

# BRIDGEND COUNTY BOROUGH COUNCIL

## INFORMATION REPORT TO CABINET

18 OCTOBER 2022

### REPORT OF THE CHIEF OFFICER – LEGAL AND REGULATORY SERVICES, HUMAN RESOURCES AND CORPORATE POLICY

#### OMBUDSMAN ANNUAL LETTER 2021 - 2022

#### 1. Purpose of report

- 1.1 The purpose of this report is to present the Ombudsman's Annual Letter for 2021-2022 to Cabinet.

#### 2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objective under the **Well-being of Future Generations (Wales) Act 2015**:-
1. **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

#### 3. Background

- 3.1 The Public Service Ombudsman for Wales (PSOW) is independent of all government bodies and has legal powers to investigate complaints about public services and independent care providers in Wales. They also investigate complaints that Members of local government bodies have breached their authority's Code of Conduct.
- 3.2 The PSOW reports annually on the number of complaints against public bodies received by its office.
- 3.3 The Complaints Officer is the Contact Officer for the PSOW and the Monitoring Officer is responsible for liaising with the PSOW regarding Member Code of Conduct complaints.

#### 4. Current situation/proposal

- 4.1 **Appendix A** provides the Ombudsman's Annual Letter for 2021-2022.
- 4.2 The number of complaints against the Authority for the period 2021–2022 was 55 compared with 31 in 2020-2021. The Ombudsman in his Annual Letter suggests that complaints about public bodies were suppressed during the pandemic and then came through in greater numbers. The figure for 2021-22 represents 0.37 complaints received per 1000 residents. The PSOW intervened in 7 of these cases, one complaint proceeded to investigation and was upheld. 9 cases were out of jurisdiction, 22 were premature, 16 were closed after initial consideration, and 5

were settled by working with the Ombudsman to agree an early resolution. Children's Social Services and Education attracted the largest number of complaints at 8 apiece.

4.3 9 Code of Conduct complaints against the Authority's Councillors were received by the Ombudsman's Office in this period 1 of which was discontinued, 1 referred to the Adjudication Panel and in 7 cases no evidence of a breach of the Code of Conduct was found. 21 Code of Conduct complaints were received against Town and Community Councils in Bridgend County none of which were referred to the Standards Committee, 7 of which were discontinued, and in 14 cases no evidence of a breach of the code was found.

4.4 The Complaints Standards Authority has this year published the first datasets on complaints handled by local authorities which show that over 15,000 complaints were handled by local authorities. These datasets are published on the Ombudsman's website and on the Council's website.

## **5. Effect upon policy framework and procedure rules**

5.1 There is no effect upon the policy framework or the procedure rules.

## **6. Equality Act 2010 implications**

6.1 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales, the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

## **7. Well-being of Future Generations (Wales) Act 2015 implications**

7.1 The well-being goals identified in the Act were considered in the preparation of this report. As the report is for noting only, it is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

## **8. Financial implications**

8.1 The PSOW has the legal power to require authorities to make payments to complainants where they have suffered financial loss or in compensation for distress and inconvenience. Any payments are met from existing budgets. The Council was required to make one payment in 2021-22. Prior to this the last payment was made in 2016/17.

## **9. Recommendation**

9.1 Cabinet is recommended to note the Annual Letter attached as **Appendix A**.

Kelly Watson

**Chief Officer, Legal and Regulatory Services, Human Resources and Corporate Policy and Monitoring Officer**

10 August 2022

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**Background documents:** None