

PSOW 21

Bil Ombwdsmon Gwasanaethau Cyhoeddus (Cymru)

Public Services Ombudsman (Wales) Bill

Ymateb gan: Cyngor Caerdydd

Response from: Cardiff Council

### **Consideration of powers for the Public Services Ombudsman for Wales**

Cardiff Council welcomes the opportunity to present evidence to the Committee on its inquiry into the consideration of powers for the Public Services Ombudsman.

The Council has used the Committee's terms of reference to frame its response.

#### **the general principles of the Public Services Ombudsman (Wales) Bill and the need for legislation to deliver the stated policy intention**

The Council supports the principles of the Bill and the need for legislation.

#### **the provisions of the Bill which set out the new powers for the Ombudsman to:** **- accept oral complaints;**

Cardiff Council supports this change and in line with our internal processes we believe that individuals should be able to raise complaints in their chosen channel to ensure that the Ombudsman is accessible to all.

#### **- undertake own initiative investigations;**

In a speech to justify this point in 2016, the previous Ombudsman stated "The Ombudsman should be able to undertake investigations on his or her own initiative. On occasions, the Ombudsman will be made or become aware of possible maladministration where no complaint has been made. The reasons for this can include a reluctance on the part of complainants to come forward for fear of negative consequences or because the people concerned do not have ready access to the Ombudsman."

Cardiff Council would appreciate more information on the justification for this new power. The legislation will also seek to address concerns retrospectively and Cardiff Council would like further detail on the case to be made for this. If this power was to be introduced, the Council would welcome clarifying the roles and responsibilities of the Ombudsman and that of the Auditor General and the Care and Social Services Inspectorate Wales.

#### **- investigate private medical treatment including nursing care in a public/private health pathway;**

Cardiff Council supports this proposal.

#### **- undertake a role in relation to complaints handling standards and procedures**

Cardiff Council has concerns about the Ombudsman being too prescriptive in their guidance that doesn't allow for a degree of flexibility for local authorities to handle and investigate complaints in a manner that suits their size and structures.

From the current model policy that the Ombudsman has issued, the Council completely agrees with the ethos of this approach namely the "investigate once, investigate well" and that "investigating well" means conducting an investigation that is proportionate to the nature and degree of seriousness of the complaint.