

NOTICE  
OF  
MEETING

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**CORPORATE SERVICES OVERVIEW AND SCRUTINY PANEL**

will meet on

**TUESDAY, 23RD OCTOBER, 2018**

at

**6.30 PM**

in the

**DESBOROUGH 4 - TOWN HALL, MAIDENHEAD.**

TO: MEMBERS OF THE CORPORATE SERVICES OVERVIEW AND SCRUTINY PANEL

COUNCILLORS DAVID BURBAGE (CHAIRMAN), DR LILLY EVANS, MOHAMMED ILYAS, EILEEN QUICK, GERRY CLARK (VICE-CHAIRMAN), PAUL BRIMACOMBE AND HARI SHARMA

SUBSTITUTE MEMBERS

COUNCILLORS LYNNE JONES, JOHN STORY, JOHN LENTON, JUDITH DIMENT, RICHARD KELLAWAY AND CARWYN COX

Karen Shepherd- Service Lead Democratic Services  
Issued: 15/10/2018

Members of the Press and Public are welcome to attend Part I of this meeting.

The agenda is available on the Council's web site at [www.rbwm.gov.uk](http://www.rbwm.gov.uk) or contact the Panel Administrator David Cook [david.cook@rbwm.gov.uk](mailto:david.cook@rbwm.gov.uk)

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## AGENDA

### PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>WARD</u>	<u>PAGE NO</u>
1.	<u>APOLOGIES</u> To receive any apologies of absence.		
2.	<u>DECLARATIONS OF INTEREST</u> To receive any declarations of interest.		5 - 6
3.	<u>MINUTES</u> To approve the Part I minutes of the meeting held on 26 September 2018.		7 - 12
4.	<u>ANNUAL COMPLAINTS REPORT</u> To consider the report.		13 - 48
5.	<u>FINANCIAL UPDATE</u> To comment on the Cabinet report.		49 - 62
6.	<u>MEMBERS' ALLOWANCES - LATE CLAIM BY COUNCILLOR DA COSTA</u> To comment on the Cabinet report.		63 - 66
7.	<u>COUNCIL TRUSTS</u> To consider the report.		67 - 82
8.	<u>WORK PROGRAMME</u> To note the work programme.		83 - 86
9.	<u>LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC</u> To consider passing the following resolution:-  "That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on item 9 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act"		

**PART II - PRIVATE MEETING**

<u>ITEM</u>	<u>SUBJECT</u>	<u>WARD</u>	<u>PAGE NO</u>
10.	<u>MINUTES</u>  To approve the Part II minutes of the meeting held on 26 September 2018.  <b><i>(Not for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972)</i></b>		87 - 88

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## MEMBERS' GUIDE TO DECLARING INTERESTS IN MEETINGS

### Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a DPI or Prejudicial Interest. If a Member has already disclosed the interest in their Register of Interests they are still required to disclose this in the meeting if it relates to the matter being discussed.

A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in the discussion or vote at a meeting.** The speaking time allocated for Members to make representations is at the discretion of the Chairman of the meeting. In order to avoid any accusations of taking part in the discussion or vote, after speaking, Members should move away from the panel table to a public area or, if they wish, leave the room. If the interest declared has not been entered on to a Members' Register of Interests, they must notify the Monitoring Officer in writing within the next 28 days following the meeting.

### Disclosable Pecuniary Interests (DPIs) (relating to the Member or their partner) include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any licence to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where:
  - a) that body has a piece of business or land in the area of the relevant authority, and
  - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

Any Member who is unsure if their interest falls within any of the above legal definitions should seek advice from the Monitoring Officer in advance of the meeting.

A Member with a DPI should state in the meeting: ***'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

*Or, if making representations on the item: 'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'*

### Prejudicial Interests

Any interest which a reasonable, fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs the Member's ability to judge the public interest in the item, i.e. a Member's decision making is influenced by their interest so that they are not able to impartially consider relevant issues.

A Member with a Prejudicial interest should state in the meeting: ***'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

*Or, if making representations in the item: 'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'*

### Personal interests

Any other connection or association which a member of the public may reasonably think may influence a Member when making a decision on council matters.

Members with a Personal Interest should state at the meeting: ***'I wish to declare a Personal Interest in item x because xxx'. As this is a Personal Interest only, I will take part in the discussion and vote on the matter.***

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# Agenda Item 3

## CORPORATE SERVICES OVERVIEW AND SCRUTINY PANEL

WEDNESDAY, 26 SEPTEMBER 2018

PRESENT: Councillors Eileen Quick, Gerry Clark, Paul Brimacombe and Hari Sharma

Also in attendance: Councillor Saunders

Officers: Russell O'Keefe, Rob Stubbs, Anna Robinson and David Cook.

### ELECTION OF CHAIRMAN

**Resolved unanimously: that Cllr Burbage be elected as Chairman and Cllr Clark as Vice-Chairman of the Corporate Services O&S Panel.**

Cllr Clark in the Chair for this meeting.

### APOLOGIES

Apologies for absence were received by Cllr Burbage, Cllr L Evans and Cllr Ilyas.

### DECLARATIONS OF INTEREST

There were no declarations of interest received.

### MINUTES

**Resolved unanimously: that the Part I minutes of the meeting held on 23 August 2018 were approved as a true and correct record.**

### Q1 2018/19 PERFORMANCE REPORT

The Strategy and Performance Manager, Anna Robinson, introduced the Q1 2018/19 Performance Report.

The Panel were informed that in July 2017 the council adopted its new council plan with six strategic priorities detailed in paragraph 2.1 of the report. In November 2017 Cabinet approved a new Performance Management Framework to reflect the revised plan and agreed to monitor 25 key performance measures bi-annually.

Cabinet also agreed that O&S panels would review the measures that were relevant to that panel on a quarterly basis in addition to further performance metrics.

In 2017/18 the Corporate Services O&S Panel had 15 measures in the report under their remit. Seven met or exceeded the target, four were just short of target (within tolerance) and three were below target. Details of these were in Appendix B and Table 2 of the report.

Details about the targets for 2018/19 were also detailed in Appendix A which reflected some alterations based on benchmarking and intelligence as part of a robust performance management approach.

Of the 15 2018/19 measures due to be reported to the Panel. At the end of Q1, ten of them were on or above target, one was below target but within tolerance. Two were only reported biannually and two would not have data available until the results of the residents' survey was reported. Details of these were in Appendix A and Table 1 of the report.

Commentary for any measures that were or continued to be off target was provided in the appendixes, as well as detail on the target setting for 18/19 where changes had been made between this year and last year as part of a robust.

The performance of calls answered in 60s was the only measure currently off target. This was reporting at 73% against a target of 80% (unchanged from last year). Whilst this was still off target the Panel were informed that this was still a significantly increased from performance of 36% at the same time last year.

Cllr Brimacombe asked if the increased performance had been down to a decrease in call volume, the nature of calls received, system improvements or improved performance. The Panel were informed that here had been improvements to the system and performance with a change in shift patterns to help meet call volume. There had also been a small fall in the number of calls. There was also an improvement in the number of calls resolved at first point of contact due to increased expertise moved into the service.

Cllr Brimacombe also asked if there was also a higher percentage of agency staff in the call centre and was informed that it was the nature of call centre work that there was a higher percentage of agency staff.

Cllr Sharma asked about staff turnover and volatility. The Panel were informed that the turnover target had been increased from 12% to 14% after the benchmarking exercise. Turnover was currently at 15% but was expected to be on target by year end. At the start of the year the headcount was 630 and at Q1 it was 621. The authority would always have an issues with its location to London where authorities could afford to offer better pay to officers such as planners.

Cllr Quick referred to Table 2 where she said she was surprised to see residents indicating that they felt that they were not informed about the Council especially as we have the Around the Royal Borough and use of social media. The Panel was informed that last year's data for this was from a survey on the RBWM website as there was only 79 who took part it was not very representative. The LGA had also informed that there was a national drop in this indicator.

Cllr Clark asked how many measures were national indicators and how many were bespoke. The Panel were informed that national indicators remained mainly in children's and Adult Services whilst corporate had more bespoke indicators.

Cllr Clark also mentioned that there were different sets of data operational data for managers and data sets that the public would be interested in regarding deliverables.

Cllr Brimacombe said that seven years ago the performance report had not been fit for purpose and it has been a long journey getting to a concise report that was accessible to the public and members. He mentioned that local government had different reporting requirements to the private sector and that just because an indicator was 'Red' did not mean there was a failure but it could be that there were challenging targets.

Cllr Brimacombe also mentioned that if a target had been met it was not always prudent to continue putting in resources to exceed the target beyond its original intention. Putting in additional resources to exceed a target was over engineering and a waste of public resources unless there was a strategic objective to do so.

**Resolved unanimously: the Corporate Services Overview and Scrutiny Panel notes the report and:**

- **Endorses the performance summarised in table 1 and appendix A.**



- **Requests relevant Lead Members and Heads of Service focus effort to improve performance in the area just short of target and maintain performance in the measures meeting or exceeding target.**

## RBWM PROPERTY COMPANY LTD - Q1 REPORT 2018-2019

The Panel considered the report that provided an operational update on RBWM Property Company Ltd. The report updated on the work of the property company covering:

- Delivery plans
- Governance
- Human resources
- Value for money/added value
- Health and safety
- Property Portfolio
- Development programme update.

It was highlighted that the company was currently projecting a pre-tax profit of £248,000 for 2018/19 and was a key vehicle in the councils' ambition to provide affordable housing that had been seen in previous Cabinet reports and the investment report on this agenda.

Cllr Brimacombe said that the occupational profile of tenants on page 29 was good news showing the range of key worker support.

The Chairman asked if the property company was sufficiently resource for the level of large developments in the pipeline. The Panel were informed that there was a scalable approach with a core set of staff recruited at a director level who are supported by consultants when required. A further project manager was to be recruited and the company could scale up or down when required.

The Chairman mentioned that there are people who criticise property companies so it was important to inform residents that the benefits from this company are for our residents and not for profit. The money the company makes goes back into providing services.

Cllr Sharma asked if the recruitment of the additional project manager was within budget or was further funding required. The Panel were informed that the costs were within budget and capitalised against projects. There were no costs for the Council.

Cllr Sharma also asked about the borrowing arrangements and was informed that the Council lent money to the company at a commercial rate. The Council borrowed at 2.25% and would currently lend to the company at 5%. It was the law that the Council had to lend at a commercial rate.

Cllr Quick said that it would be useful to see the graphs of the rental profile and occupation profile overlapped. She also asked how we communicated the availability of properties to key worker. The Pane were informed that this was done via Housing Solutions, the company's website and by directly contacting the different sectors.

The Chairman asked about the different rent levels and was informed that social rent was 60% of market rent whilst affordable rent was at 80% and local housing allowance rates were at 70%.

The Lead Member for Finance said that it was a pleasure to see the property company going from strength to strength and it was a great vehicle for the council in getting our assets developed for affordable housing. However he felt that the majority of Members did not appreciate what the property companies strategy was. There needed to be clarity in what the company was doing, what it would do in the future and how it would do it. There needed to be

a brief guide to the company to help Members understand the company and help them scrutinise it.

The Lead Member explained the functions of the company as being identifying the strategic intent of the Council, advising the Council if this intention was viable, affordable and achievable. Identifying opportunities to achieve the strategic intention and effective delivery of the strategy. It also had a role in reporting how we are doing.

Cllr Brimacombe felt that Council and our residents could do with a paper that explained the Council's strategic intention that has been passed to the company. There should also be an explanation of why the Council has chosen its direction.

**Resolved unanimously: that the Corporate Services O&S Panel considered the Cabinet report and unanimously endorsed the recommendations. The Panel felt that there should be better communication to Members and our residents about the good news contained within the report. The Panel also felt that there needed to be better understanding amongst Councillors regarding the role of the RBWM Property Company and recommended that a training session be held to help Members understand the company's objectives.**

### RBWM PROPERTY COMPANY - INVESTMENTS REPORTS

The Panel considered the Cabinet report that proposed that three Council owned assets be made available for redevelopment via the RBWM Property Company. It was noted that similar reports had previously been considered by the Panel and that there had been a full discussion on these proposals at Council earlier in the week.

The Panel were informed that the strategy was to use council owned property assets that were no longer in use for affordable housing, creating revenue streams, whilst maintaining the council's asset base.

There were three site proposed for development:

- Mokattam, which was currently used as a care home but would be vacant by December.
- The old caretaker's home at Riverside Primary school.
- The third involved reinvesting part of the capital receipt from Ray Mill Road East, where the council would already be receiving 20 homes, to get additional affordable homes.

The investment reports for each of the proposed were appendices due to be considered in Part II.

The Lead Member for Finance informed that there was a critical balance to strike, for each and every case the council should be able to demonstrate it was pursuing residential development to optimise the provision of affordable housing. There was a lower rate of return for affordable housing which is why private developers were reluctant to invest in affordable housing. However the Council also needed to make the sites economically viable without being a pull on the tax payer and that the council also maintained assets.

**Resolved Unanimously: that the Corporate Services O&S Panel considered the Cabinet report and unanimously endorsed the recommendations. The Panel felt that the wording in Table 1 could be misleading and that it should read that the 'approval of £7,059,088 for the development of the three sites'.**

### FINANCIAL UPDATE

The Panel considered the latest Cabinet Financial update report that confirmed the council's latest projected NET overspend on service budgets of £1,426,000. The Council had General Fund Reserves of £8,682,000.

The Panel were informed that there had been little movement since last month's report so the projected NET position remained the same. National pressures on local government funding continued and there were pressures with child placement costs, children in care and business rate recovery. It was felt that the NET pressure could be sustained with the help of things such as the Berkshire Business Rate Pooling.

The Lead Member explained that work was underway looking at pressures but it was not yet completed and thus there may be further NET exposure. Next month's report should show any NET movement but he did not expect the NET exposure to increase.

Cllr Brimacombe questioned the cash flow and it being based on assumptions in the budget. The Panel were informed that there would be movement from the approved budget due to decisions made throughout the year. The cash flow did not yet reflect next year's projects and this would be shown in the budget build over the next few months. The Lead Member said he was happy to meet with Members to explain how cash flow would change over the next 10-15 years.

**Resolved Unanimously: that the Corporate Services O&S Panel considered the Cabinet report and unanimously endorsed the recommendations. The Panel noted that there would be better clarification on the net pressure at next month's Financial Update report.**

## GOVERNANCE AS PART OF RISK MANAGEMENT APPLIED TO LARGE PROJECTS

The Lead Member for Finance introduced the report that set out how adequate risk management was in place for RBWM as part of its major project governance arrangements. It included a briefing note summarising the proposed arrangements to ensure an effective model of project governance including risk management was in place.

The Panel were informed that there had been an ongoing issue with how Members could have an overview of larger projects and be satisfied that the project was proceeding along the lines of its objectives. This overview had been tricky with regards to larger projects that carried larger risks without the level of consistency that allowed Member overview. The paper would help Members in knowing what to ask, when to ask and what to expect.

Smaller projects, although handled correctly, had followed different project methodologies. This made it more difficult for scrutiny to assess. It was planned to have a common methodology which would help introduce clarity.

The Panel were informed that although the paper gave an overview of project governance arrangements the discussion would move to Part II when considering examples as there were implications and references to specific teams.

The Corporate Services O&S Panel noted the report.

## WORK PROGRAMME

The Panel noted the work programme.

## LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

**RESOLVED UNANIMOUSLY: That under Section 100(A)(4) of the Local**

**Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act.**

The meeting, which began at 5.30 pm, finished at 7.25 pm

CHAIRMAN.....

DATE.....

**Royal Borough of Windsor & Maidenhead  
Annual Compliments and Complaints Report**

**1 April 2017 - 31 March 2018**

**“Building a borough for everyone – where residents and businesses grow, with opportunities for all”**

**Our vision is underpinned by six priorities:**

*Healthy, skilled and independent residents*

*Growing economy, affordable housing*

*Safe and vibrant communities*

*Attractive and well-connected borough*

*An excellent customer experience*

*Well-managed resources delivering value for money*

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<b>CONTENTS</b>	<b>PAGE</b>
1. Introduction	1
2. Council's complaints process and procedures	2
3. National and legislative context	3
4. Summary of activity	4
5. Corporate services	8
6. Adult services	16
7. Children's services	21
 <b>APPENDICES</b>	
Appendix A – LGO annual review letter 2018	28

**Frequently used acronyms**

LGO	Local Government Ombudsman
RBWM	Royal Borough of Windsor & Maidenhead
ADR	Alternative Dispute Resolution

## Complaints processes

	Adult services complaints	Children's services complaints	Corporate complaints	Not within the formal complaints process
Incoming concern	Received via online form, email, telephone call or face to face contact. However received, all complaints are logged on the complaints database (Jadu) for monitoring and tracking. Once logged the complaint is acknowledged within 3 working days and customer informed whether this will be taken as a complaint and if so, under which complaints process			
Stage 1	<b>Statutory</b> No specific timescale but aim to respond within 10 working days. Response from Service Manager or higher.	<b>Statutory</b> Up to 10 working days. Can agree extension for a further 10 working days. Response from Head of Service.	Up to 10 working days. Can agree extension for a further 10 working days. Response from Head of Service.	N/A
Stage 2	N/A	<b>Statutory</b> 25-65 working days. Completed by independent complaints investigators and report produced. Adjudicating letter in response to report completed by Children's Director of Social Care.	Up to 20 working days. Review of stage 1 complaint and response by Director.	N/A
Stage 3	N/A	<b>Statutory</b> Stage 3 independent panel. Up to 70 working days. Panel of three independent members who produce a report. Letter in response to the report completed by the Directors of Children's Services.	N/A	N/A
LGO	Can complain to the Local Government Ombudsman			N/A
Alternative appeal process	N/A	N/A	N/A	Customer given timescales for response



## 1. INTRODUCTION

- 1.1 The annual report covers the period 1 April 2017 to 31 March 2018 and details all compliments and complaints made by or on behalf of customers, that are investigated under the:
- Formal corporate complaints policy.
  - Statutory adults and children's complaints policies.
- 1.2 Local Authorities are not required to produce an annual report on complaints relating to corporate activities. They are required under statute to report complaints submitted on adults and children's services. The corporate complaints team produce an annual report capturing all compliments and complaints. This allows the Council to assess how residents experience the Council in its entirety. Learning taking from compliments and complaints informs the organisation and development learning programme offered to employees.
- 1.3 The council is a multi-faceted business, for instance council activity during 2017-18 included:
- 203,000 phone calls, 20,000 emails and 15,000 face-to-face enquiries.
  - Over one million visits to libraries with 7,000 new library members.
  - 88 births, 525 birth declarations and 884 deaths registered.
  - 727 marriages conducted.
  - 72,000 visits to museums.
  - Five million waste and recycling collections.
  - 13,000 streetlights upgraded to LED.
  - 275 referrals to children's safeguarding.
  - 57 families supported by the Intensive Family Support Team.
  - 141 adult transfers into long term care.
  - 2,254 support plan reviews.
  - 1,157 adult safeguarding concerns and enquiries investigated.
  - 1,961 planning applications determined.
  - Engagement with 98.3% of residents and 98.8% of business to collect tax and rates.
- 1.4 In 2017/18 the Council received 463 compliments a significant increase on the 192 received in 2016/17 and 644 complaints, slightly down on 2016-17 at 665. Our ambition would be to have fewer complaints, however, the 644 complaints set against the activity base captured in point 1.3 is small.
- 1.5 This report summarises the number and themes of compliments and complaints received. It provides details of compliments and complaints split by service area and response rate. For ease, the report is organised into sections:
- Section 2 Council's complaints processes and procedure.
  - Section 3 National and legislative context.
  - Section 4 Summary of activity.
  - Section 5 Formal corporate complaints and compliments.
  - Section 6 Adult services complaints and compliments.
  - Section 7 Children's services complaints and compliments.

## **2. COUNCIL'S COMPLAINTS PROCESS AND PROCEDURES**

- 2.1 Complaints made about the council's services are dealt with under two processes. The formal corporate complaints policy for general council activity such as: council tax; housing; highways; communications; democratic services and so on; and the statutory adult and children's services. The different complaint processes have different stages, however regardless of which policy a complaint is investigated under, or the outcome, the complainant still has the right to refer their complaint on to the Local Government Ombudsman. The different stages are:
- The council process contains two stages.
  - The adult process contains one stage
  - The children's process contains three stages.
- 2.2 The principle behind the council's complaints procedure is to ensure that every opportunity for resolution is sought through dialogue or local resolution before a complaint is submitted. Where agreement is not achieved customer have a right to complain and the complaints process has different stages dependant on the area of service the complaint is about, see point 2.1.
- 2.3 Although customers can refer complaints to the Local Government and Social Care Ombudsman (LGO) at any stage, the LGO will not normally investigate until the council have exhausted their complaints procedure.
- 2.4 Complaints are made by email, phone call, letter, face to face or by logging the complaint online. All complaints received, along with comments and compliments, are recorded on the council's complaints database (Jadu). The Jadu system provides for compliments and complaints to be captured by number, types, themes, postal address and timeliness of complaint.
- 2.5 The council's complaints policies are intended for use by service users, customers, residents, businesses and visitors or their chosen representatives, which may include councillors.
- 2.6 The Council's complaints process is managed through one team. This means the team is independent of the two statutory adult and children's service, ensures independence from services, removes the possibility of conflicts of interest and secures impartial challenges.
- Quality assurance**
- 2.7 Effective complaint management is crucial to allow confidence on the part of complainants to submit complaints with the understanding that the council will take these seriously and respond. The council has a transparent complaints process that customers can access, in real-time, direct through the online contact platform.

- 2.8 The complaints team focus on ensuring: when a complaint is received, Stage 1, the language and terminology used is easy to understand, this is essential if the complaint is from a child, young person or vulnerable person with additional needs; the process for investigating the complaint is followed and on time and lessons learned and recommendations are captured to secure continual improvement – this includes one to one training/advice/meetings with relevant employees providing them with support and guidance on how best to resolve a complaint.

#### **Demographic information**

- 2.9 The complaints team is exploring whether the collection of protected characteristics data can be supported, for analysis purposes only, in accordance with the Equality Act 2010 and relevant data protection legislation. This will also link into the council's equality objectives.

### **3. NATIONAL AND LEGISLATIVE CONTEXT**

#### **Formal corporate complaints**

- 3.1 The council's formal corporate complaints policy is discretionary and has been developed based on the Local Government Ombudsman's guidance 'Running a complaints system - Guidance on good practice'.

#### **Adult services**

- 3.2 The council has a statutory duty, under the NHS and Community Care Act 1990, to have in place a complaints procedure for Adult Social Care services and is required to publish an annual report relating to the operations of its complaints procedures.

- 3.3 The Local Authority Social Services and NHS Complaints (England) Regulations 2009 introduced a single approach for dealing with complaints for both the NHS and Adult Social Care, the key principles of which are:

- Listening - establishing the facts and the required outcome.
- Responding - investigate and make a reasoned decision based on the facts/information.
- Improving - using complaints data to improve services and influence/inform the commissioning and business planning process.

#### **Children's services**

- 3.4 The procedure for dealing with children's statutory complaints and representations is determined by the following legislation:
- The Children Act 1989, Representations Procedure (England) Regulations 2006.
  - The Children & Adoption Act 2002 and Children (Leaving Care) Act 2000 and
  - The accompanying guidance 'Getting the Best from Complaints' (DfE July 2006).
- 3.5 Qualifying individuals are defined in national guidance as the child or young person, their parent, carer or foster carer or 'anyone who could be seen to be acting in the best interests of the child.'
- 3.6 Under the regulations, the council is required to produce and publish an annual report.

#### 4. SUMMARY OF ACTIVITY

- 4.1 In 2017-18, the council received 1,809 contacts from customers that were initially recorded as complaints. This compares to 1,089 in 2016-17; a 66% increase in contacts year-on-year. The increase in the number of contacts made may be the result of increased awareness by customers of the complaints processes and improved ease of access for customers to log a complaint themselves using Jadu.
- 4.2 Contacts that that were not progressed as complaints were signposted to an alternative means of resolution, for example, a service request or via an alternative appeals process, such as parking appeals or statutory tribunals.
- 4.3 The total number of complaints recorded in the annual complaints and compliments report for 2016-17 was 802. This figure included stage 2 and 3 and withdrawn complaints in addition to stage 1 complaints. Therefore the figure of 802 is higher than the 665 reported in table 1 because the final figure does not include:
- Escalation of the same complaint, from 2017-18 stage 2 and 3 complaints have not been added to the total complaints in 2017-18.
  - Withdrawn complaints.
- 4.4 Information on stage 2 and 3 complaints will be shown separately in this report.
- 4.5 As a number of changes have been made to the council's structure during the reporting year 2017-18, this year's report will look at complaints according to whether they were made under the formal corporate, the statutory adult or the statutory children's complaints processes, see table 1

**Table 1: complaints received**

	<b>Formal corporate</b>	<b>Statutory adult</b>	<b>Statutory children</b>	<b>Total</b>
2017-18	574	33	37	<b>644</b>
2016-17	592	37	36	<b>665</b>

- 4.6 Despite a larger number of contacts with the complaints team, the numbers of complaints logged has slightly decreased during 2017-18.

#### **Themes**

- 4.7 Complaints are captured as themes, see table 2.

**Table 2: themes of complaints 2017/18 and 2016/17**

<b>Theme</b>	<b>2017-18</b>		<b>2016-17</b>	
	<b>Number</b>	<b>%</b>	<b>Number</b>	<b>%</b>
Lack of action - did not do what we said we would	150	23	68	10
Services delivered at a lower standard than in our policy	78	12	109	15
Attitude or behaviour of staff	78	12	72	11
Failed to follow timescales	71	11	56	8
Unhappy with the decision made	61	9	73	11
Situation handled incorrectly	54	8	114	17

Theme	2017-18		2016-17	
	Number	%	Number	%
Did not follow policy	34	5	30	5
Require help, intervention or guidance	30	5	0	0
Gave the wrong information	24	4	21	3
Inaccurate or wrong information recorded	16	2	8	1
Objecting to a policy	15	2	5	1
Failed to take all information into account	10	2	8	1
Did not answer all questions	9	1	1	1
Safeguarding	9	1	0	0
Breach of data protection	5	1	5	1
Failed to respond at all	0	0	40	6
Multiple	0	0	48	7
Malice bias or unfair discrimination	0	0	6	1
Not kept informed	0	0	1	0
<b>TOTAL</b>	<b>665</b>	<b>100%</b>	<b>644</b>	<b>98</b>

4.8 The theme with the highest number of complaints received was lack of action. This along with the theme of failed to follow timescales make up 34% of complaints, see section 4.13 for further information.

4.9 The next two highest themes, making up 24% of complaints, are concerned with services being delivered at a lower standard than in our policy and attitude or behaviour of staff. These relate to how customers feel about the service they receive from the council.

### Timescales

4.10 Each stage of the three individual complaint processes have indicative response times. However, these can be extended or alternative timescales agreed from the outset with the complainant. Despite this, in 2017-18, 10% fewer complaints were responded to within agreed timescales compared to 2016-17, see Table 3.

**Table 3: Percentage of complaints responded to within timescale**

Year	Progressed complaints	Responded to within timescale	% within timescales
2017-18	644	329	51%
2016-17	665	410	61%

4.11 Given the number of complaints received regarding timescales, this is clearly an area for significant improvement. Processes are now in place to monitor the timeliness of responses more robustly, including weekly reports to services of outstanding complaints and use of the council's new performance management software InPhase at weekly SMT meetings. In the first part of 2018/19 there is an improvement in timeliness of responses.

### Decisions

4.12 The outcome of complaints is recorded, see table 4.

**Table 4: Outcome of complaints**

	Fully upheld	Partially upheld	Not upheld	Not yet concluded*	% Partially or fully upheld
2017-18	346	130	133	35	74%
2016-17	259	174	182	50	65%

\*It should be noted that the 'not yet concluded' is likely to mean that the complaints team were waiting for the response to update the records and that this had not been received at the time a data snapshot was taken for this report, rather than the complaint still being outstanding.

### Local Government Ombudsman

- 4.13 The Local Government Ombudsman (LGO) received 58 complaints and enquiries about the council in 2017-18, compared to 54 in 2016-17, see table 5.

**Table 5: complaints received by the LGO**

	Adult Care services	Benefits and Council Tax	Corporate and other services	Education and Children's services	Environment services	Highways and transport	Housing	Planning and Development	Other	Total
2017-18	14	4	4	12	5	3	4	11	1	58
2016-17	12	6	2	10	6	4	4	9	1	54

- 4.14 The Ombudsman made 54 decisions during 2017-18 compared to 48 in 2016-17. Complaints decided in 2017-18 includes a number of complaints submitted to the LGO in 2016-17. Some complaints made to the LGO in 2017-18 will have a decision in 2018-19.
- 18 were referred back to the council as they had not been through the complaints process.
  - Four were deemed 'incomplete or invalid' and were not investigated.
  - 19 were closed after initial enquires where they would have asked the council for details and evidence.
  - Four were investigated and not upheld. This is fewer than 2016-17 where seven were not upheld.
  - Nine were investigated and upheld, this was three more than 2016-17. See appendix 1, for full details of decisions as per the 2017-18 LGO annual letter on cases upheld and not upheld.
- 4.15 The nine complaints that were investigated and upheld were:
- Adult social care x 3.
  - Benefits and council tax x 1.
  - Highways and transport x 1.
  - Housing x 2.
  - Planning and development x 2.

### LGO reports

- 4.16 A public interest report was published in 2017/18 for a complaint against the council's housing service. The LGO published 42 reports nationally during 2017/18; an increase of 40% on the previous year.

### **Improvements in working with the LGO**

- 4.17 Following the report being issued, liaison arrangements between the council and the LGO were changed and the link officer role that previously sat within the information governance team moved to the complaints team. This has streamlined the provision of information requested by the LGO, improving the timeliness of responses and providing a centralised point of contact both internally and externally. LGO enquiries are logged on Jadu in a similar way to other complaints so that they can be monitored effectively.

### **Learning and improvements from complaints**

- 4.18 Understanding why complaints are made, establishing root causes, changing processes and delivering training as a result is essential to help drive improvements across the council. Listening to customers and reflecting on examples of where we did not get it right can highlight opportunities for improvement and increase satisfaction, fulfilling our strategic priority to provide an excellent customer experience.
- 4.19 Learning from complaints can be found in sections 5.12, 6.14 and 7.18.

### **Compliments**

- 4.20 In 2017-18, there were 563 compliments recorded for teams or individuals across the council, see table 6. Compliments received are fed back to the relevant service areas to ensure that due recognition is given to staff and that learning is shared and disseminated across the directorate.

**Table 6: Compliments received**

	<b>2017-18</b>	<b>2016-17</b>
Corporate *	310	93
Adult	50	41
Children's	103	56
<b>TOTAL</b>	<b>463</b>	<b>192</b>

\* For the purpose of this report corporate services refers to compliments that were received by services other than those within adult and children's services.

- 4.21 This is a substantial improvement in compliments recorded in 2017-18. This may be because of improved services, the ability for customers to record compliments themselves via the council's website and the readiness of services to share compliments that they have received.
- 4.22 Examples of compliments received can be found in sections 5.13, 6.17 and 7.19.

## 5. FORMAL CORPORATE COMPLAINTS

### Summary

5.1 In 2017-18, there were 574 corporate complaints. This represents 89% of all complaints progressed.

- 68% were either fully or partially upheld.
- 52% were responded to within timescales.
- 32 complaints were decided by the LGO, of these:
  - Nine were investigated.
  - Six were upheld.
  - Three were not upheld.
- 310 compliments were received.

### Complaints received

5.2 Table 7 details the number and percentage of stage 1 complaints received by service area.

**Table 7: Corporate complaints received by service**

Teams	Number of complaints	Percentage
Highways	106	18.5
Waste	100	17.4
Customer services	94	16.4
Planning	63	11.0
Housing services	59	10.3
Parking policy	50	8.7
Revenues and benefits	34	5.9
Trees	16	2.8
Outdoor facilities	10	1.7
Environmental services	6	1.0
Leisure services	6	1.0
Libraries and museums	6	1.0
Elections	4	0.7
Finance	3	0.5
Parking enforcement	3	0.5
Building control	2	0.3
Licensing	2	0.3
Community wardens	2	0.3
Building services	1	0.2
Communications & Marketing	1	0.2
Complaints team	1	0.2
Information governance	1	0.2
Registrars	1	0.2
Town centre managers	1	0.2
Trading standards	1	0.2
Web services	1	0.2
<b>TOTAL</b>	<b>574</b>	<b>100</b>

5.3 Highways and Waste received the highest number of complaints. Both service areas deliver a large number of services for the council and along with customer services have a high degree of contact with residents.



## Themes

- 5.4 Table 8 details the number and percentage of new complaints received by theme during 2017-18.

**Table 8: Corporate complaints received by themes**

Type of complaint	Number	Percentage	Number fully upheld
Lack of action	141	25	88
Failed to follow timescales	69	12	30
Attitude or behaviour of staff	68	12	44
Services delivered below standard	65	11	42
Unhappy with a decision that has been	54	9	31
Situation or incident handled incorrectly	46	8	22
Require help or intervention	29	5	25
Did not follow policy	27	5	14
Gave the wrong information	22	4	17
Believe our policy to be incorrect	15	3	1
Inaccurate information recorded	14	2	5
Did not answer all questions asked	9	2	4
Failed to take all information into account	9	2	0
Breach of data protection	4	1	3
Safeguarding	2	0	2
<b>TOTAL</b>	<b>574</b>	<b>100</b>	<b>328</b>

- 5.5 Themes of complaints received are similar to those across the council, see table 2. This is to be expected as the majority of complaints to the council are against these service areas.

## Timescales

- 5.6 Table 9 details the number and percentage of stage 1 complaints that were responded to within timescales for each service.

**Table 9: Corporate complaints responded to within timescales**

Teams	Total number of complaints	Number in timescales	Percentage in timescales
Libraries and museums	6	6	100
Licensing	2	2	100
Community wardens	2	2	100
Registrars	1	1	100
Town centre managers	1	1	100
Trading standards	1	1	100
Web services	1	1	100
Parking policy	50	45	90
Elections	4	3	75
Leisure services	6	4	67
Finance	3	2	67
Parking enforcement	3	2	67
Waste	100	62	62
Highways	106	64	60
Revenues and benefits	34	18	53
Environmental services	6	3	50

<b>Teams</b>	<b>Total number of complaints</b>	<b>Number in timescales</b>	<b>Percentage in timescales</b>
Trees	16	7	44
Customer services	94	40	43
Planning	63	20	32
Outdoor facilities	10	3	30
Housing services	59	11	19
Building control	2	0	0
Building services	1	0	0
Comms & Marketing	1	0	0
Complaints team	1	0	0
Information governance	1	0	0
<b>TOTAL</b>	<b>574</b>	<b>298</b>	

5.7 Numbers of complaints and responses within timescales are shared in monthly performance management meetings between the head of HR and corporate projects and the managing director.

### **Stage 2 complaints**

5.8 If a complainant remains dissatisfied after receiving a response at stage 1 of the corporate complaints service they may request a review by the service director. The timescale for response at stage 2 is within 20 working days.

5.9 Table 10 shows the number and percentage of stage 2 complaints that were responded to within timescales for each service.

**Table 10: Corporate complaints in timescales**

<b>Teams</b>	<b>Total number of complaints</b>	<b>Number in timescales</b>	<b>Percentage in timescales</b>
Planning	6	6	100
Revenues and benefits	5	4	80
Trees	5	3	60
Customer services	3	2	67
Environmental services	2	2	100
Trading standards	1	1	100
Parking policy	1	1	100
Waste	1	0	0
<b>TOTAL</b>	<b>24</b>	<b>19</b>	

5.10 All but one of the eight services that received stage 2 complaints were among those receiving the highest number of stage 1 complaints. Responsiveness to complaints is significantly higher at stage 2 at 79% compared to 53% for the same services at stage 1.

### **Complaints to the LGO**

5.11 The LGO made decisions about 32 complaints and enquiries for corporate services. Nine were decided following detailed enquiries and of these, six were upheld and three were not upheld. Of the remaining 23, one was incomplete or invalid, 10 were referred back for local resolution and 12 were closed after initial enquiries. See appendix 1 for details on 2017-18 decisions.

## Learning from complaints

- 5.12 An important part of the complaints process is capturing the learning and embedding of good practice across the council. Table 11 picks up some of the learning across corporate services during 2017-18.

**Table 11: Learning from corporate complaints**

Complaint area	Actions and learning
Undated consultation letter received with a deadline for response of one working day.	<ul style="list-style-type: none"> <li>• The deadline was immediately extended for a further two weeks.</li> <li>• Consultation letters are now dated.</li> </ul>
No staff able to gain access to payment machine to check whether money had been 'swallowed'.	<ul style="list-style-type: none"> <li>• Staff given training to allow similar issues to be resolved at the time they occur without the need to escalate.</li> </ul>
Single person discount not applied and subsequent refund actioned in the wrong name.	<ul style="list-style-type: none"> <li>• Team reminded of the correct processes to follow when actioning a direct debit instruction.</li> </ul>
Waste	<ul style="list-style-type: none"> <li>• Complaints about waste reduced from 115 in 2016-7 to 100 in 2017-18.</li> <li>• The waste management team and customer services are working together to ensure the correct information is captured when a concern is raised and that it is then escalated appropriately.</li> <li>• Ongoing training is taking place and the handover of issues is now more streamlined.</li> <li>• A new role of customer service coordinator has been created and recruited to in commissioning communities. This is proving effective.</li> </ul>
Revenue and Benefits	<ul style="list-style-type: none"> <li>• If a specific issue is found to be valid, then it is discussed with the individual officer and the wider team.</li> </ul>
<p>Housing services</p> <p>There was a distinct pattern observed in the complaints received that related to poor communication by the team and failure to contact the customer back when such a promise was made to them. This meant that the customer no longer had any trust in the information they were being given by staff and felt that staff were unhelpful and lacked interest</p>	<ul style="list-style-type: none"> <li>• All outstanding complaints were responded to and in some cases a meeting was arranged with the Head of Housing and the customer to mitigate.</li> <li>• The team have all been made aware of the standard expected of them and have improved in their level of communication with customers resulting in fewer complaints being received.</li> </ul>

<b>Complaint area</b>	<b>Actions and learning</b>
in their problems.	
Complaint about the lengthy process to renew a blue badge.	<ul style="list-style-type: none"> <li>• Change to process to ensure a smoother and speedier renewal for customers.</li> </ul>
Complaint following attempts to contact customer services using the online message service.	<ul style="list-style-type: none"> <li>• Investigated and a technical issue found and rectified.</li> </ul>
Delays in applications for a certificate of lawful use.	<ul style="list-style-type: none"> <li>• The planning service has taken steps to significantly increase resources and reduce the risk of these type of delays.</li> </ul>
Planning application notice posted on wrong property.	<ul style="list-style-type: none"> <li>• Officers reminded to ensure that the site notice is displayed on or as near to application sites as is possible and also to use items on the public highway where this is possible</li> </ul>
Confusion regarding the Enforcement Process (which is a regulatory investigation process) and the Corporate Complaints process (which does not deal with enforcement investigations).	<ul style="list-style-type: none"> <li>• To help clarify this, the planning enforcement webpage was updated and the word complaint replaced with the word investigation.</li> </ul>

## **Compliments**

5.13 Corporate services received 310 compliments during 2017-18. This is an increase from 2016-17 when there were 101 compliments received. Table 12 shows the breakdown of compliments across corporate services.

**Table 12: Compliments by service**

<b>Teams</b>	<b>Number of compliments</b>	<b>Percentage</b>
Libraries and museums	104	34
Highways	70	23
Customer services	34	11
Planning	22	7
Waste	18	6
Community wardens	10	3
Complaints team	7	2
Directors	7	2
Facilities	6	2
Revenues and benefits	6	2
Environmental services	5	2
Communications & Marketing	3	1
Housing services	3	1
Parks and open spaces	3	1
Parking enforcement	2	1
Registrars	2	1
Town centre managers	2	1

Teams	Number of compliments	Percentage
Trees	2	1
Democratic services	1	0
Outdoor facilities	1	0
Parking policy	1	0
Training	1	0
<b>TOTAL</b>	<b>310</b>	<b>100</b>

5.14 Table 13 shows examples of compliments received across service areas. Front facing services that interact regularly with customers received the highest number of compliments in the same way as they also receive the highest volumes of complaints.

**Table 13: Examples of compliments received**

Service	Compliment received
Libraries and museums	<ul style="list-style-type: none"> <li>On Sunday morning I visited Maidenhead library with my son to get him a library card. The young lady who served me was very helpful, and efficient. She then also helped me to look and reserve some books for him which you did not have in Maidenhead. Unfortunately I forgot to take note of her name, but she did a very good job.</li> </ul> <p>It was also very nice to have some activities taking place for my son to interact with. The young people running this activities were very proactive in explaining what was happening, and more than happy and confident to look over the children whilst taking place in the activities. It was a challenge to get him out of the library when it was time to go home! Thank you</p>
Highways	<ul style="list-style-type: none"> <li>I just wanted to say a BIG thank you to all your staff involved in keeping the roads clear of ice and snow over the recent cold snap. I had several important meetings to drive to over this period and not once was I delayed! I am sure your staff worked incredibly hard over this period - thank you very much for a great service!</li> <li>Many thanks for the fix on the lamppost at the entrance to Ashley Hill place. It's made a massive difference. We much appreciate the speed and professionalism of the response of yourself and the lighting team.</li> </ul>
Customer services	<ul style="list-style-type: none"> <li>Bless you!!! Thank you so very much for your swift care and assistance, it is so very appreciated. I am always most grateful for your help on all issues we have come up against. Your great, uncomplicated and efficient professionalism is something quite rare these days especially within a complicated system that sometimes seems impossible to know which way to turn or what to do.</li> <li>A huge thank you from us all, alongside great appreciation for your care.</li> </ul>
Planning	<ul style="list-style-type: none"> <li>I'm delighted to say that the application approval document arrived today. The whole committee are so pleased to receive it so promptly.</li> </ul>

Service	Compliment received
	<p>Thank you very much for your input and support for the application as we went through the necessary stages.</p> <ul style="list-style-type: none"> <li>• Many thanks to the planning team with whom I have had contact.</li> </ul>
Waste	<ul style="list-style-type: none"> <li>• Whilst some of the bins in the Broomhill area of Cookham were not collected this past Friday, I just wanted to say 'thank you' for all the 'dusties' who managed to get in to work so that there were any collections at all on a very difficult day. Well done all!!</li> </ul>
Community wardens	<ul style="list-style-type: none"> <li>• I just wanted to send my sincere thanks to the team that worked with me over the weekend on Night Time Economy. As always they were on top of their game and were able to direct venues re drunk individual who had been ejected from other premises so they were refused access elsewhere, they identified a couple of vulnerable females and requested the appropriate assistance from the Street Angels and also were second to none in alerting us to fights in progress and where the offenders and victims were. Very often this vital service and the team behind it are over looked so just wanted to make sure that they received the praise they are due.</li> <li>• I just wanted to express my gratitude for the work of the community wardens in Windsor town centre. Both do an excellent job within the community and are always on hand and willing to assist myself and my colleagues. Yesterday was one of many examples when they offered assistance during an incident after we received word that Boots had a shoplifter in store. I really appreciated their help.</li> </ul>
Complaints team	<ul style="list-style-type: none"> <li>• First, let me say "Thank you" for the simple decency of answering the telephone earlier today, and listening to my comments in a calm and collected way.</li> </ul> <p>Thank you also for doing what you said you would do - you got back to me later in the day.</p> <p>Thank you in particular for your email - it was clear and concise (I had feared I had unearthed the proverbial buggers muddle). Contrary to your comment, it does indeed provide a good outcome to my query - it gives clarity and certainty as to what the law requires.</p>
Facilities	<ul style="list-style-type: none"> <li>• Just a note to thank you for everything you did at the weekend to help make the memorial fundraising event go so smoothly. I knew I could rely on you and you made sure it was as stress free as possible. Thank you for sorting out the taxi driver, looking after the guests and all the setting up of the room and "technical" equipment.</li> </ul>
Outdoor facilities	<ul style="list-style-type: none"> <li>• Yesterday, I collected the cremated remains of my brother-in-law for relocation. This was not a day to look forward to, but thanks to the professional efficiency of your officer the whole process was seamless and worked like an expensive chronometer. The lift during his busy working day, was greatly appreciated as this</li> </ul>

Service	Compliment received
	lessened the pressure of trying to keep my appointment in the afternoon. Similarly, another officer was also courteous and helpful, in supporting the process. If the other services administered by RBWM are of the same standard, then the residents of the borough are very fortunate indeed.

5.15 The variety of compliments highlights the breadth of work carried out across the council and helps celebrate the good work carried out by a wide range of officers.

## 6. ADULT SERVICES

### Summary

6.1 In 2017-18 there were 33 adult complaints. This represents 5% of all complaints received.

- 60% of complaints were either fully or partially upheld.
- 55% were responded to within timescales.
- 11 complaints were decided by the LGO
  - Three were investigated.
  - Three were upheld.
  - 0 were not upheld.
- 50 compliments were received.

### Complaints received

6.2 There is no discernible trend in relation to the number of complaints received for adult social care services, see table 14 for the volumes for the period 2010-18.

**Table 14: Total number of adult complaints, 2010-2018**

2010-11	2012-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
19	16	49	78	21	44	37	33

6.3 In 2013-14 there was a significant peak of 78 complaints however; this, was unusually high and for the last three years, where oversight has been more consistent, there has been a decrease year on year.

6.4 Table 15 details the number and percentage of stage 1 complaints received by each service.

**Table 15: Adult Services complaints for 2017-18**

Teams	Number	Percentage
People with disabilities and older people's team	17	51
Community mental health team	3	9
Community team for people with learning Difficulties	1	3
Hospital team	1	3
Occupational therapy	1	3
Short term team	1	3
Adult financial assessments	1	3
Safeguarding	1	3
Partner agencies (including care homes)	7	22
<b>Total</b>	<b>33</b>	<b>100</b>

6.5 In 2017-18, the majority of complaints received, 17 (51%), were in relation to the Physical disability and Older people team. This could be expected given that this team supports the highest number of people.

### Themes

6.6 Table 16 details the number and percentage of new complaints received by theme during 2017-18.



**Table 16: Themes of adult complaints received during 2017-18**

Type of Complaint	Number	Percentage	Number fully upheld
Services being delivered at lower standard than is set out in our policy	9	27	4
Safeguarding	5	15	3
Unhappy with how a situation/incident was handled	5	15	2
Attitude or behaviour of staff	4	13	0
Lack of action - did not do what we said we would do	3	9	2
Unhappy with the decision made	3	9	0
Breach of data protection	1	3	1
Failed to follow timescales	1	3	0
Inaccurate information recorded	1	3	0
Require help or intervention	1	3	0
<b>Total</b>	<b>33</b>	<b>100</b>	<b>12</b>

- 6.7 As in 2016-17, the highest number of complaints received were recorded under the theme of services being delivered at a lower standard than is set out in our policy. Nearly half of the complaints recorded against this theme were upheld. Of the complaints recorded against attitude and behaviour of staff however none were fully upheld. As the number of complaints against each theme is low these figures are indicative only, however each upheld complaint can provide learning and recommendations to enhance the service provided to the council's residents.

### Timescales

- 6.8 Table 17 details the number and percentage of complaints responded to within timescales for each service.

**Table 17: Adult complaints responded to within timescales**

Teams	Total number of complaints	Number in timescales	Percentage in timescales
People with disabilities and Older people's team	17	10	59
Community mental health team	3	0	0
Community team for people with learning difficulties	1	1	100
Hospital team	1	0	0
Occupational therapy	1	1	100
Short term team	1	0	0
Adult financial assessments	1	1	100
Safeguarding	1	0	0
Partner agencies (including care homes)	7	5	71
<b>Total</b>	<b>33</b>	<b>18</b>	

6.9 The council’s target for dealing with adult services complaints is 10 to 20 working days although there is no specified limit for statutory complaints about adult social care and this timescale may be increased for complaints that are particularly complicated. Of the 33 complaints received during 2017-18, 55% were responded to within agreed timescales. This is less than in 2016-17 where 71% were responded to within timescales.

6.10 In April 2017, adult services transferred into Optalis. The complaints team and managers in Optalis have worked together to tighten the processes in place and this is having a positive impact on achieving timescales. Complaints about adult services continue to be managed by the Royal Borough through the complaints team.

**Complainants**

6.11 The majority of complaints made in 2017-18 were by the service user themselves, followed by the child of the service user, see table 18 for full breakdown

**Table 18: People making adult complaints**

Who made the complaint	Number	Percentage
Service user	23	70
Child of service user	7	21
Parent of service user	1	3
Extended family	1	3
Spouse or partner	0	0
Advocate	1	3
<b>Total</b>	<b>33</b>	<b>100</b>

6.12 The high percentage of complaints being made by the service user themselves indicates that they feel comfortable and understand how to make a complaint.

**Complaints to the LGO**

6.13 The LGO made decisions about 11 complaints and enquiries for adult services. Three were decided following detailed enquiries and of these, three were upheld and one was not upheld. Of the remaining eight, one was incomplete or invalid, three were referred back for local resolution and four were closed after initial enquiries. See appendix 1 for details on 2017-18 decisions.

**Learning from complaints**

6.14 Table 19 picks up some of the learning across adult services during 2017-18.

**Table 19: Learning from adult complaints**

Complaint area	Actions and learning
Residential services forwarded an incorrect copy of a grant approval to a resident. This detailed a different home adaptation to that which was previously been agreed and resulted in delays in progression of the grant application.	<ul style="list-style-type: none"> <li>New procedures have been put in place to support a smoother transition and communication between Residential Services and Adult Social Care. The importance of regular communication with our customers has been discussed in supervisions and team meetings.</li> </ul>
Better communication facilitated	<ul style="list-style-type: none"> <li>A three-way recruitment process was</li> </ul>

Complaint area	Actions and learning
between the council, Optalis and the contractor.	carried out and a commissioning assistant was appointed, which has improved communication.

### Compliments

- 6.15 Adult services received 57 compliments during 2017-18. This is an increase from 2016-17 when there were 41 compliments received. Table 20 shows the breakdown of compliments across adult services.

**Table 20: Compliments by service**

Teams	Number	Percentage
People with Disabilities and Older People's Team	24	41
Short Term Team	13	23
Community Team for People with Learning Difficulties	12	21
Occupational Therapy	3	5
Hospital Team	2	4
Access team	2	4
Community Mental Health Team	1	2
<b>Total</b>	<b>57</b>	<b>100</b>

- 6.16 As with complaints, the highest number of compliments received were for the people with disabilities and older people's team.
- 6.17 Table 21 shows examples of compliments received across adult services.

**Table 21: Examples of compliments received**

Service	Compliment received
PDOPT	<ul style="list-style-type: none"> <li>It was lovely to meet you today and I thank you for taking the time to think through ways to improve my situation whilst at the same time retaining my sense of independence. I enjoyed your visit (despite my tears) and, for the first time in many years, I feel positive about the future. I seem to have been fighting for some help for so many years that I can hardly believe that there is now a good chance that my life will get better instead of getting worse by the day. I must also thank you for the reassurance that I won't have to go through the horrors of returning home after surgery to be faced by an empty house and the hopeless task of trying to care for myself whilst recuperating.</li> <li>I am coping OK with looking after my Dad and it's certainly in no small part to the Support, Information and Services you have provided. Please pass on to your Boss that you are doing a fantastic Job</li> </ul>
Short Term Team	<ul style="list-style-type: none"> <li>Hi. I just wanted to compliment the team of carers who looked after and took such wonderful care of my dad during the last two months of his life. They were all so kind and understanding. They made my mum's life so much easier during such a difficult time.</li> <li>Thank you for visiting my mother on Tuesday, I am very grateful for</li> </ul>

Service	Compliment received
	<p>the way that you spoke to her and that you treated her with such respect and thoughtfulness.</p>
Occupational Therapy	<ul style="list-style-type: none"> <li>• I would like to express our appreciation for the help and guidance you have given us during the visits you made to us here in Ascot. We did not know what to expect as we have never in the past experienced a visit from a Physiotherapist. You very quickly calmed any concerns we may have had. Your patience and explanations as we progressed through the exercises in your booklet were and still are remembered. The benefits of regularly carrying out these well thought out and illustrated exercises are indeed being realised.</li> </ul>
Hospital team	<ul style="list-style-type: none"> <li>• Many thanks for all your help and understanding throughout this period. I have been very impressed by the standard of care, the responsiveness and the speed of the Social Services team working in Maidenhead.</li> </ul>
CTPLD	<ul style="list-style-type: none"> <li>• Every Wednesday the group attend the Cemetery, where they work on a project with ISS Grounds Maintenance. The group has done wonders with the flower beds and rose gardens at the cemetery and recently helped an elderly lady who had travelled some distance to attend her mother's grave. The grave was very overgrown and the group saw she was struggling and stepped in to help. They also agreed to keep the grave tidy in the future as she often finds it difficult to travel.</li> </ul> <p>The following day, a card arrived from the lady thanking the group for their help and for offering to attend to the grave in her absence. It clearly had made her day and had given the group a great sense of pride.</p>

## 7. CHILDREN'S SERVICES

### Summary

7.1 In 2017-18 there were 37 children's complaints. This represents 6% of all complaints received.

- 54% of complaints were either fully or partially upheld.
- 27% were responded to within timescales.
- 11 enquiries were received by the LGO, of these none were investigated. See 7.16 for further detail.
- 103 compliments were received

### Complaints received

7.2 The number of complaints received for children's services during 2017-18 has remained at a similar level to 2016-17 both for stage 1 and stage 2 escalations. There were no stage 3 Panels held during 2017-18, see table 22 for details.

**Table 22: Children Services overview**

Children's Services	2016-17	2017-18
Stage 1	36	37
Progressed to Stage 2	4	3
Progressed to Stage 3	0	0

7.3 In addition, 36 complaints were withdrawn from the complaints process.

7.4 The number of complaints relating to children's social care services has varied over the last eight years, peaking at 92 in 2013-14, see table 23 for a breakdown for the period 2010-18.

**Table 23: Complaints received comparison 2010-18**

	2010-11	2012-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
Stage 1	22	18	43	90	61	81	36	37
Stage 2	1	1	1	2	0	5	4	3
Stage 3	1	0	0	0	0	2	0	0
Total	24	19	44	92	61	88	40	40

7.5 In 2017-18, the majority of complaints received related to the Pods, see table 24 for full breakdown by team.

**Table 24: Complaints received**

Teams	Number	%
Pods (child protection, children in need and children in care)	14	38
Multi-Agency Safeguarding Hub	7	19
Children & Young People Disabilities Service	6	15
Duty and assessment	1	3
Family placement team	2	5
Children's centres	1	3
School transport	5	14
Frontline	1	3
<b>Total</b>	<b>37</b>	<b>100</b>

- 7.6 The high number of complaints being directed towards the Pods is not unexpected as these teams hold the long-term cases, dealing with complex child protection and children in care cases, often involving court proceedings.

### Themes

- 7.7 Table 25 sets out the themes of children’s complaints during 2017-18.

**Table 25: Themes of complaints**

Type of Complaint	Number	Percentage	Number fully upheld
Did not follow policy	7	19	2
Attitude or behaviour of staff	6	16	1
Lack of action - did not do what we said we would	6	16	0
Services delivered at a lower standard than in our policy	4	11	1
Unhappy with the decision made	4	11	1
Situation handled incorrectly	3	8	0
Gave the wrong information	2	5	0
Safeguarding	2	5	0
Failed to follow timescales	1	3	1
Failed to take all information into account	1	3	0
Inaccurate or wrong information recorded	1	3	0
<b>Total</b>	<b>37</b>	<b>100</b>	<b>6</b>

- 7.8 The highest number of complaints received were categorised as did not follow policy, process or the law followed by attitude or behaviour of staff, and lack of action. While the number fully upheld is low, the themes may in themselves give an indication of how it feels to be involved with children’s services and could indicate an opportunity for reflection by and with practitioners.

### People making children’s complaints

- 7.9 The vast majority of complaints made in 2017-18 were by parents. One formal complaint was made by a young person, which is currently being investigated under stage 2 of the statutory children’s complaints process, see table 26 for further detail.

**Table 26: People making children’s complaints**

Who made the complaint	Number	Percentage
Parent/Step parent/Adoptive parent	33	89
Carer	3	8
Child/young person	1	3
<b>Total</b>	<b>37</b>	<b>100%</b>

### Timescales

- 7.10 The timescale for dealing with a stage 1 complaint is 10 working days. However, this can be extended to 20 working days for more complex complaints or if additional time is required.

- 7.11 Table 27 details the number and percentage of complaints responded to within timescales for each service.

**Table 27: Response timescales**

Teams	Total number of complaints	Number in timescales	Percentage in timescales
Pods (child protection, children in need and children in care)	14	4	29
Multi-Agency Safeguarding Hub	7	0	0
Children & Young People Disabilities Service	6	2	33
Duty and assessment	1	0	0
Family placement team	2	1	50
Children's centres	1	1	100
School transport	5	2	40
Frontline	1	0	0
<b>Total</b>	<b>37</b>	<b>10</b>	

- 7.12 Completing children's social care complaints within statutory timescales continued to be a challenge during 2017-18. Of the 37 complaints that were received during 2017-18, 27% were responded to within timescales, which is a drop to below half of those responded to within timescales in 2016-17 (62%).
- 7.13 It is acknowledged that this is an unacceptable picture and action to improve this is already in place. This includes weekly reports of outstanding complaints to heads of services and director, as well as meetings between the complaints team and the investigating officers to clarify the complaint and ensure the scope of this is understood. This is having a positive impact on both the timeliness and quality of complaints responses.
- 7.14 On 3 August 2017, children's services transferred into Achieving for Children. The complaints team and managers in AfC have worked together in order to tighten the processes in place and this is already having a positive impact on achieving timescales. Complaints about children's services continue to be managed by the Royal Borough through the complaints team.

### **Stage 2 complaints**

- 7.15 Six stage 2 complaints were resolved in 2017-18, see table 28. Three of these were investigated under the statutory children's complaints process and three under the formal corporate complaints process. No complaints were investigated at Stage 3 in 2017-18.

**Table 28: Statutory stage 2 children's complaints, 2017-18**

Origin	Number of complaints	Outcome
Escalated from Stage 1 in 2016-17. Responded to in 2017-18.	2	Complainants satisfied with response
Escalated from Stage 1 in 2016-17. Responded to in 2017-18.	1	Complainant dissatisfied with response. Stage 3 requested

## Complaints to the LGO

- 7.16 The LGO received 11 complaints for children's services. Two were incomplete or invalid, five were referred back for local resolution and four were closed after initial enquiries. See appendix 1 for details on 2017-18 decisions.

## Representations

- 7.17 There were 10 representations made by children and young people during 2017-18. These included:
- Young person requested more contact with parent. Weekly telephone calls were agreed.
  - Young person made a representation about their social worker. The issues were successfully addressed in the child in care review meeting and were fully resolved.
  - Young person would like overnight contact with parent. Agreed social worker will carry out a risk assessment and progress if appropriate.
  - Young person did not want to move into semi-independent living. It was agreed to delay the search for a placement.

## Learning from complaints

- 7.18 Table 29 sets out learning from children's complaints

**Table 29: Learning from children's complaints**

Complaint area	Actions and learning
Reports have been produced which present as fact information that has not been substantiated or which use old information that has since been proven to be unsubstantiated or is out of date.	<ul style="list-style-type: none"> <li>• Raised in performance meetings. A themed audit is planned to further explore this.</li> </ul>
Hot drink was spilled over a child while attending one of the children's centres	<ul style="list-style-type: none"> <li>• The offer of hot drinks was immediately suspended in all sessions and the policy was reviewed and updated to ensure that hot drinks are served and consumed away from the play areas. If there is no facility for this then only cold drinks must be offered.</li> </ul>
Complaint about a single assessment written for two children in the same family. Parents felt that one child's situation not fully acknowledged and remained unhappy following a response at stage 1.	<ul style="list-style-type: none"> <li>• The service met with the parents to fully understand their concerns and a separate single assessment was written for the child that fully covered the issues.</li> <li>• Team managers have oversight of all supervision to ensure any practice issues are dealt with at an early stage.</li> </ul>
Complaint regarding difficulties communicating with contact workers.	<ul style="list-style-type: none"> <li>• Phones were provided for all contact workers to ensure good communication when delays occurred or contact needed to be cancelled.</li> </ul>
Parents complained about how a referral	<ul style="list-style-type: none"> <li>• The case was reviewed and it was</li> </ul>



Complaint area	Actions and learning
was dealt with by children's social care.	<ul style="list-style-type: none"> <li>identified that the approach had been over cautious.</li> <li>This case has been anonymised for use in practice development.</li> </ul>
Complaint about a delay in allocating a social worker because of a lack of resources.	<ul style="list-style-type: none"> <li>Unallocated cases are reviewed every Monday in the performance meeting to ensure no case remains unallocated for longer than 5 working days.</li> </ul>
Complaint received about the delay in providing an assessment.	<ul style="list-style-type: none"> <li>The timeliness of assessments is now continuously monitored and has risen from below 50% to 93%.</li> </ul>
Dentist and optician appointments not made as required following child in care health review.	<ul style="list-style-type: none"> <li>Business support team leader for the Pods now leads on health reviews. An escalation process is in place.</li> </ul>
Statutory visits out of timescales.	<ul style="list-style-type: none"> <li>This is monitored in performance meetings to ensure this no longer happens or to understand the reasons on the occasions when it does.</li> </ul>

### Compliments

7.19 97 compliments were recorded for children's service in 2017-18. This is an increase of 42% from the 56 compliments recorded in 2016-17, see table 30 for a full breakdown.

**Table 30: Number of compliments by children's services teams**

Teams	Number of compliments	Percentage
Youth services	44	45
Pods	16	16
CYPDS	14	14
Duty and assessment and MASH	6	6
Education and School admissions	5	5
Children's centres	3	3
Family placement team	3	3
Frontline student team	3	3
Educational psychology	1	1
Leaving care	1	1
School transport	1	1
<b>TOTAL</b>	<b>97</b>	<b>100</b>

7.20 Table 31 shows examples of compliments received across children's services.

**Table 31: Examples of compliments received**

Service	Compliment received
Youth Service	<ul style="list-style-type: none"> <li>Just to let you know that I caught up with X last week. He absolutely LOVES Youth Club! He said, he 'really wants to thank</li> </ul>

Service	Compliment received
	<p>who set it up for him, he thinks that they are marvellous! He says he feels 'exhilarated in himself' when he's on his way there and wishes that he'd gone years ago!</p> <ul style="list-style-type: none"> <li>• I want to say thank you for all the support and care you have given me since Friday. You managed the situation really well and gave me positive support throughout. Whatever I wanted or needed you ensured I had it. You provided a shoulder for me to cry on and helped me to manage the distressing news. You helped me pick myself back up and provided distractions for me in order to cope. You made me laugh and played games with me, which helped me so much. I would also like to thank you for your determination and strength especially when I ran away. You came after me and didn't give up. You supported me back to CAMHS. You remained strong despite how distressing the situation was. If you wouldn't of come after me and provided me with the support you did I don't think I would of been safe. You really helped me and I'm ever so thankful. I really appreciate everything you have done for me. You're the best youth worker.</li> <li>• Until coming along to the ICE music sessions our son didn't participate in any extra-curricular activities. He has had problems with bullying at junior school and the first two years at secondary and this lead to him becoming quite isolated, lacking in confidence and feeling pretty down. He loves playing the guitar, but didn't feel encouraged or confident to play at school. Through attending the youth music sessions he has been provided with an outlet and his confidence has soared. He recently had the opportunity to perform at the recent youth awards ceremony which was amazing to us as, even 6 months ago, he wouldn't have been confident enough to play to an auditorium full of parents, youth workers, teachers etc. We are so grateful for the amazing opportunities that the sessions have provided and really think that our son's general wellbeing and his engagement at school would be at a much lower level if it hadn't been there. We think that coming to the sessions has enabled him to literally keep his head above water and for this, we really can't express our gratitude enough.</li> </ul>
CYPDS	<ul style="list-style-type: none"> <li>• Just a quick note to day thanks for this and thanks for all your help. I honestly do not know what we would have one without you and your help. Having a disabled child is hard gruelling work. It is so wonderful knowing you are in our corner - you are inspiring.</li> </ul>
Family placement team	<ul style="list-style-type: none"> <li>• Compliment for a supervising social worker who has restored the foster carers' faith in themselves and renewed their conviction to carry on fostering.</li> </ul>
Pods	<ul style="list-style-type: none"> <li>• The strength and determination you have is rare and precious. As a social worker, you are doing great. I get frustrated at you but I know it's not you. It's hard for you as you're not the one who makes the decisions but I guess I just get angry with you because</li> </ul>

Service	Compliment received
	<p>you're the one that tells me. I haven't come across a social worker like you before. You put so much care into everyone and provide the best care possible. Everyone always tells me I'm lucky to have you as my social worker as you're of the best ones. I agree with that they say.</p> <ul style="list-style-type: none"> <li data-bbox="475 421 1369 685">• I would like to say a massive thank you to you, you had late evenings the last couple of nights sorting things out and we are very grateful... the last two calls we have seen a huge improvement in mood... Thank you both again... today is my 1st day of not feeling sick with worrying. I know it's the 1st day from the fall out of it all but hearing in her voice the barriers were definitely coming down is my focus of the day.</li> </ul>
School admissions	<ul style="list-style-type: none"> <li data-bbox="475 696 1369 920">• Thank you so, so much for your speedy action in facilitating the in-year transfer, you've given an exceptional &amp; fast service, that genuinely is appreciated. The school have just called and he starts next Monday, so we're thrilled to bits. Sincere thanks &amp; appreciation for all your help!</li> </ul>

## Appendix 1

# Local Government & Social Care OMBUDSMAN

18 July

2018

*By*

*email*

Alison Alexander

Managing Director & Strategic Director of Children's  
Services Royal Borough of Windsor and Maidenhead  
Council

Dear Alison Alexander,

### **Annual Review letter 2018**

I write to you with our annual summary of statistics on the complaints made to the Local Government and Social Care Ombudsman (LGSCO) about your authority for the year ended 31 March 2018. The enclosed tables present the number of complaints and enquiries received about your authority and the decisions we made during the period. I hope this information will prove helpful in assessing your authority's performance in handling complaints.

### **Complaint statistics**

In providing these statistics, I would stress that the volume of complaints does not, in itself, indicate the quality of the council's performance. High volumes of complaints can be a sign of an open, learning organisation, as well as sometimes being an early warning of wider problems. Low complaint volumes can be a worrying sign that an organisation is not alive to user feedback, rather than always being an indicator that all is well. So, I would encourage you to use these figures as the start of a conversation, rather than an absolute measure of corporate health. One of the most significant statistics attached is the number of upheld complaints. This shows how frequently we find fault with the council when we investigate. Equally importantly, we also give a figure for the number of cases where we decided your authority had offered a satisfactory remedy during the local complaints process. Both figures provide important insights.

I want to emphasise the statistics in this letter reflect the data we hold, and may not necessarily align with the data your authority holds. For example, our numbers include enquiries from people we signpost back to the authority, some of whom may never contact you.

In line with usual practice, we are publishing our annual data for all authorities on our website, alongside an annual review of local government complaints. The aim of this is to be transparent and provide information that aids the scrutiny of local services.

In previous years we have commented on delays in your Council responding to our enquiries. This year was no exception and we continued to experience considerable delay. These problems were highlighted in the public report we issued against your Council.

The main issue was the Council's failures in dealing with a homeless man. The Council failed to protect his belongings when he became homeless, did not offer him suitable accommodation or help him find permanent housing and did not deal with his complaint about these matters properly. We recommend the council should apologise to the man and pay him a total of £4,175 to remedy the injustice from these failings. We also asked the Council to amend its accommodation offer letters. The report had considerable criticism of the way the Council handled the man's complaint to it, and our investigation enquiries. On a positive note, senior Council officers have personally explained to me what action the Council is taking to improve its complaint handling and its responses to us. We look forward to seeing the impact of these changes over the next year.

### **Future development of annual review letters**

Last year, we highlighted our plans to move away from a simplistic focus on complaint volumes and instead turn focus onto the lessons that can be learned and the wider improvements we can achieve through our recommendations to improve services for the many. We have produced a new corporate strategy for 2018-21 which commits us to more comprehensively publish information about the outcomes of our investigations and the occasions our recommendations result in improvements to local services.

We will be providing this broader range of data for the first time in next year's letters, as well as creating an interactive map of local authority performance on our website. We believe this will lead to improved transparency of our work, as well as providing increased recognition to the improvements councils have agreed to make following our interventions. We will be seeking views from councils on the future format of our annual letters early next year.

### **Supporting local scrutiny**

One of the purposes of our annual letters to councils is to help ensure learning from complaints informs scrutiny at the local level. Sharing the learning from our investigations and supporting the democratic scrutiny of public services continues to be one of our key priorities. We have created a dedicated section of our website which contains a host of information to help scrutiny committees and councillors to hold their authority to account – complaints data, decision statements, public interest reports, focus reports and scrutiny questions. This can be found at [www.lgo.org.uk/scrutiny](http://www.lgo.org.uk/scrutiny). I would be grateful if you could encourage your elected members and scrutiny committees to make use of these resources.

## **Learning from complaints to improve services**

We share the issues we see in our investigations to help councils learn from the issues others have experienced and avoid making the same mistakes. We do this through the reports and other resources we publish. Over the last year, we have seen examples of councils adopting a positive attitude towards complaints and working constructively with us to remedy injustices and take on board the learning from our cases. In one great example, a county council has seized the opportunity to entirely redesign how its occupational therapists work with all of its districts, to improve partnership working and increase transparency for the public. This originated from a single complaint. This is the sort of culture we all benefit from – one that takes the learning from complaints and uses it to improve services.

### **Complaint handling training**

We have a well-established and successful training programme supporting local authorities and independent care providers to help improve local complaint handling. In 2017-18 we delivered 58 courses, training more than 800 people. We also set up a network of council link officers to promote and share best practice in complaint handling, and hosted a series of seminars for that group. To find out more visit [www.lgo.org.uk/training](http://www.lgo.org.uk/training).

Yours sincerely,



Michael King

Local Government and Social Care Ombudsman

Chair, Commission for Local Administration in England

**Local Authority Report:** Royal Borough of Windsor and Maidenhead Council  
**For the Period Ending:** 31/03/2018

For further information on how to interpret our statistics, please visit our website:  
<http://www.lgo.org.uk/information-centre/reports/annual-review-reports/interpreting-local-authority-statistics>

### Complaints and enquiries received

Adult Care Services	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environment Services	Highways and Transport	Housing	Planning and Development	Other	Total
14	4	4	12	5	3	4	11	1	58

47

### Decisions made

Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed After Initial Enquiries	Not Upheld	Upheld	Uphold Rate	Total
4	0	18	19	4	9	69%	54

#### Notes

Our uphold rate is calculated in relation to the total number of detailed investigations.

The number of remedied complaints may not equal the number of upheld complaints. This is because, while we may uphold a complaint because we find fault, we may not always find grounds to say that fault caused injustice that ought to be remedied.

by LGO	Satisfactorily by Authority before LGO Involvement
7	1

Document Name	Annual compliments and complaints report		
Document Author	Claire Burns, Complaints and compliments team manager		
Document owner	Nikki Craig, Head of HR and Corporate Projects		
Accessibility			
File location	<u>Y:\CSC\Customer Service Centre - Programme Documentation\Complaints (KE &amp; CB)\Performance\Complaints Data 2017-18\Annual Report 2017 2018</u>		
Destruction date			
How this document was created	Version 1	4 October 2018	
	Version 2		
	Version 3		
Circulation restrictions	None		
Review date	July 2019		



Report Title:	<b>Financial Update</b>
Contains Confidential or Exempt Information?	NO - Part I
Member reporting:	Councillor Saunders, Lead Member for Finance
Meeting and Date:	Cabinet – 25 October 2018
Responsible Officer(s):	Rob Stubbs, Deputy Director and Head of Finance.
Wards affected:	All

## REPORT SUMMARY

1. This report sets out the Council's financial position to date for the financial year 2018-19. Current pressures, as previously identified during the 2017-18 financial year, are being partially mitigated resulting in a net pressure of £1,426,000, see Appendix A. The main pressures are: Children's Services placement costs in relation to providing children in care, housing benefit subsidy and bus subsidies.
2. The Council's base budget is £85,344,000. Aggregated usable reserves are in a healthy position at £8,663,000 (10.12% of budget) which remains in excess of the £5,860,000 (6.87% of budget) recommended minimum level set at Council in February 2018, see Appendix A.

## 1 DETAILS OF RECOMMENDATION(S)

### RECOMMENDATION: That Cabinet:

- i) **Notes the Council's projected outturn position for 2018-19 and requests work continues to identify mitigations to offset the projected variance**
- ii) **Approves an additional capital budget of £61,000 for the council's two participatory budget schemes (Greenredeem and Member Budgets), see paragraph 2.2.**
- iii) **Approves the Royal Borough act as guarantor for Windsor and Maidenhead Youth Counselling Service which is the same approach taken with both Ways into Work and Parkwood Leisure contracts, see paragraph 2.3.**

## 2 REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

- 2.1 Cabinet are required to note the council's financial position and work will continue to identify mitigations to offset the projected variance.
- 2.2 Additional budget of £61,000 is required for the council's two participatory budget schemes (Greenredeem and Member Budgets). There have been no changes to the two schemes' rules or procedures between this financial year and last. The additional amount ensures that the two schemes have the same level of funds for the 2018/19

financial year as prior years. The amount is required following insufficient budget being available from previous years' capital budget slippage to fund the two schemes.

**Youth Counselling Service**

- 2.3 Counselling services for children and young people are currently provided through a registered charity, Windsor and Maidenhead Youth Counselling Service. Whilst the service is delivered through a network of volunteer counsellors, 2.5FTE have historically been employed by the Royal Borough to provide overall co-ordination of the Service.

The charity has changed its status to an incorporated organisation which allows it to employ staff on its own payroll. In order to enable the Royal Borough to fully commission the service, the 2.5FTE will be TUPE transferred to the registered charity. In order to do so, the charity will need to apply for admitted body status to the Berkshire Pension Fund. To be accepted as an admitted body, a bond or guarantor to the value of £54k has been recommended in the Pensions Actuary report to cover potential future liabilities arising from an early termination of the Admission Agreement. Cabinet is requested to approve the Royal Borough acting as guarantor which is the same approach taken with both Ways into Work and Parkwood Leisure contracts.

**3 KEY IMPLICATIONS**

- 3.1 The Council is projecting an aggregated usable reserve totalling £8,663,000, against a recommended minimum reserve level of £5,860,000 to cover known risks for 18 months.

**Table 1: Key implications**

<b>Outcome</b>	<b>Unmet</b>	<b>Met</b>	<b>Exceeded</b>	<b>Significantly Exceeded</b>	<b>Date of delivery</b>
General Fund Reserves Achieved	<£5,900,000	£5,900,000 to £6,000,000	£6,000,001 to £6,900,000	> £6,900,000	31 May 2019

**4 FINANCIAL DETAILS / VALUE FOR MONEY**

**Council outturn position**

- 4.1 The expected outturn position for the Council remains as reported in September an overspend of £1,426,000 on service budgets of £79,055,000.

**Achieving for Children (AfC) Contract - Children's Services**

- 4.2 Children's services has a net overspend of £911,000 as a result of the number of placements for children in care outside of the local authority area in independent fostering and residential care. The service continues to seek to mitigate these costs through scrutiny of provision, improved commissioning for buying bulk placements; ensuring partners, health partnerships and schools, are fairly contributing to placement costs. In addition AfC is completing the registration process to Ofsted to become an independent fostering agency with an indication of this coming on line in April 2019.
- 4.3 The local pressures are similar to those being reported nationally, for instance the Local Government Association are predicting a children's services funding gap nationally of £2 billion by 2020 to maintain services at the current level with nearly half

of local authority children's services budgets being spent on foster and residential care costs.

#### **Commissioning - Communities**

- 4.4 The service projects an overspend of £153,000 which relates to approved expenditure to support the bus routes covering Maidenhead, Wraysbury and links between Maidenhead and Windsor for which offsetting savings have not proved achievable.

#### **Communities, Enforcement and Partnerships**

- 4.5 Communities, Enforcement and Partnerships projects an overspend of £106,000 comprising:
- £16,000 in additional cost for the shared emergency planning service with West Berkshire and Bracknell Forest Councils, which started on the 1 April 2018.
  - £90,000 of unachievable income for printing as a result of external income not being generated.

#### **Finance**

- 4.6 The finance service is projecting an underspend of £68,000 as a result of maintaining vacancies.

#### **Library and Resident Services**

- 4.7 Library and Resident Services projects a one-off overspend of £20,000 associated with employment of agency staff to cover vacancies to maintain performance levels in the call centre.

#### **Planning Service**

- 4.8 The planning service projects an underspend of £90,000, this is made up of a one-off £50,000 surplus planning application income and £40,000 income for CIL(Community Infrastructure Levy) administration.

#### **Revenues and Benefits**

- 4.9 Revenues and benefits are projecting an overspend of £394,000 for Housing benefit subsidy. The budgeted recovery rate for subsidy has been over 100% since 2014-15, and in 2017-18 was 101%. In 2017-18 the actual recovery rate was 99.7%, 1.3% less. Over the same period £2.5 million of budgeted subsidy has not been recovered, the vast majority of which, has been offset by a release in bad debt provision, or a positive move in debtors, which is no longer achievable.

#### **AfC Contract - Dedicated Schools Grant & Dedicated Schools Grant Retained**

- 4.10 There is a net in year deficit of £795,000 relating to the dedicated schools grant funded services consisting of £52,000 within the Achieving for children contract and £743,000 within the retained element. The net in year deficit consists of:
- Manor Green School increased places and additional funding to support the provision of high needs within the school £436,000.
  - Maintained schools additional funding to support the provision of high needs within schools £352,000.
  - Others net £7,000.
- 4.11 The net overspend will be an additional pressure on the dedicated schools grant reserve which as at 31 March 2018 stood at £1,212,000. The revised projected deficit as at 31 March 2019 will be increased to £2,007,000.

4.12 At the Schools Forum in July 2018 the deficit carry forward of £2,007,000 was approved. If this is not offset over a period all schools will contribute to the overspend.

#### Transfers to and from the General fund reserves

4.13 The total cost of the Royal Wedding between HRH Prince Henry of Wales and Ms Meghan Markle on the 19<sup>th</sup> of May 2018 was £1,178,000. A reimbursement of £1,085,000 has been received from the Department of Culture, Media and Sport. The balance of £93,000 has been transferred from the balance sheet to general fund reserves.

**Table 2: Revenue budget movement**

<b>Service expenditure budget reported to October cabinet</b>	£79,052,000
Optalis redundancy payment	£3,000
<b>Service expenditure budget this month, see Appendix B</b>	<b>£79,055,000</b>

#### Cash balances projection

4.14 Throughout the year the council's cash balances have been revised, see Appendix C twelve monthly capital cash flow which is based on the assumptions contained in the 2018-19 budget report.

#### Capital programme

4.15 The approved 2018-19 capital estimate is £72,452,000, see table 3. The projected outturn for the financial year is £72,427,000, see table 4 for capital programme status, with further information in Appendices D – F..

**Table 3: Capital outturn**

	<b>Exp.</b>	<b>Inc.</b>	<b>Net</b>
<b>Approved estimate</b>	£72,452,000	(£20,437,000)	£52,015,000
Variiances identified	(£25,000)	£25,000	£0
Slippage to 2019-20	(£0)	£0	£0
<b>Projected Outturn 2018-19</b>	£72,427,000	(£20,412,000)	£52,015,000

**Table 4: Capital programme status**

	<b>September 2018</b>
<b>Number of schemes in programme</b>	<b>175</b>
Yet to start	25%
In progress	44%
Completed	6%
Ongoing programmes e.g. Disabled Facilities Grant	24%
Devolved formula capital grant schemes budgets devolved to schools	1%

4.16 **Business rates:** Business rate income at the end of August 2018 was 49.77% against a target of 49%. The annual collection target for 2018-19 is 98.8%.

4.17 **Business rate revaluation support.** The methodology for the distribution of the £329,000 available from Ministry of housing, communities and local government, has

been agreed. The policy has been rewritten to reflect this and the sums awarded to ratepayers have now been put onto their accounts and amended bills issued.

## 5 LEGAL IMPLICATIONS

- 5.1 In producing and reviewing this report the Council is meeting its legal obligations to monitor its financial position.

## 6 RISK MANAGEMENT

**Table 5: Impact of risk and mitigation**

Risks	Uncontrolled Risk	Controls	Controlled Risk
None			

## 7 POTENTIAL IMPACTS

- 7.1 None.

## 8 CONSULTATION

- 8.1 Overview & Scrutiny will review the report prior to Cabinet. Comments will be reported to Cabinet.

## 9 TIMETABLE FOR IMPLEMENTATION

- 9.1 Implementation date if not called in: immediately.

## 10 APPENDICES

- 10.1 There are seven appendices to the report:
- Appendix A Revenue Monitoring Statement 2018/19 for October Cabinet
  - Appendix B Revenue movement statement
  - Appendix C 12 month cash flow @ 10/9/2018
  - Appendix D Capital budget summary
  - Appendix E Capital monitoring report
  - Appendix F Major capital scheme progress

## 11 BACKGROUND DOCUMENTS

- 11.1 The background document relating to this report is detailed below.
- Budget Report to Council February 2018.

## 12 CONSULTATION (MANDATORY)

Name of consultee	Post held	Date issued for comment	Date returned with comments
Cllr Saunders	Lead Member for Finance	24/09/2018	27/09/2018
Alison Alexander	Managing Director	19/09/2018	19/09/2018

<b>Name of consultee</b>	<b>Post held</b>	<b>Date issued for comment</b>	<b>Date returned with comments</b>
Russell O'Keefe	Executive Director	19/09/2018	21/09/2018
Andy Jeffs	Executive Director	19/09/2018	21/09/2018
Rob Stubbs	Section 151 Officer	18/09/2018	19/09/2018
Nikki Craig	Head of HR and Corporate Projects	19/09/2018	
Louisa Dean	Communications	19/09/2018	
Hilary Hall	Deputy Director Strategy and Commissioning	19/09/2018	20/09/2018

## **REPORT HISTORY**

<b>Decision type:</b>	<b>Urgency item?</b>	<b>To Follow item?</b>
For information	No	No
Report Author: : Ruth Watkins, Senior Accountancy and Finance Operations Lead, 01628 683504		

## Revenue Monitoring Statement 2018/19 for October 2018 Cabinet

SUMMARY	2018/19		
	Budget	Approved Estimate	Projected Variance
	£000	£000	£000
Management	660	348	0
Communications	412	485	0
Human Resources	883	1,069	0
Law & Governance	2,350	2,376	0
Commissioning & Support	3,872	3,874	0
Commissioning - Communities	8,182	8,297	153
AfC Contract - Children's Services	21,356	21,741	911
AfC Contract - Dedicated Schools Grant	12,196	11,311	52
Children's Services - Retained	(2,118)	(2,539)	0
Dedicated Schools Grant - Retained	50,385	51,098	743
Adult Social Care - Optalis Contract	29,443	29,358	0
Adult Social Care - Spend	15,461	15,759	0
Adult Social Care - Income	(10,658)	(10,866)	0
Better Care Fund	12,033	12,103	0
Public Health	4,780	4,782	0
Grant Income	(78,166)	(78,062)	(795)
<b>Total Managing Director's Directorate</b>	<b>71,071</b>	<b>71,134</b>	<b>1,064</b>
Executive Director of Communities	229	233	0
Revenues & Benefits	(109)	(68)	394
Communities, Enforcement & Partnerships	732	929	106
Library & Resident Services	3,019	3,211	20
<b>Total Communities Directorate</b>	<b>3,871</b>	<b>4,305</b>	<b>520</b>
Executive Director of Place	298	304	0
Housing	1,370	1,462	0
Planning Service	1,344	1,397	(90)
Property Service	(2,577)	(2,582)	0
Finance	1,269	1,326	(68)
ICT	1,133	1,709	0
<b>Total Place Directorate</b>	<b>2,837</b>	<b>3,616</b>	<b>(158)</b>
<b>TOTAL EXPENDITURE</b>	<b>77,779</b>	<b>79,055</b>	<b>1,426</b>

## Revenue Monitoring Statement 2018/19 for October 2018 Cabinet

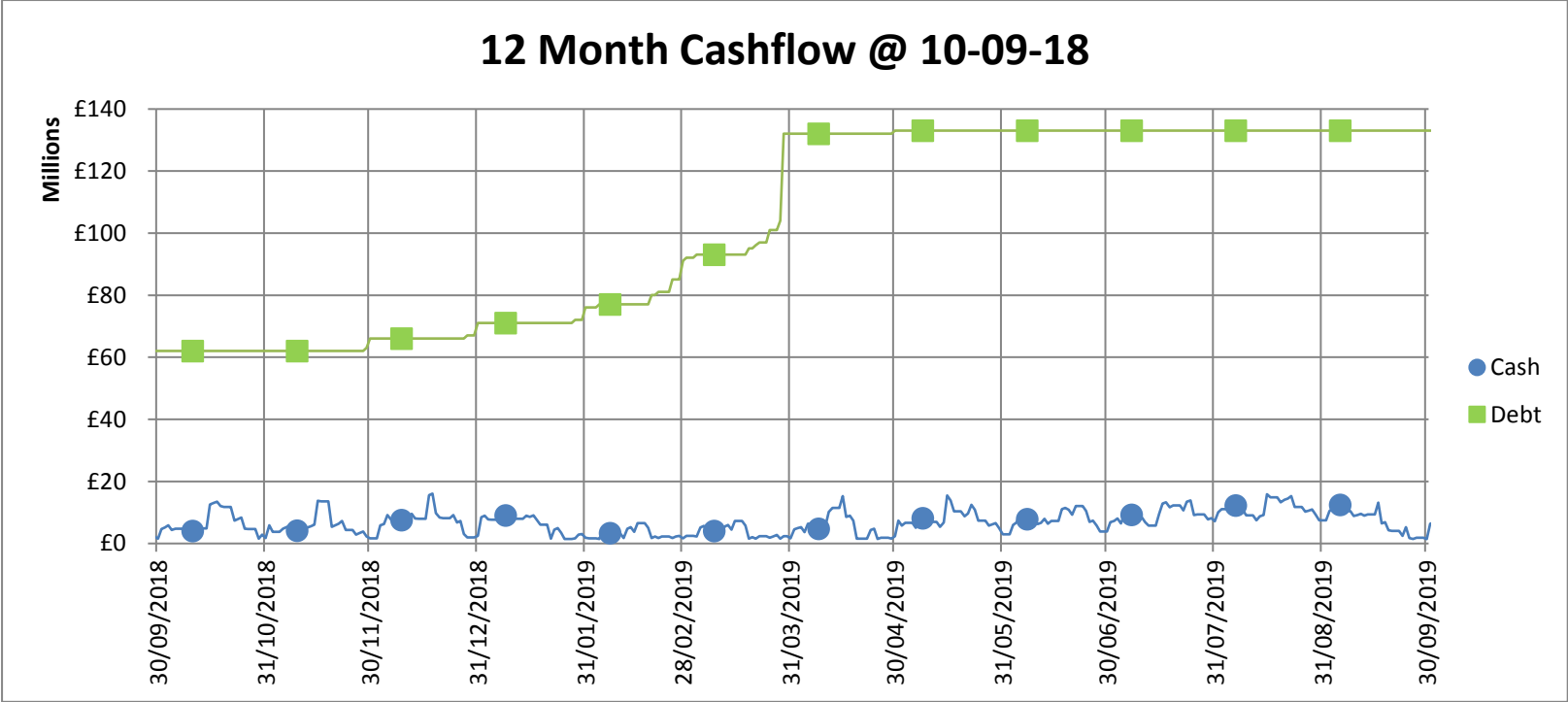
SUMMARY	2018/19		
	Budget	Approved Estimate	Projected Variance
	£000	£000	£000
<b>Total Service Expenditure</b>	<b>77,779</b>	<b>79,055</b>	<b>1,426</b>
Contribution to / (from) Development Fund	5	5	0
Pensions deficit recovery	2,428	3,176	0
Pay reward	500	(6)	0
Transfer from Provision for Redundancy	0	(450)	0
Environment Agency levy	156	156	0
Variance on Business Rates income	0	(2,896)	0
Capital Financing inc Interest Receipts	<u>5,523</u>	<u>5,523</u>	<u>0</u>
<b>NET REQUIREMENTS</b>	<b>86,391</b>	<b>84,563</b>	<b>1,426</b>
Less - Special Expenses	(1,047)	(1,047)	0
Transfer to / (from) balances	0	1,828	(1,426)
<b>GROSS COUNCIL TAX REQUIREMENT</b>	<u><b>85,344</b></u>	<u><b>85,344</b></u>	<u><b>0</b></u>
<b>General Fund</b>			
Opening Balance		8,925	10,753
Transfers to / (from) balances		<u>1,828</u>	<u>(1,426)</u>
		<u><u>10,753</u></u>	<u><u>9,327</u></u>
Estimated year end redundancy provision			(664)
Projected General Fund outturn			<u><u>8,663</u></u>



Revenue Monitoring Statement 2018/19						
	Funded by the General Fund (1)	Funded by Provision (2)	Funded by the Capital Fund (3)	Included in the original budget (4)	Total	Approval
	£'000	£'000	£'000	£'000	£'000	
<b>Original Budget</b>					<b>77,779</b>	
1 Empty homes supplementary	32				32	May 2018 Cabinet
2 RBFRS Inspections	0		130		130	May 2018 Cabinet
3 Pay Reward				561	561	Feb 2018 Cabinet
4 Early retirement		36			36	Jun 2018 cabinet
5 Severance pay		65			65	Jun 2018 cabinet
6 Heathrow judicial review			100		100	July 2018 cabinet
7 Severance Pay & Early Retirement		349			349	August 2018 cabinet
8 Optalis Redundancy payment		3			3	Optalis/RBWM meeting
<b>Changes Approved</b>	<b>32</b>	<b>453</b>	<b>230</b>	<b>561</b>	<b>1,276</b>	
<b>Approved Estimate October Cabinet</b>					<b>79,055</b>	

**NOTES**

- 1 If additional budget is approved but no funding is specified, the transaction would, by default, be funded from the General Fund Reserve. Transactions in column 1 are funded by the General Fund.
- 2 A provision for future redundancy costs is created every year and this is used to fund additional budget in services for the costs of redundancy they incur during the year. Transactions in column 2 are redundancy costs funded by the provision for redundancy.
- 3 When additional budget is approved, a funding source is agreed with the Lead Member of Finance. Transactions in column 3 have been funded from a usable reserve (Capital Fund).
- 4 Transactions in column 3 are amounts approved in the annual budget which for various reasons need to be allocated to service budgets in-year. An example would be the pay reward budget. Pay reward payments are not approved until June. The budget therefore has to be re-allocated.



Note 1. Capital expenditure is projected to increase steadily throughout 2018-19. The exact profile may vary and monitoring of schemes and cash balances will decide the rate at which our borrowing will increase to ensure that no unnecessary debt charges are incurred.

Portfolio Summary	2018/19 Original Budget			New Schemes – 2018/19 Approved Estimate			Schemes Approved in Prior Years			Projections – Gross Expenditure				
	Gross	Income	Net	Gross	Income	Net	Gross	Income	Net	2018/19 Projected	2018/19 SLIPPAGE Projected	TOTAL Projected	VARIANCE Projected	VARIANCE Projected
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	(%)
<b>Communities Directorate</b>														
Revenues & Benefits	0	0	0	0	0	0	69	0	69	69	0	69	0	
Communities, Enforcement & Partnerships	3,098	(635)	2,463	8,448	(635)	7,813	4,369	(1,597)	2,772	12,817	0	12,817	0	0%
Library & Resident Services	435	0	435	720	0	720	930	(171)	759	1,650	0	1,650	0	0%
<b>Total Communities Directorate</b>	<b>3,533</b>	<b>(635)</b>	<b>2,898</b>	<b>9,168</b>	<b>(635)</b>	<b>8,533</b>	<b>5,368</b>	<b>(1,768)</b>	<b>3,600</b>	<b>14,536</b>	<b>0</b>	<b>14,536</b>	<b>0</b>	<b>0</b>
<b>Place Directorate</b>														
ICT	360	0	360	360	0	360	38	0	38	398	0	398	0	0%
Property	1,045	0	1,045	8,745	0	8,745	8,566	(282)	8,284	17,311	0	17,311	0	0%
Housing	0	0	0	0	0	0	881	(856)	25	881	0	881	0	
Planning	1,010	(50)	960	1,182	(222)	960	468	(185)	283	1,650	0	1,650	0	0%
<b>Total Place Directorate</b>	<b>2,415</b>	<b>(50)</b>	<b>2,365</b>	<b>10,287</b>	<b>(222)</b>	<b>10,065</b>	<b>9,953</b>	<b>(1,323)</b>	<b>8,630</b>	<b>20,240</b>	<b>0</b>	<b>20,240</b>	<b>0</b>	<b>0</b>
<b>Managing Director</b>														
Human Resources	0	0	0	0	0	0	64	0	64	64	0	64	0	
Adult Social Care	0	0	0	85	(85)	0	6	(6)	0	91	0	91	0	
Commissioning – Communities	7,156	(4,613)	2,543	7,391	(4,828)	2,563	3,987	(1,622)	2,365	11,378	0	11,378	0	0%
Law and Governance	0	0	0	63	0	63	26	0	26	89	0	89	0	
Green Spaces & Parks	183	(93)	90	155	(65)	90	173	(80)	93	328	0	328	0	0%
Non Schools	246	(46)	200	256	(56)	200	261	(146)	115	517	0	517	0	0%
Schools – Non Devolved	4,025	(875)	3,150	4,075	(925)	3,150	20,494	(8,034)	12,460	24,544	0	24,544	(25)	-1%
Schools – Devolved Capital	197	(197)	0	195	(197)	(2)	445	(445)	0	640	0	640	0	0%
<b>Total Managing Director</b>	<b>11,807</b>	<b>(5,824)</b>	<b>5,983</b>	<b>12,220</b>	<b>(6,156)</b>	<b>6,064</b>	<b>25,456</b>	<b>(10,333)</b>	<b>15,123</b>	<b>37,651</b>	<b>0</b>	<b>37,651</b>	<b>(25)</b>	<b>(0)</b>
<b>Total Committed Schemes</b>	<b>17,755</b>	<b>(6,509)</b>	<b>11,246</b>	<b>31,675</b>	<b>(7,013)</b>	<b>24,662</b>	<b>40,777</b>	<b>(13,424)</b>	<b>27,353</b>	<b>72,427</b>	<b>0</b>	<b>72,427</b>	<b>(25)</b>	<b>(0)</b>

<b>Portfolio Total</b>	(£'000)	<b>17,755</b>	(£'000)	<b>72,452</b>	(£'000)	<b>72,427</b>
<b>External Funding</b>						
Government Grants	(5,060)		(10,443)		(10,418)	
Developers' Contributions	(674)		(3,721)		(3,721)	
Other Contributions	(775)		(6,273)		(6,273)	
<b>Total External Funding Sources</b>	<b>(6,509)</b>		<b>(20,437)</b>		<b>(20,412)</b>	
<b>Total Corporate Funding</b>	<b>11,246</b>		<b>52,015</b>		<b>52,015</b>	

**Capital Monitoring Report - September 2018/19**

At 30th September 2018, the approved estimate stood at £72.452m

	<b>Exp</b>	<b>Inc</b>	<b>Net</b>
	£'000	£'000	£'000
Approved Estimate	72,452	(20,437)	52,015
Variances identified	(25)	25	0
Slippage to 2018/19	0	0	0
Projected Outturn 2017/18	72,427	(20,412)	52,015

**Overall Projected Expenditure and Slippage**

Projected outturn for the financial year is £72.427m

Variances are reported as follows.

CSDQ	Urgent Safety Works Various Schools	75	(75)	0	Expenditure on urgent schemes.
CSJN	Homer School - Electrical Re-Wire	(100)	100	0	Budget no longer required. This is now partly used for other urgent works.
		(25)	25	0	

There is no slippage to report this month.

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**Overall Programme Status**

The project statistics show the following position:

<b>Scheme progress</b>	<b>No.</b>	<b>%</b>
Yet to Start	44	25%
In Progress	77	44%
Completed	11	6%
Ongoing Programmes e.g.. Disabled Facilities Grant	42	24%
Devolved Formula Capital Grant schemes budgets devolved to schools	1	1%
<b>Total Schemes</b>	<b>175</b>	<b>100%</b>

Major Capital Scheme Progress		September 2018 @ 06/09/18																	
Project	CAPITAL SCHEME	2018/19				APPROVED SLIPPAGE			TOTAL BUDGET			PROJECTIONS		PROJECT STATUS					
		TOTAL SCHEME VALUE		APPROVED ESTIMATE		FROM PRIOR YEARS			2018/19			2018/19 Projected Variance  Underspend as negative	2019/20 SLIPPAGE Projected	Yet To Start	Preliminary / Feasibility Work	Work On- site	Ongoing Annual Programme	Expected Completion	
		Gross		Gross	Income	Estimate	Gross	Income	Estimate	Gross	Income								Estimate
		£'000	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000						
<b>Communities Directorate</b>																			
<b>Communities, Enforcement &amp; Partnerships</b>																			
CT52	Disabled Facilities Grant	600	600	(600)	0	0	0	0	600	(600)	0	0	0						
CZ18	Braywick Leisure Centre	36,123	4,975	0	4,975	862	0	862	5,837	0	5,837	0	0						
CC60	Hostile Vehicle Mitigation Measures for Windsor	1,850	0	0	0	1850	(908)	942	1,850	(908)	942	0	0						
CC47	CCTV Replacement	1,302	1,300	0	1,300	2	0	2	1,302	0	1,302	0	0						
<b>Place Directorate</b>																			
<b>Property</b>																			
CI29	Broadway Car Park & Central House Scheme	33,000	0	0	0	2230	(140)	2090	2,230	(140)	2,090	0	0						
CI21	Windsor Office Accommodation	6,839	0	0	0	3898	(142)	3756	3,898	(142)	3,756	0	0						
CI62	Hines Meadow CP – Dilapidations	700	0	0	0	523	0	523	523	0	523	0	0						
CX40	Operational Estate Improvements	600	600	0	600	0	0	0	600	0	600	0	0						
<b>Housing</b>																			
CT55	Brill House Capital Funding	500	0	0	0	500	(500)	0	500	(500)	0	0	0						
<b>Managing Director</b>																			
<b>Schools – Non Devolved</b>																			
CSGR	Charters Expansion	4,560	380	0	380	2,556	(1,878)	678	2,936	(1,878)	1,058	0	0						
CSGV	Cox Green School Expansion Year 1 of 3	5,800	420	0	420	2821	(455)	2366	3,241	(455)	2,786	0	0						
CSGW	Furze Platt Senior expansion Year 1 of 3	8,000	750	0	750	6571	(2,033)	4538	7,321	(2,033)	5,288	0	0						
CSGX	Dedworth Middle School Expansion Year 1 of 3	4,700	420	0	420	3490	(1,791)	1699	3,910	(1,791)	2,119	0	0						
<b>Commissioning – Communities</b>																			
CC62	Maidenhead Missing Links (LEP Match Funded)	733	733	(633)	100	0	0	0	733	(633)	100	0	0						
CC67	Replacement Payment Equipment for Car Parks	775	775	(775)	0	0	0	0	775	(775)	0	0	0						
CD84	Street Lighting–LED Upgrade	5,100	0	0	0	600	0	600	600	0	600	0	0						

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Report Title:	<b>Members' Allowances – Late Claim by Councillor Da Costa</b>
Contains Confidential or Exempt Information?	No - Part I
Member reporting:	Councillor Dudley - Leader of the Council including Maidenhead Regeneration and Maidenhead
Meeting and Date:	Cabinet - 25 October 2018
Responsible Officer(s):	Alison Alexander – Managing Director
Wards affected:	None

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## REPORT SUMMARY

Cabinet are asked to consider a claim for payment of £61.65 for travel allowances from Councillor Da Costa. As the claim has been submitted in excess of six months after the date of the qualifying meetings it requires a cabinet decision

## 1. DETAILS OF RECOMMENDATION(S)

**RECOMMENDATION:** That Cabinet notes the report and:

- i) **To pay the outstanding claims for Cllr Da Costa on this occasion only.**

## 2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

- 2.1 The Member's Allowances Scheme operated by the Council provides that claims submitted in excess of six months after the date of the qualifying meeting must be referred to the Cabinet for consideration. Claims have been received from Councillor Da Costa totalling £61.65, which require Cabinet's sanction. The mileage involved is set out in table 1:-

Table 1: Mileage Claim

<u>Month</u>	<u>Mileage</u>	<u>Total</u>
May 2017	57	£25.65
June 2017	80	£36

Cllr Da Costa has provided the following information regarding his late claims 'unfortunately I suffered a number of bereavements in the family which needed me to support the family substantially for a number of months. This took up a lot of my spare time so, amending the expenses fell to the bottom of the list of priorities.'

## Options

**Table 2: Options arising from this report**

<b>Option</b>	<b>Comments</b>
To pay the outstanding claims	Cabinet is entitled to authorise the payment of the claims, in accordance with the Members' Allowances Scheme operated by the council.
To refuse the outstanding claims	Cabinet may wish to refuse to authorise payment of the mileage claims on the basis that they are in excess of six months after the date of the qualifying meetings.
To pay the outstanding claims on this occasion only. (recommended option)	Cabinet may decide to pay these outstanding claims only and not any other 'late claims', which are received from Councillor Da Costa for meetings in excess of six months after the date of the qualifying meeting.

### **3. KEY IMPLICATIONS**

3.1 There are no key implications arising from this report.

### **4. FINANCIAL DETAILS / VALUE FOR MONEY**

4.1 The mileage claims from Councillor Da Costa outside the qualifying period amount to £61.65, if Cabinet are mindful to approve the payment this would be met from the current budgetary provision for Members' allowances.

### **5. LEGAL IMPLICATIONS**

5.1 The report is written in line with the council's constitution – Part 9 Members' Allowances Scheme. The council's Members' Allowances Scheme is framed in accordance with the regulations issued under the Local Government Act 1972 and amended legislation.

### **6. RISK MANAGEMENT**

6.1 There are no risks associated with this report.

### **7. POTENTIAL IMPACTS**

7.1 There are no potential impacts arising from this report.



## 8. CONSULTATION

- 8.1 The report will be considered by Corporate Services Overview and Scrutiny Panel on 23 October 2018, comments will be reported to Cabinet.

## 9. TIMETABLE FOR IMPLEMENTATION

- 9.1 Implementation date if not called in: 6 November 2018

## 10. APPENDICES

- 10.1 There are no appendices.

## 11. BACKGROUND DOCUMENTS

- 11.1 This report is supported by the Members' Allowance Scheme in the RBWM Constitution.

## 12. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
Cllr Dudley	Leader of the Council including Maidenhead Regeneration and Maidenhead		26/09/18
Alison Alexander	Managing Director	26/09/18	26/09/18
Rob Stubbs	Section 151 Officer	26/09/18	27/09/18
Elaine Browne	Head of Law and Governance	26/09/18	27/09/18
Nikki Craig	Head of HR and Corporate Projects	26/09/18	27/09/18
Louisa Dean	Communications	26/09/18	26/09/18
Russell O'Keefe	Executive Director	26/09/18	
Andy Jeffs	Executive Director	26/09/18	
Kevin McDaniel	Director of Children's Services	26/09/18	27/09/18
Angela Morris	Director of Adult Social Services	26/09/18	
Hilary Hall	Deputy Director of Commissioning and Strategy	26/09/18	26/09/18
Karen Shepherd	Service Lead – Information Governance and Democratic Services	17/9/18	17/9/18

## REPORT HISTORY

<b>Decision type:</b> Non-key decision	<b>Urgency item?</b> No	<b>To Follow item?</b> No
Report Author: David Cook, Democratic Services Team Leader, 01628 796560		

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**COUNCIL TRUSTS - CABINET AS TRUSTEES**  
**CORPORATE SERVICES O&S PANEL - 23 OCTOBER 2018**

To receive, for information only, a report on the management and administration of those Trusts where Cabinet acts as the Trustees. Any areas of concern identified by the Panel will be raised with relevant officers/Lead Members as necessary.

Part 7E of the Constitution provides advice to Members on their specific duties and responsibilities when acting as a Trustee. There is also further detailed guidance issued by the Charity Commission which helps Members to understand the role expected from them and to ensure that they don't place themselves or the Authority in a difficult or inappropriate position by failing to fulfil their responsibilities fully.

The Annual Accounts for 2017/18 financial year for the Working Boys Club and the Kidwells Park Trust are attached for information. An annual return is submitted, via an online form, for both charities on the Charity Commission website. As in previous years, nil returns will be submitted, via the online form, for the Royal Borough Recreation Trust and Clewer Memorial Recreation Ground Trust as there has been no financial activity for those trusts.

Appendix A - Extract from the Council's Annual Accounts

Name	Summary of role /obligations / objectives	Key Documents	Trustees - Appointments and arrangements for re-appointment	Note on the Current Status of Appointees	Issues raised for Trustees to note/consider further.	Lead Officers from RBWM for dealing with the Trust	Response from officer	Date of last Annual Return + Officer Responsible for submission	Assets	Payments out 17/18	Payments out 16/17
<b>Category 1 – Charitable Trusts</b>											
<b>Charitable Trusts where Cabinet is acting as Trustees on behalf of the Council.</b>											
<b>Royal Borough Recreational Trust</b> No – 308246	OBJECTS - To provide or to assist in providing facilities for recreation or other leisure time occupation in the interests of social welfare for the benefit of the inhabitants of the RBWM OLD NAME – The Maidenhead Recreational Centre Trust ARRANGEMENT - RBWM as LA is the Freeholder of the land occupied by the Magnet Leisure Centre and has granted a Lease to RBWM as Trustee for a 99 lease with effect from 1/Nov/1971 Changed name and widened remit with effect in 1991	4 <sup>th</sup> Nov 1971 – Trust Deed 19th Sept 1975 – Scheme varied to reflect built MLC facility 18th Mar 1985 – Lease between RBWM as LA and RBWM as Trustee signed 15th April 1991 – Supplemental Deed to reflect change of name and widen remit of the Trust to benefit all the inhabitants of RBWM	Members of Cabinet	Cabinet confirmed as acting on behalf of Council at Cabinet October 2005.	Cllrs M Airey, N. Airey, Bicknell, Carroll, Coppinger, Dudley, S Rayner, Saunders and Targowska confirmed they had no concerns regarding this trust.	David Scott		Annual Return for 31 Mar 2017 submitted 06 Sept 2017 - The Leader signed off on the accounts for 2017/18 on 4 Sept 2018 but the Charity Commission has not published them yet.	Nil return	£0	£0
<b>Working Boys Club</b> No – 237922	OBJECTS - To provide or assist in the provision of facilities in the interests of social welfare for recreation or other leisure time occupation of individuals who have need of such facilities by reason of their youth, with the object of improving their conditions of life.	29 <sup>th</sup> Sept 1953 – Property (No 22 Cookham Road) was vested in Berks CC by Charity Commissioners by way of Scheme. Deed No C/Z 475 1st June 1970 - Scheme amended 20 May 2008. In 2008 - 22 Cookham Road was sold and the proceeds (£614k) was invested. The annual income is used to provide services for young people at 4 Marlow Road.	Members of Cabinet	Cabinet confirmed as acting on behalf of Council at Cabinet October 2005.	Cllrs M Airey, N. Airey, Bicknell, Carroll, Coppinger, Dudley, S Rayner, Saunders and Targowska confirmed they had no concerns regarding this trust.	David Scott		Annual Return for 31 Mar 2017 submitted 08 Sept 2017 - The Leader signed off on the accounts for 2017/18 on 4 Sept 2018 but the Charity Commission has not published them yet.	Funds invested with Legal & General - see accounts appended	£21,968	£21,856
<b>Kidwells Park Trust</b> No – 300178 (Ref 5/20/30)	Includes the site at No 4 Marlow Road – which has a peppercorn rent. Arrangement between RBWM as Council/LA and RBWM as Trustee OBJECTS – Public Park and Recreation Ground. The land occupied by Norden Farm Centre for the Arts was placed in the hands of The Kidwells Trust with a stipulation that it could only be used as an Arts Centre and is leased back to NFCT on a 125 year lease.	23 <sup>rd</sup> July 1890 – Deed of Gift 7th Nov. 1946 – Conveyance 21st July 1971 - Scheme	Members of Cabinet		Cllrs M Airey, N. Airey, Bicknell, Carroll, Coppinger, Dudley, S Rayner, Saunders and Targowska confirmed they had no concerns regarding this trust.	David Scott		Annual Return for 31 Mar 2017 submitted 08 Sept 2017 - The Leader signed off on the accounts on 4 Sept 2018 but the Charity Commission has not published them yet.	Funds invested with Kames Capital - see accounts appended	£6,000	£14,000

67

Agenda Item 7

Name	Summary of role /obligations / objectives	Key Documents	Trustees - Appointments and arrangements for re-appointment	Note on the Current Status of Appointees	Issues raised for Trustees to note/consider further.	Lead Officers from RBWM for dealing with the Trust	Response from officer	Date of last Annual Return + Officer Responsible for submission	Assets	Payments out 17/18	Payments out 16/17
<b>The Clewer Memorial Recreation Ground No 300183</b>	OBJECTS - Purposes of a public recreation ground. Operated and managed as part of the Borough's parks and open spaces, and thereby meeting the purpose of the Objects.	Trust deed dated 13 <sup>th</sup> March 1929 as amended by a deed of exchange dated 11 <sup>th</sup> June 1969 and Minutes of the meeting of Leisure Services Board (LSB16/94 – 90) 14 <sup>th</sup> June 1994, confirm. Exchange of correspondence with the Charity Commission 1994 confirms.	Members of Cabinet		N/A - dormant	Steve Anderson	N/A	Annual Return for 31 Mar 2017 submitted 07 Nov 2017	Nil return	£0	£0

**COUNCIL TRUSTS - OTHER TRUSTS**

**CORPORATE SERVICES O&S PANEL - 23 OCTOBER 2018**

To receive, for information only, a report on the management and administration of Trusts in which RBWM has a direct involvement. Any areas of concern identified by the Panel will be raised with relevant Officers/Lead Members as necessary.

Part 7E of the Constitution provides advice to Members on their specific duties and responsibilities when acting as a Trustee. There is also further detailed guidance issued by the Charity Commission which helps Members to understand the role expected from them and to ensure that they don't place themselves or the Authority in a difficult or inappropriate position by failing to fulfil their responsibilities fully.

Name	Summary of role /obligations / objectives	Key Documents	Trustees – Appointments and arrangements for re-	Note on the Current Status of Appointees	Issues raised by Trustees appointed by RBWM	Lead Officers from RBWM for dealing with the Trust	Response from officer	Date of last Annual Return on Charity Commission website	Assets	Payments out 17/18	Payments out 16/17
<b>Category 2 – Charitable Trusts</b>											
<b>Charitable Trusts which RBWM is involved with and provides the lead and all admin support for, including completion and submission where required for Annual Charity Commission Returns</b>											
<b>Mayor of RBWM Benevolent Fund No - 269134</b>	OBJECTS – Such charitable purposes for the benefit of residents or persons working in RBWM or for such other charitable purposes	28 <sup>th</sup> Feb 1975 – Declaration of Trust	The Mayor of the RBWM and Civic Team Manager	Councillor Lion (as Mayor)	Cllr Lion confirmed he had no concerns regarding the trust.	Andrew Scott	No issues raised	Annual Return for 31 Mar 2017 submitted 28 Sept 2017 - The Mayor signed off on the 2017/18 accounts on 22 August 2018 but the Charity Commission has not published the Annual Return as yet.	Balance brought forward (£32,474.00), Expenditure £3,639.82, Interest on balances (£109.97), Other income (£1,042.55), Balance carried forward as at 31/03/2018 (£29,986.70)	£3,640	£3,474
<b>The RBWM Flood Relief Fund No - 1049043</b>	OBJECTS – To relieve the persons resident in the area of benefit who are in conditions of need hardship or distress as a result of local flooding and to provide funds for repair work not normally provided by the local Authority. Formed by the merger of three previous Trusts the Mayor of Windsor Flood Relief Fund, the Mayor of Maidenhead Flood Relief Fund and the Flood Damage Fund.	27 <sup>th</sup> Mar 1995 – Trust Deed	The Mayor; Head of Law and Governance; and Head of Finance	Councillor Lion (as Mayor)	Cllr Lion confirmed he had no concerns regarding the trust.	Rob Stubbs / Elaine Browne	No issues raised	Annual Return for 31 Mar 2017 submitted 08 Sept 2017 - The Mayor signed off on the 2017/18 accounts on 22 August 2018 but the Charity Commission has not published the Annual Return as yet.	Funds held in bank account	£0	£0
<b>Charters School Community Recreation Centre Trust No - 291387</b>	OBJECTS – To provide and to promote the use of recreational and leisure facilities at Charters School, Sunningdale in the interests of social welfare for the benefit of, and with the object of improving the conditions of life of the residents of the civil parishes of Sunningdale and Sunninghill. Such facilities to be available to members of the public at large.	11 <sup>th</sup> February 1985 – Declaration of Trust as amended by deed of variation dated 10 <sup>th</sup> October 2001	7 In total – 3 from RBWM, 2 Independent and 2 from Charters School. RBWM's and School's Nominated by respective organisations, Independent's by other trustees.	Councillors Yong, Bateson & Dr L Evans - due for re-appointment Oct 2018	Cllr Bateson confirmed she had no concerns regarding this trust. Cllr Yong confirmed she had no concerns regarding this trust - she added the Trust is waiting for planning permission for the new leisure centre. The consultation has been completed. Cllr Dr L. Evans confirmed she had no concerns regarding this trust.	David Scott	The CSCRT day to day operation of the community facility is provided by Legacy Leisure as part of the borough-wide contract to operate RBWM leisure facilities. The centre is well	Annual Return for 31 Mar 2017 submitted 06 Sept 2017	CSCRCT has one asset which is a lease on the land occupied by the jointly used Charters Leisure Centre at Charters School. It has no bank account so has no income or expenditure	£0	£0

Name	Summary of role /obligations / objectives	Key Documents	Trustees – Appointments and arrangements for re-appointment	Note on the Current Status of Appointees	Issues raised by Trustees appointed by RBWM	Lead Officers from RBWM for dealing with the Trust	Response from officer	Date of last Annual Return on Charity Commission website	Assets	Payments out 17/18	Payments out 16/17
<b>Category 3</b>											
<b>Those Charitable Trusts which RBWM is involved with, but does not provide lead or admin support for the Trust</b>											
<b>The Prince Philip Trust Fund No 272927</b>	OBJECTS: - The provision, in the interests of social welfare, of facilities for the recreation and leisure time occupation of the inhabitants of the Royal Borough of Windsor and Maidenhead (the area of benefit) with the object of improving their conditions of life. - The advancement of the education of young people in the area of benefit, in particular, but not exclusively, in the field of voluntary service. - The advancement of public education in the arts, literature and science in the area of benefit. - To or for such other charitable purposes, in the area of benefit, as the Trustees shall decide.	Trust dated 18 December 1976; Amended by Deeds of Variation dated 22 October 1979, 24 April 1990, 29 November 2004 and 23 November 2009	12 Trustees	Councillor Lion (as Mayor)	Cllr Lion confirmed he had no concerns regarding the trust.	Andrew Scott	No issues raised	Annual Return for 30 April 2017 submitted 26 Jan 2018	Mr Aitken confirmed the Trust usually gave out £80k per year, year on year. The figure rarely changed.	Mr Aitken confirmed the Trust usually gave out £80k per year, year on year. The figure rarely changed.	Mr Aitken confirmed the Trust usually gave out £80k per year, year on year. The figure rarely changed.
<b>Charles Davis Trust No - 202893</b>	OBJECTS - Relieving either generally or individually persons resident in the area of benefit who are in conditions of need, hardship or distress by making grants of money or providing or paying for items, services or facilities calculated to reduce the need, hardship or distress of such persons.	Schedule and Scheme originating 26 <sup>th</sup> April 1881. Varied by Schemes dated 25th September 1896, 26th September 1933, 17th November 1959, 18th December 1964, 28th April 1971	Two Ex-officio, (the Mayor of RBWM, and the Vicar of Borough Church of St. Andrew and St. Mary Magdalene), Four Nominated and Three Co-opted.	Mrs Kemp - due for re-appointment June 2022 June 2022 dependent on local election results; Councillors Love, Lion & Walters - due for reappointment June 2020	Cllr Walters and Cllr Lion confirmed they had no concerns regarding this trust. Cllr Love attended a meeting the week commencing 24 September 2018 and confirmed he was happy with the trusts Christmas food voucher project and the way the trust was being run.	David Cook	No issues raised	Annual Return for 31 Mar 2018 submitted 15 Sept 2018.	Awaiting submission on Charities Commission Website	£7,562	£7,593
<b>The Spence Merry and Rixman Foundation No - 309040</b>	OBJECTS - To assist beneficiaries to study music or other arts. The award of scholarships, bursaries and maintenance allowances tenable at approved places of further education and also travelling scholarships or maintenance allowances for study abroad. Provision of instruments books etc., to enable persons to enter a trade or profession. Provision of recreation, social training or athletic facilities. Beneficiaries to be under the age of 25 years.	Scheme of Charity Commissioners 10 <sup>th</sup> September 1895.	One Ex-officio (the Mayor of RBWM) Five Representative Trustees (RBWM) and Five Co-opted Trustees.	Must be 5 plus the Mayor: Councillors Coppinger, Love, Diment, Clark due for re-appointment June 2019 and Lion (as Mayor). Mrs Kemp – due for re-appointment June 2019.	Cllr Coppinger confirmed he had no issues with this trust. Cllr Clark confirmed he had no concerns regarding the management or performance of the Trust. Cllr Love stated the Trust spent £76,000 refurbishing a science lab, building an extension of the library and also to contribute towards a new business project which included 60 laptops and two charging trolleys to house them at Newlands Girls' School, he was very happy with the trust. Cllr Diment confirmed she was very happy with the trust and the work the trust carried out.	David Cook	No issues raised	Annual Return for 31 Dec 2016 submitted 16 October 2017	Awaiting submission on Charities Commission Website	Awaiting submission on the Charity Commission website	Awaiting submission on Charities Commission Website

Name	Summary of role /obligations / objectives	Key Documents	Trustees – Appointments and arrangements for re-appointment	Note on the Current Status of Appointees	Issues raised by Trustees appointed by RBWM	Lead Officers from RBWM for dealing with the Trust	Response from officer	Date of last Annual Return on Chariry Commission website	Assets	Payments out 17/18	Payments out 16/17
<b>Poole's and Ring's Charity No - 202895</b>	OBJECTS - a relief of poverty charity assisting persons living within the Old Borough of Maidenhead	Charity Commission scheme dated 30 <sup>th</sup> December 1958. Group of Charities 202895 – 1, 2 and 3 registered 27th 1962	One Ex-officio (the Mayor of RBWM) 9 in number including 4 nominated by RBWM	Must be 4 plus the Mayor: Councillors Coppinger, Love, Clark - due for re-appointment June 2019 and Lion (as Mayor). Mrs Kemp – due for re-appointment June 2019	Cllr Lion, Coppinger, Love and Clark confirmed they had no concerns regarding the trust.	David Cook	No issues raised	Annual Return for 31 Dec 2016 submitted 16 Oct 2017	Awaiting submission on Charities Commission Website	Awaiting submission on the Charity Commission website	Awaiting submission on Charities Commission Website
<b>Berkshire Maestros (formerly known as Berkshire Young Musicians Trust (BYMT) No - 284555</b>	OBJECTS – To advance the education in music of, and to provide music centres for persons of all ages (but with a preference for young children under the age of 25) residing principally (although not necessarily) in the Royal County of Berkshire.	Registered 11 <sup>th</sup> November 1982	Various Trustees including 1 nominated by RBWM	RBWM appointee – Councillor Clark - appointed until he resigns.	Cllr Clark confirmed he had no concerns regarding the management or performance of the Trust.	David Cook	No issues raised	Annual Return for 31 Aug 2017 submitted 5 July 2018 (6 days late).	Awaiting submission on Charities Commission Website	Awaiting submission on the Charity Commission website	£4,900,000
<b>New Windsor Municipal Charities No - 201913</b>	OBJECTS - A group of charities which included: - Municipal Almshouse (Almshouses for the poor persons who have resided in the Royal Borough of New Windsor for not less than 3 years prior to appointment), - The Non Educational Charity of John, Archbishop Laud and Theodore Randue, Heaver (1. Marriage portions for poor maidens who are members of the Church of England 2. Grants for books or tools for young men who are members of the Church of England who are or have been under apprenticeship 3. Income not required for above purposes for relief of persons in need, hardship or distress), - Thomas Adlem (Benefit of deserving and necessitous persons during sickness or infirmity) - Phoebe Thomas (Benefit of deserving and necessitous widows of not less than 50 years who are members of the Church of England - George Robert Ing (Purchasing clothing for deserving poor persons of the area of benefit).	Registered 22 <sup>nd</sup> May 1962	10 Trustees including 4 nominated by RBWM	RBWM appointees – Councillors M. Airey, C Rayner and Shelim. Mr P Smith. – due for re-appointment June 2021 depending upon election results.	Cllrs M. Airey, C. Rayner and Shelim confirmed the trust was in order and they had no concerns regarding the trust.	David Cook	No issues raised	Annual Return for 31 Mar 2017 submitted 17 Oct 2017	Awaiting submission on Charities Commission Website	Awaiting submission on the Charity Commission website	£96,047

Name	Summary of role /obligations / objectives	Key Documents	Trustees – Appointments and arrangements for re-	Note on the Current Status of Appointees	Issues raised by Trustees appointed by RBWM	Lead Officers from RBWM for dealing with the Trust	Response from officer	Date of last Annual Return on Charity Commission website		Payments out 17/18	Payments out 16/17
<b>Lady Pocock's Charity No – 204222</b>	OBJECTS - Group of Charities includes Dame Ann Pocock for Girls Sunday School at Maidenhead, John Innes Pocock for Girls Sunday School at Maidenhead, Dame Ann Pocock For Poor, Dame Ann Pocock for Coal (1. £50 to be distributed amongst the aged and infirm poor of the town of Maidenhead. 2. £30 to the aged and infirm of the parish of Cookham as does not lie within the limits of the Borough of Maidenhead. 3. £50 per year in sums of £5 each to be distributed amongst single women servants of not less than 25 years of age, who have lived in one service for not less than seven years in the town of Maidenhead or its vicinity. 4. Residue of the yearly income to be used for the benefit of the poor of maidenhead (for details see clause 19 of scheme dated 22/12/1890)	Registered 24 <sup>th</sup> April 1962	5 in number including 1 nominated by RBWM	RBWM appointee - Councillor Lion - due for re-appointment June 2019	Cllr Lion confirmed he had no concerns regarding the trust.	David Cook	No issues raised	Annual Return for 31 March 2017 Not required. Annual Update for 31 March 2017 received 02 Dec 2017	Awaiting submission on Charities Commission Website	Awaiting submission on the Charity Commission website	£1,100
<b>Sunninghill Parochial Charities No – 203452</b>	OBJECTS – Provision and maintenance of Almshouses for poor persons of good character resident in Parish of Sunninghill	Registered 20 <sup>th</sup> October 1966	8 Trustees including 1 nominated by RBWM	RBWM appointee – Councillor Bateson – due for re-appointment June 2020.	Cllr Bateson confirmed she had no concerns regarding the trust	David Cook	No issues raised	Annual Return for 31 Dec 2017 submitted 03 Sept 2018	Property, unit trusts and deposit accounts.	Awaiting submission on the Charity Commission	£25,534
<b>Cox Green Community Centre No - 277252 72</b>	OBJECTS – For the benefit of inhabitants of Cox Green in the County of Berkshire and its immediate neighbourhood without distinction of sex or political, religious or other opinions by associating the local authorities, voluntary organisations and inhabitants in a common effort to advance education and religion and to provide facilities for recreation and leisure time occupation with the object of improving the conditions of life for the said inhabitants.	Trust Deed Dated 15 <sup>th</sup> December 1978. Registered 27th February 1979	6 in number including 2 nominated by RBWM	RBWM appointees – Mr B Adams and Mrs V Howes – appointed until they resign.	Mr Adams stated: Now that the new school building for Cox Green Academy has finished it has released the original car parking spaces back to the school which has helped to release some of the car park spaces at the Centre. This has certainly helped – but would still like to see more car parking spaces to be available. In June 2017, the Centre celebrated its fortieth anniversary with a reception for its loyal users and the many people who have contributed to its success over the years. Over forty groups, including first time users, again offered a wide range of activities: some energetic, some creative, some mentally challenging, and some just thoroughly enjoyable. We are particularly grateful to our users for enduring the access and parking difficulties during the building work at Cox Green Academy. Because of this, and also recognising the financial demands that continue to challenge many members of our community, the Centre held its charges steady for a further year, but, thanks to increased usage, still managed to grow its facilities hire income by nearly 4%. The Centre's Pre-School continued to run at full capacity, and, in line with the Department for Education strategy, increased its early years provision to 30 hours a week for working families. The uptake has been encouraging, reflecting a clear community need, which the Centre has been happy to provide, and which, along with an improvement in age mix, has returned the activity to a near break-even position. Expenditure on major repairs and capital items was significantly lower than last year, but we were grateful to receive contributions from the Royal Borough and the Parish Council towards the costs of new room dividers and replacement outside doors. The Centre used its own funds to redecorate the Conference Room. Other expenses were well controlled and the increase in the salaries bill, notwithstanding increased hours, was held to 2.6%. Overall, increased income and reduced costs allowed the Centre to increase its reserves by £14,000, ensuring that it is securely funded for the coming years, when the demands of an ageing building and for increased car parking will almost certainly have to be addressed. The Centre is in good shape and the Trustees and Management Committee look forward to sharing the next forty years with the staff, volunteers, user groups and members of the local community who give us such wonderful support. Mrs Howes confirmed she had no concerns regarding the trust.	David Scott	No issues raised	Annual Return for 31 Mar 2018 submitted 13 Sept 2018	Property, plant & equipment, bonds and a long term investment fund	£159,297	£161,400



Name	Summary of role /obligations / objectives	Key Documents	Trustees – Appointments and arrangements for re-appointment	Note on the Current Status of Appointees	Issues raised by Trustees appointed by RBWM	Lead Officers from RBWM for dealing with the Trust	Response from officer	Date of last Annual Return on Charity Commission website	Assets	Payments out 17/18	Payments out 16/17
73	<b>Clewer Non-Ecclesiastical Charity No - 203562</b> OBJECTS – The relief of persons resident in the area of benefit (Ancient Parish of Clewer) who are in need, hardship or distress.	Registered – 7 <sup>th</sup> December 1981	6 in number including 2 nominated by RBWM	RBWM Appointees – Councillors Bhatti and E. Wilson – due for reappointment June 2019	Cllr Bhatti confirmed he had no concerns regarding the management or performance of the trust. Cllr E. Wilson confirmed he had no concerns, the trust was well run; met regularly and kept records of their meetings and decisions.	David Cook	No issues raised	Annual Return for 31 Dec 2017 submitted 19 Mar 2018	Data based on 2017 full year accounts.  Two main sources of income - 1. Rents from Clewer Allotment - 2017 = £3548, 2016 = £2340, 2015 = £2317 NB - Heathrow CAA are paying £1000 a year for a Noise Monitor on the allotment.  2. Interest from COIF investments - 2017 = £233, 2016 = £226, 2015 = £224  Net Assets - 1. COIF Fund - valuations - 2017 = £6934, 2016 = £6405, 2015 = £5847 NB - These shares can never be sold.	Awaiting submission on the Charity Commission website	£1,365
<b>Porny's Charity No - 309539</b>	OBJECTS – The Trustees may apply not more than £40 out of the yearly income of the charity or such other amount as the commissioners approve from time to time in promoting religious instruction in accordance with the doctrines of the church of England for the benefit of the children who are resident in the areas of the ancient parish of Eton and of Sunday schools or in such other ways as the Trustees think fit.	Scheme Sealed 17 <sup>th</sup> January 1978, Registered 5 <sup>th</sup> November 1962.	6 in number including 1 nominated by RBWM	RBWM appointee – Councillor S Rayner – due for re-appointment June 2019.	Cllr S. Rayner reported she had received no contact from the Trust as yet.	David Cook	Officers have contacted the organisation on numerous occasions and have been informed that the charity is still in operation, that they wish to have Cllr representation and that they would contact Cllr S Rayner. Further contact with them	Annual Return for 31 Dec 2017 Not required. Annual Update for 31 Dec 2017 received on 2 June 2018.	Awaiting submission on Charities Commission Website	Awaiting submission on the Charity Commission website	£0

<b>Windsor and Maidenhead Youth Counselling Service</b> <b>No - 272036</b>	<p>OBJECTS - The advancement of Education, the furtherance of health and the relief of poverty, distress and sickness of youth in the community in the community in Windsor &amp; Maidenhead and the surrounding area by establishing, maintaining and developing a Youth Counselling Service for the giving of individual or group counselling and practical advice.</p>	<p>Constitution adopted 1st September 1976, amended 22nd November 1977 and 12th June 1980. Registered 8th September 1976  Constitution amended July 2012 to address the merger with Windsor Youth Talk.</p>	<p>6 trustees including 1 nominated by RBWM</p>	<p>RBWM appointee - Councillor Ilyas - due for re-appointment June 2019</p>	<p>Cllr Ilyas confirmed he was happy with their vital community service provided in the Borough. He attends their regular meetings which feedback on their work which includes working within RBWM Schools.</p>	<p>David Cook</p>	<p>No issues raised</p>	<p>Annual Return for 31 Mar 2017 submitted 30 Nov 2017</p>	<p>Funds held in current accounts, deposit account &amp; NSB investment account.</p>	<p>Awaiting submission on the Charity Commission website</p>	<p>£130,874</p>
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Name	Summary of role /obligations / objectives	Key Documents	Trustees – Appointments and arrangements for re-	Note on the Current Status of Appointees	Issues raised by Trustees appointed by RBWM	Lead Officers from RBWM for dealing with the Trust	Response from officer	Date of last Annual Return on Charity Commission website	Assets	Payments out 17/18	Payments out 16/17
<b>Category 4 - Non-Charitable Trusts</b>											
Trusts which RBWM has an involvement but not registered Charities and therefore no Annual Return required for Charity Commission											
<b>Graves in Perpetuity Trust</b>	OBJECTS - to perpetually maintain graves for those graves for which a subscription was paid.	23rd October 1991- Letter from Legal to Charity Com about closing all 3 of these 'Trusts'. Re this 'Trust', as the Council now maintained the graveyards in question, this fund no longer had a purpose. No reply from Charity Commission on file.	Was called a Fund not Trust in 1991		N/A - dormant	Steve Anderson	N/A		N/A	N/A	N/A
<b>Thames Valley Athletics Centre Trust</b>	Tripartite agreement between RBWM, Slough BC and Eton College for the development and operation of the TVAC. The centre was funded through a large Big Lottery Grant to re-develop the former Eton College track and site.	Declaration of Trust 6 <sup>th</sup> June 1997, Lease for TVAC executed 22nd December 1997	3 Trustees 1 from RBWM, 1 from SBC and 1 from Eton College.	RBWM Trustee to be appointed (October 2018) .		David Scott	No issues raised		The main asset of the trust is the 40 year lease of the TVAC facilities. A lease from Eton College of the site and facilities that form TVAC. Their Trust operates a sinking fund repairs and renewals fund which covers those liabilities that are outside the Datchet and Eton Leisure contract responsibilities.	£63,000	£57,500

**KIDWELLS PARK TRUST**  
Charity Registration No. 300178

**ANNUAL REPORT**

**2017/18**

1. **INTRODUCTION**

The production of the annual report of the Kidwells Park Trust is a legal requirement of the Charities Act. The Kidwells Park Trust consists of Cabinet members of the Royal Borough of Windsor and Maidenhead acting as Trustees. The principal address of the charity is: - Town Hall, St Ives Road, Maidenhead, SL6 1RF.

The scheme of 21<sup>st</sup> July 1971 regulates the purposes and administration of this charity.

2. **AIMS AND OBJECTIVES**

The Terms of the Trust permit the Council to assist in providing facilities for recreation and other leisure time occupations in the interests of social welfare for the benefit of the inhabitants of the Royal Borough of Windsor and Maidenhead.

Grants from the Trust should be aimed at increasing cultural activity and targeting facilities or events that would not normally be provided without such assistance and excluding those items that would otherwise qualify for assistance under the Council's normal Revenue Grants Scheme. Wherever possible the Grants Panel aims to keep grants awarded in line with annual investment income.

Applications to the Trust for financial assistance towards events/items of equipment can be made on the basis of estimated figures, but actual evidence of expenditure incurred/to be incurred will be required for any monies to be released.

If the application relates to a one-off concert/performance, etc., for which income is to be received, details of all expected income are to be included within the application.

Any event or piece of equipment for which a grant was approved must be held or used within the Royal Borough and must be primarily for the benefit of its residents.

3. **RISKS**

There are no risks to which this charity is exposed.

#### 4. FINANCE

The Kidwells Park Trust grants to be awarded for 2016/17 were discussed at quarterly grant panel meetings of the Royal Borough of Windsor and Maidenhead during the financial year.

After consideration of the applications, Cabinet resolved the following:-

That, subject to:

- (i) All the organisations concerned providing suitable acknowledgement for the grant assistance in all publicity material produced.
- (ii) Organisations ensuring that there was adequate insurance cover for items purchased with grant assistance.
- (iii) Organisations continuing to look for other forms of sponsorship for special events.

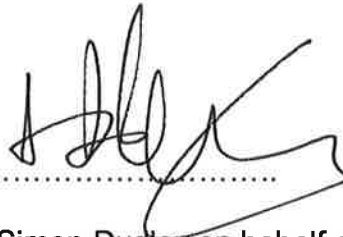
The following grants be awarded:-

<b>Organisation</b>	<b>Description</b>	<b>Awarded</b>
		<b>£</b>
Maidenhead Festival	To fund one of the attractions at the Maidenhead Festival	1,500
Norden Farm	To go towards their Jump In! event	2,000
Maidenhead Music Society	To engage more well-known artists for and for a broader advertising strategy.	400
Windsor Fringe	To promote the ever-expanding "Exhibition and Artists Open House".	250
Windsor & Maidenhead Symphony Orchestra	To cover the cost of hire of Eton College School Hall	1,850
	<b>Total Grants Awarded 2017/18</b>	<b>6,000</b>

#### 5. CONCLUSION

Applications to the Trust continue to exceed funds available for distribution, but as several did not meet the aims and objectives of the Trust, the total of grants awarded was within the amount available.

The Trust continues to assist in providing facilities for recreation and other leisure time occupations in the interests of social welfare for the benefit of the inhabitants of the Royal Borough of Windsor and Maidenhead.

Signed:  .....

Date: 6th September 2018

Councillor Simon Dudley on behalf of the Trustees

**Kidwells Park Trust**  
**Notes to the Accounts**  
**31 March 2018**

**1. Accounting Policies**

**1.1 Basis of Preparation**

- (a) These accounts have been prepared on an accruals basis and include income and expenditure as they are earned or incurred, rather than as cash is received or paid.
- (b) The accounts are prepared in accordance with the SORP for Charity Accounting published in January 2015.

**1.2 Fixed Assets**

There are three areas of land belonging to the Trust. The Council offices at Marlow Road, Maidenhead and land at Albert Street, Maidenhead are valued at £1 each as they both have long leases.

Kidwells Park itself is considered to be a community asset and is also valued at £1.

**2. Grants awarded in 2017/18**

<b>Organisation</b>	<b>£</b>
Maidenhead Festival	1,500
Maidenhead Music Society	400
Norden Farm	2,000
Windsor Fringe	250
Winsor & Maidenhead Symphony Orchestra	1,850
<b>Total</b>	<b>6,000</b>

- 3. Gain on Investment** - This represents a change in the market value of the fund, which is invested with an external provider. The fund is diversified across a range of asset classes which are primarily chosen for their ability to provide a sustainable level of income. The RBWM Treasury team will continue to monitor the performance of the fund.

#### 4. Resources expended – Grants

<b>Organisation</b>	<b>£</b>
Maidenhead Festival	1,500
Maidenhead Music Society	400
Norden Farm	2,000
Windsor & Maidenhead Symphony Orchestra	1,850
Windsor Festival Society	2,000
Windsor Fringe	2,250
<b>Total</b>	<b>10,000</b>

Sums accrued:-

<b>Organisation</b>	<b>£</b>
Grants Accrued from previous years	33,363
<b>Total</b>	<b>33,363</b>

#### 5. List of Trustees

RBWM Cabinet members on behalf of Council



**Kidwells Park Trust**  
**Statement of Financial Activities**  
**31 March 2018**

	Notes	Designated Fund £	2017/18 Total £	2016/17 Total £
<b>Income</b>				
Interest (Gross)		16,233	16,233	15,144
<b>Total Income</b>		<b>16,233</b>	<b>16,233</b>	<b>15,144</b>
<b>Expenditure</b>				
Grants Awarded	2	6,000	6,000	14,000
Building Maintenance				400
<b>Total Expenditure</b>		<b>6,000</b>	<b>6,000</b>	<b>14,400</b>
<b>Net Income/(expenditure) and net movement in funds before gains &amp; losses on investments</b>		10,233	10,233	745
<b>Net gains/(losses) on investments</b>	3	5,695	5,695	27,281
<b>Net Movement in Funds</b>		<b>15,928</b>	<b>15,928</b>	<b>28,026</b>
Funds Brought Forward at 31 March 2017		394,989	394,989	366,963
<b>Fund Balances carried forward as at 31 March 2018</b>		<b>410,917</b>	<b>410,917</b>	<b>394,989</b>
<b>Balance Sheet 31 March 2018</b>				
		Designated Funds £	2017/18 Total £	2016/17 Total £
<b>Non Current Assets</b>				
Investments		444,280	444,280	432,353
<b>Current Assets</b>				
		0	0	0
<b>Current Liabilities</b>				
Creditors and Accruals	4	33,363	33,363	37,364
<b>Net Current Assets</b>		<b>(33,363)</b>	<b>(33,363)</b>	<b>(37,364)</b>
<b>Net Assets</b>		<b>410,917</b>	<b>410,917</b>	<b>394,989</b>
Financed by:				
<b>Fund Balances</b>				
Designated Funds		410,917	410,917	394,989
		<b>410,917</b>	<b>410,917</b>	<b>394,989</b>

**Working Boys Club  
Statement of Financial Activities  
31 March 2018**

	Notes	Expendable Endowment Fund £	2017/18 Total £	2016/17 Total £
<b>Income</b>				
Interest (Gross)		21,698	21,698	21,856
<b>Total Income</b>		<b>21,698</b>	<b>21,698</b>	<b>21,856</b>
<b>Expenditure</b>				
Donations Made		21,698	21,698	21,856
<b>Total Expenditure</b>		<b>21,698</b>	<b>21,698</b>	<b>21,856</b>
<b>Net Income/(expenditure) and net movement in funds before gains &amp; losses on investments</b>		0	0	#REF!
<b>Net gains/(losses) on investments</b>	2	(2,191)	(2,191)	60,889
<b>Net Movement in Funds</b>		<b>(2,191)</b>	<b>(2,191)</b>	<b>#REF!</b>
Funds Brought Forward at 31 March 2017		#REF!	#REF!	631,333
<b>Fund Balances carried forward as at 31 March 2018</b>		<b>#REF!</b>	<b>#REF!</b>	<b>#REF!</b>
<b>Balance Sheet 31 March 2018</b>				
		Expendable Endowment Fund £	2017/18 Total £	2016/17 Total £
<b>Non Current Assets</b>				
Investments	2	690,031	690,031	692,222
<b>Current Assets</b>				
		0	0	0
<b>Current Liabilities</b>				
		0	0	0
<b>Net Current Assets</b>				
		0	0	0
<b>Net Assets</b>		<b>690,031</b>	<b>690,031</b>	<b>692,222</b>
Financed by:				
<b>Fund Balances</b>				
Expendable Endowment		690,031	690,031	692,222
		<b>690,031</b>	<b>690,031</b>	<b>692,222</b>

## FORWARD PLAN

ITEM	Private Meeting - contains exempt/confidential information? See categories below.	Short Description	Key Decision, Council or other?	REPORTING MEMBER (to whom representations should be made)	REPORTING OFFICER / DIRECTOR (to whom representations should be made)	Consultation (please specify consultees, dates (to and from) and form of consultation), including other meetings	Date of Overview and Scrutiny Panel	Date and name of meeting	Date of Council decision (if required)
83 Appropriation of Land	Open - 3	The appropriation of land for planning purposes under section 122 of the Local Government Act 1972, the development of land held for planning purposes under section 235 of the Town and Country Planning Act 1990 (TCPA 1990) and the disposal of land held for planning purposes under section 233 of the TCPA 1990.	No	Lead Member for Economic Development, Property, Communications and Deputy Finance (Councillor Jack Rankin)	Russell O'Keefe	Internal process and external consultation with RBWM Property Company Ltd	Corporate Services Overview and Scrutiny Panel 20 Nov 2018	Cabinet 22 Nov 2018	
Financial Update	Open -	Latest financial update	No	Lead Member for Finance (Councillor MJ Saunders)	Rob Stubbs	Internal Process	Corporate Services Overview and Scrutiny Panel 20 Nov 2018	Cabinet 22 Nov 2018	

<b>ITEM</b>	<b>Private Meeting - contains exempt/confidential information? See categories below</b>	<b>Short Description</b>	<b>Key Decision, Council or other?</b>	<b>REPORTING MEMBER (to whom representations should be made)</b>	<b>REPORTING OFFICER / DIRECTOR (to whom representations should be made)</b>	<b>Consultation (please specify consultees, dates (to and from) and form of consultation), including other meetings.</b>	<b>Date of Overview and Scrutiny Panel</b>	<b>Date and name of meeting</b>	<b>Date of Council decision (if required)</b>
Council Performance Management	Open -	Summary of the council's progress towards meeting its strategic priorities and objectives.	No	Chairman of Cabinet (Councillor Simon Dudley)	Hilary Hall	Internal Process	Corporate Services Overview and Scrutiny Panel 20 Nov 2018	Cabinet 22 Nov 2018	
Financial Update	Open -	Latest financial update	No	Lead Member for Finance (Councillor MJ Saunders)	Rob Stubbs	Internal Process	Corporate Services Overview and Scrutiny Panel TBC	Cabinet 13 Dec 2018	
Financial Update	Open -	Latest financial update.	No	Lead Member for Finance (Councillor MJ Saunders)	Rob Stubbs	Internal Process	Corporate Services Overview and Scrutiny Panel TBC	Cabinet 31 Jan 2019	

ITEM	Private Meeting - contains exempt/confidential information? See categories below	Short Description	Key Decision, Council or other?	REPORTING MEMBER (to whom representations should be made)	REPORTING OFFICER / DIRECTOR (to whom representations should be made)	Consultation (please specify consultees, dates (to and from) and form of consultation), including other meetings.	Date of Overview and Scrutiny Panel	Date and name of meeting	Date of Council decision (if required)
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**Proposed Agenda Items to be Scheduled:**

- Update on proposed operating structure and senior management structure.

**DESCRIPTIONS OF EXEMPT INFORMATION: ENGLAND**

1	Information relating to any individual.
2	Information which is likely to reveal the identity of an individual.
3	Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4	Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6	Information which reveals that the authority proposes  (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or  (b) to make an order or direction under any enactment.
7	Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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