



Our ref: NB

Ask for: Communications

 01656 641150

Date: 7 August 2019

 communications
@ombudsman-wales.org.uk

Hugh Evans OBE
Council Leader
Denbighshire County Council

By Email Only
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Dear Councillor Hugh Evans OBE

Annual Letter 2018/19

I am pleased to provide you with the Annual letter (2018/19) for Denbighshire County Borough Council. This year I am publishing my Annual Letters as part of my Annual Report and Accounts. I hope the Council finds this helpful and I trust this will enable it to review its own complaint handling performance in the context of other public bodies performing similar functions across Wales.

Whilst overall the number of complaints received relating to local authorities across Wales increased from 794 to 912, I am pleased that local authorities continue to work with my office to resolve many of these complaints at an early stage. This provides complainants with appropriate and timely remedies avoiding the need for my office to fully investigate complaints.

A summary of the complaints of maladministration/service failure received relating to the Council is attached.

Also attached is a summary of the Code of Conduct complaints relating to members of the Council and the Town & Community Councils in your area.

Whilst noting that the number of complaints received against members of the Council this year is low, I am concerned by the high numbers relating to Community and Town Councils in your area, the majority of which raised allegations of bullying and harassment directed at employees of one Community Council. Whilst appreciating that this is an isolated example and that these complaints did not meet the requirements of the two stage test, I am seeing an increase in general in the number of complaints of this nature across Wales. I will therefore be seeking the assistance of Monitoring Officers of Local Authorities to promote high standards of conduct and behaviour in any training provided. Additionally, I consider that it would be helpful if members of the Council could also assist with this and convey the importance of Code of Conduct training when liaising with their community council colleagues. Any assistance of this nature would be greatly appreciated.

The Public Services Ombudsman (Wales) Act 2019 has now been introduced. I am delighted that the Assembly has approved this legislation giving the office new powers aimed at:

- Improving access to my office
- Providing a seamless mechanism for complaint handling when a patient's NHS care is inextricably linked with private healthcare
- Allowing me to undertake own initiative investigations when required in the public interest
- Ensuring that complaints data from across Wales may be used to drive improvement in public services for citizens in Wales.

I am very much looking forward to implementing these new powers over the coming year.

Action for the Council to take:

- Present my Annual Letter to the Cabinet to assist Members in their scrutiny of the Council's performance
- Work to reduce the number of cases which require intervention by my office
- Inform me of the outcome of the Council's considerations and proposed actions on the above matters by **31 October 2019**.

This correspondence is copied to the Chief Executive of your Council and to your Contact Officer. Finally, a copy of all Annual Letters will be published on my website.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Nick Bennett', with a large, sweeping flourish at the end.

Nick Bennett
Public Services Ombudsman for Wales

CC: Judith Greenhalgh, Chief Executive
Kevin Roberts, Contact Officer

Factsheet

A. Complaints Received and Investigated with Local Authority average adjusted for population distribution

| Local Authority | Complaints Received | Average | Complaints Investigated | Average |
|--|---------------------|---------|-------------------------|---------|
| Denbighshire County Council 2018/19 | 26 | 27 | 1 | 1 |
| Denbighshire County Council 2017/18 | 20 | 24 | 3 | 1 |
| Blaenau Gwent County Borough Council | 8 | 20 | 0 | 0 |
| Bridgend County Borough Council | 33 | 41 | 0 | 1 |
| Caerphilly County Borough Council | 65 | 51 | 1 | 1 |
| Cardiff Council | 115 | 103 | 0 | 2 |
| Carmarthenshire County Council | 49 | 53 | 1 | 1 |
| Ceredigion County Council | 23 | 21 | 0 | 0 |
| City and County of Swansea | 83 | 70 | 0 | 2 |
| Conwy County Borough Council | 41 | 33 | 2 | 1 |
| Flintshire County Council | 50 | 44 | 2 | 1 |
| Gwynedd Council | 32 | 35 | 2 | 1 |
| Isle of Anglesey County Council | 31 | 20 | 2 | 0 |
| Merthyr Tydfil County Borough Council | 15 | 17 | 0 | 0 |
| Monmouthshire County Council | 20 | 27 | 0 | 1 |
| Neath Port Talbot County Borough Council | 38 | 40 | 1 | 1 |
| Newport City Council | 38 | 43 | 0 | 1 |
| Pembrokeshire County Council | 35 | 35 | 0 | 1 |
| Powys County Council | 67 | 38 | 4 | 1 |
| Rhondda Cynon Taf County Borough Council | 36 | 68 | 0 | 2 |
| Torfaen County Borough Council | 12 | 26 | 1 | 1 |
| Vale of Glamorgan Council | 24 | 37 | 0 | 1 |
| Wrexham County Borough Council | 45 | 38 | 3 | 1 |
| Grand Total | 886 | | 20 | |

B. Complaints Received by Subject

| Denbighshire County Council | Complaints Received |
|--|---------------------|
| Children Social Services | 2 |
| Community Facilities. Recreation and Leisure | 1 |
| Complaints Handling | 4 |
| Education | 1 |
| Environment and Environmental Health | 2 |
| Finance and Taxation | 2 |
| Housing | 4 |
| Planning and Building Control | 6 |
| Roads and Transport | 3 |
| Various Other | 1 |

C. Comparison of complaint outcomes with average outcomes for Local Authorities, adjusted for population distribution

| Local Authority | Out of Jurisdiction | Premature | Other cases closed after initial consideration | Early Resolution / Voluntary settlement | Discontinued | Other Report - Not upheld | Other Report - Upheld in whole or in part | Public Interest Reports |
|-------------------------|---------------------|-----------|--|---|--------------|---------------------------|---|-------------------------|
| 2018/19 | | | | | | | | |
| Denbighshire | 5 | 8 | 10 | 4 | - | 3 | - | - |
| Denbighshire (adjusted) | 5 | 9 | 9 | 4 | 0 | 0 | 1 | 0 |
| 2017/18 | | | | | | | | |
| Denbighshire | 3 | 5 | 6 | 1 | 0 | 0 | 0 | 0 |
| Denbighshire (adjusted) | 4 | 7 | 8 | 3 | 0 | 0 | 1 | 0 |

D. Number of cases with PSOW intervention

| Local Authority | No. of complaints with PSOW intervention | Total number of closed complaints | % of complaints with PSOW intervention |
|--|---|--|---|
| Denbighshire County Council 2018/19 | 4 | 30 | 13% |
| Denbighshire County Council 2017/18 | 1 | 15 | 7% |
| Blaenau Gwent County Borough Council | 2 | 7 | 29% |
| Bridgend County Borough Council | 6 | 36 | 17% |
| Caerphilly County Borough Council | 8 | 68 | 12% |
| Cardiff Council | 19 | 110 | 17% |
| Carmarthenshire County Council | 4 | 48 | 8% |
| Ceredigion County Council | 5 | 24 | 21% |
| City and County Swansea | 10 | 80 | 13% |
| Conwy County Borough Council | 5 | 39 | 13% |
| Flintshire County Council | 16 | 56 | 29% |
| Gwynedd Council | 6 | 35 | 17% |
| Isle of Anglesey County Council | 5 | 31 | 16% |
| Merthyr Tydfil County Borough Council | 0 | 14 | 0% |
| Monmouthshire County Council | 0 | 23 | 0% |
| Neath Port Talbot County Borough Council | 4 | 40 | 10% |
| Newport City Council | 7 | 43 | 16% |
| Pembrokeshire County Council | 6 | 33 | 18% |
| Powys County Council | 11 | 64 | 17% |
| Rhondda Cynon Taf County Borough Council | 4 | 34 | 12% |
| Torfaen County Borough Council | 1 | 12 | 8% |
| Vale of Glamorgan Council | 7 | 30 | 23% |
| Wrexham County Borough Council | 8 | 43 | 19% |

E. Code of Conduct Complaints Closed

| Local Authority | Closed after initial consideration | Discontinued | No evidence of breach | No action necessary | Refer to Standards Committee | Refer to Adjudication Panel | Withdrawn | Total |
|-----------------|------------------------------------|--------------|-----------------------|---------------------|------------------------------|-----------------------------|-----------|-------|
| 2018/19 | | | | | | | | |
| Denbighshire | 6 | 1 | - | - | - | - | - | 7 |
| 2017/18 | | | | | | | | |
| Denbighshire | 2 | - | - | - | - | - | - | 2 |

F. Town/Community council Code of Conduct Complaints

| Town/Community Council | Closed after initial consideration | Discontinued | No evidence of breach | No action necessary | Refer to Standards Committee | Refer to Adjudication Panel | Withdrawn | Total |
|------------------------|------------------------------------|--------------|-----------------------|---------------------|------------------------------|-----------------------------|-----------|-------|
| Corwen TC | 9 | - | - | - | - | - | - | 9 |
| Llandegla CC | 3 | - | - | 1 | - | - | - | 4 |
| Llanelidian CC | 4 | - | - | - | - | - | - | 4 |
| Llanferres CC | 1 | - | - | - | - | - | - | 1 |
| Prestatyn TC | - | 1 | - | - | 1 | - | - | 2 |
| Ruthin TC | 2 | - | - | - | - | - | - | 2 |
| Trefnant CC | 1 | - | - | - | - | - | - | 1 |

Appendix

Explanatory Notes

Section A compares the number of complaints against the Local Authority which were received and investigated by my office during 2018/19, 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 Local Authority which were received by my office during 2018/19. The figures are broken down into subject categories.

Section C compares the complaint outcomes for the Local Authority during 2018/19, with the average outcome (adjusted for population distribution) during the same period.

Section D provides the numbers and percentages of cases received by our office in which an intervention has occurred. This includes all upheld complaints, early resolutions and voluntary settlements.

Section E provides a breakdown of all Code of Conduct complaint outcomes against Councillors during 2018/19.

Section F provides a breakdown of all Code of Conduct complaint outcomes against town or community councils.

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 via email to communications@ombudsman-wales.org.uk