

Mae'r ymateb yma hefyd ar gael yn Gymraeg.

This response is also available in Welsh.



**Response by the Public Services Ombudsman for Wales
to the Welsh Government's consultation
'Post pandemic interim homelessness measures'**

We are pleased to have the opportunity to respond to this consultation.

Our role

As Public Services Ombudsman for Wales (PSOW), we investigate complaints made by members of the public who believe they have suffered hardship or injustice through maladministration or service failure on the part of a body in my jurisdiction, which essentially includes all organisations that deliver public services devolved to Wales. These include:

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

We can consider complaints about privately arranged or funded social care and palliative care services and, in certain specific circumstances, aspects of privately funded healthcare.

We also investigate complaints that elected members of local authorities have breached their Codes of Conduct, which set out the recognised principles of behaviour that members should follow in public life.

The 'own initiative' powers we have been granted under the Public Services Ombudsman (Wales) Act 2019 (PSOW Act 2019) allow us to investigate where evidence suggests there may be systemic failings, even if service users themselves are not raising complaints. The Act also established the Complaints Standards Authority (CSA) to drive improvement in public services by supporting effective complaint handling through model procedures, training and collecting and publishing complaints data.

Question 1: Do you agree with Welsh Government's 'no-one left out' policy?

Yes.

Question 2: Do you agree that adding a 'person sleeping rough' as the 11th category of Priority Need allows us to continue with the 'no-one left out' policy? If not, how else could this be achieved?

Yes. We would emphasise that any changes to the Priority Need category need to be accompanied by clear information and guidance to Local Authority staff and agencies supporting individuals in need of accommodation. This information and guidance should also directly reach the people who are rough sleeping to enable them to benefit from the expansion of the Priority Need category.

Question 3: Do you agree with the definition of 'person sleeping rough' that we propose to use? If not, please provide a reason for your answer.

For clarity, we suggest that the definition explains the term 'bashes' and that the typo in the definition is corrected (stations *or* 'bashes').

The definition does not include people in hostels or shelters. Although we understand the reasons for this group not being included in the definition, we would like to underline that sleeping in a hostel or shelter should not be seen as a long term solution to rough sleeping.

Question 4: Do you agree that pressures caused by Covid-19 should be added as a new exemption under Article 6 of the 2015 Suitability Order? If not, please provide a reason for your answer.

In response, we would only point out that this exemption, if added, should be clearly communicated to the people affected by it. During our own initiative investigation, we heard evidence that people misunderstood the extent of council's duties to accommodate and assess individuals (e.g., p. 33 of [our own initiative report](#)). Exemptions in the legislation might help avoid confusion, provided there was clear guidance in such circumstances.

Question 5: Do you agree with time limit of 31 March 2023 to address the temporary accommodation pressures caused by Covid-19 exemption?

No comment

Question 6: What impact do you foresee on resources (for example staffing)? Do you have evidence to support this?

It would not be appropriate for us to comment on detailed resource questions. However, we can point to the relevant evidence we gathered during our own initiative investigation (e.g., p. 30 of [our own initiative report](#)) that staff resources were stretched during the pandemic, with the increase in demand for homelessness assessments and more complex case work. The proposals could add to these pressures, and the Welsh Government and Local Authorities will need to plan for resource implications accordingly.

Closing remarks

We trust that you will find these comments useful. Should you wish to discuss any of my points further, please do not hesitate to contact Ania Rolewska, our Head of Policy (ania.rolewska@ombudsman.wales).

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Public Services Ombudsman for Wales

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