

Sally Taber
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Dear Sally

PUBLIC SERVICES OMBUDSMAN (WALES) BILL

As you may be aware, the National Assembly for Wales' Equalities, Local Government and Communities Committee (the Committee) recently published its [Stage 1 Report on the Public Services Ombudsman \(Wales\) Bill](#) (the Bill).

The Stage 1 Report set out the results of the Committee's scrutiny of the Bill, including its financial implications. During its Inquiry, the Committee noted that the Regulatory Impact Assessment (the RIA) did not quantify the cost impact on private health providers. The RIA notes that this was because the Public Services Ombudsman for Wales (the Ombudsman) does not have access, or a right to access, to details of the number and the associated cost incurred by private providers in respect of complaints made against them.

Evidence to the Committee suggested that more could be done in this regard and that, as the Member in Charge, I should consult ISCAS and private sector providers in respect of details (recommendation 17 refers).

A debate took place in Plenary on 21 March 2018 and the National Assembly for Wales agreed the general principles of the Bill. I would very much welcome your



advice as the Finance Committee considers revisions to the RIA in light of the Committee's recommendations.

The provisions in the Bill would enable the Ombudsman to investigate the private healthcare element of a public/private healthcare pathway. As noted in the Stage 1 Report, in giving evidence to the Committee on 13 December 2017, you reported that costs are published annually. The Finance Committee considered the ISCAS annual report while preparing the RIA. My understanding is that your annual report discloses the cost of adjudication and clinical experts.

However, the cost to the private healthcare provider under the proposals in the Bill would be those arising from providing records, details of their investigation and their findings to the Ombudsman.

I would be grateful if you could advise whether my understanding is correct. I would also welcome any other evidence that you consider may be helpful to the Finance Committee in estimating the range of costs likely to be incurred by private providers, such as any other reports published by ISCAS or other organisations. Finally, it would be helpful if you could advise of any uncertainties of which the Finance Committee should be aware. For example, how representative the source for the range of costs is likely to be of the providers in respect of which the Ombudsman may receive a complaint or the impact on costs given that the Ombudsman will be investigating part of a complaint (rather than a whole complaint) and only where a matter cannot be investigated effectively or completely without also investigating matters relating to private health services.

The Finance Committee hopes to finalise its considerations of the Committee's recommendations. Therefore, it would be helpful to receive your advice by **Friday 1 June**.

Yours sincerely



Simon Thomas AM

Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

