the challenges of implementing recommendations by the PSOW
- the PSOW's own-initiative investigations and the application of this power
- the value of thematic reports
- the PSOW's complaints handling standards and its impact on organisations
- the training and support offered by the PSOW.

## Research method

Given the nature of the objectives, a qualitative research approach was used to allow participants to provide in-depth views on the topics of interest.

The budget available for this project allowed eight interviews with stakeholders to be conducted and analysed. The eight interviews break down as follows: three interviews with representatives from Local Authorities, three interviews with representatives from Health Boards and two interviews with representatives from Housing Associations. All stakeholders who took part were Chief Executives or were part of the senior leadership team within the organisation. The PSOW provided Beaufort Research with a list of senior stakeholder contacts from a range of different organisations, who had agreed to be approached by Beaufort. Beaufort then contacted stakeholders directly via email to invite them to be interviewed at a time and date convenient to them.

The depth interviews were carried out online over Microsoft Teams between the 24<sup>th</sup> February and 20<sup>th</sup> March 2025.

It should be noted that the sample for this research was small and was not, by design, representative of all public bodies. However, qualitative investigation is intended to provide in-depth understanding which was required for exploring the research objectives. Its strengths lie in the ability to identify themes, provide illustrative examples of experiences and opinions and indicate the convergence or divergence of views or reported experiences.

The topic guide for stakeholders was developed in partnership with the client (see Appendix). Each depth interview lasted around 30 minutes. The discussions were digitally recorded with participants' consent and transcripts were produced as the basis for the analysis.

An inductive approach to the analysis was used whereby the researcher categorised the data to develop themes that emerged from the content of the interviews. The categories and themes were broadly framed within the key research objectives and topic areas. The analysis of data uses quantifiers (e.g. some, a few) to help determine patterns of opinions among participants. However, these quantifiers should not be generalised and must be interpreted only as applicable to the research sample.

Anonymous verbatim comments made by participants are included in the report. These comments should not be interpreted as defining the views of all. Instead they give insight into individual views on the themes identified. Not all

stakeholders interviewed hold the same opinions which means that the views summarised in the report naturally vary.

# Main findings

## The Ombudsman's complaints handling and impact of recommendations

### Effectiveness

The effectiveness of the PSOW's complaints handling process was acknowledged across sectors, with stakeholders finding it "slick" and appropriately selective. Organisations felt that complaints were proportionately investigated and the rationale for decisions were clear and instructive. The quality of feedback from the PSOW provided clarity for decision-making and learning points for future cases, according to those who took part.

*There are some intrinsically difficult complaints which the Ombudsman is dealing with, which I think in the main the Ombudsman deals with well. (Local Authority)*

*I think the reports that you get back from the Ombudsman are very good. They put in the rationale, in terms of why they've upheld, why they've partially upheld, why they've not upheld so that it helps us understand the reasoning for the decision and to go back and check against our own decisions. (Health Board)*

*I'm very positive about it. They seem to get the balance right between the things they decide to investigate and those things that they kick back and say go to the landlord and go through their complaints process. (Housing Association)*

A sense of pragmatism and understanding from the PSOW in dealing with complaints was also appreciated by stakeholders across sectors, which contributed to the perception of overall effectiveness.

*I think we've always had a very sort of mutually cooperative approach... So on the whole they are very pragmatic and very willing to see if the compromise can be reached. (Local Authority)*

*I think when I read the decision letters they are quite pragmatic. Often these cases are quite complex clinical cases that need quite a lot of external specialist input from experts. So I think they go and seek the right expertise*

*when they need to, to get an opinion that is going to be useful to them in informing their decisions. (Health Board)*

*I think the Ombudsman in Wales is very effective. There are patients who are frustrated because they still don't get the answers. I think they are quite pragmatic sometimes because you will get people who are unhappy with the response. But actually it's the essence of the response that has been dealt with appropriately. So I think they are very fair and balanced. (Health Board)*

Although the process was considered highly effective, one Local Authority representative commented they wished the public better understood the Ombudsman's role and processes. They believed this would help manage the public's expectations which in turn would minimise the volume of cases the PSOW would have to review. This was a sentiment echoed by other stakeholders.

### **Fairness**

Fairness and balance in complaint handling by the PSOW were unanimously reported, indicating high confidence and trust in the PSOW's work. On the whole, most representatives believed that the Ombudsman understood the constraints within public bodies, leading to reasonable and well-reasoned decisions.

*Very fair. They recognise the constraints for local government. Everything is pretty much fair and transparent and no major concerns there. (Local Authority)*

*I think broadly they are pretty fair. I've not read a decision and thought, "oh, that feels a bit odd that they've made that decision". Where they found issues, I would probably acknowledge that they're right. (Health Board)*

*Fortunately we haven't had many complaints that have escalated to the Ombudsman, which is really good. And the couple that we've had though, from our perspective, we've always found the Ombudsman intervention to be sort of fair and reasonable and we don't see it as a negative thing to have that external insight and input. (Housing Association)*

Even when organisations disagreed with the PSOW's decisions, solutions such as compensation were discussed further and the PSOW provided its rationale for the decision, which was often enough to resolve the disagreement.

## Timeliness

On the whole, the PSOW was perceived to handle cases in a timely manner, without unnecessary delays. Stakeholders acknowledged that complex cases took longer but they generally did not attribute these delays to the Ombudsman or believe they were excessive.

*I'm not aware that we are picking up concerns about the Ombudsman delaying issues... I'm aware of one [case], which is really problematic and probably is not something that lends itself to a swift resolution. But I'm not sensing that there's a shortcoming or shortfall in the Ombudsman's services which are causing delays. (Local Authority)*

*Pretty good. I think the time frame they work to is pretty much adhered to. So I think it feels that that that process works pretty efficiently. (Health Board)*

*The ones we've had recently here, I'd say very timely as in it's not dragged on. (Housing Association)*

Some noted that their own organisations' constraints could be the source of delays, especially in terms of resource availability.

*It's often the criticism that we are not being timely, which I would completely agree with. So I think generally we haven't got any issues with the Ombudsman's time schemes. (Health Board)*

However, one Local Authority representative expressed concern about the PSOW's timeliness regarding Councillor conduct complaints. They believed that prolonged investigations and delayed resolutions could have a potentially negative impact on the Councillor's wellbeing.

In addition, a second Local Authority representative believed the PSOW was sometimes slow in responding to complaints made by the public.

*When I see the letters come in which tell me they've chosen to investigate or, in a majority of the instances, chosen not to, it tends to be a fairly significant time gap between when the member of the public contacted them and they get that letter saying in the main we're not going to investigate. (Local Authority)*

## Impact

The impact of the PSOW's involvement was clear to all, as senior stakeholders explained that recommendations made by the PSOW in the vast majority of

cases led to refined internal practices and responsiveness to feedback. Organisations across sectors said their exact responses varied based on the severity of the issues, with system-wide weaknesses undergoing scrutiny and follow-up reporting. All representatives said the learning from the Ombudsman's recommendations was taken seriously, as changes were embedded into operations. Most stakeholders interviewed could not give specific examples of changes they had made as a result, however.

*We have been able to refine practices in different ways and we've been able to look at the way in which we communicate and deal with matters internally. And I think it provides a sort of food for thought ultimately for officers by having somebody independent tell them about different ways that they could have done something in a slightly different manner. (Local Authority)*

*I think it depends on the issue and the severity of the failing, to be honest... If they are system weaknesses with recommendations attached, we make sure they go through the appropriate scrutiny committee. So you know, we attempt to learn from them. [But some] might be individual weaknesses on a part of an individual, rather than systematic failings. (Local Authority)*

*As an organisation we take learning very seriously. So we will embed the Ombudsman learning into our normal learning processes... I think the learning and improvement is probably the most important part. It can be very useful because it's almost a third eye, isn't it? The Ombudsman is very good at seeing it from the complainant's lens and sometimes helps you to think a little bit differently about the learning and the recommendations. (Health Board)*

*They've got the advantage of being outside the system looking in. So that's helpful. They've got potentially the advantage of knowing what other organisations do, but there are disadvantages. They're not specialists in the fields they're dealing in, so we may know more than they do about what the resolution should be. But sometimes a critical friend role is helpful. (Housing Association)*

Overall, it was felt the process fostered accountability, learning, and continuous improvement.

*I think it's fair to say it still carries a fair amount of gravitas. You don't want to be found wanting by the Ombudsman. I think it's got a certain amount of added weight to it as opposed to perhaps by the inspectorate or another agency. (Local Authority)*

## Challenges

When asked what, if any, challenges they faced when implementing the PSOW's recommendations, most raised concerns with the prescribed timeframes for implementation. A Health Board representative was disappointed that the PSOW had criticised them for not meeting time scales and had not shown sufficient understanding of their resource limitations or capacity issues.

*[The challenge] is normally the timeliness of that response in terms of whether we've done it quick enough for the Ombudsman or quick enough for our elected members. And that's often about resources. (Local Authority)*

*We had some changes in capacity in our internal team that were managing Ombudsman inquiries. The Ombudsman felt we weren't reacting quickly enough in responding to their inquiries, and also taking the actions necessary to close down after the event... It did feel a little bit that they weren't being particularly reasonable in understanding some of the capacity issues... Absolutely not saying that we didn't have issues and we needed to get our act together and get the responses done more rapidly. But it didn't feel there was much of a sympathetic ear to some of the issues that we were dealing with. (Health Board)*

*It's always a resource issue, isn't it? What we're already committed to doing in terms of our own corporate plan, service improvement and then there's something that comes from left field... but it's not something we've directly experienced yet. (Housing Association)*

One Health Board said their main challenge was embedding any recommendations across the whole organisation, because any changes needed to be communicated to a high volume of staff working in different sectors.

*I think we take the learning seriously. I think we seek to embed it as far as possible. I think one of the challenges in the NHS is embedding anything, I mean my organisation's scale is enormous... So communicating with all those people if we make a policy shift or change is not straightforward. (Health Board)*

A Housing Association representative was frustrated that the PSOW could not pass complainants' details to their organisation when the PSOW instructed the

complainants to deal directly with the Housing Association. They understood the data protection constraints, but felt it was a missed opportunity that the PSOW did not obtain complainants' permission to pass their details on so they could resolve the issues more speedily.

### **Relationship Management**

All stakeholders described their relationship with the PSOW as positive and collaborative on the whole. They stressed the importance of having open and frank discussions with the PSOW in order for them to be constructive, effective and allowing for the mutual resolution of cases.

*But overall the whole relationships have been positive. No issues of any major concern in the context of how complaints are dealt with. (Local Authority)*

*Generally when we deal with some really tricky cases, I really value the ability to say, well, I want you to go to the Ombudsman. So I think it demonstrates a level of confidence in them as an independent body. (Health Board)*

A Local Authority representative believed their relationship with the Ombudsman had improved since their organisation enhanced their own complaints handling.

*One of my reflections is the importance of the Council itself having in place effective corporate complaints handling arrangements. So we took steps several years ago to strengthen our complaint handling and as a consequence I think our engagement with the Ombudsman is better. (Local Authority)*

Two representatives attributed their more effective relationship with the PSOW to their positive personal relationship with the incumbent Ombudsman. Similarly, one Local Authority representative was 'struck' by the current Ombudsman's willingness to deal with an issue personally, which was appreciated.

*The current Ombudsman has sought to develop more effective relationships with the health board leaders because I think we do constitute a lot of their work. I could communicate directly with her. She has connected directly with me. And that's very helpful. And we meet at least once a year to have a proper conversation about how things are going and what her observations of where the opportunities are for us to improve. I think that's extremely useful. And I really welcome that. (Health Board)*

*I've been quite struck by the refreshing willingness of the current Ombudsman to engage personally with an issue if it's appropriate.... And therefore, the Ombudsman is sort of open to having a conversation. And I think that's really helpful. (Local Authority)*

## The Ombudsman's use of own-initiative investigations and thematic reports

### General views on PSOW's own-initiative powers

Own-initiative investigations were, on the whole, seen as an appropriate and constructive power, particularly in areas lacking regulatory oversight, by providing an external eye on public interest issues.

*I think it's good, I think it's important that they have that level of autonomy and that they have statutory backing to undertake those investigations. I think I've only seen one, possibly two since I've been here where they've instituted the publication piece where they, you know, make it public. (Health Board)*

*I think for example, damp and mould and fire safety. It is well known in the press and media that the housing sectors perform poorly for tenants [on these issues] and it'll be very reasonable for the Ombudsman to decide to investigate those in a bit more depth. (Housing Association)*

Stakeholders across sectors strongly believed the PSOW should collaborate with public sector bodies when conducting own-initiative investigations to ensure a constructive approach. One representative from a Housing Association believed it was appropriate for the Ombudsman to investigate issues but that good practice guides needed to come from inside the sector itself given the requirement for sector-specific expertise.

*I think it would be useful for the Ombudsman to liaise with like our sector body, like Community Housing Cymru, say, if they pick up an issue so that it's done collaboratively rather than the Ombudsman goes away and then comes back to the sector. This is where you go wrong... I would want it to be done in partnership. So it would be like actually we recognise that's an issue as well. So we're working with the Ombudsman to try and improve rather than we're being investigated. (Housing Association)*

*I think there is a danger in people with a policy background writing good practice guides when they haven't actually done it themselves. You know, they really do need to come from a background where they've done it at the front line. (Housing Association)*

Nevertheless, stakeholders across all sectors warned that the PSOW's own-initiative investigations could risk duplicating work that had already been carried out by other agencies such as Audit Wales, Welsh Government, Health Inspectorate Wales, Care Commission Wales and other regulatory agencies that reviewed organisations' activities and produced reports sharing good practice.

*I guess in our world obviously there's already quite a lot of people who can come and look into our services. You know, we have Health Care Inspectorate, we have Welsh Government, we have various speciality, you know, royal colleges.... My nervousness would be how do we make sure that the Ombudsman isn't doing something that is already being done by somebody else or replicating or duplicating work because there's no shortage of recommendations about. (Health Board)*

*I think hopefully everyone can learn from having gone through these two processes. I think it's still probably at the very early days of this process. Then the next one, I think I would just suggest looking perhaps at an area where there is no overarching regulator overseeing it. (Local Authority)*

In addition, stakeholders stressed the importance of having clear objectives and an evidence base to explain the PSOW's rationale for the need to focus on the topics and organisations it chose to investigate.

*Sometimes my experience of Ombudsman generally, is that they will pick up a sort of an independent review because of political noise for example, or because a patient is very loud in their criticism. And I know this has happened in England. I think the Ombudsman has to be proportionate and they have to make sure that in exercising that power they are proportionate... I think sometimes the political nature of things will drive an investigation, not necessarily the evidence base. That's more of my experience from England, but I think there's a risk in Wales of that. (Health Board)*

### **Experience of the PSOW's own-initiative investigation**

Local Authority representatives with direct experience of PSOW's own-initiative investigations in the past had mixed responses to the process, noting both positive and critical aspects.

Positively, two Local Authority representatives believed the own-initiative investigation process had been handled well by PSOW, as it was clear and their Councils had been given the right to comment on the first draft.

*I think it's appropriate and I think the Ombudsman is finding the right balance and he's not exercising those responsibilities in a way which might be considered to be overbearing and adding to resource pressures. (Local Authority)*

*I think the way they went about doing it was quite positive. They engaged with people at the start of the process. They gave an idea of terms of reference. They gathered all the information that ultimately was needed. They gave an opportunity to comment on the draft. So from a process perspective, no major issues at all. (Local Authority)*

Less positively, one Local Authority representative found the experience 'tricky' and 'time-consuming'. They did not believe the PSOW had clear aims at the start of the process, which led to it being laborious and taking longer than needed.

*I don't think they were clear on what they were trying to achieve when they went into it. We had lots of meetings with them around sort of terms of reference, representations, time frames. The thing ended up taking 18 months plus to bring to a conclusion... by the time they got to the end of it, a lot of the impetus had been lost. We were sort of almost beginning to make improvements because we were aware of what their concerns were as we were going through the process. (Local Authority)*

Moreover, two Local Authority stakeholders interviewed felt the PSOW investigation had been overly critical and too ready to use terminology like 'maladministration', which they believed was misleading and not an accurate reflection of the service as a whole. According to these stakeholders, when these concerns were raised with the PSOW, the initial response from PSOW staff had been 'quite defensive'. These Local Authorities did not believe the PSOW fully appreciated at the time the consequences of using such terminology, but were grateful that the PSOW subsequently agreed to review the language used as part of the process.

*I think the initial finding was one of maladministration, which quite frankly would have opened us up to all kinds of litigation and concerns. And it was almost like they didn't quite understand the consequences of that recommendation. I'm not sitting here saying our care services were perfect*

*and couldn't be improved. I'm not saying that at all. We knew when they picked it that we'd be found wanting in some respects. So we were, we were ready for that. (Local Authority)*

Furthermore, some highlighted inconsistencies and 'mixed messages' arising from different investigations conducted by different regulators. For example, sector regulators such as Care Inspectorate Wales were said to have approved Local Authorities' health and social care services whilst the PSOW in its investigation had described the services provided as 'maladministration'. Some of the Local Authority representatives therefore concluded it would be beneficial for the PSOW to use its own-initiative investigation powers to plug any gaps, rather than go over the same ground.

*I think the other element that I picked up on is there are lots of statutory regulators in the background in respect of that particular area of work, like Care Inspectorate Wales and other national associations. Here you had Care Inspectorate Wales saying the service was functioning, it was meeting all the various standards and the Ombudsman was saying no, there was maladministration. So I think one of the things that I sort of took away from it is it what would be really helpful if the Ombudsman picked areas in which there are no sort of regulators, there are no other organisations. (Local Authority)*

*There were recommendations that came out that were contrary to recommendations that we'd previously had from Care Inspectorate Wales.... That's a pretty invidious position to find yourself in. (Local Authority)*

One Local Authority representative also questioned whether the PSOW was clear as to whether the recommendations at the end of the review were mandatory or good practice recommendations. They did not believe the recommendations should be mandatory for the four Local Authorities that were investigated if these same recommendations were not mandatory for the other eighteen Local Authorities that were not involved.

Despite these challenges, the oversight was seen as an opportunity for meaningful service improvements. There was a desire for the PSOW to frame their own-initiative investigations as a means to aid service improvement rather than criticism.

*I always understood own-initiative investigations ultimately to be to look at areas of practice and how can we make them better, not criticise people for not doing things. And you know, we have taken on board those and we are*

*now looking to implement them as part of our service review. (Local Authority)*

### **Value of thematic reports**

Opinions on the value of thematic reports varied but were on the whole broadly positive. Some praised the insight and oversight they provide on known issues within the sectors e.g. accessibility in public services and damp and mould in the social housing sector.

*They've got intrinsic value, I think, because of the insight that the Ombudsman can bring to a particular set of issues. And you know, what's been focused on here are some vital issues in relation to access, concerns by members of the public about levels of accessibility and communications... Absolutely drawing together some of these concerns into these thematic reports can improve service delivery. The Ombudsman is in a pretty unique position to shine a light. (Local Authority)*

*So we will go through a process of sending those reports out. We'll ask for a response from our operational teams or our central teams on the content and we'll make sure that that's built into our improvement programmes. So they're, you know, they're very helpful in terms of reflecting on the evidence base, reflecting on the experience of people, the safety of people and then putting in place the improvements. So there again, they're another key arm of our assurance framework. (Health Board)*

*[Living in Disrepair report] was quite sort of high profile and came out at a good point in time when we were looking to improve and change. We just shared it with our senior leadership team. I think we then took it to our resident panel with a supporting document and then used that alongside some others .. to come up with an internal action plan. (Housing Association)*

However, a Health Board representative felt the thematic reports risked adding to the 'white noise' of existing reviews. One Local Authority representative did not recall seeing any thematic reports that focused on Local Authority issues specifically so believed more relevant thematic reports were needed for them to be more impactful in their organisation. Stakeholders acknowledged that the PSOW had a valuable and different perspective on issues so a few believed it would be important to highlight this added value in order to differentiate their reports from similar documents on the topics.

*So I suppose at this stage maybe they're not given the attention probably within the wider networks of the Council. So, for example, I read them when they come in and you look at the different issues and what they're suggesting*

*but there hasn't been anything that Local Authorities can take some tangible benefits from at the moment. It would be good to see more focus on local government issues and some of the day-to-day elements so people can then look to see how they're going to implement them. And they can be seen, as, you know, opportunities of good practice across the board. (Local Authority)*

*I guess it's about being clear what's the purpose of doing a thematic report. If we take the top topic of hospital discharge, there must have been four or five different bodies that have done reviews on hospital discharge across Wales. And there is a danger then that it becomes almost like white noise a bit and people don't even spend the time to read it because they think it will just say the same things the other people said but in a slightly different format. (Health Board)*

One Housing Association representative, who used resources provided by the English Housing Ombudsman, was not aware of any thematic reports produced by the PSOW relating to their sector. They did, however, express an interest in receiving more general information from the PSOW, recognising the potential relevance of its recommendations across different sectors.

*I haven't been very conscious of the sort of bigger picture around their work on local governments and health service... It'd be quite good to get a bit more from them in terms of communication with me as Chief Executive around, you know, public services. What are the issues coming up? Because the way we handle stuff or don't handle stuff is not that different from local government or the health service really. It's all about communication and systems and processes and how well people are trained and all those sorts of things. (Housing Association)*

## The Ombudsman's role in setting complaints standards and training support

### Complaints standards and improvement

Overall, the PSOW'S Complaints Standards were welcomed by all organisations interviewed across all sectors. Some stakeholders felt the Complaints Standards and the PSOW's support had helped organisations make significant improvements in complaints handling processes. The improvements mentioned included ensuring corporate visibility, coordinating complex complaints, and revising internal processes to align with established frameworks.

*About X years ago, we were stung by Ombudsman feedback about the way in which particular areas of the council dealt with specific cases. It absolutely highlighted the need to get a much better grip of the way in which the council was dealing with complaints. And that's what we did. We've improved our handling of complaints significantly since then. (Local Authority)*

*The conversations we've had with the Ombudsman I think gave us a clear focus about how we handle those complaints that do go into Ombudsman, how do we make sure that they are as effective as possible? But also how do we make sure our overall process for all complaints and concerns is as inclusive and easy for people to use as possible so that we try and minimise the sort of numbers that will end up going into an Ombudsman process. (Health Board)*

*So we had a two stage process already and it wasn't massive changes, it was tweaks to the policy rather than anything fundamental. So that was fine. (Housing Association)*

For some, the adoption of Complaint Standards had facilitated a clearer focus on complaint handling and encouraged proactive use of the Ombudsman's resources.

*I think it's made it visible ultimately that there are different rules and processes. So when we've had the opportunity to be able to revise and review our internal processes, we've always got a framework now ultimately in which to measure it against to ensure that we're meeting those requirements at the same time. So yes, naturally it has. (Local Authority)*

*There's really good communication between the Ombudsman and organisations and for us to make the most of that relationship as well, not wait for the Ombudsman to knock on our door, be more proactive. I think we need to do that, which I do think the Complaints Standards has helped.*  
(Housing Association)

## **Challenges**

Although stakeholders were positive about the PSOW's Complaints Standards, most did experience some challenges with meeting the PSOW's requirements in practice. The main challenges cited were resource and workload pressures, notably the lack of dedicated complaints officers for some smaller organisations and the additional demands from the PSOW.

*It's just resource implications ultimately on local government because as a Council, we do not have any dedicated complaints officers whose sole role it is to actually [deal with] complaints... So obviously the more requirements that ultimately factor in from the PSOW, the more resource heavy it becomes ultimately on officers to be able to take forward. So that's really the only point.* (Local Authority)

*It's usually resource challenges in terms of, you know, what sort of prominence precedent you give that, compared to the other issues you're dealing with at a given time.* (Local Authority)

Local Authorities who were sometimes struggling with resource were grateful to the PSOW for their understanding when the Council notified the PSOW that they would be late submitting their response.

Health Board representatives also commented on the 'challenging' timescales set by the PSOW as a constraint, but it was acknowledged that it was important not to overextend the complaints process. However, one Health Board representative felt the PSOW put too much emphasis on a quick resolution and meeting timescales. They believed it was important to bear in mind the complex nature of the complaints in their sector in particular. They strongly believed the emphasis should always be on arriving at the correct outcome for the complainant rather than on the speed of the resolution.

*It's just perhaps appreciating the environment in which we're operating in. Some of these areas are always quite complex and do require coordination of*

*lots of different bits of information, which can often take a bit of time to get. And sometimes there may be a perception, I think, that people don't quite appreciate that sometimes it's not all just about getting it through in the timeline. Actually, it's better to get the right people to review the complaint because if we're going to make any learning, they've got to be part of that process. (Health Board)*

Representatives from Housing Associations mentioned difficulties in standardising complaints recording across the sector, thereby impacting the reporting of complaint rates. Both Housing Association representatives were concerned about the possible reputational damage inflicted by data published in the future on complaints levels which were not measured in a standard way across the sector.

*We can't publish data which is measuring apples and pears, which is what will happen again in the summer if they don't insist that people will do it the same way. (Housing Association)*

*It is helpful to be in line with everybody else in terms of the way that we're handling complaints. I think [recent events] highlighted this kind of issue. It's probably an issue for our organisation and making sure we capture that informal complaint resolution as formal complaints...So that probably this is something we're a little bit nervous about at the moment because we haven't reached a consensus as a sector on what the Ombudsman is looking for from us and when, what they want to do with that data and for what purpose. (Housing Association)*

### **Training and engagement**

There was overall satisfaction evident with the current training provided by the PSOW, with almost all organisations interviewed having taken up the offer of training. Stakeholders believed the PSOW proactively offering to provide training had helped to foster good relationships between organisations and the Ombudsman. In addition, stakeholders believed it was beneficial for organisations to help align their approaches with the standards and that the training helped to improve staff's understanding of the process and of the PSOW's requirements.

*I think it's been good, and I think we've had some good support. As I said, when we were going through a bit of a transition, I know that our team were working very proactively with the Ombudsman's case team to try and make*

*sure that we all were on the same page and working to the same standard. So I think that's worked well. (Health Board)*

*My team have attended the training. As I say, my complaints team have a very good relationship with the Ombudsman. They meet with her regularly. We've certainly drawn the training into the organisation. I've had no concerns raised about the training. In fact, it's been a positive aspect of the development of our team. (Health Board)*

*We had a big batch of training probably about six months ago now and we've just reached out recently. So part of us looking at trying to improve again is to get some more training, repeat for some people, new for people who have joined the organisation. So yeah, the training was good.... The training has been a step in the right direction in breaking down barriers and fears about the Ombudsman. (Housing Association)*

In addition, some stakeholders believed the training included useful materials and was accessible, which contributed to their team's development. Although positive overall, one Local Authority representative believed it would be beneficial if the training could be tailored to the organisation's needs and be more focused, so that staff could benefit fully.

*There was material, shared sense of good, bad letters. It was, you know, easy to understand and engage with no issues at all with that. And it's good that we can just say actually we'd like some more free training please. (Housing Association)*

*On the whole, the training is very good, a good relationship. It would be beneficial to see in some cases if it can be made a little bit more bespoke to the issues individual authorities are dealing with. (Local Authority)*

Most stakeholders could not think of any additional training needs or did not believe they were best placed to answer this question. However, a few participants had suggestions for additional training they felt could be beneficial for their organisation. One Local Authority representative believed additional training would be beneficial for staff in more senior roles, while another Local Authority representative wanted those who were involved in the complaints process to better grasp the Ombudsman's handling of conduct-related complaints. Also one Health Board representative suggested targeting training towards GP practices to align improvements specified by the Ombudsman with their practices.

## Considerations for the future

Continuing to have open communication and engagement with the PSOW were thought to be important by representatives across the sectors. Stakeholder suggestions included continuing to offer training and the sharing of approaches to enable consistent handling of complaints. Organisations expressed the desire for a more cooperative partnership with the PSOW and a collaborative development of new approaches, in addition to limiting bureaucracy as far as possible.

*The Ombudsman continuing to engage positively with stakeholders is important. ... Having good levels of discussion and conversation with the authorities themselves. So that they're not operating, you know, there's a bit of a no surprises approach, which is important. So, yeah, there's fundamentals here which need to continue I think. (Local Authority)*

*Overall we have a really positive relationship, ... hopefully we can develop further and I think it's if we can work in more partnership. We're all coming at this from the same aim from a complaints perspective; we want to reduce the number of campaigns to make sure there are improvements ultimately in the system. So if we can find that way to gel together that little bit more and find ways where we can share good practice. So instead of it being the Ombudsman comes up with a new approach, could they work with Local Authorities... So yeah, more collaboration I think would be a very useful approach. (Local Authority)*

*By definition it's a bureaucratic process, but we don't want it to be unnecessarily bureaucratic. (Local Authority)*

*A sort of a collaborative approach to it, basically. Yes, of course they've got statutory responsibility, but the best outcomes can be achieved if you work together to try and get a better outcome for the individual if they've gone to the Ombudsman. (Health Board)*

One Local Authority representative was concerned about the volume of complaints increasing due to service cuts in the local area. They believed the PSOW should be aware that the narrowing of eligibility criteria for certain public services would cause the number of complaints to increase and that this would likely, in turn, have a knock-on effect on the number of complaints made by the public to the PSOW.

## Appendix

### Public Services Ombudsman for Wales Stakeholders topic guide FINAL

The main areas of interest are views on the Ombudsman's:

- complaints handling and the impact of recommendations
- use of own-initiative investigations and thematic reports
- role in setting complaints standards and the training and support offered by the Ombudsman.

#### A. Introduction (5 mins)

1. *Thank participant for helping out. Introduce self and Beaufort as an independent company.*
2. *Explain aims of discussion:* The Public Services Ombudsman for Wales wishes to gather insights on the quality of own services and impact, with particular focus on the office's power to undertake own-initiative investigations and promote good complaints handling.

The Ombudsman intends to use any insights from this research to inform response to the ongoing review of the office by the Senedd's Finance Committee and to identify opportunities to improve services.

As we said in the email invitation, these discussions are confidential. We follow the Market Research Society Code of Conduct which means among other things that we look after the data we collect and aim to preserve your anonymity. Just a quick reminder:

- The Public Service Ombudsman gave us a shortlist of stakeholders they wanted to hear from, and we've selected participants from that list. So, they'll know who we're approaching but when we report back, we won't attribute comments to individuals or name organisations. However, we will attribute comments and points raised by type of organisation e.g. health board, local authority or housing association.
- During the conversation you can flag if there is any feedback that may need careful wording to ensure anonymity, as far as possible.
- The process is entirely voluntary.

- I'd like to digitally record our discussion. This is for Beaufort's analysis. We don't share it with the Ombudsman. Afterwards, we'll make a transcript for analysis. Any questions?
3. Now the **recording has started**, can I check that you're still happy to continue?

## **B. The Ombudsman's complaints handling and impact of recommendations (10 mins)**

### **Overall perceptions for context**

4. What are your views on how the Ombudsman handles complaints about your organisation? *Probe including*
  - How effective were they when dealing with the complaints?
  - How fair were they with your organisation?
  - How timely were they when dealing with the complaints?
5. When the Ombudsman upholds a complaint, **what impact** do the recommendations have on your organisation? *Probe for examples of improved service user satisfaction / service improvements*
6. What, if any, **challenges** have you come across in implementing the recommendations received from the Ombudsman?

## **C. The Ombudsman's use of own-initiative investigations and thematic reports (10 mins)**

Moving on to focus specifically on the Ombudsman's systemic work, such as use of own-initiative investigations and thematic reports.

### **Ask any remaining organisations**

7. The Ombudsman has the power to investigate an issue even when they have not received a complaint. What are your thoughts on this?
8. Do you believe that the Ombudsman is using this power effectively, or could it be improved?
9. And what impact, if any, do the Ombudsman's thematic reports have on improving your services?

10. Is there more that the Ombudsman could be doing to promote systemic improvement of public services?

**D. The Ombudsman's role in setting complaints standards and training and support (5 mins)**

11. How would you rate **the training and support** offered by the Ombudsman to your organisation to improve complaints handling?  
Probe:
- What additional training or support would be useful?
12. Has the Ombudsman's complaints standards work **led to improvements** in how your organisation handles complaints?  
For example are there any improvements in:
- Data collection practices?
  - Reporting?
  - Experiences for service users?
13. What are the **challenges**, if any, in complying with the Ombudsman's complaints standards?
14. What would help your organisation to further **improve** how it handles complaints?

**D. Wrap up (2 mins)**

15. Before we finish is there anything else you'd like to add that would be useful for Public Services Ombudsman for Wales to know?

**Thank and close**

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# Agenda Item 7

By virtue of paragraph(s) ix of Standing Order 17.42

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