

OVERVIEW AND SCRUTINY MANAGEMENT BOARD
Wednesday 13 December 2023

Present:- Councillor Clark (in the Chair); Councillors Bacon, Browne, Cooksey, Elliott, Pitchley, Tinsley and Wyatt.

Apologies for absence:- Apologies were received from Councillors Baker-Rogers, Ball, Miro and Yasseen.

The webcast of the Council Meeting can be viewed at:-
<https://rotherham.public-i.tv/core/portal/home>

74. MINUTES OF THE PREVIOUS MEETING HELD ON 15 NOVEMBER 2023

Resolved: - That the Minutes of the meeting of the Overview and Scrutiny Management Board held on 15 November 2023 be approved as a true record.

75. DECLARATIONS OF INTEREST

Cllr Pitchley declared a non-registerable interest in relation to Minute 80 Aids and Adaptations Assistance Policy. A close family member had been referred for assessment.

76. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

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

77. EXCLUSION OF THE PRESS AND PUBLIC

There were no exempt items.

78. SOCIAL VALUE MID-YEAR REPORT

The Chair invited the Chief Executive to introduce the report. It was noted that OSMB had previously resolved to receive mid-year progress reports on Social Value activity, commitments and delivery. This report provided details of progress at mid-year 2023.

It was outlined that the aim of the Social Value policy was to maximise the local impact of the Council's spend. Its focus was to secure Social Value as part of the letting of contracts along with securing payment of the real living wage (as set by the Living Wage Foundation). It also involved working with other public sector organisation and anchor institutions to support them in their development of a Social Value policy and delivery of commitments.

Key elements of the Social Value Policy, that informed the development of

actions and delivery were:

- Raising the living standards of Rotherham residents and commitment to working towards the Living Wage Foundation Living Wage.
- Increasing the proportion of the Council's expenditure, which went to local businesses and providers.
- Building social value into all council contracts and maximising the impact gained from every pound spent, through the introduction of a rigorous system for assessing and measuring social value.
- Committing to the principle of co-designing services wherever possible.

The priorities for 2023 were:

- Focus on increasing social value commitments for skills and employment as part of overall progress (paras 2.6 – 2.20).
- Further research to build local market intelligence (paras 2.21 – 2.34).
- Supporting new and existing businesses to enter into new markets, from which the Council buys goods and services (para 2.47 – 2.49).
- Continuing to embed the foundations of strong social value delivery through contract manager and supplier learning and development, tools, and evaluation (paras 2.50 – 2.52).

Details were given of the key performance indicators that the Council suppliers have delivered against on contracts procured and awarded between the implementation of the Social Value policy in December 2019 to May 2023. These included the number of people to benefit, training hours, tonnes of carbon saved and monetary values (and proxy values).

The total social and local economic value committed since the introduction of the Social Value policy showed significant increase from £13.6m (included in the last annual report to Cabinet in March), to £25.3m at the mid-year position (up to end of May 2023), a net increase of £11.8m or 87%. The total contract value attracting Social Value showed an increase from £106.86m in the annual report to £175.5m at mid-year, a net increase of £68.6m or 64%.

The report outlined that the use of Place, People and Corporate categories was procurement terminology to group similar types of expenditure:

- Rotherham Places covered construction, facilities management, environment, and transport.

- Rotherham People covered commissioned services for delivery to residents such as health and social care provision.
- Rotherham Corporate covered contracts that support the operational running of the Council (i.e. ICT, temporary labour, training, PPE).

Of the three categories, “places” had seen increases from £6.5m to £15.3m; with “people” achieving £1.9m increase from £6.6m to £8.5m and “corporate” achieving £1.1m from £461k to £1.6m.

It was reported that the policy was continuing to make an impact. This included 130 full-time equivalent hires on local contracts, with over 450 weeks of apprenticeships delivered and £276,000 worth of social value in assisting unemployed people into work. Almost £2 million has been spent in the local supply chain and over 1000 tonnes of CO2 had been saved, supporting the net zero target.

Details were given of the case studies which demonstrated the positive impact the policy had had on supporting people across the borough. It was noted that the Council had received its annual accreditation for the real living wage. Further work was underway with partners to support this initiative. It was further highlighted that the Council had been received the Public Sector Leadership awards in September for its work on social value.

The Chair invited questions from Board Members and a discussion on the following issues ensued:

- Clarification was sought on the percentage spend on construction-related activity. It was noted that the fluctuation was due to the spend of one-off grants at the start of projects. It was noted that 27% (down from 38% in 2021/22) of total construction spend went to Rotherham-based suppliers. Further work would be undertaken with partners to actively engage and support local suppliers to understand the Council’s procurement and commissioning processes. It was anticipated that this activity would increase the use of local suppliers including those in construction.
- The focus on local businesses and companies being awarded more contracts was welcomed. Further details were requested on how local businesses, contractors and subcontractors applied social value principles in delivery and how this was monitored. In response, it was outlined that this was explicit in the contract and contract managers ask for evidence of compliance on a regular basis. It was noted that contracts could be terminated if social value conditions were not applied.

The Chair welcomed the case studies and the format of the report. She was assured that progress was being made and asked that future reports be submitted on an annual basis.

Resolved:

1. That the social value mid-year report be received.

79. ADULT SOCIAL CARE MENTAL HEALTH REVIEW

The Chair invited the Strategic Director for Adult Care, Housing and Public Health and the Head of Safeguarding and Mental Health Services to introduce the report. It was noted that in February 2023, Cabinet approved a recommendation to review the Council's Adult Social Care Mental Health model which included a period of consultation with people with lived experience, their families and carers. The review was delayed due to the impact of the pandemic on adult social care. If approved by Cabinet, a staff consultation exercise would be undertaken.

The proposals outlined in the report were intended to enhance the benefits of continued joint working between health and social care whilst defining and developing the social care offer to best effect. Research and evidence supported that such approaches provided the best opportunities for personalised support to maximise recovery and independence. A recent policy paper published by the Department of Health and Social Care in 2022 focussed on shared outcomes through partner collaboration and set out how person-centred care should be central to reform.

Working with other relevant local organisations, the Integrated Care Board (ICB) was responsible for planning and delivering joined up health and care services to improve the lives of people in their area. The proposed model recognised the importance of continued commitment to partnership working and identified collaborative, co-located approaches.

It was outlined that the demographics of the borough were a key consideration in developing the proposed model. It was noted that Rotherham was one of the 20% most deprived authorities in England which impacted on the prevalence of mental health related needs.

Based on the outcome from the consultation, and collaboration with partners during the review period, a new personalised mental health pathway had been designed. The pathway focused on the person and set out the core component of the model to deliver the statutory social care duties. These included:

- A new information and guidance offer.
- Early Solutions (the adult social care front door and enablement offer).
- Care Act social care assessment.
- Mental Health Act duties.
- Crisis care and recovery.

The key change in the proposed model was an alignment of Council employed adult social care staff to deliver roles and responsibilities that met the requirements of the Care Act 2014, the Mental Health Act 1983, the Mental Health Capacity Act 2005, as well as associated statutory guidance and codes of practice. It was proposed that this would better balance the clinical and social models to provide a collaborative model of delivery which would further strengthen co-location and integration. Details were provided in the report of how this would be achieved. It was noted that the proposed changes would provide evidence for the Care Quality Commission.

The Chair invited questions and comments from Board Members and a discussion on the following issues ensued:

- The proposals outlined were welcomed. Clarification was sought about how people's mental health needs would be triaged to ensure that they were referred to the most appropriate service. Details were provided on the assessment process which was dependent on presenting need.
- It was noted that people with mental health often presented in crisis at accident and emergency departments. It was outlined that there was a liaison and diversion team located within the hospital that could work with individuals. Swallownest Court was identified as a place of safety. Work was also underway with South Yorkshire Police on the 'right care, right person' programme, to identify responsibilities and how health, social care and the ICB can work together.
- Further details were sought on the potential impact of the proposals on other services. There was a commitment across the partnership to ensure that prevention of unnecessary mental ill-health was a priority and people received the support they needed. It was noted that health partners and the voluntary sector were working collaboratively to design services to make sure the referral pathways aligned. It was clarified that the proposals redirected resources to the areas where it was believed they could have the most impact.
- Further details were provided on employment support to people in mental health crisis.
- Clarification was sought if there would be any changes to out-of-hours access. It was confirmed that the local authority would continue to respond in line with its statutory mental health and safeguarding duties.
- An example was given of "mental health ambulances" pilot, whereby a mental health professional was available with first responders. It was outlined that police officers were aware that it was not always appropriate for them to undertake mental health well-being checks. Work was underway with ICB colleagues to

identify which organisation was best to respond to those in crisis.

- Details were sought about access to services for non-Rotherham residents. It was outlined that if the individual was in extreme risk, they would receive appropriate services under the Mental Health Act and safeguarding provisions. The level of support would be dependent on their presenting need. It was highlighted that information would be shared with the individual's home authority or health care professional.

Resolved:

- 1) That Cabinet be advised that the recommendations be supported.

That Cabinet:

1. Note the proposals for a new Adult Social Care mental health model of provision for the Borough.
 2. Approve the development of a co-designed Council Mental Health Strategy for Rotherham, with the strategy being presented back to Cabinet for approval in 2025, prior to publication.
- 2) That an update be provided to OSMB (or nominated Select Commission) on the impact of the review, 12 months after its implementation.

80. AIDS AND ADAPTATIONS ASSISTANCE POLICY

The Chair invited the Strategic Director of Adult Care, Housing and Public Health to introduce the report. It was anticipated that the proposals would have a positive impact on the health and social care system. It provided a platform to access support and make significant changes, perhaps at speed, to enable people to have a higher quality of life.

It was outlined that aids and adaptations ranged from low-cost solutions such as grab rails to more complex and costly adaptations such as installation of level-access showers or in some instances, extensions. The Chair welcomed the Assistant Director of Housing and the Operational Manager - Housing Options to the meeting.

The current Aids and Adaptation Policy was adopted in April 2015. In July 2023, the Cabinet agreed to review the policy and put in place some temporary delegations to facilitate continued delivery of the service. The review took place between July and October 2023. In addition to considering the latest best practice, the review also compared access from residents living in different housing tenure, the most common types of adaptations needed and associated costs and budgets. Views and feedback from stakeholders, partners and service users were gathered.

Following the review's conclusion, it was recommended that a new Aids and Adaptations Assistance Policy (attached as Appendix 1) be adopted,

alongside revised financial delegations. The proposed policy set out how the Council intended to exercise its powers under the Regulatory Reform (Housing Assistance) Order 2002 by consolidating the traditional assistance for aids and adaptations with a range of new discretionary grants.

Legislation required all local authorities to have a published document in place setting out the Council's policy on the local grant assistance related to aids and adaptations. The proposed policy therefore set out the types of assistance available to qualifying homeowners, Council tenants, private tenants and housing association tenants. The proposed policy supported disabled residents, older people, children and their families, with adaptations that supported independence whilst also enabling carers to continue to support residents safely. The policy included details of how to apply, eligibility and related conditions apply to the assistance available.

It was noted that funding for aids and adaptations was complex. For residents who are not council tenants, Disabled Facilities Grants (DFGs) were funded by the Government as part of the Better Care Fund. For council tenants, aids and adaptations were funded from the Housing Revenue Account (HRA).

The Council's Housing and Social Care Services and the National Health Service (NHS) had responsibility for the delivery of integrated services and recognised the benefits of enabling people to stay in their homes wherever possible. The development of preventative services could help to avoid more costly interventions at a later stage. The review highlighted that the current policy did not fully reflect the principles of an integrated approach and could benefit from strong alignment with the better care priorities. The new policy included updated principles and objectives that reflected a collaborative, multi-agency approach to assess people especially in relation to high-cost adaptations, in order to ensure the most cost-effective solution met the needs of individuals, family and/or carer.

Further details were provided in the report on the following issues:

- Objectives and principles.
- Discretionary grants and means testing.
- Managing demand more effectively.
- Role of private and housing association landlords.
- Accessibility of the policy.
- DFG fees and charges.
- Making the best use of adapted council homes.
- Decision-making.

Under the Regulatory Reform Order 2002 (RRO) the Council had a general power to assist households with the improvement of living conditions and allowed for more flexibility in the use of DFGs. It was proposed that the Council adopted the new Policy under the RRO.

It was proposed that new discretionary grants would be introduced while maintaining and updating the existing top-up grant. The new grants would enhance the range and flexibility of grants on offer to residents across different housing tenure, while supporting wider objectives including avoiding costs in the social care and health systems. The grants would be subject to financial resources being available and could be withdrawn in circumstances of budgetary constraints. It was proposed that means testing for the new discretionary grants was not applied, with a lighter touch assessment of financial resources introduced to meet the qualifying conditions of the grant.

The Council was permitted to include costs incurred for necessary fees associated with the application process, including technical services and administration costs. It was outlined that a benchmarking exercise had established that most local authorities charge between 12% and 15%, with Rotherham charging a lower fee of 10%. It was proposed that there should be an increase to 15%, incorporated into the grant award to cover additional costs in relation to the delivery of the service.

The report outlined proposals for decision-making, with thresholds clarified for financial approval limits. It was noted that any decision above £250,000 would require an Officer Decision Notice. Delegation was also given to the Strategic Director of Adult Care, Housing and Public Health and Assistant Director of Housing to make minor changes to the policy in consultation with the Cabinet Member for Housing. The policy would be reviewed annually, with significant changes reported to Cabinet for approval.

The Chair invited questions and comments from Board Members and a discussion on the following issues ensued:

- The proposals outlined in the report were welcomed. Clarification was sought about the number of applications from private tenants being significantly lower and the reasons behind this. In response, it was highlighted that it was assumed that private residents were not aware of this assistance being available. It was felt that means testing could act as a disincentive and there was evidence that some disabled people had withdrawn their application as they were reluctant to go through the means testing process.
- It was noted that work was underway with third sector organisations to publicise the change in policy should it be approved. A communications plan had also been developed.
- Clarification was sought on how private landlords could access the support for tenants and if adaptations would be made by approved contractors and inspected. It was confirmed that the Council would sign off any work.
- It was highlighted that officers had worked with Foundations Independent Living Trust to identify best practice and engage with stakeholders to identify what improvements could be made to the

policy and how these could be communicated.

- Assurance was sought that members would receive a briefing prior to the changes being made in April 2024 and following the Council elections for any newly elected councillors. It was confirmed that this would be actioned.
- Details were sought about how the expected rise in applications would be managed to ensure adaptations were made on a timely basis. It was anticipated that applications would be more straightforward to process. The proposal to increase the fees would cover staffing costs. Written details would be provided on staffing numbers. Discussions had also taken place with contractors.
- It was noted that Rotherfed Tenants' Scrutiny Panel undertook a review on aids and adaptations and if this had been referenced as part of the policy's development. It was outlined that all recommendations from their report had been accepted and actioned. It was confirmed that Rotherfed had been consulted on the proposals and if approved, would be involved in developing a customer friendly version.
- Clarification was sought on how the register of adapted properties would work in practice. It was noted that details of adaptations were available but there was not a separate register or the ability to make direct lets to people who required specific adaptations. It was outlined that moving to a dedicated register was a significant undertaking. This would require a change to the Housing Allocations Policy which would be subject to a separate review in 2024.
- Details were sought about how the policy compared with local and national best practice. It was outlined that benchmarking had taken place with other local authorities, and the learning applied to the policy proposals.

Resolved:

- 1) That Cabinet be advised that the recommendations be supported.

That Cabinet:

1. Approve the adoption of the new Aids and Adaptations Assistance Policy (Appendix 1) and note the new scheme of delegation for authorising grants.
2. Approve the proposed increase in Disabled Facilities Grant fees from 10% to 15% in order to pay for additional administrative and technical services costs associated with the new Policy and note that the Council is permitted to include necessary and reasonable fees associated with Disabled Facilities Grant applications within the overall cost of the eligible works.
3. Delegate authority to the Strategic Director of Adult Care

Housing and Public Health who can subdelegate to the Assistant Director of Housing in consultation with the Cabinet Member for Housing to prioritise or withdraw discretionary assistance in accordance with the Aids and Adaptations Assistance Policy and in line with the available budget.

4. Delegate authority to the Strategic Director of Adult Care Housing and Public Health to make minor amendments to the Policy when the need is identified.
- 2) That an update be provided to OSMB (or nominated Select Commission) on the impact of the policy, 12 months after its implementation.

81. WORK PROGRAMME - MID YEAR UPDATE

The Chair put on record her thanks to Katherine Harclerode for her work in supporting Health Select Commission and Improving Places Select Commission. She wished her well in her future career.

The Senior Governance Adviser introduced a report which provided the Overview and Scrutiny Management Board (OSMB) with an update on the scrutiny work programme and the progress of implementing the agreed recommendations from scrutiny reviews (from May 2022 to the present day).

The 2023/24 work programmes for each of the Select Commissions and OSMB were agreed at the June/July cycle of meetings early in the municipal year. The work programmes were attached as Appendix 1.

Details were provided of the criteria endorsed by OSMB to prioritise its scrutiny work programming and reviews. It was noted that individual work programmes were submitted to each Commission or Board meeting for comment and amendment and remained dynamic and responsive to items which may arise (for example referral of petitions or actions arising from Council Motions).

It was noted that 19 scrutiny meetings had been held since the start of the municipal year with over 50 separate items being considered across the Commissions and OSMB. Additional fact-finding meetings, reviews and workshops had also been held.

Details of reviews and project work were outlined. It should be noted that due to diary commitments, resource capacity and other priorities being identified, it had not been possible to complete work on all projects/reviews within the projected timescales. Members were asked to review programmed activity at this mid-point and prioritise work over the remaining municipal year as required.

It was outlined that all-out elections were to be held in May 2024, and to avoid 'legacy' reviews/issues being referred to new committees, scrutiny

work should ideally be concluded in advance of the pre-election period being called.

Consideration was also given to the progress of implementing accepted scrutiny review recommendations, noting that a tracker had been developed to capture the following information:

- Details of key information and dates (with hyperlinks to documents if hosted on the Council's website),
- What prompted the review (member request, call for action etc),
- Evidence of progress,
- Accountable directorate and/or external body
- Link to Council Plan theme.

It was noted that the tracker was reported on a quarterly basis to the Senior Leadership Team in order that progress was maintained on the implementation of agreed action and any delays mitigated an early stage. It was noted that of the reviews reported to Council, the majority of recommendations were substantially complete or ongoing. To date, all scrutiny recommendations considered by Cabinet have been accepted.

Members were asked to review progress made in implementing the recommendations from scrutiny reviews (as detailed in appendix 2) and determine if any further action was required.

The Chair invited comments and questions from Board Members:

- The Nature Recovery review was complete and was expected to report in early 2024.
- Improving Places Select Commission wish to undertake a spotlight review on household waste recycling centres and asked that this be prioritised.
- It would not be possible to prioritise the motion on road safety referred from Council in the current municipal year.
- Clarification was sought on the status of the bylaws and safety equipment. It was outlined that its progress had been delayed but it would be prioritised as part of the next work programme.
- It was noted that expert witnesses could be co-opted onto reviews as required.
- Activities undertaken by members of Improving Lives Select Commission were outlined. This included reviewing a draft strategy and responding to a Government consultation exercise on Elective Home Education.

Resolved:

1. That the report be noted.

2. That the work programmes (as detailed in Appendix 1) be noted and further prioritisation be undertaken.
3. That the progress made in implementing the recommendations from scrutiny reviews (as detailed in Appendix 2) be noted.

82. WORK IN PROGRESS - SELECT COMMISSIONS

The Chair referred to the previous item which provided an update on work-in-progress.

83. FORWARD PLAN OF KEY DECISIONS - 1 DECEMBER 2023 TO 29 FEBRUARY 2024

The Board considered the Forward Plan of Key Decisions 1 December 2023 to 29 February 2024.

A request was made for the following items to be considered for pre-decision scrutiny by OSMB.

- Local Plan Sites and Policies – Five Year Review (January)
- Local Stop Smoking Services and Support Grant (February)

A briefing was requested on the following issue:

- Overt CCTV Cameras

Resolved: - That the Forward Plan be noted.

84. CALL-IN ISSUES

There were no call-in issues.

85. URGENT BUSINESS

There were no urgent items.

86. DATE AND TIME OF NEXT MEETING

Resolved: - That the next meeting of the Overview and Scrutiny Management Board will be held at 10am on Tuesday 16 January 2024 at Rotherham Town Hall.