

Our ref: MG/jm

Ask for: James Merrifield

Your ref:



01656 644 200

Date: 15 July 2014



James.Merrifield@ombudsman-wales.org.uk

Mr David Waggett
Chief Executive
Blaenau Gwent County Borough Council
Municipal Offices
Civic Centre
Ebbw Vale
NP23 6XB

Dear Mr Waggett

Annual Letter 2013/14

Following the recent publication of my Annual Report, I am pleased to provide you with the Annual Letter (2013/14) for Blaenau Gwent County Borough Council.

Whilst health complaints have continued to rise, and remain the most numerous type of complaint, there has also been a noticeable increase in social services complaints. This suggests that service user discontent with social service provision is now beginning to manifest itself in a similar way to service users of health provision. My office will continue to monitor this area of growth, particularly in view of the changes to the Ombudsman's jurisdiction as a result of the Social Services and Well-being (Wales) Bill and the changes to the statutory social services complaints procedure. This growth is clearly a matter of concern, and I would urge local authorities to monitor trends in the complaints made to them in this area of service delivery.

In reference to the overall performance of county and county borough councils in Wales, my office has issued fewer reports, compared with 2012/13. There has also been a slight drop in the number of cases closed by way of 'quick fix' or 'voluntary settlement'. In view of the benefits to all parties in resolving certain types of complaints quickly and without the need for full investigation, I would encourage all councils to be receptive to redress proposals from my office which would enable cases to be resolved in this way. Finally, the figures show that the largest number of complaints relate to 'Planning and Building Control' and 'Housing', followed by complaints about 'Children's Social Services' and 'Roads and Transport'.

I have issued nine Public Interest Reports during 2013/14, the majority of which related to health complaints. Some of these reports have identified serious failings in respect of clinical care provided to patients, and the lessons to be learnt from such reports are most relevant to health bodies. However, other public interest reports have identified failings in respect of making reasonable adjustments to accommodate a patient's deafness; acting in accordance with, or implementing guidelines; and, incomplete record-keeping. These are serious failings which could potentially occur within any public body or service provider, and I would therefore encourage you to review all public interest reports to identify any lessons which may apply to your Council.

In reference to the amount of time taken by public bodies in Wales in responding to requests for information from my office during 2013/14, whilst there has been an increase in the percentage of responses received within four weeks, 36% of responses from public bodies have taken more than 6 weeks. I have outlined my concerns in the Annual Report over the way in which complaints are handled, and have also previously referred to 'delay', and the consequences of it, in The Ombudsman's Casebook. Clearly, there remains work to do to ensure that public bodies are providing information promptly and I would encourage all bodies to consider whether their performance in this area warrants further examination.

In reference to your Council, the statistics indicate that the number of complaints received remains below the local authority average, and that the largest single number of complaints relate to Planning and Building Control. The statistics also indicate that your authority achieved an above average number of quick fixes or voluntary settlements. Whilst the response time displayed in relation to your Council represents one case, I am pleased to note that this response was received within four weeks.

The new Ombudsman will be taking up his post in August and I am sure he will be in touch at an appropriate time to introduce himself and possibly to discuss some of the above matters. Finally, following the practice of previous years, a copy of the annual letters issued to county and county borough councils will be published on the PSOW's website.

Yours sincerely

Professor Margaret Griffiths
Acting Ombudsman

Appendix

Explanatory Notes

Section A compares the number of complaints against the Council which were received by my office during 2013/14, 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 2013/14. Section C compares the number of complaints against the Council which were received by my office during 2013/14, 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 investigated by my office during 2013/14. Section E compares the number of complaints investigated with the local authority average (adjusted for population distribution) during the same period.

Section F compares the complaint outcomes for the Council during 2013/14, 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 2013/14 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 2013/14. Finally, Section 'I' contains the summaries of all reports issued in relation to the Council during 2013/14.

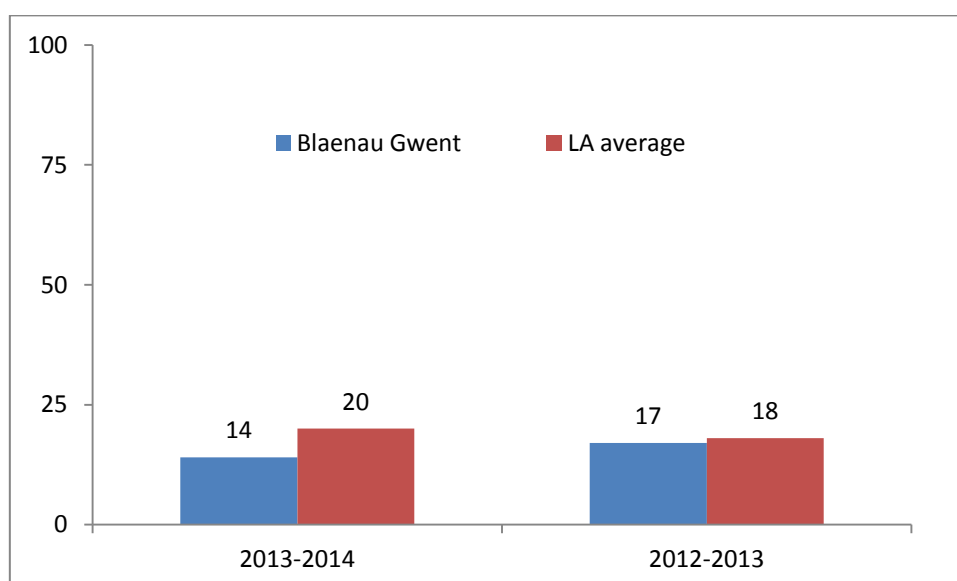
Housing Stock

As with previous exercises, the figures for 2013/14 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

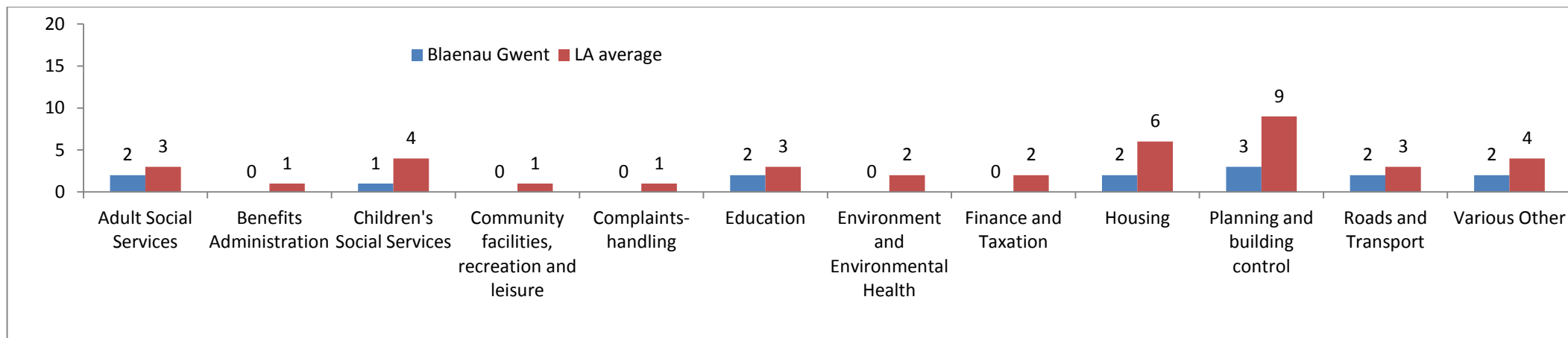


B: Complaints received by my office

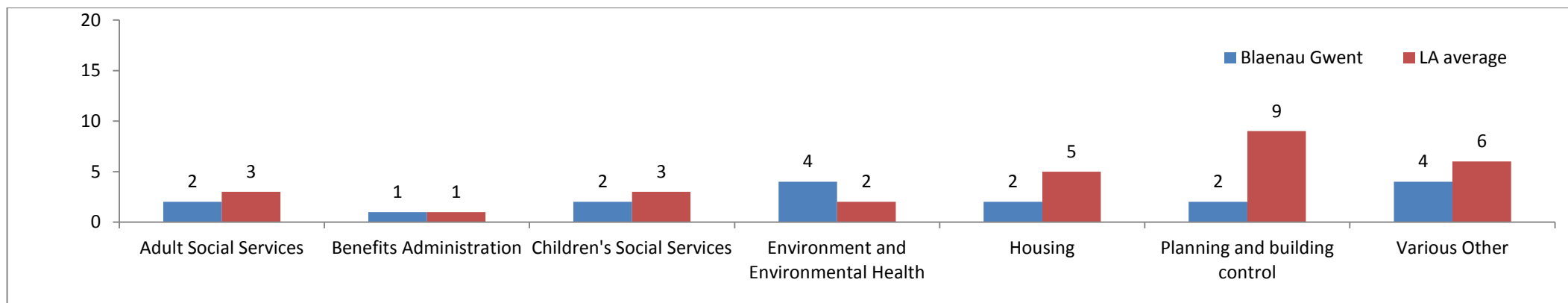
Subject	2013/14	2012/13
Adult Social Services	2	2
Benefits Administration	0	1
Children's Social Services	1	2
Education	2	0
Housing	2	2
Planning and building control	3	2
Roads and Transport	2	0
Various Other	2	4
Total	14	17

C: Comparison of complaints by subject category with LA average

2013/14



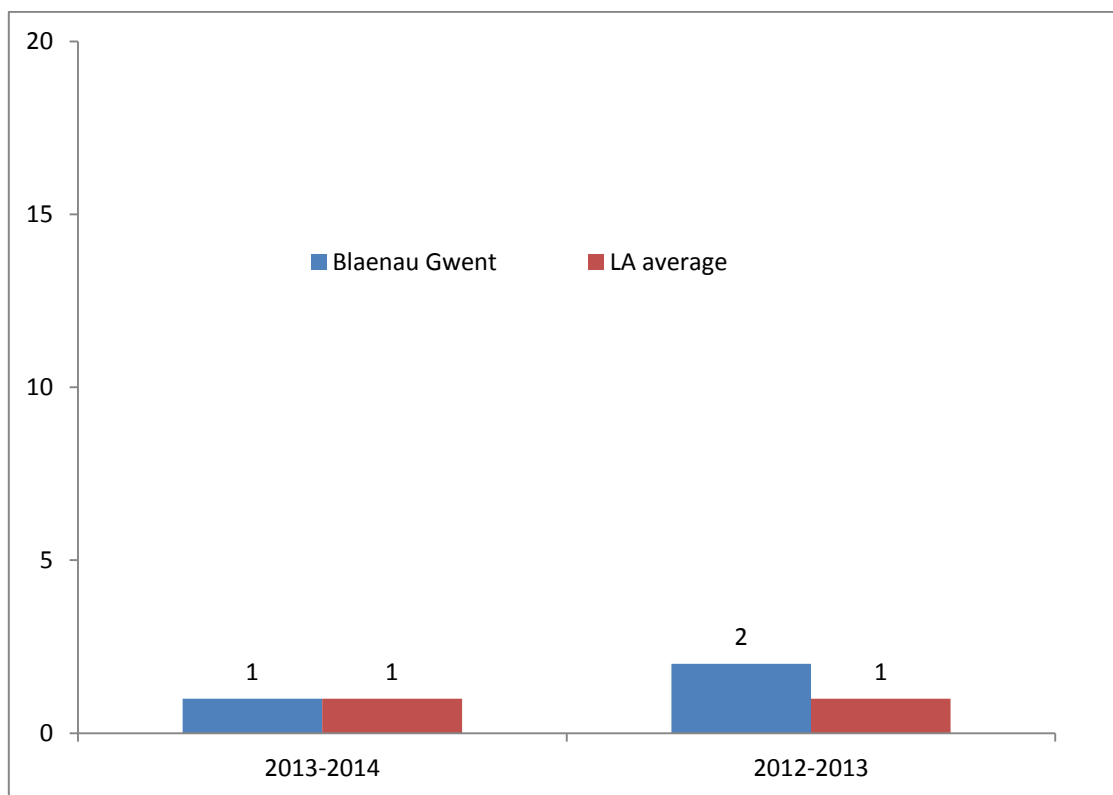
2012/13



D: Complaints taken into investigation by my office

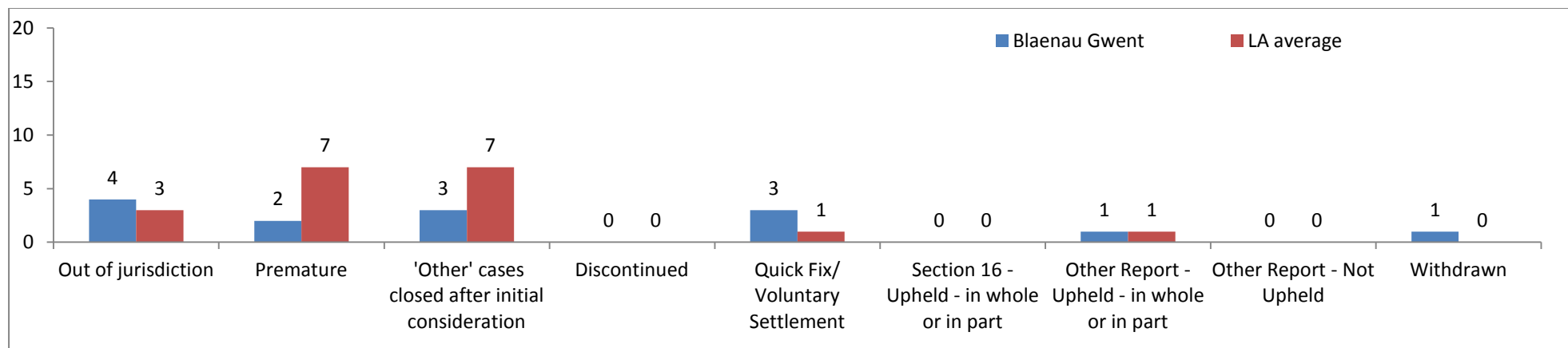
	2013/14	2012/13
Number of complaints taken into investigation	1	2

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

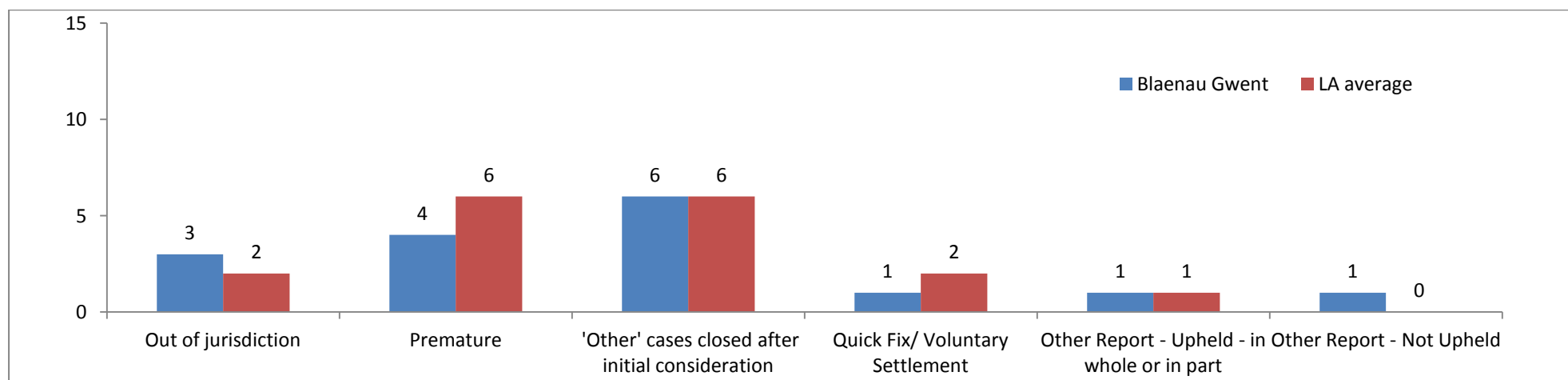


F: Comparison of complaint outcomes with average outcomes, adjusted for population distribution

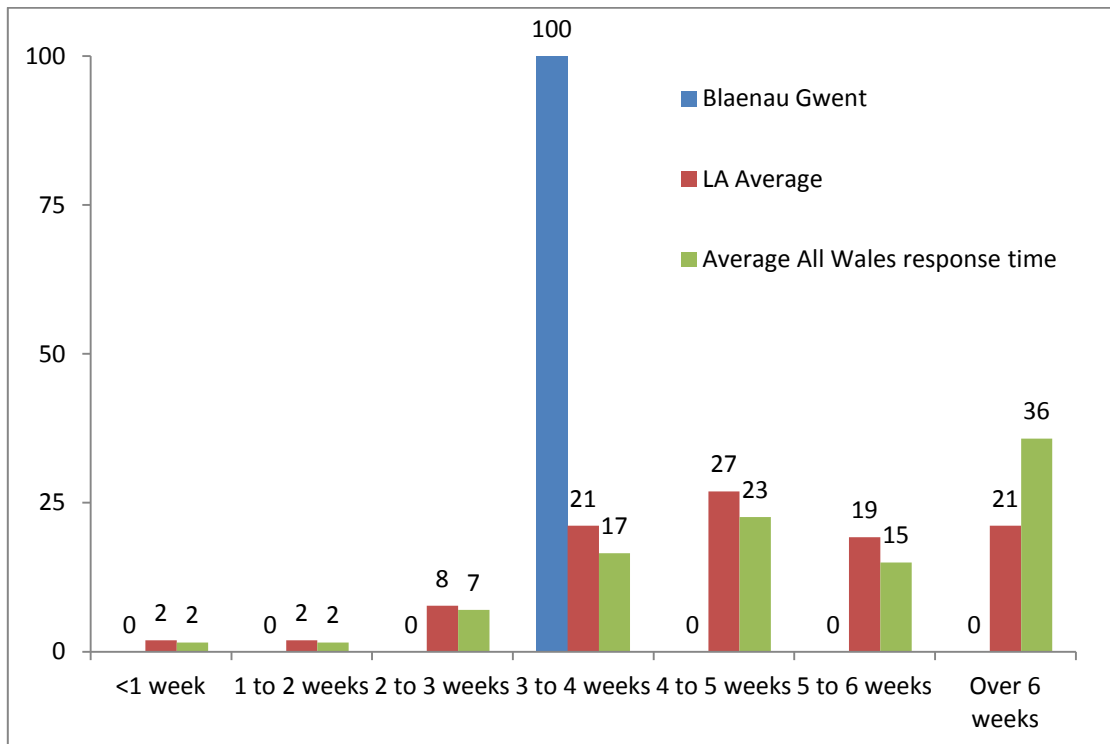
2013/14



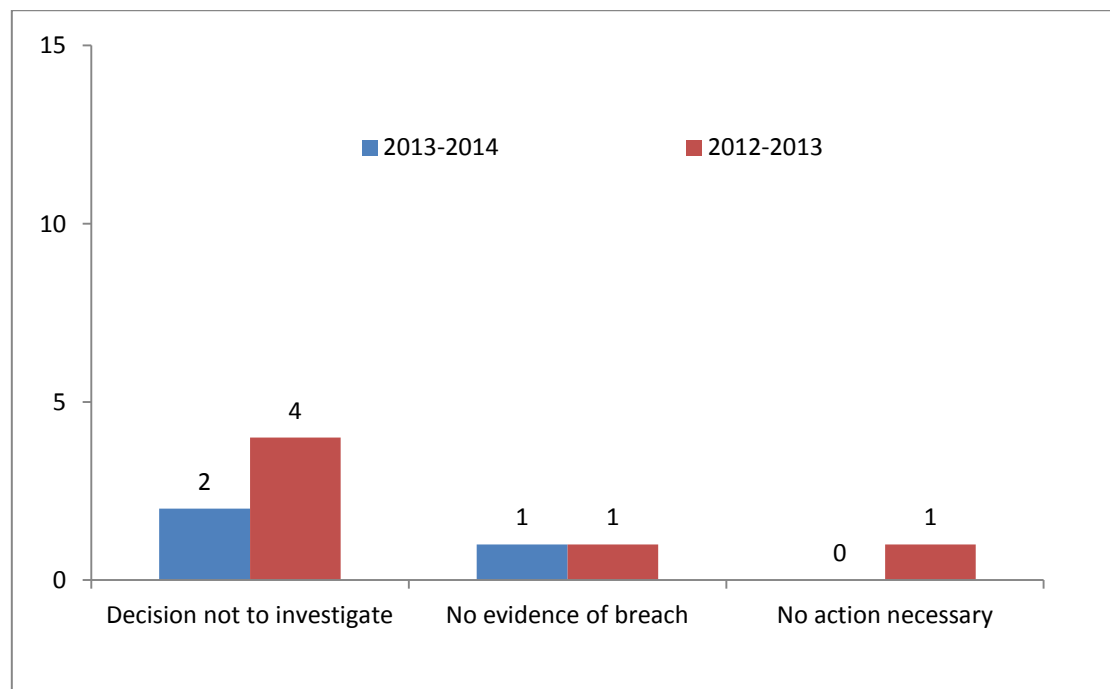
2012/13



G: Comparison of Blaenau Gwent's times for responding to requests for information with average LA and average All Wales response times, 2013/14 (%)



H: Code of Conduct complaints



I: Summaries

Environment and Environmental Health

Upheld

Blaenau Gwent County Borough Council – Pest control/dog nuisance/fouling Case reference 201203327 – Report issued October 2013

Mr P complained that, on 24 October 2012, he was issued with a Fixed Penalty Notice (FPN) for not having his dog on a lead at local playing fields. The complainant stated that there were no dog control order signs where he had parked or in the immediate vicinity. Mr P paid the FPN and had assumed that, when he complained to the Council, the matter would be dealt with.

The Council said that Mr P had not parked in an official entrance and, as such, dog control signs were not erected and that the question of adequate signage was a legal matter. The Clean Neighbours & Environment Act 2005 guidance says that signs should be in conspicuous positions at entry points to open areas. In this instance, the whole area where Mr P parked has the appearance of being an official entrance and car park.

The complaint was upheld and it was recommended that the Council should place a suitable sign at this site and pay Mr P £100 for his time and trouble in pursuing his complaint. The Council agreed to implement these recommendations.

Roads and Transport

Quick fixes and Voluntary settlements

Blaenau Gwent County Borough Council – Other Case reference 201306042 – February 2014

Mr B complained that his application for a Blue Badge had been refused. Although he had been told that he did not meet the criteria, he could not understand why this was as his doctor had supported his application.

The Council agreed to write to Mr B setting out the criteria which it had applied and explaining why he did not meet them. The Ombudsman considered that this action was reasonable and would resolve the complaint.