



## Report of the Head of Democratic Services

Standards Committee – 21 March 2025

# Ombudsman Wales “A New Chapter Unfolds” Annual Report and Accounts 2023/24

<b>Purpose:</b>	To update the Standards Committee on the Annual Report and Accounts of the Ombudsman Wales 2023/2024
<b>Report Authors:</b>	Huw Evans / Allison Lowe
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Adrian Jeremiah
<b>Access to Services Officer:</b>	Cath Window
<b>For Information</b>	

### 1. Background

- 1.1 The Public Service Ombudsman for Wales (“the Ombudsman”) has two specific roles: (a) To consider complaints about public service providers in Wales; and (b) To consider complaints that members of local authorities or town and community councils have breached their Code of Conduct. The Ombudsman sends letters on an annual basis to county borough councils and local health boards concerning the complaints they have received and considered during the previous financial year. The aim of the Annual Report is to provide the relevant bodies with information to help them improve their complaint handling and the services that they provide.
- 1.2 The Ombudsman Wales has published its “A New Chapter Unfolds” Annual Report and Accounts for 2023/2024 (Appendix A).
- 1.3 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 In 2023/24 there were 16% more Code of Conduct complaints than the previous year, relating to both Principal Councils and Town and Community Councils. The Ombudsman made 21 referrals - to Standards Committees or the Adjudication Panel for Wales, an increase from 12 the previous year.
- 2.2 Of these, 176 were complaints about town and community Councillors, 151 about Principal Councillors and 1 regarding a national park councillor.
- 2.3 55% of the complaints that the Ombudsman could investigate were about the 'promotion of equality and respect'. This was a lower proportion than last year (61%).
- 2.4 Generally, the cases categorised under 'respect' were lower-level complaints. These are the ones where the Ombudsman tends to decide quickly that they will not investigate, or where it is recommended that the complaint is resolved locally.
- 2.5 The complaints that they categorise under 'equality' commonly involve more serious allegations of bullying or discrimination.
- 2.6 In 2023/24 the Ombudsman assessed or investigated 311 complaints about the Code of Conduct – an increase of 11% on the previous year. They investigated 48 of these complaints, 13 more than investigated last year.
- 2.7 In 2023/24 the Ombudsman referred 21 complaints to Standards Committees of the relevant authorities and to the Adjudication Panel for Wales. This was a 43% increase than the previous year, which reflects the larger number of Code of Conduct complaints investigated and closed this year.
- 2.8 The case involving a former councillor who applied to the High Court for permission to appeal a decision of the Adjudication Panel for Wales to disqualify them from being a member of a local authority in Wales for 12 months in March 2022, remained ongoing during 2023/24. Permission has recently been refused. However, a further application will be considered by the Court in due course.

## **3. Ombudsman (Wales) Annual Letter**

- 3.1 The Ombudsman publishes the annual letters to all Councils on its website. The letter highlights activities undertaken by the Ombudsman's office during the year and the Council's performance.

- 3.2 Further to the letter, the Ombudsman requests the Council presents the letter to the Standards Committee as it refers to Code of Conduct complaints which is within the Standards Committee's terms of reference.

#### **4. Integrated Assessment Implications**

- 4.1 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.

- 4.1.1 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'.

- 4.1.2 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.

- 4.2 There are no integrated assessment implications associated with this report.

#### **5. Legal Implications**

- 5.1 There are no legal implications associated with this report.

#### **6. Financial Implications**

- 6.1 There are no financial implications associated with this report.

**Background papers:** None

**Appendices:**

Appendix A – Public Services Ombudsman for Wales Annual Report and Accounts 2023/24

Appendix B – Public Services Ombudsman for Wales Annual Letter 2023/24