

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

October 2025



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

October 2025



About the Committee

The Committee was established on 23 June 2021. Its remit can be found at:
www.senedd.wales/SeneddFinance

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Chair's foreword

The Public Services Ombudsman (Wales) 2019 Act (the 2019 Act) is a landmark piece of legislation: It was developed in response to longstanding calls for reform to strengthen the independence and accessibility of the Ombudsman's office and aimed at modernising the complaints process and ensure that the Ombudsman could better serve the public.

The 2019 Act introduced new powers for the Ombudsman that were designed to improve access to justice, enhance transparency, and promote fairness across public services in Wales. This included enabling the Ombudsman to accept oral complaints as a matter of course and the power to undertake own initiative investigations.

It is now timely to reflect on how the legislation has worked in practice and whether the Act has achieved its intended outcomes. This guided our work as a Committee as we considered whether the Ombudsman's legislative framework remains fit for purpose, whether any unintended consequences have emerged during its implementation and if it has provided value for money in delivering its objectives.

Through this review, we have heard from a range of stakeholders and experts whose insights have helped us to understand the impact of the 2019 Act and to identify areas where further clarity, support, or reform may be needed.

We found that the new powers have been broadly welcomed and have enabled the Ombudsman to take a more proactive and inclusive approach in conducting its work. However, we also identified areas where further clarity, support, or refinement may be needed to ensure the legislation continues to deliver its intended outcomes for the benefit of the Welsh public at large.

Our work has also shown that post-legislative scrutiny of Acts passed by the Senedd is a vital part of the legislative cycle—ensuring that laws continue to serve the public effectively.

During the course of this Senedd we have made a number of recommendations to the Welsh Government that all relevant Bills should include provisions for a post-implementation review. This review has reaffirmed the value of such scrutiny in strengthening accountability and improving the quality of law-making in Wales.

I would like to thank all those who contributed to this work. Their evidence has been invaluable in shaping our findings and recommendations.

Peredur Owen Griffiths MS

Chair of the Finance Committee

Recommendations and conclusions

Recommendation 1. The Committee recommends that the Ombudsman reviews the outreach engagement strategy to ensure equitable access to its services with a particular focus on its attempts to engage with hard to reach groups, and provides an update to the Senedd by the time it submits its estimate for 2027-28..... Page 20

Recommendation 2. The Committee recommends that the Ombudsman considers how:

- to promote the ability for individuals to submit oral complaints; and
- technology could be utilised to improve the processing of oral complaints, including enhancing the ability of individuals to make oral complaints in languages other than English and Welsh.Page 25

Recommendation 3. The Committee recommends that the Ombudsman undertakes an annual review of the demographics of individuals who submit oral complaints to identify trends and assess if the outreach strategy is effective in this area.....Page 25

Recommendation 4. The Committee recommends the Ombudsman reviews the process for undertaking own initiative investigations and identifies any areas which could be streamlined to allow the investigation to be completed within shorter timeframes. Page 38

Recommendation 5. The Committee recommends that the Ombudsman considers streamlining the consultation process for own initiative investigations, as identified from lessons learnt from previous investigations, and reports back to the Committee on progress by the time it submits its estimate for 2027-28..... Page 38

Recommendation 6. The Committee recommends the Ombudsman reflects on the approach undertaken by other ombudsman offices with regard to undertaking own initiative investigations and considers how they could deliver investigations in a more agile way. Page 39

Recommendation 7. The Committee recommends that the Ombudsman continues to engage early with stakeholders when undertaking own initiative investigations, in order to identify and prevent any duplication of work with other organisations..... Page 39

Recommendation 8. The Committee recommends the Ombudsman, as a matter of principle, shares the published reports of own initiative investigations with relevant authorities other than those subject to the investigation, and encourages them to implement any recommendations made.Page 40

Recommendation 9. When publishing the findings of own initiative investigations, the Committee recommends the Ombudsman, as a matter of course, also includes:

- an explanation of why the subject matter of the own initiative investigation was selected; and
- a survey to determine the views of stakeholders on the process for selecting the subject matter under investigation.Page 40

Recommendation 10. The Committee recommends that the power to investigate matters relating to the private health-related services of a complaint in a public/private pathway should be retained by the Ombudsman until sufficient first hand evidence is received to suggest a change is required.....Page 45

Recommendation 11. The Committee recommends the Ombudsman continues its work in developing the Complaints Standards Authority to further reduce the number of complaints about complaint handling.....Page 52

Recommendation 12. The Committee recommends the Ombudsman reviews the data collected as part of the work on the Complaint Standards Authority, with a focus on the balance of quantitative and qualitative data to ensure that the data collected provides the full picture and provides a solid basis for identifying further areas for improvement.Page 52

Recommendation 13. The Committee recommends that any future research undertaken by the Ombudsman on complaints handling is based on larger sample sizes and reflects a wider demographic to strengthen the evidence received as a basis for any improvements.....Page 53

Recommendation 14. The Committee recommends the Ombudsman reviews its media strategy to maximise the coverage available when publishing reports to ensure that its findings reach a wider audience and are as impactful as possible.Page 59

Recommendation 15. The Committee recommends the Ombudsman undertakes a modelling exercise to determine the impact of widening its jurisdiction surrounding school complaints and that this includes analysing

caseload or financial implications, and share these findings by autumn 2026.
..... Page 59

Recommendation 16. The Committee recommends the Ombudsman works with the Welsh Government to understand the practical implications of widening the Ombudsman’s jurisdiction to cover school complaints, and share these findings by autumn 2026.....Page 60

Conclusion 1. The Committee believes that all public Bills introduced to the Senedd contain provisions for a post-legislative review.Page 13

Conclusion 2. The Committee believes that the Public Services Ombudsman (Wales) Act 2019 provides an effective statutory basis which supports and enables the work of the Public Services Ombudsman for Wales.....Page 13

Conclusion 3. The Committee believes that the Public Services Ombudsman (Wales) Act 2019 provides a good practice template for the role of ombudsman internationally and remains an effective legislative framework that is fit for purpose.....Page 19

Conclusion 4. The Committee concludes that as some provisions of the Public Services Ombudsman (Wales) Act 2019 are yet to be fully utilised it has not been possible to determine whether the Act has provided value for money in delivering its objectives, and that these issues will continue to be scrutinised during annual budget and oversight sessions with the Ombudsman. Page 64

1. The Public Services Ombudsman (Wales) Act 2019

Role of the Public Services Ombudsman for Wales

1. The role of the Public Services Ombudsman for Wales (the Ombudsman) was established by the Public Services Ombudsman (Wales) Act 2005 (the 2005 Act).¹ The role of the Ombudsman is to:²

- look into complaints that something has gone wrong with Welsh public services provided by bodies that fall under the jurisdiction of the Ombudsman;
- work with public bodies to improve public services and standards of conduct within local government across Wales; and
- look into complaints that Welsh councillors have breached or failed to comply with a relevant Code of Conduct.³

Extending the Public Services Ombudsman's powers

2. While the Ombudsman's role was deemed to be working effectively and the 2005 Act was generally considered a model piece of ombudsman legislation, since 2013 there had been calls to extend its powers.⁴

3. After consideration by the Communities, Equality and Local Government Committee and the Finance Committee in the Fourth Assembly⁵, the Finance Committee of the Fifth Senedd introduced a Committee Bill (the Bill) to update the 2005 Act.⁶

4. The policy intent of the Bill, as set out in the Explanatory Memorandum (the EM), was to:

- improve social justice and equal opportunities;
- protect the most vulnerable;

¹ [Public Services Ombudsman \(Wales\) Act 2005](#)

² [The Public Services Ombudsman for Wales: Who we are](#)

³ This role was not subject to change as part of the 2019 Act and is outside the scope of this review.

⁴ [Public Services Ombudsman \(Wales\) Bill, Explanatory Memorandum, page 8](#)

⁵ [Public Services Ombudsman \(Wales\) Bill, Explanatory Memorandum, page 8](#)

⁶ [Finance Committee, Public Services Ombudsman \(Wales\) Act 2019](#)

- be more responsive to the citizen;
- drive improvement in public services and in complaint-handling; and
- contribute towards the achievement of well-being goals.⁷

5. The Bill was passed by the Senedd on 20 March 2019⁸ and received Royal Assent on 22 May 2019⁹.

6. The provisions of the Public Services Ombudsman (Wales) Act 2019 (the 2019 Act) came into force in stages. Sections 77 to 82 of the Act came into force on the day the Act received Royal Assent.¹⁰ The remaining provisions came into force on 23 July 2019 when the Welsh Ministers made the necessary commencement regulations.¹¹

7. The 2019 Act restated provisions within the 2005 Act¹² but also included provisions which set new powers for the Ombudsman to:

- accept complaints other than in writing (oral complaints);
- enable own initiative investigations;
- investigate the private health-related service element in a public/private health pathway;
- undertake a role in relation to complaints handling standards and procedures.¹³

Post-legislative review

8. Section 73 of the 2019 Act requires the Senedd to “as soon as practicable after the end of the 5 year period, prepare and publish a report on the operation and effect of this Act during the 5 year period”. The 2019 Act also requires the Senedd to “consult such persons as it considers appropriate” as part of that review.¹⁴ The five year period ran from the date of Royal Assent until 21 May 2024.

⁷ [Public Services Ombudsman \(Wales\) Bill, Explanatory Memorandum, page 15](#)

⁸ [Plenary, Agenda, 20 March 2019](#)

⁹ [Royal Assent to an Act of the Assembly: Public Services Ombudsman \(Wales\) Act 2019](#)

¹⁰ [Public Services Ombudsman \(Wales\) Act 2019, Section 77](#)

¹¹ [Public Services Ombudsman \(Wales\) Act 2019 \(Commencement\) Regulations 2019](#)

¹² [Public Services Ombudsman \(Wales\) Act 2005](#)

¹³ [Public Services Ombudsman \(Wales\) Act 2019](#)

¹⁴ [Public Services Ombudsman \(Wales\) Act 2019, Section 73](#)

9. As the Committee responsible for oversight of the Public Services Ombudsman for Wales as set out under Standing Order 18A, responsibility falls to the Finance Committee (the Committee) to review the 2019 Act.¹⁵

Terms of reference

10. At its meeting on 12 December 2024¹⁶ the Committee considered its approach to the review and agreed to review the following as part of its terms of reference:

- The operation and effectiveness of the 2019 Act to date and whether it has enhanced the role of, and increased public confidence, in the Ombudsman.
- The practical application of the process by which oral complaints are accepted by the Ombudsman and whether the ability for the Ombudsman to specify requirements for making a complaint in guidance has improved social justice and equal opportunities for citizens of Wales.
- How the Ombudsman has exercised the power to undertake own initiative investigations and whether this power has provided a mechanism to protect those most vulnerable in society.
- The effectiveness of the Ombudsman's ability to investigate private medical treatment (including nursing care) in a public/private health pathway.
- The Ombudsman'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 the Ombudsman's jurisdiction.
- The extent to which the policy objectives of the 2019 Act have been met, any developments in the five years since the Act was introduced and how the Act compares with current best practice.
- 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.

¹⁵ [Standing Orders of the Welsh Parliament at 18A](#)

¹⁶ [Finance Committee, Agenda, 12 December 2024](#)

Evidence gathering

11. The Committee held six evidence sessions between April and July 2025, and heard evidence from the Ombudsman on two occasions. A full list of those who provided oral evidence is provided in Annex 1.

12. The Committee issued a consultation which ran from Friday 10 January to Friday 4 April 2025, 12 responses were received. In light of powers within the 2019 Act to allow oral complaints to be made to the Ombudsman the Committee also agreed to accept consultation responses which were made orally, however none were received. A list of all those who provided written evidence is noted in Annex 2.

13. The Committee would like to thank everyone who has engaged with this review.

Committee View

14. The Committee welcomes the opportunity to undertake this post-legislative review of the 2019 Act to measure the implementation and effectiveness of the Ombudsman's new powers. Such reviews are crucial to ensure that all Bills introduced in the Senedd are delivering their objectives and providing value for money, and we believe that the statutory provisions for a review in the 2019 Act serves as a best practice model for all legislation laid before the Senedd.

Conclusion 1. The Committee believes that all public Bills introduced to the Senedd contain provisions for a post-legislative review.

15. Whilst our review has identified some areas of improvement regarding the implementation of the 2019 Act, which are discussed later in this report, on the whole we believe that the provisions of the 2019 Act have been successfully implemented. In particular, we found that the 2019 Act provides an effective statutory basis which supports and enables the Ombudsman to undertake a crucial role in Welsh public life.

Conclusion 2. The Committee believes that the Public Services Ombudsman (Wales) Act 2019 provides an effective statutory basis which supports and enables the work of the Public Services Ombudsman for Wales.

2. Impact of the Public Services Ombudsman (Wales) Act 2019

Workload

16. The Ombudsman's consultation response notes that since April 2019 the office has:

- handled 15,000 complaints about public services;
- resolved complaints early or upheld complaints for over 2,900 people;
- made 7,600 recommendations to public service providers, with 20-30 per cent of recommendations focused on longer term improvements such as training or feedback for staff, reviews of current practice or recommending that a procedure should change;
- issued 38 public interest reports and five thematic reports;
- seen a 37 per cent increase in its caseload between 2019/20 and 2023/24.¹⁷

17. With regard to the impact of the 2019 Act on caseload, the Ombudsman accepted that "projecting complaints forward is quite a tricky issue" but explained that the increase in caseload has slowed since the introduction of the 2019 Act. She stated that the Explanatory Memorandum (EM) projected that complaints would increase "between 5 per cent and 12 per cent per annum over the five years of the start of the Act" which translates to:

*"... an increase in complaints of 7,300 and 11,600. If we look at where we actually ended up, then we've ended up in the midpoint; we've ended up, after the five years, at just over 9,800 complaints."*¹⁸

18. She added:

"... if we hadn't had the 2019 Act, if we'd been running with the 2005 Act and the old powers, then, actually, complaints could have got as high as, at that midpoint, 12,000. So, we've actually

¹⁷ Finance Committee, Consultation response: The Public Services Ombudsman for Wales

¹⁸ Finance Committee, RoP, 30 April 2025, paragraph 32

*managed to—. Based on that projection, we've actually managed to slow down the increase ...*¹⁹

Public perception and outreach work

19. When asked how the public have perceived the Ombudsman since the 2019 Act was implemented the Ombudsman explained:

*“... [the] research we've done recently shows that confidence in the office and the work that we do is now at 79 per cent within the Welsh public. That's gone up 9 per cent since 2020. So, I think I'm very assured by that high level of confidence that people have in the work that we do, and I think the new powers have helped us to extend our impact.”*²⁰

20. Professor Chris Gill, Professor of Socio-Legal Studies at the University of Glasgow, told us that the biggest challenge for all ombudsman is “one around access to justice and being accessible to all people who might potentially want to use them”. He went on to say:

*“I think that there's still a kind of perception, which I think is to some extent still justified, that the ombudsman is a sort of middle-class remedy for middle-class people to some extent, and that it doesn't quite have that broad reach to all different types of demographic groups that it perhaps should have.”*²¹

21. Professor Naomi Creutzfeldt, Professor of Law and Society at the University of Kent, noted the importance of public outreach to “boost the public knowledge of the powers that the ombudsman has and how they've been used”.²² She added:

*“... although you said everyone in Wales knows about the ombudsman, I'm not sure if people would then even approach them. I think there's a different thing about knowing the ombudsman exists and what it is actually they can help me with.”*²³

22. Professor Chris Gill agreed that reaching a “much broader demographic group of people is really, really important”.²⁴ Professor Gill highlighted the work of

¹⁹ Finance Committee, RoP, 30 April 2025, paragraph 38

²⁰ Finance Committee, RoP, 30 April 2025, paragraph 16

²¹ Finance Committee, RoP, 4 June 2025, paragraph 51

²² Finance Committee, RoP, 4 June 2025, paragraph 47

²³ Finance Committee, RoP, 4 June 2025, paragraph 58

²⁴ Finance Committee, RoP, 4 June 2025, paragraph 52

the International Ombudsman Institute, which has recently published a best-practice paper on outreach.²⁵

23. The Ombudsman agreed that it is challenging to engage with the all demographics, and added:

“... there's a real risk for us, and all ombuds schemes, to be fair, that we do attract a certain group of people within the community that are able to find us, are able to make complaints, are able to put their arguments forward, and that that means that some are less able and less likely to come to us. So, there is a risk there.”²⁶

24. The Ombudsman stated that one of the strategic priorities of the office is a focus on engaging with “younger people, people from diverse ethnic and national backgrounds, Welsh speakers and people who are experiencing socioeconomic disadvantage and disabled people”. The Ombudsman acknowledged that whilst work has been undertaken in this area the data still shows that these demographics “are less likely, in some instances, to come to us and make complaints”.²⁷

25. As to how the office is reaching out to these groups “with limited resources”, the Ombudsman explained they have adopted a more focused approach and this has resulted in more complaints being made by people with disabilities and from diverse ethnic backgrounds.²⁸

26. The Ombudsman explained that their outreach work is targeted to “those communities where we know we'd like to see more complaints coming in, to make sure they are aware of us and that, if there are barriers to them using our services, we understand what they are”.²⁹ She added:

“I think one of the feedbacks we've had is that we need to improve our resources in different languages, so, where we've got information about who we are, what we do, how people can access our services, we need to provide that in other languages than English and Welsh. And so, we've been doing more of that this year as well.”³⁰

²⁵ Finance Committee, RoP, 4 June 2025, paragraph 53

²⁶ Finance Committee, RoP, 9 July 2025, paragraph 12

²⁷ Finance Committee, RoP, 9 July 2025, paragraph 13

²⁸ Finance Committee, RoP, 9 July 2025, paragraph 14

²⁹ Finance Committee, RoP, 9 July 2025, paragraph 15

³⁰ Finance Committee, RoP, 9 July 2025, paragraph 16

27. The Ombudsman's official referred to the ongoing work to engage with individuals in languages other than Welsh and English. This includes:

- some staff being able to undertake calls in other languages;
- improving the range of languages of published resources;
- introducing a translation tab on the website to translate pages to language other than Welsh and English.³¹

28. The Older Peoples Commissioner for Wales (OPCW) noted that, for some older people, awareness of the role of the Ombudsman and how to raise concerns about public services remains low. The OPCW states that while access to complaint procedures seems to be improving, more emphasis is needed on updating people on the progress of their complaints. The OPCW stated:

*"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."*³²

29. With regard to engagement with older people, the Ombudsman noted that the data they hold show that awareness of the Ombudsman within this group is comparable with other UK ombudsman.³³ However, she added that they receive fewer complaints from individuals over 65 years of age which may be a consequence of others submitting complaints on their behalf:

*"We find that daughters, sons, perhaps advocates, organisations like Llais, are supporting people who are in that category and we obviously work closely with them as well."*³⁴

30. The Ombudsman concluded:

"... we're not specifically targeting old people, because we've had to make a decision as to where we put our resources and we've chosen to focus on those areas at the moment. But we do feel that there are other mechanisms for older people to

³¹ Finance Committee, RoP, 9 July 2025, paragraph 46

³² Finance Committee, Consultation response: Older Peoples Commissioner for Wales

³³ Finance Committee, RoP, 9 July 2025, paragraph 26

³⁴ Finance Committee, RoP, 9 July 2025, paragraph 27

access our services through advocates and through the support they receive off family members.”³⁵

Comparison of best practice

31. In her written evidence the Ombudsman stated that:

“... equipped with the suite of proactive powers, we remain at the forefront of best ombudsman practice in the UK and internationally.”³⁶

32. When asked if the 2019 Act still reflects best practice the Ombudsman stated that “it’s legislation that Wales and the Senedd can be proud of” and whilst there are some areas that could be improved it still reflects best practice six years after its introduction. She added that other UK ombudsman legislation “is very dated” in comparison and that they would like to see similar powers to the office of the Ombudsman.³⁷

33. In its written evidence the Scottish Public Services Ombudsman (SPSO) stated that the 2019 Act means the Ombudsman broadly meets international standards for ombudsman (the most significant of which are the Venice Principles, which were adopted by the Council of Europe in 2019). The SPSO noted that where the Ombudsman does not meet international standards it is because they are not appropriate within the UK constitutional setup.³⁸

34. The Northern Ireland Public Services Ombudsman (NIPSO) also noted in its evidence that the 2019 Act is “largely in line with best practice”. It added that the 2019 Act extends the remit of the Ombudsman into areas of private medical treatment, a provision that does not exist in Northern Ireland but one the NIPSO considers an “important aspect of the 2019 Act given the journey of many individuals involves both NHS and private care and treatment”.³⁹

35. When asked how the 2019 Act is regarded NIPSO noted that the Welsh legislation “is held in very high regard”. It added that the Public Services Ombudsman for Wales is on the board of the Ombudsman Association, which meets as a group partly to:

³⁵ Finance Committee, RoP, 9 July 2025, paragraph 28

³⁶ Finance Committee, Consultation response: The Public Services Ombudsman for Wales

³⁷ Finance Committee, RoP, 30 April 2025, paragraph 105

³⁸ Finance Committee, Consultation response: Scottish Public Service Ombudsman

³⁹ Finance Committee, Consultation response: Northern Ireland Public Services Ombudsman (NIPSO)

“... look across the legislation, we look across the practices of the different offices, and we learn from each other.”⁴⁰

36. With regard to other ombudsman officers in the UK, Professor Chris Gill was of the view that they look at the “powers of the PSOW with some jealousy” as whilst some had the same powers as the Ombudsman no other office had all the additional provisions. In Professor Gill’s view, the 2019 Act is “at the forefront of the domestic ombudsman legislation”.⁴¹ He went on to say:

“And if we look at this beyond these shores, then I think, internationally, the Act also represents many elements of good practice, particularly in relation to extending the ombudsman’s powers to have this ability to investigate at own initiative, which I think is really important ...”⁴²

37. Whilst accepting that Wales now has one of the more progressive ombudsman frameworks in the UK, Professor Naomi Creutzfeldt was of the view that the use of own initiative investigations could be used more.⁴³

Committee View

38. Multiple stakeholders told us the 2019 Act still reflects best practice for ombudsman legislation internationally, six years since it came into effect. We are proud that this piece of Senedd legislation remains a beacon of good practice and is revered amongst the ombudsman community. We acknowledge that there is still work to be done with regard to fine-tuning the implementation of the 2019 Act in some areas, and that there may be a need to consider legislative changes in the future, which are discussed in more detail later in the report, but conclude that the 2019 Act is still held in high regard and remains fit for purpose.

Conclusion 3. The Committee believes that the Public Services Ombudsman (Wales) Act 2019 provides a good practice template for the role of ombudsman internationally and remains an effective legislative framework that is fit for purpose.

39. During our annual scrutiny sessions with the Ombudsman we regularly hear how the office is adapting to ensure it allocates its budget appropriately to deal

⁴⁰ Finance Committee, RoP, 7 May 2025, paragraph 16

⁴¹ Finance Committee, RoP, 4 June 2025, paragraph 20

⁴² Finance Committee, RoP, 4 June 2025, paragraph 21

⁴³ Finance Committee, Consultation response: Professor Naomi Creutzfeldt

with an increasing caseload.⁴⁴ As such we welcome that the 2019 Act is supporting the Ombudsman's efforts to maintain a manageable caseload.

40. The Committee welcomes the work undertaken to date in relation to increasing public confidence in the office and in its targeted outreach work. However, we acknowledge the concerns raised by stakeholders that more can be done to ensure the services of the Ombudsman are known and accessible to everyone in Wales and believe further work is required in this area.

41. We were particularly pleased to hear about the work the Ombudsman has undertaken to allow individuals to make complaints in languages other than English and Welsh. We note that the office has utilised the skill set of its staff on occasion where individuals have requested to make complaints in other languages and would urge this practice to continue, where appropriate.

42. We also note the work undertaken by the Ombudsman to date with regard to providing resources in languages other than Welsh and English to increase engagement, as well as efforts to identify trends in demographics that impacts on the type of people who are engaging with ombudsman bodies in other jurisdictions. Nonetheless, we urge the Ombudsman to undertake further work to evaluate the impact of this approach to ensure it remains effective, and in particular to identify why some groups of people are less likely to reach out to the Ombudsman, despite them being targeted in the Ombudsman's engagement strategy.

Recommendation 1. The Committee recommends that the Ombudsman reviews the outreach engagement strategy to ensure equitable access to its services with a particular focus on its attempts to engage with hard to reach groups, and provides an update to the Senedd by the time it submits its estimate for 2027-28.

⁴⁴ Finance Committee, *Scrutiny of Public Services Ombudsman for Wales Estimate 2025-26*, November 2024, pages 15 to 18

3. Complaints in a form other than writing

43. The 2005 Act required all complaints to the Ombudsman to be made or referred in writing. However, the Ombudsman had a discretionary power to accept a complaint made other than in writing if appropriate on a case-by-case basis.⁴⁵

44. Provisions in the 2019 Act meant the Ombudsman would no longer be required to use discretion but instead enabled them to prescribe in guidance the ways in which complaints can be made, including orally. The EM explains one of the intentions of these provisions was to:

*“... remove stigma and improve social justice; ensuring that all voices are heard, including those with issues around literacy, numeracy and the differing abilities to manage correspondence and administrative tasks.”*⁴⁶

45. The EM stated that removing the requirement to make complaints in writing would future-proof access to the Ombudsman’s services and allow the office to develop guidance to respond to future developments in electronic communication and advances in technology.⁴⁷

46. All those who shared their views on the ability to make oral complaints were in favour of these provisions.

47. The NIPSO called the power to accept oral complaints “essential” to the legislation⁴⁸, whilst the Ombudsman and Information Commissioner for Ireland said that “in order to be accessible, it’s a very important facility” and added that without this route “maybe, many of those people would not have made complaints otherwise”.⁴⁹

48. The move to include the power to accept complaints in a form other than writing was called “beneficial” by the Cabinet Secretary.⁵⁰

⁴⁵ [Public Services Ombudsman \(Wales\) Bill, Explanatory Memorandum, page 15](#)

⁴⁶ [Public Services Ombudsman \(Wales\) Bill, Explanatory Memorandum, page 16](#)

⁴⁷ [Public Services Ombudsman \(Wales\) Bill, Explanatory Memorandum, page 16](#)

⁴⁸ [Finance Committee, RoP, 7 May 2025, paragraph 30](#)

⁴⁹ [Finance Committee, RoP, 7 May 2025, paragraph 25](#)

⁵⁰ [Letter from the Cabinet Secretary for Social Justice, Trefnydd and Chief Whip to the Finance Committee, 11 June 2025](#)

49. The Auditor General for Wales stated:

“We continue to consider the power to accept complaints in a form other than in writing should be beneficial for vulnerable people, we see it as conducive to the principle of accessibility, but we have not examined the use of this power in practice, so cannot comment further.”⁵¹

50. A representative from the Cardiff and Vale University Health Board (CAVUHB) gave assurance that the power to accept complaints in a form other than writing was seen to be “working in action”, and that the power has opened up the Ombudsman to “more people in our communities and society”.⁵² They added that it had:

“... opened up the ability to go to the ombudsman for more people than it perhaps would have, because of language difficulties, potentially, disability and literacy issues that we know can be an issue in some communities and for some people.”⁵³

51. The Ombudsman noted that one of the target groups they are trying to reach, regarding oral complaints, are those from ethnic minorities or whose nationality is not British.⁵⁴ She went on to explain:

“... we very much want oral complaints to increase, because it’s an important part of our accessibility work, and we really want to be able to reach those people in our communities that would struggle the most, as you say, to fill in a form or do something online.”⁵⁵

Awareness of the ability to make oral complaints

52. Since the introduction of the 2019 Act over 700 people have submitted complaints in this manner.⁵⁶ The Ombudsman recognised that the number of oral complaints they have processed is lower than the RIA projections (which

⁵¹ Letter from the Auditor General for Wales to the Finance Committee, 19 June 2025

⁵² Finance Committee, RoP, 4 June 2025, paragraph 120

⁵³ Finance Committee, RoP, 4 June 2025, paragraph 103

⁵⁴ Finance Committee, RoP, 30 April 2025, paragraph 67

⁵⁵ Finance Committee, RoP, 30 April 2025, paragraph 68

⁵⁶ Finance Committee, Consultation response: The Public Services Ombudsman for Wales

estimated 10 per cent of complaints would be orally⁵⁷) but noted that numbers of oral complaints are increasing each year.⁵⁸

53. Regarding the number of oral complaints, the Ombudsman said:

*"We haven't set targets for it. It's really led by the complainant and the nature of their complaint as to whether we take an oral complaint. We try to use that route only when it's appropriate, because it does take up a lot of staff time. It means about 30 to 45 minutes for a member of staff to do an oral complaint. So, it's absolutely right that we offer it, but we only need to use it when it's really needed."*⁵⁹

54. The Ombudsman notes that there is capacity to deliver more oral complaints, but as they are demand led, "it is not our intention to set targets". The Ombudsman went on to say:

*"What is important is that complainants have a choice about how they access PSOW and, often, service users prefer to use other methods such as by completing our complaint form on our website and/or with the assistance of an advocacy body, such as Llais."*⁶⁰

55. The Ombudsman's official added that no targets had been set as "there's no point in us spending our resources on issues that we can't help people with".⁶¹

56. In its written evidence the Ombudsman notes that 76 per cent of respondents to their nation-wide commissioned research knew they could complain to the Ombudsman verbally, whilst 55 per cent knew that they could complain in British Sign Language (BSL). They explained:

*"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."*⁶²

⁵⁷ Public Services Ombudsman (Wales) Bill, Explanatory Memorandum, page 83

⁵⁸ Finance Committee, RoP, 30 April 2025, paragraph 56

⁵⁹ Finance Committee, RoP, 30 April 2025, paragraph 57

⁶⁰ Letter from the Public Services Ombudsman for Wales to the Finance Committee, 30 May 2025

⁶¹ Finance Committee, RoP, 9 July 2025, paragraph 42

⁶² Finance Committee, Consultation response: The Public Services Ombudsman for Wales

57. The Ombudsman's official also confirmed the office has received a complaint in BSL.⁶³

58. The Ombudsman's official clarified that all options of how to make a complaint to the Ombudsman are clearly advertised online and that whilst most use the online complaints form, those who decide to make an oral complaint can easily access this service.⁶⁴

59. When asked how the office assesses the need for an oral complaint the Ombudsman's official clarified that when a request is made to make an oral complaint the service is offered, either through an appointment or can be made immediately under specific circumstances.⁶⁵ However, when it becomes apparent the complaint does not fall within the Ombudsman's jurisdiction they are signposted to the most appropriate organisation for advice and do not proceed with a formal complaint to the Ombudsman.

Committee View

60. The Committee welcomes the provisions within the 2019 Act that allow individuals to make oral complaints to the Ombudsman as a matter of course. This provision supports the Ombudsman's work in ensuring its services are available to a wider demographic, and is particularly beneficial for vulnerable people seeking redress.

61. We are pleased that research commissioned by the Ombudsman demonstrates that the awareness to make an oral complaint is high, especially as this is still a relatively new process for the office. We note that the number of oral complaints is yet to meet the projections within the RIA and welcome the work the office is doing to increase the level of awareness of this provision through its wider engagement work. We were particularly pleased to hear that the Ombudsman has considered a complaint submitted in BSL.

62. The Committee notes that processing an oral complaint might be more labour intensive than those made in writing. However, we believe that more could be done to encourage individuals to utilise these provisions. We also urge the Ombudsman to look at ways of utilising technology to make it less laborious, for example through the use of automated transcription that would assist staff handling such complaints and improve processes.

⁶³ Finance Committee, RoP, 9 July 2025, paragraph 52

⁶⁴ Finance Committee, RoP, 9 July 2025, paragraphs 37 and 38

⁶⁵ Finance Committee, RoP, 9 July 2025, paragraph 34

63. Whilst we accept that these services come at a financial cost, we would also urge the Ombudsman to look at ways it could utilise developments in translation technology to allow individuals to make oral complaints in any language of their choosing. We are of the view that this would support the Ombudsman's work in engaging with individuals from diverse ethnic and national backgrounds. This would also build on the Ombudsman's recent work of translating its website and published resources to a wider range of languages allow individuals to engage with the Ombudsman in the language of their choice.

Recommendation 2. The Committee recommends that the Ombudsman considers how:

- to promote the ability for individuals to submit oral complaints; and
- technology could be utilised to improve the processing of oral complaints, including enhancing the ability of individuals to make oral complaints in languages other than English and Welsh.

64. We accept the Ombudsman's explanation as to why targets are not set for the number of oral complaints it receives. However, we believe that the Ombudsman should collect more information regarding oral complaints to identify trends in demographics of those submitting such complaints. This approach would allow the Ombudsman to assess the impact of its outreach work of promoting the ability to make oral complaints to a wider demographic.

Recommendation 3. The Committee recommends that the Ombudsman undertakes an annual review of the demographics of individuals who submit oral complaints to identify trends and assess if the outreach strategy is effective in this area.

4. Own initiative investigations

65. Under Section 4 of the 2019 Act, the Ombudsman has the power to undertake own initiative (OI) investigations, whether or not a complaint has been received.⁶⁶ The EM stated that this power:

“... will provide a mechanism to protect the most vulnerable and give attention to the dignity of individuals, including people with learning difficulties, mental health problems and the elderly.”⁶⁷

66. The Ombudsman notes two types of OI investigations:

- Extended investigations - which happen when the Ombudsman is already investigating a problem and it is extended to other issues or complaints; and
- Wider investigations – when a standalone investigation is conducted which does not relate to a complaint made by an individual.⁶⁸

Own initiative investigations to date

67. The 2019 Act EM costs for one to two wider OI investigations per annum and 10-15 OI investigations in total over the five year appraisal period.⁶⁹ To date, the Ombudsman has completed two OI investigations.⁷⁰

68. The Ombudsman recognised that the second OI investigation took “too long”, and explained why only two OIs investigations have been completed since 2019:

“... we’re still learning about how to use these powers, and, certainly, I learnt a lot through that process; it was my first own-initiative. We’ve identified through a learning process on that how we can make those sort of investigations more tight and efficient in the future.”⁷¹

⁶⁶ Public Services Ombudsman (Wales) Act 2019, Section 4

⁶⁷ Public Services Ombudsman (Wales) Bill, Explanatory Memorandum, page 18

⁶⁸ Public Services Ombudsman for Wales: A New Chapter Unfolds, Annual Report and Accounts 2023/24, July 2024, page 45

⁶⁹ Public Services Ombudsman (Wales) Bill, Explanatory Memorandum, page 102

⁷⁰ Finance Committee, Consultation response: The Public Services Ombudsman for Wales

⁷¹ Finance Committee, RoP, 30 April 2025, paragraph 75

69. In response to whether the Ombudsman has a sufficient budget to undertake an increase in OI investigations, the Ombudsman explained:

“... there may be some resourcing issues associated with more wider own initiative investigations, but it is not anticipated that this would lead to an increase in costs. We would mitigate this impact by simplifying our process, focusing the scope of investigations and through better use of data.”⁷²

70. The Ombudsman explained how a recent appointment of a data officer will support the aim of the office to “get better at using our data”⁷³ as the office relies “quite heavily” on its own data regarding complaints and casework.⁷⁴ However, the Ombudsman noted that the varying approaches on how other sectors collect their data can make it difficult for the Ombudsman to compare data:

“... not only difference between sectors, different health boards will gather data in different ways, and if we're trying to find something consistent across the piece, then that can be a challenge.”⁷⁵

71. The Ombudsman also referenced a “slicker process” in Northern Ireland regarding OI investigations.⁷⁶

72. The NIPSO explained that whilst an OI investigation could take 12-18 months, which is quicker than those undertaken by the Ombudsman, this is still longer than they would like.⁷⁷ As a result the NIPSO has introduced a new system in which it utilises “the assessment stage of its Own Initiative process in a flexible way” to determine if the issue is more suited to full OI investigation or a small OI overview report. They explained:

“These early stage investigations do not progress to Ombudsman’s ‘findings’ but set out the current situation and make recommendations for improvement. This approach is useful where there is an acceptance of a need for change and

⁷² Letter from the Public Services Ombudsman for Wales to the Finance Committee, 30 May 2025

⁷³ Finance Committee, RoP, 30 April 2025, paragraph 87

⁷⁴ Finance Committee, RoP, 9 July 2025, paragraph 88

⁷⁵ Finance Committee, RoP, 9 July 2025, paragraph 92

⁷⁶ Finance Committee, RoP, 30 April 2025, paragraph 77

⁷⁷ Finance Committee, RoP, 7 May 2025, paragraph 36

evidence that things are improving through actions being taken already.”⁷⁸

Definition of ‘maladministration’

73. Professor Chris Gill notes the limitation in both the 2019 Act and the Northern Ireland Public Services Ombudsman Act 2016, which restricts the Ombudsman’s OI power to where there is a “reasonable suspicion” of “systemic maladministration” and suggests this could be subject to “further thought”.⁷⁹

74. During discussion with the Committee, Professor Gill explained that the term ‘systemic maladministration’ is “not subject to a clear definition” but that it presumably means that it is “maladministration that might involve some kind of systemic issue”.⁸⁰

75. Professor Gill went on to suggest that the focus on systemic issues may prevent the Ombudsman from using OI powers to investigate single instance issues or issues that affect small groups and concluded:

“... I think my view is that you have passed a piece of legislation that is imposing some limitations on what the ombudsman can do, and those limitations are not reflected in all ombudsman legislation internationally, where the general principle is that the ombudsman should have as much discretion as possible.”⁸¹

76. The Ombudsman reflected that “it is helpful that the legislation says ‘suspicion’ of systemic maladministration” as it has allowed for a wide interpretation of the legislation which:

“... wouldn't prevent us going after specific issues, because we would back it up with other evidence and data to show what's happening in that sector or why we think there would be wider problems. Just because a complaint comes in or an issue has affected just one or two people, the nature of that issue could then very much suggest that there's a wider issue that would

⁷⁸ Finance Committee, Consultation response: Northern Ireland Public Services Ombudsman (NIPSO)

⁷⁹ Finance Committee, Consultation response: Professor Chris Gill

⁸⁰ Finance Committee, RoP, 4 June 2025, paragraph 36

⁸¹ Finance Committee, RoP, 4 June 2025, paragraph 40

allow us—and we feel the legislation does allow us—to pursue that.”⁸²

Requirement for consultation

77. Section 4(2)(c) of the 2019 Act provides that before the Ombudsman begins an investigation under section 4, the Ombudsman must “consult such persons as the Ombudsman considers appropriate”.⁸³

78. Section 18 of the 2019 Act provides further detail on what the consultation process must comprise of:

- preparing and submitting an investigation proposal to the listed authority being investigated and any person who is identified in a negative way in the proposal;⁸⁴
- providing an opportunity for the listed authority and any person who is identified in a negative way in the proposal an opportunity to comment on the investigation proposal.⁸⁵

79. The Ombudsman believes “the current consultation process that we have to complete to launch a wider own initiative investigation is too long and cumbersome.”⁸⁶

80. The former Ombudsman, Nick Bennett, said the initial justification for the two stage consultation was to avoid a “scattergun approach” when using OI powers, and went on to say:

“... I think removing that disproportionate consultation process means that there'll be more resource available to actually get on with the job.”⁸⁷

81. Despite concerns around the consultation process, the Ombudsman did not want the process removed altogether. Instead, she favoured a single step consultation rather than two as:

“... that wouldn't reduce procedural fairness, and, actually, perhaps it would be less of a burden on public bodies to have

⁸² Finance Committee, RoP, 9 July 2025, paragraph 65

⁸³ Public Service Ombudsman (Wales) Act 2019, section 4(2)(c)

⁸⁴ Public Service Ombudsman (Wales) Act 2019, section 18(2)

⁸⁵ Public Service Ombudsman (Wales) Act 2019, section 18(5)

⁸⁶ Finance Committee, Consultation response: The Public Services Ombudsman for Wales

⁸⁷ Finance Committee, RoP, 7 May 2025, paragraph 121

to engage twice on the same process. Clearly, removing consultation would remove procedural fairness, and we wouldn't be suggesting that. So, we feel that what we're suggesting would be reasonable.”⁸⁸

82. The Auditor General noted that the potential removal of the requirement for consultation does not seem appropriate, as it may reduce procedural fairness and have a harmful effect on service delivery in practice. He went on to say:

“Removing the consultation requirement would disadvantage public bodies that need some “space” to address resourcing problems. The loss of consultation would reduce the opportunity for bodies to explain such needs and would potentially reduce the likelihood of the Ombudsman taking account of that position in deciding whether it is appropriate to launch an investigation. Removing the requirement for consultation would also raise the risk of wasting resources through duplication.”⁸⁹

83. The Cabinet Secretary said that:

“Removal of the requirement to consult might not be beneficial to the Ombudsman in the longer term as it may result in less cooperation from those affected by an own initiative investigation.”⁹⁰

84. The Ombudsman noted that the NIPSO, who has OI powers, has a “more streamlined process” whereby the NIPSO is required to prepare an investigation proposal and submit it only to the public body it proposes to investigate.⁹¹ The NIPSO stated that the 2019 Act has introduced a requirement which is not present in the equivalent legislation that governs it and explained:

“The absence of this step has not been problematic in NI and there is an argument for consideration to be given to the removal of the requirement to generally consult those who may be affected or have an interest in Wales. Legislation regarding Ombudsman offices generally give significant discretion to the office holder and this should be no different for Own Initiative

⁸⁸ Finance Committee, RoP, 9 July 2025, paragraph 59

⁸⁹ Letter from the Auditor General for Wales to the Finance Committee, 19 June 2025

⁹⁰ Letter from the Cabinet Secretary for Social Justice, Trefnydd and Chief Whip to the Finance Committee, 11 June 2025

⁹¹ Finance Committee, Consultation response: The Public Services Ombudsman for Wales

investigations and the requirements that must be adhered to should be the minimum necessary so as not to be a barrier to the Ombudsman's effective use of the power.”⁹²

85. The Ombudsman and Information Commissioner for Ireland told the Committee they are not subject to consultation requirements and only consult where necessary⁹³ and that as a result:

“... maybe not having to do such wide consultation allows us sometimes to be quite nimble.”⁹⁴

86. Professor Chris Gill stated the requirement to consult is a potential issue and the requirements could be streamlined. Professor Gill suggested that the Ombudsman might have over interpreted the requirements of the consultation process as outlined in the 2019 Act and went on to say:

“I'm just wondering whether perhaps some of the over-engineering has come from the process that the ombudsman's office has adopted, rather than necessarily coming from the actual legislative provision itself.”⁹⁵

87. The Ombudsman explained that due to the risks of being challenged on the use of the power they “take a risk-based approach” as to how the legislation is interpreted but that going forward they may consider if the internal processes of running a OI investigations have become over-engineered. One way the Ombudsman had identified to mitigate the risk of being challenged was to strengthen the use of data as a strong body of evidence regarding systemic maladministration would provide a “strong base on which to move forward and do that investigation”.⁹⁶

88. Going forward the Ombudsman indicated that she had identified some lessons learnt which could make the consultation process “more effective and efficient”. This included ensuring that the initial engagement with the listed authorities under investigation is not a “lengthy conversation” and simply provides clarity on the process, criteria and expectations of the investigated bodies.⁹⁷

⁹² Finance Committee, Consultation response: Northern Ireland Public Services Ombudsman (NIPSO)

⁹³ Finance Committee, RoP, 7 May 2025, paragraph 51

⁹⁴ Finance Committee, RoP, 7 May 2025, paragraph 48

⁹⁵ Finance Committee, RoP, 4 June 2025, paragraph 72

⁹⁶ Finance Committee, RoP, 9 July 2025, paragraphs 62 and 63

⁹⁷ Finance Committee, RoP, 9 July 2025, paragraph 56

89. The Ombudsman also referred to potential changes in how findings are presented following completion of an OI investigation:

“We tend to gather a lot of evidence through the own-initiative investigations. So, presenting our findings in a succinct way, but backing it up with the evidence so that it's robust—we feel that that's something we can perhaps do more effectively in future reports, and we looked at that a lot in our recent report.”⁹⁸

90. The Ombudsman reflected that having a more focused scope and remit for an OI investigation, as opposed to the broader remits of the OIs completed to date, might allow for the office to “get through more investigations, but in a more focused way”.⁹⁹

Potential duplication

91. Witnesses gave mixed evidence regarding the impact of potential duplication.

92. The Auditor General said that duplication has “successfully been avoided” as he has not encountered any instances of duplication between the Ombudsman’s OI investigations and their examinations and studies.¹⁰⁰ The Cabinet Secretary also stated that she was unaware of any instances of duplication.¹⁰¹

93. In a letter to the Committee referring to the OI investigation into carers’ services, the Association of Directors of Social Services (ADSS) Cymru said several authorities noted that the timing of the investigation overlapped with planned inspections by Care Inspectorate Wales (CIW), with similar ground covered. ADSS Cymru stated:

“In at least one case, there was a marked contrast between the two bodies’ findings - raising questions about consistency and the value of coordination.”¹⁰²

⁹⁸ Finance Committee, RoP, 9 July 2025, paragraph 56

⁹⁹ Finance Committee, RoP, 9 July 2025, paragraph 57

¹⁰⁰ Letter from the Auditor General for Wales to the Finance Committee, 19 June 2025

¹⁰¹ Letter from the Cabinet Secretary for Social Justice, Trefnydd and Chief Whip to the Finance Committee, 11 June 2025

¹⁰² Letter from the Association of Directors of Social Services (ADSS) Cymru to the Finance Committee, 20 June 2025

94. ADSS Cymru went on to say:

“... there is scope to strengthen alignment between the Ombudsman’s investigatory work and existing inspection regimes. A more joined-up approach would reduce reporting burdens and better support the shared goal of improving outcomes for people who use services.”¹⁰³

95. Healthcare Inspectorate Wales (HIW) noted they meet with the Ombudsman twice a year at an executive level but also have other points of contact at a “more operational level”. HIW went on to say:

“They’ve been very open about what they’re planning to do. I can recall the ombudsman telling me that she wanted to make sure that we weren’t about to do the piece of work that they were thinking of doing. But also to ask us if we have expertise or knowledge or content that we want to feed into that. We might have already done a piece of work, or we might have some data or some insight into a topic that can help them. So, I think it works well.”¹⁰⁴

96. The Ombudsman explained that she only intended to use the OI powers in “areas that perhaps don’t present themselves readily through our complaints work” and to support the groups who find the Ombudsman more inaccessible. She added:

“... I definitely didn’t want to be using the powers to duplicate what other public bodies were doing. I wanted to use it to add to the conversation and the knowledge about the delivery of public services, and that’s still very much my position.”¹⁰⁵

97. With regard to the specific concerns surrounding potential duplication with the work undertaken by CIW, the Ombudsman confirmed that discussions were had with CIW ahead of the OI investigation being undertaken and they raised no concerns of potential duplication. The Ombudsman indicated the same approach would be undertaken with future OI investigations:

“... it will continue to be our practice, because it’s really important that we don’t create a more cluttered space for

¹⁰³ [Letter from the Association of Directors of Social Services \(ADSS\) Cymru to the Finance Committee, 20 June 2025](#)

¹⁰⁴ [Finance Committee RoP, 4 June 2025, paragraphs 113 and 114](#)

¹⁰⁵ [Finance Committee RoP, 9 July 2025, paragraph 69](#)

where other inspectorates and other bodies—Audit Wales is the other example—are already working”¹⁰⁶

98. Similarly, when asked about the potential for any duplication or blurring of roles with Audit Wales the Ombudsman indicated that as her remit is narrower and more focused than that of Audit Wales there would be no risk of this taking place.¹⁰⁷

Use of recommendations

99. The Ombudsman may make recommendations to the public bodies she investigates. If there is evidence of systemic maladministration, the Ombudsman is not able to make recommendations to other public services in the same sector. The Ombudsman may “invite” other relevant bodies to make similar improvement but they do not, under the 2019 Act, have formal powers to follow up on this.¹⁰⁸

100. The Ombudsman said this was a “limitation of the wider own-initiative powers at the moment”. Specifically, with regard to extending recommendations made in relation to investigated authorities across the sector the Ombudsman went on to say:

“I think that is something we have said in our consultation to ask the committee to consider—that would add a bit more teeth to it, if we were able to say, ‘Look, we’ve found this through our investigation, and we think this represents best practice and things that all local authorities, all health boards—or whatever the sector is that we’re working in—should look at.”¹⁰⁹

101. The Ombudsman added:

“... I think from the point of view of fairness and our ability to engage with the public sector on this work, but also from the point of view of impact, and being able to improve services on the back of OI reports, then it would be advantageous for the legislation to allow us more scope in that respect.”¹¹⁰

¹⁰⁶ Finance Committee, RoP, 9 July 2025, paragraph 70

¹⁰⁷ Finance Committee, RoP, 9 July 2025, paragraphs 77 and 79

¹⁰⁸ Finance Committee, Consultation response: The Public Services Ombudsman for Wales

¹⁰⁹ Finance Committee, RoP, 30 April 2025, paragraph 23

¹¹⁰ Finance Committee, RoP, 9 July 2025, paragraph 74

102. The Cabinet Secretary stated that it might be more appropriate for Audit Wales to pick up wider recommendations as it is important for the Ombudsman not to have their actions confused with the role played by Audit Wales.¹¹¹

103. The Cabinet Secretary noted that if the Ombudsman was able to make sector wide recommendations, there is a danger “that there would be a blurring of roles between the Ombudsman and Audit Wales”.¹¹² The Auditor General however said that there is not a need “for such a bar on wider recommendations”.¹¹³

104. HIW stated that “it’s not necessarily about the recommendations, it’s about influencing”.¹¹⁴

105. The NIPSO stated that ombudsman recommendations are non-binding,¹¹⁵ whilst Professor Chris Gill noted:

“So, I wouldn’t necessarily worry too much about whether you have the ability to make formal recommendations in particular contexts. In that sense, the ombudsman’s work is inherently advisory and, as you’ve just suggested, is inherently about raising issues and opening them up for discussion rather than in any way seeking to enforce that.”¹¹⁶

Transparency of planned investigations

106. Stakeholders raised concerns regarding how transparent the process was for deciding upon themes for OI investigations.

107. Professor Naomi Creutzfeldt noted the Ombudsman could be “more transparent regarding how topics/areas for investigation are selected”.¹¹⁷ When asked what could be done to improve transparency, Professor Creutzfeldt noted the importance of the public understanding better why OI investigations are launched. Citing the homelessness OI investigation as an example, Professor Creutzfeldt stated the Ombudsman could explain to the public why the issue

¹¹¹ Letter from the Cabinet Secretary for Social Justice, Trefnydd and Chief Whip to the Finance Committee, 11 June 2025

¹¹² Letter from the Cabinet Secretary for Social Justice, Trefnydd and Chief Whip to the Finance Committee, 11 June 2025

¹¹³ Letter from the Auditor General for Wales to the Finance Committee, 19 June 2025

¹¹⁴ Finance Committee, RoP, 4 June 2025, paragraph 152

¹¹⁵ Finance Committee, RoP, 7 May 2025, paragraph 38

¹¹⁶ Finance Committee, RoP, 4 June 2025, paragraph 45

¹¹⁷ Finance Committee, Consultation response: Professor Naomi Creutzfeldt

needs to be explored, how it affects the country and why it is important and what examples there are of people not being treated fairly.¹¹⁸

108. Professor Creutzfeldt went on to say:

“... I think the message would come across much stronger if there were even a preamble in the report of their own investigation, or if there were something on their website. I think it would just make it more accessible—not to separate the task, but to have it included in the final product.”¹¹⁹

109. ADSS Cymru noted that several authorities involved in the carers’ needs OI investigation reported:

“... uncertainty about how the investigation was initiated, including the rationale for selecting the carers’ service theme and the criteria used to identify participating councils. In practice, this made it challenging for local teams to respond effectively to information requests, which were extensive and issue at short notice, often with limited accompanying guidance.”¹²⁰

110. ADSS Cymru went on to say that:

“... clearer communication around purpose, methodology, and opportunities for engagement would have supported greater mutual understanding and more meaningful contributions.”¹²¹

111. HIW said:

“For the wider review work that the ombudsman has done, the wider investigations, I can't tell you how they selected those, so I guess that suggests an answer to your question. Perhaps there could be more transparency.”¹²²

¹¹⁸ Finance Committee, RoP, 4 June 2025, paragraph 63

¹¹⁹ Finance Committee, RoP, 4 June 2025, paragraph 65

¹²⁰ Letter from the Association of Directors of Social Services (ADSS) Cymru to the Finance Committee, 20 June 2025

¹²¹ Letter from the Association of Directors of Social Services (ADSS) Cymru to the Finance Committee, 20 June 2025

¹²² Finance Committee, Consultation response: Healthcare Inspectorate Wales

112. HIW went on to say that they feel “adequately involved and given the opportunity to have a voice” but were unsure how the decision [to undertake a review] is made.¹²³

113. In a letter to the Committee the Ombudsman detailed that following each of the wider OI investigations a “lessons learned” piece of work was carried out “to refine and improve our process within the constraints of the current legislative requirements”. The Ombudsman provided a summary of learning outcomes, which included:

- Improvements to initial engagement with bodies under investigation to provide clarity on the process and ensure that expectations are understood.
- Improvements to the way in which the findings are reported in a succinct manner, supported by supplementary reports containing a summary of the evidence relied upon and its analysis.
- The potential to focus the scope of future OI investigations more to enable investigations to be undertaken more efficiently and to provide capacity to complete more investigations using this power.¹²⁴

114. The Ombudsman reflected that whilst the consultation document and subsequent report do provide a rationale as to why that topic has been selected, she acknowledged more information could be shared regarding the wider consideration process. The Ombudsman explained that as a part of her evidence gathering for OI investigations she could:

“... have more open conversations, possibly, about what are the options for us with our next investigations, what are the advantages and disadvantages of pursuing different lines. So, I think that's something we can certainly reflect on and consider when we start now looking at our next investigation. Because there are topics we consider but then don't pursue; obviously, we make a choice to go down one particular avenue.”¹²⁵

Committee View

115. The Committee welcomes that the 2019 Act has provided the Ombudsman with appropriate powers to conduct OI investigations. However, we are concerned

¹²³ Finance Committee, Consultation response: Healthcare Inspectorate Wales

¹²⁴ Letter from the Public Services Ombudsman for Wales to the Finance Committee, 30 May 2025

¹²⁵ Finance Committee, RoP, 9 July 2025, paragraphs 81 and 82

that these powers are not being fully utilised as intended and that the Ombudsman could make bolder uses of this power.

116. In particular, we are concerned that only two OI investigations have been completed by the Ombudsman since the 2019 Act was enacted. Whilst we accept there is always a degree of learning when utilising new powers, it is apparent that other ombudsmen have developed quicker processes which are allowing them to undertake a greater number of OI investigations. By the Ombudsman's own admission, the OI investigations pursued have taken too long and we would urge the Ombudsman to consider ways of streamlining the process without losing the integrity of the provisions.

Recommendation 4. The Committee recommends the Ombudsman reviews the process for undertaking own initiative investigations and identifies any areas which could be streamlined to allow the investigation to be completed within shorter timeframes.

117. We acknowledge the concerns raised by stakeholders regarding the lack of a specific definition of "systemic maladministration" in the 2019 Act and the impact it could have on the Ombudsman's ability to undertake OI investigations in certain circumstances. However, we are assured that the Ombudsman's approach to these duties under the 2019 Act mitigates this risk.

118. The Committee heard mixed evidence regarding the two stage consultation process for OI investigations, with some stakeholders saying it should be simplified and others emphasising its importance to ensure procedural fairness.

119. We heard that the Ombudsman has identified lessons learnt from previous OI investigations which could allow for a more efficient two stage consultation process without a need to amend the 2019 Act. As such, we are of the view that the proposals to streamline the consultation procedures, as identified by the Ombudsman, should be trialled and reviewed when undertaking the next OI investigation. The Committee believes that these adaptations may also reduce the time it takes to undertake an OI investigation which in turn could provide more capacity for the Ombudsman to undertake more OI investigations each year.

Recommendation 5. The Committee recommends that the Ombudsman considers streamlining the consultation process for own initiative investigations, as identified from lessons learnt from previous investigations, and reports back to the Committee on progress by the time it submits its estimate for 2027-28.

120. We also heard how a more focused remit for future OI investigations could allow the investigations to be completed more quickly, as it would enable the

Ombudsman's report to be published whilst the issue under consideration is still a subject of concern. This approach follows the style of investigation conducted by other ombudsman or organisations who have produced shorter public interest reports, which could also be directed at other local authorities or health boards and not simply the authority subject to the investigation. These more focused OI investigations would also supplement any wide ranging OI investigations undertaken concurrently by the Ombudsman.

Recommendation 6. The Committee recommends the Ombudsman reflects on the approach undertaken by other ombudsman offices with regard to undertaking own initiative investigations and considers how they could deliver investigations in a more agile way.

121. We welcome the confirmation that the Ombudsman does have the budget to undertake a greater number of OI investigations and that the employment of a new data officer will support the Ombudsman in this regard. However, we note the evidence received which indicates there are issues surrounding the presentation of data from other sectors which is outside of the Ombudsman's control.

122. The Committee notes concerns about the potential for the Ombudsman to duplicate the work of others when conducting OI investigations, and we are content with the process implemented by the Ombudsman to mitigate this risk. Nonetheless, we urge the Ombudsman to continue engaging with stakeholders ahead of undertaking OI investigations to ensure that work is not duplicated.

Recommendation 7. The Committee recommends that the Ombudsman continues to engage early with stakeholders when undertaking own initiative investigations, in order to identify and prevent any duplication of work with other organisations.

123. We note the Ombudsman's suggestions that any relevant recommendations made from findings of OI investigations should be directed to other similar authorities to ensure that best practice is followed across Wales. We also recognise that the Ombudsman's ability to direct a recommendation in this way would require a change to the 2019 Act. However, we believe that the Ombudsman could adopt this approach informally by bringing recommendations to the attention of relevant authorities and encouraging them to implement changes. We believe this is a pragmatic and proportionate solution that would drive up standards without requiring further legislative change.

Recommendation 8. The Committee recommends the Ombudsman, as a matter of principle, shares the published reports of own initiative investigations with relevant authorities other than those subject to the investigation, and encourages them to implement any recommendations made.

124. The Committee notes that a number of stakeholders were unsure why the issues considered by the Ombudsman for OI investigation were selected and believe that improvements are required to enhance the transparency of this process. We welcome that the Ombudsman has reflected on this issue and agreed that more could be done to inform stakeholders of the decision-making process. In particular, we urge the Ombudsman to trial the lessons learnt from the previous OI investigations conducted to date as part of future investigations. This should include the publication of a short summary explaining why the topic was selected and a survey to seek stakeholders' views on the selection process.

Recommendation 9. When publishing the findings of own initiative investigations, the Committee recommends the Ombudsman, as a matter of course, also includes:

- an explanation of why the subject matter of the own initiative investigation was selected; and
- a survey to determine the views of stakeholders on the process for selecting the subject matter under investigation.

5. The effectiveness of the Ombudsman's ability to investigate private medical treatment in a public/private healthcare pathway

125. The 2019 Act gave the Ombudsman an ancillary power to investigate matters relating to the private health-related services of a complaint in a public/private pathway.¹²⁶

126. Under the 2005 Act, the Ombudsman had jurisdiction to investigate where the NHS commissions private medical treatment for patients, but not in respect of treatment commissioned by patients themselves.¹²⁷

127. The 2019 Bill RIA estimated that approximately one per cent of health sector complaints (or seven cases) received each year contain a private health-related element, at an estimated cost of £3,507 per annum or £17,535 over the five year appraisal period.¹²⁸

Use of the power to investigate private medical treatment

128. The Ombudsman stated that the power to investigate private healthcare has not yet been used as the Ombudsman has not received any complaints that have met the requirements set out by the Act which reach the threshold for investigation.¹²⁹

129. When asked whether the threshold for investigation of private medical care is enabling, the Ombudsman said:

"We consider that the threshold is appropriate and in keeping with PSOW's role to consider complaints about and secure improvements to public services. We believe that the current threshold remains fit for purpose and necessary, should we encounter a situation where we can only investigate a citizen's complaint about NHS healthcare efficiently or completely by also investigating healthcare they have funded themselves."¹³⁰

¹²⁶ [Public Services Ombudsman \(Wales\) Act 2019, Section 16](#)

¹²⁷ [Public Services Ombudsman \(Wales\) Bill, Explanatory Memorandum, page 20](#)

¹²⁸ [Public Services Ombudsman \(Wales\) Bill, Explanatory Memorandum, page 75](#)

¹²⁹ [Finance Committee, Consultation response: The Public Services Ombudsman for Wales](#)

¹³⁰ [Letter from the Public Services Ombudsman for Wales to the Finance Committee, 30 May 2025](#)

130. To date the Ombudsman has recorded eight cases relating to private healthcare providers, two of which were closed at the inquiry stage of the process. The other six were assessed and the Ombudsman decided she could not be taken further.¹³¹

131. When asked if the power should be retained, the Ombudsman emphasised the importance of this power:

“... 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.”¹³²

132. An official for the Ombudsman added:

“Clearly, our role is to look at public services, and the way the provision is framed means we can only look at that private element of healthcare if we can only completely and effectively investigate the NHS care by also looking at that private element. So, we think it's really important, and firmly believe that the power should remain in place.”¹³³

133. The official explained how the power futureproofs the Ombudsman “when there are more people crossing between NHS care and private care, and then perhaps going back”.¹³⁴

134. The Cabinet Secretary agreed with the Ombudsman that the rationale to retain the power is as strong as ever.¹³⁵

¹³¹ Finance Committee, RoP, 30 April 2025, paragraph 114

¹³² Finance Committee, Consultation response: The Public Services Ombudsman for Wales

¹³³ Finance Committee, RoP, 30 April 2025, paragraph 113

¹³⁴ Finance Committee, RoP, 30 April 2025, paragraph 116

¹³⁵ Letter from the Cabinet Secretary for Social Justice, Trefnydd and Chief Whip to the Finance Committee, 11 June 2025

135. The Auditor General said that the rationale for retaining the power relating to healthcare still applies and “should enable a coherent approach to considering health care that involves private sector provision”.¹³⁶

136. When asked why the power should be retained despite not being used, the NIPSO said:

“Sometimes, I think, when the ombudsman gets new powers, it takes a while. It takes a while for them to bed in. It takes a while for complaints to come through that have that element to it. And to be honest, it takes a while for the public to know that it's there and that they can use it. So, there can be a whole number of reasons why.”¹³⁷

137. Regarding the importance of keeping the power to investigate private healthcare providers in specific and limited circumstances, the former Ombudsman said:

“... there has been a pretty big post-pandemic increase in waiting lists—you will have more people in Wales who might be turning to the private sector and coming back to the public sector. We need to make sure that, if anything does go wrong there and there is a need for investigation, you can follow the citizen's whole journey.”¹³⁸

138. A representative from CAVUHB stated the powers to investigate private healthcare had “real limitations”, they explained:

“I think this is difficult in the way it's written in the Act because somebody has to receive private treatment that is linked to a public health service, and I think that makes it somewhat limited, then, to actually be able to undertake that level of investigation. Because you will, as you've just demonstrated, get a very piecemeal investigation, because there's only a certain part that will fall under jurisdiction to be investigated.”¹³⁹

¹³⁶ [Letter from the Auditor General for Wales to the Finance Committee, 19 June 2025](#)

¹³⁷ [Finance Committee, RoP, 7 May 2025, paragraph 83](#)

¹³⁸ [Finance Committee, RoP, 7 May 2025, paragraph 131](#)

¹³⁹ [Finance Committee, RoP, 4 June 2025, paragraph 189](#)

139. A representative from HIW noted it was a “slightly messy situation” with healthcare provided by the independent sector. They explained they liked the “idea of the principle” but “perhaps that there's some improvement there”.¹⁴⁰

140. However the Ombudsman’s official explained that the current arrangements are appropriate:

“Our focus is on public services, so we feel that's right, really. Where we can't effectively and completely investigate NHS care and treatment, we should be able to look at that private care element.”¹⁴¹

141. The official added:

“... we do think it's really important to keep it in there and futureproof us as an organisation, particularly with pressures on health services. It gives us that flexibility, we think. So, our view is that the provision is right as it is and we don't need to seek amendment on that. But obviously we respect the views that have been given to the committee.”¹⁴²

142. The Ombudsman’s official accepted there were issues regarding following private healthcare complaints across borders which could be addressed:

“I think the private healthcare power differs. When the NHS commissions care in England, of course we can look at it, because we follow the money there, and we can look at the care that the Welsh NHS has paid for and delivered through that contracting arrangement. That's different in a private element when the citizen is purchasing that.”¹⁴³

143. The official explained:

“On NHS cases, we have the powers in the legislation to work jointly with the Parliamentary and Health Service Ombudsman, when we feel that's appropriate. And even when we don't feel we need to formally investigate together, we can work closely on cases. I don't believe they have the equivalent power in England as we do in Wales. So, they wouldn't be able to join

¹⁴⁰ Finance Committee, RoP, 4 June 2025, paragraphs 190 and 192

¹⁴¹ Finance Committee, RoP, 9 July 2025, paragraph 98

¹⁴² Finance Committee, RoP, 9 July 2025, paragraph 98

¹⁴³ Finance Committee, RoP, 30 April 2025, paragraph 118

that loop when they feel there's that private element of care, in the middle of a case in England, so there is potentially that gap, yes, I think so."¹⁴⁴

144. When asked what process were available to those individuals who feel they have no choice but to access private healthcare services, the official reflected that during scrutiny of the 2019 Bill "a lot of evidence from the private health bodies on the complaints processes" was considered. The official concluded:

*"... I think our focus is on the public services aspect of our role. We feel the link with that NHS-related care is appropriate because of that."*¹⁴⁵

Committee View

145. We acknowledge that the Ombudsman is yet to use the power in the 2019 Act to investigate matters relating to private medical treatment in a public/private healthcare pathway as the office is yet to receive a complaint that meets the required threshold. Nevertheless, we are of the view that this power should be retained by the Ombudsman should it receive a substantiated complaint in this area.

146. We note that some of the stakeholders expressed concerns regarding the process for making investigations under this provision. However, because these powers have not been tested in practice, the Committee is not persuaded that changes are required.

147. The Committee heard how an increase in patients seeking private healthcare options may result in more complaints reaching the required threshold for investigation. However, until more use is made of this power, we believe the status quo should be retained, including maintaining the threshold for the Ombudsman to investigate this pathway.

Recommendation 10. The Committee recommends that the power to investigate matters relating to the private health-related services of a complaint in a public/private pathway should be retained by the Ombudsman until sufficient first hand evidence is received to suggest a change is required.

¹⁴⁴ Finance Committee, RoP, 9 July 2025, paragraph 100

¹⁴⁵ Finance Committee, RoP, 9 July 2025, paragraph 110

6. Complaints Standards Work

148. The 2019 Act required the Ombudsman to publish a statement of principles concerning complaints-handling procedures of the bodies within its jurisdiction¹⁴⁶, as listed in Schedule 3 to the 2019 Act (the ‘listed authorities’)¹⁴⁷. It also enabled the Ombudsman to publish model complaints-handling procedures for the listed authorities, as well as monitor complaint handling by them.¹⁴⁸

149. The Ombudsman’s Complaints Standards Authority (CSA) aims to drive improvement in public services by working with public bodies within jurisdiction to:

- support effective complaint handling;
- collect and publish data;
- deliver bespoke training packages.¹⁴⁹

150. In relation to the CSA, Professor Chris Gill said “it looks like those powers have been used effectively” and that it covers most public services in Wales. However, he added:

“I think there's definitely more work to be done in relation to how we can make use of complaints data and performance around complaint handling across the Welsh public services.”¹⁵⁰

151. The Cabinet Secretary noted that the Ombudsman has discharged complaints standards powers successfully and the perception is that there has been an improvement of complaint handling procedures by listed authorities. The Cabinet Secretary went on to say:

“We also note, though, that there is still room for improvement – including in the Welsh Government, of course – and it is important for the progress made in recent years to be maintained and consolidated.”¹⁵¹

¹⁴⁶ [Public Services Ombudsman \(Wales\) Act 2019, Part 4](#)

¹⁴⁷ [Public Services Ombudsman \(Wales\) Act 2019, Schedule 3](#)

¹⁴⁸ [The Public Services Ombudsman for Wales, Annual Report and Accounts, 2019/20](#)

¹⁴⁹ [The Public Services Ombudsman for Wales, Complaints Standards Authority](#)

¹⁵⁰ [Finance Committee, RoP, 4 June 2025, paragraph 30](#)

¹⁵¹ [Letter from the Cabinet Secretary for Social Justice, Trefnydd and Chief Whip to the Finance Committee, 11 June 2025](#)

152. The Ombudsman stated that the proportion of complaints about complaint handling that reach their office rose from nine per cent in 2019/20 to 18 per cent in 2022/23, and subsequently fell to 12 per cent in 2024/25. The Ombudsman said that the reduction of complaints about complaint handling “is a good overall indicator that our CSA powers are having a positive impact”.¹⁵² The Ombudsman indicated she would like to see this figure lowered again but noted that it “does show the right direction of travel in terms of bodies being better at complaint handling”.¹⁵³

153. When asked whether the Ombudsman’s work in this area has resulted in fewer complaints being made to the office, the Ombudsman explained:

“The issue isn't necessarily fewer coming through; the issue for us, the real test, is the intervention rate. Because if those cases are coming through because people remain dissatisfied with the outcome.”¹⁵⁴

154. The Ombudsman clarified that going forward the office would like to see the intervention rates continuing to track down as this “would indicate an increase in quality in complaint handling by those public bodies”. She concluded:

“... in terms of where we're at now compared to where we were four years ago, before the powers were enacted, it's a much better position, yes.”¹⁵⁵

Coverage of model complaints policy

155. Currently, 54 public service providers across Wales operate the model complaints policy, including all local councils, Health Boards, Welsh Ambulance and most Housing Associations.¹⁵⁶ These represent about 85 per cent of the complaints the Ombudsman receives. The Ombudsman added:

“We aim to bring the remainder of Housing Associations within the model complaints handling process by the end of this financial year.”¹⁵⁷

156. The Ombudsman noted “there are significant areas of public services which are not currently covered include GPs, dentists, pharmacists, optometrists, Town &

¹⁵² Letter from the Public Services Ombudsman for Wales to the Finance Committee, 30 May 2025

¹⁵³ Finance Committee, RoP, 9 July 2025, paragraph 114

¹⁵⁴ Finance Committee, RoP, 9 July 2025, paragraph 115

¹⁵⁵ Finance Committee, RoP, 9 July 2025, paragraph 116

¹⁵⁶ Public Services Ombudsman for Wales, Complaints Standards Authority – Wales, February 2020

¹⁵⁷ Letter from the Public Services Ombudsman for Wales to the Finance Committee, 30 May 2025

Community Councils and Welsh Government”. The Ombudsman has committed to set out a time-line for bringing these bodies into the scheme by the end of the financial year.¹⁵⁸

157. A representative from CAVUHB noted the model complaints policy and CSA as highlights of the legislation. The representative also noted the importance of early resolution of complaints, which is complemented by the CSA training.¹⁵⁹

Use and collection of complaints handling data

158. The Ombudsman noted that a significant benefit of the CSA work is “the availability of regular, reliable and comparable complaints data on complaints across the public sector”.¹⁶⁰

159. Complaints data for local councils was published for the first time by the Ombudsman in 2021/22. Since then the Ombudsman has also published data on complaints handled by local councils, Welsh Health Boards and trusts; the data is published twice a year.¹⁶¹ The Ombudsman added:

“... we’ve got a good process in place for how we collate data from public bodies, and how we publish that data. And we’ve developed that and used it over a number of years with health bodies and local councils. So, that’s in place. And consultation with public bodies, and sharing information in advance of publication, is part of that, so there are no surprises for anyone.”¹⁶²

160. The Ombudsman explained:

“This data allows us to understand how public bodies are dealing with complaints and what proportion of complaints considered by an organisation are escalated to PSOW. This is a good indicator of how effective an organisation is at resolving complaints.”¹⁶³

161. The Ombudsman clarified that data currently focuses on the quantity and timeliness of complaints but noted:

¹⁵⁸ Letter from the Public Services Ombudsman for Wales to the Finance Committee, 30 May 2025

¹⁵⁹ Finance Committee, RoP, 4 June 2025, paragraph 106

¹⁶⁰ Letter from the Public Services Ombudsman for Wales to the Finance Committee, 30 May 2025

¹⁶¹ Finance Committee, Consultation response: The Public Services Ombudsman for Wales

¹⁶² Finance Committee, RoP, 9 July 2025, paragraph 135

¹⁶³ Letter from the Public Services Ombudsman for Wales to the Finance Committee, 30 May 2025

“... over time, we will probably develop further the complaints data that we collect, but I think we have to be proportionate in terms of what we're asking public bodies to collect in terms of where we're at now.”¹⁶⁴

162. We also heard how the Ombudsman collects and publishes data in its annual report “that demonstrates people's feelings and experience of making complaints.” She explained that this data:

“... presents quite a rounded picture about what's happening in complaint handling in the public sector in Wales. But there's a lot more work to do, and it might be, in the future, we will want to gather more data from public bodies. But, at the moment, our focus is trying to bring more public bodies into the complaint standards scheme.”¹⁶⁵

163. Professor Gill noted several concerns regarding complaints handling data and said the data that is collected is focused mostly on volume and timeliness, and may be missing out on data regarding the operation of complaints procedures. He also reflected that the emphasis on timeliness may potentially over-prioritise efficiency concerns and administrative processing over “quality-type benchmarks” and raised concerns as to how the quality of quantitative data could be measured.¹⁶⁶

164. He concluded that while the CSA has been beneficial, there is “almost no evidence” as to what the complaints standards power has given and that the:

“... evidence base is extremely limited for what, in practice, has been really achieved for people as a result of these powers coming in.”¹⁶⁷

165. Going forward, Professor Gill suggested that satisfaction data may be useful to collect and publish from public bodies across the country “in a way that can be compared across the country”.¹⁶⁸

166. Community Housing Cymru (CHC) noted “teething issues” related to the publication of the first set of data from housing associations in December 2024. CHC said:

¹⁶⁴ Finance Committee, RoP, 9 July 2025, paragraph 119

¹⁶⁵ Finance Committee, RoP, 9 July 2025, paragraphs 120 and 121

¹⁶⁶ Finance Committee, RoP, 4 June 2025, paragraphs 77-79

¹⁶⁷ Finance Committee, RoP, 4 June 2025, paragraph 87

¹⁶⁸ Finance Committee, RoP, 4 June 2025, paragraph 78

“... the data collection process can improve and strengthen relationships between housing associations and PSOW, which will in turn, drive better complaint handling processes.”¹⁶⁹

167. CHC went on to say that is unclear to all housing associations how the data that is collected will be used by the Ombudsman.¹⁷⁰

168. Beacon Cymru Group noted a positive experience with the Ombudsman, with timely communication and that “challenges and pushback have been well received by the Ombudsman’s staff”. However, they also went on to say:

“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.”¹⁷¹

169. The Ombudsman accepted the process for publishing data for housing associations wasn’t followed due to an “error on our part” during the consultation and information sharing period ahead of the publication of the data. She confirmed that the data was subsequently withdrawn and apologies were issued.¹⁷²

170. The Ombudsman outlined how they had learnt from this error to ensure the same situation doesn’t arise again. This included increased engagement with housing associations and their respective chief executives so they are aware of the data that will be published ahead of the publication date.¹⁷³

171. In its original evidence CHC indicated that the data was published as league tables¹⁷⁴, however the Ombudsman indicated that they “absolutely don’t do that”.¹⁷⁵ CHC subsequently corrected their written evidence to reflect that it was the media that published the data in a league table, and not the Ombudsman.¹⁷⁶

¹⁶⁹ Finance Committee. Additional information: Community Housing Cymru

¹⁷⁰ Finance Committee. Additional information: Community Housing Cymru

¹⁷¹ Finance Committee. Consultation response: Beacon Cymru Group

¹⁷² Finance Committee. RoP. 9 July 2025. paragraph 135

¹⁷³ Finance Committee. RoP. 9 July 2025. paragraph 136

¹⁷⁴ Letter from Community Housing Cymru to the Finance Committee. 17 July 2025

¹⁷⁵ Finance Committee. RoP. 9 July 2025. paragraph 137

¹⁷⁶ Additional information from Community Housing Cymru

Feedback

172. In its consultation response the Ombudsman states, of the complaints officers that responded to their survey this year, 97 per cent agreed the Ombudsman provided good quality guidance about complaint handling and 79 per cent agreed the Ombudsman provided good quality training about complaint handling.¹⁷⁷

173. A report commissioned by the Ombudsman noted:

“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.”¹⁷⁸

174. However, Professor Gill stated that while this research was helpful, it was looking at largely chief executives of public bodies in Wales. He went on to say:

“... that’s a very limited perspective, and it was also a very small sample. So, I don’t feel that we have a huge amount of evidence to go on.”¹⁷⁹

175. The Ombudsman indicated she didn’t agree with Professor Gill’s comments in light of the extensive stakeholder consultation that is undertaken on an annual basis and reported upon in the Ombudsman’s annual report. The Ombudsman explained:

“... that annual research covers complaints officers within public bodies, advice and advocacy groups, complainants, so a random sample of people who brought complaints to us during the year, and then we do wider surveys of the public through random surveys. So we actually do quite a wide range of consultation. It’s not just chief executives.”¹⁸⁰

176. The Ombudsman went on to say:

“What we did do this year for the first time was include a sample, admittedly a small sample, of chief execs from public

¹⁷⁷ Finance Committee. Consultation response: The Public Services Ombudsman for Wales

¹⁷⁸ Finance Committee. Consultation response: The Public Services Ombudsman for Wales

¹⁷⁹ Finance Committee. RoP. 4 June 2025, paragraph 87

¹⁸⁰ Finance Committee. RoP. 9 July 2025, paragraph 123

bodies in our work, and that's because I felt it was important we understood their strategic perspective about the impact of our work on their organisations and how they deal with their customers. That work was valuable, and we'll continue with that. So, it was a random selection. I don't know who was interviewed, and we value the feedback that we got. And then we also did some additional work around the third sector. So I don't accept that we don't do extensive consultation. I feel that we do.”¹⁸¹

Committee View

177. The Committee welcomes the work undertaken by the Ombudsman in relation to its complaints standards work, particularly in relation to its CSA. The positive feedback from stakeholders and the evidence provided by the Ombudsman demonstrates that these provisions in the 2019 Act are working well. We also note the Ombudsman’s commitment to further drive down the number of complaints relating to handling and this will be kept under review as part of our annual scrutiny of the Ombudsman.

Recommendation 11. The Committee recommends the Ombudsman continues its work in developing the Complaints Standards Authority to further reduce the number of complaints about complaint handling.

178. In terms of improvements, the Committee calls on the Ombudsman to review the types of data the office is collecting in its complaint handling work. In particular, we believe this review should focus on striking the right balance between quantitative and qualitative data to ensure that the data collected provides the full picture and acts as a solid basis for identifying further areas for improvement.

Recommendation 12. The Committee recommends the Ombudsman reviews the data collected as part of the work on the Complaint Standards Authority, with a focus on the balance of quantitative and qualitative data to ensure that the data collected provides the full picture and provides a solid basis for identifying further areas for improvement.

179. With regard to data collection and publication, we note some “teething issues” were experienced with the publication of some of the data gathered.

¹⁸¹ Finance Committee, RoP, 9 July 2025, paragraph 124

However, we welcome the steps taken by the Ombudsman to rectify this error and to ensure that they are not repeated.

180. The Committee notes that research commissioned by the Ombudsman in relation to the CSA indicates that stakeholders were content with the support given by the Ombudsman regarding complaint handling and training. However, we also note that concerns were raised by one stakeholder regarding the sample used for this research. The Committee understands that the Ombudsman decided to undertake this research without being prompted to do so, and we welcome this proactive approach to seeking feedback. However, in light of the concerns raised we believe the sample used for any future research should be larger and includes a wider demographic to ensure the evidence received is as robust and meaningful as possible.

Recommendation 13. The Committee recommends that any future research undertaken by the Ombudsman on complaints handling is based on larger sample sizes and reflects a wider demographic to strengthen the evidence received as a basis for any improvements.

7. Other issues

Information Sharing

181. HIW said that twice a year it hosts healthcare summits which provide “a platform to enable discussion between audit, inspection, regulation and improvement bodies”.¹⁸² During these summits the Ombudsman shares information and findings from organisations including CIW, Audit Wales, and the Welsh Government. HIW said the summits provide a significant opportunity for the Ombudsman to share findings from her range of work.¹⁸³

182. When asked how the Ombudsman’s participation at the healthcare summits might influence any decision making processes for future investigations, the Ombudsman indicated that it does not cause “any conflict for us in terms of topic choices”. She clarified:

“... we’ve tended to use those own initiative powers on non-health topics because health is very well represented in our case load. But just by participating in those summits, I don’t see any conflict in terms of the appropriateness of our investigations. We’re certainly not sharing or actively engaging with them as part of ongoing investigations, it’s more that intelligence gathering about current or future issues that may be of interest to us and vice versa.”¹⁸⁴

183. CAVUHB noted an all-Wales network called the Ombudsman network through which public interest reports are considered. Whilst the network is currently made up solely of health boards, CAVUHB stated the intention of the network to grow and potentially incorporate other public bodies.¹⁸⁵

184. CAVUHB also welcomed the improvements to the Ombudsman casebook since the implementation of the 2019 Act as it provides a:

“... summary of all of the cases where they’ve been upheld, because sometimes there’s lots of learning that sits there, and it’s not necessarily something that’s gone into the public domain, but it is learning that’s applicable across all organisations. So, that’s certainly something that we look at

¹⁸² Finance Committee. Consultation response: Healthcare Inspectorate Wales

¹⁸³ Finance Committee. RoP. 4 June 2025, paragraph 155

¹⁸⁴ Finance Committee. RoP. 9 July 20225, paragraphs 146 and 147

¹⁸⁵ Finance Committee. RoP. 4 June 2025, paragraphs 137 and 141

when that's published as well, and I think that's really developed a lot as well."¹⁸⁶

185. However, some stakeholders raised concerns regarding how the Ombudsman communicated findings from investigations. Regarding the Ombudsman's OI investigation into carers' needs, ADSS Cymru said:

*"... the format and tone of the resulting report – combined with short response times and limited space for dialogue – led to concerns that the conclusions did not fully reflect the context or progress made on the ground."*¹⁸⁷

186. To disseminate information to the public about the Ombudsman's work, Professor Naomi Creutzfeldt suggested that the Ombudsman should consider a "digestible press release or an outlet of them sharing so that the media can pick it up".¹⁸⁸

187. The Ombudsman confirmed that all decisions are published on the Ombudsman's website and that they do issue press releases alongside reports to draw the media's attention to the work of the office as "there's no point in doing these reports and then keeping them a secret". In addition, the Ombudsman also confirmed that reports are shared with Members of the Senedd and other relevant bodies.¹⁸⁹

188. The Ombudsman went to say this approach does result in a "good response" from the media as they:

*"... get requests for media interviews and we will get coverage in print and online publications as well. So, we feel that that's quite a strong part of what we do, and obviously all of that information, reports and press releases, are then published on our website as well."*¹⁹⁰

Statutory Bar

189. Section 13 of the 2019 Act restricts the Ombudsman from considering a complaint if the matter could be considered in a court of law. Therefore, where a complainant has a right or remedy to go to court, the presumption is in favour of

¹⁸⁶ Finance Committee, RoP, 4 June 2025, paragraphs 138

¹⁸⁷ Letter from the Association of Directors of Social Services (ADSS) Cymru to the Finance Committee, 20 June 2025

¹⁸⁸ Finance Committee, RoP, 4 June 2025, paragraph 68

¹⁸⁹ Finance Committee, RoP, 9 July 2025, paragraphs 149 and 150

¹⁹⁰ Finance Committee, RoP, 9 July 2025, paragraph 149

the complainant taking that route. However, the Ombudsman does have discretion to set aside that requirement, on a case-by-case basis.¹⁹¹

190. In its written evidence, the Ombudsman notes the removal of this bar “would further strengthen public confidence in our office and lead to greater access to justice for citizens in Wales”.¹⁹²

191. The Ombudsman’s official noted:

“As things stand, last year, about 7 per cent of our cases that we closed we declined to investigate on the basis that the statutory bar was there and a legal remedy was there.”¹⁹³

192. Given the potential additional cost to the public purse, the Auditor General noted his concern that removal of the statutory bar meant that complainants had not just the choice of remedy (the courts or the Ombudsman) but two remedies to pursue. The Auditor General added:

“... as we understand it, the statutory bar does not apply if the Ombudsman is satisfied that in the particular circumstances it is not reasonable to expect the person to resort to court, we are not sure that there is a pressing case for the removal of the statutory bar.”¹⁹⁴

193. As part of its report on the Consideration of the Ombudsman’s powers, the Fourth Senedd’s Finance Committee concluded that no changes should be made to the statutory bar, citing the issue of competence, but recommended that the Welsh Government should explore the issues with the UK Government as part of future devolution discussions.¹⁹⁵ The Cabinet Secretary said that as far as she was able to ascertain, no such discussions have taken place.¹⁹⁶

Widening jurisdiction to schools

194. The Ombudsman’s remit regarding school complaints is mainly limited to school admission and exclusion and appeal decisions. The Ombudsman’s official explained:

¹⁹¹ [Public Services Ombudsman \(Wales\) Bill, Explanatory Memorandum, page 140](#)

¹⁹² [Finance Committee, Consultation response: The Public Services Ombudsman for Wales](#)

¹⁹³ [Finance Committee, RoP, 30 April 2025, paragraph 48](#)

¹⁹⁴ [Letter from the Auditor General for Wales to the Finance Committee, 19 June 2025](#)

¹⁹⁵ [Finance Committee, Consideration of Powers: Public Services Ombudsman for Wales, May 2015](#)

¹⁹⁶ [Letter from the Cabinet Secretary for Social Justice, Trefnydd and Chief Whip to the Finance Committee, 11 June 2025](#)

*"We can look at some complaints relating to admission procedures and school exclusion procedures. And also we can look at how a local education authority might have stepped in at the very end of the process. But our role is very limited and in no way would we be looking at interfering in curriculum issues, school processes."*¹⁹⁷

195. The official added:

*"... the fact is that, in every other area of devolved public services in Wales, there is that independent complaints handling body that people can go to when they reach the end of that complaints process. And as things stand, schools don't fall wholly within our jurisdiction in that sense. So, that availability and access to justice for people across the public service isn't there."*¹⁹⁸

196. Whilst the Office of the Independent Adjudicator considers complaints about further and higher education in Wales, the Ombudsman stated that:

*"... 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."*¹⁹⁹

197. The Auditor General said widening the Ombudsman's jurisdiction to the full range of school complaints may lead to an increase in complaints and suggested that an estimate in the increase is obtained in case the proposal leads to a significant call on the Ombudsman's resources. The Auditor General went on to state:

*"... it would be prudent to consider how the Ombudsman's proposed role would fit with the functions of Estyn, so as to ensure co-ordination and avoid applying public money to overlapping work."*²⁰⁰

198. The NIPSO said:

"Schools are one of those things where the relationship's really important, because if parents complain, and it is primarily

¹⁹⁷ Finance Committee, RoP, 30 April 2025, paragraph 48

¹⁹⁸ Finance Committee, RoP, 30 April 2025, paragraph 52

¹⁹⁹ Finance Committee, Consultation response: The Public Services Ombudsman for Wales

²⁰⁰ Letter from the Auditor General for Wales to the Finance Committee, 19 June 2025

parents, their children are still at the school. So, actually, really good complaints handling in school is really important, because you can destroy relationships.”²⁰¹

199. The Cabinet Secretary said that while the Welsh Government could see benefits to widening the jurisdiction regarding schools, “considerable issues” would need to be taken into account. She went on to say:

“The Welsh Government would want to consider its position further if this was to be pursued.”²⁰²

200. Whilst the Ombudsman referred to the possibility of widening its jurisdiction to include schools²⁰³, the Ombudsman’s official indicated that no modelling had been undertaken to date to determine the impact this addition might have on its caseload:

“We haven’t done any specific modelling ourselves of what any likely case load might be for us in Wales, but from discussions with colleagues in Northern Ireland, we know that when they took on this new role, it did form 10 per cent of their case load, so quite a substantive area of work.”²⁰⁴

201. The official envisaged that the Ombudsman’s role would sit alongside organisations which currently have a role in this area, but would not duplicate efforts:

“... we would see our role and remit being exactly as we do every day—looking at complaints of alleged maladministration and personal injustice, which we think is different to what, perhaps, Estyn does in that, as the inspectorate in Wales. And in exactly the same way as we currently sit alongside Care Inspectorate Wales and HIW by providing individuals with redress, we leave the inspectorate work to them and share our reports of interest with them.”²⁰⁵

²⁰¹ Finance Committee, RoP, 7 May 2025, paragraph 88

²⁰² Letter from the Cabinet Secretary for Social Justice, Trefnydd and Chief Whip to the Finance Committee, 11 June 2025

²⁰³ Finance Committee, Consultation response: The Public Services Ombudsman for Wales

²⁰⁴ Finance Committee, RoP, 9 July 2025, paragraph 152

²⁰⁵ Finance Committee, RoP, 9 July 2025, paragraph 152

Committee View

202. The Committee welcomes the clarification on how the Ombudsman shares and communicates information and data with stakeholders.

203. We note that some stakeholders have expressed concerns regarding the mechanisms used by the Ombudsman to disseminate findings from investigations, and that more could be done to gain media attention for the work being carried out.

204. Although we welcome that the Ombudsman has a media plan in place to maximise the coverage of its reports, the Committee believes that it should be subject to a further review to ensure that this approach remains as effective as it can be.

Recommendation 14. The Committee recommends the Ombudsman reviews its media strategy to maximise the coverage available when publishing reports to ensure that its findings reach a wider audience and are as impactful as possible.

205. The Committee notes that the Ombudsman would like to remove the statutory bar to allow the office to investigate complaints which are currently outside the scope of its powers. However, in light of the potential legislative competence issues identified in past evidence received, we are of the view that further discussions on the merits of this proposal and development work would be required before this issue could be progressed or properly scrutinised by the Senedd. We believe that the Ombudsman should engage further with the Welsh Government on this issue and keep the Senedd informed of progress.

206. We heard from a number of stakeholders how the Ombudsman's jurisdiction should be widened to the full range of school complaints, which would mirror the powers of ombudsman in other jurisdictions. Although the Committee recognises the benefits this would bring, we believe that further work is needed before the Committee can come to a conclusive stance on the issue.

207. In particular, we would urge the Ombudsman to undertake a modelling exercise to determine the impact of widening the powers on caseload, whether this will give rise to additional costs and any potential impact on schools in implementing change should the Ombudsman uphold the complaint.

Recommendation 15. The Committee recommends the Ombudsman undertakes a modelling exercise to determine the impact of widening its jurisdiction surrounding school complaints and that this includes analysing caseload or financial implications, and share these findings by autumn 2026.

208. The Committee notes that the Ombudsman has not undertaken a modelling exercise to determine the impact this addition to its responsibilities might have on its caseload. We would encourage the Ombudsman to work with the Welsh Government to understand these pressures before this issue is progressed.

Recommendation 16. The Committee recommends the Ombudsman works with the Welsh Government to understand the practical implications of widening the Ombudsman's jurisdiction to cover school complaints, and share these findings by autumn 2026.

8. Cost and Value for Money

Costs and benefits

209. The Auditor General stated that it is not possible to comprehensively and reliably quantify the delivered benefits of the 2019 Act, “let alone link them to particular costs”.²⁰⁶

210. Regarding the cost of the Ombudsman, the Auditor General noted that only costs in the round can be considered rather than in terms of specific function. He went on to state:

“The cost of the Ombudsman, in terms of net revenue outturn before adjustment for inflation, increased by 19% between 2019-20 and 2023-24 (with significant fluctuations both up and down between certain individual years): £5,736,000 in 2023-24 from £4,181,000 in 2019-20. The real terms increase (i.e. adjusted for inflation using the GDP deflator) however, has been quite modest at 0.28%. This suggests that any benefits of the new legislation have been delivered by little real terms increase in costs.”²⁰⁷

211. The RIA of the 2019 Bill has been deemed as “reasonable” by the Auditor General and after allowing for inflation, the Auditor General said that the estimate of additional annual cost was “if anything too high rather than too low, but that would be reflective of a prudent approach”.²⁰⁸

212. In her written response, the Ombudsman reflected on whether the balance between expenditure and delivery has been appropriate and concluded:

“We believe that the balance has been appropriate, particularly within the context of continued caseloads across the organisation. PSOW has reported annually to the Committee on performance and management of finances and our Annual Accounts have been unqualified throughout this period. The difference between budgeted and actual expenditure has been returned to the Welsh Consolidated Fund at year end.”²⁰⁹

²⁰⁶ Letter from the Auditor General for Wales to the Finance Committee, 19 June 2025

²⁰⁷ Letter from the Auditor General for Wales to the Finance Committee, 19 June 2025

²⁰⁸ Letter from the Auditor General for Wales to the Finance Committee, 19 June 2025

²⁰⁹ Letter from the Public Services Ombudsman for Wales to the Finance Committee, 30 May 2025

213. The Ombudsman noted it was difficult to determine if they had implemented any efficiencies which were directly related to the powers in the 2019 Act. However, she explained how a number of efficiencies have been adopted by the office to deal with the increasing case load and the new powers. This included IT efficiencies, downsizing the office space and developing the website to introduce “more self-service and signposting facilities to prevent people reaching our teams that don't have valid complaints”. She concluded:

“... there's a number of things that we've done; it's very hard to pin them to the new powers specifically, but they are across the office, and they've helped us deal with both the proactive powers and the reactive work we have to do on case load.”²¹⁰

Audit provisions

214. The Auditor General labelled the provisions for audit in the 2019 Act, the “best in any Welsh legislation”, he went on to say:

“... they provide for both sensible arrangements for dealing with unavoidable delays in audit and for proportionate ongoing consideration of whether the Ombudsman has made proper arrangements for securing value for money. It would be helpful if this model were more widely applied in legislation.”²¹¹

Indirect costs

215. The RIA states that listed authorities, as set out in Schedule 3 of the Bill will be affected by the provisions in the Bill and are likely to incur additional costs. The RIA estimate indirect ongoing costs would range from £236,025 to £395,100 over five years to bodies other than the Ombudsman. The RIA notes:

“These ‘indirect’ ongoing costs relate to the estimated increase in the number of cases made to the Ombudsman and from whom information would be requested before to and during full investigation.”²¹²

216. In a letter to the Committee, the Ombudsman said:

“We have not assessed the impact the Act has had in terms of indirect costs on public bodies and have not engaged with

²¹⁰ Finance Committee, RoP, 9 July 2025, paragraph 159

²¹¹ Letter from the Auditor General for Wales to the Finance Committee, 19 June 2025

²¹² Public Services Ombudsman (Wales) Bill, Explanatory Memorandum, page 49

them regarding their costs. As outlined in our evidence submission, the CSA Training which has been delivered by PSOW has saved public bodies some £1M over that period. Furthermore, they speak positively about the value and impact of that training, advice and support from PSOW.”²¹³

217. The Ombudsman explained that the office hasn’t undertaken work to assess the financial cost of the 2019 Act on public bodies as they were already had a statutory responsibility around complaints handling. She added the work of the Ombudsman is focused on making complaints handling more “consistent and coherent across the Welsh public sector”.²¹⁴

218. The Ombudsman explained that the purpose of complaints standards power in the 2019 Act is to create greater efficiency as:

“... if those complaints are dealt with better, earlier, at the first point of contact, then that's more efficient; we can actually develop public services that are more responsive—there's an efficiency there, rather than things being handled badly at that first point of contact and then having to go through several other stages, and consume public resources in doing so.”²¹⁵

Committee View

219. In accordance with the 2019 Act and Standing Orders, the Committee undertakes detailed financial scrutiny of the Ombudsman’s estimate, supplementary budget requests and accounts for each financial year. As a result of this scrutiny, the Committee has made several recommendation that the Ombudsman quantifies the costs and benefits of the new powers in the 2019 Act in the Annual Report and Accounts and Estimate.²¹⁶

220. The Committee notes the Ombudsman’s evidence that it is not possible to determine the actual costs arising directly from the 2019 Act or how wider efficiencies implemented by the Ombudsman in light of the 2019 Act have impacted the Ombudsman’s overall expenditure. This is disappointing given our previous recommendations on the matter. Nonetheless, we welcome the evidence that the 2019 Act has been implemented with minimal costs. We are further encouraged by evidence which indicates that the 2019 Act has delivered

²¹³ Letter from the Public Services Ombudsman for Wales to the Finance Committee, 30 May 2025

²¹⁴ Finance Committee, RoP, 9 July, paragraphs 154 and 155

²¹⁵ Finance Committee, RoP, 9 July, paragraph 156

²¹⁶ Annual Scrutiny of the Public Services Ombudsman for Wales, November 2022, page 19

cost savings in light of the Ombudsman's work in developing and implementing the CSA.

221. However, we are aware that some of the projected costs made in the EM are higher than actual costs and that this might give the impression the 2019 Act has resulted in greater cost savings. As such, we must interpret these cost savings with a degree of caution as they might have arisen as a result of conducting far fewer OI investigations than anticipated and the rise in caseload being less than projected rather than as a result of actual cost savings.

Conclusion 4. The Committee concludes that as some provisions of the Public Services Ombudsman (Wales) Act 2019 are yet to be fully utilised it has not been possible to determine whether the Act has provided value for money in delivering its objectives, and that these issues will continue to be scrutinised during annual budget and oversight sessions with the Ombudsman.

Annex 1: List of oral evidence sessions.

The following witnesses provided oral evidence to the committee on the dates noted below. Transcripts of all oral evidence sessions can be viewed on the [Committee's website](#).

Date	Name and Organisation
30 April 2025	Michelle Morris, Public Services Ombudsman, Public Services Ombudsman for Wales Katrin Shaw, Chief Legal Advisor and Director of Investigations, Public Services Ombudsman for Wales
7 May 2025	Andrew Crawford, Acting Scottish Public Services Ombudsman, Scottish Public Services Ombudsman Margaret Kelly, Northern Ireland Public Services Ombudsman Ger Deering, Ombudsman and Information Commissioner for Ireland Nick Bennett, Former Public Services Ombudsman for Wales, Public Services Ombudsman for Wales
4 June 2025	Alun Jones, Chief Executive, Healthcare Inspectorate for Wales Angela Hughes, Cardiff and Vale University Health Board Professor Chris Gill, Professor of Socio-Legal Services, University of Glasgow Professor Naomi Creutzfeldt, Professor of Law and Society, University of Kent
9 July 2025	Michelle Morris, Public Services Ombudsman, Public Services Ombudsman for Wales Katrin Shaw, Chief Legal Advisor and Director of Investigations, Public Services Ombudsman for Wales

Annex 2: List of written evidence

The following people and organisations provided written evidence to the Committee. All Consultation responses and additional written information can be viewed on the [Committee's website](#).

Reference	Organisation
PPSOWA1	Public Services Ombudsman for Wales
PPSOWA2	Chair of Standards Committee, Mid and West Wales Fire/ Brecon Beacons National Park Authority
PPSOWA3	Individual
PPSOWA4	NASUWT – The National Association of Schoolmasters Union of Women Teachers
PPSOWA5	Beacon Cymru Group
PPSOWA6	Scottish Public Services Ombudsman
PPSOWA7	Anglesey County Council
PPSOWA8	Older Peoples Commissioner for Wales
PPSOWA9	Nick Bennett (Former Public Services Ombudsman for Wales)
PPSOWA10	Parliamentary and Health Service Ombudsman
PPSOWA11	Ombudsman Association
PPSOWA12	Northern Ireland Public Services Ombudsman

Additional Information

Title	Date
Healthcare Inspectorate for Wales	16 May 2025
Naomi Creutzfeldt, Professor of Law and Society, Kent Law School. University of Kent	5 May 2025
Chris Gill, Professor of Socio-Legal studies, School of Law, University of Glasgow	18 May 2025
Community Housing Cymru (CHC)	17 July 2025

Title	Date
Chair of Association of Directors of Social Services (ADSS Cymru)	24 June 2025
Auditor General for Wales	19 June 2025
Northern Ireland Public Services Ombudsman	14 May 2025
Public Services Ombudsman for Wales	24 April 2025
Scottish Ombudsman for Wales	18 June 2025