

Peredur Owen Griffiths MS
Chair Finance Committee

18 June 2025

Dear Peredur,

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

1. Thank you for the invitation to attend the Committee's meeting on 7 May 2025. I am very happy to respond to the two follow up questions in your letter of 14 May 2025.

Engagement with stakeholders on complaints standards and feedback from public bodies.

2. We have regular engagement with stakeholders across a range of topics including standards. In terms of formal engagement on the standards, there was consultation and engagement on the first principles and procedures before the principles were approved by the Scottish Parliament. When developing the sector-specific procedures, this was supplemented with additional engagement with stakeholders in each sector to ensure that they were fit for purpose.
3. When developing the Child-friendly complaints principles, we undertook a full co-design process involving children, young people, parents and other stakeholders before, again, holding a public consultation and laying these before the Scottish Parliament for approval.
4. Finally, we recently held another public consultation on the principles, and a refreshed version has just been approved by the Scottish Parliament.
5. Turning to feedback, the feedback we have from public bodies has been largely positive. We engage regularly with a number of complaint handling networks which are comprised of complaint handlers from public bodies. This allows us to hear from those directly applying the standards. We have also undertaken surveys in

the past, which again, were largely positive although not exclusively focused on the standards themselves.

6. Academic interest in complaints procedures is, unfortunately, not high but in 2017 a research study looked directly at local authority experience of the procedures. A key finding of that study was that:

- 6.1. “Our research suggests that there has been full compliance by local authorities with their duties to adopt new complaint handling procedures consistent with the model CHP. In general, local authority complaint staff consider that there are definite advantages to the model CHP and no major disadvantages.”.¹

Best Practice Comparison

7. Since the approval of the Venice Principles in 2019, there are now internationally recognised standards for Parliamentary Ombudsman. We have not conducted a full analysis of the Welsh legislation against this, but we have reviewed our own legislation, and this provided us with assurance that, as far as it is appropriate, we are broadly in line with those international standards. The Public Services Ombudsman (Wales) Act 2019, which has the added benefit of own initiative procedure, would likely also meet these requirements.
8. During the meeting, I noted that the experience of the two UK Ombudsmen who currently hold own initiative powers and that suggested that the legislative approach in NIPSO to the initiation of own initiative investigations was more flexible and effective. I would reaffirm that view.

Yours sincerely

Andrew Crawford
Acting Scottish Public Services Ombudsman

¹ Mullen, T. , Gill, C. and Vivian, N. (2017) *Scotland's Model Complaint Handling Procedures: Exploring Recent Developments and the Usefulness of Complaint Data for Administrative Justice Research*.
<https://eprints.gla.ac.uk/155556/7/155556.pdf>