



## ADSS Cymru

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Cymdeithasol yng Nghymru  
Leading Social Services in Wales

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Peredur Owen Griffiths MS  
Chair, Finance Committee  
Welsh Parliament / Senedd Cymru  
Cardiff Bay  
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Dear Peredur,

### **Post-Legislative Review of the Public Services Ombudsman (Wales) Act 2019**

Thank you for the opportunity to contribute to the Finance Committee's post-legislative scrutiny of the Public Services Ombudsman (Wales) Act 2019. While ADSS Cymru was unable to attend the oral evidence session, we welcome the chance to provide written reflections on behalf of our members.

Local authorities across Wales recognise and value the important role of the Ombudsman in promoting accountability, supporting redress, and driving improvement in public services. Our members are committed to working constructively with the Ombudsman and fully support the principle of independent scrutiny.

At the same time, our experience - particularly in relation to the recent own-initiative investigation into carers' services - highlights opportunities to strengthen the way these powers are applied in practice. We share the following reflections not as criticism, but in the spirit of learning and mutual improvement, with a focus on how the Ombudsman's work can best complement existing systems and legislative frameworks within social care.

We have organised our comments under three broad themes:

#### **1. Transparency and Clarity in Methodology, Scope, and Process**

Several authorities involved in the recent investigation reported uncertainty about how the investigation was initiated, including the rationale for selecting the carers' services theme and the criteria used to identify participating councils. In practice, this made it challenging for local teams to respond effectively to information requests, which were extensive and issued at short notice, often with limited accompanying guidance.

We appreciate the complexity of undertaking such an ambitious piece of work, particularly in a sensitive policy area. However, clearer communication around purpose, methodology,

and opportunities for engagement would have supported greater mutual understanding and more meaningful contributions. For instance, offers from local authorities to facilitate direct conversations with carers and frontline staff were not taken up - resulting in an evidence base that felt somewhat removed from lived experience.

While we acknowledge the Ombudsman's intent to uphold high standards of administration, the format and tone of the resulting report - combined with short response times and limited space for dialogue - led to concerns that the conclusions did not fully reflect the context or progress made on the ground.

## **2. Clarity on Interfaces with Existing Inspection and Regulatory Frameworks**

Our members are keen to avoid duplication and ensure coherence between different oversight mechanisms. Several authorities noted that the timing of the Ombudsman's investigation overlapped with planned inspections by Care Inspectorate Wales (CIW), sometimes covering similar ground. In at least one case, there was a marked contrast between the two bodies' findings - raising questions about consistency and the value of coordination.

Given the range of regulatory and improvement activity already underway in social care, we believe there is scope to strengthen alignment between the Ombudsman's investigatory work and existing inspection regimes. A more joined-up approach would reduce reporting burdens and better support the shared goal of improving outcomes for people who use services.

## **3. Alignment with the Social Services and Well-being (Wales) Act 2014**

The Social Services and Well-being (Wales) Act 2014 (SSWBA) sets out a distinct and progressive framework for social care in Wales - rooted in the principles of co-production, proportionate intervention and person-centred support. We are concerned that these values were not always reflected in the framing or analysis within the Ombudsman's investigation.

For example, a strong emphasis was placed on the volume of formal Carers Needs Assessments, with less attention paid to the broader range of strengths-based, preventative work being delivered in line with the SSWBA. This risked creating an overly narrow picture of performance and, in some cases, may have unintentionally undermined the legitimacy of alternative approaches valued by carers themselves.

We recognise that administrative principles and legislative duties can sit alongside each other, but we would encourage a more explicit integration of the SSWBA in future social care investigations, to ensure consistency with Welsh policy aims and local practice.

## **4. Recommendations for Future Improvement**

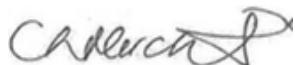
Based on the experiences mentioned above, to support the effective use of own-initiative powers in the future, we respectfully offer the following suggestions for the Committee's consideration:

- For the Ombudsman to enhance transparency by publishing clear criteria and methodologies for selecting themes, authorities, and investigation scope, including engagement plans and timelines.
- Establish formal mechanisms for coordination between the Ombudsman and statutory regulators such as CIW, to ensure a shared understanding of roles and avoid duplication.
- For the Ombudsman to align investigative frameworks with the SSWBA, embedding its principles and duties throughout the process.
- That the Ombudsman ensures proportionality and balance in evidence gathering, reporting, and recommendations, with ample opportunity for dialogue and contribution from all parties.
- That, through its reporting mechanisms, the Ombudsman frames its findings constructively, recognising existing good practice and supporting system-wide learning and improvement.

We share these reflections in the spirit of collaboration and with a clear commitment to ongoing partnership. Local authorities and the Ombudsman ultimately share the same goal: ensuring that services are fair, responsive, and focused on what matters most to the people of Wales.

Thank you again for the opportunity to support the Committee's important work.

Yours Sincerely,



Claire Marchant  
**Cadeirydd, ADSS Cymru**