

Minutes of the

Corporate and Communities Overview and Scrutiny Panel

County Hall, Worcester

Tuesday, 20 July 2021, 10.00 am

Present:

Cllr Mike Rouse (Chairman), Cllr James Stanley (Vice Chairman),
Cllr Mel Allcott, Cllr Aled Evans, Cllr Laura Gretton, Cllr Peter Griffiths,
Cllr Emma Marshall, Cllr Natalie McVey and Cllr Craig Warhurst

Also attended:

Cllr Adam Kent, Cabinet Member with Responsibility for Corporate Services
and Communication
Cllr Tom Wells, Overview and Scrutiny Performance Board Chairman

Andrew Spice, Strategic Director of Commercial and Change
Annette Stock, Complaints Manager
Sheena Jones, Democratic Governance and Scrutiny Manager
Hannah Perrott, Assistant Director - Communities and People
Steph Simcox, Head of Finance
Samantha Morris, Scrutiny Co-ordinator
Jo Weston, Overview and Scrutiny Officer

Available Papers

The members had before them:

- A. The Agenda papers (previously circulated)
- B. The Minutes of the Meeting held on 11 March 2021 (previously circulated).

(A copy of document A will be attached to the signed Minutes).

312 Apologies and Welcome

The Chairman welcomed everyone to the first public meeting of the Corporate and Communities Overview and Scrutiny Panel following the local elections.

313 Declarations of Interest and of any Party Whip

None.

314 Public Participation

None.

315 Confirmation of the Minutes of the Previous Meeting

The Minutes of the previous Meeting, held on 11 March 2021, were signed by the Chairman after being advised that no comments had been received from Panel Members at the time. The previous Panel Chairman, Cllr Adam Kent, concurred.

316 Performance Monitoring of Comments, Compliments and Complaints

The Panel had requested an update on performance of Stage 2 Children's Social Care complaints completed inside 65 days and Stage 2 Corporate complaints in 25 days, following the 11 March 2021 Panel meeting.

The Strategic Director of Commercial and Change introduced the report by stating that the County Council took complaints very seriously as it provided a picture of what residents were experiencing. Regular updates were provided to Senior Leaders, and Directorate Officers across the organisation were involved in the process. The Director referred to the Agenda, outlining that the requested Action Plan had been developed following the 11 March Panel and that some progress had been made.

The Council acknowledged that the 2020 Local Government and Social Care Ombudsman (LGO) letter was disappointing and was expecting progress to have been made when the 2021 letter was received by the end of July. The Director concluded that although there had been some decrease in the volume of complaints, it was a strange time to be taking feedback from residents.

The Cabinet Member with Responsibility (CMR) for Corporate Services and Communication added that as the previous Panel Chairman, he remembered the Panel's discussions and agreed actions. He referred to the Appendix showing the Action Plan and highlighted that it showed some improvement had been made, although advised caution as it was very easy for figures to be skewed if numbers were low. The CMR suggested that the Panel may wish to keep the subject under review.

The Panel was asked to note an error in the Agenda. Paragraph 7 (bullet point 3) should read that there had been "an increase in most of the categories for Statutory Adult Social Care representations (complaints up from 117 to 125)..."

The Chairman invited questions from Panel Members and the following main points were made:

- In response to a query on progress made in recruiting an additional 12 Investigators/Independent Persons, the Complaints Manager reported that employee references were currently being sought, with training and induction sessions being planned for August. New Independent Persons would work alongside an experienced Investigator initially, to build up their knowledge. The Panel was also reminded that for all Children's Social Care cases, an Independent Person must shadow the Investigator
- For clarity, the 12 appointees included 3 Independent Persons and 8 Investigators
- When asked about the progress of Conflict Resolution Meetings, it was reported that a process had been agreed with the People Directorate, however, a trial case had not yet been identified as the process did not suit every case. In addition, as the process was staff intensive, it was important to choose carefully
- In response to a question on what the Council could do to reduce the number of complaints overall, it was reported that Worcestershire Children First (WCF) had a higher rate of satisfaction at Stage 1 suggesting that work to resolve issues early was key
- The Panel was reminded that Adult Social Care representations had a one Stage process. If the complainant was not satisfied, they had the right to go straight to the LGO. Corporate complaints had a 2 Stage process, whereas Children's Social Care representations had 3 Stages, plus the opportunity for an Independent Review Panel
- Members learned that the Council's Senior Leadership Team received a quarterly monitoring report, including lessons learned, however, review and learning was ongoing across the organisation
- Individual Directorates were responsible for dealing with Stage 1 complaints, with the Consumer Relations Unit taking on the management of Stage 2 complaints
- A contract was issued for each investigation, at a flat hourly rate, with the Investigator required to provide an update every 2 weeks. No further expenses were paid and the hourly rate was reviewed every two years to keep in line with neighbouring authorities
- The Complaints Manager gave an outline of the investigation process highlighting that the Action Plan required Investigators to have direct access to Liquid Logic to enable secure file reads at County Hall and this was now in place. Furthermore, a meeting room was available to the Investigators, although remote meetings were likely to become the default option going forward. Once the investigation was complete, the Investigator would write their report within 5 days, which was checked for factual accuracy and forwarded to the Directorate for their response
- The introduction of a Complaints Tracker spreadsheet, which could be viewed by appropriate Staff across the organisation, had helped to keep work under review and showed clear timeframes and responsibility
- The Cabinet Member was pleased that the use of technology, especially with remote meetings, was assisting with the improvement plan and would like to see more bespoke technology in place for tracking complaints

- In relation to complaints completed within timescales, examples were given whereby delays were outside of the Council's control. The onus had also moved to the complainant, whereby if there was no response within 5 days, it was assumed they were satisfied with the outcome. Very rarely, investigations could be suspended such as if there was a substantial amendment
- When asked why only 40% of Stage 2 Children's complaints had been completed within the 65 working days set by legislation, the Cabinet Member suggested that the national timeframe was unrealistic. Every case was different; however, the lack of Investigators and Independent Persons did not help. It was hoped that with an increased pool of qualified people, capacity would increase and the wait time to allocate a case would drop from the current 6 to 8 weeks. At present, Investigators would manage a maximum of 4 cases at any one time. The Chairman requested further information on caseload management
- The Panel noted that although 40% were in the timescale, all had ultimately been resolved
- Benchmarking Worcestershire performance against West Midlands authorities was done informally, however, it was known that reporting methods were not consistent, therefore there was no true picture
- Early analysis of 2020/21 in comparison to 2019/20 suggested a slight rise in the number of complaints, however, Officers were keeping pace with the increase. Given that Annual Reports would be finalised by the Autumn, the Panel agreed to have a further update at their November Panel meeting
- A Member questioned whether a pool of 12 would be enough to improve performance and whether the Council should be striving to be the best. In response the Director highlighted that it was difficult to know whether the number recruited was enough, however, improved processes should streamline some of the tasks, such as a move to remote meetings. Furthermore, the Council would want to be on par with its near neighbours, however, when information wasn't shared it was difficult to benchmark. The Cabinet Member added that he was delighted that the pool had increased, however it was important to look at impact at an appropriate time in the future
- For clarity, the process for Children's complaints was explained. After Stage 1, the complainant had the absolute right to go to Stage 2 which was a full investigation by an Investigator and Independent Person. After these 2 reports and a Directorate response, there was still the right to go to Stage 3 (an Independent Review Panel) and ultimately there was still the right to go to the LGO. The LGO would investigate and could recommend action even if the Council had upheld the original complaint
- Further information was requested on these Ombudsman cases in future Annual Reports and the number and amount of financial settlements awarded.

The Chairman thanked everyone for an informative and useful discussion.

The Panel agreed that:

- Information about the caseload of each Investigator would be included in each future report, to see trends over time
- Information about financial settlements made to date would be provided now and included in future reports (if suitable for reporting in the public domain)
- When this year's LGO letter was received, the Panel would be provided with a summary (including a breakdown of the complex cases)
- A further report would be provided for the 8 November 2021 Panel Meeting.

317 Worcestershire Councillors' Divisional Fund

The Democratic Governance and Scrutiny Manager had been invited to the meeting to provide the Annual Report on the Worcestershire Councillors' Divisional Fund.

It was reported that despite the COVID-19 pandemic, it had been another successful year with a wide range of applications from across the County. The application process had been made more digital although Officers continued to check both the information provided and the legality of the application. It was highly unusual to have such a scheme in Local Government, where each individual Member had full delegation to apply the Fund as they wished, set at £10,000 for each Councillor for the 2020/21 year.

During the ensuing discussion, the following the main points were raised:

- Members were very supportive of the Scheme and appreciated the opportunity to decide where to allocate funding
- New Members were already submitting applications and detailed information on the scheme had been provided in their Induction packs. A Panel Member suggested that it would be useful to have examples of areas to avoid
- It was noted that the Fund was not a grant scheme, with Members citing examples of receiving repeat applications from previous years with applicants presuming it was a yearly award. The Panel was advised that Officers were always available to assist them and the application form had been taken off the County Council's website to help Councillors target the resource
- The Panel asked for Officers to provide a note for Members to help them ascertain financial viability of the application or applicant
- The Cabinet Member with Responsibility for Corporate Services and Communication suggested that elements of the Fund process may be able to integrate with the developing Councillor Case Management System
- A Member asked whether there had been any cases of mismanagement, to be informed that there had not, however, an example was given whereby a Member was a Trustee of a charity applying for funding. On that occasion advice was given and the funding was allocated to a specific outsourced element of a specific event. Any deliberate misuse would fall under the Member Code of Conduct

- Funding would need to be returned to the Council if not used for the purposes outlined in the original application, for example, an event cancellation
- In response to a query about how well the Fund was used, it was reported that there had been an increase in applications during the last year and slightly less funding had been rolled forward. Each Member could roll over up to £1,000
- To avoid an end of financial year rush, Officers would remind Members each December to allocate their funding in good time
- When asked whether anyone had measured the impact the Fund had on local communities, it was stated that the onus was on each Member to publicise their own success through their local communication channels
- The Cabinet Member reminded the Panel that Councillors were able to pool their funding to increase the amount available and the Fund was a very powerful tool for community development. Furthermore, he advised Members that as they were starting their four-year Term there was ample time to consider how their Fund was best allocated
- The Panel Chairman clarified that the Fund was currently set at £10,000 for each of the 57 Members and was not guaranteed year on year. The Fund came from Council Reserves and had not increased since its introduction. The Cabinet Member also clarified that if the Panel wished to recommend any increase, the additional funding would need to be taken from another Council budget.

It was agreed that the Democratic Governance and Scrutiny Manager would provide a guidance note for Members on this Scheme, including prompts for Members to investigate financial viability of organisations prior to Members processing requests for funding.

318 Performance and 2020/21 Year-End Budget Monitoring

Referring to the Agenda Papers, the Chairman invited questions on the Performance information provided. The following main points were raised:

- Traffic across social-media channels showed an improving direction of travel, with consistent and regular engagement. With new leadership in Communications, the Cabinet Member was very pleased with the results and keen to measure its impact, although it was noted that some key messages from Public Health England had to be shared as received, out of line with Council branding
- Council Communication with hard to reach groups during the COVID-19 response had been helped by the great partnership with District Councils, especially in Redditch and Worcester City
- The Council's communication strategy was agreed each year, with Cabinet agreeing up to 6 key messages to be shared with residents across all communication platforms, including social media
- The Cabinet Member stressed the importance of communication urging Members to not only be local advocates but to also share the Council's corporate message. He commended the success of the Here2Help

scheme as a response to the COVID-19 pandemic, in particular the Assistant Director for Communities for leading on it

- When asked if the 2016/17 Balanced Scorecard for Corporate Services on the Council's website was the current version, the Director reported that discussions were taking place to revise the Corporate Plan, likely to incorporate a Recovery Plan
- In relation to the deteriorating performance of registrations of deaths within 5 days, the Panel heard that the volume of deaths was not increasing, rather that there were 2 main reasons which were out of the Council's control, i) a national reporting system had been introduced in April which was problematic and ii) registrations were reliant on a GP signed death certificate and these were often not forthcoming in time. The Assistant Director hoped that improvements could be reported by Quarter 2, however, Worcestershire performance was not far off the 5 day target. In addition, the Panel heard that in order to respect individual wishes, all burials had taken place in a timely manner
- The dramatic increase in library e-issues (electronic books, magazines and audio books) was in part due to relaxed rules during the COVID-19 pandemic, however, the collection had been expanded and widely promoted. The new Digital Library Hub provided residents the opportunity to join instantly if they were not already a library member. The Panel requested that all Members be provided with material to promote the Digital Library to their residents
- Library usage had also increased, with Staff facilitating a number of online groups, appealing to a wider audience with great success. This creativity was commended, although it was hoped that footfall in libraries across the County would increase again. The Panel noted that libraries had been open for some time and although access had been limited, residents were grateful for the opportunity to have computer and internet access.

In relation to Budget Monitoring, the Head of Finance reported that the year-end position was very positive, with a 9% underspend in the Commercial and Change Directorate and a 54.5% underspend in the Chief Executive Unit, with both areas having improved from the previous year. The position was mainly attributed to excellent financial management, the use of COVID-19 grants when applicable, the effective use of contracts and a reduction in supplies and services.

In relation to Communities, there had been an overall underspend of 10.5% which was an improvement from the previous year. COVID-19 grants were utilised, for example when library staff were redeployed to support the Council's Here2Help service.

The Head of Finance reported that budget monitoring of the new financial year was in progress and Quarter 1 information would be reported to the Panel in September. The Chairman added that an overview of Commercial Services was planned for the November 2021 Panel meeting.

319 Work Programme 2021/22

The Panel was asked to review the Work Programme for 2021/22.

With the addition of Performance Monitoring of Comments, Compliments and Complaints, the Work Programme was agreed. It would be discussed by OSPB on 21 July 2021 and agreed by Council in due course.

The meeting ended at 11.55 am

Chairman