



Leicester
City Council

Minutes of the Meeting of the
OVERVIEW SELECT COMMITTEE

Held: THURSDAY, 24 MARCH 2016 at 5:30 pm

P R E S E N T :

Councillor Singh (Chair)
Councillor Dempster (Vice Chair)

Councillor Dr Barton
Councillor Chaplin
Councillor Cleaver
Councillor Dawood

Councillor Dr Moore
Councillor Newcombe
Councillor Patel
Councillor Porter

Councillor Senior
Councillor Shelton
Councillor Willmott

Also present:

Councillor Rory Palmer – Deputy City Mayor
Sir Peter Soulsby City Mayor

In Attendance

Councillor Cole

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88. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Thomas.

89. DECLARATIONS OF INTEREST

Councillor Senior declared in respect of agenda item 12 (appendix D2), the Historical Context of Ofsted Inspection of Services for Children in Need of Care and Protection, that she was a member of Unison.

In accordance with the Council's Code of Conduct, this interest was not considered so significant that it was likely to prejudice the respective Councillor's judgement of the public interest. Councillor Senior was not,

therefore, required to withdraw from the meeting.

90. CHAIR'S ANNOUNCEMENTS

There were no Chair's announcements.

91. MINUTES OF THE PREVIOUS MEETING

AGREED:

that the minutes of the previous meeting of the Overview Select Committee held on 28 January 2016 be confirmed as a correct record.

92. PROGRESS ON ACTIONS AGREED AT THE LAST MEETING

It was confirmed that actions arising from the previous meeting of the Overview Select Committee held 28 January 2016 had been completed.

93. QUESTIONS, REPRESENTATIONS AND STATEMENTS OF CASE

There were no questions, representations or statements of case.

94. PETITIONS

Councillor Porter handed in a petition which related to access and egress to the proposed development on Franklin Fields via Franklyn Road. Councillor Porter had met with the developer and local residents to discuss this and added that he would like to talk to the City Mayor about this issue. The City Mayor confirmed that he would be happy to do this.

95. TRACKING OF PETITIONS - MONITORING REPORT

The Committee considered the tracking of petitions monitoring report, along with the update on the monitoring report which was circulated at the meeting. The update is attached to the back of these minutes.

AGREED:

that those petitions marked as Petition Process Complete, namely 29/10/2015, 18/11/2015-2, 19/11/2015-2. 28/08/2015, 18/11/2015-1 and 17/12/2015 be removed from the monitoring report.

Action to be taken	By whom
To remove those petitions marked as Petition Process Complete from the Monitoring Report.	The Democratic Support Officer

96. QUESTIONS FOR THE CITY MAYOR

The Chair invited members to raise questions for the City Mayor.

Councillor Porter asked the City Mayor to provide a brief update on access to Franklin Fields.

The City Mayor responded that issues around access were currently being investigated by officers and this was work in progress. Councillor Porter invited the City Mayor to come in person to look at the site after Easter. The City Mayor responded that he had planned to do this anyway, and would be happy to do so.

The Chair congratulated the City Mayor that a recent survey had shown Leicester to be the ninth best city in the United Kingdom. The City Mayor responded by saying that there had been a number of reviews relating to UK cities and the majority of these rated Leicester very positively. It was one year on from the re-internment of King Richard 111 (KR111) and Leicester currently had a very high national profile. Councillor Cleaver added that she was aware from talking to students that they knew of KR111 and that they found the city to be very welcoming.

The City Mayor commented that the universities were very important to the life of the city and there was a need to engage with those students, provide job opportunities and encourage them to stay in Leicester. Councillor Chaplin added the Primary Care Workforce Review made that point and the importance of promoting the city to make sure that professionals were retained in Leicester.

97. CORPORATE COMPLAINTS (NON STATUTORY)

The Director of Finance submitted a report to the committee on Corporate Complaints (Non Statutory), which had also been considered by the Audit and Risk Committee in December 2015. The Director along with the Vacancy Management Service Manager provided an update to the committee on the current situation. Points made included the following:

- Previously complaints had been dealt with by each division; this had resulted in differing standards of practice.
- The Vacancy Management Service Manager had been asked to find ways to improve the process. This had resulted in a new Customer Relations Management System.
- The old system had recorded what might have been merely an enquiry from a member of the public, as a complaint.
- As part of the new system there would be one team to investigate the complaint. There would also be a triage system and the customer would

be asked from the outset what they wanted the council to do.

- Some of the complaints received were quite complex and technical; in those situations officers would talk to the customer and agree a response time.
- Previously a complex complaint might have necessitated being investigated by four different sections, but the new system would look at the customer holistically with the complaint being dealt with by one designated team.
- The scheme would be piloted from 1 April 2016 and could be amended following evaluation and feedback.
- There would be a self-portal on line where customers could create their own account. It was expected that this would roll out in June 2016.

Members praised the initiative and made comments and raised queries which included the following:

- The new system was originally due to be implemented in January; was there a reason for the delay?

The committee heard that they had been asked to delay the implementation because another system went live at the same time.

- At the meeting of the Audit and Risk Committee that was held in December 2015, councillors had been informed that complaint statistics would be available in the summer. Councillor Patel queried whether this was still on target and also whether councillors had been informed of the new system.

The Vacancy Management Service Manager confirmed that statistics would be available in the summer. Councillors had not yet been informed of the new complaints system, but this could be done.

- Officers were asked to ensure that a distinction was made between statutory and non-statutory complaints.
- Councillors queried if, for example, statistics revealed that there was a particular problem in a specific area, whether this would be picked up and addressed. Previously it had sometimes been difficult to identify relatively minor issues, such as requests for orange bags.

The committee were informed that the new system was more sophisticated and would identify these issues.

- How could the system cope if an email was sent in which it raised several issues and perhaps involved a number of different agencies?

Officers responded that there would be business analysts looking at the incoming email traffic, but there may be situations where an officer in the back office would separate out the enquiries.

- There was some discussion relating to the Members' Portal and Members stressed the importance of involving the councillors in its design before it went live.
- Officers were asked whether councillors would be able to look at the complaint history of a customer.

Members heard that this would be a data protection issue. Customers would be able to track their own history on their portal but members would not be able to access their records.

- A query was raised as to what would happen if someone did not want to create an account on the on-line portal.

The Vacancy Management Service Manager responded that this would be the choice of the customer, but where they could be encouraged to use the online system, there would be more time for customer services to help the most vulnerable. Those people who created an online portal account would also be able to see the history of all their transactions.

- Councillor Porter commented that currently with member enquiries, members of the public were given an assurance that they would be sent a response within 10 days and that this worked well. He questioned whether this would change.

Officers responded that there would be no change to this time scale for members' enquiries, except for complex complaints where a time scale would be negotiated.

- Councillor Porter asked how many complaints had been reported to the Ombudsman.

Officers responded that 97 out of approximately 3000 complaints had been sent to the Ombudsman. Out of these, 21 complaints met the required criteria and were investigated by the Ombudsman and 9 (0.3%) were deemed to be the fault of Leicester City Council.

- Councillor Dawood referred to the number of complaints received that related to staff attitude and behaviour, and the timeliness of service and stated that a realistic target was needed to reduce these.

The Director of Finance responded that from this system, complaints about staff attitude or behaviour would be identified straight away and it would even show whether those complaints related to a particular operative. A target for the following year had not been set as time was needed to embed the new system. In addition, it was not unlikely that

more complaints would be inevitably forthcoming as services were rationalised and reprioritised because of spending cuts.

- Concern was raised that there could be an impact on people's tenancy and rent, even to the point of eviction if housing benefit was miscalculated.

The Director explained that it was rare for benefits to be calculated incorrectly; overpayments of that nature usually related to tenant or claimant error. It did not happen very often that the council were at fault, but if this was the case, there was a compensation scheme which under certain circumstances might be applied.

The City Mayor thanked members for their comments and stated that it was very much hoped that this new system would enable complaints to be dealt with more effectively and therefore reduce the numbers that went on to become Stage Two complaints or submitted to the Ombudsman.

The Chair concluded the discussion and stated a progress report would be submitted to the Audit and Risk Committee, he thought that it was important that an oversight should also be brought to the Overview Select Committee. He suggested that the individual commissions might also wish to be updated on complaints received which related to their own area.

AGREED:

that the update on Corporate Complaints (Non Statutory) be noted and that an oversight on the new non statutory corporate complaints process be brought to a future meeting of the Overview Select Committee.

Action to be taken	By Whom
For an oversight on the new process for dealing with non-statutory corporate complaints be brought to a future meeting of the Overview Select Committee.	Director of Finance.

98. REPORT OF THE FINANCE TASK GROUP

The Committee considered the report of the Finance Task Group which had met on 17 March 2016 to consider the three reports attached to the agenda.

The Chair asked the Director of Finance to provide an update first on the Spending Review. The Director explained that a target of £45m had been agreed; savings of £15m in 2015/16 had already been secured, which left a balance of £30m to find. In order to secure these savings, extra scopes had been added to the list of spending reviews.

Councillor Porter stated that in 2012, the council had received approximately £189m from the government in the Formula Grant, and he asked how the current figure compared when taking into account Revenue Support along with the element of business rates, bus rates top up and new homes bonus etc that the council now received.

The Director explained that the calculations were complex and the changes made it difficult to compare like for like. In addition, the government had also given councils new responsibilities such as public health, which they did not have before. However, the council had approximately £85m less in resources now than they had in 2010. The Director offered to forward information on this to all committee members if they wished to receive it.

Councillor Chaplin asked whether the Deputy City Mayor (Executive Lead for Adult Social Care, Health Integration and Wellbeing), wished to comment on the Health and Wellbeing budget, particularly in relation to the funding for the cessation of smoking and tobacco. In relation to smoking cessation the Deputy City Mayor responded that the use of E Cigarettes was something that the service had adopted and engaged with very well and the evidence demonstrated that this was the route that people were taking in order to stop smoking. In respect of the reductions in the public health budget, this was not a cut that the council wanted to make but was indicative at the time that the council budget was set. This might change at the moment of decision. In the light of this, Councillor Chaplin asked that the recommendations to the Executive, in respect of approval of the reduction of the Health and Wellbeing budget by £1.0m should be amended to include the word indicative. This inclusion to the recommendation to the Executive was agreed.

Councillor Chaplin referred to the Substance Misuse Spending Review and questioned whether this included the Anchor Centre. The Deputy City Mayor responded that the council were coming to the end of the procurement process and this was a key issue in its aspirations to provide a better facility, with better outcomes for people.

Councillor Dempster referred to Legal Support in Children's Services and stated that a Legal Officer had been recruited to a permanent post but with increasing numbers of care proceedings there was a need to be alert to that officer's capacity. Within Children's Services there were a number of inexperienced and agency staff along with staff turbulence and it was very important that the service was given the right level of legal support. Councillor Dempster suggested that the Children, Young People and Schools' Scrutiny Commission might like to request a follow up note in six months' time. The City Mayor undertook to ensure that officers provided such a note to the commission and stated that it was very important that Children's Services received the right level of legal support from officers who had expertise in that area.

Councillor Dr Moore, expressed concerns at the rising numbers of Looked After Children and increase in agency staff and stated that these issues would be on the commission's work programme. Councillor Dr Moore referred to para 14.8

of the Revenue Budget Monitoring Report and sought reassurance on the transfer of £5m of unspent capital monies in 2015/16 to the revenue budget. The City Mayor responded that it was their intention to ensure that the necessary capital funds were available and also stressed the importance of investing in school places. The Chair stated that the budgets for Children Services and Adult Social Care needed to continue to be a priority for the relevant commissions and suggested that they request updates and examine accordingly.

Councillor Willmott also expressed concerns at the increase in the numbers of Looked After Children, and the pressures that this would place on the council budget. The City Mayor responded that there had been significant increases nationwide although this could also be due to some local factors. The Director of Finance added that generally the increase in numbers related to a general lack of foster parents and increased costs. Part of the work around the spending review would be to consider how this issue could be managed. Concerns were expressed that the costs of out of area placements were very expensive and the City Mayor responded that discussions were taking place with other local authorities with a view for providing for each other. This was still work in progress. Councillor Dr Moore asked for details of the proportion of the budget that was spent on out of area placements.

Councillor Dr Barton queried the status of the Sports Services review and was informed that this was work in progress and a report would be available in the Autumn.

AGREED:

- 1) that the Report of the Finance Task Group be noted; and
- 2) that the recommendations to the Executive in 2.1 of the Revenue Budget Monitoring Report Period 9, 2015/16 be amended to include the word 'indicative' as follows:

Approve the reduction of the Health & Well-being budget by £1.0m in response to the Government's in-year reduction of the Public Health Grant, made up of the indicative reductions described, and reduce the specific budget ceilings outlined in Appendix B, section 13

Action to be taken	By Whom
In relation to the Recommendations to the Executive detailed in Para 2.1 of the Revenue Budget Monitoring Report Period 9 2015/16, to include the word 'indicative' in respect of the reduction of the Health and Well-being budget.	Director of Finance
To include the Increase in numbers	Chair of the CYPS Scrutiny

of Looked After Children and the Increase in Agency Social Work staff onto the work programme for the Children, Young People and Schools' (CYPS) Scrutiny Commission	Commission / Scrutiny Policy Officer.
For details of the proportion of the budget spent on out of area placements for Looked After Children to be sent to the Chair, CYPS Scrutiny Commission.	Director of Finance.

99. SCRUTINY COMMISSIONS' WORK PROGRAMMES

The Committee were asked to receive and endorse the following scoping document and reports of reviews from scrutiny commissions as follows:

Capturing the performance of Leicester's heritage and culture: The Heritage, Culture, Leisure and Sport Scrutiny Commission – Scoping Document

Councillor Dr Barton, Chair of the commission presented the scoping document and explained that at a time when many local authorities were making cuts, they believed that Leicester's heritage and culture encouraged growth and investment in the city. For the next stage they hoped to focus on the social benefits and the impact on health and well-being.

AGREED:

that the scoping document be endorsed.

Historical Context of Ofsted Inspection of Services for Children in Need of Care and Protection – January 2015: Report of the Children, Young People and Schools' Scrutiny Commission

The Head of Law provided advice to the committee and reminded members that the report was anonymised and that comments needed to be directed towards processes. Members were subject to the law of defamation and they needed to ensure that they were not addressing individuals.

Councillor Dr Moore, Chair of the commission introduced the report and with the sanction of the Chair of the Overview Select Committee invited the Vice Chair of the commission to participate in the discussion. Councillor Dr Moore stated that the Task Group conclusions largely echoed those of Ofsted and there were some issues that she was exploring with the Strategic Director of Children's Services. She was having meetings with the Strategic Director and together they had developed a good relationship. The Task Group had also found it useful to familiarise themselves with the service.

Councillor Senior commented that the report contained a series of statements

which were not evidenced and because of the way it was written she was not able to endorse the report. Councillor Willmott expressed concern relating to the credibility of the report and stated that Councillor Dr Moore had acknowledged a bias towards those people that the Task Group had spoken to. He added that in his view the report was disappointing in that it did not demonstrate anything that was not already known.

Councillor Porter sought clarification as to how the report would help children in the future. He added that before the election, queries were raised as to whether the review was driven by the need to make savings. This was denied at the time, but this report stated that the review was undertaken because of the need to make savings.

Councillor Patel commented that it was important that people who wanted to give evidence to the Task Group were able to do so; not everybody wished to avail themselves of this opportunity. She felt that the recommendations were workable and she congratulated Councillor Dr Moore on developing a constructive relationship with the Strategic Director.

Councillor Dempster thanked the Task Group for their hard work in producing the report and stated that she had found it helpful to have the opportunity to talk to the Task Group. In terms of the Safeguarding Board, she said that this was a multi-agency Board and safeguarding was everyone's responsibility. A piece of work had not yet been carried out on the Safeguarding Board and the Councillor Dempster suggested that the Children, Young People and Schools' Scrutiny Commission might wish to ask for interim reports from the Board in future rather than one annual report.

Councillor Dempster referred to Risk Management and stated that it would be useful to have more details in the Risk Management reports; with clarity on how change could be managed. She commented that the council needed to manage change better. In respect of Liquid Logic; this new system could now produce increasingly detailed data and the interpretation of that data was extremely important. Councillor Dempster suggested that this might also be something that the Children, Young People and Schools Commission might wish to scrutinise.

Councillor Dempster also suggested that the Chair of the Children's Scrutiny should be a member of the Children's Improvement Board. Previously councillors had been members of the Education Improvement Board and she felt that this had been proven to be effective.

Councillor Dempster then referred to the recruitment and retention of social workers. Social Workers who worked in child protection had a very challenging job and often received negative press and abuse. She asked members to recognise the very difficult job that they had.

Councillor Cole, Vice Chair of Children, Young People and Schools' Scrutiny Commission referred to the report and stated that he had been a member of the commission at the time of the Ofsted inspection and he had not been aware

of the problems then. The review had identified that changes had been taking place but the system at the time did not deliver and had presented problems for the social workers who subsequently resigned. At the time, changes were not managed as well as they should have been, but situation had since improved.

Councillor Chaplin, referred to bullet point 5 of the recommendations which said that Scrutiny Chairs should take responsibility for checking that minutes taken of each scrutiny meeting were full and accurate. Councillor Chaplin asked Councillor Dr Moore to amend this to read that all members should check the minutes for accuracy, as this was the committee's collective responsibility. Councillor Chaplin also queried whether staff had found the report helpful and one which would make a difference.

Councillor Dr Moore was invited to respond to the comments and queries raised. She thanked the Head of Law and everyone who had helped with the Task Group review and made a number of points including the following:

- When the review was started, the Task Group did not know what people would say. At the advice of the Head of Law, some information had to be redacted and appendices had to be excluded. The appendices had contained evidence which could therefore not be provided.
- Concerns had been expressed that the trade unions and elected Members had not had an opportunity to respond. Councillor Dr Moore confirmed that they had been invited to respond, and their response and her replies to them were available for people to see.
- In relation to how the report would help in the future; change was happening but the pace of that change was slow. In respect of this, Councillor Dr Moore was having one-to-one meetings with the Strategic Director.
- There had been an unplanned inevitable bias because some people chose not to talk to the Task Group and therefore there was no evidence from them for the Task Group to consider.
- The Task Group fully supported the social workers in what was a very difficult job. The review was not a criticism of them.
- In respect of Councillor Chaplin's comments relating to checking of the minutes being a collective responsibility of the committee; she would be happy to amend the recommendation accordingly.

The Task Group were thanked for their work on the report. Councillor Dr Moore added that she hoped that the report would add value and she believed that the council were now in a better informed position.

The Chair concluded the discussion. Councillor Willmott moved that the Task Group review be rejected. Councillor Senior seconded the proposal and commented that in her view, the review was not evidenced. Upon being put to

the vote, the motion was not carried. Councillor Chaplin abstained from the vote.

Members then voted to endorse the Task Group review and upon being put to the vote, the motion was carried.

AGREED:

- 1) That bullet point five of the Task Group report into The Historical Context of Ofsted Inspection of services for Children in Need of Care and Protection - January 2015 be amended to read that all Members of the commissions should take responsibility for checking that minutes of each scrutiny meeting are full and accurate; and
- 2) Subject to the above amendment, the report be endorsed and forwarded to the Executive for a response.

Adult Social Care Community Screening and Assessment – A review report of the Adult Social Care Scrutiny Commission.

Councillor Cleaver, Chair of the Adult Social Care Scrutiny Commission presented the report. She explained that the adult social care services had suffered from extensive cuts in the last few years and the commission wanted to look at practical ways in which the impact on the service could be reduced without additional costs being incurred. The commission considered how the council could better work with services in the community to prevent people from unnecessarily accessing the adult social care statutory services, when there might be something more suitable for them elsewhere.

The Chair thanked all who had been involved in the review with particular thanks to B-Inspired for their contribution to the study.

AGREED:

that the review report on Adult Social Care Screening and Assessment be forwarded to the Executive for a response.

Primary Care Workforce – A draft review report of the Health and Wellbeing Scrutiny Commission

Councillor Chaplin, Chair of the Health and Wellbeing Scrutiny Commission presented the draft report and explained that it was not yet finalised due to the ongoing crisis with GP services in the south of the city. The crisis there had highlighted issues with workforce planning and showed the impact the current crisis was having in terms of patient experience. The Deputy City Mayor had called a Primary Care Summit later in the year and the commission had prioritised the review in preparation for that summit to help inform the partners and agencies attending. Within the key recommendations there were some for the Health and Wellbeing Board, and the Deputy City Mayor had asked for the Board to take up these issues more strategically with the summit.

Councillor Chaplin stated that much had been said about the need to make Leicester known as a place to work and while initiatives were ongoing in this regard, more needed to be done to promote Leicester both nationally and internationally.

The Deputy City Mayor welcomed the review stating that it was a good piece of scrutiny which responded to a real issue. He added that the summit was needed to get people together to manage the challenge. It was important to recognise that people were leaving the country and working elsewhere in order to obtain a better work life balance. The Deputy City Mayor added that he was grateful for the report.

AGREED:

that the report be endorsed and forwarded to the Executive for a response once finalised.

The committee heard that there were two further review reports had been completed and were due to go to their relevant commission meetings shortly.

These reports were as follows:

- 1) The Impact of gambling on vulnerable communities – Neighbourhood Services and Community Involvement Scrutiny Commission; and
- 2) The use of bus lanes in the city – Economic Development, Transport and Tourism Scrutiny Commission.

As this was the last meeting of the Overview Select Committee (OSC) for the municipal year, Members agreed that to avoid delaying the reports, they would go, following formal approval by the Chair of OSC, to the Executive for a response and then come back to the OSC for endorsement in the new municipal year. It was further agreed that any additional finalised scrutiny commission review reports that had not yet been endorsed by the committee, would be treated in the same way.

AGREED:

- 1) that the review reports into the impact of gambling on vulnerable communities and the use of bus lanes in the city be forwarded to the Executive for a response; and
- 2) that any other finalised reports that had not yet been endorsed by the OSC, subject to formal approval by the committee's Chair, be forwarded to the Executive for a response and brought back to the OSC for endorsement in the new municipal year.

100. OVERVIEW SELECT COMMITTEE WORK PROGRAMME

There were no comments on the Overview Select Committee work programme.

101. CORPORATE PLAN OF KEY DECISIONS

The Chair asked that the commissions would look at the Corporate Plan of Key Decisions in order that they would be able to scrutinise relevant items at the appropriate time.

102. CLOSE OF MEETING

The Chair thanked everyone who had contributed to the work of the Overview Select Committee during the year. The Chair then closed the meeting at 8.30 pm.