

# Nomination of the Public Services Ombudsman for Wales

January 2022



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# About the Committee

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

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Current Committee membership:



**Committee Chair:**  
**Peredur Owen Griffiths MS**  
Plaid Cymru



**Peter Fox MS**  
Welsh Conservatives



**Mike Hedges MS**  
Welsh Labour



**Rhianon Passmore MS**  
Welsh Labour

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## Chair's foreword

The Public Services Ombudsman for Wales has a vitally important role in the Welsh public sector; ensuring that any member of the public who believes they have suffered injustice through maladministration or service failure by a public body is able to make a complaint with the reassurance that their complaint will be dealt with fairly and independently.

The current Ombudsman, Nick Bennett, was due to complete his term of office on 31 July 2021, but was appointed to continue in the role in an acting capacity for a further eight months until 31 March 2022. I would like to thank Nick for his contribution during his time as Ombudsman and for continuing in the role in an acting capacity. In particular, his work in pursuing the development of the Public Services Ombudsman (Wales) Act 2019, which provides the Ombudsman with own initiative powers to investigate complaints and for setting up model complaints, will provide a lasting legacy.

For the Sixth Senedd, the Finance Committee has oversight responsibilities with regard to the Ombudsman, which include identifying a suitable candidate for nomination as the successor Ombudsman.

In discharging its responsibilities, the Committee has observed the need for a process that would meet the expectations of the people of Wales for robustness and transparency. It was also vital that the process was conducted in a way that removes it from any suggestion of political interference. As such, we ensured two party groups were represented on the appointment panel and, in addition, we undertook a pre-nomination hearing of the cross-party Finance Committee. The Senedd's Standing Order 10.6 enables us to take evidence from a preferred candidate for appointment to consider whether the Committee supports the appointment. The Committee firmly believes that a pre-nomination hearing ensures open and transparent scrutiny of the candidate identified as the most suitable from the recruitment process. It also provides the Committee, and ultimately the Senedd, with additional confidence that the preferred candidate is suitable for nomination to Her Majesty for appointment.

When conducting this pre-nomination hearing, Members of the Committee were keen to question the preferred candidate on their previous experience and aspirations for driving forward the Ombudsman's work in Wales.

The Committee has concluded that Michelle Morris is the preferred candidate for this post, and I look forward to working with her in the future.

Finally, it is worth noting that this will be the first Ombudsman appointment made since the Public Services Ombudsman (Wales) Act 2019 came into force and I would like to thank our predecessor Finance Committee in the Fifth Senedd for bringing it forward and ensuring its successful passage.



**Peredur Owen Griffiths MS**  
**Chair**



## Recommendation

**Recommendation 1.** On 16 December 2021 the Finance Committee held a pre-nomination hearing with Michelle Morris, the interview panel’s preferred candidate for the post of Public Services Ombudsman for Wales. The Committee recommends Michelle Morris as the preferred candidate for nomination to Her Majesty for appointment as the Public Services Ombudsman for Wales. ....Page 12

# 1. Background

## Public Services Ombudsman for Wales

- 1.** The Public Services Ombudsman for Wales (the Ombudsman) is a Crown appointment made on the nomination of the Senedd under Schedule 1<sup>1</sup> to the Public Services Ombudsman (Wales) Act 2019 (the 2019 Act).<sup>2</sup>
- 2.** The current Ombudsman, Nick Bennett, was appointed in August 2014 for a seven year period ending on 31 July 2021 in accordance with the Public Services Ombudsman (Wales) Act 2005.<sup>3</sup>
- 3.** In November 2020, the Fifth Senedd's Equality, Local Government and Communities Committee, as the Committee then responsible for oversight of the Ombudsman, considered the options available to meet the deadline of recruiting a new Ombudsman. Its preference was to recommend that the Senedd nominate Nick Bennett on an acting basis to cover the period from 1 August 2021 to 31 March 2022, as a "strictly time limited appointment for 8 months only"<sup>4</sup>. The Committee recommended an acting appointment be made for a number of reasons, including the limited time available to complete the recruitment process due to the pandemic and the impending Senedd election in May 2021. On 27 January 2021, the Senedd voted to agree the recommendation.<sup>5</sup>
- 4.** The Sixth Senedd's Finance Committee was established on 23 June 2021 and its remit includes oversight of the Ombudsman under Standing Order 18A, including advising the Senedd on the appointment of the Ombudsman. On 14 July 2021<sup>6</sup> and 15 September 2021<sup>7</sup>, the Finance Committee considered its approach to the recruitment of the Ombudsman and the remuneration arrangements, respectively.
- 5.** The Ombudsman's main functions are set out under the 2019 Act. They are:

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<sup>1</sup> [Schedule 1, Public Services Ombudsman \(Wales\) Act 2019 \(anaw.3\)](#)

<sup>2</sup> [Public Services Ombudsman \(Wales\) Act 2019 \(anaw.3\)](#)

<sup>3</sup> [Public Services Ombudsman \(Wales\) Act 2005 \(c.10\)](#)

<sup>4</sup> Equality, Local Government and Communities Committee, [Appointment of an Acting Public Services Ombudsman for Wales, 20 January 2021](#)

<sup>5</sup> Plenary, RoP, [27 January 2021](#), item 5

<sup>6</sup> Finance Committee, [Agenda](#), 14 July 2021

<sup>7</sup> Finance Committee, [Agenda](#), 15 September 2021

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- To provide a free and independent complaints investigation service and make final decisions on complaints made by members of the public that they have suffered either hardship or injustice as a result of maladministration or service failure by public bodies and independent care providers in Wales (where such complaints have not been able to be resolved through organisations' own complaints procedures).
- Under chapter III of Part III of the Local Government Act 2000<sup>8</sup>, to investigate complaints that elected members of local authorities in Wales have broken their authority's code of conduct. This includes members of county and county borough councils, community councils, fire authorities and national park authorities.
- To drive broader improvement of public services and encourage lessons to be learned from complaints. The 2019 Act gave the Ombudsman new powers to publish standardised complaints handling processes for public bodies within the Ombudsman's statutory remit, and to monitor and promote best practice in complaints handling. The 2019 Act also gave the Ombudsman new powers to conduct 'own initiative' investigations without a complaint having been made, for example, in circumstances where the Ombudsman has a reasonable suspicion of systemic maladministration.

## Role and person specification

**6.** The appointment of the Ombudsman is for a single, non-renewable seven-year term of office, as required by Schedule 1 to the 2019 Act.<sup>9</sup>

**7.** In accordance with Schedule 1 of the 2019 Act and Standing Order 18A.2(ii), the Committee considered the remuneration arrangements for the Ombudsman. It agreed to advertise the position with a salary of £147,000, which will be adjusted annually by the estimated percentage change in the most recent data in the Annual Survey for Hours and Earnings (ASHE) for the annual gross median earnings for full time employee jobs in Wales as published by the Office for National Statistics, with a 0 per cent and 3 per cent lower and upper limit.

**8.** The person specification stated that the successful candidate would need to provide evidence of the knowledge, experience and competencies of the following:

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<sup>8</sup> [Local Government Act 2000 \(c.22\)](#)

<sup>9</sup> [Schedule 1, Public Services Ombudsman \(Wales\) Act 2019 \(anaw 3\)](#)

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- Demonstrable track record of strategic leadership and management at a senior level, with the ability to communicate strategic purpose and direction.
- Excellent judgement and analytical skills with proven ability to act, to make difficult and evidence-based decisions independently and impartially, and to identify, evaluate and manage risk.
- Proven financial and management skills, including the ability to deliver value for money and achieve operational excellence in an environment of constrained resources, and demonstrable ability to ensure good governance and administration.
- Exceptional communication, influencing and negotiating skills when dealing with a wide range of stakeholders, for example members of the public, public bodies, elected representatives, community organisations, staff and the media.
- A strong and visible commitment to upholding the rights of the citizen, and to diversity, human rights, inclusion and equality of opportunity.
- Integrity, flexibility, and the ability to inspire the confidence of senior figures in public life in Wales, including the Welsh Government, local government and the health sector.
- Working knowledge of the system of devolved government in Wales and/or administrative law and/or the operation and structures of the public sector in Wales.
- An understanding of, commitment to and experience of meeting the seven Nolan Principles of Public Life<sup>10</sup> (or similar professional standards).

## The recruitment process

**9.** The role was advertised on 23 September 2021 and the closing date for applications was 22 October 2021.<sup>11</sup>

**10.** To encourage a strong and diverse field of candidates, the Committee agreed to appoint **Penna**, an executive search agency, to undertake certain aspects of the recruitment process, including:

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<sup>10</sup> Committee on Standards in Public Life, *The Seven Principles of Public Life*

<sup>11</sup> Senedd Cymru, *Public Appointments: Public Services Ombudsman for Wales*, 23 September 2021

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- advertising the role;
- identifying and approaching potential candidates, and
- sifting candidates and conducting preliminary interviews.

**11.** The role was advertised using a combination of hard print, electronic publications, social media and personal contacts. The advertisement was placed in a range of locations, including the Western Mail, Sunday Times, Senedd and Penna websites and was accompanied by targeted LinkedIn and Twitter campaigns.

**12.** The window for applications was open for four weeks. 21 applications were received from 10 women and 11 men.

**13.** A preliminary sift was undertaken by the Chair on behalf of the full panel on 11 November 2021 and a longlist of 13 candidates were selected. Penna then conducted preliminary interviews with the candidates, which included psychometric testing to provide insight into each candidate's style and interpersonal qualities.

**14.** The selection panel then agreed a shortlist of candidates on 18 November 2021, with eight of the 13 longlist candidates selected for interview. Senedd officials were also in attendance to provide procedural advice and support. The panel members were:

- Chair - Peredur Owen Griffiths MS (Chair of the Finance Committee)
- Rhianon Passmore MS (Member of the Finance Committee and Public Accounts and Public Administration Committee)
- Manon Antoniazzi (Chief Executive and Clerk to the Senedd)
- Peter Tyndall (Ombudsman, Information Commissioner, and Commissioner for Environmental Information of Ireland)

**15.** Interviews took place on 2 and 3 December 2021, at which candidates gave a presentation and were questioned on the criteria set out in the candidate brief.

## 2. The preferred candidate

**16.** The panel agreed that Michelle Morris was the preferred candidate for nomination. The Committee undertook a pre-nomination hearing with the preferred candidate on 16 December 2021 to explore her background and professional experience and to gain an understanding of her aspirations including how she would undertake the role. A transcript of the evidence session can be accessed on the Finance Committee webpages.<sup>12</sup>

**Recommendation 1.** On 16 December 2021 the Finance Committee held a pre-nomination hearing with Michelle Morris, the interview panel's preferred candidate for the post of Public Services Ombudsman for Wales. The Committee recommends Michelle Morris as the preferred candidate for nomination to Her Majesty for appointment as the Public Services Ombudsman for Wales.

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<sup>12</sup> Finance Committee, RoP, 16 December 2021, paragraphs 8-62

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## Annex A: CV – Michelle Morris

### **October 2017 to date**

Chief Executive (Managing Director), Blaenau Gwent CBC

- Responsible for the overall leadership of the organisation, as Head of Paid Service, and principal policy adviser to Elected Members accountable for delivery of services in line with council priorities.
- Responsible for the strategic management of the Council, its workforce of 3,500 and an annual budget of £180M, and for policy development and service delivery, using innovative approaches to deliver change and improved outcomes.
- Managing complexity, working with multiple stakeholders, Elected Representatives, communities and service users.
- Working across the public sector, through partnerships and collaboration, including the Cardiff Capital Region City Deal and Public Service Boards.
- Responsible for the leadership of the Council's emergency response, and recovery, to the Pandemic including partnership working across the public sector through the Regional Strategic Co-ordination Group.
- Responsible for ensuring strong governance and high standards of conduct, within the Council, and used to being held to account in public office.
- High level of personal resilience and upholding the ethical standards required within the public sector.

### **February 2008 to October 2017**

Deputy Chief Executive & Monitoring Officer (previously Assistant CEX), Highland Council, Scotland

- Responsible for the leadership of Corporate Services and Change across the organisation.
- Deputising for the Chief Executive in the leadership and development of the organisation.

- Monitoring Officer (statutory role) responsible for corporate governance and conduct, ensuring the Council maintained the highest standards and that issues were dealt with promptly and appropriately.

### **2004 to 2008**

Assistant Chief Executive, City & County of Swansea

### **2000 to 2004**

Head of Communications & Customer Relations, Carmarthenshire County Council

### **1997 to 2000**

Corporate Marketing Co-ordinator, Pembrokeshire County Council

### **1995 to 1997**

Community & Tourism Development Officer, Menter Preseli (EU LEADER Programme)

### **1990 to 1995**

Community & Tourism Development Officer, SPARC (EU LEADER Programme)

### **1987 to 1990**

Marketing Manager, Mendip Foods (Somerset)

### **Other Relevant Information**

Qualifications

- Masters Business Administration - University of Glamorgan 1996-1999
- MSc Marketing – Cranfield Institute 1986-87

Non-Executive & Professional Roles

- Pembrokeshire MENCAP Ltd – Director and Trustee (appointed in 2019)
- Dyfed Powys Police/Office of the Police & Crime Commissioner Joint Audit Committee (appointed October 2021)
- Member SOLACE (Wales)