

Committee: **Cabinet**

Date of meeting: **4th December 2024**

Report Subject: **The Annual Letter of The Public Services Ombudsman for Wales 2023/2024**

Portfolio Holder: **Cllr S Thomas - Leader of the Council & Cabinet Member Corporate & Performance**

Report Submitted by: **Andrea Jones, Head of Legal & Corporate Compliance**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Governance Audit Committee	Democratic Services Committee	Scrutiny Committee	Cabinet	Council	Other (please state)
	10/10/2024	25.11.24	20/11/2024			04/12/2024		

1. Purpose of the Report

1.1 The purpose of the report is to present to Members the Annual Letter for 2023/2024 from the Public Services Ombudsman for Wales which details the Council's performance in connection with complaints to the Public Services Ombudsman for Wales.

2. Scope and Background

2.1 The role of the Public Services Ombudsman for Wales (PSOW) is to consider complaints about public services, to investigate alleged breaches of the councillor Code of Conduct, to set standards for complaints handling by public bodies and to drive improvement in complaints handling and learning from complaints. The Ombudsman also undertakes investigations into public services through investigations on our 'own initiative' and the Complaints Standards role.

2.2 Since April 2019, the Complaints Standards Authority (CSA) have continued its work with public bodies in Wales. They introduced a model complaints policy that has been adopted by local authorities and health boards in Wales and they also deliver training sessions. Local Authorities submit their complaints data to the CSA on a quarterly basis which is then published by the CSA twice a year. This data allows the Ombudsman to see information with greater context – for example, last year 17% of complaints made to Blaenau Gwent County Borough Council's went on to be referred to PSOW.

2.3 The PSOW prepares an annual letter which is intended to provide an update on the work of their office, to share key issues for local government in Wales and to highlight any particular issues together with actions they would like taken. The letter also provides the number of service and code of conduct complaints for each Council in Wales and compares the Council's performance with that of the average council in Wales.

- 2.4 During 2023/24 the Ombudsman considered and closed more enquiries and complaints than they have done before, and they reduced the average cost for each case and investigation. They started the year with a focus on reducing cases that were over 12 months old by 50% by the end of the year. These cases were often the most complex and distressing for the people making the complaint and the Ombudsman is pleased to say they exceeded this target in reducing these investigations by over 70%. They are now on track to meet their objective of completing investigation of complaints within 12 months.
- 2.5 For 2023/2024, the overall number of complaints received by the Ombudsman relating to local authorities across Wales was 1,108 – broadly the same number as the previous year. During this period, the Ombudsman intervened in (upheld, settled or resolved at an early stage) 14% of local authority complaints, again, a similar proportion to recent years.
- 2.6 The Ombudsman received 15 complaints for Blaenau Gwent during 2023/2024 and closed 16 as some complaints were carried over from the previous year. 16 Complaints were received for the period 2022/2023. Blaenau Gwent manage complaints pro-actively at Stage 1 and 2 to try and ensure that complainants do not need to progress their complaint to the Ombudsman
- 2.7 During 2023/2024, the Ombudsman made 1 recommendation. To ensure that the Ombudsman’s investigations and reports drive improvement, they follow up compliance with the recommendations agreed with the Council and the recommendation was due and complied with within the timescale agreed.
- 2.8 In 2023/2024, the Ombudsman received 16% more Code of Conduct complaints than the previous year, relating to both Principal Councils and Town and Community Councils. The Ombudsman’s office made 21 referrals – to Standards Committees or the Adjudication Panel for Wales, an increase from 12 the previous year.
- 2.9 The number of Code of Conduct Complaints made to the Ombudsman in relation to Town and Community Councils is 4. This is an increase from 3 in 2022/2023.

3. **Options for Recommendation**

3.1 The Governance and Audit Committee agreed Option 1, as its meeting on 20th November 2024.

3.2 **Option 1**

The Cabinet is informed of the Council’s performance with regard to complaints made to the Public Services Ombudsman for Wales. (The report has been referred to the Governance and Audit Committee with assurance that the process for the monitoring of complaints is robust and the performance information provided reflects these practices).

3.3 **Option 2**

To seek further clarification on any areas within the report and/or to highlight any areas of interest or concern that need to be considered in future monitoring and reporting of complaints.

4. **Evidence of how this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**

4.1 There is a legislative requirement to provide information on the number of complaints the Council received in order for the Public Services Ombudsman for Wales to prepare an annual letter.

4.2 The monitoring of complaints and compliments is a key performance indicator within the Council's Corporate Plan, under the Well-being Theme, 'Efficient Council'.

4.3 From the Well-being Plan the monitoring of complaints links into 'A resilient Wales' as it provides an opportunity for citizens to take an active and empowered role. The Council is required to present the Annual Letter to members.

5. **Implications Against Each Option**

5.1 ***Impact on Budget (short and long term impact)***

The Ombudsman in certain circumstances may award compensation to the complainant. In such circumstances, the compensation will be paid by the relevant department/service area.

5.2 ***Risk including Mitigating Actions***

Complaints are investigated in accordance with the Councils Corporate Complaints Policy.

5.3 ***Legal***

There are no legal implications associated with this report.

5.4 ***Human Resources***

There are no human resource implications associated with this report.

5.5 ***Health and Safety***

There are no health and safety implications associated with this report.

6. **Supporting Evidence**

6.1 ***Performance Information and Data***

See appendix 1:

Section A: Complaints received and investigated with the local authority average adjusted by population

Section B: Complaints received by subject

Section C: Complaint outcomes

Section D: Cases with PSOW intervention

Section E: Code of Conduct complaints.

Section F: Town/Community Council Code of Conduct complaints

6.2 ***Expected outcome for the public***

This report is positive information to share with the public and is evidence that the Council's Corporate Complaints Policy is working effectively to resolve complaints at an early stage, and few complainants are seeking independent redress.

6.3 ***Involvement (consultation, engagement, participation)***

By providing a complaints process, the Council is enabling active participation of the public and partners to identify areas of concern that need to be addressed.

6.4 ***Thinking for the Long term (forward planning)***

The Public Service Ombudsman (Wales) Act 2019 was introduced to give the Ombudsman new powers aimed at:

- Improving access to their office
- Allowing the Ombudsman to undertake own initiative investigations when required in the public interest
- Ensuring that complaints data from across Wales may be used to drive improvement in public services for citizens in Wales

6.5 ***Preventative focus***

The complaints process enables the Council to rectify processes that have been highlighted within a complaint. This in turn supports the Council to prevent similar complaints being provided.

6.6 ***Collaboration / partnership working***

As part of the report prepared by the Public Services Ombudsman for Wales comparisons are made across all Council's across Wales.

6.7 ***Integration (across service areas)***

The Complaints process is undertaken across all sections of the Council in order to provide a full picture across the Council.

6.8 ***Decarbonisation and Reducing Carbon Emissions***

N/A

6.9 ***Integrated Impact Assessment (IIA)***

An Integrated Impact Assessment is not required for the performance monitoring of complaints, however, if a complaint requires consideration of the Equalities Act an EqlA would be undertaken for the specific complaint

7. **Monitoring Arrangements**

7.1 The Public Service Ombudsman for Wales annual reports are presented to the Corporate Leadership Team, Governance and Audit Committee and Cabinet on an annual basis.

Background Documents / Electronic Links

- Appendix 1