

**OVERVIEW AND SCRUTINY MANAGEMENT BOARD
16th September, 2016**

Present:- Councillor Steele (in the Chair); Councillors Allcock, Councillor Maggi Clark, Cowles, Mallinder, Price, Julie Turner, Walsh and Wyatt.

Councillor Hoddinott, Cabinet Member for Waste, Roads and Community Safety, was in attendance for Minute No. 13.

An apology for absence was received from Councillor Sansome.

6. MINUTES OF THE PREVIOUS MEETING

Resolved:- That the minutes of the previous meeting of the Overview and Scrutiny Management Board held on 2nd September, 2016, be approved as a correct record for signature by the Chairman.

7. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at the meeting.

8. QUESTIONS FROM MEMBERS OF THE PUBLIC

There were no members of the public present at the meeting.

9. YOUTH CABINET/YOUNG PEOPLE'S ISSUES

No issues had been raised.

10. CORPORATE PLAN 2016-17 QUARTER 1 PERFORMANCE REPORT

Councillor Alam, Cabinet Member Corporate Services and Budgeting, introduced the Quarter 1 performance report of the 2016/17 Corporate Plan.

The performance report and scorecard (Appendix A and B) provided an analysis of the Council's current performance against 14 key delivery outcomes and 102 measures (the Corporate Plan included 86 measures however a number included different elements). The report was based on the current position of available data along with an overview of progress on key projects and activities which also contributed towards the delivery of the Corporate Plan.

At the end of the first quarter (April-June, 2016), 19 measures were progressing above or in line with the target set. Although this represented 18.6% of the total number of measures, performance showed that 43.2% of measures which had data available for the first quarter were on target. 27.3% (12) of the performance measures measured had not progressed in accordance with the target set (11.8% overall).

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Discussion ensued on the report with the following issues raised/highlighted:-

- Divided opinion on the use of the different symbols. It was suggested that attention be drawn in the summary report as to whether there had been improvement or not
- There had been a significant amount of additional money put into Children's Services but improvement did not appear to be as quick as would have been liked – this would be fed back to the relevant Cabinet Member and Strategic Director
- The Older People's Service was facing a crisis situation but there was low performance – this would be fed back to the relevant Cabinet Member and Strategic Director
- Examples of other local authorities report formats had been used. It was difficult when some indicators were now measured on a monthly basis. Consideration would be given to alternative means of displaying the information
- Emergency Planning was 1 of the Corporate priorities and, whilst most fitted within a Directorate it was not always the case. It was believed that Emergency Planning was part of the Council's corporate governance arrangements so the overarching lead was the Strategic Director for Finance and Customer Services
- What happened if performance was not improving? It was the role of the Improvement Board and Select Commission to ensure that the Chief Executive and Chief Officers held their managers to account
- Would the next and future reports have an additional column indicating the previous quarter's position? There would be a clear indication of travel from the previous quarter. As well as submission to the Board, performance was reported on a monthly basis to Cabinet Members and the Strategic Leadership Team
- Was performance tracked against other authorities and nationally? The Cabinet Member had asked to ensure benchmarking took place with other similar authorities to enable Elected Members to ascertain how the Authority was performing
- How were sickness levels monitored? Clearly there was a concern with regard to levels of sickness absence. The Health and Safety Panel had set up a sub-group specifically to look at sickness absences, how they were managed, where the greater numbers were and preventative measures. It was hoped that the sub-group would help in bringing sickness levels down

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Resolved:- (1) That the overall position and direction of travel in relation to performance be noted.

(2) That comments made within the meeting be taken into consideration for the format of the Quarter 2 report.

(3) That the performance reporting timetable for 2016/17 be noted.

(4) That, should there be no improvement in sickness absences in Quarter 2, consideration be given to a Select Commission Task and Finish Group being established to look into the matter further.

11. JULY 2016 FINANCIAL MONITORING REPORT

Councillor Alam, Cabinet Member Corporate Services and Budgeting, introduced the July financial monitoring report 2016/17.

The report set out the financial position as at the end of July, 2016, and was based on actual costs and income for the first 4 months of the financial year and forecast costs and income for the remaining 8 months of 2016/17.

The current position showed a forecast revenue overspend of £8.272M after currently identified management actions totalling £4.664M.

The forecast overspend was set against a backdrop of the Council successfully delivering savings of £117M over the last 5 years and having to save a further £21M in 2016/17. The majority of the savings in 2016/17 were being achieved and the position also assumed that the savings from the review of staff terms and conditions of employment agreed at the 2nd March Council meeting for 2016/17 (£2M full year effect) would be delivered.

The key pressures contributing to the current forecast overspend were:-

- The continuing service demand and agency staffing cost pressures for safeguarding vulnerable children across the Borough and the strengthening of Social Work and management capacity
- Demand pressures for Direct Payments and Managed Accounts, Residential and Domiciliary Care across all Adult client groups

The report also drew attention to the significant forecast overspend on the Dedicated Schools Grant High Needs Block (£3.9M) and the need to reduce the Council's net spending by over £40M over the next 3 years with at least £13M falling in the 2017/18 financial year.

Discussion ensued with the following issues raised/highlighted:-

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- Concern regarding investing in CYPS at the same time as cutting services. There needed to be a thorough review of how the money was being spent and where the wastage was i.e. use of agency staff e waste is.
- The issues of Direct Payments and Complex Needs were sensitive subjects as they were services of direct impact on people's lives. From a Council's budget perspective it was believed that the areas of identified overspending could be addressed in terms, in terms of spend, through improved practice and process; it was not about the direct impact on the individuals
- Was the Authority's performance on Direct Payments in alignment with that nationally? Rotherham had some specific issues and problems in relation to Direct Payments. The new Strategic Director Adult Social Services was undertaking work on this issue
- Was the Authority on target to meet 2015/16 cuts when it was anticipating a £8M overspend? How do we monitor these targets? The actual savings that were provided by the Council in March were in the main on track to be delivered apart from a small number. The areas of overspend were not related to areas of savings but to other aspects within Service areas and which required to be the focus of attention. The November report to Cabinet would set out the proposed way forward
- In terms of the overspend in areas such as CYPS was that a result of general poor budgeting or was it the poor performance of officers in relation to them not managing their budget? It was not appropriate to comment on individual officers. The Service had been given additional funding for the current year as well as a similar amount within the financial last year but was still overspent. It was £7-8M overspent in 2015/16 and running at a similar level currently. It was fair to say that the budget was not set at a level high enough to take account of spend and would have to answer for that. There was a difficulty in recruiting Social Workers which the Authority needed and having to pay for agency staff. Work was ongoing with the Cabinet and officers in terms of understanding what the Authority had to spend opposed to what it wanted to spend
- If the overspend was needed reserves would be looked at to deal with it but at what would the Capital Budget come under pressure in order to alleviate the problem rather than reserves? In terms of how the Authority managed the budget pressure and the overall position with regard to the overspend etc. the reserves were an obvious route but that could not happen in perpetuity. Use of the reserves had to be in a planned and managed way that was understood and sustainable and not a short term fix without a plan behind it. All options were being considered to fund and looking to the longer term future. It was

possible that the Capital Budget would come under pressure. An assessment was to be undertaken of any options where the Authority could further capitalise any revenue spend and any other options/flexibilities in terms of Legislation and Regulations on the use of Capital resources because there was some scope within the Capital budget

- Should attention be focussed on Services that the Council could provide to generate income? As a Council it could do more and the possibility would be explored
- Had an Impact Assessment taken place on the proposed closure of the toilets in All Saints Square? The work was in progress and would be submitted to the next Cabinet meeting
- Was the Council still in the “dive” or beginning to round out in relation to the overspend? The Council was not there yet in terms of sorting out areas of overspend. In Adult Social Care it was known where the problems were and work was taking place to pull it back but there was demand pressure. In terms of CYPs, it was very complex and sensitive and it was not thought that the level of spend could be pulled back at the current time

Resolved:- That the report be noted.

12. COMPLAINTS ANNUAL REPORT 2015-16

Councillor Alam, Cabinet Member Corporate Services and Budgeting, introduced the annual complaint report for 2015/16.

The report set out information about complaints made to the Council between 1st April, 2015 and 31st March, 2016, under the Corporate Complaints Procedure, Housing Complaint Procedure and the Adult and Children’s Services Complaint Regulations.

It provided analysis in the particular trends in the complaints received, by Service area, and in terms of the timescales in which responses were provided as well as the escalation of complaints.

The key headlines were:-

- The number of complaints received by all services remained fairly static at 695 (692 last year)
- Significant increase in the number of Children and Young People’s Service complaints (204 – increase of 45) and a reduction in Housing complaints (268 – down by 60)
- 80% of complaints responded to within the required timescales – decrease in performance (82%)
- Performance excluding CYPs (decrease from 55% to 50%) was 92%

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- Fewer complaints overall were upheld (152 (or 21%) compared to 220 (31%) and less were escalated to further stages (45 (6%) compared to 47 (7%))
- Reduction in the number of referrals to the Ombudsman and external complaint investigation costs (in CYPS) were also reduced (from £21,000 to £12,300)
- Whilst there were fewer Ombudsman cases, more were upheld (10 of 32) and an increase in the amount of financial remediation (up to £12,000 from £2,400) most of which related to reimbursed overpayments or incorrect fees/charges

Discussion ensued on the report with the following issues raised/highlighted:-

- The complaints were assigned generic headings to provide an overview of what complaints were received
- There were a number of complaints about the behaviour of staff and sometimes inappropriate behaviour. These were thoroughly investigated and lessons learnt

Resolved:- That the report be noted.

13. SAFER ROTHERHAM PARTNERSHIP ANNUAL REPORT

Councillor Hoddinott, Cabinet Member for Waste, Roads and Community Safety introduced the Safer Rotherham Partnership annual report. The Partnership had a statutory responsibility and involved a number of partners e.g. South Yorkshire Fire and Rescue Service and the Council. It had been heavily criticised in the Casey report in terms of how it operated, the lack of challenge and not tackling issues. The previous Cabinet Member, former Councillor Sims, who had responsibility for the Partnership, had spent a lot of time restructuring and reinvigorating the Partnership and had started the work on the plan that was included in the report submitted.

Councillor Hoddinott introduced Superintendent Scott Green, Operational Superintendent for Rotherham, Chair of the Performance and Delivery Group of the Safer Rotherham Partnership. It was noted that the Partnership had agreed to employ an analyst who would bring the data together and give a better picture of what was happening in Rotherham.

Superintendent Green gave the following powerpoint presentation:-

SRP Priorities

- Reduce the threat and harm to victims of CSE
- Reducing the threat and harm to victims of domestic abuse, stalking and harassment, honour based abuse and forced marriage
- Reducing and managing anti-social behaviour and criminal damage
- Reducing the risk of becoming a victim of serious acquisitive crime

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- Improve confidence and trust
- Improve the feeling of safety

Priority 1 – Reduce the threat and harm to victims of CSE

- Rotherham had a significant higher number of referrals than the rest of the county. It showed correct recording and the confidence of victims and survivors to come forward
- Over 300 CSE referrals between August, 2015-July, 2016

Priority 2 – reducing the threat and harm to victims of domestic abuse, stalking and harassment, honour based violence and forced marriage

- No forced marriage offences reported
- 2 Honour based violence offences report
- Increase in the number of reported harassment offences
- 12 offences of stalking
- Almost 75% of domestic related offences involved violence either with or without in injury
- 83% of victims of domestic abuse were wholly satisfied with the service that they received from the Police and partners
- 59% felt safer because of the interventions of the Police and partners

Priority 3 – Reducing and managing anti-social behaviour and criminal damage

- The number of PCSOs in Rotherham had been maintained
- An increase of anti-social behaviour incidents which was a result of the Summer and longer days – it increased across the country at this time of the year
- Areas of anti-social behaviour covered a number of areas - rowdy and nuisance behaviour was down by 6%
- The largest increase (18%) was vehicle nuisance e.g. off-road motorcycles and abandoned vehicles
- 30% of people in Rotherham believed that anti-social behaviour was a very big problem – high perception when compared to the data
- Criminal damage – fairly stable position – levels relatively low compared with similar areas

Priority 4 – Reducing the risk of becoming a victim of serious acquisitive crime

- Theft from vehicle – area of criminality that continued to fall
- Burglary from dwellings – continued to fall. On average every day in Rotherham there was less than 1.6 burglaries
- Robbery – the chance of being a victim of a robbery i.e. mugging – number of offences very low

Priority 5 – Improving confidence and trust

- Rotherham had a low result than elsewhere in the country
- Trust – from local communities the amount of trust people had for South Yorkshire Police had not changed over the last 12 months

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Priority 6 – Improving feeling of safety

- Perception of feeling safe remained unchanged

101 Non-Emergency Service

- Poor performance recognised over the past 6 months
- Improvement plan in place owned by the Chief Constable
- Immediate increase in resources
- Broader recruitment plan to fill all posts effective from September, 2016
- New technology platform July, 2017

Discussion ensued on the presentation with the following issues raised/highlighted:-

- It would be helpful for Councillors if the data was broken down into Wards – The Partnership had funded an analyst post who would work as part of the Community Safety Team. The new postholder would be able to break the Partnership data down into a format that was user friendly for the Partnership and Members
- The retention of PCSO numbers in Rotherham was welcomed
- Had the impact of the Magistrates Court closure been factored in? – Rotherham Main Street Police Station no longer had a Custody Suite. Individuals who were arrested were taken to the new Police Investigation Centre on Shepcote Lane, Sheffield, which was the centralisation of all custody suites in Sheffield and Rotherham. Those that were arrested and remanded in custody went to Court from that building by the private sector providers. Police Officers only transported from Rotherham to the Custody Suite. The impact of the Magistrates Court closure would not impact on Police time
- There was a massive lack of confidence in the 101 Non-Emergency Service. How will the confidence be re-installed? - The Force recognised the poor performance which was why it was owned at Chief Officer level and there was a whole strategic plan. It was too early as yet to start publicising the service because it was better as that was not the case. Once it was, it would be marketed and try to restore that confidence. Members of the public should be encouraged to use the alternative methods of reporting non-emergency issues such as online reporting and using the Crimestoppers number
- Concerns had been raised about the 101 Non-Emergency Service in January. What had changed since then? – There had been an immediate uplift of resources with Police Officers currently working in Atlas Court, the new recruitment plan was in place and operatives being trained. It was hoped that it would be fully staffed within the next 2 months and able to meet the demand

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- It was not clear from the presentation whether there was a separating out of the current and historic cases of CSE? – This issue had been raised at the Partnership as it needed to be able to see from performance data what was current and what was historic in order to understand the picture in Rotherham. The new analyst would be asked to provide data on the outcomes/convictions
- Was the Partnership happy with the level of convictions being achieved since the Jay report? – This would be fed back to the Partnership. Partnership meetings were themed and the next one was around CSE looking at the current position, what partners could do, where the gaps were, how it was doing and if there was anything more that needed to do
- Concern that there had been no referrals regarding honour based and forced marriage. Was it a similar picture in other authorities? - It was Police data which showed that there had been no reported issues. A lot of work/partnership initiatives were taking place to try and gain the confidence of communities around honour based violence and forced marriage issues. The numbers were not high elsewhere
- The increase in incidents of domestic violence could not solely be as a result of increased confidence in reporting. There had to be an acknowledgement that the incidence of domestic violence was increasing together with sexual violence. It was important also that there was data regarding repeat offences – The whole of the Partnership i.e. Police, Local Authority and Independent Domestic Violence Advocates to give the person who was the subject of domestic violence choices to make them feel safer. That data was now recorded and could be published. It was a priority for the current year and the Partnership recognised that it was an area that it needed to do more work on. The Partnership had a Domestic Violence Co-ordinator, who would be in post shortly, and funding allocated to get a better understanding of domestic violence and what was happening in Rotherham and to test what partners were doing about it. It was an area that the Board was to do more work on and put more resources into
- The confidence of the community needed to be gained regarding honour based violence and forced marriage particularly engaging with the women's groups – There were a lot of work undertaken to ensure the Police reached out, particularly to those groups that worked with those at risk of domestic violence. Some of the work was not discussed publicly because of the sensitivity. It was an area that the whole Partnership would be subjected to much more scrutiny over the next 12 months as it remained a priority. The Police were not always the right people to do the work; independent groups and advocates commissioned that worked with victims and survivors were required to do the work

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- There had been a Domestic Violence Co-ordinator before so what would be different this time? - In the past the Domestic Abuse Co-ordinator had sat within Adult Services; this time the post had been moved into the Central Community Safety Team to work with the Safer Rotherham Partnership across all Directorates and partnerships. The person would be much more focussed on strategic movement of some of the actions and outcomes of the Partnership and feed into the activity on the ground. They would report back to the Partnership Board and be held to account for those actions
- There were no statistics relating to drug abuse within the presentation? – Drug related crimes was not a current priority for the Partnership and nor had it been the previous year

Resolved:- (1) That the Safer Rotherham Partnership provide Ward-based statistics in future reports.

(2) That an update be submitted in 6 months to look at CSE, 101 Non-Emergency Services and domestic violence and honour based marriages.

14. SCRUTINY WORK PROGRAMME AND PRIORITISATION

Caroline Webb, Senior Adviser (Scrutiny and Member Development), presented an outline work programme for the Board. This followed an informal work planning sessions held on 8th July, 2016, and subsequent sessions held with individual Select Commissions.

The report set out the work programme for the Board, Health, Improving Places and Improving Lives Select Commissions.

In addition, the Cabinet had requested that Improving Lives undertake a review to explore the effectiveness of alternative delivery models of Social Care and how this impacted upon accountability, improvement and the delivery of the Authority's statutory Social Care duties. A more detailed specific programme for this inquiry would be prepared with the aim to produce a final report by March, 2017.

Resolved:- (1) That the prioritised items within the Board's work programme 2016/17 be approved.

(2) That the prioritised items in the respective work programme of each Select Commission be approved.

(3) That the Forward Plan of Key Decisions be noted.

(4) That the request from the Cabinet for the Improving Lives Select Commission to undertake a review to explore the effectiveness of alternative delivery models of Children's Social Care and how this impacted upon accountability, improvement and the delivery of the Authority's statutory Social Care duties be noted.

15. WORK IN PROGRESS

Improving Places Select Commission

Councillor Mallinder, Chair, reported that the last meeting had discussed:-

- Emergency Planning – A Task and Finish Group, Chaired by Councillor Wyatt, was to visit Teeside
- Enforcement in relation to Parking Tickets – the Authority now had powers to seize vehicles of those who persistently did not pay their fines
- Selective Licensing of Landlords – the report of the Working Group to be submitted in January, 2017
- Waste Review, HRA and amendments to the Housing Allocation Policy to be considered at the October meeting
- Members of the Health Select Commission had been invited to the last meeting due to crosscutting themes

Health Select Commission

Councillor Short, Vice-Chair, had nothing to report

Audit Committee

Councillor Wyatt, Chair, reported that included on the agenda for next week's meeting were:-

- Annual Governance Statement
- The newly appointed Head of Audit would be commencing employment in October
- Ongoing work on risk management across the Authority

Improving Lives Select Commission

Councillor Clark, Chair, reported that the next meeting would discuss:-

- The annual report of the Local Safeguarding Children Board
- Adult Safeguarding would be discussed at the December meeting

16. DATE AND TIME OF NEXT MEETING

Resolved:- That a further meeting be held on Friday, 30th September, commencing at 9.00 a.m.