

Our ref: NB/jm

Ask for: James Merrifield

Your ref:



01656 644 200

Date: 3 August 2015



[James.Merrifield@ombudsman-wales.org.uk](mailto:James.Merrifield@ombudsman-wales.org.uk)

Mr Darren Mepham  
Chief Executive  
Bridgend County Borough Council  
Civic Offices  
Angel Street  
Bridgend  
CF31 4WB

Dear Mr Mepham

### **Annual Letter 2014/15**

Following the recent publication of my Annual Report, I am pleased to provide you with the Annual Letter (2014/15) for Bridgend County Borough Council.

I have referred to the stark reality of the volume of increases in enquires and complaints in the Annual Report. Comparing the position against 2013/14, there has been a 7% increase in the number of public body complaints received by my office. The Health and Local Authority sectors account for 83% of the complaints received by my office; over the past five years, there has been a 126% and 10% increase in complaints respectively.

Traditionally, county councils have generated the largest number of complaints to this office and the last year has seen a 5% increase. Whilst Housing and Planning are consistently the largest areas of complaint for local authorities, the data for 2014/15 shows notable increases in complaints about Complaint-handling, Environment and Environmental Health, and Finance and Taxation, compared with 2013/14.

In reference to the outcomes of complaints, I am pleased that my office has issued fewer upheld reports against Local Authorities, compared with 2013/14. I have issued one Public Interest report against a body in the Local Authority sector. The report identified numerous failings concerning the way in which the Local Authority investigated concerns about the welfare of the complainant's daughter. The report also identified poor complaint-handling, a common feature amongst complaints across all sectors.

The complaint data shows a small decrease in the number of Quick Fixes and Voluntary Settlements achieved with Local Authorities, compared with 2013/14. I am keen to ensure that, wherever possible and appropriate, my office works with bodies

from all sectors to resolve complaints as quickly and effectively as possible. In this regard, I am concerned that the time taken in responding to requests for information from this office has significantly worsened; 45% of responses across local authorities took more than six weeks in 2014/15.

This figure is noticeable worse than the equivalent figure for the Health sector, despite my office making appreciably more requests for information to Health Boards. Against this background, I take this opportunity to reinforce the content of the letter I sent to you in April 2015 setting out a number of changes in the way that my office will work with your organisation in handling complaints. The changes included amending the time given to bodies to provide complaint files to two weeks, as well as new arrangements in granting additional time to bodies to provide information meaning that requests for extensions which are made with very limited justification will no longer be agreed.

In reference to your Local Authority, there has been a decrease in the number of complaints received, compared to 2013/14. Whilst there has been a decrease in the number of complaints relating to Children's Social Services, there has been an increase in complaints relating to Adult Social Services. My office did not commence any investigations in 2014/15, and, as such, there were no response times recorded in relation to your Local Authority. My office issued one 'upheld' report but there were no Quick Fixes or Voluntary Settlements recorded during the year.

My office is working in a number of ways to address the upward trend in complaints. We will be looking to engage more directly with county councils to promote improvement. We will also be placing greater emphasis on the data which we gather, initially in relation to complaints about the Health sector, to further identify trends and patterns. My office will also be taking a more proactive role in measuring compliance with recommendations and settlements, which may result in requests to visit your offices to discuss and examine changes that you have implemented. In addition to this work, you will be aware that following its inquiry, the Assembly's Finance Committee issued a report in May 2015, making a number of recommendations for revised or additional powers for the Public Services Ombudsman for Wales. I very much hope that those recommendations will come to fruition in the form of a new Act within the next year or so.

This correspondence has been copied to the Leader of the Council. I will also be sending a copy of this correspondence to your contact officer within your organisation and would again reiterate the importance of this role. Finally, a copy of all annual letters will be published on the PSOW's website.

Yours sincerely



Nick Bennett  
Ombudsman

Copy: Leader, Bridgend County Borough Council

## **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 investigated by my office during 2014/15. 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 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.

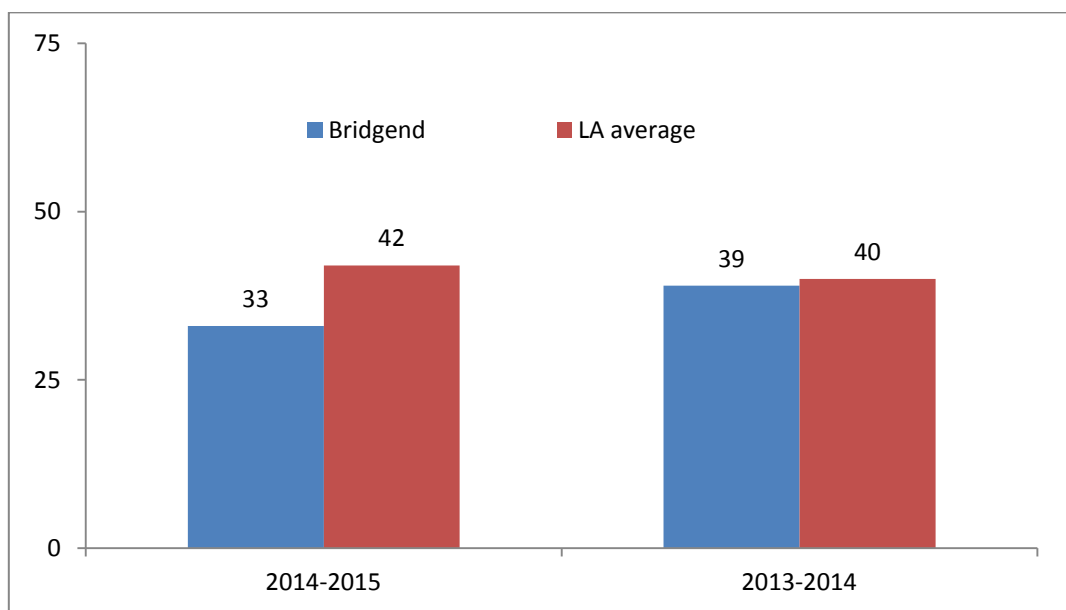
### **Housing Stock**

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](mailto:james.merrifield@ombudsman-wales.org.uk).

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

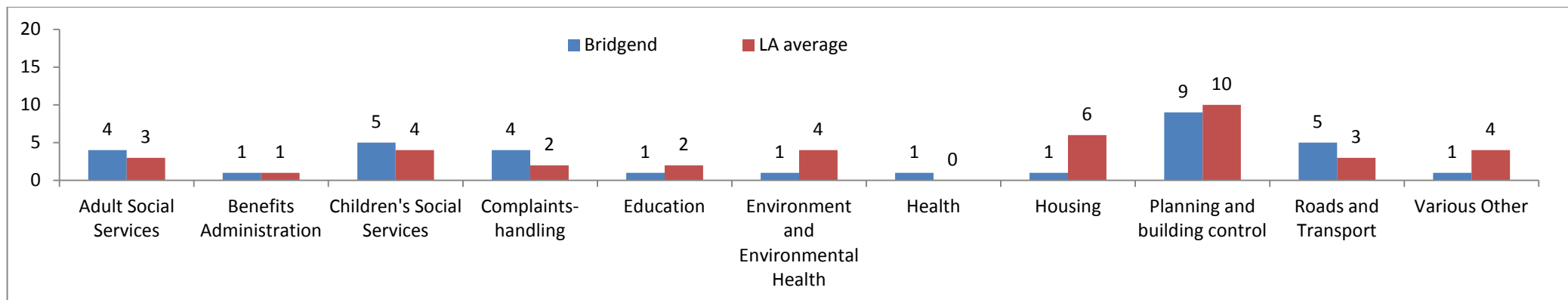


**B: Complaints received by my office**

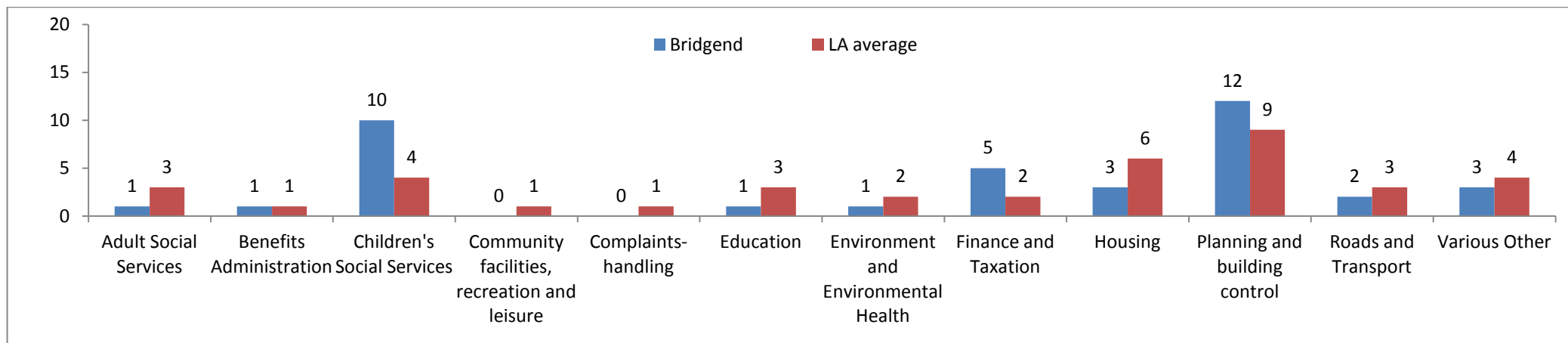
Subject	2014/15	2013/14
Adult Social Services	4	1
Benefits Administration	1	1
Children's Social Services	5	10
Complaints-handling	4	0
Education	1	1
Environment and Environmental Health	1	1
Finance and Taxation	0	5
Health	1	0
Housing	1	3
Planning and building control	9	12
Roads and Transport	5	2
Various Other	1	3
<b>Total</b>	<b>33</b>	<b>39</b>

### C: Comparison of complaints by subject category with LA average

2014/15



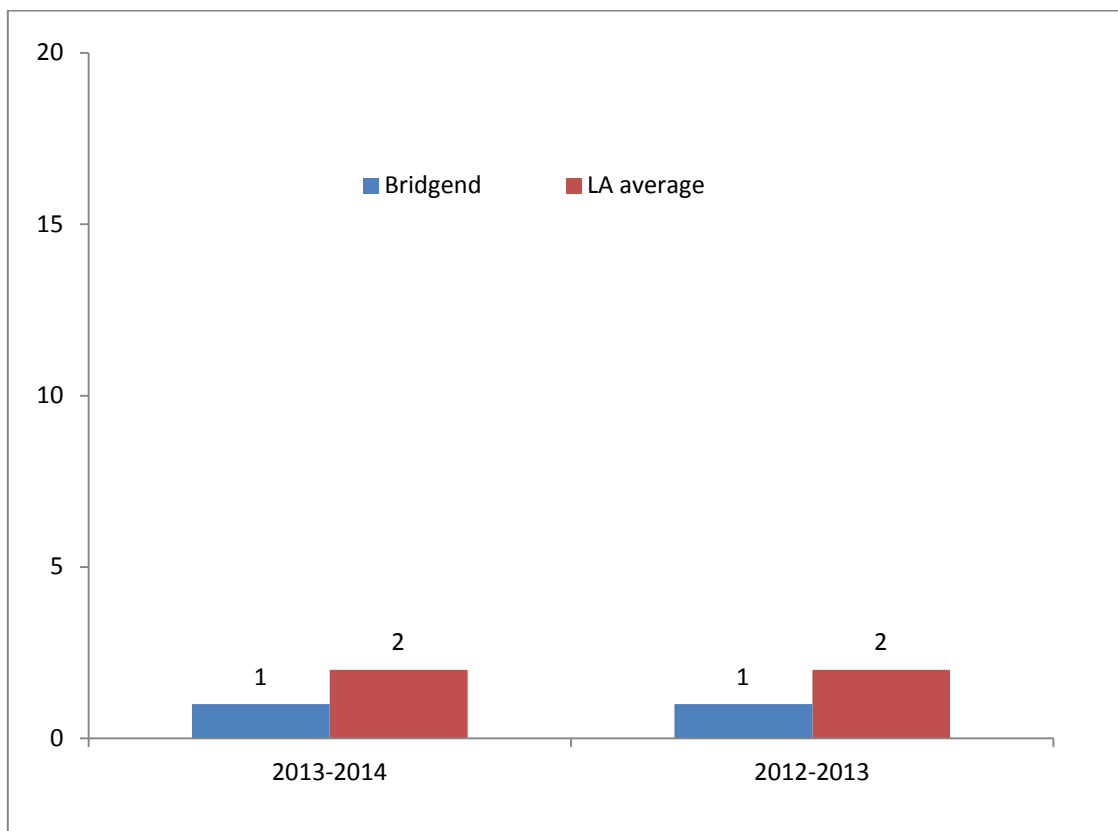
2013/14



**D: Complaints taken into investigation by my office**

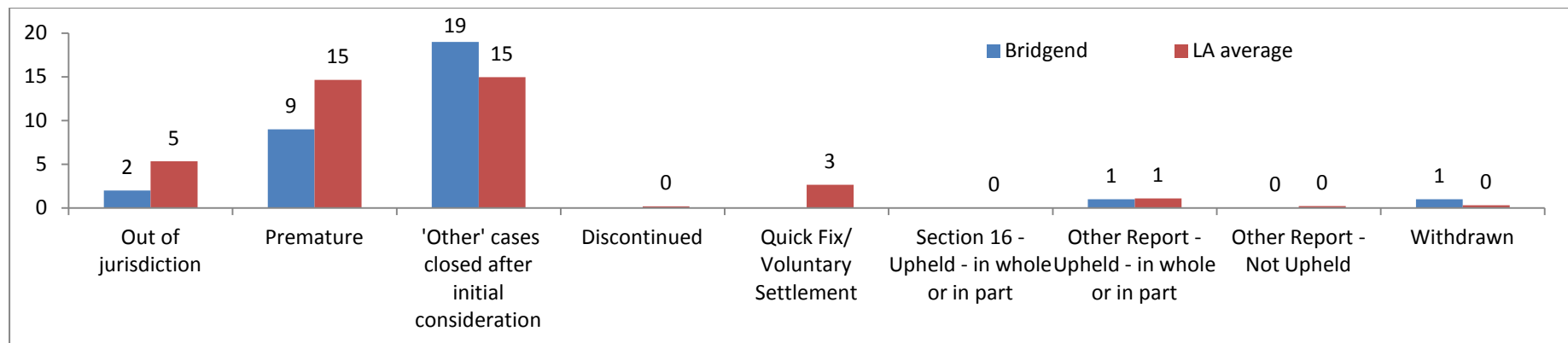
	2014/15	2013/14
Number of complaints taken into investigation	0	1

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

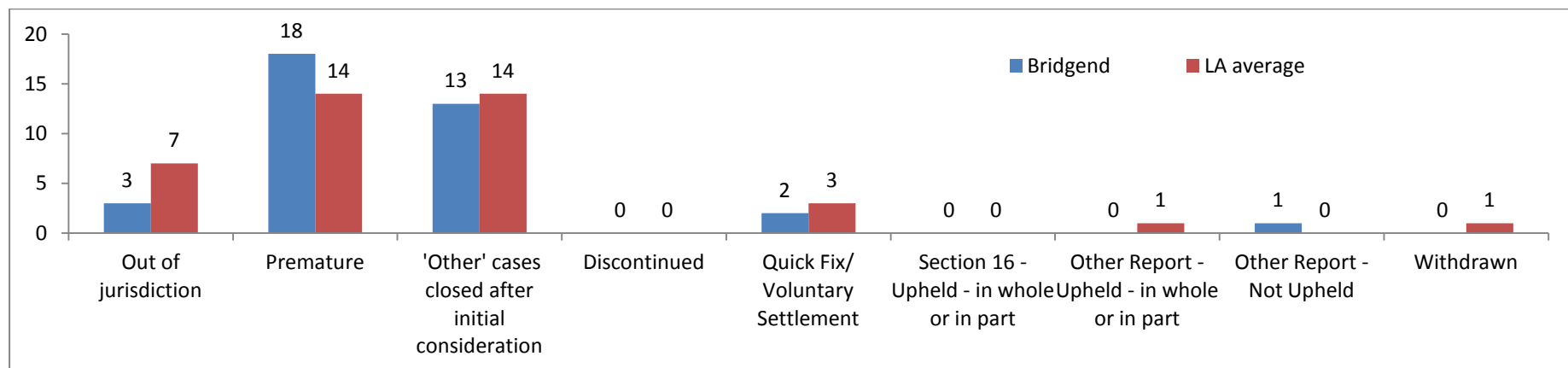


**F: Comparison of complaint outcomes with average outcomes, adjusted for population distribution**

**2014/15**

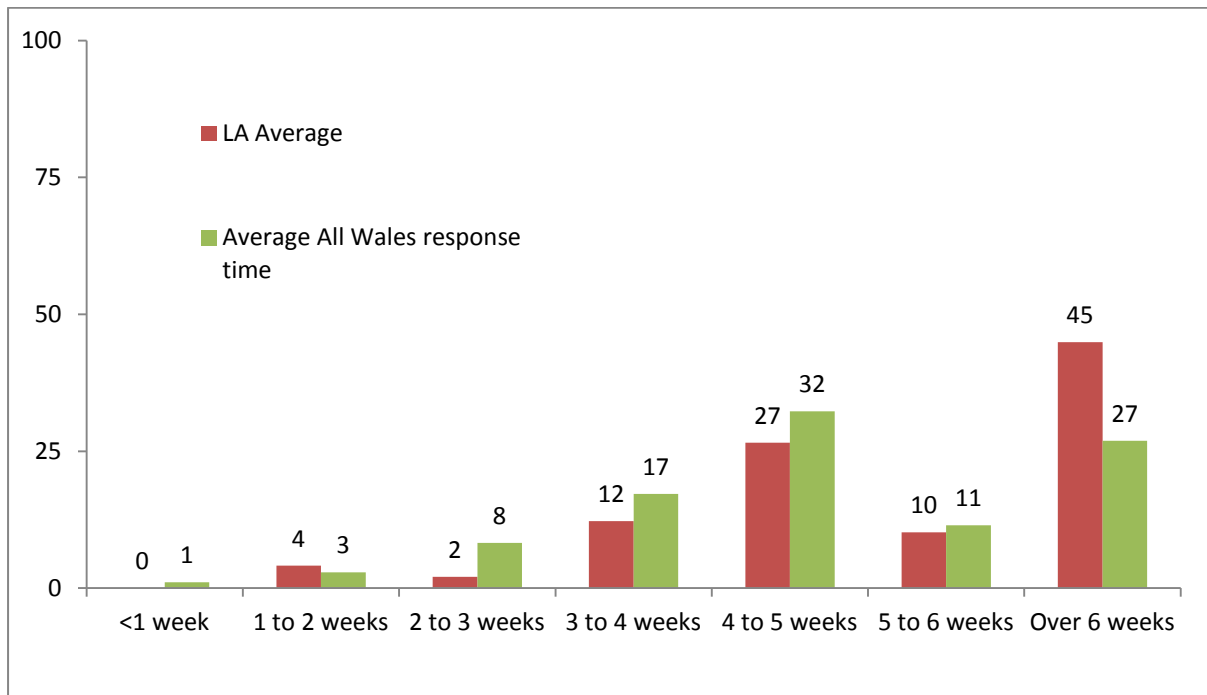


**2013/14**



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

Graph G relates to those investigations which were commenced during 2014/15. As there were no investigations commenced against Bridgend, there are no response times for Bridgend. However, we have included the average Local Authority response times and the average response times for all bodies in Wales for your information.



**H: Code of Conduct complaints**

There were no Code of Conduct complaint outcomes recorded against Bridgend County Borough Council during 2014/15



## **I: Summaries**

### **Social Services - Children**

#### **Other reports – Upheld**

##### **Bridgend County Borough Council – Children in care/taken into care/'at risk' register/child abuse/custody of children**

##### **Case reference 201304976 – Report issued January 2015**

Miss B complained that her children, but in particular her son, X, suffered psychological harm in the care of a foster carer. She said that the Council failed to remove them from the foster carer's care when it received an expert's report which she said confirmed this. She also complained about the way in which the Council dealt with her complaint.

The Ombudsman found that the fostering service's social worker, and X's social worker, had not visited the foster carer and X respectively as frequently as required by Regulations. He concluded that the foster carer had not been supported appropriately to manage X's challenging behaviour, and that it was possible that further work with X might have improved his experience in care. The Ombudsman found that the Council had taken little action when it received the psychologist's report, which had been critical of the foster carer's care of X and contained an allegation which, if true, would have amounted to a breach of Regulations; the Council should have investigated the allegations made immediately.

The Council was correct to consider the complaint initially under Child Protection procedures. However, there were failings in the way it did so, including a delay in the holding of the required strategy meeting and the failure to invite all prescribed agencies to the meeting. The Council did not undertake a comprehensive consideration of the remainder of the complaint. The Ombudsman upheld the complaint and made the following recommendations:

- apologise to Miss B for the failings identified;
- make a payment to Miss B in the sum of £250 to reflect the time and trouble to which she had been put in pursuing her complain;
- make a payment of £1000 for the benefit of the family, in recognition of the distress suffered by Miss B and X as a result of the failings identified;
- take steps to ensure that in future it complies with the procedures contained in the All Wales Child Protection Procedures for consideration of allegations against professionals;
- take steps to ensure that any allegation against a foster carer is investigated immediately, in accordance with national guidance, and that the Fostering Panel and Care and Social Services Inspectorate Wales are notified of the allegation and the outcome of the investigation;
- ensure that looked after children are visited at least as frequently as the Regulations prescribe, and that children are seen alone at such visits unless this is not appropriate;
- ensure that foster carers receive effective supervision in accordance with Council policy, and that written records of such supervision are maintained on the carer's file;

- provide training for foster carers and social workers on child development, including attachment, separation and loss, and the management of children's behaviour; and,
- if Miss B wished, arrange for X to receive a comprehensive, multi-agency assessment of his needs; thereafter, the Council should offer services and support to meet those needs.