

CORPORATE OVERVIEW AND SCRUTINY PANEL

Monday 29 January 2024

Present: Councillors Chris Moriarty (Chair), Mark Howard (Vice-Chair), David Buckley, Maureen Hunt, Helen Price, Gary Reeves, Julian Sharpe, Julian Tisi and Mark Wilson

Officers: Mark Beeley, Andrew Durrant and Kevin McDaniel

Officers in attendance virtually: Elizabeth Griffiths and Rebecca Hatch

Apologies for Absence

There were no apologies for absence received.

Declarations of Interest

There were no declarations of interest received.

Minutes

AGREED UNANIMOUSLY: That the minutes from the meeting held on 19th December 2023 were agreed as a true and accurate record.

Mark Beeley, Principal Democratic Services Officer – Overview and Scrutiny, confirmed that the latest actions table had been circulated to the Panel before the meeting, this included completed actions from the November and December meetings.

Quarterly Assurance Report

Rebecca Hatch, Assistant Director of Strategy and Communications, said that this was the second edition of the Quarterly Assurance Report in its current format following the first report being considered in November. The key message was that despite the financial challenges, overall performance across a number of indicators was very strong. Areas like adult social care, which was now relying on about a third of its workforce using agency staff, was also an area under significant challenge, both in terms of finances and risk. Considering adult social care on a national scale, the council had the best service in the country for quality of life, second best nationally for the number of people with disabilities in paid employment, third best nationally for residents feeling safe and fourth best nationally for satisfaction with the care and support provided. Rebecca Hatch confirmed that this would be the last time the Panel would be reviewing this exact set of metrics due to the development of the Council Plan, a new set of deliverables and performance metrics would link to the new priorities in this plan. The Corporate Overview and Scrutiny Panel would have the opportunity to review the Council Plan before Cabinet in March.

Councillor Hunt noted that the government had increased funding for local councils, specifically by £500 million for adult social care, she wondered whether any of this funding would be received by RBWM.

Elizabeth Griffiths, Executive Director of Resources, said that there had been a recent government announcement but the council were waiting to hear how much of that would be received. She was expecting around £1 million but considering the overspend in the current year on adult services this would only cover a fraction of the additional cost.

Kevin McDaniel, Executive Director of Adult Social Care, Health and Communities, clarified that the £4.5 billion was the estimated increase in funding for local authorities, the share for RBWM was already built into the draft budget.

Councillor Reeves agreed that the additional funding for adult social care was not enough. It was great to hear the excellent ratings for adult social care and how the service was performing nationally. 70% of staff in the service area were permanent, he asked if this would have an impact on maintaining quality. Councillor Reeves asked when the new performance metrics would come in and if there would be an overlap with the current indicators in the Quarterly Assurance Report. He suggested that it would still be useful to see performance compared with the preceding period so that the Panel could see progress.

Kevin McDaniel said the national performance reflected the hard work done by staff across the adult social care service area. The challenge was recruiting sufficient high quality permanent staff and it was important that RBWM was an attractive place to work. A decision had been taken to not recruit to some of the vacant posts which had created some additional funding which allowed an increase in pay for current social workers. This was now more competitive with other Berkshire authorities and should hopefully see an increase in the number of permanent staff.

The Chair asked if there would be any communications or press releases around the achievements seen by adult social care.

Kevin McDaniel confirmed that a press release had been circulated before Christmas.

Rebecca Hatch confirmed that around two thirds of the indicators would be maintained for the new Council Plan. The Quarterly Assurance Report was only a small set of the total number of indicators which the council monitored regularly, so other metrics could be included with preceding data as it had already been collected. However, there could be some new metrics with no previous data so an alternative could be to compare with similar metrics which the council did collect data on.

Councillor Reeves suggested that national statistics could be used to benchmark the council to see how it compared to other similar authorities.

Councillor Price raised a number of points:

- The colours to show performance and arrows to show the direction of travel were useful and the report was well presented.
- At the last meeting, she raised an idea of setting up a fund to raise deposits for people who were unable to afford a deposit on their own and wondered whether this would be followed up.
- There was a group of people who were not eligible for temporary accommodation but were still homeless, it would be useful to understand the numbers in this cohort.
- On the table showing risks per directorate, Councillor Price asked if there was a comparison with the previous period and if a total could be included for each directorate.

- There was some narrative on Freedom of Information and the response times but Councillor Price noted that there was a national set period, it would be useful for this to be included for transparency.
- In the adult social care directorate scorecard, a number of metrics had question marks on whether the performance was improving.
- In the place directorate scorecard, there was a metric around the response to 24 hour and 2 hour orders. Councillor Price asked if the metric could consider the response to potholes specifically, as this was a key concern for residents.

Andrew Durrant, Executive Director of Place, confirmed that the council did have a rent deposit scheme and there had been over 40 loans issued in the last couple of years. There was provision for rent deposits but he would take the question away to understand the current situation including if there were any current active loans.

ACTION – Andrew Durrant to provide further information on the rent deposit scheme, including the number of current loans issued through the scheme.

On temporary accommodation, Andrew Durrant explained that the report did highlight the number of people that were currently homeless. However, there were unknown people who could be staying with friends or family, for example, and it was a difficult metric to measure.

Councillor Price considered how many people applied to go on the priority housing list but were told they were illegible.

Andrew Durrant confirmed that further discussions had taken place to consider how to best capture data. The Highways team had seen a number of issues with potholes over the past twelve months but the team were monitoring the number and also the potholes which were filled with the temporary solution against the permanent solution. It could be something for the Place Overview and Scrutiny Panel to consider.

The Chair added that the experience of residents needed to be considered in context of the performance of the council.

Rebecca Hatch confirmed that the team could look at adding arrow indicators to the risk table showing where risks had increased, decreased and which had been removed or added. Freedom of Information requests had to be responded to within 20 working days and this was also the measure used by the council. The question marks were due to there not being a target, these were metrics that were still monitored by the council. Rebecca Hatch added that the point Councillor Price raised was often referred to as 'hidden homelessness' and it would be very difficult to monitor this number.

The Chair suggested that he could discuss homelessness figures and performance when he met with the Chairs of the other two Overview and Scrutiny Panels.

Councillor J Tisi queried the timing of the data as the report covered the period from July to September 2023. He understood that there was a timing issue but wondered if the gap could be reduced. It was positive to see more resident focused metrics and targets. Councillor Tisi noted the amount of funding going into adult social care and considered if this significant amount of funding meant the council were able to offer a high level of service. He noted that all of the strategic risks had been listed as static, Councillor Tisi was surprised as he would have assumed that financial risk would have worsened. On homelessness, there had been a significant amount of homeless people using Victoria Street car park in Windsor and asked whether there was anything more the council could do.

Rebecca Hatch said that it was a challenge to ensure the data was as up to date as possible. The Office for Local Government (Oflog) data had initially been included but this was taken out as it was a number of years out of date. It was possible to get more recent data for some, but not all, of the indicators and a decision had been made to have the same time period across all indicators.

Kevin McDaniel explained that the statutory duty was to ensure that residents were provided with care if they were unable to pay for it themselves, this was around 1500 people. Care was not delivered directly and needed to be brought through the care market. The vast majority of spend went on the cost of this care, particularly when the living wage was increasing which meant that care providers demanded a higher cost to pay their staff. The council had a commitment to only use good or outstanding care providers which helped ensure the quality of service experienced by residents was positive. Considering other adult social care providers, RBWM provided some of the cheapest adult social care in the country and this was why the level of funding allocated to adult social care could not be reduced further.

Councillor J Tisi summarised that for one of the lowest costing adult social care services it was one of the most high performing services nationally. It seemed like the cost increase was out of the control of the council.

Kevin McDaniel said that there were things the council were doing, for example negotiating with service providers.

Elizabeth Griffiths considered the question on strategic risks. The council was making progress and doing everything that it could do. At the time of the report being produced, a balanced draft budget had been finalised but looking at the current position there was a worsening forecast. Elizabeth Griffiths felt the risk assessment was suitable for the current situation.

The Chair considered whether there could be further narrative on risks, particularly with risks which were static and whether this was seen as good or where high risks were still classified as high and what needed to happen for these to receive a lower designation.

Rebecca Hatch agreed that it was a useful comment, she would explore this for future reports.

Andrew Durrant said it was concerning that some people were using Victoria Street car park. There was now better alignment in the service area. There were also issues in Hines Meadow car park in Maidenhead, officers had served community protection warning notices where necessary. Ideally people would be moved on to temporary accommodation but there were some who refused to engage.

Councillor Howard considered how a car park operator in the private sector would approach this situation and whether some of these approaches should be adopted.

Andrew Durrant gave the example of his previous local authority, Westminster, there were a significant number of private car parks and there could often be up to 300 people sleeping rough on an average night. The local authority supported all rough sleepers equally and gave support to all who needed it. Private car parks often had security measures like door fobs and vehicle entrance gates.

Councillor Howard said that there were a number of people leaving the council but it was not clear the level of knowledge and expertise which was being lost. He asked if there was a formal exit interview process.

Elizabeth Griffiths said that there were varying levels of vacancy rate depending on the service area. Some areas had higher skill sets and barriers to entry which were more difficult to replace. There was an anonymised exit interview process, this information was collated annually and presented as part of the annual workforce profile.

Andrew Durrant added that there were a wide variety of roles in his directorate which required specialist qualification but in some areas new people were not coming through. There was an officer in HR who was looking at recruitment and retention to help further with this.

Councillor Howard suggested that sometimes it was good for new people to join the organisation as people could be in the same role for too long, this would help bring variety and new learning to the table.

Rebecca Hatch said in the performance metrics you could have both too much and too little churn when it came to recruitment.

Elizabeth Griffiths felt that it gave managers an opportunity to restructure their teams and consider different ways of doing things rather than just recruiting to the same posts.

Councillor Reeves highlighted a strategic risk which was around failure to secure best value for contracted services. It was important that the council got best value from contracts particularly with the financial challenges. Some key mitigations were in progress around governance and capacity to deal with services. However, under the audits section there was a note around implementing a contract management framework with date of implementation being the end of 2023. No update had been received and Councillor Reeves requested that this was pursued ahead of the next Quarterly Assurance Report being considered. There was also training suggested for all contract managers and this was overdue since March 2023 as it could not be delivered by HR. Councillor Reeves felt that there was more work to be done around contract management and this could be brought as a separate item to be considered by the Corporate Overview and Scrutiny Panel.

Councillor Reeves continued by mentioning drugs and alcohol, with treatment going up but this was still below target. Voluntary turnover in public health was over 20% when the target was around 7% and Councillor Reeves considered what mitigations could be put in place. On domestic abuse, there had been an increase but only the number of children in households affected was highlighted. It would be useful to see statistics around adults who had been impacted or were victims of domestic abuse, particularly with the increase around coercive control and abuse. There was a contract in place with the Dash Charity and the People Overview and Scrutiny Panel Task and Finish Group had discussed more support at GPs to help victims report abuse and get support. The contract was in place for current provision and this could be explored to see if the contract could be amended to add further value.

Elizabeth Griffiths explained that at the point the report was produced there was no update to give on contract management. There had been vacancies in the procurement team for a while but there were additional posts included in the budget to bring the service up to capacity. HR had provided support to the Head of Procurement to help restructure the team. Once the team was back up to strength, the mitigations outlined in the report would be addressed.

Kevin McDaniel said that the public health team was relatively small and there was a lot of rotation through the team. There had been an increased focus on managing the specific contract around drugs and alcohol support. Work had been done in collaboration with local GPs to better understand the links and ensure that individuals were supported across a range of provisions. On domestic abuse, there was a 'think family' approach with domestic violence being a specific strand. More could be done for adults and Kevin McDaniel confirmed that he was happy to share this with the Executive Director of Children's Services and Education to see if there could be further information provided in this area for future reports.

ACTION – Kevin McDaniel to provide feedback on domestic abuse figures to the Executive Director of Children's Services and Education to investigate whether the number of adults affected by domestic abuse could be included in future Quarterly Assurance Reports.

Councillor Buckley moved on to consider planning application performance, he suggested that a measure on enforcement would be useful to see particularly as this was important to residents. He said that to monitor the overall headcount of the council's workforce would help to highlight what was needed to offer a higher quality of service. Councillor Buckley highlighted the leisure centre attendance which was well above target however he was concerned about risk around staffing levels and maintaining a high quality of service. An issue raised at a previous meeting had been around the high cost of living in the borough against the often low salaries which were offered. Councillor Buckley asked what action plan was in place to attract staff to the council and maintain them.

Andrew Durrant explained that there was a wide variety of measurements around planning enforcement, he would take it away and discuss with the team to see what could be provided. The leisure centre attendance figures were pleasing and Leisure Focus managed the spaces in accordance with health and safety requirements. Officers at the council met with Leisure Focus on a bi-weekly basis to look at usage and discuss any issues but there were no current concerns.

ACTION – Andrew Durrant to explore how planning enforcement measures could be included in the Quarterly Assurance Report.

Elizabeth Griffiths said that recruitment and retention was being looked at but things needed to be offered that did not involve higher salaries. Holiday provision had recently been increased to add a further benefit for staff working for the council. RBWM had less funding to spend due to a low council tax base and other methods had to be explored.

Councillor Wilson noted the number of Education Health and Care Plan (EHCP) assessments completed within twenty weeks which had reduced but was still above target. Schools were waiting for EHCP assessments to be completed before additional funding could be accessed. He asked why the number being processed in timescales had been reduced and also whether EHCP assessments could be completed as soon as possible and at least within twenty weeks.

Kevin McDaniel responded by saying that there had been work undertaken to increase provision in more schools which should give schools the support they needed. A performance of over 90% processed within twenty weeks was among the best in the country and therefore performance in this area was deemed to be very strong.

ACTION – Additional information around this question to be given by the Executive Director of Children's Services and Education.

Councillor Wilson highlighted that twenty weeks was half a year and this was a significant impact on families who did not have their application processed in the timescales.

Councillor Sharpe asked for one thing officers would change in each of their service areas which would make a difference to the experiences of residents.

Kevin McDaniel said that income did not match the cost of providing good quality services. It was important that residents were supported and that resources were prioritised where needed. For example, a pothole that could be avoided did not need to be fixed in 24 hours if the council could save money by fixing it within a couple of weeks instead.

Andrew Durrant felt that staff across the council were working hard to deliver high quality services across all areas. Having the ability to step back and consider innovation and service improvement would be useful but this was currently not possible in some aspects due to staff needing to ensure standard day to day operation.

Elizabeth Griffiths agreed that officers delivering services were exceptional. The draft budget had closed a £6 million budget gap and this had been done through ideas, suggestions and sacrifices from services. Income was not meeting the level of service which the council wanted

to deliver. Elizabeth Griffiths acknowledged the level of commitment and effort that staff put into their jobs.

Councillor Hunt noted that the RBWM Property Company Governance Action Plan was on the work programme to be considered by the Panel. She requested that there was a full breakdown of all of the projects which the Property Company were involved in delivering. Councillor Hunt asked how the council was doing on fraud and anti-corruption policies and whether there had been any cases reported.

Elizabeth Griffiths confirmed that the council were looking at anti-fraud provision and discussions were ongoing with a service provider to assist with this and ensure that policy gaps were identified and rectified. No cases had been reported that she was aware of.

Councillor Reeves understood that teams were doing all they could based on the limited resources at their disposal. On the percentage of council tax collected, this was a major revenue generator and he asked if this was on track to hit the year end performance.

Elizabeth Griffiths responded that council tax collection was effectively on target currently and this was planned to be on target for year end.

Rebecca Hatch added that it was not an easy chart to interpret.

Councillor Price commented that producing data cost time and money, the Panel should recognise that there needed to be a balance.

The Chair summarised some of the comments and areas raised by the Panel.

AGREED UNANIMOUSLY: That the Corporate Overview and Scrutiny Panel noted the report and:

- i) Undertook scrutiny of the Quarterly Assurance Report and considered potential implications for the Panel's forward work programme.**

2023/24 Month 8 Budget Monitoring Report

Elizabeth Griffiths introduced the report and explained that it covered the council's financial position for the month of November 2023. The financial position had deteriorated compared to previous months and there had been a shift in things the council could not control. There had been progress in reducing overspend and demand led services were finding ways to mitigate the increase in costs. The baseline budget was insufficient to deal with the demand currently being seen and it was projected that this increased demand would continue into the next financial year.

Councillor Price noted that reserves should be between 10% and 15% which seemed unachievable, she asked what the level of reserves would be going into the next financial year and how this compared to the level of reserves at the beginning of the year.

Elizabeth Griffiths explained that the council started the financial year with £10 million of reserves. The previous Executive Director of Resources felt that the minimum level should be £7.9 million and this was a subjective calculation. The council was often spending more than it was saving which meant that it was in a vulnerable position. Earmarked reserves had been used to fund spending in year where necessary to reduce overspend. Reserves were significantly depleted and these could be reduced by half going into the next financial year.

Councillor Price asked if the budget would be looked at again if there was no adequate funding in place to deliver some services. She asked if there was any news on how much

RBWM would receive from the government from the £500 million pot of funding which had been recently announced for local authorities.

Elizabeth Griffiths commented that the council was trying to find further ways to reduce spending. Now that the draft budget had been finalised, the work needed to take place to ensure that this budget was delivered. She was hopeful that the council would receive around £1 million from the government but given the level of spend in areas like adult social care this would make a relatively small difference.

Councillor Price asked if once the budget was approved in February, that this was confirmation from the S151 officer that she was satisfied with the budget.

Elizabeth Griffiths believed it was about the trajectory, with the balanced budget and transformation work planned it was hoped that the council's financial position could improve.

Councillor Wilson considered the methodology, with the forecast outturn between month 7 and month 8 worsening by around £650,000. The current overspend was £4.3 million after contingency, he asked if this looked at the current run rate of income and expenditure and projected this looking forward.

Elizabeth Griffiths said that there were a lot of nominals which were considered by the team and were presented as the summary table in the report.

Councillor Wilson asked if there was an update on the level of overdue debt, particularly when considering the current level of the reserves.

Elizabeth Griffiths said that additional resources had been brought in, it was a big risk. Transformation programmes would be charged to capital receipts and this would happen with corporate debt. She also hoped to be able to move some money from the revenue budget, charge it to capital receipts and free up some resources to bring in credit control to further reduce the debt figure.

The Chair mentioned that in his experience, factoring invoices could be explored.

Elizabeth Griffiths confirmed that it was an option open to the council. However, a significant amount of debt would be incurred by residents who were not the best position and this needed to be considered.

Councillor Wilson followed up on an action from the last meeting around Tivoli performance metrics, with a number of metrics way off target. He asked if it was possible to gain some money back from the contract due to underperformance.

Andrew Durrant explained that the team had ongoing dialogue with Tivoli on performance to identify areas which needed to be improved. Improving efficiencies were explored rather than going down the litigation route. Tivoli had been highlighted as an area of exploration by the Place Overview and Scrutiny Panel.

Councillor Howard supported the principle of trying to improve the contract but this did not overlook the premise that the contract was not being delivered as agreed. He felt that the council was justified in approaching Tivoli to recoup some of the cost of the contract, particularly as Tivoli had saved money by not providing the service to the council.

Councillor Reeves said that there were lessons to be learnt from the Tivoli contract especially when it came up for renewal. He suggested that shared risk and benefits could be a good approach to take. Councillor Reeves commented on adult social care overspend and asked if more leverage could be placed on the government to increase the amount of funding the council received.

Kevin McDaniel reported that local authorities, through the Local Government Association, had highlighted that around £4 billion of additional funding was needed. The amount requested by the Office for Local Government had been around £1 billion and the amount actually received by the government had been £500 million. Officers made the case on a number of different areas directly to the government so that they were fully aware of the challenges that councils faced.

Councillor Reeves felt that this should be communicated directly to the public, so that they understood the lack of funding being received from the government. There was a huge amount of debt that needed to be serviced and he assumed that this would be revaluated, particularly with the interest rate forecast to fall.

Elizabeth Griffiths confirmed that the team were considering interest rate forecasts. However, some debt had been incurred at a low interest rate but was now being refinanced at a much higher rate.

Councillor J Tisi was aware that a significant sum of debt needed to be refinanced in the near future and asked if an update could be provided on this situation.

Elizabeth Griffiths said that only a small amount of the debt in question had been refinanced. Current short term cash flow was being closely monitored to ensure that the council was not borrowing too much to manage short term debt. Further capacity would be added to the team to help assist with forecast projections. The team were trying to shift the balance from just servicing debt to reducing the amount which had been borrowed and not yet been paid back.

Councillor J Tisi considered the estimated impacts, surpluses and pressures which had been outlined in the report. He asked if these amounts had been budgeted, especially as there were more pressures than surpluses.

Elizabeth Griffiths said the tables had been added for greater transparency of the financial position. A number of considerations went into the forecast. There was concern that adult services bad debt would not be cleared by the end of the financial year and this was offsetting savings made.

Councillor Sharpe felt that parking income was an important revenue stream for the council and was usually around £10 million. There was a proposal to increase parking charges, he asked how much this would be projected to raise income by and whether any work had been done to consider the potential impact on businesses.

Andrew Durrant said that there were current in year pressures related to parking and there had been behaviour changes, for example the demand for weekly and annual season ticket. It was a balance and there would be an increase to some parking charges in year. Work had been done with the Town Centre Managers to study the footfall and ensure that an increase in parking charges would not deter people from visiting town centres in the borough. The residents discount on parking had been frozen and would continue going forward. Mobile phone data could be utilised through a parking app to understand usage.

Councillor Sharpe was concerned that residents would visit other town centres instead of those in the borough and suggested that other revenue opportunities should be explored too.

Councillor Hunt queried the comment made on tracking residents through mobile phone data.

She was informed that the system was called Vista Insights, this was related to the permissions set on apps which would ask the resident if they were happy to share location data either while just using the app or at all times. It was an anonymous and secure system which was used by a number of councils and partners.

The Chair considered the outturn variances and that the Place directorate had been trying to soften these variances. He asked if the areas where savings were being made were essential services which could cause issues in future.

Andrew Durrant said that work had been done with contractors to find further efficiencies, grant funding had been utilised and service level delivery had been improved to further save money where possible.

AGREED UNANIMOUSLY: That the Corporate Overview and Scrutiny Panel:

- i) **Noted the forecast revenue outturn for the year was an overspend on services of £8.009m which reduced to an overspend of £4.347m when including unallocated contingency budgets and changes to funding budgets.**
- ii) **Noted the forecast capital outturn was expenditure of £43.960m against a budget of £88.267m.**

Work Programme

Councillor Price discussed the proposed Panel meeting in February when the full suite of budget papers would be considered.

Mark Beeley explained that there was little flexibility on the date as the finance team were working to a tight deadline to ensure that budget report was ready for Cabinet, moving the meeting forward would shorten the timescales considerably.

Councillor Price asked when the Inequalities Project item could be scheduled in to be considered.

Rebecca Hatch said that the Think Families project was the main strand of work for the Inequalities Project and March would be a good time for the Panel to consider the progress of this piece of work.

Councillor Price commented that in her view, the 'report it' tool on the council website did not work.

The Chair agreed and suggested he would like to look at this, he'd discuss this with the relevant officers after the meeting.

ACTION – Councillor Moriarty to discuss the potential of bringing an item around the 'report it' tool on the council website to a future meeting.

Councillor Price asked if there were any further scoping documents which would be coming through from other Panel Members.

Mark Beeley highlighted the item on contract management process which had been suggested by Councillor Reeves.

ACTION – Mark Beeley to work with Councillor Reeves on the scoping document for the contract management process.

Councillor Price suggested that Panel Members could feed in concerns about the RBWM Property Company to officers to consider as part of the report which was on the work programme.

Councillor J Tisi questioned why the additional meeting planned for February was needed, particularly as Cabinet would be setting the budget on 20th February.

Mark Beeley explained that the meeting was to allow the Panel the opportunity to consider accompanying papers like the capital strategy and treasury management, which had not been seen in December. If the Panel did not feel like they needed to review the final proposed budget, then the meeting did not need to go ahead.

Councillor Sharpe suggested that the Panel should review Community Infrastructure Levy and how this was allocated. He also considered whether the report on the Property Company report could highlight how the organisation managed the various properties which it owned across the borough along with how many assets were owned.

Elizabeth Griffiths said that all assets were valued independently ahead of the audit.

On Community Infrastructure Levy, Mark Beeley made Councillors aware that there was a scoping document on the agenda for the next Place Overview and Scrutiny Panel.

Councillor Reeves suggested that the corporate structure should be included as part of the report on the Property Company.

The meeting, which began at 7.00 pm, finished at 10.10 pm

Chair.....

Date.....