

# Three Year Strategic Plan

2012/13 to 2014/15

- Update Year 2

Putting Things Right:  
Driving Improvement

## **Preface**

This document is an update of the Three Year Strategic Plan originally published in April 2012.

With the exception of the paragraph in respect of the funding of the office (at page 7), the general content of the Plan remains the same, but new Key Priorities have been set for 2013/14 which take forward the work undertaken during 2012/13.

<b>Contents</b>	<b>Page</b>
<b>1.</b> Introduction	3
<b>2.</b> The Role of the Public Services Ombudsman for Wales	6
<b>3.</b> Governance and Funding	7
<b>4.</b> Strategic Plan 2012/13 to 2014/15	8
<b>5.</b> Main Outcomes	13

## 1. Introduction

The first Ombudsman was appointed in Sweden more than over 200 years ago. The idea caught on and Ombudsmen schemes spread from Scandinavia and are now world-wide. The Parliamentary Commissioner Act 1967 established the first Ombudsman scheme in Britain and since then other public sector Ombudsmen schemes have been introduced, with the Public Services Ombudsman for Wales in its current guise being established in 2006. Some things have remained constant such as the need to ensure that the Ombudsman is independent and objective. These values are at the core of our work. However, the role of the Ombudsman has not remained static and has continued to evolve by responding to changing political, social and economic developments. This is as true today as it ever was, and these factors have to be taken into account when considering what it means to deliver a modern Ombudsman service.

We have been acutely aware of the need to anticipate and respond to the changing role of the state, recognising the greater part being played by private organisations in the delivery of public services and the need to ensure that people have recourse to the Ombudsman. We also believe that as well as considering individual complaints, Ombudsmen should work to secure improvements in public service delivery based on the lessons arising from their investigations. Increasingly too, there is an expectation that ombudsmen should inform public policy based on the knowledge that they gain from their work. All this is in a context of uncertain and unsettling economic times, with rising unemployment and the potential for an increase in the number of people who find themselves socially excluded. This in turn is likely to put an even greater demand on public services at a time of reducing public funds.

This plan takes account of these considerations. For our part, we will step up our activity to increase awareness amongst those who are socially excluded or in vulnerable circumstances of their right to come to the Ombudsman if they believe that they have been denied a service they are entitled to, received a poor service or have been treated unfairly. Not only will we seek to further extend the ways in which it is possible to make a complaint to us, we will help people find their way

to making complaints to public service providers themselves and other complaint handlers if the complaint is not one for us. We will also further develop the work we have already started to build relationships with advice and advocacy bodies so that they may assist those who need help in making their complaints.

Our investigation processes have been changed over the past three years so that they are now much more streamlined and less bureaucratic. Following this streamlining we will continue to work to secure the quality of our investigation work, considering issues such as consistency in our decision making, our approach to redress, the style of our reports including ensuring that our decisions are clearly expressed and explained. We will also look to see whether we can work in ways that are more flexible so that we can better meet individuals' needs. Technology, including social media, continues to develop at a fast pace and we will aim to harness these to help us in our objectives, whilst making sure that we do not inadvertently disadvantage those who cannot avail themselves of this new technology.

As a result of the NHS Redress (Wales) Measure 2008, the independent review of complaints was consolidated within my office and arrangements were put in place in order that we would be able to deal with the expected increase in health complaints that we would receive. We anticipate that a similar consolidation of the independent review of complaints will occur in respect of social services complaints. We also anticipate that the Social Services (Wales) Bill will make provision for the jurisdiction of the Public Service Ombudsman for Wales to be extended so that I may consider complaints from those people who are in care homes but fund their own care and also complaints about hospices.

In a testing political, social and economic climate, we do not underestimate the importance of our role in ensuring that local politicians adhere to the high standards in public life expected of them. Our experience of operating under the requirements of the Model Code of Conduct has demonstrated that it is not ideal. Revising this is a matter for the Welsh Government. However, we do believe there are ways to achieve improvements in the process without the need for legislative change. This to a large extent will depend on the co-operation of colleagues represented by the Welsh Local Government Association and the Association of Council Secretaries and Solicitors. We will therefore be seeking to work with these bodies with the aim of introducing an arrangement where many complaints of this kind can be dealt with locally. We will nevertheless continue to be robust in our approach in ensuring that standards are upheld in respect of those complaints that we do consider.

My staff have been fully involved in the development of this new Three Year Strategic Plan and I am grateful to them for their positive engagement with this process.

**Peter Tyndall**  
**Public Services Ombudsman for Wales**

## 2. The Role of the Public Services Ombudsman for Wales

The office was established under the Public Services Ombudsman (Wales) Act 2005. There are two specific roles. The first is to consider complaints made by members of the public that they have suffered hardship or injustice through maladministration or service failure on the part of a body in my jurisdiction. The second role is to consider complaints that members of local authorities have broken the Code of Conduct.

When considering complaints about public bodies in Wales, we look to see whether people have been treated unfairly or inconsiderately, or have received a bad service through some fault on the part of the public body providing it. The bodies that come within jurisdiction are generally those that provide services where responsibility for their provision has been devolved to Wales. More specifically, the organisations we can look into include:

- local government (both county and community councils);
- the National Health Service (including GPs and dentists);
- registered social landlords (housing associations);
- and the Welsh Assembly Government, together with its sponsored bodies.

The role in relation to considering complaints alleging that members of local authorities have broken the Code of Conduct is slightly different to that for complaints about public bodies. This type of complaint is considered under the provisions of Part III of the Local Government Act 2000 and also relevant Orders made by the National Assembly for Wales under that Act. In the circumstances where we investigate a complaint and conclude that there is likely to have been a breach of the code requiring action against the member concerned, there is a requirement to submit the investigation report to either the relevant local authority's standards committee or a tribunal of the Adjudication Panel for Wales.

It is for them to consider the evidence we have found together with any defence put forward by the member concerned. Further, it is for them to determine whether a breach has occurred and if so, what penalty, if any, should be imposed.

### 3. Governance and funding

The Public Services Ombudsman for Wales is appointed by The Queen on the recommendation of the members of the National Assembly for Wales. He is independent of government and has statutory responsibilities and powers to report directly to the National Assembly for Wales. The Ombudsman reports annually to the National Assembly on the discharge of his functions, on the service provided and the use of public money.

Whilst responsibility and accountability for the activities carried out by the office must remain with the Ombudsman, it is intended to enhance the current Audit Committee arrangements by introducing an Advisory Panel. The aim will be for the Panel to provide added transparency to the work of the office and also provide support and advice to the Ombudsman in providing good governance and to offer an external perspective on the Ombudsman's service.

In recognition of the independence of the office of the Ombudsman, funding is received through the National Assembly for Wales (that is through the Welsh Consolidated Fund) and not the Welsh Government. As a result of the level of financial resources made available to my office for the current financial year 2011/12 it was necessary to take steps to reduce the staffing establishment, resulting in an 8.5% reduction in posts (full time equivalents). Funding was held level for 2012/13 and a modest increase (to include one additional post in respect of the additional complaints expected as a result of social services changes) has been put forward to the Assembly for 2013/14. In thinking about our priorities and targets we needed to be realistic and mindful of what could be achieved with a reduced staffing establishment and within this level of funding. Although it has not come as a surprise, from an operational point of view, the continued increase in the number of complaints received is of some concern. Health complaints are invariably the most complex and resource intensive type of complaint to investigate. The fact that health now accounts for 37% (compared with 25% in 2010/11) of the caseload of complaints about public bodies, and could rise further, will be a major consideration. Nevertheless, we remain resolute that our endeavours to deliver a quality complaints handling service will continue.



## 4. Strategic Plan 2012/13 to 2014/15

### Our Vision

**To put things right for users of public services and to drive improvement in those services and in standards in public life using the learning from the complaints we consider.**

### Our Values

**Accessibility** – we will be open to everyone and work to ensure that people who face challenges in access are not excluded. We will be considerate, courteous, respectful and approachable, and do our best to communicate with complainants in the way they tell us they prefer.

**Fairness** – we will safeguard our independence and reach decisions objectively having carefully considered the evidence.

**Learning** – we will improve through learning from our experiences, and encourage all public service providers to learn from their own experiences and those of others.

**Effectiveness** – we will make sure that we work in ways that make the best use of the public money we receive.

**Being a good employer** – we are committed to providing a positive environment in which to work and to continue to develop and support our staff, to ensure that we continue to remain professional and authoritative in all that we do.

### Our Purposes

To consider complaints about public bodies.

To put things right. When we can, we will try to put people back in the position they would have been in if they had not suffered an injustice, and work to secure the best possible outcome where injustice has occurred.

To recognise and share good practice so that public bodies can learn the lessons from our investigations and put right any systemic weaknesses identified, leading to continued improvement in the standards of public services in Wales.

To help people send their complaint to the right public service provider or complaint handler.

To consider complaints that members of local authorities have broken the code of conduct.

To build confidence in local government in Wales by promoting high standards in public life.

## Strategic Aims

The strategic aims in this plan are ones we look to achieve over the period of the next three years. The first step towards achieving these will be through the key priorities and key delivery targets set for the forthcoming year.

Detailed objectives and targets for 2012/13 will be set in the Public Services Ombudsman for Wales's annual Business Plan. Key priorities and targets for 2013/14 and 2014/15 will be included in the Plans for those years.

**Strategic Aim 1: To offer a service where excellent customer care is at the forefront of all we do, where we work to raise awareness of our service and do our best to make it is accessible to all and easy to use**

## Key priorities for 2013/14

- Assess the demand for the Complaints Wales signposting service and consider the users of that service, to ensure we have the resources and ability (such as Easy Read) to respond appropriately etc.
- To complement the radio advertising campaign introduced in 2012/13, additional awareness raising solutions will be explored and introduced for the Complaints Wales service.
- Following the further significant development of our websites in 2012/13, attention to be turned to making these more user-friendly on devices other than laptops/PCs.
- Update the outreach strategy and develop a suitable programme of activities for 2013/14.

- Introduce new equality monitoring and satisfaction survey processes with a view to beginning to acquire by 2014/15 a better understanding of our service users and their journey through to the point where we close their case.
- Consider the outcome of the awareness survey undertaken at the end of 2012/13 and review whether a different approach to our awareness raising activities is required.

**Strategic Aim 2: To deliver a high quality complaints handling service, which considers and determines complaints thoroughly but proportionately, and conveys decisions clearly.**

### **Key priorities for 2013/14**

- Introduce the arrangements in respect of the changes to the statutory social services complaints procedure and extension of the Ombudsman's jurisdiction to hospices and care homes (where people self fund their care) expected as a result of the introduction of the Social Service (Wales) Bill.
- Complaints procedures were reviewed at the end of 2012/13, giving particular attention to considerations concerning groups with protected characteristics (as identified by the Equality Act 2010). Focus for 2013/14 will be on implementing changes identified.
- Continue with the production of subject specific Factsheets.
- Continue with the work commenced in 2012/13 concerning securing compliance with our recommendations and their effective implementation by the relevant public services provider(s).
- In view of continued increase in caseload, review whether key performance indicators remain appropriate. New or additional performance indicators then to be introduced for 2014/15.

**Strategic Aim 3: To use the knowledge gained from our investigations to contribute to improved public service delivery and to inform public policy.**

### **Key priorities for 2013/14**

- Continue to produce the Ombudsman’s Casebook so that the learning from casework can be widely shared.
- Identify and publish a themed report based on knowledge gained from our casework. Further report then to be produced 2014/15.
- Continue working with relevant representative organisations with a view to enabling certain types of Code of Conduct complaints to be dealt with at a local level.
- Following revised Guidance on the Model Code of Conduct issued during 2012/13, keep the document under continual review and update as necessary.
- In association with the Welsh Government, reconvene the Complaints Wales Group to review the adoption of the Model Concerns and Complaints Policy and Guidance by public service providers.

**Strategic Aim 4: To continue to analyse and improve the efficiency and effectiveness of our governance, business processes and support functions, to further demonstrate transparency and ensure the best use of the public money entrusted to us.**

### **Key priorities for 2013/14**

- Review the new governance arrangements introduced in 2012/13, which aims to provide added transparency to the work of the office and also provide support and advice to the Ombudsman in providing good governance and to offer an external perspective on the service.
- Ensure that expenditure is managed so that the office spend is contained within the approved budget for the financial year 2013/14.
- Continue to improve our information and communication technology provision by:
  - assessing whether further enhancement is required
  - making further strides in the current three year programme of improving the internal IT infrastructure to better utilise available technology, including the aim of reducing reliance on paper and hard copy documents.
- Arrange to be assessed for Investors in People accreditation.
- As part of our review of our training strategy, make provision for enhanced training in relation to equality both in terms of awareness and also so that the new requirements of the Equality Act 2010 can be taken into account during the consideration of complaints.
- Review progress against implementation of the Equality Objectives and Strategic Equality Plan.

## 5. Main Outcomes

- We have put in place arrangements to enable an enhanced understanding of those people who complain to us, together with their journey through our complaints processes. This will help us in our consideration of how we might be able to further ‘personalise’ our service.
- There is effective engagement with our key stakeholders and feedback received will inform the review of our strategic plan and business plan.
- We have identified the impact of the likely increase in complaint received as a result of the various legislative changes that will impact on the PSOW’s jurisdiction.
- We have developed a model that formalises our approach to quality control and enables better monitoring of consistency.
- Our revised guidance on the Code of Conduct provides the additional advice requested by monitoring officers and members of local authority so that they are better able to understand the requirements of the Code in carrying out their day to day activities.
- We have improved the governance arrangements giving transparency to the work of the office.
- We are recognised as a good practice organisation with regard to equality and diversity and our plans, processes and procedures are fair, inclusive and accessible.

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