



Report of the Monitoring Officer

Special Standards Committee – 4 December 2020

Public Service Ombudsman for Wales Annual Report and Annual Letter for 2019/20

Purpose:	To update the Standards Committee on the Annual Report of the Public Service Ombudsman for Wales 2019/20
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For Information	

1. Background

- 1.1 The Public Service Ombudsman for Wales (PSOW) has published his Annual Report for 2019/20 and forwarded his Annual Letter to the Council which is attached at Appendix A and B.
- 1.2 The Annual Report sets out performance over the year including both complaints about public service providers as well as code of conduct complaints.

2. Code of Conduct statistics

- 2.1 The year saw a decrease in Code of Conduct complaints by 18%. The decrease was entirely due to a reduction in complaints against members of Town and Community Councils which dropped from 190 to 135 in the year. The number of complaints against County and County Borough Councils increased slightly from 91 to 96.
- 2.2 However the Ombudsman noted that his office was still seeing complaints bordering on frivolity or motivated by political rivalry or clashes of personality rather than being Code of Conduct issues. The

Ombudsman noted that 18% of Town and Community Council complaints related to members of one body and were “tit for tat” complaints.

2.3 The proportion of complaints relating to the Nolan principals were broken down as follows:

- 49% promotion of equality and respect
- 17% disclosure and registration of interests
- 11% accountability and openness
- 10% integrity
- 7% duty to uphold the law
- 3% selflessness and stewardship
- 2% objectivity and propriety

The Ombudsman is concerned that promotion of equality and respect and disclosure and registration of interests continue to dominate and there is a year on year increase in the number of complaints where bullying behaviour is alleged particularly from clerks/employees of Town and Community Councils.

2.4 In 2019/20 the Ombudsman closed 86% of all Code of Conduct complaints after assessment or after a complaint was withdrawn. 14% of complaints were taken forward for investigation and these constituted the most serious of the complaints. 4 complaints were referred to Standards Committees and 1 to the Adjudication Panel Wales.

The Ombudsman also indicates that even where there is no referral they use the investigation procedure to try to promote good practice. They usually remind members of their duties under the Code and may include an instruction to undertake further training.

2.5 The Annual Letter provides a further breakdown for Swansea cases where the Ombudsman notes that 3 Code of Conduct complaints against County Councillors were closed after initial consideration and 6 were closed after initial consideration for Town and Community Councillors during 2019/20.

3. Legal Implications

3.1 There are no legal implications associated with this report.

4. Financial Implications

4.1 There are no financial implications associated with this report.

5. Equality and Engagement Implications

- 5.1 There are no equality and engagement implications associated with this report.

Background papers: None

Appendices:

Appendix A – Public Service Ombudsman for Wales Annual Report and Accounts 2019/20

Appendix B – Annual Letter 2019/20