

Advisory Panel Review of the Year 2023-2024

1. Background

- 1.1 This paper reviews the effectiveness and work of the Advisory Panel (“the Panel”) during 2023-2024. As with the annual reviews of previous years, it takes account of the views expressed by Panel Members (“Members”) in the self-assessment appraisal forms completed during March 2024.

2. The Role of the Advisory Panel

- 2.1 The Panel is a non-statutory forum whose main role is to provide support and advice to the Ombudsman in providing leadership and good governance of the office of the Public Services Ombudsman for Wales (“PSOW”). The Members’ varied experience provides the Ombudsman (who is corporation sole) with objective external perspective and advice on the development of policy and practice, strategic direction and scrutiny of the PSOW’s performance.
- 2.2 The Terms of Reference for the Panel were reviewed by the Ombudsman and agreed by the Panel in July 2023 and are set out in Appendix A.

3. Membership

- 3.1 Membership comprises the Ombudsman and a minimum of four and maximum of eight independent external members (who offer specific skills and experience sought by the Ombudsman and may include someone from another ombudsman office). In addition, up to two co-opted members may be included in the membership.
- 3.2 The Ombudsman attends the meetings of the Panel, and the Chief Legal Adviser & Director of Investigations acts as Secretary to the Panel.
- 3.3 The membership of the Panel during the year has been as follows:
- Dr Jane Martin CBE (Chair)
 - Mr Ian Williams
 - Mr Mike Usher
 - Ms Carys Evans (Vice Chair)
 - Mrs Sue Phelps
 - Ms Nia Roberts
 - Mrs Bernie Davies
- 3.4 Jane Martin held the position of Chair throughout the year and Carys Evans was Vice-Chair. Further information about the Members can be found [here](#).

4. Meetings

- 4.1 Members have continued to demonstrate their commitment to the role with all Members having an excellent attendance record in respect of the meetings held over the past year. Full attendance for the year was four meetings and attendance by Members was as follows:

Panel Member	No. of attendances	Total Possible
Ian Williams	3	4
Jane Martin	4	4
Mike Usher	4	4
Carys Evans	4	4
Sue Phelps	3	4
Nia Roberts	4	4
Bernie Davies	4	4

- 4.2 The Panel sets for itself an annual work programme and Members have received a number of regular reports at each meeting, such as progress monitoring against the targets contained in the Strategic and Operational Plans; and a quarterly Performance Monitoring Report. The 2023-2024 and 2024-2025 Work Programmes are set out at Appendices B and C respectively.
- 4.3 The Panel has continued to work effectively throughout the period of review and has provided the PSOW with helpful scrutiny and challenge.
- 4.4 Key topics considered by the Panel in 2023-2024 were:
- During the first year of the PSOW's new Strategic Plan, at each of its meetings, the Panel had thematic discussions around Strategic Aim 1 (Delivering Justice with a positive impact for people and public services), 2 (Increasing Accessibility & inclusion) & 3 (Expanding our proactive improvement work). Members of the Management Team and staff from across the office attended these discussions. The feedback from the Panel provided the PSOW's Management Team with constructive feedback and challenge on its approach and performance.
 - Reviewing the PSOW's approach to its Business Plan for 2023-24 and scrutinising its operational performance.
 - PSOW's Own Initiative investigation on Carers Needs Assessments – the Panel provided feedback and scrutinised PSOW's progress on this key wide-scale investigation on two occasions during the year.
 - Providing feedback and scrutinising PSOW's approach and proposed action plans on its new IT & Digital Strategy, People Strategy & Strategic Equality Plan. Detailed consideration was given to each of these areas of work which are key in terms of delivering the PSOW's overall Strategic Aims & Objectives.
 - Providing feedback on the PSOW's draft Annual Report.
 - Advising the Ombudsman on the PSOW's draft financial estimates prior to submission to the Senedd (for approval in October); providing detailed feedback and contributions on PSOW's response to the Senedd Finance Committee's correspondence and generally assisting the Ombudsman on this key relationship between the Senedd and the office.

4.5 In July 2023 members of both the Advisory Panel and Audit & Risk Assurance Committee (“ARAC”) attended a risk Workshop which was facilitated by the PSOW’s internal auditors. This provided them with an opportunity to consider in depth the risks facing PSOW.

4.6 In January 2024, a training session was arranged for members of the Panel and ARAC. The Members shadowed staff performing various job roles across the office. This provided Members with the opportunity to discuss PSOW’s work with staff and provided them with an operational perspective of the work of the office. This was well received by Members who found the session very helpful, both in terms of understanding the challenges staff face in their day to day roles and informative in relation to their own roles as independent members.

5. Annual Review

5.1 As part of this annual review, Members have assessed their individual performance and that of the Panel as a whole and have considered whether they maintain a clear awareness and understanding of the jurisdiction and operations of the PSOW to provide effective advice and support to the Ombudsman and to assist the Ombudsman on governance arrangements, strategic aims, objectives and targets. The review also assessed whether they felt they had been equipped to provide appropriate scrutiny and challenge to the Ombudsman and to her staff and assessed the working relationships between Members, the Ombudsman’s office and other stakeholders, including identifying any difficulties which exist.

5.2 One to one annual discussions between the Ombudsman and Chair of the Panel, and between the Chair and individual members of the Panel were undertaken and provided a useful opportunity for feedback on the performance of individual members and the effectiveness of the Panel as a whole.

5.3 Members considered that they had worked well over the year to support the Ombudsman in her role as corporation sole, and that they had provided appropriate constructive and independent scrutiny and challenge to the office during the year.

5.4 The newer members of the Panel have settled very well into their roles. The Panel considered that their collective understanding had deepened over the last year and that they worked well together drawing on their extensive experience as a group.

6. Future Considerations

6.1 The recent events at the end of March/April concerning the social media posts of a former member of staff were at the forefront of Members’ minds at their reviews. The Chair of the Panel, with the Chair of the ARAC, offered independent support and advice to the Ombudsman in handling the organisation’s response. All Members wish to support the Ombudsman over the coming year to rebuild public trust and confidence in the PSOW’s handling of Code of Conduct complaints.

6.2 Dr Melissa McCullough’s Independent Review of the office’s handling of Code complaints is key to this and Members look forward to receiving Dr McCullough’s report and any recommendations so that they can support and scrutinise the office’s response to the report. As appropriate, all Members are willing to employ their wider networks to amplify key messages amongst stakeholders.

6.3 In terms of future training needs, the PSOW will continue to provide opportunities for Members to engage with staff and understand the challenges they face in their respective roles and provide training for Members on topics which will assist them in their roles.

7. Overall Assessment by the Advisory Panel Chair

7.1 The revised Terms of Reference and arrangements have bedded in well focussing on strategic objectives through the in-depth thematic discussions. The new members of the Panel have integrated well with the Panel continuing to act as a sounding board with constructive challenge.

7.2 Members continue to have good, open working relationships with the Ombudsman and her staff. The Ombudsman values the range of experience and expertise of all Members with challenge being welcomed by the Ombudsman and her staff.

7.3 The shadowing sessions with staff from across the office were particularly helpful for all Members; this provided them with an excellent insight into the work of the office and key job roles.

7.4 The Panel will support the Ombudsman and provide constructive challenge over the coming year as the office rebuilds its reputation for independence and impartiality in relation to its handling of Code of Conduct complaints. It is also important that Members continue to scrutinise the office's overall performance and delivery of its Strategic Plan to ensure that the office continues to deliver its statutory functions well over the coming year.

Appendix A - Terms of Reference of the Advisory Panel Appendix B - Work Programme 2023-2024 Appendix C - Work Programme 2024-2025

Advisory Panel - Terms of Reference

Status of the Advisory Panel

The Advisory Panel is a non-statutory forum whose main role is to provide support and advice to the Ombudsman on the leadership and strategic direction of the office of the Public Services Ombudsman for Wales. The Advisory Panel also brings an external perspective to assist in the development of policy and practice.

The Advisory Panel provides specific advice and support to the Ombudsman on:

- vision, values and purpose;
- strategic direction and planning.

The Advisory Panel is an advisory-only body to the Ombudsman and does not make decisions in its own right.

Membership

Membership will comprise:

- A minimum of four and a maximum of eight independent external members (who offer specific skills and experience sought by the Ombudsman and may include someone from another ombudsman office)
- Up to two co-opted members.

The Chief Legal Adviser and Director of Investigations will act as Secretary to the Panel. Other Management Team members, as decided by the Ombudsman, will attend the Panel's meetings.

The term of office for Independent members will be three years. The Ombudsman has the option to extend this term for three further years.

The meetings will be Chaired by one of the independent external members. A Vice Chair will also be appointed. The Ombudsman will appoint independent members of the Panel to the positions of Chair and Vice Chair on the recommendation of the Advisory Panel. Should the Ombudsman decide not to follow the recommendation of the Advisory Panel the Ombudsman's decision will be recorded in the minutes of the Advisory Panel's meeting.

In order to promote independence, at least one independent member of the Advisory Panel should be a member of the Advisory Panel only and not have a role on the Audit and Risk Assurance Committee.

Role and responsibilities of the Panel

To assist the Ombudsman in establishing:

- the PSOW's strategic direction, aims and objectives and targets;
- key business policies;

- key employment strategies and policies.

To scrutinise and assure:

- the Three Year Strategic Plan and the Annual Operational Plan;
- high level budget allocation;
- the budget estimates submission to the Finance Committee of the Senedd Cymru Welsh Parliament.

To monitor and review:

- operational performance; and delivery;
- effectiveness of employment strategies and policies;
- diversity and equal opportunities, particularly in relation to the Equality Act 2010
- external communications strategies and stakeholder relations.

Rights

The Ombudsman and Advisory Panel may:

- co-opt additional members for a period not exceeding two years to provide specialist skills, knowledge and experience and help the Panel to be representative of the communities the Ombudsman serves.
- seek specialist ad-hoc advice subject to being within budget.

Meetings

Meetings will be held four times a year. A quorum shall be a minimum of three independent members.

Each meeting will also be attended by the Ombudsman (or, exceptionally, a deputy nominated by the Ombudsman).

In the event of the Chair of the Advisory Panel being unable to attend a meeting, the Vice Chair will take the chair or if they are also unable to attend the meeting another independent member will take the chair.

Following approval at the next Panel meeting, minutes of meetings will be published as decided by the Ombudsman.

Declaration of Members Interests Members are required to declare any personal interests in accordance with the PSOW's Policy on [Declaration of Interests](#) by Advisory Panel and Audit & Risk Assurance Committee members.

Sub-committees

It is open to the Advisory Panel to form a Remuneration Committee, or other sub committees, on an ad hoc basis (i.e. when the need arises).

Information Requirements

For each meeting the Advisory Panel will be provided with a report on progress against Strategic/Operational Plan aims and objectives.

As and when appropriate the Panel will also be provided with:

- an annual work programme
- reviews on progress against the Communications & Outreach Strategy
- proposals for any new 'in-year' objectives not originally foreseen when the Strategic/Operational Plans were developed
- draft annual Estimates submission to the Finance Committee of the Senedd Cymru Welsh Parliament
- drafts of proposals for new or revised key business/employment policies
- updates on working relationships with the Senedd Cymru Welsh Parliament
- proposals for any organisational developments
- PSOW's Annual Report
- a periodic review of the Advisory Panel's own effectiveness.

Reporting

- Each Panel meeting shall be recorded in minutes that will be approved at the next meeting.
- The Panel will provide the Ombudsman with an Annual Report on the work it has done during the year, timed to support finalisation of the Ombudsman's Annual Report and Annual Governance Statement.

Note: For the avoidance of any doubt and in accordance with these Terms of Reference the Advisory Panel's role and remit is advisory only. Neither the Panel nor any individual members have any role or remit in relation to operational matters or casework decisions made by the PSOW.

Approved by Management Team on 10 July 2023
Ratified by Advisory Panel on 18 July 2023
Next Review: July 2024

**Public Services Ombudsman for Wales
Advisory Panel Work Programme 2023-2024**

April 2023

Business Plan
Performance Monitoring Report
Proactive Powers update
Advisory Panel Review of the Year 2022-2023
Discussion Item on Strategic Aim

July 2023

Annual Report 2022-2023
Strategic Planning 2023 -2024 inc. Digital & IT, Outreach, Equality & People Plans
Business Plan Update
Performance Monitoring Report
Initial Matters for Consideration for the 2024-2025 Estimates Submission
Register of Interests
Advisory Panel Members' Training & Development Requirements
Review of Advisory Panel Terms of Reference
Discussion Item on Strategic Aim

October 2023

Estimates Submission to Senedd Cymru
Business Plan Update
Performance Monitoring Report
Update on Own Initiative Investigation
Discussion Item on Strategic Aim

January 2024

Update on Estimates Submission to Senedd Cymru (verbal)
Business Plan Update
Performance Monitoring Report
Communications & Outreach Update
Review of Advisory Panel Work Programme 2024-2025
Discussion Item on Strategic Aim

**Public Services Ombudsman for Wales
Advisory Panel Work Programme 2024-2025**

April 2024

Business Plan Actions for 2024-2025
 Performance Monitoring Report
 Advisory Panel Review of the Year 2023-2024
 Discussion Item on Strategic Aim
 Communications & Outreach Update
 Advisory Panel Members' Training & Development Requirements

July 2024

Annual Report 2023-2024
 Strategic Planning Progress inc. Digital & IT, Outreach, Equality & People Plans Business Plan Update
 Performance Monitoring Report
 Initial Matters for Consideration for the 2025-2026 Estimates Submission
 Update on Own Initiative Investigation
 Register of Interests
 Review of Advisory Panel Terms of Reference
 Discussion Item on Strategic Aim

October 2024

Estimates Submission to Senedd Cymru
 Business Plan Update
 Proactive Powers update
 Performance Monitoring Report
 Discussion Item on Strategic Aim

February 2025

Update on Estimates Submission to Senedd Cymru (verbal)
 Draft response to Senedd Finance Committee
 Business Plan Update
 Performance Monitoring Report
 Communications & Outreach Update
 Review of Advisory Panel Work Programme 2025-2026
 Discussion Item on Strategic Aim