

Scrutiny & Overview Committee Agenda



To: Councillor Sean Fitzsimons (Chair), Robert Ward (Vice-Chair), Leila Ben-Hassel (Deputy-Chair), Jade Appleton, Mike Bonello and Joy Prince

Reserve Members: Louis Carserides, Richard Chatterjee, Pat Clouder, Mary Croos, Clive Fraser and Oni Oviri

A meeting of the **Scrutiny & Overview Committee** which you are hereby summoned to attend, will be held on **Tuesday, 19 October 2021** at **6.30 pm**. **This meeting will be held remotely.**

Katherine Kerswell
Chief Executive
London Borough of Croydon
Bernard Weatherill House
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www.croydon.gov.uk/meetings
Monday, 11 October 2021

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AGENDA – PART A

1. Apologies for Absence

To receive any apologies for absence from any members of the Committee.

2. Minutes of the Previous Meeting (Pages 5 - 14)

To approve the minutes of the meetings held on the following dates as an accurate record: -

- 15 June 2021
- 7 September 2021 (To follow)
- 20 September 2021 (To follow)

3. Disclosure of Interests

In accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, Members and co-opted Members of the Council are reminded that it is a requirement to register disclosable pecuniary interests (DPIs) and gifts and hospitality to the value of which exceeds £50 or multiple gifts and/or instances of hospitality with a cumulative value of £50 or more when received from a single donor within a rolling twelve month period. In addition, Members and co-opted Members are reminded that unless their disclosable pecuniary interest is registered on the register of interests or is the subject of a pending notification to the Monitoring Officer, they are required to disclose those disclosable pecuniary interests at the meeting. This should be done by completing the Disclosure of Interest form and handing it to the Democratic Services representative at the start of the meeting. The Chair will then invite Members to make their disclosure orally at the commencement of Agenda item 3. Completed disclosure forms will be provided to the Monitoring Officer for inclusion on the Register of Members' Interests.

4. Urgent Business (if any)

To receive notice of any business not on the agenda which in the opinion of the Chair, by reason of special circumstances, be considered as a matter of urgency.

5. Budget & Medium Term Financial Strategy - Risks (Pages 15 - 26)

The Scrutiny & Overview Committee is asked to review the information provided in the 'Budget & MTFS Risks' presentation to inform its scrutiny of the Council's budget.

6. Annual Complaints Report (Pages 27 - 62)

The Scrutiny & Overview Committee is asked to: -

1. Note the information provided in the Annual Complaints Report.
2. Consider whether it is satisfied with the performance of the Council in regard of complaints and that there is both corporate and political ownership of the process.
3. Consider whether it is satisfied that the Council is effectively using complaints received to inform service improvement.
4. Consider whether the data provided highlights any areas of concern that should be consider for further investigation by Scrutiny.

7. Scrutiny & Overview Work Programme 2021-22 (Pages 63 - 66)

The Scrutiny & Overview Committee is asked to:-

1. Note the current position of its Work Programme for 2021-22,
2. To consider whether there are any other items that should be added to the work programme.

8. Exclusion of the Press and Public

The following motion is to be moved and seconded where it is proposed to exclude the press and public from the remainder of a meeting:

“That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information falling within those paragraphs indicated in Part 1 of Schedule 12A of the Local Government Act 1972, as amended.”

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Public Document Pack Agenda Item 2

Scrutiny & Overview Committee

Meeting held remotely on Tuesday, 15 June 2021 at 6.30 pm.

A recording of this meeting is available to view on the Council website.

MINUTES

Present: Councillors Sean Fitzsimons (Chair), Robert Ward (Vice-Chair), Leila Ben-Hassel (Deputy-Chair), Shafi Khan, Oni Oviri and Joy Prince

Also Present: Councillor Hamida Ali and Stuart King

PART A

42/21 **Disclosure of Interests**

There were no disclosures of interest made at the meeting.

43/21 **Urgent Business (if any)**

The Vice-Chair of the Committee highlighted that their continued to be concern about the provision of information to Scrutiny and requested the support of the rest of the Committee in submitting a statutory request for the information requested as part of the call-in considered at the previous meeting of the Committee on 27 May 2021. This request was endorsed by the Committee, with it noted that the deadline for a response to this request was ten clear working days.

Resolved: That a formal request for the information outlined in the call-in considered by the Scrutiny & Overview Committee on 27 May 2021 would be submitted.

The Chair advised the Committee that it had been agreed to include a Cabinet report setting out the proposed performance framework for the Croydon Renewal Plan on the agenda as an urgent item. This report had been considered by the Cabinet on 7 June and had been referred to both the General Purposes and Audit Committee and the Scrutiny and Overview Committee to obtain feedback from the members of these committees and was included as an urgent item to ensure prompt feedback could be given.

It was confirmed that it be considered later in the agenda, after the update from the Leader of the Council.

44/21 **Leader of the Council**

The Committee considered a presentation from the Leader of the Council, Councillor Hamida Ali, which provided an overview of the previous eight months since Councillor Ali was appointed as Leader and looked forward to

the year ahead. A copy of the presentation delivered by the Leader can be found on the following link:-

<https://democracy.croydon.gov.uk/documents/b8909/Item%204%20Leader%20of%20the%20Council%20-%20Presentation%2015th-Jun-2021%2018.30%20Scrutiny%20Overview%20Committee.pdf?T=9>

During the presentation the following information was noted: -

- Credit was given to council staff and Members for the scale of change delivered over the preceding six months, while it was acknowledged that there was still a considerable journey ahead.
- Since Councillor Ali was appointed as Leader, the Council had responded well to its precarious position and with the support of others such as the Local Government Association, had been able to balance its budget through capitalisation.
- There had been a range of work aimed at changing the culture of the organisation including the Leader and the Chief Executive attending frequent staff briefings and Cabinet Members attending staff roadshow events.
- The conditions found in the flats at the council block on Regina Road had resulted from a breakdown in systems designed to support residents. There was now a focus on delivering a quick response to address both the repairs needed on the block and the Council's relationship with the residents.
- The appointment of Katherine Kerswell as the permanent Chief Executive was due to be considered by the Council on the 5 July. Providing this appointment was confirmed, a new structure for the Council could start being implemented.
- The Administration had been revisiting its priorities and had included the following new ones: -
 - Warm, safe and dry homes for everyone
 - Tackling the climate emergency
 - Supporting Croydon's health and economic recovery from Covid-19.
- In order to deliver the priorities there would be a focus on the Council living within its means, having a strong relationship with residents, speaking up for Croydon and the issues that affected local communities, and having an open and transparent council.

Following the presentation, the Committee was given the opportunity to question the Leader on the information provided. The first question noted that

there had been criticism in the Report in the Public Interest (RIPI) of the concentration of power within a small group of Councillors. As the Council had new leadership, it was questioned whether there was now a more collective approach to decision making. It was confirmed that through development work with the local government sector and the Local Government Association (LGA), the Cabinet had been able to develop its team dynamic which had led to a new culture of sharing of information to ensure collection resolutions were found for the more challenging issues.

Although it was acknowledged that the issues leading to poor housing conditions at Regina Road were long standing, it was questioned how going forward the Cabinet would be able to satisfy itself that residents were receiving a good service from the Council. The Leader confirmed that the issue had first been reported four years ago, but as it had not been addressed it had developed into a significant risk for residents. Going forward it was essential that performance reporting identified the correct indicators to spot any potential issues. There was also a need to review how the Council worked with its residents to ensure it was listening and hearing what they were saying. Responses from residents would also need to be triangulated with other sources of information to provide a rounded picture.

In response, it was highlighted that performance reports did not always give a line of sight over service delivery, with it questioned whether other ways of checking performance, such as in-person evidence gathering, had been considered. It was agreed that a mixed approach was required, which the Cabinet had been employing in the response to Regina Road, with visits to residents to help understand their circumstances and the support they required from the Council. Looking forward, the Cabinet was keen to increase its visibility through meeting residents, partners and community groups to get a better understanding of what was happening in the borough.

In response to a question about whether the Council was on the right track to become more evidence and impact led, it was confirmed that this was the direction the Council was moving towards. The Renewal Plan had a three to six year delivery schedule and although there had already been a significant amount of progress in changing the culture of the Council to date, there was still a lot to be delivered.

As it was noted that the Council needed to identify savings of £63m, it was questioned whether this could be achieved while still delivering good outcomes for residents. It was advised that a range of methods would be used, such as looking at other authorities with a record of providing good quality services, to find a balance between achieving the savings and maintaining service quality. There also needed to be a greater level of analysis of what the Council was doing and if workstreams were not achieving the required outcomes, it was important to look for alternative solutions to ensure resources were used to the best effect.

Given the scale of the challenge facing the Council, the Leader was asked whether she felt there was the right political and corporate leadership team in place to deliver. The Leader stated that there was a strong Cabinet team in

place and the progress delivered to date would not have been achieved without them. It would also not have been possible to deliver such a strong application for capitalisation without the commitment of council staff. The lack of permanency within the senior management of the Council was an issue, but a more permanent structure would be brought forward by the Chief Executive in the very near future.

As a follow up it was questioned whether the new officer structure would respond to previous concerns about the structure being too top heavy. It was confirmed that it would to some degree, but at the same time the structure was designed to ensure the Croydon Renewal Plan could be delivered. Many of the prior issues found at the Council were in part caused by the lack of basic monitoring and reporting. As monthly reporting had been introduced, this would start to change the culture of the Council. Cabinet Members had participated in a series of feedback sessions with staff to consider how to ensure there was a collective endeavour to change the culture within the organisation.

Reassurance was sought from the Leader that she would be seeking to address the culture of the organisation toward access to information, as there was significant concern about the current provision of information. It was confirmed that the Cabinet was seeking to make information more publicly available through Cabinet discussions around areas such as finance, performance and risk. Resident contacts and complaints were being proactively reviewed as a means of identifying emerging issues and to improve residents' interactions with the Council. Work was also underway to improve the Council's Forward Plan, which would ensure that agendas were planned much further in advance. It was again highlighted that the Croydon Renewal Plan had a three to five year timeline for delivery and it was important to ensure that what was delivered was both manageable and sustainable, as it was not possible to bring forward every improvement immediately. The Leader gave support to principle of Scrutiny being able to access performance information to satisfy itself that the Council was performing as expected.

There was concern raised that the Government not granting an extension to the Landlord Licensing Scheme, would create a significant shortfall in the Council's budget. As this had not previously been listed on the Council's risk register it was questioned whether there could be other items not identified that may challenge the delivery of the budget. It was advised that allowance had been made in the budget for a potential negative outcome from the Government on the Landlord Licensing Scheme. As the response had now been received, it would be accounted for accordingly. It was important to now focus on what the Council could do as an alternative to the Landlord Licensing Scheme. Reassurance was given that risk was now routinely discussed as part of the financial reporting process particularly high-risk items such as the funding for unaccompanied asylum-seeking children.

As it had previously been stated that the Cabinet was working on a collective basis with shared responsibility for decision making, it was questioned whether this approach could be seen throughout the organisation. It was

acknowledged that the tendency for services to work within silos needed to be challenged and it would take time to deliver a more collaborative approach to working. Every member of staff had been involved in the recent consultation process which would help to ensure they understood the new corporate priorities and ways of working.

Given all the challenges facing the Council, it was questioned whether there was sufficient head space for new opportunities to be identified, with the possible co-location of libraries and children's centres given as an example. It was highlighted that the Council was keen to work with residents to co-produce a plan that would address the issues highlighted within the Housing Services. An e-citizens panel was also being considered as a means to renew the Council's relationship with residents.

In response to concerns raised about the Council's approach to project management, it was highlighted that there was a new approach being used that would allow for increased reporting. However, it was accepted that full reassurance about this could only be provided through the production of regular project monitoring reports.

It was stated that there was a perception of the Council that it was officer led and reassurance was sought that the political and corporate leadership were working together as one team. The Leader assured the Committee that the Cabinet worked very closely with the executive leadership and that the Council was a democratically led organisation. The priorities of the Council were set by the Administration and it was the executive role to lead on delivery.

It was highlighted that there had been reports in the press about Kent County Council taking action against the Government due to concerns about its funding for unaccompanied asylum-seeking children (UASC) and as such it was questioned whether the Council should take a similar approach. It was confirmed that the Cabinet would be having further conversations about how it dealt with the historic underfunding for UASC and at the moment all options were being considered.

At the conclusion of this item the Chair thanked the Leader of the Council for her engagement with the Committee. It was also noted that access to information and the line of sight of the political and corporate leadership over the organisation were likely to be themes for revisiting during the forthcoming year.

45/21 **Report in the Public Interest - Quarter 1 Update**

The Committee considered a report setting out the progress made with delivering the recommendations outlined in the Report in the Public Interest (RIPI), which had previously been considered by the Cabinet on 7 July. It was now being presented to the Committee and also the General Purposes and Audit Committee for further input.

The report was introduced by the Interim Executive Director for Resources, who highlighted 45 of the actions outlined in the action plan had been completed, with 44 still outstanding. There was a recognition that there was a need to maintain momentum with officers working at pace to ensure the delivery of the recommendations. Internal Audit had been tasked with reviewing the actions completed to ensure that they were having the desired impact and were in place. Feedback on this was likely to be provided on the second quarterly update when it was presented to the Committee later in the year.

In response to an open question to both the political and corporate leadership about what actions gave them the most cause for concern, providing support for UASC was highlighted as a significant challenge. Another major concern was meeting all the requirements on the Council within such a constrained budget, while at the same time ensuring the budget was both sustainable and targeted towards where it was most needed. There was also a need to look after staff welfare given the Council had been in crisis mode for fifteen months while responding to the Covid-19 pandemic, in addition to responding to the financial challenges.

As a common theme within the report was the capacity of the organisation to deliver the RIPI recommendations, it was questioned whether there was the ability to monitor delivery and adjust capacity as needed. It was confirmed that work was ongoing to establish what the Council needed to deliver its services within the available financial envelope. This included delivering business as usual, as well as transformation work, which needed to be directed correctly to ensure the maximum benefit was delivered. The new structure for the organisation would be considered by the Cabinet in July, with it accepted that the high number of senior managers employed on an interim basis may be impeding long term delivery.

In response to a question about the strategy for managing demand within Children's Services, it was advised that these actions were set out in the delivery plan which had been presented to a number of committees and were under constant review to ensure the intended outcome was being achieved. A request was made for the Committee to be provided with a copy of the Strategy to provide reassurance that it was in place.

The progress made with reducing the cost within the Children's Service to near the London average was also questioned, with it advised that in some areas the Council was already at or below the average. However, it would be a significant challenge to reduce costs in those areas where families were used to receiving services. The number of looked after children in the system had reduced over the past two years but reducing the costs of placements would make a significant difference. The cost of placements was being monitored to ensure these were reducing and there was work underway with colleagues at other boroughs in South London, but it was important to understand that it would take time to reduce costs in this area.

At the end of the item the Chair thanked both the Cabinet Members and Officer for their attendance at the meeting.

Conclusions

At the end of this item the Scrutiny & Overview Committee reached the following conclusions: -

1. The Committee agreed that the progress made with delivering the RIPI recommendations was commendable.
2. There was a concern about whether there was sufficient capacity within the organisation to continue delivering the recommendations in addition to delivering the other Council priorities and it was agreed that further evidence was needed to provide reassurance that there was a suitable system in place for the senior leadership of the Council to monitor the demand upon capacity. It was agreed that this would continue to be monitored during the year.

46/21 Croydon Renewal and Improvement Plan – Performance Reporting Framework & Measures

The Committee considered a report setting out a framework for monitoring the performance of the Council. The report had previously been considered by the Cabinet on 7 June, who had referred it to the Committee for its input on the content. It was highlighted that the version presented was an early draft and any feedback given would be considered when compiling the final version that would be available in September 2021.

It was noted that the framework presented to the Committee seemed to be a business plan framework, rather than one specifically for the Croydon Renewal Plan, with it questioned whether there was a framework in place to assess the delivery of the renewal plan. It was acknowledged that there were gaps in the framework presented to the Committee, who had been asked to comment on an early version with the intention of using the feedback to address any gaps identified. It was highlighted that the framework was based on the Croydon Renewal Plan which took account of other reviews.

Given the recent issues experienced by residents at Regina Road, it was questioned whether the final document would enable the Council's leadership to identify areas of concern at an early stage, to prevent such issues being repeated in the future. It was confirmed that a section on housing had not been included in the version presented at meeting, as it had been held back to allow for it to be designed with the new Executive Director for the service. It was confirmed that the report would be in two layers, what was reported to the Cabinet and a more detailed operational level version.

It was questioned whether the framework would allow the political and corporate leadership of the Council to maintain line of sight over services. It was confirmed that the framework would need to provide feedback from residents on the quality of services provided and work was underway with the Communications team to establish the best mechanism for this. It was envisioned that the reporting framework would be subject to ongoing refinement as new sources of information became available.

In response to a question about how the Council's financial controls would be monitored, it was confirmed that there would be a separate finance report and the framework would only include those areas of finance linked to the renewal plan. The financial report would also be provided to the members of the Scrutiny & Overview Committee, which given the concerns of the Committee about the financial controls of the Council, would enable the progress made with delivering the budget to be closely monitored.

It was suggested that the framework could look to draw in comparative data from other sources such as LG Inform, although it was acknowledged that some local authorities did not share as much data as others. For the comparative data that was available, there also needed to be certainty that the same measurements were being used to ensure there was a like for like comparison.

Given there was concern that the framework may contain too many indicators to effectively allow Scrutiny to identify where there were areas of concern, it was highlighted that the framework was being built from scratch and would be refined following feedback. It was agreed that there would be further consultation with the Scrutiny Chairs to produce a dashboard for Scrutiny that selected key data from the framework.

At the conclusion of the item to Chair thanked the officers for attending the meeting and providing an update on the development of the framework.

Conclusions

At the end of this item the Scrutiny & Overview Committee reached the following conclusions: -

1. Although it was acknowledged that there seemed to have been considerable progress made with delivering the Croydon Renewal Plan, there was significant concern that performance monitoring framework was still being developed. Without this in place it was difficult to make an informed judgement on the delivery of the Plan.
2. It was agreed that consideration needed to be given to adding further financial performance indicators to the framework.
3. It was concluded that further consideration needed to be given to how the Council's management of its large contracts could be reflected in the framework.
4. It was agreed that framework should be informed by good practice at other local authorities.
5. The suggestion that Scrutiny Chairs would work with officers to design a dashboard that was suitable for scrutiny as supported and as such it was agreed that any final judgement on the framework would be deferred until this work was complete.

47/21 **Scrutiny Annual Report 2020-21**

The Committee considered the Annual Scrutiny Report for 2020-21, which had been presented for its approval before being submitted for inclusion on the next Council meeting agenda. In introducing the report, the Chair highlighted that the past year had been a challenge for scrutiny with an increased workload following the Report in the Public Interest (RIPI). Although received criticism in the RIPI, it also needed to be acknowledged that the Scrutiny & Overview Committee was the only one to challenge the financial judgement of the previous Council leadership.

The Committee agreed its Annual Report for submission to Council and passed thanks on to the scrutiny officers who drafted the report.

Resolved: That the final draft of the Scrutiny Annual Report 2020-21 be agreed.

48/21 **Scrutiny Work Programme 2021-22**

The Committee considered a report setting out a draft work programme for both itself and the three Sub-Committees for the year ahead. In introducing the report, the Chair highlighted that there were gaps in the work programme as there was a need for Scrutiny to be responsive to the priorities of the Council.

It was also highlighted that the recommendations from the Scrutiny Improvement Review, conducted by the Centre for Governance and Scrutiny, would be introduced during the year and this would bring in a new approach for planning. The new approach would be based upon using data to identify those areas where scrutiny was needed, with an underlying principle of support the Council in its financial recovery.

Resolved: That the initial Annual Scrutiny Work Programme is agreed.

49/21 **Exclusion of the Press and Public**

This motion was not required.

The meeting ended at 10.40 pm

Signed:

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Date:

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Agenda Item 5

REPORT TO:	SCRUTINY & OVERVIEW COMMITTEE 19 October 2021
SUBJECT:	Budget & Medium Term Financial Strategy – Risks
LEAD OFFICER(S):	Richard Ennis – Interim Corporate Director of Resources Matthew Davis – Interim Director of Finance
CABINET MEMBER(S):	Councillor Hamida Ali – Leader of the Council Councillor Stuart King – Deputy Leader & Cabinet Member for Croydon Renewal Councillor Callton Young OBE – Cabinet Member for Resources & Financial Governance
PUBLIC/EXEMPT:	Public

ORIGIN OF ITEM:	This report had been prepared for the Scrutiny & Overview Committee to provide a summary of the key risks in the Medium Term Financial Strategy and budget setting process. This item is provided as part of the Committee’s preparation for the Budget Scrutiny process.
BRIEF FOR THE COMMITTEE:	The Scrutiny & Overview Committee is asked to review the information provided in the ‘Budget & MTFs Risks’ presentation to inform its scrutiny of the Council’s budget.

1. BUDGET & MEDIUM TERM FINANCIAL STRATEGY - RISKS

- 1.1. Given the financial challenge facing the Council, ensuring Scrutiny is able to play a role in the recovery of the Council has been identified as one of the key work streams for the Scrutiny & Overview Committee for the foreseeable future. Scrutiny of the budget setting process over the coming months in the lead up to the 2022-23 budget being considered by Council in February 2022, is one of the central tenets to this work stream.
- 1.2. In order for the Scrutiny & Overview Committee to be able to effectively scrutinise the budget it is important that it is aware of and understands the key risks involved in the process. In advance of the budget scrutiny process commencing in November 2021, the Committee is provided with a presentation (Appendix A) which provides an overview of the Budget and Medium Term Financial Strategy risks.
- 1.3. The Committee is asked to review the information provided and consider how it can be used to inform its scrutiny of the Council’s budget.

CONTACT OFFICER:

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APPENDICES TO THIS REPORT

Appendix A: Budget & MTFS – Risks Presentation

BUDGET AND MTFS

Risks

Key Components of the Council's Budget ...

Funding Sources

What government funding do we expect ?

What local fees and charges can we raise ?

How will the state of the economy impact on local and government funding ?

Reserves

What risks might materialise, and if they do how much might the Council spend over its budget ?

Both earmarked and un-earmarked

Spending on Services

Can services be delivered more efficiently ?

Are the costs of delivering services likely to rise due to inflation or other market pressures ?

Demand for Services

Is demand likely to increase as a result of the economy or demographics ?

What are the Council's priorities ?

New Burdens ?

Key Scale of the General Fund Revenue Budget ...

	Gross Spend (£,000's)	Gross Income (£,000's)	Net Spend (£,000's)
Children, Families & Education	348,407	(232,737)	115,670
Health, Wellbeing & Adults	252,963	(109,594)	143,369
Place	142,152	(80,334)	61,818
Resources	241,764	(210,988)	30,776
Service Budgets	985,286	(633,653)	351,633
Corporate Budgets	75,386	(143,046)	(67,660)
	1,060,672	(776,699)	283,973
Revenue Support Grant (RSG)	-	(14,205)	(14,205)
Locally Held Business Rates	-	(71,674)	(71,674)
Council Tax	-	(198,094)	(198,094)
	1,060,672	(1,060,672)	-

- The General Fund Revenue Budget has over £1bn coming in and £1bn going out for 2021/22
- Taken together, if those budgets prove to be only 99% deliverable we could face a £20m variance
- Whilst current savings targets may seem challenging, they should be considered in the context of opportunity to influence either the £1bn of spend or £1bn of income.

The Budget Gap Challenge (March 2021) ...

	<----- Incremental Changes ----->				<----- Cumulative Changes ----->			
	2021/22 (£,000's)	2022/23 (£,000's)	2023/24 (£,000's)	2024/25 (£,000's)	2021/22 (£,000's)	2022/23 (£,000's)	2023/24 (£,000's)	2024/25 (£,000's)
Children's Families & Education	20,433	85	77	-	20,433	20,518	20,595	20,595
Health, Wellbeing & Adults	28,940	6,919	6,880	-	28,940	35,859	42,738	42,738
Gateway & Housing	311	-	-	-	311	311	311	311
Place	10,102	800	1,000	-	10,102	10,902	11,902	11,902
Resources	13,585	(720)	(863)	-	13,585	12,865	12,002	12,002
Corporate Items	59,192	8,430	23,269	-	59,192	67,622	90,891	90,891
TOTAL GROWTH	132,563	15,514	30,363	-	132,563	148,077	178,439	178,439
Children's Families & Education	(9,433)	(4,694)	(2,296)	-	(9,433)	(14,127)	(16,423)	(16,423)
Health, Wellbeing & Adults	(12,077)	(10,514)	(9,405)	-	(12,077)	(22,591)	(31,995)	(31,995)
Gateway & Housing	(5,417)	(231)	(100)	-	(5,417)	(5,648)	(5,748)	(5,748)
Place	(12,759)	(7,378)	(3,513)	-	(12,759)	(20,137)	(23,650)	(23,650)
Resources	(4,982)	(1,693)	(1,277)	-	(4,982)	(6,675)	(7,952)	(7,952)
Corporate Items	(37,895)	22,373	(11,639)	-	(37,895)	(15,522)	(27,161)	(27,161)
TOTAL SAVINGS	(82,563)	(2,137)	(28,230)	-	(82,563)	(84,700)	(112,929)	(112,929)
NET SAVINGS	50,000	13,377	2,133	-	50,000	63,377	65,510	65,510
Capitalisation Direction Request	(50,000)	25,000	20,000	5,000	(50,000)	(25,000)	(5,000)	-
BUDGET GAP	0	38,377	22,133	5,000	0	38,377	60,510	65,510

Risks - Funding ...

- Local Government Finance Settlement not expected to be known provisionally until late December – impacts on Revenue Support Grant; Business Rate Retention; Council Tax Referendum Limits; Social Care Precept; New Homes Bonus ...
- Reform of the Local Government Finance System – Fair Funding Review; Business Rate Retention; General Business Rates System and Property Revaluation ...
- Economic Outlook – growth in business rates and council tax property base; risk of rise in bad debt provision if economy struggles to grow ...
- Current Year and Future Capitalisation Directions not yet formally approved

Risks - Reserves ...

- General Reserves levels normalised in the outturn for 2020/21 – £27m closing (but still subject to external audit)
- Earmarked reserves however still remain relatively low compared to Outer London average
- 1% error in 2021/22 budgeted expenditure and income could represent £20m of the £27m General Reserves if both moved adverse
- £79m of savings (£24m agreed in March 2021 and £45m options currently being considered) – changes to agreed budgets generally carry a higher risk level

Risks - Expenditure ...

- Inflationary Pressures – August CPI rate was 3.2% (future budget model had previously assumed 2% in future years) – each 1% on non-staffing costs represents a potential pressure of £3.7m ...
- Pay Award – labour market pressures emerging across the economy; inflation pressures seeing employees demand higher pay awards ...
- Sector-Specific Factors – areas such as social care provider costs under specific pressure and may see higher than general inflation levels

Risks - Demand ...

- Demographics – growing and ageing population not necessarily matched by government funding or ability to grow local income sources to match
- Ageing Population – long term forecasts from ONS are for a growing proportion of the population to be beyond state retirement age
- Economic Outlook – any downturn in the economy has the potential to impact on need for services (e.g. homelessness support) whilst at the same time impacting on income levels
- Further Covid impacts – potential for further spikes to not only impact the local economy, but generate demand pressures on local support functions as well as pressure on NHS budgets

Process Going Forward ...

Budget Development Timeline

- Star Chamber Process completed end of October
- Consultation on Purley Leisure Ctr / C/Tax Support Scheme After Oct Cabinet
- Spending Review / Budget 27th Oct
- Scrutiny & Overview Meetings w/c 29/11
- Cabinet 6th December
- 7th December Scrutiny & Overview Ctee
- Local Government Finance Settlement Expected end Dec
- Budget Scrutiny Sessions
- Full Budget Consultation process
- Budget Setting Cabinet / Council end Feb
- Budget Setting Cabinet / Council end Feb
- Capitalisation Direction Confirmation

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REPORT TO:	SCRUTINY & OVERVIEW COMMITTEE
SUBJECT:	Annual Complaints Report - Complaint performance 2019/2020 & 2020/2021 summary report
CABINET MEMBER:	Councillor Carlton Young – Cabinet Member for Resources & Financial Governance
LEAD OFFICERS:	Kim Hyland, Interim Complaints Manager
EXECUTIVE DIRECTOR:	Elaine Jackson, Interim Assistant Chief Executive

CORPORATE PRIORITY

A high level overview of the performance of the Council’s complaints detailing service level agreements (SLA), number of complaints upheld, themes and learnings. The way in which complaints are used to drive service improvements plays a key role in Croydon Council’s drive to be an excellent authority which delivers both a positive resident experience and shows that we are a learning organisation. How the Council reports on these improvements both internally and publically is subject to consideration and will be a key part of operating in a more transparent way.

For **Corporate Complaints** Croydon operates a two stage corporate complaints policy. The first stage is investigated by the service who the complaint is regarding. The second stage is escalated to an independent investigation by the complaints resolution team. The policy varies between Local Authorities, some of which operate a 1 stage policy and others a 3 stage policy.

For **Children’s Statutory Complaints** Croydon operates a three stage complaints policy. The first stage is investigated by the service or services who the complaint is regarding. The second stage is an Independent Investigation by an appointed Independent Investigator and Independent Officer. Finally, the third stage is a Review Panel Hearing. This is standard across all Local Authorities and follows Statutory guidelines.

For **Adults Statutory complaints** Croydon operates a one stage complaints policy, which is investigated by the service or services who the complaint is regarding. This is standard across all Local Authorities and follows Statutory guidelines.

Ombudsman complaint – When a resident is provided with a final response to their complaint they are provided with the details they are able to take in escalating their complaint further. The next step of the process is to them to request an investigation into their complaint by the Housing Ombudsman or Local Government and Social Care Ombudsman (LGSCO).

ORIGIN OF ITEM	The Corporate & Statutory Complaints report is received by the Scrutiny & Overview Committee on an annual basis. Due to the Covid pandemic and other priorities the annual presentation did not occur last year. This report therefore covers a 2 year period.
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PURPOSE:

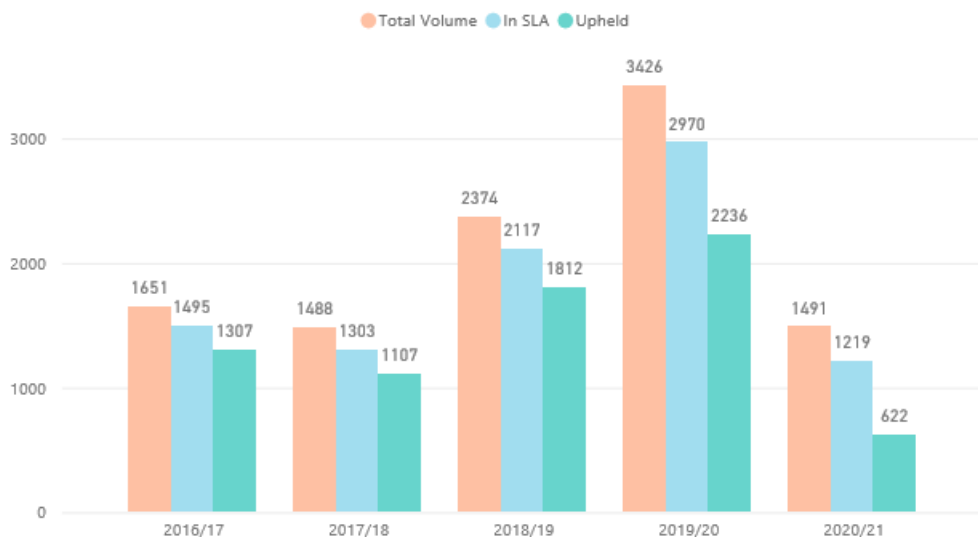
The Scrutiny & Overview Committee is asked to: -

1. Note the information provided in the Annual Complaints Report.
2. Consider whether it is satisfied with the performance of the Council in regard of complaints and that there is both corporate and political ownership of the process.
3. Consider whether it is satisfied that the Council is effectively using complaints received to inform service improvement.
4. Consider whether the data provided highlights any areas of concern that should be consider for further investigation by Scrutiny.

1. EXECUTIVE SUMMARY

1.1 This report provides a two year summary position of Corporate and Statutory complaints, 2019/20 (1 April 2019 – 31 March 2020) and 2020/2021 (1 April 2020 – 31 March 2021).

1.2 The chart below shows a 5 year view: 01 April 2016 – 31 March 2021 which provides an indication of trends in terms of numbers over the period. As the structure of Divisions and Services has changed significantly over the period, the below is shown as an indication of trends over the period.



2. IMPROVEMENTS MADE AND ACTIONS TAKEN:

2.1 Numerous improvements have been made across the organisation as a result of learning from complaints, and recommendations and orders made by the Ombudsman. Below are some of the changes made:

- An update made to the advice of parents to reflect the current law and to make it clearer the SEN rights of appeal.
 - A review of the policy and procedure to ensure amended Education Health and Care Plans are done in a timely manner, and within eight weeks of sending out the amendment notice.
-
- Implementation of a plan to chase parties when they do not provide or delay in providing information for Annual Reviews of Education Health and Care Plans in a timely manner.
 - A review of the procedures to ensure that adequate information on costs is given to service users at the outset.
 - A review and amendment to procedures to bring them into line with the Care and Support Statutory Guidance which states that where a local authority is meeting needs by arranging a care home, it is responsible for contracting the provider and for paying the full amount.
 - A review of the exceptional circumstances criteria of its vehicle crossover policy.
 - A review of the way the highways department records decisions and ensure the reasons for a decision are fully explained to applicants.

- A review of the contracts and monitoring arrangements with providers of interim and temporary accommodation to ensure the properties are fit for purpose and of an appropriate standard.
- Provided advice to contractors that they should retain records of monitoring and consider taking photographs as evidence that collections have been completed.
- Reminder sent to staff of the importance of keeping accurate and contemporaneous records of contacts with those approaching as homeless or threatened with homelessness. This is to ensure that the Council are able to show what advice it has given, and how it has complied with the law and national guidance.
- A review of the procedures to ensure reports of noise that are referred to the ASB team are actioned and the complainant contacted in a timely way.
- A review of procedures to ensure adequate records of visits and assessments are maintained.

-
- A reminder sent to all relevant officers of the need to ensure accuracy when drafting Improvement Notices.
 - Memo sent to all CFE officers to remind them of the need to confirm in writing if it considers care arrangements for a child are a private family arrangement/private fostering agreement and to outline any financial implications of that.

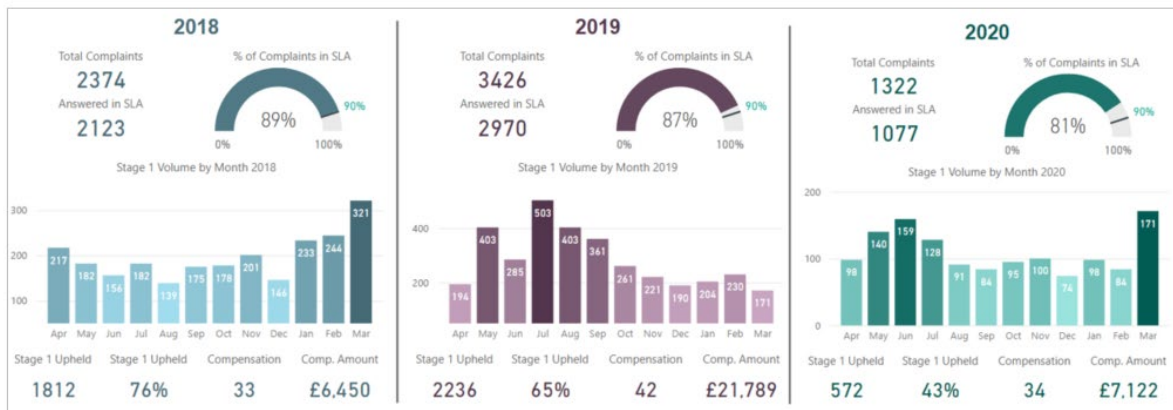
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- Implement a refreshed statement of purpose to ensure private fostering arrangements receive robust scrutiny and review.
 - A review of the procedures in how the Council identifies and deals with preparing young people with EHC Plans for transition to post-16 education to ensure they are dealt with in line with the relevant law and statutory guidance.
 - A review of current procedures to ensure there is no delay between receiving a housing application and assessing any medical evidence.
 - A review of the housing allocation policy to include a section about sheltered accommodation and the exercise of discretion. .
 - Implementation of a 'decant policy'
 - Amendment to complaints policy to ensure responding officers are independent from those complained about.
 - Update made to complaints page on Croydon website to make it simpler for residents to complain or make a service request
 - New complaints management system implemented

- Monthly Complaints Officer bulletins sent to those responsible for complaint handling
- Increased service improvement meetings between dedicated Complaints Officers and high volume services.
- Implementation of a 'Housing Improvement Plan'. This is being led by the Interim Executive Director for Housing, Dr Alison Knight.

CORPORATE COMPLAINTS

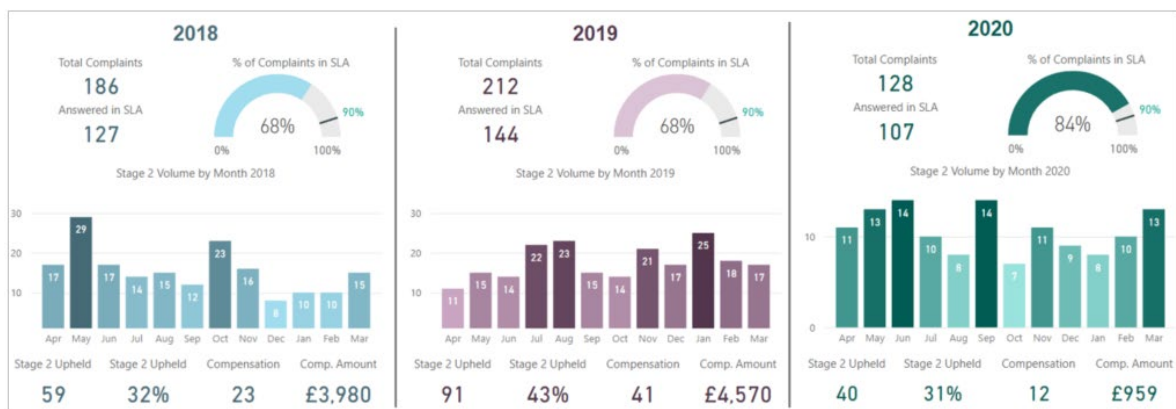
3. COMPLAINTS – HIGHLIGHTS/LOWLIGHTS

Stage One



- 3.1 The volume of corporate **Stage one** complaints increased by 44% or 1051 complaints in 2019/2020 compared to 2018/2019, but decreased by 61% in the year 2020/2021.
- 3.2 81% of corporate **Stage one** complaints have been responded to within the 20 working day corporate target in 2020/2021, a reduction of 6% and 8% on the two previous years respectively.
- 3.3 43% or 572 corporate **Stage one** complaints were upheld for 2020/2021. This has reduced from 65% of upheld complaints in 2019/2029 and 76% in 2018/2019.
- 3.4 £7,122 compensation was paid at Stage 1 this year, a reduction of £14,667 on 2019/2020 and a slight increase of £672 in comparison to the year 2018/2019.

Stage 2



- 3.5 The volume of corporate **Stage two** complaints increased by 14% or 26 complaints in 2019/2020 compared to 2018/2019, however this year 2020/2021 has seen a 39% or 83 complaint reduction.
- 3.6 84% of **Stage two** complaints were answered within the 20 working day target in 2020/2021, compared to 68%, in the two previous years.
- 3.7 31% of corporate **Stage two** complaints were upheld for 2020/2021. This is a decrease of 12% on 2019/2020, and a 1% decrease on the year before.
- 3.8 2020/2021 saw a decrease in compensation paid in comparison to the two previous years. A total of £959 in compensation was paid this year, compared to £4,570 and £3,980 2019/2020 and 2018/2019 respectively.

Local Government & Social Care Ombudsman (LGSCO)

Ombudsman investigations are complaints that have been escalated by residents who have fully completed the complaints process and are not satisfied with the outcome of their complaint. The Ombudsman, should they decide to investigate, send all enquiry correspondence via the Complaints Team who manage all contact and provide all requested information.



3.9 The volume of LGSCO investigations in 2020/2021 decreased by 51% (42 investigations) in comparison to those received in 2019/2020, and by 38% (25 investigations) in comparison to the number received in 2018/2019.

3.10 85%, or 35 LGSCO investigations were responded to by their due date in 2020/2021, an increase of 1% and 8% on the two previous years.

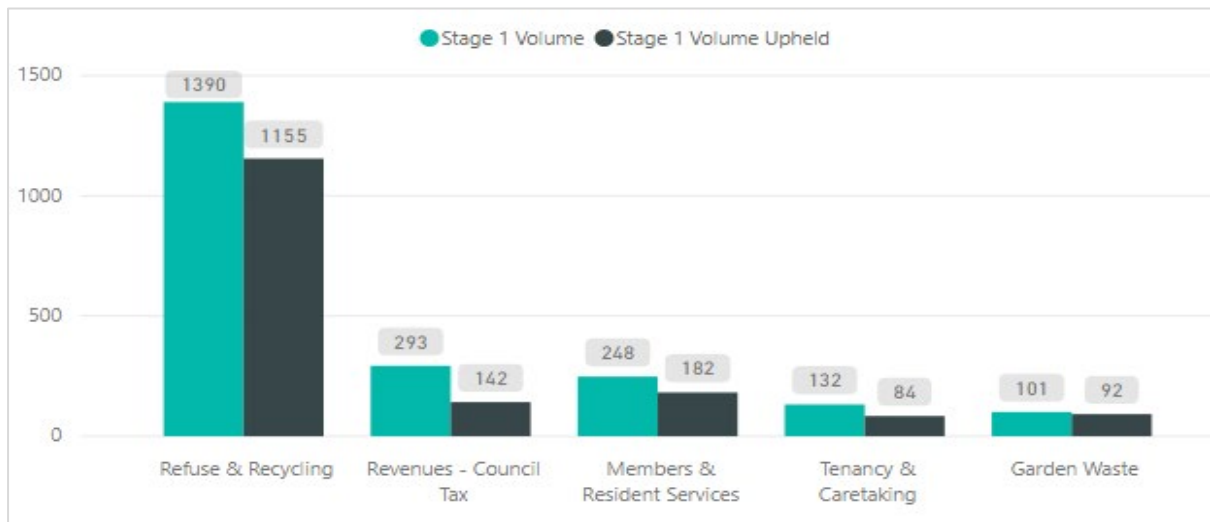
3.11 24%, or 10 LGSCO investigations were upheld for 2020/2021, compared to 22% in 2019/2020 and 14% in 2018/2019.

4. HIGHEST VOLUME AREAS OF COMPLAINT COUNCIL WIDE

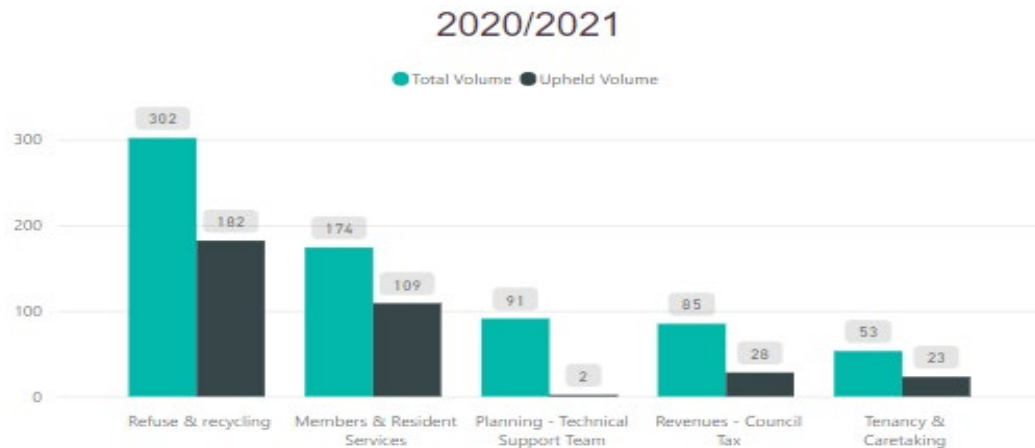
4.1 The corporate target is to respond to 90% of complaints within the target of 20 working days.

4.2 The services with the highest volume of **stage one** complaints for 2019/20 and 2020/21 are as follows:

a. Highest Volume Areas – Corporate Stage 1 – 2019/2020

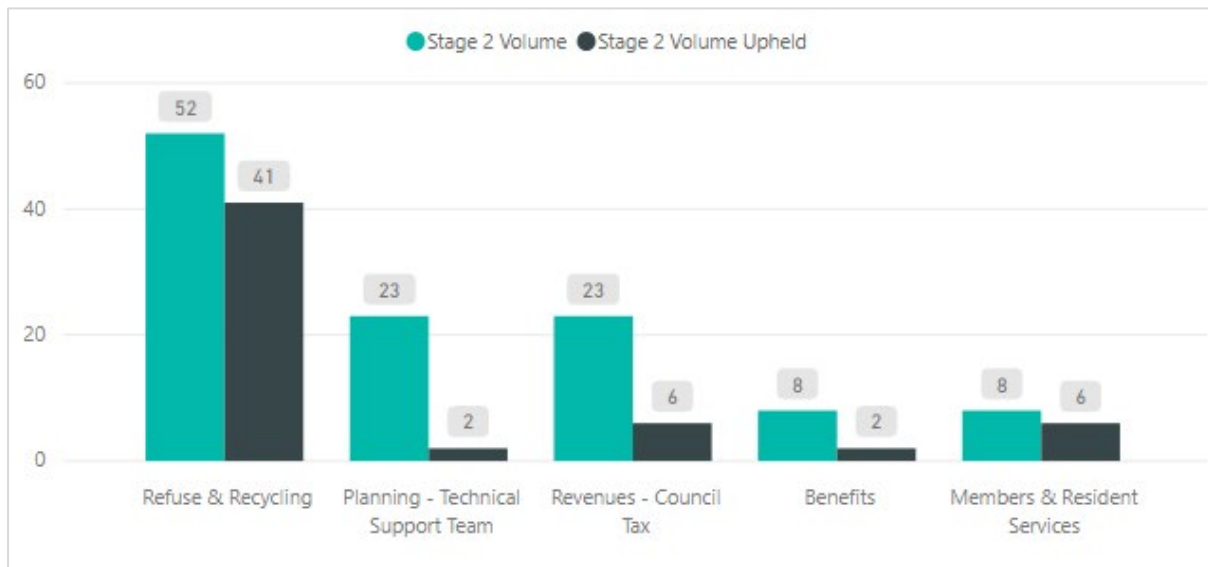


b. Highest Volume Areas – Corporate Stage 1 – 2020/2021

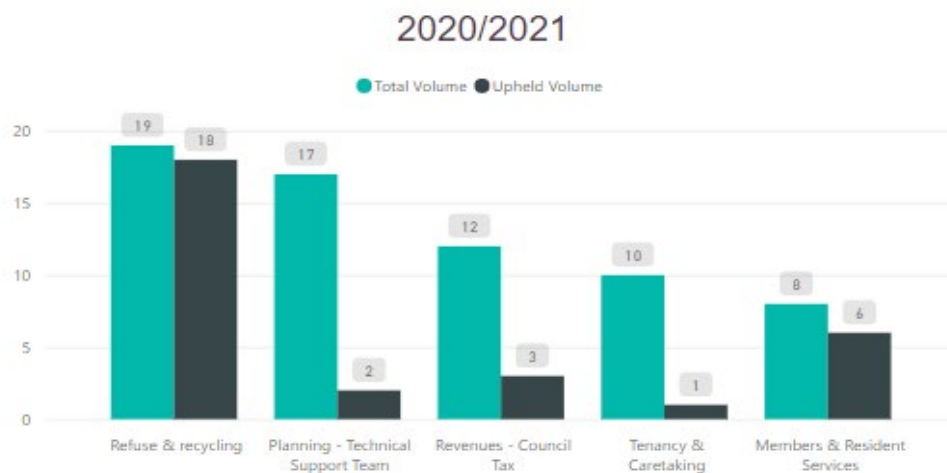


4.3 The services with the highest volume of **stage two** complaints for 2019/20 and 2020/21 are as follows:

c. Highest Volume Areas – Corporate Stage 2 – 2019/20



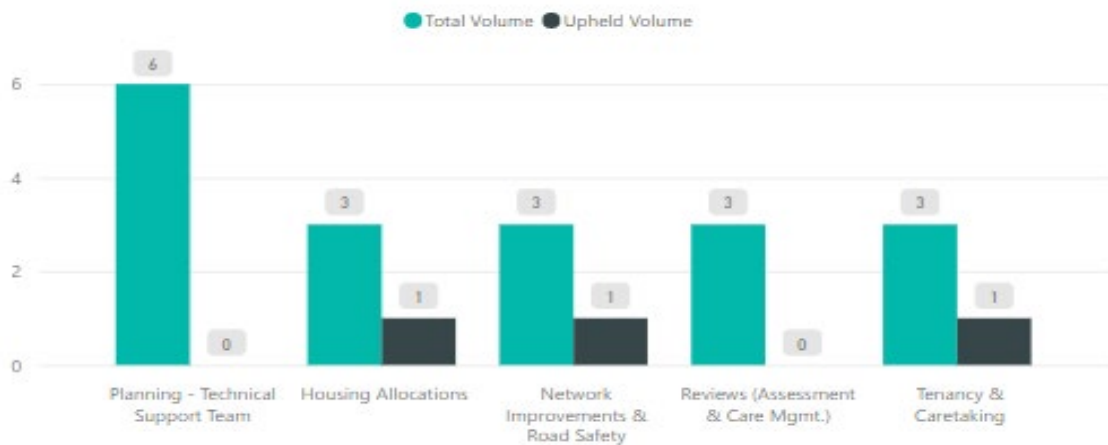
d. Highest Volume Areas – Corporate Stage 2 – 2020/21



e. Highest Volume Areas - LGSCO complaints – 2019/20



f. Highest Volume Areas – LGSCO complaints – 2020/21



Please note that the highest volume LGSCO complaints include both Corporate and Statutory.

4.4 There were 16 Upheld or Partially Upheld cases against Croydon in 2019/2020 in the following services:

- Council Tax - 2
- Adult Care Services - 3
- Education & Children Services - 2
- Environmental - 3
- Housing – 5
- Parking - 1

Further details of the findings and the recommendations can be found in Appendix A.

4.5 There were 14 Upheld or Partially Upheld cases against Croydon in 2020/21 in the following services:

- ASB - 1
- Adult Day Services - 1
- Tenancy and Caretaking - 1
- Environmental - 2
- Private Sector Housing – 1
- Insurance – 1
- Community Safety – 1
- Adult Assessments – 2
- Direct Payments – 1
- Adults Finance- 1
- SEN 0 – 25 years - 1
- Children’s Care Planning - 1

Further details of the findings and the recommendations can be found in Appendix B.

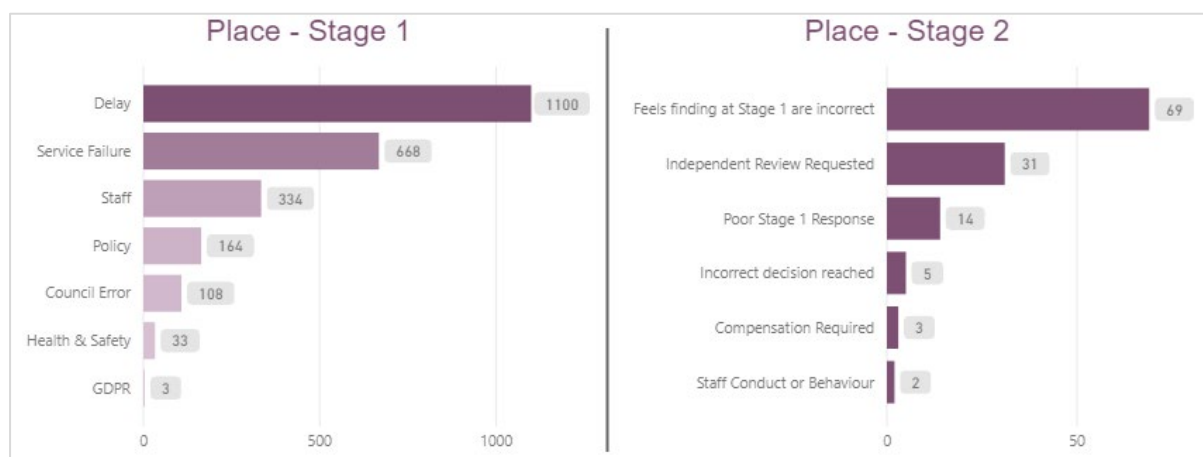
Please note: There are currently 12 open cases awaiting decision.

5. CORPORATE COMPLAINT THEMES – PLACE AND RESOURCES

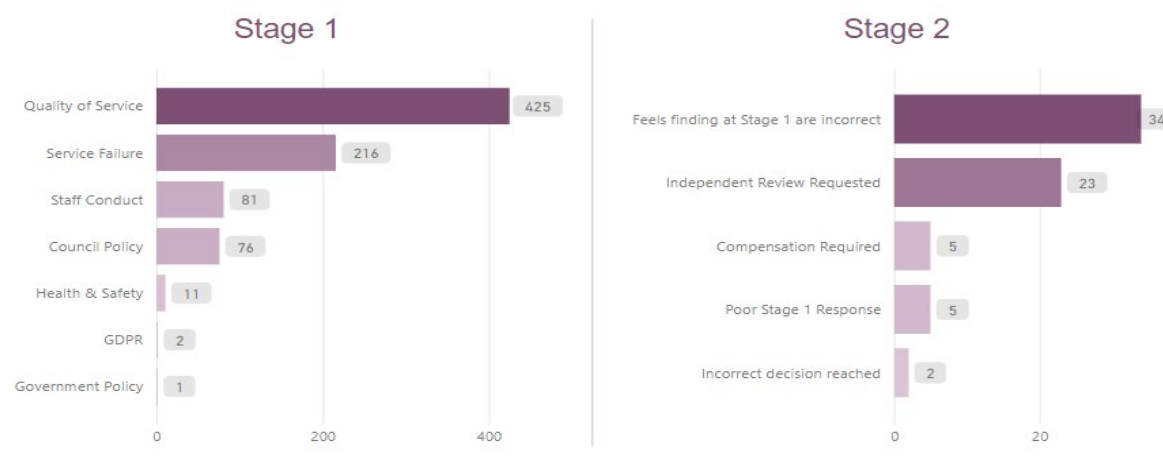
This section aims to show the high level themes across council departments in the last two years. The below table shows some of the main causes per theme.

Theme	Type of cause
Council error	Admin, process, account or data management, wrong information provided
Delay	Delay in processing or delivering a service, delaying in, or lack of communication
Service failure	Not providing a service
Policy	Council policy
Staff	Staff behaviour, attitude or approach
Quality	Poor standard of service provided
Communication	Lack of updates provided, poor response to emails or answering the telephones

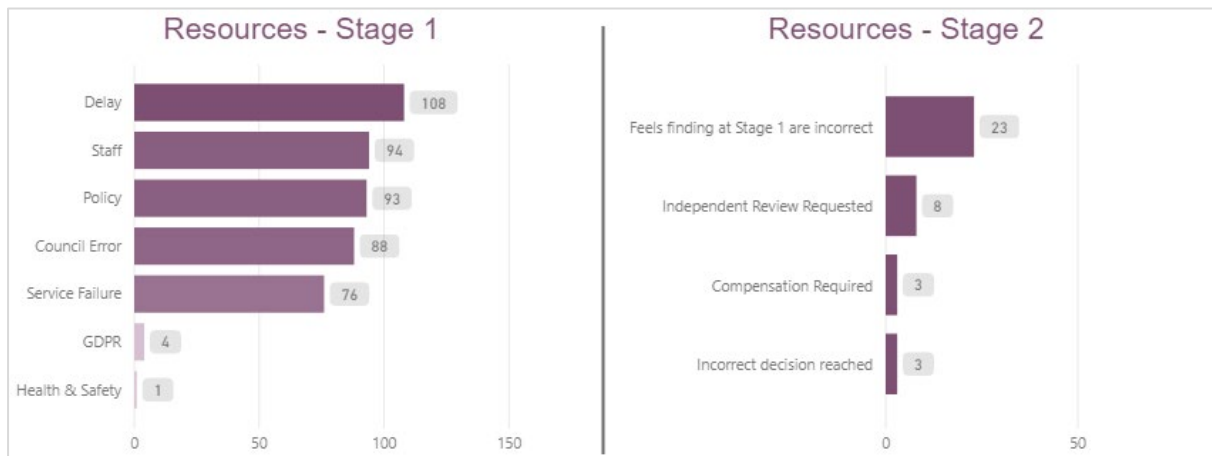
Place 2019/2020



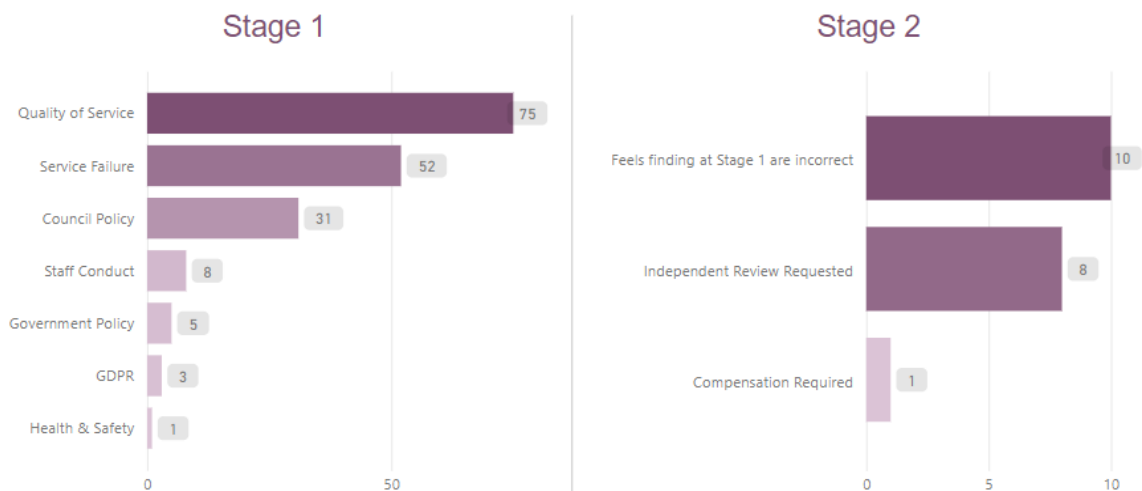
Place 2020/2021



Resources 2019/2020



Resources 2020/2021



5.1 To note the Council launched a new complaint handling system in May 2021 which made the processes of recording and managing complaints much simpler across the organisation. This provides wider access to staff members and increased the monitoring capabilities for individuals and services, as well as increased reporting capabilities.

6. BENCHMARKING:

6.1 The Complaints team attend the London wide complaints forums considering best practice issues and it contributes to the London Complaints Managers Group, which works with the LGSCO.

6.2 This group are developing benchmarking statistics across all services, which Croydon have already contributed to. This information is not yet available as it was put on hold due to the pandemic but Croydon remains committed to contributing to making the benchmarking data available to all.

6.3 The below table is a sample of other London Borough's complaints volumes during 2019/2020 that have been obtainable.

Borough	Population*	No of Stage 1 Corporate Complaints	Number of Stage 2 Corporate Complaints	Upheld Stage 1 Complaints	Number within borough SLA.
Brent	311,215	1710	239	752 (44%)	
Barnet	356,386	2,738	249	1,165 (42.5%)	2,182 (80%)
Croydon	363,378	3,426	212	2,236 (65%)	2,981 (87%)
Islington	206,125	2,529	137	1,285 (48%)	
Merton	199,693	860	80	585 (68%)	731(85%)

*population figures as of 2011 census

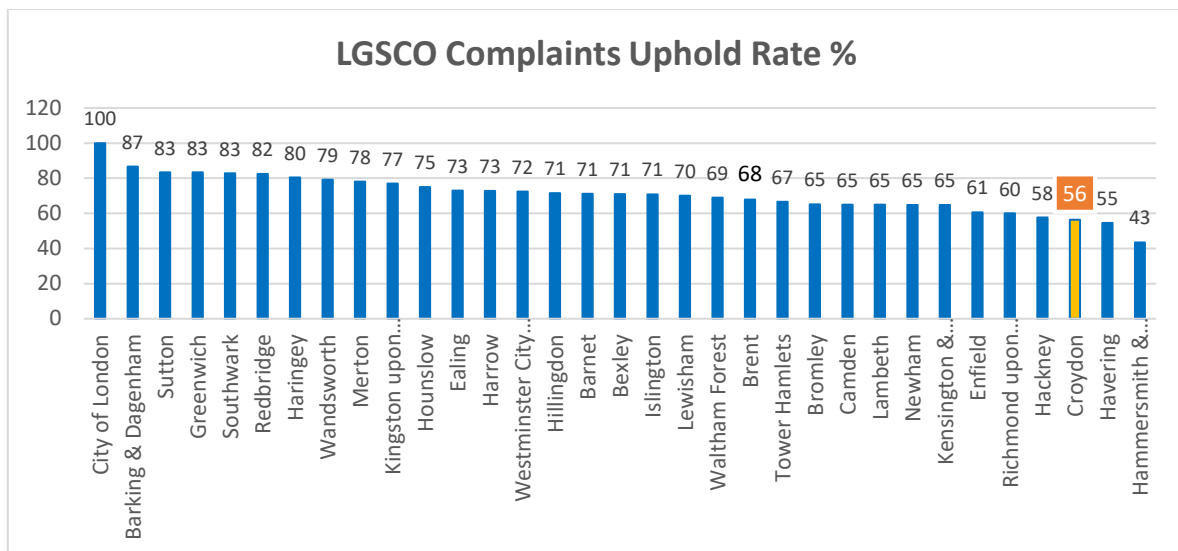
**All boroughs operate different complaints processes. Figures provided by LCMG (London Complaint Managers Group)

Borough	Population*	No of Stage 1 Corporate Complaints	Number of Stage 2 Corporate Complaints	Upheld Stage 1 Complaints	Number within borough SLA.
Barnet	356,386	1,957	215		
Croydon	363,378	1,325	128	570 (43%)	1,077 (81%)

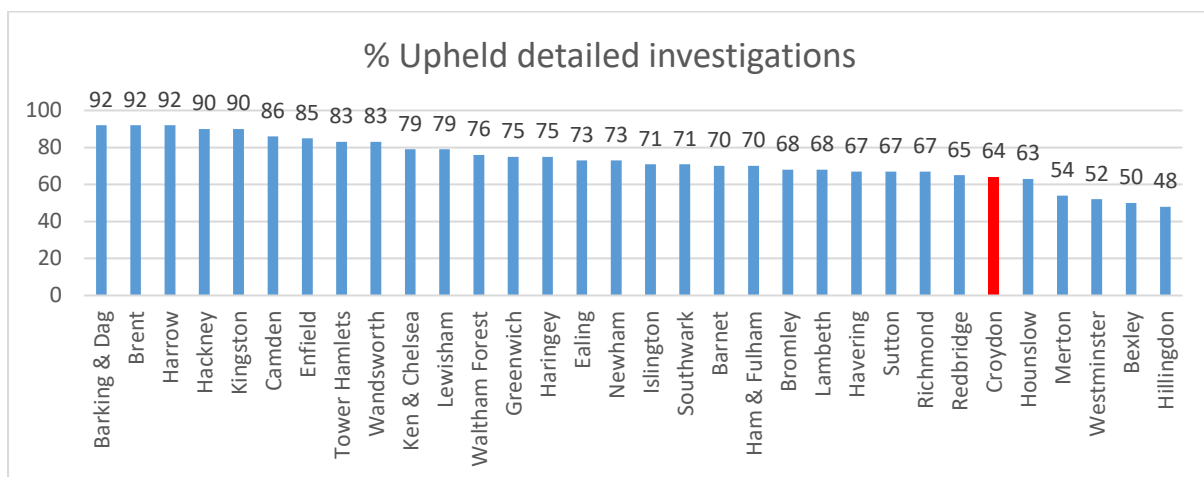
*population figures as of 2011 census

**All boroughs operate different complaints processes. Figures provided by LCMG (London Complaint Managers Group)

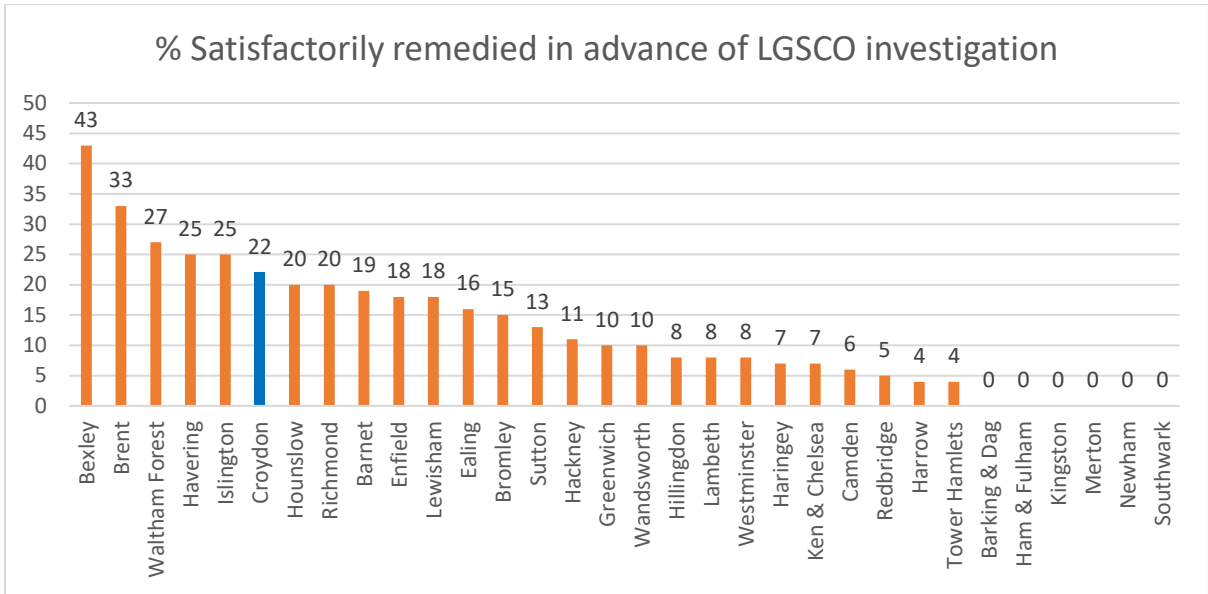
- 6.4 The Council has been unable to gather extensive statistics from other London Boroughs however benchmarking data has been provided by the Local Government and Social Care Ombudsman for 2019/2020 and 2020/2021.
- 6.5 Of the detailed investigations undertaken in 2019/2020 the percentage of complaints which were upheld in favour of the resident (56%) compares favourably with other London boroughs, as can be seen in the chart below.



- 6.6 Of the detailed investigations undertaken in 2020/2021 the percentage of complaints which were upheld in favour of the resident (64%) again compares favourably with other London boroughs as can be seen in the chart below.



- 6.7 The Ombudsman found that a total of 22% of complaints referred for detailed investigation in 2020/21 had been remedied satisfactorily by the Local Authority in advance of their investigation. This compares favourably with other London boroughs as can be seen in the chart below.



7. CHILDREN, FAMILIES AND EDUCATION (CFE) STATUTORY COMPLAINTS

Stage One

- 7.1 The volume of stage one complaints increased by 2% (3 complaints) in 2019/2020 compared to 2018/2019, but reduced by 20% in 2020/2021 (35 complaints).



- 7.2 There has been a year on year increase in response times over the two year period. This has improved from just 38% in 2018/2019 to 70% in 2020/2021.
- 7.3 36% of statutory stage one complaints were upheld in 2020/21, a decrease of 17% on 2019/2020, and 8% on the year before.
- 7.4 The service paid £1,200 compensation during 2020/2021, compared to £750 in 2019/2020.

Please note the compensation figure for Statutory Stage 1 complaints in 2018/2019 is not available due to restricted access to previous system.

Stage Two

- 7.5 The volume of stage two complaints increased by 1 complaint in both years following 2018/2019. There were a total of 9 received in 2020/2021.



- 7.6 During 2020/2021 11% of stage two complaints were answered within the SLA timescale of 25 working days. This is an increase of 11% in comparison to 2019/2020, and a 3% decrease from 2018/2019.

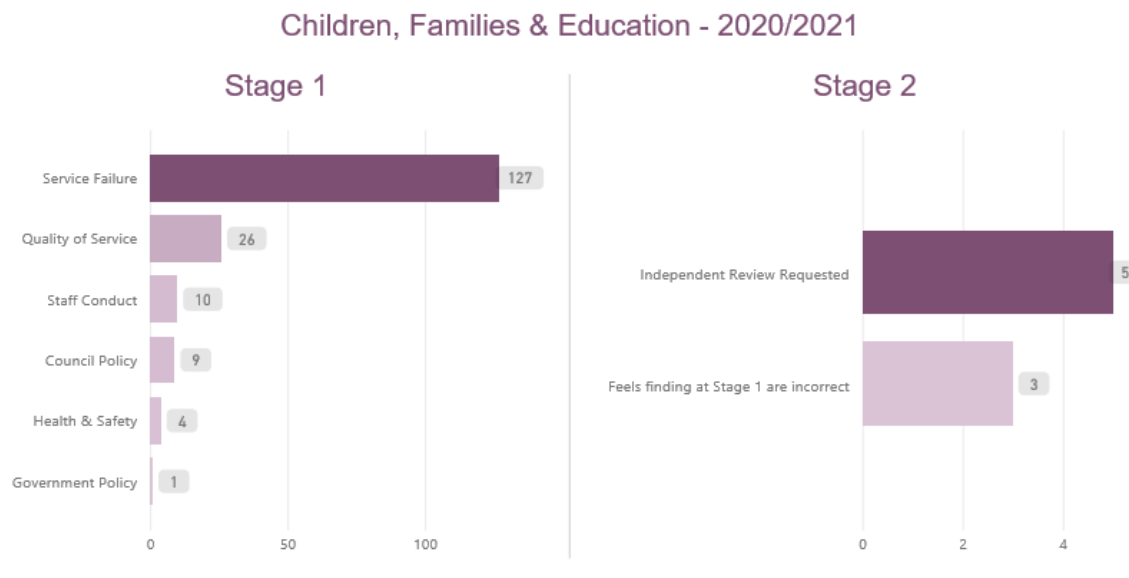
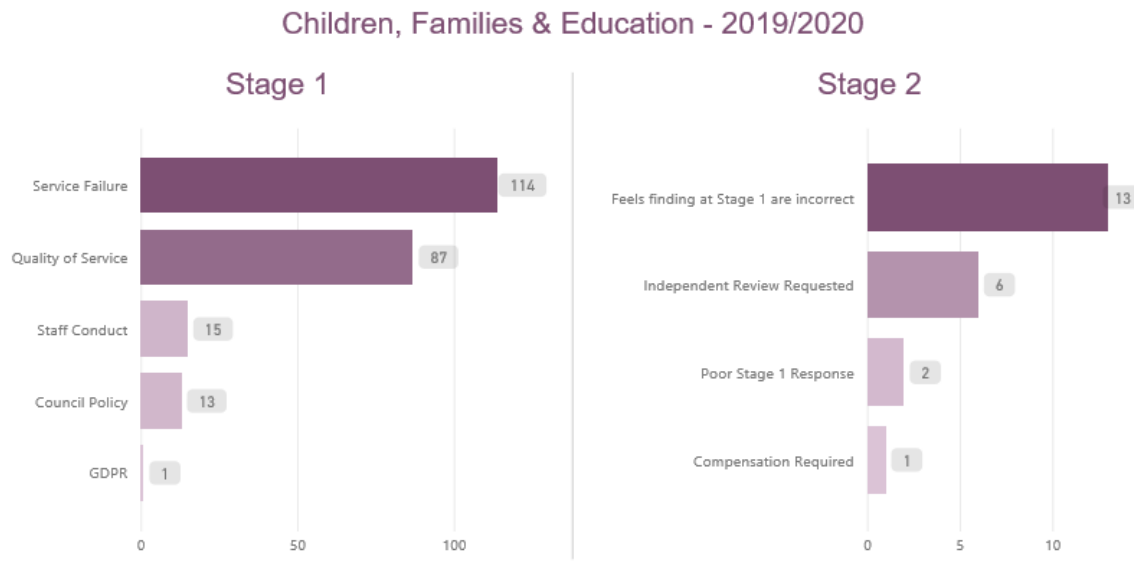
Please note that the 25 working day time limit for response can be extended to a maximum of 65 working days.

- 7.7 33% of stage two, or 3 complaints were upheld during 2020/2021, compared to 50%, or 4 complaints in 2019/2020 and 43%, or 3 complaints in 2018/2019.
- 7.8 The service paid £4,942 compensation at Stage 2 during 2020/2021, compared to £400 during 2018/2019.

Stage Three

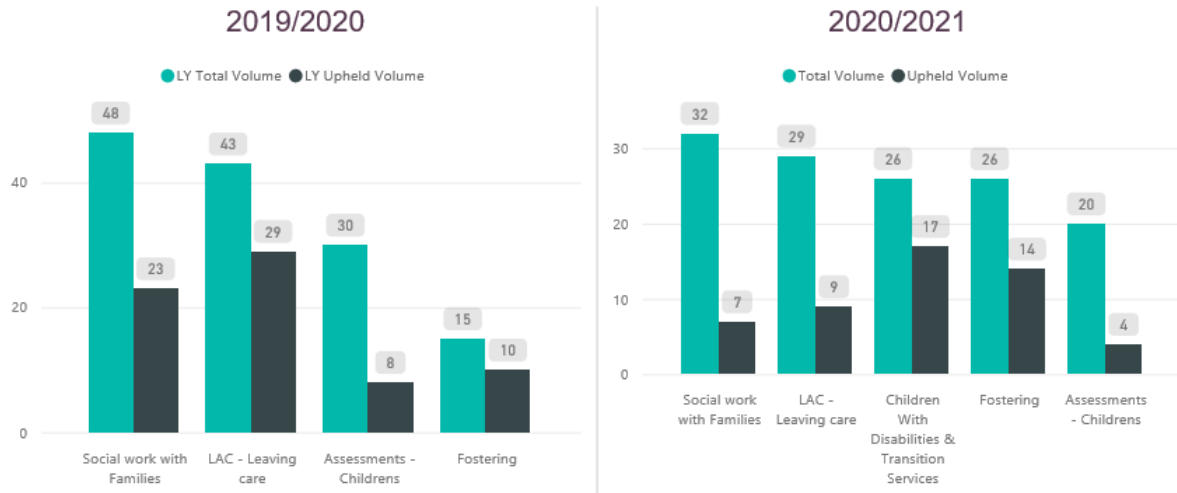
7.9 In 2020/2021 there were a total of 3 Stage 3 panels, an increase of 1 on 2019/2020, and the same number as in 2018/2019

7.10 The charts below show the Stage 1 Themes for CFE Statutory complaints in the years 2019/2020 and 2020/2021:



8. CFE STATUTORY STAGE 1 COMPLAINT VOLUMES BY SERVICE TEAM

- a. The below table shows the highest number of complaints received by service teams within the CFE division within the last 2 years.



- b. Social work with families received the greatest number of complaints in both years, however there was a reduction of 33%, or 16 complaints in 2020/2021 for this team in comparison to the previous year.
- c. There has been a reduction in the number of upheld complaints for the social work with families' team, from 48% in 2019/2020 to 22% in 2020/2021.

9. HEALTH, WELLBEING AND ADULTS (HWA) STATUTORY COMPLAINTS

9.1 Stage One



9.2 Stage one complaints increased by 50% or 44 complaints in 2019/2020 compared to 2018/2019, and increased a further 14%, or 18 complaints in 2020/2021.

9.3 There has been a year on year decrease in the percentage of complaints that have been upheld. 35% of Stage 1 complaints were upheld in 2020/2021, compared to 52% in 2019/2020 and 55% in 2018/2019.

9.4 There has been a year on year increase in the percentage of Stage 1 complaints that are answered within the 10 working day SLA. 47% were answered within SLA in 2020/2021, compared to 44% in 2019/2020 and 43% in 2018/2019.

9.5 No compensation was paid at Stage 1 in 2020/2021, compared to £268 compensation paid in 2019/2020 and £250 in 2018/2019.

Please note there is no Stage 2 process for Statutory Adults complaints

Local Government & Social Care Ombudsman (LGSCO)

9.6 9 complaints were escalated to the LGSCO in both 2020/2021 and 2019/2020, compared to 4 in 2018/2019

9.7 3 complaints, or 33% were upheld by the LGSCO, a decrease of 1 on the period 2019/2020 and an increase of 1 on 2018/2019.

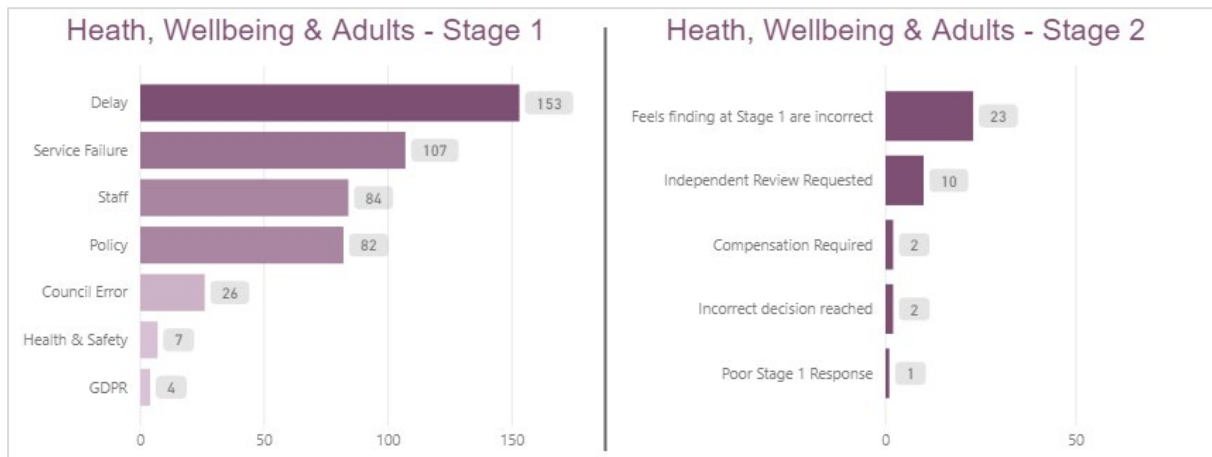
9.8 There has been an increase in the number of enquiries responded to within SLA from 44% in 2019/2020 to 67% in 2020/2021.

9.9 A total of £900 compensation was paid in 2020/2021 compared to a total of £350 in 2019/2020.

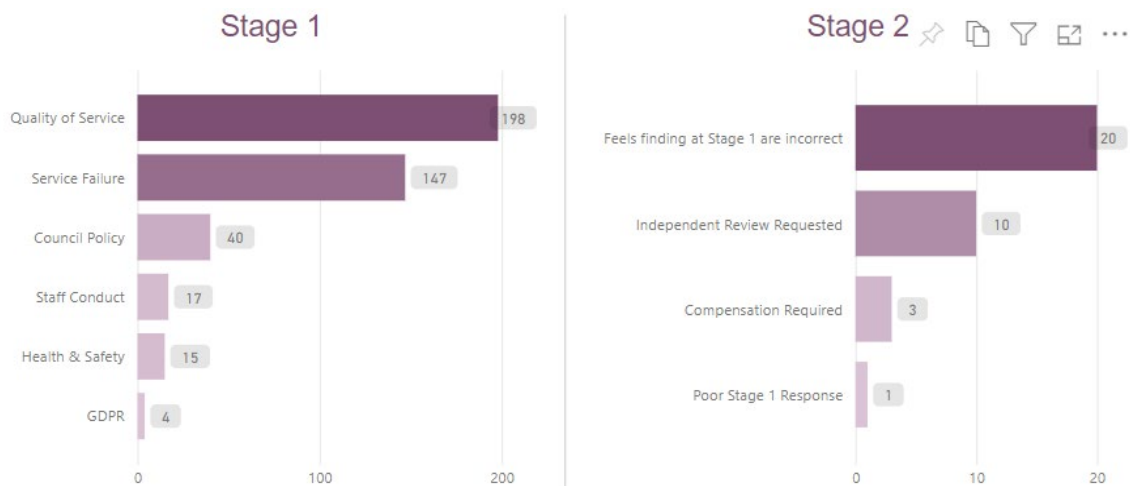
9.10 The tables below show the high level themes across the HWA department in the last two years.

Please note that there are a number of housing services that sit within the HWA department, which are incorporated within the below figures. These include both Statutory and Corporate complaints.

HWA – Complaint themes 2019/2020

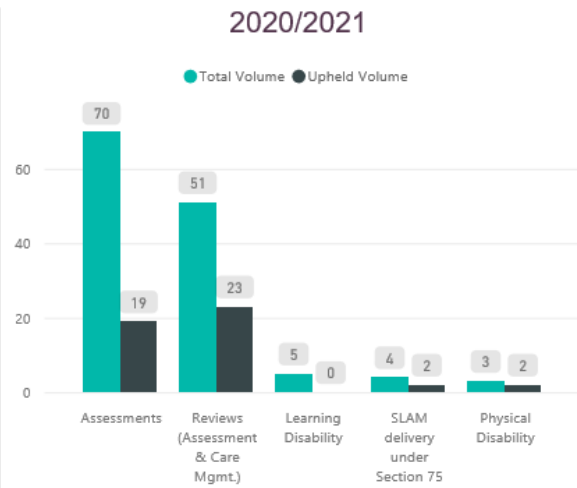
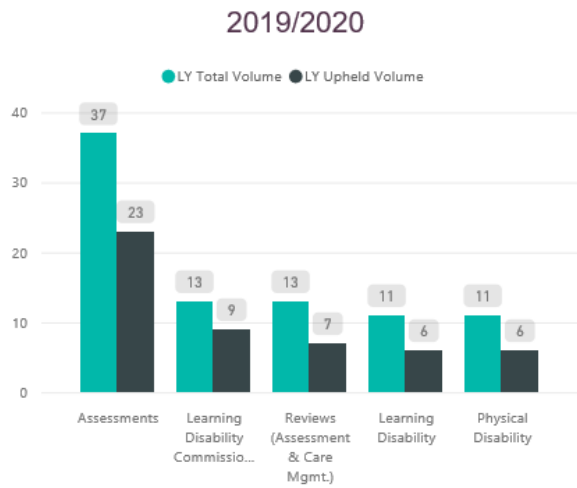


HWA – Complaint themes 2020-2021



9.11 HWA Statutory: The graph below shows the top 5 areas of complaint by Service Team in the past 2 years.

9.12 There has been a change in the main reason for complaint, away from Delays, to Quality of Service.



10. COMMENTARIES FROM HIGH VOLUME SERVICES

CFE

Complaints Overview 2020/21

The vast majority of complaints fall under the category 'Failure to deliver a service'. This could be related to the impact of the pandemic over 2020/21 and also potentially to increased financial constraints. The themes confirm an increase in complaints in relation to Fostering and Care leavers in particular.

Specific complaints included:

- Placements and fostering – delays and discrepancies in payments for foster carers
- Lack of support and guidance for foster carers in relation to procedures
- Council policies and procedures regarding SGOs including support with housing
- Level of support for CWD
- Transition services for children with disabilities
- Lack of support for care leavers in relation to housing issues
- Delay in providing financial support and payments to care leavers

Themes in other services included:

- Fathers feeling 'out of the loop' or disengaged with their children;
- Concerns raised regarding the length of assessments, lack of clarity regarding the process and why it was required;
- Behaviour of individual social workers, and
- A relatively high volume of complaints made on behalf of children via advocacy services.

Areas of improvement and to work on:

There have been continued issues in relation to responsiveness and communication in relation to Stage One complaints. This has required follow up by the Children's Complaints Coordinator to provide reassurance that the service users' concerns were understood and being dealt with.

Requests for compensation by complainants for stress or inconvenience have also increased.

Regular (approximately monthly) meetings are held by Children's Complaints Coordinator with managers in each service areas to discuss the management of complaints. They also offer an opportunity to share advice on how to deal with complex and repeat complaints and best practice in responding effectively.

The Children's Complaints Co-ordinator also holds quarterly meetings with Children's Advocates to discuss the concerns being raised and avoid potential stage 1 complaints where possible.

Monitoring through weekly reports sent out within the service tree and including deadlines has also helped improve the monitoring of complaints and the timely allocation of complaints within each team. The quality of the response has also improved with a more detailed response being sent out to service users. Services are now liaising with the Children's Complaints Co-ordinator before and during a complaint and are discussing the complaints in more detail. The draft response is also sent to the Children's Complaints Co-ordinator to proof read and review prior to it being sent out.

The recent report and findings from the Local Government & Social Care Ombudsman regarding the Children's statutory complaints process will also have an impact on how we manage complaints, with evidence of more escalation to Stage 2 of the procedure, at the service user's request.

Actions:

- Meeting with Heads of Service in Children's services share the Ombudsman's report and implications for practice;
- Continued work with management teams to improve the quality of responses and best practice in structuring a response letter;
- Continued work with management teams through monitoring and support to improve the timeliness of responses.

ADULTS

Adult Social Care (ASC) has robust processes in place to manage and respond to complaints, MP enquiries and Councillor Enquiries. There is a dedicated officer who reports to a Head of Service overseeing the management of these tasks.

ASC complaints have remained around the expected level for the year – the slight increase can be attributed to the challenges presented by the Covid 19 pandemic.

Detailed records are kept and reported to senior managers weekly and monthly, which enables the service to quickly identify any new concerns or themes and respond appropriately.

If a more complex case requires an extension this is requested but they still show as overdue within the reporting. Senior Managers are briefed on these cases through the weekly reporting.

ASC has a good record of responding with the Service Level Agreement although there can be delays caused for example if a Safeguarding Section 42 enquiry is ongoing. The previous system struggled to identify these particular cases, however we are hopeful the new system will be more reactive.

Training is, and has been delivered to support all teams with the aim to increase the knowledge of the staff, how to appropriately respond to residents and elected representatives when they raise complaints.

There is now a programme of training sessions set on Croydon Learning commencing in July that will provide training as part of the induction for new staff and refresher courses.

Thematic review of complaints received identifies that communications, disputes in respect of provision, quality of provision and financial support provided by the Council are the most common issues raised by the public and or their elected representative.

Communications is an area that the whole department is working to improve, it must be noted though that the Pandemic has for obvious reasons added to challenges in this area.

The department is working hard to deliver the very best and appropriate care for our residents, but there will be inevitable and fundamental disagreement with some families, as to the right care for themselves or their loved ones. This does lead back to communications to ensure that as many residents as possible are made aware of what exactly the Council can provide, or support, and what contribution residents and/or their families will need and be expected to contribute.

The quality of provision is taken very seriously and any concerns raised are reviewed and escalated as appropriate.

The pausing of the LGO enquiries is now over. It does however mean that the data is skewed, demonstrating that in the latter part of the year we have received a great many more enquiries commencing, than the first half of the year. This is due to the LGSCO catching up on their backlog work. The numbers across the whole 12 months are similar to those in previous years.

We have only just moved to the new Complaints recording system and it is too early to know, what if any impact, either positive or negative will occur.

HOUSING REPAIRS AND MAINTENANCE

Overall the service dealt with 183 formal complaints which is a decrease of 40% on the previous year. 91 of these were about the quality of the service and 60 were related to service failures which was mainly delays in completing work or recurring issues that had not been resolved. Whilst the overall decrease would appear to be positive this could well be as a result of under reporting by both residents and staff. It is important when dealing with repairs reports that a distinction is made between those that are reports on a repair / service request and those that are a formal complaint. We did see within this an increase in complaints that were heating related and those relating to ongoing leaks not being resolved. Some complaints were also associated with delays due to Covid restrictions.

In addition the housing repairs service dealt with 191 Councillor and MP enquiries which was a large increase on the previous year. This trend has continued for the current year in Q1 and we are seeing a large increase in Councillor and MP enquiries. There is also an increase in complaints given the publicity around the issues at Regina Road, and ongoing service delays with some problems with contractor resources, and in some

trades such as plumbing, with all of this combined putting the service under enormous pressure.

Covid 19 and strict lockdown rules contributed heavily to the challenges faced by the service in many ways but particularly in regards to staffing levels and the works they were able to undertake.

This, along with severe staffing challenges has led to a large number of overdue cases. We have not been able to respond to complaints as quickly as we would have liked and acknowledge that residents have not been receiving the service we would like to deliver.

We are now recruiting to improve on resource within the service and have an action plan in place, as part of the Housing Improvement Plan for improvements to be made to deal with the backlog and incoming reports.

Improvements – these are reviewed continuously via the service improvement plan with Axis. Some key areas for 2020/21 have been:

- Additional work with Axis to reduce the number of recurring instances of leaks. Plumbers are having regular toolbox reminders of the need to correctly establish the cause of ongoing leaks and ensure these are followed up. This has also led to additional work on monitoring the number of callouts for these leaks on specific properties and blocks.
- More of the LGSR (gas servicing checks) being moved to the summer month on a cycle over the next 18 months which will assist with time availability of gas engineers during the winter months.
- Improved communication with the Gas Repairs, Service and Complaints teams within Axis to ensure service failures are reviewed with communication to the admin and operatives on what went wrong or right.
- Vehicle stocks monitored and reassessed weekly and monthly.
- Axis Gas Team now have a supplier App for parts to be ordered immediately from site and engineers are able to rebook next appointment from site whilst with the resident.
- Axis Gas Team co-located in the Suppliers offices in Croydon – greater access to materials on the day.
- The Domestic Gas Team have a new dedicated manager for Domestic Gas only and Adrian Ruddick joined Axis on 17th May 2021 with Stuart Simpson now moving to the Non Domestic Team to review all Sheltered and District Heating services across the contract.
- Increased Supervision has been put in place to assist with the day to day issues with operatives moved in to areas using a new IT solution
- Clearer guidance on the reporting of formal complaints to obtain a fair reflection of numbers and themes

REVENUES

Due to the impact of COVID 19 recovery or enforcement action was not carried out when residents or businesses fell behind with payment of Council Tax or Business Rates. . For the first 6 months of the year, recovery was paused and residents would not have received reminders. Also, as the courts were closed, we did not Summons anyone or seek Liability Orders to enforce payment. This type of action draws a large proportion of our complaints and without taking this action, complaint volumes reduced. We anticipate complaints increasing as we recommence our full recovery and enforcement processes.

The trends are quality of work, and delays due to increase in demand when the new bills are issued, that prevents revenues from dealing with the required action within a specific timeframe.

We continually update our working process and procedures and review performance of officers. Due to the human nature of our work there will be errors made, we look to mitigate this by increasing our online and automation offering.

As we start recovery and enforcement procedures again, and Summons residents for debt owed, we will anticipate an increase in complaints into the service. These residents tend to complain once they have been Summoned to court, we offer ample opportunity for engagement before this happens. However, given the nature of the queries dealt with, residents will inevitably complain about being Summoned to court for a debt that is owed and not paid, and as a result incur extra court costs.

TENANCY

There is no doubt that the pandemic and the Section 114 has had an effect on complaints this past year. The financial position of the council and the need for a restructure of services to tailor spending has meant that we have seen a reduction in services in areas like Grounds Maintenance, where prior to restructure, our green spaces on our estates would have been cut every 3-4 weeks, we are now seeing grass being cut every 10 weeks, sometimes longer. This has caused huge rise in complaints from residents unable to use their communal garden areas. In addition, waste services were severely impacted during the pandemic, which meant that many estates had multiple missed collections, creating a build up and left unattended for days on end. Our teams have also had a number of complaints regarding the repair service, in the first instance due to the first lockdown and going into residents homes, and in the second instance relating to financial restrictions that were put in place.

Repeated trends were around waste services, grounds maintenance and some caretaking services. At the onset of the pandemic the service risk assessed this, and anticipated that this would happen, and in most incidences complaints were upheld.

The service has identified the area's in which they need to improve and are working closely with Veolia and grounds maintenance to ensure that this happens. We are also increasing the Caretaker service and recruiting to the vacant posts, which we were unable to do for the past year.

The service anticipate that the publicity around Regina Road, will have an impact on complaints across the board.

Appendix A:

Upheld Ombudsman Complaints:

TEAM	LGO RECOMMENDATION
Council Tax	The Council failed to tell Ms X about the Valuation Tribunal when she disputed liability for council tax. Instead it took unnecessary and distressing enforcement action against her for two years. The Council wrongly told the Social Services Department of the council Ms X had moved to that it was investigating her for council tax fraud. This caused further distress. To put this right the Council should apologise to Ms X and pay her a financial remedy for the distress, time and trouble it caused. The Council should also tell the Ombudsman how it will ensure it properly handles council tax liability disputes in future.
Adults – Hospital Discharge	The Ombudsmen found fault with a Hospital Trust’s communication with a patient’s family about discharge arrangements. However, there was no fault with the decisions to discharge the patient back to her own home or subsequently to a rehabilitation placement. The Ombudsmen also found fault by a Council not completing a carer visit for 15-hours after the patient returned home. This caused the patient and her family distress. The Council and the Trust have agreed to the Ombudsmen’s recommendations to ensure learning is taken from the complaint and ensure the faults do not happen again. They will also apologise to the complainant for the distress caused by the faults identified.
Housing Needs – Temporary Accommodation	Mr X complains the Council failed to carry out three suitability review requests and notify him of the decision. The evidence shows the Council carried out two reviews. One decision was sent to Mr X’s solicitors and the other decision was sent but not received. Their failure to complete one review and delays in respect of the other two are fault. The evidence does not support Mr X’s claim that he was unable to bid because of the fault in these cases. To remedy the injustice caused to Mr X as a result of the fault identified above the Council will apologise to Mr X and pay him £100 to recognise the distress caused.
Children’s – Disability Service	There was fault in the Council’s handling of a request for a care assessment, as it delayed completing the assessment for nearly four years. This has caused a serious injustice, which the Council has agreed to a financial remedy. It has also agreed to review its handling of the matter to determine the reason behind the delay.
Adults – Hospital Discharge	The Ombudsmen found fault by the Council and Trust with regards to the care and support they

	provided to a woman with ongoing health needs following her discharge from hospital. The Council and Trust will apologise to the woman's daughter and pay a financial remedy in recognition of the impact of these events on her.
Children's – Special Educational Needs	Mr X complains the Council failed to make the SEN provision specified in his son's Education Health and Care (EHC) Plan. He says the Council's actions have caused his family stress and expense in arranging private reports for a SEND Tribunal. The Council failed to make the SEN provision and delayed amending the EHC Plan, preventing Mr X from appealing to the SEND Tribunal against this. Although the Council will pay Mr X £100 now for his time and trouble in having to chase it, it will not be possible to properly assess the injustice to Z until the SEND Tribunal decides on his needs.
Environmental – Noise Pollution	Ms B complained about the Council's failure to respond properly and take effective action in response to her reports of noise nuisance and anti-social behaviour from her neighbour. Ms B says she suffered unacceptable levels of noise and anti-social behaviour for longer than necessary which affected her health and well-being. The Ombudsman has found delay by the Council but considers the actions it has already taken together with £100 and a review of procedure is enough to provide a suitable remedy.
Environmental – Missed Bins	The Council has repeatedly failed to collect Mr B's household waste and recycling causing inconvenience and expense. The Council has made a payment to Mr B but the Ombudsman has recommended an additional remedy for the injustice caused.
Parking - Enforcement	The complainant says the Council failed to note and act upon a change of address. The complainant says this resulted in enforcement agents clamping his car. The complainant missed a hospital appointment and took unplanned time away from work to visit the Council and resolve the dispute. The Council says it had used the wrong information, apologised to the complainant but did not consider any further remedy. The Ombudsman proposes finding the Council at fault and recommends a financial remedy.
Housing/Adults - Adaptations	The complaint is about a delay in completing disabled adaptations to a property the Council had found for the complainants to move to. And about a lack of updates. The Ombudsman upholds the complaint and has made recommendations.
Housing Needs – Transfer Register	The Council failed to take an application when Mr C approached it as homeless. Because Mr C's local connection lies elsewhere the Council would have ultimately referred him back to that

	<p>council even if it took an application from him, so the outcome would be the same. The Council has apologised and offered an appointment to assist should Mr C still need it. This is appropriate action in response. In addition to this I recommend the Council reminds its staff to keep adequate records of advice it gives, as it had no record of how it dealt with Mr C's approach.</p>
Council Tax - Summons	<p>Mr B, complains that following a long history of queries about council tax and benefits, the Council failed to recall a council tax debt from bailiffs when a special payment arrangement was put in place in August 2017. Bailiff action took place as a result, causing distress. The Ombudsman finds there was fault by the Council both in the recovery process and in its complaint handling. That led to injustice for Mr B, for which a remedy has been agreed.</p>
Housing - Repairs	<p>The landlord demonstrated inappropriate and unreasonable delay in providing a response to the resident's reports of mould at the property. Complaint about the landlord's response to the resident's reports of repairs required to the concrete area at the front of the property. The landlord acted appropriately in informing the resident that it was not responsible for repairs required to the concrete at the property and that she needed to apply for retrospective approval for the improvements carried out to the driveway of the property.</p>
Housing – Private Sector Houses in Multiple Occupancy	<p>Ms C complains about the way the Council dealt with her as the landlord of a property about hazards under the Housing Health and Safety Rating System. Ms C says she suffered unnecessary stress, costs and time and trouble in pursuing the matter. The Ombudsman has found fault by the Council but considers the agreed actions of an apology, £100 and service improvements provide a suitable remedy in addition to the actions the Council had already taken.</p>
Environmental – Missed Bins	<p>The complainant says the Council failed to collect his domestic refuse several times and gave inaccurate reasons for the failure. The Council says it recognised the faults and carried out supervision of its contractor to improve the service. It offered a financial remedy which the complainant found to be inadequate and after which he experienced further missed collections. The Ombudsman finds the Council acted with fault and recommends a remedy.</p>
Housing - Repairs	<p>In accordance with paragraph 23(i) of the Housing Ombudsman Scheme the complaint about the payment level of compensation awarded to Ms S following her insurance claim for damaged belongings is outside of the Ombudsman's jurisdiction. In accordance with paragraph 42 of the Housing Ombudsman Scheme there was service failure by the</p>

	landlord in respect of the complaint about the landlord's response to Ms S's reports of blocked drains. In accordance with paragraph 42 of Housing Ombudsman Scheme there was no maladministration by the landlord in respect of its handling of the complaint.
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Appendix B:

TEAM	LGO RECOMMENDATION
Anti Social Behaviour	<p>In accordance with paragraph 54 of the Housing Ombudsman Scheme there was service failure by the landlord in respect of the complaint about its response to reports of ASB.</p> <p>In accordance with paragraph 55 of the Housing Ombudsman Scheme, the Ombudsman considers that the landlord has made redress to the resident which, in the Ombudsman's opinion, resolves the complaint with respect to complaint handling.</p> <p>While the landlord took appropriate action in response to the resident's reports of ASB, it failed to give him details of its progress in investigating these matters following his emails of July and October 2019. There was a lengthy delay issuing the stage one complaint response. The landlord subsequently offered redress that was proportionate to the detriment caused to the resident.</p>
Environmental – Missed Bins	<p>Mr X complains about missed bin collections. The Council accepts that due to incorrect information on its database the collections did not happen as they should have from August to November. It has taken action to resolve the problems and collections are now taking place regularly. A remedy for the frustration and inconvenience caused to Mr X is agreed</p>
Tenancy and Caretaking	
Adults – Assessments	<p>The Council was late in making some payments to the builders. However, it has now made all the payments due and has apologised to Miss B for the late payments.</p>
Adults – Finance	<p>Summary: Mrs F complains the Council issued late invoices for her husband's care and did not take into account his disability related expenses. The invoices were late and the Council failed to reply to one of Mrs F's complaints. We have found no fault in the Council's calculations. The Council has agreed to apologise and reduce the amount owed by £100 to acknowledge the time and trouble caused.</p> <p>Mrs F should continue with the repayment plan.</p>
Adults – Direct Payments	<p>The Ombudsman finds the Council included incorrect information in its assessment of Ms Y in June 2019 and then delayed in reviewing her needs thereafter. This meant that Ms Y went without the care she needed for longer than necessary, causing avoidable distress. The Council will apologise and pay £500 to Ms Y.</p>
Insurance	<p>The landlord's decision to not respond to the leaseholder's complaint about damage to the property's window, caused during grounds maintenance works, through its complaint procedure, was a missed opportunity to resolve the situation and not in line with the</p>

	Ombudsman's dispute resolution principle to be fair in all circumstances.
Private Sector Housing	Mr B complained about the Council restricting his contact with it, which he considers unfair and discriminatory. We find there was fault by the Council in failing to apply its policy or document having done so. The Council has agreed to our recommendation that it should issue an apology to Mr B and review its position in this matter.
Community Safety	The Council acted with fault in its response to Miss X's complaint on needing to move home due to risk of domestic violence. It apologised and provided Miss X with a financial remedy to acknowledge its delays. It also improved its services to allow Council staff access to housing records to reduce the risk of perpetrators being accommodated near domestic violence survivors. The Council provided an adequate remedy before the Ombudsman investigated.
Environmental – Missed bins	The Ombudsman found fault by the Council on Mr S's complaint of it failing to act effectively on reports of missed bin collections. The collection of missed waste was delayed. It failed to identify, and solve, the cause of missed collections promptly. It failed to monitor the problem and made errors when attempting to relocate parking bays. The agreed action remedies the injustice caused.
Adults – Day Services	Upheld in part concerning burn received by complainant using kitchen at Cherry Hub
SEN – Children's	The Council was at fault for delays in issuing a decision following an Annual Review and for providing the final Education Health and Care Plan, meaning Ms X had to wait longer to exercise her appeal rights. The Council was also at fault for the way it handled the complaint. The Council has agreed to remedy the injustice caused.
Adults – Assessments and Care Management	This complaint is upheld, in that there was delay by the Council in responding to queries on a financial assessment. The Council has already apologised and responded to the queries, which I consider is a satisfactory remedy to the complaint.
Care Planning Service – Children's	Miss Y complains about the remedy the Council offered in response to her complaint about its actions regarding the care of, and her contact with, her son. She says it does not properly address all the issues raised or the extent of injustice. The Ombudsman has found fault by the Council causing injustice. Its proposal does not meet our expectations, based on our published remedies guidance. The Council has agreed to remedy this by making a payment to Miss Y to reflect the distress, time and trouble its faults caused, issuing a fresh apology and refunding costs.

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Agenda Item 7

REPORT TO:	Scrutiny & Overview Committee 9 October 2021
SUBJECT:	Scrutiny & Overview Committee Work Programme 2021-22
LEAD OFFICER:	Simon Trevaskis – Senior Democratic Services & Governance Officer – Scrutiny
PERSON LEADING AT SCRUTINY COMMITTEE MEETING:	Councillor Sean Fitzsimons – Chair of the Scrutiny & Overview Committee
PUBLIC/EXEMPT:	Public

ORIGIN OF ITEM:	The Scrutiny & Overview Committee receives an update on its work programme at each of its meeting
BRIEF FOR THE COMMITTEE:	The Scrutiny & Overview Committee is asked to:- <ol style="list-style-type: none">1. Note the current position of its Work Programme for 2021-22,2. To consider whether there are any other items that should be added to the work programme.

1. SCRUTINY & OVERVIEW COMMITTEE WORK PROGRAMME 2021-22

- 1.1. The purpose of this report is to set out the work programme for 2021 – 2022 for the Scrutiny & Overview Committee. A copy of the work programme as it currently stands can be found at Appendix A to this report.
- 1.2. Although the work programme has been populated as far as possible at this stage, it is recognised that given the challenges facing the Council, the work programme needs to remain flexible enough to respond to emerging priorities during the year.
- 1.3. At its meeting on 15 June 2021, the Committee agreed that the work programme process will be overseen by a Reference Group of scrutiny members who will meet on a monthly basis to review all available data in order to identify items that should be prioritised for inclusion in the work programme for both the Committee and its three Sub-Committees (Children & Young People, Health & Social Care and Streets, Environment & Homes).
- 1.4. The Committee also agreed a number of workstream priorities for the year ahead for itself and the three sub-committees. For the Scrutiny & Overview Committee there are two main priorities, which are:-
 - W1: Corporate recovery, including corporate oversight by exception.
 - W 2: Understanding and acting on risks. To initially focus substantively on BBB and the council's reserves position
- 1.5. Although the Reference Group will be responsible for identifying emerging issues for scrutiny, the Scrutiny & Overview Committee will still have oversight of its work programme and this report will be presented at each Committee

meeting to provide an update on the latest position of the work programme and allow for consideration to be given to any additions or amendments.

- 1.6. It is recognised that given the challenges facing the Council, it will not be possible for scrutiny to accomplish everything it needs to within the committee setting. As such it is likely that informal briefings and visits will need to be arranged during the year, to ensure that the Committee is as informed as possible when scrutinising an item at one of its meetings. For transparency, this report will also confirm any briefings or visits undertaken by the Committee.
- 1.7. Since the last meeting held on 7 September 2021, the item on the Digital Strategy has been deferred from 19 October to the meeting scheduled for 7 December. This was to allow additional work aligning the strategy with the Medium Term Financial Strategy to be incorporated in the report to Committee.
- 1.8. In preparation for its consideration of the Annual Complaints report elsewhere on this agenda, the Committee has held a briefing with the complaints team to gain a greater understanding of the complaints handling process.
- 1.9. As part of the Scrutiny Improvement Programme, a series of training sessions have been arranged for Members starting with a session on 12 October providing an introduction to scrutiny. This will be followed by two sessions for the members of the Scrutiny & Overview Committee in late October/early November to prepare for scrutinising the Council's budget.
- 1.10. The exact timings for the budget scrutiny process are being finalised and will likely result in an amended work programme over the next few months. Any amendment to meetings dates of the Scrutiny & Overview Committee will be confirmed as soon as possible via the Council's website.

2. Conclusions

- 2.1. The Scrutiny & Overview Committee is asked to note the current position of its Work Programme for 2021-22 set out in Appendix A.
- 2.2. The Committee is asked to consider whether there are any other items that should be added to its work programme.

CONTACT OFFICER: Simon Trevaskis – Senior Democratic Services & Governance Officer - Scrutiny

APPENDICES TO THIS REPORT

Appendix A – Scrutiny & Overview Committee Work Programme

Scrutiny & Overview Committee**Chair:** Sean Fitzsimons**Committee Members:** Leila Ben-Hassel (Deputy-Chair), Robert Ward (Vice-Chair), Shafi Khan, Oni Oviri, Joy Prince

Workstream Priorities

W 1: Corporate recovery, including corporate oversight by exception.

W 2: Understanding and acting on risks. To initially focus substantively on BBB and the council's reserves position

Meeting Date	Agenda Items	Officer
15 June 2021	Update from the Leader of the Council	
	Croydon Renewal and Improvement Plan – Performance Reporting Framework & Measures	Caroline Bruce
	RIPI – Quarter 1 Update	Henry Butt
	Scrutiny Work Programme 2021-22	Simon Trevaskis
	Scrutiny Annual Report	Simon Trevaskis
6 July 2021	Brick by Brick	Chris Buss
	Scrutiny Work Programme 2021-22	Simon Trevaskis
	Cabinet Response to Scrutiny Recommendations	Simon Trevaskis
17 August 2021	CALL-IN: Novation of building works and profession services contracts from Brick by Brick for Fairfield Halls	Sarah Hayward
7 September 2021	Community Safety Strategy	Christopher Rowney
	RIPI – Quarter 2 Update	Henry Butt
	Finance Monitoring Update	Richard Ennis

19 October 2021	Budget Scrutiny: Budget Setting Process & Budget Challenges	Richard Ennis
	Annual Complaints/FOI/SAR Report	Kim Hyland
7 December 2021	Review of the Digital Strategy	Neil Williams
8 February 2021	RIPI – Quarter 3 Update	Harry Parker
22 February 2022	It is anticipated that this meeting will focus on the priority areas in workstream 1 & 2, however the agenda will be confirmed as soon as possible before the date to ensure that there is capacity for the Committee to consider any other emerging urgent issues.	
29 March 2022	It is anticipated that this meeting will focus on the priority areas in workstream 1 & 2, however the agenda will be confirmed as soon as possible before the date to ensure that there is capacity for the Committee to consider any other emerging urgent issues.	