

Report To:	Standards Committee
Date of Meeting:	30 th November 2018
Lead Member / Officer:	Gary Williams, Monitoring Officer
Report Author:	Gary Williams, Monitoring Officer
Title:	Public Services Ombudsman for Wales Annual Report and Accounts 2017/18

1. What is the report about?

The report is about the 2017/18 Annual Report and Accounts of the Public Services Ombudsman for Wales (the Ombudsman).

2. What is the reason for making this report?

To give the members of the Standards Committee an opportunity to consider the contents of the Annual Report of the Ombudsman and to provide their comments and observations.

3. What are the Recommendations?

That members consider the Public Services Ombudsman for Wales' Annual Report 2017/18 (the Report).

4. Report details

- 4.1** Each year the Ombudsman publishes an annual report on the activities of the office of the Ombudsman in dealing with complaints against public bodies in Wales.
- 4.2** The Ombudsman's office has two main roles. The first is to investigate complaints of maladministration by public bodies. The second, and of more relevance to this Committee, is the responsibility of the Ombudsman's office for investigating complaints relating to alleged breaches of the Code of Conduct by elected members of Unitary, City, Town and Community Councils.
- 4.3** The Ombudsman's Annual Report for the year ending 31st March 2018 is attached as Appendix 1. The information relating to Code of Conduct complaints is set out on pages 21 – 25 of the Report and at Annex B on pages 113 – 115.
- 4.4** The number of Code of Conduct complaints received by the Ombudsman during the period covered by the Report has risen by 14% from 236 complaints in 2016/17 to 270 in 2017/18. The position regarding Unitary Authorities is markedly different to that of City, Town and Community Councils. The number of complaints received in respect of Unitary Authorities has fallen from 108 in 2016/17 to 102 in 2017/18. By

contrast, the number of complaints in respect of City, Town and Community Councils has risen by 33% from 126 in 2016/17 to 167 in 2017/18.

- 4.5 The Ombudsman breaks down the nature of the complaints received on page 22 of the Report. The top 3 categories of complaint are Equality and Respect (42%), Disclosure and Registration of Interests (19%), and Integrity (16%).
- 4.6 In terms of outcome, of the 247 complaints that were closed during the period, 213 were closed after initial consideration. This means either that there was no prima facie evidence of a breach of the Code of Conduct, or, the Ombudsman concluded that it was not in the public interest to investigate.
- 4.7 There were fewer cases that were closed after a full investigation, 26 in 2017/18 compared with 34 in 2016/17. The Ombudsman considers that this is because his office continues to apply the public interest test and is therefore only investigating the most serious allegations. Of the cases that resulted in a completed investigation, none were referred to Standards Committees and 3 were referred to the Adjudication Panel for Wales. Of the remainder, no evidence of a breach of the Code was found in 13 cases, and in 10 cases the Ombudsman's office determined that no further action was necessary.
- 4.8 The Ombudsman reports that 91% of complainants were informed within four weeks, of the Ombudsman receiving sufficient information of their complaint, whether the complaint would be investigated. This is an improvement from the previous year's figure of 82%.
- 4.9 There has however been a reduction in the percentage of investigations that are completed within 3 months to 10% from 34% in 2016/17. The Ombudsman considers the increased complexity of these cases and the heavy caseload in considering health complaints are the reasons for this reduction. The graph set out on page 25 of the Report shows that the majority of cases are concluded within 3 to 9 months.
- 4.10 The table at page 113 of the Report sets out the outcome of cases by Unitary Authority. There were 2 cases relating to Denbighshire County Councillors both of which were closed after initial consideration.
- 4.11 The table on pages 114 and 115 sets out the outcomes in respect of complaints relating to City, Town and Community Councils. This shows that in Denbighshire, there were 2 cases, both relating to Prestatyn Town Council and both closed after initial consideration.

5. How does the decision contribute to the Corporate Priorities?

The Committee is not requested to make a decision.

6. What will it cost and how will it affect other services?

There are no costs directly associated with this report.

7. What are the main conclusions of the Well-being Impact Assessment?

This report does not require a Well-being Impact Assessment.

8. What consultations have been carried out with Scrutiny and others?

There have been no consultations with Scrutiny.

9. Chief Finance Officer Statement

There are no significant financial implications arising from the report.

10. What risks are there and is there anything we can do to reduce them?

There are no risks associated with this report.

11. Power to make the Decision

There is no decision required.