



Report of the Cabinet Member for Business Improvement & Performance

Cabinet – 18 November 2021

Public Services Ombudsman for Wales Annual Letter 2020/21

Purpose:	To present the annual report of the Public Services Ombudsman (Wales) (PSOW).
Policy Framework:	Complaints Policies and Achieving Better Together
Consultation:	Access to Services, Finance, Legal.
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For Information	

1. Introduction

- 1.1 This report presents the annual PSOW letter for 2020-21 and includes complaints performance of both Swansea Council and across the whole of Wales.
- 1.2 2020-21 was a very challenging year due to Covid-19, which impacted on the number of complaints received. Therefore, comparisons with the previous year's performance should be taken in that context.
- 1.3 The Council recognises that in order to meet the needs and concerns of members of the public, the monitoring of complaints is a valuable resource in its requirement to continually improve services. All complaints are taken very seriously and provide valuable customer insight.
- 1.4 Requests for service are different to complaints (e.g. a request for service could be a request to repair an unlit lamp post, or missed bin collection).

A complaint would only arise should the request for service not be properly dealt with.

1.5 Despite the impact of Covid-19 on business as usual work, the Council still made some good progress during the year:

- The Complaints Policies were reviewed to ensure they were in line with the Public Services Ombudsman (Wales) Act 2019
- The complaints team received some training directly from the PSOW
- A new IT system is underway to make the process easier for the public and more efficient for staff with improved reporting functionality.

1.6 The reporting of complaints performance will change from April 2021 with the addition of a report to the Governance and Audit Committee. This has been stipulated in the new Local Government (Wales) Act 2021.

2. Public Services Ombudsman (Wales) Annual Letter

The PSOW publishes the annual letters to all Councils on its website (see Appendix A). The letter highlights activities undertaken by the Ombudsman's office during the year and the Council's performance and shows:

- The general picture across Wales that overall complaints were down by 12.5% compared with 2019-20. However, the PSOW saw a general increase in code of conduct complaints
- The PSOW received 73 complaints relating to Swansea Council, 67 of which were closed within the year, and 9 of which received intervention (early resolution / voluntary settlement (5) or were upheld (4)). PSOW complaints reduced compared with the 93 closed in 2019-20
- There were 19 code of conduct complaints closed relating to Swansea Council and 4 others relating to Community Councils. For Swansea Council this increased compared with the 3 received and closed in 2019-20 and 6 relating to Town/Community Councils
- The letter also highlights key activities undertaken by the Ombudsman's office during the year.

2.1 The Council will continue to engage with the Ombudsman's Complaints Standards work, providing complaints data and accessing training for staff.

3. Integrated Assessment Implications

3.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.

- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

3.1.1 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

3.1.2 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

3.2 An IIA Screening Form has been completed with the agreed outcome that a full IIA report was not required.

The impacts have been categorised as medium as there is the potential to positively change and adapt services based on complaints received. The exception is where policies and processes are governed by statutory legislation, therefore the impact remains the same.

With regard to the summary of involvement, complaints from the public are used as a valuable tool to adapt, change and develop services.

Well-being and future generations considerations around this annual letter include:

- Using complaints information to adapt and shape services for the future
- Using Welsh Language complaints to ensure the Council not only meets the existing standards but also encourages and promotes the Welsh Language
- Using complaints information to prevent problems occurring or getting worse
- Viewing complaints in an integrated way, especially where a complaint may involve multiple public sector organisations.

The report adheres to the transformation and future council development well-being objective in the Corporate Plan - so that services are sustainable and fit for the future.

The report provides historic performance information and therefore risks are considered low.

With regard to the cumulative impact, this is an annual performance letter. When a complaint is received by a service opportunities to adapt, review or change ways of working are considered at that point. However, some policies and procedures are related to statutory legislation and cannot be changed locally.

4. Financial Implications

4.1 During 2020-21 the Council spent £22,700 on complaints investigations and paid £3,633 in compensation.

5. Legal Implications

5.1 There are no specific legal implications arising from this report.

Background Papers: None

Appendices:

Appendix A PSOW Annual Letter 2020-21
Appendix B IIA Screening Form