



Report of the Monitoring Officer

Standards Committee – 16 November 2018

Public Service Ombudsman for Wales Annual Report & Accounts 2017/18

Purpose: To update the Standards Committee on the Annual Report of the Public Service Ombudsman for Wales 2017/18

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For Information

1. Background

1.1 The Public Service Ombudsman for Wales (PSOW) has published his Annual Report for 2017/18 which is attached at Appendix A.

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 number of code of conduct complaints increased by 14% compared to 2016/17 and related entirely to complaints against community councils which had increased by 33%. The majority of complaints received during 2017/18 related to matters of promotion of equality and respect which accounted for 42% (compared to 37% in 2016/17) of the complaints made. There was a slight reduction in complaints related to failure to disclose or register interests from 23% in 2016/17 to 19%; 16% related to failure to act with integrity; 7% related to failure to be objective or act with propriety and 8% related to accountability and openness.

- 2.2 The most common outcome of a complaint is “Closed after initial consideration”. Of the complaints made 213 complaints were closed under the category “Closed after initial consideration”. This includes decisions such as
- There was no prima facie evidence of breach of the Code
 - It is not in the public interest to investigate.
- 2.3 Interestingly 26 complaints were closed after full investigation which is less than in the previous year because the Ombudsman in applying the public interest test only investigated the most serious complaints. A detailed breakdown of the outcome of code of conduct complaints is found at page 22 of the Annual Report.
- 2.4 Three cases closed and investigated during 2017/18 were referred to the Adjudication Panel for Wales. Two of the cases were considered by the Panel during the year and in both serious breaches of the Code were found on the basis of the Ombudsman’s investigations and reports. Both related to derogatory remarks and unfounded allegations against staff and engaging in bullying, harassment, intimidation and malicious behaviour. The Committee will also note that of those investigations completed by the Ombudsman there were no referrals to the Standards Committee.
- 2.5 A statistical breakdown of code of conduct complaints by outcomes and local authority is contained at Annex B page 113 of the Annual Report.

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 2017/18