



## **Strategic Plan 2023-2026: summary of external consultation responses**

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We undertook external consultation on our draft Strategic Plan 2023-2026 between 22 September and 22 November 2022. The consultation document can be found [here](#). In this document, we summarise consultation responses and explain how we have amended the Strategic Plan to reflect the feedback received.

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## Overview

We received responses from 21 organisations (see full list in the Appendix). Overall, responses were very positive. Almost all respondents agreed that the ambition of the Plan was clear and appropriate and that our stated Strategic Aims adequately addressed the challenges we face. We are delighted that many respondents emphasised that they are looking forward to working closely with us on the implementation of the Plan.

## Comments on the Strategic Aims

Respondents expressed general support for many aspects of the Plan, including adoption of new digital tools to manage complaints, the plans to improve the website, more awareness raising and outreach work, the commitment to embed Plain English, and more work to promote systemic improvement. Those areas were also commonly noted as a priority. A few responses also praised the emphasis on our Complaints Standards work, promotion of staff wellbeing and reducing our carbon footprint.

In this document we consider concerns, suggestions and areas where more clarity may be needed.

## Outreach and accessibility support

Several respondents raised questions about the intended focus and scope of our planned outreach, as well as accessibility support, including:

- how we will engage with the ‘silent minority’ of potential users of our service;
- how we will reach and support those whose first language is neither English nor Welsh;
- how we will support people with learning difficulties;
- how we will take into account socio-economic deprivation;
- what we will do to promote bilingual access to our services (see also [Comments on the Welsh language](#) below).

Several respondents considered that our accessibility commitments did not go far enough, suggesting that they should extend beyond Plain English to include, for example, support for users of languages other than Welsh (including BSL),

provision of formats such as audio versions, Easy Read, Braille services, and support to access appropriate advocacy services.

Several respondents emphasised the need for us to consider targeted work with underrepresented groups and using key people within the community to increase awareness. One respondent suggested that we will need clear and effective marketing to support this work.

Several respondents shared with us their detailed suggestions for actions, including:

- ensuring greater clarity on our website and in our publications on our role and the channels for submission of complaints;
- making our complaints procedure and information about it more accessible to disabled people and people with learning disabilities (e.g. make some webpages, rather than documents, available in EasyRead; using simpler document titles; user-testing of resources);
- taking steps to minimise the risk of digital exclusion of older service users.

Two responses made detailed suggestions about our approach to the investigation of complaints involving learning disability, to provide greater equity in our work.

### **Equality, diversity and inclusion (EDI)**

Several respondents believed that the Plan should more clearly emphasise our attention to EDI, with suggestions that

- our focus on good customer service, as well as our proactive improvement work, could give more emphasis to the promotion of equity and equitable public services;
- we include a statement explaining that ‘the fundamentals’ of the Equality Act 2010 are integrated within the scope of the Strategic Aims;
- we give greater emphasis to increasing the diversity of staff.

One respondent welcomed our work on human rights and stated that ‘we would like to see other regulators taking on a more explicit role in ... delivery of equality objectives and outcomes ... and consideration of potential breaches of equality and human rights issues.’

## Healthcare complaints processes

Several respondents from the health sector submitted comments or raised questions related to our position in relation to that sector.

Several respondents questioned our use of term 'redress' ('Our Strategic Aims' > 'Strategic Aim 1') suggesting that this was confusing, since in the health context redress is solely used to address when a patient has experienced a breach of duty of care and a qualifying liability has been identified in law. It was suggested that a term such as ex-gratia payment would be more accurate and that the Strategic Plan would be a good opportunity to standardise the use of this language going forward.

In the context of the health sector specifically, several respondents wished to see more acknowledgement of:

- the context within which the NHS operates;
- the implications of the Duty of Candour and the Duty of Quality and our position in relation to those duties;
- our position in relation to the Putting Things Right process, escalation arrangements and the national themes of learning;
- how we intend to work with the public, providers, frontline staff and the NHS Executive.

## Other comments

Individual respondents called for:

- more emphasis on the benefits of alternative remedies;
- more clarity on whether the People Strategy will consider staff wellbeing;
- more details of any analysis of 'potential' service users and their specific needs or expectations;
- more details of our goals (specifying the areas of control and influence) and how our commitments will be realised;
- more education and training to foster better complaints handling;
- more clarity about the Complaints Standards Authority and its work with public bodies;

- more detail of the resources available to support partnership working and to manage our increasing caseload;
- acknowledgement of resource implications of increased workload for our office and for bodies in our jurisdiction;
- clarity on involvement of public body staff in the development of any new digital tools or processes that affect them;
- including in the Plan details of how we will improve the timeliness of dealing with complaints.

## Our response

We are grateful for the detailed and general comments we received.

Our Strategic Plan is understandably a high-level document. We will develop a detailed Business Plan which will include the specific actions we will take. Whilst it would not be feasible to include in the Strategic Plan all the specific actions that we intend to take to improve inclusion and accessibility, we agree that we should highlight the broad scope of our planned actions. Accordingly, we have modified our commitment under Strategic Aim 2 as follows:

Original	Amended
Improve the quality of our communication, including by embedding the use of Plain English / Cymraeg Clír across the organisation.	Improve the quality and accessibility of our communication, including by expanding the use of accessible formats and embedding the principles of Plain English / Cymraeg Clír across the organisation.

We will take all the detailed suggestions into account as we develop our Business Plan.

We value the detailed feedback related to our approach to complaints concerning learning disability. We have engaged directly with the relevant organisations to discuss these concerns.

We agree that the Plan should emphasise more clearly our commitment to equality and human rights. To reflect that, we have added the following statement: 'We will continue to promote equal and equitable services and human rights considerations across all our work.'

We note the suggestions that we specifically reference the pressures on the NHS and detailed factors impacting the NHS. On reflection, we have decided not to amend the Plan in line with these suggestions, as they would not be appropriate in this high-level document which targets a diverse audience. Specific references to the NHS, but not to the large number of other organisations in our jurisdiction, could be unbalanced. We have, however, clarified in the introduction to the Plan that we intend to set realistic expectations for all bodies in our jurisdiction.

We acknowledge the comments from some health service respondents about our use of the term 'redress'. Whilst we understand that the term 'redress' has been used differently within health services since the introduction of the Putting Things Right scheme in 2011, our power to recommend financial compensation does not apply to that sector alone and has been in existence since PSOW's establishment in 2005. In accordance with the terms of our legislation, we explain clearly to complainants that

- if they are mainly seeking financial compensation or any other remedy which court action would provide, we may not be able to investigate their complaint if it is reasonable for them to take this action;
- while we can recommend financial redress in certain circumstances, the level of any financial redress we may recommend is what we consider reasonable in the circumstances and is not related to what might have been achieved as a legal remedy through the courts.

This clarifies the differences between our approach to financial redress/compensation and that used by the NHS. However, we agree that it would be more accurate for our Strategic Plan (Our Strategic Aims > Strategic Aim 1) to refer more broadly to 'remedies' rather than to 'redress'.

We will update bodies in our jurisdiction as we develop and introduce any new digital tools or processes that could affect them. Likewise, we will communicate any intention to change our complaint handling timescales.

The Complaints Standards Authority is an integral part of our office and we agree that it is important that we further develop this work.

Finally, we have adjusted the wording of the commitment to develop the People Strategy under Strategic Aim 4, to clarify the relevance of this action to supporting the wellbeing of our staff.

## Comments on our proposed approach to measuring our influence

In terms of our proposed approach to measuring our influence, respondents offered fewer comments. However, some suggested that:

- we need to recognise that a reduction in complaints, as a result of complaints handling training, will be offset by increased complaints as our service becomes more accessible;
- there should be no blanket approach when measuring the time taken to resolve a complaint;
- it may be helpful to include a review of the performance targets to manage expectations of service users;
- we should consider face-to-face engagement events and vox pop type surveys;
- we should consider how to monitor public body service improvement after an Ombudsman complaint has been resolved;
- we should consider how to bring lived experience to life in our work;
- we should consider introducing quality indicators and using case studies to demonstrate impact;
- national themed recommendations would be helpful;
- we should gather feedback from CSA training;
- we should seek feedback from public service organisations as well as service users and advocacy groups.

Several respondents suggested that we should provide more detail of the scope and resources committed to partnership work.

### Our response

We read with interest the feedback shared in relation to this section of the Strategic Plan. Although we already gather some of the data suggested (for example, we monitor the feedback from our complaints standards training), we agree that case studies could offer an additional valuable evidence base to help us evaluate the impact of our complaint handling service and our proactive improvement work.

We acknowledge that more detail of our intended partnership work would be welcome. Although it was important that we gave meaningful examples of practical

actions, in a high-level document such as this Strategic Plan we did not wish to name specific organisations that may be involved.

## **Comments on the Welsh language**

We received extensive and detailed comments on the Welsh language, including that:

- the Plan should include more attention to the Welsh Language and the effects of the Aims on the Welsh language;
- the Plan should also consider our ability to handle complaints about the use of the Welsh language;
- there was not enough clarity on whether outreach and systemic improvement work would consider also the needs of Welsh speakers;
- there was not enough clarity on how we would ensure bilingual access to our services, represent the culture of Wales and the diversity of its citizens and contribute to the Welsh Government commitment to increase the number of Welsh speakers by 2050.

Some respondents offered detailed suggestions for actions, including that:

- it would be beneficial if we considered the relevance of the Welsh language standards to each of the proposed actions under every Strategic Aim and the methods of measuring success. This is particularly relevant to elements relating to information technology, service provision and communication, and staff development;
- as part of Strategic Aim 2, we should carry out analysis to understand why the number of people using our services in Welsh is small and what steps we could take to increase this;
- Strategic Aim 2 should cover the need to comply with standard 77 of the Welsh Language Standards ('You must promote any Welsh language service that you provide, and advertise that service in Welsh');
- we should develop a policy on the use of the Welsh language internally with the intention of promoting and facilitating the use of the Welsh language amongst the workforce;
- we should consider how the Strategic Aims would demonstrate how we would support Welsh speakers to work in an agile way (e.g. availability of



translation software) - and how we would also support to that end disabled people and users of other languages.

One respondent stated that we should ensure that both languages are given equal standing – ‘as long as there is no pressure to ‘push’ use of Welsh, rather allowing a personal choice’.

Several respondents emphasised that in supporting Welsh speakers we must not lose sight of needs of users of other languages, including BSL.

One respondent questioned whether the consultation treated the Welsh language at least as favourably as the English language, stating that ‘it would have been more suitable to conduct the consultation completely bilingually’ rather than with separate Welsh and English versions.

## **Our response**

We were grateful for the detailed comments received in response to this question.

We are committed to supporting the Welsh language and its speakers and have arrangements in place to ensure that the Welsh language standards are met. We have undertaken an Equality Impact Assessment and assessed the Plan’s impact on the Welsh language. We consider that the Plan will have a positive impact on the Welsh language. However, we acknowledge that the commitment to maintain these arrangements and promote the use of the Welsh language was not clearly emphasised in the draft Plan. To address this, we have added the following statement: ‘We will continue to comply with the Welsh language standards, promote the use of Welsh and ensure that all our services are available in Welsh.’

Given the high-level nature of the Strategic Plan, it would not be feasible to include the many detailed suggestions for actions to support this commitment that were shared with us by the respondents.

However, we will consider these suggestions as we develop our Business Plan. We will also consider how we can incorporate these suggestions as we revise our Welsh Language Policy.

## Appendix: respondents

- Age Cymru
- Aneurin Bevan University Health Board
- Betsi Cadwaladr University Health Board
- Blaenau Gwent County Borough Council
- Cardiff and Vale University Health Board
- Cwm Taf Morgannwg University Health Board
- Cyngor Gwynedd
- Equality and Human Rights Commission
- Isle of Anglesey Council
- Learning Disability Consortium and the Paul Ridd Foundation
- Learning Disability Wales
- NHS Wales Delivery Unit
- Pobl
- Public Health Wales
- Swansea Bay University Health Board (2 responses)
- Swansea Council
- TaiPawb (2 responses)
- TaiTarian
- Value of Glamorgan Council
- Velindre University NHS Trust
- Welsh Language Commissioner