

Mae'r ymateb yma hefyd ar gael yn Gymraeg.

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**Response by the Public Services Ombudsman for Wales**

**to the Welsh Government's consultation**

**'Local Government and Elections (Wales) Act 2021: Community and Town Councils statutory guidance'**

We are pleased to have the opportunity to respond to this consultation.

**Our role**

As Public Services Ombudsman for Wales (PSOW), we investigate complaints made by members of the public who believe they have suffered hardship or injustice through maladministration or service failure on the part of a body in our jurisdiction, which essentially includes all organisations that deliver public services devolved to Wales. These include:

- local government (both county and community councils)
- the National Health Service (including GPs and dentists)
- registered social landlords (housing associations)
- the Welsh Government, together with its sponsored bodies.

We can consider complaints about privately arranged or funded social care and palliative care services and, in certain specific circumstances, aspects of privately funded healthcare.

We also investigate complaints that elected members of local authorities have breached their Codes of Conduct, which set out the recognised principles of behaviour that members should follow in public life.

The 'own initiative' powers we have been granted under the Public Services Ombudsman (Wales) Act 2019 (PSOW Act 2019) allow us to investigate where evidence suggests there may be systemic failings, even if service users themselves are not raising complaints. The Act also established the Complaints Standards Authority (CSA) to drive improvement in public services by supporting effective complaint handling through model procedures, training and collecting and publishing complaints data.

## Annual Reports

The 2021 Act introduces a duty for community and town councils to produce annual reports. The draft statutory guidance states that these reports may include a response to a Standards Committee's annual report (in cases where any recommendations are made to that community/town council).

We would argue that these annual reports should, in addition, state:

- how many complaints were raised about the relevant members
- what these complaints related to and
- the outcomes of these complaints (including how many were resolved locally).

We hope that publication of these details would help to improve the awareness and transparency of the standards of conduct of public business in community and town councils. We also believe that it may help to curb the volume of low level complaints being raised in those settings and commonly referred to our office and demonstrate whether local resolution processes are effective.

## Training plans

We strongly welcome and support the references to training arrangements in the statutory guidance.

The guidance states that all members must have sufficient understanding of our guidance on [the Code of Conduct for members of local authorities in Wales](#).

Please note that the link used in that section must be updated and replaced with a link to [Guidance from the Public Services Ombudsman for Wales for members of community and town councils](#) (May 2021).

## Closing remarks

We trust that you will find these comments useful. If you would like to discuss our comments further, please do not hesitate to contact Ania Rolewska, PSOW Head of Policy ([ania.rolewska@ombudsman.wales](mailto:ania.rolewska@ombudsman.wales)).



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**Public Services Ombudsman for Wales**

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