

Agenda – Finance Committee

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

For further information contact:

Owain Roberts

Committee Clerk

Meeting date: 4 June 2025

0300 200 6388

Meeting time: 09.30

SeneddFinance@senedd.wales

Registration

(09.00 – 09.15)

Private pre-meeting

(09.15 – 09.30)

1 Introduction, apologies, substitutions and declarations of interest

(09.30)

2 Paper(s) to note

(Pages 1 – 24)

Minutes of the meetings held on 27 March, 30 April and 15 May.

2.1 PTN 1 – Letter from the Cabinet Secretary for Finance and Welsh Language: Welsh Reserve in 2025–26 – 16 May 2025

(Page 25)

2.2 PTN 2 – Letter from the First Minister: Inter-Institutional Relations Agreement: Forthcoming Intergovernmental Meetings – 22 May 2025

(Page 26)

2.3 PTN 3 – Response from the Public Services Ombudsman for Wales to questions that weren't reached during an evidence session on 30 April – 30 May 2025

(Pages 27 – 31)

3 Post-legislative review of the Public Services Ombudsman (Wales) Act 2019: Evidence session 4 – Academics

(09.30 – 10.15)

(Pages 32 – 50)

Professor Chris Gill, Professor of Socio-Legal Studies, University of Glasgow



Break

(10.15 – 10.25)

**4 Post-legislative review of the Public Services Ombudsman (Wales)
Act 2019: Evidence session 5 – Health related authorities**

(10.25 – 11.10)

(Pages 51 – 68)

Angela Hughes, Assistant Director of Patient Experience, Cardiff and Vale
University Health Board, representing Welsh NHS Confederation
Alun Jones, Chief Executive, Healthcare Inspectorate Wales

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

(11.10)

**6 Post-legislative review of the Public Services Ombudsman (Wales)
Act 2019: Consideration of evidence**

(11.10 – 11.20)

7 Approach to the nomination of the Auditor General for Wales

(11.20 – 11.50)

(Pages 69 – 74)

8 First Supplementary Budget 2025–26: Directly Funded Bodies

(11.50 – 12.00)

(Pages 75 – 80)

9 Review of Budget Process Protocol and associated procedures

(12.00 – 12.10)

(Pages 81 – 85)

Concise Minutes – Finance Committee

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

This meeting can be viewed on [Senedd TV](#) at: <http://senedd.tv/en/15060>

Meeting date: Thursday, 27 March 2025

Meeting time: 09.30 – 11.09

Hybrid

Attendance

Category	Names
Members of the Senedd:	Peredur Owen Griffiths MS (Chair) Mike Hedges MS Sam Rowlands MS
Witnesses:	Hefin David MS, Commissioner for Budget and Governance, Senedd Commission Andrew Gibson, Director, Avison Young Ed Williams, Director of Senedd Resources, Senedd Commission Jan Koziel, Head of Procurement, Senedd Commission
Committee Staff:	Owain Roberts (Clerk) Sian Giddins (Second Clerk) Mike Lewis (Deputy Clerk) Martin Jennings (Researcher) Jennifer Cottle (Legal Adviser) Peter Davies (Researcher)



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

Registration

Private pre-meeting

1 Financial implications of the Disused Mine and Quarry Tips (Wales) Bill: Consideration of draft report

1.1 The Committee considered and agreed its draft report.

2 Business Committee Review of Public Bill and Member Bill processes

2.1 The Committee considered and agreed its draft response to the Business Committee's review of Public Bills and Members Bills.

3 Introductions, apologies, substitutions and declarations of interest

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

3.2 Apologies were received from Rhianon Passmore MS. There was no substitute for Rhianon Passmore MS.

4 Paper(s) to note

4.1 The papers were noted.

- 4.1 PTN 1 – Letter from Audit Wales: Notification of audit deadline position – 17 February 2025
- 4.2 PTN 2 – Letter from Audit Wales: Sector Development Wales Partnership – 4 March 2025
- 4.3 PTN 3 – Welsh Government Draft Budget 2025–26: Welsh Government's response to the Finance Committee's report – 3 March 2025
- 4.4 PTN 4 – Welsh Government Draft Budget 2025–26: Response from the Cabinet Secretary for Education to Finance Committee's report recommendation 38 – 3 March 2025
- 4.5 PTN 5 – Letter from the Cabinet Secretary for Finance and Welsh Language: Finance: Interministerial Standing Committee (F:ISC) – 5 March 2025
- 4.6 PTN 6 – Letter from the Senedd Commission: Senedd Reform ring-fenced budget – 14 March 2025
- 4.7 PTN 7 – Letter from the Cabinet Secretary for Finance and Wels Government: Leadership changes at the Welsh Revenue Authority – 21 March 2025

5 Cardiff Bay 2032: Evidence session with the Senedd Commission

5.1 The Committee took evidence on Cardiff Bay 2032 from Hefin David MS, Commissioner for Budget and Governance, Senedd Commission; Ed Williams, Director of Senedd Resources, Senedd Commission; and Andrew Gibson, Director, Avison Young.

6 Motion under Standing Orders 17.42 (iii) and 17.42 (ix) to resolve to exclude the public from the remainder of this meeting.

6.1 The motion was agreed.

7 Cardiff Bay 2032: Evidence session with the Senedd Commission

7.1 The Committee took evidence on Cardiff Bay 2032 from Hefin David MS, Commissioner for Budget and Governance, Senedd Commission; Ed Williams, Director of Senedd Resources, Senedd Commission; Jan Koziel, Head of Procurement, Senedd Commission; and Andrew Gibson, Director, Avison Young.

8 Cardiff Bay 2032: Consideration of evidence

8.1 The Committee considered the evidence received.

9 Proposed Section 150 Order in relation to the Senedd and Elections (Wales) Act 2020 and the Public Services Ombudsman (for Wales) Act 2019

9.1 The Committee considered the correspondence regarding the Proposed Section 150 Order and agreed not to provide any comments in relation to the Llywydd's intended response to the Welsh Government.

10 Interparliamentary Finance Committee Forum

10.1 The Committee noted the draft joint communique from the Interparliamentary Finance Committee Forum.

Concise Minutes – Finance Committee

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

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

<http://senedd.tv/en/15324>

Meeting date: Wednesday, 30 April 2025

Meeting time: 09.30 – 10.57

Hybrid

Attendance

Category	Names
Members of the Senedd:	Peredur Owen Griffiths MS (Chair) Mike Hedges MS Rhianon Passmore MS Sam Rowlands MS
Witnesses:	Michelle Morris, Public Services Ombudsman for Wales Katrin Shaw, Chief Legal Adviser and Director of Investigations
Committee Staff:	Owain Roberts (Clerk) Sian Giddins (Second Clerk) Rachael Davies (Second Clerk) Mike Lewis (Deputy Clerk) Božo Lugonja (Researcher) Gruffydd Owen (Legal Adviser)

1 Introduction, apologies, substitutions and declarations of interest

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



2 Paper(s) to note

2.1 The papers were noted.

- 2.1 PTN 1 – Letter from the Senedd Commission: Update to recommendations made in the Committee's report on the Scrutiny of the Senedd Commission Draft Budget 2025–26 – 24 March 2025
- 2.2 PTN 2 – Visitor Accommodation (Register and Levy) Etc. (Wales) Bill: Welsh Government response to the Committee's Stage 1 report recommendations – 28 March 2025
- 2.3 PTN 3 – Letter from the Electoral Commission: Timing of estimate – 28 March 2025
- 2.4 PTN 4 – Letter from the Deputy First Minister on the Disused Mine and Quarry Tips (Wales) Bill: Logic models and the theory of change – 31 March 2025
- 2.5 PTN 5 – Letter from the Cabinet Secretary for Health and Social Care: Handling of complaints about NHS Wales – 4 April 2025
- 2.6 PTN 6 – Letter from the Cabinet Secretary for Economy, Energy and Planning: Tourism Inter-Ministerial Group – 9 April 2025
- 2.7 PTN 7 – Visitor Accommodation (Register and Levy) Etc. (Wales) Bill: Welsh Government response to the Legislation, Justice and Constitution Committee's Stage 1 report recommendations – 10 April 2025
- 2.8 PTN 8 – Letter from the UK Statistics Authority: Quarterly growth data for Wales – 17 April 2025
- 2.9 PTN 9 – Letter from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs: Inter-Ministerial Standing Committee – 22 April 2025
- 2.10 PTN 10 – Letter from the Cabinet Secretary for Finance and Welsh Language: Publication of the Welsh Government's First Supplementary Budget 2025–26 – 23 April 2025

3 Post-legislative review of the Public Services Ombudsman (Wales) Act 2019: Evidence session 1

3.1 The Committee took evidence on the Post-legislative review of the Public Services Ombudsman (Wales) Act 2019 from Michelle Morris, Public Services Ombudsman for Wales; and Katrin Shaw, Chief Legal Adviser and Director of Investigations.

3.2 The Committee agreed to write to the Public Services Ombudsman for Wales with questions that weren't reached during the evidence session.

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

4.1 The motion was agreed.

5 Post-legislative review of the Public Services Ombudsman (Wales) Act 2019: Consideration of evidence

5.1 The Committee considered the evidence received.

6 Visitor Accommodation (Register and Levy) Etc. (Wales) Bill: Order of consideration for Stage 2 proceedings

6.1 The Committee noted the procedures for Stage 2 proceedings.

6.2 The Committee considered the options for the order of consideration of amendments to the Visitor Accommodation (Register and Levy) Etc. (Wales) Bill and agreed its preferred approach.

7 Welsh Government Draft Budget 2026–27: Update on engagement activities

7.1 The Committee considered the paper on its engagement activities in relation to the Welsh Government Draft Budget 2026–27, and agreed its approach.

8 Consideration of Forward Work Programme

8.1 The Committee considered its Forward Work Programme.

9 Interparliamentary Finance Committee Forum: Update

9.1 The Committee considered and agreed the draft letter from the Interparliamentary Finance Committee Forum to the Chief Secretary to the Treasury.

Concise Minutes – Finance Committee

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

Meeting date: Thursday, 15 May 2025

Meeting time: 09.30 – 12.48

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

<http://senedd.tv/en/15325>

Hybrid

Attendance

Category	Names
Members of the Senedd:	Peredur Owen Griffiths MS (Chair) Mike Hedges MS Sam Rowlands MS Hannah Blythyn MS (In place of Rhianon Passmore MS) Luke Fletcher MS, Plaid Cymru Spokesperson for Economy and Energy
Witnesses:	Mark Drakeford MS, Cabinet Secretary for Finance and Welsh Language Anna Adams, Deputy Director, Tax Strategy & Intergovernmental Relations, Welsh Government Richard Jarvis, Lawyer, Welsh Government Andrew Rees, Lawyer, Welsh Government
Committee Staff:	Owain Roberts (Clerk) Rachael Davies (Second Clerk) Mike Lewis (Deputy Clerk) Stephen Davies (Legal Adviser)



Registration

Private pre-meeting

1 Introduction, apologies, substitutions and declarations of interest

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

1.2 Apologies were received from Rhianon Passmore MS. Hannah Blythyn MS substituted for Rhianon Passmore MS.

1.3 In accordance with Standing Order 17.49, Luke Fletcher MS, Plaid Cymru Spokesperson Economy and Energy attended the Committee for Stage 2 proceedings of the Visitor Accommodation (Register and Levy) Etc. (Wales) Bill.

2 Paper(s) to note

2.1 The papers were noted.

2.1 **PTN 1 – Letter from the Cabinet Secretary for Finance and Welsh Language: Visitor Accommodation (Register and Levy) Etc. (Wales) Bill – Policy position regarding exemptions and overnight stays by children and young people – 9 May 2025**

3 Visitor Accommodation (Register and Levy) Etc. (Wales) Bill: Stage 2 proceedings

3.1 The Chair welcomed the Cabinet Secretary for Finance and Welsh Language and his officials to Stage 2 proceedings of the Visitor Accommodation (Register and Levy) Etc. (Wales) Bill.

3.2 In accordance with Standing Order 26.21, the Committee disposed of the following amendments to the Bill:

Amendment 53 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 1 (Sam Rowlands MS)

In Favour	Against	Abstain
Sam Rowlands MS	Mike Hedges MS	
	Hannah Blythyn MS	
	Peredur Owen Griffiths MS	
Amendment 1 was not agreed.		

Amendment 54 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 55 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 56 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 57 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 58 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 59 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 60 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 61 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 62 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 141 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 63 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 64 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 65 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 66 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 67 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 68 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 69 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 70 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 71 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 72 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 73 (Mark Drakeford MS)

In Favour	Against	Abstain
Mike Hedges MS	Sam Rowlands MS	

Hannah Blythyn MS		
Peredur Owen Griffiths MS		
Amendment 73 was agreed.		

Amendment 74 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 75 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 76 (Mark Drakeford MS)

In Favour	Against	Abstain
Mike Hedges MS	Sam Rowlands MS	
Hannah Blythyn MS		
Peredur Owen Griffiths MS		
Amendment 76 was agreed.		

Amendment 77 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 78 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 79 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 80 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 81 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 82 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 83 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 84 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 85 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 86 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 87 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 88 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 89 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 90 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 91 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 2 (Sam Rowlands MS)

In Favour	Against	Abstain
Sam Rowlands MS	Mike Hedges MS	
Peredur Owen Griffiths MS	Hannah Blythyn MS	
As there was an equality of votes, the Chair exercised his casting vote by voting against the amendment in accordance with Standing Order 6.20(ii). Amendment 2 was therefore not agreed.		

Amendment 47 (Sam Rowlands MS)

In Favour	Against	Abstain
Sam Rowlands MS	Mike Hedges MS	
	Hannah Blythyn MS	
	Peredur Owen Griffiths MS	
Amendment 47 was not agreed.		

Amendment 92 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 93 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 94 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 95 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 96 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 3 (Sam Rowlands MS)

In Favour	Against	Abstain
Sam Rowlands MS	Mike Hedges MS	
	Hannah Blythyn MS	
	Peredur Owen Griffiths MS	
Amendment 3 was not agreed.		

Amendment 97 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

As amendment 97 was agreed, amendments 143, 4 and 44 fell.

Amendment 144 (Sam Rowlands MS)

In Favour	Against	Abstain
Sam Rowlands MS	Mike Hedges MS	
	Hannah Blythyn MS	
	Peredur Owen Griffiths MS	
Amendment 144 was not agreed.		

Amendment 98 (Mark Drakeford MS)

In Favour	Against	Abstain
Mike Hedges MS	Sam Rowlands MS	
Hannah Blythyn MS	Peredur Owen Griffiths MS	
As there was an equality of votes, the Chair exercised his casting vote by voting against the amendment in accordance with Standing Order 6.20(ii). Amendment 98 was therefore not agreed.		

Amendment 48 (Sam Rowlands MS)

In Favour	Against	Abstain
Sam Rowlands MS	Mike Hedges MS	
	Hannah Blythyn MS	
	Peredur Owen Griffiths MS	

Amendment 48 was not agreed.

Amendment 99 (Mark Drakeford MS)

In Favour	Against	Abstain
Mike Hedges MS	Sam Rowlands MS	
Hannah Blythyn MS		
Peredur Owen Griffiths MS		
Amendment 99 was agreed.		

As amendment 99 was agreed, amendment 49 fell.

Amendment 100 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 5 (Sam Rowlands MS)

In Favour	Against	Abstain
Sam Rowlands MS	Mike Hedges MS	
	Hannah Blythyn MS	
	Peredur Owen Griffiths MS	
Amendment 5 was not agreed.		

Amendment 101 (Mark Drakeford MS)

In Favour	Against	Abstain
Mike Hedges MS	Sam Rowlands MS	

Hannah Blythyn MS		
Peredur Owen Griffiths MS		
Amendment 101 was agreed.		

Amendment 145 (Sam Rowlands MS) was not moved.

Amendment 146 (Sam Rowlands MS) was not moved.

Amendment 6 (Sam Rowlands MS)

In Favour	Against	Abstain
Sam Rowlands MS	Mike Hedges MS	
	Hannah Blythyn MS	
	Peredur Owen Griffiths MS	
Amendment 6 was not agreed.		

Amendment 102 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 103 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

As amendment 103 was agreed, amendments 7, 8, 9, 10, 11, 45 and 50 fell.

Amendment 104 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 105 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

As amendment 105 was agreed, amendment 147 fell.

Amendment 12 (Sam Rowlands MS) was not moved.

Amendment 13 (Sam Rowlands MS) was not moved.

Amendment 14 (Sam Rowlands MS) was not moved.

Amendment 106 (Mark Drakeford MS)

In Favour	Against	Abstain
Mike Hedges MS	Sam Rowlands MS	
Hannah Blythyn MS		
Peredur Owen Griffiths MS		
Amendment 106 was agreed.		

As amendment 106 was agreed, amendments 15, 148, 16 and 149 fell.

Amendment 159 (Luke Fletcher MS) was not moved.

Amendment 107 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

As amendment 107 was agreed, amendments 46, 51 and 17 fell.

Amendment 108 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 109 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 18 (Sam Rowlands MS)

In Favour	Against	Abstain
Sam Rowlands MS	Mike Hedges MS	
	Hannah Blythyn MS	
	Peredur Owen Griffiths MS	
Amendment 18 was not agreed.		

Amendment 110 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

As amendment 110 was agreed, amendment 19 fell.

Amendment 20 (Sam Rowlands MS)

In Favour	Against	Abstain
Sam Rowlands MS	Mike Hedges MS	
	Hannah Blythyn MS	
	Peredur Owen Griffiths MS	
Amendment 20 was not agreed.		

Amendment 111 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 142 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 150 (Sam Rowlands MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 151 (Sam Rowlands MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 152 (Sam Rowlands MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 153 (Sam Rowlands MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 22 (Sam Rowlands MS) was not moved.

Amendment 23 (Sam Rowlands MS) was not moved.

Amendment 112 (Mark Drakeford MS)

In Favour	Against	Abstain
Mike Hedges MS	Sam Rowlands MS	
Hannah Blythyn MS		
Peredur Owen Griffiths MS		
Amendment 112 was agreed.		

Amendment 113 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 24 (Sam Rowlands MS) was not moved.

Amendment 154 (Sam Rowlands MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 25 (Sam Rowlands MS) was not moved.

Amendment 155 (Sam Rowlands MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 156 (Sam Rowlands MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 114 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 157 (Sam Rowlands MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 158 (Sam Rowlands MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 27 (Sam Rowlands MS) was not moved.

Amendment 28 (Sam Rowlands MS) was not moved.

Amendment 52 (Sam Rowlands MS) was not moved.

Amendment 29 (Sam Rowlands MS) was not moved.

Amendment 30 (Sam Rowlands MS) was not moved.

Amendment 31 (Sam Rowlands MS) was not moved.

Amendment 115 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 116 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 32 (Sam Rowlands MS) was not moved.

Amendment 117 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 33 (Sam Rowlands MS) was not moved.

Amendment 118 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 119 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 120 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 121 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 122 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 123 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 124 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 125 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 126 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 127 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 34 (Sam Rowlands MS)

In Favour	Against	Abstain
Sam Rowlands MS	Mike Hedges MS	
	Hannah Blythyn MS	
	Peredur Owen Griffiths MS	
Amendment 34 was not agreed.		

Amendment 35 (Sam Rowlands MS)

In Favour	Against	Abstain
Sam Rowlands MS	Mike Hedges MS	
	Hannah Blythyn MS	
	Peredur Owen Griffiths MS	
Amendment 35 was not agreed.		

Amendment 36 (Sam Rowlands MS)

In Favour	Against	Abstain
Sam Rowlands MS	Mike Hedges MS	
	Hannah Blythyn MS	
	Peredur Owen Griffiths MS	
Amendment 36 was not agreed.		

Amendment 128 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 129 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 130 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 131 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 132 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 133 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 134 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 135 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 37 (Sam Rowlands MS) was not moved.

Amendment 38 (Sam Rowlands MS) was not moved.

Amendment 39 (Sam Rowlands MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 137 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 40 (Sam Rowlands MS) was not moved.

Amendment 138 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 139 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 41 (Sam Rowlands MS) was not moved.

Amendment 42 (Sam Rowlands MS)

In Favour	Against	Abstain
Sam Rowlands MS	Mike Hedges MS	
	Hannah Blythyn MS	
	Peredur Owen Griffiths MS	
Amendment 42 was not agreed.		

Amendment 140 (Mark Drakeford MS) was agreed in accordance with Standing Order 17.34(i).

Amendment 43 (Sam Rowlands MS)

In Favour	Against	Abstain
Sam Rowlands MS	Mike Hedges MS	
	Hannah Blythyn MS	
	Peredur Owen Griffiths MS	

Amendment 43 was not agreed.

Lunch

4 Visitor Accommodation (Register and Levy) Etc. (Wales) Bill: Stage 2 proceedings

4.1 The Committee completed the Stage 2 proceedings of the Visitor Accommodation (Register and Levy) Etc. (Wales) Bill before the scheduled lunch break.

5 Motion under Standing Order 17.42 (ix) to resolve to exclude the public from the remainder of this meeting.

5.1 The motion was agreed.

6 Appointment of a Non-Executive Member to the Wales Audit Office Board

6.1 The Committee considered and agreed the draft report.

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



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: MD/PO/234/2025

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

16 May 2025

Annwyl Peredur

As you are aware, the First Minister requested additional funding flexibilities for the Welsh Government from the UK Government earlier this year. I am writing to inform you that, following a meeting between the First Minister and the Chancellor, the Chief Secretary to the Treasury has agreed our proposal and will waive the drawdown limits for the Wales Reserve in 2025-26.

This flexibility has been provided for the financial year 2025-26 only and allows unrestricted access to funding in the Wales Reserve. As such, whilst it provides additional flexibility to manage pressures this year, it is not a source of recurrent funding for the Welsh Government. The amount available to draw from the Wales Reserve in 2025-26 will be confirmed once the Welsh Government outturn for 2024-25 is finalised.

We will continue to work with the UK Government to secure further fiscal flexibilities and I will keep you informed of the progress of these discussions.

I hope you find this update helpful.

Yours sincerely,

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

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Gohebiaeth.Mark.Drakeford@llyw.cymru
Correspondence.Mark.Drakeford@gov.wales

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

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



Llywodraeth Cymru
Welsh Government

Mike Hedges MS
Chair
Legislation, Justice and Constitution Committee
Senedd Cymru

SeneddLJC@senedd.wales

22 May 2025

Dear Mike

Inter-Institutional Relations Agreement: Forthcoming Intergovernmental Meetings

I am writing in accordance with the Inter-Institutional Relations Agreement to notify you of the second meeting of the Council of the Nations and Regions, which will take place on Friday 23 May. I will attend in person.

On the same day, I am also looking forward to a meeting between the Prime Minister, the First Minister of Scotland and the First Minister and deputy First Minister of Northern Ireland and myself, as well as a short bilateral meeting with the Prime Minister.

I will provide an update on discussions at those meetings in due course.

I am copying this letter to Huw Irranca-Davies MS, Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs; Rebecca Evans MS, Cabinet Secretary for Economy, Energy and Planning; Julie James MS, Counsel General and Minister for Delivery; the Rt Hon Elin Jones MS, the Llywydd; the Chair of the Finance Committee; and the Chair Economy, Trade and Rural Affairs Committee.

Eluned Morgan

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

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



**Ombwdsmon
Ombudsman**
Cymru · Wales

Your ref:

Ask for: Michelle Morris

Our ref: MAM/mdm



Date: 30 May 2025



Peredur Owen Griffiths MS
Chair, Finance Committee

By email only
seneddfinance@senedd.wales

Dear Peredur

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

I write further to the Committee hearing on 30 April and your follow up letter of 2 May asking us to respond to the Committee's additional questions.

Own initiative investigations

- 1. Do you have any plans for future own initiative investigations, in particular are there areas you have cause to investigate and how are you implementing your experience of previous investigations to improve the efficiency and speed of future investigations?**

The Thematic report 'Living in Disrepair' that was published last October highlighted a number of issues relating to social housing which continue to feature in our caseload. Whilst no firm plans have been made, these issues could usefully be addressed as part of a wider own initiative investigation and PSOW is minded to consult further on this issue.

Following each of our wider own initiative investigations, we undertook a 'lessons learned' piece of work to refine and improve our process within the constraints of the current legislative requirements. This learning included:

- Improvements to our initial engagement with bodies under investigation to provide clarity on the process and ensure that expectations are understood.

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We are happy to accept and respond
to correspondence in Welsh.

- Improvements were also identified to the way in which the findings, of an own initiative investigation, 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 investigations more to enable investigations to be undertaken more efficiently and to provide capacity to complete more investigations using this power.

In addition to the wider own initiatives, we have three extended own initiative investigations currently underway. Two relate to health matters and the third relates to the provision of suitable Gypsy Traveller accommodation.

Investigating the private health-related service element, including nursing care, in a public/private health pathway & Private healthcare

2. What are your thoughts regarding the threshold for investigation of private medical healthcare, is the threshold enabling or constraining your power to investigate private medical healthcare?

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.

Complaints standard work

3. Can you describe the impacts you are seeing of the complaints standards powers and are you satisfied with the way in which you have been able to use those powers?

We are satisfied with how we have been able to use our CSA powers. We now have 54 public service providers across Wales who operate our model complaints policy – all local authorities, Health Boards, WAST and most Housing Associations – which represent 85% of the complaints we receive.

The Chief Executive/senior leader research as well as the survey of complaints officers, which are summarised in our evidence submission, indicates high levels of engagement and satisfaction with our training for public bodies and that our CSA work has led to improvements in organisations' complaint handling, as well as in staff understanding of our processes.

Another significant benefit of our CSA work is the availability of regular, reliable and comparable complaints data on complaints across the public sector. We publish data on Local Authority and Health Board complaints twice a year and will publish data on Housing Association complaints from this year.

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.

Our national survey results also point to positive impact of these powers for the general public. Compared to 2020, there has been an increase in the proportion of people who said it was easy to make a complaint about main public service providers (72%) and the proportion of those happy with how their complaint was resolved (47%).

4. You state your model policy will eventually cover all public services in Wales. What remaining areas do you need to cover and what timeframe do you envisage for this take?

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

The significant areas of public services which are not currently covered include GPs, Dentists, Pharmacists, Optometrists, Town & Community Councils and Welsh Government. A time-line for bringing these bodies into the scheme will be set out by the end of the financial year.

5. You say you hoped improvement in public service complaint handling practice would be likely to reduce the number of complaints about complaint handling reaching your office. Can you expand as to whether you think the model complaints power has been successful in this regard?

Whilst the proportion of complaints about complaint handling across our caseload increased in the aftermath of the COVID pandemic, it is now decreasing:

19/20	20/21	21/22	22/23	23/24	24/25
9%	12%	14%	18%	17%	12%

The reduction of complaints about 'complaint handling' is a good overall indicator that our CSA powers are having a positive impact.

Cost and value for money

- 7. Your direct costs amount to 95% of the additional PSOW Act 2019 budget over the appraisal period. Considering you are yet to utilise your private healthcare powers, have processed fewer than 10% of oral complaints and have completed two wider own initiative investigations (compared to 1-2 per annum in the RIA), do you think the balance between expenditure and delivery is appropriate?**

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.

PSOW accepts that there is more work to be done but we trust that our evidence submission to the Committee demonstrates the positive impact our delivery of the proactive powers has had for citizens in Wales, to date.

- 8. Is the difference between the RIA estimates and actual costs an indication of any issues beyond those already considered.**

We have covered everything that has had an impact on our delivery in our evidence submission.

- 9. Are you confident you have a sufficient budget to be able to undertake an increase in oral complaints (towards 10%) and own-initiative investigations (toward 1-2 per annum) as per the estimation of the 2019 Bill RIA?**

Oral Complaints - we have capacity to deliver more oral complaints. However, it is important to note that oral complaints are demand led and it is not our intention to set targets. 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.

Own Initiative Investigations – 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.

10. The original cost increase as a result of taking oral complaints was estimated to be £210,000 over the appraisal period. Given that the original estimate costed 10% of complaints would be oral and you are receiving less than this, can you outline the overall costs of this activity and whether they're as anticipated?

The cost of delivering oral complaints over the past five years is within the projected £210k in the RIA (the actual total cost is £185k). This meets the cost of employing the additional staff, required to manage oral complaints, and upgrading our telephony infrastructure.

11. What impact has the 2019 Act had in terms of the indirect costs to public bodies working under the regime introduced by the 2019 Act, and have you had any engagement with them regarding their costs?

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

I trust this addresses the Committee's additional questions.

Yours sincerely



Michelle Morris
Public Services Ombudsman

17 May 2025

Dear Senedd Finance Committee,

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

Thank you for inviting me to submit written evidence as part of your post-legislative review of the Public Services Ombudsman (Wales) Act 2019 (the 2019 Act). I have used the questions in your call for evidence as a guide in this response.

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

The provisions in Part 4 of the 2019 Act, which provide the basis for the PSOW's "Complaints Standards Authority", are a welcome development. The provisions reflect best practice developments in Scotland (Public Bodies Act Scotland 2010) and Northern Ireland (Northern Ireland Public Services Ombudsman Act 2016).

The PSOW has made effective use of these powers and has developed a statement of complaint handling principles, a model complaints policy, and associated guidance for public service providers.¹ Interestingly, the PSOW's approach departs from that used in Scotland where separate Model Complaint Handling Procedures have been developed for discrete areas of public services.²

The principles, model policy and guidance are clear and helpful. There is, however, limited evidence with regard to the impact that these changes have had.

The PSOW's submission to the Finance Committee dated 28 March 2025 (PSOW's submission)³ notes that all local councils, health boards, Welsh Ambulance, and most housing associations have adopted the model complaints policy. It is not entirely clear in what timescale the PSOW hopes to achieve its vision of "one complaints journey" across all Welsh public services.

The Wales Omnibus Survey conducted in 2020 asked a number of questions in relation to experiences of complaint handling in Welsh public services.⁴ This survey found that 35% of people who complained found it very difficult or fairly difficult to complain, 57% were not happy with how their complaint was resolved, and 43% of the people who were unhappy with how their complaint was resolved did not do anything else and none complained to PSOW.

These findings indicate that more than 1 in 3 people find complaint processes difficult to access and more than 1 in 2 are dissatisfied with how their complaint was dealt with. There is a need for further research to identify whether the changes delivered under Part 4 of the PSOW Act 2019 have shifted the dial in relation to people's experiences of public service complaint procedures.

¹ <https://www.ombudsman.wales/complaints-standards-authority/>

² <https://www.spsos.org.uk/the-model-complaints-handling-procedures>

³ <https://business.senedd.wales/documents/s160513/PPSOWA1%20Public%20Services%20Ombudsman%20for%20Wales.pdf>

⁴ <https://www.ombudsman.wales/research-and-surveys/national-awareness-survey/>

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PSOW's submission contains references to stakeholder research based on a small sample of eight stakeholders. This research found positive views of the Complaints Standards Authority role and that complaint handling in public services had improved as a result. The research found that issues impacting good complaint handling relate to resources and workload pressure. While this research is helpful, it is rather limited in scope, and provides the views of a small number of stakeholders, all of whom are public bodies and all of whom are in very senior roles (e.g. Chief Executives or Senior Leaders). There is a need for broader research examining a range of stakeholder views (including members of the public and complainants) in order to evaluate the extent to which improvements in public service complaint handling are occurring.

One aspect of the Complaint Standards Authority role relates to data collection. Data is now being published in relation to complaints received by councils, health boards and housing associations.⁵ However, the data being collected is fairly minimal and includes only the raw number of complaints received and closed, and whether closure was within 30 days. While this is better than having no data at all, there is relatively limited value in the data as it stands.

Generally, there would be benefit in ombudsman offices across the UK coming together to consider issues around complaint categorisation, data collection, and how the aggregation of complaint data can be used as a source of data for learning and improving public administration.

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

Both of the own initiative investigations published to date are very thorough and high quality pieces of work which, in my view, fully demonstrate the added value that an ombudsman can deliver through the own initiative power.⁶ In work I have published on the own initiative power,⁷ I have argued that this power is needed for three reasons:

- As a result of what we know about people's propensity to complain. Research suggests that only 1 in 2 people are likely to complain when dissatisfied with a public service, and only 27% of those who complain to a public body will go on to take a complaint to an ombudsman. In light of this, only relying on people making complaints is unlikely to ensure that instances of poor administration are identified and remedied.
- Vulnerable groups are particularly unlikely to complain and without the power of own initiative investigation, there is a danger that ombudsman offices may focus in a reactive way only on those who reach their offices. This will generally be those members of the public who already have more social resources.
- The ombudsman is in a position to add significant value as a result of its focus on good administration, which is not the focus of audit, inspection, and regulatory bodies. The concern with fair treatment and good administrative practice marks out the ombudsman's work and allows its investigations to add significant value within the overall scrutiny and accountability landscape.

In my view, both of the investigations published by the PSOW show the value of own initiative powers, addressing the needs of vulnerable groups who are less likely to complain and highlighting

⁵ <https://www.ombudsman.wales/published-statistics/>

⁶ <https://www.ombudsman.wales/own-initiative-reports/>

⁷ https://link.springer.com/chapter/10.1007/978-3-030-40612-7_5



issues that are unlikely to have come to light or been dealt with as part of alternative scrutiny and accountability processes. Small scale research involving 10 third sector organisations commissioned by PSOW shows that third sector organisations in Wales have generally responded positively to the PSOW's own initiative investigation work (subject to some helpful recommendations around future improvements, including engaging more with the third sector, involving people with lived experience, and publicising the own initiative power).⁸

The limitation in both the 2019 Act and the Northern Ireland Public Services Ombudsman Act 2016, which restricts the ombudsman's own initiative power to use where there is a "reasonable suspicion" of "systemic maladministration", could be subject to further thought. The International Ombudsman Institute previously criticised this provision during the passage of the NIPSO Act 2016, noting that it was unduly restrictive and not in keeping with the broad discretion offered to other ombudsman offices, such as the Irish Ombudsman and the European Ombudsman.

It is unclear whether the emphasis on "systemic maladministration" has caused mischief in practice since the passing of the 2019 Act. However, in my view, the purpose of own initiative investigations should be broader than simply consideration of "systemic" issues. There would also be benefit in being able to investigate matters that affect a small groups of vulnerable individuals, which may not result from "systemic" issues, but where there appears to be acute injustice resulting from maladministration. This is important given that we know that people (in general) find it hard to reach ombudsman offices, and that certain marginalised groups are particularly unlikely to make use of the office.

While there is mixed practice internationally in relation to the framing of own initiative powers there is generally broad discretion afforded to the ombudsman:

"The criteria for launching own-initiative investigations are variable across jurisdictions, although "as a rule, the ombudsman is provided with wide scope of discretion to conduct investigations ex officio" (Kucsko-Stadlmayer 2008: 21)... Most commonly, however, investigation criteria only require the suspicion or assumption that there has been maladministration."⁹

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

The 2019 Act is an example of good practice in modernising ombudsman legislation within the UK. The Act has given the PSOW the powers it needs to be more effective in improving complaint handling in Wales and in tackling systemic issues.

I agree with the points made in the PSOW's submission with regard to areas where the legislation could be enhanced. The statutory bar in s. 13(1)(c) of the 2019 Act on investigating complaints where a person has or had a remedy by way of proceedings in a court of law (subject to the discretion to waive this requirement in s.13(2)) should be removed. Recent judicial reviews in Scotland, which considered the equivalent provision in the SPSO Act 2002, highlight the potential for confusion and complexity in this area.¹⁰

⁸ <https://business.senedd.wales/documents/s160513/PPSOWA1%20Public%20Services%20Ombudsman%20for%20Wales.pdf>

⁹ https://link.springer.com/chapter/10.1007/978-3-030-40612-7_5 (p. 86).

¹⁰ *McCue v. Glasgow City Council* [2020] CSIH 51; *Petition of CA for Judicial Review* [2024] CSOH 103.



I also agree that the PSOW's jurisdiction should be extended to include schools. This would involve removing the exclusion in Schedule 2, Paragraph 6 of the 2019 Act. The Local Government and Social Care Ombudsman in England is also subject to this jurisdictional limitation and has long argued for its removal. Its effect is that schools currently lack suitable accountability.

I hope that this response is helpful and look forward to discussing it in more detail at the oral evidence session on 4 June.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Chris Gill', enclosed in a light grey rectangular box.

Chris Gill
Professor of Socio-Legal Studies

Naomi Creutzfeldt, Professor of Law and Society, Kent Law School, University of Kent

Senedd Cymru | Welsh Parliament

Y Pwyllgor Cyllid | Finance Committee

Adolygiad ôl-ddeddfwriaethol o Ddeddf Ombwdsmon Gwasanaethau Cyhoeddus (Cymru) 2019 | Post-legislative review of the Public Services Ombudsman (Wales) Act 2019

Ymateb gan: Naomi Creutzfeldt, Athro yn y Gyfraith a Chymdeithas, Ysgol y Gyfraith Caint, Prifysgol Caint | Evidence from: Naomi Creutzfeldt, Professor of Law and Society, Kent Law School, University of Kent

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The ombudsman's own initiative powers are a welcome development. They have been used, for example, investigating the carer's need assessments (2024) and shows shortcomings of the service. If these recommendations are translated into improving the current system, then this is a very useful step to prevent further complaints. It is also very good for earning public trust and visibility of the office of the ombudsman. Own initiative powers are a very good mechanism for the ombudsman to make use of their proximity to identifying systemic problems, early identification of gaps, training needs, collaboration deficits and - of course - maladministration. These powers can also identify barriers for people to complain and this can be partly overcome by starting an investigation to then change the system.

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

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

Own initiative powers: The Public Services Ombudsman (Wales) Act 2019 brings Wales closer in line with international best practice in several ways. However, there are still areas where Wales could improve or learn from others.

International ombudsman institutions (e.g. Scandinavia, NZ, Canada) use own-initiative powers. Further, the Venice Principles (CoE 2019) state that own initiative powers are essential for effective oversight and accountability. The Wales Act is in line with these principles, safeguarding proportionality, public interest requirements, and consultation.

A recommendation is to be more transparent as to how topics / areas for investigation are selected.

Oral complaints: complaints in writing can be barriers to access the ombudsman, all ombudsmen in the UK accept complaints in multiple formats and the Wales Act has improved accessibility for vulnerable people and those with disabilities or low literacy – by also introducing oral complaints.

Complaints handling standards: like the SPSO, the PSOW can develop model complaint handling procedures for public bodies (in line with ombuds in Australia, Ireland and the NL). This ensures more consistency, transparency, and fairness in how complaints are dealt with.

A recommendation here would be to strengthen the enforcement and monitoring.

Investigative scope and sanctions: as most other ombuds, the PSOW issues non-binding recommendations. It relies on public pressure and good will for the enforcement. Some international counterparts can enforce their recommendations (mainly in matters regarding breached of human rights).

The **2019 Act** significantly modernized the role of the PSOW and moved it closer to international standards. Wales now has one of the more progressive ombudsman frameworks in the UK. That said, the use of own-initiative investigations could be used more.

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

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

- is there a follow up on the implementation of the recommendations?
- how does the ombudsman measure success in own-initiative investigations?

- is the process reviewed regularly?

- would it be favourable for the PHSO in England to also have own-initiative powers to enhance a UK-wide collaboration of ombudsmen?

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

Document is Restricted

Response from Healthcare Inspectorate Wales in relation to the Post-legislative Review of the Public Services Ombudsman (Wales) Act 2019

Introduction

Healthcare Inspectorate Wales (HIW) welcomes the opportunity to provide evidence to the Finance Committee's post-legislative review of the Public Services Ombudsman (Wales) Act 2019. In this submission we will outline our role and responsibilities, and highlight the importance of our collaborative relationship with the Public Services Ombudsman for Wales (PSOW).

HIW's Role and Responsibilities

HIW is the independent inspectorate and regulator of healthcare in Wales. This operational independence is set out in the Memorandum of Understanding (MOU) between the Welsh Ministers and the Chief Executive of HIW¹. Our primary functions include inspecting NHS services to ensure compliance with standards, policies, guidance, and regulations, and regulating independent healthcare providers to monitor quality and safety.

We also safeguard the interests of individuals under the Mental Health Act and other relevant laws and address systemic failures in healthcare delivery through special reviews and investigations.

We look at the quality, safety and effectiveness of the services that are being provided to people and communities, drawing attention to good practice where we find it, and calling out practice that could cause harm to those who are receiving it. Our purpose is to ensure that healthcare services are provided in a way which maximises the health and wellbeing of people in Wales. We place people at the heart of our work, ensuring independence, objectivity, decisiveness, inclusivity, and proportionality in our operations.

HIW publishes its reports to drive and inform improvement in healthcare services. By making our findings publicly available, we ensure transparency and accountability, providing valuable insights into the quality and safety of healthcare services. These reports highlight areas of excellence as well as those requiring improvement, offering clear recommendations to healthcare providers.

Statutory and Legislative Framework

HIW's main functions and responsibilities are underpinned by several pieces of legislation.

¹ [HIW Memorandum of Understanding Between the Welsh Ministers and the Chief Inspector Of Care Inspectorate Wales and the Chief Executive of Healthcare Inspectorate Wales](#)

The [Health and Social Care \(Community Health and Standards\) Act 2003](#) provides the basis for HIW to undertake reviews and investigations of healthcare provided by and for Welsh NHS bodies. This legislation gives HIW the power to enter and inspect NHS premises, and to require information and documentation from NHS bodies. HIW inspects healthcare services provided by and for Welsh NHS bodies and looks at how these services meet the [Health and Care Quality Standards](#), or any other relevant professional standards and guidance that are applicable.

For independent healthcare services, HIW carries out regulation and inspection functions under part 2 of the [Care Standards Act 2000](#) in relation to independent health care in Wales. HIW ensures registered services comply with the [Independent Healthcare \(Wales\) Regulations 2011](#). The broad types of registered services include:

- Private dental practices
- Independent healthcare services:
 - Independent hospitals
 - Independent clinics
 - Independent medical agencies

HIW has a statutory role and responsibility relating to the Mental Health Act, aiming to protect the interests of individuals whose rights are restricted under that Act. Our role includes reviewing the use of the [Mental Health Act 1983](#) and the Mental Health (Wales) Measure 2010 to ensure its proper application on behalf of Welsh Ministers. We verify, through our work, matters such as ensuring that patients are lawfully detained and adequately cared for and that patients are informed about their rights under the Act.

HIW monitors the use of the Deprivation of Liberty Safeguards and works with Care Inspectorate Wales (CIW) to monitor the implementation of the Safeguards by the NHS and registered independent hospitals.

HIW is also responsible for monitoring compliance against the [Ionising Radiation \(Medical Exposure\) Regulations \(IR\(ME\)R\) 2017](#). The regulations are intended to protect patients from hazards associated with ionising radiation. This means that HIW inspects services such as NHS radiotherapy, radiology and nuclear medicine departments and NHS and private dental practices in Wales.

Memorandum of Understanding

The [Memorandum of Understanding \(MoU\)](#) between HIW and the PSOW, was last reviewed and updated in October 2024, and has been in existence between the organisations for over a decade.

The MoU supports the working relationship between the partners by facilitating the efficient, appropriate, and secure communication and sharing of information and intelligence about the safety and quality of healthcare services in Wales.

It outlines the roles and responsibilities of both HIW and the PSOW, emphasising the importance of mutual understanding of each other's duties to ensure that both

parties are aligned and complemented in our combined objective to benefit healthcare recipients.

The MoU is not legally binding but commits both organisations to adhere to its principles, respect each other's activities, and work together to promote improvement in healthcare services.

Partnership Engagement with the PSOW

Underpinned by the MoU, HIW periodically engages with the Ombudsman to discuss strategic issues pertaining to our respective roles and to exchange intelligence and data related to our areas of work.

Further partnership communication occurs as and when required between HIW and the PSOW, with a focus on sharing intelligence on patient safety matters. Regular contact and open sharing of information underpin the working relationship.

Healthcare Summits

The PSOW is a long-standing and essential member of the [Healthcare Summits](#), which HIW hosts on a twice a yearly basis and which provide a platform to enable discussion between audit, inspection, regulation and improvement bodies. The summit provides all members an opportunity to share knowledge and intelligence on the quality of healthcare services provided by NHS Wales.

The PSOW attend these meetings to share the trends and themes arising from the complaints that are escalated to their organisation, at both Health Board level and nationally across the NHS in Wales. They also provide insight into the Health Board's complaints handling process, governance framework, lessons learned practices and engagement in relation to their work with the PSOW.

Furthermore, the PSOW have undertaken specific risk focused reviews, own initiative reports, sharing the outcome of this work at Summits.

HIW and other partners at the Summit use the information shared, along with their own knowledge, to inform their work own programmes and to address areas of concern and/or to identify areas for development.

Collectively the intelligence shared at each Summit is triangulated and high-risk concerns are agreed and used to form the feedback to the Director General - Health and Social Services and NHS Wales Chief Executive and the Chief Executives of the NHS Health Boards.

Concerns about healthcare

HIW's statutory role does not include investigating individual concerns or complaints related to a patient's care and treatment. Even so, the public can report [concerns](#)

[about healthcare services to HIW](#). Information received in this way is recorded and monitored in order to form a picture of the overall quality and safety of health services. For the NHS, we will refer complaints to the formal NHS complaints process, '[Putting Things Right](#)'. The PSOW has a specific role within the Putting Things Right process. Accordingly, when HIW receives complaints from individuals who are dissatisfied with a response they have received from their healthcare provider, we direct them to the PSOW. This includes providing complainants with contact information for the PSOW, such as telephone numbers, website links, and addresses. We ensure that individuals understand the role of the PSOW and how it can assist them in resolving their complaints.

The information we receive from concerns informs our assurance work, including inspections and reviews. For instance, if multiple similar concerns are raised about a health service, it may prompt an unannounced inspection activity or inform decisions about our programme of work. The information can also highlight common concerns across Wales, potentially leading HIW to conduct a review.

When we become aware of concerns or complaints, we may request that the health service provider keeps us informed of their investigation outcomes to ensure that the concern or complaint has been appropriately addressed.

Sharing Intelligence

The PSOW shares its public interest reports with HIW when published. These reports independently review the actions of public healthcare bodies. The summary of these reports is uploaded onto our customer relationship manager database so that the intelligence can be accessed across HIW's different functions.

The issues raised in the PSOW public interest reports form part of the wide evidence base which informs our inspection and review programme and how we effectively use our limited resources to provide assurance. The evidence supports the identification of appropriate settings and services, where patients are at most risk of not receiving good care, to cover as part of our risk-based inspection programme.

Furthermore, HIW's inspectors are made aware of PSOW reports relating to the setting that they are inspecting, to support the identification and prioritisation of areas that may require attention, improvement or assurance that the issues have been addressed.

The PSOW reports can be escalated for discussion at HIW weekly intelligence meetings, which receives a variety of information to identify trends and areas of concern that require immediate attention by HIW.

Conclusion

The insights and recommendations from PSOW's reports and investigations are of great importance to HIW. The role of the two organisations is complementary with each having a shared focus on the quality of health services, albeit through a

different lens. As a result, the collaborative relationship between HIW and PSOW, underpinned by a Memorandum of Understanding, contributes positively to the overall quality and safety of healthcare services in Wales.

Alun Jones

Chief Executive, Healthcare Inspectorate Wales

16th May 2025

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