
Accountability of the Ombudsman

Introduction

The terms of the Ombudsman's appointment and the Ombudsman's legal functions are set out in the Public Services Ombudsman (Wales) Act 2019 ("the PSOW Act").

Appointment

The Ombudsman is appointed by the King on the recommendation of the Welsh Parliament. The appointment is for one period of seven years. The Ombudsman may be required to step down if the Welsh Parliament recommends this to the King and the King agrees.

Accountability

The Ombudsman is impartial and independent. This means that the Ombudsman and members of their staff will independently look at complaints. The Ombudsman is independent of all government and has legal responsibilities and powers to report directly to the Welsh Parliament. The Ombudsman reports annually to the Welsh Parliament on the work done during the year, the complaints service and the use of public money.

Funding

As the Ombudsman is independent of the government, funding is received through the Welsh Parliament (through the Welsh Consolidated Fund) and not the Welsh Government. The PSOW Act says that the Ombudsman is a “Corporation Sole” which means that the Ombudsman is a legal body in their own right. The Ombudsman is not governed by a Board or answerable to a government minister. The Ombudsman has, however, established an Advisory Panel of independent members to advise them on matters of policy and good governance and to give an outside perspective on our service. Responsibility and accountability for the work and the decisions of the office remain with the Ombudsman, and the Advisory Panel has no role in the handling of individual complaints.

Role

The Ombudsman deals with complaints from members of the public about bodies listed in the PSOW Act. These include local authorities in Wales, health boards, housing associations and the Welsh Government.

The PSOW Act says that it is a matter for the Ombudsman to decide whether to begin, stop or complete an investigation and issue a report. Where a member of the Ombudsman's staff has made a decision about a complaint, a complainant may ask the Ombudsman to review that decision where new evidence is given or where it is clear that some evidence has not been properly taken into account. This internal review will be undertaken by our Lead Review Officer, or another senior member of staff who was not involved in the original decision.

If a complainant then wants to challenge any decision made by the Ombudsman or their staff, they may seek legal advice on whether there are grounds to challenge the Ombudsman's decision through a judicial review in the courts.

Also available in Welsh.

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About the Ombudsman

