



Our ref: NB

Ask for: Communications

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Date: 7 August 2019

 communications  
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Councillor Peter Fox OBE  
Council Leader  
Monmouthshire County Council

**By Email Only**  
peterfox@monmouthshire.gov.uk

Dear Councillor Peter Fox OBE

### **Annual Letter 2018/19**

I am pleased to provide you with the Annual letter (2018/19) for Monmouthshire County Borough Council. This year I am publishing my Annual Letters as part of my Annual Report and Accounts. I hope the Council finds this helpful and I trust this will enable it to review its own complaint handling performance in the context of other public bodies performing similar functions across Wales.

Whilst overall the number of complaints received relating to local authorities across Wales increased from 794 to 912, I am pleased that local authorities continue to work with my office to resolve many of these complaints at an early stage. This provides complainants with appropriate and timely remedies avoiding the need for my office to fully investigate complaints.

A summary of the complaints of maladministration/service failure received relating to the Council is attached.

Also attached is a summary of the Code of Conduct complaints relating to members of the Council and the Town & Community Councils in your area.

You will note that we received a relatively high number of complaints this year relating to members of Community and Town Councils in the Council's area. However, please be assured that I do not consider that this is indicative of a fall in

standards of conduct generally or indeed in the Council itself. I can advise that the majority of these complaints related to an individual Community Council and a position of conflict between its members. Most of these complaints did not meet the two stage test used to assess complaints of this nature and were therefore closed after initial consideration.

I am very grateful to the Monitoring Officer of the Council who, in view of this position, took a proactive approach and arranged a training session for the Clerks to the Community Councils which gave us an opportunity to talk about the Code of Conduct and our work. This event was an example how a local authority can work with its community and town councils to promote standards and raise awareness of the Code of Conduct. I am keen to encourage local leadership and accountability in this manner in all authorities in Wales and I intend to refer to the example set by your Council in this regard as an exemplar of good practice.

The Public Services Ombudsman (Wales) Act 2019 has now been introduced. I am delighted that the Assembly has approved this legislation giving the office new powers aimed at:

- Improving access to my office
- Providing a seamless mechanism for complaint handling when a patient's NHS care is inextricably linked with private healthcare
- Allowing me 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.

I am very much looking forward to implementing these new powers over the coming year.

**Action for the Council to take:**

- Present my Annual Letter to the Cabinet to assist Members in their scrutiny of the Council's performance
- Work to reduce the number of cases which require intervention by my office
- Inform me of the outcome of the Council's considerations and proposed actions on the above matters by **31 October 2019**.

This correspondence is copied to the Chief Executive of your Council and to your Contact Officer. Finally, a copy of all Annual Letters will be published on my website.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Nick Bennett', with a large, sweeping flourish at the end.

Nick Bennett  
Public Services Ombudsman for Wales

CC: Paul Matthews, Chief Executive  
Annette Evans, Contact Officer

## Factsheet

### A. Complaints Received and Investigated with Local Authority average adjusted for population distribution

Local Authority	Complaints Received	Average	Complaints Investigated	Average
Monmouthshire County Council 2018/19	20	27	0	1
Monmouthshire County Council 2017/18	16	23	0	1
Blaenau Gwent County Borough Council	8	20	0	0
Bridgend County Borough Council	33	41	0	1
Caerphilly County Borough Council	65	51	1	1
Cardiff Council	115	103	0	2
Carmarthenshire County Council	49	53	1	1
Ceredigion County Council	23	21	0	0
City and County of Swansea	83	70	0	2
Conwy County Borough Council	41	33	2	1
Denbighshire County Council	26	27	1	1
Flintshire County Council	50	44	2	1
Gwynedd Council	32	35	2	1
Isle of Anglesey County Council	31	20	2	0
Merthyr Tydfil County Borough Council	15	17	0	0
Neath Port Talbot County Borough Council	38	40	1	1
Newport City Council	38	43	0	1
Pembrokeshire County Council	35	35	0	1
Powys County Council	67	38	4	1
Rhondda Cynon Taf County Borough Council	36	68	0	2
Torfaen County Borough Council	12	26	1	1
Vale of Glamorgan Council	24	37	0	1
Wrexham County Borough Council	45	38	3	1
<b>Grand Total</b>	<b>886</b>		<b>20</b>	

**B. Complaints Received by Subject with Local Authority average**

<b>Monmouthshire County Council</b>	<b>Complaints Received</b>
Adult Social Services	2
Benefits Administration	2
Children Social Services	5
Community Facilities. Recreation and Leisure	3
Complaints Handling	3
Planning and Building Control	3
Various Other	2

**C. Comparison of complaint outcomes with average outcomes for Local Authorities, adjusted for population distribution**

<b>Local Authority</b>	<b>Out of Jurisdiction</b>	<b>Premature</b>	<b>Other cases closed after initial consideration</b>	<b>Early Resolution / Voluntary settlement</b>	<b>Discontinued</b>	<b>Other Report - Not upheld</b>	<b>Other Report - Upheld in whole or in part</b>	<b>Public Interest Reports</b>
<b>2018/19</b>								
Monmouthshire	5	7	11	-	-	-	-	-
Monmouthshire (adjusted)	5	8	9	4	-	-	1	-
<b>2017/18</b>								
Monmouthshire	4	3	6	1	-	-	-	-
Monmouthshire (adjusted)	4	7	8	3	-	-	1	-

#### D. Number of cases with PSOW intervention

Local Authority	No. of complaints with PSOW intervention	Total number of closed complaints	% of complaints with PSOW intervention
Monmouthshire County Council 2018/19	0	23	0%
Monmouthshire County Council 2017/18	1	14	7%
Blaenau Gwent County Borough Council	2	7	29%
Bridgend County Borough Council	6	36	17%
Caerphilly County Borough Council	8	68	12%
Cardiff Council	19	110	17%
Carmarthenshire County Council	4	48	8%
Ceredigion County Council	5	24	21%
City and County Swansea	10	80	13%
Conwy County Borough Council	5	39	13%
Denbighshire County Council	4	30	13%
Flintshire County Council	16	56	29%
Gwynedd Council	6	35	17%
Isle of Anglesey County Council	5	31	16%
Merthyr Tydfil County Borough Council	0	14	0%
Neath Port Talbot County Borough Council	4	40	10%
Newport City Council	7	43	16%
Pembrokeshire County Council	6	33	18%
Powys County Council	11	64	17%
Rhondda Cynon Taf County Borough Council	4	34	12%
Torfaen County Borough Council	1	12	8%
Vale of Glamorgan Council	7	30	23%
Wrexham County Borough Council	8	43	19%

### E. Code of Conduct Complaints Closed

Local Authority	Closed after initial consideration	Discontinued	No Evidence of Breach	No Action necessary	Refer to Standards Committee	Refer to Adjudication Panel	Withdrawn	Total
<b>2018/19</b>								
Monmouthshire	1	-	-	-	-	-	-	1
<b>2017/18</b>								
Monmouthshire	3	-	-	-	-	1	-	4

### F. Town/Community council Code of Conduct Complaints

Town/Community Council	Closed after initial consideration	Discontinued	No evidence of breach	No action necessary	Refer to Standards Committee	Refer to Adjudication Panel	Withdrawn	Total
Caldicot TC	1	-	-	-	-	-	-	1
Chepstow TC	-	-	-	1	-	-	-	1
Llantilio Pertholey CC	1	-	-	-	-	-	-	1
Magor with Undy CC	23	-	-	-	-	-	-	23
Mathern CC	-	-	-	-	-	1	-	1
Monmouth TC	1	-	-	-	-	-	-	1
Trellech United CC	-	-	-	1	-	-	-	1

## **Appendix**

### **Explanatory Notes**

Section A compares the number of complaints against the Local Authority which were received and investigated by my office during 2018/19, with the Local Authority average (adjusted for population distribution) during the same period.

Section B provides a breakdown of the number of complaints about the Local Authority which were received by my office during 2018/19. The figures are broken down into subject categories.

Section C compares the complaint outcomes for the Local Authority during 2018/19, with the average outcome (adjusted for population distribution) during the same period.

Section D provides the numbers and percentages of cases received by my office in which an intervention has occurred. This includes all upheld complaints, early resolutions and voluntary settlements.

Section E provides a breakdown of all Code of Conduct complaint outcomes against Councillors during 2018/19.

Section F provides a breakdown of all Code of Conduct complaint outcomes against town or community councils.

### **Feedback**

We welcome your feedback on the enclosed information, including suggestions for any information to be enclosed in future annual summaries. Any feedback or queries should be sent via email to [communications@ombudsman-wales.org.uk](mailto:communications@ombudsman-wales.org.uk)