

**OVERVIEW AND SCRUTINY MANAGEMENT BOARD  
25th October, 2017**

Present:- Councillor Steele (in the Chair); Councillors Clark, Cowles, Cusworth, Evans, Mallinder, Napper, Sheppard, Short, Walsh and Wyatt.

Apologies for absence:- Apologies were received from Councillors Brookes.

**20. MINUTES OF THE PREVIOUS MEETING HELD ON 6 AND 27 SEPTEMBER**

**Resolved:-** That the minutes of the meetings held on 6<sup>th</sup> and 27<sup>th</sup> September, 2017 be approved as correct records of proceedings.

**21. DECLARATIONS OF INTEREST**

There were no Declarations of Interest to report.

**22. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS**

There were no questions from members of the public or the press.

**23. ROTHERHAM MBC ANNUAL REPORT - COMPLIMENTS AND COMPLAINTS 2016-17**

Consideration was given to the Council's Annual Report - Compliments and Complaints 2016/17 (hereafter referred to as 'the annual report') which set out information about complaints made to the Council under the Corporate Complaints Procedure, Housing Complaint Procedure and the Adult and Children's Services Complaint Regulations.

The figures in the report included details of the number of complaints received, numbers of compliments received, and information on those complaints that have escalated to be considered by the relevant Ombudsman. The information included detailed breakdowns of complaints and enquiries received for each Council Directorate.

Analysis was also provided on the particular trends in the complaints received, by service area, and in terms of the timescales in which responses were provided; as well as about the escalation of complaints.

The report also highlighted examples of key learning points from the complaints received, which have been used over the last year in regular reports to senior managers to address or correct any mistakes and improve services or procedures as a result.

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It was noted that legislation on complaints was different in three cases for Adult Social Care, Children's Social Care and Housing and the Council had created an additional process for corporate complaints. Members queried whether it would have been preferable to replicate one of the existing three processes for corporate complaints rather than establishing a fourth process. In response, it was confirmed that customers are not presented with a myriad of different procedures and it was the role of the Complaints Team to guide them through that process. It was noted that the processes were different, but had a number of similarities too and that the corporate complaints procedure mirrored the procedure for children's social care.

Members sought clarification on how the Council defined a compliment and whether every disgruntled comment was also recorded. In response, it was confirmed that compliment was considered to be praise in any form where a customer is happy with standard of service provided. With regard to disgruntled comments, if the comment had been made under the complaints process then it would be recorded, but if it had been received outside of the corporate complaints team then it would not be formally recorded. Members were advised that all staff needed to act upon feedback provided and take responsibility for improving the way in which services are delivered.

It was noted the number of complaints had increased significantly and Members sought an explanation for the increase. In response it was confirmed that the majority of the increase was attributable to a change in the category definitions. It was further noted that complaints were logged in the Liquidlogic system. Members queried how the new system could have an underlying impact on the number of complaints received.

Reference was made to small increase in complaints relating to adult social services and the increase in the length of time taken to respond. Members sought clarification as to why performance on response times had dropped and whether there had been specific issues and what had been done to address them. In response, it was not possible to give a definitive answer, but it was assumed that this had been due in part to a restructuring within the service. Protocols had been established to ensure that complaints were referred to the correct person. It was further noted that a performance dashboard had been introduced and reported to Directorate Leadership Teams in Adult Care & Housing and Children & Young People's Services.

Members queried how complaints in respect of contractors were resolved. It was confirmed that a response would be provided outside of the meeting.

It was suggested that the Council should consider undertake random call backs to customers in respect of their satisfaction to establish whether there was more to be learned. It was confirmed that some satisfaction testing was already undertaken.

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Concerns were expressed in respect of how young people were encouraged to complain and clarification was sought in respect of the Council signposted young people to make complaints and be confident in doing so. In response, it was confirmed that work had been done and was ongoing to ensure that children and young people were able to and clear about how to make complaints. It was reported that there had been a sharp increase in Stage 2 complaints. Furthermore all children and young people had an advocate and the Strategic Director underlined the need for the service to be open and ensure that all voices were heard.

Following on, Members expressed further concern that 75% of complaints from children and young people were being upheld. In response, it was confirmed that complaints from young people under the age of 18 represented only a relatively small part of the numbers received. Member sought more information in respect of complaints from adults too and expressed concern at the number of complaints in respect of staff and sought assurances that the situation was improving. It was confirmed that updated information would be supplied outside of the meeting.

Members sought to better understand the process that a customer would experience when lodging a complaint and queried what was provided when contact was made. In response, it was explained that an acknowledgment would be sent detailing the timescale for handling the complaint and the full procedure could be provided upon request. A named contact would be provided to track the complaint and would act as the conduit between the complainant and the service. It was explained in response to a supplementary question that the procedure for complaints was not issued to all complainants, but that the principles of the procedure were detailed in the acknowledged in the letter.

Members queried whether any progress had been made in respect of the online learning module on complaints handling and if the program was fit for purpose. has any progress be made and is it fit for purpose. In response, it was confirmed that all staff who deal with customers needed to have an awareness of the complaints procedure.

Reference was made to delays in assessments within Adult Social Care and Members queried what the position was in relation to complaints. It was explained that issues with people waiting for assessment had not translated into formal complaints. It was further noted that there had not been a large spike in complaints within Adult Social Care and this had remained the case.

Members queried whether what constituted a complaint had changed and requested that a definition of a complaint be provided. Concerns were expressed that there was a mixed approach to the logging of complaints and the procedure did not seem to be consistently applied. In response, officers agreed that there needed to be a clear definition of complaints arising from a review which was currently underway and that definition needed to be applied consistently across the whole authority.

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Discussions took place in respect of Councillors Casework and a number of Members indicated that they were not aware of the system that was initiated in January 2017 for casework to be referred to management support in directorates to be cascaded to relevant officers. It was explained that this was an interim system and a review was underway to identify the best approach and system to enable Members to refer and resolve casework.

A question was put in respect of anti-social behaviour complaints in respect of tenants or residents of private housing. It was agreed that officers would prepare a response on this point outside of the meeting, but noted that it would be a matter for the enforcement team to utilise relevant procedures and legislation.

Members raised a number of points of detail that were highlighted within the report in respect of damp in council properties, taking a proactive approach to managing energy, external cladding on council properties. Concern was also expressed in respect of the payment of compensation to a complainant who had been evicted from a property where a weight from weightlifting kit had been lost during the eviction process. Further concerns were expressed in respect of parking attendants working in pairs and the approach taken to enforce parking fines by attendants. Officers gave undertaking that a response would be provided to Members on those issues. It was also noted that a different style of report would be presented in future which focused less on the detail of complaints and provided more of an overview of the process.

Members queried how the Council used communications and the briefing of frontline customer services staff when preparing for significant service changes that may generate complaints. It was confirmed that processes were in place to make sure that all staff were aware of changes and 'frequently asked questions' were prepared to assist. It was confirmed that representatives from the Communications team attended each Directorate Leadership Team so that communications activities and materials could be prepared to accompany any service changes.

Referring to the data within the report, Members indicated that it would be helpful to analyse the data over a longer period to establish any patterns or trends. The presentation of the report and data made it difficult to see any trends developing. Officers noted the point for future reports.

### **Resolved:-**

1. That the content and key messages of the Annual Report – Compliments and Complaints 2016/17 be noted, including in particular the proposed service and performance improvement actions for 2017/18.

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2. That any further comments be made on areas for further and continuous improvement which could be delivered in partnership with service teams and members moving forward.
3. That the review of the complaints procedure and policy be submitted to OSMB before any final decision to amend the policy.
4. That the relevant complaints procedure be made available at the first point of contact with a complainant.
5. That arrangements be made for Members of Overview and Scrutiny Management Board to shadow both the complaints team and frontline customer services staff to observe how issues are dealt with on the frontline.
6. That the Improving Lives Select Commission examine the Children's Social Care complaints procedure.

### **24. SUSTAINABILITY STRATEGY FOR CHILDREN'S SERVICES 2016 TO 2021 - PROGRESS REPORT**

Consideration was given to the progress report on the Sustainability Strategy for Children's Services 2016 to 2021 which was subject to comprehensive internal review and external challenge completed by the Practice Partner for Children's Improvement (Lincolnshire County Council).

The report set out in detail the progress of the sustainability plan initiatives, including details on:-

- Therapeutic Service.
- Family Group Conferencing.
- Special Guardianship Looked After Children.
- Pause Project.
- Edge of Care.
- Multi-systemic Therapy (MST).
- Reunification Project.
- Single Assessment Review Duty Team.
- Appointment of Newly Qualified Social Workers (x 22).
- Overall summary / conclusion on the investments to date.

A summary of delivery against the targeted outcomes from the Sustainability Strategy in 2017/18 was highlighted.

The individual projects were on target to deliver expected outcomes and achieve a reduction in expenditure compared to the alternative option of "do nothing". However due to the significant increase in LAC to 521 (+7%) since 1<sup>st</sup> April 2017, there was a forecast net cost pressure on the CYPs budget of £2.592m. Without the initiatives in the Sustainability

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Strategy, the in-year pressure could have been more severe, a further £2.261m on top of the current overspend.

The significant increase in the number of looked after children referred to above is entirely due to the unforeseen and extraordinary impact of the complex abuse inquiry, of which the costs were substantial. Without this, CYPS would be reporting a break-even budget position. However, instead the forecast at 31<sup>st</sup> July, 2017 and reported to the September Cabinet was for a Directorate overspend of £2.592m.

The forecast included 39 children and young people in care who were directly linked to the investigation. It did not incorporate any further placements, up to an additional 70 based on “worst case scenario” estimates, which could exacerbate the current position by up to £2.3m in this financial year.

Members sought clarification in respect of the predicted trend for the numbers of looked after children. In response it was confirmed that the trend prediction took account of the national picture, as well as local circumstances in Rotherham, where the Complex Abuse Inquiry had increased demand. However, it was noted that activities from the Council had prevented 37 admissions into care.

The point was made that all Members were concerned about the overspend on the budget for Children and Young People’s Services, which could not be attributed fully to austerity driven by central government. In response, it was noted that the prediction for services for children and young people to be overspent by £2billion on a national basis by 2020. The feeling from the Local Government Association, councillors with responsibility for children and young people’s services and directors of those services was that the government needed to take similar action that which had been done for adult social care. It was confirmed that the Council had plan and the plan was having some effect, but it could not be denied that it was making the budgetary position very difficult.

Members sought assurances in respect of attracting and retaining newly qualified social workers to avoid further use of agency staff. In response, it was confirmed that the Council had been shortlisted as one of the best social work employers in the country and that would further boost the authority’s profile as a good employer which could only help with recruitment and retention. It was further reported that the Strategic Director of Children and Young People’s Service was leading on work to introduce a regional agency agreement for Yorkshire and the Humber to help manage the market better, minimise cost and promote stability.

Members referred to the value of inspection regimes and expressed concern that such processes tended to make services focus on delivering to pass an inspection, rather than focusing on getting things right, which would consequently ensure that success in inspections would follow. In response, officers expressed agreement in principle with that viewpoint,

but from experience of inspections, it was crucial to institute effective governance and performance regimes and to have a critical understanding of the inspection framework. It was a challenge to maintain a balance between doing the right thing and measuring progress for inspection frameworks.

Members queried whether the service should be planning for unexpected events. It was confirmed that the service could not plan for all unexpected events, but that it always learned from what it did. When projections were made, they were calculated on the basis of predictive analytics. One of the key issues that had not been properly understood was the impact of welfare reforms, which was having and expected to continue to have a significant impact.

**Resolved:-**

1. That the progress report be noted.
2. That a further update report on the Sustainability Strategy be provided in March 2018.
3. That arrangements be made for a Member Seminar on impact of Universal Credit implementation.
4. That the work on the Yorkshire and Humber Regional Agency Review feed into the scrutiny review of agency staffing.

**25. THE IMPLEMENTATION OF THE REVISED FOSTER CARERS PAYMENTS SCHEME**

Consideration was given to the Foster Carers Payments Support and Development Scheme which was revised twelve months ago with the specific aim of boosting the recruitment of foster carers in Rotherham and to reduce the increasing reliance on the Independent Fostering Agency sector (IFAs). Whilst the revised scheme had broadly been successfully implemented it had coincided with a significant increase in the overall numbers of looked after children (LAC) so that there had been little impact on the use of IFA placements. However, without this revised Scheme it may well be that recruitment would have been less successful and the financial implications arising from the increase in LAC numbers would have been even more significant.

Members sought to understand what lessons had been learned from implementation and whether examples had been reviewed from other authorities. In response, it was confirmed that the main lesson learned was not to try to implement two systems at once. However, it was acknowledged that the implementation of both systems could not be delayed. The glitches in the implementation of the Liquidlogic system had not been anticipated but were resolved. The response of the CYPs

leadership team was to meet with foster carers face to face to discuss the issues.

Reference was made to the need to improve the training for members of the Fostering Panel and that consideration should be given to providing training before commencing other areas of activity. Furthermore, Members queried whether there was any evidence that people would be interested in fostering as a career choice or receiving recognition as employees. In response, it was confirmed that there was no enthusiasm for professionalising the role of foster carers.

**Resolved:-**

1. That the contents of this report be noted.
2. That consideration be given to reviewing the training programme for the Fostering Panel.

**26. YOUTH CABINET/YOUNG PEOPLE'S ISSUES**

No issues to report.

**27. WORK IN PROGRESS**

**Improving Places Select Commission**

Councillor Mallinder reported looking forward to establishing a five year plan and some long term infrastructure for the Commission. Members would follow up on the Allocations Policy as concerns had been relayed that it had not implemented. The Commission had also asked for reports on the Major Incident Plan and Neighbourhood Working.

**Improving Lives Select Commission**

Councillor Clark reported that some work was planned on Complex Abuse and this was in its infancy. It was noted that the planned October meeting had been delayed, but that a meeting would go ahead and would be chaired by the Vice-Chair on Pause Project. She also encouraged everyone to attend the January meeting where the focus would be on the Voice of the Child.

**Health Select Commission**

Councillor Evans reported the Commission had not met since the previous meeting of Overview and Scrutiny Management Board, but that a meeting was scheduled for 26 October where the focus would be on CAMHS and workforce development.

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**Resolved:-**

That the information be noted.

**28. CALL-IN ISSUES**

The Chair reported that no issues had been referred for call-in.

**29. DATE AND TIME OF NEXT MEETING**

**Resolved:-** That the next meeting be held on Wednesday, 8th November, 2017 at 11.00 a.m.