

Agenda

Corporate and Communities Overview and Scrutiny Panel

Friday, 24 January 2020, 10.00 am
County Hall, Worcester

All County Councillors are invited to attend and participate

This document can be provided in alternative formats such as Large Print, an audio recording or Braille; it can also be emailed as a Microsoft Word attachment. Please contact Democratic Services on telephone number 01905 844963 or by emailing democraticservices@worcestershire.gov.uk

DISCLOSING INTERESTS

There are now 2 types of interests:
'Disclosable pecuniary interests' and **'other disclosable interests'**

WHAT IS A 'DISCLOSABLE PECUNIARY INTEREST' (DPI)?

- Any **employment**, office, trade or vocation carried on for profit or gain
- **Sponsorship** by a 3rd party of your member or election expenses
- Any **contract** for goods, services or works between the Council and you, a firm where you are a partner/director, or company in which you hold shares
- Interests in **land** in Worcestershire (including licence to occupy for a month or longer)
- **Shares** etc (with either a total nominal value above £25,000 or 1% of the total issued share capital) in companies with a place of business or land in Worcestershire.

NB Your DPIs include the interests of your spouse/partner as well as you

WHAT MUST I DO WITH A DPI?

- **Register** it within 28 days and
- **Declare** it where you have a DPI in a matter at a particular meeting
 - you must **not participate** and you **must withdraw**.

NB It is a criminal offence to participate in matters in which you have a DPI

WHAT ABOUT 'OTHER DISCLOSABLE INTERESTS'?

- No need to register them but
- You must **declare** them at a particular meeting where:
You/your family/person or body with whom you are associated have a **pecuniary interest** in or **close connection** with the matter under discussion.

WHAT ABOUT MEMBERSHIP OF ANOTHER AUTHORITY OR PUBLIC BODY?

You will not normally even need to declare this as an interest. The only exception is where the conflict of interest is so significant it is seen as likely to prejudice your judgement of the public interest.

DO I HAVE TO WITHDRAW IF I HAVE A DISCLOSABLE INTEREST WHICH ISN'T A DPI?

Not normally. You must withdraw only if it:

- affects your **pecuniary interests** **OR** relates to a **planning or regulatory** matter
- **AND** it is seen as likely to **prejudice your judgement** of the public interest.

DON'T FORGET

- If you have a disclosable interest at a meeting you must **disclose both its existence and nature** – 'as noted/recorded' is insufficient
- **Declarations must relate to specific business** on the agenda
 - General scattergun declarations are not needed and achieve little
- Breaches of most of the **DPI provisions** are now **criminal offences** which may be referred to the police which can on conviction by a court lead to fines up to £5,000 and disqualification up to 5 years
- Formal **dispensation** in respect of interests can be sought in appropriate cases.

Corporate and Communities Overview and Scrutiny Panel Friday, 24 January 2020, 10.00 am, County Hall Worcester

Membership

Councillors:

Mr A D Kent (Chairman), Mrs M A Rayner (Vice Chairman), Mr G R Brookes, Mr K D Daisley, Mrs A T Hingley, Mr R J Morris, Prof J W Raine, Ms C M Stalker and Mr A Stafford

Agenda

Item No	Subject	Page No
1	Apologies and Welcome	
2	Declarations of Interest and of any Party Whip	
3	Public Participation <i>Members of the public wishing to take part should notify the Assistant Director for Legal and Governance in writing or by e-mail indicating the nature and content of their proposed participation no later than 9.00am on the working day before the meeting (in this case 23 January 2020). Enquiries can be made through the telephone number/e-mail address below.</i>	
4	Confirmation of the Minutes of the Previous Meeting	
5	Budget Scrutiny In-Year Performance and Draft 2020/21 Budget and Medium Term Financial Plan Update 2020-22 for Corporate and Communities	1 - 22
6	Statutory and Corporate Complaints and Compliments System	23 - 44
7	Work Programme 2019/20	45 - 50

Agenda produced and published by the Assistant Director for Legal and Governance, County Hall, Spetchley Road, Worcester WR5 2NP. To obtain further information or hard copies of this agenda, please contact Samantha Morris 01905 844963 or Alison Spall 01905 846607, email: scrutiny@worcestershire.gov.uk

All the above reports and supporting information can be accessed via the Council's website at [here](#)

Date of Issue: Wednesday, 15 January 2020

This page is intentionally left blank

CORPORATE AND COMMUNITIES OVERVIEW AND SCRUTINY PANEL 24 JANUARY 2020

BUDGET SCRUTINY: IN-YEAR PERFORMANCE AND DRAFT 2020/21 BUDGET AND MEDIUM-TERM FINANCIAL PLAN UPDATE 2020-22 FOR CORPORATE AND COMMUNITIES

Summary

1. As part of the Council's development of the 2020/21 budget, the Overview and Scrutiny Panels and the Health Overview and Scrutiny Committee are considering the 2020/21 draft budget at their meetings in January.
2. The findings of the Panel's discussion will contribute to Overview and Scrutiny's overall response to the budget, which is being co-ordinated by the Overview and Scrutiny Performance Board (OSPB) and will form part of the Board's meeting on 29 January 2020.
3. The Cabinet Members with Responsibility for Transformation and Commissioning and for Communities have been invited to this meeting, along with the Strategic Director for Commercial and Change and the Chief Financial Officer.

Budget Consultation Process

4. The Council's draft budget for 2020/21 was approved for consultation by Cabinet on 20 December 2019 and is attached at Appendix 1. Following consultation, the draft budget for 2020/21 will be reconsidered by Cabinet on 30 January before being presented for approval by full Council on 13 February 2020.
5. Areas of the budget report which are relevant to this panel have been summarised and included in the form of presentation slides which can be found at Appendix 2.
6. The aim of the January Overview and Scrutiny discussions of the draft budget is to inform the budget consultation process. The Chairmen of each scrutiny body will share feedback with the Overview and Scrutiny Board and comments on the budget proposals will then be submitted to Cabinet and Council.

Draft 2020/21 Budget

7. The report to Cabinet provides a first assessment of the 2020/21 precept need, an update on the Medium-Term Financial Plan and the Council's budget for 2020/22. The main body of the report includes detail on gross expenditure incurred annually by the Council and outturn figures for the current budget year 2019/20. The Council's

Medium-Term Financial Plan and how it plans to fund its priorities is set out, including detail on challenges, funding pressures, Government grants and council tax.

8. The proposed budget for 2020/21 includes the need for £9.6million of proposals to balance the budget. The report therefore provides details about proposed areas for investment, as well as proposed efficiencies, reform and income proposals.

9. The Panel's attention is also drawn to the report appendices which include service budget summaries, proposals for efficiencies reform and income, and the capital programme, reserves and assessment of risks.

Performance and In-Year Budget Monitoring

10. For this year's budget scrutiny, Panel members have the advantage of having carried out regular budget and performance monitoring. Since early 2019 regular monitoring information has been introduced into Panel agendas.

11. The latest performance information available relates to [Quarter 2](#) (July to September 2019) and was considered by the Panel at its meeting on 10 December 2019.

12. The financial information relates to Period 8 and the detail has been provided in the form of presentation slides, which can be found at Appendix 3.

Purpose of the Meeting

13. The Panel is asked to:

- review the 2020/21 draft budget as presented to Cabinet on 20 December 2019;
- agree any comments which the Panel Chairman will contribute to the Overview and Scrutiny Performance Board's response to consultation on the 2020/21 budget on 29 January 2020.

Supporting Information

Appendix 1 – Cabinet Report - [20 December 2019](#); 2020/21 Draft Budget and Medium-Term Financial Plan Update 2020-22

Appendix 2 – Budget 2020/21 information relevant to this panel (Presentation Slides)

Appendix 3 - Budget Monitoring Information (Presentation Slides)

Contact Points

Specific Contact Points for this Report

Samantha Morris, Overview and Scrutiny Co-ordinator/ Alison Spall, Overview and Scrutiny Officer, Tel: 01905 844963 / 846607 Email: scrutiny@worcestershire.gov.uk

Background Papers

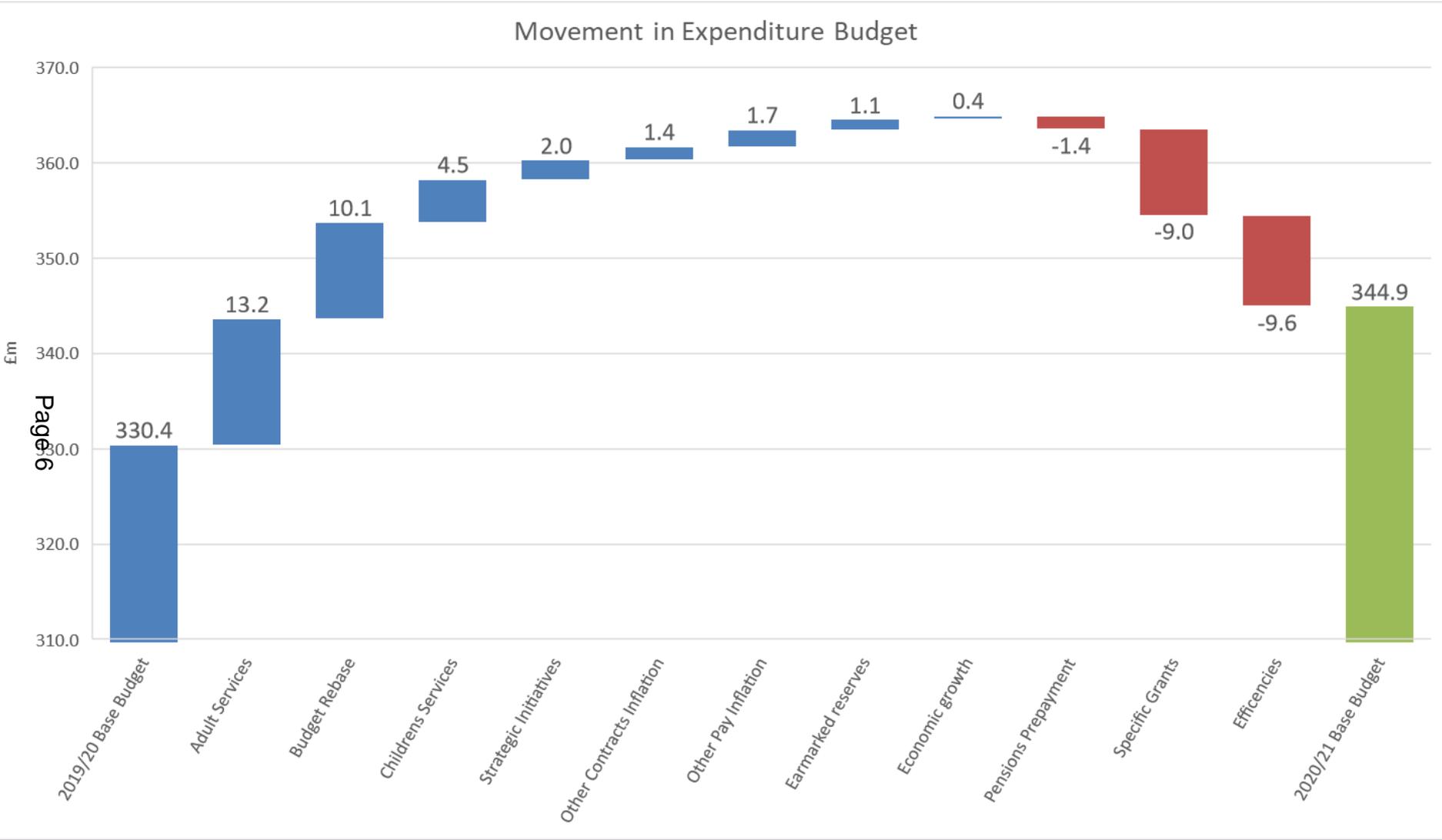
In the opinion of the proper officer (in this case the Head of Legal and Democratic Services) the following are the background papers relating to the subject matter of this report:

- Agenda and Minutes of the Corporate and Communities Overview and Scrutiny Panel on 10 December, 5 November, 3 September, 16 July, 13 March and 22 January 2019 – available on the website:
<https://worcestershire.moderngov.co.uk/ieListMeetings.aspx?Committeeld=389>
- Agenda and Minutes of the Overview and Scrutiny Performance Board on 28 November 2019 – available on the website:
<https://worcestershire.moderngov.co.uk/ieListMeetings.aspx?Committeeld=134>
- Agenda and Minutes of Cabinet on 20 December 2019 – available on the website:
<https://worcestershire.moderngov.co.uk/ieListMeetings.aspx?Committeeld=131>

This page is intentionally left blank

2020/21 Draft Budget for consultation

**Corporate and Communities
Overview and Scrutiny Panel
24 January 2020**



Achieving a balanced budget in 2019/20

PROPOSALS INCLUDE £9.6 million SAVINGS:

- ✓ Continuing to Reshape, reform and redesign the Council of the future **£6.0 million**
- ✓ Continuing our Commercial contracts review **£1.4 million**
- ✓ Review provider service and demand in Adult Care to reduce costs **£1.3 million**
- ✓ Additional income mainly grants **£0.9 million**

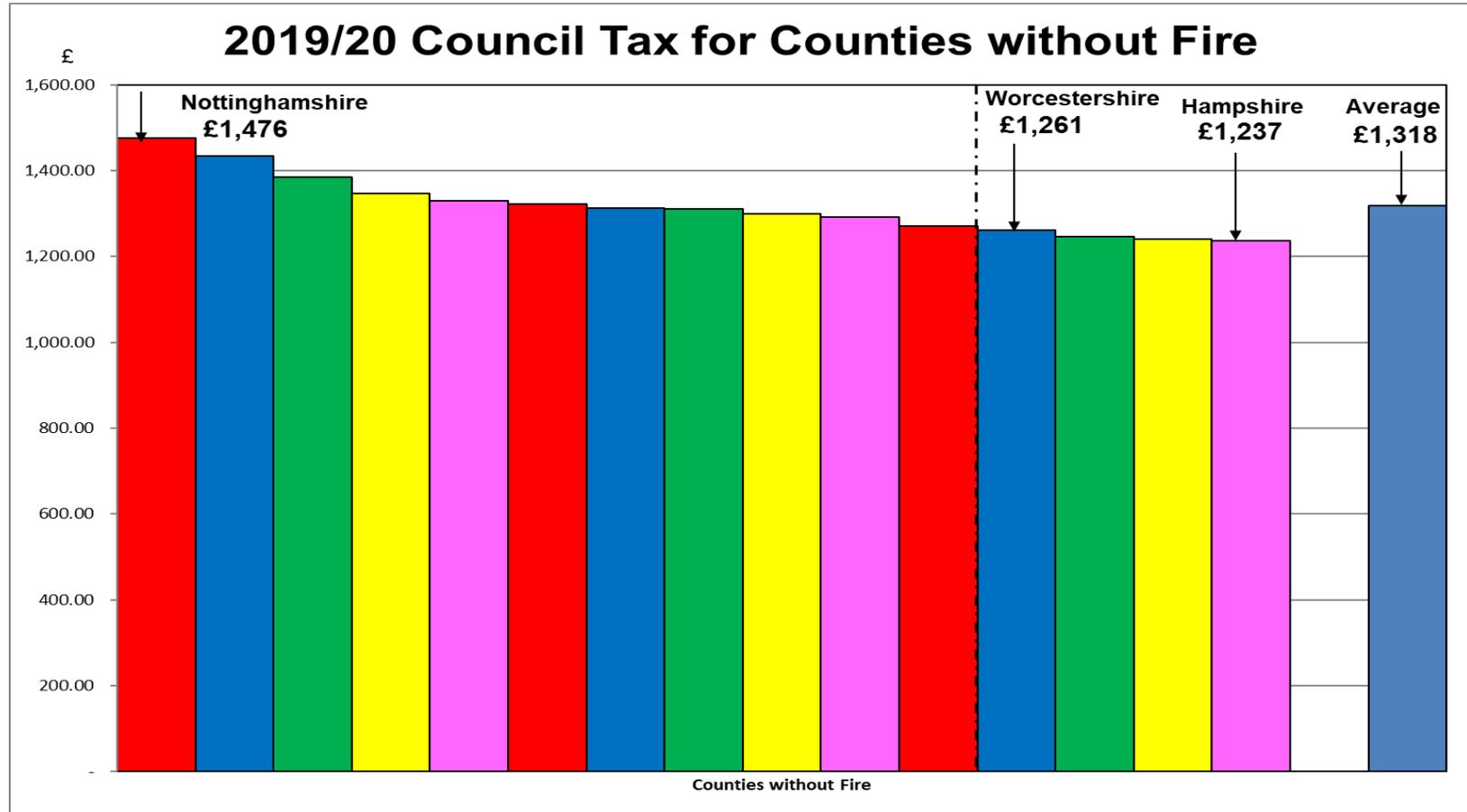
Full Analysis at Appendix 1C

2% - ring-fenced for Adult Social Care services in order to contribute to existing cost pressures due to Worcestershire's ageing population

1.99% - to provide financial support for the delivery of outcomes in the line with our plan for the County 'Shaping Worcestershire's Future'

An increase of 3.99% which is less than £1 per week for a band D householder

Worcestershire will remain in the lower quartile for level of Council Tax for comparable councils



✓ General Fund - **£12.2 million**

- Appendix 3 Risk Assessment
- No plans to add or reduce

✓ Earmarked Reserves - **£61.8 million**

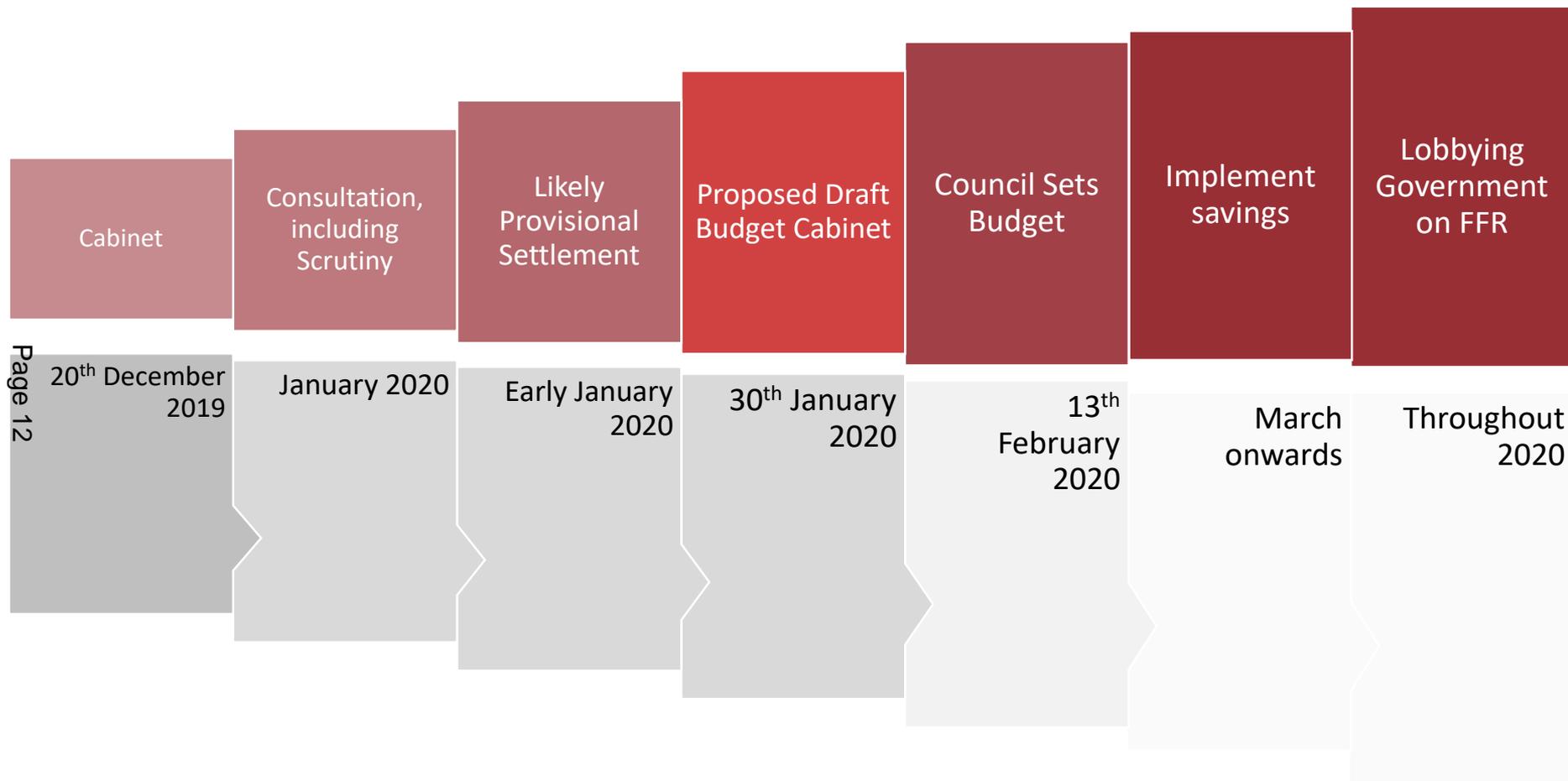
- In Line with our Corporate Plan priorities
- Section 12 analysis and commentary – Table 17
- Financial Risk reserve used in part 2019/20 but unlikely to call on in 2020/21

Page 10

Table 2: Funding Gap Forecast 2020-23 Assuming all grant income is retained

	2020/21	2021/22	2022/23
Medium Term Financial Plan	£000	£000	£000
Funding	344,919	354,440	365,525
Transfer from Reserves	1,149	0	0
Total	346,068	354,440	365,525
Projected Budget Requirement	346,068	364,958	384,008
Funding Gap (Retaining current quantum of grants)	0	10,518	18,483

Budget Planning Timeline for 2020/21



Page 12

Corporate & Communities Revenue Growth

- Pay inflation
- Contract inflation
- Full year effect of requirement for support for WCF client side
- Corporate & Communities Panel are also requested to review the budget requirement for Archives and Archaeology Services however, no specific savings or specific items of growth are proposed for these services

Corporate & Communities Revenue Savings

	£000's
Organisational Redesign Savings	
Human Resources & Organisational Development	(405)
Content & Communciations	(250)
Commercial Team - MIAR	(180)
Legal and Democratic Services	(70)
Technology	(60)
	(965)
Additional Savings	
Savings - Planned	
Coroners & Registrars - use of PHRG	(130)
Occupational Health - use of PHRG	(160)
Communities - Adult Learning - use of PHRG	(211)
Communities - Positive Activites - use of PHRG	(65)
Communities - Libraries - CSP 2018 final year saving	(205)
Removal of One Off Community Solutions Fund	(100)
	(871)
ChS Commissioning and Partnership Function (ADM) - Babcock Contract	(87)
	(87)
TOTAL	(1,923)

Full Analysis at Appendix 1C

Cross Council Revenue Savings

Ref	Description	2020/21 £000	2021/22 £000	2022/23 £000	Type of proposal	Responsible Officer post
	Corporate					
Corp 1	The target for 2019/20 of £3 million is being delivered in relation to cost avoidance or capital which are being accounted for in directorate budget areas. For 2020/21 this saving will identify new areas for budget reductions across directorates. At this stage it is noteworthy that nearly £0.750 million may be a one off negotiated settlement that would need to be addressed the following year.	(1,445)			Efficiency	Director Commercial & Change
Corp 2	There are currently a range of administrative functions across the Council's directorates. The aim of this review is to set up a corporate Executive Support function that will co-ordinate a more efficient administrative and assistant functionality for the business. This will cover a range of functions, including personal assistants and administrators. There will be one overall Executive Support Manager who will then lead the service.	(500)			Reform	Director Commercial & Change
Corp 3	It is recognised that in centralising financial transactions there will be scope for efficiencies from reduced operations across the Council. Efficiencies can be achieved from standardising practices, controlling spend and income collection that will yield further efficiencies / income.	(150)			Reform	CFO

Extract from Appendix 1C

Corporate & Communities Current Capital Programme

	LATEST FORECAST 2019/20	LATEST FORECAST 2020/21	LATEST FORECAST 2021/22	LATEST FORECAST 2022/23	LATEST FORECAST TOTAL
Efficiency and Transformation	£000	£000	£000	£000	£000

Major Schemes:

- Digital Strategy	3,235	1,071	3,000	7,306
- Repair and Maintenance of a Longer Term Benefit (And BUoP)	2,418	900		3,318
- Energy Efficiency - Spend to Save	486			486
- Stourport Library/ Coroners Relocation to Civic Centre	18			18
- Capitalised Transformation Costs	3,945	5,000	5,000	13,945
- Revenue Maintenance Costs	200			200
- Property, IT and Facilities Management	303	2,000	1,000	3,303
- Completion of Residual Schemes	15			15

TOTAL	10,620	8,971	9,000	28,591
--------------	---------------	--------------	--------------	---------------

Full Analysis at Appendix 1D

Corporate and Communities Overview and Scrutiny Panel

Page 17

24 January 2020

Period 8 2019/20
Financial Update

P8 Forecasted Position – Commercial and Change

Service	2019/20 Gross Budget	2019/20 Net Budget	2019/20 Forecast	19/20 Draft Variance Before Adj's	One Off / Adjustments			Variance After Adj's	Variance After Adj's	Variance P6	Change Since Last Period
					Transfer to Capital	Proposed Withdrawal from Reserves / Grants	Proposed C/Fwds				
COACH - Management	1,303	1,303	1,304	1				1	0.1%	1	0
Legal and Democratic Services	9,180	7,113	7,158	45	(10)	(105)		(70)	-1.0%	(71)	1
Commercial Team	2,815	2,711	2,881	170		(234)	(1)	(65)	-2.4%	(65)	0
Property Services	10,369	8,289	8,717	428	65	(669)		(176)	-2.1%	(287)	111
HR	5,416	3,962	4,004	42		(150)	11	(97)	-2.4%	(100)	3
Service Transformation (Customer Servs,ICT)	8,571	7,747	7,934	187	(232)	(20)		(65)	-0.8%	(36)	(29)
Content and Communications	1,023	1,023	1,021	(2)				(2)	-0.2%	2	(4)
Programme Office	429	0	482	482	39	(521)		0	0.0%	0	0
Recharges to other Directorates	(26,565)	(26,565)	(26,565)	0				0	0.0%	0	0
Commercial and Commissioning	12,541	5,583	6,936	1,353	(138)	(1,699)	10	(474)	-8.5%	(556)	82

Key Headlines – Commercial and Change

- The overall forecast is an underspend of £474k (8.5%)
- Slight worsening position from P6 mainly due to contracted costs required within Property Services, although it is still expected to underspend its budget by 2%
- Main reasons for underspend position remain as:
 - In year savings relating to the Talent Programme
 - Additional Registration fees
 - Reduced CIMU costs
 - Savings in contract costs within IT
 - Reduction in property services contract costs
 - Additional legal services income and reduced staffing costs

P8 Forecasted Position – Communities

Service	2019/20 Gross Budget	2019/20 Net Budget	2019/20 Forecast	19/20 Draft Variance Before Adj's	One Off / Adjustments			Variance After Adj's	Variance After Adj's	Variance P6	Change Since Last Period
					Transfer to Capital	Proposed Withdrawal from Reserves / Grants	Proposed C/Fwds				
Community Services Management including Community Solutions Fund	267	267	258	(9)				(9)	-3.4%	(9)	0
Strategic Libraries and Learning(Including The Hive)	11,725	6,192	6,100	(92)				(92)	-1.5%	(36)	(56)
WCC Museum Service	693	577	584	7				7	1.2%	8	(1)
Countryside Greenspace and Gypsies	1,682	548	563	15		14	8	37	6.8%	43	(6)
Strategic Music Education	750	19	30	11				11	57.9%	11	0
ChS Commissioning and Partnership Function	13,859	2,892	4,775	1,883	(200)	(1,726)		(43)	-1.5%	0	(43)
Total Communities	28,976	10,495	12,310	1,815	(200)	(1,712)	8	(89)	-0.8%	17	(106)
Archives and Archaeology	3,229	1,553	1,455	(98)				(98)	-6.3%	(130)	32

Key Headlines – Communities

- The overall forecast for communities is an underspend of £89k (6.3%)
- Improved position from P6 due mainly to
 - Reduced salary forecast within The Hive
 - Increased income and reduced salary costs within the Children's commissioning team
- Archives and Archaeology are forecasting an underspend due to additional commercial income generation.

This page is intentionally left blank

CORPORATE AND COMMUNITIES OVERVIEW AND SCRUTINY PANEL 24 JANUARY 2019

STATUTORY AND CORPORATE COMPLAINTS AND COMPLIMENTS SYSTEM

Summary

1. The Corporate and Communities Overview and Scrutiny Panel are asked to consider an update on the Council's Statutory and Corporate Complaints and Compliments System.
2. The Cabinet Member with Responsibility for Transformation and Commissioning and the Director of Commercial and Commissioning have been invited to attend the meeting.

Background

3. At its meeting on the 10 December 2019, the Panel received an overview of the Statutory and Corporate Complaints and Compliments Procedure with some detail about the compliments and complaints received for all Directorates. A further report covering the complaints procedures was requested for this meeting.
4. Accordingly, the Panel is provided with a schematic diagram to demonstrate the complaints process, an explanation of time limits and how performance is measured against this, feedback/complaints received by Councillors and how this links to the Complaints team and data highlighting where the delays arise in the process. For Adult Social Care this is at Appendix 1, Children's Social Care is at Appendix 2 and for Corporate Representations is at Appendix 3.

Outline of Complaints Procedure

5. The Representation Procedure encompasses comments, compliments and complaints. The procedure is important because:
 - It provides a way for members of the community to contact the Council and voice their satisfaction or dissatisfaction with staff or services.
 - A well-publicised and efficient Representations Procedure improves communication between the Council and its customers
 - It demonstrates to customers that the Council values their comments and are prepared to act on them.
 - It enables customers to reward good service by providing a method of recording their compliments. These are used by management to demonstrate to staff that they are working to high standards and are valued by their customers and helps to provide a more balanced view of how successful the Council is at delivering high quality services to the public.

- It enables the Council to re-direct resources/attention thereby improving service.
- It enables the Council to assess customer satisfaction.
- Customers benefit two-fold: they benefit as individuals by having their problems sorted out; and they benefit collectively as a result of improved services.

Purpose of the Meeting

6. The Corporate and Communities Overview and Scrutiny Panel is asked to:
 - (a) consider the detailed report, consider the report, and
 - (b) determine whether it would wish to carry out any further scrutiny.

Supporting Information

Appendix 1: Further information for Adult Social Care

Appendix 2: Further information for Children's Social Care

Appendix 3: Further information for Corporate Representations

Specific Contact Points for this report

Samantha Morris/Alison Spall Overview and Scrutiny Officers Tel: 01905 844963

Email: scrutiny@worcestershire.gov.uk

Background Papers

In the opinion of the proper officer (in this case the Head of Legal and Democratic Services) the following are the background papers relating to the subject matter of this report:

- Minutes of the Corporate and Communities Overview and Scrutiny Panel held on 3rd September 2019 and 10 December 2019

[All agendas and minutes are available on the Council's website here.](#)

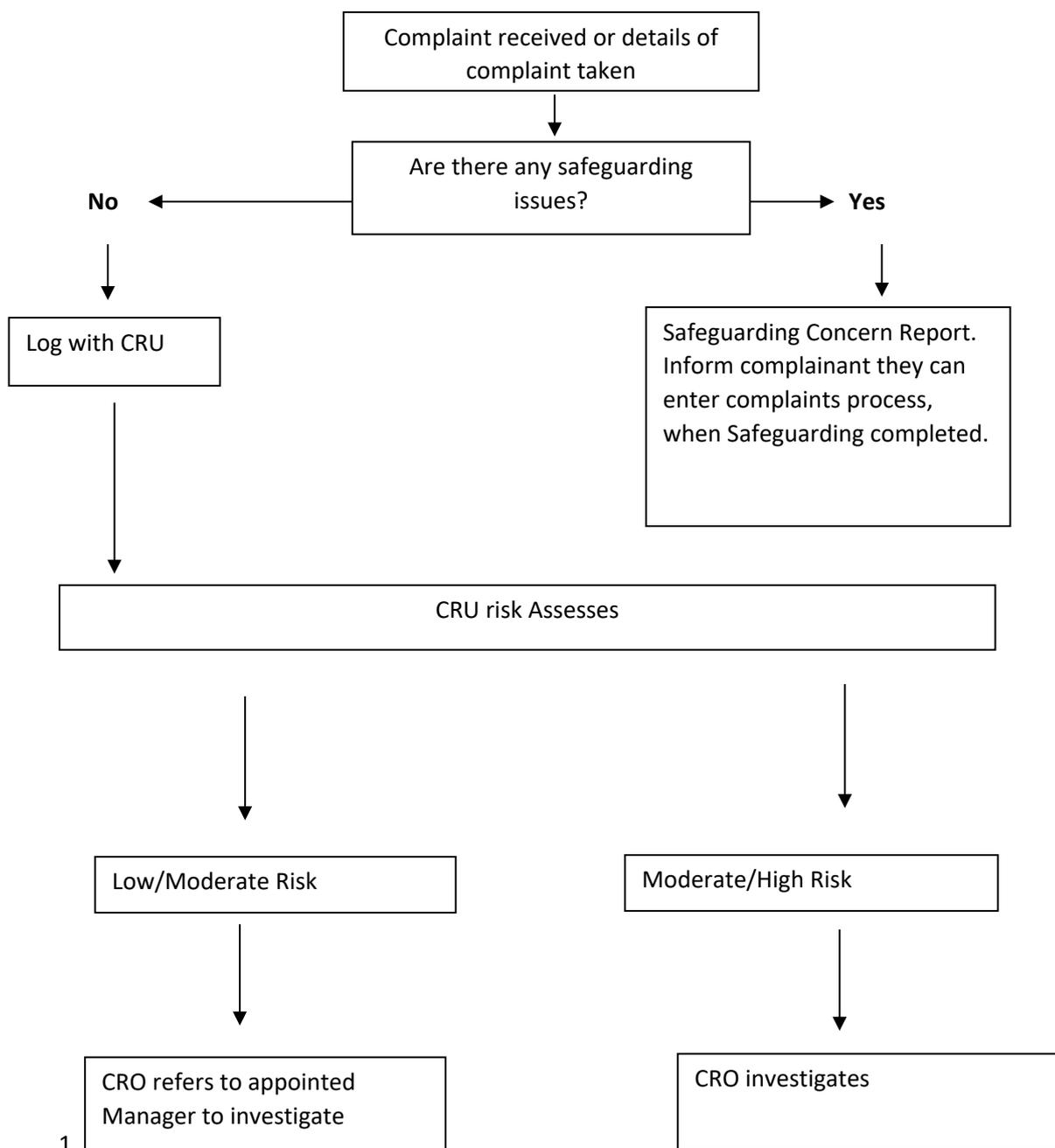
Further information for Adult Social Care

1. Schematic diagram to demonstrate the complaints process

The attached schematic diagrams (flow charts) for Adult Social Care are aligned to the Statutory Guidance for the Complaints and Representations Procedure. The procedures were produced in accord with the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009. These diagrams represent the complaints process for Adult Social Care.

When complaints are allocated to Managers and Advanced Social Workers the relevant flow chart is also provided together with template response letters, a Key Learning form (for capturing individual and general learning for the directorate) and the complaint. The Consumer Relations Officer (CRO) provides training on the complaint's procedure to staff at all levels. The CRO is also available to visit individual teams to discuss the complaints and representations procedure of any concerns that may arise from it.

Flow Chart for receipt of complaints



1

Types of complaints

Informal complaint –
Locality/Team Manager or
ASWP seeks resolution. No
need for a written response

Low level complaint – Usually a single
resolvable issue, with little impact on the
Adult or Authority. Allocated Manager
Investigates

Moderate level complaint – A more complex complaint in
need of in-depth investigation which may involve more
than one organisation. Greater risk to the Adult, service or
reputation. Allocated Manager or CRO investigates

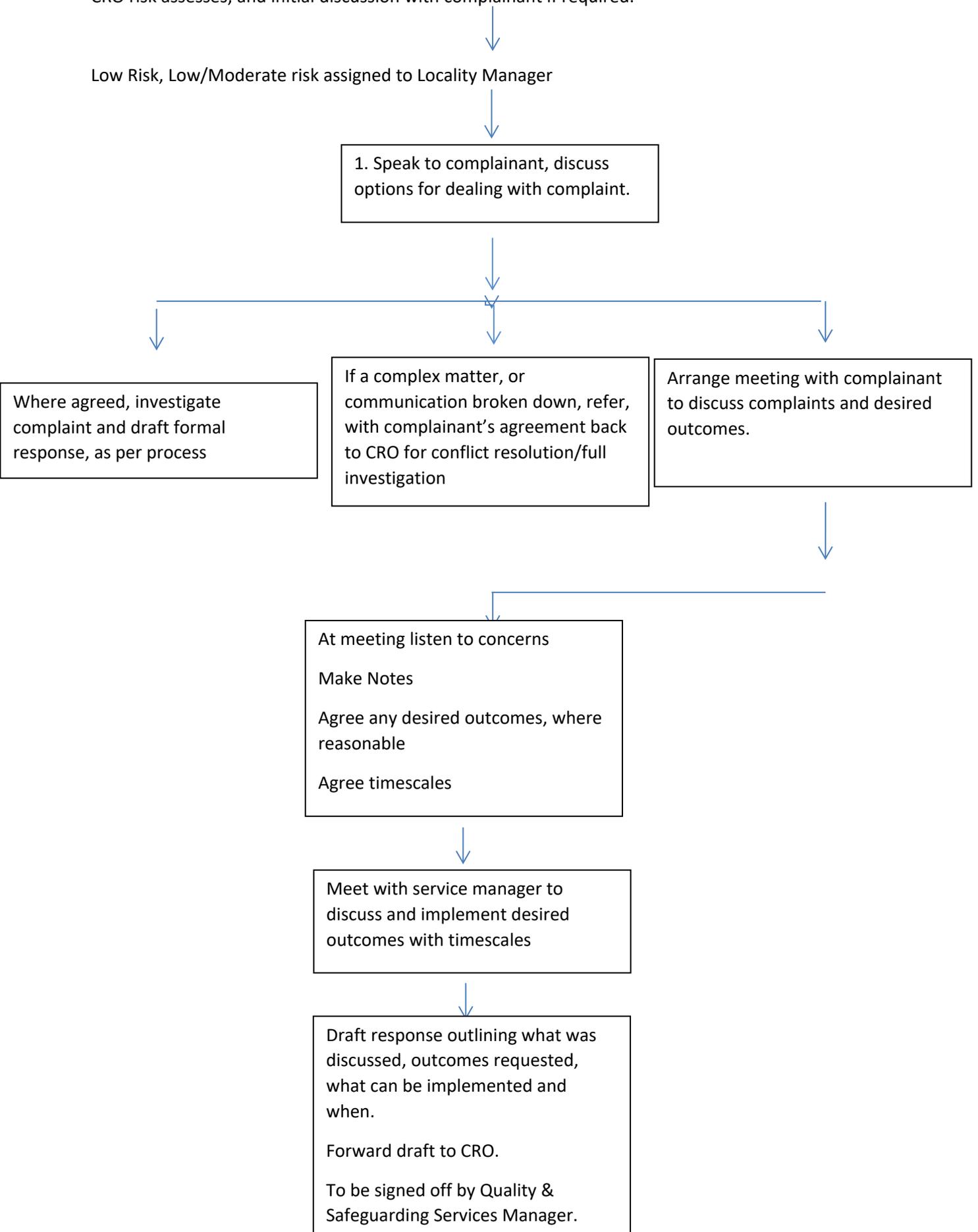
Consider whether there are any allegations that suggest abuse
or neglect, and report a safeguarding concern

High Level complaint – A complex complaint, involving serious issues
that are a high risk to both adult and the reputation of the Authority.
CRO always investigates.

Process for considering Conciliation or Mediation

CRO risk assesses, and initial discussion with complainant if required.

Low Risk, Low/Moderate risk assigned to Locality Manager



2. Explanation of time limits and how performance is measured against this

There are no prescribed time limits for dealing with complaints, although the legislation suggests a maximum of 6 months. The expectation is that reasonable timescales are negotiated and agreed with the complainant. Adult Social Care has set a default time limit of 35 working days for the completion of complaints, although it is possible to extend the timescales for more complex complaints.

Informal complaints must be verbal and about a matter of low concern, where immediate intervention will resolve the issue or prevent the complaint escalating. Informal complaints must be dealt with rapidly, within 24 hours or where the complainant has stated that they do not want to make a formal complaint. If the complainant does not want to make a formal complaint, but the issues raised are of a serious nature, the Consumer Relations Officer (CRO) should be contacted to decide how to deal with the complaint.

Formal complaints can be made either verbally or in writing. The complainant should be acknowledged within 3 working days. The CRO will risk assess the complaint and decide who the complaint should be allocated to. Where the complaint is redirected to the Safeguarding process, the complainant is advised. Complaints are investigated independently of the complained about service area. A rota exists managed by the CRO for Team Managers and ASWPs who deal with Low/Moderate risk complaints. Senior Managers and the Safeguarding lead have access to the rota on a shared drive. No formal complaint should be dealt with outside of this process.

Managers and ASWPs tasked with investigating complaints must have relevant competences to investigate. If they do not feel adequately equipped, they are advised to contact the CRO for additional training.

Managers and staff must make themselves available for interview, clearing a space in their diary if necessary. Requests for information should also be dealt with promptly.

Those dealing with Low/Moderate complaints should contact the complainant within 5 working days to clarify:

- Details of the complaint and desired outcomes
- How the complainant wants to be kept informed of progress
- A meeting if appropriate
- Whether they need advocacy assistance
- A timescale for dealing with the complaint, or the default timescale

The CRO should be informed if the timescale agreed is different to the 35 working days, which should include 10 days for the draft response to be signed off by the relevant member of the senior management team, Adult Social Care.

Delays at the initial stage of the complaint process are often caused by:

- difficulty in obtaining consent from the service user (where complaints have been brought by members of the family or friends)
- difficulty in contacting the complainant to agree the complainant's desired outcomes

Delays in progressing and completing complaints are often caused by:

- complexity of the complaint, requiring other agency input such as joint NHS or NHS complaints, and complaints relating to finance
- complainants adding to the initial complaint

There is flexibility in how a complaint can be dealt with, and mediation or conciliation meetings can be offered if appropriate.

Overdue complaint responses are monitored and chased by the CRO. All responses are checked by the CRO who will make suggestions or amendments. The CRO returns responses to investigating officers for further work where necessary. This procedure is part of the quality assurance process currently used by the Directorate. A similar process applies to commissioned investigations.

Reports that detail response times are produced on a quarterly basis, which include timescales for responses. These reports are presented at SLT, DLT and SMT. An Annual Report is also produced. Ad hoc reports are produced on request.

3. Feedback/complaints received by Councillors – consider how this links to the Complaints Team

The guidance states that “all complaints however made or received must be forwarded to the Consumer Relations Unit.” This includes complaints received via MPs or Councillors. A complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of actions by Adult Social Care, the discharge of, or failure to discharge a Social Services function. If an expression of dissatisfaction is more than an observation and requires either action or a response, then it is deemed to be a complaint.

4. Data for future report – drill down into data to show statistics. Also highlight where delays arise in the process

A ‘deep dive’ of quarter 2 response times has been used to illustrate where delays arise in the process.

Low/medium risk complaints completed in Quarter 2

Area the complaint relates to	Within 35days 2019/20	Within 45 days 2019/20	Within 55 days 2019/20	Over 55 days	Total
Operational Services	7	1	3	1	12
Reasons for the delay		Ack and allocated within timescale. Complainant was dissatisfied with the response he received. He was signposted to the LGO but also offered a meeting with the Senior Manager and	Complaint 1 Complaint ack and allocated within timescale. Complainant added to the original complaint prior to response being sent within timescale. This took the complaint over the 35 working day timeframe, which the complainant was aware of.	Ack and allocated within timescale. ASWP passed complaint to her manager following the CRU chasing a response. Queries arose around data protection. CRU escalated the complaint to senior	

		the CRO. The complainant declined.	<p>Complaint 2</p> <p>Complaint ack and allocated within timescale. Complainant added to the original complaint within the 35 working days. This delayed the response being finalised. Complainant aware of delay.</p> <p>Complaint 3.</p> <p>Ack within timescale. Delay of 9 working days as permission required. CRU spoke to complainant when complaint received to explain there would be a delay due to requiring permission. Complainant accepted this.</p>	management. Complainant aware of difficulties.	
Comm Provider	7				7
Finance and Bus Support	7	1	1		9
Reasons for the delay		<p>Complaint 1</p> <p>Ack and allocated within timescale. Complex case, complainant received two responses as queried first response. Complainant</p>	<p>Complaint 1</p> <p>Ack and allocated within timescale. Permission required for the health and welfare part of the complaint but could proceed with finance part of complaint. Allocated to Independent Officer.</p>		

		aware of delay.	Complainant added to the complaint during the investigation. IO agreed to the additional complaint. Complainant aware that the timeframe would need to be extended.		
LD			1		1
Reasons for the delay			Ack on time but insufficient information to process the complaint. CRO contacted the complainant who provide information 2 weeks later. Complaint then assigned. A second acknowledgement was sent out once complaint information received.		
Urgent Care	1				1
Safeguarding	3				3

Q2 saw an improvement in the time taken to complete complaint responses. 75% were responded to within 35 working days. Less than a quarter were responded to over the 35-day timeframe.

This page is intentionally left blank

Further information for Children Social Care

1. Schematic diagram to demonstrate the complaints process

The schematic diagrams (flow charts) below are for Children Social Care which is aligned to the Statutory Guidance for the Complaints and Representations Procedure. The procedures were produced in accordance Section 26(3) of the Children Act 1989 which provides that all functions of a local authority under Part 3 of the Act may form the subject of a complaint. The Children Act 1989 Representations Procedure (England) Regulations 2006 provides that some new functions under Part 4 and Part 5 of the Act may also be the subject of a complaint.

There is a statutory duty for local authorities with social care services functions to operate a complaints procedure compliant with relevant legislation. The Authority must publicise the procedure and ensure ease of access to it.

A compliment is an expression of gratitude about the actions of a member of staff or team in relation to their duties, or a service provided. It is more than a “thank you”, and recognises exceptional service.

A comment is a general observation about a service, either positive or negative, or a service improvement suggestion. Children should be able to put forward ideas or proposals about the service they receive, or the establishments they live in, without having this framed as a complaint. These should be dealt with in a similar manner to Stage 1 complaints.

A complaint may be generally defined as an expression of dissatisfaction or disquiet in relation to an individual child or young person, which requires a response. Children and young people often express complaints as ‘problems not being sorted out’.

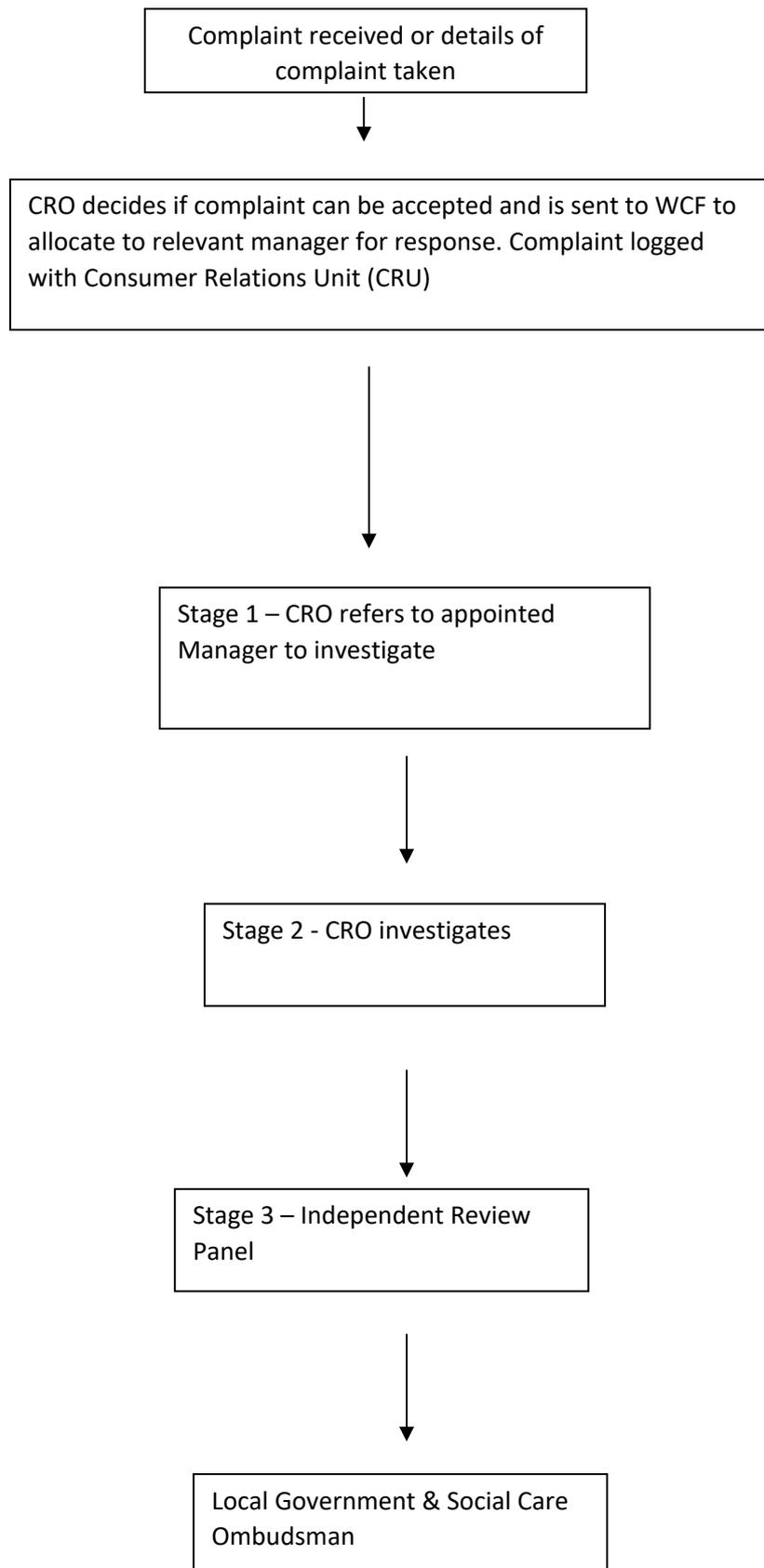
A complainant is a person from whom a complaint is received, whether they are acting on their own behalf or on behalf of another person.

A Review Panel is a group of three independent people, appointed by the Authority to review, at the request of the complainant, a complaint previously considered through the initial two stages of the complaint procedure.

The Local Government & Social Care Ombudsman is a Government appointed body that considers complaints made against local authorities in England, usually after a complaint has been through the various stages of the authority’s complaints procedure.

Complaints are allocated to Managers to respond to. Key Learning is identified by WCF for individual and general learning. The Consumer Relations Officer (CRO) can provide training on the complaints’ procedure to staff at all levels. The CRO is also available to visit individual teams to discuss the complaints and representations procedure of any concerns that may arise from it.

Flow Chart for receipt of Children Social Care complaints



Types of complaints

Informal Complaint

Response/ Action can be completed quickly.

Stage 1 – Team/Group Manager investigates and responds.

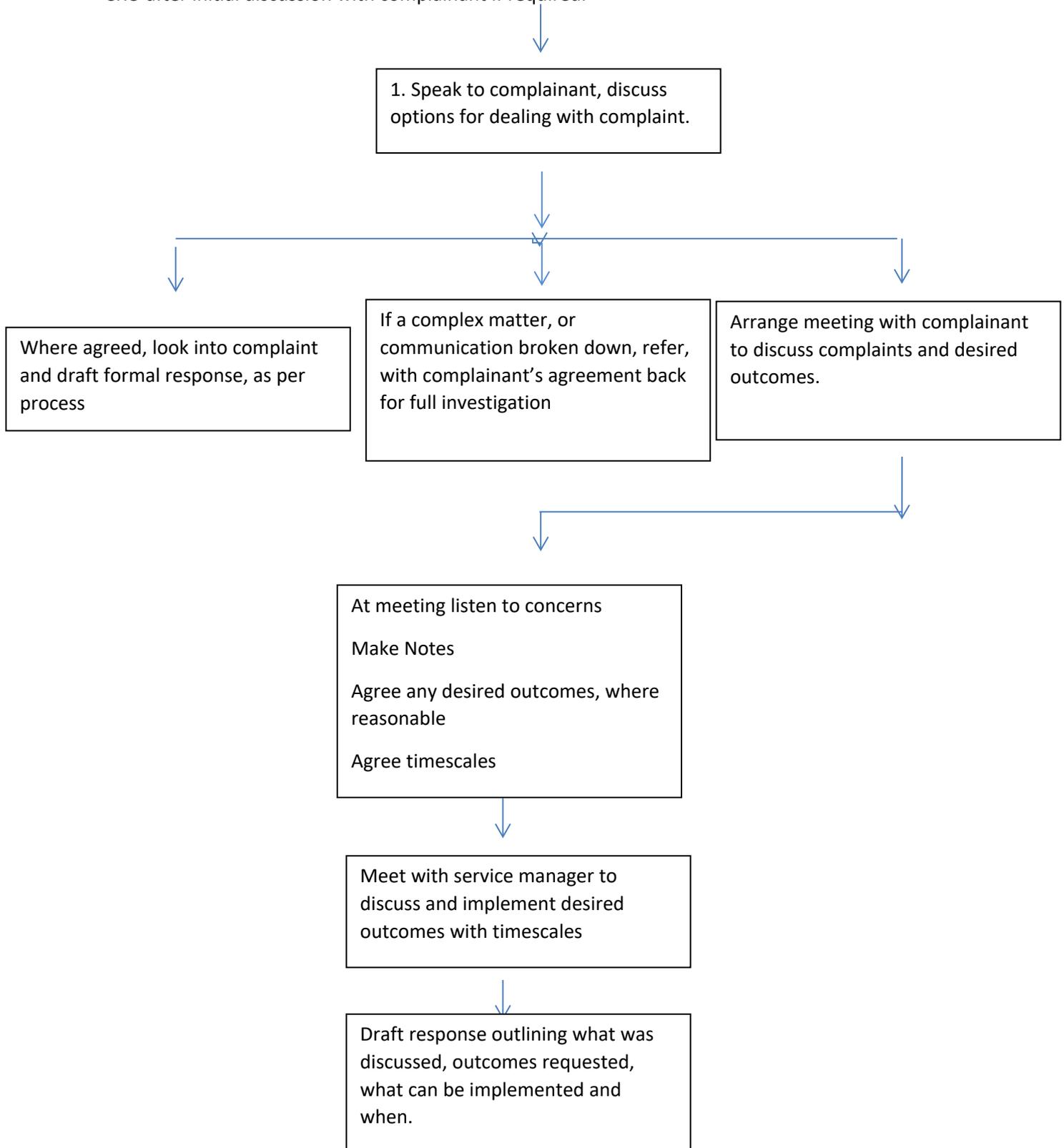
Stage 2 – Unhappy with Stage 1 response can request escalation to Stage 2. Investigation conducted and report written for Director to respond. Allocated Investigating Officer or CRO investigates.

Stage 3 – Unhappy with Stage 2 response can request escalation to Stage 3. Independent Review Panel hear complaint and make findings. Response sent by Chief Executive.

LGO – Unhappy with Stage 3 response can request escalation to LGO.

Process for considering Conciliation or Mediation (Conflict Resolution)

CRO after initial discussion with complainant if required.



2. Explanation of time limits and how performance is measured against this

There are prescribed time limits for dealing with complaints, although the LGO suggests a maximum of 3 months. The expectation is that the Stage 1 response should be sent within 10 working days of receipt of the complaint however this can be increased to 20 working days if the extension is agreed with the complainant.

Formal complaints can be made either verbally or in writing. The complainant should be acknowledged within 3 working days. The CRO will ensure that the complaint can be accepted and forward the complaint to WCF to allocate to the appropriate manager. Managers tasked with investigating complaints must have relevant competences to conduct an investigation. If they do not feel adequately equipped, they are advised to contact the CRO for additional training.

Managers and staff must make themselves available for interview, clearing a space in their diary if necessary. Requests for information should also be dealt with promptly. Those dealing with Stage 1 complaints should contact the complainant asap to clarify:

- Details of the complaint and desired outcomes
- How the complainant wants to be kept informed of progress
- A meeting if appropriate
- Whether they need advocacy assistance
- A timescale for dealing with the complaint, or the default timescale.

The CRO should be informed if the timescale agreed is different to the 10 working days, which should include 10 days for the draft response to be signed off by the relevant Officer. Delays at the initial stage of the complaint process are often caused by:

- difficulty in obtaining consent from the service user (where complaints have been brought by members of the family or friends)
- difficulty in contacting the complainant to agree the complainant's desired outcomes

Delays in progressing and completing complaints are often caused by:

- complexity of the complaint, requiring other agency input such as NYAS or Onside advocacy
- complainants adding to the initial complaint

There is flexibility in how a complaint can be dealt with, and mediation or conciliation meetings can be offered if appropriate.

Overdue complaint responses are monitored and chased by WCF. The CRO returns responses to investigating officers for further work where necessary.

Reports that detail response times are produced on a quarterly basis, which include timescales for responses. These reports are presented to WCF and for monitoring of KPI's. An Annual Report is also produced. Ad hoc reports are produced on request.

3. Feedback/complaints received by Councillors – consider how this links to the Complaints Team

The guidance states that "all complaints however made or received must be forwarded to the Consumer Relations Unit." This includes complaints received via MPs or Councillors. A complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of actions by WCF, the discharge of, or failure to discharge a Social Services function. If an expression of dissatisfaction is more than an observation and requires either action or a response, then it is deemed to be a complaint.

4. Data for future report – drill down into data to show statistics. Also highlight where delays arise in the process

A 'deep dive' of quarter 2 response times has been used to illustrate where delays arise in the process.

Stage 1 Responses

Area the complaint relates to	Within 10 working days 2019/20	Within 20 working days 2019/20	Over 20 working days 2019/20	Total
Operational Services	16	7	25	48

Stage 2 Responses

Area the complaint relates to	Within 25 working days 2019/20	Over 25 working days 2019/20	Total
Operational Services	-	5	5
Reasons for the delay		<p>Legal issue arose during stage 2 investigation, which caused slight delay.</p> <p>Delay due to IO having other investigations and leave commitments, which caused delay in report being written.</p> <p>Delay due to staff not being available for interview and delays in receiving information from staff. For the same stage 2 investigation the Director was not satisfied with the IO report and requested the AO would therefore need more time to do their AO response, hence delay in sending reports out.</p>	

Further information for Corporate Representations

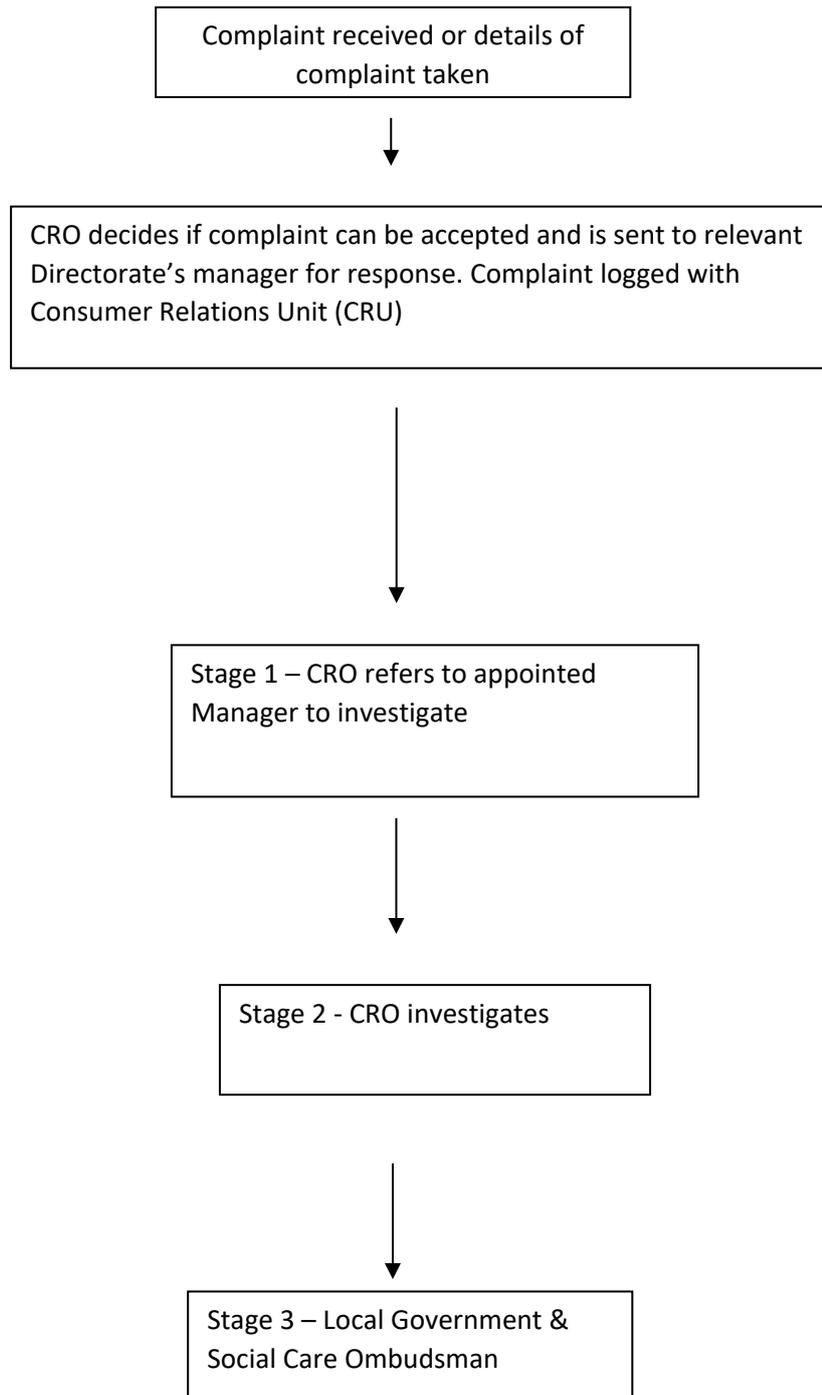
1. Schematic diagram to be produced to demonstrate the complaints process

The schematic diagrams (flow charts) below are for Corporate complaints. The Representation Procedure encompasses comments, compliments and complaints. The procedure is important because:

- It provides a way for members of the community to contact the Council and voice their satisfaction or dissatisfaction with staff or services.
- A well-publicised and efficient Representations Procedure improves communication between the Council and its customers
- It demonstrates to customers that the Council values their comments and are prepared to act on them.
- It enables customers to reward good service by providing a method of recording their compliments. These are used by management to demonstrate to staff that they are working to high standards and are valued by their customers and helps to provide a more balanced view of how successful the Council is at delivering high quality services to the public.
- It enables the Council to re-direct resources/attention thereby improving service.
- It enables the Council to assess customer satisfaction.
- Customers benefit two-fold: they benefit as individuals by having their problems sorted out; and they benefit collectively as a result of improved services.

Complaints are allocated to Managers to respond to. Key Learning is identified by the manager responding and recorded on CRU's database for individual and general learning. The Consumer Relations Officer (CRO) can provide training on the complaint's procedure to staff at all levels. The CRO is also available to visit individual teams to discuss the complaints and representations procedure of any concerns that may arise from it.

Flow Chart for receipt of Corporate complaints



Types of complaints

Informal Complaint

Response/ Action can be completed quickly.

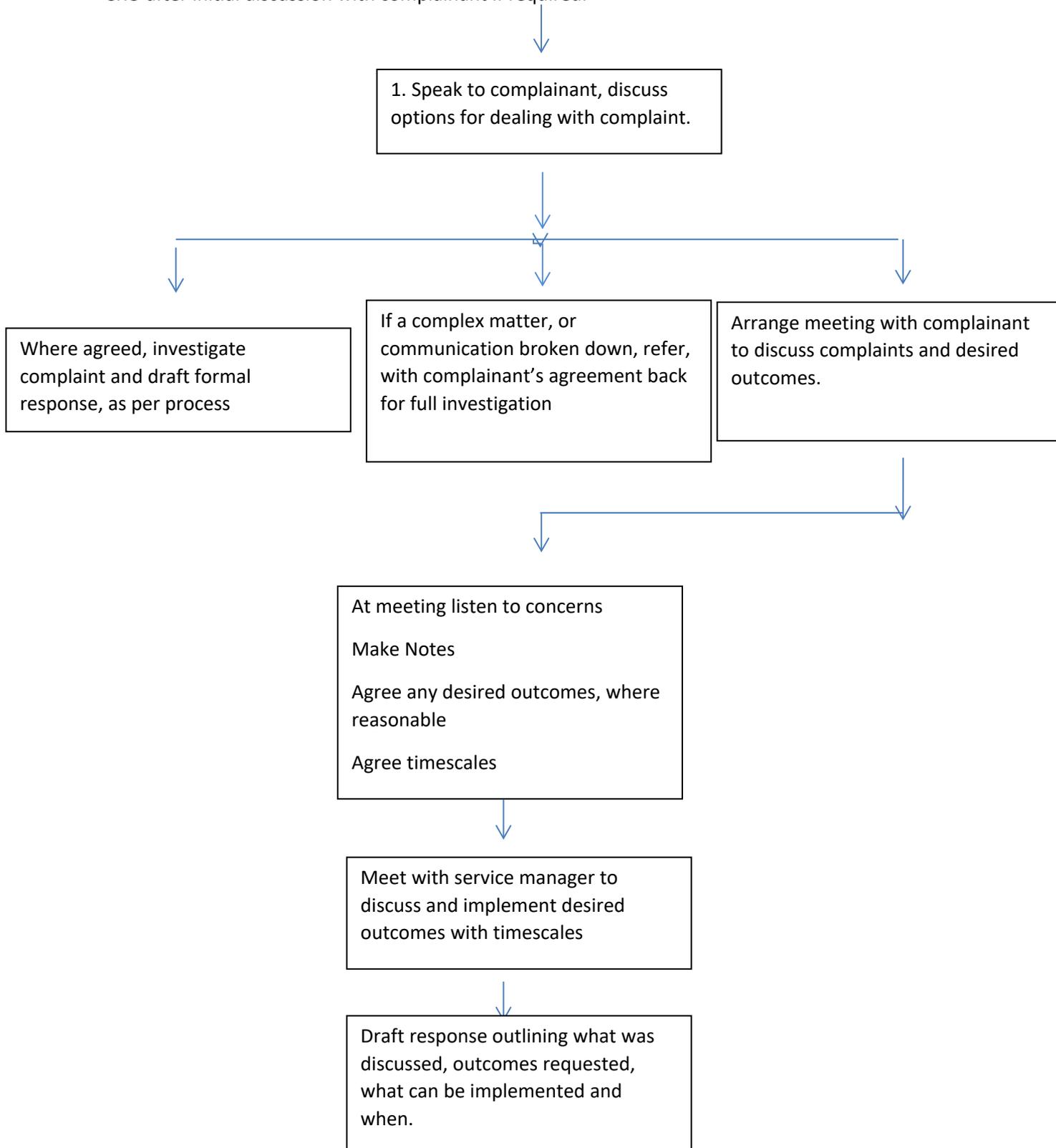
Stage 1 – Team/Group Manager investigates and responds.

Stage 2 – Unhappy with Stage 1 response can request escalation to Stage 2. Investigation conducted and report written for Director to respond. Allocated Investigating Officer or CRO investigates.

Stage 3 – LGO – Unhappy with Stage 2 response can request escalation to LGO.

Process for considering Conciliation or Mediation (Conflict Resolution)

CRO after initial discussion with complainant if required.



2. Explanation of time limits and how performance is measured against this

There are agreed time limits for dealing with complaints, although the LGO suggests a maximum of 3 months. The expectation is that the Stage 1 response should be sent within 20 working days of receipt of the complaint.

Formal complaints can be made either verbally or in writing. The complainant should be acknowledged within 7 working days. The CRO will ensure that the complaint can be accepted and forward the complaint to the relevant Directorate and manager for response to the complainant.

Managers tasked with investigating complaints must have relevant competences to conduct an investigation. If they do not feel adequately equipped, they are advised to contact the CRO for additional training.

Managers and staff must make themselves available for interview, clearing a space in their diary if necessary. Requests for information should also be dealt with promptly. Those dealing with Stage 1 complaints should contact the complainant asap to clarify:

- Details of the complaint and desired outcomes
- How the complainant wants to be kept informed of progress
- A meeting if appropriate
- Whether they need advocacy assistance
- A timescale for dealing with the complaint, or the default timescale.

The CRO should be informed if the timescale agreed is different to the 20 working days, which should include 10 days for the draft response to be signed off by the relevant Officer.

Delays at the initial stage of the complaint process are often caused by:

- difficulty in obtaining consent from the service user (where complaints have been brought by members of the family or friends)
- difficulty in contacting the complainant to agree the complainant's desired outcomes

Delays in progressing and completing complaints are often caused by:

- complexity of the complaint, requiring other agency input such as NYAS or Onside advocacy
- complainants adding to the initial complaint

There is flexibility in how a complaint can be dealt with, and mediation or conciliation meetings can be offered if appropriate.

Overdue complaint responses are monitored and chased by the CRO. The CRO returns responses to investigating officers for further work where necessary.

Reports that detail response times are produced on a quarterly basis, which include timescales for responses. These reports are presented at SLT, DLT and SMT. An Annual Report is also produced. Ad hoc reports are produced on request.

3. Feedback/complaints received by Councillors – consider how this links to the Complaints Team

The guidance states that "all complaints however made or received must be forwarded to the Consumer Relations Unit." This includes complaints received via MPs or Councillors.

A complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of actions by WCC, the discharge of, or failure to discharge a Social Services function which does not fall under the statutory processes for Adults or Children's. If an expression of dissatisfaction is more than an observation and requires either action or a response, then it is deemed to be a complaint.

4. Data for future report – drill down into data to show statistics. Also highlight where delays arise in the process.

A 'deep dive' of quarter 2 response times has been used to illustrate where delays arise in the process.

Stage 1 Responses

Area the complaint relates to	Within 20 working days 2019/20	Over 20 working days 2019/20	Total
Operational Services	104	32	136
Reasons for the delay		<p>20 Complaints allocated to E&I area but received a late response by service due to pressure of workload.</p> <p>7 WCF late responses mainly SEN due to complexity of complaint.</p> <p>2 Adult late responses due to complexity of complaint.</p> <p>3 complaints only 1 or 2 days over timescale.</p>	

Stage 2 Responses

Area the complaint relates to	Within 25 working days 2019/20	Over 25 working days 2019/20	Total
Operational Services	5	6	5
Reasons for the delay		<p>Delay due to IOs having other investigations and leave commitments, which caused delay in report being written.</p>	

CORPORATE AND COMMUNITIES OVERVIEW AND SCRUTINY PANEL 24 JANUARY 2020

WORK PROGRAMME 2019/20

Summary

1. From time to time the Corporate and Communities Overview and Scrutiny Panel will review its work programme and consider which issues should be investigated as a priority.

Background

2. Worcestershire County Council has a rolling annual Work Programme for Overview and Scrutiny. The 2019/20 Work Programme has been developed by taking into account issues still to be completed from 2018/19, the views of Overview and Scrutiny Panel Members and the findings of the budget scrutiny process.
3. Suggested issues have been prioritised using scrutiny feasibility criteria in order to ensure that topics are selected subjectively and the 'added value' of a review is considered right from the beginning.
4. The Corporate and Communities O&S Panel is responsible for scrutiny of:
 - Commissioning, contracts and commerce and ensuring the corporate commissioning cycle works well
 - Transformation
 - Finance
 - Localism and Communities
 - Organisation and employees
5. The current Work Programme was agreed by Council on 12 September 2019.

Dates of Future Meetings

- 18 March 2020
- 2 June 2020
- 21 July 2020
- 9 September 2020
- 18 November 2020

Purpose of the Meeting

The Panel may wish to consider the 2019/20 Work Programme and consider whether it would wish to make any amendments. The Panel will wish to retain the flexibility to take into account any urgent issues which may arise.

Supporting Information

- Appendix 1 – Corporate and Communities Overview and Scrutiny Panel Work Programme 2019/20

Contact Points

Specific Contact Points for this Report

Samantha Morris/Alison Spall, Overview and Scrutiny Officers, Tel: 01905 844963/846607

Email: scrutiny@worcestershire.gov.uk

Background Papers

In the opinion of the proper officer (in this case the Head of Legal and Democratic Services) the following are the background papers relating to the subject matter of this report:

- Agenda and minutes of Council on 12 September 2019 - available on the Council website [here](#)
- Agenda and Minutes of OSPB on 24 July 2019 - available on the Council website [here](#)

2019/20 SCRUTINY WORK PROGRAMME: Corporate and Communities Overview and Scrutiny Panel

Date of Meeting	Issue for Scrutiny	Date of Last Report	Notes/Follow-up Action
24 January 2020	Budget Scrutiny 2020/21 (incorporating Performance and In Year Budget Monitoring - Period 8)		
24 January 2020	Corporate Complaints and Compliments system		Requested by Panel at 3 September 2019 meeting. Report received at 10 December 2019 meeting. Further information sought.
18 March 2020	Commissioning including the Development of the Procurement Strategy	23 October 2018 13 March 2019 3 September 2019	Report to include detail about how contract specifications are developed and monitored and KPI's
18 March 2020	Performance and In Year Budget Monitoring Period 9/Quarter 3 (October - December 2019)		
18 March 2020	Progress Monitoring of the Organisational Change programme.		
18 March 2020	Council's Energy providers and costs. Report back from task group.		Referred from Economy & Environment Overview and Scrutiny Panel 11 September 2019 Report received at 10 December 2019 meeting. Agreed a Member task group carry out more detailed work and report back their findings to the March Panel.
18 March 2020	Customer Relationship Management (CRM) system for councillors		Referred from Economy & Environment Overview and Scrutiny Panel 11 September 2019
2 June 2020	tbc		

21 July 2020	Performance and In Year Budget Monitoring (Outturn 2019/20)/Quarter 4 (January-March 2020)		
21 July 2020	Councillors Divisional Funding		
9 September 2020	Performance and In Year Budget Monitoring - Quarter 1 (April to June 2020)		
18 November 2020	Performance and In Year Budget Monitoring - Quarter 2 (June-September 2020)		
Possible Future Items			
TBC	Adult Education service – revenue raised and how it is being utilised	n/a	
TBC	Communications – How we ensure residents have easy access and we communicate service levels? WCC brand and the postal service.	n/a	
TBC	County Hall – is it fit for purpose? Value for Money? Usage?		
TBC	Culture: How can we utilise the Culture of Worcestershire to maximise the benefit to the County?	n/a	
TBC	Feedback and Progress on the Maximising Income Generation session (March 2019) including fees and charges	22 May 2018 22 January 2019	
TBC	Gypsy service – an update		
TBC	IT enhancements and progress.		

TBC	Liberata	n/a	
TBC	Place Partnership		
TBC	The County Council's Talent Programme		Referred from OSPB in November 2019
TBC	Information sharing with District Councils		Following consideration at the November 2019 Panel, the Chairman agreed to discuss this issue with the Vice-Chairman and consider ways in which it could be taken forward. They would report back to the Panel with a suggested way ahead.
TBC	Re-commissioning of the customer services contract (Civica)		
TBC	The Council's process for handling Freedom of Information (FOI) and Subject Access requests (SAR) and how the Council complies with the General Data Protection Regulations (GDPR)		
TBC	Trading Standards		
TBC	Volunteering	n/a	
TBC – July?	Worcestershire County Council Regulation of Investigatory Powers Act 2000 Policy (RIPA)	n/a	
Standing Items	Performance Management Quality Assurance Budget Scrutiny Councillors Divisional Funding Scheme		

This page is intentionally left blank