



## STANDARDS COMMITTEE – 23RD SEPTEMBER 2014

**SUBJECT: ANNUAL LETTER FROM PUBLIC SERVICES OMBUDSMAN FOR WALES 2013-2014**

**REPORT BY: INTERIM HEAD OF LEGAL SERVICES AND MONITORING OFFICER**

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### **1. PURPOSE OF REPORT**

- 1.1 To update the Standards Committee on the Annual letter (2013-2014) 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 7th October 2014.

### **2. SUMMARY**

- 2.1 To inform Members of the Public Services Ombudsman for Wales Annual Letter 2013/14.

### **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 2013/14 in relation to Caerphilly was received in July 2014.
- 4.2 A copy of the Annual Letter is attached at Appendix 1 to the Report.
- 4.3 Members will note the second paragraph of the Annual Letter makes reference to "a noticeable increase in social services complaints". Members will note that whilst there has been an increase in Caerphilly, the Council is still below the Wales average. With regard to the new statutory social services complaints procedure, this was implemented in August. The new procedure reduces the numbers of stages prior to a referral to the Ombudsman from three to two. It is recognised that this change has the potential to increase the number of referrals to the Ombudsman. The relevant Officers are actively monitoring this issue.
- 4.4 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.
- 4.5 This data is self-explanatory and therefore no further comment is offered other than to ask the Committee to formally note the following:

- 4.5.1 In relation to Caerphilly, there has been decrease in the number of complaints received by the Ombudsman compared with 2012/13 whilst the number of complaints investigated has remained at the same level. Both figures are below the local authority average.
- 4.5.2 The figures show that the Ombudsman has received an above average number of complaints relating to Housing whilst there has been a noticeable drop in the number of complaints relating to Planning and Building control.
- 4.5.3 In relation to the number of Housing complaints I would draw Members attention to the paragraph headed Housing Stock on page 3 of the Annual Letter, which states that *“as with previous exercises the figures for 2013/14 have not been adjusted to take account of the transfer of housing stock. However it is noted that there is likely to be a higher proportion of Housing complaints where local authorities have retained their housing stock”*. In this respect Members are reminded that this Authority has retained its housing stock.
- 4.5.4 The Ombudsman has dealt with one case by way of quick fix and voluntary settlement details of which are set out in the summary on page 9 of the Letter.
- 4.5.5 The Ombudsman has "upheld" one report against the Council and this figure is below the local authority average. This matter has been the subject of a Report to the Standards Committee on 10th June 2013 and Full Council on 11th June 2013.
- 4.5.6 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 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 it has been ascertained that the information is incorrect, one complaint was responded to within four weeks, the second was responded to within four weeks, but unfortunately the response was received one day late, hence is correctly referred to in the data. In the circumstances the Council has asked the Ombudsman to issue an amended Letter to reflect the correct response time.
- 4.5.7 Details of the Code of Conduct complaints for elected Members will be found at Section H of the appendix to the letter. There were no complaints where there was evidence of a breach, the Ombudsman decided not to investigate four, no action was necessary in respect of two and one was withdrawn.

## **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 7th October, 2014.

## **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

Sandra Aspinall, Acting Deputy Chief Executive

Dave Street, Corporate Director, Social Services

Nicole Scammell, Acting Director of Corporate Services

Councillor Keith Reynolds, Leader of the Council

Councillor Chris Forehead, Cabinet Member, HR Governance/Business Manager

Chair of Standards Committee

Appendices:

Appendix 1 Annual Letter from Public Services Ombudsman

Background papers

Exempt Report to Standards Committee dated 10th June, 2013

Exempt Report to Council dated 11th June, 2013