

STANDARDS COMMITTEE

Date of Meeting	Monday, 4 September 2017
Report Subject	Public Services Ombudsman for Wales Annual Report for the Year 2016/17
Report Author	Deputy Monitoring Officer

EXECUTIVE SUMMARY

The Public Services Ombudsman for Wales (PSOW) has published his Annual Report (AR) for 2016/2017 pursuant to Paragraph 14 of Schedule 1 of the Public Services Ombudsman (Wales) Act 2005.

This report summarises the headline matters in the AR with a particular focus on matters relating to standards of county & town and community councillors.

RECOMMENDATIONS

1	To note the matters relating to Code of Conduct Complaints (CCC's) reported in the AR.
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REPORT DETAILS

1.00	
1.01	The PSOW has published his AR for 2016/2017 pursuant to Paragraph 14 of Schedule 1 of the Public Services Ombudsman (Wales) Act 2005. This is the first time that the AR has been combined with annual accounts for the PSOW.
1.02	The purpose of the AR is to report on the performance of the PSOW's office over the year and to deliver any key messages arising from the work carried out during the year.

1.03	This report summarises the headline matters in the AR with a particular focus on matters relating to standards of county & town and community councillors.
1.04	The AR sets out the workload that has been dealt with by the PSOW during 2016/2017. It breaks the workload down into the number of enquiries received and the number of complaints received, and also breaks down the complaints into those received about services (public body complaints) and those received in relation to Code of Conduct Complaints (CCC's). This report will highlight the data relating to CCC's only (issues arising from public services or the annual accounts section of the AR are beyond the scope of this report).
1.05	While the number of public services complaints have risen by 3%, the number of CCC's has fallen by 14%. For the year 2015/16 CCC's had risen by 19% (from 231 in 2014/15 to 276 In 2015/16). That rise was due to complaints from Town and Community Councillors (which had risen by 49% since 2014/15). The total number of complaints for the year 2016/17 were 236. 37% of the complaints related to the promotion of equality and respect; 23% related to the failure to disclose or register interests; 14% related to failure to be objective or act with propriety and 4% related to accountability and openness. Of those complaints, 248 were closed (down 6% on last year) and 44 were investigated (up 19% on last year).
1.06	Further details of CCC's is contained at pages 13 to 14, and 20 to 21 of the AR. Statistical data is contained at Annex B (pages 105 – 108) of the AR. Of the 248 Code of Conduct complaints closed in 2016/17, the majority (184) were closed under the category 'Closed after initial consideration.' This includes decisions such as <ul style="list-style-type: none"> •there was no 'prima facie' evidence of a breach of the Code •the alleged breach was insufficiently serious to warrant an investigation (and unlikely to attract a sanction).
1.07	The PSOW considers that the drop in the level of CCC complaints by over 14% is particularly encouraging given that historically complaints increase in the period before local elections.
1.08	The PSOW considers that the introduction of the Public Interest Test has reduced the number of low-level complaints being considered by his office and points out that on the rare occasions where serious matters have been referred to the Adjudication Panel for Wales (the APW) during the year, the APW have found breaches of the code.
1.09	With regard to code of conduct closed cases, a greater number were fully investigated this year (34) compared to 2015/16 (27). Six cases were referred either to local authority's standards committee or to the Adjudication Panel for Wales in 2016/17, the same number as the previous year.
1.10	The AR also notes the publication of the updated Code of Guidance for County and town/community Councillors.

2.00	RESOURCE IMPLICATIONS
2.01	N/A

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	N/A

4.00	RISK MANAGEMENT
4.01	N/A

5.00	APPENDICES
5.01	Pages 12 to 23 of the AR and Annex B of the AR

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>http://www.assembly.wales/laid%20documents/agr-ld11135/agr-ld11135-e.pdf</p> <p>Contact Officer: Matthew Georgiou, Deputy Monitoring Officer Telephone: 01352 702330 E-mail: matthew.georgiou@flintshire.gov.uk</p>

7.00	GLOSSARY OF TERMS
7.01	PSOW:- the Public Services Ombudsman for Wales whose duty it is to investigate complaints made by members of the public in relation to the actions and decision making of public bodies in Wales.
7.02	AR:- Annual Report of the PSOW for 2016/17
7.03	CCC's:- Code of Conduct Complaints