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Consultation response

Professional Standards Authority's good practice guidance documents in support of regulatory reform

Professional Standards Authority

Submitted 15th April 2024

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Mae'r ddogfen hon hefyd ar gael yn y Gymraeg. This document is also available in Welsh.

We welcome the opportunity to comment on these proposals. The Public Services Ombudsman for Wales (PSOW) has the duty and the privilege to deliver justice for individuals who have been treated unfairly by public services or their elected local representatives. The role of the PSOW is to:

- look into complaints that something has gone wrong with Welsh public services;
- look into complaints that Welsh councillors have breached their Code of Conduct;
- work with public bodies to improve public services and standards of conduct within local government across Wales.

General comments

We understand the importance of the two guidance documents in shaping regulatory practices. We are broadly positive about guidance that seeks to enhance best practices in regulators' functions, ensuring better outcomes for patients, service users, and the public. We are supportive of improvement which gives greater flexibility, as it is in public interest for concerns to be resolved quickly.

[The use of accepted outcomes in fitness to practise: Guidance for regulators](#)

The PSA's draft guidance on accepted outcomes provides valuable insights for regulators and the UK Government's programme of regulatory reform, with its emphasis on the use of accepted outcomes as part of fitness to practise processes. We appreciate the focus by the PSA on the principles of right-touch regulation, ensuring that accepted outcomes are applied consistently, appropriately, proportionately, and transparently.

[Good practice in rulemaking – Principles and guidance for regulators on developing, making and amending rules:](#)

The PSA's draft guidance on rulemaking is timely, given the legislative reforms empowering regulators to make and amend their own operational rules. We support the principles outlined in the guidance, emphasising public protection and effective rule development. We also support the need for regulatory consistency. When things go wrong, as they invariably do, complexity and irregularities across the different professions responsible for the health and care, places additional barriers for people looking for justice, often when they are at their most vulnerable. Consistency also enables regulators to take a joined-up approach when taking account of any findings and recommendations an ombudsman scheme makes which may be relevant.

Closing remarks

We trust that you will find these comments useful. Should you wish to discuss any of our points further, please do not hesitate to contact Tanya Nash, our Acting Head of Policy (tanya.nash@ombudsman.wales).

A handwritten signature in black ink that reads "MMA Morris". The letters are stylized and somewhat cursive.

Michelle Morris

Public Services Ombudsman for Wales

April 2024