

**PUBLIC SERVICES
OMBUDSMAN FOR
WALES**

**ANNUAL ACCOUNTS FOR
THE YEAR
ENDED 31 MARCH 2008**

PUBLIC SERVICES OMBUDSMAN FOR WALES

ANNUAL ACCOUNTS FOR THE YEAR ENDED 31 MARCH 2008

Report of the Ombudsman

HISTORY AND STATUTORY BACKGROUND

These are the second Annual Accounts of the Public Services Ombudsman for Wales. The office came into formal existence on 1 April 2006 following the implementation of the Public Services Ombudsman (Wales) Act 2005. As a result of the amendments to the Act arising from the Government of Wales Act 2006, the ombudsman's salary and related employment costs are a direct charge on the Welsh Consolidated Fund with effect from 1 April 2007. In addition the costs of running the Office have to be submitted to the Finance Committee of the National Assembly for Wales for consideration no later than the 1 November each year. By the 22 November the Finance Committee must consider and lay before the National Assembly the estimate, with any modifications which that Committee, having consulted and taken into account any representations made by me, considers appropriate. This process is similar to that which applies to the Auditor General and the Wales Audit Office and is designed to ensure the independence of my role.

Adam Peat was appointed Public Services Ombudsman for Wales by Her Majesty the Queen on the recommendation of the Secretary of State for Wales with effect from 12 October 2005 for a fixed term of seven years. Following Mr Peat's retirement on 20 April 2008 I was appointed as the second Public Services Ombudsman for a fixed period of seven years from 21 April 2008.

In accordance with paragraph 18 of Schedule 1 to the Public Services Ombudsman (Wales) Act 2005 I have personal responsibility for the overall organisation, management and staffing of the Office and for its procedures in relation to financial and other matters.

ACCOUNTS DIRECTION

Under the Accounts Direction issued by the H M Treasury dated 21 December 2006 I am required to prepare accounts for the financial year ended 31 March 2008 in compliance with the accounting principles and disclosure requirements of the edition of the Government Financial Reporting Manual (the FReM) issued by HM Treasury which was in force for 2007-08.

The accounts have been prepared so as to:

- (a) give a true and fair view of the state of affairs at 31 March 2008 and of the net resource outturn, resources applied to objectives, recognised gains and losses and cash flows for the financial year then ended; and
- (b) provide disclosure of any material expenditure or income that has not been applied to the purposes intended by the National Assembly for Wales or material transactions that have not conformed to the authorities that govern them.

AUDITORS

The Auditor General for Wales is the External Auditor of the PSOW's accounts as laid down in paragraph 7 of Schedule 1 the Public Services Ombudsman (Wales) Act 2005. Following consultation with this Office, Wales Audit Office have appointed Grant Thornton UK LLP to carry out the work on their behalf although the Auditor General retains overall responsibility. The cost of the audit for 2007-08 was £14.9k. This compares with £14.5k for 2006-07.

So far as I am aware I have taken all the steps I ought to have taken to make the auditors aware of any relevant audit information and to establish that the auditors are aware of that information.

I have a separate service level agreement with the Wales Audit Office (WAO) for the provision of advice relating to human resources. WAO have been paid £5k (2006-07 £10k) under that agreement.

AIMS AND OBJECTIVES

The purpose of the Public Services Ombudsman for Wales is to investigate independently and impartially complaints made by members of the public about the way they have been treated by a public body. I expect public bodies to treat people fairly,

considerately, and efficiently. If I uphold a complaint I will recommend appropriate redress. I also have an important role to investigate complaints that local authority members have broken the Code of Conduct.

I aim to provide a first class Ombudsman service to Wales by:

- (a) investigating complaints as thoroughly as necessary and as quickly as possible;
- (b) raising awareness of the Ombudsman service and making it easily accessible to potential users;
- (c) using lessons learnt from my investigations to promote good practice and good governance by public bodies;
- (d) ensuring good governance and effective management within my office.

MAIN ACTIVITIES

The principal activities of PSOW covered by these accounts were:

- (a) investigation of complaints from members of the public against local authorities (including town and community councils) in Wales;
- (b) investigation of allegations against members of local authorities (including town and community councils) of breaches of their authority's code of conduct for members;
- (c) investigation of complaints from members of the public against NHS bodies, family health service practitioners and independent providers of NHS Services in Wales;
- (d) investigation of complaints against the National Assembly for Wales and Welsh Assembly Government sponsored public bodies; and
- (e) investigation of complaints against registered social landlords.

MANAGEMENT COMMENTARY

This is the first year of the changes resulting from the Government of Wales Act 2006. The major difference is the financing through the Welsh Consolidated Fund and that any unspent cash balances have to be repaid into that Fund no later than four weeks after a certified copy of the accounts have been laid before the National Assembly. This creates a further control in that there is a need to effectively manage the budget on both cash and a resources basis. My own salary and related costs is a direct charge on the consolidated fund and is administered through the National

Assembly for Wales. Staffing costs of £1.7 million remain the largest item of expenditure.

The demand for the services of the Office continues to grow at about 10% per year. It is encouraging that this rate of growth has been sustained over recent years. However there have been significantly higher increases in the first quarter of 2008-09.

As the new Public Services Ombudsman for Wales I wish to acknowledge the work of my predecessor Adam Peat in achieving this and I hope that will continue under my time in office as it highlights the importance of my role in improving standards of service. The achievements of the past year are set out in greater detail in the statutory annual report for 2007-08. Further information is available on www.ombudsman-wales.org.uk.

The National Assembly for Wales provided funding of £2.6 millions for the funding of the Office. This is a reduction on the previous year as funding was provided in 2006-07 to meet the deficit on the Local Government Pension Scheme and for the salary and related costs of the Ombudsman which are now met directly from the Welsh Consolidated Fund.

REMUNERATION

The details for the pay and related costs of the Ombudsman are shown in the Remuneration Report.

PENSION LIABILITIES

The pension obligations to present and past employees are discharged through:

- (a) The Principal Civil Service Pension Scheme (PCSPS);
- (b) The Local Government Pension Scheme administered through the Cardiff and Vale of Glamorgan Pension Scheme (the Fund); and
- (c) The pensions paid directly to former Commissioners or their dependents.

Fuller details are given in Note 3 to these Accounts.

EMPLOYMENT POLICY

PSOW recruits on the principle of selection on merit through fair and open competition and is committed to equality of opportunity for all staff. The PSOW has also undertaken to comply with the provisions of the Disability Discrimination Act 1995, as well as meeting all other statutory requirements.

PAYMENT OF SUPPLIERS

PSOW is committed to compliance with the Late Payment of Commercial Debt Regulations 2002. The payment policy is to pay invoices in accordance with agreed contractual conditions or, where no such conditions exist, within 30 days of receipt of goods and services or the presentation of a valid invoice, whichever is the later. During 2007-08 96% of invoices were paid in accordance with this policy (compared with 97% in 2006-07).

CORPORATE GOVERNANCE

In the office of Public Services Ombudsman for Wales I act as a corporation sole. In addition I have been appointed by the Treasury as the Accounting Officer for the public funds with which the National Assembly entrusts me to undertake my functions.

The Audit Committee continues to be effectively chaired by Laurie Pavelin CBE FCA and he continues to provide considerable support from his wide experience of public sector accounting and financial management. The other members of the committee are Elizabeth Thomas in her capacity as Legal Advisor to PSOW together with me as the Accounting Officer. There were five meetings of the Committee during the year. At the meeting in January 2008 the Committee reviewed its terms of reference against those set out in the Audit Committee Handbook issued in March 2007 by H. M. Treasury. The terms of reference were amended to more closely align with those set out in that document. In addition the Committee undertakes a review of its activities to ensure that it is providing the appropriate level of service to support me in my role of Accounting Officer. The Committee receives and reviews the Risk

Register at each meeting together with details on any potential risks. It is encouraging that the level of risk facing the organisation remains low. In addition the Committee receives reports on any appropriate matters that fall within its terms of reference.

During the year the Committee received regular reports from both the external and internal auditors. The work of Bentley Jennison as Internal Auditors is carried out on the basis of an overall needs assessment supplemented by an annual programme. These have highlighted the satisfactory work that is being undertaken within the organisation. The Committee considered the Annual Accounts of the organisation for 2006-07 together with the Audit report and the Management Letter from the Wales Audit Office.

The changes in the financial arrangement of the Office arising from the Government of Wales Act 2006 were reviewed by the Committee. Also considered were issues arising out of continuing membership of the Local Government Pension Scheme by staff previously employed by the Commission for Local Administration in Wales and their entitlement to transfer to the Principal Civil Service Pension Scheme if they so wished.

The work of the Audit Committee continues to provide assurances that enabled Adam Peat to comply with the requirements of the Accounting Officer role and I look forward to receiving similar support.

REPORTING OF PERSONAL DATA RELATED INCIDENTS

The Cabinet Office has issued guidance on reporting on any loss, unauthorised disclosure and any insecure disposal of protected personal data. The obligation is to report on the following:

- Details of any personal data related incidents formerly reported to the Information Commissioner's Office over the financial year;
- Recorded protected personal data related incidents not formally reported to the Information Commissioner's Office in the financial year; and
- Any protected personal data related incidents in previous financial years.

I am able to report that I am not aware of any incidents that require reporting in the year in question or the 2006-07 financial year. A revised data security policy is being finalised for the organisation.

THE FUTURE

As the newly appointed Ombudsman, I look forward to building on the success of my predecessor in establishing the service and steering it effectively through its early years. I will seek to ensure that people in Wales have access to an independent, effective and thorough complaints service and that the lessons learnt from complaints contribute to the continuing improvement of public services in Wales.

POST BALANCE SHEET EVENTS

There are no changes to report.

Peter Tyndall

Accounting Officer

22 September 2008

REMUNERATION REPORT

Public Services Ombudsman for Wales

The Government of Wales Act 2006 provides for my remuneration, the associated national insurance costs and those of my pension to be met from the Welsh Consolidated Fund. This is the first year of reporting of this arrangement as this change took effect from 1 April 2007. The purpose of the change is to ensure the independence of my role as Public Services Ombudsman for Wales and is similar to the arrangement that applies to the Auditor General for Wales.

The Public Services Ombudsman for Wales is remunerated at the equivalent of Group 5 of the Judicial Salary Scale. As I took on the role with effect from the 21 April 2008 no remuneration was received by me during the financial year ended 31 March 2008.

During 2007-08 my predecessor, Adam Peat who retired on the 21 April 2008, received remuneration of £132k (2006-07 £128k) and the employer's national insurance contributions were £15k (2006-07 £11k) . In addition employer pension contributions to the Principal Civil Service Pension Scheme amounted to £29k (2006-07 £25k).

Mr Peat did not receive any benefits in kind during the year 2007-08 (2006-07 Nil) These costs are included under Other Administration Costs as Consolidated Fund Standing Services in note 4.

* Details of Mr Peat's pension entitlements for the year ended 31 March 2008 were

* Real increase in pension	Real increase in lump sum	Pension at 31 March 2008	Lump sum at 31 March 2008	CETV at 1 April 2007	CETV 31 March 2008	Employee contributions and transfers in	Real increase in CETV as funded by employer
£000	£000	£000	£000	£000	£000	£000	£000
2	5	61	184	536	674	2	18

The pension figures shown in the table above represents full entitlements. Supporting information is provided in the Notes below

Notes

Pension arrangements

Civil Service Pensions

These pension benefits are provided through the Civil Service pension arrangements.

Cash Equivalent Transfer Values

A Cash Equivalent Transfer Value (CETV) is the actuarially assessed capitalised value of the pension scheme benefits accrued by a member at a particular point in time. The benefits valued are the member's accrued benefits and any contingent spouse's pension payable from the scheme. A CETV is a payment made by a pension scheme or arrangement to secure pension benefits in another pension scheme or arrangement when the member leaves a scheme and chooses to transfer the benefits accrued in their former scheme. The pension figures shown relate to the benefits that the individual has accrued as a consequence of their total membership of the pension scheme, not just their service in a senior capacity to which disclosure applies. The figures include the value of any pension benefit in another scheme or arrangement which the individual has transferred to the Civil Service pension arrangements. They also include any additional pension benefit accrued to the member as a result of their purchasing additional years of pension service in the scheme at their own cost. CETVs are calculated within the guidelines and framework prescribed by the Institute and Faculty of Actuaries.

Real increase in CETV

This reflects the increase in CETV effectively funded by the employer. It does not include the increase in accrued pension due to inflation, contributions paid by the employee (including the value of any benefits transferred from another pension scheme or arrangement) and uses common market valuation factors for the start and end of the period.

Chair of the Audit Committee

* During the year Mr Pavelin as the independent chair of the Audit Committee was paid, based on a daily rate, a total of £2,400 (2006-07 £1,600).

* Items subject to audit examination

Peter Tyndall

Accounting Officer

22 September 2008

STATEMENT OF ACCOUNTING OFFICER'S RESPONSIBILITIES

As Accounting Officer I have personal responsibility for the propriety and regularity of the public finances for which as Public Services Ombudsman for Wales I am answerable; for the keeping of proper accounts; for prudent and economical administration; for the avoidance of waste and extravagance; and for the efficient and effective use of all the available resources.

In particular I must

1. sign the accounts required under Paragraph 16 of Schedule 1 to the Public Services Ombudsman (Wales) Act 2005 and in doing so, accept personal responsibility for their proper presentation as prescribed in legislation or by the Treasury;
2. ensure that proper financial procedures are followed and that accounting records are maintained in a form suited to the requirements of management as well as in the form prescribed for the published accounts;
3. ensure that the public funds for which I am responsible are properly and well managed and safeguarded, with independent and effective checks of cash balances in the hands of any official;
4. ensure that assets for which I am responsible are controlled and safeguarded with similar care , and with checks as appropriate;
5. ensure that, in the consideration of proposals relating to the expenditure or income for which I have responsibility, all relevant financial considerations, are take into account, and full regard is had to any issues of propriety or regularity; and
6. sign the statement on internal control.

In preparing the accounts I am required to comply with the *Financial Reporting Manual for 2007-08* prepared by the Treasury, and in particular:

- (a) observe the Accounts Direction issued by the Treasury, including the relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis;
- (b) make judgements and estimates on a reasonable basis;
- (c) state whether applicable accounting standards, have been followed, and disclose and explain any material departures in the accounts; and
- (d) prepare the accounts on a going concern basis.

STATEMENT ON INTERNAL CONTROL

Scope of Responsibility

As Accounting Officer, I have responsibility for maintaining a sound system of internal control which supports the achievement of the Public Services Ombudsman for Wales's purpose as defined in statute and its strategic aims and objectives whilst safeguarding the public funds and assets for which I am personally responsible, in accordance with the responsibilities assigned to me in Managing Public Money.

I am independent of the National Assembly for Wales but am accountable to its Audit Committee for the use of resources made available to support my statutory functions. Prior to my appointment on the 21 April 2008, the role of Accounting Officer was undertaken by my predecessor Adam Peat.

The purpose of the system of internal control

The system of internal control is designed to manage risk to a reasonable level rather than eliminate all risk of failure to achieve policies, aims and objectives; it can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of my policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised and to manage them efficiently, effectively and economically. The system of internal control has been in place in the Public Services Ombudsman for Wales for the year ended 31 March 2008 and up to the date of approval of these accounts, and accords with Treasury guidance.

Capacity to handle risk

I am continuing to institute robust internal control arrangements to ensure that the Office has the capacity to identify, assess and manage risk effectively. The Management Team that I chair has the responsibility for overseeing risk management. I am satisfied that the systems in place identify potential risks at an

early stage and enable, through active management, for the appropriate action to be taken to minimise any adverse impact on the Office. In addition the Audit Committee continues to regularly review the organisation's exposure to risk. In this work I have continued to benefit from the considerable public sector financial management experience of the chairman Mr Laurie Pavelin CBE FCA.

The risk and control framework

To ensure that there are appropriate processes in place I have received considerable assistance from the Audit Committee and from Bentley Jennison as Internal Auditors. The scope of their work ensures that the appropriate processes and procedures are in place. In particular there is the need to monitor risks to the reputation and credibility of the Office. Another important risk is monitored by a regular review of the Corporate Governance within the Internal Audit Strategy. An important corporate risk which has come to the fore this year is that of Information Security. This Office has always maintained a high security level because of the obligations contained within section 26 of the Public Services Ombudsman (Wales) Act 2005 on the non disclosure of information except as specifically stated. The policy on information security is currently being finalised and will be followed by an Internal Audit review.

The risk and control framework measures in place are:

- (a) a business planning process to evaluate past performance, plans and targets and set forward plans and targets as stated in the business plan for 2007-08 and later years which following a review has been incorporated into the new document for 2008-09 and beyond. This ensures that the aims and objectives of the Office are kept under regular review.
- (b) a process of risk assessment involving the mapping of areas of key risks as they affect the achievement of business objectives is maintained. This helps decision making and will help influence the internal audit programme; and
- (c) the development of a business continuity plan that will be periodically reviewed and tested to provide for a phased recovery from events that would impair our operational capability.

Review of effectiveness

As Accounting Officer I have responsibility for reviewing the effectiveness of the system of internal control. My review of the effectiveness of the system of internal control is informed by the work of the internal auditors and the Audit Committee. I am further assisted by the external auditors' management letter and any other reports that they issue. A plan to address weaknesses and ensure continuous improvement of the system is in place. The plan is monitored through the Audit Committee through the regular receiving of a report setting out actions taken on matters raised by the Internal and External Auditors.

Significant Internal Control Problems

I am able to report that there were no significant weaknesses in the Office's system of internal controls in 2007-08 which affected the achievement of the Office's policies, aims and objectives.

Peter Tyndall

Accounting Officer

22 September 2008

THE CERTIFICATE AND REPORT OF THE AUDITOR GENERAL FOR WALES TO THE NATIONAL ASSEMBLY FOR WALES

I certify that I have audited the financial statements of The Public Services Ombudsman for Wales for the year ended 31 March 2008 under the paragraph 17(2) of schedule 1 to the Public Services Ombudsman (Wales) Act 2005. These comprise the Summary of Resource Outturn, the Operating Cost Statement and Statement of Recognised Gains and Losses, the Balance Sheet, the Cash Flow Statement, the Statement of operating costs by aims and objectives and the related notes. These financial statements have been prepared under the accounting policies set out within them. I have also audited the information in the Remuneration Report that is described in that report as having been audited.

Respective responsibilities of the Accounting Officer and Auditor General for Wales

The Accounting Officer is responsible for preparing the Annual Report, the Remuneration Report and the financial statements in accordance with paragraph 17(2) of schedule 1 to the Public Services Ombudsman (Wales) Act 2005 and Welsh Ministers' directions made thereunder and for ensuring the regularity of financial transactions. These responsibilities are set out in the Statement of Accounting Officer's Responsibilities.

My responsibility is to audit the financial statements and the part of the remuneration report to be audited in accordance with relevant legal and regulatory requirements, and with International Standards on Auditing (UK and Ireland).

I report to you my opinion as to whether the financial statements give a true and fair view and whether the financial statements and the part of the Remuneration Report to be audited have been properly prepared in accordance with the Public Services Ombudsman (Wales) Act 2005 and Welsh Ministers' directions made thereunder. I report to you whether, in my opinion, the information which comprises the report of the Ombudsman, management commentary, and the Remuneration Report, given in the Annual Report, is consistent with the financial statements. I also report whether in all material respects the expenditure and income have been applied to the purposes intended by the National Assembly for Wales and the financial transactions conform to the authorities which govern them.

In addition, I report to you if in my opinion the Public Services Ombudsman for Wales has not kept proper accounting records, if I have not received all the information and explanations I require for my audit, or if information specified by HM Treasury regarding remuneration and other transactions is not disclosed.

I review whether the Statement on Internal Control reflects the Public Services Ombudsman for Wales' compliance with HM Treasury's guidance, and I report if it does not. I am not required to consider whether this statement covers all risks and controls, or form an opinion on the effectiveness of the Public Services Ombudsman for Wales' corporate governance procedures or its risk and control procedures.

I read the other information contained in the Annual Report and consider whether it is consistent with the audited financial statements. I consider the implications for my report if I become aware of any apparent misstatements or material inconsistencies with the financial statements. My responsibilities do not extend to any other information.

Basis of audit opinions

I conducted my audit in accordance with International Standards on Auditing (UK and Ireland) issued by the Auditing Practices Board. My audit includes examination, on a test basis, of evidence relevant to the amounts, disclosures and regularity of financial transactions included in the financial statements and the part of the Remuneration Report to be audited. It also includes an assessment of the significant estimates and judgments made by the Accounting Officer in the preparation of the financial statements, and of whether the accounting policies are most appropriate to the Public Services Ombudsman for Wales' circumstances, consistently applied and adequately disclosed.

I planned and performed my audit so as to obtain all the information and explanations which I considered necessary in order to provide me with sufficient evidence to give reasonable assurance that the financial statements and the part of the Remuneration Report to be audited are free from material misstatement, whether caused by fraud or error, and that in all material respects the expenditure and income have been applied to the purposes intended by the National Assembly for Wales and the financial transactions conform to the authorities which govern them. In forming my opinion I also evaluated the overall adequacy of the presentation of information in the financial statements and the part of the Remuneration Report to be audited.

Opinions

In my opinion:

- the financial statements give a true and fair view, in accordance with the Public Services Ombudsman (Wales) Act 2005 and directions made thereunder by Welsh Ministers, of the state of Public Services Ombudsman for Wales' affairs as at 31 March 2008 and of its net cash Requirement, recognised gains and losses and cash flows for the year then ended;
- the financial statements and the part of the Remuneration Report to be audited have been properly prepared in accordance with the Public Services Ombudsman (Wales) Act 2005 and Welsh Ministers' directions made thereunder; and
- information which comprises the report of the Ombudsman, management commentary, and the Remuneration Report, given within the Annual Report, is consistent with the financial statements.

Opinion on Regularity

In my opinion, in all material respects the expenditure and income have been applied to the purposes intended by the National Assembly for Wales and the financial transactions conform to the authorities which govern them.

Report

I have no observations to make on these financial statements.

Jeremy Colman

Auditor General for Wales

24 September 2008

24 Cathedral Road

Cardiff

CF11 9LJ

SUMMARY OF RESOURCE OUTTURN*for the year ended 31 March 2008*

	2007-08		Outturn				2006-07	
	Revised	Estimate	Gross Expenditure	Income	Net Total	Net Total	Net total outturn compared to estimate saving/(excess)	Prior year outturn
	£000	£000	£000	£000	£000	£000	£000	£000
<i>Administration Costs</i>					2774	(6)	2768	2496
<i>Less Welsh Consolidated Fund shared services</i>					176		176	-
<i>Total Resources</i>	2817	(132)	2685	2598	(6)	2592	93	2496
<i>Net Cash Requirement</i>			2597			2597	0	4450
<i>Note 2</i>								

The notes on pages 21 to 36 form part of these accounts

OPERATING COST STATEMENT*for the year ended 31 March 2008*

	Note	2007-08	2006-07
		£000	£000
Administration costs:			
Staff costs	3	1718	1643
Other non staff administration costs	4	1056	861
Gross Administration Costs		2774	2504
Operating Income	5	(6)	(8)
Net Administration Cost		2768	2496
NET OPERATING COST and		2768	2496
NET RESOURCE OUTTURN			

All activities commenced in the period are continuing.

Statement of Recognised Gains and Losses

	Note	2008	2007
		£000	£000
For the year ended 31 March			
Actuarial gain / (loss) on Pension Scheme	3	(10)	(650)
Total recognised gains (losses) in year		(10)	(650)

The notes on pages 21 to 36 form part of these accounts

BALANCE SHEET*for the year ended 31 March 2008*

	Note	2007-08	2006-07
		£000	£000
Fixed assets			
Tangible fixed assets	6	241	246
Intangible fixed assets	7	65	64
		<hr/> 306	<hr/> 310
Debtors due after more than one year			
	8	-	42
		<hr/>	<hr/> 42
Current Assets			
Debtors due within one year	8	131	230
Cash at bank and in hand	9	14	14
		<hr/> 145	<hr/> 244
Current liabilities			
Creditors due within one year	10	(82)	(68)
Net current assets		<hr/> 63	<hr/> 176
Total assets less current liabilities		369	528
Creditors due after one year	10	(45)	(53)
Provisions	11	(614)	(606)
		<hr/> <u>(659)</u>	<hr/> <u>(659)</u>
		<hr/> <u>(290)</u>	<hr/> <u>(131)</u>
Pension Fund Surplus (Deficit)	3	290	160
		<hr/> 0	<hr/> 29
Taxpayers' Equity			
General Fund	15	(0)	(29)
		<hr/>	<hr/>

Peter Tyndall**Accounting Officer****22 September 2008**

The notes on pages 21 to 36 form part of these accounts

CASH FLOW STATEMENT*for the year ended 31 March 2008*

	Note	2007-08	2006-07
		£000	£000
Net cash outflow from operating activities	16	(2521)	(4409)
Capital expenditure and financial investment	17	(76)	(41)
Financing from National Assembly for Wales	18	2597	4106
(Decrease)in Cash	18	0	(344)

The notes on pages 21 to 36 form part of these accounts

RESOURCES BY AIMS AND OBJECTIVES

for the year ended 31 March 2008

The costs of providing a first class Ombudsman service to Wales are set out below. The allocation to each of the objectives has been as follows:

- (b) An estimate of the staff time spent on the objective
- (c) Direct allocation of expenditure
- (d) Apportionment of other costs pro rata to the estimate of staff time

As there has been no recognisable change to the work of the Office and the aims have been consistent over both years the same basis of apportionment has been used to provide comparative figures for 2005-06. The reporting in 2005-06 was based on the different jurisdictions but with the changes to the Office this is no longer appropriate.

	2007-08			2006-07		
	Gross £000	Income £000	Net £000	Gross £000	Income £000	Net £000
Investigating complaints as thoroughly as necessary and as quickly as possible	2113		2113	1847		1847
Raising awareness of the Ombudsman service and making it easily accessible to potential users	219		219	171		171
Using lessons learnt from my investigations to promote good practice and good governance by public bodies	290		290	352		352
Ensuring good governance and effective management within my office	152	(6)	146	134	(8)	126
Net operating costs	2774	(6)	2768	2504	(8)	2496

The notes on pages 21 to 36 form part of these accounts

Notes to the Financial Statements – for the year ended 31 March 2008**1. Statement of Accounting Policies**

The financial statements have been prepared in accordance with the Government Financial Reporting Manual (the FReM) issued by HM Treasury which is in force for 2007-08. The accounting policies contained in FReM follow UK generally accepted accounting practise for companies (UK GAAP) to the extent that it is meaningful and appropriate to the public sector. Where the FReM permits a choice of accounting policy, the accounting policy which has been judged to be most appropriate to the particular circumstances of these accounts for the purpose of giving a true and fair view has been selected. The particular accounting policies adopted by the Public Services Ombudsman for Wales (PSOW) are described below. They have been applied consistently in dealing with items considered material in relation to the accounts.

1.1 *Accounting Convention*

These accounts have been prepared under the historical cost convention modified to account for any revaluation of fixed assets, where material to their value to the business, by reference to their current costs.

1.2 *Tangible Fixed Assets*

Expenditure is capitalised where the assets purchased are expected to have a useful life extending over a number of years and the cost exceeds £1k. Tangible fixed assets are shown at cost less an allowance for depreciation. Assets costing less than £1k may be capitalised providing they are capital in nature and are part of a larger scheme that is in total more than £1k. On initial recognition fixed assets are measured at cost, including such costs as installation, which are directly attributable to bringing them into working condition for their intended use. In reviewing the costs of the fixed assets previously acquired and the prices paid for the new acquisitions during the year there is no material difference between the historic net book value of the assets and their replacement cost less depreciation.

1.3 *Depreciation*

Tangible fixed assets are depreciated at rates calculated to write them down to estimated residual value on a straight-line basis over their estimated useful life. Assets in the course of construction are depreciated from the point at which the asset is brought into use. Except where otherwise noted asset lives are assumed to be the following:

Furniture and fittings	10 years
Fitting out costs	10 years or the lease term if shorter
IT equipment	3 to 5 years
Communications equipment	10 years

1.4 ***Intangible assets***

Purchased computer software licences are capitalised as intangible fixed assets where expenditure of £1k or more is incurred. Intangible assets costing less than £1k may be capitalised providing they are capital in nature and are in total more than £1k. Except where reliable evidence of current value cannot be readily ascertained these are restated to current value each year. Software licences are amortised over the shorter of the term of the licence and the useful economic life. Following a review of the future usage of the complaints computer software, the useful life of the software is now considered to be seven years. In line with UK GAPP no retrospective adjustment for prior years has occurred.

1.5 ***Capital Charge***

A credit, reflecting the cost of capital utilised by PSOW, is included in operating costs. The charge is calculated at the real rate set by HM Treasury (currently 3.5%) on the average carrying amount of all assets less liabilities except for cash balances.

1.6 ***Value Added Tax***

The Office of the Public Services Ombudsman for Wales is not registered for VAT.

1.7 ***Pensions***

The pension obligations to present and past employees are covered by the provisions of the Principal Civil Service Pension Scheme (PCSPS), which is largely non-contributory and is unfunded, the Local Government Pension Scheme administered through the Cardiff and Vale of Glamorgan Pension Scheme (the Fund) and by direct payment to three previous Commissioners for Local Administration in Wales. Full details are disclosed in the Notes to the Accounts. The costs of providing these pensions are charged through the Operating Cost Statement.

1.8 ***Early departure costs***

Where the PSOW is required to meet the additional cost of benefits beyond the normal benefits payable by the appropriate pension scheme in respect of employees who retire early, these costs are charged to the operating cost statement in full when the liability arises.

1.9 ***Operating Leases***

Expenditure under operating leases is charged to the Operating Cost Statement in the period to which it relates.

1.10 ***Staff Costs and Other Administrative Costs***

All salary and associated costs for staff of the PSOW have been charged in full to these accounts.

The methods of cost allocation used are designed to give the most accurate reflection of the costs of running the office of the PSOW. The basis of apportionment is an estimate of the time spent on the objectives of the Office by staff except for expenditure that can be directly charged.

1.11 ***Operating Income***

Government grants and bank interest is accounted for in the year of receipt. Other income is credited to the year of account in which the work is done.

1.12 ***Foreign Exchange***

Transactions denominated in foreign currencies are translated into sterling at the rates ruling at the dates of the transactions.

1.13 ***Financial Instruments***

FRS 13, Derivatives and Other Financial Instruments, requires disclosure of the role which financial instruments have during the period in creating or changing the risks. These are disclosed as appropriate.

2. RECONCILIATION OF RESOURCES TO NET CASH REQUIREMENTS

	Note	2007-08 revised estimate £000	2007-08 outturn £000	Net total outturn compared to estimate saving/(excess) £000	2006-07 outturn £000
<i>Net Total resource Outturn Operating Cost Statement</i>		2685	2768	(83)	2496
<i>Less Welsh Consolidated Fund shared services</i>		0	176	176	0
<i>Net</i>		2685	2592	93	2496
<i>Fixed assets acquisition</i>	6/7	20	76	(56)	41
<i>Accruals adjustments:</i>					
<i>Non-cash items</i>	3 / 4	(95)	(128)	33	(29)
<i>Changes in working capital other than cash</i>	16	(13)	(133)	120	143
<i>Use of provisions</i>	11	0	80	(80)	89
<i>Pension funding</i>	3	0	110	(110)	1710
<i>Net cash requirement Summary of Resource Outturn</i>		2597	2597	0	4450

There was no variation between Estimated Net Cash Requirement and Outturn. During the year planned replacement of computer equipment was brought forward and a payment towards the long term deficit on the Local Government Pension Scheme as forecast by the Actuary was made of £75k.

3. Staff Numbers and Costs

The average number of whole-time equivalent persons employed (including senior management) during the year was as follows:

	2007-08	2006-07
	No.	No.
Senior management	3	3
Complaint investigation	31	31
Executive / Corporate Services staff	6	5
Total	40	39

The aggregate employment costs were as follows:

	2007-08	2006-07
	£000	£000
Permanent staff		
Salaries	1323	1350
Social Security Costs	101	115
Other pension costs	230	209
	1654	1674
Temporary staff	18	25
Social Security costs	1	1
	19	26
	1673	1700
Non-Cash items		
(Reductions)/additions to provisions for pensions of former ombudsman and early retirement costs	85	(117)
Other net pension finance costs	(40)	60
Sub-Total	45	(57)
Total employment costs	1718	1643

The costs of temporary staff include seconded staff, persons on temporary contracts and agency staff.

Pensions

Two pension schemes are operated on behalf of current staff. There remains an ongoing liability to meet the pensions of former ombudsmen.

(a) Principal Government Pension Scheme

The Principal Civil Service Pension Scheme (PCSPS) is an unfunded multi-employer defined benefit scheme but PSOW is unable to identify its share of the underlying assets and liabilities. The scheme Actuary valued the scheme as at 31 March 2007. Details can be found in the resource accounts of the Cabinet Office: Civil Superannuation (www.civilservice-pensions.gov.uk). For 2007-08, employers' contributions of £233k were paid to the PCSPS (2006-07 £192K) at one of the four rates in the range 17.1% to 25.5% of pensionable pay, based on salary bands. The scheme's Actuary reviews employer contributions every four years following a full scheme valuation. From 2008-09 the salary bands will be revised but the rates will remain the same. (The rates will be changing with effect from April 2009). The contribution rates are set to meet the cost of the benefits accruing during 2007-08 to be paid when the member retires and not the benefits paid during this period to existing pensioners.

Employees can opt to open a partnership pension account, a stakeholder pension with an employer contribution. As no options had been made no contributions were due or prepaid to the partnership pension providers at the balance sheet date.

(b) Local Government Pension Scheme

The disclosures below relate to the funded liabilities of the Cardiff and Vale of Glamorgan Pension Fund (the "Fund") which is part of the Local Government Pension Scheme. The Public Services Ombudsman for Wales participates in the Fund which provides defined benefits, based on members' final pensionable salary.

In accordance with Financial Reporting Standard No. 17 – Retirement Benefits (FRS17) disclosure of certain information concerning assets, liabilities, income and expenditure relating to pension schemes is required.

Contributions for the year ending 31 March 2009

Regular employer contributions to the Fund for the year ending 31 March 2009 are estimated to be £0.036M.

Assumptions

The latest actuarial valuation of the Fund took place as at 31 March 2007. However, the latest valuation for the Public Services Ombudsman for Wales was carried out as at 31 March 2008. The principal assumptions used by the independent qualified actuaries in updating the latest valuation of the Fund for FRS17 purposes were:

Main financial assumptions

	31 March 2008 (% pa)	31 March 2007 (% pa)	1 April 2006 (% pa)
Inflation	3.7	3.2	2.5
Rate of general long-term increase in salaries	5.2	4.7	4.0
Rate of increase to pensions in payment	3.7	3.2	2.5
Rate of increase to deferred pensions	3.7	3.2	2.5
Discount rate	6.8	5.3	5.4

Mortality assumptions

The mortality assumptions are based on the PNA00 series standard mortality tables with allowance for future mortality improvements in line with the “medium cohort” projection model, subject to a minimum level of annual improvement of 1% per annum for males and 0.5% per annum for females. Mortality rates in the underlying base table are further adjusted by the use of scaling factors to reflect the actual mortality experience of the Fund. To facilitate comparison with other employers, a pensioner who is currently age 65 is assumed to live on average for a further 20.3 years after retirement if they are male and for a further 24.1 years after retirement if they are female.

The Actuary, Hewitts Associates Ltd, has estimated that the bid value of assets of the Cardiff and Vale of Glamorgan Pension Fund as at 31 March 2008 was £902.0M (only a proportion of these assets are allocated to the Employer). The bid value of assets as at 31 March 2008 and 1 April 2006 have been estimated using the mid value of assets at 31 March 2007 and 1 April 2006 and the same mid-bid spreads as at 31 March 2008. The asset values, for the entire Fund, used as at the accounting date are set out below.

	Long-term rate of return expected at 31 March 2008 (% pa)	Estimated value at 31 March 2008 (£M)	Long-term rate of return expected at 31 March 2007	Estimated value at 31 March 2007 (£M)	Long-term rate of return expected at 1 April 2006 (%pa)	Estimated value at 1 April 2006 (£M)
Equities	7.6	640.7	7.7	690.4	7.3	622.8
Property	6.6	50.2	6.7	59.7	6.3	34.9
Government bonds	4.6	44.7	4.7	31.5	4.3	35.0
Corporate bonds	6.8	121.7	5.3	97.4	4.9	94.1
Other	6.0	44.7	5.6	19.5	4.6	12.4
Total	7.2	902.0	7.2	898.4	6.8	799.2

Reconciliation of funded status to balance sheet

	Value at 31 March 2008 (£M)	Value at 31 March 2007 (£M)	Value at 1 April 2006 (£M)
Fair value of Fund assets	4.41	4.54	2.77
Present value of liabilities	4.12	4.39	3.62
Net pension asset/(liability)	0.29	0.15	(0.85)

The table above shows the figures calculated under the Amendment to FRS 17. An additional charge of £10k is required in the current year in order to account for the changes due to the recalculation.

Analysis of profit and loss charge

	Year ended 31 March 2008 (£M)	Year ended 31 March 2007 (£M)
Current service cost	0.03	0.05
Past service cost	0.02	0.00
Interest cost	0.23	0.19
Expected return on assets	(0.32)	(0.18)
Curtailment cost	0.00	0.00
Settlement cost	0.00	0.00
Expense recognised in profit and loss	(0.04)	0.06

Changes to the present value of liabilities during the year

	Year ended 31 March 2008 (£M)	Year ended 31 March 2007 (£M)
Opening present value of liabilities	4.39	3.62
Current service cost	0.03	0.05
Interest cost	0.23	0.19
Contributions by participants	0.01	0.02
Actuarial (gains)/losses on liabilities*	(0.43)	0.70
Net benefits paid out	(0.13)##	(0.19)
Past service cost	0.02	0.00
Net increase in liabilities from disposals and acquisitions	0.00	0.00
Curtailments	0.00	0.00
Settlements	0.00	0.00
Closing present value of liabilities	4.12	4.39

*Includes changes to the actuarial assumptions

#Consists of net cashflow out of the Fund in respect of the employer, excluding contributions and any death in service lump sums paid, and including an approximate allowance for the expected cost of death in service lump sums of £0.001M.

Changes to the fair value of assets during the year

	Year ended 31 March 2008 (£M)	Year ended 31 March 2007 (£M)
Opening fair value of assets	4.54	2.77
Expected return on assets	0.32	0.18
Actuarial gains/(losses) on assets	(0.44)	0.05
Contributions by the Employer	0.11	1.71
Contributions by participants	0.01	0.02
Net benefits paid out	(0.13)	(0.19)
Net increase in assets from disposals and acquisitions	0.00	0.00
Settlements	0.00	0.00
Closing fair value of assets	4.41	4.54

(c) Pensions for former Ombudsmen

With the agreement of the Secretary of State for Wales in 1991 and subsequent confirmation by Statutory Instrument 1993 No. 1367 the Local Government Commissioners became eligible to join the Local Government Pension Scheme. However the pensions of the three previous Local Government Commissioners remain the responsibility of the Public Services Ombudsman for Wales and are met through the operating cost statement.

Pensions are increased annually in line with the Pension's Increase Order. The total payments during 2007-08 were £69k (£66k in 2006-07). The liabilities arising out of the obligation to finance these pensions together with any dependent pensions has been calculated to be £611k (2006-07 £597k). The major difference is due to the decision to follow the Treasury guidance that all Pension liabilities should be discounted. The discount rate applied was 3.5% (2006-07 5.3%) which is the rate that has been used for the Local Government Pension scheme as referenced above. The calculation to determine the overall liability has been carried out internally using life expectancy tables for males and females in Wales obtained from the web site of the Government Actuary's Department. Further details are shown under movements in provisions (Note 11).

4. Non Staff Administration Costs

	2007-08 £000	2006-07 £000
Rentals under operating leases	160	238
External Audit fee	15	15
Other services provided by WAO relating to		
Human resources	5	10
Professional Advisers' Consultancy	199	124
Other property costs	87	88
Computer services	62	51
Office supplies, equipment and services	241	218
Travel and subsistence	28	31
Consolidated fund standing services	176	-
(Salary and related costs of the Ombudsman met from the Welsh Consolidated Fund)		
Sub-total	<hr/> 973	<hr/> 775
Depreciation and amortisation	80	99
Loss on disposal of tangible fixed assets	-	2
Provision for redecoration	3	
Cost of capital credit	0	(15)
Sub-total	<hr/> 83	<hr/> 86
Total Other Administration Costs	<hr/>1056	<hr/>861

Accommodation cost, disclosed under rentals under operating leases, includes service charges which are integral to the lease and the cost of the building rates. The amounts disclosed at Note 12 – Commitments under leases – against land buildings however, only includes the cost of long-term rental and service contracts.

The increase in professional fees is due to the increased need for specialist advice.

5. Operating Income

Income receivable arises from short term investment of surplus funds

	2007-08 £000	2006-07 £000
Interest receivable	6	7
Other income	-	1
	<hr/> 6	<hr/> 8

6. Tangible Fixed Assets

	Fitting out works	IT equipment	Furniture & other fittings	Telephone equipment	Total
	£000	£000	£000	£000	£000
Cost or valuation at 1 April 2007	196	81	101	22	400
Reclassification					
Additions	6	26	11	7	50
Disposals					
At 31 March 2008	202	107	112	29	450
Depreciation At 1 April 2007	56	62	29	7	154
Charged in the year	21	19	12	3	55
Disposals					
At 31 March 2008	77	81	41	10	209
NBV at 31 March 2008	125	26	71	19	241
NBV at 31 March 2007	140	19	72	15	246

7. Intangible Fixed Assets

The Office continues to use a computerised complaints monitoring system whose ultimate owner is the Scottish Public Services Ombudsman. A licence fee for the use of the system was incurred by this Office.

	2007-08	2006-07
	£000	£000
Cost or Valuation at 1 April	175	167
Additions during year	26	8
Total	201	175
Amortisation at 1 April	(111)	(72)
Amortisation during the year	(25)	(39)
Total	(136)	(111)
Net book value at 31 March	65	64

Debtors		
8.	2007-08 £000	2006-07 £000
Amounts falling due in more than one year		
Prepayments	-	42
Amounts falling due within one year:		
From Government departments	-	124
From other parties	-	1
Prepayments	131	105
	131	230

9. Cash at Bank and in Hand

Any cash balance held at the year end has to be returned to the Welsh Consolidated Fund. A creditor for £14k has been included within the accounts being the net balance at the year end on all the bank accounts operated by the Public Services Ombudsman for Wales irrespective of whether the individual account is in debit or credit and the amount of grant received offset by this repayment. This arises from the change in the financing arrangements following the establishment of the Welsh Consolidated Fund under the Government of Wales Act 2006.

10. Creditors

	2007-08 £000	2006-07 £000
Amounts falling due in one year		
Amounts owed to the Collector of Taxes	-	-
Amounts owed to the Parliamentary Commissioner	20	1
Welsh Consolidated Fund	14	14
Trade creditors	48	53
	82	68
Amounts falling due in more than one year		
Deferred rent reduction	45	53
Total	127	121

11. Provisions for liabilities and charges

	2007-08		2006-07		
	Early retirement £000	Pensions for Former Commissioners £000	Future Redecoration Costs £000	Total £000	Total £000
Balance at 1 April	9	597	0	606	812
Provided in the year	2	83	3	88	106
Provisions no longer required					(223)
Provisions utilised in the year	(11)	(69)		(80)	(89)
Balance at 31 March	0	611	3	614	606

The early retirement provision is no longer required as the pension has become payable as normal retirement age has been reached.

The increase in the provision arises from the higher that previously allowed for pensions increase and the annual reassessment of life expectancy using the tables.

The discount factor has been reviewed and a new rate of 3.5% has been used as against 5.3% for 2006-07. This has resulted in an increased provision.

The future redecoration costs arise from an obligation to redecorate the interior of the premises leased at Bocam Park.

12. Commitments under Operating leases

At 31 March 2008 the Office was committed to making the following payments during the next year in respect of operating leases expiring:

	2007-08		2006-07
	Buildings £000	Other £000	Buildings £000
Within one year	-	-	-
Between two and five years	-	6	-
After five years	202	-	171
	202	6	171
			5

13. Contingent liabilities

There are no contingent liabilities.

14. Capital Commitments

There were capital commitments at 31 March 2008 of £2k (2006-07 nil) being the retention of 10% on a contract for intranet development.

15. General Fund

	2007-08	2006-07
	£000	£000
General Fund as at 1st April	29	(902)
Adjustment to pension fund surplus due to adopting the Amended FRS 17	(10)	0
Net operating cost	(2768)	(2496)
Funding by National Assembly for Wales	2597	4106
Due back to Welsh Consolidated Fund	(14)	(14)
Cost of Capital Credit	0	(15)
Welsh Consolidated Fund shared services	176	-
Actuarial (deficit) / surplus	(10)	(650)
General Fund as at 31st March	0	29

16. Reconciliation of operating cost to operating cashflows

	Notes	2007-08	2006-07
		£000	£000
Net operating cost		(2768)	(2496)
Adjust for non cash items	3,4	128	29
(Increase)/decrease in debtors	8	141	(6)
Increase/(decrease) in creditors	10	6	(123)
Less movement in creditors relating to items not passing through the OCS		(14)	(14)
Payment to meet pension fund deficit	3	(110)	(1710)
Use of provisions		(80)	(89)
Welsh Consolidated Fund shared services		176	0
Net cash outflow from operating activities		(2521)	(4409)

17. Capital Expenditure and financial investment

	2007-08	2006-07
	£000	£000
Tangible fixed asset additions	(50)	(33)
Intangible fixed asset additions	(26)	(8)
Net cash outflow from investing activities	(76)	(41)

18. Reconciliation of net cash requirement to increase/(decrease) in cash

	2007-08	2006-07
	£000	£000
Net Cash Requirement:		
Operating activities	(2521)	(4409)
Capital Expenditure	(76)	(41)
	(2597)	(4450)
Financing from National Assembly for Wales	2597	4106
(Decrease) / Increase in cash	0	(344)

19. Financial instruments

Because of the largely non-trading nature of its activities and the way in which government bodies are financed, the PSOW is not exposed to the degree of financial risk faced by some business entities. Financial assets and liabilities are generated by day to day operational activities and are not held to change the risks faced by the Office in undertaking its activities. Cash is the Office's only financial instrument.

20. Related-party Transactions

The PSOW has had a number of material transactions with the National Assembly for Wales. Also there have been material transactions with the Office of the Parliamentary Ombudsman. In addition, the PSOW has had a small number of transactions with other Government Departments and other central government bodies.