



Cynulliad Cenedlaethol Cymru **The National Assembly for Wales**

Y Pwyllgor Cyllid **The Finance Committee**

Dydd Iau, 3 Hydref 2013
Thursday, 3 October 2013

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Cofnodir y trafodion yn yr iaith y llefarwyd hwy ynndi yn y pwyllgor. Yn ogystal, cynhwysir trawsgrifiad o'r cyfieithu ar y pryd.

The proceedings are reported in the language in which they were spoken in the committee. In addition, a transcription of the simultaneous interpretation is included.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Peter Black	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Christine Chapman	Llafur Labour
Jocelyn Davies	Plaid Cymru (Cadeirydd y Pwyllgor) The Party of Wales (Committee Chair)
Paul Davies	Ceidwadwyr Cymreig Welsh Conservatives
Mike Hedges	Llafur Labour
Ann Jones	Llafur Labour
Julie Morgan	Llafur Labour

Eraill yn bresennol
Others in attendance

Angela Burns	Aelod Cynulliad, Ceidwadwyr Cymreig (Comisiynydd y Cynulliad) Assembly Member, Welsh Conservatives (Assembly Commissioner)
Nicola Callow	Pennaeth Cyllid, Cynulliad Cenedlaethol Cymru Head of Finance, National Assembly for Wales
Claire Clancy	Prif Weithredwr a Chlerc y Cynulliad Chief Executive and Clerk of the Assembly
Susan Hudson	Rheolwr Polisi a Chyfathrebu, Swyddfa Ombwdsmon Gwasanaethau Cyhoeddus Cymru Policy and Communication Manager, Office of the Public Services Ombudsman for Wales
David Meaden	Cynghorwr Ariannol, Swyddfa Ombwdsmon Gwasanaethau Cyhoeddus Cymru Financial Adviser, Office of the Public Services Ombudsman for Wales
Peter Tyndall	Ombwdsmon Gwasanaethau Cyhoeddus Cymru The Public Services Ombudsman for Wales

Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol
National Assembly for Wales officials in attendance

Martin Jennings	Y Gwasanaeth Ymchwil The Research Service
Gareth Price	Clerc Clerk
Eleanor Roy	Y Gwasanaeth Ymchwil The Research Service
Meriel Singleton	Ail Glerc Second Clerk

Dechreuodd y cyfarfod am 09:00

The meeting began at 09:00

**Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introductions, Apologies and Substitutions**

[1] **Jocelyn Davies:** Welcome to this meeting of the Finance Committee. I remind you to turn off your mobile devices, because they do interfere with the electronic equipment. We are not expecting a fire alarm, so, if you hear the alarm, please follow the directions of the ushers. We have a new member of the committee, Simon Thomas. I would welcome him, but unfortunately, he has had to give his apologies for today. As you know, sometimes it takes a while for things to get into your diaries and he had something that he could not cancel today, but I am sure he will be with us in the future.

09:01

**Craffu ar Gyllideb Ddrafft Comisiwn y Cynulliad 2014-15
Scrutiny of the Assembly Commission Draft Budget 2014-15**

[2] **Jocelyn Davies:** We have with us the commissioner with responsibility for this area, Angela Burns. Angela, would you like to introduce those with you for the record? I understand that you have a few remarks before we go into questions.

[3] **Assembly Commissioner (Angela Burns):** Thank you very much indeed, Chair, and thank you for inviting us before you again today. Obviously, Claire Clancy, as Chief Executive and Clerk of the Assembly, needs absolutely no introduction. Nicola Callow is our head of finance and is one of the principal architects of the budget that you see before you today. Before we go any further, Chair, I would like to place on record my thanks to Claire, Nicola and all of the staff of the Commission for the support that they provide Assembly Members as we go about our daily tasks.

[4] You will all, I am sure, recall that the Commission set a very clear strategy for the fourth Assembly, which was underpinned by a programme of investment and service delivery that I believe has kept us true to our aims. Again, for refreshment, our aims are to provide outstanding parliamentary support, to engage with the people of Wales, to promote Wales, and to use our resources as wisely as we can. In order to achieve these aims, we sought the agreement of the Finance Committee to commit to a measured investment programme over three financial years, commencing in 2012-13. So, the budget you have before you is our final year—2014-15—and we believe that the level of funding for which we are seeking your approval is exactly that as set out for the final year of that three-year programme.

[5] This level of funding continues to maintain the Commission's objective of utilising 0.3% of the Welsh block, and the draft budget of £50.598 million is in line with the estimated requirements set out in the Commission's budget for 2013-14. We think this will enable us to continue to provide Members with the service and also enable us to continue our measured investment programme. The indicative budget for 2015-16 takes into account a very small reduction, but, of course, until the comprehensive spending review is produced, and we have an understanding of what the block grant will be, we cannot commit to that.

[6] My final comment, Chair, is that we trust that the key performance indicators that we have developed are as you might have hoped they would be. Some areas of business are much harder to test, because it is qualitative rather than quantitative, but, given our key aims of providing outstanding parliamentary support, engaging with and promoting Wales, and using resources wisely, we believed that it was only right to try to fashion a methodology that, with time, we hope will build up a useful set of performance indicators. We are delighted to take

any questions that we can, and, also, as I have said in previous years, anything that we are unable to answer now, we will, of course, immediately provide you with the answer to in written format.

[7] **Jocelyn Davies:** Thank you. You set out in the draft budget an increase of 2.2% in the total budget required from 2013-14 to 2014-15. What efforts have you made to minimise this increase considering that the Welsh block is not seeing such an increase?

[8] **Angela Burns:** When we put together our three-year investment programme, we very much made sure that some of the underpinning drivers for the entire programme would be a constant search for value for money, a constant search for things like competitive tendering, and a constant search for making sure that every single penny that we planned for those three years was going to be utilised on the areas that we had initially indicated. Of course, nothing in life is ever perfect, so we have had the odd blip here or there where we might have said, 'Right, we will take that bit of money and put it here, because, in fact, that has taken a lot less funding than we thought'. As I say, the value-for-money element of our entire three-year investment programme has, I think, ensured that we have delivered as much of the savings as we possibly could within that three-year time frame. I do not know whether you want to add any more to that, Claire.

[9] **Mrs Clancy:** That is absolutely right. I suppose that the other thing to say is that it is a three-year plan. When we came to the Finance Committee with the 2012-13 budget you asked us to schedule the investment over a longer period, and we did that. However, in doing that, as well as looking at the areas where we needed to make investment, we also looked at what our value-for-money targets should be, and how we could put more efficiency in. So, it was a coherent three-year plan. That search for how we can do it at the lowest possible cost and with best value for money was in there from the outset.

[10] **Jocelyn Davies:** You mentioned the comprehensive spending review, which, of course, announced further spending reductions for 2015-16. The predictions, of course, are for continued real-term cuts in funding for the foreseeable future. How prepared are you for this and how are you prioritising services and outcomes with reducing budgets in future years?

[11] **Angela Burns:** We have tailored into our prediction for the following year a reduction of just over 1%, which we believe, from reading all of the mood music out there, will be in line with what will happen with the CSR and the block grant. Of course, we are in constant dialogue with the Welsh Government to try to make sure that we are completely in tune with what happens. When we made our three-year plan to you, if you recall, we were very clear that, once we had done this investment programme we felt that that would give us the bandwidth, if you like, to carry on on a very flat plane for a substantial number of years, just to re-group, if you like, gather strength and to see the next way forward. We have not made enormous plans, though, for the fifth Assembly, because we feel that it is only right that the commissioners who will be elected by the Assembly for that fifth Assembly should have the ability to set their own programme. What we would encourage them to do is to come to an agreement and set a three or four-year rolling programme, because that has made it an awful lot easier to manage our budgets than having to come every year and try to wonder what we can do next. The three-year programme has been a real success, I think.

[12] So, we have not done too much future scoping. I think that I can just reassure you, though, that, apart from building issues, there is not an awful lot out there on the horizon that will suddenly come around and whack us on the back of the head saying that there is an enormous amount of money that we need to spend.

[13] **Jocelyn Davies:** So, some of the investments that you are making now might not pay

off for one or two years, but we will see the savings in the future.

[14] **Angela Burns:** Absolutely. The ICT project is just such an example. I do not know whether you want to talk about that in any further detail, Claire.

[15] **Jocelyn Davies:** I know that we have questions on ICT a bit later.

[16] **Angela Burns:** Okay.

[17] **Mike Hedges:** I have something to say that is half comment and half question. I will not talk about savings, because that comes up later, but do you agree with me that, over the lifetime of this Assembly, the Commission's budget should not increase more than that of the Assembly as a whole? You should be treated no better than the Assembly as a whole.

[18] **Angela Burns:** That is absolutely right. In fact, that is our commitment. Our commitment is to stay within 0.3% of the block grant. We have that agreement with the Welsh Government and we shall not stray over that, all things being equal.

[19] **Jocelyn Davies:** Shall we come to your questions now, Paul?

[20] **Paul Davies:** Thanks, Chair. I just want to ask you some questions around future transformation of services and the bilingual services that you actually offer. To what extent does this draft budget take account of forthcoming decisions that could impact on budgetary expenditure, such as the Commission's review of options on the integration of services to support Assembly business?

[21] **Angela Burns:** It does. We have looked long and hard at some of the services that we need to put into place to integrate that support. We have looked at integrating both of our languages throughout the Assembly in a way that is reasonable, practical and pragmatic. We have looked at a whole raft of other areas where we believe that we can continue to have that integrated development, and we have made sure that we have the funds in place to carry out that programme. I think that everything to do with this budget comes down to a test of what is reasonable within the budgetary constraints that we have. Claire, I do not know whether you want to talk in some more detail about the integration programme.

[22] **Mrs Clancy:** To start with the Assembly business directorate, there have been some changes to the structure and, indeed, some of the investment that we have made this year has been to increase the resources. So, we have a new strategic transformation team. It is only a small team, but that is there to be a sort of think tank for the organisation and to help to oversee and facilitate change. Part of the reason for having that unit there is to make sure that change is done in an efficient way that delivers, as well as improvements to services, value for money. The structure within the Assembly business directorate has been changed to match more closely the structure of committees, and we hope that that, as Angela has said, will lead to even better integration of services. I think that, in many ways, over the last few years, the end-to-end delivery of services on legislation and other aspects of scrutiny have improved no end. However, as I always say, 'best' is the enemy of 'better', so we are always looking to improve and that is the reason for the changes that we have made now.

[23] One of the things that the investment board does when we meet to agree where money should be deployed is that we are very careful about where we are spending money that will have an ongoing budgetary implication. Of course, the biggest example of that is where we increase staffing levels, because once staff are there, you have got them in the future. The two areas where that has happened this year are in ICT, as we plan for the future there, and strategic transformation, as well as some enhancement to our legal services. All of these things, as Angela said, are about trying to improve the integrated services that we

provide to committees and to Members.

[24] **Paul Davies:** You mentioned the small team that is responsible for Assembly business transformation. Do you believe that this team is adequately resourced to carry out the duties that you have just mentioned?

[25] **Mrs Clancy:** I do and I do not. The size that we have in the plan for the team at the moment is, I think, right for now, because, as I said, it is a team that is there to do the strategic thinking and to be a facilitator. It will not ever work on its own; it works with other resources across the organisation, and that is a key part that it has to play. So, for example, in the work that it is doing on machine translation, we have all the teams working with Mair Parry-Jones, who are world experts on that. So, the transformation team will work with them and others across the organisation.

[26] We are going to be a bit boring about this word ‘integration’, but we think that it is the key to improving the job that we do. At the moment, we do have some recruitment problems; one of the features of a team such as that is that you tend to recruit very good people to it and then they get pinched. So, we have a temporary issue there, which is why I said, ‘I do and I do not.’ Also on the ‘I do not’ side, if anything emerged on the future horizon that meant a more radical change for the Assembly, such as a change in the number of Assembly Members, this is the team that is doing the horizon scanning to make sure that we are properly prepared, and part of that horizon scanning is what the resource requirements might be of big changes such as that. Clearly, if something like that happens, it is not going to be absorbed by one tiny team.

[27] **Jocelyn Davies:** May I ask whether you have a problem with retaining highly skilled staff?

09:15

[28] **Mrs Clancy:** No, we do not. We pinch them from ourselves. We have a lower retention rate than you would find in most places in the public sector—

[29] **Jocelyn Davies:** Lower retention?

[30] **Mrs Clancy:** Lower loss.

[31] **Jocelyn Davies:** I see. So, it is less of a problem for us than it is elsewhere.

[32] **Mrs Clancy:** I think that it is. However, we are still a small organisation, and an organisation that cannot afford to have slack in the resources, so if something crops up, and we have a new piece of work to do, or somebody does move on, then we have to try to absorb that. We do not have people sitting around who have spare capacity who can suddenly move across to do jobs.

[33] **Paul Davies:** I notice in your paper that you refer to investing in a graduate scheme in 2015-16. Can you provide us with details of this scheme, including its objectives?

[34] **Ms Callow:** The graduate scheme has come out of the very successful apprenticeship scheme that we have been running. One of the things that the human resources team in particular has been doing in progressing the apprenticeship scheme, and seeing whether it should continue, has been talking to all the heads of service, and they realised from those conversations that there is a different, emerging need—one that is more at the graduate level. We have done some trials on this, and indeed we have had two short-term graduates within the organisation, for periods of less than a year. Again, those are coming out rather

successfully, so we are now thinking around how we can push this forward for future years.

[35] **Angela Burns:** We are working to push this whole programme or agenda. We have four apprenticeship schemes running at the moment, plus the two graduate schemes, because it sets a really good example. We are trying to be an organisation par excellence, so that the rest of the public sector in particular, and hopefully the private sector, will look to us as leaders, and because we think that it is the right way to try to get young people in particular into meaningful career opportunities.

[36] **Jocelyn Davies:** Julie, you wanted to come in on that.

[37] **Julie Morgan:** Yes, I think it is a great idea to involve young people in the public service. At what rate do you pay the graduates?

[38] **Angela Burns:** I think that it is £15,000 per post, is it not?

[39] **Ms Callow:** The rate is actually under review at the moment. One of the considerations that we have is making sure that we are equitable in all of this. So, with our apprenticeships in particular, what we are seeking to do is find them alternative work within the organisation when they finish the scheme, at the team support level. Unfortunately, we cannot guarantee that there will be jobs available, so we pay just below that rate to reflect the training and the apprenticeship scheme, and the level of skills that they have. However, it is an issue that has come up, and we are seeking to see whether we should be doing something fairer and more in line with the living wage et cetera. Does that answer your question?

[40] **Julie Morgan:** Yes, but what about the graduates?

[41] **Ms Callow:** The graduates, I believe, have been paid at exactly the same rate because, in the instances that we have had, this is their first employment, coming out of education. However, it is an issue that we need to consider when we look at developing graduate schemes.

[42] **Jocelyn Davies:** So, if it is £15,000, or around that, they are not then repaying their student loans at that level, are they? Sometimes you can take them a little bit above and, actually, they are worse off, if they are then repaying their student loans. I think that it is £15,000 for student loans, is it not? Can you give us a note on that and your review, and the principles under which you are reviewing that salary? Paul, shall we go back to your questions?

[43] **Paul Davies:** I just want to move on very quickly to the bilingual services that you offer. Following the approval of the official languages scheme, are you confident that this draft budget provides sufficient resources for engagement with Assembly proceedings to happen in either or both official languages?

[44] **Angela Burns:** I am going to do a bit of a Claire here and say ‘yes and no’; ‘yes’ in that, for what we are trying to do at present, we believe we have the funds—and I will ask Claire to speak about that in more detail in a moment—but ‘no’, not for every single engagement. What we are very much trying to do is not treat language as a bolt-on; we are trying to integrate both of our languages throughout our work as a Commission, and that will take us time, and it is going to take money and resource, and we have to do it in a practical, pragmatic and responsible way. We have funds in place and we have a Commissioner who, I have to say, has been absolutely outstanding in negotiating our way through this, and in ensuring that we are doing what is right and practical at any given point in time, but, no, we do not have it for every single relationship with the Assembly.

[45] **Paul Davies:** How do you prioritise those particular resources? How do you strike the balance between Assembly Members and other users here in the Assembly? How do you go about that?

[46] **Angela Burns:** We have a very detailed programme for that. Claire, you have an awful lot of information. Claire and Rhodri Glyn Thomas worked very hard together on providing this.

[47] **Mrs Clancy:** One of the things that we are trying to prioritise is how we can develop tools that will allow us to work more productively, so that we can achieve more for the same amount of money. So, we have taken a strategic decision to prioritise the development of machine translation tools. Over the summer, we have been doing some quite exciting work with Microsoft. You will all be familiar with Google Translate; there is not an equivalent Microsoft tool available for Welsh, so we have been working with its people to populate their language tool. If we can succeed in getting it up to the standard that Microsoft requires, then it will be a massive step forward, not only for us in the Assembly and the way that we work, but also right across Wales. I know that it is something that Rhodri Glyn Thomas is excited about and very keen on. However, it is hard work. We have so far fed into the system every single piece of translated text that we have ever had. We have done an awful lot of work, but we think that the effort is worth it. So, that is one of the things that we are prioritising, because we believe that, without tools of that sort, the costs could end up being prohibitive, whereas having such tools will allow us to work in different ways, so that we can achieve more.

[48] **Jocelyn Davies:** Would that be available right across the public sector in Wales, and beyond?

[49] **Angela Burns:** Yes. Actually, I was just going to interrupt Claire for a second there, because another reason for prioritising that is again about being this organisation par excellence. The National Assembly for Wales needs to have this buttoned down totally, so that we can look at how we can promulgate what is absolute best practice throughout our bilingual nation.

[50] **Mrs Clancy:** If Microsoft gets to the stage where it thinks that it is of such a quality that it is prepared to release it, it will be available internationally. That is why it will be something of great benefit beyond the walls of the Assembly.

[51] The other way in which we prioritise is to look at feedback from Assembly Members and to do our best to respond to individual requirements—to tailor. One of the things that we think that we might be able to do more of is tailoring, particularly in the provision of translated material for individual Assembly Members. The glossaries that the Research Service has been producing have been enormously successful. It is about looking for mechanisms like that, which are of genuine assistance to Assembly Members in doing the jobs that they want to do and in the language of their choice.

[52] **Paul Davies:** I have one final question to ask, if I may, Chair. During the scrutiny of the National Assembly for Wales (Official Languages) Bill, there was some uncertainty around the costs of the legislation in the impact assessment. Now that the scheme is actually in place, do you have a firmer view of costs included in the draft budget for 2014-15 and going forward?

[53] **Mrs Clancy:** At the risk of saying ‘yes and no’ again, there is an amount of money set aside for the development of language services. However, we also have our teams of translators and interpreters and other people working on the language. I believe, and so does Rhodri Glyn Thomas, that focusing on one line in the budget is misleading because it is not, by any stretch of the imagination, what we are investing in total in our delivery of bilingual

services. The Commission is absolutely clear that we have made some ambitious commitments within that scheme, that we are accountable to the Assembly, and that, by the time we come to report, as we have to do on an annual basis, we will be able to show that we have delivered and have done so in a cost-efficient, value-for-money way.

[54] **Angela Burns:** It is the small things; it is encouraging members of staff to learn to speak Welsh. All of those things are less quantifiable than the very big and the very obvious. We do want to make sure that we drive home this message that we are a bilingual organisation for a bilingual country. We are trying to drive it down in pillars, so that they are absolutely indivisible, so that whatever language you choose to operate in, it will not be a problem. However, it will take us time to get to that completely seamless integration.

[55] **Jocelyn Davies:** Mike, shall we come to your questions?

[56] **Mike Hedges:** I have three questions to which the answers cannot be 'yes and no'. [Laughter.]

[57] **Angela Burns:** What about 'yes or no'? [Laughter.]

[58] **Mike Hedges:** They cannot be either of those. You show a fall in the cost of ICT contracted-out services, including telephone, of £700,000 between 2013-14 and 2014-15, and a further fall of £500,000 in indicative figures for 2015-16. It is not stated what proportion of this figure is in relation to the ICT contract. So, is it possible to clarify or balance these figures between the telephone costs and the ICT costs? If you cannot tell us now, will you send us a note?

[59] **Angela Burns:** I think that ICT is something that we have crawled all over, Mike, knowing that you would be asking us tricky questions on that. Nicola is our specialist on this subject.

[60] **Ms Callow:** I will start with where we currently are, which is with the existing contract that runs to the order of £2.3 million to £2.4 million per annum, and which you will have seen in previous budgets very much as a fixed cost for the ICT contracted-out services. Of course, with the decision that the Commission has taken to bring its services in-house, what we are seeing is that there is a 44% reduction in that fixed cost as we move things into staffing, for the 13 new staff members who we are expecting to see. We are also creating our own agreements with organisations to deliver the services that we need, which moves costs from fixed into variable costs. This is very important for us as it gives us better control and transparency and, therefore, we can make better decisions. Specifically on your question around what is happening with the money, the £2.3 million per annum is essentially being re-invested and re-distributed around variable staff costs. We are trying to reduce the level of fixed costs that we have for that very purpose. The whole idea of the ICT strategy is to deliver much more with the same amount of investment as we have had in each year of the budget.

[61] **Mike Hedges:** The easiest way to reduce ICT costs is to use open-source software and Linux, is it not? Has anybody given any thought to that?

[62] **Ms Callow:** If I may just start a response, I will say that I cannot possibly comment at that level of detail. I am finance and numbers, as I am sure that you appreciate.

[63] **Angela Burns:** Shall I answer? I think that it is a really interesting comment. I think that these open-source systems are worth looking at, but it is a strategic direction. It would be a massive strategic direction for us. I do think that it does merit that conversation. What I would rather do than try to fluff around here is to say, 'No, we have not looked at it per se, because at the moment we are so busy trying to extract ourselves from Atos; that is our

number one priority'. I would be really happy to ask Dave Tosh to convene a meeting of interested parties to be able to come and have a strategic discussion about the long-term future of the Assembly. It would not be happening in this fourth Assembly, but it might be something that the fifth Assembly would consider.

[64] **Jocelyn Davies:** Your draft budget does not directly state the scale of resources involved in costs and savings in relation to ICT. You mentioned transparency earlier, but it is not all that easy, when you look at the document that you have presented, to see the costs and savings. What evidence do you have for the assumptions that you have made?

[65] **Angela Burns:** We can provide you with the evidence, but to be very clear, we believe that this will give us savings of about 10% over time, once we have actually completed the task. I am not going to say to you, 'Here is 10%-worth of savings', because, as we all know, ICT is a hungry beast that constantly has to be updated and constantly fed. What we are intending to do is to constantly redeploy that 10%. We need to look at how we have our ICT, for example, in the Chamber. That will be the next project and the next project afterwards. We believe that, overall, we get control of our ICT system, which is fundamentally important to the Assembly in the long term. We will get real transparency and we should get a better service. I am not promising it today, Ann Jones, because we are still in the hands of others. However, come the middle of 2014, we will be masters of our own destiny and we can start to fashion a very different type of ICT service. We will be taking the savings from no longer being with a turnkey contractor, which are in the order of 10%, and will be reinvesting them into our ICT projects.

09:30

[66] **Mrs Clancy:** We can provide you with additional detail on the ICT figures. One of the reasons that we did not is that we envisage that the total figures will remain broadly the same, because it is our intention to reinvest the savings that we have from doing things differently into providing those better services. However, to give you an idea, currently, the contracted-out services, including our telephone services, in this year's forecast is about £2.4 million, as Nicola said. The following year, the year that we are looking at the budget for today, is a transitional year because the Atos contract is due to end in July 2014, so there is going to be an element of next year when we will still be within the Atos contract. So, it is a transitional year. To give you an idea of what our projected figures are for the year after, when we will have separated from Atos, the contracted-out services, including the telephone services, by that point will have fallen to £1.2 million. However, on top of that, we have other ICT costs of around £460,000 for broadcasting. The licensing costs are going up quite sharply. So, our licensing cost by that year will be about £600,000. Other consumable and project work by that time will be about £260,000, and by the time we get to that stage, we should have a pot of money approaching £0.5 million, which will be what we will have saved by doing things differently, which we will reinvest in providing better ICT services for the Assembly. So, we can give you that breakdown, for sure.

[67] **Jocelyn Davies:** That would be very useful. Ann, your cough was enough—

[68] **Ann Jones:** No, I will restrain myself on ICT, because it is not fair.

[69] **Jocelyn Davies:** I think that Ann is one of those Members who are looking forward to the day when she gets a better service instead of just complaints from the public that it is very expensive. To pay a lot for something that is not a good service is a bitter pill. Mike, shall we come back to your questions?

[70] **Mike Hedges:** If you could make a change, I would really like to know, when I vote in the Chamber, that my vote has been recorded. It does not echo on the screen that it has

been recorded. I just press a button and hope—

[71] **Jocelyn Davies:** This is not an opportunity to bring up all your complaints about the IT system.

[72] **Mike Hedges:** I just wanted to make that point.

[73] **Angela Burns:** I accept your point totally. We are very aware that the system that we have in the Chamber has reached its sell-by date and even gone past it. However, we need to tackle one project at a time. The key to a successful implementation of any piece of ICT, as you, Mike, will know, is that you bite off what you can chew. We have limited resources and a finite number of people; let us get one thing right. Once you get it right, you can start to repeat that success again and again. The Chamber is next on our list.

[74] **Jocelyn Davies:** You have started something now, Mike.

[75] **Ann Jones:** I will make one little plea. When you start to decide about the next projects, will you put people on the working groups who are not ICT literate? Therefore, you will put it at a level that everybody will be able to understand. If you put the experts on, who flick a button and know what they are doing, you will leave people like me, who continue to be luddites, completely out of the loop. If you get it right for people who have no interest in ICT or in what happens in the gubbins behind the computer, you will get it right for everybody and you will save yourselves a lot of money.

[76] **Angela Burns:** That is a point well made, and we will do that.

[77] **Mike Hedges:** May I—

[78] **Jocelyn Davies:** Mike, we will not have any more gripes now, let us get on with the scrutiny of the budget.

[79] **Mike Hedges:** There is just one point that I want to make. IT systems quite often go over cost, as you know, Angela. The major reason they go over cost is that people overspecify them. How will you ensure that your changes are not overspecified?

[80] **Angela Burns:** I will take this question, if I may, because this was my big nightmare, as one of the five Commissioners responsible to you for the spending of our budget. We made a tough decision to remove ourselves from Atos. We had sleepless nights about making sure that this comes in on time. Public service computer systems are horror stories in every paper—

[81] **Mike Hedges:** And private sector.

[82] **Angela Burns:** And private sector. So, we have done a critical path analysis, which is a standard piece of project management. We have gone through it point by point. Dave Tosh has to report to Claire and the team on a weekly basis about where the project is, what overruns there might be and any problems with the critical path analysis. We have had an issue, for example, with telephony, which has kept holding up bits and pieces. It is being resolved now, but we were very aware of every single problem. On top of that, the report comes to the Commissioners and we look at this almost two-weekly when we have our meetings. On top of that, I sit on the Commission's audit committee, which has a risk assessment done on it. Every audit meeting, we look at it and assess that the risk is still appropriate for what is going on.

[83] **Mike Hedges:** To talk about overspecification, in the Chamber at the moment, one of

the buttons there tells me that I can do a presentation; I have never known anybody to do a presentation in three years. Somebody has overspecified to get that on there, so you are paying—

[84] **Jocelyn Davies:** People have done; that is our choice.

[85] **Angela Burns:** However, I would also remind you that, in fact, we are not developing a system; it was overspecified years ago by whoever invented it. All we are doing with our current ICT project is taking the existing system out of the hands of one group of people and putting it into our hands so that we can go back through it afterwards and make all those amendments to make sure that we have a system that is fit for purpose.

[86] **Jocelyn Davies:** I have to say that there have been a number of presentations and they have been excellent, and it has worked very well. However, that is our choice not to use that. Shall we move on? Have you finished your questions, Mike?

[87] **Mike Hedges:** I have, yes.

[88] **Jocelyn Davies:** Julie, we shall come to your questions, thanks.

[89] **Julie Morgan:** I was going to ask about the remuneration board. Obviously, that is independent, so you have no control over its decisions, and there were some decisions that have affected the budgets. Are you anticipating any other decisions?

[90] **Angela Burns:** The only thing that is going to happen is that the remuneration board will be conducting a consultation on pension arrangements in the future. So, there is a small sum of money set to one side to enable it to do that. I know that it will be reviewing next year and will be making some decisions. However, as you said, it is very much out of our remit; we simply give it money. I do not think there is anything else that it has particularly planned. There are changes that have been made this year. For example, we have an engagement fund now—

[91] **Julie Morgan:** Is that the research fund?

[92] **Angela Burns:** It is the fund that enables Assembly Members to go out and do a piece of research external to their organisation. So, those have been changes that have been brought forward that we had not budgeted for before. There will always be some tweaks here and there, but apart from the pension consultation, I do not think that there is anything major for this coming year.

[93] **Mrs Clancy:** That is absolutely correct. Everything that we know that it has already decided is in the budget. We have provision to fund the work that it has in its work plan for the remainder of this year and there are no more decisions scheduled that will have a budget implication for 2014-15. There potentially will be decisions that would have implications beyond that, and when we come to you with future budgets, we will make provision for that.

[94] **Julie Morgan:** Is the research and engagement fund a permanent thing now?

[95] **Angela Burns:** Yes.

[96] **Jocelyn Davies:** So, it is recurring and it would be available to Assembly Members every year, but there are specific caveats attached to being able to access it.

[97] **Angela Burns:** That is right.

[98] **Jocelyn Davies:** Chris, shall we come to your question?

[99] **Christine Chapman:** I think that one of the successes of the Assembly has been the way that it has engaged with young people, and we need to be very proud of that. I just want to ask you some questions around the youth engagement consultation. How will you prioritise which services to transform in response to the ideas coming from this consultation, and does your draft budget include capacity to achieve this?

[100] **Angela Burns:** If I give you a quick overview, perhaps Claire will be able to flesh it out in a little more detail. We obviously do not know what is going to come out of the consultation. We have left it very much to the young people to tell us what they think, rather than a raft of usual suspects telling young people what they think they should have. So, anything is on the table and any possibilities are out there. We have a small sum of money set aside that we can start to use on the projects that they bring forward, but, again, they are going to have to pass the test of being fair, reasonable and practical, and it will be a gradual implementation. There might be some quick things that we can do that will have a very positive effect. However, there are certain areas that we have looked at in a little more detail. Do you want to add anything?

[101] **Mrs Clancy:** That is absolutely right. Anything that Members can do to encourage young people to have input into the consultation, which closes in mid-November, would be absolutely marvellous. There is a really great new website—www.yourassembly.org—that invites young people to give their views. That will all be fed into regional focus groups and back to the steering group, which will then come forward with proposals. There is an indicative sum of £100,000 to take forward work, but, again, I think that that is the less important part. What we will want to do is see how we should adapt services that we already provide. We have adapted our education services already this year in response to some feedback, for example, making all of our education resources available on our website, so that teachers can download them, and there has been a considerable number of hits since that material was made available. So, I think that that it is already proving popular.

[102] It could well be that the proposals that come out of the consultation will not be desperately high cost. It will be about doing things differently and, possibly, in a virtual way. So, we are confident that we have the resources to deliver what comes out of this and it will be one of our top priorities.

[103] **Christine Chapman:** You mentioned the education materials for teachers. Are teachers helping you with developing these materials? I am sure that there are educationalists here, but do you have teachers themselves as part of the development, or is it a question of the Assembly deciding what teachers want and just getting on with it? I think that there could be some potential there.

[104] **Mrs Clancy:** All the members of our education service are ex-teachers, so we have our own in-built expertise. We also work with schools, with the curriculum in mind, to make sure that the materials that we are producing are fit for purpose for them and then we get their feedback. So, yes, absolutely; that is really important.

[105] **Christine Chapman:** You are happy that they are all being used as much as possible. You are satisfied with that, are you?

[106] **Mrs Clancy:** It is early days. The number of hits for less than a month in September was just under 700, I think. We need to get some more qualitative feedback on what teachers are making of it, but it is very early days, because this only happened just before the summer. So, we will definitely go back to teachers and find out what they think and adapt to their feedback.

[107] **Christine Chapman:** Okay. Again, it is really good to see so many young people visiting the Assembly; are you satisfied that we have almost reached saturation point? Are you happy that enough young people are coming here, or should there be more work?

[108] **Angela Burns:** There should be more. One of our key objectives is to engage with the people of Wales. We want to make the National Assembly for Wales the absolute locus of life in Wales. One of the ways in which to do that is to get every young person in Wales to come here at least once; that would be a great ambition. So, no; we will not rest. I will also just say that young people are a relatively easy-to-target group and they are very identifiable. There are whole sections of Wales out there where people are not yet fully engaged with Wales and with the National Assembly, and we absolutely want to start targeting them and getting that engagement, because, after all, this is their place.

[109] **Jocelyn Davies:** Ann wanted to come in on a question.

[110] **Christine Chapman:** Sorry, could I just finish?

[111] **Jocelyn Davies:** Yes and then Ann wants to come in.

[112] **Christine Chapman:** Obviously, we get the formal school visits and sometimes visits from youth centres, but there are other groups out there, as you say, Angela. Do you think that there is enough money in the system to accommodate that, if necessary, and to try to be more innovative about how we attract young people to the Assembly?

[113] **Angela Burns:** I think that the word that I would like to concentrate on there is 'innovative', because, I think that that is what we could do. We could be an awful lot better at some of the things that we do. We do not know what they are yet, because it is about experience, trying out things and then suddenly you think, 'That works, so let's take it and add a bit more to it'. So, we have to constantly innovate, because there is not a massive pot of money sitting out there; we have limited funds. If we can cost-justify, in an investment programme, a groundbreaking initiative that we think will really make an enormous difference, we would look at it, as we look at everything else that comes before the investment board. However, we have not stopped; we have to keep going. Innovation is not always the same as spending lots of money.

09:45

[114] **Christine Chapman:** I have one final question. Is there anything that you would like to say about the finances for Funky Dragon, because there seems to be some confusion about that?

[115] **Angela Burns:** Funky Dragon is not part of our remit. It is sponsored entirely by the Welsh Government. I think that I would like to leave it in its court.

[116] **Ann Jones:** Very briefly, on the numbers of young people who come to the Assembly, is there a piece of work or monitoring done on where these children come from? We are into our fourteenth year, which means that your aspiration that every child should have been able to have visited the Assembly once should have been fulfilled. My understanding is that there are some schools that have never been to the Assembly, because those that are closest to the Assembly re-book educational visits. So, those in north or west Wales do not have a chance to come in, because the visits are always booked. We are into our fourteenth year, so every child who has gone through school should have, at one point, been able to visit the Assembly. I wonder how we are monitoring whether there are four or six local schools that come in every term—and that is fine—and whether there are schools that

have never been to the Assembly. I just wonder whether there is a piece of work that needs to be done, and whether there needs to be some financial targeting at those schools. I know that there is a scheme, but it is very difficult, if you cannot get the educational visits, to apply for the transport. It is very patchy, I think.

[117] **Angela Burns:** We do monitor, and I will bring Nicola in in a minute. You are absolutely right, Ann; it is not so easy to get here from north and west Wales. The comment has been made to me that there are facilities up in north Wales. Actually, it is not the same. People want to come to see the seat of parliament, and this is the seat of parliament.

[118] **Jocelyn Davies:** I think that Ann's point was that they would come, but when they try to book, it is fully booked, because people are re-booking and filling the slots before others get an opportunity. I suppose that if they get a slot they will then re-book straight away. Do you have the capacity, or do you have to turn schools away?

[119] **Ms Callow:** On the direct question of whether we are turning schools away, I cannot answer you categorically, but we can, of course, provide that information. On the wider point around whether we monitor the schools, yes indeed we do. A piece of work was done last year, which I personally recollect, of where the schools are located, and the point that you have made so well did come out. You know that we support this and try to accommodate it by doing the transport to help with that, and our location is also perfect for the Urdd. So we do try all of those methods to do that.

[120] **Jocelyn Davies:** It would be interesting to know whether schools are being turned away and whether there is a geographic bias to schools being refused. Perhaps you could get us that information.

[121] Shall we move on to your questions, Ann?

[122] **Ann Jones:** Yes. It is around the savings and the savings target of £0.5 million. You were telling us that two thirds of the savings in 2013-14 were in relation to vacancy management, which are non-recurrent, obviously. How much of the savings will now be from recurrent sources?

[123] **Angela Burns:** I think that that very much sits in the plan. I do know the answer; it is about £1.2 million, but Nicola will be able to give you much more detail.

[124] **Ms Callow:** Yes, we are very alive to that concept. The £0.5 million that we have in this year's budget is being delivered through non-recurrent costs, because being able to deliver recurrent costs is that much trickier, particularly as we have already done some of the easy ones. However, our record at the minute is that we are up around £1.2 million of recurrent savings, which are already in the budget that you have in front of you. This is work from previous years. This year alone, 2013-14—and again, this has already been built into the budget that you have in front of you—we have been able to do something with the mobile phones replacement contract, and there is in the order of 60% of savings there, and on insurance, where we were able to save around 31%. Those will happen in future years, so they will save in future years as well. So, we are very mindful of that and keep that in mind as we set our value-for-money targets.

[125] **Ann Jones:** Are they likely to save the same amount of money, year on year? As you have made the initial saving, that is your big bang, so you will not have that big bang recurrently.

[126] **Ms Callow:** It is a real mix, because with something like your mobile phones, where we have managed to get a very good deal on the cost of calls, that will repeat every time that a

call is made. You also have savings of a more one-off nature, but we tend to call those non-recurring. The costs are still there and inflation will eat into them; if we cannot keep the cost of inflation down, clearly, the money that we will save in three years' time will be less.

[127] **Angela Burns:** For example, we need a new HR and payroll system. When that comes in, it is going to be a cost, but it is down in our ICT development. However, once that is in and up and running, that will give us a saving, ongoing, because it will save enormously on the duplication of time, staff work and all the rest of it. So, there are always going to be opportunities to try to extract more savings by trying to be more innovative in some of our business practices.

[128] **Jocelyn Davies:** Mike, you wanted to come in, did you not, on this point?

[129] **Mike Hedges:** On this very point, the Welsh Government and others keep talking about the importance of local government working together on different things and that everyone should not be buying their own, and then you talk about buying your own payroll system. Why can you not piggyback on somebody else's payroll system?

[130] **Angela Burns:** We have looked at it, but before Nicola answers that—I know that Nicola was involved in the project—I will just say one word to you: Atos. We have learned a lesson about some of our critical systems. We need to look at those and make sure that we have control over them and transparency.

[131] **Ms Callow:** The other aspect that we are mindful of, looking specifically at payroll, where we did indeed piggyback, if I may borrow your phrase, on the Government frameworks that are available—we did see some savings in the last few years of the fourth Assembly—is that it is about the next stage and innovative ways of working. By joining it with something like the HR system we can get increased benefits out of it and deliver the more effective service that our customers are demanding—

[132] **Jocelyn Davies:** However, you did consider it among other—

[133] **Ms Callow:** We did indeed look at it.

[134] **Jocelyn Davies:** Ann, shall we come back to your questions?

[135] **Ann Jones:** You have talked about how we have to save, and the biggest saving is around staffing costs. There has just been a recent restructure around committee services. How confident are you that you have got that right for the foreseeable future?

[136] **Mrs Clancy:** I think that I mentioned earlier to Paul that we are confident. We are trying to react to feedback from Assembly Members about the range of services that they want. Obviously, there are differences. Individual Members have different preferences about the services, but by integrating the legislation and policy support to committee teams, we think that we will be able to give a more efficient service and one where there is more capacity, hopefully, for tailoring to Members' needs. The Commission has had two in-depth strategic discussions about the future direction of services to committees and is due to have another one in mid-November and will be looking for us to be world-class, frankly. So, the Commission is charging Adrian and his teams to think about how we provide a step change, how we get ahead of the game and become an exemplar in the way that our committees do their jobs of scrutinising the Government and making legislation. So, yes, we are very confident.

[137] **Ann Jones:** May I move on to procurement, very quickly? Your paper references that you have introduced a procurement savings lock. What level of savings do you anticipate will

arise over 2014 with the review of existing contracts? Do not mention ICT, please.

[138] **Ms Callow:** Procurement features in all the value-for-money decisions that we are taking, so by nature, I am afraid, some of the examples I have for you are repetitive, because that is exactly where procurement has been helping us. I should add that the other aspect of procurement is that we are getting far more savvy because of the expertise that we now have on board. We are getting far cleverer in setting our requirements, and in using a commercial and more professional approach to identifying what we need, when we need it and how we need it. So, when the time frames are critical, for example, we will consider measures to make sure that those time frames are recognised and delivered.

[139] **Ann Jones:** On contracted-out services, such as legal services and expert advisers, have we got a legal services team in-house?

[140] **Ms Callow:** Yes, we do indeed have a legal services team.

[141] **Ann Jones:** So what is the level of contracting out?

[142] **Ms Callow:** We would have contracting out when we need to access very specific expertise, if we cannot do so in-house. It is all part of being able to flex where we spend our money to deliver the type of service that we need.

[143] **Angela Burns:** For example, our legal team in-house is all about Bills—legislation—but we may have a query from an Assembly Member on something to do with health and safety, or an employee concern. While you are on the subject of procurement, may I add one small point? It might, hopefully, alleviate a concern of yours, Mike. There was collaboration, because we knew that we were not the best that we could be on procurement, so we went and borrowed someone—I think that he was from the Environment Agency—who was a top guy at setting a really good contract management system in place. So, we do look to collaborate and learn wherever we can.

[144] **Mrs Clancy:** We have also signed up to the national procurement service, so that is joint working.

[145] **Jocelyn Davies:** We only have a couple of minutes left. I do not know whether Members have any specific questions on the KPIs, but earlier you did mention refining them over time.

[146] **Angela Burns:** Yes.

[147] **Jocelyn Davies:** This is your first stab. How do you intend to do that?

[148] **Angela Burns:** Basically, we are going to learn. The KPIs went through an awful lot of iterations. It is very difficult to measure some of the unmeasurable things, but for example with our survey of Members—how they feel about everything ranging from ICT to committee services and so on—we have done a couple of those now, and we will carry on doing them. That will help to build up KPI information. It is very easy to do a KPI on the hard and fast ‘Are we saving money here?’, ‘Are we doing that there?’, but this is about the qualitative. I think that it is by employing them that we can really start to see how useful some of that information is.

[149] **Jocelyn Davies:** When you refine it, will we be able to have a comparison? Of course, one of the problems about changing KPIs is that we do not have a comparison with the year before. However, you do not start with a clean sheet—not with this committee, I do not think. That is the problem with refining, is it not?

[150] Does any Member have any specific questions on the KPIs as they stand?

[151] **Ann Jones:** Just on the number of visitors, could you break it down into the number of schools and schoolchildren as opposed to lumping it all in with visitors, so that we get at least the child and the school?

[152] **Angela Burns:** If we make any changes to KPIs, or any suggested changes, I am very happy for us to bring them to Finance Committee, because I agree with you—there is nothing more infuriating than having the basket change year on year, because you can never then do a real comparison.

[153] **Ann Jones:** On the Welsh language, why do you look at a key performance indicator on the number of people who are being taught Welsh as opposed to the number of people who learn Welsh as a living language, and are able to communicate in Welsh? I learned Welsh, and I can recite the first two lines of Psalm 23, but that will not get me anywhere in the Chamber—or it might do. [*Laughter.*]

[154] **Jocelyn Davies:** On occasion, it might be very useful.

[155] **Mrs Clancy:** The figure for learners is a figure for those actively learning Welsh related to their working environment, so, hopefully, it is in itself a meaningful figure for learners. As Angela has said, all the choices that we have made are sort of logical, best-we-can-do-at-the-moment choices, and we may well be able to toughen up on ourselves. It may be that, as we progress with our official languages work, the target becomes a much more appropriate one.

10:00

[156] **Jocelyn Davies:** We have just two very brief questions left. Julie, do you want to ask yours? Then, Chris, you can finish off for us.

[157] **Julie Morgan:** It is on your sustainability targets. How do you think that you are going to manage with those?

[158] **Ms Callow:** We always knew that the sustainability targets that we set ourselves were going to be challenging; they are indeed a true stretch target for us. That said, we have done an awful lot towards achieving them, and there have been some blips in how we have been able to deliver against them—particularly warm summers and particularly cold winters were bound to have an impact. So, indeed, we are finding it challenging.

[159] We have also done all the quick and easy things that we can do to really improve our targets. So, we are now bringing the Carbon Trust back in and working alongside that organisation and Arup to develop our carbon reduction route-map, the aim of which will be to set out for us the options for the sorts of things that we could do, the costs associated with them and benefits that they would bring to achieving our targets. That work is about to be commissioned and will have an end date of January 2014, at which point we will have enough information to start taking some decisions.

[160] In the meantime, we have been doing what we can with integrating sustainability into maintenance, refurbishment and any other types of renewal work that we have been doing. You may have noticed the LED lighting, the passive infrared sensor lighting and things such as that. We have also been linking the air conditioning and heating controls to the lighting in meeting rooms, so, when one goes down, the others go to a default setting. We have been doing all sorts of things like that, but it is going to be a challenge to keep delivering against

our sustainability targets, most certainly.

[161] **Jocelyn Davies:** Chris, shall we finish with your question?

[162] **Christine Chapman:** Just very quickly, have you an agreement with the Welsh Government not to include provisional figures for 2016-17 in your draft budget?

[163] **Angela Burns:** Yes, I wrote to the Government formally when we were drawing this together, and it has replied that it is happy with that because we are waiting for the comprehensive spending review, et cetera.

[164] **Jocelyn Davies:** Thank you, Angela. As usual, you have been very candid with us, and we are grateful for that. I think that you said that you would send us one or two things, and we shall see you next year, no doubt.

[165] **Angela Burns:** Thank you very much indeed for your time.

10:03

Craffu ar Amcangyfrif Drafft Ombwdsmon Gwasanaethau Cyhoeddus Cymru Scrutiny of Public Services Ombudsman for Wales Draft Estimate

[166] **Jocelyn Davies:** We are very grateful this morning to have Peter Tyndall and his officials with us for this item. You sent us information beforehand, and we are very grateful for that. Mr Tyndall, if you would like to introduce yourself and your officials for the record, then, if it is okay, we will go straight to the first question.

[167] **Mr Tyndall:** Thank you. I am Peter Tyndall, the Public Services Ombudsman for Wales. With me are Susan Hudson, my policy and communications manager, and David Meaden, my financial adviser.

[168] **Jocelyn Davies:** Thank you. Now, you state in your estimate for 2014-15 that you have not requested additional funding above the increase in the Welsh block and the extra posts previously agreed in respect of social service changes. Can you clarify your calculations with regard to matching the increase in your estimate for 2014-15 to that of 2013-14 plus one additional investigator?

[169] **Mr Tyndall:** The Welsh block figures we used in calculating the estimate last year were the ones that we took and compared with the Welsh block figure that we obtained from the Welsh Government for the coming financial year, and we then based our estimate on that. Clearly, there is movement on the Welsh block through the year, but we have taken a snapshot of the block at the same time as we took it last year and then based the estimate on the difference between the two.

[170] **Jocelyn Davies:** Okay. Thank you very much for that. Paul, shall we come to your question?

[171] **Paul Davies:** Thank you, Chair. In your paper, you mention that enquiries are up 20% and that complaints are up 8% compared to the previous year. Are you able to tell us how many of those complaints your office upheld? Given that figure, do you believe that you are, overall, providing value for money for the taxpayer?

[172] **Mr Tyndall:** I will come in a moment to the answer to the question about the percentage of complaints upheld. The figure for upheld complaints in the year will not match the figure for complaints that come in during the year, because some of the investigations will

carry over the year end; Susan will come to that.

[173] We compare our performance very carefully with that of public services ombudsmen across the UK and more widely. The number of investigations that we undertake is broadly comparable with that of most other ombudsmen services. The percentage of the complaints that we receive is higher than some. The number that we uphold is broadly in line with that. Susan can give a figure for the number of complaints upheld.

[174] **Ms Hudson:** In terms of the public body complaints that we considered, some things that come to us are premature, and so on, but, of the ones that we were able to look into, we upheld 350 complaints in all. Sometimes, those were dealt with by early settlement—what we call ‘quick fixes’—and the remainder were via investigation.

[175] **Mr Tyndall:** However, if you were to compare our website and the number of reports that we issue as included in the ombudsman’s casebook with other public service ombudsman schemes, whether they be the devolved ones, the local government ombudsman in England, the health service ombudsman or the parliamentary ombudsman, you would find that the proportion of complaints that we investigate or uphold are comparable or higher.

[176] In terms of value for money, we have consistently hit targets while dealing with increasing volumes of complaints and I think that the service is running as close to the edge of capacity as it can manage. We are seeing staff, particularly front-line staff who deal directly with complainants, coming under enormous pressure because of the increasing volumes. You can look behind the figures a little bit. We have seen a 290% increase in health complaints over time; health complaints are now 40% of the workload. Unfortunately, it is a theme that I have rehearsed with committee before; it is an unfortunate theme, but it means not just that the workload is going up, but also that the average complexity of the cases that we are investigating is higher, which has an impact.

[177] So, I think we compare favourably, and, in particular, we have absorbed very substantial increases in workload without additional resources thus far, and that probably demonstrates that we are delivering, I would say, very good value for money.

[178] **Paul Davies:** You also state in your paper that an increasing level of complaints and an increase in pay awards of over 1% could lead you to returning to this committee with a supplementary estimate. What level of complaints does your 2014-15 estimate currently budget for?

[179] **Mr Tyndall:** We are currently budgeting for an increase in complaints broadly in line with the one that we have seen in the current financial year. So, what I am signalling is that, if there is a further sharp uplift in the number of complaints, in addition to the additional ones that we expect as a consequence of the social care changes, which are separately taken into account—. We are presuming that the level of increase will be sustained and not go beyond what we have previously seen.

[180] **Paul Davies:** Just to clarify, what level of complaints would require you to return to the committee with a supplementary estimate?

[181] **Mr Tyndall:** It is going to be a matter of judgment, but the level that we have allowed for in the estimate, broadly speaking, Susan, is?

[182] **Ms Hudson:** In terms of what we have put in the budget at the moment, if the trend is as it currently is, we believe that we are just about able to cope, but, if there is anything significantly above that, we will struggle.

[183] **Paul Davies:** So, it is very tight, is it?

[184] **Ms Hudson:** It is very tight.

[185] **Jocelyn Davies:** You mentioned the quick fixes, and you explained that you try to intervene and that, very often, you get things put right for people without having to have an investigation. You also compared your institution with other, similar institutions. Do others have that same mechanism of trying to intervene early, get things fixed and then there is no investigation?

[186] **Mr Tyndall:** Others do. I think that we have made a particular point, as I think I have explained before, of putting investigators into the front-line team, so that we do not have people who are just taking telephone calls. To be fair, 'just taking telephone calls' does not describe any one in that team, because they all operate at quite a high level of capacity, but we also have investigators in there, which means that we can, at the point of contact, escalate a case quite rapidly to try to find a settlement, and that does give us the capacity to close cases at that point—to the satisfaction of everyone.

[187] I have talked about the very simple cases—the housing association has not sent somebody round to fix my boiler when they promised to do so, for example—and those are the kinds of cases where we do always make an intervention. However, sometimes, for instance, somebody has not had a proper explanation or apology from a health board, so, it can be a more complex case, and we can then go back and say, 'Look, this was completely inadequate. You need now to deal with that.' Clearly, if the person still is not satisfied, they have the capacity to come back, but it does mean that we do not—. An investigation is something that requires a significant commitment of resources, specifically people, and, so, where it is necessary—. Sometimes, we can resolve an issue, but think that it is so serious, or may be affecting other people, that it still merits investigation, even though we have fixed the presenting problem. However, generally, if we can avoid an investigation, we do so.

[188] **Jocelyn Davies:** Chris, you wanted to come in here.

[189] **Christine Chapman:** Yes. I just wondered—you said that, for example, the complaint could be to do with health or local government—whether are you able to clarify with, say, health or local government where you are trying to fix something or are going into a full-blown complaint. Quite often, the person who is complaining is in quite a difficult situation, because they want the situation fixed, but, obviously, once it goes into complaint mode, that organisation may not be as helpful as it could be. I wondered whether you are able to explain that.

[190] **Mr Tyndall:** We try to do both things at once: that is, if there is a problem that needs to be resolved, to get that resolved at the same time as, if there is a need for an investigation, trying to establish what caused the problem. Sometimes the reason that we investigate is because the health board, the local authority or whatever public body it is does not accept that it has got it wrong. Under those circumstances, there is nothing that you can do, because you have to produce the evidence to enforce the decision.

[191] To give another example of the kind of issue that we have dealt with, which is different from what people think of as the simple quick fixes, people are probably aware of the problems with parking for people with disabilities in the High Street in Bangor. That issue came to us as a complaint, but we have actually gone back to the authority, told it that the consultation process that it undertook did not comply with the requirements, and that we were not going to commence an investigation provided that it re-ran the consultation process and ran it properly, so that it arrived at the decision—whatever decision it arrived at—in a way that meets the requirements of the legislation and also meets the requirements of good

administration. So, that is the kind of example. That could have involved a lot of witnesses, and so on, but if we get an outcome on that I think that we will be—. People actually want to park so that they can—

[192] **Jocelyn Davies:** So, the complainant is reasonably happy with the outcome, because they feel that they have been vindicated, but the public purse benefits because you have not had to carry out a full-scale investigation. Paul, shall we come back to your questions?

[193] **Paul Davies:** There is just one final question from me. You mentioned earlier that complaints about NHS bodies, in particular, continue to increase. Are there any areas where complaints have actually fallen?

[194] **Jocelyn Davies:** Please say ‘councillor-on-councillor complaints just before election time’.

[195] **Mr Tyndall:** Curiously enough, the figures for complaints among members have fallen. [*Laughter.*]

[196] **Jocelyn Davies:** There are no elections this year.

[197] **Mr Tyndall:** We say two things about our statistics. One is that they fall at Christmas.

[198] **Jocelyn Davies:** Yes, I noticed that. December does seem to be the season of goodwill.

[199] **Mr Tyndall:** The only other predictable thing is that they go up immediately before every council election. [*Laughter.*] They have fallen for that reason, and we are pleased. That type of complaint does not take us an enormous amount of time, because we almost never—. The subject matter is often trivial and we often do not investigate; I think that that is the fairest way. If there is something in it, we will obviously investigate it, but generally it falls within the realm of political comment rather than any breach of the code.

10:15

[200] We have seen falls in other areas; I will mention one. Local government overall is broadly static, but we have seen changes within that. Planning complaints have come down during the recession, which we would have expected because the amount of development activity is lower. We have also seen housing complaints within local authorities come down, but that is partly compensated for by a small increase in complaints about housing associations. That is really to do with stock transfer, although the balance of housing complaints is slightly down. I think that it is also important to say that, in a recession, with difficult times for public expenditure, you would have expected local authority complaints to go up, and thus far, that has not happened. That is partly because—and we are pleased that 21 of the 22 have either adopted the model complaints policy or are planning to—we have seen the development of better complaint handling within local government. Therefore, it may not, in fact, reflect that there are fewer complaints within local government, rather the fact that local government is dealing with them more effectively itself; it is difficult to be sure about that. However, I am pleased about that.

[201] The issue with health complaints, as you can imagine, is a huge concern for us. I do not know if there are other questions on that topic, Chair, so perhaps when we come to that, I will say a little more.

[202] **Mike Hedges:** From my experience of health complaints, a number of times people

only want two things; somebody to say sorry and changes made so that it will not happen again. Given that health boards will not do that, they end up going to you. Have you ever given any advice to health boards in order to try to get them to short-circuit people having to come to you, by actually saying sorry, that they have learned from something and that it will not happen again? Secondly, you talk about councillor-on-councillor complaints. The defeated-council-candidate-on-councillor complaints are probably greater. I have three thick files in my house from one of your investigations. However, my point is that, surely, at some stage, where you have a number of politically motivated complaints, you should be naming the complainant as vexatious.

[203] **Mr Tyndall:** There are two quite different questions there. If I do not get around to answering the second part, remind me please. On the first part, on health complaints, I am concerned about the way in which health boards are handling complaints. It is no secret; I have made my views about that very public. There is a series of issues there, and I will just run through them. First of all, despite the changes that have been brought about through ‘Putting Things Right’, people still have the old mind-set about accepting liability. So, no matter how often you repeat that saying sorry does not mean saying you accept that you are liable for damages, people are still reluctant to say it and to say it at the point when it would be most meaningful, when the complaint arises. So, that is the first thing.

[204] The second issue that arises is that the complaint is often investigated by the person who is being complained about—the complaints team within the health board asks the team treating the patient to give an account of what happened. They say, ‘We did nothing wrong’, and then a letter gets sent out saying, ‘They did nothing wrong’. Then, when it comes to my office, we ask for information and a great deal of nothing at all happens until lots of reminders are sent, in some instances. There is huge variation in practice and I do not want to say that you can treat every health board or every clinician the same, because that would be entirely wrong. Some clinicians are very keen to accept that they made a mistake and to apologise; others are not. Fundamentally, your question comes back to what am I doing about it, as opposed to can I describe what the problem is, but I thought that it was useful to set out the issues that we are trying to address and then tell you what we are trying to do about them.

[205] The first thing that we did was to put in place annual letters to each of the health boards; that goes to the chair and the chief executive. We then instigated a series of meetings with each of the health boards—annual meetings at which we look at what has happened during the year and try to draw lessons from that. The first round of those was primarily about drawing clinical lessons, so it was about ‘What went wrong?’ and ‘What have you done to fix that?’ This year, we have signalled that we want to talk to them about why the complaints came to us in the first place and why they were not properly managed by them. So, that is the first thing.

[206] The second thing is that I think that there is a critical role for independent directors on the boards of health boards. In essence, they are the people who have been put there to represent the views of patients. They are there to be independent of the clinicians. We feel that, all too often, they are captured by the clinicians and the professional advice that they receive. So, if they receive professional advice saying that everything is fine, it is very difficult for them to be in a position to challenge that. So, one of the things that I am very anxious to do is to get the message across to them. I am doing that by attending board development days in health boards to get the message across to them that they cannot accept, at face value, reassurances that they get. Recent events absolutely highlight that you simply cannot do that. If somebody says that everything is fine, you have to go out there to see for yourself. Do not accept what you are hearing; go and look—walk the wards and talk to patients. That is the fundamental thing, but also—this is my view and I have expressed this—they need access to high-quality independent advice. That needs to happen.

[207] We are meeting in a seminar with the people who handle complaints in health boards next week. It is a seminar, as opposed to a chalk and talk. We want to talk to them about what is going wrong, what is going well and how they can change practice in order to improve complaint handling. So, we are working specifically on that with the people who are best placed to do that. More particularly now, we are putting pressure on the chief executives to come in behind the complaint handlers, so that when they are not getting sensible responses to their questions, they have the backing of the chief executive, personally, in sorting that out.

[208] There is another point that I want to make. I have not been able to find a single comprehensive place where details about NHS complaints in Wales are available. I publish information about all of the health complaints that I deal with. You can see them by health board and you can see what the outcomes were and so on. However, there need to be comprehensive statistics published in an absolutely compatible fashion—comparable statistics published by each health board—which are readily available so that it is possible to look at how complaints performance is working and for boards to be held to account for that. In that way, you could see who was doing well.

[209] Some health boards are exemplars. We have seen them bring the complaints team into the chief executive's unit, so it has authority flowing from it. We have seen them publish summaries of all of the failings that they identify. In the same way as my case book publishes summaries of all of the cases, they do that with clinical incidents and all of the cases where they accept liability. I am sorry; that was a very long answer. Next year's strategic plan, I think, will be focusing on this, because the best way for us to manage the rise in health complaints is to make sure that health boards are handling them properly and that they are not reaching my office in the first place.

[210] **Mike Hedges:** What about defeated-candidate-on-councillor vexatious complaints, and naming and shaming?

[211] **Mr Tyndall:** We have not named and shamed and I will go away and think about that, but we do certainly treat—. We have a policy. We do not call them 'vexatious complaints'—

[212] **Jocelyn Davies:** That is because they are not complaining about you, are they? They are asking you to investigate a complaint about somebody else.

[213] **Mr Tyndall:** Yes, but we do have a policy about unacceptable action. For instance, the gentleman who submitted 56 separate complaints online and then failed to be elected. Was it 56, or am I making that up?

[214] **Ms Hudson:** It was possibly more than that.

[215] **Mr Tyndall:** It was more than that. He made complaints online about fellow candidates for a community council election. That is a waste of everyone's time. We do not investigate them, and we tell that person that we will not be dealing with future—

[216] **Jocelyn Davies:** There is a considerable resource implication for that. I had an e-mail this week from someone whose e-mail address included the words 'vexatious complainant'. [*Laughter.*] Have you finished with your questions, Mike?

[217] **Mike Hedges:** No, I have one very quick question. Looking at your budget for this year, is it based on total expenditure for last year or on last year's estimate, or is it a combination of the two?

[218] **Mr Tyndall:** We have based it on our expectation; so, we actually build it up from

the number of posts that we have, the salaries, the rent and so on. It is built up from the base. We had some one-off items last year. We took last year's budget into account, but most of our budget is predictable; it is salaries, rents and things of that kind. So, we actually do it from a realistic aspect.

[219] **Julie Morgan:** You have already mentioned the increased workload that you are anticipating from the social services Bill. When do you see this likely to happen, and do you feel that you will be able to cope with it?

[220] **Mr Tyndall:** There are two elements, one of which is changes to jurisdiction. The other is to do with changes to the complaints process. We have obviously been a little frustrated by the progress of moving some of this forward, but we expect that the changes will take place from the beginning of the financial year. So, we are expecting that.

[221] **Julie Morgan:** Next April.

[222] **Mr Tyndall:** Yes. It has been disappointing for us, so we are gearing up now by recruiting. We did not recruit at the beginning of this year. We had a potential post to recruit, but we are recruiting now so that we have someone in position to be ready and trained to be ready with the increased volumes.

[223] We do not expect many complaints from the extension of jurisdiction to end-of-life care. We think that, in general, there is a very high level of satisfaction with those services. We do not think that that will have a significant impact on volumes. People are generally happy with the service that hospices and domiciliary services offer. We do not have a difficulty on that front. We think that there are a lot of people—and it is a concern for us both in health and in social care—who are now receiving their support in private settings or a third sector setting. That is not a problem of itself, but the difficulty is that we do not think that there has been proper contractual transmission of the right to complain by the bodies contracting. So, we think that quite a lot of people, if they complain, in a nursing home or a care home, or to a domiciliary care provider, will not be told of their right to come to my office if they are not satisfied. They will not be told that their care is covered by the statutory social services or health complaints process. We think that the impact of changing social care, which will raise the profile of the right to complain to my office, will bring forward many more complaints from people who would have been entitled to complain but did not realise that they would than from people paying for their own care.

[224] We have made an estimate as to the likely increase in numbers. It is partly on our experience with the health changes. It is based partly on the experience of the local government ombudsman in England, when that office took on a similar extension of jurisdiction. We are fairly confident that the figures are right. The issue that we may have is a slight frontloading, because if there are people out there who have been unhappy for some time they may all make their complaints first.

[225] We are also better geared up. We have procured more social services advisers so that where we need professional advice we have access to that. So, we think that we are geared up to cope, but we will definitely—we think—need the additional post because there is no capacity in the system.

[226] **Julie Morgan:** As you say, you are recruiting—

[227] **Mr Tyndall:** We are recruiting at the moment to have someone in place just in advance of the changes happening, so that we are prepared and have them in place and trained. We then expect to recruit early in the next financial year for the second post.

[228] **Julie Morgan:** No doubt, in a year's time, we will hear how it has all gone.

[229] **Mr Tyndall:** Yes. One of the trends that we have noticed is that, although social care is currently not a large part of our case load, it has been increasing, with a similar trend to health, but starting from a lower base.

[230] **Jocelyn Davies:** Have the changes to the legal aid regime led to any increase in the number of people complaining to you, who might otherwise have taken a legal route?

10:30

[231] **Mr Tyndall:** It is difficult to be certain about that because within health there is still access to legal support through Putting Things Right. I cannot put a finger on it, but, for instance, Citizens Advice might well send people now to my office who previously would have been able to take advantage of legal aid. In theory, we look at complaints where there is no recourse to the courts, but, in fact, there is discretion as to whether it is reasonable for somebody to go to court or not, so under those circumstances, we would use that.

[232] **Julie Morgan:** I was going to ask you about advisers, because I think that the fees have gone up for the parliamentary body, and you have got more in-house advisers, so how is that balance going to work out?

[233] **Mr Tyndall:** We use the in-house advisers. First of all, we use them exclusively now, or almost exclusively, for deciding whether to investigate or not, and that has two advantages: obviously, it is more cost-effective—they do not make that decision, but when we do, we take advice from our in-house advisers as to whether the complaint has merit. So, that is helpful for us. We also use them to frame requests for advice to the advisers whom we contract with through the Parliamentary and Health Service Ombudsman for England. Some of that advice is very specialist, so if you need somebody with a particular speciality, in neurosurgery, for instance, they have access to that very specialist advice, and we do not. However, more particularly in Wales, a lot of those specialisms are very small in number, so it is almost impossible to avoid a conflict of interest. I always used to say that they might be friendly with each other, but of course they might be competitive with each other also, so, one way or another, we need to go out. We have a good range of in-house specialities. What we are doing at the moment is talking—. The Scottish ombudsman has gone down the same route now, and is also taking on a range of in-house advisers. We are talking very carefully to see whether there is a way that we can share some of that capacity, so where there are conflicts of interest, we could maybe use an adviser from Scotland, and vice versa. Those talks are under way. It is a big worry for us, because the only way that you can give a really authoritative, definitive determination to a health complaint that is based on clinical practice—so, if somebody is saying, 'That was the wrong operation', or 'It wasn't carried out properly', or 'That was the wrong treatment'—is to ask somebody who is an expert in the field to give a view. So, we do rely on good-quality clinical advice, and to that extent, we will never be large enough to have a big pool of advisers in all the specialisms, but the more that we can use the in-house advice—

[234] **Julie Morgan:** You have not put any extra money in for that, have you?

[235] **Mr Tyndall:** No. We are planning to contain our expenditure.

[236] **Jocelyn Davies:** Peter is next.

[237] **Peter Black:** Yes, on my favourite subject: paperless offices. What proportion of your case records are currently created manually rather than automatically?

[238] **Mr Tyndall:** The answer to that is a higher proportion than we would like. Some 25% of our records are created by people filling out complaint forms online. Unfortunately, when it comes to things like medical records, they are not electronic at the moment, and we do need to see original records. You will be aware that we have had people falsifying records with a view to misleading our inquiries, and, of course—

[239] **Jocelyn Davies:** Really? No, I was not aware of that.

[240] **Mr Tyndall:** We had a nurse who was struck off—suspended, I am sorry. For the record, the nurse was suspended rather than struck off by the Nursing and Midwifery Council following a complaint that we made where the record was altered with the express intention of distorting the outcome of one of my inquiries. I know that there are similar issues going on in other hospitals where the police are involved, and I think that, given that it took the NMC three years to get around to doing it, we might simply make a referral to the police the next time that we come across it. Sorry for that slight distraction.

[241] We have a programme of slowly moving towards it, but it is more difficult, because many of the records that we have to deal with and that we receive from bodies in our jurisdiction are paper records. However, we are starting a slow roll-out of twin-screens, so that somebody can look at a record and write a report at the same time, and those other issues. It is something that we will move to over time.

[242] **Peter Black:** Is there scope for further efficiency savings if you start using electronic correspondence or, more importantly, I think, electronic storage?

[243] **Mr Tyndall:** We do not retain paper files beyond 18 months.

[244] **Peter Black:** Right.

[245] **Mr Tyndall:** That is, 18 months beyond the point at which the file is closed. I do not think that we could conceivably go much shorter than that, but we keep only electronic records of the case subsequently.

[246] **Peter Black:** Are you taking advice from the data protection registrar about that?

[247] **Mr Tyndall:** Yes, we have a specialist information and data person on our team.

[248] **Peter Black:** So, you do not have a huge amount of storage space.

[249] **Mr Tyndall:** No, and we do not have off-site storage. We are quite efficient. I think that complainants are often surprised when they say, 'We sent you that three years ago', and we will offer at the end to send it back to them, because we make it clear to people that we do not retain records; otherwise, we would just disappear under a mountain of paper.

[250] **Peter Black:** One thing that I find as an Assembly Member is that I get complaints that resurrect something from 10 years ago, and I think, 'Oh my God, what did I do with that file?'

[251] **Jocelyn Davies:** I will have shredded it by then, definitely.

[252] **Peter Black:** I will have done as well.

[253] **Mr Tyndall:** We are increasingly scanning and doing all the things that you would expect us to do. The big breakthrough for us will be when health records go online, but you will probably have discussions on that topic with others. When that happens, it will be a big

advantage for us to be able to access the records online because, at the moment, you can get a stack of case papers as long as your arm.

[254] **Peter Black:** It just struck me that if you send a complaint in electronically, you get a letter back. It is not always an e-mail. It seems to me that someone who submits a complaint electronically would expect an e-mail rather than a letter.

[255] **Mr Tyndall:** I have made that point myself, and I will make sure that I make it again. [*Laughter.*] We ask people at the outset how they want to communicate with us, and if they tell us that it is by e-mail, then we ought to be sending them e-mails. If we want to send them a letter, we can send it as an attachment to an e-mail.

[256] **Jocelyn Davies:** There is no specific reason why you would send a hard-copy reply to an e-mail, other than the fact that whoever you have been stressing this point to has not taken that on board.

[257] **Mr Tyndall:** No.

[258] **Jocelyn Davies:** Okay. Ann, shall we come to your questions?

[259] **Ann Jones:** How confident are you that public bodies appropriately respond to the underlying failings that you identify in your reports? If they do not, what are the financial implications for you in getting them to rapidly address those failings?

[260] **Mr Tyndall:** I think that the picture is a mixed one, it is fair to say. We have very few difficulties with housing associations. We have very few difficulties with local authorities, by and large. In the example of local authorities and housing associations, we did a lot of work, which Julie will be particularly aware of, on anti-social behaviour. To be fair, we worked hard to get people to bring in new policies and to work better with other agencies and so on. We have seen a big reduction in the number of complaints. When it still happens, it is a big issue, but I think that we have been able to say, 'Look, we took a hold of this and did something with it, along with others, and it has had positive outcomes'.

[261] On the health front, we have one or two quite prominent examples with compliance, perhaps, in that the box is being ticked, but the problem is not being solved. The one that I have cited probably most particularly is Glan Clwyd Hospital, where it took a very long time indeed to get the work done to address problems with the culture on wards.

[262] As for whether there are cost implications for us, the answer is 'yes', because we will not close a file until we are reasonably persuaded that the action has been taken. Just to be clear about this, we do not ask people to send us a letter saying that they have done it. If they say that they are going to change their policy, we want to see a copy of the policy. If they say that they are going to train staff, we want to see who went on the training, when it was, what it was about, and so on. So, we do follow it up.

[263] The issue for me with some of the health boards at the moment is that the pressure that people are under from day to day in their work means that not enough attention is being paid. Sometimes, you are running so fast to stand still that you keep making the same mistakes. That is one of the themes that I have particularly taken up as part of my annual letters and discussions with chief executives this year, because that is clearly their responsibility. However, I also drew it to the attention of Healthcare Inspectorate Wales and the Welsh Government so that they could take it into account. It is entirely right, if an investigator has to continue to chase a case—I will give you an example. We asked that a particular specialist service not be made available on geographical grounds but on grounds of need. It was available only to patients in one part of a health board. The health board agreed

to implement it. The health board then came back to us, long after the implementation date, to say that, in fact, it was unable to implement it and it was going to withdraw the service altogether, because it could not make it available. The health board then came back to us again to tell us that, unfortunately, the last letter had been sent in error and it had already implemented the changes that we had requested. All of that is work; that is the problem. Somebody who might be doing something more productive is spending their time chasing up nonsensical responses.

[264] **Ann Jones:** In the strategic three-year plan, you refer to putting people back to the position they would have been in had they not suffered an injustice, which led to their coming to you. How do you determine whether your office's cases have been completed satisfactorily? Once again, what is the implication for your office when individuals feel that their cases have not been completed satisfactorily? Never mind the 56 complaints, I am talking about the people who want to keep the case open.

[265] **Mr Tyndall:** There are two issues there. Generally, with regard to the way in which we assure ourselves of the quality of what we are doing, we have a very detailed quality assurance framework in place, where samples of cases at every stage are looked at by people who are not engaged in dealing with them, and they are looked at against a very comprehensive checklist. Some if it is about process, for example, whether we hit our deadlines; some of it is about the quality of the reports, that is, whether they are written as we would expect them to be and whether they comply with the requirements; and some of it is about the quality of the investigation. So, we do that as a matter of course. The only way that we can cope with the volumes is by having high levels of delegation, and the only way that you can manage high levels of delegation is by sampling the work of people to make sure that it is of a suitable standard. So, that is what we do. There are checks and balances built into the process, so that public reports all go past many more pairs of eyes many more times than a quick fix would, for instance. Depending on the seriousness of the complaint, more people will look at it.

[266] It is the nature of complaints that most of the people who come to my office are unhappy about something—not being elected being just one of those things, as we have described. [*Laughter.*] Sometimes, it is with cause and there will be a germ of something in why they have complained, but it is not always possible to do anything for them. Just to give a few examples, we get a lot of complainants complaining about planning issues. To use an example, the location of Gypsy sites causes a lot of complaints. However, what they are unhappy about usually is the decision that has been taken.

[267] **Jocelyn Davies:** Not the process.

[268] **Mr Tyndall:** No. They are trying to complain about the decision by complaining about the process. That is the first thing. The second thing is that my office is restricted to complaints where people have suffered a personal injustice. So, when people want to complain to me about wind turbines in the Brecon Beacons, I understand why they want to complain, but they will be very dissatisfied when I do not help them.

[269] **Mike Hedges:** May I say how pleased we are that people have to have suffered a personal disservice, otherwise we would not be able to say 'no' to the people who ask us to complain on their behalf?

[270] **Jocelyn Davies:** When you have a complaint and there will not be an investigation, how long does it take you and your caseworkers to decide that something is being filtered out and that you will not pursue the investigation? On the councillor-on-councillor complaints, people who have been complained about tell me that there is quite a length of time before they know that there will not be an investigation. It can be very stressful to be complained

about.

10:45

[271] **Mr Tyndall:** Our target is to complete 80% of all decisions as to whether to investigate or not within 28 days. Typically, we do it within a day or two, sometimes even on the phone because there is often nothing that we could possibly do for the person. Some complaints take longer. We monitor every one of those at our management team meeting once a fortnight to see why there is a delay, and to keep pressure on quick decisions. We monitor all of those targets carefully. We are much better than we used to be. However, we sometimes begin an investigation and get some initial evidence and then discontinue the investigation. That is not the same thing as deciding not to investigate. Sometimes, the only way that we can decide whether to investigate is to begin an investigation and then discontinue it.

[272] **Christine Chapman:** Before I come on to my main question, I will just say that you talked about the people who do not get their complaints upheld and are dissatisfied. Quite often, if people are grieving, for example, the solutions are not for them. Do you have a signposting service? They may be very dissatisfied with the result, and it is endless, really. Do you have a service that you signpost them to, because it is not going to away in some cases, is it?

[273] **Mr Tyndall:** It is very difficult. Quite often, you find situations where the care that people have had has been less than perfect, but it involves people who were very ill and who would have passed away in any event. However, people become persuaded that it was the care. Those are very difficult cases. We have a list of organisations that can help people with their complaints, but also bodies that can help with bereavement trauma, and so on. We keep an up-to-date list of all of those bodies, and we are in a position to pass on that information.

[274] I will take that point away, though, because I am not sure how often we do that. It may be something that we could do more of. We are quite good when people come to us with complaints who clearly have a mental illness, and that is affecting their perspective. In those instances, we will always try to link them with an advocate, partly because it will help them to shape the complaint if there is a complaint of substance to be shaped, but also for the reasons that you described, to help them come to terms with what is happening. However, perhaps we do it less often in those other cases.

[275] **Christine Chapman:** Thank you. Under 'Local Government Pensions', your paper states that an additional payment of £149,000 is needed to get back on track. Do you anticipate bringing a request for funding to this committee via a supplementary budget during the 2013-14 financial year, when the 2013 valuation is available in November?

[276] **Mr Tyndall:** We have been in discussion with the Welsh Government about including that in the supplementary estimates for the current financial year.

[277] **Christine Chapman:** Can you clarify whether your estimate includes funding to accommodate up to a 1% uplift pay award in your office's salaries for 2014-15?

[278] **Mr Tyndall:** Yes, it does.

[279] **Christine Chapman:** Thank you.

[280] **Jocelyn Davies:** We have run out of questions and nearly run out of time. Thank you very much for coming here this morning. I do not think that you are sending us any more information; I think that you answered all of our questions completely during the session. Thank you very much.

[281] **Mr Tyndall:** Thank you.

10:49

**Papurau i'w Nodi
Papers to Note**

[282] **Jocelyn Davies:** We have a couple of papers to note. Are Members content with that? I see that you are.

**Cynnig o dan Reol Sefydlog 17.42 i Benderfynu Gwahardd y Cyhoedd o'r
Cyfarfod
Motion under Standing Order 17.42 to Resolve to Exclude the Public from the
Meeting**

[283] **Jocelyn Davies:** I move that

the committee resolves to exclude the public from the remainder of the meeting in accordance with Standing Order 17.42(vi).

[284] I see that all Members are content.

*Derbyniwyd y cynnig.
Motion agreed.*

*Daeth rhan gyhoeddus y cyfarfod i ben am 10:50.
The public part of the meeting ended at 10:50.*