

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](#).

PPSOWA8: Ymateb gan: Comisiynydd Pobl Hŷn Cymru | Response from: Older People's Commissioner for Wales



CONSULTATION RESPONSE



Comisiynydd
Pobl Hŷn
Cymru
Older People's
Commissioner
for Wales

Senedd Finance Committee Post-legislative review of the Public Services Ombudsman (Wales) Act 2019

April 2025

The Older People's Commissioner for Wales (OPCW) welcomes the opportunity to contribute to the Senedd Finance Committee's consultation on the Post-legislative review of the Public Services Ombudsman (Wales) Act 2019.

The Older People's Commissioner for Wales operates an Advice and Assistance Service that provides help and support to people aged 60+, living in Wales who have been experiencing problems with services such as health, social care, community services or housing, and/or who are concerned that their rights may have been breached. People are also able to use the service on behalf of an older person, such as a family member or friend if they are facing issues or difficulties. The OPCW Advice and Assistance Service occasionally receive inquiries relating to the Public Services Ombudsman for Wales (PSOW).

The Commissioner would like to offer some short observations.

Contact with the Commissioner concerning the Public Services Ombudsman for Wales has most commonly tended to relate to one of the areas below:

- Older people and their relatives who want to raise concerns about public services but who are unclear about the process of how to complain and their right to ask PSOW to look at their complaint if they are unsatisfied with the response they receive.
- Older people and their relatives who are unhappy with the outcome of complaints investigations undertaken by public authorities as their complaints have not been upheld, or have only partially been upheld. In these instances, the Commissioner's team have explained that people have a right to ask PSOW to investigate if they are unsatisfied with outcome. Enquirers are usually aware of this but may want to talk through with someone (for example, a member of the Commissioner's team) before they decide to contact PSOW.

- Older people and their relatives who are unhappy with outcome of PSOW investigation, usually when a complaint has not been upheld or only partially upheld. This has included cases where bereaved relatives have raised concerns about the treatment of their relatives in relation to health and social care. In these cases, enquirers are provided with details of the Ombudsman's Decision Review Process.

In addition, the Commissioner has sometimes been copied into complaints to PSOW, but not necessarily into the outcomes of any such complaints or feedback on experiences of the process.

For some older people, awareness of the role of PSOW and how to raise concerns about public services remains low. In spite of this, access to complaints procedures seem to be improving. More emphasis is needed on updating people on the progress of their complaints. An issue that is frequently raised regarding complaints procedures (in general rather than purely in relation to the PSOW) is a lack of communication on the progress of complaints and what is happening.

The PSOW 'own initiative investigations' to date have been beneficial, highlighting underexplored areas and encouraging scrutiny. The ['Are we caring for our carers? - An Own Initiative investigation into the administration of carers' needs assessments in Wales'](#) report demonstrated, for example, that in the sample of local authorities considered, only 2.8% of the carer population had their needs assessed, and only 1.5% of the carer population had an assessment that led to a support plan. The ability of PSOW to undertake such investigations is important and offers an opportunity for meaningful recommendations for improvement.

The powers within the Commissioner for Older People Act 2006 (Section 16) for the OPCW to work jointly with the PSOW (including a joint examination/report) are also welcome.

The Commissioner hopes that this information is useful to the Inquiry.

Rachel Bowen

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