

REPORT TO:	Standards Committee
REPORT NO:	COGC/41/19
DATE:	5 September 2019
LEAD:	Sioned Wyn Davies, Monitoring Officer
CONTACT OFFICER:	Linda Roberts, Deputy Monitoring Officer (Tel: 292221)
SUBJECT:	Public Services Ombudsman for Wales Annual Report
WARD:	N/A

1. PURPOSE OF THE REPORT

- 1.1 To inform Members of the publication of the Annual Report and Accounts of the Public Services Ombudsman for Wales 2018/19.

2. EXECUTIVE SUMMARY

- 2.1 The Public Services Ombudsman for Wales (“The Ombudsman”) has published his Annual Report for 2018/19. The report can be viewed by Members by visiting the Ombudsman’s website www.ombudsman-wales.org.uk and searching under Annual Reports in the Publications tab or following the link to the background papers at the end of this report. This is the fifth report produced by Nick Bennett who took up office as Public Services Ombudsman for Wales in August 2014 and is the third combined annual report and accounts.
- 2.2 The Ombudsman has two specific roles, firstly to consider complaints made by members of the public that they have suffered hardship or injustice through maladministration or service failure on the part of the public body and the second role is to consider complaints that Members of Local Authorities and other public bodies have breached their adopted Codes of Conduct.
- 2.3 In his Annual Report, the Ombudsman reports on progress in the activities of the office over the past year, with specific reference to three year strategic themes of innovation, improvement and influence, which have led to substantial increases in outcomes for complainants and, he hopes, positive impacts on public services.

3. RECOMMENDATION

3.1 To note the contents of the report.

REASON FOR RECOMMENDATIONS

To inform Members of the work undertaken by the Public Services Ombudsman for Wales.

4. BACKGROUND INFORMATION

- 4.1 The Ombudsman's Annual Report (page 23) contains details of the Code of Conduct complaints received in respect of members of different types of public bodies as follows, noting the increase by 14% in complaints against members of Town and Community Councils:

<u>Type of Body</u>	<u>2018/19</u>	<u>2017/18</u>
Community Council	190	167
County/County Borough Council	91	102
Fire Authority	0	0
National Park Authority	1	1
Police and Crime Panels	0	0
TOTAL	282	270

- 4.2 The nature of the Code of Conduct complaints received is broken down according to the Principles of Conduct in Public Life as follows:

<u>Description of Nature of Complaint</u>	<u>Percentage (18/19)</u>
Accountability and Openness	7%
Disclosure and Registration of Interests	17%
Duty to uphold the law	9%
Integrity	13%
Objectivity and Propriety	2%
Promotion of Equality and Respect	51%
Selflessness and stewardship	1%

- 4.3 Consistent with previous years the vast majority of complaints (255 of them) were closed under the category "closed after initial consideration" (213 were closed in this way in 2017/18). The initial consideration looks at whether there is evidence to suggest the Code may have been breached and whether it is in the public interest to investigate.

4.4 A breakdown of the outcomes of all complaints made to the Ombudsman is as follows:

<u>Complaint about a Public Body</u>	<u>2018/19</u>	<u>2017/18</u>
Closed after initial consideration	255	213
Complaint withdrawn	2	4
Investigation discontinued	15	4
Investigation completed – no evidence of breach	9	13
Investigation completed – no action necessary	19	10
Investigation completed – referred to Standards Committee	4	0
Investigation completed – referred to Adjudication Panel	4	3
TOTAL OUTCOMES	308	247

4.5 The Ombudsman has not provided a breakdown of complaints by Community Councils as in previous Annual Reports.

5. IMPLICATIONS

5.1 **Policy Framework** – A strong ethical framework and governance arrangements support the Council Plan objective of building an efficient and effective organisation that can best support local well-being.

5.2 **Budget** – There are no immediate budgetary implications arising from this report.

5.3 **Legal** – By virtue of the Local Government Act 2000, Members are required to comply with the Council's Code of Conduct for Members. The Code is supplemented by the guidance issued from time to time by the Public Services Ombudsman for Wales whose Annual Report is under consideration in this report.

5.4 **Staffing** – There are no staffing implications arising from this report.

5.5 **Equality/Human Rights** – Members are required to observe the provisions of the Code of Conduct for Members which includes an obligation that their duties and responsibilities be carried out with due regard to the principle of equality and opportunity for all. There are no specific issues raised in this report which would impact on those obligations and duties. CCS/EIA00165/2017.

5.6 **Risks** – This report does not give rise to any specific risks.

6. CONSULTATION

6.1 This report has not been the subject of consultation as it does not involve any decision making or recommendations.

6.2 This matter has not been subject to scrutiny.

BACKGROUND PAPERS	LOCATION	WEBSITE INFO.
Public Services Ombudsman for Wales publications	See website	https://www.ombudsman.wales/wp-content/uploads/2019/07/Annual-Report-and-Accounts-2018-2019-Final-ENG.pdf