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Ms Jocelyn Davies AM
Chair, Finance Committee
National Assembly for Wales
Cardiff Bay
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Dear Chair

INQUIRY INTO THE CONSIDERATION OF POWERS: PUBLIC SERVICES OMBUDSMAN FOR WALES

Thank you for the opportunity to provide a note to clarify a matter that I mentioned during the Committee's evidence session on 11 March 2015.

In responding to Julie Morgan's question as to whether the Ombudsman's recommendations are sometimes ignored (para 104 of the transcript), I said that I had a recollection that, in most sectors, the Ombudsman's recommendations are not ignored (para 106). On reflection, that is, if anything, an understatement, and I note that the Ombudsman says in his paper for the Committee of 21 January 2015 that, thus far, no public service provider has refused to implement a recommendation (para 2.49(f) of that paper). However, I also suggested that there was a sector that tended to ignore recommendations, but I realised while speaking that I was thinking somewhat at cross-purposes (para 108). What I had in mind was that the Local Government Ombudsman (for England) found it necessary on a couple of occasions in 2014 to issue private social care providers with adverse findings notices because of their failure to comply with recommendations.

Following the Social Services and Well-being (Wales) Act 2014, since November 2014, the Public Services Ombudsman for Wales has similar jurisdiction in relation to private social care providers as the Local Government Ombudsman has in England. Clearly, it is rather early to establish whether that sector is proving problematic in Wales, but I note that the Public Services Ombudsman for Wales has said in his paper for the Committee of 21 January 2015 that compliance may be harder to secure with social care providers than with public bodies (para 2.49(f) of that paper).

I hope that explanation is helpful, and I apologise for not being clear in the session.

Yours sincerely,

MARTIN PETERS
COMPLIANCE MANAGER