

SUBJECT: PUBLIC SERVICES OMBUDSMAN FOR WALES ANNUAL LETTER 2018/19 AND MCC WHOLE AUTHORITY COMPLAINTS, COMMENTS AND COMPLIMENTS REPORT 2018/19

MEETING: Standards

DATE: 16th SEPTEMBER 2019

DIVISION/WARDS AFFECTED: ALL

1. PURPOSE:

The purpose is to fulfil the expectation of the Public Services Ombudsman for Wales that their report is brought to the attention of Cabinet and that is what we are doing.

To provide details of the Council's Whole Authority customer feedback.

2. RECOMMENDATIONS:

- 2.1 Cabinet note the content of the PSOW's annual letter (Appendix 1) and inform the PSOW of their considerations and any proposed actions by 31 October 2019.
- 2.2 Cabinet note the content of the Council's Whole Authority annual report (Appendix 2).
- 2.3 For DMT's to review its complaint handling performance, to improve the service they provide, taking into consideration the evidence from complaints received.
- 2.4 For DMT's to monitor responses to complaints and focus on good practice and compliance.

3. KEY ISSUES:

- 3.1 The PSOW sends every Council an Annual letter which provides a summary of the complaints received and investigated. This compares the number of complaints against the local authority which were received and investigated by the PSOW during 2018/19, with the local authority average during the same period.
- 3.2 The PSOW annual letter provides:
 - a breakdown of the number of complaints about the local authority broken down into subject categories.
 - compares the complaint outcomes for the local authority with the average outcome during the same period.

- the numbers and percentages of cases received in which an intervention has occurred.
- a breakdown of all Code of Conduct complaint outcomes against councillors.
- a breakdown of all Code of Conduct complaint outcomes against town or community councils.

3.2 The PSOW has new powers which include conducting its own initiative investigations where evidence suggests that systemic maladministration/service failure has occurred or failure / potential failure exists or where evidence suggests that identified maladministration or service failure may be more widespread and systemic. The PSOW also consider complaints handling processes to ensure complaints data from across Wales is used to improve services.

3.3 The PSOW received 20 complaints about Monmouthshire County Council. None of these were investigated by them.

Complaints received by subject: (PSOW definition)	Complaints Received
Adult Social Services	2
Benefit Administration	2
Children Social Services	5
Community Facilities, Recreation & Leisure	3
Complaints handling	3
Planning and Building Control	3
Various other	2

PSOW Comparison of complaint outcomes

Local Authority	Out of Jurisdiction	Premature	Other cases closed after initial consideration	Early resolution/voluntary settlement	Discontinued	Other report – not upheld	Other report – upheld in whole or in part	Public interest reports
Monmouthshire	5	7	11	-	-	-	-	-

- There were no complaints where the PSOW intervened.

Code of Conduct complaints

There was one complaint that was closed after initial consideration.

Town/Community Council Code of Conduct complaints

There were 26 complaints that were closed after initial consideration. 23 of them related to Magor with Undy Community Council. One related to Llantilio Pertholey Community Council, one from Caldicot Town Council and one from Monmouth Town Council.

One complaint concerning Mathern Community council was referred to the Adjudication Panel.

3.4 MCC's Whole Authority complaints, comments and compliments report provides:

- Information on the areas where feedback has been received.
- Details of how many complaints have been formally investigated and the service areas where these complaints have been made.
- Examples where recommendations from complaints have been made to improve practices and procedures.

3.4.1 143 complaints were received. 132 were dealt with at stage 1 and 14 complaints either proceeded from stage 1 or went directly to formal investigation. 2 complainants contacted the Ombudsman after formal investigation. The Ombudsman decided not to investigate these complaints.

- Waste and Highways issues were the issues most complained about. Unfortunately, across the Council staff conduct featured quite a lot and concerns regarding poor communication from the teams.
- With regard to the formal investigations, the majority of them were not upheld.

3.4.2 Comments are dealt with in the same way as informal complaints, customers do not wish to go through a formal process but do want their voice heard. Comments are responded to where appropriate. The common theme again is matters relating to Waste and Highways.

3.4.3 180 compliments were received, many responding to Building Control and Registrars questionnaires when works have been completed.

4. EQUALITY AND FUTURE GENERATIONS EVALUATION (INCLUDES SOCIAL JUSTICE, SAFEGUARDING AND CORPORATE PARENTING):

This report provides feedback information from the Public Services Ombudsman for Wales and residents and customers of Monmouthshire. The report does not seek to divert from the Council's corporate priorities and the continued delivery of the wide range of services provided through the Council to the public. As the report deals solely with feedback information, a Future generations and Equality assessment is not considered appropriate in this instance.

5. OPTIONS APPRAISAL

This section is not relevant as the work of the Public Services Ombudsman for Wales is outside of our control. Also, this section is not appropriate as the Whole Authority complaints policy states that any member of the public, including a child, who has received, or was entitled to receive, a service from us may make a complaint.

6. EVALUATION CRITERIA

We will continue to work with the Public Services Ombudsman for Wales office to resolve as many issues as possible at an early stage and monitor the number of complaints the Public Services Ombudsman for Wales receives and deals with.

Likewise, we will continue to review complaints from service areas and promote learning and improvement in the relevant teams. We will focus on managing complaints proactively, monitor action plans to ensure improvements to standards of service are made.

7. REASONS:

7.1 The Public Services Ombudsman for Wales (PSOW) role is to consider complaints about public services providers in Wales and to consider complaints that members of local authorities have broken the Code of Conduct. The PSOW has requested that Cabinet considers the complaints that the PSOW has received and that the Public Services Ombudsman (Wales) Act 2019 has now been introduced.

7.2 The Whole Authority complaints, comments and compliments report provides service users' perspectives on the work of the Council. The report is provided for Cabinet to consider the feedback received.

8. RESOURCE IMPLICATIONS:

There are currently no extra resource costs identified.

9. CONSULTEES:

SLT

Head of Law and Monitoring Officer

Head of People Services & Information Governance

10. BACKGROUND PAPERS:

Appendix 1: The Public Services Ombudsman for Wales Annual letter 2018/19

Appendix 2: The Whole Authority complaints, comments and compliments annual report
2018/19

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