

# Appendix 32T

PAPUR/ENCLOSURE 'E'

**3. Argymhelliad/Argymhellion a'r rhesymau / Recommendation/s and reasons**

Er gwybodaeth / For information

**4. Opsiynau eraill a'r rheswm/rhesymau dros eu gwrthod / Other options and reason/s for rejection**

Amherthnasol / n/a

**5. Ymgynghori / Consultation**

- |     |  |                                     |        |                          |              |                                     |                     |
|-----|--|-------------------------------------|--------|--------------------------|--------------|-------------------------------------|---------------------|
| 5.1 | Cyllid/Adran 151<br>Finance/Section 151  | <input checked="" type="checkbox"/> | do/yes | <input type="checkbox"/> | naddo/n<br>o |                                     |                     |
| 5.2 | Swyddog Cyfreithiol/Monitro<br>Legal/Monitoring Officer  | <input checked="" type="checkbox"/> | do/yes | <input type="checkbox"/> | naddo/n<br>o |                                     |                     |
| 5.3 | Adnoddau Dynol<br>Human Resources  | <input checked="" type="checkbox"/> | do/yes | <input type="checkbox"/> | naddo/n<br>o | <input type="checkbox"/>            | amherth<br>h<br>n/a |
| 5.4 | Gwasanaethau Eiddo<br>Property Services  | <input type="checkbox"/>            | do/yes | <input type="checkbox"/> | naddo/n<br>o | <input checked="" type="checkbox"/> | amherth<br>h<br>n/a |
| 5.5 | Rhai eraill yr ymgynghorwyd â<br>nhw (yn cynnwys Aelodau)<br>Others consulted (including<br>Members) |                                     |        |                          |              |                                     |                     |

**6. Unrhyw faterion Fframwaith Polisi / Any Policy Framework issues**

Amherthnasol / n/a

**7. Papurau cefndirol / Background papers**

Yr atodiadau / The attachments

- 1.1 The Executive at its meeting on the 19<sup>th</sup> of May 2008 resolved inter alia "that officers submit a further report to the Executive summarising all recent claims/complaints concluded by means of payments of compensation including ex-gratia payments".
- 1.2 Detailed Reports were submitted to the Executive on the 23<sup>rd</sup> of June 2008, 6<sup>th</sup> October 2008, 19<sup>th</sup> January 2009, 28<sup>th</sup> April 2009, 21<sup>st</sup> July 2009, 27<sup>th</sup> October 2009 and 19<sup>th</sup> January 2010. This is the eight quarterly report covering the period from December 2009 to February 2010.
2. Reported matters have been divided into 4 categories:-
  - 2.1 Litigation handled by the Finance Section – Fourth quarter details for 2009/10 - Attachment A
  - 2.2 Other litigation including employment matters – John G. Roberts, Senior Solicitor has indicated that there are no cases to report for the period. No data was received from Ross Morgan Head of Service – Corporate Services.
  - 2.3 Ombudsman matters – Attachment B
  - 2.4 Ex-gratia payments  
The County Council, on 16.9.2008, resolved to delegate to the Executive the power contained in Section 92 of the Local Government Act 2000 (payments in cases of maladministration etc under the Complaints Procedure before the complaints have been submitted to the Ombudsman).
3. Not all the information i.e. names and other details have been included in the attachments because some matters are subject to the Data Protection Act 1998 and confidentiality agreements. Also, this Report is presented subject to Schedule 12A of the Local Government Act 1972 and in particular category 16 "Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings".

				<p>handled the complainant's claim and subsequent request for a review. In addition the Council confirmed that it had not received the request for an appeal but duly treated the complainant's recent correspondence to the Ombudsman as a request made out of time. Following a review of the claim the Council decided to supersede its original decision and allow the complainant's claim. As a result backdated payments of housing benefit will now be made for the complainant. The investigation also found that the Council could have taken his decision at an earlier stage in April 2008 thereby causing unnecessary delay and inconvenience to the complainant. The Ombudsman issued a Section 21 Report which does not have to be given publicity and upheld the complain in relation to the way in which the claim was initially handled and subsequently reviewed by the Council. The Ombudsman recommended that the Council should make a payment of £500 to the complainant in recognition of the time and trouble in bringing the complaint.</p>	
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\* Ymddangosodd rhifau 1 a 2 yn yr adroddiad hwn fel rhifau 3 a 4 yn yr adroddiad blaenorol. Y materion newydd y tro hwn yw rhifau 3 a 4.

Numbers 1 and 2 in this report appeared as numbers 3 and 4 in the previous report. The new matters this time are numbers 3 and 4.

				<p>penderfynodd y Cyngor i ddisodli ei benderfyniad gwreiddiol a chaniatáu cais yr achwynnydd. O ganlyniad bydd ôl-daliadau Budd-dal tai yn cael eu gwneud nawr i'r achwynnydd. Hefyd darganfuwyd gan yr ymchwiliad y byddai'r Cyngor wedi gallu gwneud ei benderfyniad yn gynt yn Ebrill 2008 ac felly wedi achosi oedi dianghenraid ac anghyfleustra i'r achwynnydd. Gwnaeth yr Ombwdsmon Adroddiad Adran 21 nad oes rhaid rhoi hysbysnydd iddo a chadamhau cwyn yr achwynnydd yn y ffordd yr ymdrinwyd â'r cais yn wreiddiol a'r ffordd y gwnaethpwyd yr adolygiad diynol gan y Cyngor. Argymhellodd yr Ombwdsmon y dylai'r Cyngor wneud taliad o £500 i'r achwynnydd mewn cydnabyddiaeth o'r amser a'r trafferth yn cyflwyno'r gwyn. /</p> <p>The complaint was that the Council failed to properly consider relevant factors and deciding upon the complainant's claim for housing benefit. In addition there was a complaint that the Council failed to decide upon the claim within the regulated time limit and failed to properly notify the complainant of the decision on the claim, and the third aspect of the complaint was that the Council failed to come to a decision on an appeal request made by the complainant in relation to the disallowed claim for the benefit. As a consequence these failings to the complainant did not receive any housing benefit for the period of March 2007 to December 2009.</p>	<p>In response to the Ombudsman's investigation the Council identified and acknowledged a number of failings in the way which it had</p>
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2. (*4)	13176	Dechrau / Start 26/6/09  Cyfredol / Current	(£800.00 o'r blaen) nawr £500  / (£800.00 previously) now £500	Cynllunio / Planning	Ymatebodd y Cyngor i ymholiad ynglŷn â mater Cynllunio a datgan ym Mai 2008 nad oedd angen caniatâd cynllunio. Yn dilyn y cyngor hwnnw gwnaeth yr Achwynnydd waith i gydymffurfio er mwyn cael trwydded addas. Pan gafwyd y drwydded dywedwyd wrth yr Achwynnydd fod angen caniatâd cynllunio arno. Gwraethpwyd cwyrn ynglŷn â straen, anghyfleustra a cholled ariannol. Daeth yr Ombudsmon i'r casgliad fod yr Achwynnydd wedi dioddef anghyfiawmder o ganlyniad i gamweinyddu ar ran y Cyngor. /  The Council responded to an enquiry about a planning matter indicating in May 2008 that planning permission was not needed. Following that advice work was undertaken by the Complainant to comply so as to obtain a suitable licence. When the licence was obtained the Complainant was told that planning permission was required. A complaint was made regarding stress, inconvenience and financial loss. The Ombudsman concluded that the Complainant had suffered injustice as a result of maladministration on the part of the Council.	Bu cynn drafodaeth hefo Swyddfa'r Ombudsmon ac fe ddaethpwyd i gytundeb ond ni chwblhawyd y mater yn y cyfnod. Bydd y manylion terfynol yn ymddangos yn yr adroddiad nesaf. /  There was quite a discussion with the Ombudsman's Office and an agreement has been reached but it has not been completed within the period. The final details will appear in the next report.
3.	13505	Dechrau / Start 05/10/09  Cyfredol / Current	£500	Addysg Gydol Oes a Gwybodaeth / Lifelong Learning and Information	Methiant i ddychwel i'r achwynnydd nifer o eitemau yr oedd ef wedi eu benthg i'r gwasanaeth thai blynyddoedd yn gynt ac roedd y gwasanaeth wedi arwyddo amdanant. Derbyniodd y gwasanaeth ei gyfrifoldeb ac er gwaethaf y chwilio mynnych a helaeth nid oedd yn bosib i leoli'r eitemau. Mae'r Ombudsmon yn nodi bod y gwasanaeth wedi cydnabod ei fethiant ac wedi diwygio ei bolisi, trefniadau a	Ar ddiwedd cyfnod yr adroddiad hwn nid oedd holl agweddau'r datrysiad wedi eu cwblhau a bydd y manylion yn cael eu cyflwyno yn yr adroddiad nesaf. /  At the end of the period of this report not all aspects of the resolution had been achieved and

Policy	Handler	Service	Represented	Narrative	Total Cost	Net Cost	Settled Date
Motor	ZM	Provider	No	Collision between our vehicle and motorcycle at junction	2,110	0	19/01/2010
Public Liability	CSYM	Highways	No	Damaged vehicle on pothole in road	31	31	23/02/2010
Public Liability	ZM	Housing	No	Accidental damage to cooker whilst filling a new kitchen	150	150	26/01/2010
Public Liability	CSYM	Housing	No	Accidental damage to electricity cable	460	460	16/03/2010
Public Liability	CSYM	Education	No	Damaged vehicle on pothole	680	680	20/01/2010
Employers' Liability	ZM	Provider	Yes	Slipped on wet floor	8,258	8,258	01/02/2010
Public Liability	ZM	Housing	Yes	Tripped on edge of manhole cover	33,348	10,000	08/03/2010
Public Liability	ZM	Highways	Yes	Tripped on manhole cover	11,562	10,000	16/02/2010
Public Liability	ZM	Education	Yes	Finger tip severed when door closed on finger	11,063	10,000	11/01/2010
Employers' Liability	ZM	Provider	Yes	Slipped on wet floor	15,250	10,000	29/03/2010



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## PAPUR/ENCLOSURE 'LL'

### **DDIM I'W GYHOEDDI NOT FOR PUBLICATION**

Tynnir sylw'r holl aelodau sy'n derbyn y rhaglen yma i'r eitem ganlynol ac i Baragraffau 10.2 a 10.3 o'r Rheolau Gweithdrefn Mynediad at Wybodaeth sydd wedi eu cynnwys yng Nghyfansoddiad y Cyngor sy'n cadarnhau fod yr adroddiad amgaaedlg yn gyfrinachol, ac nad oes hawl cyhoeddi'r adroddiad heb ganiatâd yr Awdurdod, ac at gymal 5 y Côd Ymddygiad i Aelodau sy'n rhwystro Aelodau rhag datgelu gwybodaeth gyfrinachol heb ganiatâd penodol person sydd a'r awdurdod. I roddi caniatâd o'r fath, neu oni bai fod rheidwydd cyfreithiol arno/arni i wneud hynny.

The attention of every member who receives this agenda is drawn to the following item and Paragraphs 10.2 and 10.3 of the Access to Information Rules contained within the Constitution of the Council which confirms that the annexed report is given in confidence and cannot be made public without the consent of the Authority, and to Clause 5 of the Members' Code of Conduct which prevents Members from disclosing information given in confidence without the express consent of a person authorised to give consent, or unless required by law to do so.

ISLE OF ANGLESEY COUNTY COUNCIL

MEETING	THE EXECUTIVE
DATE:	23 <sup>rd</sup> June 2008
TITLE OF REPORT:	Recent claims/complaints concluded by payments of compensation including ex-gratia payments
REPORT:	Solicitor to the Monitoring Officer
PURPOSE OF REPORT:	At the request of the Executive on the 19.5.2008

1. The Executive at its meeting on the 19<sup>th</sup> of May resolved inter alia "that officers submit a further report to the Executive summarising all recent claims/complaints concluded by means of payments of compensation including ex-gratia payments".
2. I sent a memorandum on the 21<sup>st</sup> of May to the Managing Director and Corporate Directors, Einir Thomas - Head of Service (Finance), Ross Morgan – Head of Service (Corporate Services) and John Gwynedd Roberts - Senior Solicitor. I have received written information from Richard Parry Jones, John Gwynedd Roberts and Einir Thomas. I have also had information from Lynn Ball, Robyn Jones, Aled Roberts, Ross Morgan and Richard Lloyd Hughes.
3. The matters have been divided into 4 categories:-
  - 3.1 Litigation handled by the Finance Section
 

I attach a schedule which has been produced by Einir Thomas the Head of Service (Finance). (Attachment A)
  - 3.2 Other litigation including employment matters.
 

I attach a schedule parts of which were produced by John Gwynedd Roberts, Lynn Ball and me. (Attachment B)
  - 3.3 Ombudsman matters.
 

I attach a schedule which has been prepared by me in consultation with Lynn Ball. (Attachment C)
  - 3.4 Ex-gratia payments. There are none yet. The Executive resolved at its meeting on the 19<sup>th</sup> of May to recommend to the full Council the Report to revise the Constitution to add to the delegated power of the Legal Services Manager the following clause – "with the agreement of the relevant Head of Service to exercise the power contained in Section 92 of the Local Government Act 2000 (payments in cases of maladministration etc)."

4. Not all the information i.e. names and other details have been included in the Attachments because some matters are subject to the Data Protection Act and confidentiality agreements. Also, this Report has been submitted subject to Schedule 12A of the Local Government Act 1972 and in particular category 16 "Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings".

Liability claims settled 2007/08 - Insurance including self insurance

Policy	Handler	Service	Cause		Settlement £	Net Cost £	Settlement Date
Employer's Liability	ZM	Education	Slippery surface	Injury			2007/08
	ZM	Education	Assault	Injury			2007/08
Public Liability	ZM	Highways	Uneven surface	Injury			2007/08
	In house	Highways	Contractors	Loss			2007/08
	In house	Housing	Contractors	Loss			2007/08
	ZM	Highways	Defective kerb/flagstone	Injury			2007/08
	ZM	Housing	Slippery surface	Injury			2007/08
	In house	Provider	Contractors	Loss			2007/08
	ZM	Highways	Defective kerb/flagstone	Injury			2007/08
	In house	Provider	Contractors	Loss			2007/08
	In house	Housing	Flooding/burst pipe	Loss			2007/08
	In house	Housing	Maintenance	Loss			2007/08
	In house	Highways	Pothole	Loss			2007/08
	In house	Highways	Pothole	Loss			2007/08
	In house	Provider	Contamination	Loss			2007/08
	In house	Housing	Defective equipment	Loss			2007/08
	In house	Housing	Maintenance	Loss			2007/08
					131,531	52,822	

Excess on these policies is £10k per claim

Hawliadau atebolrwydd wedi eu setlo yn 2007/08 - Yswiriant gan gynnwys yswirio'n fewnol

Polisi		Gwasanaeth	Achos		Setllad £	Cost Net £	Dyddiad setlo
Atebolrwydd Cyflogwr	ZM	Addysg	Wyneb llythrig	Niwed			2007/08
	ZM	Addysg	Ymosodiad	Niwed			2007/08
Atebolrwydd Cyhoeddus	ZM	Priffyrdd	Wyneb anwastad	Niwed			2007/08
	Mewnol	Priffyrdd	Contractwyr	Colled			2007/08
	Mewnol	Tal	Contractwyr	Colled			2007/08
	ZM	Priffyrdd	Cwrb / llorlech ddifffgiol	Niwed			2007/08
	ZM	Tal	Wyneb llythrig	Niwed			2007/08
	Mewnol	Darparwr	Contractwyr	Colled			2007/08
	ZM	Priffyrdd	Cwrb / llorlech ddifffgiol	Niwed			2007/08
	Mewnol	Darparwr	Contractwyr	Colled			2007/08
	Mewnol	Tal	Llifogydd/ plben ddwr	Colled			2007/08
	Mewnol	Tal	Cynnal a chadw	Colled			2007/08
	Mewnol	Priffyrdd	Twll yn y lôn	Colled			2007/08
	Mewnol	Priffyrdd	Twll yn y lôn	Colled			2007/08
	Mewnol	Darparwr	Heintio	Colled			2007/08
	Mewnol	Tal	Cyfarpar ddifffgiol	Colled			2007/08
	Mewnol	Tal	Cynnal a chadw	Colled			2007/08
					131,531	52,822	

Mae'r "excess" ar y polisiau hyn yn £10k pob hawliad

TALIADAU IAWNDAL - YMGYFREITHIO HEB YSWIRIANT YN CYNNWYS  
CYFLOGAETH AC ERAILL / PAYMENTS OF COMPENSATION - LITIGATION  
WITHOUT INSURANCE INCLUDING EMPLOYMENT AND OTHERS

	Natur yr Achos / Nature of Proceedings	Partion / Parties	Sail y cais / Basis of claim	Dyddiad setlwyd / Date settled	Ffigwr setliad / Settlement figure	Rheswm am y setliad / Reason for settlement
1	Achos Tribiwnlys Cyflogaeth / Employment Tribunal Proceedings	A -v- y Cyngor / Council	Diswyddiad annheg anuniongyrchol ayyb/ Constructive unfair dismissal etc	2006		Methu dilyn trefn / Failure to follow procedure.
2	Ditto	B -v- y Cyngor / Council	Diswyddiad annheg anuniongyrchol ayyb / Constructive unfair dismissal etc	2006		Methu dilyn trefn / Failure to follow procedure.
3	Ditto	C -v- y Cyngor / Council	Diswyddiad annheg anuniongyrchol ayyb / Constructive unfair dismissal etc	2007		Setliad economaidd a threfn annigonol / Economic settlement and inadequate procedure.
4	Ditto	Ch -v- y Cyngor / Council	Rheolau pensiwn yn newid / Pension rules changed	2007		Setliad economaidd / Economic settlement
5	* Ditto	D -v- y Cyngor / Council	Diswyddiad annheg anuniongyrchol ayyb/ Constructive unfair dismissal etc	2008		Setliad economaidd / Economic settlement
6	* Llys Sirol / County Court	Dd -v- y Cyngor / Council	Torri Cytundeb / Breach of Contract	2008		Safon annigonol/ Inadequate standard

Cyfanswm/Total - £110,500

Gwasanaethau / Services – Addysg a Hamdden, Cyllid, Tai a Gwasanaethau Cymdeithasol / Education and Leisure, Finance, Housing and Social Services

\* Termâu'r gorchymyn dan drafodaeth / Terms of order in negotiation

ACHOSION OMBWSMON – LLE MAE TALIADAU WEDI EU GWNEUD / OMBUDSMAN  
MATTERS - WHERE PAYMENTS HAVE BEEN MADE

	Enw a Chyfeirnod / Name and reference	Dyddiad / Date	Swm / Sum	Adran / Dept	Prif gasgliadau / Main findings	Unrhyw sylw pellach / Any additional comment
<b>2005</b>						
1.	8222	8.11.05	£250 - talwyd/ paid	Budd-dal tai /Housing benefit	Nifer o engrheifftiau o ddiffygion – methu hysbysu, oedi, gwybodaeth gamarweiniol/ Numerous instances of shortcomings - failure to inform, delay, misinformation.	1. Ar ol i ymchwilliwr yr Ombwdsmon ["O"] ddod i'r swyddfa/ After an investigator from the Ombudsman ["O"] came to the office. 2. Yn ychwanegol gwnaethpwyd taliad o £600 i ddigolledu'r Achwynydd am hanner y rhent a gollwyd/ An additional payment of £600 for half the rent lost was paid to the Complainant. 3. Argymhelliad yr "O" i drefnu hyfforddiant/ Recommendatiil by "O" to arrange training.
<b>2006</b>						
1.	9774	27.9.06	£80 - talwyd/ paid	Budd-dal tai /Housing benefit	Nifer o ddiffygion yn cynnwys gwneud taliadau anghywir, oedi, gwneud cais am ad-daliad pan nad oedd taliad wedi ei wneud/ A number of shortcomings including making incorrect payments, delay, making a	Derbyniodd yr Adran bod y gŵyn yn ddilys ac ymddiheurodd. Cadarnhaodd y Swyddog Monitro ac eglurodd y sefyllfa ynglyn â thaliadau ex gratia a chynghorwyd yr Achwynydd i

					demand for re-payment when a payment had not been made.	gysylltu hefo'r Ombwdsmon / The Department accepted that the complaint was valid and apologised. The Monitoring Officer confirmed and explained the situation re ex gratia payments and advised the Complainant to go to the Ombudsman.
2007						
	DIM/ NONE					
2008						
1.	11640	28.2.08	£50 - talwyd/ paid	Treth Cyngor / Council Tax	Methiant i drosglwyddo disgownt ac oedi/ Failure to transfer a discount and delay.	
2	9819	15.5.08	£1,650 - talwyd/ paid	Hamdden, Cynllunio ac Eiddo/ Leisure, Planning and Property	1. Methu â hysbysu'n iawn par cais cynllunio ar gais y Cyngor ei hun/ Failure to properly notify re planning application on Council's own application. 2. Methu â chydymffurfio ag amodau cynllunio/ Failure to comply with planning conditions. 3. Nifer o enghreifftiau o oedi wrth ymateb i gwynion/ Cumulative delays in dealing with complaints.	1. Adroddiad wedi bod o flaen y Pwyllgor Gwaith ar 14/4/08/ Report has been before the Executive on 14/4/08. 2. Mae'r Cyngor yn gwethredu cynllun i ddilyn argymhellion yr "O"/ The Council is implementing an action plan to follow the recommendations of the "O".
3.	9819	15.5.08	£1,500 - talwyd/ paid	" [fel/as 2]	" [fel/as 2]	" [fel/as 2]



4.	11432	7.4.08	£100 - talwyd/ paid	Treth cyngor/ Council tax	1. Oedi/ Delay 2. Gwybodaeth anghywir yn achosi camddealltwriaeth/ Incorrect information causing confusion.	
5.	11345	29.5.08	Yn wreiddiol /Initially £200. Newid i / Changed to £400. talwyd/ paid	Budd-dal tai a threth cyngor/ Housing benefit and council tax	1. Methu ymateb i lythyrau/Failure to respond to letters. 2. Clandro'n anghywir par budd- dal/ Incorrect benefit calculations. 3. Oedi/Delay	Ychwanegiad am fethu ymateb i argymhelliad cyntaf gan yr "O" / Increase for failure to respond to "O's" initial recommendation.
6.	11750	18.3.08	£200 - talwyd/ paid	Adnoddau Dynol / Human Resources	Rhoi cyngor/ gwybodaeth anghywir/ Giving wrong advice/ information.	Ombwdsmon Pensiynau / Pensions Ombudsman
7.	10933	29.5.08	£500	Pwyllgor Cynllunio a Gorchmynio n/ Planning and Orders Committee	Methodd y Pwyllgor Cynllunio a Gorchmynion i fynd i'r afael â pholisiau cynllun datblygu perthnasol mwy na Pholisi Plan Lleol 50 (a gamarferwyd ganddo), ddim wedi ystyried yr arweiniad cynllunio perthnasol oedd wedi cael ei roi gan Gynulliad Cenedlaethol Cymru, wedi methu cyfeirio eu meddyliau i ystyriaethau diogelwch y ffordd fawr a methu ystyried goblygiadau y cynnig i breifatrwydd a mwynder yr achwynydd a methu gwneud y penderfyniad mewn ffordd synhwyrol sy'n ofynnol dan y	Daeth y mater o flaen y Cyngor ac fe gafodd dirprwyaeth o Gynghorwyr a Swyddogion gyfarfod efo'r Ombwdsmon./  The matter came before the Council and a delegation of Councillors and Officers met the Ombudsman.  Mae'r "O" wedi gwneud yr adroddiad o dan Adran 16 ac felly mae'n adroddiad cyhoeddus. Mae iawndal statudol yn daladwy / The Ombudsman has issued a Section 16 Report which means that it has been made public.

					gyfraith (yr egwyddorion "Wednesbury") /  Failure of the Planning and Orders Committee to address relevant development plan policies other than Local Plan Policy 50 (which it misapplied), not having regard to the relevant planning guidance issued by the National Assembly for Wales, failing to address their minds to the highway safety considerations, failing to consider the implication of the proposal for the privacy and amenity of the complainant, and failing to take a decision in a rational manner as required by the law (the "Wednesbury" principles).	Statutory compensation is payable.
8.	10997	29.5.08	£100	Pwyllgor Cynllunio a Gorchmynio n/ Planning and Orders Committee	(fel/as 7)	(fel/as 7)

**Materion cyfredol / Current matters**

	Enw a Chyfeirnod / Name and reference	Dyddiad / Date	Swm / Sum	Adran / Dept	Prif gasgliadau / Main findings	Unrhyw sylw pellach / Any additional comment
9.	11276	Cyfredol/	£1000	Cynllunio/	Ddim yn gosod	Yn cael ei herio/

		Current		Planning	amod cynllunio yn berthnasol i reolaeth pentwr/ Not imposing a planning condition related to the management of a stockpile	Being challenged
10.	11742	Cyfredol/ Current	£1000	Cynllunio/ Planning	" [fel/as 9]	" [fel/as 9]
11.	11120	Cyfredol/ Current	£1500	Budd-dal tai / Housing benefit	Nifer o resymau , i gynnwys - Camweinyddu garw, Methu sicrhau adnoddau addas, Methiant cyfundrefnol a pharhaus efo gohebiaeth, Heb gymryd camau i fynd l'r afael efo'r diffygion./  Many reasons including – Gross maladministration , Failure to ensure appropriate resources, Systematic and continuing failure with correspondence, Not taking action to address failings.	Mae'r "O" wedi paratoi adroddiad drafft o dan Adran 16 sydd yn golygu y bydd yr adroddiad llawn, os gwneir o dan Adran 16, efo gofynion cyhoeddi iddo h.y. rhaid ei wneud yn gyhoeddus./ The "O" has prepared the draft report under Section 16 which means that the full report, if made under Section 16, has publicity requirements to it i.e. it has to be made public. Yn cael ei herio ar rai pethau / Being challenged on some issues
12.	10814	Cyfredol/ Current	£1500	Budd dal-tai/ Housing benefit	" [fel/as 11]	" [fel/as 11]

ISLE OF ANGLESEY COUNTY COUNCIL

MEETING	THE EXECUTIVE
DATE:	6 <sup>th</sup> October 2008
TITLE OF REPORT:	Recent claims/complaints concluded by payments of compensation including ex-gratia payments – quarterly report – June - August 2008
REPORT:	Solicitor to the Monitoring Officer
PURPOSE OF REPORT:	At the request of the Executive on the 19.5.2008 and 23.06.2008

1.1 The Executive at its meeting on the 19<sup>th</sup> of May resolved inter alia "that officers submit a further report to the Executive summarising all recent claims/complaints concluded by means of payments of compensation including ex-gratia payments".

1.2 I submitted a detailed Report to the Executive on the 23<sup>rd</sup> of June and the Executive resolved -

*That authority be given to the Leader of the Council to raise any matters of concern with the respective Corporate Directors / Heads of Service should the need arise.*

*That the Director of Legal Services / Monitoring Officer be requested to submit quarterly reports to the Executive on damages and ex-gratia payments.*

1.3 This is therefore the quarterly report for June to August 2008.

2. The matters have been divided into 4 categories:-

2.1 Litigation handled by the Finance Section – No data received.

2.2 Other litigation including employment matters – Attachment A

2.3 Ombudsman matters – Attachment B

2.4 Ex-gratia payments.

The County Council on 16.9.2008 resolved to delegate to the Executive the power contained in Section 92 of the Local Government Act 2000 (payments in cases of maladministration etc under the Complaints Procedure before the complaints have been submitted to the Ombudsman).

ATODIAD A / ATTACHMENT A

TALIADAU IAWNDAL – YMGYFREITHIO HEB YSWIRIANT YN CYNNWYS  
CYFLOGAETH AC ERAILL / PAYMENTS OF COMPENSATION – LITIGATION  
WITHOUT INSURANCE INCLUDING EMPLOYMENT AND OTHERS

MEHEFIN – AWST 2008 / JUNE – AUGUST 2008

	Natur yr Achos / Nature of Proceedings	Partion / Parties	Sail y cais / Basis of claim	Dyddiad setlwyd / Date settled	Ffigwr setliad / Settlement figure	Rheswm am y setliad / Reason for settlement
1 (*5)	Achos Tribiwnlys Cyflogaeth / Employment Tribunal Proceedings	A -v- y Cyngor / Council	Diswyddiad annheg anuniongyrchol ayyb / Constructive unfair dismissal etc  Ar fin ei gwblhau / Almost completed	2008	£1,593.59 Heb ei dalu eto / Not yet paid	Setliad economaidd / Economic settlement
2 (*6)	Llys Sirol / County Court	B -v- y Cyngor / Council	Torri Cytundeb / Breach of Contract  Wedi ei gwblhau / completed	2008	£13,500 Talwyd / Paid	Safon annigonol/ Inadequate standard

Cyfanswm/Total - £15,093.59

Gwasanaethau / Services – Cyllid, Tai a Gwasanaethau Cymdeithasol / Finance, Housing and Social Services

\* Ymddangosodd rhifau 1 a 2 yn yr adroddiad hwn fel rhifau 5 a 6 yn yr adroddiad blaenorol ac maent wedi eu diweddarau. Nid oes yr un mater newydd.

Numbers 1 and 2 in the report appeared as numbers 5 and 6 in the previous report and they have been updated. There is no new matter.

3. Not all the information i.e. names and other details have been included in the Attachments because some matters are subject to the Data Protection Act and confidentiality agreements. Also, this Report has been submitted subject to Schedule 12A of the Local Government Act 1972 and in particular category 16 "Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings".

ATODIAD / ATTACHMENT B

ACHOSION OMBWSMON – LLE MAE TALIADAU WEDI EU GWNEUD / OMBUDSMAN  
MATTERS - WHERE PAYMENTS HAVE BEEN MADE

MEHEFIN – AWST 2008 / JUNE – AUGUST 2008

	Enw a Chyfeirnod / Name and reference	Dyddiad / Date	Swm / Sum	Adran / Dept	Prif gasgliadau / Main findings	Unrhyw sylw pellach / Any additional comment
2008						
1. (*7)	10933	29.5.08	£500 Talwyd ers yr Adroddi ad diwetha f / Paid since the last Report	Pwyllgor Cynllunio a Gorchmynion / Planning and Orders Committee	Methodd y Pwyllgor Cynllunio a Gorchmynion â rhoddi sylw i bolisiau cynllun datblygu perthnasol ac eithrio polisiau'r Cynllun Lleol 50 (a gamddefnyddwyd ganddo), ddim wedi ystyried yr arweiniad cynllunio perthnasol oedd wedi cael ei roi gan Gynulliad Cenedlaethol Cymru, wedi methu cyfeirio eu meddyliau i ystyriaethau diogelwch y ffordd fawr a methu ystyried goblygiadau y cynnig i breifatrwydd a mwynder yr achwynydd a methu gwneud y penderfyniad mewn ffordd synhwyrol sy'n ofynnol dan y gyfraith (yr egwyddorion "Wednesbury") /	Daeth y mater o flaen y Cyngor ac fe gafodd dirprwyaeth o Gynghorwyr a Swyddogion gyfarfod efo'r Ombwdsmon ("O"). / The matter came before the Council and a delegation of Councillors and Officers met the Ombudsman ("O").  Mae'r "O" wedi gwneud yr adroddiad o dan Adran 16 ac felly mae'n adroddiad cyhoeddus. Mae iawndal statudol yn daladwy / The Ombudsman has issued a Section 16 Report which means that it has been made public. Statutory compensation is payable.

					Failure of the Planning and Orders Committee to address relevant development plan policies other than Local Plan Policy 50 (which it misapplied), not having regard to the relevant planning guidance issued by the National Assembly for Wales, failing to address their minds to the highway safety considerations, failing to consider the implication of the proposal for the privacy and amenity of the complainant, and failing to take a decision in a rational manner as required by the law (the "Wednesbury" principles).	
2. (*8)	10997	29.5.08	£100 Talwyd / Paid (fel/as 1)	Cynllunio/ Cynghorwyr / Planning / Councillors	(fel/as 1)	(fel/as 1)



Materion cyfredol / Current matters

	Enw a Chyfeirnod / Name and reference	Dyddiad / Date	Swm / Sum	Adran / Dept	Prif gasgliadau / Main findings	Unrhyw sylw pellach / Any additional comment
3. (*9)	11276	Cyfredol/ Current	£1000	Cynllunio/ Planning	Ddim yn gosod amod cynllunio yn berthnasol i reolaeth pentwr. Anfonwyd llythyr oddi wrthym at yr Ombwdsmon ar 17/6 a chydnabuwyd ar 18/6 ond heb glywed ymhellach/ Not imposing a planning condition related to the management of a stockpile. A letter was sent by us on 17/6 to the Ombudsman and it was acknowledged on the 18/6 but we have heard nothing further	Yn cael ei herio/ Being challenged
4. (*10)	11742	Cyfredol/ Current	£1000	Cynllunio/ Planning	" [fel/as 3]	" [fel/as 3]
5. (*11)	11120	Cyfredol/ Current	£1500	Budd-dal tai / Housing benefit	Nifer o resymau , i gynnwys - Camweinyddu garw, Methu sicrhau adnoddau addas, Methiant cyfundrefnol a pharhaus efo gohebiaeth,	Mae'r "O" wedi gwneud adroddiad o dan Adran 16 a ddaeth gerbron y Cyngor ar 16/9. Bydd y mater hwn yn yr adroddiad nesaf./ The "O"

					<p>Heb gymryd camau i fynd l'r afael efo'r diffyglon./</p> <p>Many reasons including – Gross maladministration, Failure to ensure appropriate resources, Systematic and continuing failure with correspondence, Not taking action to address failings.</p>	<p>issued a report under Section 16 which came before the Council on 16/9. This matter will be in the next report.</p>
6. (*12)	10814	Cyfredol/ Current	£1500	Budd dal-tai/ Housing benefit	“ [fel/as 5]	“ [fel/as 5]
7.	11887	Cyfredol/ Current	£150	Treth Cyngor / Council Tax	<p>Adennill arian Treth Gyngor wedi ei achosi gan gamgymeriad y Cyngor yn rhoi credyd i'w heiddo efo cymorth trosiannol oherwydd ei feddalwedd cyfrifiadurol annigonol.</p> <p>Cwynion pellach ynglŷn â methiant y Cyngor i ymateb i'w chais am eglurhad sut roedd y symiau arian hyn yn ddyledus ac yn mynd ymlaen i'w bygwth efo achos llys. /</p> <p>Recovery of Council Tax monies caused by the Council's error in crediting her property with transitional relief</p>	<p>Mae ymddiheuriadau wedi eu gwneud i'r achwynydd a threfniadau yn cael eu gwneud i dalu £150 iddi /</p> <p>Apologies have been made to the complainant and arrangements are being made to make payment of £150 to her.</p>

					<p>due to its inadequate computer software. Further complaints about the Council's failure to respond to her request for an explanation of how these monies were owed and in proceeding to threaten her with court action.</p>	
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\* Ymddangosodd rhifau 1 - 6 yn yr adroddiad hwn fel rhifau 7 - 12 yn yr adroddiad blaenorol ac maent wedi eu diweddaru.  
Yr unig un newydd yw rhif 7.

Numbers 1 - 6 in this report appeared as numbers 7 - 12 in the previous report and they have been updated.  
Only number 7 is new.

ISLE OF ANGLESEY COUNTY COUNCIL

MEETING	THE EXECUTIVE
DATE:	19 January 2009
TITLE OF REPORT:	Recent claims/complaints concluded by payments of compensation including ex-gratia payments – quarterly report (3) : September – November 2008
REPORT:	Solicitor to the Monitoring Officer
PURPOSE OF REPORT:	At the request of the Executive on the 19.5.2008 and 23.06.2008

- 1.1 The Executive at its meeting on the 19<sup>th</sup> of May 2008 resolved inter alia "that officers submit a further report to the Executive summarising all recent claims/complaints concluded by means of payments of compensation including ex-gratia payments".
- 1.2 Detailed Reports were submitted to the Executive on the 23<sup>rd</sup> of June 2008 and 6<sup>th</sup> October 2008. This is the third quarterly report covering the period from September 2008 to November 2008.
2. Reported matters have been divided into 4 categories:-
  - 2.1 Litigation handled by the Finance Section - (half a year) - (Attachment A)
  - 2.2 Other litigation including employment matters - Attachment B (For this, information was received from J G Roberts, Senior Solicitor. No data was received from Ross Morgan, Head of Service – Corporate Services).
  - 2.3 Ombudsman matters - Attachment C
  - 2.4 Ex-gratia payments - Attachment Ch  
The County Council, on 16.9.2008, resolved to delegate to the Executive the power contained in Section 92 of the Local Government Act 2000 (payments in cases of maladministration etc under the Complaints Procedure before the complaints have been submitted to the Ombudsman). The Executive is already aware of these payments, but they are included here for the sake of completeness.
3. Not all the information i.e. names and other details have been included in the attachments because some matters are subject to the Data Protection Act 1998 and confidentiality agreements. Also, this Report is presented subject to Schedule 12A of the Local Government Act 1972 and in particular category 16 "Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings".

*Ahead next A*

Insurance - third party claims settled in 2008/09 first half year

Policy	Handler	Service	Cause	Loss or Injury	Compensation £	Total Cost £	Net Cost £	Settlement Date
Employer's Liability	ZM	Education	Assault	Injury				May
	ZM	Provider	Lifting/carrying	Injury				August
	ZM	Provider	Uneven surface	Injury				July
	ZM	Provider	Slippery surface	Injury				September
	ZM	Education	Obstacles	Injury				August
	ZM	Housing	Drainage/surface water	Loss				May
	ZM	Housing	Soot	Loss				September
	ZM	Highways	Uneven surface	Injury				September
	ZM	Highways	Pothole	Loss				August
	ZM	Education	Storm/lightning	Loss				May
Public Liability	In house	Housing	Drainage/surface water	Loss				May
	In house	Housing	Defective kerb/flagstone	Injury				May
	ZM	Highways	Pothole	Injury				April
	ZM	Highways	Drainage/surface water	Loss				August
	ZM	Highways	Supervision/training	Injury				July
	ZM	Education	Obstacles	Loss				July
	ZM	Property	Accidental fire	Loss				June
	ZM	Housing			138,257			
						231,346		
								72,925

Excess on these policies is £10k per claim

reported previously

TALIADAU IAWNDAL – YMGYFREITHIO HEB YSWIRIANT YN CYNNWYS  
CYFLOGAETH AC ERAILL / PAYMENTS OF COMPENSATION - LITIGATION  
WITHOUT INSURANCE INCLUDING EMPLOYMENT AND OTHERS

MEDI – TACHWEDD 2008 / SEPTEMBER – NOVEMBER 2008

	Natur yr Achos / Nature of Proceedings	Partion / Parties	Sail y cais / Basis of claim	Dyddiad setlwyd / Date settled	Ffigwr setliad / Settlement figure	Rheswm am y setliad / Reason for settlement
1 (*1/5)	Achos Tribiwnlys Cyflogaeth / Employment Tribunal Proceedings	A-v-y Cyngor / Council	Diswyddiad annheg anuniongyrchol ayyb / Constructive unfair dismissal etc	2008	Talwyd ers yr adroddiad diwethaf / Paid since last report	Setliad economaidd / Economic settlement
Oherwydd mai un achos sydd ni roddir manylion arianol / As there is only one matter no financial details are given.						

Adran Cyllid / Finance Department

\* Ymddangosodd rhif 1 uchod fel rhif 1 yn yr adroddiad blaenorol (a 5 yn yr adroddiad cyntaf) ac mae wedi ei ddiweddarau. Nid oes yr un mater newydd.

Number 1 above appeared as number 1 in the previous report (and 5 in the first report) and has been updated. There is no new matter.

ATODIAD / ATTACHMENT C

ACHOSION OMBWSSMON – LLE MAE TALYADAU WEDI EU GWNEUD / OMBUDSMAN MATTERS - WHERE PAYMENTS HAVE BEEN MADE

MEDI – TACHWEDD 2008 / SEPTEMBER – NOVEMBER 2008

Enw a Chyfeirnod / Name and reference	Dyddiad / Date	Swm / Sum	Adran / Dept	Prif gasgliadau / Main findings	Unrhyw sylw pellach / Any additional comment	
1. (*3/9)	11276	Medi goffen / completed	Dim – ond fe geiswyd am £1,000 / None - but a claim was made for £1,000	Cynllunio/ Planning	Cŵyn bod y Cyngor dddim wedi gosod amod cynllunio yn berthnasol i reolaeth pentwr. Anfonwyd llythyr ac ymateb sylweddol oddi wrthym yn herio'r gwyn at yr Ombudsmon ar 17/6 a chydnabuwyd ar 18/6. Bu hynny'n llwyddiannus. Cawsom ymateb gan yr Ombudsmon ar 27/11. Roedd wedi penderfynu i derfynu ei ymholiad i'r gwyn. Dywedodd mewn llythyr at yr Achwynnydd "The Council put forward detailed reasons why it considered it was not possible to implement planning conditions in relation to the management of the stockpiles. I have carefully considered your complaint in the light of the evidence put forward both by you and the Council, and have taken specialist advice from one of the Ombudsman's Professional Advisors; a Planning Inspector with substantial planning experience whose advice I have set out below. Based on this information, I am minded not to continue with any further investigation of your complaint." / Complaint that the Council had not imposed	Bu'n her i'r gwyn yn llwyddiannus. / Our challenge to the complaint was successful.

					a planning condition related to the management of a stockpile. A letter with a substantial response challenging the complaint was sent by us on 17/6 to the Ombudsman and it was acknowledged on the 18/6. That challenge was successful. We received a response from the Ombudsman on the 27/11 and he said that he has decided to discontinue his investigation of the complaint. In his letter to the Complainant he stated "The Council put forward detailed reasons why it considered it was not possible to implement planning conditions in relation to the management of the stockpiles. I have carefully considered your complaint in the light of the evidence put forward both by you and the Council, and have taken specialist advice from one of the Ombudsman's Professional Advisors; a Planning Inspector with substantial planning experience whose advice I have set out below. Based on this information, I am minded not to continue with any further investigation of your complaint."	
2. (*4/10)	11742	Wedi goffen / completed	Dim - ond fe geiswyd am £1,000 / None - but a claim was made for £1,000	Cynllunio/ Planning	[fel/as 1]	[fel/as 1]
3. (*5/11)	11120	Cyfredol/ Current	£1500. Talwyd ers yr Adroddiad diwethaf efo ymddiheuriad a chydnhyddiaeth o gamweinyddu /	Budd-dal tai / Housing benefit	Nifer o resymau , yn cynnwys - Camweinyddu gamw, Methu sicrhau adnoddau addas, Methiant cyfundrefnol a pharhaus efo gohebiaeth, Heb gymryd camau i fynd i'r afael efo'r diffygion./	Maer Ombwdsmon wedi gwneud adroddiad o dan Adran 16 a ddaeth gerbron y Cyngor ar 16/9. Penderfyno y Cyngor:- 1. Derbynn adroddiad yr Ombwdsmon a syhwadau'r Cyfarwyddwr Corfforaethol (Cyllid).



		Paid since the last Report with an apology and an admission of maladministration	Many reasons including - Gross maladministration, Failure to ensure appropriate resources, Systematic and continuing failure with correspondence, Not taking action to address failings.	<p>2. Cyflau ymddiheuriadau diamed y Cyngor a thalu'r iawndal a argymhellwyd gan yr Ombudsmon i'r ddau achwynydd a chydnabod y camweinyddu yn y cyswll hwn. (Gwnaethpwyd hwn)</p> <p>3. Awdurdodi Swyddogion i gytuno ar Gynllun Gweithredu gyda'r Rheoleiddwyr a'i fod yn cael ei gyflwyno i Swyddfa'r Ombudsmon o fewn 3 mis. (Bydd hwn ymddangos yn yr Adroddiad nesaf).</p> <p>4. Nodi bod y Weithdrefn Gwynion Gofforaethol eisioes wedi'i hadolygu a diwygio gan y Cyngor Sir ers amser yr ymchwiliad.</p> <p>5. Y dyild rhestru'r gwaith o werthuso staff ar draws y Cyngor fel amcan tymo byr yn hytrach nag amcan tymor canol yn y Cynllun Gweithredu.</p> <p>/The Ombudsman issued a report und Section 16 which came before the Council on 16/9. The Council decided t</p> <p>1. To accept the Ombudsman's report and the observations of the Corporate Director (Finance).</p> <p>2. To convey this Council's unreserved apology and to pay the compensation recommended by the Ombudsman to the two complainants and to acknowledge the maladministration in this respect. (This has been done).</p> <p>3. To authorise Officers to agree an Action Plan with the Regulators and that it be submitted to the Ombudsman's Office within 3 months. (This will appear in the next report).</p> <p>4. To note that the Corporate Complaint Procedure has already been reviewed</p>
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						and amended by the County Council since the time of the inquiry. 5. That staff appraisals across the Council, should be listed as a short-term objective as opposed to the medium-term referred to within the Action Plan.
4. (*6/12)	10814	Cyfredol/ Current	£1500 Talwyd ers yr Adroddiad diwethaf / Paid since the last Report	Budd-dal tai/ Housing benefit	[fel/as 3]	[fel/as 3]
5. (*7)	11987	Wedi gorffen / completed	£150 Talwyd ers yr Adroddiad diwethaf / Paid since the last Report	Treth Cyngor / Council Tax	Adennill arian Treth Gyngor wedi ei achosi gan gamgymeriad y Cyngor yn rhoi credyd i'w heiddo efo cymorth trosiannol oherwydd ei feddalwedd cyfrifiadurol annigonol. Cwynion pellach ynglŷn â methiant y Cyngor i ymateb i'w chais am eglurhad sut roedd y symiau arian hyn yn ddyledus ac yn mynd ymlaen i'w bygwth efo achos llys. / Recovery of Council Tax monies caused by the Council's error in crediting her property with transitional relief due to its inadequate computer software. Further complaints about the Council's failure to respond to her request for an explanation of how these monies were owed and in proceeding to threaten her with court action.	Mae ymddiheuriadau wedi eu gwneud achwynydd a thalwyd £150 iddi / Apologies have been made to the complainant and a payment of £150 to her.
6.	12145	Cyfredol/ Current	£50	Tai/Housing	Cwmnodd Tenant y Cyngor bod y Cyngor wedi caniatáu hawl dramwy i gymryd dros dir y Tenant pan brymodd y cynnyddog hwnnw yr eiddo drws nesaf o dan deddfwriaeth hawl i brynu, ond heb rybudd i'r Tenant oedd yn cwyno. Nid oedd yr Ombudsmon yn	Bydd y datrysiaid pellach yn cynnwys iawndal yn cael ei son amdano yn yr adroddiad nesaf (Rhagfyr 2008 - Chwefror 2009) /The further resolution including compensation will be dealt with in the

7.	12564	Cyfredol/ Current	£100	Tai/Housing	<p>ymchwilio i mewn i ddwy o'r tair elfen yn y gwŷyn ond roedd yn barod i ddelio gydag oeddiad y Cyngor yn gweithredu gyda llythyr. Anfonwyd llythyr o gwŷyn gan yr Achwynydd yn Rhagfyr 2007 a chydnabuwyd gan y Cyngor ar ddechrau Ionawr 2008. Gwnaethpwyd y gwŷyn i'r Ombudsman ym Mai 2008 ac ar 24 Hydref ysgrifennodd y Cyngor at yr Achwynydd yn cydnabod yr oeddiad ac yn ymddiheuro. /A Council Tenant complained that the Council had granted a right of way over the Tenant's land to a neighbour when that neighbour purchased the next door property under right to buy legislation but without notice to the Complainant Tenant. The Ombudsman was not investigating two of the three elements in the complaint but was prepared to deal with the Council's delay in dealing with correspondence. The Complainant's letter of complaint was sent in December 2007 and acknowledged by the Council at the beginning of January 2008. The complaint to the Ombudsman was made in May 2008 and on 24<sup>th</sup> of October the Council wrote to the Complainant acknowledging the delay and apologising.</p>	<p>next report (December 2008 – February 2009).</p>
					<p>Ar y pryd roedd yr adroddiad hwn yn ei baratoi roedd datrysiaid wedi ei gyflwyno a bydd manylion yn cael eu cyflwyno y yr adroddiad nesaf (Rhagfyr 2008 - Chwefror 2009).</p> <p>/At the time of the preparation of this report resolution had been achieved and details will be provided in the next report (December 2008 – February 2009).</p>	

				<p>pellach yn Ionawr, Mawrth ac Awst 2008. Ysgrifennodd yr achwynydd ar 27 Awst a chydabwydd y llythyr gan y Cyngor ar 1 Medi. Ni dderbyniodd yr achwynydd ateb ac fe wrnaeth gwyn i'r Ombudsman a gysylltodd â'r Cyngor ar 4 Tachwedd 2008.</p> <p>/Alleged failure on part of the Council to meet its obligations regarding external maintenance to the windows of the complainant's home. Work has not been done to the property. It was first requested in 2004 and there were further requests in June 2005 and December 2006. At that time the Council indicated that it would tell the Complainant what its obligations were.</p> <p>Further requests were made in January, March and August 2008. The Complainant wrote on the 27<sup>th</sup> of August 2008 which letter was acknowledged by the Council on the 1<sup>st</sup> of September. The complainant did not receive a reply and made a complaint to the Ombudsman who contacted the Council on the 4<sup>th</sup> of November 2008.</p>	
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\* Ymddangosodd rhifau 1 - 4 yn yr adroddiad hwn fel rhifau 3 - 6 yn yr adroddiad blaenorol ( a 9 - 12 yn yr adroddiad cyntaf) ac maent wedi eu diweddarau. Ymddangosodd rhif 5 yn yr adroddiad hwn fel rhif 7 yn yr adroddiad blaenorol. Y materion newydd y tro hwn yw 6 a 7.

Numbers 1 - 4 in this report appeared as numbers 3 - 6 in the previous report (and 9 - 12 in the first report) and they have been updated. Number 5 in this report appears as number 7 in the previous report. The new matters this time are 6 and 7.

## Attachment Ch

### NOTICE of the Decisions of the Meeting of the Executive held at Committee Room 1, Council Offices, Llangefni on Monday 6th October, 2008.

This Notice is published at 5:00pm on Thursday 9th October, 2008. The deadline for the receipt of requests to call-in any decision must be made to the Managing Director by no later than 5:00pm on Thursday 16th October, 2008. The decisions will become effective (if no valid call-in application is recorded) on Friday 17th October, 2008.

**Present:** Councillors P. M. Fowle (Leader) (Chair) R.G.Parry,OBE(Deputy Leader), E.G.Davies, R. Ll. Hughes R.Ll.Jones, C.McGregor, G.O.Parry,MBE, E.Schofield.

**Apologies:** Councillors B.Owen, I. Williams.

(1:30pm - 3:20pm)

### CONFIDENTIAL ITEM

ITEM NUMBER AND SUBJECT MATTER	15. REPAYMENT UNDER SECTION 92 OF THE LOCAL GOVERNMENT ACT 2000 Report by the Head of Service (Housing)
DECISION	RESOLVED  To approve the reimbursement of service charges together with appropriate interest to Client 'X' as detailed in paragraph 2 of the report, within two weeks of the date of this meeting.  To note the Housing Service's proposed actions in relation to pursuing recovery of service charges from 1st April, 2009 as detailed in paragraph 2.5 of the report.
REASON FOR THE DECISION	To approve the reimbursement of service charges in response to a formal complaint.
RELEVANT SCRUTINY COMMITTEE	Principal Scrutiny Committee

ISLE OF ANGLESEY COUNTY COUNCIL

MEETING	THE EXECUTIVE
DATE:	28 April 2009
TITLE OF REPORT:	Recent claims/complaints concluded by payments of compensation including ex-gratia payments – quarterly report (4) : December 2008 – February 2009
REPORT:	Solicitor to the Monitoring Officer
PURPOSE OF REPORT:	At the request of the Executive on the 19.5.2008 and 23.06.2008

- 1.1 The Executive at its meeting on the 19<sup>th</sup> of May 2008 resolved inter alia "that officers submit a further report to the Executive summarising all recent claims/complaints concluded by means of payments of compensation including ex-gratia payments".
- 1.2 Detailed Reports were submitted to the Executive on the 23<sup>rd</sup> of June 2008, 6<sup>th</sup> October 2008 and 19<sup>th</sup> of January 2009. This is the fourth quarterly report covering the period from December 2008 to February 2009.
2. Reported matters have been divided into 4 categories:-
  - 2.1 Litigation handled by the Finance Section – Second half year details - Attachment A
  - 2.2 Other litigation including employment matters – No new matter has been reported – except the former Managing Director and the Executive is aware of those details.
  - 2.3 Ombudsman matters – Attachment B
  - 2.4 Ex-gratia payments  
The County Council, on 16.9.2008, resolved to delegate to the Executive the power contained in Section 92 of the Local Government Act 2000 (payments in cases of maladministration etc under the Complaints Procedure before the complaints have been submitted to the Ombudsman). There has been no payment in this period.
3. Not all the information i.e. names and other details have been included in the attachments because some matters are subject to the Data Protection Act 1998 and confidentiality agreements. Also, this Report is presented subject to Schedule 12A of the Local Government Act 1972 and in particular category 16 "Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings".

01/10/2008 - 31/03/2009

Number of Claims Paid		Nifer o Hawlladau Sydd Wedi Eu Talu	
Public Liability	13	Atebolwydd Cyhoeddus	
Employers' Liability	1	Atebolwydd y Cyflogwr	
Motor (Third Party)	6	Cerbydau (Trydydd Partl)	
Number Represented by Solicitors		Nifer Lle Mae Cyfreithwyr yn eu Cynrychioli	
	10		
Claims Handler		Trafodwr Hawlladau	
Finance Insurer	3	Cyllid	
	17	Yswirwyr	
Amount Paid		Swm a Dalwyd	
Damages	£35,229	lawndal	
TP Solicitors Costs	£28,700	Costau Cyfreithwyr yr Hawlydd	
Own Solicitors Costs	£7,288	Costau Cyfreithiol NI	
Other Costs	£2,023	Costau Eraill	
Total	£73,238	Cyfanswm	
Net Cost to IoACC	£60,292	Cost Net I CSYM	
Lowest Value	62	Gwerth Isaf	
Highest Value	16,450	Gwerth Uchaf	
Time Taken To Settle* (Days)		Amser a Gymerwyd I Setlo* (Dyddiau)	
Average	518	Ar Gyfartaledd	
Lowest Value	9	Gwerth Isaf	
Highest Value	987	Gwerth Uchaf	

\* from date claim received to settlement date

\* o'r dyddiad y derbyniwyd yr hawliad i'r dyddiad a setlwyd

Insurance - third party claims settled in 2008/09 second half year

Policy	Handler	Service	Represented	Narrative	Total Cost £	Net Cost £	Settlement Date
Employers Liability	ZM	Provider	Yes	Fell off ladder	16,450	10,000	February
Vehicles	CSYM	Provider	No	Collision whilst manoeuvring	997	0	February
	ZM	Social Services	No	Unattended vehicle rolled into parked vehicle	2,728	0	February
	ZM	Provider	Yes	Reversed into other vehicle	1,208	0	March
	ZM	Education	Yes	Reversed into other vehicle	1,383	0	February
	ZM	Provider	No	Reversed into other vehicle	82	0	February
	ZM	Provider	No	Collision whilst manoeuvring	73	0	March
Public Liability	ZM	Housing	Yes	Burn injuries from unguarded hot water pipes	2,245	2,245	March
	ZM	Education	Yes	Tripped on defective drain cover - tripping knee	9,978	9,978	January
	ZM	Highways	No	Water penetration from gully causing damp in property	10,088	10,000	January
	ZM	Housing	Yes	Damage done to property while working next door	8,819	3,818	February
	ZM	Highways	Yes	Tripped and fell on eroded edge of path	8,065	8,065	March
	ZM	Social Services	No	Foster Child took and wrote off vehicle	1,025	1,025	October
	ZM	Highways	Yes	Fell whilst walking on pavement	9,993	9,993	February
	ZM	Highways	No	Damage to tyre and wheel	1,368	1,368	February
	CSYM	Provider	No	Damage to carpet	105	105	January
	ZM	Highways	Yes	Damage to tyre and wheel	100	100	February
	OSYM	Housing	No	Damage to carpet	126	126	December
	CSYM	Housing	No	Water from flat above	221	221	January
	ZM	Housing	Yes	Defective renovation great sink	3,248	3,248	February

Excess on these policies is £10k per claim for Employers Liability and Public Liability, nil for Third Party Vehicles



ACHOSION OMBWSMON – LLE MAE TALIADAU WEDI EU GWNEUD / OMBUDSMAN MATTERS - WHERE PAYMENTS HAVE BEEN MADE

RHAGFYR 2008 – CHWFROR 2009 / DECEMBER 2008 – FEBRUARY 2009

Enw a Chyfeirnod / Name and reference	Dyddiadau / Dates Dechrau a Gorffen / Start and Finish	Swm / Sum	Adran / Dept	Prif gasgliadau / Main findings	Unrhyw sylw pellach / Any additional comment
1. (*3/5)	Dechrau / Start – 23/07/2007 Cyfredol – Mae'r Ombwsdmon eisiau adroddiad pellach yn Hydref 2009 / Current – The Ombudsman requires a further report in October 2009.	£1500. Talwyd cyn yr Adroddiad diwethaf efo ymddiheuriad a chydnabyddiaeth o gamweinyddu / Paid before the last Report with an apology and an admission of maladministration	Budd-dal tai / Housing benefit	Nifer o resymau , yn cynnwys - Camweinyddu garw. Methu sicrhau adnoddau addas, Methiant cyfundrefnol a pharhaus efo gohebiaeth, Heb gymryd camau i fynd i'r afael efo'r diffygion./ Many reasons including - Gross maladministration, Failure to ensure appropriate resources, Systematic and continuing failure with correspondence, Not taking action to address failings.	Mae'r Ombwsdmon wedi cyhoeddi adroddiad o dan Adran 16 a ddaeth gerbron y Cyngor ar 16/9. Penderfynmodd y Cyngor:- 1. Derbyn adroddiad yr Ombwsdmon a sylwadau'r Cyfarwyddwr Corfforaethol (Cyllid). 2. Cyfleu ymddiheuriadau diamed y Cyngor a thalu'r iawndal a argymhellwyd gan yr Ombwsdmon i'r ddau achwynnydd a chydnabod y camweinyddu yn y cyswilt hwn. (Gwrnaethpwyd hwn) 3. Awdurdodi Swyddogion i gytuno ar Gynllun Gweithredu gyda'r Rheoleiddwyr a'i fod yn cael ei gyflwyno i Swyddfa'r Ombwsdmon o fewn 3 mis. (Cyflwynwyd y Cynllun Gweithredu ar 16 Rhagfyr 2008 i'r Ombwsdmon). 4. Nodi bod y Weithdrefn Gwynion Gorfforaethol eisioes wedi'i hadolygu a'i diwygio gan y Cyngor Sir ers amser yr

ymchwiliad.					2. (*4/6)
<p>5. Y dydd rhestu'r gwaith o werthuso staff ar draws y Cyngor fel amcan tymor byr yn hytrach nag amcan tymor canol yn y Cynllun Gweithredu.</p> <p>/ The Ombudsman issued a report under Section 16 which came before the Council on 16/9. The Council decided to:</p> <ol style="list-style-type: none"> <li>1. To accept the Ombudsman's report and the observations of the Corporate Director (Finance).</li> <li>2. To convey this Council's unreserved apology and to pay the compensation recommended by the Ombudsman to the two complainants and to acknowledge the maladministration in this respect. (This has been done).</li> <li>3. To authorise Officers to agree an Action Plan with the Regulators and the Office within 3 months. (The Action Plan was submitted to the Ombudsman on the 16<sup>th</sup> of December 2008).</li> <li>4. To note that the Corporate Complaint Procedure has already been reviewed and amended by the County Council since the time of the inquiry.</li> <li>5. That staff appraisals across the Council, should be listed as a short-term objective as opposed to the medium-term referred to within the Action Plan.</li> </ol>			<p>£1500 Taliwyd cyn yr Adroddiad diwethaf / Paid befre the last Report</p>	<p>Dechrau / Start – 10/05/2007 Cyfredol/ Current</p>	<p>Budd-dal tai/ Housing benefit</p>
					<p>[fel/as 1]</p>

	[fel/as 1]	[fel/as 1]	Tai/Housing		
3. (*6)	12145	Dechrau / Start – 28/07/2008  Gorffen / Finish 08/01/2009  Mae cwyn yr Ombwdsmon wedi ei chwblhau ond mae'r elfenau eraill yn parhau / the Ombudsman's complaint has been completed but the other elements continue	£50	Tai/Housing	Cwynodd Tenant i'r Cyngor bod y Cyngor wedi caniatáu hawl dramwy i gymydog dros dir y Tenant pan brynodd y cymydog hwnnw yr eiddo drws nesaf o dan deddfwriaeth hawl i brynu, ond heb rybudd i'r Tenant oedd yn cwyno. Nid oedd yr Ombwdsmon yn ymchwilio i mewn i ddwy o'r tair elfen yn y gwyn ond roedd yn barod i ddelio gydag oeddiad y Cyngor yn gweithredu gyda llythyrau. Anfonwyd llythyr o gwyn gan yr Achwynydd yn Rhagfyr 2007 a chynabwyd gan y Cyngor ar ddechrau Ionawr 2008. Gwnaethpwyd y gwyn i'r Ombwdsmon ym Mai 2008 ac ar 24 Hydref ysgrifennodd y Cyngor at yr Achwynydd yn cydhabod yr oeddiad ac yn ymddiheuro. /A Council Tenant complained that the Council had granted a right of way over the Tenant's land to a neighbour when that neighbour purchased the next door property under right to buy legislation but without notice to the Complainant Tenant. The Ombudsman was not investigating two of the three elements in the complaint but was prepared to deal with the Council's delay in dealing with correspondence. The Complainant's letter of complaint was sent in December 2007 and acknowledged by the Council at the beginning of January 2008. The complaint to the Ombudsman was made in May 2008 and on 24 <sup>th</sup> of October the Council wrote to the Complainant acknowledging the delay and apologising.
4. (*7)	12564	Dechrau / Start –	£100	Tai/Housing	Gwnaethpwyd y taliad hefo llythyr priodol o ymddiheuriad ar 8 Ionawr 2009. / The payment with a suitable letter of apology was sent on 8 January 2009.

	04/11/2008 Gorffen / Finish 06/01/2009			<p>fffenestri cartref yr achwynydd. Nid oes gwaith wedi cael ei wneud ar yr eiddo. Gofynnwyd gyntaf yn 2004 ac roedd yna geisiadau pellach ym Mehefin 2005 a Rhagfyr 2006. Yr adeg hynny dangosodd y Cyngor y byddai'n dweud wrth yr achwynydd beth oedd ei ddyletswyddau. Gwnaethpwyd ceisiadau pellach yn Ionawr, Mawrth ac Awst 2008. Ysgrifennodd yr achwynydd ar 27 Awst a chydabwydd y llythyr gan y Cyngor ar 1 Medi. Ni dderbyniodd yr achwynydd ateb ac fe wnaeth gwyn i'r Ombwdsmon a gysylltodd â'r Cyngor ar 4 Tachwedd 2008.</p> <p>/Alleged failure on part of the Council to meet its obligations regarding external maintenance to the windows of the complainant's home. Work has not been done to the property. It was first requested in 2004 and there were further requests in June 2005 and December 2006. At that time the Council indicated that it would tell the Complainant what its obligations were. Further requests were made in January, March and August 2008. The Complainant wrote on the 27<sup>th</sup> of August 2008 which letter was acknowledged by the Council on the 1<sup>st</sup> of September. The complainant did not receive a reply and made a complaint to the Ombudsman who contacted the Council on the 4<sup>th</sup> of November 2008.</p>	<p>payment with a suitable letter of apology was sent on 6 January 2009.</p>	
5.	11168	Dechrau / Start - 23/08/2007  Cyfredol / Current	£200	<p>Gwasan - aethau Cymdeith - asol / Social Services</p>	<p>Cyhoeddodd yr Ombwdsmon adroddiad ar 6 Chwefror 2009 o dan Adran 21 o'r Ddeddf (39 tudalen). Cwynodd yr achwynydd wrth yr Ombwdsmon nad oedd y Cyngor Sir wedi esbonio iddi hi a'i brawd o flaen llaw bod disgwyl iddynt dalu ffioedd ychwanegol ("top-up") trydydd parti am gostau preswyl eu</p>	<p>Ar y pryd roedd yr adroddiad hwn yn cael ei baratoi roedd datrysiaid wedi ei gyfuno a bydd manylion yn cael eu cyflwyno yn yr adroddiad nesaf. / At the time of the preparation of this report resolution had been achieved and details will be submitted in the next report.</p>

mam. Yn yr argymhellion dywedir "Rwyf wedi ystyried y camweinyddu sydd wedi digwydd yn yr achos yma ac hefyd wedi cymryd sylw o'r ffaith bod y Cyngor yn awr wedi cymryd camau i sicrhau na fydd taliadau trydydd parti yn daladwy ar gyfer y mwyaftrif o unigolion yn ei ardal. Ar ôl pwysau (*sic*) a mesur y mater yn ofalus credaf ei fod yn addas i mi arghymell bod y Cyngor yn nawr yn talu yn llawn yr hyn sydd yn ddyledus i gartref "Denwen" parthed y taliadau trydydd parti yn ymwneud â gofal mam yr achwynydd am y cyfnod 9 Rhagfyr 2006 hyd at 6 Ebrill 2008. Rwyf hefyd yn arghymell bod y Cyngor yn talu £200 ychwanegol i'r achwynydd am ei hamser a'i thrafferth yn cyflwyno ei chwyn ac am y modd y camarweinwyd hi a'i brawd gan y Cyngor mewn gohebiaeth". Dywedir ymhellach "Yr wyf yn ymwybodol serch hynny bod y Cyngor wedi gweithredu yn bur positif ers i'r mater yma ddod i'w sylw ac felly rwyf yn fodlon nad oes angen i mi arghymell unrhyw beth pellach o sylwedd. Yr unig fater sydd o hyd yn peri gofid i mi yw ei bod yn ymdangos fod y meddaiwedd mae'r Cyngor yn ei ddefnyddio i gwblhau asesiadau ariannol yn datgan bod taliadau trydydd parti yn sero ym mhob achos. Argymhellaf mewn unrhyw achosion sydd yn codi yn y dyfodol pan mae'r Cyngor yn gwybod bod taliadau "top-up" trydydd parti yn ddilys, eu bod yn sicrhau mewn modd priodol bod unrhyw unigolyn sydd yn derbyn yr asesiad ariannol yn cael eu darbyllo nad y'w ffigur o sero o reidrwydd yn gywir neu'n berthnasol". Hefyd dywedir "I gloi ar nodyn positif rwyf yn falch bod y Cyngor wedi cymryd camau i sicrhau bod cofnod glir a chytundeb diamwys wedi'i

arwyddo gan unigolion neu i cynhychiolwyr ynglyn â'r angen i wenu talidau "top-up" cyn bod angen unigolyn yn cael eu trosglwyddo i gartref annibynnol. Rwyf hefyd yn cymeradwyo'r Cyngor am gymryd camau positif i geisio lleihau'r angen am daliadau "top-up" gan drydydd parti trwy gytundeb a thrafodaethau gyda pherchnogion cartrefi annibynnol yn eu hardal". /

The Ombudsman issued a report on 6 February 2009 under Section 21 of the Act (39 pages). The complainant maintained that the County Council had not explained to her and her brother in advance that they were expected to pay additional third party fees ("top-up") for residential costs regarding their mother. In the recommendations it was stated "I have considered the maladministration in this case and have also considered the fact that the Council has now taken steps to ensure that no third party payments will be payable for the majority of individuals in its area. After giving due consideration to the matter I believe that it is appropriate that I should recommend that the Council now pays fully the sums due to the Derwen home regarding third party payments for the care provided to the complainant's mother regarding the period 9 December 2006 – 6 April 2008. I also recommend that the Council should pay an additional £200 to the complainants for the time and inconvenience caused in submitting their complaints and regarding the fact that she and her brother were misguided by the Council's correspondence". It is further stated "However, I am aware that the Council has taken very positive steps since this

matter was drawn to my attention and therefore I am satisfied that I need not make any further material recommendations. There is one remaining matter which does cause me concern - it appears that software used by the Council to complete financial assessments shows that third party payments are zero in every case. I recommend, in all cases when the Council knows that third party top-up payments are valid, that it should take appropriate steps to ensure that all individuals subject to financial assessments are informed that the zero figure is not necessarily correct or relevant". It also states "In conclusion and on a positive note I am happy that the Council has taken steps to ensure that a clear record and unequivocal agreement has been signed by the individual or his/her representatives regarding the requirements to make top-up payments before the individual is admitted to an independent home. I also commend the Council for taking positive steps to reduce the need for top-up payments by third parties through agreements and discussions with the owners of independent homes in its area".

\* Ymddangosodd rhifau 1 a 2 yn yr adroddiad hwn fel rhifau 3 a 4 yn yr adroddiad blaenorol (trydydd), ( 5 a 6 yn yr ail adroddiad) ac maent wedi eu diweddaru. Ymddangosodd rhifau 3 a 4 yn yr adroddiad hwn fel rhifau 6 a 7 yn yr adroddiad blaenorol. Yr unig fater newydd y tro hwn yw rhif 5.

Numbers 1 and 2 in this report appeared as numbers 3 and 4 in the previous (third) report (and 5 and 6 in the second report) and they have been updated. Numbers 3 and 4 in this report appeared as numbers 6 and 7 in the previous report. The only new matter this time is number 5.

ISLE OF ANGLESEY COUNTY COUNCIL

MEETING	THE EXECUTIVE
DATE:	21 July 2009
TITLE OF REPORT:	Recent claims/complaints concluded by payments of compensation including ex-gratia payments – quarterly report (5) : March 2009 – May 2009
REPORT:	Solicitor to the Monitoring Officer
PURPOSE OF REPORT:	At the request of the Executive on the 19.5.2008 and 23.06.2008

- 1.1 The Executive at its meeting on the 19<sup>th</sup> of May 2008 resolved inter alia "that officers submit a further report to the Executive summarising all recent claims/complaints concluded by means of payments of compensation including ex-gratia payments".
- 1.2 Detailed Reports were submitted to the Executive on the 23<sup>rd</sup> of June 2008, 6<sup>th</sup> October 2008, 19<sup>th</sup> of January 2009 and 28<sup>th</sup> April 2009. This is the fifth quarterly report covering the period from March 2009 to May 2009.
2. Reported matters have been divided into 4 categories:-
  - 2.1 Litigation handled by the Finance Section – First quarter details for 2009/10 - Attachment A
  - 2.2 Other litigation including employment matters –  
Information has been received from John G. Roberts, Senior Solicitor, that there was a claim made against the Council for damage to a building caused by work carried out on behalf of the Council. The claim was made in August 2008 and settled, inclusive of any solicitors' costs, for £1500, approximately half the original claim.  
No data was received from Ross Morgan, Head of Service – Corporate Services.
  - 2.3 Ombudsman matters – Attachment B
  - 2.4 Ex-gratia payments  
The County Council, on 16.9.2008, resolved to delegate to the Executive the power contained in Section 92 of the Local Government Act 2000 (payments in cases of maladministration etc under the Complaints Procedure before the complaints have been submitted to the Ombudsman). There has been no payment in this period. At the time of preparation of this report one matter has arisen and will be reported upon in the next report.



3. Not all the information i.e. names and other details have been included in the attachments because some matters are subject to the Data Protection Act 1998 and confidentiality agreements. Also, this Report is presented subject to Schedule 12A of the Local Government Act 1972 and in particular category 16 "Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings".

Policy	Handler	Service	Represented	Narrative	Total Cost	Net Cost	Settled Date
Vehicles	ZM	Highways	Yes	Hit car whilst reversing	773	0	07/04/2009
Vehicles	ZM	Housing	No	Hit vehicle whilst reversing into parking space	669	0	19/06/2009
Public Liability	ZM	Highways	No	Property flooded during extreme weather	7262	7262	24/04/2009
Public Liability	ZM	Environment	No	Contractors damaged private road	737	737	10/06/2009
Public Liability	ZM	Highways	Yes	Tripped and fell on uneven pavement	4385	4385	04/06/2009
Public Liability	ZM	Highways	Yes	Flooding at property	2500	2500	16/06/2009
Public Liability	CSYM	Housing	No	Carpet damaged following water ingress	161	161	14/04/2009
Public Liability	CSYM	Highways	No	Damaged vehicle on pothole submersed by water	1109	1109	24/04/2009
Public Liability	CSYM	Housing	No	Bathroom carpet damaged by sewage overflowing from toilet	154	154	20/05/2009
Public Liability	CSYM	Housing	No	Bathroom carpet damaged by sewage overflowing from toilet	154	154	20/05/2009
Public Liability	CSYM	Housing	No	Carpet and decor damage by soot whilst contractors were working	1222	611	23/04/2009
Public Liability	CSYM	Education	No	Sunroom damaged by pupils throwing items over boundary wall	985	985	29/06/2009

A

Nifer Lle Mae Cyfreithwyr yn eu  
Cynrychioli

3

Number Represented by Solicitors

Trafodwr Hawlladau

Cyllid 6 Finance  
Yswirwyr 6 Insurer

Claims Handler

Swm a Dalwyd

lawndal £8,335 Damages  
Costau Cyfreithwyr yr Hawlydd £2,335 Claimant Solicitors Costs  
Costau Cyfreithiol Ni £737 Own Solicitors Costs  
Costau Eraill £7,262 Other Costs  
Cyfanswm £18,668 Total  
Cost Net i CSYM £18,057 Net Cost to IoACC

Amount Paid

Gwerth Isaf £154 Lowest Value  
Gwerth Uchaf £7,262 Highest Value

Amser a Gymerwyd i Setlo\* (Dyddlau)

Ar Gyfartaledd 401 Average

Time Taken To Settle\* (Days)

Gwerth Isaf 32 Lowest Value  
Gwerth Uchaf 1514 Highest Value

\*o'r dyddiad y derbyniwyd yr hawliad i'r dyddiad a  
setlwyd

\* from date claim received to settlement date

ATODIAD / ATTACHMENT B

ACHOSION OMBWSMON – LLE MAE TALIADAU WEDI EU GWNEUD / OMBUDSMAN MATTERS - WHERE PAYMENTS HAVE BEEN MADE

MAWRTH 2009 – MAI 2009 / MARCH 2009 – MAY 2009

Enw a Chyfeirnod / Name and reference	Dyddiadau / Dates Dechrau a Gorffen / Start and Finish	Swm / Sum	Adran / Dept	Prif gasgliadau / Main findings	Unrhyw sylw pellach / Any additional comment
1. (*1/3)	Dechrau / Start – 23/07/2007  Cyfredol – Mae'r Ombwsdmon eisiau adroddiad pellach yn Hydref 2009 / Current – The Ombudsman requires a further report in October 2009. Gweler y troednodyn / See footnote	£1500. Talwyd cyn y trydydd Adroddiad efo ymddiheuriad a chydabyddiaeth o gamweinyddu / Paid before the third Report with an apology and an admission of maladministration	Budd-dal tai / Housing benefit	Nifer o resymau , yn cynnwys - Camweinyddu garw, Methu sicrhau adnoddau addas, Methiant cyfundrefnol a pharhaus efo gohebiaeth, Heb gymryd camau i fynd i'r afael efo'r diffygion./ Many reasons including - Gross maladministration, Failure to ensure appropriate resources, Systematic and continuing failure with correspondence, Not taking action to address failings.	Mae'r Ombwsdmon wedi cyhoeddi adroddiad o dan Adran 16 a ddaeth gerbron y Cyngor ar 16/9. Penderfynodd y Cyngor:- 1. Derbyn adroddiad yr Ombwsdmon a sylwadau'r Cyfanwyddwr Corfforaethol (Cyllid). 2. Cyfleu ymddiheuriadau diamed y Cyngor a thalu'r iawndal a argymhellwyd gan yr Ombwsdmon i'r ddau achwynydd a chydabod y camweinyddu yn y cyswilt hwn. (Gwmaethpwyd hwn) 3. Awdurdodi Swyddogion i gyfuno ar Gynllun Gweithredu gyda'r Rheoleiddwyr a'i fod yn cael ei gyflwyno i Swyddfa'r Ombwsdmon o fewn 3 mis. (Cyflwynwyd y Cynllun Gweithredu ar 16 Rhagfyr 2008 i'r Ombwsdmon). 4. Nodi bod y Weithdrefn Gwynion

Gorfforaethol eisioes wedi'i hadolygu a'i diwygio gan y Cyngor Sir ers amser yr ymchwiliad.

5. Y dylid rhestru'r gwaith o werthuso staff ar draws y Cyngor fel amcan tymor byr yn hytrach nag amcan tymor canolog yn y Cynllun Gweithredu.

The Ombudsman issued a report under Section 16 which came before the Council on 16/9. The Council decided to:-

1. To accept the Ombudsman's report and the observations of the Corporate Director (Finance).

2. To convey this Council's unreserved apology and to pay the compensation recommended by the Ombudsman to the two complainants and to acknowledge the maladministration in this respect. (This has been done).

3. To authorise Officers to agree an Action Plan with the Regulators and that it be submitted to the Ombudsman's Office within 3 months. (The Action Plan was submitted to the Ombudsman on the 16<sup>th</sup> of December 2008).

4. To note that the Corporate Complaints Procedure has already been reviewed and amended by the County Council since the time of the inquiry.

5. That staff appraisals across the Council, should be listed as a short-term objective as opposed to the medium-term referred to within the Action Plan.

2. (*2/4)	10814	Dechrau / Start – 10/05/2007  Cyfredol/ Current [fel/as 1] Gweler y troednodyn / See footnote	£1500 Talwyd cyn y trydydd Adroddiad / Paid before the third Report [fel/as 1]	Budd-dal tai/ Housing benefit	[fel/as 1]	[fel/as 1]
3. (*5)	11168	Dechrau / Start – 23/08/2007  Gorffen / Finished 9.03.2009	£200	Gwasan - aethau Cymdeith - asol / Social Services	Cyhoeddodd or Ombudsmon adroddiad ar 6 Chwefror 2009 o dan Adran 21 o'r Ddeddf (39 tudalen). Cwynodd yr achwynydd wrth yr Ombudsmon nad oedd y Cyngor Sir wedi esbonio iddi hi a'i brawd o flaen llaw bod disgwyl iddynt dalu ffioedd ychwanegol ("top-up") trydydd parti am gostau preswyl eu mam. Yn yr argymhellion dywedir "Rwyf wedi ystyried y camweinyddu sydd wedi digwydd yn yr achos yma ac hefyd wedi cymryd sylw o'r ffaith bod y Cyngor yn awr wedi cymryd camau i sicrhau na fydd taliadau trydydd parti yn daladwy ar gyfer y mwyafrif o unigolion yn ei ardal. Ar ôl pwysau (sic) a mesur y mater yn ofalus credaf ei fod yn addas i mi argymhell bod y Cyngor yn nawr yn talu yn llawn yr hyn sydd yn ddyledus i gartref "Derwen" parthed y taliadau trydydd parti yn ymwneud â gofal mam yr achwynydd am y cyfnod 9 Rhagfyr 2006 hyd at 6 Ebrill 2008. Rwyf hefyd yn argymhell bod y Cyngor yn talu £200 ychwanegol i'r achwynydd am ei hamser a'i thrafferth yn cyflwyno ei chwyn ac am y modd y camanweinwyd hi a'i brawd gan y Cyngor mewn gohebiaeth". Dywedir ymhellach "Yr wyf yn ymwybodol serch hynny bod y Cyngor wedi gweithredu yn bur bositif	Gwnaethpwyd y taliad hefo llythyr priodol o ymddiheiniad ar 9 Mawrth 2009 / The payment with a suitable letter of apology was made on the 9th March 2009.

ers i'r mater yma ddod i'w sylw ac felly rwyf yn fodlon nad oes angen i mi argymhellu unrhyw beth pellach o sylwedd. Yr unig fater sydd o hyd yn peri gofid i mi yw ei bod yn ymdangos fod y meddaiwedd mae'r Cyngor yn ei ddefnyddio i gwblhau asesiadau ariannol yn datgan bod taliadau trydydd parti yn sero ym mhob achos. Argymhellaf mewn unrhyw achosion sydd yn codi yn y dyfodol pan mae'r Cyngor yn gwybod bod taliadau "top-up" trydydd parti yn ddilys, eu bod yn sicrhau mewn modd priodol bod unrhyw unigolyn sydd yn derbyn yr asesiad ariannol yn cael eu darbwyllo nad y'w ffigur o sero o reidrydd yn gywir neu'n berthnasol". Hefyd dywedir " I gloi ar nodyn positif rwyf yn falch bod y Cyngor wedi cymryd camau i sicrhau bod cofnod glir a chytundeb diamwys wedi'i arwyddo gan unigolion neu'i cynrhychiolwyr ynglyn â'r angen i wenu talidau "top-up" cyn bod angen unigolyn yn cael eu trosglwyddo i gartref annibynnol. Rwyf hefyd yn cymeradwyo'r Cyngor am gymryd camau positif i geisio lleihau'r angen am daliadau "top-up" gan drydydd parti trwy gytundeb a thrafodaethau gyda pherchnogion cartrefi annibynnol yn eu hardal". /

The Ombudsman issued a report on 6 February 2009 under Section 21 of the Act (39 pages). The complainant maintained that the County Council had not explained to her and her brother in advance that they were expected to pay additional third party fees ("top-up") for residential costs regarding their mother. In the recommendations it was stated "I have considered the maladministration in this case and have also considered the fact that the Council has now

taken steps to ensure that no third party payments will be payable for the majority of individuals in its area. After giving due consideration to the matter I believe that it is appropriate that I should recommend that the Council now pays fully the sums due to the Derwen home regarding third party payments for the care provided to the complainant's mother regarding the period 9 December 2006 – 6 April 2008. I also recommend that the Council should pay an additional £200 to the complainants for the time and inconvenience caused in submitting their complaints and regarding the fact that she and her brother were misguided by the Council's correspondence". It is further stated "However, I am aware that the Council has taken very positive steps since this matter was drawn to my attention and therefore I am satisfied that I need not make any further material recommendations. There is one remaining matter which does cause me concern - it appears that software used by the Council to complete financial assessments shows that third party payments are zero in every case. I recommend, in all cases when the Council knows that third party top-up payments are valid, that it should take appropriate steps to ensure that all individuals subject to financial assessments are informed that the zero figure is not necessarily correct or relevant". It also states "In conclusion and on a positive note I am happy that the Council has taken steps to ensure that a clear record and unequivocal agreement has been signed by the individual or his/her representatives regarding the requirements to make top-up payments



4.	12913	Dechrau / Start – 25/3/09  Cyfredol / Current	£200	Cyllid – Treth Cyngor / Finance – Council Tax	<p>before the individual is admitted to an independent home. I also commend the Council for taking positive steps to reduce the need for top-up payments by third parties through agreements and discussions with the owners of independent homes in its area".</p> <p>Cwynodd yr Achwynydd fod Adran Refeniws a Budd-daliadau'r Cyngor Sir yn aflonyddu ami am anian nad oedd yn ddyledus a gwneud bygythiad o achos Llys a bod hynny wedi achosi iddi llawer o bryder.</p> <p>Anfonwyd y rhybudd terfynol cyntaf ar 6 Ionawr 2009 a bu cyfadddefiad dros y ffôn i'r Achwynydd gan aelod o staff nad oedd ganddi gyfrifoldeb am y symiau yn y rhybudd hwnnw.</p> <p>Anfonwyd ail rhybudd terfynol ar 6 Chwefror 2009 oherwydd nad oedd y cyfnod i beidio gofyn am y taliad wedi cael ei adnewyddu gan y Cyngor. Bu cydnabyddiaeth gan aelod o staff y Cyngor nad dylai'r ail rhybudd terfynol wedi cael ei anfon.</p> <p>Rhoddod staff y Cyngor sylw i'r mater ar 20/4/09. Bu i'r Cyngor fetu â delio efo'r mater yn unol â'r drefn arferol. Roedd y broblem y gallai'r methiant hwn ei greu wedi ei gydnabod ac wedi cael cyhoeddu'rwydd yn Nhachwedd 2008. Felly dylai'r mater wedi cael sylw yn fuan ar ol iddo ddod i'r olwg y Cyngor h.y. tua 8/1/09.</p> <p>The complainant made a complaint to the Ombudsman against the Revenues and Benefits Department of the Anglesey County Council that they were continuously harassing her for money which was not owed and even threatened Court action and that this had caused the complainant great anxiety.</p>	<p>Ar y pryd roedd yr adroddiad hwn yn cael ei baratoi roedd datrysiaid wedi ei gytuno a bydd manylion yn cael eu cyflwyno yn yr adroddiad nesaf. / At the time of the preparation of this report resolution had been achieved and details will be submitted in the next report.</p>
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					<p>The first final notice was sent to the complainant on the 6th January 2009 and an admission was made on the telephone to the Complainant by a member of staff that she was not responsible for the sum in that notice.</p> <p>A second final notice was sent on the 6th February 2009 because the recovery supression period had not been renewed by the Council, and there was a further acknowledgment by a member of staff that the second final notice should not have been sent.</p> <p>Council staff gave attention to the matter on 20/4/09. The Council had failed to deal with the matter in the usual way and the problem that this could cause had been acknowledged and had received publicity in November 2008. Therefore the matter should have received attention soon after the matter came to the Council's attention which would have been approximately 8/1/09.</p>
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\* Ymddangosodd rhifau 1 a 2 yn yr adroddiad hwn fel rhifau 1 a 2 yn yr adroddiad blaenorol (pedwerydd), 3 a 4 yn y trydydd adroddiad, a 5 a 6 yn yr ail adroddiad ac maent wedi eu diweddaru. Ymddangosodd rhif 3 fel rhif 5 yn yr adroddiad blaenorol. Yr unig fater newydd y tro hwn yw rhif 4.

Numbers 1 and 2 in this report appeared as numbers 1 and 2 in the previous (fourth) report and 3 and 4 in the third report and 5 and 6 in the second report and they have been updated. Number 3 in this report appeared as number 5 in the previous report. The only new matter this time is number 4.

ISLE OF ANGLESEY COUNTY COUNCIL

MEETING	THE EXECUTIVE
DATE:	27 October 2009
TITLE OF REPORT:	Recent claims/complaints concluded by payments of compensation including ex-gratia payments – quarterly report (6) : June 2009 – August 2009
REPORT;	Solicitor to the Monitoring Officer
PURPOSE OF REPORT:	At the request of the Executive on the 19.5.2008 and 23.06.2008

- 1.1 The Executive at its meeting on the 19<sup>th</sup> of May 2008 resolved inter alia “that officers submit a further report to the Executive summarising all recent claims/complaints concluded by means of payments of compensation including ex-gratia payments”.
- 1.2 Detailed Reports were submitted to the Executive on the 23<sup>rd</sup> of June 2008, 6<sup>th</sup> October 2008, 19<sup>th</sup> of January 2009, 28<sup>th</sup> April 2009 and 21<sup>st</sup> July 2009. This is the sixth quarterly report covering the period from June 2009 to August 2009.
2. Reported matters have been divided into 4 categories:-
  - 2.1 Litigation handled by the Finance Section – Second quarter details for 2009/10 - Attachment A
  - 2.2 Other litigation including employment matters – John G. Roberts, Senior Solicitor, has indicated that there are no cases to report for the period. Ross Morgan, Head of Service – Corporate Services has confirmed that he has no cases to report for the period.
  - 2.3 Ombudsman matters – Attachment B
  - 2.4 Ex-gratia payments  
The County Council, on 16.9.2008, resolved to delegate to the Executive the power contained in Section 92 of the Local Government Act 2000 (payments in cases of maladministration etc under the Complaints Procedure before the complaints have been submitted to the Ombudsman).

The Executive considered one matter in its meeting on 23 June 2009 and resolved “to approve a compensation payment of £300.00 plus interest on matters outstanding between September 2006 to July 2008 in relation to the complaint”.

The Head of Service (Finance) had submitted a report "that a complaint registered under the Council's corporate complaints procedure had reached the second stage of the procedure for complaints, namely that it be referred to the Head of Service and Portfolio Holder. The complaint related to delays in dealing with the benefit claim and included a request for compensation. Having considered the complaint a decision was taken that maladministration had occurred and a compensation payment was appropriate. Although the response to the Ombudsman reports was the responsibility of the County Council, it was the Executive that had the authority to approve payments in non-Ombudsman cases".

3. Not all the information i.e. names and other details have been included in the attachments because some matters are subject to the Data Protection Act 1998 and confidentiality agreements. Also, this Report is presented subject to Schedule 12A of the Local Government Act 1972 and in particular category 16 "Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings".

A

**HAWLIADADU ATEBOLRWYDD WEDI EU TALU**

**LIABILITY CLAIMS PAID**

**01/10/2008 - 31/03/2009**

<b>Nifer o Hawliadau Sydd Wedi Eu Talu</b>		<b>Number of Claims Paid</b>	
Atebolrwydd Cyhoeddus	4	Public Liability	
Atebolrwydd y Cyflogwr	1	Employers' Liability	
Cerbydau (Trydydd Parti)	2	Motor (Third Party)	
<b>Nifer Lle Mae Cyfreithwyr yn eu Cynrychioli</b>		<b>Number Represented by Solicitors</b>	
	3		
<b>Trafodwr Hawlladau</b>		<b>Claims Handler</b>	
Cyllid	2	Finance	
Yswirwyr	5	Insurer	
<b>Swm a Dalwyd</b>		<b>Amount Paid</b>	
lawndal	£17,929	Damages	
Costau Cyfreithwyr yr Hawlydd	£46,023	Claimant Solicitors Costs	
Costau Cyfreithiol Ni	£9,004	Own Solicitors Costs	
Costau Eraill	£6,325	Other Costs	
Cyfanswm	£79,281	<i>Total</i>	
Cost Net i CSYM	£37,324	Net Cost to IoACC	
Gwerth Isaf	£101	Lowest Value	
Gwerth Uchaf	£51,474	Highest Value	
<b>Amser a Gymerwyd i Setlo* (Dyddiau)</b>		<b>Time Taken To Settle* (Days)</b>	
Ar Gyfartaledd	644	Average	
Gwerth Isaf	144	Lowest Value	
Gwerth Uchaf	1741	Highest Value	

\*o'r dyddiad y derbyniwyd yr hawliad i'r dyddiad a sethwyd

\* from date claim received to settlement date

LIABILITY CLAIMS PAID 1ST JULY 2009 TO 30TH SEPTEMBER 2009

Policy	Handler	Service	Represented	Narrative	Total Cost £	Net Cost £	Settled Date
Employers' Liability	ZM	Provider Unit	Yes	Road accident	850	850	10/07/2009
Motor (Third Party)	CSYM	Provider Unit	No	Bus hit gatepost	325	325	29/07/2009
Motor (Third Party)	ZM	Provider Unit	No	Reversed into another vehicle	7,798	7,798	29/09/2009
Public Liability	CSYM	Housing	No	Worker damaged lino whilst moving washing machine	101	101	20/08/2009
Public Liability	ZM	Highways	No	Tripped on path footpath	8,250	8,250	24/08/2009
Public Liability	ZM	Education	Yes	Tripped on defective drain cover - twisting knee	10,483	10,000	02/09/2009
Public Liability	ZM	Housing	Yes	Slipped on wet floor - hand went through window	51,474	10,000	06/08/2009

ATODIAD / ATTACHMENT B

ACHOSION OMBWSDMON – LLE MAE TALIAADAU WEDI EU GWNEUD / OMBUDSMAN MATTERS - WHERE PAYMENTS HAVE BEEN MADE  
MEHEFIN 2009 – AWST 2009 / JUNE 2009 – AUGUST 2009

Enw a Chyfeirnod / Name and reference	Dyddiadau / Dates Dechrau a Gorffen / Start and Finish	Swm / Sum	Adran / Dept	Prif gasgliadau / Main findings	Unrhyw sylw pellach / Any additional comment
1. (*1/1)	Dechrau / Start – 23/07/2007 Cyfredol – Mae'r Ombwdsmon eisiau adroddiad pellach yn Hydref 2009 / Current – The Ombudsman requires a further report in October 2009. Gweler y troednodyn / See footnote	£1500. Talwyd cyn y trydydd Adroddiad efo ymddiheuriad a chydnybyddiaeth o gamweinyddu / Paid before the third Report with an apology and an admission of maladministration	Budd-dal tai / Housing benefit	Nifer o resymau , yn cynnwys - Camweinyddu garw, Methu sicrhau adnoddau addas, Methiant cyfundrefnol a pharhaus efo gohebiaeth, Heb gymryd camau i fynd i'r afael efo'r diffygion./ Many reasons including - Gross maladministration, Failure to ensure appropriate resources, Systematic and continuing failure with correspondence, Not taking action to address failings.	Mae'r Ombwdsmon wedi cyhoeddi adroddiad o dan Adran 16 a ddaeth gerbron y Cyngor ar 16/9. Penderfynodd y Cyngor:- 1. Derbyn adroddiad yr Ombwdsmon a sylwadau'r Cyfarwyddwr Corfforaethol (Cyllid). 2. Cyfleu ymddiheuriadau diamed y Cyngor a thalu'r iawndal a argymhellwyd gan yr Ombwdsmon i'r ddau achwynydd a chydnybod y camweinyddu yn y cyswllt hwn. (Gwnaethpwyd hwn) 3. Awdurdodi Swyddogion i gytuno ar Gymllun Gweithredu gyda'r Rheoleiddwyr a'i fod yn cael ei gyflwyno i Swyddfa'r Ombwdsmon o fewn 3 mis. (Cyflwynwyd y Cynllun Gweithredu ar 16 Rhagfyr 2008 i'r Ombwdsmon). 4. Nodi bod y Weithdrefn Gwynion

addlygu  
amse

Gorfforaethol eisioes wedi'i hadolygu  
a'i diwygio gan y Cyngor Sir ers amser  
yr ymchwiliad.

5. Y dylid rhestru'r gwaith o werthuso  
staff ar draws y Cyngor fel amcan  
tymor byr yn hytrach nag amcan tymor  
canolog yn y Cynllun Gweithredu.

The Ombudsman issued a report  
under Section 16 which came before  
the Council on 16/9. The Council  
decided to:-

1. To accept the Ombudsman's report  
and the observations of the Corporate  
Director (Finance).

2. To convey this Council's unreserved  
apology and to pay the compensation  
recommended by the Ombudsman to  
the two complainants and to  
acknowledge the maladministration in  
this respect. (This has been done).

3. To authorise Officers to agree an  
Action Plan with the Regulators and  
that it be submitted to the

Ombudsman's Office within 3 months  
(The Action Plan was submitted to the  
Ombudsman on the 16<sup>th</sup> of December  
2008).

4. To note that the Corporate  
Complaints Procedure has already  
been reviewed and amended by the  
County Council since the time of the  
inquiry.

5. That staff appraisals across the  
Council, should be listed as a short-  
term objective as opposed to the  
medium-term referred to within the  
Action Plan.



2. (*2/2)	10814	Dechrau / Start – 10/05/2007 Cyfredol/ Current [fel/as 1] Gweler y troednodyn / See footnote	£1500 Talwyd cyn y trydydd Adroddiad / Paid beofre the third Report [fel/as 1]	Budd-dal tai/ Housing benefit	[fel/as 1]
3. (*4)	12913	Dechrau / Start – 25/3/09 Gorffen / Finished – 25/06/2009	£200	Cyllid – Treth Cyngor / Finance – Council Tax	Gwnaethpwyd y taliad efo llythyr o ymddiheuriad ar 25 Mehefin 2009. / Payment with a suitable letter of apology was made on 25th June 2009.  Cwynodd yr Achwynydd fod Adrian Refeniws a Budd-daliadau'r Cyngor Sir yn aflonyddu ami am anian nad oedd yn ddyledus a gwneud bygythiad o achos Llys a bod hynny wedi achosi iddi llawer o bryder. Anfonwyd y rhybudd terfynol cyntaf ar 6 Ionawr 2009 a bu cyfadddefiad dros y ffôn i'r Achwynydd gan aelod o staff nad oedd ganddi gyfrifoldeb am y symiau yn y rhybudd hwnnw. Anfonwyd ail rybudd terfynol ar 6 Chwefror 2009 oherwydd nad oedd y cyfnod i beidio gofyn am y taliad wedi cael ei adnewyddu gan y Cyngor. Bu cydnabyddiaeth gan aelod o staff y Cyngor nad dylai'r ail rybudd terfynol wedi cael ei anfon. Rhoddod staff y Cyngor sylw i'r mater ar 20/4/09. Bu i'r Cyngor fethu â delio efo'r mater yn unol â'r drefn arferol. Roedd y broblem y gallai'r methiant hwn ei greu wedi ei gydnabod ac wedi cael cyhoeddu'rwydd yn Nhachwedd 2008. Felly dylai'r mater wedi cael sylw yn fuan ar ol iddo ddod i olwg y Cyngor h.y. tua 8/1/09. Rhoddwyd eglurhad llawn i'r Ombwdsmon a chytunwyd talu £200 i'r achwynydd a rhoi ymddiheuriad.

4.	13317	Dechrau / Start - 03/08/2009  Cyfredol/	£50.00	Eiddo (Morwrol)/ Property (Maritime)	<p>Gwnaethpwyd cwyn fod y Cyngor Sir wedi gwrthod rhoi copiau dyblyg o sticeri trwydded cwch oedd wedi cael eu dinistrio. Roedd y sticeri trwydded wedi cael eu harddangos ar gwch yr achwynnydd pan oedd honno wedi</p> <p>The complainant made a complaint to the Ombudsman against the Revenues and Benefits Department of the Anglesey County Council that they were continuously harassing her for money which was not owed and even threatened Court action and that this had caused the complainant great anxiety. The first final notice was sent to the complainant on the 6th January 2009 and an admission was made on the telephone to the Complainant by a member of staff that she was not responsible for the sum in that notice. A second final notice was sent on the 6th February 2009 because the recovery suppression period had not been renewed by the Council, and there was a further acknowledgment by a member of staff that the second final notice should not have been sent. Council staff gave attention to the matter on 20/4/09. The Council had failed to deal with the matter in the usual way and the problem that this could cause had been acknowledged and had received publicity in November 2008. Therefore the matter should have received attention soon after the matter came to the Council's attention which would have been approximately 8/1/09. A full explanation was given to the Ombudsman and it was agreed to pay £200 to the complainant and to give an apology.</p>	<p>Ar y pryd roedd yr adroddiad hwn y cael ei baratoi roedd datrysiaid wedi gytuno a bydd y manylion yn cael cyflwyno yn yr adroddiad nesaf. / At the time of the preparation of the</p>
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		Current	<p>cael ei dinistrio yn llwyr mewn tân mewn marina yn Sir Fôn. Roedd yr achwynydd yn teimlo ei fod wedi cael triniaeth anhheg gan Gyngor Sir Ynys Môn. Roedd yn teimlo ei fod wedi colli digon yn y tân heb iddo orfod talu eto am drwyddedau. /</p> <p>The complaint was that the Isle of Anglesey County Council had refused to replace duplicate boat permit stickers when they were destroyed. The permit stickers had been displayed on the complainant's boat which was completely destroyed in a fire at a marina on Anglesey. The Complainant felt that he had been unfairly treated by the Isle of Anglesey County Council. He said that he had lost enough in the fire without having to pay again for permits.</p>	<p>report resolution had been achieved and details will be submitted in the next report.</p>
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\* Ymddangosodd rhifau 1 a 2 yn yr adroddiad hwn fel rhifau 1 a 2 yn y ddau adroddiad blaenorol (pedwerydd a phumed), 3 a 4 yn y trydydd adroddiad, a 5 a 6 yn yr ail adroddiad ac maent wedi eu diweddaru. Ymddangosodd rhif 3 fel rhif 4 yn yr adroddiad blaenorol. Yr unig fater newydd y tro hwn yw rhif 4.

Numbers 1 and 2 in this report appeared as numbers 1 and 2 in the previous two reports (fourth and fifth) and 3 and 4 in the third report and 5 and 6 in the second report and they have been updated. Number 3 in this report appeared as number 4 in the previous report. The only new matter this time is number 4.

ISLE OF ANGLESEY COUNTY COUNCIL

MEETING	THE EXECUTIVE
DATE:	19 January 2010
TITLE OF REPORT:	Recent claims/complaints concluded by payments of compensation including ex-gratia payments – quarterly report (7) : September 2009 – November 2009
REPORT:	Solicitor to the Monitoring Officer
PURPOSE OF REPORT:	At the request of the Executive on the 19.5.2008 and 23.06.2008

- 1.1 The Executive at its meeting on the 19<sup>th</sup> of May 2008 resolved inter alia "that officers submit a further report to the Executive summarising all recent claims/complaints concluded by means of payments of compensation including ex-gratia payments".
- 1.2 Detailed Reports were submitted to the Executive on the 23<sup>rd</sup> of June 2008, 6<sup>th</sup> October 2008, 19<sup>th</sup> of January 2009, 28<sup>th</sup> April 2009, 21<sup>st</sup> July 2009 and 27<sup>th</sup> October 2009. This is the seventh quarterly report covering the period from September 2009 to November 2009.
2. Reported matters have been divided into 4 categories:-
  - 2.1 Litigation handled by the Finance Section – Third quarter details for 2009/10 - Attachment A
  - 2.2 Other litigation including employment matters – John G. Roberts, Senior Solicitor, has indicated that there are no cases to report for the period. No data was received from Ross Morgan, Head of Service – Corporate Services.
  - 2.3 Ombudsman matters – Attachment B
  - 2.4 Ex-gratia payments  
The County Council, on 16.9.2008, resolved to delegate to the Executive the power contained in Section 92 of the Local Government Act 2000 (payments in cases of maladministration etc under the Complaints Procedure before the complaints have been submitted to the Ombudsman).
3. Not all the information i.e. names and other details have been included in the attachments because some matters are subject to the Data Protection Act 1998 and confidentiality agreements. Also, this Report is presented subject to Schedule 12A of the Local Government Act 1972 and in particular category 16 "Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings".

A

01/09/2009 - 31/12/2009

Nifer o Hawliadau Sydd Wedi Eu Talu		Number of Claims Paid
Atebolrwydd Cyhoeddus	7	Public Liability
Atebolrwydd y Cyflogwr	1	Employers' Liability
Damwain Personol	#REF!	Personal Accident

Nifer Lle Mae Cyfreithwyr yn eu Cynrychioli	6	Number Represented by Solicitors
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Trafodwr Hawliadau		Claims Handler
Cyllid	2	Finance
Yswirwyr	7	Insurer

Swm a Dalwyd		Amount Paid
Iawndal	£52,830	Damages
Costau Cyfreithwyr yr Hawlydd	£47,845	Claimant Solicitors Costs
Costau Cyfreithiol Ni	£12,217	Own Solicitors Costs
Costau Eraill	£3,476	Other Costs
Cyfanswm	£116,368	Total
Cost Net i CSYM	£102,032	Net Cost to IoACC

Gwerth Isaf	£34	Lowest Value
Gwerth Uchaf	£58,007	Highest Value

Amser a Gymerwyd i Setlo* (Dyddiau)		Time Taken To Settle* (Days)
Ar Gyfartaledd	882	Average
Gwerth Isaf	34	Lowest Value
Gwerth Uchaf	1869	Highest Value

\*o'r dyddiad y derbynwyd yr hawliad i'r dyddiad a setlwyd

\* from date claim received to settlement date

Policy	Handler	Service	Represented	Narrative	Position	Total Cost	Net Cost	Settled Date
Employers' Liability	ZM	Provider	Yes	Claim for tennis elbow from home carer	Settled	16512	10000	10/10/2009
Personal Accident	ZM	Housing	No	Bitten by dog whilst attending Council house	Settled	34	0	15/10/2009
Public Liability	ZM	Highways	Yes	Fell on metal stump on footpath	Settled	9445	9445	12/10/2009
Public Liability	CSYM	Housing	No	Leaking pipes under floor screed caused damage to carpets etc	Settled	495	495	20/10/2009
Public Liability	CSYM	Highways	No	Car damaged due to defective kerb	Settled	102	102	02/11/2009
Public Liability	ZM	Leisure	Yes	Caught foot on upturned matting and fell	Settled	58007	58007	04/11/2009
Public Liability	ZM	Highways	Yes	Tripped and fell on eroded edge of path	Settled	11350	10000	05/11/2009
Public Liability	ZM	Education	Yes	Tripped over stone which was holding door open	Settled	3982	3982	16/11/2009
Public Liability	ZM	Housing	Yes	Tripped on manhole cover	Settled	16439	10000	10/12/2009

ATODIAD / ATTACHMENT B

ACHOSION OMBWSMON – LLE MAE TALIAU WEDI EU GWNEUD / OMBUDSMAN MATTERS – WHERE PAYMENTS HAVE BEEN MADE

MEDI 2009 – TACHWEDD 2009 / SEPTEMBER 2009 – NOVEMBER 2009

Enw a Chyfeirnod / Name and reference	Dyddiadau / Dates Dechrau a Gorffen / Start and Finish	Swm / Sum	Adran / Dept	Prif gasgliadau / Main findings	Unrhyw sylw pellach / Any additional comment
1. (*1/1)	Dechrau / Start – 23/07/2007 Gorffen / Finished – 3/12/09. Roedd yr Ombwsdmon eisiau adroddiad pellach yn Hydref 2009 / The Ombudsman required a further report in October 2009.	£1500. Talwyd cyn y trydydd Adroddiad efo ymddiheuriad a chydnabyddiaeth o gamweinyddu / Paid before the third Report with an apology and an admission of maladministration	Budd-dal tai / Housing benefit	Nifer o resymau , yn cynnwys - Camweinyddu garw, Methu sicrhau adnoddau addas, Methiant cyfundrefnol a pharhaus efo gohebiaeth, Heb gymryd camau i fynd i'r afael efo'r diffygion./ Many reasons including - Gross maladministration, Failure to ensure appropriate resources, Systematic and continuing failure with correspondence, Not taking action to address failings.	Mae'r Ombwsdmon wedi cyhoeddi adroddiad o dan Adran 16 a ddaeth gerbron y Cyngor ar 16/9/08. Penderfynodd y Cyngor:- 1. Derbyn adroddiad yr Ombwsdmon a sylwadau'r Cyfarwyddwr Corfforaethol (Cyllid). 2. Cyfleu ymddiheuriadau diamed y Cyngor a thalu'r iawndal a argymhellwyd gan yr Ombwsdmon i'r ddau achwynydd a chydnabod y camweinyddu yn y cyswilt hwn. (Gwnaethpwyd hwn) 3. Awdurdodi Swyddogion i gyfluno ar Gynllun Gweithredu gyda'r Rheoleiddwyr a'i fod yn cael ei gyflwyno i Swyddfa'r Ombwsdmon o fewn 3 mis. (Cyflwynwyd y Cynllun Gweithredu ar 16 Rhagfyr 2008 i'r Ombwsdmon). 4. Nodi bod y Weithdrefn Gwynion Gorfforaethol eisioes wedi'i hadolygu a'i diwygio gan y Cyngor Sir ers amser yr ymchwiliad.

2. (*2/2)	10814	Dechrau / Start – 10/05/2007	£1500 Talwyd cyn y trydydd Adroddiad / Paid	Budd-dal tai/ Housing benefit	"	[fel/as 1]	[fel/as 1]	
The Ombudsman is content with compliance with the above report and thanks the Authority for the steps it has taken to improve performance".		<p>5. Y dylid rhestru'r gwaith o werthuso staff ar draws y Cyngor fel amcan tymor byr yn hytrach nag amcan tymor canolog yn y Cynllun Gweithredu.</p> <p>/ The Ombudsman issued a report under Section 16 which came before the Council on 16/9/08. The Council decided to:-</p> <ol style="list-style-type: none"> <li>1. To accept the Ombudsman's report and the observations of the Corporate Director (Finance).</li> <li>2. To convey this Council's unreserved apology and to pay the compensation recommended by the Ombudsman to the two complainants and to acknowledge the maladministration in this respect. (This has been done).</li> <li>3. To authorise Officers to agree an Action Plan with the Regulators and that it be submitted to the Ombudsman's Office within 3 months. (The Action Plan was submitted to the Ombudsman on the 16<sup>th</sup> of December 2008).</li> <li>4. To note that the Corporate Complaints Procedure has already been reviewed and amended by the County Council since the time of the inquiry.</li> <li>5. That staff appraisals across the Council , should be listed as a short-term objective as opposed to the medium-term referred to within the Action Plan.</li> </ol>						



3. (*4)	13317	Gorffen / Finished 3/12/09 [fel / as 1]	Dechrau / Start – 03/08/2009  Cyfredol/ Current	before the third Report [fel/as 1]  £50.00	Eiddo (Morwrol)/ Property (Maritime)	Gwnaethpwyd cwym fod y Cyngor Sir wedi gwrthod rhoi copiau dyblyg o sticeri trwydded cwch oedd wedi cael eu dinistrio. Roedd y sticeri trwydded wedi cael eu harddangos ar gwch yr achwynydd pan oedd honno wedi cael ei dinistrio yn llwyr mewn tân mewn marina yn Sir Fôn. Roedd yr achwynydd yn teimlo ei fod wedi cael triniaeth annheg gan Gyngor Sir Ynys Môn. Roedd yn teimlo ei fod wedi colli digon yn y tân heb iddo orfod talu eto am drwyddedau. / The complaint was that the Isle of Anglesey County Council had refused to replace duplicate boat permit stickers when they were destroyed. The permit stickers had been displayed on the complainant's boat which was completely destroyed in a fire at a marina on Anglesey. The Complainant felt that he had been unfairly treated by the Isle of Anglesey County Council. He said that he had lost enough in the fire without having to pay again for permits.	Ar ddiwedd cyfnod yr adroddiad hwn nid oedd holl agweddau'r datrystiad wedi eu cwblhau a bydd y manylion yn cael eu cyflwyno yn yr adroddiad nesaf. / At the end of the period of this report not all aspects of the resolution had been achieved and details will be submitted in the next report.
4.	13176	Dechrau / Start 26/6/09		£800.00	Cynllunio / Planning	Ymatebodd y Cyngor i ymholiad ynglŷn â mater Cynllunio a	Tra roedd yr adroddiad hwn yn cael ei baratoi roedd datrystiad yn cael ei

		Cyfredol / Current		<p>datgan ym Mai 2008 nad oedd angen caniatâd cynllunio. Yn dilyn y cyngor hwnw gwnaeth yr Achwynydd waith i gydymffurfio er mwyn cael trwydded addas. Pan gafwyd y drwydded dywedyd wrth yr Achwynydd fod angen caniatâd cynllunio arno. Gwnaethpwyd cwyn ynglŷn â straeon, anghyfleustra a cholled ariannol. Daeth yr Ombudsmon i'r casgliad fod yr Achwynydd wedi dioddef anghyfiawnder o ganlyniad i gamweinyddu ar ran y Cyngor. /</p> <p>The Council responded to an enquiry about a planning matter indicating in May 2008 that planning permission was not needed. Following that advice work was undertaken by the Complainant to comply so as to obtain a suitable licence. When the licence was obtained the Complainant was told that planning permission was required. A complaint was made regarding stress, inconvenience and financial loss. The Ombudsman concluded that the Complainant had suffered injustice as a result of maladministration on the part of the Council.</p>	<p>ystyried gyda Swyddfa'r Ombudsmon. Bydd manylion pellach yn cael eu cyflwyno yn yr adroddiad nesaf. /</p> <p>At the time of the preparation of this report resolution was being considered with the Ombudsman's office. Further details will be given in the next report.</p>
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\* Ymddangosodd rhifau 1 a 2 yn yr adroddiad hwn fel rhifau 1 a 2 yn y tri adroddiad blaenorol (pedwerydd, pumed a chweched), 3 a 4 yn y trydydd adroddiad, a 5 a 6 yn yr ail adroddiad ac maent wedi eu diweddaru. Ymddangosodd rhif 3 fel rhif 4 yn yr adroddiad blaenorol. Yr unig fater newydd y tro hwn yw rhif 4.

Numbers 1 and 2 in this report appeared as numbers 1 and 2 in the previous three reports (fourth, fifth and sixth) and 3 and 4 in the third report and 5 and 6 in the second report and they have been updated. Number 3 in this report appeared as number 4 in the previous report. The only new matter this time is number 4.

Pollsi	Trafodwr	Gwasanaeth	Cynrychiolwyd	Disgrifiad	Cyfanswm y Gôst £	Côst Net £	Dyddiad Talwyd
Cerbydau	ZM	Uned Darparu	Na	Gwrthdrawiad rhwng ein cerbyd a biecmudur wrth cyffordd	2,110	0	19/01/2010
Atebolrwydd Cyhoeddus	CSYM	Prifffyrdd	Na	Difrodi cerbyd ar dwll yn y ffordd	31	31	23/02/2010
Atebolrwydd Cyhoeddus	ZM	Tai	Na	Difrod damweiniol i boply tra bod cegin newydd yn cael ei gosod	150	150	26/01/2010
Atebolrwydd Cyhoeddus	CSYM	Tai	Na	Difrod damweiniol i gebl trydan	460	460	16/03/2010
Atebolrwydd Cyhoeddus	CSYM	Addysg	Na	Difrodi cerbyd ar dwll yn y ffordd	680	680	20/01/2010
Atebolrwydd Y Cyflogwr	ZM	Uned Darparu	Do	Llithro ar lawr gwlyb	8,258	8,258	01/02/2010
Atebolrwydd Cyhoeddus	ZM	Tai	Do	Baglu ar ochr gaead manol	33,348	10,000	08/03/2010
Atebolrwydd Cyhoeddus	ZM	Prifffyrdd	Do	Baglu ar gaead manol	11,562	10,000	16/02/2010
Atebolrwydd Cyhoeddus	ZM	Addysg	Do	Torri blaen bys pan bu ddrws gau arno	11,063	10,000	11/01/2010
Atebolrwydd Y Cyflogwr	ZM	Uned Darparu	Do	Llithro ar lawr gwlyb	15,250	10,000	29/03/2010

ATODIAD / ATTACHMENT B

ACHOSION OMBWDSMON - LLE MAE TALIADAU WEDI EU GWNEUD / OMBUDSMAN MATTERS - WHERE PAYMENTS HAVE BEEN MADE

RHAGFYR 2009 – CHWFFROR 2010 / DECEMBER 2009 – FEBRUARY 2010

Enw a Chyfeirnod / Name and Reference	Dyddiadau / Dates Dechrau a Gorffen / Start and Finish	Swm / Sum	Adran / Dept	Prif gasgliadau / Main findings	Unrhyw sylw pellach / Any additional comment
1. (*3) 13317	Dechrau / Start – 03/08/2009 Gorffen / Finished 20/01/2010 Mae argynhellion yr Obwdsmon wedi eu gwireddu / The Ombudsman's recommendations have been carried out.	£50.00	Eiddo (Morwrol)/ Property (Maritime)	Gwnaethpwyd cwyn fod y Cyngor Sir wedi gwrthod rhoi copïau dyblyg o sticeri trwydded cwch oedd wedi cael eu dinistrio. Roedd y sticeri trwydded wedi cael eu harddangos ar gwch yr achwynydd pan oedd honno wedi cael ei dinistrio yn llwyr mewn tân mewn marina yn Sir Fôn. Roedd yr achwynydd yn teimlo ei fod wedi cael triniaeth annheg gan Gyngor Sir Ynys Môn. Roedd yn teimlo ei fod wedi colli digon yn y tân heb iddo orfod talu eto am drwyddedau. / The complaint was that the Isle of Anglesey County Council had refused to replace duplicate boat permit stickers when they were destroyed. The permit stickers had been displayed on the complainant's boat which was completely destroyed in a fire at a marina on Anglesey. The Complainant felt that he had been unfairly treated by the Isle of Anglesey County Council. He said that he had lost enough in the fire without having to pay again for permits.	Gwnaeth yr Ombwdsmon Adroddiad Adran 21 nad oedd yn gofod cael ei gyhoeddi, ac argymhellodd :- (1) i'r Cyngor roddi i'r achwynydd ganiatâd cofrestrad a lansio newydd, a (2) gwneud taliad o £50 i ddigolledu'r achwynydd am ei amser a'i drafferth yn gwneud y gwyn. / The Ombudsman issued a Section 21 Report which did not have to be publicised and recommended:- (1) that the Council issue the complainant with replacement registration and launch permits, and (2) make a payment of £50 to compensate the complainant for his time and trouble in pursuing his complaint.

				<p>phrosesau perthnasol. /</p> <p>Failure to return to the complainant a number of items which had been loaned to the service some years previously and for which the service had formally signed. The service accepted its responsibility and despite extensive and repeated searches could not locate the items. The Ombudsman noted that the service had acknowledged its failure and revised its relevant policy, procedures and processes.</p>	<p>details will be submitted in the next report.</p>
4.	13516	Dechrau / Start 07/10/09 Cyfredol / Current	£500 Budd-dal tai / Housing benefit	<p>Y gwyn oedd bod y Cyngor wedi methu ystyried yn iawn y ffactorau perthnasol wrth wneud penderfyniad ynglŷn â chais yr achwynydd am Fudd-dal Tai. Yn ychwanegol achwynwyd bod y Cyngor wedi methu a gwneud penderfyniad ynglŷn â'r cais o fewn y terfynau amser rheoleddig ac wedi methu rhoi gwybod i'r achwynydd am y penderfyniad ar y cais, a trydedd agwedd y gwyn oedd bod y Cyngor wedi methu a dod i benderfyniad ar gais am apél wedi ei wneud gan yr achwynydd ynglŷn â'r cais am Fudd-dal oedd wedi cael ei wrthod. Oherwydd y methiannau hyn ni dderbyniodd yr achwynydd Fudd-dal tai am y cyfnod rhwng Mawrth 2007 a Rhagfyr 2009.</p> <p>Mewn ymateb i ymchwiliad yr Ombwdsmon bu i'r Cyngor adnabod a chydhabod nifer o fethiannau yn y modd yr oedd wedi trafod cais yr achwynydd a'r cais dilynol am adolygiad. Yn ychwanegol cadarnhaodd y Cyngor nad oedd wedi derbyn y cais am apél ond lldo drin yn briodol gohebiaeth ddiweddar yr achwynydd hefo'r Ombwdsmon fel cais yn cael ei wneud allan o amser. Yn dilyn adolygiad o'r cais</p>	<p>Ar ddiwedd cyfnod yr Adroddiad hwn nid oedd holl agweddau'r datysiad wedi eu cwblhau a bydd y manylion yn cael eu cyflwyno yn yr Adroddiad nesaf. /</p> <p>At the end of the period of this Report not all aspect of the resolution had been achieved and details will be submitted in the next Report.</p>



01/01/2010 - 31/03/2010

Nifer o Hawliadau Sydd Wedi Eu Talu		Number of Claims Paid	
Atebolrwydd Cyhoeddus	7	Public Liability	
Atebolrwydd y Cyflogwr	2	Employers' Liability	
Cerbydau	1	Motor	

Nifer Lle Mae Cyfreithwyr yn eu Cynrychioli	5	Number Represented by Solicitors
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Trafodwr Hawliadau		Claims Handler	
Cyllid	3	Finance	
Yswirwyr	7	Insurer	

Swm a Dalwyd		Amount Paid	
Iawndal	£35,780	Damages	
Costau Cyfreithwyr yr Hawlydd	£38,900	Claimant Solicitors Costs	
Costau Cyfreithiol Ni	£6,071	Own Solicitors Costs	
Costau Eraill	£2,160	Other Costs	
Cyfanswm	£82,910	Total	
Cost Net i CSYM	£49,578	Net Cost to IoACC	
Gwerth Isaf	£31	Lowest Value	
Gwerth Uchaf	£33,348	Highest Value	

Amser a Gymerwyd i Setlo* (Dyddiau)		Time Taken To Settle* (Days)	
Ar Gyfartaledd	496	Average	
Gwerth Isaf	21	Lowest Value	
Gwerth Uchaf	1196	Highest Value	

\*o'r dyddiad y derbyniwyd yr hawliad i'r dyddiad a sellwyd

\* from date claim received to settlement date



- 1.1 Penderfynodd y Pwyllgor Gwaith yn ei gyfarfod ar 19 Mai 2008, inter alia "fod swyddogion yn cyflwyno adroddiad pellach i'r Pwyllgor Gwaith yn crynhoi hawliadau/cwynion diweddar sydd wedi eu cwblhau trwy daliadau o iawndal yn cynnwys taliadau ex-gratia".
- 1.2 Cyflwynwyd adroddiadau manwl i'r Pwyllgor Gwaith ar 23 Mehefin 2008, 6 Hydref 2008, 19 Ionawr 2009, 28 Ebrill 2009, 21 Gorffennaf 2009, 27 Hydref 2009 a 19 Ionawr 2010. Hwn yw'r wythfed adroddiad chwarterol am y cyfnod o Ragfyr 2009 hyd Chwefror 2010.
2. Mae'r materion sydd wedi eu cofnodi wedi eu rhannu i 4 categori:-
  - 2.1 Ymglyfreithio yn nwylo'r Adran Gyllid – Manylion pedwerydd chwarter 2009/10 – Atodiad A.
  - 2.2 Ymglyfreithio arall yn cynnwys materion cyflogaeth – Mae John G. Roberts, Uwch Gyfreithiwr, wedi datgan nad oes yr un achos i'w adrodd arno yn ystod y cyfnod. Ni dderbyniwyd data gan Ross Morgan, Pennaeth Gwasanaeth – Cefnogaeth Gorfforaethol.
  - 2.3 Materion yr Ombwdsmon - Atodiad B.
  - 2.4 Taliadau ex-gratia  
Penderfynodd y Cyngor Sir, ar 16.09.2008, i ddirprwyo i'r Pwyllgor Gwaith y pŵer o dan Adran 92 Deddf Llywodraeth Leol 2000 (taliadau mewn achosion o gamweinyddu a.y.y.b o dan y Drefn Gwyno cyn bod y cwynion wedi eu cyflwyno i'r Ombwdsmon).
3. Nid yw'r holl wybodaeth h.y. enwau a manylion eraill wedi cael eu cynnwys yn yr atodiadau oherwydd bod rhai ohonynt yn amodol ar Ddeddf Diogelu Data 1998 a chytundebau cyfrinachedd. Hefyd mae'r Adroddiad hwn yn cael ei gyflwyno yn amodol ar Atodlen 12A Deddf Llywodraeth Leol 1972 ac yn arbennig categori 16 "Gwybodaeth yng nghyswllt hawl i faint broffesiynol gyfreithiol y gellid ei hamddiffyn mewn unrhyw achos cyfreithiol".

CYNGOR SIR YNYS MÔN / THE ISLE OF ANGLESEY COUNTY COUNCIL	
ADRODDIAD I / REPORT TO	PWYLLGOR GWAITH THE EXECUTIVE
DYDDIAD / DATE:	27/4/2010
PWNC / SUBJECT:	HAWLIADAU/CWYNION DIWEDDAR SYDD WEDI EU CWBLHAU TRWY DALIADAU O IAWNDAL YN CYNNWYS TALIADAU EX-GRATIA – ADRODDIAD CHWARTEROL (8) : RHAGFYR 2009 – CHWEFROR 2010  RECENT CLAIMS/COMPLAINTS CONCLUDED BY PAYMENTS OF COMPENSATION INCLUDING EX- GRATIA PAYMENT – QUARTERLY REPORT (8) : DECEMBER 2009 – FEBRUARY 2010
DEILYDD(ION) PORTFFOLIO / PORTFOLIO HOLDER(S):	RHEOLAETH CORFFORAETHOL / CORPORATE GOVERNANCE
SWYDDOG(ION) ARWEINIOL / LEAD OFFICER(S):	CYFREITHIWR Y SWYDDOG MONITRO / SOLICITOR TO THE MONITORING OFFICER
SWYDDOG CYSWLLT / CONTACT OFFICER:	MEIRION JONES (Ffôn/Tel: 2563)

**1. Rheswm/Rhesymau pam fod angen penderfyniad gan y Pwyllgor Gwaith /  
Reason/s why a decision required from the Executive**

Penderfynodd y Pwyllgor Gwaith ofyn am yr adroddiad hwn.

The Executive decided to ask for this report.

**2. Crynodeb o'r adroddiad / Report summary**

Mae'r manylion yn yr adroddiad a'r atodiadau.

The details are in the report and attachments.