



STANDARDS COMMITTEE – 28TH SEPTEMBER 2017

SUBJECT: ANNUAL LETTER FROM PUBLIC SERVICES OMBUDSMAN FOR WALES 2016-2017

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 (2016-2017) 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 10th October 2017.

2. SUMMARY

- 2.1 To inform Members of the Public Services Ombudsman for Wales Annual Letter 2016/17.

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.
- 3.2 The function of overseeing complaints received and investigated by the Ombudsman contributes to the following Well-being goals within the Well-being of Future Generations Act (Wales) 2015 as it supports the provision of higher quality and more effective services to the public across all service areas.
- A prosperous Wales
 - A resilient Wales
 - A healthier Wales
 - A more equal Wales
 - A Wales of cohesive communities and thriving Welsh language
 - A globally responsible Wales

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 2016/17 in relation to Caerphilly was received on 1st September 2017.
- 4.2 A copy of the Annual Letter is attached at Appendix 1 to this Report.

4.3 Members will note that the fact sheet attached to the Annual Letter gives a detailed breakdown of complaints data relating to Caerphilly. This includes a new set of statistics regarding Ombudsman's interventions which includes all cases upheld as well as early resolution and voluntary settlements.

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 was at a similar level (56 in 2015/16 compared to 54 this year).

4.4.2 The figures show that in the last year the number of complaints referred to the Ombudsman in relation to Housing is the biggest area of complaint. The data has been analysed and of the twelve complaints made in relation to Housing, six were made prematurely i.e. had been referred to the Ombudsman before exhausting the Council's Corporate Complaints Procedure and one complaint was referred out of time and the remaining five referrals were not taken into investigation. 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.

4.4.3 The Annual Letter notes that there was a significant drop in Children's Social Services Complaints from 9 to 3; there were no upheld complaints this year and only 7% of cases required PSOW intervention which is the second lowest of any local authority.

4.4.4 Members will note that overall 14 premature complaints were received by the Ombudsman. This is slightly less than the Local Authority average of 15 but as mentioned there is nothing further that can be done by the Council to prevent premature referrals.

4.4.5 There were four early resolutions/interventions by the PSOW. Three of the four were social services complaints the fourth was in relation to waste collection. A summary of the cases can be found on the PSOW website www.ombudsman-wales.org.uk under the Ombudsmans Casebook.

4.4.6 **Code of Conduct Complaints**

Details of the Code of Conduct complaints for elected Members will be found at Section E of the appendix to the letter. There were 7 code of conduct complaints made against Members of Caerphilly County Borough Council during 2016/17. Six were closed after initial consideration, one found no evidence of a breach.

5. **WELL-BEING OF FUTURE GENERATIONS**

5.1 This report contributes to the Well-being Goals as set out in Links to Strategy above. It is consistent with the five ways of working as defined within the sustainable development principle in the Act in that the overseeing of the complaints received and investigated by the Ombudsman enables departments to focus on areas of concern, to improve services and to monitor performance to ensure that any issues raised are identified and dealt with so as to be avoided in future.

6. **FINANCIAL IMPLICATIONS**

6.1 None.

7. PERSONNEL IMPLICATIONS

7.1 None.

8. EQUALITIES IMPLICATIONS

8.1 None.

9. CONSULTATIONS

9.1 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.

10. RECOMMENDATIONS

10.1 It is recommended that the Committee note the report. The report will be placed before Council at the meeting to be held on 10th October 2017.

11. REASONS FOR THE RECOMMENDATIONS

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

12. STATUTORY POWER

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

Author: Lisa Lane, Corporate Solicitor

Consultees: For information only

Chris Burns, Interim Chief Executive

Nicole Scammell, Acting Director of Corporate Services and Section 151 Officer

Dave Street, Corporate Director, Social Services

Christina Harray, Corporate Director Communities

Gail Williams Interim Head of Legal Services and Monitoring Officer

Councillor Dave Poole, Leader of the Council

Councillor Barbara Jones, Deputy Leader and Cabinet Member for Finance
Performance and Governance

Diane Holdroyd Chair of Standards Committee

Background Papers:

Reports to Standards Committee on 27th September 2016 – Annual Letter from PSOW 2015/16

Appendices:

Appendix 1 Annual Letter from Public Services Ombudsman 2016/17