

Final report

Independent report on views from Third Sector Organisations in Wales on the Public Services Ombudsman for Wales Own Initiative Investigations 2021-2025.

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Executive summary

In 2019 the Senedd enacted a new [Public Services Ombudsman \(Wales\) Act](#). One of the new powers gave the PSOW an Own Initiative power of investigation under s4 of the Act. The purpose of the power is to enable the Ombudsman to undertake a Wales wide investigation of the delivery of a chosen public service. The outcome of the investigation is to identify how services can be better delivered to people across Wales.

Since the Act was introduced, the PSOW has undertaken two Own Initiative investigations which can be found on the website [here](#):

Homelessness Reviewed: an open door to positive change.

Are we caring for our carers? An Own Initiative investigation into the administration of carers' needs assessments in Wales.

In responding to the Senedd's Finance Committee investigation of the operation and effect of the new powers which were introduced in the Act, the Ombudsman commissioned an independent project to gauge feedback from Third Sector organisations who work either in direct ways to protect those most vulnerable in society or provide information to charities and groups delivering advocacy support.

The independent project was undertaken by Ruth Marks CBE, (former Chief Executive of WCVA) between February and March 2025 and the main findings are summarised below.

Third Sector organisations are active across every part of Welsh life and many work closely with public services. Some charities and voluntary organisations provide direct services to people who are in vulnerable circumstances and have significant expertise relating to all equality characteristics. Staff and volunteers provide support to people facing disadvantage, discrimination and inequity in service provision.

The size and scope of Third Sector organisations varies, however commitment and determination are constant. This is reflected in the positive response from Third Sector organisations approached for this project to discuss and reflect upon the Ombudsman's Own Initiative investigations.

The Third Sector have made a crucial contribution to the investigations undertaken to date, drawing on their experience of working with vulnerable people and groups in every community across Wales. Charities and voluntary organisations support people who feel let down by public services, people who have faced multiple difficult life events, disadvantages and trauma and as a result have very low trust in official systems and processes.

The Ombudsman is focussed on improving public services by addressing maladministration. Increased collaboration with the Third Sector would be mutually beneficial, but most importantly, result in better support and services for the most vulnerable in society.

Wales is the only country in the UK with formal systems of engagement between the Third Sector and Government. This report highlights real potential to build upon these systems with the Ombudsman, the wider public sector and the Third Sector. This would demonstrate value for money and increased democracy in line with national policy commitments and the principles of social partnership.

The process of making a decision to undertake an Own Initiative investigation.

The decision making process involves several stages including casework analysis, scoping the issue, consultation with public bodies and wider stakeholders resulting in a focussed proposal. This process takes some time before an actual investigation can begin.

There was unanimous support across the organisations consulted that the Own Initiative investigation powers offered an essential and valuable additional level of scrutiny of public services.

One contributor said “*I am* impressed by the two areas chosen...homelessness and carers are part of the unheard and unseen *as they are* maybe not as collectively represented.”

The experience of engaging with PSOW throughout the Own Initiative investigation process.

Third Sector organisations welcomed the opportunity to work with the Ombudsman and understood that engagement helped to clarify the scope of the investigation, the accuracy of findings and the focus of recommendations.

One stakeholder said “We would always see being asked by the Ombudsman for information as a really positive engagement that we would prioritise.”

Third Sector organisations noted that their front line services see injustices happening and are therefore well placed to engage with the Ombudsman sharing relevant evidence and data.

All organisations agreed that service user involvement is vital, and diversity amongst these voices is of the utmost importance. Therefore they welcomed the approach taken by the Ombudsman to put users views at the heart of investigations, and felt this was achieved by the Ombudsman consulting and collaborating with them throughout the process.

One stakeholder reflected the views of many of those consulted: “Thank you so much for thinking of us and reaching out to us because we do value the engagement and we do value the initiative reports as well.”

Perception of the impact of the investigations and whether the scope of the recommendations are supported.

The first investigation into homelessness investigations took place in 2021 and the second investigation into carers needs assessments was completed in 2024.

In relation to understanding impact, the Third Sector organisations felt that they were only able to comment on the first investigation, as the second investigation is too recent.

Importantly the report into homelessness investigations has stimulated thinking and added weight to policy discussions. The evidence base of the investigation has been used in expert reference groups and influenced legislation.

Several Third Sector organisations spoke about the Expert Review Panel convened to review homelessness legislation. The Panel referred in detail to the Own Initiative Investigation report in the course of their work.

“It was great to have the Ombudsman’s report as an independent piece of research to highlight issues from its unique and respected perspective.”

Stakeholders who took part spoke highly of the investigations and were impressed with the quality of reports produced. A positive outcome is that the recommendations of both investigations were widely supported.

Third Sector organisations were keen to know how the Ombudsman would hold public bodies to account. They wanted the impact of the Ombudsman’s reports and recommendations to be monitored over time to evaluate whether they were making a positive difference to people’s lives and improving their experience of public services.

Opportunities for improvement

1. Further develop ways to work with the Third Sector.
2. Establish regular general and subject specific points of contact.
3. Exchange information on trends and data to highlight ongoing or emerging issues with service delivery.
4. Involve people with lived experience and people working in front line services.
5. Increase publicity about the Own Initiative power.

Feedback from the organisations consulted

1. How Third Sector organisations perceived the process by which PSOW decide what to investigate (or what not to investigate)

Shelter Cymru

Understanding that the process drew information from casework trends to identify key issues providing valid reasons for assessment and investigation.

With technical areas of legislation and regulation it is often hard to take a detailed view to find out if the policy intention varies from the practice on the ground. However, when injustices are happening, the opportunity to look closely becomes even more important.

The PSOW staff were very positive about receiving data and evidence from the policy and casework teams of Shelter Cymru.

Llamau

The investigation process adds to democracy and therefore is essential to good practice.

There was significant discussion about the complexity of homelessness and the need to agree on the most important aspects of the investigation.

Increased collaboration during consultation and proposal stage might have been useful, helping to tighten the boundaries and focus of the investigation.

Crisis

Positive experience and pleased to be able to contribute to an independent investigation that looked at service delivery from a different perspective.

Carers Wales

Process was positive because the investigation dealt with more than an individual case and was able to look at wider and systemic impact.

The actual detail of this Own Initiative Investigation came from a stakeholder engagement event / sounding board event involving carers organisations.

Round Table

There was a varied understanding about the detail of the investigation process.

Some Third Sector organisations were aware of and understood the consultation, proposal and investigation process.

These organisations tended to be larger charities and Third Sector organisations with dedicated campaigns and policy functions based in Wales. However, smaller organisations had less knowledge of the process, but were confident and assured that the Ombudsman could undertake such investigations.

All agreed that the process allowed for issues impacting inequalities to be looked at more holistically.

Organisations recognised the considerable benefits of learning from casework investigations and a focus on 3 or 4 public bodies geographically spread across Wales.

They were keen to learn more and in future would like to develop ways to share information from lived experience that could help delivery of public services to people who face multiple disadvantages and discrimination.

Carers organisations pointed out that at the same time as the PSOW investigation into carers needs assessments, similar work was being undertaken by Care Inspectorate Wales and a Ministerial Advisory Group. It was therefore felt that this created additional work for Third Sector stakeholders and potential duplication of effort and some confusion.

2. Experience of engaging with PSOW throughout the Own Initiative investigation process - from sharing ideas about areas to investigate through to supporting the office with evidence and gathering feedback on impact.

Shelter Cymru

There was considerable positive engagement with individual staff to share data and evidence. A useful focus group was convened which gave the opportunity to share first hand lived experience. It has been possible to monitor impact over the several years since the investigation. It is important to note that good collaboration needs time and resource.

Llamau

After initial discussions, there was less direct involvement due to resource constraints. The timeframe of the scoping exercise was felt to be too long and this was frustrating.

Crisis

Noted that they had a positive experience of working with the Ombudsman and in future would value and prioritise the opportunity to provide further information when consulted.

Carers Wales

Their involvement in the investigation was a very positive experience and they felt that PSOW staff were receptive to receive data and evidence from the organisation and from carers. They were able to facilitate service user involvement which in turn helped meet one of their own strategic priorities for carers to directly influence policy and practice.

Carers are less likely to make an individual approach to PSOW than other groups. The engagement collaboration with the PSOW helped build the picture and highlight differences and gaps in service delivery across Wales.

Round Table

Smaller organisations felt they were being asked for a considerable amount of information and this placed additional strain on already stretched resources. These organisations know that the people they support are less likely to directly approach the PSOW.

Of critical importance is that they highlighted a concern that some public bodies are pulling back from engagement with the Third Sector. This is seen as detrimental to sharing knowledge and ideas to improve services for people in vulnerable circumstances.

One organisation commented “It was all quite smooth”.

However, levels of time and resources available to the organisations varied considerably. This resulted in larger organisations being better able to provide the evidence, data, research and case studies to the Ombudsman’s investigation. Feedback indicated that they greatly valued the opportunity to share their work.

Smaller voluntary organisations felt rather overwhelmed with the volume of information they were asked to provide. They have very useful evidence to share, however, due to the crisis driven nature of their work, do not have any spare capacity to maintain engagement in lengthy processes. Feedback indicated a strong desire to be involved in investigations, but it would help if the consultation and engagement processes could be more precise and focussed on what information would be the most useful in evaluating the most important impacts of service delivery.

3. Perception of the impact so far - or, if the recommendations are too recent to comment, whether the scope of the recommendations are supported

Shelter Cymru

As a result of the Own Initiative Investigation being evidence based, the Expert Review Panel into Ending Homelessness was able to draw information from the PSOW report. The work has informed and expanded policy discourse.

Specific impacts were noted: an increase of time from 56 days to six months which provides a greater opportunity to review the aspect of “reasonable steps”. Another concerned the timeframe for a review around temporary accommodation being reduced from 56 days to 21 days which has a positive impact for people facing homelessness.

Some Local Authorities clearly take a holistic, trauma informed approach and others do not. Involvement of the Take Notice function / service is having an impact in some areas across Wales.

As PSOW is independent of Welsh Government and public bodies there is an opportunity to involve people with lived experience in considering the effectiveness of a public service.

Llamau

Less convinced that there has been significant impact. Recommendations could have been more hard hitting.

Crisis

Reinforced many of the points made by Shelter Cymru and noting that Crisis were the organisation who convened the Expert Review Panel looking into changes to housing legislation and drew on the Ombudsman's report.

This stakeholder engaged with the Ombudsman and was also a member of the Expert Review Panel. They highlighted the ability to refer to particular issues "I was able to do that in large part because of the Ombudsman's work, because people knew what I was talking about and ...it didn't just sound like a random idea out of nowhere, but it had an evidence based behind it. It seems likely that some of those reforms will go forward."

The report is available here: <https://www.crisis.org.uk/media/uqggbuwpp/ending-homelessness-in-wales-a-legislative-review.pdf>

A key point to note is that as the Investigation had an evidence base behind it, members of the Expert Review Panel were able to refer to this in the course of their considerations around proposed legislative reform that is anticipated in the near future.

In addition, in relation to the recommendations of the Ombudsman's report "...some of them have informed the White Paper, which is absolutely great. It's definitely stimulated thinking about where the weaknesses were."

Carers Wales

The report has added weight to key issues. Very useful to show multiple angles and make links to the Track The Act survey (Social Services and Wellbeing (Wales) Act 2014).

The detailed work with investigated authorities was useful and especially the ability to highlight deficiencies in data collection.

Round Table

The PSOW needs to consider how to publicise its work more widely as some organisations were not aware that the investigated authorities are required to respond to the report.

Stakeholders were reassured that those bodies are obliged to respond and that the PSOW follows up the investigation after a period of time.

Feedback supported the focus on individual and practical outcomes rather than process and tick box activity.

Recommendations were seen as useful support for improved advocacy of service users interests.

4. How the Ombudsman's Own Initiative work could be improved, whether in terms of the length and complexity of the process, engagement with the communities affected or tracking of impact

Shelter Cymru

Recommend increased engagement with front line colleagues as they have first hand experience and directly relevant information to share. It would be useful to connect with Third Sector organisations using shared platforms to ensure comprehensive communication – e.g. People and Housing Conference event and mailing lists.

Llamau

Develop a more collaborative approach to scope and methodology. Consider a joint steering group to identify critical issues and focus on what causes the most trauma.

Crisis

Recommended follow up reports consider both the investigated authorities and other Local Authorities and Welsh Government to achieve greater impact.

Carers Wales

Ensure clear understanding about the process to contact individual service users. The charity had contacted a number of carers who agreed to be involved in the investigation. The PSOW contacted some of the group, but not all. When the carers not contacted asked the charity about this, they were not aware and this put staff in a difficult position. Clarity of numbers required, who will contact who and when is vital.

Round Table

Communicate at regular intervals via established networks and systems which exist across the general Third Sector and within specialisms including homelessness, carers, and equality characteristics.

Clear language and the same terminology should be used – e.g. Carers Needs Assessments also called What Matters conversations, and this causes confusion in the whole system.

Consider link to Own Initiative investigations on home page of PSOW website. Language used is not immediately clear or understandable. Investigation on Own Initiative is correct regarding legislation, however this is not the most accessible language - in depth investigations might be one option?

Clearer branding of this important power would help service providers and users to better understand its relevance and possible impact on their lives.

It would be useful for Welsh Government to consider a dedicated written or oral statement in response to an Own Initiative Investigation report.

Opportunities for improvement

1. Further develop ways to work with the Third Sector.

Make connections with the Third Sector Partnership Council which would improve communication across the whole of the sector and the diverse representative networks at local and national level.

2. Establish regular general and subject specific points of contact.

Examples include contributing to the People and Housing platform via Shelter Cymru or annual events such as gofod3.

3. Exchange information on trends and data to highlight ongoing or emerging issues with service delivery.

Develop a simple system to share analysis of case work and cross reference this with information from the Third Sector sharing trends, evidence and data highlighting problem areas. Benefits include independently sourced evidence and data and lived experiences revealed by front line services. This could be achieved via the points above and also in liaison with the Third Sector Data Unit within Welsh Government.

4. Involve people with lived experience and people working in front line services.

This would help promote holistic approaches to the delivery of public services and encourage regular engagement between public bodies and the Third Sector leading to increased trust and improved service delivery.

5. Increase publicity about the Own Initiative power.

Leading to greater understanding by individuals and organisations who might wish to draw specific service delivery issues to the attention of the Ombudsman.

Acknowledgements

Thank you to representatives of Third Sector organisations who enabled their staff to engage with the project within the required timeframe.

AVOW (County Voluntary Council for Wrexham)

Carers Wales

CAVO (County Voluntary Council for Carmarthen)

Crisis

FLVC (County Voluntary Council for Flintshire)

Learning Disability Wales

Llamau

NEWCIS

Shelter Cymru

TGP Cymru

Thanks are given to the following staff of the office of the Public Services Ombudsman for Wales for the briefings and support given to undertake this project:

The Ombudsman

Chief Legal Adviser & Director of Investigations

Own Initiative Lead Officer

Executive Assistant

ICT support staff

Particular thanks are due to the Head of Policy, Communications and EDI who provided information and technical support.

Appendix 1

Project brief

To gain an understanding of the Own Initiative process and ways of working more generally, as well as with the details of the two Own Initiative investigations to date.

To hold semi-structured interviews with representatives of a selection of Third Sector organisations to discuss views and experiences on the processes, engagement and impact of the two Own Initiative investigations plus any areas for improvement.

The interviews to focus on the organisations working with vulnerable communities directly relevant to the investigations to date.

In addition, to engage with several organisations that have not been closely involved, to gather views on the visibility and understanding of the Own Initiative powers.

To analyse the results and produce a brief report, highlighting in particular any lessons and opportunities for improvement.

Methodology

Familiarisation via reading and briefings

1-1 interviews with:

Shelter Cymru former Head of Campaigns

Shelter Cymru Head of Campaigns

Llamau Chief Executive

Crisis Head of Policy and Communications (Wales)

Carers Wales Senior Policy and Public Affairs Manager

Round table meeting with three County Voluntary Councils, TGP Cymru, NEWCIS, Learning Disability Wales

Analysis and report writing

Appendix 2

List of organisations involved in the project

Organisation name	Type of involvement
Shelter Cymru	1-1 Interviews, recorded and transcribed with 2 people
Llamau	1-1 interview, recorded and transcribed
Crisis	1-1 interview, recorded and transcribed
Carers Wales	1-1 interview, recorded and transcribed
CAVO - CVC for Ceredigion	Round table, recorded and transcribed
AVOW - CVC for Wrexham	Round table, recorded and transcribed
FLVC - CVC for Flintshire	Round table, recorded and transcribed
TGP Cymru	Round table, recorded and transcribed
LDW	Round table, recorded and transcribed
NEWCIS	Round table, recorded and transcribed

Appendix 3

Informed consent form

Qualitative interview participation

Study title: 'Third Sector view of Own Initiative investigations undertaken by the Public Services Ombudsman for Wales'

Researcher(s): Ruth Marks

Institution/organisation: this study has been commissioned by the Public Services Ombudsman for Wales

Contact information: [Insert contact details]

Introduction

You are invited to participate in a qualitative interview as part of a research study conducted by Ruth Marks and commissioned by the Public Services Ombudsman for Wales. Your participation is entirely voluntary, and you may withdraw at any time without providing a reason and without any consequences.

Purpose of the study

The purpose of this study is to gather views of Third Sector organisations in Wales on how the Ombudsman has exercised the power to undertake Own Initiative investigations to date; and whether this power has provided a mechanism to protect those most vulnerable in society.

This research will involve qualitative interviews. The study will be used by the Public Services Ombudsman for Wales to evaluate their Own Initiative work of the office and identify any areas for improvement.

What participation involves

If you agree to participate, you will take part in an interview that will last no longer than 1 hour. The interview will be recorded for accuracy, and your contributions will be analysed to create a report.

Confidentiality and data use

- The interview will be recorded and transcribed.
- Your contributions may be included in the final report, including some verbatim quotes.
- By default, you will be identifiable only by the name of your organisation; your personal name will not be used. While this measure ensures confidentiality, full anonymity cannot be guaranteed due to organisational identification. If you have concerns over your organisation being named, you can choose for that information to be redacted as well.
- The final report will be the property of the Ombudsman, and the Ombudsman may use it in their own publicity and consultation responses.
- All data will be securely stored and used solely for research purposes.
- The transcripts will be retained by the Researcher and kept securely for three months, after which they will be destroyed.

Potential risks and benefits

There are no anticipated risks linked to this study. Your participation will contribute to

the evaluation of the Ombudsman's Own Initiative work and help identify areas for improvement.

Right to withdraw

You have the right to withdraw from the study at any time without providing an explanation. If you choose to withdraw, your data will be removed and not included in the final analysis.

Consent statement

I have read and understood the information provided in this consent form. I voluntarily agree to participate in this research study. I understand that I can withdraw my consent at any time without consequence.

I am / I am not happy to be identifiable by the name of my organisation.

Participant name: _____

Organisation name : _____

Signature: _____

Date: _____

Researcher's signature: _____

Date: _____

If you have any questions or concerns about the study, please contact **[Insert Researcher Contact Information]**.