

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 Ian Westley  
Acting Head of Paid Service  
Pembrokeshire County Council  
County Hall  
Haverfordwest  
Pembrokeshire  
SA61 1TP

Dear Mr Westley

### **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 Pembrokeshire County 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, the number of complaints received by my office increased in 2014/15 and is now above average. The largest number of complaints related to 'Housing'. My office commenced two investigations against your Local Authority in 2014/15 and did not issue any reports. Your Local Authority closed an above-average number of complaints through Quick Fixes or Voluntary Settlements. However, your Local Authority also took more than six weeks to respond to requests for information from my office.

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, Pembrokeshire County 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 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.

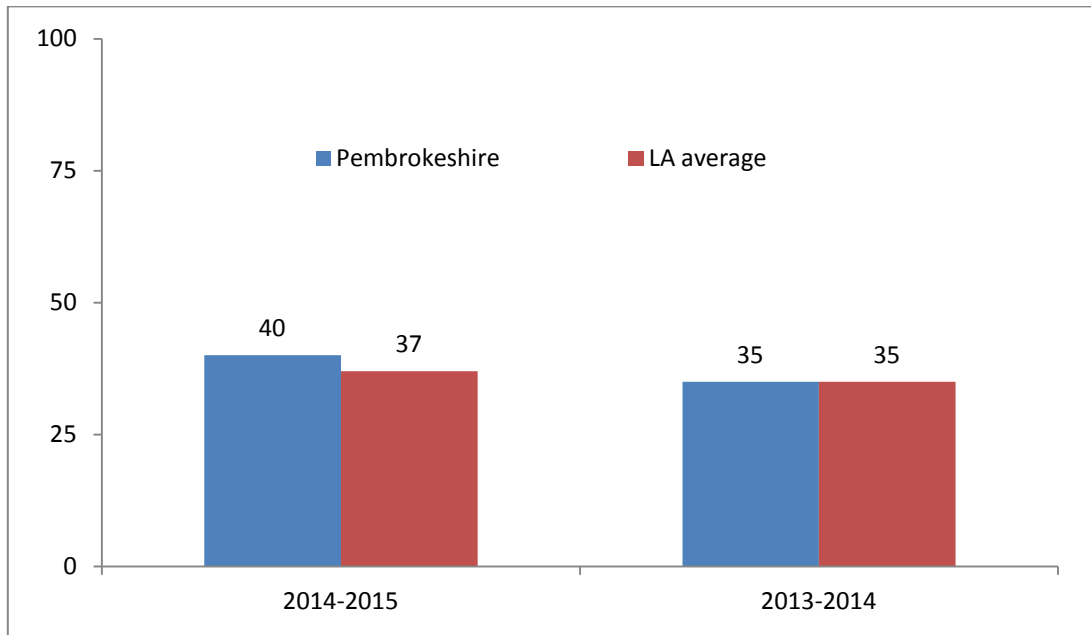
### **Housing Stock**

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

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

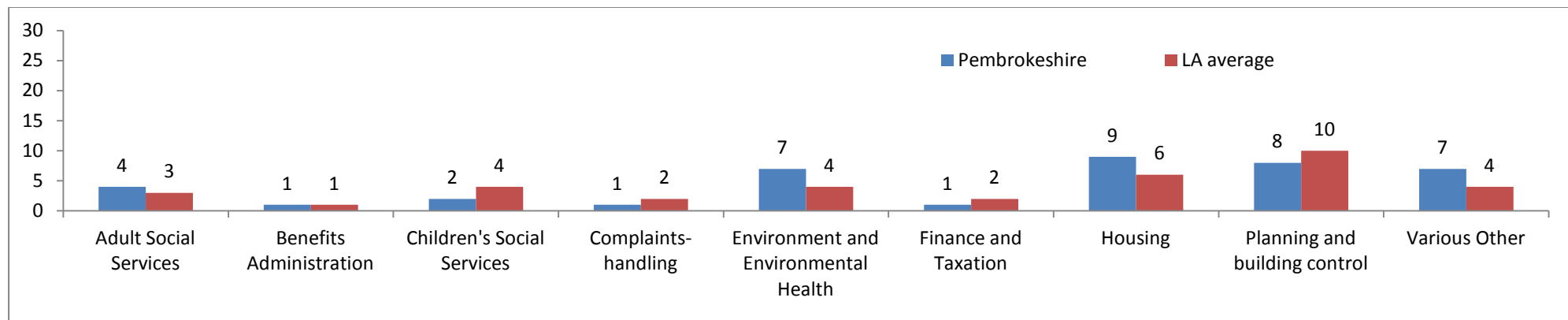


**B: Complaints received by my office**

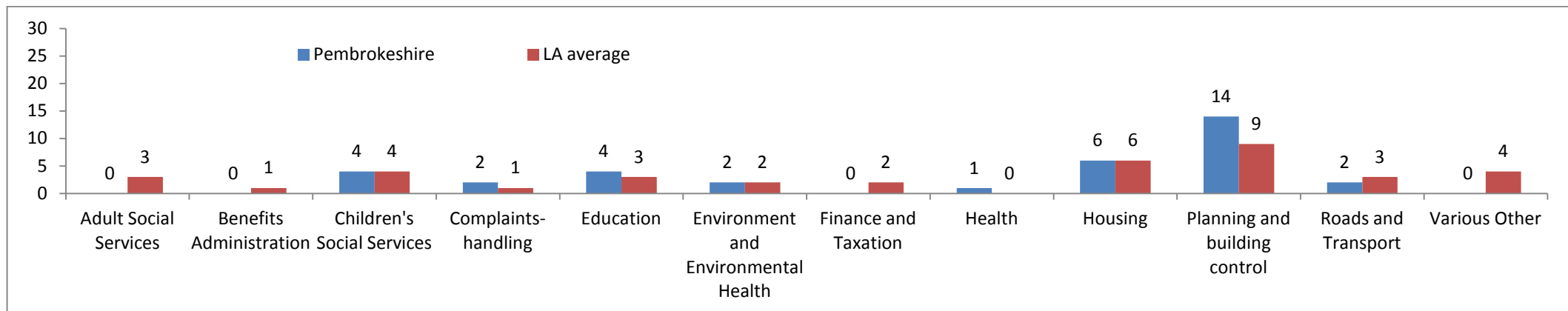
Subject	2014/15	2013/14
Adult Social Services	4	0
Benefits Administration	1	0
Children's Social Services	2	4
Complaint-handling	1	2
Education	0	4
Environment and Environmental Health	7	2
Finance and Taxation	1	0
Health	0	1
Housing	9	6
Planning and building control	8	14
Roads and Transport	0	2
Agriculture and Fisheries	0	0
Various Other	7	0
<b>Total</b>	<b>40</b>	<b>35</b>

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

**2014/15**



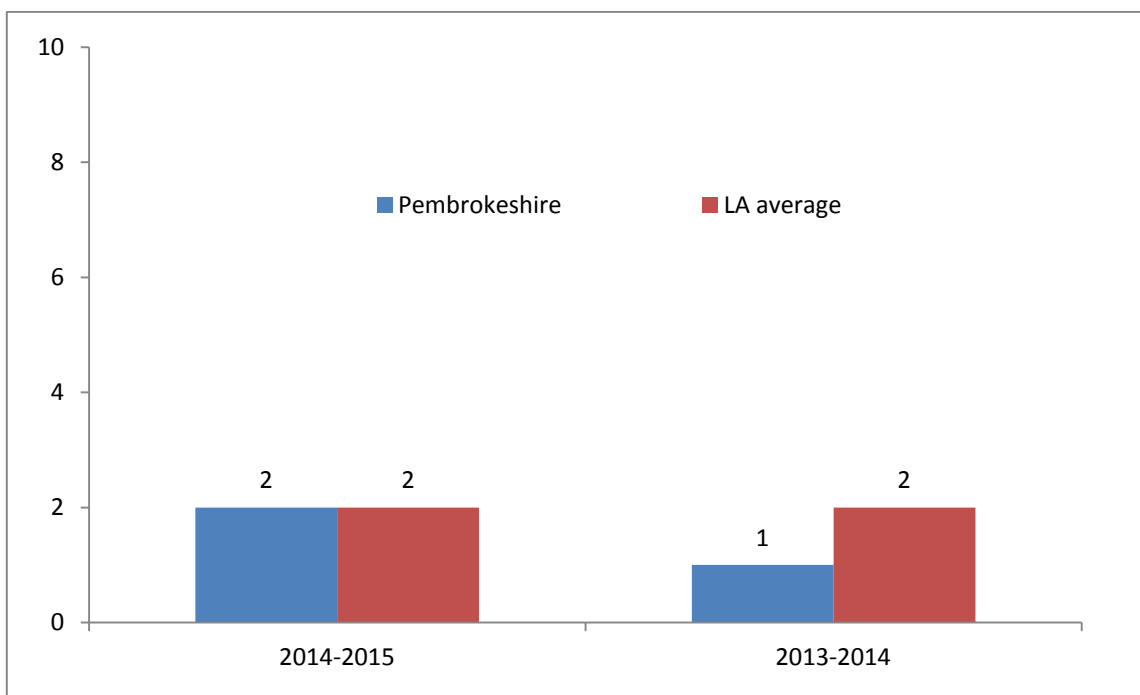
**2013/14**



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

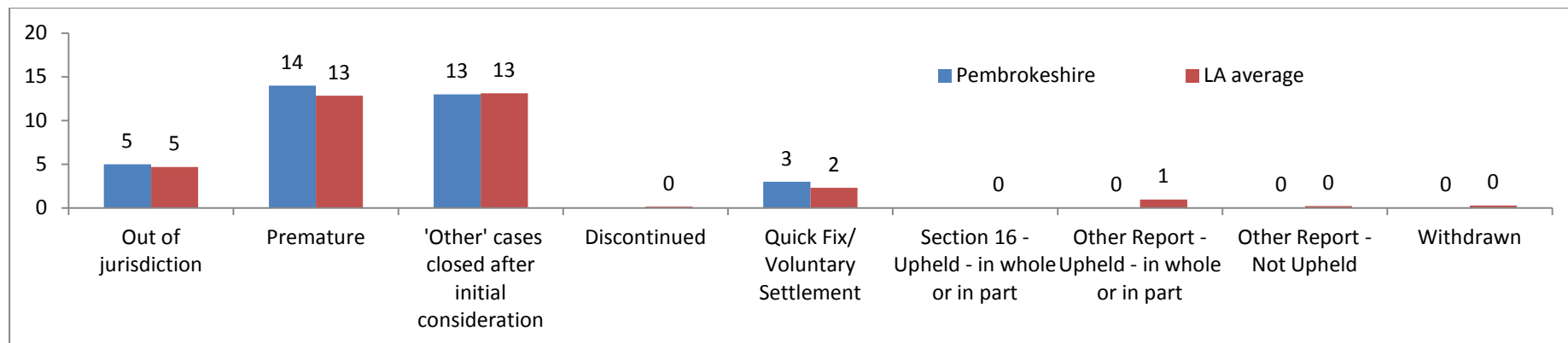
	2014/15	2013/14
Number of complaints taken into investigation	2	1

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

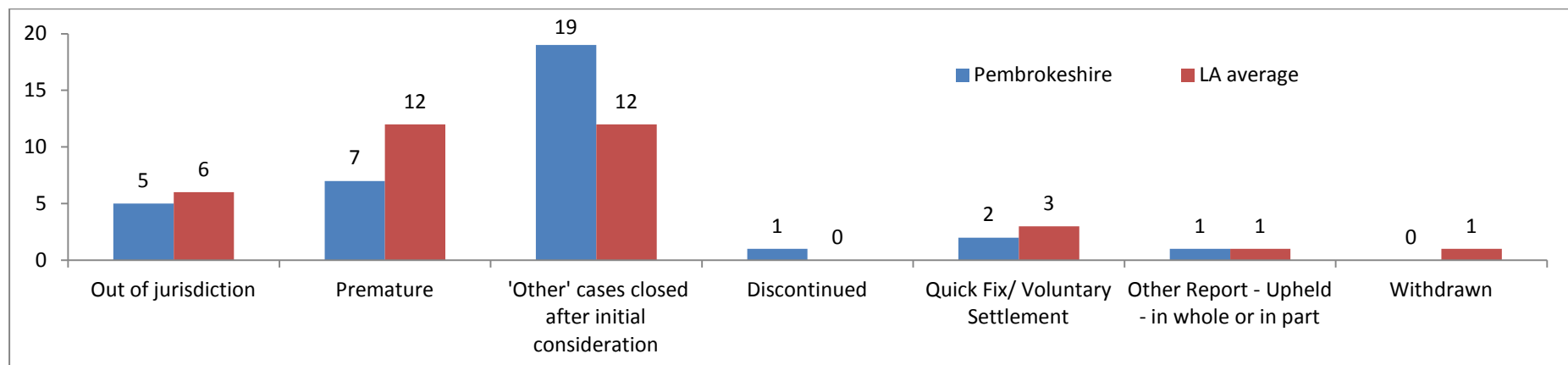


**F: Comparison of complaint outcomes with average outcomes, adjusted for population distribution**

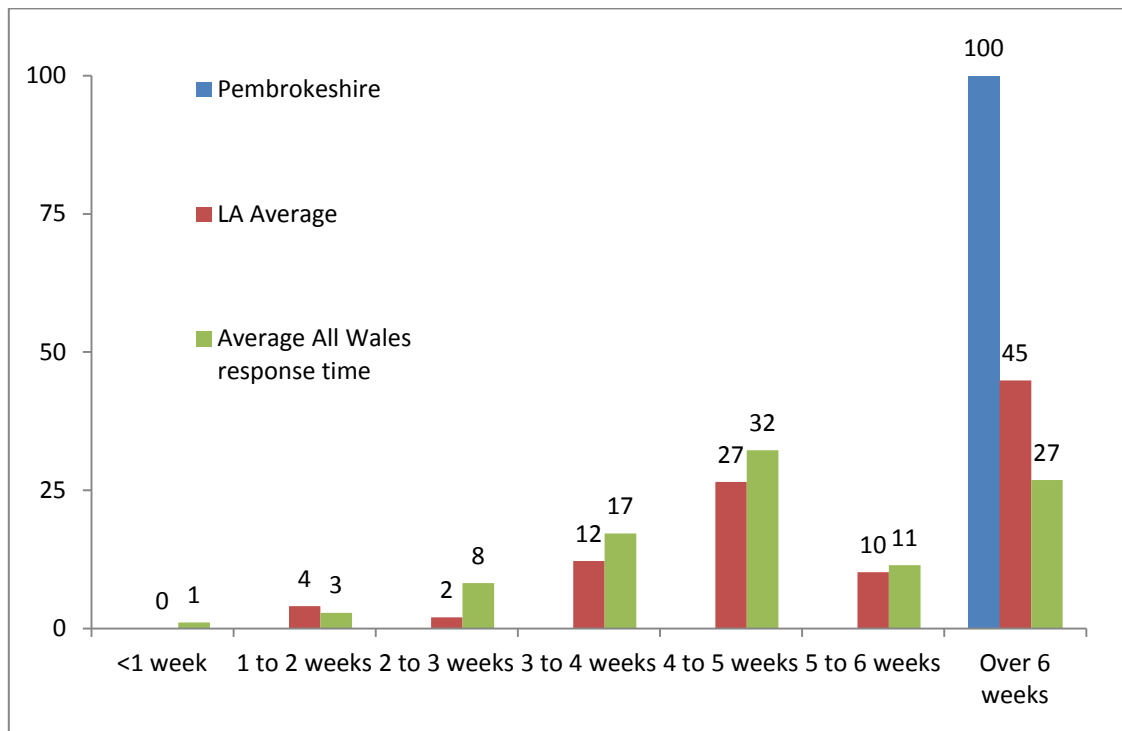
**2014/15**



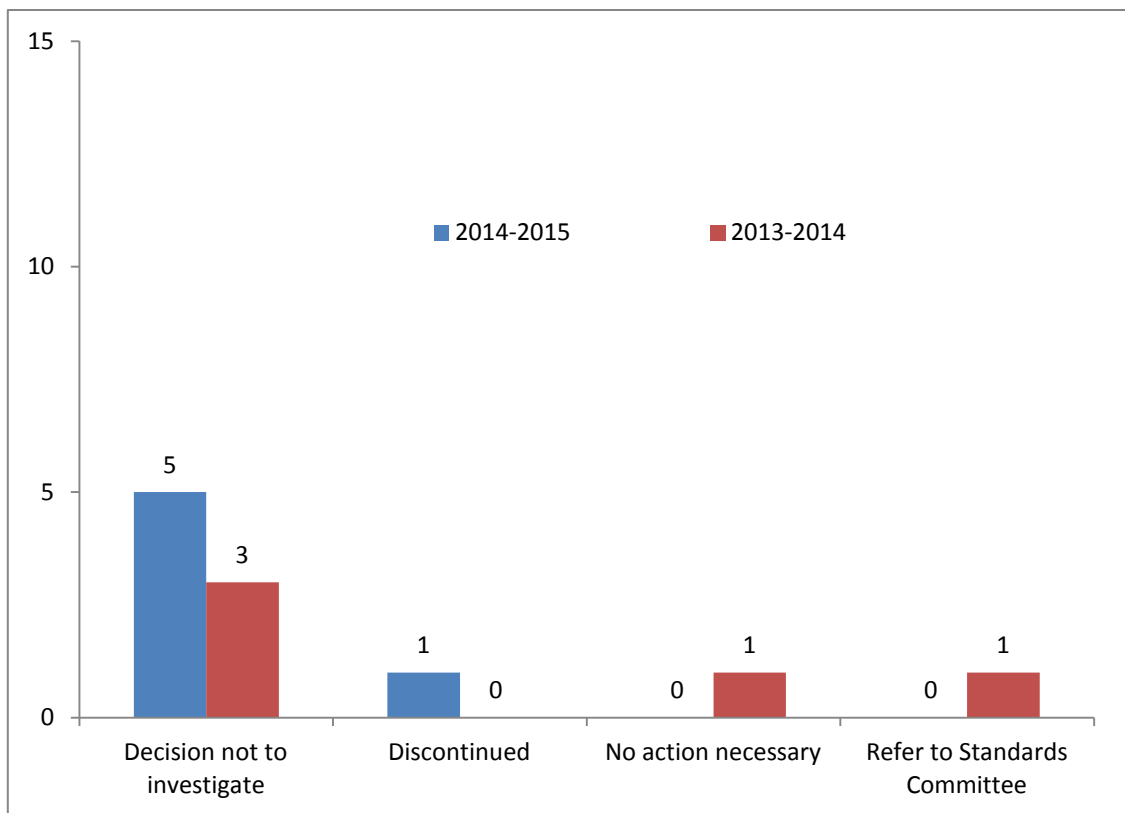
**2013/14**



**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**

### **HOUSING**

#### **Quick fixes and Voluntary settlements**

##### **Pembrokeshire County Council – Other Case reference 201409606 – March 2015**

Ms B complained about Housing Benefit entitlement. Ms B considered that the assessment for her benefit entitlement was incorrect. Ms B complained about rent arrears and asked for an explanation.

Following contact from the Ombudsman's office, the Council agreed to meet Ms B in her home to discuss her complaint and explain the Council's position.

## **Social Services - Adult**

### **Quick fixes and Voluntary settlements**

#### **Pembrokeshire County Council – Services for vulnerable adults**

##### **Case reference 201401353 – August 2014**

X Solicitors complained on behalf of their clients, Mr & Mrs Y, that Pembrokeshire County Council (“the Council”) failed to respond to concerns raised and information requested concerning their disabled adult son, Z. Concerns were also raised about the Council’s failure to allow Mrs Y contact with her son which X said had ceased in September 2013. Following receipt of the complaint both the Council and X Solicitors, on behalf of Mr & Mrs Y, made court applications which are currently awaiting determination.

As the court’s decisions may affect the complaints raised, and any complaint investigation at this stage may prejudice one or both of the court applications, the Council was contacted and it agreed to place the complaint at Stage 2 of the Council’s social services complaints process, following the determination of the two applications currently awaiting determination by the courts. At this stage, the complaint, as set out in X Solicitors letter, will be logged and placed “on hold” by the Council until the court proceedings are concluded. Prior to that, the Council has also agreed to write to X Solicitors to confirm this position and to discuss with X the Subject Access Request documentation.

## **Various Other**

### **Quick fixes and Voluntary settlements**

#### **Pembrokeshire County Council – Other misc.**

##### **Case reference 201404594 – November 2014**

Mr B's complained that, after raising concerns with the Council, he experienced unacceptable and unwarranted delays in receiving its replies. Following contact from the Ombudsman's office, the Council recognised its failure to respond to some of Mr B's letters within an appropriate time frame and offered to send Mr B an explanation and an apology.