



Notice of a public meeting of

**Customer and Corporate Services Scrutiny Management
Committee**

- To:** Councillors Crawshaw (Chair), Fenton (Vice-Chair),
S Barnes, Hunter, Rowley, D Taylor, Vassie, Wann and
Musson
- Date:** Monday, 11 November 2019
- Time:** 5.30 pm
- Venue:** The Snow Room - Ground Floor, West Offices (G035)

AGENDA

1. Declarations of Interest

At this point, Members are asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of business on this agenda.

2. Minutes

(Pages 1 - 8)

To approve and sign the Minutes of the meeting held on 14 October 2019.

3. Public Participation

At this point in the meeting members of the public who have registered to speak can do so. The deadline for registering is **5.00pm on 8 November 2019**. Members of the public can speak on agenda items or matters within the remit of the Committee.

To register to speak please contact the Democracy Officer for the meeting, their details are at the foot of the agenda.

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Residents are welcome to photograph, film or record Councillors and Officers at all meetings open to the press and public. This includes the use of social media reporting, i.e. tweeting. Anyone wishing to film, record or take photos at any public meeting should contact the Democracy Officer (whose contact details are at the foot of this agenda) in advance of the meeting.

The Council's protocol on Webcasting, Filming & Recording of Meetings ensures that these practices are carried out in a manner both respectful to the conduct of the meeting and all those present. It can be viewed at http://www.york.gov.uk/download/downloads/id/11406/protocol_f_or_webcasting_filming_and_recording_of_council_meetings_20160809.pdf

4. Update report on Wellbeing Project (Pages 9 - 30)

This report provides the committee with information on the wellbeing of staff, through updated management information, staff survey results and ongoing activities to support the wellbeing of staff and to reduce absence levels.

5. Annual complaints report from March 2018 to April 2019 (Pages 31 - 74)

This report provides Members with the Council's annual complaints report for April 2018 to March 2019.

6. Report of the Chair of the Children, Education and Communities Policy and Scrutiny Committee (Pages 75 - 76)

This report provides Members with a six-monthly update on the work of the Children, Education and Communities Policy and Scrutiny Committee.

7. Scoping Report for Corporate Review into Poverty in York (Pages 77 - 82)

This report provides Members with a suggestion for a Corporate Review around poverty in the city, elements of which impact on all the standing scrutiny committees.

8. Annual Scrutiny Review Support Budget 2020/21 (Pages 83 - 88)

This report provides Members with the current position in relation to available Council funding for research in support of scrutiny review work.

9. Schedule of Petitions (Pages 89 - 100)

This report provides Members with details of new petitions received to date, together with those considered by the Executive or relevant Executive Member/Officer since the last report to the Committee.

10. Work Plan 2019/20 (Pages 101 - 104)

To consider the Work Plan for 2019-20.

11. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer:

Name: Robert Flintoft
Telephone: (01904) 555704
E-mail: robert.flintoft@york.gov.uk

For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 (01904) 551550

City Of York Council

Committee Minutes

Meeting	Customer and Corporate Services Scrutiny Management Committee
Date	14 October 2019
Present	Councillors Crawshaw (Chair), Fenton (Vice-Chair), S Barnes, D Taylor, Vassie, Wann, Musson, Doughty (substituting for Rowley) and Pearson (substituting for Hunter)
Apologies	Councillors Hunter and Rowley

27. Declarations of Interest

At this point, Members were asked to declare any personal interests not included on the Register of Interests, prejudicial interest or any disclosable pecuniary interests which they may have in respect of business on the agenda. None were declared.

28. Minutes

Resolved: that the minutes of the previous meeting held on the 9 September 2019 be approved and signed by the Chair as an accurate record.

29. Public Participation

It was reported that there had been two registrations to speak under the Council's Public Participation Scheme. However, one speaker has now sent their apologies and cannot attend the meeting. The remaining speaker had registered to speak on Matters on Committees Remit.

Councillor Claire Douglas (City of York Council) spoke about the role of a Social Value approach to procurement in CYC and other large buying institutions in York. Councillor Douglas recommended to the Committee a potential scrutiny topic around the importance of the Council's Social Value Policy and if it could be embedded more effectively to see improvements in areas such as tendering, planning, and creating good jobs in York.

The Chair thanked Councillor Douglas for her contribution and highlighted that the Committee would take her comments into consideration during Item 6 of the agenda, as part of the Committee's Work Plan.

30. Update on the Corporate Project Management Approach

The Head of Programmes and Smart Place provided an update on the Council's approach to Project Management, and presented an update on the Council's Major Project Portfolio. The Committee were updated on the training and support given to Project Managers and how projects are monitored. The Committee was asked to note and consider the project approach and the project information provided, as well as the information published monthly on the open data platform.

Before the Head of Programmes and Smart Places answered Members' questions, the Chair noted that the item would attract a lot of questions that the Head of Programmes and Smart Places would potentially be unable to answer without the specific Project Manager being present. In these instances the Committee were assured that questions would be noted and answered outside of the meeting.

In answer to members' questions regarding major projects and Red, Amber, Green (RAG) rating system for projects, the Head of Programmes and Smart Places stated that:

- Big projects will most likely have their own Project Manager, but this does not mean that a Project Manager will not potentially have more than one project ongoing;
- Project Sponsors can vary depending on the project management structure but will often be the Corporate Director;
- Officers responsible for setting the RAG rating of a project are experienced enough to correctly score projects;
- The Council aims to involve public participation in projects in the discovery phase at the start of the project, and highlighted the work undertaken in the Castle Gateways project as a strong example of public engagement;
- Oversight does not necessarily change if a project changes RAG rating, because the risks are known within the team before the rating is determined;
- That the RAG scoring cannot be perfect and recognised questions on why certain projects do not make the list. However, it was stated that there is a scoring system and a

project must meet the threshold to be included on the Corporate Highlight Report.

Members discussed their concerns about oversight of the RAG rating being determined by a Project Sponsor that would be required to answer why a project is an Amber or Red. The Head of Programmes and Smart Places highlighted that the importance is the detail of the risks that are overseen by the Corporate Management Team (CMT) themselves not necessarily the RAG colour assignment. However, the Head of Programmes and Smart Places did recognise Member concerns regarding public perception if they do not agree with a colour rating assigned to a project.

Members listed a number of current projects and questioned the current rating as being Green, such as the Older Persons Accommodation Phase 2 due to risks being reliant on external parties outside the Council's control. Members considered monthly reports for scrutiny committee's and including the breakdown of the 11 elements that make up a RAG rating being included, but agreed they did not want to intrude on the work of Audit and Governance Committee. The Head of Programmes and Smart Places confirmed these can be provided but that it would lead to additional layers that could affect the efficiency of projects.

Resolved:

- i. That the content of the update report be noted.
- ii. That oversight of the project management RAG rating of the Older Persons Accommodation Phase 2 project be recommended to the Health & Adult Social Care Policy & Scrutiny Committee.
- iii. That the Guildhall Project be referred to the Economy & Place Policy & Scrutiny Committee to be monitored by that Committee.
- iv. That a scoping report be prepared around the approach to project risk ratings and project management.

Reason: To ensure that the committee is kept updated on key project activity.

31. Report of the Chair of Housing and Community Safety Policy and Scrutiny Committee

Members considered a report that provided them with a six-monthly update on the work of the Housing and Community Safety Policy and Scrutiny Committee.

The Chair of the Housing and Community Safety Policy and Scrutiny Committee gave an update and confirmed the Committee had received:

- Reports from various officers, including around Housing Services new ICT project that could overlap between Health & Adult Social Care Policy & Scrutiny Committee, Customer and Corporate Services Scrutiny Management Committee, and his own Scrutiny Committee.
- Briefings on the various service areas under the Committee's remit, giving the Committee a greater understanding of the role the Council and its partners play in the field of housing and community safety;
- An update from the Executive Member for Housing and Safer Neighbourhoods;
- The draft Housing Delivery Program Design Manual before it was presented to the Executive in order to provide comments and were joined by a number of external 'experts'.

Members discussed the loss of housing from Right to Buy against the ability to replace them from new housing building. The Housing and Community Safety Policy and Scrutiny Committee have discussed pausing or challenging Right to Buy, while there is precedent in Scotland this is considered difficult. The Committee is currently considering requesting that the council retains receipt of sales, to prevent a loss of revenue from properties sold from Right to Buy.

Members asked if there had been an impact on people going into arrears as a result of moving to Universal Credit, as the payment is direct to the individual and no longer to the housing association or landlord? The Chair of the Housing and Community Safety Policy and Scrutiny Committee confirmed that they had not looked into this, however, they could look into this and provide an update. The Assistant Director Customer & Digital Services noted that rent arrears are reported as part of the impact of welfare benefits to the Executive on a six monthly basis, the next report is due in December.

The Housing and Community Safety Policy and Scrutiny Committee Chair raised concerns about the cost of temporary CCTV camera instalment due to the Council's current contract. It was discussed which scrutiny committee could best consider this issue. The Head of Civic and Democratic Services noted that this could be connected to the wider contract and so would be best placed with CSMC.

Members thanked the Chair of the Housing and Community Safety Policy and Scrutiny Committee for his update.

Resolved:

- i. That the update be noted.
- ii. That the Chair will discuss with the Head of Civic and Democratic Services the correct channel for the Temporary CCTV issue to be taken.

Reason: To keep the Committee updated on the work of the Housing and Community Safety Policy and Scrutiny Committee.

32. Work Plan and Work Planning Session

The Chair presented a draft work programme for the 2019/20 municipal year. The Chair recognised the length of the list, and wanted the Committee to consider if anything was missing from the draft work programme and what areas were of significant interest to the Committee to pursue.

The Chair noted an interest to see more involvement from external experts be incorporated into the Committee meetings where appropriate. He also noted that HR, Resources, and Wellbeing is not currently on the list as this currently has a report returning to the Committee and is presented every six months. The Chair also stated that on the Potential Work Streams list Information Governance should have been named Information Management.

Members discussed the work stream list and were advised by the Head of Civic and Democratic Services to seek several overview reports to define what the work will focus on. The Chair agreed with this approach and stated that it could lead to recommending pieces of work to other scrutiny committees, after the overview report, where this is applicable to do so. Members focused on:

- Sustainable Procurement Policy and the social value in disinvestment (disposing of assets) and how decisions are made.
- Diversity and barriers to entry for being an elected member in York, taking into account the current lack of diversity amongst scrutiny chairs and how to engage with non-elected members about the barriers to entry to widen participation in the conversation.
- Budget setting and how other authorities in and outside of the UK approach the decision of setting a budget, and how is this feed into from officers at lower levels and frontline staff to CMT.
- How the Council has around forty individual brands in the city and if it would be better to present these more clearly as being Council services to the public.
- If there is currently the resources to enforce decisions made at the Area Planning Sub-Committee.

Resolved: That the following work items be discussed between the Chair, Scrutiny Officer, and Head of Civic and Democratic Services to determine a timescale for the work before being added to the Work Plan:

- i. Overview report of Council motions covering the last four years;
- ii. Overview report on added value in procurement;
- iii. Deciding scrutiny topics is deferred to chairs and vice chairs meeting;
- iv. Overview report on member engagement, post January Numeration Report;
- v. Public engagement meeting involving My Future York to be undertaken by the Chair and Vice Chair;
- vi. Overview report on Budget Setting;
- vii. Information report on information management.
- viii. Information report on corporate branding;
- ix. A topic raised by the Area-planning Sub Committee on how planning enforcement is working be referred to the Economy and Place Policy and Scrutiny Committee.

Reason: To ensure that the Committee has a planned programme of work in place.

33. **Schedule of Petitions**

Members considered a report providing them with details of new petitions received to date, together with those considered by the Executive or relevant Executive Member/Officer since the last report to the Committee.

The Chair noted an update on the current report process for petitions that was asked to be considered in the previous meeting on the 9 September 2019. The Assistant Director Legal and Governance has recommended to the Chair, that when the constitution is reviewed that amendments be made so that Respark Petitions no longer come to this Committee for monitoring. Instead Respark petitions will be sent to either the Executive Member for Transport or the Council Highways team depending on the content of the petition.

The Chair also highlighted that Petition 138 could be included as part of the overview report on added value in procurement, members agreed to this proposal.

Resolved:

- i. That the report be noted.
- ii. That Petition 138 on City of York Council paying the living wage, be incorporated into the overview report on added value in procurement.

Reason: To ensure the Committee carries out its requirements in relation to petitions.

Councillor J Crawshaw, Chair
[The meeting started at 5.30 pm and finished at 7.35 pm].

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**Customer & Corporate Services Scrutiny
Management Committee****11 November 2019**

Report of the Director of Customer & Corporate Services

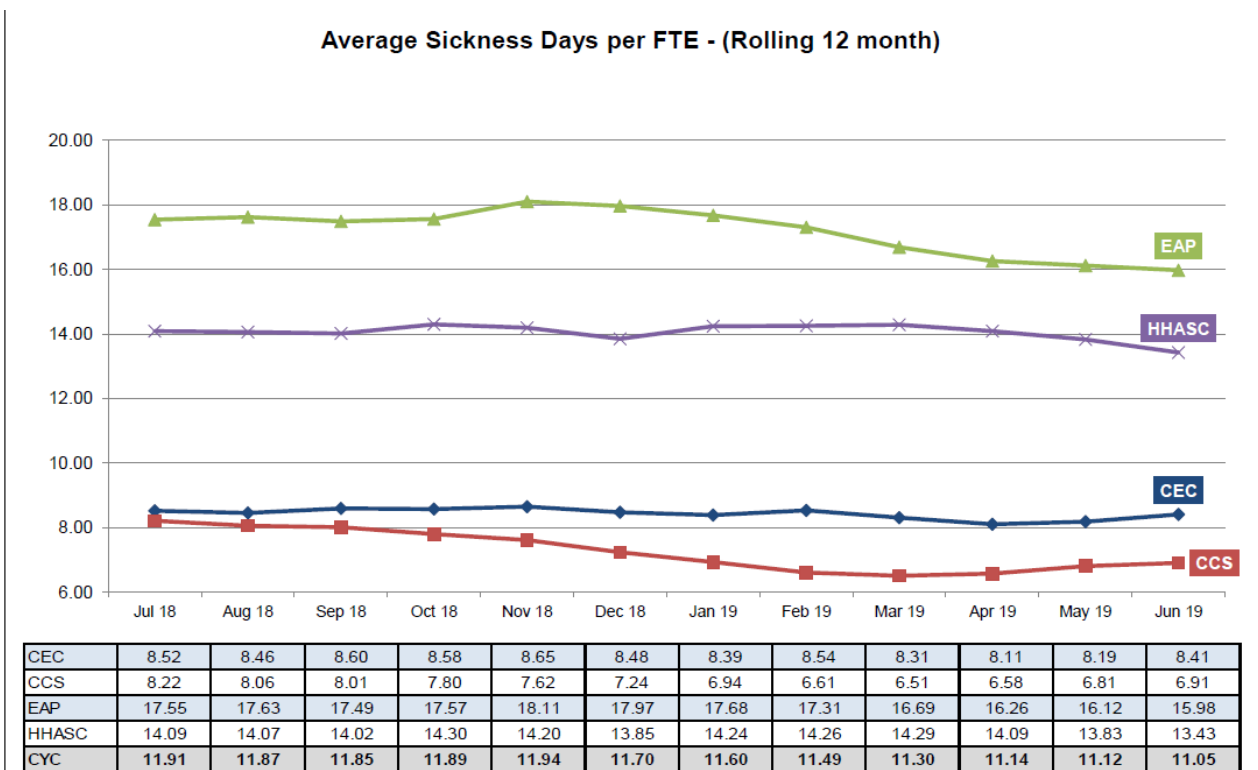
Attendance and Wellbeing**Summary**

1. This report provides the committee with information on the wellbeing of staff, through updated management information, staff survey results and ongoing activities to support the wellbeing of staff and to reduce absence levels.
2. The report also suggests areas where the committee may wish to scrutinise further.

Background

3. Supporting staff in their wellbeing continues to be a key focus at CYC.
4. The Chartered Institute of Personnel and Development (CIPD) (April 2019) states that “Fostering employee well-being is good for people and the organisation. Promoting wellbeing can help prevent stress and create positive working environments where individuals and organisations can thrive. Good health and wellbeing can be a core enabler of employee engagement and organisational performance.”
5. As you are aware it is complex and wellbeing is a multi-faceted approach where one size does not fit all.
6. At CYC we are working with Public Health colleagues to deliver a Workplace Health & Wellbeing Strategy and within HR the next 18 months our wellbeing approach is going to focus around stress and mental health in the workplace.
7. The impact of absence within the workplace has direct and indirect impact on the services we provide and is dependent upon the role the member of staff carries out and the length of time of the absence.

8. Some roles require a replacement immediately due to the service, such as a waste operative where without a replacement the waste collection will not be able to go ahead. Other roles can often manage for a day or so but where absence is extended, temporary replacement will be required, such as social workers.
9. At CYC levels of absence remain above an average of 10 working days per FTE. CIPD reports average sickness for public sector is around 8 days. CYC's aim is to reduce absence levels to around the 8 working days per FTE. However it appreciates that this will be an average and that in some areas this will be higher and in many much lower.
10. Finding comparative data across authorities is difficult as previously reported and not always comparing like for like services.
11. Focussing on the health and wellbeing of our staff is important both from an employers' perspective, but also as 80% of our staff are residents in York improved health and wellbeing will have a direct result on the population.
12. As you can see from the graph below the sickness rates over the last 12 months have seen a downward trend.



13. CYC has committed to a two year contract with a specialist provider to provide support to employees on their first day of absence and to support managers in their proactive management of staff wellbeing during periods of absence.
14. Scrutiny committee will receive a report in January on implementation and progress of that contract. To date though, the new process has been live for one month and we have received positive feedback from both managers and staff using the service.

Analysis and further areas for consideration

Absence – Hot Spot Areas

15. As discussed above there is a slight downward trend in absence levels across CYC over a 12 month period and it is expected to decrease further over the next 12 months as a result of the additional service provided through the day one service.
16. Economy & Place (E&P) and Health & Adult Social Care have the highest levels of sickness absence across CYC, in some areas such as waste, adult social care and provider services, absence is much higher than the average.
 - Waste, public realm, highways and fleet 24.1 days
 - Adult social care 14.3 days
 - Health and adult social care provider services 18.4 days
17. When looking at other management information such as overtime and the use of agency staff there is no consistent correlation. CMT cost control and DMT direct monitor these measures across the authority.

Absence – Long Term sickness

18. Long-term absence accounts for 32.6% of the percentage of FTE days lost, when compare to the same period last year there is a slight increase from 29.3% of 3.3%.
19. Stress and mental health accounts for 23.5% of all long term sick, but only 3% of short term sick.

20. CYC breakdown further the recording of stress related absences into stress, depression and mental health and work related stress. The table below shows the main cause being depression and mental health.

	Long Term %	Short Term %
Stress	4.5%	0.1%
Depression & mental health	15.2%	2.4%
Work related stress	3.8%	0.5%
Total	23.5%	3.0%

Stress and Mental Health

21. The figures we have relating to stress and mental health are from our absence data only and therefore just collected when staff go off sick. Whilst the staff survey looked at wellbeing, what we have not carried out is any work or analysis relating to stress and mental health of those still in work, and perhaps this is an area for further activity.
22. The Health and Safety Executive reported that in 2017/18 stress, depression or anxiety accounted for 44% of all work-related ill health cases and 57% of all working days lost due to ill health. Stress, depression or anxiety is more prevalent in public service industries, such as education; health and social care; and public administration and defence. The full document can be found in Annex 1.
23. In CYC absence as a result of Stress & Mental Health accounts for 30.6% of the percentage of FTE days lost, when compare to the same period last year there is a slight reduction from 31.2%.
24. Across the Directorates it is interesting to see the changes, however as you are aware there may be a couple of long term sickness cases that can skew the figures and further investigation would be needed to identify the individual cases.

31.2%	Of Employees claiming Sickness - % of FTE Days Lost in total due to Stress & Mental Health related absence	30.6%
40.0%	CEC	29.8%
17.2%	CCS	37.3%
26.1%	EAP	19.9%
39.4%	HHASC	36.3%

25. With regards to stress and mental health, any member of staff reporting absent on day one with this reason are referred to occupational health for their professional advice. Staff are sign posted to the Employee Assistance Programme who provide support direct to them, this includes counselling over the phone. Staff are positive about their experience of the EAP helpline.
26. CYC has seen 5.5% utilisation (web site and helpline calls) of the EAP service, taking into consideration the declared headcount of 5,597, for this period. The standard utilisation for the EAP is 5%. So CYC is just slightly above the standard usage.
27. The table below shows the work related issues that staff have contacted the EAP service on.

Work Issues

Issue	Jul 19 - Sep 19
External Pressures	3
Inappropriate work demands	1
Mental Health	0
Role Performance	1
Support from Management	2
Work Related trauma	1
Work Stress	5
Sickness Absence	1
Grievance/Disciplinary/Suspension	1
Total	15

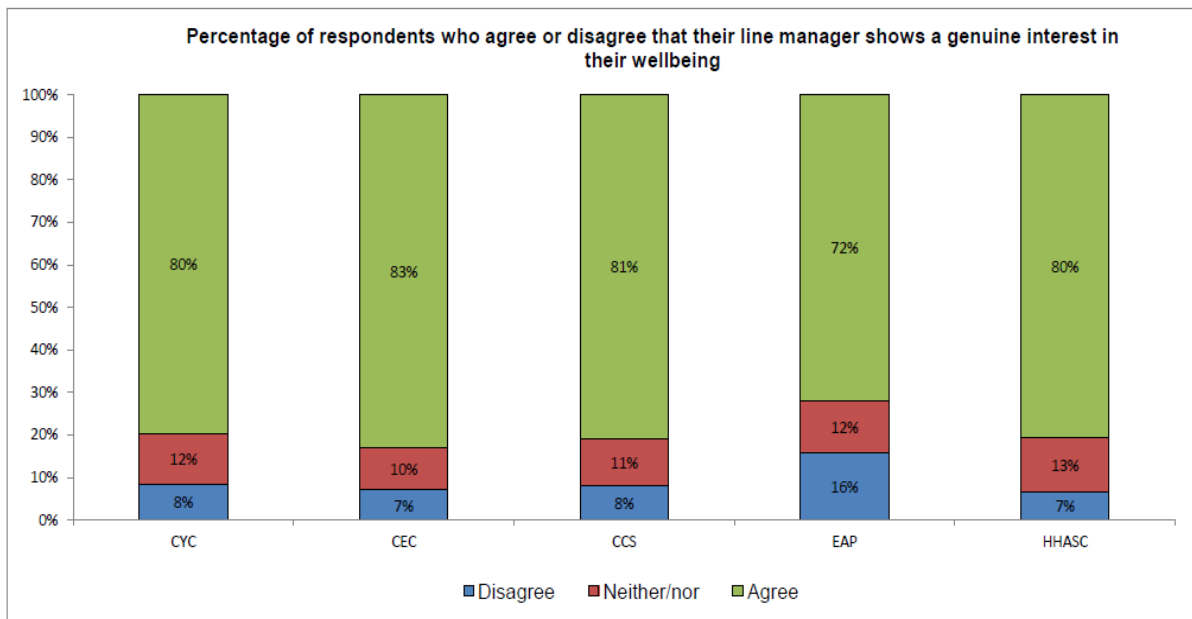
28. The Council have signed up to the Time to Change Employers pledge. This is a social movement led by MIND and funded through Department of Health. There are alternatives such as Mindful Employer that other organisations have signed up to, ultimately with the same objectives.
29. Time to Change is focussed on changing how we think and act about mental health and aims to reduce stigma and discrimination associated with mental health. Reducing stigma and discrimination has a positive impact on how we experience ourselves and our mental health problems, or how we might ask for help and support.
30. An action plan describing how CYC will achieve its pledge will be led through the Workplace Health Strategy Group.
31. This is an important step for CYC. We want to create a workplace environment which acknowledges that we're all human, we all have mental health, and that talking about it in a supportive environment makes a difference. Managers and leaders can help shape the

workplace environment to be supportive of staff facing mental health problems.

- 32. Time to Change champions will receive training enabling them to promote public health messages across the organisation and support mental wellbeing in our staff.
- 33. A network of champions have been recruited and are in the process of defining their role and what they will be able to offer to colleagues. Training will then commence to enable them to carry out their role.
- 34. This Committee may wish to request further information on the progress against that action plan across CYC.

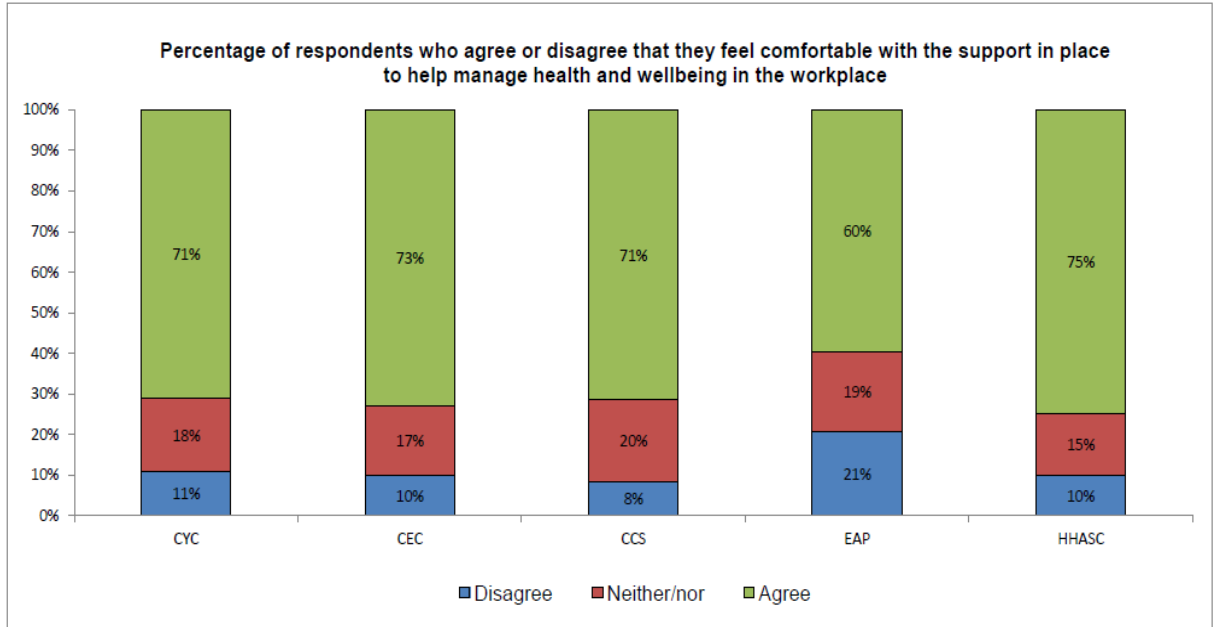
Staff Survey

- 35. Pulse survey three of the Staff Survey, focussed on Inclusion, wellbeing & behaviour at work. The results were positive and are shown below. Please note that only 38% of staff responded to the survey.

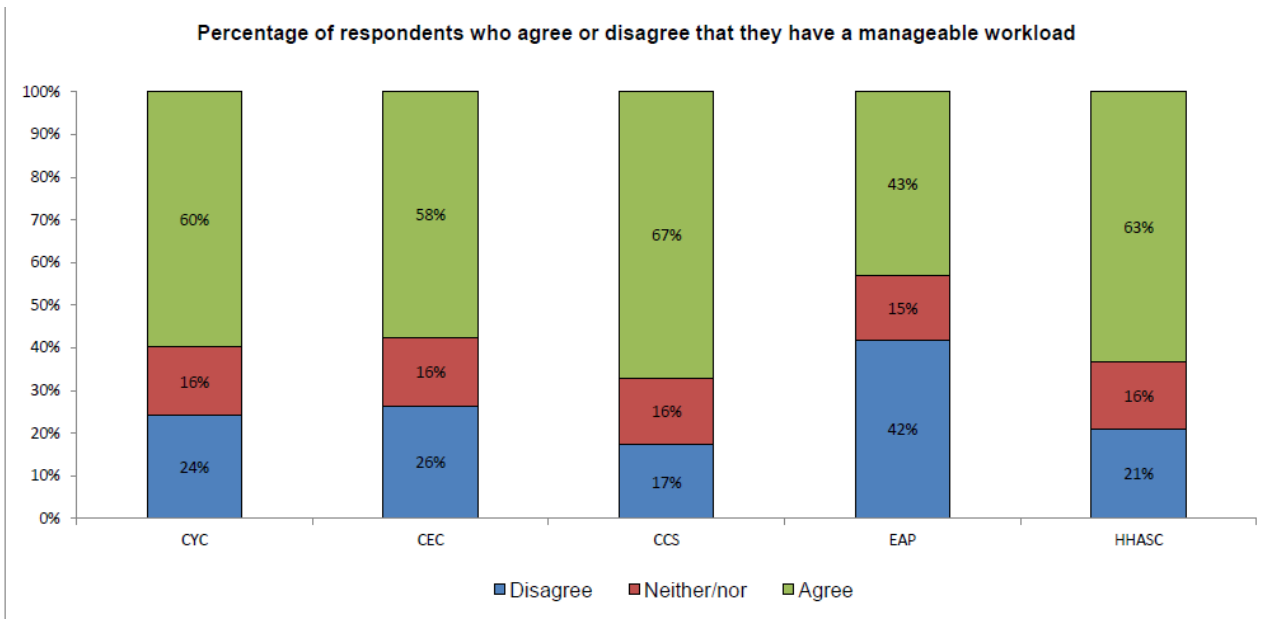


- 36. Overall 80% of respondents in CYC agreed that their line managers had a genuine interest in their wellbeing. It can be seen from the above that 16% in E&P of respondents disagreed.
- 37. Further focussed face to face sessions have been carried out within E&P to try and drill further into the responses, some findings reflected that managers themselves had limited capacity, lack of visibility of senior managers came (as it did in the whole survey) and that managers whilst

had very good technical skills and abilities that there were some skills lacking in people management.



- 38. Again another positive result overall and again reflects the same pattern within E&P.
- 39. Results from the focus group in E&P suggested that the open plan office environment is at odds with staff wellbeing; unhealthy, not confidential or supportive, can't always sit together as teams. And that it often it takes someone to have crisis or become ill before their wellbeing is looked at.



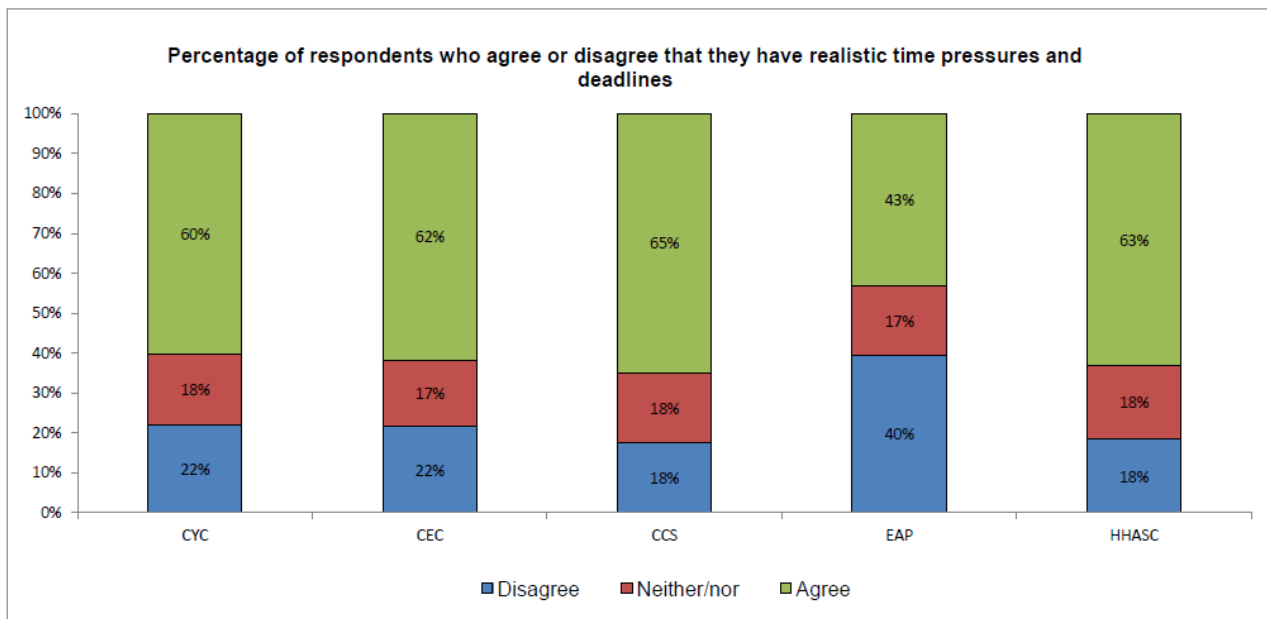
40. Workload is a concern and has been raised in previous scrutiny committees linked to absence. The table above shows that 24% of those responding did not feel that their workload was manageable, within E&P again this is much higher. Focus groups were held and the findings with regard workload are shown below.

The volume of work was felt, across all services, to be unmanageable and too high for the levels of staff.

It was felt that although staff were cut, workload wasn't reviewed in line with staffing resources, putting an unmanageable strain on those left.

There was also some discussion about processes and the type of work being done.

It was felt in some areas that some tasks and processes were unnecessary and burdensome and that some business process re-engineering work would be useful to review this.



41. Similar patterns in the responses above to workload and therefore time pressures.
42. Time pressures within the E&P areas were with regards to statutory timescales. Findings from the staff survey focus groups suggest that whilst there are statutory timescales, many timescales and parameters are set locally and put strain on certain services and there was a feeling that these could be adjusted in light of changes to staffing levels and workload over recent years.
43. Service areas constantly consider ways of working to ensure that work is being carried out in the most efficient manner.

Areas for further consideration

44. Throughout the report a number of areas have been suggested for the committee to consider if further exploration would be of benefit. These are listed below.
 - To consider stress and mental health of staff within the workplace and to identify if this is an issue and what can be done about it
 - To review progress on the Time to Change Action Plan

- To consider what other authorities do to support wellbeing in particular around Stress and Mental Health and to see what best practice can be shared.

Consultation

45. There was no consultation involved in the production of this report.

Council Plan

46. The information outlined in this report is in line with the Council Plan and the People Plan which has health and wellbeing as a priority.

Implications

47. There are direct financial cost associated with health and wellbeing, mainly through the cost of absence. Managing health & wellbeing effectively will reduce this strain on resource.
48. HR implications are throughout health & wellbeing and ensuring that practice and policy is being consistently applied is essential.
49. There are no known Legal, ICT or other implications associated with the recommendations in this report.

Risk Management

50. The main risks continue to relate to failure to record, track, monitor and put into place actions to monitor and manage wellbeing, which may cause sickness levels to rise.

Recommendations

51. To consider the information provided in the report.
52. To consider the areas for further investigation and decide a priority of activity. The recommended priority is shown below in order.
- To consider stress and mental health of staff within the workplace and to identify if this is an issue and what can be done about it
 - To review progress on the Time to Change Action Plan

- To consider what other authorities do to support wellbeing in particular around Stress and Mental Health and to see what best practice can be shared.

Reason: To inform the Committee of the latest sickness absence figures and to ensure the organisation considers the impact of stress and mental health across all its workforce.

Contact Details

Author:

Trudy Forster
Head of HR
01904 553984

Chief Officers Responsible for the report:

Ian Floyd, Interim Head of Paid Service

Report Approved **Date** 28.10.19

Specialist Implications Officer(s) None

Wards Affected:

All

For further information please contact the author of the report

Annexes

Annex 1 – Health and Safety Executive depression or anxiety statistics

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Work related stress depression or anxiety statistics in Great Britain, 2018

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1.Summary

The document can be found at: <http://www.hse.gov.uk/statistics/causdis/stress/index.htm>



Stress, depression or anxiety in Great Britain

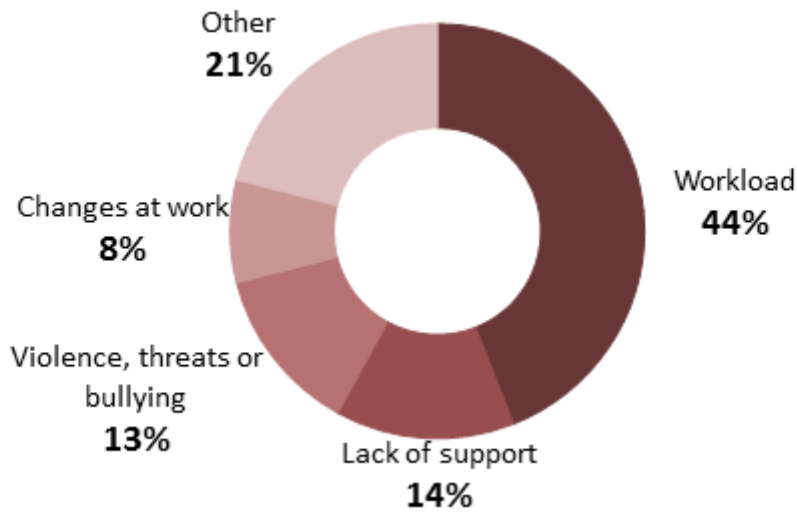
595,000

Workers suffering from work-related stress, depression or anxiety (new or long-standing) in 2017/18
Labour Force Survey (LFS)

15.4 million

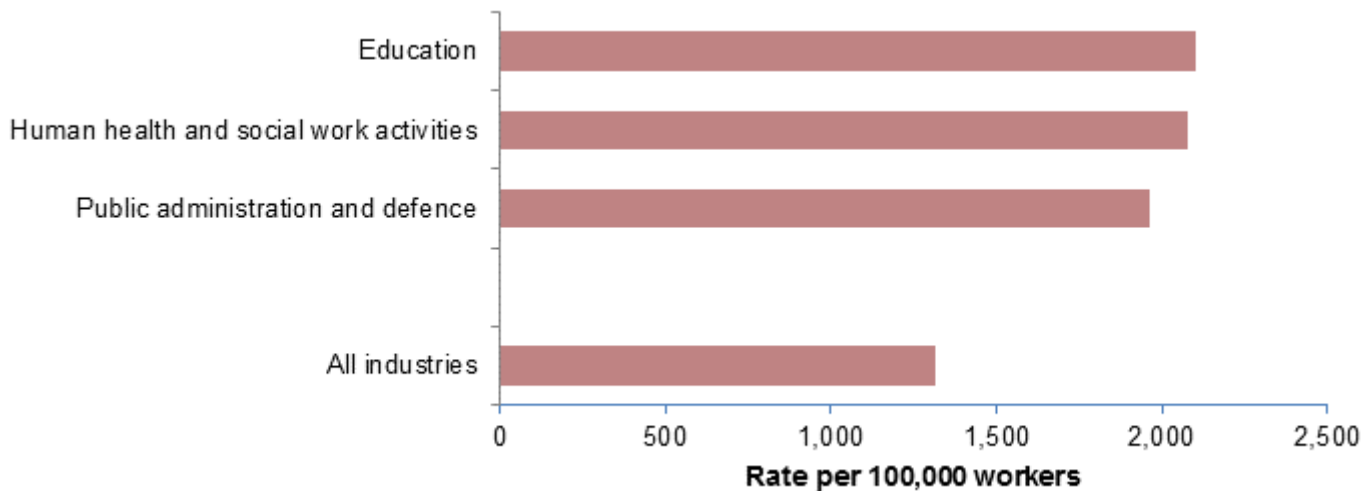
Working days lost due to work-related stress, depression or anxiety in 2017/18
Labour Force Survey (LFS)

Stress, depression or anxiety by cause, averaged 2009/10-2011/12



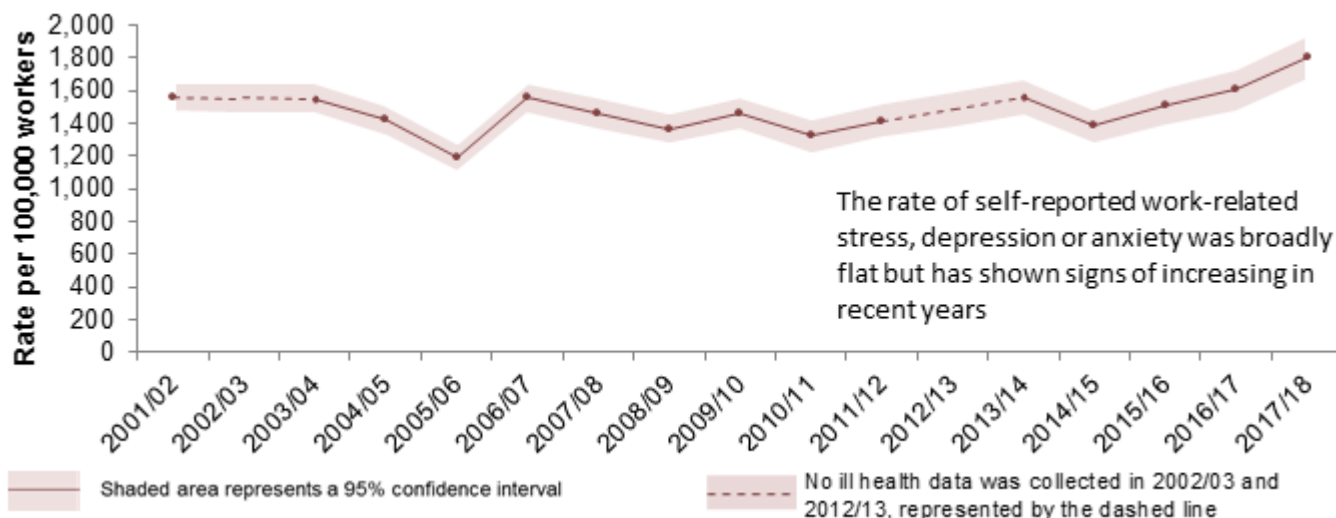
Source: Labour Force Survey
www.hse.gov.uk/statistics/lfs/index.htm

Industries with higher than average rates of stress, depression or anxiety, averaged 2015/16- 2017/18



Source: Labour Force Survey
www.hse.gov.uk/statistics/lfs/index.htm

Stress, depression or anxiety per 100,000 workers: new and long-standing



Source: Labour Force Survey
www.hse.gov.uk/statistics/lfs/index.htm

Work-related stress, depression or anxiety is defined as a harmful reaction people have to undue pressures and demands placed on them at work.

The latest estimates from the Labour Force Survey (LFS) show:

□ The total number of cases of work related stress, depression or anxiety in 2017/18 was 595,000, a prevalence rate of 1,800 per 100,000 workers. This was not statistically significantly different from the previous period.

The rate of work related stress depression and anxiety was broadly flat but has shown signs of increasing in recent years.

□ The number of new cases was 239,000, an incidence rate of 720 per 100,000 workers.

□ The total number of working days lost due to this condition in 2017/18 was 15.4 million days. This equated to an average of 25.8 days lost per case. Working days lost per worker due to self-reported work-related stress, depression or anxiety shows no clear long term trend.

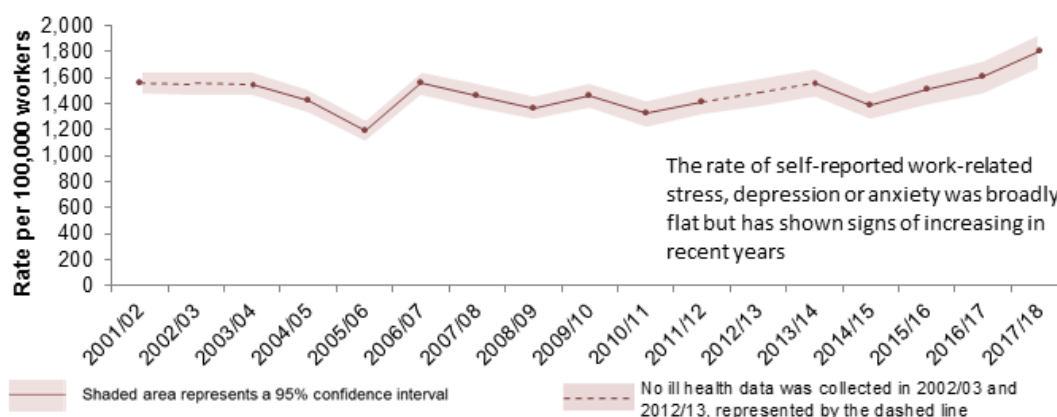
□ In 2017/18 stress, depression or anxiety accounted for 44% of all work-related ill health cases and 57% of all working days lost due to ill health.

□ Stress, depression or anxiety is more prevalent in public service industries, such as education; health and social care; and public administration and defence.

□ By occupation, professional occupations that are common across public service industries (such as healthcare workers; teaching professionals and public service professionals) show higher levels of stress as compared to all jobs.

□ The main work factors cited by respondents as causing work related stress, depression or anxiety were workload pressures, including tight deadlines and too much responsibility and a lack of managerial support (2009/10-2011/12).

Figure 1. Estimated prevalence rates of self-reported stress, depression or anxiety caused or made worse by work in Great Britain, for people working in the last 12 months



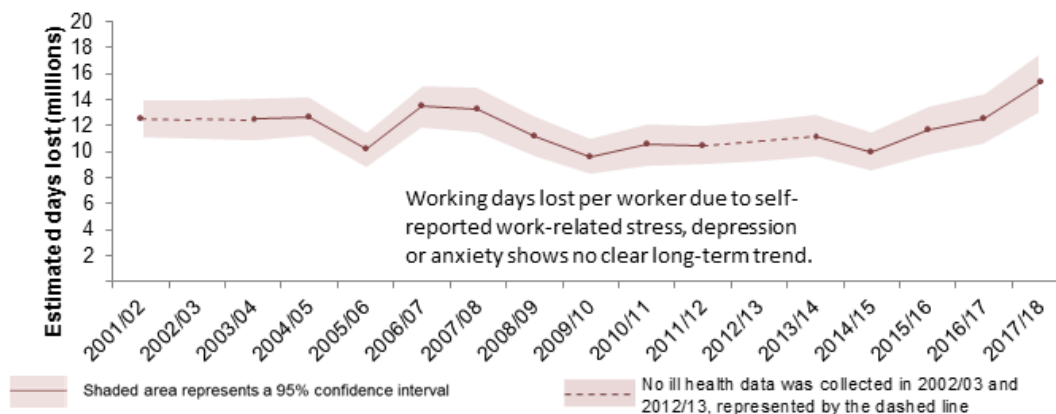
2. Background

Work-related stress is defined as a harmful reaction that people have to undue pressures and demands placed on them at work. By its very nature, stress is difficult to measure and HSE has two different data sources from which to conduct analysis. The preferred data source used by HSE for calculating rates and estimates for stress, depression or anxiety is the Labour Force Survey (LFS). The LFS is a household survey consisting of around 38,000 households per quarter across Great Britain which provides information about the labour market. HSE commissions a module of questions in the LFS to gain a view of work-related illness based on individuals' perceptions. The LFS provides national estimates and corresponding rates of the overall prevalence (total cases) of self-reported work-related illness during the previous 12 months, which includes long standing and new cases. It also provides estimates of new cases of work-related illness in the same period and of annual working days lost due to work-related illness. Estimates and rates relate to people working in the previous 12 months. Statistics presented in this document are based on the LFS data, unless otherwise specified.

In addition to the LFS, HSE also collects data on work-related stress through The Health and Occupation Research network for general practitioners (THOR-GP) across Great Britain. This network asks reporting general practitioners to assess whether new cases of mental ill health presented in their surgeries are work-related, and if so, what was the work-related cause of this disorder. The two data sources may reflect different perceptions of work related attribution to individual cases.

Longitudinal studies and systematic reviews have indicated that stress at work is driven largely by psychosocial factors and is associated with common conditions such as heart disease and anxiety and depression and may play a role in some forms of musculoskeletal disorders

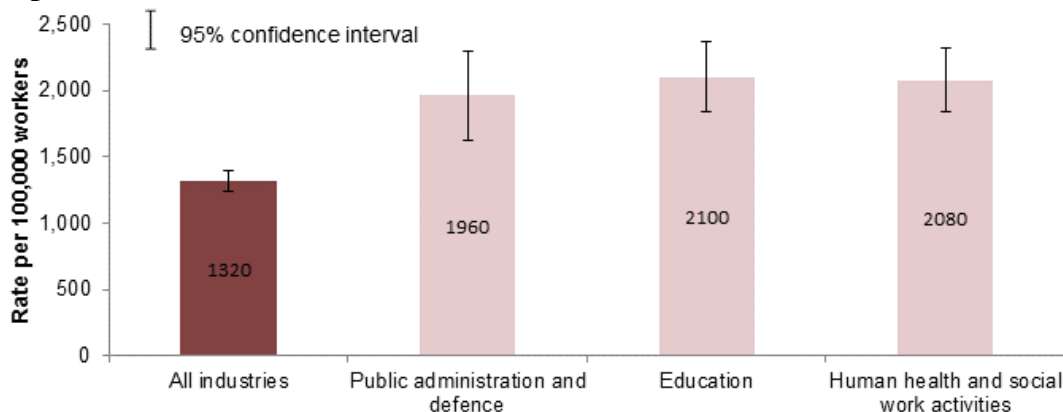
Figure 2. Days lost due to self-reported work-related stress, depression or anxiety, for people working in the last 12 months



3. Work-related stress, depression or anxiety by industry group

The average prevalence rate for work-related stress, depression or anxiety across all industries was 1,320 cases per 100,000 workers over the three-year period 2015/16 – 2017/18. The broad industry category of Public administration and defence; compulsory social security has a rate of 1,960 cases per 100,000 workers; Human health and social work activities 2080 cases per 100,000 workers and Education, 2100 cases per 100,000 workers each with a statistically significantly higher rate than the average for all industries.

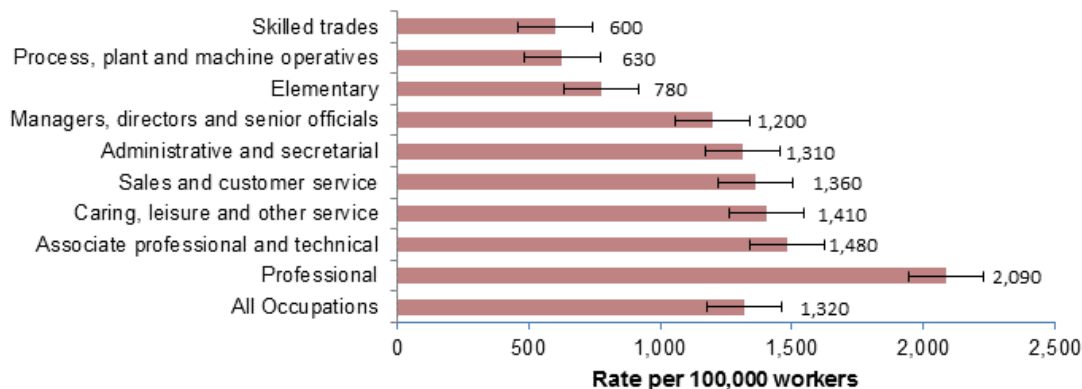
Figure 3. Prevalence rate for work-related stress, depression or anxiety in Great Britain, by broad industry category, per 100,000 people employed in the last 12 months, averaged over the period 2015/16/-2017/18



4. Work related stress, depression or anxiety by occupational category

Those occupational groups with the high prevalence rates of work-related stress, depression or anxiety broadly reflect the types of occupations found in the industries mentioned above.

Figure 4. Prevalence rate of work-related stress, depression or anxiety in Great Britain, by broad occupational category, per 100,000 people employed in the last twelve months, averaged over the period 2015/16-2017/18



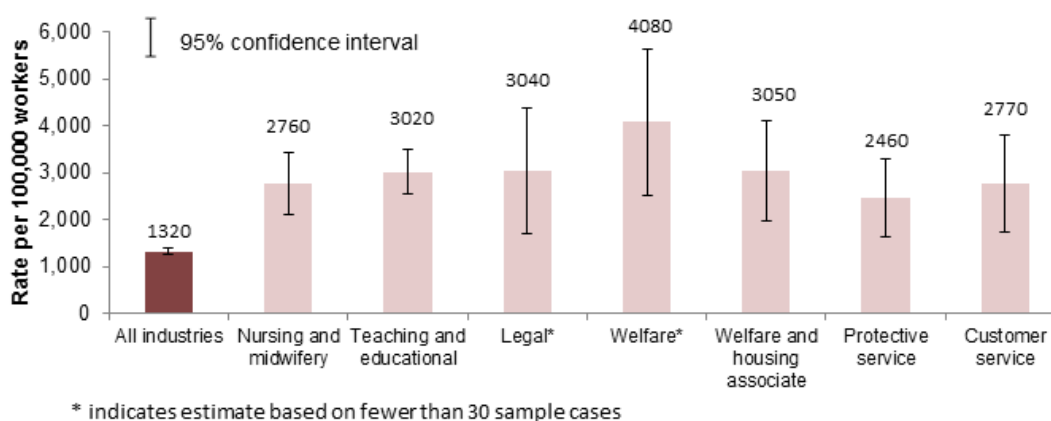
The Professional occupations category has statistically significantly higher rate of work-related stress, depression or anxiety than the rate for all occupations. For the three-year period averaged over 2015/16-2017/18, the Professional occupations category had 2,090 cases per 100,000 people employed, compared with 1,320 cases for all occupational groups.

However the broad categories of Skilled trades, Elementary occupations and Process plant and machine operatives had statistically significantly lower rates of work-related stress, depression or anxiety at 600, 780 and 630 cases per 100,000 workers respectively.

Looking more closely at the broad category of Professional occupations we can assess which professions are driving the higher rates of work-related stress, depression or anxiety. Nursing and midwifery professionals at 2,760 cases per 100,000 workers, Teaching professions at 3,020 cases, Welfare professionals at 4,080 cases.

Other professions with higher rates include Legal professionals, protective services and those in customer services.

Figure 5. Prevalence rate of self-reported work-related stress, depression or anxiety in Great Britain, within the category of Professional occupations per 100,000 people employed averaged over the period 2015/16-2017/18



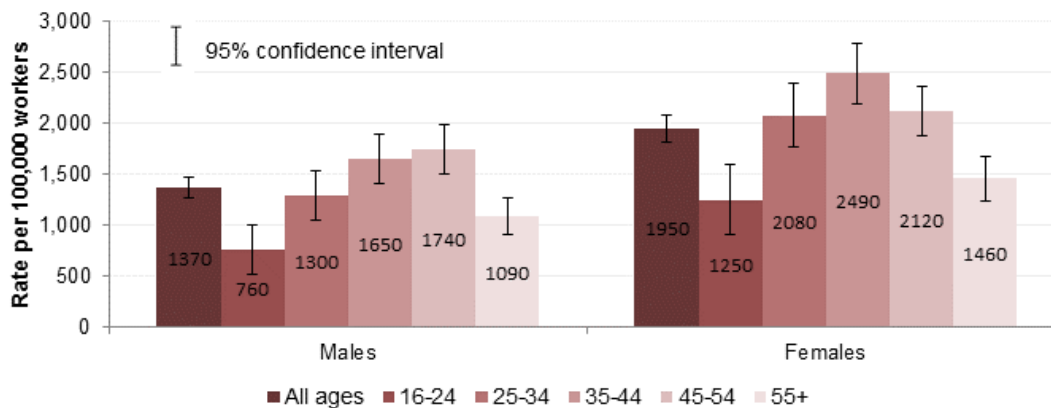
5. Work-related stress, depression or anxiety by age and gender

In the three year period 2015/16-2017/18 the average prevalence rate for work-related stress, depression or anxiety for males was 1,370 cases and 1,950 cases for females per 100,000 workers. Females had a statistically significantly higher rate than males in this period. The rate for all persons was 1,640 per 100,000 workers.

For males, the 16-24 years (760 cases per 100,000 male workers) 25-34 years and 55+ (1,090 cases per 100,000 male workers) had statistically significantly lower rates than all persons combined in this period. Males in the 35-44 and 45-54 years were not significantly different from the all persons rate.

Within the female age categories 16-24 years at the rate of 1,250 cases per 100,000 workers were statistically significantly lower than the rate for all persons. Females in the categories 25-34, 35-44 and 45-54 had significantly higher rates than all persons being 2,080, 2,490 and 2,120 cases per 100,000 workers (see Figure 6). Those in the 55+ category were not significantly different from the all persons rate.

Figure 6. Prevalence rate of self-reported work-related stress, depression or anxiety in Great Britain, by age and gender per 100,000 workers averaged over the period 2015/16-2017/18

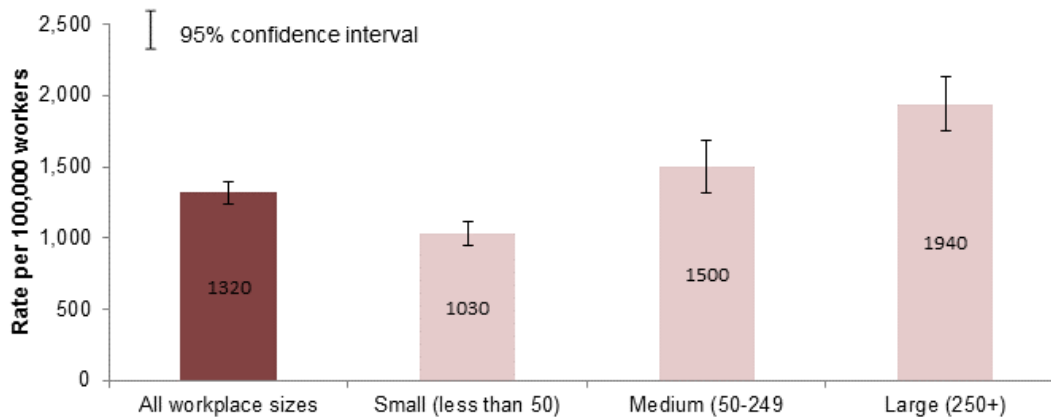


6. Work-related stress, depression or anxiety and workplace size

Compared with the rate across all workplaces sizes, small workplaces had a statistically significantly lower rate of work-related stress, depression or anxiety whilst large workplaces had statistically significantly higher rates. Medium enterprises were not significantly different from the rate across all workplaces.

The rate across all workplace sizes was 1,320 cases per 100,000 workers with Small (fewer than 50 employees) 1,030 cases, Medium (50-249 employees) 1,500 cases and Large (250+ employees) 1,940 cases.

Figure 7. Prevalence rates of self-reported work-related stress, depression or anxiety in Great Britain, by workplace size per 100,000 workers, averaged over the period 2015/16-2017/18

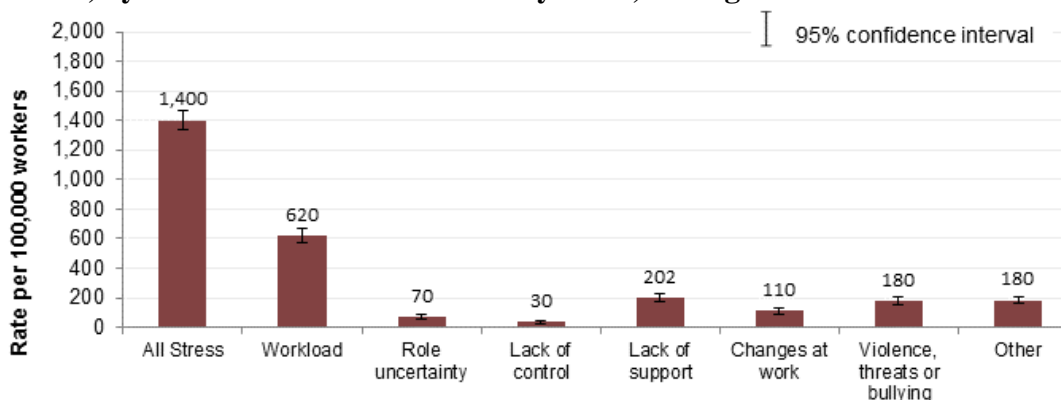


7. Causes of workplace stress

The predominant cause of work-related stress, depression or anxiety from the Labour Force Survey (2009/10-2011/12) was workload, in particular tight deadlines, too much work or too much pressure or responsibility.

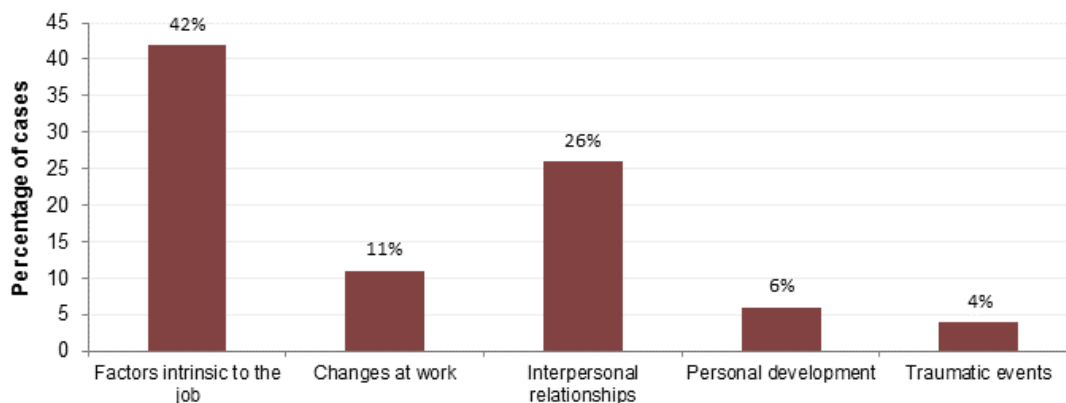
Other factors identified included a lack of managerial support, organisational changes at work, violence and role uncertainty (lack of clarity about job/uncertain what meant to do.)

Figure 8. Estimated prevalence rates of self-reported stress, depression or anxiety in Great Britain, by how caused or made worse by work, averaged 2009/10 - 2011/12



The general practitioners network (THOR-GP 2013-2015) identified an analysis of work-related mental ill health cases by precipitating events. They concluded that workload pressures were the predominant factor, in agreement with the LFS, with interpersonal relationships at work and changes at work significant factors also.

Figure 9. Analysis of mental ill-health cases reported to THOR-GP according to precipitating event, three-year aggregate total, 2013 to 2015



The THOR network of specialist physicians offers some case study examples of work related stress and how these were dealt with.

Example of work related stress case presented to physician in the THOR scheme Case of the Quarter – THOR

Work-related stress in a 43 year old male local authority employee.

Earlier this year all of his department were advised that they had to reapply for their posts, and he was retained but on a temporary contract in a different location. Surgery for keratoconus in 1992 left him sensitive to bright light and with difficulties driving at night. In his previous post the workstation had been adapted to meet his visual requirements and the location had meant he had little night driving in wintertime. Requests to his new line manager for occupational health input in view of his medical condition were declined. Over a period of a few weeks he developed sleeping difficulties and felt exhausted. He found it difficult to concentrate at work and was noted to be increasingly irritable at home. When initially seen he had a tachycardia and raised blood pressure. He was signed off work and on review after two weeks was feeling much better and his pulse and BP had returned to normal. After a further two weeks he was able to return to work with occupational health input. A constructive meeting with senior management took place and it was arranged for him to return to his original location and duties under new line management, with all adjustments to be undertaken and checked before his return.

Job insecurity, insensitive management and low personal “control” are some of the factors involved in work related stress. A change in behaviour can often be the presenting symptom of stress. The abnormal physiological response associated with stress can be reversible on dealing with the background issues. He had always found his work to be enjoyable and is doing so once more.

8. Conclusion

Work-related stress, depression or anxiety continues to represent a significant ill health condition in the workforce of Great Britain. Work-related stress, depression or anxiety accounts for 44% of work-related ill health and 57% of working days lost, in 2017/18. The occupations and industries reporting the highest rates of work-related stress, depression or anxiety remain consistently in the health and public sectors of the economy. The reasons cited as causes of work-related stress involve workload, lack of managerial support and organisational change as the primary causative factors.

Links to detailed data tables

The detailed data included in this report can be found in tables located at www.hse.gov.uk/statistics/tables .

National Statistics

National Statistics status means that statistics meet the highest standards of trustworthiness, quality and public value. They are produced in compliance with the Code of Practice for Statistics, and awarded National Statistics status following an assessment by the Office for Statistics Regulation (OSR). The OSR considers whether the statistics meet the highest standards of Code compliance, including the value they add to public decisions and debate.

It is Health and Safety Executive's responsibility to maintain compliance with the standards expected by National Statistics. If we become concerned about whether these statistics are still meeting the appropriate standards, we will discuss any concerns with the OSR promptly. National Statistics status can be removed at any point when the highest standards are not maintained, and reinstated when standards are restored.

An account of how the figures are used for statistical purposes can be found at www.hse.gov.uk/statistics/sources.htm.

For information regarding the quality guidelines used for statistics within HSE see www.hse.gov.uk/statistics/about/quality-guidelines.htm

A revisions policy and log can be seen at www.hse.gov.uk/statistics/about/revisions/

Additional data tables can be found at www.hse.gov.uk/statistics/tables/.

General enquiries: Statistician paul.buckley@hse.gov.uk

Journalists/media enquiries only: www.hse.gov.uk/contact/contact.htm



**Customer & Corporate Services Scrutiny
Management Committee****11 November 2019**

Report of the Assistant Director – Legal & Governance

Annual Complaints Report**Summary**

1. The attached report and annex is the Council's annual complaints report for April 2018 to March 2019.

Background

2. Complaints and Feedback are managed for all Council areas through the Complaints and Feedback Team (CFT) to ensure that comments, complaints, concerns and compliments are dealt with in an independent and consistent way across the Council.
3. Complaints about adult and children's social care services are dealt with under two separate pieces of legislation:
 - The Children Act 1989 Representations Procedure (England) Regulations 2006
 - The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009
4. Complaints about other council services are dealt with under the Council's Corporate Complaints and Feedback procedures and these have been designed using the guidance and good practice specified in the statutory procedures and by the Local Government and Social Care Ombudsman (LGSCO) formerly known as the Local Government Ombudsman (LGO).

Consultation

5. There was no consultation necessary in the production of this report.

Options

6. Members can:
 - a. Highlight further areas for investigation by officers
 - b. Decide to initiate a Scrutiny Review into this topic and request a scoping report

Council Plan

7. N/A

Implications

8. There are no known Financial, Human Resources, Equalities, Legal, ICT or other implications associated with the recommendations in this report.

Risk Management

9. In compliance with the Council's risk management strategy, there are no known risks associated with this report.

Recommendations

10. Members are asked to consider if there are any issues arising out of the annual report upon which they require further action.

Reason: To ensure that the Council is providing the most appropriate and up to date complaints management and monitoring processes.

Contact Details

Author:

Cath Murray
Complaints and Feedback
manager
Tel: 01904 554080
haveyoursay@york.gov.uk

Chief Officer Responsible for the report:

Suzan Harrington
Assistant Director, Legal & Governance.
Tel: 01904 554587
suzan.harrington@york.gov.uk

Report Approved Date 15th October 2019

Wards Affected:

All

For further information please contact the author of the report

Annexes

Annex A – City of York Council annual complaints report March 2018 to April 2019

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City of York Council Annual Complaints Report April 2018 – March 2019

Suzan Harrington
Interim Assistant Director, Legal & Governance
Cath Murray
Complaints and Feedback Manager

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1 Introduction

Complaints and Feedback are managed for all council areas through the Complaints and Feedback Team (CFT) to ensure that comments, complaints, concerns and compliments are dealt with in an independent and consistent way across the council.

Complaints about adult and children's social care services are dealt with under two separate pieces of legislation:

- The Children Act 1989 Representations Procedure (England) Regulations 2006
- The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009

Complaints about other council services are dealt with under the council's Corporate Complaints and Feedback procedures and these have been designed using the guidance and good practice specified in the statutory procedures and by the Local Government and Social Care Ombudsman (LGSCO) formerly known as the Local Government Ombudsman (LGO).

It is essential that all teams delivering services (including the contractors or providers of services on our behalf) formally capture and record complaints. It is only by doing so that complaints can be tracked and where things have gone wrong, managers can ensure that matters are put right. Senior managers and the CFT therefore regularly encourage teams to recognise complaints and report these to the CFT.

2 Ombudsman Investigations and Annual Review Letter

The LGSCO is the council's regulator and following the exhaustion and conclusion of the relevant complaints procedure, is able to investigate complaints about council services.

The exception to this is that the Housing Ombudsman Service (HOS) is the regulator for most housing related services and the Information Commissioner's Officer (ICO) is the regulator for all information governance complaints, including complaints about data breaches, and responses to requests under the Data Protection Act, General Data Protection Regulation, Freedom of Information Act and Environmental Information Regulations.

The LGSCO provides an annual review letter about the council covering April to March each year. This includes tables presenting the number of complaints and enquiries received about the council and the decisions the LGSCO has made during the reporting period. This is to help us assess our performance in handling

complaints. It includes the number of cases where the LGSCO's recommendations remedied the fault and the number of cases where they decided we had had offered a satisfactory remedy during our local complaints process. In these latter cases the LGSCO provides reassurance that we had satisfactorily attempted to resolve the complaint before the person went to them.

The LGSCO dealt with 57 cases about the council in April 2018 to March 2019 with 60 cases being concluded within this time period. (This therefore includes cases which were received but not concluded in the previous reporting period). The decisions are summarised below:

LGSCO decision	How many?	%* rounded down to whole number
Closed after initial enquiries	23	38%
Referred back for local resolution	8	13%
Advice given	3	5%
Incomplete/invalid	5	8%
Not upheld	10	16%
Upheld	11	18%
Total	60	100%

The LGSCO's 11 upheld decisions had the following remedies

Remedy	Number
Apology	1
Apology, Financial redress: Avoidable distress/time and trouble	1
Apology, Financial redress: Avoidable distress/time and trouble, Reassessment, Procedure or policy change/review	1
Apology, Financial redress: Avoidable distress/time and trouble, Training and guidance, Procedure or policy change/review, Improved remedy	1
Apology, Financial Redress: Quantifiable Loss	1
Apology, Procedure or policy change/review, New appeal/review or reconsidered decision	1
Financial redress: Avoidable distress/time and trouble	2
Financial redress: Avoidable distress/time and trouble, Financial redress: Loss of service	1
Null	2

The details of the 11 upheld cases are shown at Appendix 1 at the end of this report.

The points of particular importance in the Ombudsman's annual letter from this year are:

- A case resulting in a public report following a finding of maladministration (included in the upheld figures above). The Ombudsman noted:

“We recommended the Council act to improve services and learn lessons from what happened. We are pleased to note the Council has undertaken the action we recommended and also wrote to the family to invite them to take part in an internal review that will inform changes to policies and procedures.”

- A further reminder to the council about the Ombudsman's powers when requesting information for investigations. The Ombudsman states:

“During our investigation the Council took the view that it could not share some information with my office without the permission of the courts. We had to remind the Council of our longstanding powers to obtain information in order to investigate complaints. I have had to remind the Council of our powers in a previous annual letter and I trust this will not be necessary in future.”

The complaints and feedback team has provided refresher training and written reminders to managers about the Ombudsman's powers when requesting information.

This year the Ombudsman has also included information about the council's compliance with the remedies made. Three remedies were not completed within the agreed timeframe and the council shares the Ombudsman's disappointment about this and is working with managers to ensure timescales are complied with in future.

3 What is a Complaint?

A complaint is an expression of dissatisfaction or disquiet however made, about the actions, decisions, or apparent failings of a local authority's social services provision, and/or the level or nature of a council service or policy, which requires a response. If it is possible to resolve the complaint immediately this does not need to be logged through the complaints procedure.

A complaint is not a request for a service that is made for the first time. For example, if a customer complains that a streetlight is not working, we will treat it as a service request that we aim to fulfil by repairing it within the service level

agreement. If we then fail to repair it within that timescale, and the customer is still unhappy, it should then be defined and treated as a complaint

4 Effectiveness of the Procedures

The CFT offer and proactively encourage all staff and managers to participate in regular training and awareness raising, about the complaints and feedback procedures. There were a number of sessions held across the council including with directorate management teams, service area and team meetings.

In addition to this, guidance is provided to assist managers with completing thorough investigations and comprehensive responses including on a case by case basis.

When managers have provided a response to a complaint, they are asked to record what will be done to resolve it, what lessons have been learnt and what action will be taken to improve services and avoid problems being repeated. The CFT proactively monitor the completion of both action plans and lessons learned.

A summary of the information received regarding the lessons learnt and action taken is included at the end of this report at section 51.

5 Themes

The main themes this year are about inappropriate action and disagreeing with assessments, however as in other years, this is most often related to communication issues in all areas, including involving all parties fully in assessments and care planning, in a timely way, keeping people up to date and explaining decisions and any changes fully and clearly.

Communication issues continue to be a key theme discussed with staff in the training and awareness raising sessions offered and provided by the CFT, which assists staff in understanding how to improve customer experience and avoid unnecessary or the escalation of complaints.

6 Cost of delivering the complaints procedure including the corporate procedure:

There are ongoing costs attached to delivering an efficient and effective complaints service. These costs should be seen against the inherent costs of not providing this service. These may include customer dissatisfaction escalating, an increase in number of and amount of financial remedies being recommended by the LGSCO, increased judicial reviews and non-compliance with legislation.

The total actual spend for the full service including the Information Governance provision, salary and on-costs was £285,885.76.

The financial remedies payments made as part of the three different complaints procedures are provided at sections 21, 37 and 49 later in this report.

The council also has to provide investigating officers and independent people for social care complaints where required and the costs for this in this reporting period was £17,004.00 which includes the core costs for this service provision.

Annual Children's Social Care Complaints and Representations Report April 2018 – March 2019

7 Context

The following information relates to complaints made during the twelve months between 1st April 2018 and 31st March 2019 for children under the Children Act 1989 Representations Procedure (England) Regulations 2006.

All timescales contained within this report are for working days.

In addition, the numbers of compliments are also recorded and these are:

12/13	13/14	14/15	15/16	16/17	17/18	18/19
6	8	3	23	6	17	22

The CFT are aware that many more compliments are received and actively work to encourage staff and teams to forward these to ensure they are recorded. This is to ensure we are able to provide an accurate picture of our customers' experiences of the services they receive.

The compliments received include:

- Thanking placements team and workers for the way they handled their case
- Whenever school staff have a safeguarding concern or need to make a referral, they always get first rate advice from the Front Door team.
- Every single one of you has enabled us to continue to love our role as foster carers and as a foster family.
- Family Learning courses are 'absolutely fab. Really, really good". 'The best help I've ever had.
- I have been assisted by the swift and thorough way in which the social worker has responded to my call for information.
- Thank you so much for all the activities you put in place.
- Thank you for all the support and advice you've given us, it has made a huge difference.

The legislation makes it clear that people should be able to provide feedback and have this responded to, without this being seen as a complaint. Therefore concerns, comments and requests are also logged.

The number of concerns, comments and requests received in this period were:

12/13	13/14	14/15	15/16	16/17	17/18	18/19
12	13	6	14	11	26	20

A concern is logged when someone wants to tell us about a problem, without wanting this to be considered as a complaint.

A comment or request is logged when someone makes a suggestion, or request, or is making the council aware of a problem for the first time. This is then passed to the appropriate person to respond to the issues being raised. If a person remains dissatisfied after receiving a response, this would then be logged as a complaint.

8 Who can make a Complaint?

- Any child or young person (or a parent, or someone who has parental responsibility) who is being looked after by the local authority or is not looked after by them, but is in need.
- Any local authority foster carer (including those caring for children placed through independent fostering agencies).
- Children leaving care
- Special Guardians
- A child or young person (or parent) to whom a Special Guardian order is in place.
- Any person who has applied for an assessment under section 14F (3) or (4).
- Any child or young person who may be adopted, their parents and guardians.
- Persons wishing to adopt a child.
- Any other person whom arrangements for the provision of adoption services extend.
- Adopted persons, their parents, natural parents and former guardians and such other person as the local authority consider has sufficient interest in the child or young person's welfare to warrant their representations being considered by them.

Where a complaint is received from a representative on behalf of a child or young person, we will, where possible, confirm that the child or young person is happy for this to happen and that the complaint received reflects their views.

The complaints manager in consultation with relevant operational managers will decide whether the person is suitable to act in this capacity and has sufficient interest in the child's welfare. If it is decided that a person is not suitable to act as a representative for a child, they will be informed of the decision in writing by the complaints manager. The complaint will then fall outside the statutory procedure. They will however be able to complain through the corporate complaints procedure.

Complaints may also be made by adults relating to a child or young person, but are not being made on their behalf. The complaints manager in consultation with operational managers will decide whether the person has sufficient interest in the child's welfare for the complaint to be considered. The child may also be consulted as part of the decision making process.

9 Grading of Complaints

Complaints are graded following an assessment of issues including severity, complexity, risk to the customer and other customers, risk to the authority, history of similar complaints and likelihood of future similar complaints. Other considerations include, the outcomes wanted to resolve the complaint, who is best placed to consider and effectively respond to the complaint and the complainant's views of how the complaint should be dealt with.

Stage One.

Is dealt with by line managers of the service area the complaint concerns, this includes where the service is being provided on behalf of the council by an external contractor. The expectation is that the managers will have the knowledge and understanding of the issues and delegated responsibility to be able to resolve complaints at this stage quickly, without the need for an in depth formal investigation.

The legislation requires complaints at stage one to be responded to within 10 working days. This can be extended for a further 10 working days in some circumstances, for example where further time is needed to arrange an advocate, or where staff may be away from work. This can only be extended with the agreement of the complainant.

Stage Two.

This stage is implemented where the complainant is dissatisfied with the findings of stage one, or where it is assessed as being appropriate to be considered and responded to at this stage, due to issues including the severity, complexity or risk. Stage two requires an investigation conducted by either an internal manager who has not had any previous involvement in the complaint and has no line management responsibility for the area being complained about, or an external investigating officer. The Assistant Director for children's social care services acts adjudicates on the findings of the investigation, although on occasions, this can be completed by another senior manager with an understanding of children's social care, where the Assistant Director for children's social care services is not available.

The council must offer an advocate to assist children and young people in making a complaint and appoint an independent person to oversee the investigation process at this stage. Stage two complaints falling within the social services

statutory complaints procedures should be dealt with in 25 days, although in certain cases this can be extended to 65 days.

Stage Three.

The third stage of the complaints process is the review panel. Where complainants wish to proceed with complaints about statutory social service functions, the council is required to establish a complaints review panel. The panel makes recommendations to the Director of children's social care services, who then makes a decision and provides a written response on the complaint and any action to be taken.

Complaints review panels must be made up of 3 independent panellists. There are various timescales relating to stage three complaints. These are:

- setting up the panel within 30 working days;
- producing the panel's report within 5 working days of the panel; and
- producing the local authority's response within 15 days following receipt of the report.

A further option for complainants is the LGSCO who is empowered to investigate where it appears that a council's own investigations have not resolved the complaint. Complainants can refer their complaint to the LGSCO at any time, although the Ombudsman normally refers the complaint back to the council, unless the council has been given sufficient opportunity to consider and respond to the complaint. The council will usually agree to a complaint being considered by the Ombudsman without the third stage of the internal process having been completed, where it is considered there has been sufficient opportunity to consider and respond to the complaint at stage 2 and further consideration is unlikely to lead to a substantially different outcome.

10 Activity

The CFT recorded 44 complaints under the children's social care procedure during the year, compared with a total of 40 last year.

An additional 4 complaints were received through the corporate complaints procedure, compared to 16 in the previous year.

11 Total complaints made:

Of the 44 complaints dealt with:

- 34 were investigated at stage one of the social care procedures,
- 3 progressed to stage two

- 10 complaints in total heard at stage two with 7 of these being moved straight to stage 2, due to their complexity and or severity.

No complaints were considered at stage three.

The team is aware that 5 people contacted the LGSCO in relation to children's services. The cases were decided upon with the following outcomes:

- 1 was closed after initial enquiries with no further action.
- 1 upheld maladministration & injustice with an apology and payment of £400 made after an offer of £300 during the council's internal stages.
- 2 Upheld: Maladministration, No Injustice
- 1 Report Issued: Upheld; Maladministration & Injustice with an apology, review of practice and payment of £2000 for the distress caused.

12 Comparison with the preceding year

The numbers of complaints being received are small in number and typically fluctuate each year and this is typical of social care complaints received across Yorkshire and Humberside. The figures show an increase of 10% for this reporting period.

13 Complaint outcomes – total

	2015-2016	2016-2017	2017-2018	2018-2019
Upheld	3	0	4	6
Partly upheld	15	9	10	19
Not upheld	8	14	20	14
Not proved	0	0	0	0
Not pursued	4	3	2	5
No response	0	1	2	-
Ongoing	4	1	2	0
Total	34	28	40	44

14 Response Times

A key requirement of complaints procedures is to ensure that individuals are informed of the outcome of their complaints, in an appropriate time frame.

The timescales in working days for children's social care complaints as set out in the regulation are:

- 10 days at Stage 1 (with a further 10 days for more complex complaints or additional time if an advocate is required);

- 25 days at Stage 2 (with maximum extension to 65 days);
- 20 days for the complainant to request a Review Panel;
- 30 days to convene and hold the Review Panel at Stage 3;
- 5 days for the Panel to issue its findings; and
- 15 days for the local authority to respond to the findings.

Details of Complaints by stage

15 Stage One Complaints

There were 34 stage one complaints compared to 30 last year. These have been categorised as follows:

Stage One - Nature of complaint

	2015 - 2016	2016 - 2017	2017 - 2018	2018 -2019
Attitude of staff	3	2	1	
Disagree with Policy	-	1	1	1
Disagree with Assessment	2	4	10	9
Discrimination	-	0	0	1
Inappropriate Action	10	12	13	12
Lack of Action	5	6	3	6
Quality of Advice/ Communication	4	1	2	5
TOTAL	24	26	30	34

You will note that inappropriate action and disagree with assessment have been the main themes with the highest numbers of recorded complaints at this stage for the previous two years, with lack of action and quality of advice being the next highest number received.

Stage One - Responding in time performance

	2015 -	%*	2016 -	%*	2017 -	%*	2018 -	%*
	2016		2017		2018		2019	
Within 10 days	13	54%	19	73%	24	80%	17	50%
Within 20 days	6	25%	2	8%	5	17%	12	34%
Over 20 days	2	8%	2	8%	0	-	1	2%
Not Pursued	3	12%	3	11%	1	3%	4	11%
TOTAL	24		26		30		34	

*% figures are rounded to the nearest whole number

It is noted that there has been an decrease of 30% for responses due within the 10 days' timeframe from last year. However we are pleased to note that all complaints are now receiving a response and those over 10 working days even where responded to usually within an additional day. The one complaint responded to outside the 20 working day timescale, had not been recorded with

the CFT prior to the response being sent. This resulted in a significantly late response as the CFT were not able to support managers to respond within the timescale, or make senior managers aware of the problems in the ability to provide a response. The CFT has been working with managers and has provided updated training to staff on the importance of ensuring all complaints are logged immediately with the CFT, so the process can be appropriately and independently managed to assist with the provision of through and timely responses.

Stage One - Outcomes

	2015 -	%*	2016 -	%*	2017 -	%*	2018 -	%*
	2016		2017		2018		2019	
Upheld	2	8%	0	-	3	10%	3	8%
Partially Upheld	11	46%	7	27%	7	23%	14	41%
Not Upheld	8	33%	15	58%	16	53%	13	38%
Not Proven	0	-	0	-	0	-	0	-
Not Pursued	3	12%	3	11%	2	7%	4	11%
No response	0	-	1	4%	2	7%	-	-
TOTAL	24		26		30		34	

*% figures are rounded to the nearest whole number

You will note that there has been an increase in the numbers of complaints being partly upheld this year, in comparison to the previous years, with a decrease in numbers being fully upheld or not upheld.

16 Stage Two Complaints

Stage Two - Nature of Complaint

	2015 -2016	2016 -2017	2017 -2018	2018 -2019
Attitude of staff	-	-	-	-
Disagree with Policy	-	-	-	-
Disagree with Assessment	1	-	1	3
Discrimination	-	-	-	-
Inappropriate Action	6	3	4	3
Lack of Action	2	1	3	4
Quality of Advice/ Communication	1	1	2	-
TOTAL	10	4	10	10

You will note the number of complaints received at this stage, remains the same as those received in the previous reporting period

Stage Two – Responding in time performance

	2015 -	%*	2016 -	%*	2017 -	%*	2018 -	%*
	2016		2017		2018		2019	
Within 25days	2	20%	1	25%	6	60%	1	10%
Within 65 days	-	-	2	50%	0	-	2	20%
Over timescale	7	70%	1	25%	4	40%	6	60%
Not Pursued	1	10%	-	-	0	-	1	10%
Ongoing	-	-	-	-	0	-	-	-
TOTAL	10		4		10		10	

You will note that there has been an increase in the number of complaints going “over the timescale”. It is important to remember that this may be related to the need to arrange advocates and appointments with both staff and complainants, particularly at adjudication. The CFT ensure that complainants are kept updated in these cases.

Stage Two Outcomes

	2015 -	%*	2016 -	%*	2017 -	%*	2017 -	%*
	2016		2017		2018		2018	
Upheld	1	10%	-	-	-	-	3	30%
Partially Upheld	4	40%	2	50%	3	30%	5	50%
Not Upheld	-	-	-	-	3	30%	1	10%
Not Pursued	1	10%	-	-	2	20%	1	30%
No response sent	-	-	1	25%	2	20%	-	-
Ongoing	4	40%	1	25%	-	-	-	-
TOTAL	10		4		10		10	

17 Stage Three Complaints

There were no children’s stage 3 complaints, which is the same as last year.

The process at stage three of the Children’s Social Care Complaints Procedure is an independent review panel that will consider whether the investigation, findings and recommendations at stage two, were thorough, logical and fair. The Panel then provides a report to the Director of Children’s Services with their conclusions and any recommendations considered appropriate. The Director would then respond confirming whether they agree with the conclusions and any recommendations made.

Where someone remains unhappy following a stage two response, the complaints advisers assess whether the council has been given sufficient opportunity to consider and respond to the complaint and whether a review is likely to lead to a different outcome.

Where it is not considered a different outcome is likely to be achieved through this process, people are made aware the council has an obligation to hold a Review Panel if requested. However we will provide written confirmation of this to the complainant and that they can contact the LGSCO for an independent view of their complaint. This is to avoid any delay in people being able to seek an independent view from the Regulator.

In addition to the information given above for complaints made through the children's' social care complaints procedure, four complaints were received as a corporate stage one. None of these complaints were escalated within the corporate complaints procedure, however one corporate complaint was logged at stage two, due to the complexity of the issues. Complaints are dealt with under the corporate procedure when the complainant is not complaining with the consent of the customer, or it is considered they are not complaining in the customer's best interest.

18 Percentage escalation

The following table indicates how many complaints in children's services have been escalated. By measuring these figures as a percentage, we are able to gauge the implied customer satisfaction levels.

	Number	% escalated to next stage	% implied customer satisfaction
Stage 1 to Stage 2	7 of 10	30%	70%
Stage 2 to Stage 3	0	0%	100%

19 Equalities Monitoring Information

Following the guidance produced by the Department of Health and the Department for Education and Skills, we have to seek to identify who is making complaints to get a greater understanding of them. The following information was provided:

Gender

	2014 -2015	2015 - 2016	2016 - 2017	2017 - 2018	2018 – 2019
Male	7	5	11	10	15
Female	15	29	16	25	26
Male & Female	-	-	3	5	3
Not stated	-	-	-	-	44

Ethnic origin

- 0 people gave us information about their ethnicity

Age

- 1 people was under the age of 16

20 Who made the complaints

- 4 complaints were made by a child or young person via an advocate.
- 0 complaints were made direct by a child or young person.
- 6 complaints were made by family or friends on behalf of a child or young person.
- 33 complaints were made by adults about the service provided to them.
- 1 complaint was made by a professional about concerns they had.

The Complaints Manager is aware the majority of complaints about Children's Services are not made by children or young people receiving a service. To ensure that children are aware of and are supported to use the complaints and feedback procedure, the team works closely with the Children's Rights team and where appropriate, other support and advocacy services and others making a complaint on behalf of a child or young person.

The council has a statutory obligation to offer advocacy support to any child or young person making a complaint and the Children's Rights team make people aware of the options available for raising comments, concerns, complaints and compliments and provide advocacy support to assist with this where requested.

The CFT are also available to attend meetings with staff members, children and young people and on occasions foster carers to raise awareness of and understanding about how people can use the procedure.

21 Costs and Payments

The council has an obligation to ensure independence in the children's social care complaints procedure. This includes a requirement for:

- A person independent of the council to oversee all complaints at stage two made by children and young people.

- To ensure the investigator at stage two has not had any involvement in the complaint or line management responsibility for the services being complained about.
- To have a panel of 3 independent people at stage three.

The costs of this in this reporting period are included in the section 6.

In addition to this the council provides financial recompense if, after a complaint has been investigated or as part of an LGSCO's investigation, it is concluded that:

- the LGSCO would find that there has been maladministration by the council causing injustice to the complainant; and
- the LGSCO would recommend that financial recompense should therefore be paid to the complainant.

In addition to costs awarded following an Ombudsman recommendation, the payments were made:

- £5,626.74 refunded payment made by customer following an over payment by the council of an allowance, which it had wrongly tried to reclaim.
- £1,526.42 back dated allowance and agreement to continue to fund at current rate.

22 Alternative Dispute Resolution

It is important to note that the Department for Education and Skills Guidance makes it clear that nothing in the procedure should preclude Alternative Dispute Resolution and that if agreed by both complainant and the Complaints Manager the council should explore this option.

Possible alternatives which may be considered by the Complaints Manager include mediation, the opportunity to meet with senior managers, or the possibility of contributing to the review of policies and procedures.

23 Learning Lessons/Practice Improvements

The council is always happy to consider appropriate ways of resolving a customer's complaint. Some of the types of action the council has undertaken to resolve complaints have been issuing apologies, meeting with customers to hear their concerns and suggestions for improvements and putting these improvements into place. This has been particularly relevant in the case of communicating effectively with customers and putting strategies into place to ensure that people are kept up to date. The council also offers a re-assessment

of needs where possible, to ensure that nothing has been missed or that circumstances have not changed.

Complaints provide senior managers with useful information in respect of the way that services are delivered. The consideration of complaints has included the agreement to undertake the following actions, in addition to apologies and financial recompense:

- Review of communication and practice when dealing with absent parents, including the need to ensure all assessments and plans for children include the participation of and views of absent or separated parents
- Reminder to staff of the need to provide families with details of agencies who can provide counselling and other support, even if the council is not in a position to make a referral for these services.
- Refresher training on the complaints procedures and how to deal with complaints is currently being provided to all staff and managers in Children's Services
- Reminder about the importance of clarifying whether any support is needed to help people making a complaint and reminded staff this should be done when confirming the points of complaint with people in writing.
- Review of information sent to people making a complaint about the meetings they are invited to with managers as an informal way of resolving concerns.
- Review the current arrangements of the foster carers managing contact entirely. Where indirect contact has been agreed, the local authority should seek to ensure this is being effectively promoted by the foster carers and for any issues to be reflected within pathway reviews.
- The local authority to ensure all social workers, IRO's and pathway workers are equipped with the knowledge and understanding of the requirements as set out in CYC strategy, to promote sibling contact for looked after children.
- Review of procedures in respect of how interaction and communication occurs between IRO's and the Pathway team regarding rights to contact.
- Reviewing the Special Guardianship system to ensure compliance with guidance and that children's needs are met accordingly. Including decisions being based on the child's needs considering costs for food / bedding etc as opposed to blanket financial constraints.

Annual Adult Social Care Complaints Report April 2018 to March 2019

24 Context

This report provides information about complaints made during the twelve months between 1st April 2018 and 31st March 2019 for adults under the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.

All timescales contained within this report are for working days.

The structures for reporting have changed and are reflected in the reporting for adult service as shown in the below tables .

In addition the numbers of compliments are also recorded. were:

	16/17	17/18		18/19
Adult services	19	49	Be Independent	
Occupational therapy	-	-	Commissioning & Contract Management	1
Commissioning and Purchasing (C&P)	-	1	Commissioning Provision	7
Mental health	28	2	Joint Commissioning	
Learning disability services	4	0	Assessment	16
Public health	-	1	Care Homes	9
			Community Provision	
			Mental health Safeguarding & DOLS	4

The CFT are aware that many more compliments are received and actively work to encourage staff and teams to forward these to ensure they are recorded. This is to ensure that we are able to provide a true picture of our customers' experiences of the services they receive.

The compliments received included:

- The care you gave relative in their final days was fantastic
- Quickly understood difficulties and complex home circumstance and from then on worked with professionalism , diligence, care and compassion
- you have been so very much needed. Friendly and non-patronising/condescending. You have not made me feel stupid or inadequate

in any way. You are polite friendly and professional. There are not enough words in the English dictionary to say just what you have done for me

- Thank you for looking after relative so well, always making them happy, which is a reflection on the care received.
- Grateful for the high standard of work put into the care of relative. The approach was spot on and kept me informed of developments in finding a residential placement. Even when that broke down worker stayed with the case to ensure continuity even though it wasn't their responsibility. Genuinely impressed by professionalism.
- Been caring, polite and helpful throughout
- Always being there, standing up for them when nobody else would listen.
- Thank you for help with assessment and going above and beyond duty.

The legislation makes it clear that people should be able to provide feedback and have this responded to without this being seen as a complaint. Therefore concerns, comments and requests are also logged.

The number of concerns, comments and requests received in this period were:

	16/17	17/18		18/19
Adult services	6	7	Be Independent	-
Occupational therapy		-	Commissioning & Contract Management	4
Commissioning and Purchasing (C&P) and mental health	5	-	Commissioning Provision	-
Learning disability services		-	Joint Commissioning	-
Public health	3	-	Assessment	3
			Care Homes	5
			Community Provision	8
			Mental health Safeguarding & DOLS	11

25 Who can make a Complaint?

Someone who:

- The local authority has a power or duty to provide or secure the provision of a social service for him/her and
- His/her need for such a service has (by whatever means) come to the attention of the Authority.

This definition also applies to a person acting on behalf of someone who meets the above requirements.

A complaint can be made by a representative where the Complaints Manager receives permission from the eligible person, usually in writing, giving their permission for the representative to make the complaint on their behalf. A representative will also be able to make a complaint where the eligible person is not capable of making the complaint themselves, this includes when they have died.

The Complaints Manager will decide if a person is suitable to act as a representative, if it is decided they are not acting in the eligible person's best interests, they will inform them in writing of the reasons for this.

If a customer is not eligible under the terms of the Act, they will always be able to have their complaint looked at under the council's corporate complaints procedure.

26 Grading of Complaints

The department of health designed the following tool to assess the seriousness of complaints and decide the relevant action:

Step 1: Decide how serious the issue is

Seriousness	Description
Low	Unsatisfactory service or experience not directly related to care. No impact or risk to provision of care. OR Unsatisfactory service or experience related to care, usually a single resolvable issue. Minimal impact and relative minimal risk to the provision of care or the service. No real risk of litigation.
Medium	Service or experience below reasonable expectations in several ways, but not causing lasting problems. Has potential to impact on service provision. Some potential for litigation.
High	Significant issues regarding standards, quality of care and safeguarding of or denial of rights. Complaints with clear quality assurance or risk management issues that may cause lasting problems for the organisation, and so require investigation. Possibility of litigation and adverse local publicity. OR Serious issues that may cause long-term damage, such as grossly substandard care, professional misconduct or death. Will require immediate and in-depth investigation. May involve serious safety issues. A high probability of litigation and strong possibility of adverse national publicity.

Step 2: Decide how likely the issue is to recur

Likelihood	Description
Rare	Isolated or 'one off' – slight or vague connection to service provision.
Unlikely	Rare – unusual but may have happened before.
Possible	Happens from time to time – not frequently or regularly.
Likely	Will probably occur several times a year.
Almost certain	Recurring and frequent, predictable.

Step 3: How to categorise the risk

Seriousness	Likelihood of recurrence				
	Rare	Unlikely	Possible	Likely	Almost Certain
Low	Low				
		Moderate			
Medium					
			High		
High				Extreme	

The CFT grades the complaints as:

- Low = Green - Can be resolved locally
- Medium = Amber - Needs a response from the Director
- High = Red - Needs a response from the Director

Complainants are contacted by the CFT to design a complaints plan and agree an appropriate response timescale. This is often done through an acknowledgment letter requesting the complainant to confirm the council's understanding of the complaint and the timescale for response.

Following the response, a complainant can ask the Local Government and Social care Ombudsman (LGSCO) to investigate if they remain dissatisfied.

27 Activity

The CFT recorded 21 complaints under the adult social care procedure during the year 2017 – 2018, compared with a total of 21 the previous year.

An additional 12 complaints were received about adult social care services under the corporate complaints procedure, compared to 9 the previous year.

28 Total complaints made to the LGSCO

The CFT are aware that 8 people contacted the LGSCO in relation to adult services.

Of the 8 received in this reporting period the following outcomes were reached:

- 1 maladministration & injustice
- 4 no maladministration
- 1 Premature with advice given
- 2 premature & referred back to the council

29 Comparison with the preceding year

The figures show a slight increase in the number of complaints received in 2018 – 2019 through the adults social care procedures. Although numbers do typically fluctuate each year.

30 Outcomes of complaints:

	2015 - 2016	2016 - 2017	2017 - 2018	2018 - 2019
Upheld	6	9	4	4
Partly upheld	16	12	8	11
Not upheld	17	26	6	5
Not proved	0	2	1	0
Not pursued	5	1	1	1
No response	3	0	1	0
Ongoing	0	0	0	0
Total	47	50	21	21

31 Response Times

A key requirement of the reform of complaints procedures is the importance of informing service users of the outcome of their complaints, in an appropriate time frame.

The Department of Health guidance on deciding how long it should take to respond to a complaint states:

“If someone makes a complaint, your organisation has to acknowledge it within three working days. The person making the complaint will want to know what is being done – and when. However, accurately gauging how long an issue may take to resolve can be difficult, especially if it is a complex matter involving more than one person or organisation. To help judge how long a complaint might take to resolve, it is important to:

- *address the concerns raised as quickly as possible*

- *stay in regular contact with whoever has complained to update them on progress*
- *stick to any agreements you make – and, if for any reason you can't, explain why.*

It is good practice to review any case lasting more than six months, to ensure everything is being done to resolve it.”

Details of Complaints

32 Green Complaints

There were 16 complaints graded as Green in adult services compared to 18 last year and these were categorised as follows:

- BI = Be Independent
 CCM = Commissioning & Contract Management
 Commis Provision = Commissioning Provision
 JC = Joint Commissioning
 A = Assessment
 CH = Care Homes
 Com Provision = Community Provision
 MH/S/DOLS = Mental health Safeguarding & DOLS

Green Nature of complaint

	BI	CCM	Commis Provision	JC	A	CH	Com Provision	MH S DOLS	Total
Attitude of staff	-	-	-	-	1	-	-	-	1
Disagree with Policy	-	-	-	-	-	-	1	-	1
Disagree with Assessment	-	-	1	-	1	2	1	2	7
Discrimination	-	-	-	-	-	-	-	-	-
Inappropriate Action	-	1	1	-	1	-	1	-	4
Lack of Action	-	1	-	-	1	-	1	-	3
Quality of Advice/ Communication	-	-	-	-	-	-	-	-	-
TOTAL	-	2	2	-	4	2	4	2	16

It is not uncommon for disagree with assessment and inappropriate action to be the categories receiving the most complaints.

Green Response Times

	BI	CCM	Commis Provision	JC	A	CH	Com Provision	MH S DOLS	Total
Within 10 days	-	2	2	-	3	2	4	2	15
Within 25 days	-	-	-	-	-	-	-	-	-
Over 25 days	-	-	-	-	-	-	-	-	-
Not Pursued	-	-	-	-	1	-	-	-	1
TOTAL	-	2	2	-	4	2	4	2	16

It is important to remember that the legislation and guidance for adults does not prescribe actual timescales for responses. However we do manage and monitor performance in this area using best practice across the different complaints legislation and guidance. The above table highlights that we are responding to complaints at this stage within the shortest timescale.

33 Amber Complaints

There were 5 complaints graded as Amber in adult services compared to 2 in the last year.

Amber Nature of Complaint

	BI	CCM	Commis Provision	JC	A	CH	Com Provision	MH S DOLS	Total
Attitude of staff	-	-	-	-	-	-	-	-	-
Disagree with Policy	-	-	-	-	-	-	-	-	-
Disagree with Assessment	-	-	-	-	1	1	-	-	2
Discrimination	-	-	-	-	-	-	-	-	-
Inappropriate Action	-	-	1	-	-	-	-	1	2
Lack of Action	-	-	-	-	-	-	-	1	1
Quality of Advice/ Communication	-	-	-	-	-	-	-	-	-
TOTAL	-	-	1	-	1	1	-	2	5

Amber Response Times

	BI	CCM	Commis Provision	JC	A	CH	Com Provision	MH S DOLS	Total
Within 25days	-	-	1	-	1	1	-	2	5
Within 65 days	-	-	-	-	-	-	-	-	-
Over timescale	-	-	-	-	-	-	-	-	-
Not Pursued	-	-	-	-	-	-	-	-	-
TOTAL	-	-	1	-	1	1	-	2	5

Amber Outcomes

	BI	CCM	Commis Provision	JC	A	CH	Com Provision	MH S DOLS	Total
Upheld	-	-	-	-	1	1	-	-	2
Partially Upheld	-	-	1	-	-	-	-	2	3
Not Upheld	-	-	-	-	-	-	-	-	-
No Response	-	-	-	-	-	-	-	-	-
Not Pursued	-	-	-	-	-	-	-	-	-
TOTAL	-	-	1	-	1	1	-	2	5

34 Red Complaints

There was 0 complaints graded as Red in adult services, which is the same as last year.

In addition to the above, there were 8 complaints about adult social care services made under the corporate complaints procedure. 6 were completed at stage one and 2 of these then progressed to stage two, 2 further complaints moved straight to stage two, meaning that a total of 4 were considered at stage two.

Complaints are dealt with under the corporate procedure when the complainant is not complaining with the consent of the customer, or it may be considered they are not complaining in the customer's best interest.

35 Equalities Monitoring Information

Following the guidance and best practice, it is important to understand who is making complaints and so we seek to identify who is making complaints. Only the following information was provided:

Gender

Male: 7

Female: 14

36 Who made the complaints

- 8 complaints were received directly from a customer
- 13 complaints were made by a family member

37 Payments

The council provides financial recompense if, after a complaint has been investigated or as part of an LGSCO's investigation, it is concluded that the LGSCO would find that there has been maladministration by the council causing injustice to the complainant with a recommendation that financial recompense should therefore be paid to the complainant.

In addition to costs awarded following an Ombudsman recommendation, the payments were made:

- Refund of charges already paid £607.42 and cancellation of remaining charge of £696.84

38 Alternative Dispute Resolution

It is important to note that the complaints regulations and guidance for adult social care complaints are that a plan needs to be agreed between the complainant and the Complaints Manager about how the complaint will be dealt with and responded to, what outcomes are wanted and what can be realistically achieved.

Possible alternatives which may be considered by the Complaints Manager include mediation, the opportunity to meet with senior managers, or the possibility of contributing to the review of policies and procedures.

39 Complaints dealt with by the local authority and NHS Bodies

The CFT works with contracted agencies and statutory agencies to identify the main themes concerned in a complaint. Informal agreements are in place to provide the customer with a co-ordinated response with the agency responsible for the provision of the main areas of complaint taking the lead with co-operation from the other agencies as required.

40 Learning Lessons/Practice Improvements

The council is always happy to consider appropriate ways of resolving a customer's complaint including meeting with customers to hear their concerns and suggestions for improvements and putting these improvements into place.

This has been particularly relevant in the case of communicating effectively with customers and putting strategies into place to ensure that people are kept up to date. The council also offers a re-assessment of needs where possible, to ensure that nothing has been missed or that circumstances have not changed.

Complaints provide senior managers with useful information in respect of the way that services are delivered. The consideration of complaints has resulted in agreement to undertake the following actions, in addition to apologies and financial recompense:

- Findings of a complaint about 3rd party top up charges to be shared with managers within Adult Social Care and to be further discussed within team meetings with frontline social work staff.
- To add a 'flag' on our records system so social workers are aware of the need for emergency short breaks, and to ensure we have a robust relationship with providers to assist with decision making. In addition we will ensure our communication is more effective and people are kept informed of issues that arise in securing an emergency short break.
- To remind providers of the need to make sure daily records are kept up to date and any changes clearly recorded.

Annual Corporate Complaints Procedure Report April 2018 to March 2019

41 Context

This is the third year we have produced an annual report for complaints considered under the Corporate Complaints Procedure. This procedure covers all complaints about services provided by the council where no statutory procedure exists.

All timescales contained within this report are for working days.

In addition the numbers of compliments are also recorded and these are shown below for the directorates as they were known during the reporting period.

Directorate	Number of compliments
CCS	48
CEC	9
EAP	91
HHASC	88
TOTAL	236

The CFT are aware that many more compliments are received and actively work to encourage staff and teams to forward these to ensure they are recorded. This is to ensure we are able to provide a true picture of our customers' experiences of the services they receive.

The compliments received included thanks for:

- Thank you to repairs team for the help and advice you have been fantastic
- Thank you for conducting wedding ceremony, and doing everything to make it a special and memorable day.
- Thank You - Flowers pots in front of the Centre and station are lovely.
- Website is easy to use and has up to date information on it.
- Thank you for swift action in regards to road condition repairs.
- Splendid service from trading standards officer.
- Excellent service of two street cleaners working near the shambles.
- Thank you for servicing boiler quickly.
- Thank you to housing officer for help in re-housing.
- Great service regarding universal credit.
- Thank you very much indeed for fixing the lights in Tower Gardens so promptly.
- Thank you for organising grass cutting so quick.
- Thanks you Hazel Court - all the staff there who were polite, friendly and helpful.
- Thank you to the mowing man who carefully avoided the few bluebells growing in the public grassy areas.
- Praise for the waste crew, returning bin considerately and working with a smile on their face

The good practice from the statutory processes is clear that people should be able to provide feedback and have this responded to without this being seen as a complaint. Therefore concerns, comments and requests are also logged in the corporate procedure and these are shown below:

Directorate	Number of concerns, comments and requests
All Directorates	7
CCS	164
CEC	21
EAP	491
HHASC	173
TOTAL	856

42 Who can make a Complaint?

The council's corporate complaint policy and procedures states we will accept complaints from

- a member of public or anyone acting on behalf of a customer with the proper authority and consent,

And using any of the following contact methods:

- in person
- by phone
- by letter
- by email
- through our website. www.york.gov.uk

43 Grading of Complaints

The CFT assess the appropriate stage to investigate a complaint or referral to the relevant Ombudsman, taking account of issues such as:

- risk to the customer and the authority
- severity of the risk
- whether the issues in question are a one off, are a reoccurrence and likelihood of reoccurrence.

44 Response Times

It is considered good practice that a key requirement of a complaints procedure is the importance of informing service users of the outcome of their complaints in an appropriate time frame.

The time limits for the council's corporate complaints procedure are:

- Stage One 5 working days
- Stage Two 15 working days
- Stage Three 20 working days

Details of complaints

45 Stage One Complaints

Primary theme by directorate

	Staff attitude	Disagree with assessment	Disagree with policy	Discrimination	Inappropriate action	Lack of action	Quality of advice, communication/work	TOTAL
CCS	6	95	20	1	63	25	25	235
CEC	0	2	0	0	1	1	1	5
EAP	13	57	241	1	206	652	60	1230
CEX	0	0	0	0	0	0	0	0
HHASC	6	21	15	0	31	61	18	152
Total	25	175	276	2	301	739	104	1622

Outcome by directorate

	upheld	Not upheld	Partly upheld	Not pursued	No response	Not proven	TOTAL
CCS	74	91	42	5	16	7	235
CEC	2	3	0	0	0	0	5
EAP	455	149	100	30	475	21	1230
HHASC	32	51	29	5	26	9	152
CEX	0	0	0	0	0	0	0
Total	563	294	171	40	517	37	1622

Responding in time performance by directorate

	In time	Out of time	Not pursued	TOTAL
CCS	194	36	5	235
CEC	4	1	0	5
EAP	504	696	30	1230
HHASC	97	50	5	152
CEX	0	0	0	0
Total	799	783	40	1622

46 Stage Two Complaints

Primary theme by directorate

	Staff attitude	Disagree with assessment	Disagree with policy	Discrimination	Inappropriate action	Lack of action	Quality of advice, communication/ work	TOTAL
CCS	0	12	2	0	8	6	4	32
CEC	0	0	0	0	1	0	0	1
EAP	2	23	19	1	52	221	11	329
CEX	0	0	0	0	0	0	0	0
HHASC	2	8	1	0	5	14	5	35
TOTAL	4	43	22	1	66	241	20	397

Outcome by directorate

	Upheld	Not upheld	Partly upheld	Not pursued	No response	Not proven	TOTAL
CCS	5	15	6	0	4	2	32
CEC	0	1	0	0	0	0	1
EAP	179	33	25	9	77	6	329
HHASC	2	14	14	2	2	1	35
CEX	0	0	0	0	0	0	0
Total	186	63	45	11	83	9	397

Responding in time performance by directorate

	In time	Out of time	Not pursued	TOTAL
CCS	23	9	0	32
CEC	0	1	0	1
EAP	129	191	9	329
HHASC	15	18	2	35
CEX	0	0	0	0
Total	167	219	11	397

47 Stage Three Complaints

Primary theme by directorate

	Staff attitude	Disagree with assessment	Disagree with policy	Discrimination	Inappropriate action	Lack of action	Quality of advice, communication/work	TOTAL
CCS	2	2	0	0	3	0	0	7
CEC	0	0	0	0	0	0	0	0
EAP	0	0	0	0	1	3	0	4
HHASC	0	1	0	0	1	2	0	4
CEX	1	0	0	0	0	0	0	1
TOTAL	3	3	0	0	5	5	0	16

Outcome by directorate

	Upheld	Not upheld	Partly upheld	Not pursued	No response	Not proven	TOTAL
CCS	0	4	3	0	0	0	7
CEC	0	0	0	0	0	0	0
EAP	1	2	1	0	0	0	4
HHASC	0	3	1	0	0	0	4
CEX	0	0	0	1	0	0	1
TOTAL	1	9	5	1	0	0	16

Responding in time performance by directorate

	In time	Out of time	Not pursued	TOTAL
CCS	3	4	0	7
CEC	0	0	0	0
EAP	4	0	0	4
HHASC	4	0	0	4
CEX	0	0	1	0
TOTAL	11	4	1	16

48 Outcome of Investigations by the Ombudsman

	Advice Given	Closed after initial enquiries	Incomplete /Invalid	Not Upheld	Referred back for local resolution	Upheld	Total
Adult Care Services	0	0	0	4	3	1	8
Benefits and Tax	1	4	0	1	1	0	7
Corporate and Other Services	0	2	1	0	0	1	4
Education and Children's Services	0	2	0	1	1	5	9
Environmental Services and Public Protection Regulations	0	4	1	1	0	1	7
Highways and Transport	0	6	0	0	1	2	9
Housing	2	0	0	0	0	0	2
Null	0	0	2	0	0	0	2
Planning and Development	0	5	1	3	2	1	12

As the council is committed to transparency and where there is no conflict or risk to the complainant's interest or could compromise their anonymity, we have included the summary details of the LGSCO findings at Appendix 1.

This is similar to how the LGSCO determines which decisions to publish. For the decisions they do publish, they do not use real names. You can search the LGSCO's published decisions on the following link:

<http://www.lgo.org.uk/decisions>

49 Payments

The council provides financial recompense if, after a complaint has been investigated or as part of an LGSCO's investigation, it is concluded that the LGSCO would find that there has been maladministration by the council causing injustice to the complainant; and would recommend that financial recompense should therefore be paid to the complainant.

In addition to costs awarded following an Ombudsman recommendation, the payments were made:

- £65 refund of summons costs
- £44 refund of collection charge, when not all items were collected
- £300 for distress over missed opportunity which couldn't be replaced
- £500 refund of fees due to unclear wording in grant paperwork

50 Alternative Dispute Resolution

Based on the good practice guidance in the statutory complaints procedures, the council also considers whether there would be an appropriate alternative way of resolving complaints, in the corporate procedure, rather than completing an investigation.

Possible alternatives which may be considered by the Complaints Manager include mediation, the opportunity to meet with senior managers, or the possibility of contributing to the review of policies and procedures.

51 Learning Lessons/Practice Improvements

The council is always happy to consider appropriate ways of resolving a customer's complaint and this has meeting with customers to hear their concerns and suggestions for improvements and putting these improvements into place.

This has been particularly relevant in the case of communicating effectively with customers and putting strategies into place to ensure that people are kept up to date.

Complaints provide senior managers with useful information in respect of the way that services are delivered. The consideration of complaints has resulted in agreement to undertake the following actions, in addition to apologies and financial recompense:

- Arranged a surveyor to re-check the general condition of a home.
- Reviewed the impact of the works carried out relating to the extent of standing water works required and the priority needed.
- Made temporary changes to the waste vehicles collecting on a new estate and to keep things under review as more properties become occupied.
- Bins replaced.
- Internal asset system will be updated to show the bins and the correct collection schedule
- Web pages updated

- Re-Assessments of work needed
- Repairs agreed and completed
- Reminders and refresher training.
- Subscriptions to service extended

City Of York Council - Annual Complaints Remedies Report - April 2018
to March 2019

Category	Decided	Remedy	Remedy Target Date	Remedy Achieved Date	Satisfaction with Compliance
Education & Children's Services	12-Apr-18	Financial redress: Avoidable distress/time and trouble	10-May-18	17-Apr-18	Remedy complete and satisfied
Adult Care Services	26-Feb-18	Apology Financial redress: Avoidable distress/time and trouble Procedure or policy change/review	26-Mar-18	24-Apr-18	Remedy complete and satisfied
Adult Care Services	23-Mar-18	Apology	25-May-18	30-May-18	Remedy complete and satisfied
Corporate & Other Services	31-May-18	Financial redress: Avoidable distress/time and trouble	28-Jun-18	15-Jun-18	Remedy complete and satisfied
Environmental Services & Public Protection & Regulation	05-Mar-18	Apology Financial redress: Avoidable distress/time and trouble Other Remedy	11-Jun-18	26-Jun-18	Remedy complete and satisfied
Education & Children's Services	14-Nov-18	Apology Financial redress: Avoidable distress/time and trouble	17-Dec-18	23-Nov-18	Remedy complete and satisfied
Environmental Services & Public Protection & Regulation	12-Nov-18	Apology	10-Dec-18	26-Nov-18	Remedy complete and satisfied
Highways & Transport	24-Apr-18	Apology Procedure or policy change/review New appeal/review or reconsidered decision	17-Jul-18	27-Nov-18	Remedy completed late
Planning & Development	20-Nov-18	Apology Financial Redress: Quantifiable Loss	08-Jan-19	10-Dec-18	Remedy complete and satisfied
Adult Care Services	29-Aug-18	Apology Financial redress: Avoidable distress/time and trouble Reassessment Procedure or policy change/review	28-Feb-19	18-Mar-19	Remedy completed late
Education & Children's Services	16-Oct-18	Apology Financial redress: Avoidable distress/time and trouble Training and guidance Procedure or policy change/review Improved BinJ remedy	16-Jan-19	29-Mar-19	Remedy completed late

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**Customer & Corporate Services Scrutiny
Management Committee**

11 November 2019

**Report of the Chair of Children, Education and
Communities Policy and Scrutiny Committee**

Summary

1. The Children, Education and Communities Policy and Scrutiny Committee has met on four occasions since the start of the new administration and the decision that the Chairs of the standing scrutiny committees should report to CSMC on a six-monthly rolling basis.

June

2. At the June meeting the Committee was presented with a brief outline of the scrutiny arrangements in York, Members were also presented with the bi-annual reports of CVS York highlighting its work as set out against its service level agreement with the Council and a further routine report from York Theatre Royal who presented their programme of activities in the previous six months.
3. Members also received a presentation by the Director of Children, Education and Communities who gave an overview of her Directorate, suggesting areas where they may want to focus their attention.

July

4. In July the Executive Member for Culture and, Leisure and Communities was in attendance and highlighted the priorities, opportunities and challenges of the portfolio. The York Museum Trust presented their Partnership Delivery bi-annual update to the Committee, who also received the Year End Finance and Monitoring Report along with an update on the review now under way of Ward Committees.
5. The Committee nominated two Members to represent the Children Education and Communities Policy and Scrutiny Committee in the CSMC Food Poverty Scrutiny Review. The Committee was also asked to note

and comment on a report on York Learning Governance arrangements.

September

6. At the September meeting the Committee received report from the Executive Member for Children, Young People and Education, who discussed the priorities, opportunities and challenges of the portfolio. The Committee was presented with the York Safeguarding Partnership Bi-Annual Update Report, highlighting the changes which have occurred in the organisational structure underpinning the work on Safeguarding in York. Members heard about the work being carried out to promote a Cultural Passport for Young People in an update report. The Assistant Director for Children's Specialist Services gave an overview of her area work and presented a report on Specialist Services in light of the recent Ofsted inspection into the service. Members also received an update report into Local Area teams, following the former committee's interest in this topic and a recent audit of the service which took place in May.

October

7. At the October meeting Members heard from the Assistant Director of Communities and Equalities regarding the recent activity of the Cultural Leaders Group. The Committee received an overview report of the SEND function at CYC and were also presented with an update report on resident involvement, as a follow up on a recommendation from the former Committee.

Looking ahead

8. In November the committee will receive a feasibility report exploring the topic of the state youth mental health and wellbeing in York and the support services in schools, the local authority and health.

Cllr Dave Taylor

Chair of the Children Education and Communities Policy and Scrutiny Committee



**Customer and Corporate Services Scrutiny
Management Committee****11 November 2019**

Report of the Assistant Director – Legal & Governance

Scoping Report on Corporate Review of Poverty in York**Summary**

1. This report presents the Customer and Corporate Services Scrutiny Management Committee (CSMC) with a suggestion for a Corporate Review around poverty in the city, elements of which impact on all the standing scrutiny committees.

Background

2. At the beginning of this municipal year CSMC agreed to undertake a scrutiny review into food poverty with the aim of understanding the issues around the apparent increasing levels of food poverty in York.
3. An Ad-Hoc Scrutiny Sub-Committee established to carry out the review took advice from experts in this field and it soon became apparent that food poverty, quite simply, correlates to poverty.
4. The sub-committee was reminded that we did not see the notion of food poverty in York before 2010 and there were no food banks in the city at that time. However, food poverty is now a key issue in local communities and can be attributed to the £30 billion cuts in working age social security since 2010 that are still being rolled out.
5. The roll-out of Universal Credit with delays in payments, cuts in housing benefits, reductions in child tax credit and the working-age benefits freeze are having a devastating effect on many families, including those with working parents. Social security payments are an important safeguard for an increasing number of working family members who are finding that employment does not always provide enough income to support their families. The increasing cost of living, low and insecure pay, low hours and zero hours contracts are also contributory factors.

6. Many of these families are trapped in high-rent accommodation and often have to use money from their food budget to pay household bills such as rent and heating. Council Tax and cuts in Council Tax Support have also had a significant impact on the budget of poorer families.
7. It was noted that whilst living/minimum wage regulations were useful, their effect was diminishing with in-work poverty increasing. The expectation should be, that any form of employment would result in more financial security than no employment, however the loss of in-work benefits means that this is no longer necessarily the case.
8. The Council plays a significant role in the city by providing services which help to alleviate poverty. These are either directly or commissioned services. For City of York Council, the services that help alleviate poverty include:
 - Promotion of the take up of statutory benefits (for example Council Tax Benefit)
 - Provision and promotion of discretionary benefits and grant for households in crisis (for example Discretionary Housing Payments and the York Financial Assistance Scheme)
 - Promotion of the take up of Free School Meals
 - Promotion of the take up of early years places for 2 and 3 year olds (many of which offer meals as part of the entitlement)
 - Promotion and provision of training and education to increase skills, increase employment and support individuals to secure higher paid work
 - Support to advice providers to support individuals to maximise household income and access crisis support
9. In the UK 7% of people are in persistent poverty – 4.6 million people. The highest rate of persistent poverty is among lone-parent families.
10. Since work began on the Food Poverty Scrutiny Review the Economy and Place Policy and Scrutiny Committee (E&P PSC) has started to investigate in-work poverty as part of an ongoing exercise to further develop the committee's work programme for the year.
11. In the UK there are now almost four million workers in poverty, a rise of over half a million compared with five years ago and the highest number on record. The employment rate is also at a record high, but this has not

delivered lower poverty. Since 2004/05, the number of workers in poverty has increased at a faster rate than the total number of people in employment, resulting in workers being increasingly likely to find themselves in poverty.

12. Latterly the rise in in-work poverty has been driven almost entirely by the increase in the poverty rate of working parents, which has grown over the past five years. A working parent is now over one-and-a-half times more likely to be in poverty than a working non-parent as most single people and childless couples, however low their wages, earn enough to live above the poverty threshold.
13. In many cases the cause of in-work poverty are long-term changes in the labour market with more self-employment, part-time employment, zero-hours contracts and sporadic employment. The minimum wage is not high enough to lift a full-time employed family with one earner above the poverty threshold.

Consultation

14. There has been no consultation in the preparation of this report. However, the Ad-Hoc Scrutiny Sub-Committee has been advised by experts including an Emeritus Professor of Social Policy at the University of York and from the Joseph Rowntree Foundation while the E&P PSC has invited to its next meeting representatives from the University of York, Joseph Rowntree Foundation, Yorkshire TUC and a major York retailer.

Analysis

15. Given the link between changes in the benefits system and a rise in poverty in its various forms is likely that further increases in poverty will be seen in forthcoming years. Department of Work and Pensions intend to transition remaining benefits claimants to Universal Credit between November 2020 and December 2023. In York an estimated 5,600 individuals claiming housing benefit, approximately 3,500 with children, are due to transition. This period of 'managed migration' has potential to have a significant effect on poverty levels within the city.
16. Living in poverty affects every aspect of people's lives and contributes to poorer physical health and being more likely to have mental health issues. According to the Joseph Rowntree Foundation over a quarter of working-age people in the poorest fifth of the population experience

depression or anxiety.

17. Nationwide nearly half of children in lone parent families live in poverty. Over the last five years, poverty rates for children in lone-parent families have risen by around twice as much as those for children in couple families.
18. Four million workers live in poverty, a rise of over half a million over five years. In-work poverty has been rising even faster than employment, driven almost entirely by increasing poverty among working parents.
19. Changes to the UK's housing market have created problems in affording a home for many families and this is certainly the case in York. The impact of these changes have been particularly stark for low-income families with children. For families with children, the proportion of housing costs has grown much faster for those on lower income than for those who are on higher incomes. Rising housing costs have been driven largely by changes in the proportions of families living in different housing tenures. In particular, the fall in home-ownership and expansion of the private rented sector have affected low-income families far more than those who are better off.

Options

20. Members can agree to undertake a corporate review into poverty in York with each standing scrutiny committee setting its own remit, gathering its own information and reporting back to CSMC with an agreed final report. CSMC would then produce a corporate report for submission to Executive. The areas the individual scrutiny committees might want to look at could be:
 - **CSMC** – Food poverty
 - **Housing** – Housing poverty including the effects of high rents in the city.
 - **Children, education and communities** – child poverty
 - **Economy and place** – in-work poverty
 - **Health** – the effects of poverty on the health and wellbeing of residents, including mental health

- **Climate change** – zero carbon as a means of addressing fuel poverty by saving money on energy bills or sustainable travel to improve accessibility to jobs / city centre.

Council Plan

21. A Corporate Review into poverty in York would take in several priorities in the Council Plan 2019 -2023 including Well-Paid Jobs and An Inclusive Economy; A Greener and Cleaner City; Getting Around Sustainability; Creating Homes and World-class Infrastructure; Good Health and Wellbeing; A Better Start for Children and Young People; An Open and Effective Council and Safe Communities and Culture for All.

Implications

22. There are no Financial, Human Resources, Equalities, Legal, Crime and Disorder, Information Technology, Property or other implications associated with the recommendation in this report.

Risk Management

23. There are no risks associated with the recommendation in this report.

Recommendations

24. Having considered the information provided in this report Members are asked to consider whether they wish to undertake a corporate review into poverty in York with each individual scrutiny committee agreeing its own remit and reporting back to CSMC with a final report for inclusion in a corporate report.

Reason: To provide a corporate, cross-party response to poverty in the city.

Contact Details

Author:

Steve Entwistle

Scrutiny Officer

Tel: 01904 554279

steven.entwistle@york.gov.uk

Chief Officer Responsible for the report:

Dawn Steel,

Head of Civic and Democratic Services.

Tel: 01904 551030

dawn.steel@york.gov.uk

Report Approved **Date** 30/10/2019

Wards Affected:

All

For further information please contact the author of the report



**Customer & Corporate Services Scrutiny
Management Committee****11 November 2019**

Report of the Assistant Director – Legal & Governance

Scrutiny Review Support Budget 2020/21**Summary**

1. This report sets out the current position in relation to available Council funding for research in support of scrutiny review work.
2. Customer and Corporate Services Scrutiny Management Committee (CSMC) has a constitutional right, under its delegated authority, to consider and recommend to the Executive a budget for scrutiny. This report seeks to consult Members on any recommendations it may wish to make to the Executive prior to the budget setting process for 2020/21.

Background

3. Since February 2011, Scrutiny has been allocated a research support budget for reviews in the sum of £5k per annum. Over the years, that budget has either been shared out across each Scrutiny Committee or retained for use by CSMC as appropriate.
4. In making its recommendations on this budget to Budget Council for the last 2 financial years, this Committee has debated at some length the merits of potentially asking Council to increase this support budget to enable more outward facing scrutiny to take place. In light of the low spend reported below consistently against this budget, the Council has continued to allocate an annual sum of £15k.

Analysis

5. In this current financial year to date 2019/20, there has been no spend against this budget which, at this stage, again demonstrates a continuing trend and one which is unlikely to change unless and until scrutiny engagement and focus shifts towards requiring external expert participation. Of course, approximately 5 months of the budget year do remain. This year, of course, the Council has established a new Climate

Change Scrutiny Committee and the nature of the work of that Committee may well require more external research support, which needs funding. The other change this year, of course, is that our Scrutiny Committees are meeting monthly which could well create more demand and opportunity for spend against this particular budget.

8. Looking back to 2016/17, this Committee allocated the available budget on alternative spend to cover required training costs for Scrutiny Chairs when appointed to reflect new working arrangements following the changes Council agreed to the scrutiny structure which became operational in June 2017. This training also doubled up as refresher training in scrutiny skills and feedback from those Members attending at the time was extremely positive. Total costs for this training amounted to £1,426.40.
9. To demonstrate further historically the pattern of low spend against this budget for a number of years, the position is as follows:
 - 2009/10 - £41 + £17k (agreed by Council for the specific purpose of undertaking a public consultation survey in support of the traffic congestion scrutiny review ongoing at that time)
 - 2010/11 - £380
 - 2011/12 - £0
 - 2012/13 - £1,500 (health work shop facilitation)
 - 2013/14 - £0
 - 2014/15 - £2,500. Following a decision by this Committee in January 2015, the available budget was again used for scrutiny training purposes i.e.:
 - 3 cross party Members (and 2 officers) travelling to and attending the Annual Centre for Public Scrutiny Studies Conference and Awards;
 - £1k contribution to Leeds City Council to cover the cost of running the regional Joint Health & Overview Scrutiny Committee; and
 - Some travel expenses for a Councillor attending an event in London to gather information for an ongoing scrutiny review; and
 - 2 Members attending a Pupil Premium Conference
 - 2015/16 - £350 in relation to support costs for the Tour De France Scrutiny Review.

10. Given the use of IT facilities and the internet in recent years as essential research tools, it is noticeable that there has been less need to 'buy in' paid external research in relation to the chosen reviews over the last few years. Where external research has been required in recent years, the 'specialists' used gave their time freely in support of that scrutiny work e.g. on the Bootham Park Hospital review completed by the former Health & Adult Social Care Policy & Scrutiny Committee in September 2016. Similarly, this year Scrutiny Committees have taken advantage of experts such as Professor Jonathan Bradshaw from the University of York, an internationally recognised academic, who have lent their support and knowledge on issues around poverty in the city. Of course, Scrutiny also has regular dealings with organisations such as The Joseph Rowntree Foundation and has access to a wide spectrum of its data.
12. It would be fair to say that some Committees have perhaps been reluctant to take on review work so far given the increase in Scrutiny Committees and the number of meetings this Municipal Year. Equally, many Scrutiny Members were elected to the Council for the first time in May 2019, following the local elections, and are still 'finding their feet' in scrutiny and learning what makes a successful review before undertaking any. This Committee also continues to be concerned with improving engagement and focussing upon quality scrutiny aimed at achieving meaningful outcomes.

Member Training

13. As reported in paragraph 8 above, this particular research budget has sometimes been used for specific training on scrutiny, when there has been little or no spend in relation to specific research work.
14. There is, however, a specific budget set aside for Member Training. Annually, this amounts to £5k and is often supplemented specifically for an induction year of newly elected Members.
15. Training for Scrutiny Members has not yet been provided as a part of the induction programme for newly elected Members. This is largely because the Council has been working with the Local Government Association on the delivery of its external training and it has not yet been possible to agree upon a suitable date;
16. It is planned to discuss Scrutiny Member training further at the next meeting of Chairs and Vice-Chairs of Scrutiny Committees in early December 2019, by which time it is hoped to have potential options and dates for this session.

Consultation

17. No consultation was required on this report at this stage, given that it provides this Committee with their constitutional opportunity to consider making a recommendation to Executive for a budget for scrutiny.

Options

18. (i) Having regard to the analysis section in this report, to note the position and recommend to Executive not to provide any budget specifically to support external research and consultancy work for scrutiny in 2020/21 onwards; or
- (ii) To recommend Executive retains the current budgetary support for external research and consultancy work, explaining why; or
- (iii) To recommend Executive increases the current budgetary support for external scrutiny research/consultancy, explaining why and suggesting an appropriate figure.

Council Plan 2019-23

19. Whilst this report does not in itself materially affect how the work of scrutiny can support and develop the Council's overall priorities to set out in the new Council Plan 2019-23, how scrutiny organises itself, selects and conducts its reviews could have a significant impact on how it contributes to the Council's development.

Implications

20. **Financial** – There would, of course, continue to be some financial impact should this Committee recommend continuing with a scrutiny research support budget, if the Executive supported that proposal. If funding continues at a comparatively low level as currently provided, then that impact would be minimal in comparison to the potential benefits of receiving support, where required.
21. There are no Human Resources, Equalities, Legal, Information Technology, Crime & Disorder or other implications associated with the recommendations in this report. Constitutionally, this Committee has the right to recommend to Executive an appropriate budget to support scrutiny research.

Risk Management

22. Clearly, this Committee needs to address what it believes the current and future needs of scrutiny may be, taking into account the historical levels of spend and any potential impact on improvements to Council performance/services. Based on previous years level of spend in this area, there is a continuing risk that any budget allocation made in the future could largely remain unused, unless significant efforts are made to establish appropriate use(s).

Conclusions

23. It is clear that there has been very little call on this budget spend since 2009/10 and that it has become a continuing trend for the budget not to be required to be spent on external research or consultancy. Rather in recent years this Committee and other Scrutiny Committees have looked to diversify and seek to use the spend advisably on for instance key training for Scrutiny Members/Chairs.
21. The reasons for this are diverse as referenced in this report. In part it is due to the topics chosen in recent times and to a decreasing number of those running up to the local election year. In part also due to the changing nature of the way Scrutiny Officers can undertake their own research using technology.
22. Scrutiny continues to struggle with wider engagement in terms of appropriate topics, its work and the involvement of external agencies, unless it has a very specific remit such as health or climate change. Engagement too may well have a bearing on how and if this research support budget is spent. This Committee has already identified some future work in relation to member engagement.

Recommendations

23. Members are asked to consider what recommendation to make to the Executive in relation to a scrutiny support budget for use on external consultation/market research, for consideration as part of the Council's budget setting process for 20120/21

Reason: To address the Committee's constitutional right to comment to Executive on setting the above scrutiny budget.

Contact Details

Author:

Dawn Steel
Head of Civic &
Democratic Services
Tel No. (01904) 551030

Chief Officer Responsible for the report:

Suzan Harrington
Interim Assistant Director
Governance & ICT

Report Approved **Date** 28 October 2019

Specialist Implications Officer(s)

None

All

Wards Affected:

For further information please contact the author of the report

Background Papers: None

Annexes: None



Customer & Corporate Services Scrutiny Management Committee

11 November 2019

Report of the Assistant Director - Legal and Governance

Schedule of Petitions

Summary

1. Members of this Committee are aware of their role in the initial consideration of petitions received by the Authority. The current petitions process was considered by the Audit and Governance Committee on 2 October 2014 and endorsed by Council on 9 October 2014. This process aims to ensure scrutiny of the actions taken in relation to petitions received either by Members or Officers.

Background

2. Following agreement of the above petitions process, Members of the former Corporate and Scrutiny Management Policy and Scrutiny Committee (CSMC) had been considering a full schedule of petitions received at each meeting, commenting on actions taken by the Executive Member or Officer, or awaiting decisions to be taken at future Executive Member Decision Sessions.
3. However, in order to simplify this process Members agreed, at their June 2015 meeting, that the petitions annex should in future be provided in a reduced format in order to make the information relevant and manageable. At that meeting it was agreed that future petitions reports should include an annex of current petitions and agreed actions, but only following consideration of the petitions by the Executive or relevant Executive Member or Officer.
4. This was agreed, in the knowledge that the full petitions schedule was publicly available on the Council's website and that it was updated and republished after each meeting of the Committee.
<http://democracy.york.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13020&path=0>

5. Further to deciding at the September meeting of this Committee that the Chair, in conjunction with the Head of Democratic Services and Scrutiny, reviews the type of petition being received on the schedule by the Committee, it was reported at the October meeting that the Assistant Director Legal and Governance has recommended to the Chair that when the Constitution is reviewed it could be amended so that ResPark petitions no longer come to this Committee for monitoring. Instead they will be sent to either the Executive Member for Transport or the Highways Team depending on the content of the request.

Current Petitions Update

6. A copy of the reduced petitions schedule is now attached at Annex A of the report which provides a list of new petitions received to date together with details of those considered by the Executive or relevant Executive Member/Officer since the last report to the Committee in September. Further information relating to petitions which have been considered by the Executive Members/Officers since the last meeting are set out below:

Petition Number:

129. Junction Safety – Thanet Road.

This paper petition requesting that no additional utility boxes be placed on Thanet Road due to the safety problems with being unable to see traffic clearly when leaving sports club car parks, and further requesting that the Council works with utility companies to reduce the number of boxes here, was presented by Cllr Waller at an Executive Member for Transport and Planning Decision Session on 14 March 2019. The Executive member for Transport considered the matter on 24 October 2019 and resolved that the petition and the update on responses / action taken so far be noted.

131. York's Transport System

This 1,000+ name petition calling for a public inquiry into York's failing transport system was presented at Full Council on 21 March 2019 by Cllr Pavlovic on behalf of the University of York Student Union. It was considered by the Executive Member for Transport on 24 October 2019, who resolved that the request for a public inquiry be and the anticipated action following the adoption of the Local Plan be noted because a public inquiry would not be appropriate.

133. Call to reverse the proposed £10 Park and Ride parking charge at the York Community Stadium

This petition containing 555 signatures was presented at Full Council on 21 March 2019 by Cllr Cullwick. It was considered by the Executive member for Transport on 24 October 2019 when it was resolved that the current £5 charge for non-P&R parking at Monks Cross P&R site will be maintained and not increased, which reflects the Executive Member for Finance and Performance statement at Full Council, and will be subject to a joint decision by the Executive Members for Transport and Finance and Performance if any changes are proposed. This is because the impact of the stadium activities on the P&R operation cannot be accurately determined until the stadium has opened.

137. Speed Limit – Towthorpe Road

This 18-name petition calling to reduce the speed limit from 60mph to 40mph on Towthorpe Road, Towthorpe (on the section between the junction with Strensall Road and the end of the built up part of Towthorpe) was presented at Full Council on 21 March 2019 by Cllr Doughty. It was considered by the Executive Member for Transport on 24 October 2019 when it was resolved that the request for a revised speed limit on Towthorpe Road be added to the workload.

141. Junction Safety – Tudor Road

This 82-name petition requests that the Council reviews safety at the current junction of Tudor Road with Gale Lane and reintroduces the crossing island at this wide junction on a route to school and local shops and services; ensures that the new junction with the Lowfields Playing Fields housing estate does not result in the loss of parking provision in the area; and ensures that there is no worsening of surface water issues in the surrounding area resulting from the building on playing fields. It was presented at Full Council on 21 March 2019 by Cllr Waller. The petition was considered by the Executive member for Transport on 24 October 2019 when it was resolved that the petition and the update on responses / action taken so far be noted.

The Process

7. There are a number of options available to the Committee as set out in paragraph 8 below, however these are not exhaustive. Every petition is, of course, unique, and it may be that Members feel a different course of action from the standard is necessary.

Options

8. Having considered the reduced Schedule attached which provides details of petitions received and considered by the Executive/Executive Member since the last meeting of the Committee; Members have a number of options in relation to those petitions:
 - Request a fuller report, if applicable, for instance when a petition has received substantial support;
 - Note receipt of the petition and the proposed action;
 - Ask the relevant decision maker or the appropriate Executive Member to attend the Committee to answer questions in relation to it;
 - Undertake a detailed scrutiny review, gathering evidence and making recommendations to the decision maker;
 - Refer the matter to Full Council where its significance requires a debate;

If Members feel that appropriate action has already been taken or is planned, then no further consideration by scrutiny may be necessary.

9. Following this meeting, the lead petitioner in each case will be kept informed of this Committee's consideration of their petition, including any further action Members may decide to take.

Consultation

10. All Groups were consulted on the process of considering more appropriate ways in which the Council deal with and respond to petitions, resulting in the current process. Relevant Directorates are involved and have been consulted on the handling of the petitions outlined in Annex A.

Implications

11. There are no known legal, financial, human resources or other implications directly associated with the recommendations in this report. However, depending upon what, if any, further actions Members agree to there may, of course, be specific implications for resources which would need to be addressed.

Risk Management

- 12. There are no known risk implications associated with the recommendations in this report. Members should, however, assess the reputational risk by ensuring appropriate and detailed consideration is given to petitions from the public.

Recommendations

- 13. Members are asked to consider the petitions received on the attached Schedule at Annex A and as further outlined in this report, and agree an appropriate course of action in each case.

Reason: To ensure the Committee carries out its requirements in relation to petitions.

Contact Details:

Author:

Steve Entwistle
Scrutiny Officer
Tel: 01904 554279
steven.entwistle@york.gov.uk

Chief Officer Responsible for the report:

Dawn Steel,
Head of Democratic Services.
Tel: 01904 551030
dawn.steel@york.gov.uk

Report Approved Date 28/10/2019

Wards Affected:

All

Background Papers: None

Annexes:

Annex A – Extract from schedule of petitions received and action taken to date

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Petition Details	Petition Type	No of Signatures (Approx)	Responsible Officer	Decision maker (e.g. Executive Member, Director)	Date of Consideration	Action Agreed	Date of Consideration by CSMC & Outcome
<p>129. Junction Safety – Thanet Road, requesting -no additional utility boxes be placed on Thanet Road due to the safety problems with being unable to see traffic clearly when leaving sports club Car parks</p> <p>-the council work with utility companies to reduce the number of boxes here.</p>	<p>Paper Petition handed in by Cllr Waller, Ward Member for Wesfield Ward, at Decision Session – Exec Member for Transport and Planning – on 14 March 2019.</p>	<p>To be counted</p>	<p>Petition handed to Tony Clarke, Head of Transport</p>	<p>Executive Member for Transport</p>	<p>24-10-19</p>	<p>The Executive Member resolved that the petition and the update on responses / action taken so far be noted.</p>	
<p>131. On behalf of the University of York Student Union, calling for a public inquiry into York’s failing transport system.</p>	<p>Petition presented at Full Council on 21 March 2019 by Cllr Pavlovic</p>	<p>Paper Petition Over 1000</p>	<p>Tony Clarke</p>	<p>Executive Member for Transport</p>	<p>24.10.19</p>	<p>The Executive Member resolved that the request for a public inquiry be and the anticipated action following the adoption of the Local Plan be noted because a public inquiry would not be appropriate.</p>	

Petition Details	Petition Type	No of Signatures (Approx)	Responsible Officer	Decision maker (e.g. Executive Member, Director)	Date of Consideration	Action Agreed	Date of Consideration by CSMC & Outcome
132. Keep Us Connected: in relation to the National Railway's Museum's expansion plans over Leeman Road	Paper Petition and print off of electronic petition (change.org) presented at Full Council 21 March 2019 by Kallum Taylor	Papers Petition – 667 signatures Electronic Petition - 685 signatures	Neil Ferris	Letter sent to Cllr Taylor advising of the matter being reference to York Central Partnership.	N/A	N/A	

Petition Details	Petition Type	No of Signatures (Approx)	Responsible Officer	Decision maker (e.g. Executive Member, Director)	Date of Consideration	Action Agreed	Date of Consideration by CSMC & Outcome
133. Calling to reverse the proposed £10 Park and Ride parking charge at the York Community Stadium	Paper Petition presented at Full Council 21 March 2019 by Cllr Cullwick	Print off of 2 electronic petitions 555 signatures in total	Tony Clarke/ Andrew Bradley	Executive Member for Transport	24.10.19	The Executive Member resolved that the current £5 charge for non-P&R parking at Monks Cross P&R site will be maintained and not increased, which reflects the Executive Member for Finance and Performance statement at Full Council, and will be subject to a joint decision by the Executive Members for Transport and Finance and Performance if any changes are proposed. This is because the impact of the stadium activities on the P&R operation cannot be accurately determined until the stadium has opened.	

Petition Details	Petition Type	No of Signatures (Approx)	Responsible Officer	Decision maker (e.g. Executive Member, Director)	Date of Consideration	Action Agreed	Date of Consideration by CSMC & Outcome
137. Petition to reduce speed limit from 60mph to 40mph on Towthorpe Road, Towthorpe (on section between junction with Strensall Road and the end of the built up part of Towthorpe)	Paper Petition presented at Full Council 21 March 2019 by Cllr Doughty	18	Tony Clarke	Executive Member for Transport	24.10.19	The Executive Member resolved that the request for a revised speed limit on Towthorpe Road be added to the workload.	
138. Petition calling on CYC to pay the living way to all their service suppliers' workers, as they have committed to do as a Living Wage Employer	Paper Petition and Electronic Petition printed off from change.org presented at Full Council 21 March 2019 by Cllr Wells	Petition of 1005 signatures including 479 collected in person and 526 collected from change.org	Ian Floyd				

Petition Details	Petition Type	No of Signatures (Approx)	Responsible Officer	Decision maker (e.g. Executive Member, Director)	Date of Consideration	Action Agreed	Date of Consideration by CSMC & Outcome
<p>139. Tudor Road Petition, requesting that</p> <ul style="list-style-type: none"> - The Council reviews safety at the current junction of Tudor Road with Gale Lane and reintroduces the crossing island at this wide junction on a route to school and local shops and services; - The new junction with the Lowfields Playing Fields housing estate does not result in the loss of parking provision in the area; and -The Council ensures that there is no worsening of surface water issues in the surrounding area resulting from the building on playing fields. 	<p>Paper petition presented at Full Council 21 March 2019</p>	<p>82</p>	<p>Tony Clarke</p>	<p>Executive Member for Transport</p>	<p>24.10.19</p>	<p>The Executive Member resolved that the petition and the update on responses / action taken so far be noted.</p>	

Petition Details	Petition Type	No of Signatures (Approx)	Responsible Officer	Decision maker (e.g. Executive Member, Director)	Date of Consideration	Action Agreed	Date of Consideration by CSMC & Outcome
<p>143. Anna Semlyen on behalf of 20's Plenty for York - Petition for 20mph default speed limit extension for York, I hereby petition City of York Council for a signed default 20mph limit for Guildhall Ward, City Centre - central bridges, inner ring road, station access, air quality zones, all schools (excluding Pedestrian areas (which are 10mph)) Default = most roads & roads can be exempted where the needs of vulnerable road users are met. I am not asking for humps</p>	<p>Paper petition presented to Cllr Fiona Fitzpatrick (Guildhall Ward Member) on 9 October 2019.</p>	<p>Petition signed by 368 people</p>	<p>Tony Clarke</p>	<p>Executive Member for Transport</p>	<p>tbc</p>		

Customer and Corporate Services Scrutiny Management Committee

Work Plan 2019-20

<p>Monday 10 June @5.30pm</p>	<ol style="list-style-type: none"> 1. Attendance of the Executive Member for Policy and Executive Member for Strategy and Partnerships and Executive Member Finance and Performance. 2. Attendance of the Corporate Director of Health, Housing and Adult Social Care and Corporate Director of Children, Education and Communities to explain budget forecasts. 3. Arrangements for Scrutiny in York 4. Scoping Report on Food Poverty in York. 5. Draft Annual Scrutiny Report 6. Schedule of Petitions 7. Draft Work Plan
<p>Monday 8 July @5.30pm</p>	<ol style="list-style-type: none"> 1. Year End Finance and Performance Monitoring Report 2. Update Report on Attendance and Wellbeing Project (Sickness Absence) including information on staff survey 3. Update Report on Section 106 Agreements 4. Food Poverty Scoping Report 5. Work Plan and work planning for the municipal year.
<p>Monday 9 September @5.30pm</p>	<ol style="list-style-type: none"> 1. ICT Strategy Update Report – E-Democracy 2. Update Report on implementation of recommendations from previously completed scrutiny reviews: <ul style="list-style-type: none"> • Scrutiny Operation and Functions Scrutiny Review • Financial Inclusion Scrutiny Review

	<ul style="list-style-type: none"> • Single Use Plastics Scrutiny Review <ol style="list-style-type: none"> 3. Report of the Chair of the Economy and Place Policy and Scrutiny Committee. 4. Schedule of Petitions 5. Work Plan
Monday 14 October 2019 @5.30pm	<ol style="list-style-type: none"> 1. Corporate approach to major projects 2. Report of the Chair of the Housing and Community Safety Policy and Committee. 3. Schedule of Petitions 4. Work Plan and work planning session
Monday 11 November 2019 @5.30pm	<ol style="list-style-type: none"> 1. Update report on Wellbeing Project 2. Annual complaints report from March 2018 to April 2019. 3. Report of the Chair of the Children, Education and Communities Policy and Scrutiny Committee. 4. Scoping Report for Corporate Review into Poverty in York. 5. Annual Scrutiny Review Support Budget. 6. Schedule of Petitions. 7. Work Plan.
Monday 9 December 2019 5.30pm	<ol style="list-style-type: none"> 1. Scoping Report on approach to Managing Major Projects. 2. Information report on Information Management. 3. 2nd Quarter Finance and Performance Monitoring Report. 4. Report of the Chair of the Health and Adult Social Care Policy and Scrutiny Committee. 5. Schedule of Petitions. 6. Work Plan.

<p>Monday 13 January 2020 @5.30pm</p>	<ol style="list-style-type: none"> 1. Report on implementation of day-one absence scheme. 2. Overview report on Budget Setting or Procurement. 3. Report of the Chair of the Climate Change Policy and Scrutiny Committee. 4. Schedule of Petitions. 5. Work Plan.
<p>Monday 10 February 2020 @5.30pm</p>	<ol style="list-style-type: none"> 1. Overview report on Budget Setting or Procurement. 2. Overview Report on Member Engagement. 3. Report of the Chair of the Economy and Place Policy and Scrutiny Committee. 4. Schedule of Petitions. 5. Work Plan.
<p>Monday 9 March 2020 @5.30pm</p>	<ol style="list-style-type: none"> 1. E-Democracy Update Report. 2. Update Report on Public Engagement and Involvement. 3. Overview report on Corporate Branding. 4. Update report on implementation of outstanding recommendations from Financial Inclusion Scrutiny review. 5. Report of the Chair of the Housing and Community Safety Policy and Committee. 6. Schedule of Petitions. 7. Work Plan.
<p>Monday 6 April 2020 @5.30pm</p>	<ol style="list-style-type: none"> 1. Three-monthly update report on implementation of day-one absence scheme. 2. Six-monthly update report on Organisational Development Programme (deferred from January). 3. Report of the Chair of the Children, Education and Communities policy and Scrutiny Committee.

	<ol style="list-style-type: none"> 4. Annual review of the work and functionality of Scrutiny. 5. Schedule of Petitions. 6. Work Plan.
<p>Monday 11 May 2020 @5.30pm</p>	<ol style="list-style-type: none"> 1. Overview Report on Motions to Council. 2. Report of the Chair of the Health and Adult Social Care Policy and Scrutiny Committee. 3. Schedule of Petitions. 4. Work Plan.

Pre-decision report on Financial Inclusion policy