



Our ref: NB

Ask for: Communications

 01656 641150

Date: 7 August 2019

 communications
@ombudsman-wales.org.uk

Councillor David Simpson
Council Leader
Pembrokeshire County Council

By Email Only
cllr.david.simpson@pembrokeshire.gov.uk

Dear Councillor David Simpson

Annual Letter 2018/19

I am pleased to provide you with the Annual letter (2018/19) for Pembrokeshire County 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.

You will note that we received a relatively high number of complaints this year relating to members of the Council and members of Community and Town Councils in the area. However, please be assured that I do not consider that this is indicative of a fall in standards of conduct. Most of these complaints were not taken to investigation following assessment either because they did not evidence conduct which was capable of breaching the Code or it was not considered in the public interest to consider the matter further. Neither do the complaints received identify any patterns or trends in behaviour. Nevertheless, in view of the numbers, I consider that there may be an opportunity for members of the Council and the Monitoring Officer to promote awareness and the importance of the Code of Conduct generally. 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: Ian Westley, Chief Executive
Alison Evans, Contact Officer

Factsheet

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

| Local Authority | Complaints Received | Average | Complaints Investigated | Average |
|--|---------------------|---------|-------------------------|---------|
| Pembrokeshire County Council 2018/19 | 35 | 35 | 0 | 1 |
| Pembrokeshire County Council 2017/18 | 34 | 31 | 0 | 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 |
| Denbighshire County Council | 26 | 27 | 1 | 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 |
| 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

| Pembrokeshire County Council | Complaints Received |
|--|----------------------------|
| Adult Social Services | 2 |
| Children Social Services | 6 |
| Community Facilities. Recreation and Leisure | 1 |
| Complaints Handling | 1 |
| Education | 1 |
| Environment and Environmental Health | 1 |
| Housing | 11 |
| Planning and Building Control | 10 |
| Various Other | 2 |

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 | | | | | | | | |
| Pembrokeshire | 3 | 16 | 8 | 6 | - | - | - | - |
| Pembrokeshire (adjusted) | 7 | 12 | 13 | 5 | - | - | 1 | - |
| 2017/18 | | | | | | | | |
| Pembrokeshire | 4 | 11 | 13 | 3 | - | 1 | - | - |
| Pembrokeshire (adjusted) | 5 | 9 | 11 | 4 | - | - | 1 | - |

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 |
|--|--|-----------------------------------|--|
| Pembrokeshire County Council 2018/19 | 6 | 33 | 18% |
| Pembrokeshire County Council 2017/18 | 3 | 32 | 9% |
| 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% |
| Denbighshire County Council | 4 | 30 | 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% |
| 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 | | | | | | | | |
| Pembrokeshire | 11 | 1 | - | - | - | - | - | 12 |
| 2017/18 | | | | | | | | |
| Pembrokeshire | 9 | - | - | - | - | - | - | 9 |

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 |
|------------------------|------------------------------------|--------------|-----------------------|---------------------|------------------------------|-----------------------------|-----------|-------|
| Johnston CC | 12 | - | - | - | - | - | - | 12 |
| Manorbier CC | - | - | 1 | - | - | - | - | 1 |
| Neyland TC | 1 | - | - | - | 1 | - | - | 2 |
| Pembroke Dock TC | 2 | - | - | 1 | - | - | - | 3 |
| Pembroke TC | - | 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