



STANDARDS COMMITTEE – 4TH NOVEMBER 2015

SUBJECT: ANNUAL LETTER FROM PUBLIC SERVICES OMBUDSMAN FOR WALES 2014-2015

REPORT BY: INTERIM HEAD OF LEGAL SERVICES AND MONITORING OFFICER

1. PURPOSE OF REPORT

- 1.1 To update the Standards Committee on the Annual Letter (2014-2015) from the Public Services Ombudsman for Wales regarding complaints received and investigated by the Ombudsman. The report will also be placed before Council on the 17th November 2015.

2. SUMMARY

- 2.1 To inform Members of the Public Services Ombudsman for Wales Annual Letter 2014/15.

3. LINKS TO STRATEGY

- 3.1 The duty to oversee complaints received and investigated by the Ombudsman is within the terms of reference of this Committee.

4. THE REPORT

- 4.1 The Annual Letter setting out a clear and concise breakdown of all complaints received and investigated by the Public Services Ombudsman for Wales during 2014/15 in relation to Caerphilly was received in August 2015. Since that date officers have been corresponding with the Ombudsman's office in relation to queries regarding the data. An amended Letter is to be provided shortly.
- 4.2 A copy of the original Annual Letter is attached at Appendix 1 to the Report. The amended Letter has not yet been received.
- 4.3 Members will note that the data attached as an appendix to the Annual Letter includes a detailed breakdown of complaints received and investigated, and response times to requests for information.
- 4.4 This data is self-explanatory and therefore no further comment is offered other than to ask the Committee to formally note the following:
- 4.4.1 In relation to Caerphilly, whilst there has been a noticeable increase in the number of complaints received by the Ombudsman compared with 2013/14 this figure remains below the Local Authority average.

- 4.4.2 The figures show that the Authority's largest area of complaint is Planning and Building Control with the number of complaints received at the Ombudsman's office for this year totalling 12, compared with 3 the previous year. This is slightly above the Local Authority average. However the data has been analysed and of the 12 complaints, 5 were made prematurely i.e. had been referred to the Ombudsman before exhausting the Council's Corporate Complaints Process.
- 4.4.3 Members will note that overall 19 premature complaints were received by the Ombudsman. This is equal to the Local Authority average and is beyond the control of the Authority.
- 4.4.4 Members attention is drawn to the response times of the Authority when responding to requests for information by the Ombudsman. Members will note that the graph on page 8 of the Annual Letter indicates that all responses were received more than four weeks after the request. This data relates to two complaints investigated by the Ombudsman. Following clarification with the Ombudsman's office it has been agreed to amend the letter to clarify that one response was received by the time limit agreed with the investigator. However this will not change the graph at Appendix G.
- 4.4.5 The Ombudsman has "upheld" one report against the Council issued in October 2014. This matter has been the subject of a Report to the Standards Committee on 24th November 2014, Policy and Resources Scrutiny Committee on the 3rd March 2015 and Audit Committee on the 15th June 2015. In addition the Ombudsman has not upheld one report issued in February 2015. Details of both reports are contained in Section I of the Annual Letter.
- 4.4.6 Details of the Code of Conduct complaints for elected Members will be found at Section H of the appendix to the letter. The Ombudsman decided not to investigate four matters, and one was discontinued. There were no findings against any elected Members.

5. FINANCIAL IMPLICATIONS

- 5.1 None.

6. PERSONNEL IMPLICATIONS

- 6.1 None.

7. EQUALITIES IMPLICATIONS

- 7.1 None.

8. CONSULTATIONS

- 8.1 This Report reflects the contents of the Annual Letter and therefore has been no formal consultation on the contents of this Report. A copy of the Report has been provided to the consultees listed below.

9. RECOMMENDATIONS

- 9.1 It is recommended that the Committee note the report. The report will be placed before Council on the 17th November 2015.

10. REASONS FOR THE RECOMMENDATIONS

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

11. STATUTORY POWER

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

Author: Gail Williams, Interim Head of Legal Services/Monitoring Officer
Consultees: For information only
Chris Burns, Interim Chief Executive
Christina HARRY, Corporate Director Communities
Dave Street, Corporate Director, Social Services
Nicole Scammell, Acting Director of Corporate Services and Section 151 Officer
Councillor Keith Reynolds, Leader of the Council
Councillor Chris Forehead, Cabinet Member, HR Governance/Business Manager
Chair of Standards Committee

Background papers:

Report to Standards Committee on 24th November 2014, Report to Policy & Resources Scrutiny Committee on 3rd March 2015, Report to Audit Committee on 10th June 2015, re: Complaint made to the Public Services Ombudsman for Wales: case no. 201301753

Appendices:

Appendix 1 Annual Letter from Public Services Ombudsman