

OVERVIEW AND SCRUTINY MANAGEMENT BOARD
Thursday 1 December 2022

Present:- Councillor Clark (in the Chair); Councillors T. Collingham, Baker-Rogers, A Carter, Cooksey, Elliott, Pitchley, Tinsley and Yasseen.

Apologies for absence:- Apologies were received from Councillors Baum-Dixon and Wyatt.

The webcast of the Council Meeting can be viewed at:-

<https://rotherham.public-i.tv/core/portal/home>

115. DECLARATIONS OF INTEREST

Cllr T Collingham declared a personal interest as co-signatory of the original petition to improve road safety on Cumwell Lane/Kingsforth Lane. He remained present for the Board's consideration of the issue and its resolution.

116. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

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

117. EXCLUSION OF THE PRESS AND PUBLIC

There were no exempt items on the agenda.

118. PROGRESS UPDATE FOLLOWING PETITION - KINGSFORTH LANE AND CUMWELL LANE

The Strategic Director for Regeneration and Environment introduced the report and outlined that it provided an update on the recommendations made by the Board when it first considered the petition on 11 May 2022. The Cabinet Member for Environment and Transport welcomed the progress made and noted that the Council had responded to the issues raised with urgency, with road safety on this stretch being subject to ongoing monitoring. He repeated his condolences to the families of the bereaved.

The Chair reiterated that Members of the Board should not refer to details of the inquests currently before the Coroner.

The report detailed road safety improvements which had been undertaken on Cumwell Lane and Kingsforth Lane over previous years. These measures included vehicle activated signs; improved signage; carriageway resurfacing; replacement of road studs and improvement to visibility.

At its meeting in May 2022, the Board endorsed the measures outlined to

improve road safety. Since June 2022, the Council had introduced additional intervention measures which included a 50mph speed limit; replacement signage; drainage improvements; new road marking and reflective verge markers; and clearance of vegetation and detritus. It was noted that the use of an average speed camera was not being proposed at this time. The speed limit had been reduced and this would be monitored.

Clarification was sought if the actions detailed in the report would improve road safety. In response, it was outlined that it was that in officer's professional opinion, the measures would be of benefit, although there was a caveat that factors such as driver's behaviour were difficult to mitigate. Officers committed to engage with petitioners to seek their views on the improvements.

The progress made was welcomed. It was noted that at the time of the speed surveys, the speed was reduced to 40mph because of extensive road works. Clarification was sought that additional surveys would be undertaken at points during the year to capture an accurate representation of road use and speeds. It was confirmed that a speed survey would be conducted following completion of the road works.

Clarification was sought if the work would be ongoing on road maintenance and vegetation clearance. It was confirmed that highways inspectors monitor the route daily and defects would be addressed as soon as possible. Feedback from the public was also welcomed. Signage was monitored frequently and landowners were contacted to ensure that visibility was maintained.

It was noted that parts of the road were often affected by mud. It was outlined that problems should be identified in daily inspections. There was a clear line of communication with the landfill site. Ward members were invited to report concerns should they arise.

In response to the question if the speed reduction to 50mph was sufficient, it was outlined that the road would be monitored over the next year. It was noted that the Council was required to follow Government guidance on speed limits. On the basis of available data, there had been a reduction in overall average speeds as a result of the measures taken.

In response to a query about how the Council could be more responsive regarding road safety issues before it progresses to a petition, it was outlined that there were regular reviews of road safety incidents, the outcomes of which are considered alongside national guidance. It was also noted that there was a neighbourhood programme to provide local feedback on road priorities.

It was stated that the success of these interventions were dependent of changing the culture of how people drive. An enquiry was made to establish if the Council participated in road safety education programmes.

It was outlined that the authority was a full, participatory member of the South Yorkshire Road Safety Partnership and that there was a comprehensive education programme targeted across all ages and demographics.

A commitment was made to analyse the speed data near to the landfill site to establish if it met the criteria for an average speed camera. It was thought that it was unlikely that the criteria would be met. Further clarification was sought if the Council was capturing data from speed activation cameras. It was noted that there was technology that could read number plates and issue warnings if infractions took place, however, it was thought that there would be a cost attached to this activity.

A request was made to have a ward member update, including details of enforcement activity if available.

Resolved:

1. That the current approach associated with the investigation and analysis of reported Personal Injury Road Traffic Collisions, together with the prioritisation of intervention measures aimed at reducing the number and severity of collisions taking place on the highway network be noted.
2. That further update of progress be submitted to Improving Places Select Committee in 12 months.
3. That a 'lessons learnt' report be circulated to members of IPSC and OSMB following the conclusion of the Coroner's hearing and/or related legal proceedings.
4. That the findings of interim speed surveys be shared with IPSC members in 6 months.

119. ANNUAL COMPLIMENTS AND COMPLAINTS REPORT 2021-22

The Chair welcomed the Cabinet Member for Corporate Services, Community Safety and Finance, the Head of Policy, Performance and Quality, the Corporate Complaints Manager and officers from each directorate to the meeting.

The Cabinet Member introduced the report which covered the formal complaints and compliments received during the financial year of 2021/22. It was noted that the overall number of complaints had increased, although this was not yet at previous levels prior to the Covid 19 pandemic. It was outlined that complaints were important to the Council to ensure improvements can be made to the customer experience. Complaints helped the Council understand where things have not gone right, check that the right process were in place, apologise when mistakes have been made and learn from this to ensure that issues were rectified. Complaints were also an important measure of performance and that customers were treated fairly.

The Head of Policy, Performance and Intelligence gave a presentation to introduce the report, highlighting performance headlines over the past five years.

Trends in each directorate were also outlined. It was outlined that these trends and details of complaints were submitted to Directorate Leadership Teams (DLT) for monthly review and action.

Fewer complaints had been upheld, with the majority resolved at Stage1 which was in line with previous years' performance. Quality of service, lack of services or delays in services accounted for 73% of all complaints. There was a smaller number of complaints received at Stage 3, which demonstrated that the procedure was working effectively. It was also noted that there had been an increase in the number of compliments received, with Adult Care seeing the biggest increase.

An overview was given of learning to deliver better outcomes. Each complaint, regardless of whether it has been upheld, was reviewed by the relevant manager and DLT to identify areas of learning.

In respect of the current direction of travel, numbers of complaints were increasing. It was noted that there had been a slight decline in complaint responses, although this was still in line with a five-year average and Council plan target across directorate reflecting a return to pre-pandemic trends.

The Head of Policy, Performance, and Intelligence outlined the key actions for the year ahead. This included:

- improvements to services to ensure that the new regulatory requirements for Housing Services were met;
- learning and making improvements were captured;
- the right resources and links were in place to support the management of complaints and learning others;
- remedy requests by the Ombudsman were completed on time; and
- staff engagement with the compliments process was increased.

The Chair noted that the last time the Board had considered the Annual Compliments and Complaints Report (2019-20), she had raised concerns following comments from the Local Government and Social Care Ombudsman's (LGSCO) about Council delays in responding to its enquiries promptly. It was noted in the current report, the Ombudsman expressed disappointment in the Council's late response and that the same problem had been encountered. She was concerned that an issue raised previously did not appear to have been addressed and asked that the Cabinet Member investigated the matter. The Cabinet Member confirmed that this would take place. The Corporate Complaints Manager outlined the steps that had been put in place to ensure deadlines were met and understand the reasons why if a late response was made.

In the consideration of last year's report, it was raised that it was difficult to record compliments as it was on the same form as complaints. It was observed that this was still the case.

In respect, of the Ombudsman's comments, clarification was sought if managers were not responding to the LGSCO within timescales, how could Members have confidence that they were responding to resident's concerns promptly. Assurance was given that the delays were due to technical matters, however further investigation would be undertaken. It was noted that the LGSCO had suspended complaints during the pandemic and was clearing its backlog, leading to higher numbers coming through. The numbers of formal referrals to the LGSCO were a small minority of complaints.

It was outlined that the formal complaints process was subject to rigorous performance management, with weekly reporting to senior officers. It was stated that every effort was made to keep within timescales and maintain targets however, some issues were more complex which led to delays.

Clarification was sought about how surgery reports and complaints were classified. In response, it was outlined that ideally, resident's dissatisfaction should be resolved at the earliest possible stage through contact with the service. Assurance was sought that surgery reports could be treated as complaints if residents asked for this. It was confirmed that this was already the case, however, changes could be made to the casework form to signpost this option more clearly.

A view was expressed that future reports should include information from directorates about what issues received the most complaints, emerging trends, what action had been taken to address the complaints and its impact on the number of complaints going forward. It was also suggested that the report should reflect new thinking about what measures could be put in place to reduce the numbers of complaints and increase the number of compliments.

It was noted that complaints were driven by resident's concerns and fluctuated according to events. It was outlined that there was a target in the Council Plan relating to response times and new performance indicators would be introduced in Housing Services. It was noted that directorate trends were referred to in the body of the report.

In respect of Regeneration and Environment, the Strategic Director detailed that the highest number of complaints related to missed bins, trees and planning enforcement. Additional investments had been made to develop a 'bin app' to address queries regarding missed services and to help with complaints and casework relating to trees and shrubs.

The Director of Adult Care, Public Health and Housing indicated that his DLT examined trends regularly and that issues were flagged with operational managers. He echoed that it was disappointing to receive the

Ombudsman's response but processes had been put in place to address the concerns.

The Assistant Director for Housing confirmed that the service had a focus on complaints and staff sessions had been held to raise awareness. It was outlined that whilst response rates were improving, there was still a need to understand why delays occurred. It was noted that the number of compliments had gone up and staff were encouraged to have conversations with customers to encourage feedback.

The Assistant Director for Commissioning, Performance and Quality also indicated that complaints were subject to rigorous oversight at CYPS's DLT meetings. Responding to queries and complaints at an earlier point was a priority and work was underway to establish why responses were delayed.

The Strategic Director for Customer Services and Finance also confirmed that regular reports were submitted to her DLT to outline trends, for example complaints about advice given. Action was being taken to ensure that response times were met and senior officers were sighted on the overview to ensure that issues were addressed swiftly.

The feedback from directorates was welcomed as it gave an insight into key issues and directorate responses and responsibilities. It was felt that the comments on the format and content of future reports would be helpful. In respect of compliments, a view was expressed that the often the good work undertaken by staff went unnoticed, particularly in light of the challenges of responding to the pandemic. A view was expressed that the Council's achievements and response should be celebrated internally and this in turn, would influence interactions and communications with communities.

It was suggested that the first point of response was crucial in dealing with complaints. Assurance was sought that directorates understood how to engage with residents and strategies on how to de-escalate were disseminated to staff. The Cabinet Member acknowledged that a culture of openness was required to promote positivity, build confidence and encourage early resolution.

Citing the recent tragic events in Rochdale, it was noted national news may trigger a rise in complaints. A query was raised to establish if Housing Services had seen a rise in complaints about damp and mould issues. It was noted that Housing Services already received complaints about these issues, however, they anticipated that there may be more enquiries. There was ongoing communication with residents about damp and mould prevention. Data was also examined to identify trends across property types so targeted work can be undertaken to ameliorate the problem.

It was felt that the process of engagement and consultation should be

improved, as dissatisfaction with the consultation process often manifested itself as complaints later down the line. The Cabinet Member stated that the consultation framework was being refreshed and would be referred to this body for consideration in due course.

Resolved:

1. That the Annual Compliments and Complaints Report for 2021/22 be noted.
2. That comments on areas that require further improvement regarding complaints handling and reporting be provided.
3. That in the 2022-23 Compliments and Complaints Annual Report:
 - A focus be included on the themes identified in complaints, actions taken to remedy and an analysis if the actions have had an impact on the number of complaints received (relating to theme);
 - Key performance indicators relating to the service area and how these relate to complaints received in those areas be referenced; and
 - New thinking from other Local Authorities be outlined on how the number of compliments can be increased and number of complaints reduced.
4. That a report be submitted to this Board on the concerns referenced in the Ombudsman Letter and outlines what improvements have been made to related processes to address the issues raised.

120. CALL-IN ISSUES

There were no call-in issues.

121. URGENT BUSINESS

There were no urgent items.

122. DATE AND TIME OF NEXT MEETING

Resolved: - That the next meeting of the Overview and Scrutiny Management Board will be held at 10.00am on Wednesday 14 December 2022 at Rotherham Town Hall.