



STANDARDS COMMITTEE – 27TH SEPTEMBER 2016

SUBJECT: ANNUAL LETTER FROM PUBLIC SERVICES OMBUDSMAN FOR WALES 2015-2016

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 (2015-2016) 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 11th October 2016.

2. SUMMARY

- 2.1 To inform Members of the Public Services Ombudsman for Wales Annual Letter 2015/16.

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 2015/16 in relation to Caerphilly was received at the end of July 2016.
- 4.2 A copy of the Annual Letter is attached at Appendix 1 to the Report.
- 4.3 Members will note that the data attached as a fact sheet 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, the number of complaints received by the Ombudsman compared with the Local Authority average adjusted for population distribution is slightly higher at 56 compared with 52. Whilst there was an increase in the number of complaints, none were taken into investigation.
- 4.4.2 The figures show that in the last year the number of complaints referred to the Ombudsman in relation to Housing is now the biggest area of complaint. The data has been analysed and of the twelve complaints in relation to Housing, seven were made prematurely i.e. had been referred to the Ombudsman before exhausting the Council's

Corporate Complaints Process. Practically, it is not possible to prevent premature referrals to the Ombudsman. The Council's Complaints Policy is available via the Council's web site and hard copy booklet readily available to the public. The remaining five were not taken into investigation.

- 4.4.3 Members will note that overall 17 premature complaints were received by the Ombudsman. This is equal to the Local Authority average but as mentioned there is nothing further that can be done by the Council to prevent premature referrals.
- 4.4.4 Reference is made by the Ombudsman to the increase of complaints in relation to Adult Social Services, where the figure increased to five from three. This data was reviewed, three were not investigated, one was premature and the one was resolved under the Quick Fix arrangements.
- 4.4.5 As mentioned earlier no complaints were taken to investigation during 15/16 and therefore there are no relevant response times in Section E.
- 4.4.6 The Ombudsman has "upheld" one report against the Council issued in April 2015. This matter has been the subject of earlier Reports to Committee. In addition the Ombudsman has not upheld one report issued in June 2015, details of which are set out in Appendix 2. Details of both reports are contained in Section I of the Annual Letter.
- 4.4.7 There have been two quick fixes which are contained in the case book summaries. For Members ease of reference both are attached at Appendix 3.
- 4.4.8 **Code of Conduct Complaints**

Details of the Code of Conduct complaints for elected Members will be found at Section F of the appendix to the letter. There were no code of conduct complaints made against Members of Caerphilly County Borough Council during 2015/16.

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 at the meeting to be held in October 2016.

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 Harrhy, 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:

Reports to Standards Committee on 18th June 2015, 21st September 2015

Appendices:

Appendix 1 Annual Letter from Public Services Ombudsman
Appendix 2 Case summary of complaint not upheld by the Ombudsman contained in Paragraph G of the Annual Letter

Appendix 3 Case Summaries of quick fixes Relevant To Caerphilly County Borough Council Contained in Paragraph G of the Annual Letter