

1. Have you used the Ombudsman's service to make a complaint?

Not applicable

1a. What did your complaint(s) relate to?

(We would be grateful if you could keep your answer to around 500 words).

1b. If your complaint was about health which included a private health related element, do you have any comments about the process of making that complaint?

(We would be grateful if you could keep your answer to around 500 words).

1c. Was your complaint(s) made on or after 23 July 2019?

1d. How did you make your complaint(s)?

1e. Do you have any comments about the process of submitting an oral complaint to the Ombudsman?

(We would be grateful if you could keep your answer to around 500 words).

2. Have you made a complaint to a public body since 23 July 2019?

Not applicable

2a. Do you have any comments on the standard of complaints handling at public bodies, and whether they have improved since the Act came into force in 2019?

(We would be grateful if you could keep your answer to around 500 words).

3. If you are a public body, have you engaged with the Ombudsman or used resources and/or guidance produced by the Ombudsman to change or improve your complaints handling policies and processes?

Yes

3a. Do you have any comments in this area?

(We would be grateful if you could keep your answer to around 500 words).

As a registered social landlord, we are not a public body, however we exercise some public functions and yes we have engaged with the Ombudsman.

4. Are you aware that the Ombudsman can investigate on their own initiative where evidence suggests that there may be systemic service failure or maladministration?

Yes

5. Are you aware that the Ombudsman can extend an investigation of a complaint into matters that have a substantial connection with a matter already being investigated?

No

6. Have you been involved in an own initiative investigation conducted by the Ombudsman and/or read or used an own initiative report, such as the report about homelessness in Wales (<https://www.ombudsman.wales/own-initiative-wider-investigations-reports/>)?

Yes

7. Do you have any comments about the Ombudsman's own initiative powers?

(We would be grateful if you could keep your answer to around 500 words).

No

8. Do you have any views on how the changes implemented by the 2019 Act compares with current best practice, both within the UK and internationally?

(We would be grateful if you could keep your answer to around 500 words).

It is understandable that an ombudsman in a small nation would cover a broader remit than would an equivalent in a larger nation, for reasons of resource, efficiency and

workload. There are advantages and disadvantages to each model. For example, England has its own dedicated Housing Ombudsman and there is perhaps evidence that the English model is having a greater impact on the housing sector in that country than the generic Welsh equivalent is having on the housing sector in Wales. There is value to the PSOW's thematic reports which are rich sources of information for organisational learning and development, which individual housing associations would not be able to obtain within their own organisational boundaries.

Nevertheless, it is always helpful to have a truly independent body to oversee activity where public money is involved.

9. Do you have any other comments regarding the 2019 Act which are relevant to the Committee's Terms of Reference for this inquiry?

(We would be grateful if you could keep your answer to around 500 words).

The Act introduced the Complaints Standards Authority to implement a consistent performance expectation regarding complaints handling across the public sector. This is a common-sense mission statement, however we feel that housing associations/registered social landlords (HA/RSLs) have been swept up into this effort when we are not actually part of the public sector. This has led to some misperceptions on the part of Public Services Ombudsman (PSO) staff about what HAs can and can't do and what legislation applies to us. For example, we are exempt from Freedom of Information requests. HA's role is to assist the public sector with its policy aims, but we remain separate and (crucially) independent.

Classing us as public sector raises risks around reclassifying HAs into the public sector because of the impact this would have on government balance sheets and sectoral independence. But, HAs do draw on significant amounts of public funds through government grants and work with key stakeholders to deliver strategic policy objectives, so it is right that there be oversight of our activities. However, HAs' stakeholders are broader than those of the public sector, including private finance lenders in the banking sector and commercial investors.

In general, our experience with the PSOW has been positive. Communications are timely and of good quality, challenges and pushbacks have been well received by PSOW staff. Under the CSA, we have to share complaints data to the PSOW, which is acceptable as it's data that HAs monitor and publish routinely. There has been an issue where data was misrepresented online which led to that data being reported unfavourably in the media. Consultation between PSOW and HAs prior to publication could have prevented this, so perhaps greater coordination would be beneficial in future.

Beacon is a new merger, between RHA Wales and Coastal Housing. RHA had already moved on to the CSA but Coastal had not yet formally done so – although its policy and

practice is aligned to the model template. We expect to have aligned policy by April 2025, and practice following training after that date.. We believe that consistency is helpful for residents. The one deviation from the model policy at Coastal previously is that, following consultation, residents requested an extra internal escalation step for complaints citing concerns about the length of time the PSOW processes complaints and a desire to access senior staff in the HA.

A review of last year's PSOW housing related cases showed no complaints were upheld by the PSOW against HAs, with only two related cases being upheld between two other public sector bodies. That said, early resolutions were more common. There is perhaps a tension between requiring an independent arbiter for complaints against HAs with whether that arbiter should also be the one for the entire public sector in Wales.

In summary, Beacon agrees in principle with the existence of an ombudsman for HA residents in Wales, but we are unsure whether that ombudsman should also be responsible for the wider public sector. This brings risks of a lack of knowledge and understanding on the part of the PSOW which could influence the effectiveness of PSOW influence over our sector.

