



STANDARDS COMMITTEE - 14TH MARCH 2013

SUBJECT: REPORT FROM PUBLIC SERVICES OMBUDSMAN FOR WALES

REPORT BY: MONITORING OFFICER

1. PURPOSE OF REPORT

- 1.1 To note the report from the Public Services Ombudsman for Wales on a maladministration complaint made against Caerphilly County Borough Council.

2. LINKS TO STRATEGY

- 2.1 The Authority is under a statutory duty to consider reports from the Ombudsman and to give effect to their recommendations. The duty to oversee this is within the terms of reference of this Committee.

3. THE REPORT

- 3.1 Since 1st April, 2006 the Public Services Ombudsman for Wales ("the Ombudsman") has had jurisdiction under the Public Services Ombudsman (Wales) Act 2005. This Act has superseded but not completely repealed the previous legislation (Local Government Act 1974) and deals with maladministration complaints made to the Ombudsman.
- 3.2 There are two forms of report - Under Section 16 which is the form of report which needs to be formally considered by the Authority and Section 21 where the Ombudsman feels that a public report is not required and the matter has been satisfactorily resolved.
- 3.3 This report before Members is in relation to an Ombudsman report under Section 21 and the report is attached at Appendix 1. Members will note that the Ombudsman has partially upheld the complaint.
- 3.4 The maladministration complaint arose from a complaint lodged by Mr. & Mrs. A. alleging that the Council had failed to address the behavioural problems of child A, a child they had fostered for approximately three years. They complained that the Council had failed to provide appropriate support services and this led to the subsequent breakdown of the placement and the removal of child A from their care. They also complained about the Council's complaints process.
- 3.5 The Report by way of letter sets out the complaint and details of the investigation undertaken by the Ombudsman.
- 3.6 The decision of the Ombudsman is set out at page 6 of the Report and his recommendations as set out at page 10 of the Report.

4. FINANCIAL IMPLICATIONS

4.1 None.

5. PERSONNEL IMPLICATIONS

5.1 There are no personnel implications arising from the terms of the Report.

6. EQUALITIES IMPLICATIONS

6.1 None.

7. CONSULTATIONS

7.1 This Report reflects the contents of the Ombudsman's Report and therefore there has been no formal consultation on the format of this Report. A copy of the Report has been provided to the consultees listed below.

8. RECOMMENDATIONS

8.1 That the Ombudsman's report be noted.

9. REASONS FOR THE RECOMMENDATIONS

9.1 To satisfy the Council's statutory duties under the Public Services Ombudsman (Wales) Act 2005.

10. STATUTORY POWERS

10.1 Public Services Ombudsman (Wales) Act 2005, Local Government Act 1974.

Author: Gail Williams, Principal Solicitor/Deputy Monitoring Officer
Consultees: FOR INFORMATION ONLY
Councillor R. Woodyatt
Councillor K. Reynolds
Anthony O'Sullivan, Chief Executive,
Nigel Barnett, Deputy Chief Executive,
Dave Street, Interim Corporate Director, Social Services
Meirion Day, Team Manager, Social Services
Judith Morgans, Customer Services & Performance Co-Ordinator,
Chair of Standards Committee

Background Papers:
None other than published documents

Appendices:
Appendix 1 Report of Public Services Ombudsman for Wales