



COUNCIL – 29TH NOVEMBER 2023

SUBJECT: PUBLIC SERVICES OMBUDSMAN FOR WALES – ANNUAL LETTER 2022/2023

REPORT BY: HEAD OF LEGAL SERVICES AND MONITORING OFFICER

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1. PURPOSE OF REPORT

- 1.1 To inform Council of the publication of the Annual Letter for 2022/2023 in respect of Caerphilly Council by the Public Services Ombudsman for Wales.

2. SUMMARY

- 2.1 To advise Council of the publication of the Public Services Ombudsman for Wales Annual Letter for 2022/2023 which deals with complaints relating to maladministration and service failure, complaints relating to alleged breaches of the Code of Conduct and the actions being taken to improve public services.

3. RECOMMENDATIONS

- 3.1 It is recommended that Council considers and notes the content of the Annual Letter.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To satisfy the Council's statutory duties under the Public Services Ombudsman (Wales) Act 2019.

5. THE REPORT

- 5.1 The Public Services Ombudsman for Wales (PSOW) issues an Annual Letter to each Local Authority in Wales which sets out a summary of all complaints received and investigated by her office during 2022/2023 relating to that Authority. The Annual Letter issued in respect of Caerphilly is attached at Appendix 1 to this report.
- 5.2 In general terms Council will note that 1,020 complaints were referred to the Ombudsman regarding local authorities last year a reduction of 11% compared to the previous year. During this period the Ombudsman intervened in (upheld, settled or resolved at an early stage) 13% of local authority complaints.

- 5.3 Fewer Code of Conduct complaints were received in 22/23 compared to the previous year relating to both Principal Councils and Town and Community Councils.
- 5.4 The Ombudsman has pushed forward with her proactive improvement work and launched a new Service Quality process to ensure they deliver the standards they expect. Work also began on their second wider Own Initiative investigation looking into carers assessments within local authorities.
- 5.5 The Complaints Standards Authority has continued its work with public bodies providing training sessions which included staff at Caerphilly. We also continue to provide the Ombudsman with quarterly data which forms part of the statistics published biannually.
- 5.6 The Factsheet attached to the Annual Letter sets out the Local Authority complaints received across Wales which includes 49 referrals in respect of Caerphilly, this compares to 60 last year broken down as follows with the previous years' figures in brackets.

Adult Social Services	7	(6)
Benefits Administration	1	(1)
Children's Social Services	6	(8)
Community Facilities, Recreation and Leisure	2	(1)
Complaints Handling	7	(10)
Covid19	0	(3)
Education	0	(1)
Environment and Environmental Health	5	(6)
Finance and Taxation	3	(0)
Housing	10	(8)
Licensing	0	(0)
Planning and Building Control	6	(11)
Roads and Transport	0	(3)
Various Other	2	(2)
Total	49	60

- 5.7 The Complaint Outcomes are set out in section C with 6 referrals requiring early resolution/voluntary settlement. The comparison figures with other authorities in Wales is set out in section D.
- 5.8 The Letter also includes a summary of the Code of Conduct complaints relating to members of the Council at Appendix E and Town and Community Councils at Appendix F.

Conclusion

- 5.9 Members will note that the Ombudsman has asked Councils to take the following actions
- Present the Annual Letter to the Cabinet and to the Governance & Audit Committee at the next available opportunity and notify the Ombudsman of when these meetings will take place.
 - Continue to engage with the Complaints Standards work, accessing training for your staff, fully implementing the model policy, and providing accurate and timely complaints data.
 - Inform the Ombudsman of the outcome of the Council's considerations and proposed actions on the above matters at the earliest opportunity.
- 5.10 Whilst the Ombudsman has asked that the Annual Letter be reported to Cabinet and the Governance and Audit Committee this Council's reporting process is to the Standards Committee and full Council which provides all members with the ability to review the referrals to the Public Services Ombudsman for Wales.
- 5.11 In relation to the work with the Complaints Standards Authority, officers from a cross section of service areas have undertaken training and further training will be sourced at the start of next year.
- 5.12 The Ombudsman will be advised of the presentation of this report to the Standards committee and Council together with the outcomes.

6. ASSUMPTIONS

- 6.1 No assumptions are necessary within this report.

7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT

- 7.1 This report is for information and so there is no requirement to undertake an Integrated Impact Assessment.

8. FINANCIAL IMPLICATIONS

- 8.1 There are no financial implications arising from this report.

9. PERSONNEL IMPLICATIONS

- 9.1 There are no personnel implications arising from this report.

10. CONSULTATIONS

- 10.1 This Report reflects the contents of the Annual Letter and therefore there has been no formal consultation on the content of the Report. A copy of the Report has been provided to the Consultees below.

11. STATUTORY POWER

11.1 Public Services Ombudsman (Wales) Act 2019

Author: Lisa Lane Head of Democratic Services and Deputy Monitoring Officer

Consultees: Christina Harrhy Chief Executive
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Richard (Ed) Edmunds Corporate Director Education and Corporate Services
Mark S Williams Corporate Director for Economy and Environment
Robert Tranter Head of Legal Services and Monitoring Officer
Stephen Harris Head of Financial Services and Section 151 Officer
Councillor Sean Morgan Leader
Councillor Lindsay Whittle Leader of Plaid Cymru
Councillor Nigel Dix Leader of the Independent Group
Councillor Nigel George Cabinet Member for Corporate Services, Property and Highways

Appendix 1 Annual Letter 2022/2023