

Our ref: MG/jm

Ask for: James Merrifield

Your ref:



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Date: 15 July 2014



James.Merrifield@ombudsman-wales.org.uk

Dr Helen Paterson
Chief Executive
Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dear Dr Paterson

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 Wrexham 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 noticeable increase in the number of complaints received, compared with 2012/13; this figure is also above the local authority average. By far, the largest area of complaint is 'Housing', which is significantly above of the local authority average. My office has commenced six investigations against your Council in 2013/14, which is significantly more than last year as well as being above the local authority average. My office also achieved an above-average number of quick fixes and voluntary settlements. Finally, in reference to your Council's response times, it is disappointing that all of the 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.

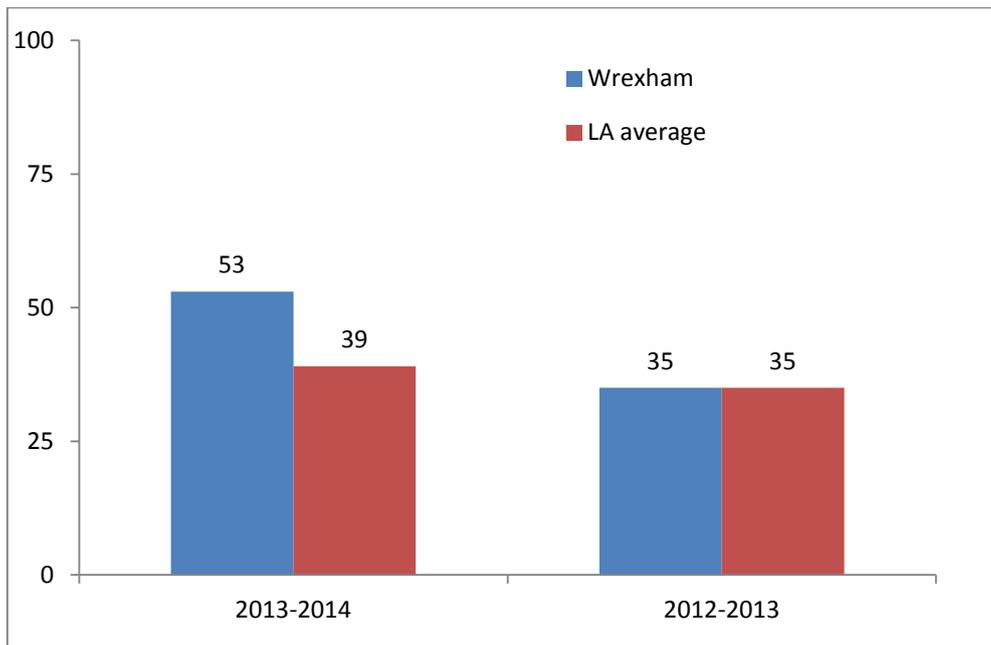
Housing Stock

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

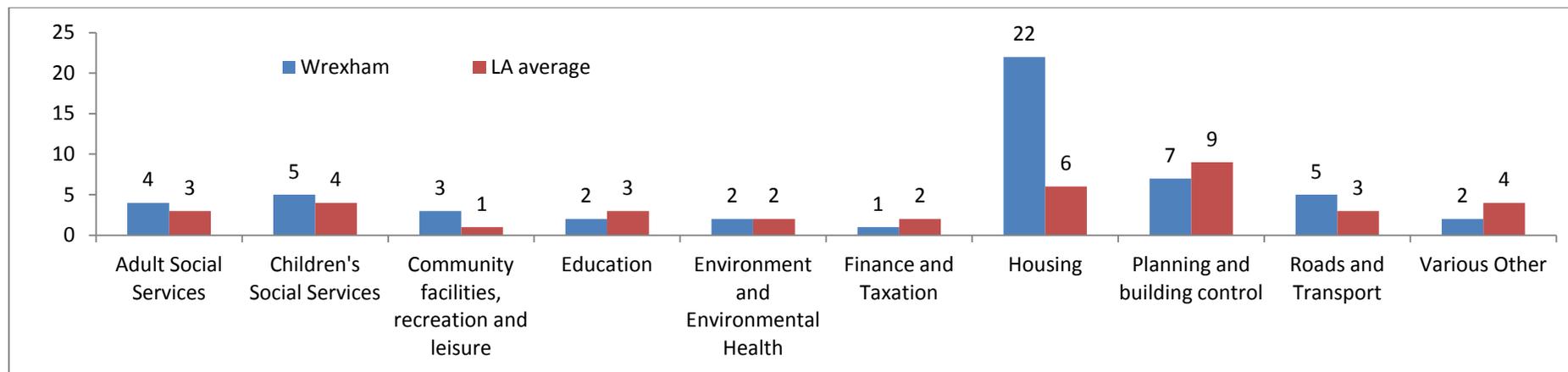


B: Complaints received by my office

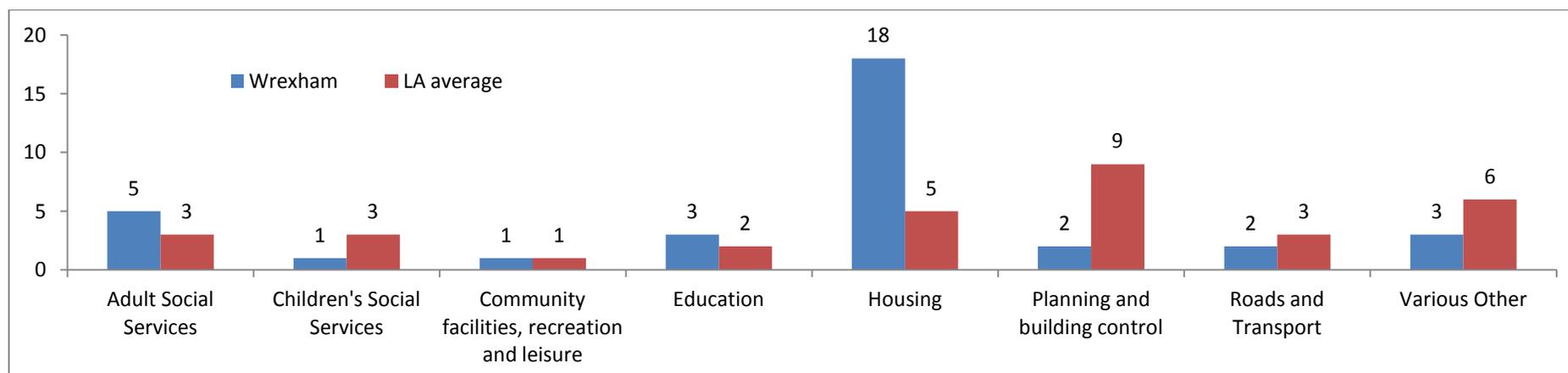
Subject	2013/14	2012/13
Adult Social Services	4	5
Benefits Administration	0	0
Children's Social Services	5	1
Community facilities, recreation and leisure	3	1
Education	2	3
Environment and Environmental Health	2	0
Finance and Taxation	1	0
Housing	22	18
Planning and building control	7	2
Roads and Transport	5	2
Various Other	2	3
Total	53	35

C: Comparison of complaints by subject category with LA average

2013/14



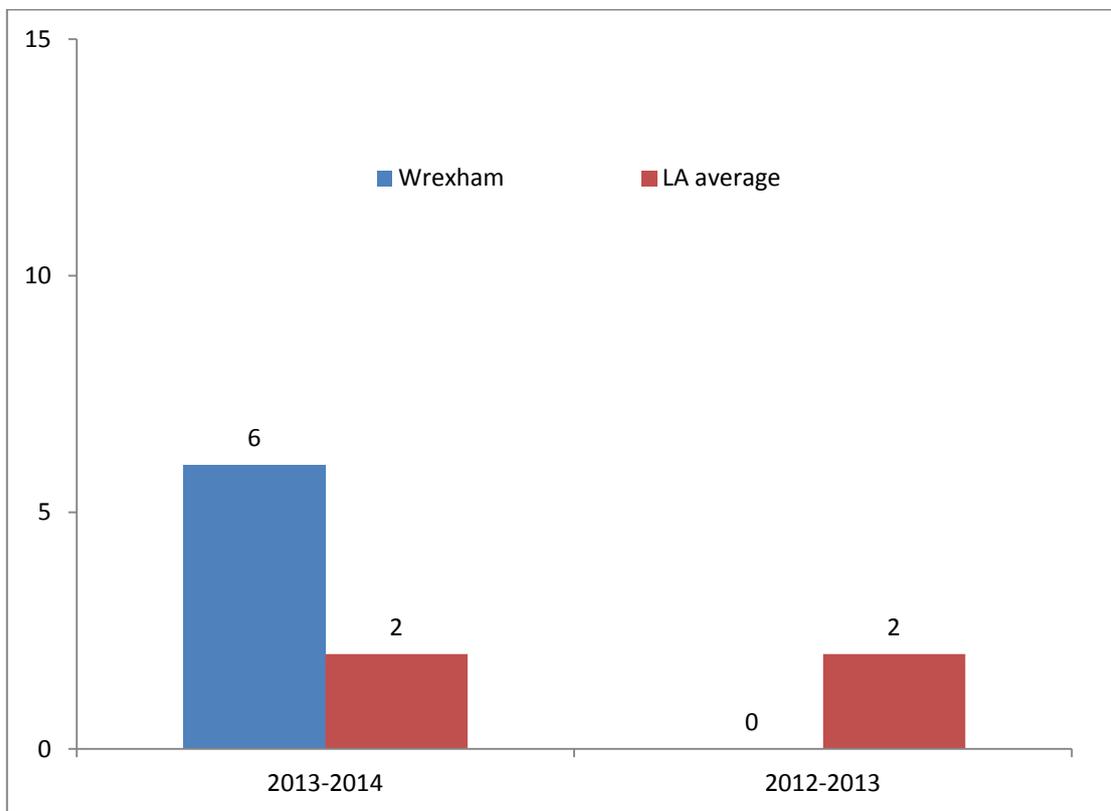
2012/13



D: Complaints taken into investigation by my office

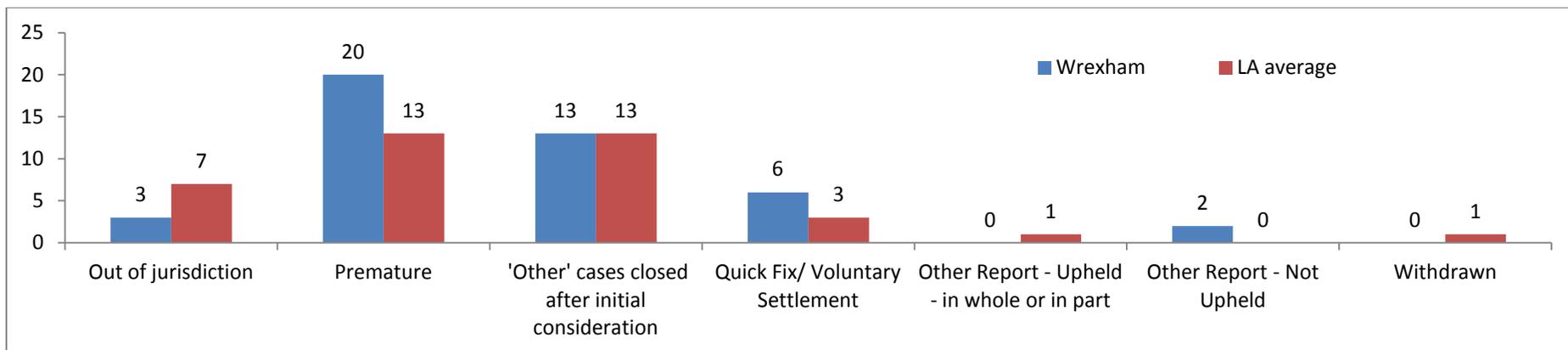
	2013/14	2012/13
Number of complaints taken into investigation	6	0

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

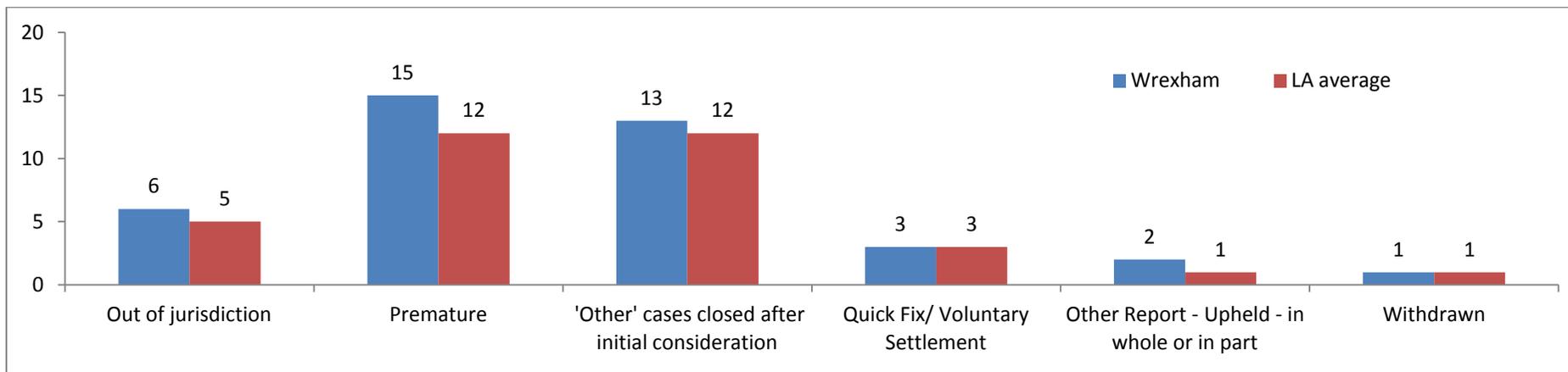


F: Comparison of complaint outcomes with average outcomes, adjusted for population distribution

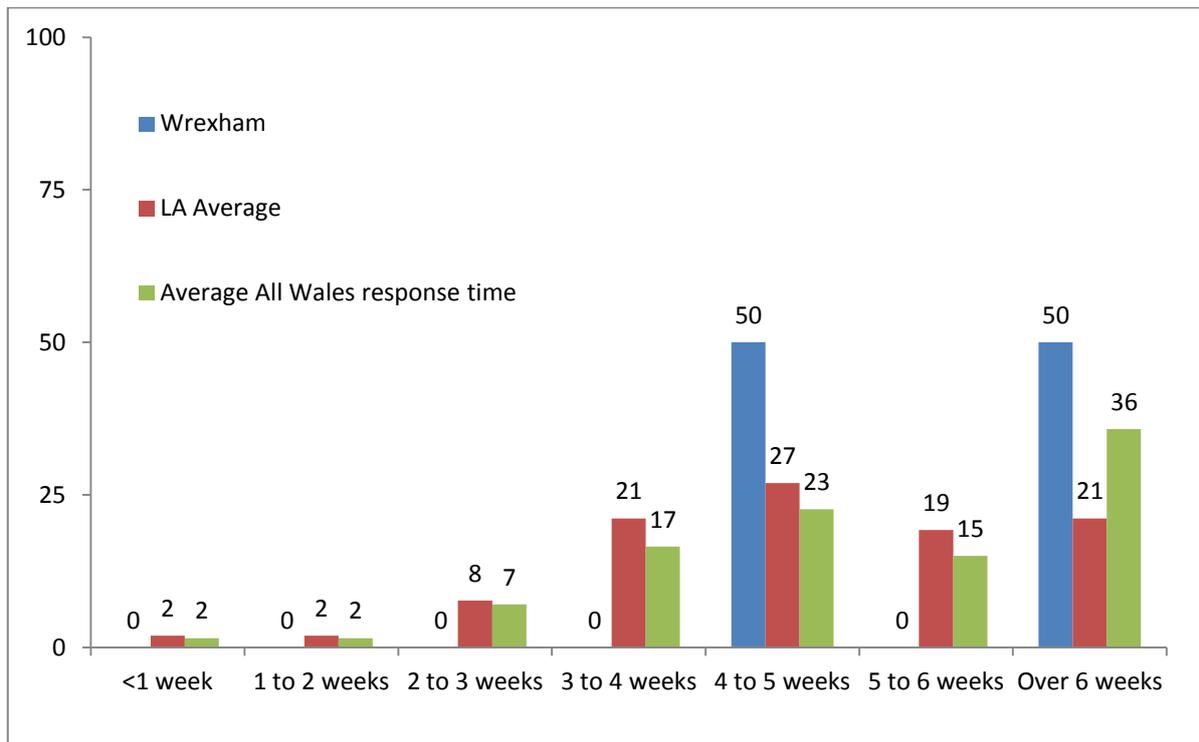
2013/14



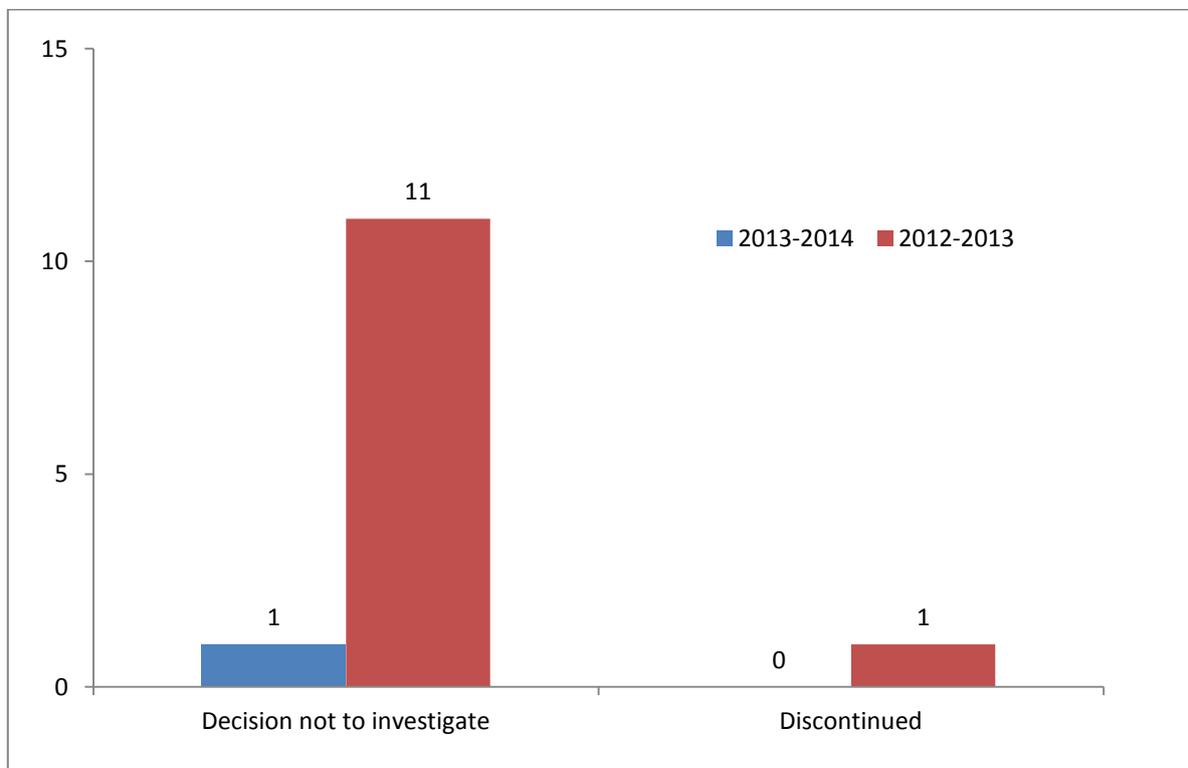
2012/13



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

Wrexham County Borough Council – Repairs and maintenance Case reference 201302813 – February 2014

Ms P complained that the Council had overcharged her for repairs and redecoration of accommodation she occupied with her family between 13 June 2000 and 20 October 2011. She had received a response to her original complaint in 2012, but, had not received a reply to a further letter sent by Shelter Cymru on her behalf in May 2013.

The Ombudsman contacted the Council, which agreed to review the complaint and reply directly to the complainant.

Wrexham County Borough Council – Repairs and maintenance Case reference 201304963 – December 2013

Mr X complained that, when contractors came out to repair a window at his property, the new window that was due to be fitted was the wrong size. The window was boarded up, the contractor left and did not return. On receipt of Mr X's complaint, the Council were contacted and agreed that a new window would be fitted on a specified date.

Wrexham County Borough Council – Other Case reference 201302610 – October 2013

Mr A complained about delays in rectifying flooding and drainage problems at his Council property which had led to cracks appearing in the property. Mr A had previously complained to the Council, who having acknowledged poor communication and service on the part of Housing Services, had offered Mr A a payment of £50 in recognition of this. Finally, Mr A documented what he felt the Council should do to put things right.

The Ombudsman's office reviewed the documentation including the report of the external Surveyor whom the Council had instructed and whose conclusions and recommendations the Council had accepted. The Ombudsman's office approached the Council and clarified the nature and timescale of the remedial works needed and how the cracks were to be monitored. The Council, as part of a quick fix settlement, agreed with the Ombudsman's office that a further payment of £250.00 would be a more appropriate redress for the inconvenience and distress caused to Mr A. It also agreed to review Mr A's case and to implement an action plan, which it would evidence to the Ombudsman's office, aimed at preventing a recurrence of the sort of failings identified in Mr A's complaint. This information was conveyed to Mr A who was also asked to contact the Council to arrange a date for the works to start.

August 2013 – Estate management and environment/common areas/hedges and fences – Wrexham County Borough Council

The complainant was unhappy that fence panels for the property were not suitable and posed a safety risk. The Council had already replaced back garden panels and created a

safe place for her child to play. The front panels met the requirements of the policy but, due to the topography of the garden, potentially posed additional safety concerns. Following contact from the Ombudsman's office, the Council agreed to raise a number of the panels to increase the safety.

Case reference 201302423

Roads and Transport

Quick fixes and Voluntary settlements

June 2013 – Other – Wrexham County Borough Council

The complainant was unhappy that the Council did not consult before placing a bus stop directly outside their home. The Council is not required to consult but did consult with the ward member. The complainant said that there had been a rise in litter outside the property since the bus stop had been placed. The Council has agreed to install a bin on the bus stop.

Case reference 201301098

Social Services – Adult

Quick fixes and Voluntary settlements

Wrexham County Borough Council – Services for vulnerable adults

Case reference 201304822 – January 2014

Mr A complained about the investigations that were carried out in relation to his concerns about the potential abuse and/or neglect of his late father at a care home within the Council's locality.

Having considered the information provided on behalf of the complainant and relevant guidance on this matter, the Ombudsman approached the Council on the basis that its decision not to carry out a new investigation of Mr A's concerns in accordance with Section 11 of the Wales Interim Policy & Procedures for the Protection of Vulnerable Adults from Abuse (first issued in November 2010) appeared unreasonable. The Council agreed to settle the complaint by undertaking a new investigation of Mr A's concerns in accordance with the interim guidance.

The Ombudsman concluded that the action which the Council said it would take was reasonable to settle the complaint and closed the file on this basis.