

Isle of Anglesey County Council	
Report to:	Executive Governance and Audit Committee
Date:	26 November 2024 5 December 2024
Subject:	Annual Letter from the Public Services Ombudsman for Wales 2023/2024
Portfolio Holder(s):	Councillor Carwyn Elias Jones
Head of Service / Director:	Lynn Ball Director of Function (Council Business) / Monitoring Officer
Report Author:	Lynn Ball Director of Function (Council Business) / Monitoring Officer
Local Members:	Relevant to all Members

A –Recommendation/s and reason/s

1. Recommendations

The Executive and the Committee to:

- note and accept the Annual Letter from the Public Services Ombudsman for Wales (PSOW) for 2023/2024
- authorise the Director of Function (Council Business)/Monitoring Officer to write to the PSOW to confirm that the Executive and the Committee have given formal consideration to her Annual Letter.
- provide assurance that the Council will continue to monitor complaints thereby providing Members with the information required to scrutinise the Council’s performance.
- continue supporting the Council’s development of its CRM system as a platform for processing complaints and providing “live” data on complaints handling performance, by service, for relevant officers, heads of service and the Leadership Team.

2. Background

Since 2006 the PSOW has published an annual report on the work undertaken by her office over the previous 12 months.

A –Recommendation/s and reason/s

The PSOW recently published her [Annual Report](#) for 2023/2024

The PSOW also publishes a separate annual summary of the performance of each council; called the annual letter.

The Annual Letter 2023/2024, for the Isle of Anglesey County Council (IOACC), is attached at **Appendix 1**.

3. The Annual Letter 2023/2024 for IOACC

The Annual Letter (the Letter) largely relates to service complaints but also includes a section on complaints made under the Members' Code of Conduct.

The Headline Data for IOACC in relation to Service Complaints:

- 38 service complaints were made to the PSOW, about IOACC, in 2023/2024 (Appendix A to the Letter). This is an increase from 25 in 2022/2023 and 28 in 2021/2022.
- However, none of the said 38 complaints was investigated by the PSOW (Appendix C to the Letter). No complaints were investigated in 2022/2023 or in 2021/2022 either.
- The number of service complaints made to the PSOW about IOACC, during 2023/2024, was the third highest per capita in Wales at 0.55 per 1000 residents (Appendix A to the Letter). This compares with IOACC's median performance of 0.36 per capita in 2022/2023 and 0.41 per capita in 2021/2022.
- 24% of the complaints about IOACC, in 2023/2024, related to IOACC's handling of complaints (9 complaints). (Appendix B to the Letter).

This is consistent with IOACC's performance in 2022/2023 when 24% of IOACC's complaints also related to complaints handling (6 complaints).

In 2021 10% of IOACC's complaints were about complaints handling (3 complaints).

- 24% of complaints about IOACC made to the PSOW, in 2023/2024, were resolved by early intervention (resolution) from the PSOW (10 complaints). (Appendix C to the Letter). At 24%, this is the highest level of interventions in Wales, against a national average of 14% in 2023/2024.

IOACC's equivalent performance in 2022/2023 was 20% (5 complaints). The average national intervention rate was 13%.

In 2021/2022 IOACC's level of early interventions by the PSOW was 11% (3 complaints), against a national average of 14%.

A –Recommendation/s and reason/s

The Headline Data for IOACC in relation to Code of Conduct Complaints

In addition to the complaints to the PSOW about services, the Letter also refers to complaints against County, Town and Community Councillors.

- The PSOW did not refer (to the Standards Committee, or the Adjudication Panel for Wales) any Code of Conduct complaints about County Council members during 2023/2024. The number of complaints referred during 2022/2023 and in 2021/2022 was also nil.
- The PSOW did not refer (to the Standards Committee, or the Adjudication Panel for Wales) any Code of Conduct complaints about Town or Community Council Members during 2023/2024. The number of complaints referred during 2022/2023 and in 2021/2022 was also nil.

Conclusions

- There has been an increase in the number of service complaints made to the PSOW but the number of investigations remains nil. This has been consistent for three years.
- There has been a deterioration in the Council's complaints handling performance and increased reliance upon intervention from the PSOW.
- While services are responsible for responding to their own complaints, including resolution where appropriate and possible, it is reasonable to conclude that a likely cause/significant contributing factor to this deterioration in complaints handling performance relates to corporate staffing issues.

One of two key posts remains vacant, despite three recruitment attempts and is now supported by agency.

The second key post will become vacant at the end of November 2024. It is therefore unlikely that the previous level of corporate support to services will be available in the near future, although recruitment to these posts remains the objective.

- The CRM project (referred to in the final recommendation in para. 1. above), continues to develop, largely thanks to support from Transformation and IT. This is expected to "go live" in early 2025 and arrangements are currently being made to train relevant officers on the new system, along with refresher training on complaints handling generally, which the PSOW has helpfully offered to provide. The CRM platform is intended to provide more automation and real time data with regard to service and corporate performance. This will be routinely monitored by Heads of Service and the Leadership Team. It is not likely, though, that services will have increased capacity to deal with complaints.

A –Recommendation/s and reason/s

- We are therefore relying on the following resolution :-
 - Filing the two vacant corporate posts
 - Introducing a new CRM system
 - Further training and development for relevant staff
 - Oversight by senior managers within the service
 - Oversight by the Leadership Team and the Executive, Scrutiny and the Governance and Audit Committee; as well as Executive members within their own portfolios
 - Publication of complaints data on the Council's website every quarter, as published to the PSOW

The PSOW requests the following:-

- *“Present my Annual Letter to the Cabinet and to the Governance and Audit Committee at the next available opportunity and notify me of when these meetings will take place”.*

This report satisfies the above request and, in addition, is published to all Members and to the public. The PSOW has been advised as to the dates of these meetings.

- *“Consider the data in this letter, alongside your own data, to understand more about your performance on complaints, including any patterns or trends and your organisation's compliance with recommendations made by my office.”*
- *“Inform me of the outcome of the Council's considerations and proposed actions on the above matters at the earliest opportunity”.*

This will be completed following the meetings of the Executive and the Governance and Audit Committee.

4. Additional Information

In addition to the Annual Letter, information on concerns, complaints and compliments are published quarterly on the Council's website at [Council complaints statistics \(gov.wales\)](#)

The Governance and Audit Committee receive an annual report on complaints. The report for 2023/2024 has been reported to the Committee on [19 September 2024](#)

B – What other options did you consider and why did you reject them and/or opt for this option?

There were no alternative options

C – Why is this a decision for the Executive?

This is a matter for both the Executive and the Governance and Audit Committee at the request of the PSOW.

Ch – Is this decision consistent with policy approved by the full Council?

Not relevant

D – Is this decision within the budget approved by the Council?

Not relevant

Dd – Assessing the potential impact (if relevant):

1	How does this decision impact on our long term needs as an Island?	The purpose of the Corporate Complaints Policy is to learn lessons when things go wrong and make changes to service delivery as required and where possible.
2	Is this a decision which it is envisaged will prevent future costs / dependencies on the Authority? If so, how?	
3	Have we been working collaboratively with other organisations to come to this decision? If so, please advise whom.	The facts presented contribute to building better services for the future
4	Have Anglesey citizens played a part in drafting this way forward, including those directly affected by the decision? Please explain how.	
5	Note any potential impact that this decision would have on the groups protected under the Equality Act 2010.	Welsh language complaints are contained within the Corporate Concerns and Complaints Policy and are dealt with if received. If complaints are received from the Welsh Language Commissioner, they will be reported in the Welsh Language Standards Report 2023/2024.

Dd – Assessing the potential impact (if relevant):

6	If this is a strategic decision, note any potential impact that the decision would have on those experiencing socio-economic disadvantage.	
7	Note any potential impact that this decision would have on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.	

E – Who did you consult?**What did they say?**

1	Chief Executive / Leadership Team (LT) (mandatory)	Considered by the Leadership Team on 15 October 2024. All members supportive of the Report.
2	Finance / Section 151 (mandatory)	Consulted as part of the Leadership Team.
3	Legal / Monitoring Officer (mandatory)	Author of the report
4	Human Resources (HR)	N/A
5	Property	N/A
6	Information Communication Technology (ICT)	Transformation and ICT are supporting the CRM project
7	Procurement	N/A
8	Scrutiny	N/A
9	Local Members	This report is published to all Members

F - Appendices:

Copy of the Annual Letter 2023/2024

Ff - Background papers (please contact the author of the Report for any further information):

None



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Ask for: Communications



01656 641150

Date: 9 September 2024



Caseinfo@ombudsman.wales

Councillor Gary Pritchard
Isle of Anglesey County Council

By email only
garypritchard@anglesey.gov.uk
dylanwilliams@ynysmon.gov.uk

Annual Letter 2023/24

Dear Councillor Pritchard

Role of PSOW

As you know, the role of the Public Services Ombudsman for Wales is to consider complaints about public services, to investigate alleged breaches of the councillor Code of Conduct, to set standards for complaints handling by public bodies and to drive improvement in complaints handling and learning from complaints. I also undertake investigations into public services on my own initiative.

Purpose of letter

This letter is intended to provide an update on the work of my office, to share key issues for local government in Wales and to highlight any particular issues for your organisation, together with actions I would like your organisation to take.

Overview of 2023/24

This letter, as always, coincides with my Annual Report – “A New Chapter Unfolds” – and comes at a time when public services continue to be in the spotlight, and under considerable pressures. My office has seen another increase in the number of people asking for our help – a 17% increase in overall contacts compared to the previous year, with nearly 10,000 enquiries and complaints received. Our caseload has increased substantially - by 37% - since 2019.

During 2023/24 we considered and closed more enquiries and complaints than we ever have done before, and we reduced the average cost for each case and investigation. We started the year with a focus on reducing our aging cases, those over 12 months old, by 50% by the end of the year. These cases are often the most complex and distressing for the people making the complaint. I am extremely pleased to say we exceeded this target, reducing our aged investigations by over 70%. We are now well on track to meeting our objective to complete investigation of complaints within 12 months.

Public Services Complaints and compliance with recommendations

In total 1,108 complaints about local authorities were made to us last year – broadly the same number as the previous year. During this period, we intervened in (upheld, settled or resolved at an early stage) 14% of local authority complaints – a similar proportion to recent years.

We received 38 complaints about Isle of Anglesey County Council in 2023/24 and closed 41 – some complaints were carried over from the previous year. Isle of Anglesey County Council's intervention rate was 24%. Further information on complaints about your organisation can be found in the appendices.

We made 26 recommendations to your council during the year. To ensure that our investigations and reports drive improvement, we follow up compliance with the recommendations agreed with your organisation. In 2023/24, 24 recommendations were due and 92% were complied with in the timescale agreed. The remainder were complied with, but outside the timescales agreed, or remain outstanding as at 9 April 2024.

Recommendations and timescales for complying with recommendations are always agreed with the public body concerned before being finalised, and we therefore expect organisations to comply within the timescales agreed.

Our Code of Conduct work

My role is to investigate allegations that councillors have breached their Code of Conduct. Where an investigation finds evidence to support the complaint on a matter which is serious enough to require a referral in the public interest, these cases are referred either to the local Standards Committee or to the Adjudication Panel for Wales for consideration.

In 2023/24, we received 16% more Code of Conduct complaints than the previous year, relating to both Principal Councils and Town and Community Councils. My office made 21 referrals – to Standards Committees or the Adjudication Panel for Wales, an increase from 12 the previous year.

I am grateful to your Monitoring Officer for their positive engagement with my office over the last year. We will continue to engage with them on matters relating to the ethical standards framework, including Local Resolution Procedures this year.

Independent Review

As you will be aware, I became aware of inappropriate comments, of a political nature, made by a member of my staff via social media. These comments were widely reported in the media. The member of staff in question was suspended and subsequently resigned. However, the comments prompted questions about my office's work on councillor Code of Conduct cases.

In view of the seriousness of the matter, I commissioned Dr Melissa McCullough to conduct an independent review of our Code of Conduct work, and I have published the full [Terms of Reference](#) for that review. I and my staff are engaging closely with the Monitoring Officer Group and the National Forum for Standards Committee Chairs in relation to this matter. I will be publishing Dr McCullough's final report on completion of the review and sharing it with the Senedd's Finance Committee this Autumn.

Supporting improvement of public services

We continued our work on supporting improvement in public services last year and worked on our second wider Own Initiative investigation. The investigation includes four local authorities and considers carers' needs assessments. I am grateful to the investigated authorities for their co-operation and candour throughout the year, and we look forward to sharing our finalised report this Autumn. This will make recommendations to the investigated authorities and will ask all local authorities across Wales to make similar improvements.

We have continued our work on complaints handling standards for public bodies in Wales and now have 56 public bodies following our model complaints handling policy. These public bodies account for around 85% of the complaints we receive. We have continued our work to publish complaints statistics, gathered from public bodies, with data published twice a year.

We continued our work to publish complaints statistics into a third year, with data now published twice a year. This data allows us to see information with greater context – for example, last year 14% of complaints made to Isle of Anglesey County Council's went on to be referred to PSOW.

Action we would like your organisation to take

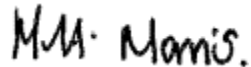
Further to this letter can I ask that your Council takes the following actions:

- Present my Annual Letter to the Cabinet and to the Governance and Audit Committee at the next available opportunity and notify me of when these meetings will take place.
- Consider the data in this letter, alongside your own data, to understand more about your performance on complaints, including any patterns or trends and your organisation's compliance with recommendations made by my office.

- Inform me of the outcome of the Council's considerations and proposed actions on the above matters at the earliest opportunity.

I would like to thank you, and your officers, for your continued openness and engagement with my office. Our information shows that local authorities are looking into more complaints than ever before and are using information from complaints to deliver better outcomes for the people of Wales.

Yours sincerely,

Handwritten signature of Michelle Morris in black ink.

Michelle Morris
Public Services Ombudsman

Cc. Dylan Williams, Chief Executive, Isle of Anglesey County Council



Factsheet

Appendix A - Complaints Received

Local Authority	Complaints Received	Received per 1,000 residents
Blaenau Gwent County Borough Council	15	0.22
Bridgend County Borough Council	59	0.41
Caerphilly County Borough Council	56	0.32
Cardiff Council*	149	0.41
Carmarthenshire County Council	69	0.37
Ceredigion County Council	32	0.45
Conwy County Borough Council	36	0.31
Denbighshire County Council**	31	0.32
Flintshire County Council	51	0.33
Cyngor Gwynedd	38	0.32
Isle of Anglesey County Council	38	0.55
Merthyr Tydfil County Borough Council	12	0.20
Monmouthshire County Council	29	0.31
Neath Port Talbot Council	35	0.25
Newport City Council	52	0.33
Pembrokeshire County Council	40	0.32
Powys County Council	54	0.41
Rhondda Cynon Taf County Borough Council	64	0.27
Swansea Council	81	0.34
Torfaen County Borough Council	14	0.15
Vale of Glamorgan Council	77	0.58
Wrexham County Borough Council	76	0.56
Total	1108	0.36
* inc 2 Rent Smart Wales		
** inc 1 Wales Penalty Processing Partnership		



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Appendix B - Received by Subject

Isle of Anglesey County Council	Complaints Received	% share
Adult Social Services	0	0%
Benefits Administration	3	8%
Children's Social Services	6	16%
Community Facilities, Recreation and Leisure	1	3%
Complaints Handling	9	24%
Covid-19	0	0%
Education	1	3%
Environment and Environmental Health	0	0%
Finance and Taxation	6	16%
Housing	3	8%
Licensing	1	3%
Planning and Building Control	6	16%
Roads and Transport	1	3%
Various Other	1	3%
Total	38	



Appendix C - Complaint Outcomes
(* denotes intervention)

Isle of Anglesey County Council		% Share
Out of Jurisdiction	4	10%
Premature	13	32%
Other cases closed after initial consideration	14	34%
Early Resolution/ voluntary settlement*	10	24%
Discontinued	0	0%
Other Reports - Not Upheld	0	0%
Other Reports Upheld*	0	0%
Public Interest Reports*	0	0%
Special Interest Reports*	0	0%
Total	41	



Appendix D - Cases with PSOW Intervention

	No. of interventions	No. of closures	% of interventions
Blaenau Gwent County Borough Council	1	16	6%
Bridgend County Borough Council	8	59	14%
Caerphilly County Borough Council	3	48	6%
Cardiff Council	28	144	19%
Cardiff Council - Rent Smart Wales	0	3	0%
Carmarthenshire County Council	8	60	13%
Ceredigion County Council	7	32	22%
Conwy County Borough Council	0	37	0%
Denbighshire County Council	2	32	6%
Denbighshire County Council - Wales Penalty Processing Partnership	0	1	0%
Flintshire County Council	8	57	14%
Cyngor Gwynedd	6	39	15%
Isle of Anglesey County Council	10	41	24%
Merthyr Tydfil County Borough Council	3	14	21%
Monmouthshire County Council	3	32	9%
Neath Port Talbot Council	5	34	15%
Newport City Council	5	51	10%
Pembrokeshire County Council	7	38	18%
Powys County Council	7	53	13%
Rhondda Cynon Taf County Borough Council	11	63	17%
Swansea Council	12	77	16%
Torfaen County Borough Council	2	14	14%
Vale of Glamorgan Council	15	71	21%
Wrexham County Borough Council	7	79	9%
Total	158	1095	14%



Appendix E – Compliance performance comparison

Local Authority	Number of recommendations made in 2023-24	Number of recommendations falling due in 2023-24	% of recommendations, complied with on time
Blaenau Gwent County Borough Council	1	1	100%
Bridgend County Borough Council	18	20	35%
Caerphilly County Borough Council	9	9	11%
Cardiff Council	74	75	92%
Carmarthenshire County Council	25	25	52%
Ceredigion County Council	23	23	78%
Swansea Council	29	32	63%
Conwy County Borough Council	0	1	0%
Denbighshire County Council	5	6	67%
Flintshire County Council	17	17	59%
Cyngor Gwynedd	12	19	74%
Isle of Anglesey County Council	26	24	92%
Merthyr Tydfil County Borough Council	11	9	56%
Monmouthshire County Council	4	4	25%
Neath Port Talbot Council	14	14	29%
Newport City Council	10	7	43%
Pembrokeshire County Council	24	23	96%
Powys County Council	18	16	31%
Rhondda Cynon Taf County Borough Council	26	26	77%
Torfaen County Borough Council	3	3	67%
Vale of Glamorgan Council	50	48	92%
Wrexham County Borough Council	16	19	42%



Appendix F - Code of Conduct Complaints

		Isle of Anglesey County Council
Investigations	Decision not to investigate	3
	Discontinued	0
	No evidence of breach	0
	No action necessary	0
	Refer to Adjudication Panel	0
	Refer to Standards Committee	0
	Total	3



Appendix G - Town/Community Council Code of Complaints

Town/Community Council	Decision not to investigate	Investigations				Total	
		Discontinued	No evidence of breach	No action necessary	Refer to Adjudication Panel		Refer to Standards Committee
Amlwch Town Council	0	0	0	0	0	0	0
Llanddona Community Council	0	0	0	0	0	0	0
Llanddyfnan Community Council	0	0	0	0	0	0	0
Pentraeth Community Council	4	0	0	0	0	0	4
Rhosybol Community Council	0	0	0	0	0	0	0



Information Sheet

Appendix A shows the number of complaints received by PSOW for all Local Authorities in 2023/24. These complaints are contextualised by the population of each authority.

Appendix B shows the categorisation of each complaint received, and what proportion of received complaints represents for the Local Authority.

Appendix C shows outcomes of the complaints which PSOW closed for the Local Authority in 2023/24. This table shows both the volume, and the proportion that each outcome represents for the Local Authority.

Appendix D shows Intervention Rates for all Local Authorities in 2023/24. An intervention is categorised by either an upheld complaint (either public interest or non-public interest), an early resolution, or a voluntary settlement.

Appendix E shows the compliance performance of each Local Authority.

Appendix F shows the outcomes of Code of Conduct complaints closed by PSOW related to Local Authority in 2023/24. This table shows both the number, and the proportion that each outcome represents for the Local Authority.

Appendix G shows the outcomes of Code of Conduct complaints closed by PSOW related to Town and Community Councils in the Local Authority's area in 2023/24. This table shows both the number, and the proportion that each outcome represents for each Town or Community Council.