

Overview & Scrutiny

Governance and Resources Scrutiny Commission

All Members of the Governance & Resources Scrutiny Commission are requested to attend the meeting of the Commission to be held as follows:

Monday, 14th November, 2016

7.00 pm

Room 102, Hackney Town Hall, Mare Street, London E8 1EA

Tim Shields

Chief Executive, London Borough of Hackney

Contact:

Tracey Anderson

☎ 020 8356 3312

✉ tracey.anderson@hackney.gov.uk

Members: Cllr Deniz Oguzkanli, Cllr Nick Sharman, Cllr Susan Fajana-Thomas, Cllr Ned Hercock, Cllr Anna-Joy Rickard (Vice-Chair) and Cllr James Peters

Agenda

ALL MEETINGS ARE OPEN TO THE PUBLIC

- 1 Apologies for Absence**
- 2 Urgent Items / Order of Business**
- 3 Declarations of Interest**
- 4 Minutes of the Previous Meeting** (Pages 1 - 12)
- 5 Complaints and Enquires Annual Report** (Pages 13 - 30)
- 6 Council Restructure Update** (Pages 31 - 32)
- 7 Devolution - The Prospect for Hackney** (Pages 33 - 34)
- 8 Governance and Resources Scrutiny Commission - 2016/17 Work Programme** (Pages 35 - 42)
- 9 Any Other Business**

Access and Information

Getting to the Town Hall

For a map of how to find the Town Hall, please visit the council's website <http://www.hackney.gov.uk/contact-us.htm> or contact the Overview and Scrutiny Officer using the details provided on the front cover of this agenda.

Accessibility

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Induction loop facilities are available in the Assembly Halls and the Council Chamber. Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

Further Information about the Commission

If you would like any more information about the Scrutiny Commission, including the membership details, meeting dates and previous reviews, please visit the website or use this QR Code (accessible via phone or tablet 'app')

<http://www.hackney.gov.uk/individual-scrutiny-commissions-governance-and-resources.htm>



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The Chair shall have discretion to regulate the behaviour of all those present recording a meeting in the interests of the efficient conduct of the meeting. Anyone acting in a disruptive manner may be required by the Chair to cease recording or may be excluded from the meeting. Disruptive behaviour may include: moving from any designated recording area; causing excessive noise; intrusive lighting; interrupting the meeting; or filming members of the public who have asked not to be filmed.

All those visually recording a meeting are requested to only focus on recording councillors, officers and the public who are directly involved in the conduct of the meeting. The Chair of the meeting will ask any members of the public present if they have objections to being visually recorded. Those visually recording a meeting are asked to respect the wishes of those who do not wish to be filmed or photographed. Failure by someone recording a meeting to respect the wishes of those who do not wish to be filmed and photographed may result in the Chair instructing them to cease recording or in their exclusion from the meeting.

If a meeting passes a motion to exclude the press and public then in order to consider confidential or exempt information, all recording must cease and all recording equipment must be removed from the meeting room. The press and public are not permitted to use any means which might enable them to see or hear the proceedings whilst they are excluded from a meeting and confidential or exempt information is under consideration.

Providing oral commentary during a meeting is not permitted.

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Governance & Resources Scrutiny Commission 14 th November 2016 Minutes of the Previous Meeting and Matters Arising	Item No 4
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OUTLINE

Attached are the draft minutes for the meeting on 19th October 2016.

ACTION

The Commission is requested to agree the minutes and note any matters arising.

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London Borough of Hackney
Governance and Resources Scrutiny Commission
Municipal Year 2016/17
Date of Meeting Wednesday, 19th October, 2016

Minutes of the proceedings of
the Governance & Resources
Scrutiny Commission held at
Hackney Town Hall, Mare
Street, London E8 1EA

Chair

Councillors in Attendance Cllr Deniz Oguzkanli, Cllr Nick Sharman,
Cllr Susan Fajana-Thomas, Cllr Ned Hercock and
Cllr Anna-Joy Rickard (Vice-Chair, in the Chair)

Apologies:

Co-optees

Officers In Attendance Ian Williams (Group Director of Finance and Resources)

Other People in Attendance Councillor Geoff Taylor (Cabinet Member for Finance)

Members of the Public

Officer Contact: **Sonia Khan**
☎ 020 8356 3312
✉ Sonia.khan@hackney.gov.uk

Cllr Anna-Joy Rickard in the Chair

1 Apologies for Absence

1.1 None.

2 Urgent Items / Order of Business

2.1 The Vice Chair confirmed that she would be chairing the meeting, pending Full Council agreeing the appointment of Chair and Vice Chair for Governance and Resources later in the month.

3 Declarations of Interest

3.1 No declarations of interest.

4 Minutes of the Previous Meeting

- 4.1 Cllr Hercock had sent apologies for the meeting on 5th September 2016 via Cllr Rennison. He would like this corrected in the minutes.
- 4.2 The minutes of 5th September 2016 were agreed, with this amendment.

RESOLVED	Minutes were approved subject to the amendment noted in point 4.1.
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5 Finance and Budget Update

- 5.1 The Vice Chair asked Ian Williams to outline key points from the Overall Financial Position Paper.
- 5.2 The first point highlighted was the importance of focusing on the current year and on in year pressures that could adversely impact the budget, as well as considering how budgets are balanced in future years. An example was provided from corporate parenting to illustrate the nature and scale of unplanned expenditure, which had to be budgeted for.
- 5.3 Through careful management, these in year pressures have been met through reserves, allowing time for medium term financial plans to be put in place for future years. Other examples included employment tribunal legal claims, the one off costs of additional elections and the loss of income from the Lido being closed. The Overall Financial Position Paper gives a good sense of the complexity of the business and the operating environment.

Questions and discussion on first point

- 5.4 **Members asked if more could be done to meet unplanned costs through a more systematic approach to identifying financial risks and making provisions in the budget.**

The response was that thus far the approach to risk had been adequate. However the risks were becoming greater and the impacts more severe. The way that fluctuating currency rates might affect the Council's capital programme or the impact of falling interest rates on pension investments were provided as examples. The Vice Chair reminded Commission Members that some of these risks would be more carefully considered by the Commission as part of the planned Impact of Brexit review scheduled for early in 2017.

- 5.5 **Members asked if we are on track to balance our budgets this year.**

Ian Williams explained that this was difficult to answer given the complexity of the business, and this is why close monitoring was required.

5.6 Members asked whether budget overspend was treated differently from incurring costs to meet additional demands.

The response was that overspend in a service like Policy and Performance would be treated differently from overspend incurred to meet demand and fulfil statutory duty.

5.7 Members asked if we took a consistent approach to underspend.

The response was that underspend is clawed back at the end of each year, rather than being retained by services, unless there is a clear and exceptional case. These reserves are needed as a contingency. To put this in context, the Council's earned interest from investments had reduced dramatically in recent years because of low interest rates.

5.8 Members spoke asked what proactive work we were doing to reduce the cost pressures referenced above. Thinking about corporate parenting, what was being done to recruit more local foster carers?

Ian Williams talked about ways that we could further incentivise foster carers, for example by paying their Council Tax. Hackney's experience shared by all London boroughs because of the high costs of housing. This is well articulated in the London Councils response to autumn statement. There might come a point when the Council directly delivers care and interventions for children and families where there are complex needs. The Oxfordshire home which was being used to work intensively with families and the Pause Project were provided as examples of preventative work.

5.9 Members observed that we seem to be in a precarious position and asked if we need to further rationalise what we do and whether we needed to look at more radical change.

Cllr Taylor agreed that although we have "right-sized" our organisation, we would be unable to cope with too many more shocks. More thought was needed about how we work together with other local authorities. At the moment we are competing, for example, over temporary accommodation, foster carers, lawyers and planners.

5.10

The second point that Ian Williams wanted to draw attention to was the Capital programme including school developments such as Mossbourne Riverside Academy. It was worth highlighting that Tiger Way and Nile St could have been offered up as sites for free schools, but instead the Council chose to redevelop these as schools, although there is more work to do to engage residents in a discussion about viability. As an illustration of land values, the Educational Funding Agency paid £37m to acquire the Lea Bridge Thames Water site for the site of a new academy. There is also an extensive housing programme under way and the development of leisure facilities. There are also a number of capital projects designed to earn income. For example Keltan House will generate £1.3m per year and Dalston Lane Terrace and the new development on Church Street will also be income generators.

- 5.11 As a third point, Ian Williams drew Members' attention to Appendix 1, the Medium Term Planning Forecast and the recommendation to accept the Government's offer of multi-year revenue support grant allocation.

Questions and discussion on point three

- 5.12 **Members asked if there were other ways we were generating income, in addition to through capital assets.**

Ian Williams referenced the Fees and Charges paper which had been brought to the Commission in the past and noted that the Commission had helped developed the approach taken to reviewing Fees and Charges. Other examples included buildings hire and sponsorship of assets. The Vice Chair reminded Commission Members that we would look at this topic in greater detail when the item on Commercialisation is discussed in the new year.

- 5.13 **Members asked what the more radical options were to meet the risks outlined and how these might make the most of the assets this borough.**

Cllr Taylor suggested this question is covered as part of the devolution update

Other questions

- 5.14 **The Vice Chair referred to press coverage about the £14m of payments which had been redacted in one calendar month, which questioned Hackney Council's transparency. She asked how the Council had responded to this.**

Ian Williams noted that Hackney had led the way on publishing transactions over £500 when the requirement first came in. However a large number of transactions had to be redacted each month because they would reveal individuals in receipt of housing benefit and Hackney has the largest number of claimants in London. There were some payments we should not have redacted and improvements to the banking system should mean that these can be published in the future. This was the response provided and this satisfied enquirers. It was regrettable that they did not ask for clarification before going to press. A Member observed that there was clearly an assumption in the coverage that these were payments to contractors rather than individual beneficiaries.

6 **LBH Executive Response - Delivering Public Services: Whole Place, Whole system Approach**

- 6.1 Cllr Taylor revisited the objectives of this review which considered a thematic area (e.g. health, housing, mental health) in order to understand the extent to which the local authority and national authorities are working together.

Questions and discussion

- 6.2 **Members commented that some of the answers are vague and it is not clear what additional work would be done. For example the response to recommendation four just describes what is already being delivered.**

Cllr Taylor accepted this point but asked what more we could do, as the Council was not mandated to deliver employment support and any savings from efforts would positively impact the Department for Work and Pension's budget rather than the Council's.

- 6.3 **Members reminded the Commission that the idea was to look at different ways of working for example looking at early intervention and how we could work with other agencies, for example health services and DWP. The Executive response could have at least set out what we wanted to do even if we could not say commit to it. The response should have been setting the agenda for the future as well as focusing on change management.**

Ian Williams referred to the new approach to oversight of economic development and community development as a way that this work could be progressed. A culture change programme, Hackney a Change for Everyone has also been launched to prepare the workforce to meet the challenges the Council would be facing in the next few years.

- 6.4 **Given Hackney's high rate of mental health cases, Members asked what collaboration was going on between the Clinical Commissioning Group (CCG) and the Health and Wellbeing Board.**

Ian Williams noted that collaboration between the Council and City and Hackney CCG worked well. There would be close working on the Sustainability and Transformation Plans (STPs) as part of Hackney's Health and Wellbeing devolution pilot, although STP areas did not align with other administrative geographies.

- 6.5 **As a follow up Members asked if the sole focus of the pilot was on commissioning.**

The response was that the pilot was also about working together on assets management. However government needed to hold onto NHS assets to calibrate health budget deficits.

- 6.6 **Members asked if individuals were to be further empowered to fully support clients, and if so, what oversight there would be of this new approach, and whether this was something that could be measured.**

Ian Williams responded that frontline workers were already very empowered, much more so than the private sector, for example.

- 6.7 **The Vice Chair reminded Members that the Chief Executive would be attending the next Commission meeting and would be asked how the new corporate structure would facilitate joint up working. She asked if the section from Ways into Work could be strengthened without extending the process for sign off at full Council. Members were keen to take forward the recommendation that this was presented to senior management team and asked if this could be actioned via the Overview and Scrutiny Team.**

- 6.8 **Members asked if one of the reasons the response was weak was because of resource implications.**

Cllr Taylor did not think this was the reason. It was more that this was not a straightforward report. Addressing the issues raised in the report will require cultural change, budget change and governance change and these issues cannot be resolved in a single response. The themes will continue to be revisited as we look at public service as a whole, look at how we work more closely together across boundaries.

7 Devolution - the prospects for Hackney

- 7.1 The Vice Chair reminded Commission Members of the questions in the terms of reference for the review. She observed that devolution was a moving piece. The main focus for this item was on Members shaping recommendations. However prior to that she asked for a brief update from Ian Williams and Cllr Taylor.
- 7.2 Ian Williams provided a verbal update of the key devolution deals which were under negotiation at the moment:
- 7.3 Employment and Skills: Last year, the Council sought to align itself with the Central London Forward (CLF) grouping. In June this year the CLF Board agreed to extend CLF's work on devolution, and employment and skills to Haringey, Tower Hamlets, Lewisham and Hackney. Hackney was formally invited by Mayor of Newham Robin Wales and Leader of Waltham Forest Cllr Chris Robbins to join the Local London partnership in December 2015 and in January 2016 Local London was formally constituted with Barking and Dagenham, Enfield, Greenwich, Havering, Newham, Redbridge and Waltham Forest. We requested to defer our consideration and re-stated the value of continuing to work as part of the Growth Boroughs on issues such as Convergence, transport and employment. We noted that geographies around opportunities for devolution were still clearly very fluid and, we therefore needed to remain open to working in different geographies in the future.
- 7.4 Government review of Further Education and devolution of skills funding: Hackney is part of the central London area for the purposes for the review which seeks to rationalise FE provision to ensure financial sustainability of colleges. Brooke House has submitted a proposal to remain a standalone sixth form, with a reduced curriculum based on areas of highest student demand.
- 7.5 Health: a detailed presentation from Paul Haigh went to Health in Hackney on Monday October 10th. The focus currently is on the STP – Sustainability and Transformation Plan – for which Hackney is in the north east London region.
- 7.6 Work and health programme: DWP has issued the OJEU notice for the Work and Health Programme, establishing a national framework umbrella agreement for employment and health related support services. The timetable for the launch of the programme is November 2017, with a staggered start from November 2017 – February 2018. The umbrella agreement is designed to allow London to run a devolved Work and Health Programme.
- 7.7 Discussion on devolution deal for London: The Government has invited London to agree a devolution deal in time for the Autumn statement on November 23rd.

The view is that the outcome of the EU referendum has opened up the potential for a more ambitious devolution deal for London.

- 7.8 Ian Williams pointed Commission Members towards the London Councils Devolution briefing. He also referenced the way that local authorities in London had pooled pension funds as a successful example of devolution and also suggested that the Commission should consider business rates devolution in greater detail.
- 7.9 Being involved in overlapping devolution deals was both a problem and an advantage. A scheme could be very rational scheme but entail a greater loss of local control.
- 7.10 Members stated the need for a local plan for devolution that set out priorities that we would want to see out of any devolution arrangement. This plan would set out:
- What are we trying to combine
 - What is the public accountability
 - What are we trying to get out of this?
- 7.11 The Vice Chair outlined the exercise she wanted Members to undertake next to develop recommendations. She suggested Members should refer to the crosscutting issues raised in the briefing provided by overview and scrutiny officer (Power, Responsibility and Resources, Accountability Structures and Public Engagement) and identify recommendations under the following groupings:
- General principles
 - Actual actions
 - Skills set required.

Whilst it was fine to undertake the exercise, Members stressed the importance of contributing to an overall strategy.

Having undertaken the exercise it was agreed that Members were not yet in a position to draft recommendations and the Vice Chair proposed spending more time on this in November rather than drafting a general report of recommendations. She asked if there was a plan where all approaches were summarised. Cllr Taylor referred to the London Councils Paper. There was currently no local plan or strategy.

Members acknowledged that there was still a lot of uncertainty and unanswered questions that even those leading devolution deals could not yet answer. It was important to engage further with officers. The Vice Chair clarified that the Commission would not be helping draft a strategy or plan but had highlighted through this review the lack of one. Members felt that it was nevertheless important to consider what the Commission's contribution could be. They had to oversee a process through which governance and resources were better used. Members wanted to clarify if there was someone thinking about how all of this fits together and what the costs and benefits were. The advantages of a plan would be to:

Set up the variable geography

Identify the key priorities, benefits and costs

Consider what form of accountability should be set up

Ian Williams explained that Cllr McShane is the new lead for devolution overall. The challenge is that neither the partnerships nor the geographies are obvious.

It was important not to be parochial and to consider the bigger picture.

Cllr Taylor reminded the Commission that the discussion was considering two different things – partnership working and devolution. However there was a discussion about the fact it was not always possible to make that distinction.

Ian Williams stated that some government departments were not interested in devolution. The judgement had to be made as to whether local areas were being set up to fail or whether deals would deliver limited benefits.

ACTION	Cllr McShane and Tim Shields would be invited to the next meeting to answer the following: <ul style="list-style-type: none"> • What is the overall plan? • What are the current principles being applied? There are clearly some criteria • What is the ideal position in relation to services e.g. Planning.
	Circulate London Councils paper on Devolution

8 Review of Governance & Resources Scrutiny Commission Work

8.1 The Vice Chair asked Members to keep this review in their minds whilst looking at the next item – the work programme.

Member raised the importance of requesting updates periodically on previous reviews.

ACTION	Members to identify for November's meetings the previous reviews they would like to revisit and receive updates on.
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9 Governance and Resources Scrutiny Commission - 2016/17 Work Programme

9.1 The following additions and amendments were discussed and agreed:

November

- Bruce Deville to be asked for an overview of how performance is measured to set the context for the more substantive item in January

- Complaints service review (also Bruce)
- Devolution – as outlined above, inviting Cllr McShane and Tim Shields
- Update on Council restructure (Tim Shields)
- Questions about new structure promoting joint working
- Change for everyone

December

- Dedicated meeting with CYP Commission on Temporary Accommodation and Discretionary Housing Payments.
- Governance and Resources could still meet for the rest of the allocated time to consider an update from Finance on the on Autumn Statement and an update on the overall budget.

January

- Performance review
- LB Hackney elections
- Commercialisation.

10 Any Other Business

10.1 There was no other business.

Duration of the meeting: 7.00 - 9.15 pm

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Governance & Resources Scrutiny Commission 14 th November 2016 Complaints and Enquiries Annual Report	Item No 5
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Outline

The Governance & Resources Scrutiny Commission monitors the Complaints and Enquiries process. This report provides headline data related to complaints and enquiries for the Council during 2015/16 and at appendix 2 provides an update covering the first six months of 2016/17.

The report provides an outline of Complaints & Members Enquiries process and focuses on the volumes received and performance in managing and learning from them.

Action

The Commission is asked to review information and make comments.

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1. INTRODUCTION

- 1.1 This report provides headline data related to complaints and enquiries for the Council during 2015/16 and at appendix 2 provides an update covering the first six months of 2016/17.

2. RECOMMENDATION(S)

- 2.1 The Governance & Resources Committee is recommended to: -
1. note and comment on issues relating to complaints and enquiries managed during 2015/16 and the first 6 months of 2016/17

3. BACKGROUND

- 3.1 This report is in accordance with the Governance & Resources Committee's role in monitoring the Complaints and Enquiries process.

4. COMMENTS OF THE CORPORATE DIRECTOR OF FINANCE AND RESOURCES

- 4.1 There are no additional financial implications arising from this report. The cost of staff dealing with complaints across the Council is met from within the relevant revenue budgets, as are any compensation payments made. The cost of complaints monitoring is met within the approved revenue budget of the Business Analysis and Complaints Team (BACT).
- 4.2 Such costs, however, can be minimised by ensuring that complaints are dealt with successfully at the first stage, thus reducing the numbers that proceed to later stages.

5. COMMENTS OF THE DIRECTOR OF LEGAL SERVICES

- 5.1 This report informs Members of progress with the complaints process. Whilst there are no direct legal implications, some significant and unresolved complaints could result in legal action. An example is disrepair if a tenant complains of failure to carry out landlord's obligations to do essential repairs.
- 5.2 The report also refers to the role of the Ombudsman in managing complaints. By law if the Ombudsman intervenes and produces a formal report setting out significant failings by the Council, this would need to be reported to Full Council and the Ombudsman's report made available to the public. The Council and the complainant also have recourse to judicial review proceedings if they disagree with the Ombudsman's findings.
- 5.3 The report has not identified any issues of major concern to the Council with a risk of legal intervention.

APPENDICES

- 1 – Complaints and Enquiries Annual Report 2015/16
- 2 – Complaints and Enquiries 2016/17 update position as at 30 September 2016

BACKGROUND PAPERS

In accordance with Section 100D of the Local Government Act, 1972 - Access to Information a list of Background Papers used in the preparation of reports is required.

Description of document	Location	Date

Report Author	Simon Gray Tel: 020 8356 8218 Email: Simon.Gray@hackney.gov.uk
Comments of the Corporate Director of Finance and Resources	Michael Honeysett Tel: 020 8356 3332 Email: Michael.honeysett@hackney.gov.uk
Comments of the Director of Legal Services	Yinka Owa Tel: 020 8356 6234 Email: Yinka.owa@hackney.gov.uk

Appendix 1

Complaints and Enquiries Annual Report 2015-16

1. Introduction

- 1.1 This report provides an outline of Complaints & Members Enquiries process and focuses on the volumes received and performance in managing and learning from them.

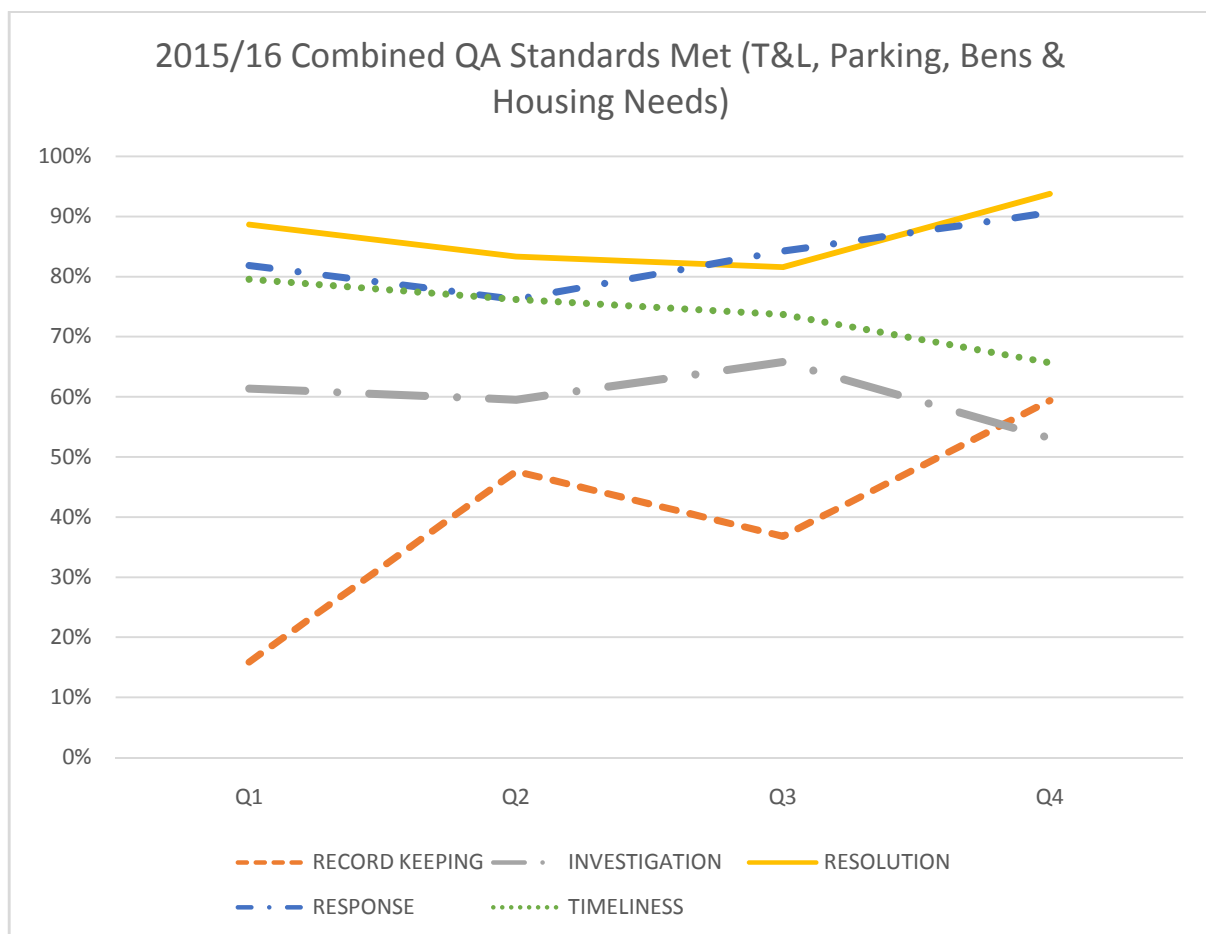
2. Improvement work and quality assessment

- 2.1 Further detail on volumes of complaints and enquiries received in 2015/16, the way they are managed and the intelligence they provide are set out in this report. In addition, an update on figures for the first two quarters of 2016/17 are presented for comparison. In summary, 2015/16 saw a drop in number of complaints and enquiries but figures so far for 2016/17 are showing a possible rise towards 2014/15 levels.
- 2.2 A 10% fall in the volume of resolution stage complaints this year is the first significant drop in many years. The volume of Reviews has fallen this year but is seen as equalising earlier rises in volume when the move to a two stage process was adopted. Reductions may indicate improvements in the quality of resolution stage investigations and also resolving issues before the formal complaints process is started. In addition there is now a more effective triage process when Reviews are requested which has helped reduce volumes and enabled a real focus on important cases, which is key whilst the service continue to reduce staffing in the BACT. There has also been a greater focus on resolving issues. Volumes of complaints have also fallen across Adults (19%) and Children's (10%) Social Care services as have the number of Members Enquiries (18%). The only increase across all categories was in Mayor's Office Enquiries which have increased slightly.
- 2.3 The improvement and focus on resolution is evidenced through the regular quality assessment sampling of between 15- 20% of investigations conducted by the higher complaint generating areas of Benefits & Housing Needs, Tenancy & Leasehold Services, Building Maintenance and Parking which have been taking place over the last two years. Results are showing a broadly improving trend across the year particularly on record keeping, resolution and response. Despite this there is still room for improvement in the quality of investigation and timeliness in some services which is being highlighted to services.
- 2.4 The quality assessments measure against set quality standards covering the five key components of record keeping, response, resolution, investigation and timeliness.

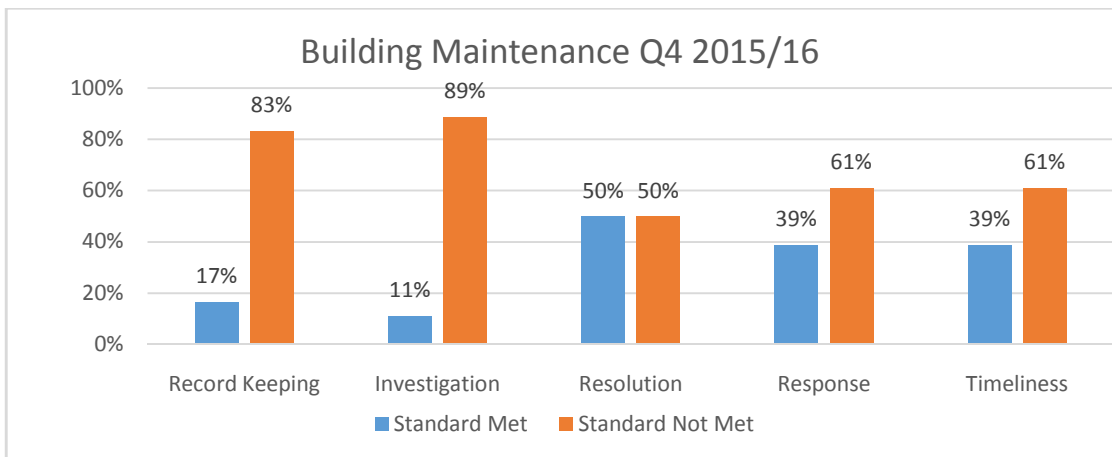
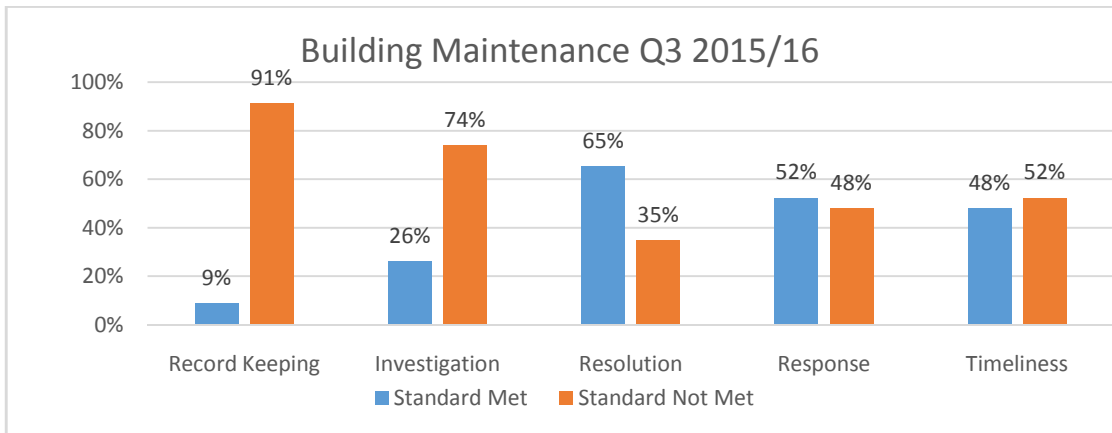
2.5 The QA process is a tool used to drive improvement rather than an ultimate, refined and subjective measure of quality. The outcome of the assessments are written up into a report for the relevant Director or Head of Service setting out details of the cases assessed and findings. Findings over time are highlighted with performance compared against a range of historical, council average and trend data.

2.6 Reports are presented to relevant management teams by the BACT setting out scope, findings, conclusions and most importantly suggested recommendations and service improvements. These reports are generally well received although on occasions difficult conversations are had but overwhelmingly this exercise is seen as positive in driving improvement both in complaint handling but also in resolving issues that are generating complaints. Since the introduction of these quality assessments there has been an upward trend in scores due to services taking better approaches i.e. more senior sign-off of complaints, better awareness of best practice, the provision of training in complaints handling and use of the complaints system and generally by senior officers taking more interest in complaints about their services.

2.7 The chart below shows combined progress across the three services that have been assessed in each quarter of 2015/16.



2.8 In addition to the three areas highlighted above, Building Maintenance have been subject to the QA exercise in Quarters 3 and 4 of 2015/16 and their results are set out below.



2.9 Escalation rates, an indicator of successful resolution at the earliest opportunity, are showing reducing levels. Escalation rates from the Resolution stage (stage 1) to Review (stage 2) have dropped again to just 4.9% (132 cases down from 196). The number of Reviews escalating to become formal Ombudsman investigations, 40, is the same as in 2014/15) although this equates to a 29% escalation rate (up from 20% in 2014/15) due to the lower volumes of Reviews.

2.10 The escalation rate to Ombudsman despite being at 29% should be viewed in the context that only 17 (42%) of the 40 complaints formally investigated by both Ombudsmen were actually upheld. It should also be noted that upheld can also mean 100% agreement with what was determined by the Council at Review stage and does not necessarily mean finding new or different fault.

3. Complaints and Enquiries Data Analysis (2015/2016)

- 3.1 The following tables show that volumes of complaints and Members Enquiries showed a marked (14%) reduction compared to the previous year. Mayor's Enquiries volumes remained fairly static, with just a small 1% increase.

Whilst any complaint received means the Council have, in the opinion of our residents, failed to provide an acceptable service, the numbers of complaints and those which are escalated should be viewed in the context of the size of the borough, the number of transactions and the complexity of those transactions. Hackney has a population in excess of 263,000 living in 111,000 households. Relevant to the areas with the highest volume of complaints we have 22,400 homes rented from Hackney Housing and an additional 8,600 leaseholders, more than 42,000 residents claiming in excess of £330m of benefits, with c.200,000 changes in circumstances assessed per annum and more than 162,000 visitors to the Hackney Service Centre asking for assistance on a wide range of services.

	2012/13	2013/14*	2014/15	2015/16
Stage One / Resolution	3,078	2,951	2,964	2,683
Stage Two	436	226	N/A	N/A
Review (formerly stage three)	151	202	196	132
Members Enquiries	1,460	1,828	1,993	1,632
Mayor's Office Enquiries	2,479	2,076	1,597	1,614

* change to process in October 2013 removed stage 2

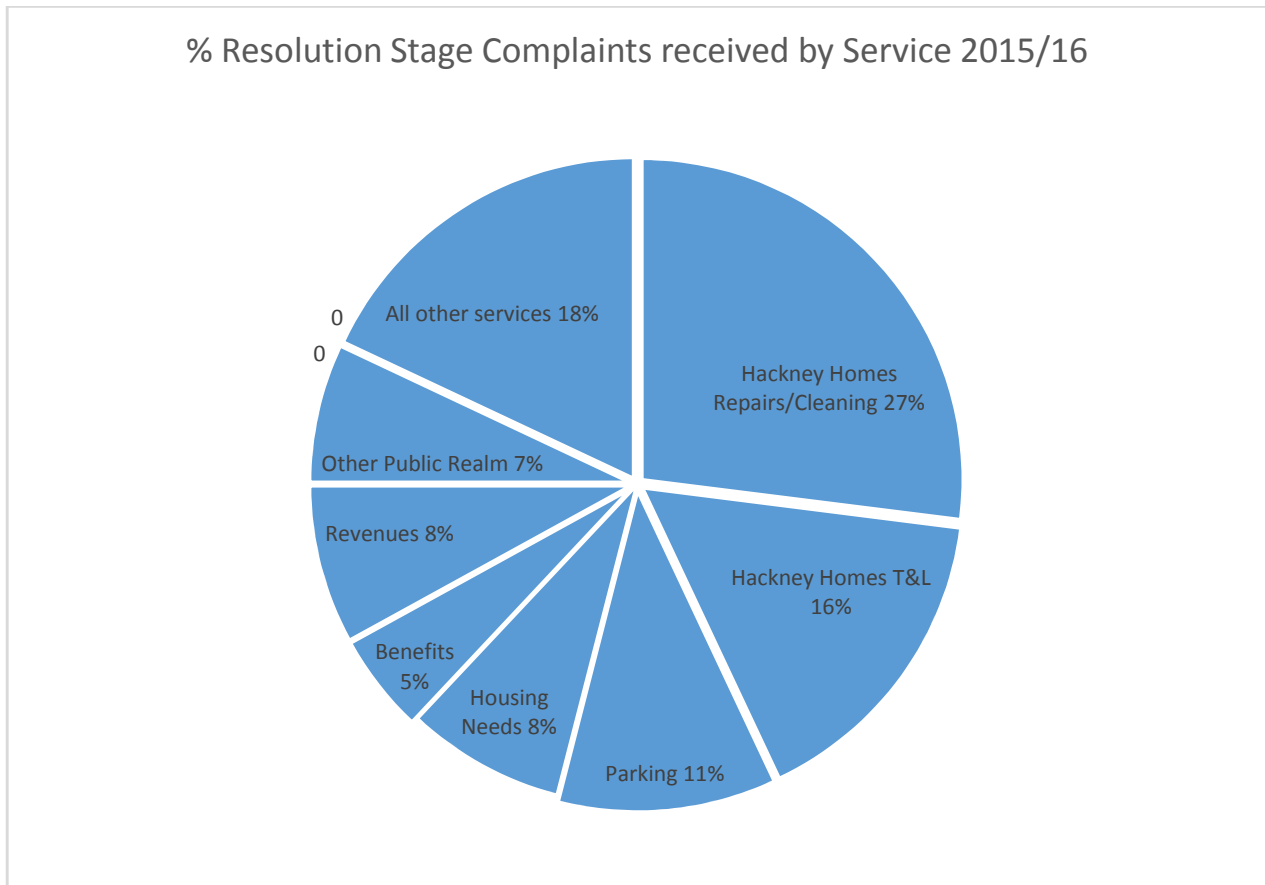
Average Complaints Response Times	2012/13	2013/14	2014/15	2015/16
Stage One/Resolution Complaints	14 working days	14 working days	20 working days	21 working days
Stage Three/ Review Complaints	18 working days	18 working days	19 working days	20 working days

- 3.2 Despite volumes of Resolution (stage 1) complaints reducing by 10% in 2015/16 compared to the previous year, there has been a slight increase in the average time taken to respond. The focus has shifted in recent times from rigid deadlines for response to measuring average time taken as issues and resolution are addressed and not just a response. However with an ambition to resolve resolution stage complaints within an average of 15 working days, 21 days is a cause for concern. With Hackney Homes having received 46% of Resolution stage complaints and their average response time being 27 days in the last year this is clearly the area having most impact. The overall Council Resolution figure, excluding Hackney Homes, was 16 days.

3.3 There has been a reduction of a third in the number of Review complaints when compared to 2014/15 with the distribution across the directorates remaining broadly similar with Hackney Homes generating 72 (55%), Finance & Resources 22 (17%) and Health & Community Services 24 (18%).

Types of Complaints

3.4 The chart below sets out the service areas in the Council and Hackney Homes that receive the highest volumes of Resolution stage complaints.



3.5 A breakdown of Resolution stage complaints by 'complaint type', where identified, shows that people are complaining about service failure (57%), case management (14%), staff behaviour (14%), disagreement with policy/decision (7%) and 'other' (8%).

3.6 The issues generating Resolution stage complaints read proportionately across to those escalating to Review.

Ombudsman Complaints

3.7 Following conclusion of the Council's process a complainant can approach one of two Ombudsman to ask for their case to be reviewed, either the Local Government Ombudsman (LGO) or the Housing Ombudsman (HOS). In addition, those making a housing related complaint (including Registered

Providers) can ask a Designated Person (Cllr Glanville for Hackney in 2015/16 and now Cllr McKenzie) to decide whether they can help in reaching resolution of the issue without the need for the Housing Ombudsman to be involved.

- 3.8 The LGO has published their Annual Report for 2015/16 and report that they undertook 23 formal investigations in Hackney last year of which 12 (52%) were upheld. This is an increase on 22 cases in 2014/15 of which 55% were upheld and a reduction from the 37 investigations in 2013/14 when 84% were upheld.
- 3.9 There were 20 housing related cases where the complainant formally asked for Designated Person (Cllr Glanville) assistance in resolving matters following the conclusion of the Council’s formal complaints process. The Designated Person allowed 10 cases to move straight to Housing Ombudsman as there was no more he could add to resolution already offered. He intervened in the remaining 10 cases on a range of remedial actions and increase in compensation but this has not necessarily prevented the complaint from escalating to the Housing Ombudsman.
- 3.10 The Housing Ombudsman do not publish an annual letter or report but our data shows that we had 17 formal investigations by them in 2015/16. Despite the Housing Ombudsman currently taking between 12 and 14 months to determine cases they formally take on, all cases referred in 2015/16 have been determined. Of the 17 complaints, 2 (12%) found maladministration, 3 (18%) found service failure and 12 (70%) found no maladministration at all.

Members’ Enquiries

- 3.11 Members’ Enquiries consist of a mixture of complaints, requests for service for residents and requests for information. Currently, there is no distinct separation in the way these different category types are dealt with and all have an average response turnaround time standard of 10 working days.
- 3.12 Time taken to respond to Members Enquiries continues to rise and now stands at 15 days which is a significant increase. With Hackney Homes receiving 37% of all Members Enquiries and their average response time jumping from 17 to 21 days in the last year this is clearly the area having most impact.
- 3.13 A breakdown of Members Enquiries by type shows that the majority are used to raise service requests (71%), information requests (14%) or complaints (7%) on behalf of residents with other or not stated (8%).

Members Enquiries	2012/13	2013/14	2014/15	2015/16
Members Enquiries Received	1,848	1,828	1,993	1,632
Average time taken to respond	8.5 working days	10 working days	13 working days	15 working days

Mayor's and Cabinet Members Enquiries

3.14 Each Mayor's Enquiry represents a comprehensive, personal response sent from the Mayor or Cabinet member to what are often wide ranging and complex enquiries.

Mayor's & Cabinet Members Enquiries	2012/13	2013/14	2014/15	2015/16
Enquiries received (inc referrals)	2,479	2,076	1,597	1,614
Average time taken to respond	9.7 working days	11.2 working days	18.6 working days	13.9 working days

Note: Unlike the rest of the data in this report which is derived from the corporate complaints database, these figures are taken from a local source in the Mayor's Office as, due to multiple cases, separate records are kept.

3.15 Responses from the Mayor and Cabinet are subject to extensive quality assurance by the Mayor's Office and the Mayor or relevant Cabinet member before the response is sent, and drafts are returned to departments in cases where the resident's query has not been fully answered. Until a full response is obtained, the case will not be concluded, and therefore this process puts significant pressure on the 10 day target timescale.

3.16 As shown in the table above, the volume of Mayor and Cabinet enquiries has been consistent in the last two years, having fallen by 23% between 2013/14 and 2014/15. The average response time in 2015/16 was an improvement of 4.7 days over 2014/15, although still longer than 2013/14.

3.17 The Mayor's Office casework function faced a number of challenges within the 2014/15 reporting year, including a number of staffing changes and problems arising from the move to the Myoffice system. 2014/15 performance suffered significantly as a result of these challenges. The new casework staff have now bedded in and this helped deliver the 4.7 day improvement shown above. As with Resolution stage complaints and Member's Enquiries, however, the response times are slower than they have been historically; this is likely to be due to reduced capacity across the Council to deal with enquiries.

Adult Social Care Statutory Complaints

3.18 The table below shows the figures related to complaints covered by the statutory Adult Social Care process.

Adult Social Care Local Resolution	2012/13	2013/14	2014/15	2015/16
Numbers Received	139	93	118	96
Average time taken to respond	18 working days	17 working days	19.5 working days	33.2 working days

- 3.19 The substantial rise in the time taken to resolve ASC complaints in 2015/6 was due to a focus on closing some older cases that had been open for some time. The majority of the 2015/16 complaints fell under the following categories: -
- Quality of care service provided (32)
 - Dissatisfaction with Assessment and Care Provision/packages (20)
 - Blue Badge /Freedom Pass assessments including service users contesting results (10)
 - Charges and payments (9)
 - Customer care and advice (9)
 - Outcome of Occupational Therapy assessment, home adaptation, etc (6)
- 3.20 Of the 96 cases all bar one were concluded at local Resolution stage with just the one case requiring 'Formal Investigation'.

Children's Social Care Complaints

- 3.21 Complaints related to Children's Social Care are handled separately under a statutory process. The number of Stage 1 Children's Social Care complaints has fallen again in 2015/16.

Children's Social Care Complaints	2012/13	2013/14	2014/15	2015/16
Stage 1 – Local Resolution	50	43	*41	37
Stage 2 – Investigation	7	7	5	8
Stage 3 – Review Panel	3	6	2	2

*note that this was incorrectly reported as 34 last year due to counting cases received in the period as opposed to cases closed as it should be

- 3.22 In relation to the nature of complaints, 46 % relate to 'difficulties *with communication*' which remains the most prevalent category. This is partly because the category has large scope, covering issues such as parents dissatisfied with the accuracy of assessments, the behaviour of practitioners and timeliness or quality of contact from the unit.
- 3.23 The increase in the volume of Stage 2 complaints relates to those at stage 1 where communication makes up 50% of the volume.

Appendix 2

Complaints and Enquiries Annual Report 2015/2016 – update position at 30 September 2016

1. Introduction

1.1 This note provides an update on complaint and enquiries data for the first six months of 2016/17.

2. Complaints and Enquiries Data Analysis

2.1 The following table shows that volumes of complaints and enquiries received so far this year and average response times. The number of complaints at both Resolution and Review stages are, despite falls in 2015/16, suggesting increases in 2016/17. As a comparison, the first 6 months of 2015 saw 1320 resolution stage complaints compared to 1692 this year and for Review cases there were 59 compared to 73.

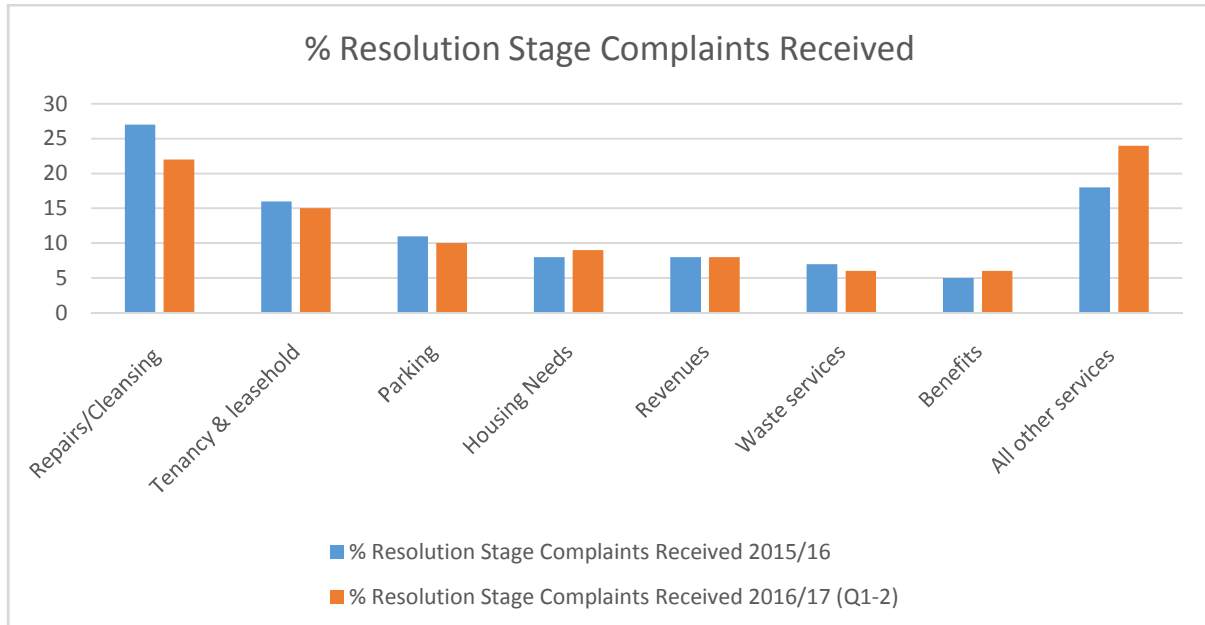
Volume of Complaints and Enquiries	2013/14*	2014/15	2015/16	Q1-2 2016/17
Stage One / Resolution	2,951	2,964	2683	1692?
Stage Two	226	N/A	N/A	N/A
Review (formerly stage three)	202	196	132	73
Members Enquiries	1,828	1,993	1,632	847
Mayor's Office Enquiries	2,076	1,597	1,614	886

* stage 2 removed in October 2013

Average Complaints Response Times	2013/14	2014/15	2015/16	Q1-2 2016/17
Stage One/Resolution Complaints	14 working days	20 working days	21 working days	19 working days
Stage Three/ Review Complaints	18 working days	19 working days	20 working days	21 working days

Types of Complaints

2.2 The chart below sets out a breakdown of the service areas in the Council that received the highest volumes of Resolution stage complaints in the first six months of 2016/17 compared to 2015/16 figures.



2.3 There has been a slight increase in the number of Review complaints compared to last year with the distribution now primarily across two directorates with Neighbourhoods & Housing generating 51 (65%) and Finance & Resources 22 (28%)

Ombudsman Complaints and Designated Person Requests

2.4 Following conclusion of the Council's process any complainant can approach one of two Ombudsmen to ask for their case to be reviewed, either the Local Government Ombudsman (LGO) or the Housing Ombudsman (HOS). In addition, those making a housing related complain (including Registered Providers) can ask a Designated Person (Cllr McKenzie for Hackney) to decide whether they can help in reaching resolution of the issue without the need for the Housing Ombudsman to be involved.

2.5 Volumes of Ombudsman and Designated Person cases are set out below

	LGO Formal Investigations	HOS Formal Investigations	Designated Person requests
2014/15	22	10	9
2015/16	23	15	20
2016/17 (Q1-2)	15	8	6

These figures show that the volume of complaints made to the LGO so far this year are potentially significantly higher with HOS cases relatively static. The Council continue to positively promote the Ombudsman service which reflects the confidence we have in the outcomes of our complaints, particularly at Review stage. There is no trend to highlight that can explain higher numbers than last year as it is very much up to the complainant to decide if they escalate or not and these figures do fluctuate.

Requests for the assistance of our Designated Person (DP) in Housing related complaints are potentially substantially lower than last year.

Members' Enquiries

2.6 Members' Enquiries consist of a mixture of complaints, requests for service for residents and requests for information. There is no distinct separation in the way these different category types are dealt with and all have an average response turnaround time standard of 10 working days.

2.7 Volumes of Members Enquiries are set out below.

Members Enquiries	2013/14	2014/15	2015/16	Q1-2 2016/17
Members Enquiries Received	1,828	1,993	1,632	847
Average time taken to respond	10 working days	13 working days	15 working days	16 working days

Mayor's and Cabinet Members Enquiries

2.8 Each Mayor's Enquiry represents a comprehensive, personal response sent from the Mayor or Cabinet member to what are often wide ranging and complex enquiries.

Mayor's & Cabinet Members Enquiries (inc. Referrals)	2013/14	2014/15	2015/16	Q1-2 2016/17
Enquiries Received (inc. referrals)	2,076	1,597	1,614	886
Average time taken to respond	11.2 working days	18.6 working days	13.9 working days	15.3 working days

* Note: Unlike the rest of the data in this report which is derived from the corporate complaints database, these figures are taken from a local source in the Mayor's Office as, due to multiple cases, separate records are kept.

2.9 Of the total 886 cases received so far this year, Mayor’s Enquiries total 686 and Cabinet Enquiries total 200.

2.10 Q1 and Q2 of 2016/17 represent a 6.2% rise in Mayor and Cabinet casework volumes on the same quarters of 2015/16. Response times have slowed slightly, in large part due to ongoing staff change and restructure across the Council leading to different or new officers feeding into the casework responses across many service areas. Measures have been taken to address this, including meeting with incoming officers, providing informal training and feedback and attending meetings with newly formed teams.

2.11 In addition, Q2 saw the resignation of the previous Mayor and the election of Philip Glanville as Hackney’s second directly elected Mayor, followed by the appointment of a new Cabinet. This had some impact on casework volumes and response times during the transitional period.

Adult Social Care Statutory Complaints

2.12 The table below shows the figures related to complaints covered by the statutory Adult Social Care process

Adult Social Care Local Resolution	2013/14	2014/15	2015/16	Q1-2 2016/17
Numbers Received	93	118	96	57
Average time taken to respond	17 working days	19.5 working days	33.2 working days	41.4 working days

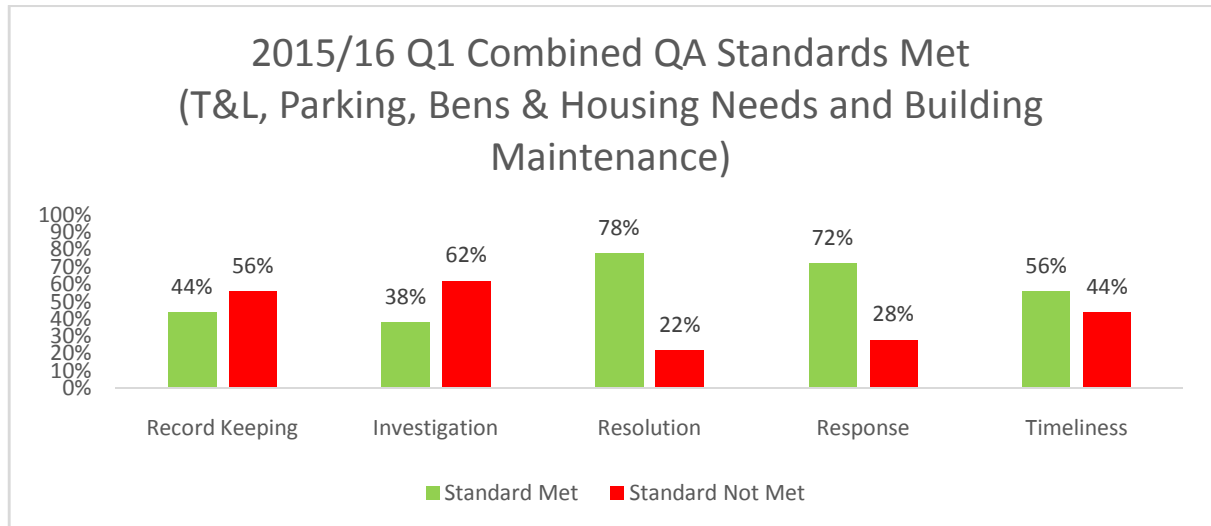
Children’s Social Care Complaints

2.13 Complaints related to Children’s Social Care are handled separately under a statutory process. The number of Stage 1 Children’s Social Care complaints have increased to 24 in the first 6 months of 2016/17 compared to 37 received in the whole of 2015/16.

Children’s Social Care Complaints	2013/14	2014/15	2015/16	Q1-2 2016/17
Stage 1 – Local Resolution	43	41	37	24
Stage 2 – Investigation	7	5	8	2
Stage 3 – Review Panel	6	2	2	1

Quality Assessment process

2.14 Quarterly Quality assessments have continued into 2016/17 with only the Q1 exercise completed to date. The combined results across the 4 service areas assessed are set out in the chart below and show a drop in scores across all themes due in the main to the inclusion of Building Maintenance who score very low across the board.



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Governance & Resources Scrutiny Commission 14 th November 2016 Council Restructure Update	Item No 6
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Outline

The Governance and Resources Scrutiny Commission invited the Chief Executive to their meeting in [November 2015](#) to discuss the rationale and implications of the new officer restructure to the organisation.

The Commission has invited the Chief Executive back to provide an update on the progress of implementation, joining up of services and the contribution from Hackney to strategic discussions like Devolution.

The Commission has asked the lead Cabinet Member and Chief Executive from Hackney Council for information about the Council's approach to devolution, its plans, ideal scenario and the principles being used to drive forward the Council's engagement in devolution on different levels.

A verbal update will be provided at the meeting.

Action

The Commission is asked to comment and ask question.

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Governance & Resources Scrutiny Commission 14 th November 2016 Devolution – The Prospects for Hackney	Item No 7
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Outline

Background

The Governance and Resources Scrutiny Commission's review has been exploring the implications of the devolution process for Hackney. The aim of this review is to give councillors an understanding of the implications of Devolution for Hackney. Hackney's Scrutiny Members wish to provide input to the discussion and work being carried out at a regional and sub-regional level in relation to devolution. The overarching question framing this review is 'What are the implications of a London wide devolution for Hackney and how the borough can make the most of the opportunities?'

The Commission has asked the lead Cabinet Member and Chief Executive from Hackney Council for information about the Council's approach to devolution, its plans, ideal scenario and the principles being used to drive forward the Council's engagement in devolution at different levels.

A verbal update will be provided at the meeting.

Action

The Commission is asked to comment and ask question.

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Governance & Resources Scrutiny Commission 14 th November 2016 Governance & Resources Scrutiny Commission Work Programme for 2016/17	Item No 8
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Outline

Attached is the draft work programme for the Governance and Resources Scrutiny Commission for 2016/17.

Action

The Commission is asked for any comments, amendments or suggestions for the work programme.

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Overview & Scrutiny

Governance and Resources Scrutiny Commission

Rolling Work Programme June 2016 – April 2017

All meetings take place at 7.00 pm in Hackney Town Hall unless stated otherwise on the agenda. This rolling work programme report is updated and published on the agenda for each meeting of the Commission.

Dates	Proposed Item	Directorate and officer contact	Comment and Action
Wed 15th June 2016 Papers deadline: Mon 3 rd June	Election of Chair and Vice Chair	Chief Executive's	First meeting of newly elected Commission.
	Devolution Review Evidence session	Chief Executive's	Evidence session – information session looking at the emerging devolution landscape for London and local government. Input from: <ul style="list-style-type: none"> LSE (Prof Tony Travers).
	Budget Scrutiny Task Group – commercialisation and Income Generation	Finance and Corporate Resources	Agree work focus for TOR.
	Work Programme Discussion	Chief Executive's	To agree a review topic and topics for one-off items for the year.
Wed 13 July 2016 Papers deadline: Fri 1 st July	Budget Scrutiny Task Group – Commercialisation and Income Generation	Finance and Corporate Resources	Presentation of proposals. meeting cancelled

Dates	Proposed Item	Directorate and officer contact	Comment and Action
Mon 5 Sept 2016 Papers deadline: Tues 23 rd Aug	Devolution – the prospects for Hackney Review	Various attendees: London Councils	Education, Employment and Skills - evidence session looking at the proposed devolution for London in this area and the impact on local government.
Wed 19 Oct 2016 Papers deadline: Friday 7 th Oct	Devolution – the prospects for Hackney Review	Chief Executive's (Tracey Anderson)	Discussion about draft recommendations for the devolution review.
	Budget and Finance update	Finance & Resources (Ian Williams)	Budget and Finance update on local government settlement and Council Budget for 2016/17.
	Delivering Public Services – Whole Place, Whole System Approach	Chief Executive's Directorate (Tracey Anderson)	Review of executive response to review report and how to monitor progress of work.
	Review of Governance and Resources Scrutiny Commission	Chief Executive's Directorate (Tracey Anderson)	Discussion about previous work of the Commission.
Mon 14 Nov 2016	Complaints and Enquiries Annual Report	Chief Executive's (Bruce Devile)	Annual report of the Council's Complaints and Enquires for 2015/16.

Dates	Proposed Item	Directorate and officer contact	Comment and Action
Papers deadline: Wed 2 nd Nov	Update on Council Restructure	Chief Executive's Directorate (Tim Shields)	Update on the Council's restructure.
	Devolution – the prospects for Hackney Review	Chief Executive's Directorate (Tim Shields)	Update on the Council's approach to devolution discussions.
Wed 14 Dec 2016 Papers deadline: Thurs 1 Dec	Temporary Accommodation and Discretionary Housing Payment	Finance & Resources (Ian Williams and Kay Brown)	Joint meeting with CYPS to look at the Council's work on temporary accommodation to manage the impact of welfare reform and pressure on council budget. Review of the Discretionary Housing Payment.
	Budget and Finance update	Finance & Resources (Ian Williams)	Update on the Autumn Statement 2016.
Thurs 19 Jan 2017 Papers deadline: Mon 9 th Jan	Performance review	Chief Executive's Directorate	Scrutiny identifying and establishing the role of scrutiny for performance review.
	London Borough of Hackney 2016 Elections	Chief Executive's Directorate Tim Shields	Report Back on the Elections in May and June 2016 and voter's registration / postal votes.

Dates	Proposed Item	Directorate and officer contact	Comment and Action
	Commercialisation and Income Generation	Finance and Corporate Resources	Presentation of proposals in relation to income generation (fees and charges etc.) and their estimated income.
Mon 20 Feb 2017 Papers deadline: Wed 8 Feb	Council Budget 2017/18	Finance & Resources (Ian Williams)	Presentation on draft Council budget scheduled for agreement at Full Council
	Cabinet Question Time with Cllr Taylor (Cabinet Member for Finance) TBC	Cllr Taylor – Cabinet Member Finance	Cabinet Question Time with Cllr Taylor. Portfolio lead responsibility for revenues and benefits, audit, procurement, pensions, and customer services.
Tues 14 Mar 2017 Papers deadline: Thurs 2 Mar	Update EU Brexit	Finance & Resources (Ian Williams)	Update on the implication of Brexit to councils. Looking at local: economy, labour market and Hackney Council's plans.
Thurs 13 Apr 2017 Papers deadline: Mon 3 April	Work programme discussion for 2017/18	Chief Executive's Directorate	Discussion on topics for work programme for 2017/18.
	Performance review	Chief Executive's Directorate	Scrutiny identifying and establishing the role of scrutiny for performance review.

Dates	Proposed Item	Directorate and officer contact	Comment and Action
	Budget and Finance	Finance & Resources (Ian Williams)	Budget and Finance Update

To Note:

1. **Scheduling in Finance Updates** and request for briefing paper for Member giving a simple guide to the Council's finances.

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