

Our ref: MG/jm

Ask for: James Merrifield

Your ref:



01656 644 200

Date: 15 July 2014



James.Merrifield@ombudsman-wales.org.uk

Mr Stuart Rosser
Interim Chief Executive
Caerphilly County Borough Council
Penallta House
Tredomen Park
Ystrad Mynach
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CF82 7PG

Dear Mr Rosser

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 Caerphilly 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, there has been a decrease in the number of complaints received by my office, compared to 2012/13, whilst the number of complaints investigated has remained at the same level. Both figures are below the local authority average. The figures show that my office has received an above-average number of complaints relating to Housing, whilst there has been a noticeable drop in the number of complaints relating to Planning and Building Control. Although my office has issued one 'upheld' report against your Council, this figure is below the local authority average. However, it is disappointing to note that the response times for your Council indicate that all responses were received more than four weeks after they were requested.

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 taken into investigation by my office during 2013/14. 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 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.

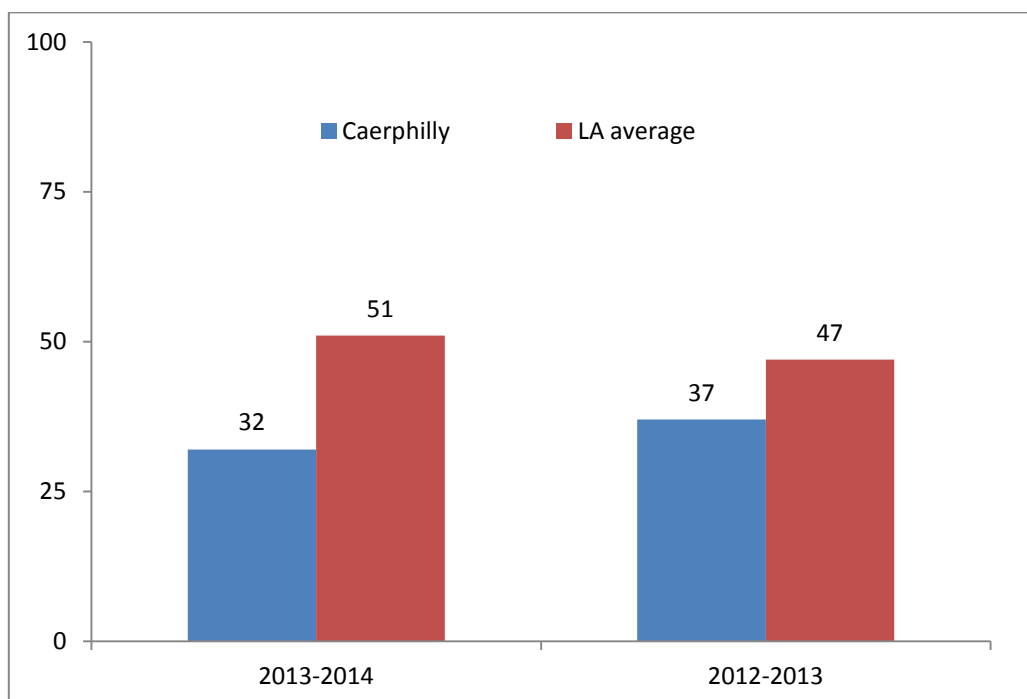
Housing Stock

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

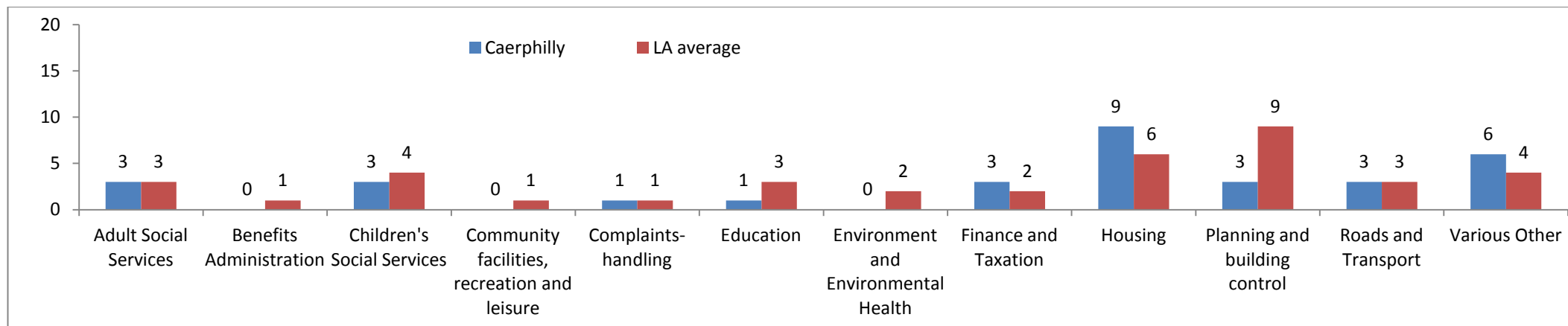


B: Complaints received by my office

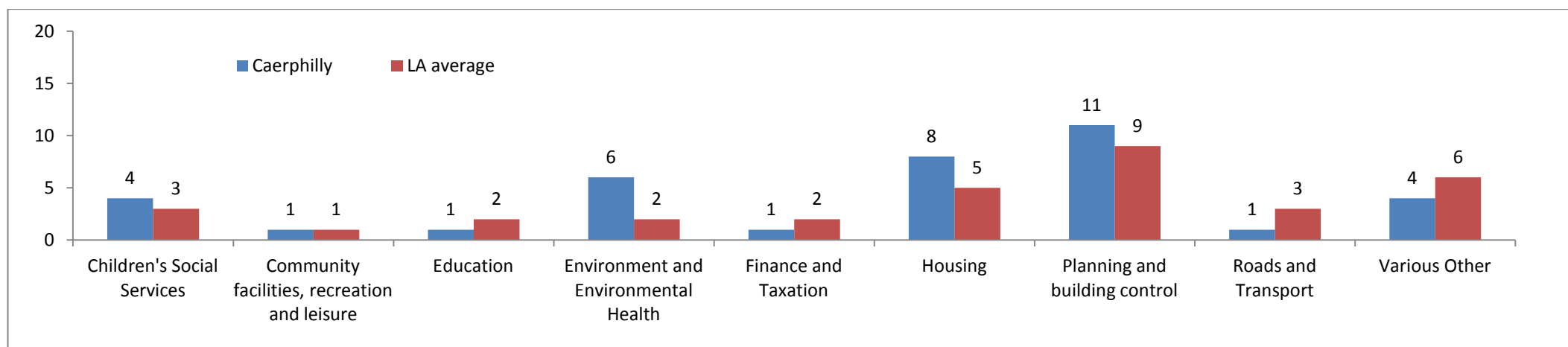
Subject	2013/14	2012/13
Adult Social Services	3	0
Children's Social Services	3	4
Community facilities, recreation and leisure	0	1
Complaints-handling	1	0
Education	1	1
Environment and Environmental Health	0	6
Finance and Taxation	3	1
Housing	9	8
Planning and building control	3	11
Roads and Transport	3	1
Various Other	6	4
Total	32	37

C: Comparison of complaints by subject category with LA average

2013/14



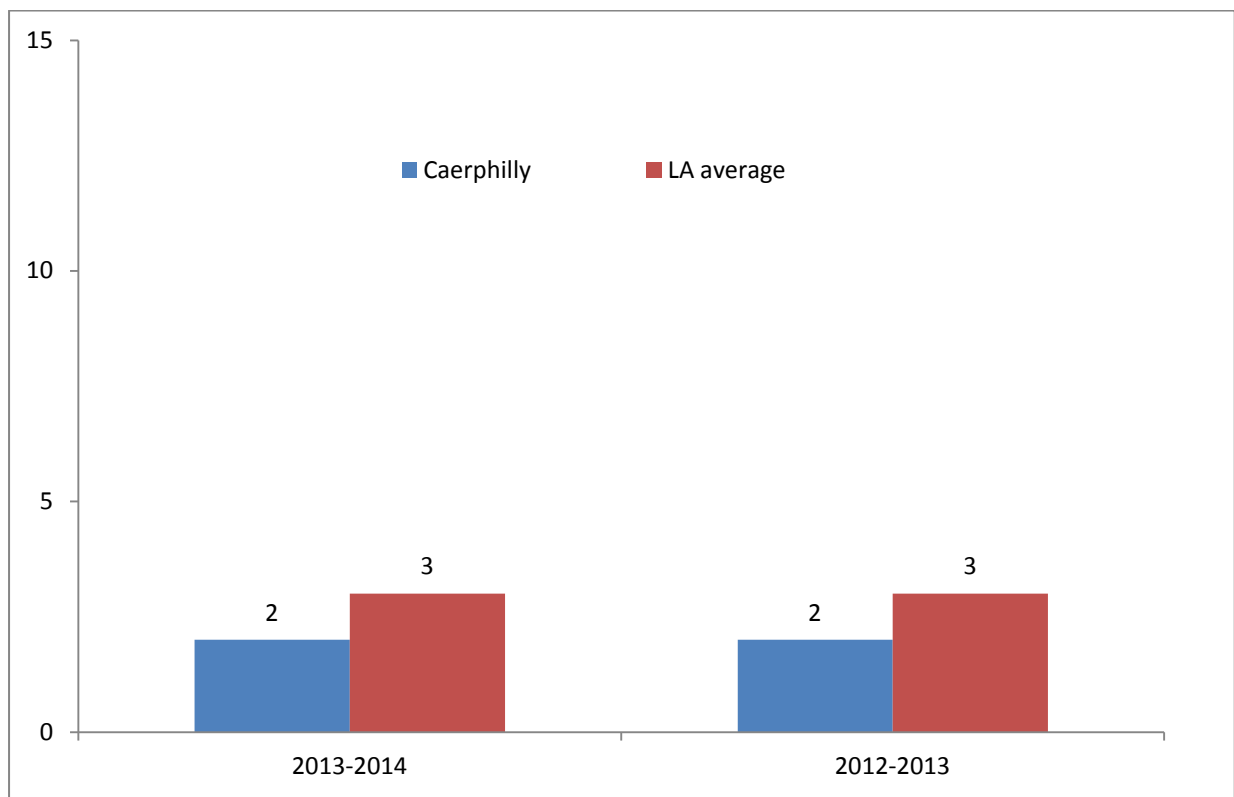
2012/13



D: Complaints taken into investigation by my office

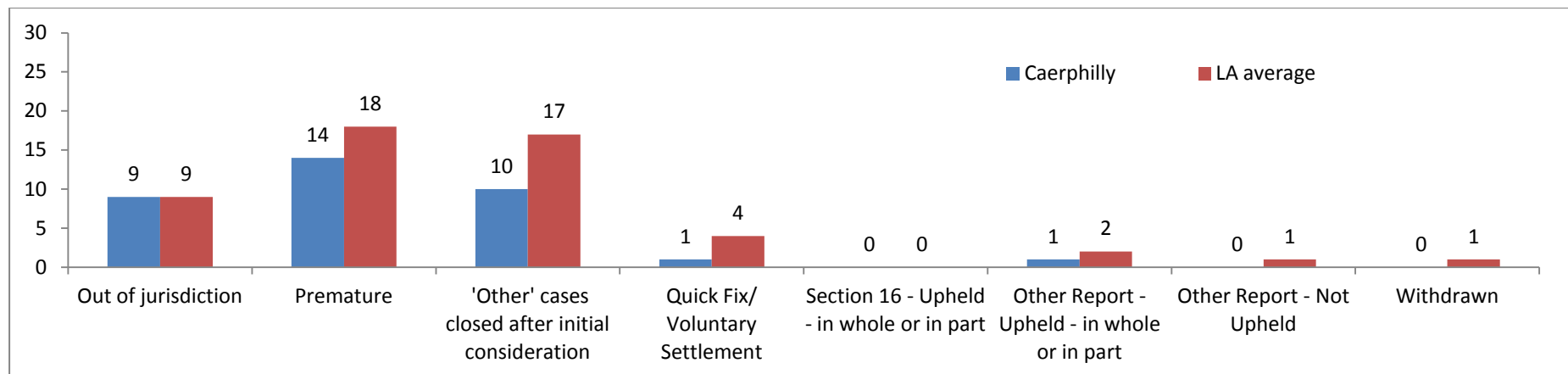
	2013/14	2012/13
Number of complaints taken into investigation	2	2

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

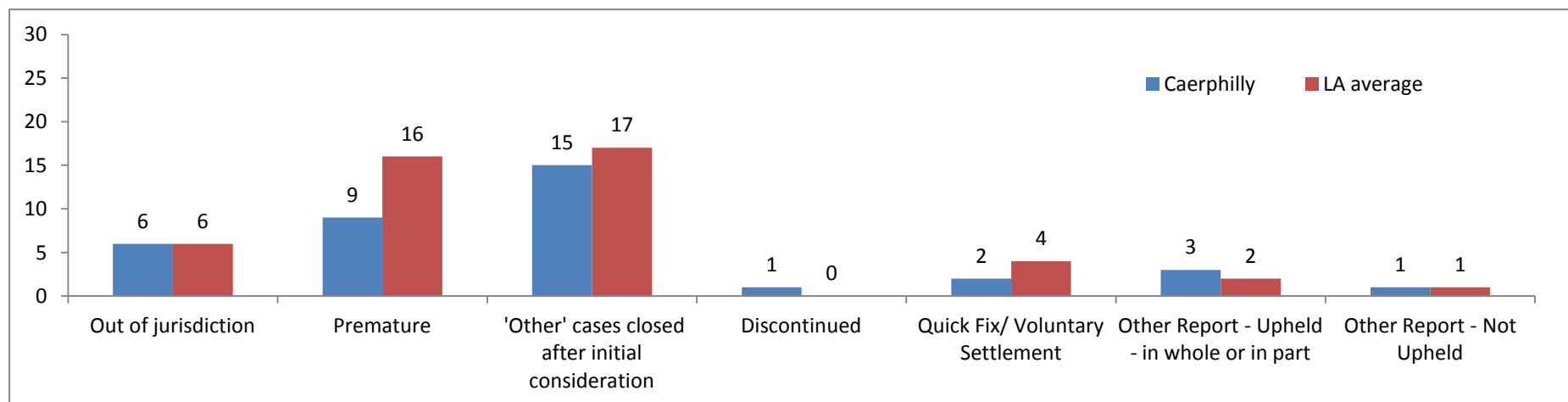


F: Comparison of complaint outcomes with average outcomes, adjusted for population distribution

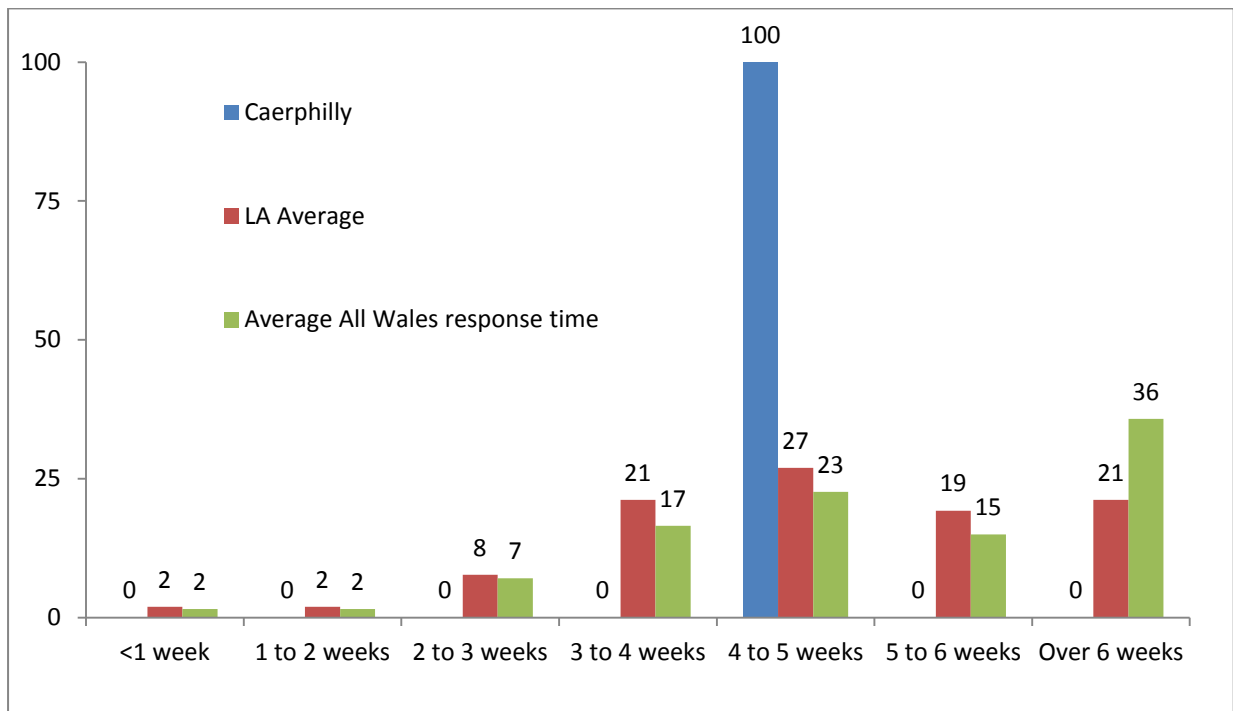
2013/14



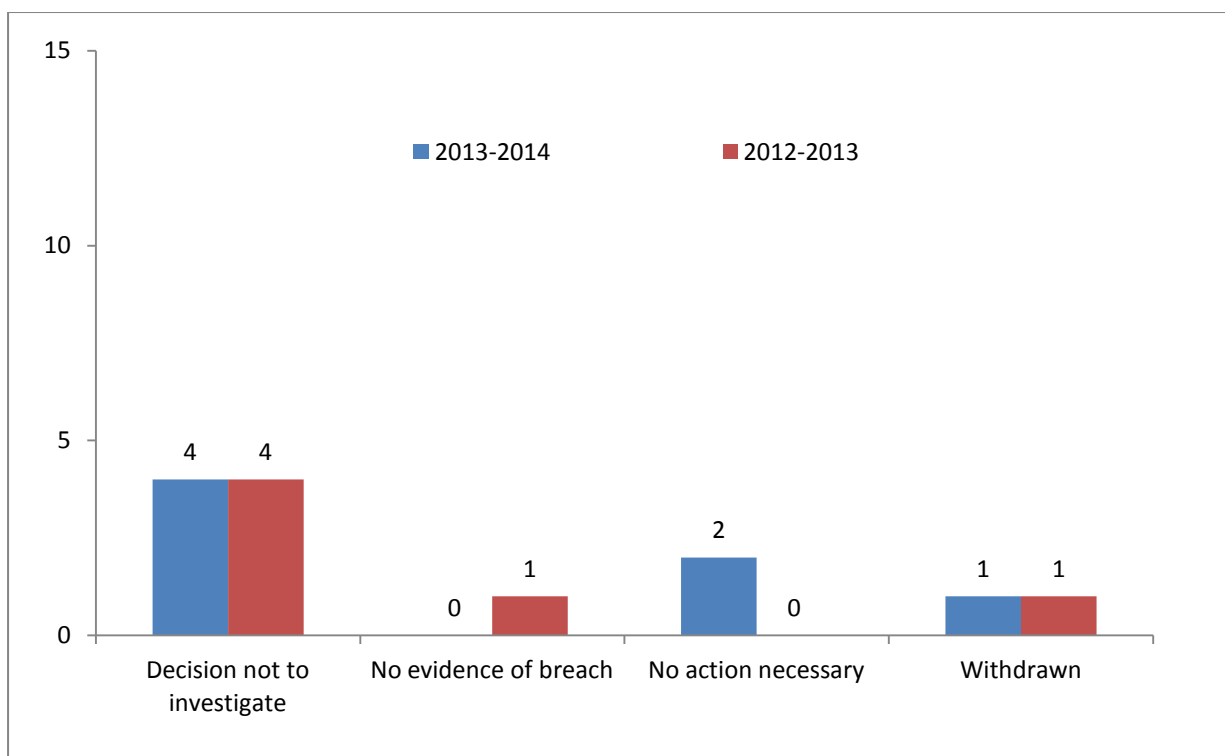
2012/13



G: Comparison of Council 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

Housing

Quick fixes and Voluntary settlements

May 2013 – Repairs and maintenance - Caerphilly County Borough Council

Mrs A is a Council tenant. She complained to the Ombudsman about the Council's recharges for an emergency call out and the repair of an electrical socket that was hanging off her son's bedroom wall. She disputed that the cost of repair was her responsibility and queried why she had been charged for the cost of a call-out in an emergency situation.

The Ombudsman identified concerns about the Council's Recharges Guide for Council Tenants which did not make explicitly clear that, where a tenant uses its out of hours emergency service due to accidental damage, the call out charge will be recharged in addition to the cost of the repair. The Council's appeals and complaints correspondence also gave conflicting information about what Mrs A had been recharged for.

The Ombudsman contacted the Council to explain what he thought might be done to resolve the complaint quickly and the Council agreed to the following:

- waive the call out charges on this occasion;
- review its Recharges Guide for Council Tenants and its out of hours telephone message to make it clear that where a tenant uses the out of hours emergency service to repair accidental damage, the call out charge may be re-charged in addition to the cost of any repair.

Case reference 201204670