

London Borough of Hackney Scrutiny Panel Municipal Year 2022/23 Date of Meeting Monday 3 October 2022 Minutes of the proceedings of the Scrutiny Panel held at Hackney Town Hall, Mare Street, London E8 1EA

Chair Councillor Margaret Gordon

Councillors in Cllr Soraya Adejare, Cllr Polly Billington, Attendance Cllr Sophie Conway and Cllr Clare Potter

Apologies: Cllr Ben Hayhurst and Cllr Sharon Patrick

In Attendance • Cabinet member for finance, insourcing and

customer service

Mark Carroll, Chief Executive

• Ian Williams, Group Director Finance and

Corporate Resources

• Jackie Moylan, Director of Financial Management

• Bruce Devile, Head of Business Intelligence,

Elections & Member Services

Link to meeting https://www.youtube.com/watch?v=23J1Y6a1en4

Members of the Public None.

Tracey Anderson

Officer Contact: ☎ 0208 3563312

⊠ tracey.anderson@hackney.gov.uk

Councillor Margaret Gordon in the Chair

1 Apologies for Absence

- 1.1 Apologies were received from Cllr Sharon Patrick and Cllr Ben Hayhurst.
- 1.2 Cllr Clare Joseph attended the meeting virtually.

2 Urgent Items / Order of Business

2.1 There were no late items and the agenda was as published.

3 Declarations of Interest

3. There were no declarations.

4 Hackney Council Complaints and Enquiries Annual Report 2021-2022 (7:05pm)

4.1 The Complaints and Member Enquiries Annual Report is a standing item within the Scrutiny Panel work programme so that members (and scrutiny Commissions) have oversight of the trends and patterns in the Councils' complaints and Member Enquiry processes. The 2021/22 report was submitted for review by the Panel.

Questions from members of the Panel

- 4.2 In 3.2 of the report, it was noted that the volume of complaints to the council had reached unprecedented levels which was undoubtedly causing additional stress and pressures within services. What additional support was being provided to help services reduce the volume of complaints?
 - It was acknowledged that there had been a significant rise in the number of complaints and member enquiries. It was recognised that this had caused increased pressures on services, but staff were processing complaints efficiently and making sure responses were provided to residents. Although there had been a significant increase, the actual number of complaints where the Council had adjudged to be at fault by the respective Ombudsman was relatively small. The volume of complaints had of course impacted on response times which were up by between 5-10 days depending on the nature of the complaint.
- 4.3 Do officers see a distinction between members' enquiries and complaints, and how are overlaps in the system identified? Do officers also seek learning from members' enquiries and is information about response times available?
 - There was a distinction between complaints and member enquiry processes in that whilst the former had defined two stage process, the latter was less formal. Officers were always alert to any overlap between the two processes, and when it was in the best interest of the resident, member enquiries were considered within the complaints process. Similarly, in some instances, officers are also mindful that the same issue might be raised within both processes at the same time and would want to avoid any duplication.
- 4.4 Whilst it is positive that there is a process in which learning is derived from the complaints process, should residents need to complain to see service improvements?
 - The complaints process is just one source of intelligence and feedback which the council can use to develop more effective services. In many cases it is intelligence from the complaints process which gives the earliest indication that there may be problems with a service, and help to specifically identify where improvement might be needed.
- 4.5 Given that both leaks and lifts continue to generate many complaints from local residents, do you think the complaints process is capable of delivering systemic change? Are there other processes aside from the complaints process which can deliver improved outcomes for residents?
 - The way that services strategically respond to complaints does vary and whilst some may have a developed process of reflection and change in their complaints handling, others may be more reactive. There were also a range of performance measures which help to maintain oversight of services and help to direct service improvement. There was also borough wide and service specific engagement with local residents to assess how services were being delivered

which also contributed to the cycle of development and improvement. It was acknowledged however, that the issues of leaks and lifts were long standing issues, and the Director of that service would be best placed to update the Panel on plans to improve these parts of the housing service.

- 4.6 To what extent does the feedback from the complaints process feed into a broader capital works programme? For example, can widespread complaints about leaks in a certain estate inform plans for capital works for that estate, rather than this just being seen on a case level basis?
 - Ascertaining whether planned works are to take place is a routine question that complaints managers ask of services as part of their response to the complainant. There were examples of where works had been brought forward to resolve broader issues within a certain block or estate.
- 4.7 The Panel questioned how complex complaints are resolved which may have many component parts, as residents often note that a complaint gets marked as completed yet aspects of the case remain outstanding? Is this reflected in the data in the report? Is this something that might be looked at further?
 - Officers responded that all stage 1 complaints receive a written response and that they have a right to escalate to a stage 2 if they are not satisfied. Stage 2 would involve an independent assessment of the case through the complaints team. It was also noted that residents can ask complaints officers to re-look at a case at any time. Residents were also advised that a case is being closed down prior to this being actioned to ensure that they are in agreement. It was noted that this was not always be possible however, especially if there is an extensive programme of works required for some repairs (as this can go on to 6 months). In this case, there would be an expectation that the Housing Service would retain oversight of the complaint until resolution.

4.8 Is there a staffing issue in the complaints team? Have staffing levels changed at all over the last 10 years?

- It is difficult to comment on the staff support for complaints handling across respective services as resourcing and structures varied across the council. It was noted that staff numbers have declined in the central complaints team, but this has not been to the detriment of service levels in handling Stage 2 or Ombudsman complaints. A casework review was however in progress to see how casework might be improved, particularly members enquiries. It was noted that the 'one size fits all' approach which was currently in operation, was not sensitive to the different types of enquiries from members (e.g. information requests, complaints) which often required different outcomes (e.g. complaints handling, case conference, site visit). A date will be agreed shortly for this to take place.
- 4.9 Can any explanation be offered on why the number of Mayor can Cabinet caseworks cases has declined? Has there been a process change which means that they are being addressed elsewhere?
 - During the pandemic, the numbers of casework enquiries referred to the Mayor increased significantly. As the pandemic receded however, so did the number of enquiries addressed to the Mayor.
- 4.10 How does Hackney compare to other boroughs in terms of the number of complaints and member enquiries, and other related issues such as the total of

compensation paid out to residents? Is there any data on the amount the council has had to pay in respect of legal pay-outs where the case has gone to court?

- It was difficult to compare member enquiry data with other authorities as each system was unique to that authority; whilst some authorities had very centralised systems, others relied on direct contacts to officers. In comparison, the complaints and member enquiry figures are not dissimilar from other authorities.
- In relation to payments to residents or sanctions imposed by the Ombudsman, again, data for Hackney was not dissimilar from other authorities. Those authorities for which the Ombudsman has concerns over their performance are placed on a watch list or are subject to a formal visit. Hackney was neither on a watch list or had been visited by either Local Government or Housing ombudsman.
- Data on payments by the Council to residents through legal challenge is not recorded in the report as this was outside of the complaints system.

4.11 It has been noted that a handful of members were responsible for a significant proportion of the total number member enquiries received. Are these and other members using the member enquiry process correctly?

- The number of member enquiries is also linked to the election cycle, with enquiries peaking ahead of an election. This was reflected in the figures for 2021/22 where a significant year on year increase was recorded ahead of the May 2022 local elections. There was a wide range of usage of the member enquiry process by different members with some using this very little and others using this significantly more. It was important to note that a significant number of member enquiries were related to the benefits system (housing benefit, council tax) which recorded a 6 fold increase in member enquiries which were mostly related to delays in dealing with the backlogs resulting from the cyberattack.
- 4.12 The Cabinet member for Cabinet member for finance, insourcing and customer service noted that there was training available on the member enquiry process. As take up this training among members varied, there would be some merit in encouraging more members to engage with training to ensure that there was more effective use of all the casework systems. The cabinet member assured the panel that reform of casework systems was a priority for the council but this was not something that could be imposed from the centre and that members and staff would need to be consulted ahead of any changes given the council wide impact of any such change.
- 4.13 The Chair thanked officers for preparing the report on complaints and member enquiries. The Chair also noted the following:
 - That in the future it would be helpful to tie in complaints to a systemic process of service improvement, particularly where there are high volumes of complaints (e.g. housing repairs);
 - It was important that complaints for education and private sector housing are also included within the report as these are of growing concern and importance to a larger number of residents.

Chief Executive Question Time (7:35pm)

5

5.1 In each municipal year Scrutiny Panel holds a question time session with the Chief Executive to ask questions about strategic direction, performance and decision-making within the Council. This question time session coincides with the one year anniversary of the commencement of Chief Executive time in Hackney, and is therefore a helpful juncture for reflections of the first year in office.

5.2 Following the Panel's formal invite to this session, 3 topic areas were selected by members which will form the basis of the Q and A session. The areas selected were:

- How the Council is developing metrics and evaluating the outcomes for all council services / activities
- How the Council is restoring public confidence in the organisation
- The methodology and ownership for developing a whole system approach to anti-racism for Hackney Borough.

Chief Executive Officer (CEO)

5.3 The CEO started by commending the good work of Tim Shields (previous CEO) and the leadership team in maintaining a strong and stable organisation throughout and after the pandemic. Such was the strength of the organisation, it was apparent to the incoming CEO that there was no need for any wide ranging restructure of the Council. As the year has progressed however, a number of service areas have been identified for improvement:

- Performance management where there is a need for a greater organisational understanding of how this drives improvement and vision to how services should look in 6 months / 12 months' time;
- Human Resources and Organisational Development to give more support to inclusion and anti-racist action across the council;
- Climate action and net-zero target to give greater priority and leadership to this work across the organisation.

5.4 The leadership team was already in transition with two of the Group Directors starting in their role months before the Chief Executive and one starting more recently. The Head of Legal and Governance was also invited to join the Hackney Leadership Team (HLT) and was very much focused on the work of the Council and the journey ahead. Both the corporate leadership team and the Cabinet team were now amongst the most diverse in London and across the country. The new leadership team had brought a wider range of skills and experience to HLT which was invaluable to the organisation. Further on from this, a more developed relationship was set up with the wider leadership team, including Directors and Head of Services.

5.5 In the first HLT meeting with the Cabinet, the CEO identified 5 key areas for the organisation:

- Visible Pride and Passion that the senior leadership are present and prominent within the organisation and who are actively proud and passionate about the Council and Hackney as a place;
- Inclusive, open and transparent organisation continuing its commitment address racism;
- Improving the metrics and data performance of the organisation with an emphasis on improved outcomes for local residents rather than focus on services.
- To prioritise improvement in three service areas: adult social care, children's social care and housing;
- The need for service transformation to ensure that the council was modern outward looking.

5.6 Since this time, the cost of living crisis has come to the fore and there was now an expectation that this would impact a much wider group of residents. As a result the council would need to prioritise, plan and support residents, business and council staff through this challenging time. The cost of living crisis and more specifically the impact of high inflation, would also impact on local services and the council's ability to support them.

Trust and Confidence

- 5.7 This was important as it framed the response to many other concerns raised by members. The CEO noted that ward walks had been undertaken with most members and there was consistency in the themes raised which would help to improve trust and confidence with the council: improved housing repairs, improved contact and response times and restoring services impacted by the cyber-attack.
- 5.8 The CEO provided preliminary data from the (yet to be published) residents survey which indicated that overall satisfaction with the council remained consistent at 65% which was above the London and national averages. This level of satisfaction was slightly lower than recorded three years ago (68%) but was encouraging given the impact of Covid and cyber-attack on the council. The survey also reported high levels of trust with the council by local residents which was far higher in Hackney (67%) than the LGA average (48%). 51% of residents also believed that the Council provided value for money for the services it provided, which again was higher than the LGA average (45%).
- 5.9 The survey also noted that 4% of residents were dissatisfied with the council. It was suggested that this may be related to the impact of the cyber-attack where a small number of residents were greatly impacted by its effect on local services. It was also noticeable that certain groups of residents were consistently more dissatisfied with aspects of the council service than others these included; residents from Black and Global Majority background, social renters and those aged 55-64 years of age. In terms of complaints about the council the two most common complaints were Low Traffic Neighbourhoods (LTN) and contacting the council. This data provided insight as to where greater focus for improvement was needed most.
- 5.10 The Council had undertaken a range of responses to improve trust and confidence:
 - Future working expectation more officers would be present working in the council, especially managerial and supervisory staff;
 - Customer service response had improved: 67% of calls now answered as compared to 53% immediately after the pandemic and the average waiting time for a response had fallen to 8 minutes from 33 minutes;
 - 42% of all complaints were made by 5 just members and this was being looked into further.

Metrics and Performance Management

5.11 It was apparent even before the pandemic, that the neighbourhood office system to support housing repairs was not working effectively, as attendances were very low. Whilst a new model was introduced in 2021/22, this was not communicated effectively to members or residents. The new surgery model expected to operate over 100 surgeries a month and was being piloted to get feedback from Tenants and Residents Associations (TRA) and members. Directors were clear however, that this

new system must have the ability to actively resolve tenants' concerns for it to continue.

5.12 In relation to housing repairs, the CEO, Mayor and Cabinet member had been meeting with senior officers monthly to review performance data. Since November 2021, over 7,000 cases from the backlog have been cleared and currently 87% of work was being completed on time. Whilst it was encouraging that satisfaction with the repairs service had risen from 57% to 67%, this was some way off the target of 80% resident satisfaction. It was noted that other social landlords across London were experiencing similar levels of satisfaction with their repairs service, and that Hackney was far from an isolated case. There was however still a long way to go for some housing issues with further work needed in relation to:

- Void property turnarounds;
- Contract management;
- Timeliness and satisfaction for work completed
- Lifts balance between capital management and ongoing repairs;
- Leaks and mould strategy.

5.13 The Panel noted that whilst dissatisfaction with the Council in relation to the cyber-attack was recorded to be low (4%) in the resident satisfaction survey, judged on their engagement and feedback from residents this was possibly an underestimate. Panel members noted that there many vulnerable groups of residents who were likely to have been greatly impacted by the cyber-attack, but perhaps were less likely to engage with the survey. Similarly, there were many hidden impacts of the cyber-attack which were less well known among residents (e.g. children's social care records).

- Rather than being Hackney wide, the impact of the cyber-attack has been felt more keenly by particular groups of people which engage with the Council. The impact on these different groups will of course be very different, depending on the nature of the interaction with the council and the services that they are using.
- For the resident survey itself, the researchers made sure that the correct weightings were applied to reflect local demographics (e.g. on age, ethnicity and tenure etc.) to ensure that results produced the best representation of Hackney. The survey was still being finalised but would provide a rich source of data to inform service planning and delivery.

5.14 In terms of benchmarking could further consideration be given to how the council assesses the impact of its spending and investments?

This was critical as there were very important cross cutting issues for which the council needed to monitor and review the impact of its work which included climate change, inequality and inclusive growth. Current performance data presentation was generally limited to past performance comparisons rather on where the council needed to be in terms of its key policies and service objectives. It was a leadership priority that performance should be used to demonstrate the trajectories hat services were on to reach their ambitions. There was also a need to improve comparative assessments of the council's performance with other boroughs through such data platforms as LGInform. It was noted however, that there is just a 0.5 w.t.e. officer in the council supporting performance management in the Council at present. It was emphasised however, that the issue was cultural to the organisation rather than one of resources.

• With such prominence given to housing repairs and benefits, other services tend to get lost in performance data and analysis. Children's Services were performing well, a position validated by a recent assessment by Ofsted which noted the quality of self-assessment process within the service. Similarly, the recent advancements made by Adult Services (doubling of care assessments made with the same resource and reduction of the backlog from 125 to 23) may also be lost against higher profile performance data.

Anti-racism

- 5.15 In terms of anti-racist action planning in relation to the outcomes of Child Q Safeguarding Practice Review (SPR) it was clear that local agencies needed to seize the moment and utilise the political consensus and community momentum to achieve necessary changes. The council was also mindful that it would need to embed any gains and ensure that progress was sustained. Within this it was important to understand that the experiences with Black and Global Majority community were very different and a more granular understanding was needed to progress.
- 5.16 In response to Child Q, the CEO chaired a weekly cross council meeting to support the implementation of the SPR and system wide issues it identified. It was clear that the council had an important system leadership role in the response to the Child Q. The key themes for oversight were on Child Q and her family, the community, the police and education services. There were a number of priorities within this work:
 - Holding local systems to account;
 - Protection and Prevention;
 - Addressing Bias and Discrimination;
 - Leadership.
- 5.17 In terms of leadership, there was some instability within local systems with a number of high profile job changes in recent months at the Homerton Hospital and BCU Met Police Command. It was clear however that the Council had set the systems and framework to address racism across the local partnership and was actively leading in this work. It was acknowledged however that this approach was new territory for some agencies within the local partnership.
- 5.18 Against a backdrop of key race milestones (Scarman Report and Macpherson Report) and given that racism still exists even in such in a diverse and welcoming place such as Hackney, the Panel enquired how the leadership was going to measure progress against tackling racism locally and how local agencies would be held to account?
 - Racism exists at both the individual and organisational level. Progress always leads to further questions, for example from the Stephen Lawrence case, one of the areas of focus was why proportionally fewer children from Black and Global majority backgrounds were accessing university but this subsequently reoriented to why was there such high levels of Black graduate unemployment. Professional curiosity was intrinsic to this process and the same can be applied locally, for example, why is the permanent exclusion rate in Hackney so high? This curiosity will be important to the approach of the local leadership team.
- 5.19 Are local agencies sufficiently joined up to address racial disparities in local services? For example, are children's social care working with local health partners to address the disproportionate number of black and global

majority children which are taken in to care locally which may in part be a result of poor perinatal mental health outcomes?

 As the case example highlighted, it was apparent that there were a number of foundation areas where it was necessary to achieve change to ensure progress in other areas. It was important therefore that the organisation is reviewing and monitoring the performance of the right areas. It was also suggested that the council has focused on the experiences of black people using other services rather than its own and this balance needed to be addressed.

5.20 The Chair thanked the CEO for attending and responding to questions from members of the Panel.

6 Quarterly Finance Update (8:25pm)

- 6.1 The council's budget update to scrutiny is a fixed item on the agenda of the Scrutiny Panel. The Group Director for Finance and Corporate Resources presented to panel members, highlighting the following key issues (slides are available to view in the meet recording).
 - The latest OFP and HRA forecast is predicting an overspend of £7.8m for the former and £9.6m for the latter;
 - There were significant cost drivers for local authorities (contracts, pay aware, energy costs, pension increases) which were adding to financial pressures;
 - London boroughs were predicted to make cumulative savings of around £600-700m per annum through to 2025-2026;
 - The 2022/23 pay award of £1,950 will result in cost pressure in excess of £13m for the council overall (HRA and GF);
 - The mini-budget provided no additional funding for local government to cope with inflationary pressures;
 - Rates of interest for loans through the PLWB have increased significantly to local government resign from 1.58% to 5.12% over a 1 month period which will impact on borrowing;
 - Council's energy is purchased collectively through a LASER framework operated by Kent County Council over a 6 month period - currently 70% of gas and 50% of electricity has already been purchased and these are below the current CAP rates.
- 6.2 The Panel requested further information on what the council was doing in response to the Cost of Living Crisis. The presentation to Panel members noted the following:
 - The Poverty reduction Framework set out the approach of the council prioritising 4 areas: simplifying access to support; maximising income, building existing partnerships and equipping front line services to better support residents in need. Additional funding has been secured for Integrated Care Funding.
 - In terms of impact: 48% of children were living in poverty after housing costs, households not in work (or one working adult), with a disabled adult or carer or low formal qualifications were also identified to be at greater risk of poverty.
 - Financial support provided by the council included£638k to Discretionary Housing Payments, £57k to Discretionary Crisis Support Scheme, £150 fuel rebate paid to over 98,352 residents;

- Household Support Fund has allocated £2.8m to Hackney to redistribute to children and families 0-19 years, Pensioners and help with housing costs and risk of homelessness. The scheme has now been extended to March 2023.
- A centralised information suite has been developed to help residents experiencing financial difficulties;
- In terms of debt, the council is now issuing notices to residents but instructed to work with residents to develop affordable repayments (extending arrangements);
- Similarly, officers are working with tenants in relation to rent arrears and eviction continues to be a last resort.
- 6.3 Whilst members of the Panel welcomed the range of help and support that has been in place for local residents and tenants, there was some concern over the accessibility of the support available. There were also instances of people being encouraged to apply but then being told they were not eligible. What are officers doing to ensure that help is getting to those who most need it? Could there be greater transparency around the Discretionary Housing Payment for instance? How is this DHP benign evaluated?
 - The Cabinet member for finance, insourcing and customer service noted that the teams dealing with these range of benefits and applications for help were under intense pressure and were working to capacity. Whilst the Cabinet member was not aware of any cases which had been treated unfairly,, it was recommended that councillors referred suspected cases through to Cabinet members for investigation.
 - The Group Director indicated that both the Housing Needs and Housing Benefits teams had put on dedicated training for members to enable them to support and refer residents appropriately for support. Further sessions could be held if needed.
- 6.4 Following up from above, Panel members noted that there were over 5,000 cases of under or overpayment of Housing Benefit which was causing considerable hardship in the community. Residents are being encouraged to move into private sector housing and need to know that their rent is going to be paid otherwise they could end up homeless, and the council would be required to deal with them through another service. Therefore a small payment from the DHP fund might help keep residents secure in their property and reduce the likelihood of eviction which may be more costly for the council to resolve.
 - The Group Director responded that Hackney had the highest caseload of Housing Benefit claimants and the impact of the cyber-attack has been far reaching across this service. Whilst many of these cases were not straightforward and did take some time to resolve, the Group Director reassured members of the Panel that caseworkers were working hard to resolve all these as quickly as possible. Where there has been a risk of eviction, the council has always looked for a way to intervene to prevent this if possible. There may have been some cases where eviction has taken place, but these were minimal.
- 6.5 In terms of the MTFS, a budget gap of £24.3m was anticipated for 2023/24 (assuming a 2%) rise in Council Tax. The mid case projection was (cumulatively) £38.8m deficit for 2024/25 and £53.6m for 2025/26. Extensive meetings had been held with Cabinet Members and Group Directors to help identify ways to close the financial gap for 2023/24. Scrutiny Chairs would consider the first tranche of savings

proposals shortly. Similar processes were being deployed to identify savings in the HRA.

- 6.6 The CEO noted that the financial position would require difficult decisions and would welcome input from scrutiny in this matter, particularly in helping to frame the decision making process with new members.
- 6.7 The Chair thanked officers for attending and responding to questions from Panel members.

7 Improving Engagement and involvement of Children and Young People in Scrutiny (9:05pm)

- 7.1 The new administration for 2022-2026 made a policy commitment to:
- "...further promote youth participation in our democratic functions by inviting young people to attend each of the Scrutiny Commissions, to help make sure council decisions and services work for young people."
- 7.2 The scrutiny function is therefore reviewing the current arrangements for the engagement and involvement of children and young people within the overview and scrutiny function in Hackney as part of a broader ambition to further involve children and young people (CYP) in local democracy. An options paper was presented for the Panel to discuss.
- 7.3 The short report Improving Engagement and involvement of Children and Young People in Scrutiny in the agenda sets out:
 - Current arrangements in which children and young people are engaged and involved with scrutiny;
 - Local engagement structures for children and young people;
 - Principles for extending scrutiny engagement with children and young people.
 - Several suggested proposals to improve children and young people's engagement with scrutiny are put forward for members to discuss and agree.
- 7.4 Panel members noted and agreed the principles for engaging young people set out in the paper (summarised below):
 - Young people should be engaged and consulted in those settings in which they naturally congregate, feel safe and can communicate freely;
 - Consultations should be flexible to reflect the differing degrees of involvement and time commitments that young people may have;
 - Approaches to consultation should aim to further develop the knowledge, skills and understanding of young people;
 - Whilst social media is an important tool for initial engagement, young people prefer face-to-face methods of consultation and preferably through peer to peer research;
 - Young people should be compensated for their contribution to consultations in recognition of their time, expertise and insight (and in parity with other adult consultees);
 - Parents should be involved in CYP consultations as they continue to play an
 important role in shaping the views of young people and remain a significant
 influence over the way that they engage with and utilise services.

Monday 3 October 2022

7.5 The Panel agreed to take this work forward and to ensure that this was properly resourced.

8 Minutes and Matters Arising (9:20pm)

8.1 Panel members noted and agreed on the minutes of the 14th July 2022.

9 Scrutiny Panel Work Programme 2022/2023 (9:25pm)

9.1 The Panel noted and agreed the work programme for the remainder of the municipal year 2022/23.

10 Any Other Business (9:30pm)

- 10.1 There was no other business and the meeting closed at 9.30pm
- 10.2 The date of the next meeting was 20th February 2023.

Duration of the meeting: 2hrs 30min