

Report

Standards Committee

Part 1

Date: 22nd October 2015

Item No: 5

Subject Ombudsman Annual Letter 2014/15

Purpose To report the Ombudsman's Annual letter and the numbers of complaints of maladministration and misconduct dealt with during 2014/15

Author Head of Law and Regulation

Ward General

Summary Following the publication of his Annual Report for 2014/15, the Ombudsman has now issued the Council with his Annual letter, which sets out information relating to the numbers of complaints of maladministration and misconduct which were referred to his office during this period relating to Newport City Council and its Councillors

Proposal To note the Report and the Ombudsman's Annual letter.

Action by Head of Law and Regulation

Timetable Immediate

Background

1. Following the publication of his Annual Report for 2014/15, the Ombudsman has now issued the Council with his Annual letter, which sets out information relating to the numbers of complaints of maladministration and misconduct which were referred to his office during this period relating to Newport City Council and its Councillors
2. A copy of the information attached to the Annual letter is set out in the Appendix to this Report.
3. In general, there has been a stark increase in the numbers of complaints and enquiries referred to the Ombudsman's office compared with the previous year, with a 75 increase overall in the numbers of public body complaints. Traditionally, local authorities have generated the largest numbers of complaints and the last year has seen a 55 increase.
4. Housing and Planning are consistently the largest areas of complaint generally, although Newport no longer has any housing management related complaints following the housing stock transfer to Newport City Homes. The data for 2014/15 shows a notable increase in complaints about Complaint-handling, Environmental Health, Finance and Taxation.
5. However, the Ombudsman has issued fewer maladministration reports against local authorities in 2014/15, which indicates that many more complaints are now being settled and resolved locally. Only 1 Public sector Interest report was issued against a Welsh council in the last 12 months. This Report identified failings in the way in which that authority investigated concerns about the welfare of the complainant's daughter. The report also identified a poor process for complaint-handling within the authority.
6. In relation to Newport City Council, there was a notable increase in the number of complaints of maladministration in 2014/15. This had increased from 22 complaints in 13/14 to 40 complaints in 204/15 (see Fig A), but these figures are still below the Welsh average.
7. The largest single area of complaint is Planning and Building Control and complaints relating to the administration of Housing and Council tax benefits are above the national average.
8. However, there were no findings of maladministration against the Council and no public interest reports issued in 2014/15.
9. The Annual letter refers to one "Quick Fix and Voluntary Settlement" relating to a bin store, which was resolved by the Council providing a separate area for storage of the bins in order to reduce nuisance.
10. Three complaints of misconduct were referred to the Ombudsman during 2014/15, one of which was carried forward from the previous year. In all cases, a decision was taken not to accept the complaint for investigation.

Financial Summary

11. There are no financial implications.

Options Available

5. To note the Report

Comments of Chief Financial Officer

6. There are no financial implications.

Comments of Monitoring Officer

7 Included in the Report.

Staffing Implications: Comments of Head of People and Business Change

8 There are no staffing or policy implications.

Background Papers

Ombudsman's Annual Report and letter 2014/15.

Dated: 16th October 2015

Appendix

Explanatory Notes

Section A compares the number of complaints against the Council which were received by my office during 2014/15, 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 Council which were received by my office during 2014/15. Section C compares the number of complaints against the Council which were received by my office during 2014/15, with the Local Authority average for the same period. The figures are broken down into subject categories.

Section D provides the number of complaints against the Council which were taken into investigation by my office during 2014/15. Section E compares the number of complaints taken into investigation with the Local Authority average (adjusted for population distribution) during the same period.

Section F compares the complaint outcomes for the Council during 2014/15, with the average outcome (adjusted for population distribution) during the same period. Public Interest reports issued under section 16 of the Public Services Ombudsman (Wales) Act 2005 are recorded as 'Section 16'.

Section G compares the Council's response times during 2014/15 with the average response times for all Local Authorities, and all public bodies in Wales during the same period. This graph measures the time between the date my office issued an 'investigation commencement' letter, and the date my office receives a full response to that letter from the public body.

Section H provides a breakdown of all Code of Conduct complaints received against Councillors during 2014/15. Finally, Section 'I' contains the summaries of all reports issued in relation to the Council during 2014/15.

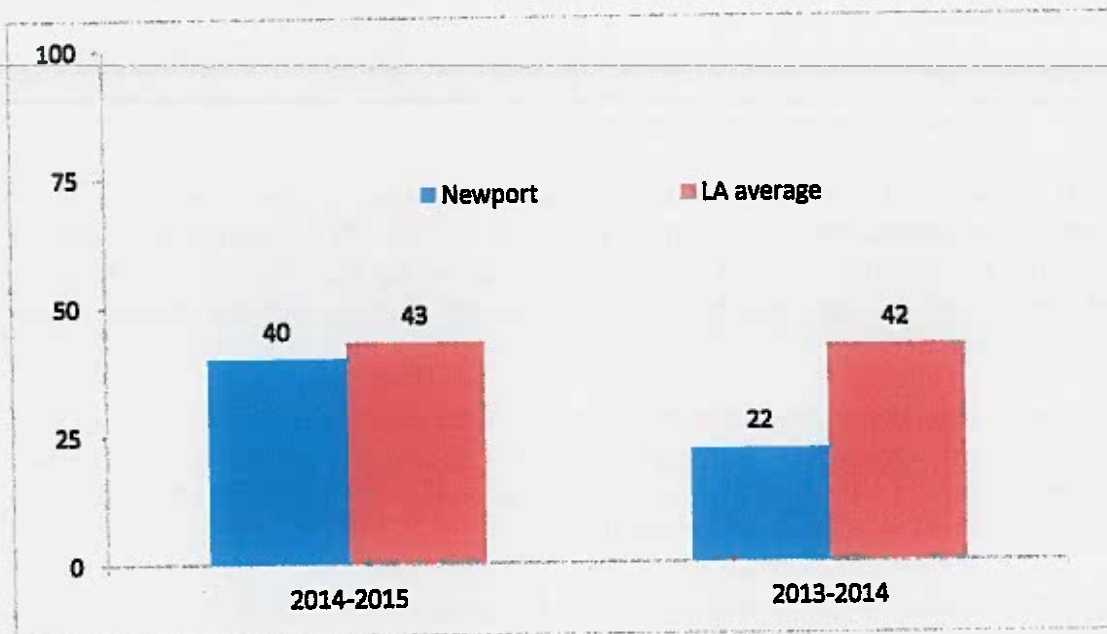
Housing Stock

As with previous exercises, the figures for 2014/15 have not been adjusted to take account of the transfer of housing stock. However, it is noted that there is likely to be a higher proportion of Housing complaints where Local Authorities have retained their housing stock.

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 to james.merrifield@ombudsman-wales.org.uk.

A: Comparison of complaints received by my office with average, adjusted for population distribution

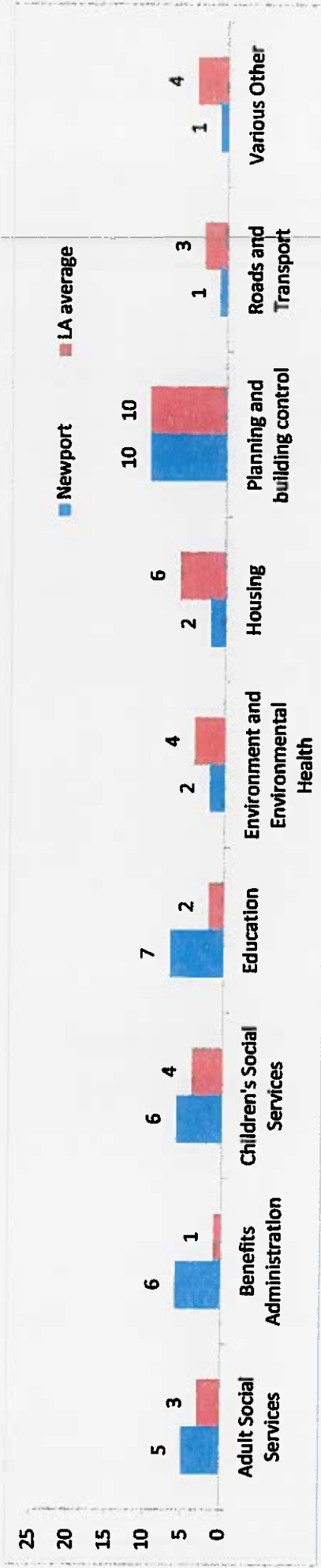


B: Complaints received by my office

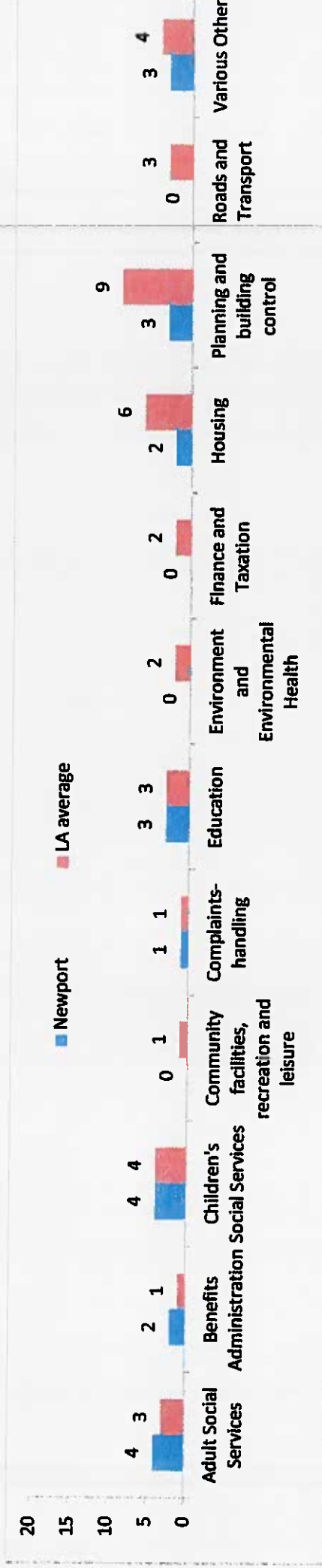
Subject	2014/15	2013/14
Adult Social Services	5	4
Benefits Administration	6	2
Children's Social Services	6	4
Complaint-handling	0	1
Education	7	3
Environment and Environmental Health	2	0
Housing	2	2
Planning and building control	10	3
Roads and Transport	1	0
Various Other	1	3
Total	40	22

C: Comparison of complaints by subject category with LA average

2014/15



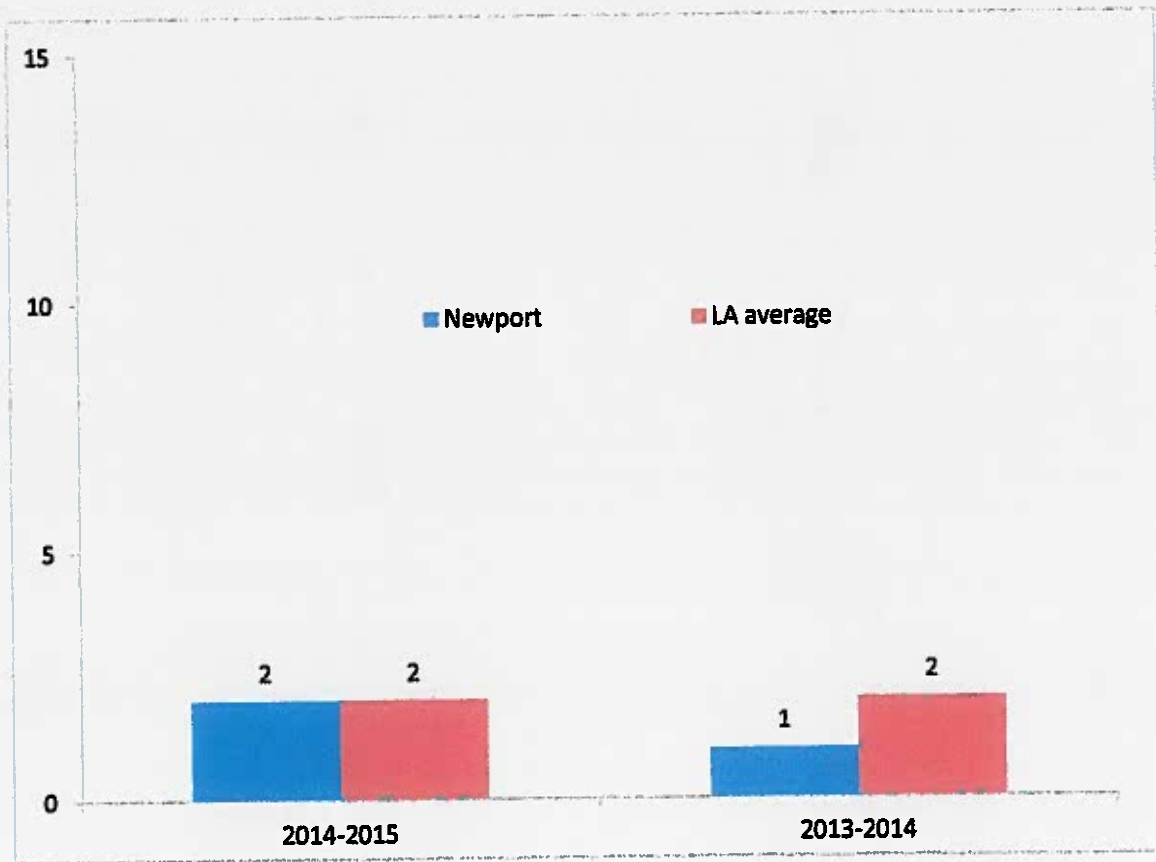
2013/14



D: Complaints taken into investigation by my office

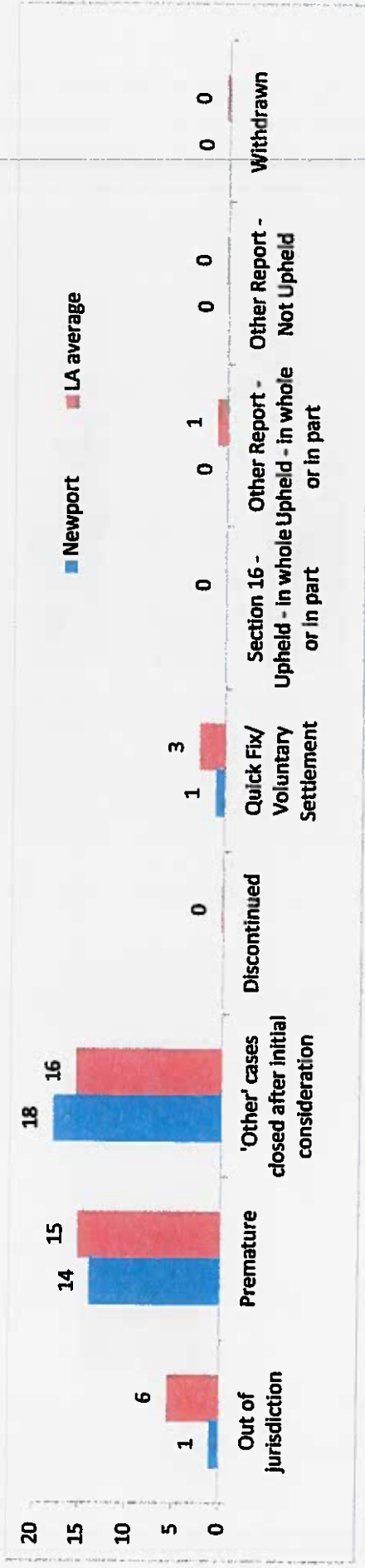
	2014/15	2013/14
Number of complaints taken into investigation	2	1

E: Comparison of complaints taken into investigation by my office with average, adjusted for population distribution

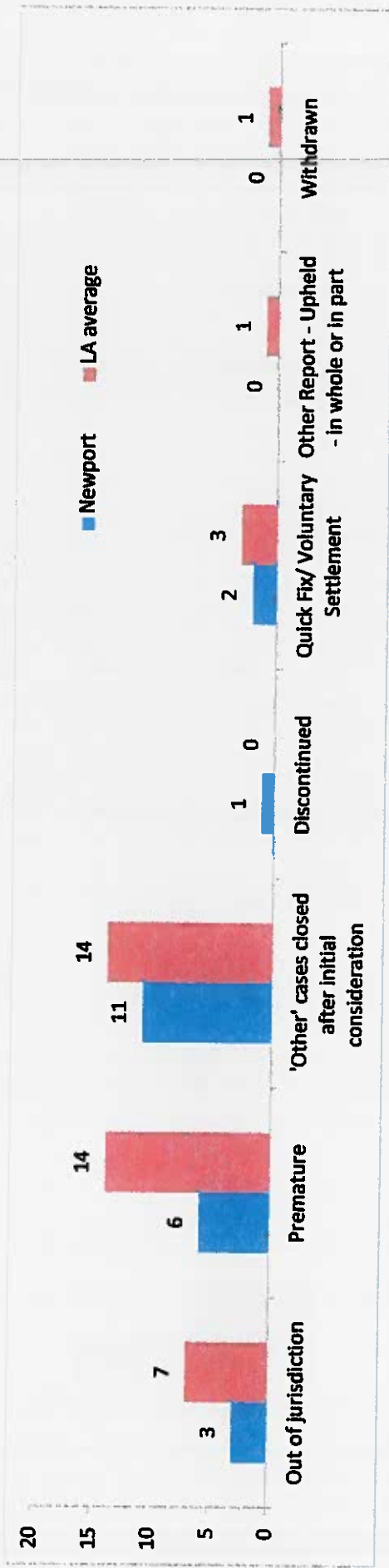


F: Comparison of complaint outcomes with average outcomes, adjusted for population distribution

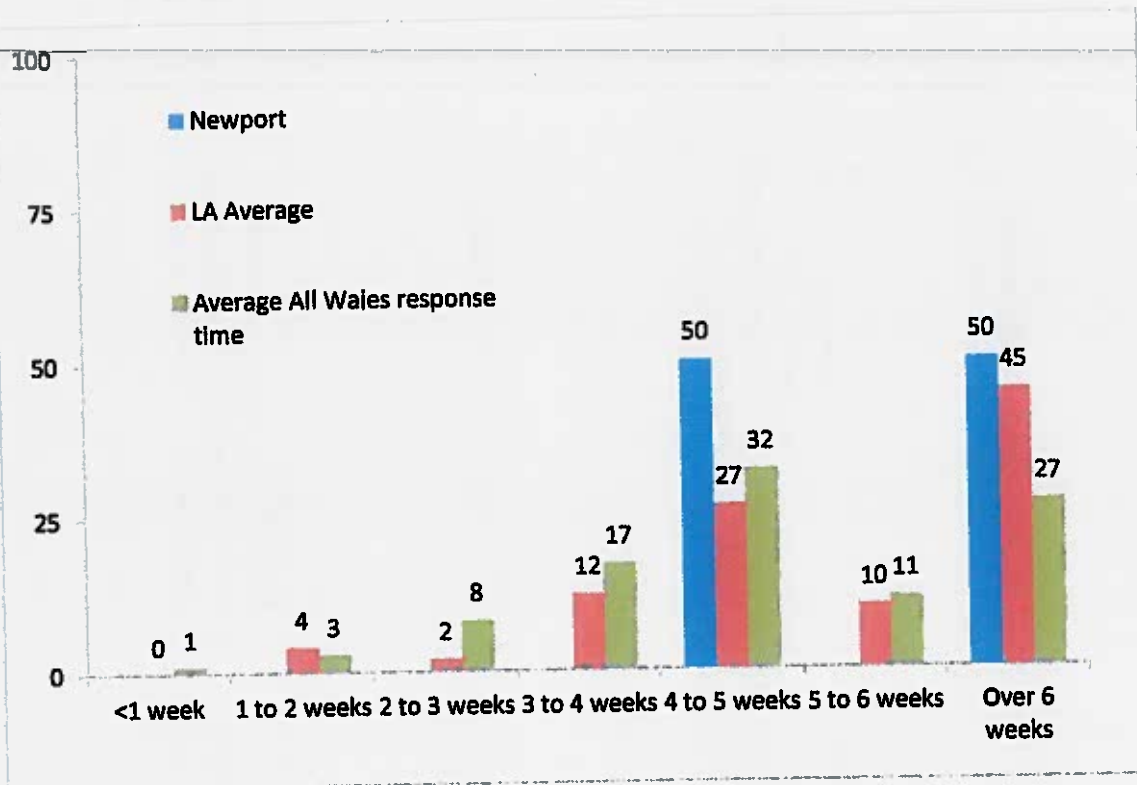
2014/15



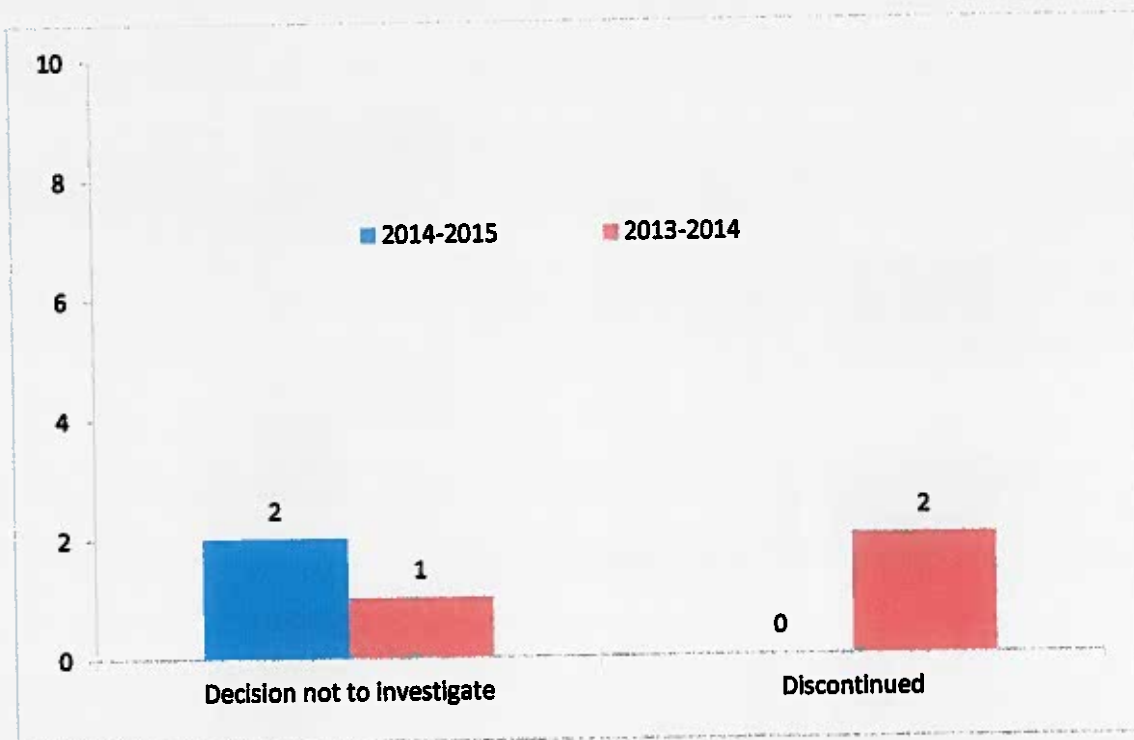
2013/14



G: Comparison of Council times for responding to requests for information with average LA and average All Wales response times, 2014/15 (%)



H: Code of Conduct complaints



I: Summaries

Various Other

Quick fixes and Voluntary settlements

Newport City Council – Other misc.

Case reference 201405411 – December 2014

Mr & Mrs S complained that the Council had failed to deal with a complaint they made to it regarding the wheelie bins of neighbours in a narrow street being stored against the side wall of their home. This caused a nuisance with noise and unpleasant odours.

The Council had carried out a consultation exercise with their neighbours who were content to maintain the status quo. Mr & Mrs S were unhappy as the storage issues only affected them.

There was an area at the side of Mr & Mrs S's home that could possibly be used by the Council to store the bins further away from the property, thus reducing the likelihood of nuisance being caused to them. The Ombudsman therefore recommended that the Council provide a clearly marked area for the storage of the wheelie bins, six foot away from the property. The Council also agreed to provide larger bins, which can be shared between two households. The Council agreed to complete the work by a specified date.

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