

Accountability of the Ombudsman Factsheet

Introduction

The terms of the Ombudsman’s appointment and statutory 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 a period of seven years and a person who is appointed is not eligible for re-appointment to the office of Ombudsman. The Ombudsman may be relieved of office if the Welsh Parliament recommends this to the King.

Accountability

The Ombudsman is impartial and independent. This means that the Ombudsman (or members of their staff to whom they have delegated their function) will independently consider complaints. The Ombudsman is independent of government and has statutory responsibilities and powers to report directly to the Welsh Parliament. The Ombudsman reports annually to the Welsh Parliament on the discharge of their functions, on the service provided and the use of public money. The PSOW Act provides that the Ombudsman is a “Corporation Sole” which means that they are a legal entity in their own right.

Funding

In recognition of the independence of the Ombudsman’s office, funding is received through the Welsh Parliament (that is through the Welsh Consolidated Fund) and not the Welsh Government. They are 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 provide an external perspective on our service. Responsibility and accountability for the activities carried out by the office must however remain with the Ombudsman, and the Advisory Panel has no role in the handling of individual complaints.

Function

The Ombudsman deals with complaints from members of the public against bodies which are listed in the Public Services Ombudsman (Wales) Act 2019. These include local authorities in Wales, health boards, housing associations and the Welsh Government.

The PSOW Act provides that it is a matter for the Ombudsman to decide whether to begin, discontinue or complete an investigation and issue their report. When the Ombudsman has delegated his function to a member of their staff, a complainant may ask the Ombudsman to review any decision taken on a complaint where new evidence is provided or where it is clear that some evidence has not been properly taken into account. This internal review will be undertaken by our Review & Service Quality Officer, or another senior member of staff, who was not involved in the original decision.

If a complainant then wishes to challenge any decision of the Ombudsman they may seek legal advice on whether there are grounds to challenge the Ombudsman's decision by way of judicial review in the courts.

Also available in Welsh.

This document is available in Welsh and English. You can write to us in Welsh and we will reply in Welsh. This will not lead to a delay in responding.

ask@ombudsman.wales

0300 790 0203 Our phone line is open 10am-12:30pm and 1:30pm-4pm Monday – Friday