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RESOURCES & DELIVERING VALUE SCRUTINY BOARD - 2 November 2021

MINUTES

Present Councillors: M Parker (Chairman), M Parker (Chairman), Mrs D Holl-Allen MBE (Vice-Chairman), M Allen, B Groom, M McCarthy, A Rebeiro, P Thomas and J Tildesley
B Groom and M Allen

Officers Paul Johnson: Director of Resources and Deputy Chief Executive
Sam Gilbert: Assistant Director (Finance and Property Services)
Martyn Sargeant: Head of Customer Services
Mohinder Johal: Connect Service Support Lead
Julie Cooper: Head of Financial Operations
Karen Millard: Customer Relations Manager
Mohammad Irfan: Adult Social Care and Support Finance Manager
Andrea Santer: Finance Manager
Stuart McHale: Children's Services Finance Manager
Paul Rogers: Democratic Services

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor S Davis.

2. DECLARATIONS OF PECUNIARY OR CONFLICTS OF INTEREST

No declarations of interest were received.

3. QUESTIONS AND DEPUTATIONS

No questions or deputations were received.

4. MINUTES

The Resources and Delivering Value Scrutiny Board:

RESOLVED:

- (i) To agree the Minutes arising from the Resources and Delivering Value Scrutiny Board meeting held on 7 October 2021 as an accurate record.

5. ANNUAL COMPLAINTS REPORTS - 2020/2021

The report before the Scrutiny Board presented an overview of both Corporate and Statutory Complaints and Compliments activity for 2020/21. The Customer Relations Manager introduced the report.

Members were informed that a significant volume of complaints and compliments had been received across both Adults and Children services during 2020/21. All complaints received by the Council were responded to

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directly and appropriate learning taken from each complaint to improve on-going practice within all service areas.

Members of the Scrutiny Board submitted questions about the detail within the Complaints and Compliments report, which in summary included the following issues:

Councillor Allen made reference to use of the word “customer” in the Council’s Corporate Complaints Procedure and noted that it would be more apt to use the term ‘resident/s’ or ‘parent/s’ as applicable. The Customer Relations Manager advised that complainants had previously been referred to as ‘service users’, but Councillor Allen’s point was acknowledged and would be taken into account during the drafting of the Complaints and Compliments report for 2022/23.

Reference was made to the Council’s Internet pages for the Performance and Complaints Team, specifically the modes of communication available to residents to communicate with the team. Members questioned how people accessed the team without access to a computer or the internet.

The Customer Relations Manager advised that many of the complaints received in the Adults and Children’s service areas respectively were actually picked up in the first instance by social workers from those services on behalf of residents, some of whom would be disabled or considered vulnerable. In such cases, the social workers would act as advocate and provide support to the resident/s concerned.

With regard to the number of complaints received by gender, Members queried whether any analysis had been undertaken to establish why more complainants were female. The Scrutiny Board was advised that no such analysis had been undertaken to date, but that some research in this area would be undertaken going forward. It was noted, however, that more women tended to be involved with Children’s Services more frequently than was the case for men and would frequently contact the Council on behalf of extended family members. The complaints received were recorded via Liquid Logic and via bespoke complaints databases.

Of the complaint categories, Councillor Allen referenced six complaints recorded against ‘funding not provided’ and queried whether that represented cases of funding being withheld when it should have been made available. It was clarified by the Customer Relations Manager that in such cases the complainant was stating funding should have been provided by the Council and that the matter was therefore subsequently raised as a complaint, which would be managed through the corporate complaints process.

Councillor Allen referenced sections of the Complaints and Compliments report detailing complaints received arising from staff behaviour and attitudes. It was noted that complaints arising from staff attitudes appeared to be a recurring issue annually.

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The Customer Relations Manager advised that all complaints were reviewed to extract as much learning and understanding from them as was possible. Complaints reports breaking down the nature of complaints received by the Council were submitted to both the Senior Leadership Team and respective Directorate Leadership Teams. Any specific skills and learning required arising from these reviews were raised with the appropriate Assistant Director/s and necessary actions implemented. All such training was captured and learning forms mapped. Post training, contact would be established with the relevant line manager/s to gauge the impact of the delivered training within the service area itself.

The Head of Customer Services clarified that complaints received relating to staff attitudes equated to approximately 20% of such complaints being upheld overall.

Members made reference to 18 complaints having been received at the beginning of 2020/21 regarding the quality and accuracy of social workers reports during this period and questioned who was the ultimate decision maker for deciding whether such complaints should be upheld or dismissed. Members were advised that the complaint would pass through the Complaints and Performance Team to the Team Manager and then to the Head of Service for response. The Complaints Team read all draft responses from the complainant's perspective prior to the response being issued. Furthermore, the Complaints Team ensured that all outcomes were followed up and actioned and would discuss further with the responsible Head of Service before issuing.

Councillor Holl-Allen sought clarification as to whether the complaints received in connection to the Bereavement Service were in fact regarding the crematoria service. Officers clarified that this was the case, specifically relating to the pandemic period when strict Government rules and regulations were imposed on crematoria opening hours and access arrangements for mourners, which did result in a spike in complaints received for this service.

Councillor Groom noted that the complaints benchmarking / Service Level Agreement (SLA) data detailed in the report showed that the Council was working to answering complaints within 30 working days, which was a slower response time compared against some local authorities in the West Midlands region.

Councillor Allen made reference to the learning categories identified as part of each complainant's outcome and particularly to *'Improvements in Communication'* and questioned whether in the case of Planning Services these complaints arose due to the working from home/hybrid working practices Council staff had adopted. Councillor Allen further queried whether Council staff were present in the Council office accommodation frequently enough. The Connect Service Support Lead clarified that the complaints for Planning Services against the *'Improvements in Communication'* were more attributable to an issue of workload/volume, than that of hybrid working arrangements. It had been found that during the Covid-19 pandemic period, significant numbers

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of people were home based during the working week, which in turn had led to an upturn in home build projects requiring Planning Services advice/regulation.

Councillor McCarthy referenced Figure 8 within the report (*Complaints Handling Response Times*), particularly the figures for the response times to complaints of Independent Providers (*i.e. 54% of complaints taking 41+ Working Days to Respond*). Councillor McCarthy sought further information as to what was being actioned to improve this performance. The Customer Relations Manager advised Members that statutory procedures allowed for 6 months in which to respond to a complaint, but the Council and its partners worked to a self-imposed timescale of 30 working days in which to respond to complaints.

Members were further advised that the Council was working to support its residential home partners to raise the quality of their responses to complaints. Accordingly, the Assistant Director for Adult Social Care Commissioning provided a cover letter for every response issued by residential care home providers. It was also noted that residential homes and residential home care providers were still experiencing issues arising from the Covid-19 pandemic, which in turn was found to be attributable to a rise in the number of complaints received for the care sector in general. However, actions continued to be delivered to address a number of the root causes for the complaints.

Councillor McCarthy highlighted the complaints data within the report relating to the Local Government and Social Care Ombudsman (LGSCO) Complaints and questioned what were the systematic causes for such complaints to arise. Members were informed that the service area had liaised with the LGSCO, where it had been established that the Council's level of response to complaints was considered satisfactory, but it did require a complaints process to be established between the Council and the Clinical Commissioning Group (CCG), which had since been established.

Councillor McCarthy referenced the data for *Complaints by Ward* (Table 8) and queried why the Council permitted people to submit complaints without having to provide their home address. The Connect Service Support Lead advised Members that the number of complaints received by the Council through its internet pages had significantly increased, for which there was no requirement to supply a home address. Only a telephone number/e-mail address was required from the complainant in order to establish a channel of communication. The exception to the above pertained to complaints relating to missed residential bin collections, for which a home address would be required. It was further noted that the Council was only permitted to request/hold residents' personal data that was needed to investigate the complaint (for example, to facilitate the delivery of a service or to fully address a complaint) as defined under the General Data Protection Regulations (GDPR).

Councillor McCarthy noted that the complaints data did not specify ward or post code for the complainant and noted that in future it would be helpful to have the complaints data against each ward within the borough. Councillor McCarthy further noted that it would be helpful to use complaints data to show the number of complaints per 1,000 residents in each ward in order to establish any

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complaints or trends against specific Council service/s at a sub-ward level. Officers confirmed that they would investigate this option further.

Councillor Tildesley questioned what final sanctions were available to place on any staff members who had been the subject of complaint/s and sought further information regarding how many staff had received additional training and/or been subject to disciplinary procedures.

The Customer Services Manager advised the Scrutiny Board that the Council adopted a learning approach in support of its staff and would seek to engage with individuals or groups of employees requiring additional learning and support in order to deliver their role effectively.

The Head of Customer Services provided an update on work taking place to reduce the target response times for complaints, which was supported by the Scrutiny Board.

Having considered the report the Resources and Delivering Value Scrutiny Board:

RESOLVED:

- (i) To note and endorse the contents of the Annual Complaints and Compliments report for 2020/21.

6. REVIEW OF THE COUNCIL'S FINANCIAL POSITION – TO THE END OF SEPTEMBER 2021 (PERIOD 6)

The report before the Scrutiny Board outlined the Medium Term Financial Strategy's latest financial position as at 30 September 2021 (Period 6) including the latest Covid-19 financial impact as at the same date. The report also provided detail regarding the latest Red, Amber, and Green (RAG) ratings for the delivery of the (MTFS) savings 2021/22 to 2023/24, as detailed in Appendix A to the report. Finally, the report detailed a summary of the additional Covid-19 funding allocations (including carry forwards from previous years) for 2021/22 for which notification was received as at 30 September 2021, as detailed in Appendix B to the report. The report was presented to the Scrutiny Board by the Director of Resources and Deputy Chief Executive.

Members were informed that there was a £3.073 million adverse variance on the Core Council and an adverse variance of £12.047 million for the Dedicated Schools Grant (DSG).

Adult Social Care was currently reporting a balanced position overall through a combination of use of reserves of £0.872 million and specific Covid-19 funding across a range of Adult Social Care activities.

Public Health was forecast to balance to a net nil position after using the Public Health Grant allocation for the year of £11.505 million and alongside Covid-19 funding sources for Covid-19 related activities.

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In respect of the core budget, the projected budget position of £3.073 million was after applying £3.840 million of Covid-19 emergency grant funding. This was primarily due to the position in respect of Children's Social Care placements, which is unprecedented. The current Placements position was not unique to Solihull with Local Authorities nationally reporting pressures.

Officers from Financial Operations in conjunction with the service had invested significant time in producing and subsequently updating a 'per child' placements model to inform the current projection and to assess the longer-term impact on the MTFS. The Children's Services Oversight Board led by the Chief Executive was reported to be undertaking a number of actions to attempt to reduce the current adverse variance and will be looking at the longer-term impact on the MTFS. The service continues to work on initiatives to both reduce demand and unit costs and to identify mitigating actions to address the in-year position.

The Economy and Infrastructure Directorate was forecasting a balanced position this year with a forecast use of reserves of £0.250 million.

For Leisure Services there is a deficit position due to the impact of Covid-19 on the Leisure Centres, which is being offset through a number of funding sources, namely the National Leisure Relief fund grant, the MHCLG Covid-19 Sales, Fees and Charges grant and reserves funding.

The Resources portfolio was forecasting a balanced position overall including a number of specific Covid-19 impacts mainly related to income generation, which have been covered by the Covid-19 emergency funding.

In addition to the Core Council position, the Dedicated Schools Grant forecast shows a £12.047m accumulated deficit up to and including 2021/22, which includes a further £2.906m for the current financial year. Full Cabinet will be receiving a report to their December session, which will update Members on the SEND improvement journey and include an updated three-year DSG recovery plan.

High Needs Budgets nationally continue to come under significant pressure. In 2019, there was an estimated £470m national deficit and a survey carried out in Autumn 2020 showed that this position has been deteriorating – with 89% of LAs advising of a deficit position, which is rising each year; doubling in some cases. However, comparatively Solihull's position is not as severe as some Councils.

At this stage in the financial year there is currently £1.477m unallocated against the Covid-19 emergency funding grant. This uncommitted sum is available to offset any residual Covid-19 pressures and is ultimately available to support the Council's finances as a whole through the MTFS.

The total Capital Programme budget is currently £96.342 million for 2021/22 (excluding the HRA capital programme). Actual expenditure to the end of September was £44.073 million. There is a favourable forecast variance of

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(£4.117) million which was summarised by Cabinet Portfolio in Appendix A (Table 3).

For the current MTFS 2021/22 to 2023/24, progress at the end of September 2021 is positive. Of the overall savings target of £4.864 million, only £0.790 million is now rated as red/amber.

The balance of Portfolio Reserves at 1st April 2021 was (£142.566m). There is a forecast use of reserves over the existing Medium Term Financial Strategy of £112.759m leaving a balance of (£29.808m) at March 2024 of which £6.271m is forecast to be used beyond the current MTFS period leaving (£23.537m). The majority of which are held corporately or within the Resources portfolio.

Having considered the report the Resources and Delivering Value Scrutiny Board:

RESOLVED:

- (i) To note the current financial position and the actions being taken to address budget variances;
- (ii) To note the latest Red, Amber, Green (RAG) ratings for the delivery of the (MTFS) savings 2021/22 to 2023/24, as detailed in Appendix A; and,
- (iii) To note the Covid-19 financial position and funding sources outlined in Appendix B.

The Resources and Delivering Value Scrutiny Board meeting
Closed at 7:09 p.m.

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