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Public Accounts Select Committee Agenda

Wednesday, 26 October 2016

7.00 pm,

Civic Suite

Lewisham Town Hall

London SE6 4RU

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This meeting is an open meeting and all items on the agenda may be audio recorded and/or filmed.

Part 1

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Public Accounts Select Committee Members

Members of the committee, listed below, are summoned to attend the meeting to be held on Wednesday, 26 October 2016.

Barry Quirk, Chief Executive
Tuesday, 18 October 2016

Councillor Jamie Milne (Chair) Councillor Chris Barnham (Vice-Chair) Councillor Abdeslam Amrani Councillor Brenda Dacres Councillor Amanda De Ryk Councillor Sue Hordijkenko Councillor Mark Ingleby Councillor Roy Kennedy Councillor Jim Mallory Councillor Alan Hall (ex-Officio) Councillor Gareth Siddorn (ex-Officio)	
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MINUTES OF THE PUBLIC ACCOUNTS SELECT COMMITTEE

Wednesday, 22 September 2016 at 6:30pm

PRESENT: Councillors Jamie Milne (Chair), Chris Barnham, Brenda Dacres, Amanda De Ryk, Skip Amrani, Mark Ingleby, Sue Hordijkeno, Jim Mallory.

IN ATTENDANCE: Councillors Alan Hall (Chair of Overview and Scrutiny Committee), John Muldoon (Chair of Healthier Communities Select Committee), Hilary Moore (Chair of Children and Young People's Select Committee), Kevin Bonavia (Cabinet Member for Resources), Sir Steve Bullock (Mayor of Lewisham)

PRESENT: Emma Aye-Kumi (Scrutiny Manger), Selwyn Thompson (Head of Financial Services), David Austin (Head of Corporate Resources), Janet Senior (Executive Director for Resources and Regeneration), Robyn Fairman (Head of Strategy, Strategic Resources), Genevieve Macklin (Head of Strategic Housing and Regulatory Services), Aileen Buckton (Executive Director for Community Services), Sara Williams (Executive Director for Children and Young People).

APOLOGIES: Councillors Liam Curran (Chair of Sustainable Development Select Committee), Roy Kennedy and Mark Ingleby.

1. Minutes of the meeting held on 5 July 2016

Councillor Milne opened the meeting and welcomed Councillor Sue Hordijkeno as a new member of the committee.

RESOLVED that the minutes of the last meeting held on 5 July 2016 be signed by the Chair as a true and accurate record.

2. Declarations of Interest

Councillors Hall and Muldoon declared non-prejudicial interests as Governors of SLaM NHS Trust.

3. Lewisham Future Programme 2017/18 Draft Revenue Budget Savings Proposals

David Austin (Head of Corporate Resources) presented the savings report. The Chair invited Chairs of the Select Committees to present their Committees' referrals and advised that the Committee should be minded to endorse the referrals.

The following was raised in discussion:

- Members expressed concern over school deficits and felt more information was needed to understand whether this was a local, regional or national

problem. They also wanted a better understanding of how to fund schools in the context of diminishing resources

- Additional equalities impact data had been circulated since the report had been published and Members were broadly satisfied
- Members across the Select Committees were generally opposed to the proposal to remove the Local Assembly Fund
- Priorities for the Budget would be reassessed over the coming weeks
- There would be little point in agreeing to a saving only to create an overspend
- Some projected savings had not delivered quickly enough – the example given was income generation – resulting in an overspend (or overspends in some services)

RESOLVED that the Public Accounts Select Committee refer the comments of the Select Committees to Mayor & Cabinet.

The Committee then discussed those savings proposals that were for consideration by the Public Accounts Select Committee.

E6 – Property Investment/ Acquisition

Members supported the proposal but sought clarification of what was meant by “other partners”. Officers clarified that these were recognised institutional bodies that had been risk checked and approved by the council’s treasury advisors.

E7 – Conversion of an asset for development

Members were supportive of this proposal and asked whether the proposed saving could be increased. Officers explained that

- the £150,000 saving related to a particular property, and was based on converting existing office space into 10 x 2 bedroomed units
- further savings would be achieved, but beyond the 2017/18 timescale
- the new units would give rise to cost saving for temporary accommodation.

Members also requested a report on future asset realisation for consideration by the Committee.

I11a) and b) – Insurance – level of self-insurance risk

The Committee were supportive of the proposals and was encouraged to hear that work was being done to explore the possibility of creating a mutual with a partner, to achieve better economy of scale.

M7 – No Recourse to Public Funds Costs

The Committee heard that unless there were specific locational priorities applied to an individual case such as child protection, specific health needs that could only be met in the borough, or a child reaching a critical point in their schooling, many of the 11 household would be placed in East or Outer London where property prices were cheaper. Members asked officers to supply a breakdown.

Efficiency Plan in support of Four Year Settlement Offer

Officers drew the Committee's attention to the 4 year efficiency plan at Appendix xi of the Lewisham Future Programme report. The Committee heard that to take up the offer, the Council was required to notify the Secretary of State by the 14 October 2016.

Members were advised that they should consider whether they thought a better offer would be forthcoming, and whether the new Secretary of State might bring about a change of direction.

RESOLVED

1. that the report be noted
2. that Members be provided with a breakdown of housing locations for the 11 affected families (Action: Head of Strategic Housing and Regulatory Services)
3. that a referral to Mayor and Cabinet be made in the following terms:

The Public Accounts Select Committee endorsed the referrals made by Select Committees (attached at Appendix A). The Committee asked that the Mayor & Cabinet take these referrals into account alongside officer reports when taking a decision on the Lewisham Future Programme – 2017/18 Draft Revenue Budget Savings Proposals report.

The Public Accounts Select Committee noted the assurances given by officers that concerns raised by the Sustainable Development and Safer, Stronger Communities Select Committees regarding the accuracy of equalities impact assessments had been addressed.

The Public Accounts Select Committee agreed the following proposals with no changes: E6, E7, I11(a) and (b), M7(a) and (b).

3. Business Rate and Need Consultation

David Austin, Head of Corporate Resources, presented the report, and highlighted that the first stage consultation would close on 26 September 2016. He explained that Lewisham was a large "top-up authority" with 25 Boroughs receiving top-ups and 8 subject to tariffs in London. Therefore the London voices against any unfairness in the proposed scheme would be strong.

The significant implications of the proposed changes to business rate retention was of concern to some Councillors who felt that as a political group, the Labour party had not had the opportunity to prepare a party response. It was noted that the government's proposals had been around for at least 2 years, and that there had been a briefing at an Overview and Scrutiny Committee meeting.

The following points were noted in discussion:

- HM Treasury or DCLG would decide the level of top-ups, or, if the London pool proposal was accepted, a new body would be created
- Incentivising the business base in Lewisham was very difficult as smaller businesses were exempt from paying business rates. Furthermore, it was reported that planning committees regularly heard the difficulties experienced by landlords of new developments in trying to secure business tenants
- Outside of the consultation process, the Cabinet Member for Resources would draft a “Lewisham Minority Report” to emphasise Lewisham’s value to the rest of London both now and in the future
- There was support for the broad principles of the response, but when the time came, Lewisham would have to stand up for itself
- Members requested that the consultation response be circulated to Select Committees ahead of the deadline.

RESOLVED that the progress of the GLA/ London Councils’ proposals on a system of 100% retention of business rate and the London Councils’ response to the Government’s business rate consultation be noted.

4. Select Committee Work Programme

Members were asked to note the work programme and date of next meeting.

The following was discussed:

- Business Rates to come back to Committee once the consultation had been analysed (likely next summer)
- Members requested to see detail about which strands of the Budget were income generating.

RESOLVED that the work programme be updated as follows:

- “Income Generation – update” be postponed to November
- new item “Future Asset Realisation” be scheduled for November.

5. Referrals to Mayor and Cabinet

See Item 3. There were no further referrals.

The meeting ended at 8:28pm.

Public Accounts Select Committee		
Title	Declaration of interests	
Contributor	Chief Executive	Item 2
Class	Part 1 (open)	26 October 2016

Declaration of interests

Members are asked to declare any personal interest they have in any item on the agenda.

1. Personal interests

There are three types of personal interest referred to in the Council's Member Code of Conduct:

- (1) Disclosable pecuniary interests
- (2) Other registerable interests
- (3) Non-registerable interests

2. Disclosable pecuniary interests are defined by regulation as:-

- (a) Employment, trade, profession or vocation of a relevant person* for profit or gain
- (b) Sponsorship – payment or provision of any other financial benefit (other than by the Council) within the 12 months prior to giving notice for inclusion in the register in respect of expenses incurred by you in carrying out duties as a member or towards your election expenses (including payment or financial benefit from a Trade Union).
- (c) Undischarged contracts between a relevant person* (or a firm in which they are a partner or a body corporate in which they are a director, or in the securities of which they have a beneficial interest) and the Council for goods, services or works.
- (d) Beneficial interests in land in the borough.
- (e) Licence to occupy land in the borough for one month or more.
- (f) Corporate tenancies – any tenancy, where to the member's knowledge, the Council is landlord and the tenant is a firm in which the relevant person* is a partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.
- (g) Beneficial interest in securities of a body where:
 - (a) that body to the member's knowledge has a place of business or land in the borough;

(b) and either

- (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or
- (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

*A relevant person is the member, their spouse or civil partner, or a person with whom they live as spouse or civil partner.

3. Other registerable interests

The Lewisham Member Code of Conduct requires members also to register the following interests:-

- (a) Membership or position of control or management in a body to which you were appointed or nominated by the Council
- (b) Any body exercising functions of a public nature or directed to charitable purposes, or whose principal purposes include the influence of public opinion or policy, including any political party
- (c) Any person from whom you have received a gift or hospitality with an estimated value of at least £25

4. Non registerable interests

Occasions may arise when a matter under consideration would or would be likely to affect the wellbeing of a member, their family, friend or close associate more than it would affect the wellbeing of those in the local area generally, but which is not required to be registered in the Register of Members' Interests (for example a matter concerning the closure of a school at which a Member's child attends).

5. Declaration and Impact of interest on members' participation

- (a) Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take no part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**
- (b) Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in

consideration of the matter and vote on it unless paragraph (c) below applies.

- (c) Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- (d) If a non-registerable interest arises which affects the wellbeing of a member, their, family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- (e) Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

6. Sensitive information

There are special provisions relating to sensitive interests. These are interests the disclosure of which would be likely to expose the member to risk of violence or intimidation where the Monitoring Officer has agreed that such interest need not be registered. Members with such an interest are referred to the Code and advised to seek advice from the Monitoring Officer in advance.

7. Exempt categories

There are exemptions to these provisions allowing members to participate in decisions notwithstanding interests that would otherwise prevent them doing so. These include:-

- (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception)
- (b) School meals, school transport and travelling expenses; if you are a parent or guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor;
- (c) Statutory sick pay; if you are in receipt
- (d) Allowances, payment or indemnity for members
- (e) Ceremonial honours for members
- (f) Setting Council Tax or precept (subject to arrears exception)

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Public Accounts Select Committee		
Title	Mayoral response to the comments of the Public Accounts Select Committee on the Lewisham Future Programme	
Contributor	Executive Director for Regeneration and Resources (Business and Committee Manager)	Item 3
Class	Part 1 (open)	26 October 2016

1. Summary

- 1.1 This report informs members of the response given at Mayor and Cabinet on 28 September to the Committee's referral on the 2017/18 savings report.

2. Recommendation

- 2.1 The Select Committee is recommended to receive the Mayoral response to their comments on the 2017/18 savings report (Lewisham Future Programme).

3. Background

- 3.1 For their September 2016 meetings, all scrutiny select committees took the opportunity to consider the savings proposals put forward by officers for the 2017/18 financial year. Each committee referred its views on the savings proposals to the Public Accounts Committee, which considered the comments of select committees (and input from select committee chairs) in order to produce a combined referral for consideration by Mayor and Cabinet.

4. Mayoral response

- 4.1 At the meeting of Mayor and Cabinet on 28 September 2016, having considered an officer report and additional tabled legal implications, as well as presentations by the Cabinet Member for Resources, Councillor Kevin Bonavia, the Chair of Overview & Scrutiny and by the UNITE rep at Lewisham CAMHS, the Mayor agreed that:

(i) the areas of anticipated savings for the period 2017/18 to 2019/20 as set out be noted;

(ii) the comments of the Public Accounts Select Committee on the 22 September 2016, which incorporates the views of the respective Select Committees be received and responded to as shown below;

(iii) the actions listed below for each saving totalling £5.99m in 2017-18 be agreed for the detailed proposals in Appendices i to vi

4.2 Smarter & deeper integration of social care & health

- A18a (Widening the scope for charging by removing subsidy and increasing charges) Consultation and Monitoring required and report to Healthier Communities SC prior to returning to Mayor & Cabinet.
- A18b (Widening the scope for charging by improving income collection performance) Consultation not required.
- A19; (Workforce productivity from better use of technology) Delegated to Officers but Monitoring required.
- A20; (Reduction in day care offer) Consultation not required.
- A21 a & b (Review levels of Mental Health expenditure, manage demand for accommodation services review implementation of s117 requirements) Consultation not required.

4.3 Supporting people

- B3 (Re-procure floating support services) Consultation not required.

4.4 Asset rationalisation

- E6; (Property investment acquisition) Consultation not required.
- E7 (Development of Private Rental Schemes) Consultation not required.

4.5 Management and corporate overheads

- I11 a & b (Review insurance risks & reserves and review insurance risks and reorganise) Consultation not required.

4.6 Culture and community services

- L8; (Facilities management) Comments from Select Committee accepted with new contracts to reflect Council values and the London Living wage.
- L9; (Local Assemblies) Saving not taken and Officers asked to review outputs and what value has been produced by each Assembly.
- L10; (Lewisham Learning Subsidy) Consultation not required.

4.7 Housing strategy and non-HRA funded services

- M3; (Housing needs restructure) Consultation not required.
- M4; (PLACE/Ladywell) Consultation not required.
- M5; (Hamilton Lodge Hostel income) Consultation not required.
- M6; (Reorganise provision of the handy persons service) Housing Select Committee to see full report prior to Mayor& Cabinet consideration

- M7 a & b; (Reduce No Recourse to Public Funds (NRPF) re-provisioning housing and NRPF prompt claiming of housing benefit project) Consultation not required.

4.8 Safeguarding and early intervention

- Q6 a to f; (Developing alternative pathways for care; shared housing; housing support; access to public housing; claiming of housing benefit; contract monitoring; improved planning) CYP Select Committee to receive monitoring information after implementation.
- Q7 a & b; (Redesign of Lewisham CAMHS – improve access pathways; further integration work) Monitoring by Select Committee to take place and no further savings to be required from this area in the next two annual budget rounds.
- Q8; (Develop in-house fostering and specialist carers) Consultation not required.
- Q9; (Enhance support for children on edge of care) Consultation not required.
- Q10; (Enhance family finding capacity for step down) CYP Select Committee to receive monitoring information after implementation
- Q11 a (Redesign of Meliot Centre - review of services at the centre) CYP Select Committee to see full report prior to Mayor& Cabinet consideration
- Q11 b (Redesign of Meliot Centre - develop contact centre) CYP Select Committee to see full report prior to Mayor& Cabinet consideration

(iv) officers be authorised to carry out consultation where public/stakeholder consultation is necessary in relation to the proposal and that officers bring a full report to Mayor & Cabinet at the earliest opportunity;

(v) officers be authorised to carry out consultation where staff consultation is necessary in relation to the proposal and delegate the decision to the relevant Executive Director for the service concerned;

(vi) where no consultation is required, the saving proposal be approved, or the decision be delegated to the relevant Executive Director for the service concerned;

(vii) officers be requested to complete further work to clarify the proposal and re submit the saving proposal at the earliest opportunity;

(viii) the work in hand for savings B3 and M3 totalling £0.6m be noted and the work of officers to deliver these savings be endorsed;

(ix) the decisions at Mayor and Cabinet meetings on the 12 November 2014 and 30 September 2015 be noted and the previously agreed savings of £17.4m for 2017/18 be approved;

(x) the update on progress in relation to Public Health savings be noted;

(xi) the draft efficiency plan be approved to enable the Council to accept the four year settlement offer in respect of Revenue Support Grant for the years 2016/17 to 2019/20; and

(xii) the following additional responses be made to the Sustainable Development Select Committee;

(a) Officers asked to review IT used by Planning and report back to the Select Committee;

(b) Officers be asked to continue work seeking to generate income from Council assets;

(c) Officers be asked to report back immediately if examples of cumulative negative impact resulting from savings proposals are discovered.

Background papers

Public Accounts Select Committee referral to Mayor and Cabinet: 28 September 2016:

<http://councilmeetings.lewisham.gov.uk/documents/s45624/PAC%20Referral%20Lewisham%20OFutures%20Programme.pdf>

Mayor and Cabinet minutes 28 September 2016:

<http://councilmeetings.lewisham.gov.uk/mgAi.aspx?ID=15048>

If you have any queries on this report, please contact Sarah Assibey, Committee Support Officer, 0208 314 8975

Public Accounts Select Committee		
Title	Annual Complaints Report 2015 - 16	
Contributor	Executive Director for Customer Services and Head of Public Services	Item 4
Class	Part 1 (open)	26 October 2016

1 Executive Summary

- 1.1 The report provides performance information on complaints dealt with by the Council and its housing partners at stages 1 and 2 of the Corporate Complaints procedure as well as complaints and enquiries to the Mayor, Councillors and MP's that were logged in the Council's complaints management system iCasework, during 2015/16. There were a total of 4,503 complaints and enquiries received in 2015/16. This represents a 14% decrease when compared to 2014/15.
- 1.2 The report does not include complaints or enquiries about the provision of adult and children's social care, both of which are reported individually and publicised according to statutory guidance.
- 1.3 The Independent Adjudicator's (IA) report is attached at Appendix 1. The IA dealt with 91 complaints between 1 April 2015 and 31 March 2016, of which she upheld or partly upheld 27 (37%). The IA responded to 96% within the 30-day response standard and identified a number of issues from the complaints and makes recommendations for improvement.
- 1.4 The Local Government Ombudsman (LGO) report is attached at Appendix 2. In 2015/16, the LGO made decisions in a total of 33 cases which is 1 more than last year – the figures are attached at Appendix 3.
- 1.5 The report summarises the outcome of the Complaints and Casework review and the new arrangements that will be put in place during 2016/17.

2 Purpose of Report

- 2.1 To update the Committee on the Council's complaints performance for 2015/16 at all stages including the Independent Adjudicator's report and the Local Government Ombudsman Annual Review.

3. Recommendations

The Committee is recommended to:

- 3.1 Note the contents of the report.
- 3.2 Refer the report to Mayor and Cabinet for consideration.

4 Introduction

- 4.1 This report summarises how the Council and its housing partners performed when dealing with complaints and how it is using the feedback from complaints to improve services. The report does not cover statutory complaints received for adult and children's social care that are subject to separate reports.
- 4.2 Also included is a summary of the Independent Adjudicator's report and a summary of the LGO's Annual Review with the full reports attached as appendices.

5. Stage 1 and Stage 2 complaints, MP, Mayor and Councillor enquiries

- 5.1 The standard response times and responsibilities for responding to complaints at each stage are:

Stage 1 – 10 days by the Service Manager

Stage 2 – 20 days by the Head of Service or Executive Director

Stage 3 – 30 days by the Independent Adjudicator

MP/Mayor/Councillor – 10 days by the Head of Service or Executive Director

- 5.2 The tables below show the number of complaints and enquiries dealt with by the Council in the last financial year. The tables are broken down by directorate and show the percentages dealt with in the standard response time. The statistics are for cases logged into iCasework between 1 April 2015 and 31 March 2016 compared with performance over the same period in 2014/2015.

Table 1 – total volume of complaints and enquires by directorate

	Total Complaints and Enquiries		
Directorate	2014/15	2015/16	Variance
Children and Young People	240	231	-9
Community Services	239	280	+41
Customer Services	2,609	2,514	-95
Lewisham Homes	1,302	921	-381
Resources & Regeneration	852	537	-315
Total	5,242	4,503	-739

Table 2 – stage 1 and stage 2 complaints by directorate with % responded on time

Directorate	Stage 1					Stage 2				
	2014/15	%	2015/16	%	Variance	2014/15	%	2015/16	%	Variance
CYP	67	90	80	81	+13	6	99	14	79	+8
Community Services	83	88	46	72	-37	8	78	4	75	-4
Customer Services	825	85	1,075	88	+250	77	80	100	58	+33
Lewisham Homes	619	89	451	90	-168	110	88	108	94	-2
Resources & Regeneration	158	87	135	63	-23	27	89	22	32	-5
Total	1,752	88	1,787	86	+35	228	86	248	73	+20

Table 3 - MP, Mayor and Members enquiries by directorate*

Directorate	MP			Mayor			Members		
	2014/15	2015/16	Variance	2014/15	2015/16	Variance	2014/15	2015/16	Variance
CYP	140 (92)	85 (82)	-55	7 (98)	8 (100)	+1	14 (98)	32 (88)	+18
Community Services	67 (65)	82 (35)	+15	11 (85)	44 (64)	+33	85 (78)	78 (51)	-7
Customer Services	829 (90)	767 (42)	-62	213 (85)	201 (52)	-12	559 (91)	271 (60)	-288
Lewisham Homes	294 (98)	190 (44)	-104	57 (96)	29 (48)	-28	182 (91)	127 (87)	-55
Resources & Regeneration	165 (90)	121 (50)	-44	83 (86)	46 (44)	-37	387 (93)	192 (71)	-195
Total	1495 (87)	1245 (45)	-250	371 (90)	328 (53)	-43	1227 (90)	700 (68)	-527

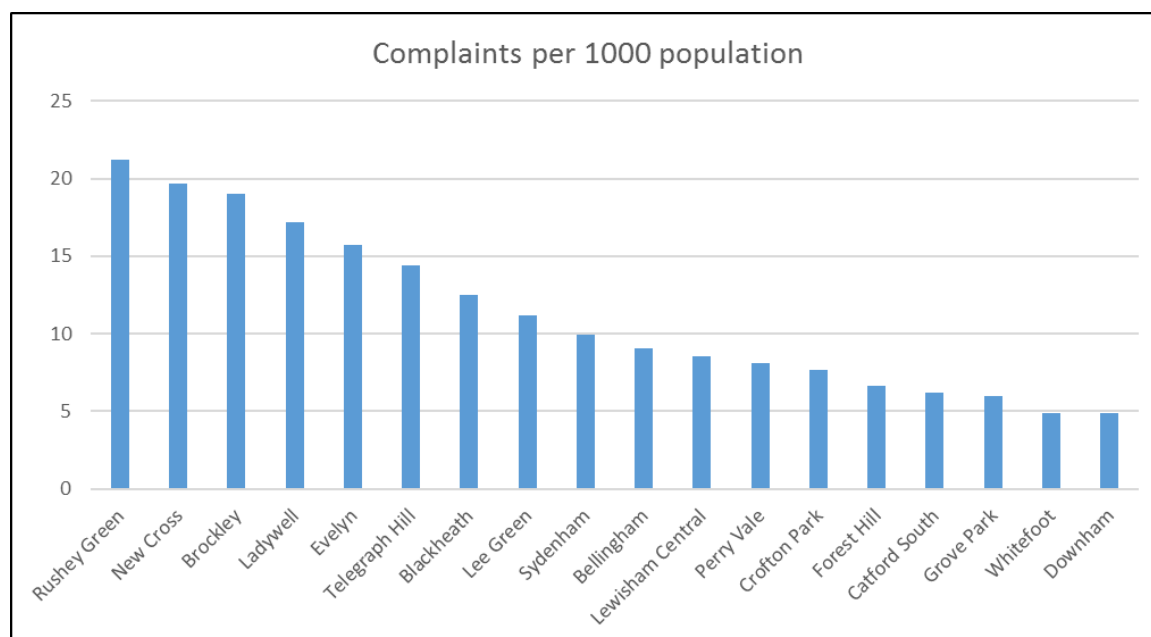
*figures in brackets denotes the percentage of cases dealt with within the specified targets

- 5.3 The total number of complaints and enquiries received in 2015/16 was 4,503 which was a decrease of 739 cases (14%) on the previous year. There was a decrease in all in casework enquiries but an increase in stage 1 and 2 complaints. Percentage performance times also decreased in some areas and this is discussed later in the report.

Complaints and enquiries by ward

5.4 The distribution of complaints received by Ward is shown below. The highest number of complaints received per 1,000 population were from residents in the Rushey Green Ward. In 2014-15 the joint top highest were in the Rushey Green and Brockley wards, whilst the lowest number of complaints (in both financial years) was received by residents in the Downham ward.

Chart 1 Distribution of Complaints by Ward



Source: Annual complaints data, Lewisham Council. Mid-year population Estimates by Ward for 2013, Office for National Statistics

Table 4 – Distribution of complaints by Ward

Ward	Complaints per 1000 population
Rushey Green	21
New Cross	20
Brockley	19
Ladywell	17
Evelyn	16
Telegraph Hill	14
Blackheath	13
Lee Green	11
Sydenham	10
Bellingham	9
Lewisham Central	9
Perry Vale	8
Crofton Park	8
Forest Hill	7
Catford South	6
Grove Park	6
Whitefoot	5
Downham	5

2015-2016

Ward	Complaints per 1000 population
Rushey Green	31
Brockley	22
Ladywell	20
Evelyn	19
New Cross	19
Telegraph Hill	17
Lee Green	13
Sydenham	13
Blackheath	13
Bellingham	10
Perry Vale	10
Crofton Park	10
Forest Hill	9
Lewisham Central	9
Grove Park	7
Whitefoot	6
Catford South	6
Downham	4

2014-2015

5.5 The top three wards to receive the highest level of complaints and enquires were: Rushey Green, New Cross and Brockley.

5.5.1 In Rushey Green, Highways – Street works was the top reason why customers complained followed by, Housing and Council Tax benefit, Housing – Advice and Reviews. In 2014-15, Highways was the top reason why customers complained, followed by Housing Needs and Lewisham Homes

5.5.2 The second highest ward to receive complaints and enquiries was New Cross. The top reason why customers complained was Highways – Street works, followed by Lewisham Homes – Repairs, and Lewisham Homes – Service Improvement. In 2014/15 the top reason why customers complained was Housing management, followed by Lewisham Homes and Environmental Enforcement. (For clarity, it should be noted that under the Brockley PFI (Regenter) umbrella, Pinnacle PSG are responsible for Housing Management, and Rydon are responsible for day to day repairs.

5.5.3 The third highest ward to receive complaints and enquiries is Brockley with the top reason for complaints being Housing – Customer Services, followed by Leasehold Services, and Council Tax. In 2014-15, the top reason why customers complained was Housing, Highways and Council Tax.

5.5.4 Downham received the lowest level of complaints and enquiries in both financial years. Appendix 5 provides a breakdown of all complaints and enquiries across all the wards.

5.6 Trends

On analysing the reasons for complaints, the top three issues identified are as follows:

- **Highways** – Street works was the top reason why customers complained; followed by
- **Housing and Council Tax benefit;**
- **Housing – Advice and Reviews**

Services with the top three issues provided comments on their complaints and highlighted any learning points that arose from those complaints.

Highways

5.6.1 Highways covers many issues that are of concern to all residents – street works and potholes etc. In 2015-16 Highways received more complaints than usual about drainage but this was triggered by the heavy rainfall. Highways responded by working to clear blocked gullies outside the normal 2 year cycle.

5.6.2 Additionally Highways have received significant correspondence relating to Controlled Parking Zones as several new and amended ones come into force. Though this does naturally decrease as the zones settle down. It is anticipated that in 2016/17 this correspondence will be overtaken by enquiries about the implementation of the new borough-wide 20mph speed limit but this will fit the trend in spikes in enquiries when major schemes are put in (especially parking schemes). However, these are a product of extensive public consultation and what is put in has to conform to legislative requirements and are generally managed within team resources.

Housing and Council Tax Benefit

- 5.6.3 Housing Benefits have seen an overall 40% increase in casework in the last twelve months that is largely attributable to a increase in MP enquires (42% more MP enquiries were received) and Stage one complaints (which have increased by around 77%). The main reason for the complaints related to the change of circumstances process however, of these, less than 20% were actually upheld.
- 5.6.4 A further issue affecting complaint volumes is complainants raising the same concern but using a number of different channels resulting in duplication of efforts with different staff addressing the same issues concurrently. Work is underway to try to negate this duplication by better configuring our system to consolidate multiple contacts for the same issue into a single request. The Service is also developing a self-serve portal to enable customers to view their claim details on-line – including details of what stage the claim is at – to try to minimise the need for further contact.

Housing – Advice and Reviews

- 5.6.5 It is considered that Advice & Reviews has featured as one of the top 3 complaint topics for the following reasons:

- In these times of the Housing Crisis e.g. high demand with limited supply/stock, the suitability and/or location of temporary accommodation is regularly questioned.
- The Advice and Reviews team have to make difficult decisions based on the stock it has available. Consequently reviews are perceived as generally having negative outcomes against applicants
- The service is perceived as being unable to meet applicant's expectations, or wishes (timeframes, social housing options).
- The Welfare Reform has affected resident's perception of the Council e.g. bedroom tax, benefit caps and so on can be seen as local government decision as opposed to central government issue.
- Affordability of living in London: Having to place people out of Lewisham in order for applicants to sustain tenancies.
- Policy tools introduced – discharge into the PRS (people want social housing) Location Priority Assessments.
- People do not generally agree with the law i.e. priority need (single persons who are not significantly more vulnerable will not be owed a housing duty, intentionally homeless etc.)
- The Service had a backlog of cases following a restructure that resulted in delays in reaching decisions, this has since been addressed and huge improvements have been made.

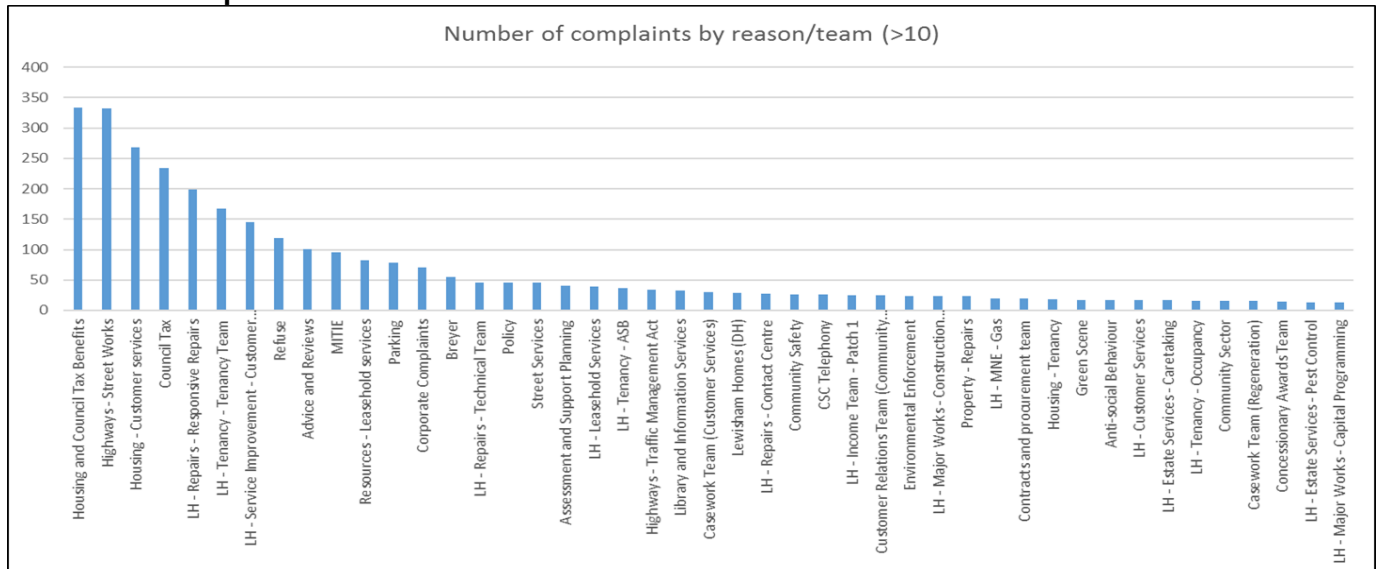
- 5.6.6 The things that have been put in place to assist/tackle this are:

- Service restructure - more staff have been recruited and the Service is seeing a reduction in waiting times.
- The Service is seeking to get involved much earlier with a client, focusing on the prevention of homelessness.
- Other Housing Options Schemes are being considered such as Landlord Letting Scheme, Fresh Start etc.

- The Service is endeavouring to be more transparent with its customers from the start from the advice and review process in order to manage the expectations in regards to social housing/waiting times.

5.7 Services receiving 10 or more complaints or enquiries

Chart 3 - A breakdown of services receiving 10 or more complaints or enquiries



Appendix 4 provides a breakdown of the top three complaint reasons, by ward.

5.8 Complaints and service improvement

5.8.1 Each directorate has responsibility for managing its own complaints and enquiries.

5.8.2 Throughout the year directorates have worked to improve the quality of the complaints handling. Each directorate has used complaints received to identify areas of improvement and undertook changes to improve the way the service is delivered. Examples of these improvements are outlined below:

Community Services

5.8.3 The Community Services Customer Relations team has formalised the interaction between health partners in the assessment of young people with learning difficulties who are transitioning to adult services in order to provide a more robust framework. This also ensures that a clear audit exists of the young person's needs.

5.8.4 In line with the Care Act and Children & Families Act communication between services has been enhanced to support the Education Health and Care Plans of a young person. Joint discussions will take into consideration their immediate needs for care and support, and enable an earlier discovery of what support and interventions may be applicable as the young person moves into adulthood.

Customer Services & Resources & Regeneration

5.8.5 From January 2015 and over the course of 4 months, the Customer Services Complaints and Casework team lost 3 key staff and experienced severe staff

shortages which resulted in a backlog developing. During this challenging period, the team were receiving more casework and complaints than it could cope with which severely hampered their ability to deal with them in a timely manner and response performance levels dropped across all categories of complaint and casework. Additionally the Housing Service underwent a substantial restructure. The transition to a new structure saw a drop in performance which compounded that of the casework team.

- 5.8.6 In an attempt to deal with the significant drop in performance across both services, the managers resolved to set up regular 'performance' meetings to mitigate the poor performance issues. The meetings re-established a co-operative working relationship between the services and improved communication about complaint and casework volumes and response times. This enabled both services to become responsive rather than reactive and provide accurate information to complainants, Councillors and MPs about when delayed responses could be expected. Further measures were put in place in the administration processes to try to both tackle and mitigate the delays and requests that were outstanding and to improve the requester experience overall. Given the scale of the backlog it took some months before stabilisation and improvements were realised.

Children & Young People

- 5.8.8 The CYP casework team continued to embed a change to practice by way of strict enforcement of the service specific casework bulletins, and the action plans/audit forms that are now signed off by senior management. This work to create an audit trail from which to ensure that the complaints cycle is closed, recommendations carried out, and necessary learning from complaints absorbed into the service.

Lewisham Homes

- 5.8.9 Lewisham Homes have been working to improve customer satisfaction levels with complaint handling and outcome; increase the proportion of complaints dealt with informally; and reduce formal complaint levels. The process itself and the components have been tweaked to better improve the customer satisfaction.
- 5.8.10 Some of the additional changes and improvements are highlighted below:
- Clearview Reporting – Introduced to better improve the accuracy and availability of reporting
 - Mary Gober Training – Customer service training to improve overall level of service with some specialised training in complaints
 - Apology goodwill gesture scheme – Introduced new scheme for officers to offer small gestures of goodwill for tenants that have been let down by an area of the company
 - Drive on informal resolution – In line with the housing ombudsman we are driving the use of informal early resolution
- 5.8.11 Examples of lessons learnt throughout this period are:
- LH gather as much evidence as possible before calling a complainant to resolve the complaint and address the service failures with the resident as well as within the team to make the correction immediately.
 - Leaks – LH are currently working with repairs to find a better way to identify the source of the leak, to reduce the amount of compensation due to mis-diagnosis of leasehold properties

Brockley PFI

5.8.12 Brockley PFI have put the following in place to improve the quality of complaints handling:

- Introduced an internal response deadline that is shorter than our contractual target as this works to ensure that deadlines are met before or on target.
- All complaints are responded by a Manager and checked by another Manager.
- Introduced monthly complaints meetings.
- Undertaken a six/twelve months complaints review.

5.8.13 Lessons learnt from upheld complaints highlight the need to improve at getting things right at the first attempt. The regular discussions of complaint handling will go some way to helping us work with managers to achieve this.

5.9 In previous years a complaints action plan including recommendations by the Independent Adjudicator, was developed to ensure continued good practice and implement necessary actions. This year the Council is awaiting the outcome of the complaints and casework review details of which are noted at paragraph 9.

6 Independent Adjudicator

6.1 The Independent Adjudicator (IA) deals with stage 3 complaints on behalf of the Council. The IA report for the Council is attached at Appendix 1. This section summarises the IA's report and the action being taken in response to the issues raised. The report covers the period 1 April 2015 to 31 March 2016.

6.2 The IA received 91 complaints during the year, eight more than in 2014/15. This breaks down to 56 (62%) about the Council/Regenter (down by five from last year); and 35 (38%) about Lewisham Homes (an increase of 13).

6.3 The number of complaints about the Council/Regenter stayed the same for two years - 44 in 2012/13 and 44 in 2013/14: it went up in 2014/15 to 52 (after complaints that were out of jurisdiction, for example). The number this year has gone down to 42 (when those complaints with an alternative right of appeal; or with insufficient injustice to warrant the IA's involvement; or were settled without investigation; or were premature; or were withdrawn by the IA or the complainant, are excluded). This reduction in stage three complaints in such challenging times is welcome, though, of course, any complaint is regrettable. The IA considers the number of stage three complaints is tiny for the size of the Borough and the functions that it carries out; and the IA does anticipate some fluctuation in complaint numbers from year to year.

6.4 The IA has prepared a separate annual report for Lewisham Homes that deals specifically with any issues relating to them. The IA will attend their management team to present the report and the Council will monitor any actions arising from it. The number of complaints about Lewisham Homes went up by 13 from 22 to 35. Seven of these complaints were premature or out of jurisdiction; they contained insufficient injustice to warrant the IA's involvement; or they were withdrawn by the complainant. So, the actual figure is 28: still an increase of eight complaints from last year when 20 fell within her remit; the first increase the IA has noted for some time; but an increase that causes her no concern, taking into account her comment above about fluctuating complaint numbers. The IA comments in detail on Lewisham Homes in a separate letter to their Board.

6.5 The IA responded to 96% of cases within the 30-day standard, which is above the 90% target and an increase on the previous year's performance of 94%.

6.6 Cases by directorate/partner

The table below sets out the number of Stage 3 complaints against each directorate and each partner (*withdrawn/out of jurisdiction complaints in brackets cases in brackets*).

Table 6 - Total number of stage three complaints against each directorate and each partner

Customer Services	Resources and Regeneration	Community Services	Children and Young People	Regenter	Lewisham Homes	TOTAL
34 (8)	5	3 (2)	9 (1)	5 (3)	35 (7)	91

6.7 Compensation

Compensation was awarded in 18 cases. The total amount of compensation paid was £26,523, of which £5,736 was for Lewisham Homes.

Table 7 - Amount of Compensation

	Up to and including £100	£100-£500	More than £500	TOTAL	
2015/16	2	6	10	18	£26,523.40
2014/15	n/a	13	6	20*	£9,241
2013/14	4	8	4	16*	£6,542
2012/13	2	8	2	12	£4,259.75
2011/12	2	9	1	12	£3,614

**Compensation awarded in 18 cases including those against Lewisham Homes (8)*

6.8 **Key issues highlighted by the Independent Adjudicator**

Communication and complaint handling

- 6.8.1 The IA is now monitoring the time taken to respond to her requests for information, noting that any delay impacts on her own timescales; could bring the complaints process into disrepute and lead to an Ombudsman complaint; and adds to the complainant's sense of grievance. The IA proposes to report her findings to the Council in due course.
- 6.8.2 The IA has found that, on occasion, compensation is not mentioned when fault is acknowledged. The IA urges officers to think about compensation in these circumstances.
- 6.8.3 There has been a noticeable rise in complaints about, for example, street sweeping and fly tipping. Accordingly, the IA urges the Council to devise, and send out, standard complaint letters to avoid the need for detailed replies each

time, and to manage complainant expectations. An individual response, however, is appropriate if there are specific issues in a particular complaint.

6.9 The Council's response to the IA's comments

- 6.9.1 The Council thanks the Independent Adjudicator for her comments. The Council's review of its current casework and complaint processes will address the issues raised by the IA.

7 Local Government Ombudsman Annual Letter 2015/16

- 7.1 An annual review letter is produced by the LGO each year. This gives a summary of statistics relating to complaints made against local authorities over the year ending 31 March 2016. A copy of the LGO's annual letter is attached at Appendix 21

- 7.2 The enclosed tables present the number of complaints and enquiries received and the decisions made about the authority during the period. In 2015-16 a total of 162 complaints and enquiries were received, 3 less than 2014-15. Of the total received only 33 'detailed enquiries' were carried out of which 17 were upheld.

- 7.3 The top 3 highest number of complaints were received about:
- Benefits and Council Tax - 39 (31 in 2014-15)
 - Housing – 37 (45 in 2014-15)
 - Education & Children's Services – 31 (31 in 2014-15)

- 7.4 Last year the LGO provided information on the number of complaints upheld and not upheld for the first time. In response to council feedback, this year they are providing additional information to focus the statistics more on the outcome from complaints rather than just the amounts received. The LGO has also provided a breakdown of the upheld investigations to show how they were remedied. This includes the number of cases where LGO recommendations remedied the fault and the number of cases where the LGO concluded the authority had offered a satisfactory remedy during the local complaints process.

- 7.5 The LGO publish final decisions on all complaints on their website, as they consider this as an important step in increasing transparency and accountability. There have been no published reports made against the Council during the year ending 31 March 2016.

- 7.6 The Council views this as a useful exercise, which gives it the opportunity to reflect on the types of complaints made and consider where improvements might be made.

8 Achievements in 2015/16

- 8.1 The Community Services casework team use the intelligence gained from adult social care complaints to align with that from professional quality alerts, feedback from CQC and commissioned providers to improve quality across the delivery of adult social care services.

- 8.2 Taking into account the challenging period experienced by the Customer Services Casework Team the key achievements were:
- Keeping the service going under extreme pressure

- Identifying the sources of the backlog
- Reviewing and revising team processes to streamline and introduce efficiencies
- Clearing the casework inbox and filing system.

8.3 The CYP Complaints team worked towards ensuring that lessons learnt from upheld and partially upheld complaints were highlighted and fed back to improve service delivery. The complaints team monitor implementation of agreed actions and recommendations.

- Service specific bulletins continue to be produced for senior managers consideration and action. In managing trends and detailed complaints in this manner, it is hoped that the broader picture can be influenced by addressing the smaller, frequent issues found within individual services. For example Adoption, Looked After Children Leaving Care Service were provided with a quarterly breakdown of complaints received and managers were asked to provide comments and highlight learning points to be considered by staff going into the next quarter.
- Audit forms are kept outlining upheld complaints, and recommendations arising. These forms are compiled and revisited periodically with senior management, to ensure implementation of recommendations.
- Organisational learning from the upheld and/or partially upheld complaints are fed back to staff by the Complaints Team through team meetings and bulletins distributed for the attention of all staff.

8.4 Lewisham Homes report the following achievements:

Ownership (Leasehold) - Regular inter departmental meetings on follow up actions have helped. Improved communication with teams have helped them to deal with enquiries better.

Repairs – In order to reduce roof leak complaints we have instigated a targeted proactive programme of clearing roof gutters and gullies following the autumn season. LH also received complaints regarding notification of scaffolding being erected. In order to reduce these complaints they have created a notification card for our operatives to deliver to residents who might be affected by scaffolding

Customer Service – Introduced a new rota system based on call volumes to better improve handling times and the time it takes for residents to get through following some low level complaints. There are new designated teams for each area to improve consistency following documentation logging errors leading to complaints. “Mary Gober” training has been completed by staff to improve the way LH deal with customers to improve their customer experience.

Garages – Introduced new instructions given following some low level complaints:

- New instructions to tenants to park their vehicle inside the garage and not anywhere that would obstruct emergency services or prevent Lewisham Homes, its agents or contractors, carrying out their duties, for example refuse collection.
- If tenants experience issues with accessing their garage this should be reported to Lewisham Homes, who have allocated operatives to assist in identifying and resolving these issues with the use of notices and signage
- Regular checks are now undertaken when re letting garages are made to ensure they are fit for purpose to avoid future complaints regarding the condition of garages

Tenancy – Notice to Quit: Reminders issued to staff that it is good professional practice to send a covering letter with documents. Even if tenants have been

spoken to before serving the notice. Reminder of general good practice of communication with clients in a sheltered schemes about any changes that may affect them.

9 Complaints and Casework Review

9.1 As part of the Council's savings programme it agreed to a review of its approach to Complaints and Casework with a target saving of £50K. The overall objective of the review was to resolve complaints and casework at the first point of contact, improving the service to the customer and/or representative and reducing the costs of the service to the Council. The review was led by Ralph Wilkinson, the Head of Public Services, and focussed on:

- The process the Council followed to resolve complaints and casework
- The organisational structure used to deliver the process
- The system the Council used to administer complaints and casework

9.2 The review examined the current processes and performance, studied escalation rates, reviewed 11 other boroughs processes, engaged with stakeholders and analysed roles and responsibilities. An in depth review was conducted of 5 neighbouring boroughs.

9.3 The key findings of the review were:

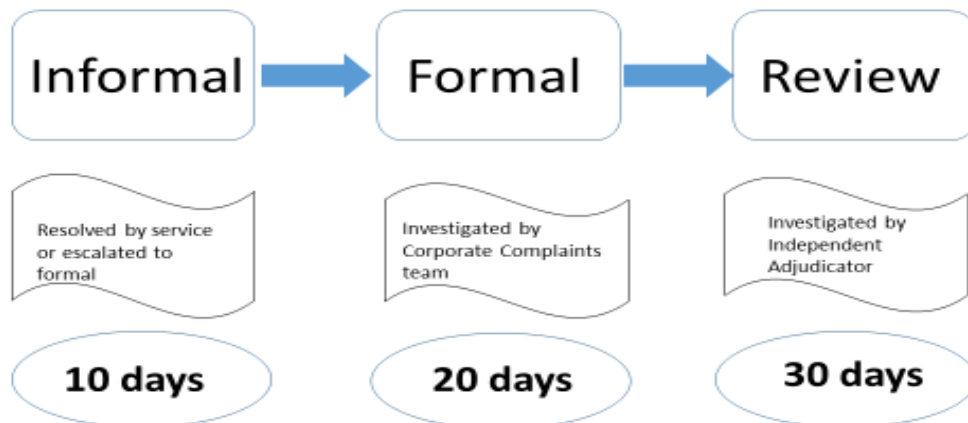
- inconsistent approach to complaint and casework handling across the Council
- inconsistent performance from the Directorate casework teams
- the current policy invites escalation to the next stage
- the current policy was being used instead of, or as well, as statutory processes
- the process was being used for standard service requests
- some service areas had piloted a different approach which had improved resolution rates and reduced escalation
- the iCasework system was out of date and not fit for purpose

9.4 The main outcomes of the review are:

- A revised process for corporate complaints and casework (described below)
- No changes to statutory complaints
- Standard service requests to be rerouted to the proper channel and taken out of complaints process
- Where a statutory appeals process exists, the customer will be referred to this (e.g. parking, planning, housing benefits etc.)
- Move complaints to on line only with a 'safety net' available for those that can't go on line themselves or get help to go on line
- Create a single corporate team in the Customer Services Directorate to provide consistency, independence, resilience and economies of scale
- Replace iCasework system
- Lewisham Homes responsible for their own complaints administration

9.5 The emerging recommendations were presented to Public Accounts Committee in June 2016 and approval was given to proceed. Since June the details of the proposals have been drawn up, discussed and subsequently agreed with Directorate Management Teams, affected persons, MP caseworkers and key service managers.

9.6 The new process is shown below:



- 9.7 The new process will go live once the new staffing structure is in place later this year. There will be a communications campaign to brief all stakeholders of the changes in the run up to when the new process will go live.
- 9.8 The Council is consulting the staff affected by the reorganisation on the new staff structure. Subject to this consultation and the management of change process that the Council will follow, the new structure is expected to be complete and in place in early 2017.
- 9.9 A specification has been drawn up for the new casework system and work is in progress to evaluate the options available. The timing for implementation of the new system will be dependent on the solution chosen and the procurement process.
- 9.10 The changes will deliver an improvement in service for all stakeholders and the targeted saving of £50K.

10 Legal Implications

- 10.1 There are no specific legal implications directly arising from this report aside from noting that it is recommended good practice from the Local Government's Ombudsman's Office to make full and specific reference to handling complaints within a management agreement entered into under section 27 of the Housing Act 1985.
- 10.2 Given the subject and nature of this report, it is relevant here to noted that the Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 10.3 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

10.4 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

10.5 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

10.6 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty
2. Meeting the equality duty in policy and decision-making
3. Engagement and the equality duty
4. Equality objectives and the equality duty
5. Equality information and the equality duty

10.7 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

11 Financial Implications

11.1 There are no direct financial implications arising from this report. The Council has no specific budgets for compensation payments so the costs are absorbed by the relevant service as awarded.

12 Crime and Disorder Implications

12.1 There are no crime and disorder implications arising from this report.

13 Equalities Implications

- 13.1 The iCasework system enables the Council to collect equalities monitoring information which is used to ensure the complaints process remains accessible and that no particular parts of the community suffer inequity in service delivery.
- 13.2 The Equality Act 2010 (the Act) brings together all previous equality legislation in England, Scotland and Wales. The Act includes a new public sector equality duty (the equality duty or the duty), replacing the separate duties relating to race, disability and gender equality. The duty came into force on 6 April 2011. The new duty covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 13.3 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 13.4 As was the case for the original separate duties, the new duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 13.5 The Equality and Human Rights Commission issued guides in January 2011 providing an overview of the new equality duty, including the general equality duty, the specific duties and who they apply to. The guides cover what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guides were based on the then draft specific duties so are no longer fully up-to-date, although regard may still be had to them until the revised guides are produced. The guides do not have legal standing unlike the statutory Code of Practice on the public sector equality duty, However, that Code is not due to be published until April 2012. The guides can be found at: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-duties/new-public-sector-equality-duty-guidance/>.
- 13.6 The Corporate Complaints team will continue to work with voluntary community groups to ensure no one is disadvantaged from using the complaints process.

14 Environmental Implications

- 14.1 There are no environmental implications arising from this report.

15 Conclusion

- 15.1 The Council has been continually improving its complaints process in response to feedback and best practice. However, there is still a lot more to do to ensure customers receive excellent services. The outcomes from the casework and complaints review will ensure continuous improvement is achieved.

16 Background Documents and Report Author

- 16.1 There are no background documents to this report.
- 16.2 If you would like more information on this report please contact Angelique Golding, Service Manager – Programme Management on 0208 314 6029.

Tenth Annual Report of the Independent Adjudicator for the London Borough of Lewisham 1 April 2015 – 31 March 2016

Dear Mayor Bullock

I am writing with my annual review of the complaints that I have received this year about the Council and Regenter at stage three of the complaints process.* I highlight lessons learned about the authorities’ performance and complaint-handling arrangements, so that these might then be fed back into service improvement.

I hope that the letter will be a useful addition to other information the Council/Regenter holds on how people experience or perceive their services.

There are two attachments that form an integral part of this letter: statistical data for the Council/Regenter, and separately for Lewisham Homes, covering the period 1 April 2015 to 31 March 2016.

Complaints received

Volume

1. I have received 91 complaints during the year, eight more than in 2014/15. This breaks down to 56 (62%) about the Council/Regenter (down by five from last year); and 35 (38%) about Lewisham Homes (an increase of 13).
2. The number of complaints about the Council/Regenter stayed the same for two years - 44 in 2012/13 and 44 in 2013/14: it went up in 2014/15 to 52 (after we remove the complaints that were out of jurisdiction, for example). The number this year has gone down to 42 (when those complaints with an alternative right of appeal; or with insufficient injustice to warrant my involvement; or were settled without investigation; or were premature; or were withdrawn by me or the complainant, are excluded). This reduction in stage three complaints in such challenging times is welcome, though, of course, any complaint is regrettable. It seems to me, however, that some complainants will always want, or need, to escalate their complaint; the number of stage three complaints is tiny for the size of the Borough and the functions that it carries out; and I anticipate some fluctuation in complaint numbers from year to year.
3. The number of complaints about Lewisham Homes went up by 13 from 22 to 35. Seven of these complaints were premature or out of jurisdiction; they contained insufficient injustice to warrant my involvement; or they were withdrawn by the complainant. So, the actual figure is 28: still an increase of eight complaints from last year when 20 fell within my remit; the first increase I have seen for some time; but an increase that causes me no concern, noting my comment above about fluctuating complaint numbers. I comment in detail on Lewisham Homes in a separate letter.
4. Overall, the number of stage three complaints is very low, comprising only 2% of the 4503 complaints and enquiries received about the Council and its partners in 2015/16.

Character

5. The number of complaints received about Children and Young People (CYP) has gone up from two to nine (with one falling outside of my jurisdiction in 2014/15 and the same this year, leaving one and eight respectively for me to investigate). This might

seem a small number of complaints given the functions that the service area carries out. However, I was most concerned because six of the complaints were about Special Educational Needs.

6. Complaints in all other service areas went down: so, there were 34 complaints about Customer Services (with 26 in jurisdiction as opposed to 28 last year); there were five complaints about Resources and Regeneration – a reduction of 10; there were five complaints about Regenter of which I could look at only two (as opposed to seven in 2014/15); and there was only one complaint about Community Services that fell within my remit (down by one).
7. With the exception of CYP, these figures are most welcome; and I am especially pleased with the much improved performance by Resources and Regeneration. I hope that this continues across the Council and its partner.

Decisions on complaints

Complaints that were settled by remedy

8. Of the 16 complaints upheld or partly upheld against the Council/Regenter (21 last year) 10 were settled by compensation – either suggested by me or by officers - and payments totalling £20,786.88 were made: significantly more than 2014/15 (£4616), but reflecting six complaints – a building control case, a complaint about a loft conversion, three SEN complaints, and a complaint about repairs – where I concluded that a high remedy was justified (£6294, £3500, £8882.88 and £1500 respectively). I proposed compensation in all 16 complaints because I believed that some financial redress was due given the seriousness of the injustice suffered by the complainant.
9. My approach to compensation has always been that it should be proportionate, it should reflect the injustice a complainant has suffered, and it should recognise that it is taxpayers' money. However, where possible, I much prefer practical, responsive and creative remedies, believing that this better addresses what has gone wrong for a complainant.
10. In one case, there was serious maladministration by Building Control Officers (BCOs), with poor inspections; the approval of work that no reasonable, competent or professional BCO would possibly approve (sometimes simply by telephone); a failure to address bad workmanship; a crossing of the line between acting as a BCO and agent; the absence of notes; and a very slow pace in dealing with the complaint. I believed that £6294 was due to recognise the complainants' wasted expenditure on his extension, and seriously disappointed expectations.
11. In a second case, I decided that £3500 was reasonable because there was serious delay by the Council in administering the sales process for a loft - taking almost two years, and finding that the complainant could no longer afford his planned conversion. There was also confusion in the sales process, with the surveyors taking a lead role rather than the service area responsible for giving the go ahead for the sale.
12. There were serious omissions in a repairs complaint about Regenter, with the authority taking almost three years to address damp and mould in the complainant's home; doing poor work, some of which had to be repeated; not completing work, and carrying out numerous inspections; scheduling internal works before the external repairs; failing to communicate and provide updates; and failing to keep records, to provide proper advice, and to respond to the stage two complaint. This prompted me to propose £1500.
13. The most significant remedies, however, were in SEN complaints, and one case, in particular, stands out. Here, the Council took 47 weeks to issue the child's final

statement (against a statutory deadline of 26 weeks); and it failed to send that statement to the parent and to the school for another 40 weeks (making a total of 87 weeks). Also, officers failed to respond to the complainant's requested amendments to the proposed statement including her school preference; they failed to contact her about her representations (as promised in the stage one response to the complaint); they delayed presenting the case to Panel, and then only after the statement was finalised; and their case management and communication was poor. Meanwhile, the child was receiving negligible education; his education had been negligible since starting (the eventually named) school in January 2013; and this continued until a new regime was put in place in September the following year. All of this demanded the payment of £5800 compensation, in my view.

14. Non-compensation remedies comprised, for example, the Council setting aside additional funding for a child's school if it struggled to implement her statement, and providing advice on how that funding might best be used; officers setting up a "Buddy System" for one term to help the complainant's son gain confidence in travelling to college independently; a review of a homelessness and a fostering decision; updates on repairs and action to complete those repairs; the Council writing off outstanding council tax arrears and enforcement costs; and apologies. I welcome these practical and imaginative ways of addressing complaints.
15. I find that the Council/Regenter readily provide appropriate redress to complainants once it can be shown that things have gone wrong. I also find that officers are often prepared to take action even though there have been no failings. So, for example, in one case, the Council agreed to modify the enforcement officers' parking inspection route temporarily given the complainant's son's disability and the problems she was experiencing with parking across her driveway; it agreed to look at the possibility of vehicle removal in such circumstances when the parking policy is reviewed; and it advised the complainant how she might apply for the H bar. In another case, Regenter agreed to pay for half the costs of a new shed and help with the removal of the old one.
16. In addition, in a number of complaints that have come to me this year, the Council and its partner have already proposed a remedy that is responsive to the circumstances of the complaint. This reflects Ombudsman guidance and it is good customer care.

Service improvements

17. In some of the complaints, not only did the Council/Regenter provide a remedy, they also reviewed their procedures at my request to determine if there were lessons to be learned and improvements to be made to prevent the same problems occurring in the future. So:

The Council:

- Has drafted a procedure for the sale of loft spaces and cellars, ensuring that Lewisham Homes has a copy.
- Has drawn up a process to implement the Dispute Resolution clause in its Private Sector Leasing contracts.
- Has made clear that there is a 500 character limit on its "Comments, Suggestions, and Enquiries" form, noting that some complainants did not appreciate this and wanted to submit longer entries.
- Has reminded officers to record all contact with council tax payers.
- Has ensured that its parking contractors include the complaints escalation paragraph in its stage one replies.
- Will consider the possibility of removal for vehicles parked in front of driveways with an H bar when the parking policy is reviewed.
- Has introduced changes to its Fair Access Protocol (FAP) so that there will be a pre-FAP report and minutes, as well as better casework management; and

recorded meetings with parents, and possibly the child, to explain what can and will happen.

- Has determined its position on “Summer-born children”.
- Will review the wording on the tags attached to contaminated recycling bins when these are reprinted; and will explain on its website what the tag means.
- Now sends text messages to remind residents to renew their resident parking permits.
- Will review its tree enforcement notice to include appeal rights.
- Noted new guidance on remedies on the LGO’s website.

Regenter:

- Has introduced service improvements to ensure that failings in dealing with complex repairs are avoided in the future: so that the Customer Care Team will deal with the disrepair and co-ordinate the response; and supervisors will monitor and file reports on the computer system.
- Has implemented a new record keeping process so that officers can refer back to previous repairs in particularly complex cases.
- Has run workshops to ensure that all supervisors and surveyors know about Rydon’s contractual responsibilities, and the reporting methods they must use for difficult cases.
- Has made improvements in responding to stage three complaints.
- Has made improvements in the process for dealing with insurance claims.

Other findings

18. Forty six complaints about the Council and Regenter were decided during the year. Of these, I upheld 12 in full (26%), and partly upheld four (9%): the remaining 30 (65%) were not pursued further because no evidence of maladministration was seen.
19. Last year, I upheld/partly upheld nearly half of complaints determined against the Council/Regenter (43%): this year, the figure is just over a third (35%), though, interestingly, the upheld and partly upheld rates are reversed, with the former standing at 26% as opposed to 14% in 2014/5, and the latter standing at 9% rather than 29%. I think that this reflects the seriousness of the failings that I have identified, and especially their impact on the complainants. I also think that complaints at stage three are now more complex (as they should be), so that a number of things have gone wrong, not just some peripheral issue. I think too that the figures are affected by a finding of maladministration in all six SEN cases.
20. In the four cases where I identified only some errors (ranging from failing to record a telephone call through to poor wording on the contaminated recycling bin tag), the rest of the complaint had no merit. It seems to me, however, that I should bring to the Council’s/Regenter’s attention all mistakes so that they can spot complaint trends; they can identify and remedy any breakdowns in service thus preventing more complaints; and they can learn lessons.
21. Complaints upheld/partly upheld stand at 35% - a welcome decrease on last year, but still a relatively high figure. I propose that the Council/Regenter should investigate the reasons for this, asking why officers at stages one and two of the complaints process have, in some instances, not identified a failing; why they have not taken steps to address it; and why they have not proposed a reasonable remedy.
22. It is still the case, though, that I do not uphold the majority of those complaints that are coming through (65%). Some are complex and they do require an investigation by me, despite an eventual finding of no maladministration: some have no merit, and the complainant is simply unhappy with the decisions at stages one and two of the process and wants a definitive reply from the IA.

23. Finally, this year as in other years, I have chosen not to investigate a number of complaints because, for example, an alternative way existed for achieving a remedy and it was not unreasonable to expect the complainant to pursue that alternative (such as a benefits appeal); or the injustice suffered by the complainant was not such as to justify the use of my limited resources (for example, the Council's actions had absolutely no impact on the situation in which the complainants found themselves). I record these complaints so that the Council and Regenter have a complete picture of complaints received and determined. My only concern here is that, in some complaints, the Council had failed to respond at stage one and/or stage two of the process so that the complainant, understandably, came to me. This absence of replies is not acceptable, and I am monitoring it with a view to taking it up with senior managers if I see a trend.

Liaison with the Independent Adjudicator and complaint handling

24. I made enquiries on most of the complaints I received this year, with the exception of those mentioned above in paragraph 23 or where it was clear that the Council/Regenter could add little to what had already been said to the complainant in the stage one and two replies. The target for responding to my enquiries was five days and this was generally met. This is pleasing. It suggests that officers are giving complaints a high priority despite the demands made of them in these challenging times.

25. When replies are received, they usually provide a detailed response to the complaint. This is helpful and assists me in coming to robust conclusions on a complaint, keeping the need for further enquiries to a minimum. Where I do have to make such enquiries – often by speaking to an officer – I am usually able to secure quickly the information that I need to reach my decision.

26. Although most complaints raised no particular issues, there were some notable exceptions:

CYP

- I have said already that there have been a number of SEN complaints this year: complaints that I think resulted from service failures in the past such as poor case management. In my view, such complaints should decrease, and hopefully disappear, as the Council embeds the new Education, Health and Care Plan (EHCP) with its much more holistic approach and dedicated case officers.
- I saw failings too in complaint handling: with the service area deciding not to use the complaints database (icasework); providing late replies to my enquiries despite agreeing an extension; officers not being properly briefed on how to respond to those enquiries; and remedies not being implemented.
- I brought these failings, and those in SEN, to the attention of senior officers, and I suggested a meeting to understand the reasons for them, and what could be done to avoid them in the future. I propose that this meeting goes ahead as soon as possible, and that it looks at complaints and complaint handling (with the possibility of some training on the latter). I also propose that the Council looks in detail at this year's complaints; that it learns lessons and it takes action to avoid future complaints; and that it monitors this area to determine if complaint numbers go down.
- Despite the serious failings that I saw in the SEN complaints, I also saw officers working hard with the families involved to identify the right provision for their children. I noted, however, that they struggled and made mistakes because of a seeming lack of resources. I propose that the Council reviews the position.

- A seeming lack of resources was also the reason that HOC gave me in April 2015 for not replying on time to complaints. There were delays too in responding to letters from homeless applicants and, in some instances, there was no response at all. In two cases, the decision on the homelessness application was seriously prolonged, and there was no answer to the requests for a review. I raised this with senior officers: finding that, overall, there has since been a significant and welcome improvement in communication and contact; and certainly an improvement on last year.
- In one complaint, I welcomed the extraordinary steps the Council had taken to try to help a family in distressing circumstances.

Highways

- In a complaint about Council action to secure the removal of a tree branch obscuring a road sign, I noted that officers seemed unaware of the statutory right to appeal the enforcement notice; and they had (wrongly) escalated the complaint through to me, so that an appeal was now out of time. I was concerned about this lack of knowledge, and I raised it with senior officers. I urge all officers who receive a complaint about a legal process to consider whether it should be more properly be dealt with by the courts or a tribunal rather than under the complaints procedure.

Regenter

- In one complaint, I welcomed the authority's willingness to accept what had gone wrong, and to settle it. I did ask, however, why compensation was not mentioned previously when fault was already identified. I urge the Council and the authority to identify opportunities to remedy complaints at an early stage and to avoid them coming to me.
- In this same complaint, I welcomed the help that officers gave to the complainant to move her belongings to facilitate internal works; and the proposal to consider any evidence of damage to personal belongings: this was good customer service.
- In a second complaint, the authority did not properly record what action it had taken in response to disrepair. This prevented a seamless service from being provided when officers changed. It also prevented a comprehensive reply to any complaint. I reminded the authority that I would expect up to date and accurate records, noting the same problem in the past.
- There were continuing problems too with repairs records being deficient, communication poor, and the absence of updates. I urge such updates, timely communication and good record keeping, especially where complex and lengthy works are necessary. Overall, however, I note an improved service from the authority.

Communication and complaint handling

- Some officers have told me that they have not got time to chase and provide updates to me and to the complainant; others say that staff cuts are affecting the time taken to reply to my enquiries. In one instance, the officer told me that he did not have time to do work that I asked him to do; and, in another instance, that it was not his job. Officers are complaining too they have landed up with some work and the buck has been passed from service area to service area. I raised these issues with senior managers because some of the comments were unacceptable; and some could only be addressed by the relevant service area. I am also now monitoring the time taken to respond to my requests for information, noting that any delay impacts on my own timescales; could bring the complaints process into disrepute and lead to an Ombudsman complaint; and adds to the complainant's sense of grievance. I propose reporting my findings to the Council in due course. As for the lack of resources, I am not unsympathetic, but it seems me that sound administration (including good communication) will save resources in the long run,

and it will avoid time consuming complaints; and, where the Council does offer a service, even if reduced, that service should be well run.

- I have found that, on occasion, compensation is not mentioned when fault is acknowledged: I urge officers to think about compensation in these circumstances. I am also finding that, in some instances, compensation is promised, but not paid: I urge officers to follow through. I am finding too that the level of compensation proposed is too low: I urge officers to talk to me and/or consult Ombudsmen guidance.
- Further to my comments above about a lack of resources, I am noticing a rise in complaints about, for example, street sweeping and flytipping. I urge the Council to devise, and send out, standard complaint letters to avoid the need for detailed replies each time, and to manage complainant expectations. I would want an individual response, however, if there are specific issues in a particular complaint.

Insurance claims

- I continue to find that officers are still not referring complainants to the insurance process where a claim can clearly be made. I urge timely referrals.

My performance

27. Over the year, I have:

- Responded to 96% of all complaints about the Council and Regenter within 30 days (target: 90%).
- Had no decisions overturned in complaints referred to the Local Government Ombudsman or Housing Ombudsman.
- Met a record number of complainants, and visited their homes where this would aid my investigation.
- Provided advice to officers on many occasions about complaint handling, specific complaints, and remedies.
- Participated in a Lewisham Homes' working party on good letter writing and quality monitoring.
- Produced a quarterly digest of cases for Members and officers so that they can see the kinds of cases I uphold, remedies I suggest and lessons learned from complaints.
- Attended an externally organised complaints seminar, providing feedback to senior officers on complaints and complaints handling.
- Written a regular newsletter for senior officers highlighting any concerns and suggested service improvements.

Conclusions and general observations

28. Significant changes within the Council and Regenter and to resources have continued this year. Notwithstanding, the number of stage three complaints has not dramatically increased as might have been expected and I welcome this. I also welcome the generally helpful approach taken by the Council and Regenter in dealing with complaints at stage three: it suggests that they understand the importance of good complaint handling not just because it helps them learn lessons and prevent future complaints, but also because it is an essential part of good customer service. I hope that this continues in the face of even greater changes that we all face in the coming year.

Summary of recommendations

- I urge the Council to look at this year's SEN complaints; it learns lessons and it takes action to avoid future complaints; and it monitors this area to determine if complaint numbers go down.

- I urge updates, timely communication and good record keeping in repairs complaints, especially where complex and lengthy works are necessary.
- I urge all officers who receive a complaint about a legal process to consider whether it should be more properly be dealt with by the courts or a tribunal rather than under the complaints procedure.
- I urge the Council to review officer comments about lack of resources and the impact on services and on complaint handling.
- I urge the Council to devise, and send out, standard complaint letters in key areas to avoid the need for detailed replies each time, and to manage complainant expectations. I would want an individual response, however, if there are specific issues in a particular complaint.
- Complaints upheld/partly upheld stand at 35%. I propose that the Council/Regenter should investigate the reasons for this, asking why officers at stages one and two of the complaints process have, in some instances, not identified a failing; why they have not taken steps to address it; and why they have not proposed a reasonable remedy.
- I urge the Council and the authority to identify opportunities to remedy complaints at an early stage and to avoid them coming to me. I also urge officers to follow through when compensation is promised. I urge officers additionally to talk to me and/or consult Ombudsmen guidance or the guidance in my Digest of Cases on what might be considered to be reasonable compensation.
- I urge timely referrals to the insurance process.

For the future

29. I have talked in the past about managing complainant expectations and I think that this will be even more of an imperative for me in the coming year. I have also talked about changes and there are some major changes coming up both inside and outside the Council. I am proposing to:

- Monitor complaints received during 2016/17 to identify where there has been no stage one and/or stage two response, with a view to taking this up with senior managers if I see a trend.
- Monitor the time taken to respond to my requests for information and reporting my findings to the Council in due course.
- Meet with senior managers in CYP to discuss complaints and complaint handling (with the possibility of training on the latter).
- Consider practical, proportionate and imaginative remedies, before turning to compensation to address a complaint; and to keep that compensation as fair and reasonable as possible, and in line with Ombudsmen guidance.
- Manage effectively right from the start complainant expectations about what the IA can and cannot achieve for them: doing this with a telephone call where appropriate, and with an early decision letter if I cannot help.
- Signpost more complainants to sources of advice and support and, when required, to alternative ways of pursuing their complaint.
- Meet all complainants with complex complaints, and conduct site visits where a practical remedy such as a repair is possible: helping my understanding and achieving quick resolution.
- Identify those complaints that can be speedily and effectively resolved without a detailed investigation and to approach the authorities with proposals for settlement.
- Provide guidance to officers on injustice so that they can deal more effectively with complaints, target resources at those most significantly affected, and reject early on those not significantly affected
- Work with officers on good administration to avoid complaints in the first place.
- Work with officers on complaint handling, and providing quick, effective, and imaginative remedies.

Acknowledgements

I would like to thank Rachael Phillips (Corporate Complaints Officer) and officers generally, for the help and support they have given me this year.

Finally, I welcome this opportunity to give you my reflections about the complaints I have dealt with over the past year. I hope that you find the information and assessment provided useful when seeking improvements to the Council's and Regenter's services.

Yours sincerely

Linzi Banks
Independent Adjudicator

Enc: statistical data

The Independent Adjudicator (IA) deals with complaints at stage three of the Council's complaints process and provides a free, independent and impartial service. The IA considers complaints about the administrative actions of the Council and its partners, for example, Lewisham Homes and Regenter. She cannot question what actions these organisations have taken simply because someone does not agree with it. But, if she finds something has gone wrong, such as poor service, service failure, delay or bad advice and that a person has suffered as a result, the IA aims to get it put right by recommending a suitable remedy.

*This review covers stage three complaints about the London Borough of Lewisham and Regenter. I have written a separate review on stage three complaints about Lewisham Homes, though the figures for all authorities are included and attached, and some crossover issues are mentioned.

**THE ANNUAL REPORT OF THE INDEPENDENT ADJUDICATOR - LONDON
BOROUGH OF LEWISHAM AND REGENER 1 April 2015 – 31 March 2016**

Appendix 1

Total cases received/open and determined: 1/4/15 – 31/3/16

TOTAL CASES RECEIVED 1/4/15 – 31/3/16	NO. OF CASES CARRIED OVER FROM 2014/15	NO. OF CASES DETERMINED	NO. OF CASES WITHDRAWN/ OUTSIDE JURISDICTION	NO. OF CASES OPEN AS OF 31/3/16
*91	11	73	21	8

**Includes Lewisham Homes*

Number of cases determined

TOTAL CASES DETERMINED	UPHELD IN FULL	UPHELD IN PART	NOT UPHELD
*73	17 (23%)	10 (14%)	46 (63%)

**Includes Lewisham Homes*

Time taken by the IA to resolve: target 90% of cases to be resolved within 30 days

30 days and below	31 - 50 days	More than 50 days
70 (96%)	*3 (4%)	0

**These complaints were particularly complex and required significant investigation.*

Number of cases received: a comparison

The Council and Regenter	Lewisham Homes	Total cases received
56 (62%)	35 (38%)	*91

**Includes 21 complaints that were withdrawn or considered to be outside the IA's jurisdiction*

Cases received by Council directorate/partner

Total number of stage three complaints against each directorate and each partner with the number of withdrawn/out of jurisdiction complaints in brackets (21)

Customer Services	Resources and Regeneration	Community Services	Children and Young People	Regenter	Lewisham Homes	TOTAL
34 (8)	5	3 (2)	9 (1)	5 (3)	35 (7)	91

Cases determined by subject

Number of complaints determined by subject – does not include those that were withdrawn/considered to be out of jurisdiction: number upheld in full or in part in brackets

	All Council/Partners*	Council and Regenter	Lewisham Homes
Repairs	12 (6)	2 (1)	10 (5)
Council Tax/Business Rates	10 (2)	10 (2)	
Environment	9 (1)	9 (1)	
SEN	6 (6)	6 (6)	
Major Works	5 (2)		5 (2)
Parking	4	4	
Highways	4 (2)	3 (1)	1 (1)
HOC	3 (1)	3 (1)	
ASB	3 (1)		3 (1)
Tenancy issues	3		3
Decent Homes	3 (1)		3 (1)
Leaseholders	2 (1)		2 (1)
Planning	2	2	

Loft conversion	1 (1)	1 (1)	
PSL	1 (1)	1 (1)	
SHIP	1	1	
Building Control	1 (1)	1 (1)	
Benefits	1	1	
School re-organisation	1	1	
Fostering	1 (1)	1 (1)	
Total for all Council	73 (27)	46 (16)	27 (11)

**Some complaints raised more than one issue but were categorised according to the main issue*

Compensation awarded in 18 cases including those against Lewisham Homes

Up to and including £100	£101 - £500	£501 and above	TOTAL – COUNCIL/RB3	TOTAL INC LH*
2	6	10	£20786.88	£26523.4

**Lewisham Homes £5736.52 – 8 cases*

21 July 2016

By email

Barry Quirk
Chief Executive
London Borough of Lewisham

Dear Barry Quirk,

Annual Review Letter 2016

I write to you with our annual summary of statistics on the complaints made to the Local Government Ombudsman (LGO) about your authority for the year ended 31 March 2016.

The enclosed tables present the number of complaints and enquiries received and the decisions we made about your authority during the period. I hope that this information will prove helpful in assessing your authority's performance in handling complaints.

Last year we provided information on the number of complaints upheld and not upheld for the first time. In response to council feedback, this year we are providing additional information to focus the statistics more on the outcome from complaints rather than just the amounts received.

We provide a breakdown of the upheld investigations to show how they were remedied. This includes the number of cases where our recommendations remedied the fault and the number of cases where we decided your authority had offered a satisfactory remedy during the local complaints process. In these latter cases we provide reassurance that your authority had satisfactorily attempted to resolve the complaint before the person came to us. In addition, we provide a compliance rate for implementing our recommendations to remedy a fault.

I want to emphasise that these statistics comprise the data we hold, and may not necessarily align with the data your authority holds. For example, our numbers include enquiries from people we signpost back to the authority, but who may never contact you. In line with usual practice, we are publishing our annual data for all authorities on our website, alongside an annual review of local government complaints. The aim of this is to be transparent and provide information that aids the scrutiny of local services.

Effective accountability for devolved authorities

Local government is going through perhaps some of the biggest changes since the LGO was set up more than 40 years ago. The creation of combined authorities and an increase in the number of elected mayors will hugely affect the way local services are held to account. We have already started working with the early combined authorities to help develop principles for effective and accessible complaints systems.

We have also reviewed how we structure our casework teams to provide insight across the emerging combined authority structures. Responding to council feedback, this included reconfirming the Assistant Ombudsman responsible for relationship

management with each authority, which we recently communicated to Link Officers through distribution of our manual for working with the LGO.

Supporting local scrutiny

Our corporate strategy is based upon the twin pillars of remedying injustice and improving local public services. The numbers in our annual report demonstrate that we continue to improve the quality of our service in achieving swift redress.

To measure our progress against the objective to improve local services, in March we issued a survey to all councils. I was encouraged to find that 98% of respondents believed that our investigations have had an impact on improving local public services. I am confident that the continued publication of our decisions (alongside an improved facility to browse for them on our website), focus reports on key themes and the data in these annual review letters is helping the sector to learn from its mistakes and support better services for citizens.

The survey also demonstrated a significant proportion of councils are sharing the information we provide with elected members and scrutiny committees. I welcome this approach, and want to take this opportunity to encourage others to do so.

Complaint handling training

We recently refreshed our Effective Complaint Handling courses for local authorities and introduced a new course for independent care providers. We trained over 700 people last year and feedback shows a 96% increase in the number of participants who felt confident in dealing with complaints following the course. To find out more, visit www.lgo.org.uk/training.

Ombudsman reform

You will no doubt be aware that the government has announced the intention to produce draft legislation for the creation of a single ombudsman for public services in England. This is something we support, as it will provide the public with a clearer route to redress in an increasingly complex environment of public service delivery.

We will continue to support government in the realisation of the public service ombudsman, and are advising on the importance of maintaining our 40 years plus experience of working with local government and our understanding its unique accountability structures.

This will also be the last time I write with your annual review. My seven-year term of office as Local Government Ombudsman comes to an end in January 2017. The LGO has gone through extensive change since I took up post in 2010, becoming a much leaner and more focused organisation, and I am confident that it is well prepared for the challenges ahead.

Yours sincerely



Dr Jane Martin
Local Government Ombudsman
Chair, Commission for Local Administration in England

Local authority report – Lewisham LB

For the period ending – 31/03/2016

For further information on interpretation of statistics click on this link to go to <http://www.lgo.org.uk/publications/annual-report/note-interpretation-statistics/>

Complaints and enquiries received

Local Authority	Adult Care Services	Benefits and tax	Corporate and other services	Education and children's services	Environmental services and public protection	Highways and transport	Housing	Planning and development	Total
Lewisham LB	22	39	5	31	12	7	37	9	162

Decisions made

				Detailed investigations				
Incomplete/Invalid	Advice given	Referred back for local resolution	Closed after initial enquiries	Not Upheld	Upheld	Uphold Rate	Total	
6	1	93	29	15	18	55%	162	
Notes Our uphold rate is calculated in relation to the total number of detailed investigations. The number of remedied complaints may not equal the number of upheld complaints. This is because, while we may uphold a complaint because we find fault, we may not always find grounds to say that fault caused injustice that ought to be remedied. The compliance rate is the proportion of remedied complaints where our recommendations are believed to have been implemented.				Complaints Remedied				
				By LGO	Satisfactorily by Authority before LGO Involvement	Compliance Rate		
				15	1	100%		

Appendix 4 – top 3 complaint reasons by ward.

Ward	Housing and Council Tax Benefits	Highways - Street Works	Housing - Customer services	Council Tax	LH - Repairs - Responsive Repairs	LH - Tenancy - Tenancy Team	LH - Service Improvement - Customer Relations Team	Refuse	Advice and Reviews	MITIE	Resources - Leasehold services	Parking	Breyer	Policy
Bellingham	1	2				3								
Blackheath							1					3	2	
Brockley			1	3							2			
Catford South	1	3		2										
Crofton Park	1			2				3						
Downham	1			2					3					
Evelyn				3	1	2								
Forest Hill		1		3	2									
Grove Park	1			3				2						
Ladywell	1	3									2			
Lee Green	1	2		3										
Lewisham Central	2			1								3		
New Cross					2		3			1				
Perry Vale	2	1		3										
Rushey Green	2	1							3					
Sydenham	3	1			2									
Telegraph Hill					1	2	3							
Whitefoot	1			3										2

* Based on the post code of the complainant

Appendix 5 – Breakdown of all complaints and enquiries for each ward

Row Labels	Bellingham	Blackheath	Brockley	Catford South	Crofton Park	Downham	Evelyn	Forest Hill	Grove Park	Ladywell	Lee Green	Lewisham Central	New Cross	Perry Vale	Rushey Green	Sydenham	Telegraph Hill	Whitefoot	Grand Total
Highways - Street Works	14	10	6	13	8	3	6	20	7	21	20	1	3	23	139	18	14	6	332
LH - Repairs - Responsive Repairs	9	9	15		1		43	10			11	2	37	6	7	17	32		199
Housing and Council Tax Benefits	33	11	16	16	13	30	19	8	17	14	23	15	27	16	32	12	16	16	334
Council Tax	6	9	20	14	10	7	22	9	10	10	14	19	25	13	9	11	16	10	234
LH - Service Improvement - Customer Relations Team	4	17	8	4			16	5			12	12	31	1	5	9	21		145
LH - Repairs - Technical Team		5	2		2		6				2	2	5		1	8	13		46
Advice and Reviews	9	5	4	9	2	3	11	3	1	5	2	8	3	5	11	8	7	5	101
Refuse	7	6	9	10	9	2	8	7	13	9	8	2	4	8	3	7	5	2	119
Assessment and Support Planning	2		1	3		1	3		6	1	2	1	2	2	5	7	4	1	41
Corporate Complaints	3	6	9	1	3		9	4	6	3		2	3	3	3	7	7	1	70
Breyer	5	17			1			4			3	12		4	3	6			55
LH - Tenancy - Tenancy Team	13	14	7	1	6		31	3			4	9	26	12	9	4	28		167
LH - Tenancy - ASB		2	1		2		10				3	2	3	1		4	8		36
Highways - Traffic Management Act	1	2	2	1	1	1	1	1		1	2		4	3	7	4	2	1	34
LH - Repairs - Contact Centre	1	3	1				6	1				1	4		1	3	7		28
LH - Tenancy - Occupancy		1			1		1				1		4		1	3	4		16
Recycling			1		1		1		1					1		3			8
Policy	2	6	1	2				2	1	3	6	3		1	2	3	4	10	46

Row Labels	Bellingham	Blackheath	Brockley	Catford South	Crofton Park	Downham	Evelyn	Forest Hill	Grove Park	Ladywell	Lee Green	Lewisham Central	New Cross	Perry Vale	Rushey Green	Sydenham	Telegraph Hill	Whitefoot	Grand Total
Lewisham Homes (DH)		2			1		2	2			3	2	9		1	3	4		29
LH - Major Works - Capital Programming		1	2		1								1		4	3	1		13
Contracts and procurement team	2			2		2			1		1			1	4	3	2	1	19
LH - Income Team - Patch 1	1	3			1		3	1		1	1	2	4	1		3	4		25
Anti-social Behaviour		2			1	1			3			2		2	3	2	1		17
LH - MNE - Other		2										2	1		1	2			8
Community Sector					1	2	1				1	2	1	1	5	2			16
LH - Tenancy - Garage Team													1			2			3
LH - MNE - Gas	1						3					3	8		1	1	3		20
Lewisham Enforcement Services				1	1	1			1	1			1		1	1		1	9
Street Services	2	4	3	4	4	1	5	1	1	2	5	3	1	2	3	1		4	46
Customer Relations Team (Community Services)	1	1	4	1	3			1	4	1			2	1	2	1		3	25
LH - Major Works - Construction Delivery	3						3	1			2		9	1	3	1	1		24
Housing Partnership and Development																1			1
Registry Office					2							1	1	3		1	1		9
Urban Design, Conservation and Heritage																1		1	2
Environmental Enforcement		2	2	1		1	2	1	1		3	3	1		3	1	2	1	24
LH - Leasehold	2	5		1			11	2			4	2	6	1	1	1	3		39

Row Labels	Bellingham	Blackheath	Brockley	Catford South	Crofton Park	Downham	Evelyn	Forest Hill	Grove Park	Ladywell	Lee Green	Lewisham Central	New Cross	Perry Vale	Rushey Green	Sydenham	Telegraph Hill	Whitefoot	Grand Total
Services																			
LH - Customer Services		5					3	1				3	3		1		1		17
CCTV										1									1
Property - Repairs			11		2					10									23
Library and Information Services		2	2	3	1	2	4				8		2		9				33
Highways - Transport Works	1																		1
SCAIT							1												1
Housing - Caretaking			1																1
Events												1							1
Housing - Customer services		1	141	1	8					111		4					2		268
Parking		16	1	3	1	3		1	5	5	12	12	2	3	8		2	4	78
Housing - Income			4							2									6
Rehousing Development	1						2	2		1		1			1				8
Housing - Tenancy			8							10									18
Highways - Maintenance Utilities	1	1													1				3
Community Mental Health Team																		1	1
CEL - Curriculum Team								1											1
Community Safety	3				1	2	1			1	1	2	2		10		2	1	26
Executive Directors' Office								1	1		1				1				4
Housing Strategy												2							2

Row Labels	Bellingham	Blackheath	Brockley	Catford South	Crofton Park	Downham	Evelyn	Forest Hill	Grove Park	Ladywell	Lee Green	Lewisham Central	New Cross	Perry Vale	Rushey Green	Sydenham	Telegraph Hill	Whitefoot	Grand Total
MITIE		1	2				14						59		4		16		96
Insurance and Risk							1												1
Private Sector Housing					1	1						2					1		5
Joint health & social care (Prevention)						1			1			1		1					4
Green Scene	2		1						2		3	3		1	3		2		17
AWLD Social work				1	4						1		2				1		9
Resources - Leasehold services			44		7					31							1		83
Community service											1								1
Sport and Leisure		1					2							2			2		7
LH - Court Team								1											1
Trading Standards															1				1
(blank)																			
Youth Offending											2								2
Concessionary Awards Team				1	5	2			1	2		1		1	1				14
Casework Team (Regeneration)	1	3	2	1		1	2	1			1		1	1	1				15
LH - Estate Services - Pest Control							6	1					5				1		13
Excalibur																		1	1
LH - Estate Services - Tenancy Enforcement											1								1
Finance and Property			1																1
LH - Health & Safety													1	1					2
Licensing					1														1

Row Labels	Bellingham	Blackheath	Brockley	Catford South	Crofton Park	Downham	Evelyn	Forest Hill	Grove Park	Ladywell	Lee Green	Lewisham Central	New Cross	Perry Vale	Rushey Green	Sydenham	Telegraph Hill	Whitefoot	Grand Total
Arts and Entertainment				1											1				2
Other service areas	1		1					1			2		1						6
Business Rates							1	1											2
Financial Assessment		1									1		1						3
Business Regulatory Services					1		1												2
Private Sector Leasing	1												1					1	3
CSC Face to Face	1					1								1			1		4
Fleet			1																1
CSC Telephony	4	3	1	3	3		1	2	1	1	2	2	1	2					26
Health intelligence	1																		1
LH - MNE - Lifts		2	1				1						1	1	1				7
Resources - Financial services			1																1
Casework Team (Customer Services)		1	1		1	2		1	1	5	3	3	2	1	4		3	2	30
Safeguarding, Quality and Risk						2				1									3
Customer services			1																1
Single Homeless Intervention and Prevention				1		1		1											3
LH - Repairs - Disrepair		1					3												4
Street Lighting																	1		1
Day Opportunities and Support						1	1	1		1			1						5
Supporting People												3			1				4
Development					3	1			1		1			1	1		1		9

Row Labels	Bellingham	Blackheath	Brockley	Catford South	Crofton Park	Downham	Evelyn	Forest Hill	Grove Park	Ladywell	Lee Green	Lewisham Central	New Cross	Perry Vale	Rushey Green	Sydenham	Telegraph Hill	Whitefoot	Grand Total
Control																			
Transport Client Team												1							1
LH - Repairs - Voids	1	2					1						1		1				6
Very sheltered housing																	1		1
LH - Resources - Communication							2												2
Youth Service					2														2
LH - Resources - Community Involvement					1								1						2
LH - Resources - Finance													1						1
LH - Estate Services - Caretaking		1	2				1	1				2	3		5			2	17
Grand Total	139	186	342	98	117	75	271	103	86	254	173	156	318	129	324	165	249	73	3258

Agenda Item 5

Public Accounts Select Committee		
Title	Financial Forecasts 2016/17	
Contributor	Executive Director for Resources and Regeneration (Head of Financial Services)	Item 5
Class	Part 1 (open)	26 October 2016

1. EXECUTIVE SUMMARY

- 1.1 This report sets out the financial forecasts for 2016/17 as at 31 August 2016, reporting on any exceptional items to the end of September 2016. The key areas to note are as follows:
- i. There is a forecast overspend of £9.6m against the directorates' net general fund revenue budget, an increase of £2.0m compared to the position reported in May 2016. This is set out in more detail in sections five to nine of this report. This compares to a final outturn of £3.1m for 2015/16 which resulted after applying £3.2m of funding for 'risks and other budget pressures' against the directorates' year-end overspend of £6.3m for that year.
 - ii. The Dedicated Schools Grant (DSG) is expected to be overspent by £0.7m at the year end.
 - iii. It is expected that there will be nine schools that require a licensed deficit. This is set out in more detail in section 11 of this report.
 - iv. It is expected that following the academy conversion order for Sedgehill School, the school's deficit will be written off against the schools' contingency.
 - v. The Housing Revenue Account (HRA) is currently projecting a £0.2m surplus, but this will be reinvested to maintain a balanced budget position. This is set out in more detail in section 12 of this report.
 - vi. As at 31 August 2016, some 43% of council tax due and 54.5% of business rates due had been collected. At this point last year, 43% of council tax due and 56% of business rates due had been collected. This is set out in more detail in section 13 of this report.
 - vii. For the 2016/17 capital programme, the revised budget is proposed at £87.4m. The budget figure reported to Public Accounts Select Committee on 5 July 2016 and Mayor & Cabinet on 13 July 2016 has been updated and is recommended for agreement by Mayor & Cabinet. Further details are set out in section 14 of this report. At 31 August 2016, some £21m or 24% of the revised budget had been spent, which is below the profile figure expected if the programme is to be delivered in full. The comparable figure to 31 August last year was 25% of the budget of £143.1m, with the final outturn being 80% of the revised budget of £118.1m.

2. PURPOSE

- 2.1 The purpose of this report is set out the financial forecasts for 2016/17 as at the end of August 2016, and also reporting on any exceptional items to the end of September 2016, projected to the year end.

3. RECOMMENDATION

- 3.1 The Public Accounts Select Committee is recommended to:
- 3.2 Note the current financial forecasts for the year ending 31 March 2016 and the actions being taken by the Executive Directors to manage down the forecasted year-end overspend.
- 3.3 Note the revised capital programme budget, as summarised in section 14 of the report and set out in more detail in appendices 1 and 2.

4. POLICY CONTEXT

- 4.1 Reporting financial results in a clear and meaningful format contributes directly to the council's tenth corporate priority: inspiring efficiency, effectiveness and equity.

5. DIRECTORATE FORECAST OUTTURN

- 5.1 The forecasts against the directorates' general fund revenue budgets are shown in Table 1 below. In summary, a forecast year-end overspend of £9.6m is being reported as at the end of August 2016. At the same time last year, an overspend of some £7.9m was forecast. Members should note that for 2016/17, there is a sum of £3.75m held corporately for managing 'risks and other budget pressures' which emerge during the year. As in previous years, the Executive Director for Resources and Regeneration will give due consideration as to when it might be appropriate to apply this sum to alleviate budget pressures. This consideration will happen towards the end of the financial year, after assessing the progress that has been made to manage down the current forecast overspend.

Table 1 – Overall Directorate position for 2016/17

Directorate	Gross budgeted spend	Gross budgeted income	Net budget	Forecast Outturn 2016/17	May 2016/17 Forecast
	£m	£m	£m	£m	£m
Children & Young People (1)	57.8	(8.9)	48.9	4.5	4.6
Community Services	170.0	(76.9)	93.1	3.1	1.6
Customer Services (2)	101.5	(57.0)	44.5	2.2	1.6
Resources & Regeneration	41.6	(15.6)	26.0	(0.2)	(0.1)
Directorate Totals	370.9	(158.4)	212.5	9.6	7.7
Corporate Items	23.7	0.0	23.7	0.0	0.0
Net Revenue Budget	394.6	(158.4)	236.2	9.6	7.7

(1) – gross figures exclude £309m of Dedicated Schools' Grant and other school related expenditure and matching grant income

(2) – gross figures exclude approximately £220m of matching income and expenditure for housing benefits.

- 5.2 For various reasons the financial forecasts at this stage of the year are usually higher than the resulting outturn. However, similar to the scale of the variances projected last year, the current overspending projections are significantly greater than those in recent earlier years. This suggests that the council continues to face budget pressures of a different order than normal.
- 5.3 Delivering a large package of revenue budget savings for 2016/17 is managerially complex and challenging. There is an inherent risk that some savings will be delivered later than planned, which would result in overspend within the year. As a result, officers will continue to focus on monitoring the progress of savings being implemented.

6. CHILDREN AND YOUNG PEOPLE'S SERVICES

- 6.1 As at the end of August 2016, the Children and Young People's directorate is forecasting a £4.5m overspend. At the same time last year, the year-end forecast was an overspend of £5.2m, with the actual year-end outturn being an overspend of £7.4m.

Table 2 – Children & Young People Directorate

Service Area	Gross budgeted spend	Gross budgeted income – including grants*	Net budget	Forecast Outturn 2016/17	Forecast over/ (under) spend
	£m	£m	£m	£m	£m
Children's Social Care – includes No Recourse to Public Funds	43.5	(1.5)	42.0	45.6	3.6
Education, Standards and Inclusion	4.0	(2.7)	1.3	1.5	0.2
Targeted Services and Joint Commissioning	15.4	(8.5)	6.9	7.6	0.7
Schools	0.0	(1.3)	(1.3)	(1.3)	0.0
Total	62.9	(14.0)	48.9	53.4	4.5

* The government grants include the Adoption Reform Grant, SEND reform grant, Troubled Families grant and Music grant

- 6.2 The most significant cost pressures for the directorate fall within the *children's social care* division which amounts to £3.6m. This includes a forecast overspend of £0.2m on the *no recourse to public funds* budget. The key issues relating to the directorate's budget pressures have been set out in the following paragraphs.
- 6.3 The placement budget for *looked after children* is currently forecast to overspend by £1.2m with the current number of looked after children totalling 442.
- 6.4 *Children leaving care* is currently forecast to overspend by £0.8m. The overspend as at the end of last year was £1.3m. The reduction has been achieved through better procurement of accommodation and reducing numbers.
- 6.5 There is an additional pressure on the *Section 17* unrelated to no recourse to public funds of £0.6m and on salaries and wages which show a forecast overspend of £0.8m. This has mainly been created by greater use of agency of the last three months.

- 6.6 The other main budget pressure in the rest of the directorate is on schools' transport within the partnerships and targeted services area. The final outturn on schools' transport at end of 2015/16 was an overspend of £0.9m. In 2016/17, it is expected to be £0.7m. Members should note that there is currently a review of fleet and passenger transport services underway. This is a cross council review and is expected to report back on its initial findings later this year.
- 6.7 There were savings proposals to put forward on Attendance and Welfare, occupational therapy and Multi agency planning that will not be delivered in full this year and a shortfall of £0.2m is expected.
- 6.8 The key unit costs and activity levels within children's social care are summarised in the following table.

Table 3 – Fostering Client Numbers

Placement type	Average weekly unit costs		Client numbers
	August 2016 (£)	August 2015 (£)	August 2016
Local authority fostering	443	402	183
Agency fostering	908	899	151
Residential homes	3,367	3,431	53

- 6.9 The unit cost information set out in the table above demonstrates the importance of the directorate's strategy for shifting the balance of provision towards fostering, as well as reducing costs.

7. COMMUNITY SERVICES

- 7.1 As at the end of August 2016, the community services directorate is forecasting an overspend on £3.1m. At the same time last year, the year-end forecast was an overspend of £2.0m, with the actual year-end outturn being an underspend of £1.2m.

Table 4 – Community Services Directorate

Service Area	Gross budgeted expenditure	Gross budgeted income	Net budget	Forecast Outturn 2016/17	Forecast over/ (under) spend
	£m	£m	£m	£m	£m
Adult Services Division	101.5	(31.1)	70.4	73.4	3.0
Cultural and Community Development	19.1	(7.6)	11.5	11.1	(0.4)
Public Health	17.6	(17.9)	(0.3)	1.1	1.4
Crime Reduction & Supporting People	18.9	(9.0)	9.9	9.1	(0.8)
Strategy & Performance	12.9	(11.3)	1.6	1.5	(0.1)
Total	170.0	(76.9)	93.1	96.2	3.1

- 7.2 The *adult services* division is forecast to overspend by £3.0m. The placement budgets, which has a projected overspend £2.5m, remains volatile in particular. The increase since last month reflects increased costs of mental health placements and changes associated with the re-letting of contracts for home care, at rates which include both travel time and London Living Wage. The greatest pressures remain on learning disability where the costs of transition clients has added an estimated £2m to adult budgets over the past two financial years. This has been identified as a financial risk, but has not been funded. Decisions on care arrangements for the next cohort of young people are currently being taken. These are likely to add a further £0.5m to the 2016/17 projection.
- 7.3 The projected overspend includes expected pressures, identified as budget risks, from learning disability transition cases of £0.3m and Deprivation of Liberty Safeguards (DOLS) work of £0.1m. Revenue budget savings of £2.5m have been agreed for adult social care for 2016/17. Most of these have either already been achieved in full or will be achieved in the next three months. Proposals to achieve the largest remaining savings areas will be brought to members in coming months. Once achieved, these can be expected to reduce the projected overspend. The current projections assume use of £0.4m of the Care Act funding which is being held corporately.
- 7.4 In 2015/16, underspends on the original Better Care Fund (BCF) plan were used to address pressures within adult social care. In 2016/17, there are again likely to be underspends against the BCF programme as several larger schemes have yet to start. No formal decisions have yet been taken about the application of this underspend. Therefore, the figures in this report make no assumption about any impact on social care budgets.
- 7.5 The *cultural and community services division* is forecasting an underspend of £0.4m. This is primarily due to a projected underspend on the budget for the main leisure management contract and associated dilapidations budgets for the Leisure Centres. The core contract value has reduced over the last few years to reflect the increases in projected usage which were included in the original contract profile. This underspend forms part of an agreed package of savings for the 2017/18 financial year. An underspend of £0.1m is projected on the libraries services, including Deptford Lounge; this reflects a decision to reduce discretionary expenditure to address pressures elsewhere in the directorate. There are other minor variances across the division covering the Broadway Theatre, the community sector grants and community centre budgets which at this stage of the year are largely expected to balance each other out.
- 7.6 In addition to the Council's £2m savings target across 2016/17 and 2017/18 for *public health*, these services are also subject to deliver a £2.08m reduction in grant funding in 2016/17 with further reductions expected in the next two financial years. Across 2016/17 and 2017/18, the service therefore has to identify savings in excess of £4m. Action has already been taken to reduce discretionary spend and a recent report to Mayor & Cabinet in August 2016 proposed consultation on a further set of disinvestments. However, it will not be possible to reduce spend in the current financial year by the full level of the funding reduction and at the end of August 2016, an overspend of £1.4m is projected. This includes a pressure on sexual health or genitourinary medicine (GUM) services budgets of £0.3m.
- 7.7 An underspend of £0.8m is projected on *crime reduction and supporting people*. There is a £0.5m projected underspend on the *supporting people programme*

arising partly from an expected early achievement of the agreed 2017/18 contract savings and partly from unexpected allocation of rental income for a property being used by one of the supporting people providers. Elsewhere in the division, there is a projected staffing underspend of £0.1m in the *crime, enforcement & regulatory services*. There is a further staffing underspend of £0.2m in the *prevention & inclusion service* and a further underspend of £0.2m on core *drug & alcohol service* which is resulting primarily from the enforcement of contract penalties on performance by results contracts. Both of these service areas are primarily funded via public health grant and these underspend are easing the overall pressure on public health funding. The divisional underspends are being partially offset by the projected overspend of £0.2m on the *youth offending service* budget for secure remand placements which has resulted from a combination of a reduction in government grant funding coupled with an upturn in the level of remand placements required by the courts.

- 7.8 The *strategy and performance* service which included the directorate management team budget is projected to underspend by £0.1m due to staff vacancies. This budget also includes the proportion of the BCF budget managed by the Clinical Commissioning Group.

8. CUSTOMER SERVICES

- 8.1 As at the end of August 2016, the forecast overspend for the customer services directorate is £2.2m, an increase of £0.6m compared to the figure reported in May 2016. At the same time last year, the year-end forecast was an overspend of £3.3m, with the actual year-end outturn being an overspend of £3.9m.

Table 5 – Customer Services Directorate

Service Area	Gross budgeted spend	Gross budgeted income	Net budget	Forecast Outturn 2016/17	Forecast over/ (under) spend
	£m	£m	£m	£m	£m
Strategic Housing	25.7	(20.2)	5.5	6.3	0.8
Environment	35.7	(16.8)	18.9	19.9	1.2
Public Services*	32.5	(19.0)	13.5	13.7	0.2
Strategy & IMT	7.6	(1.0)	6.6	6.6	0
Total	101.5	(57.0)	44.5	46.7	2.2

* -excludes £220m of matching income and expenditure in respect of housing benefits

- 8.2 The *strategic housing service* is projecting an overspend of £0.8m, an increase of £0.2m. This relates to the action taken to manage the demand for temporary accommodation in the borough.
- 8.3 The number of people in nightly paid accommodation tenancies as at end of August 2016 was 528, compared to 556 reported in May 2016. This compares to 597 reported at the same period in 2015/16.
- 8.3 The reduction in numbers, together with the actions taken to manage costs has resulted in a balanced nightly paid accommodation budget. However, measures taken to achieve this has resulted in additional costs elsewhere within the strategic housing budget.

- 8.4 The *private sector leasing scheme* (PSL) is currently showing an overspend of £0.75m. This is due to a higher turnover of tenants as a result of actions to reduce the number of families in nightly paid accommodation and an increasing number of landlords withdrawing from the scheme and returning to the more lucrative private sector market. Both scenarios result in a loss of rental income and increased repairs and maintenance costs. These costs can be partially offset by balances set aside at the beginning of the PSL scheme for this purpose, but this is only a short term solution. Officers are currently looking into longer term options to supplement or replace the PSL scheme.
- 8.5 Incentives paid to landlords also contribute to the overspend. The council is projecting to pay £0.5m in incentives as a means of reducing the cost of nightly paid accommodation either by preventing families becoming homeless or retaining PSL landlords. The cost effectiveness of the incentive schemes are under constant review. The table below compares the average costs of a placement in a 2 or 3 bedroom property to the average incentive paid.

Table 6 – Housing Placement Costs

	Average incentive paid	Average cost per placement	Average saving per placement
	£	£	£
Inner rate	2,700	5,000	2,300
Outer rate	2,700	8,000	5,300

- 8.6 The current overspend set out above totals £1.25m. The use of balances and further reductions in spend on nightly paid accommodation is expected to reduce the overspend to £0.8m by the end of the financial year.
- 8.7 The *environment division* is forecasting an overspend of £1.2m, an increase £0.2m since the last report. This projection assumes the £1.0m cost of the disposal of dry recyclables will be met from corporate resources.
- 8.8 The largest proportion of the overspend, £0.7m, relates to additional vehicle hire costs as a result of a number of vehicles coming to the end of their operational life. Officers are currently considering options for leasing or purchasing vehicles, together with future vehicle requirements in preparation service changes as a part of the savings programme. Delivery times on new vehicles mean that this is likely to have little impact on the projection for this financial year.
- 8.9 An increase in domestic refuse tonnages is expected to result in an overspend of £0.2m. The council collected 41.9k tonnes in the first five months of 2016/17 compared to 40.6k tonnes in the same period last year. If the trend continues, it will result in additional disposal costs of £0.2m. Whilst initiatives such as the garden waste service are designed to reduce the amount of residual waste, the number of properties in the borough has increased by around 2,000 in the past year.
- 8.10 The *green scene* budgets are projecting an overspend of £0.1m largely as a result of the loss of income from the former Foxgrove Club. The future use of the premises is being considered as a part of the plans for Beckenham Place Park, but at present there is no clear scope for attracting the budgeted level of rental income.

- 8.11 For *bereavement services* this is projecting an overspend of £0.1m, largely arising from increased crematorium maintenance costs. Income levels are currently higher than in previous years as a result of issues at a local crematorium in a neighbouring borough. This will need close monitoring as there has been significant pressure on the services income budgets over several years and the risk of not achieving the budgeted income levels remain.
- 8.12 The provision of automated public conveniences no longer funded as a part of the JC Decaux highways contract will result in a £0.1m overspend in the street management budgets.
- 8.13 The *public services division* is forecasting an overspend of £0.2m compared to a balanced position last reported. The overspend has mostly arisen as a result of shortfalls in income across the service. A number of other risks have been identified but at this stage officers are taking action to keep within budget.
- 8.14 One of the risk areas is the recently established enforcement service. Income is currently projected to be below budgeted levels. A review of collection rates and options to recover the situation are currently being considered, but it should be noted that, despite being below budget, the service is still earning a net income to the council that would have previously been paid to external providers.
- 8.15 The *strategy* and *IMT* divisions are also forecasting a balanced position

9. RESOURCES AND REGENERATION

- 9.1 As at the end of August 2016, the resources and regeneration directorate is forecasting an underspend of £0.2m. At the same time last year, the year-end forecast was an underspend of £2.0m, with the actual year-end outturn being an underspend of £3.8m.

Table 7 – Resources and Regeneration Directorate

Service Area	Gross budgeted spend	Gross budgeted income	Net budget	Forecast Outturn 2016/17	Forecast over/ (under) spend
	£m	£m	£m	£m	£m
Corporate Resources	4.9	(2.5)	2.4	2.4	0.0
Corporate Policy & Governance	4.1	0.0	4.1	3.8	(0.3)
Financial Services	4.8	(1.3)	3.5	3.4	(0.1)
Executive Office	0.2	0.0	0.2	0.2	0.0
Human Resources	3.0	(0.4)	2.6	2.3	(0.3)
Legal Services	3.0	(0.4)	2.6	2.7	0.1
Strategy	2.8	(0.7)	2.1	1.7	(0.4)
Planning	2.6	(1.4)	1.2	1.2	0
Regeneration & Asset Management	16.1	(8.4)	7.7	8.5	0.8
Reserves	0.0	(0.4)	(0.4)	(0.4)	0.0
Total	41.6	(15.6)	26.0	25.8	(0.2)

- 9.2 The *corporate policy & governance* division (£0.3m), the *financial services* division (£0.1m), the *human resources* division (£0.3m) and the *strategy* division (£0.4m) are all forecasting underspends which are principally driven by underspending on salaries costs.
- 9.3 In the *planning* division, high levels of planning fee income are again being forecast for 2016/17, but this is being offset by higher salaries and supplies and services costs in order to manage the additional workload.
- 9.4 A £0.1m overspend is forecast within the *legal services* division, due to an anticipated shortfall in income from capital works. There are no significant variances currently being forecast within the *corporate resources* and *executive office* divisions.
- 9.5 The *regeneration & asset management* division is forecasting an overspend of £0.8m. There is currently a £0.45m underachievement of income forecast in relation to large format advertising and small cell wireless devices. This income target was agreed as part of setting the 2016/17 budget. Officers will continue to progress with the options for these proposals and will continue to update members as the year progresses. There is also an underachievement of income from utilities companies against the network management budget of £0.25m. There are other areas of budget pressure including the costs of running the corporate estate where a £0.45m overspend is forecast. However, these are partly offset by areas of underspending including on salaries costs to result in the overall position for the division.

10. CORPORATE PROVISIONS

- 10.1 The *corporate financial provisions* include working balances, capital expenditure charged to the revenue account (CERA), and interest on revenue balances. These provisions are not expected to overspend although, with the impact of continued reductions in service budgets, there is ever greater pressure on working balances. Certainty on their outturn only becomes clear towards the end of the financial year.
- 10.2 With the United Kingdom electorate having voted to leave the European Union and the pending uncertainty this brings, there will continue to be concerns about the stability of the banking sector. The council's treasury management strategy continues to be focused on avoiding risk, wherever possible. With investment returns still at historically low levels, albeit with indications of modest rate rises possible by the end of the calendar year, there is little opportunity to seek higher returns. However, the council continues to keep its strategy under review and assess alternative investment strategies to find the appropriate balance in the trade off between return and risk. Members should note that similar to last year, a sum of £3.75m is being held corporately to help manage 'risks and other pressures' during 2016/17.

11. DEDICATED SCHOOLS' GRANT

- 11.1 The Dedicated Schools' Grant (DSG) for 2016/17 now stands at £284.7m. The DSG is now £48m (or 20%) larger than the Council's net general fund budget.

Further grants are given to schools and routed through the local authority. This includes the pupil premium (£17m), post 16 funding (£6m), and universal free school meals grant (£3m). This makes total funds of £311m. In total, this is some £73m higher than the Council's net general fund.

Schools

- 11.2 The deadline for schools to submit budget returns to the Local Authority was 31 May 2016. The last of the budget returns were received at the end of August 2016. Members should note that there is now an established escalation process for the non-submission of budget plans.
- 11.3 At the end of the 2015/16 financial year, there were 11 schools that had deficits. This compares with the three schools that had a license deficit agreement in place for the year end. There is likely to a further nine schools in deficit this year. Looking further ahead, the returns suggest that a further seven schools could go into deficit in 2017/18.
- 11.4 There are 45 schools who are operating an in-deficit in 2016/17, the schools have balanced their budget by using their carry forward. Currently officers are performing reasonableness checks on the information provided by schools. Such checks include
- Does the budget plan income agree to funding notification
 - Is the carry forward quoted in the budget plan incorrect
 - Reasonableness check, such as whether the budgets set align to previous year's budget and or expenditure.
- 11.5 The government is proposing to introduce a new national funding formula for schools in April 2018. With the current details available through the release of the first stage consultation earlier in the spring, it is not possible to see the exact impact on Lewisham. The most likely scenario is that schools in Lewisham will see a circa 10%, or £17m reduction in funding over the next three years. This is likely to impact on the level of traded services schools buy from the council. Likewise, there is a review of the high needs block funding and it is expected the funding in the high needs block could also be reduced by some 10%, or £4.5m.
- 11.6 The government has released a consultation document on Early Years funding, while there is extra funding overall due to the funding of the new 30 hours child care for working families the underlying position is a loss for Lewisham. It is estimated that this loss will be £1.5m, but in the next two years there will be some protection and the loss will initially be £0.9m. The consultation closed on 22 September 2016.

DSG central expenditure

- 11.7 The High Needs block is showing signs of pressure and an overspend of £0.7m is forecast at the year end. There has been a significant growth in the number of children with Education, Health and Care Plans for pupil aged 5 and below. There is also a significant growth in the number of post 19 children with high needs. The Schools Forum High Needs sub group will draw up proposals on how this will be dealt with in November. They will submit their proposals to the Schools Forum who meet on the 8 December 2016 to decide the budget for next year.

Mutual Funds

- 11.8 Sedgehill School will transfer to an academy by order, although the exact date for conversion has not yet been confirmed. The national regulations under this type of academy conversion is that the deficit remains the responsibility of the local authority. In the first instance, it can be charged to the schools contingency if there are sufficient funds. Otherwise it is left as the responsibility of the council to meet the cost.
- 11.9 In Lewisham, the schools contingency is held by the Schools Forum as a mutual fund for all schools. The deficit to this school which is circa £1.3m, will be charged to this contingency.

12. HOUSING REVENUE ACCOUNT

- 12.1 The table below sets out the current budget for the Housing Revenue Account (HRA) in 2016/17. The balanced HRA budget seen in the table includes a budgeted surplus of £1.1m, which is to be transferred to reserves at year end as a part of the 30 year HRA plan.
- 12.2 The forecast position for August 2016, is for an additional small surplus of £0.2m in compared with a balanced position previously reported. The surplus has been generated by unbudgeted income from garage rents of £0.1m and additional service charge and lease income and additional lease income for outsourced hostels totalling £0.1m.

Table 8 – Housing Revenue Account

Service Area	Expenditure Budget	Income Budget	2016/17 budget	Forecast over/ (under) spend
	£m	£m	£m	£m
Customer Services – Housing	11.7	(3.5)	8.2	0
Lewisham Homes & R&M	36.8	0	36.8	0
Resources	2.0	0	2.0	0
Centrally Managed Budgets	50.5	(97.5)	(47.0)	(0.2)
Total	101.0	(101.0)	0	(0.2)

13. COLLECTION FUND

- 13.1 As at 31 August 2016, £49.7m of council tax had been collected. This represents 43.0% of the total amount due for the year of £115m. This is 0.4% below the profiled collection rate of 43.4% if the overall target for the year of 96% is to be met.

At the same time last year, the collection rate to date was 43.0%, the same as this year.

- 13.2 Business rates collection is at 54.5%, a decrease of 1.5% compared to the same period last year, but 0.5% higher than the profiled collection rate if the overall target rate for the year of 99% is to be achieved.

14. CAPITAL EXPENDITURE

- 14.1 The overall spend to 31 August 2016 is £21m. This represents 24% of the revised budget of £87.4m. At this point last year, 25% of the revised budget of £143.1m had been spent, with the final outturn being 80% of the revised budget of £118.1m.

- 14.2 The 2016/17 revised capital programme budget, and the capital programme budget for future years has been updated and is proposed for agreement by Mayor & Cabinet. The changes to the 2016/17 revised budget are detailed in Appendix 1 and the revised four-year capital programme budget is summarised in Appendix 2. The revised budget for 2016/17 shows a decrease to the last reported budget and is mainly due to the re-phasing of some major projects:

- Catford Town Centre Regeneration Programme: The budget incorporates the allocation for buybacks of the remaining leaseholds in Milford Towers. The timeline for the Catford regeneration programme is currently being prepared and will be reported to Mayor & Cabinet in the autumn.
- Schools Places: At the last review, it was evident that some expansion works will slip due to late procurement, hence a re-profile of the budget into future years. This is alongside some modest savings achieved on ongoing contracts.
- Traveller Site Relocation: The site search for Travellers is currently ongoing for the development of a new Traveller site in the borough. It is unlikely that a site will be identified and ready for development in the next six months, hence a re-profile of the spend to next year.
- Asset Management Programme: The AMP funding is being re-profiled because a number of key projects expected for the current year have now been delayed and not likely to start until much later in the year. The implication is that some of the expected spend for the current year have now had to be deferred to next year.
- Housing Matters Programme (New Homes, Better Places): This programme has been re-phased due to planning conditions and remodelling of schemes following planning feedback.
- Decent Homes Programme: Whilst the anticipated spend for the largest area of budget provision (Major Works South) has increased from the previous forecast, significantly reduced spend is now expected in-year on planned preventative maintenance and sheltered Improvements, which are in the project initiation stage.

- 14.3 During 2015/16, the council established the Regeneration and Capital Programme Delivery Board comprising key officers involved in the planning and delivery of the capital programme. This Board has responsibility and accountability for the

delivery of all regeneration and capital projects and programmes of the built environment and is also responsible for ensuring that all projects and programmes are adequately and appropriately resourced.

- 14.4 The key objectives of the Board are to ensure that a consistent and corporate approach is taken to the development and authorisation of all project and programme initiation documents and the associated financing and funding of projects and programmes. It meets every two months and ensures that a corporate approach is taken to the monitoring, management and delivery of all projects and programmes. It reports through to the Regeneration Board which is chaired by the Executive Director for Resources and Regeneration.

Table 9 – Capital Programme

2016/17 Capital Programme	Budget Report (February 2016)	Revised Budget	Spend to 31 August 2016	Spent to Date (Revised Budget)
	£m	£m	£m	%
Community Services	0.4	1.0	0.4	40
Resources & Regeneration	17.8	14.3	3.4	24
CYP	9.4	20.4	4.9	24
Customer Services	0.7	1.2	0.3	25
Housing (General Fund)	14.7	13.9	3.9	28
Total General Fund	43.1	50.8	12.9	25
Housing Matters Programme	50.9	14.7	3.4	23
Hostels Programme	0.4	0.4	0.0	0
Decent Homes Programme	34.8	21.5	4.7	22
Total HRA	86.1	36.6	8.1	22
Total Expenditure	129.2	87.4	21.0	24

- 14.5 The table below shows the current position on the major projects in the 2016/17 general fund capital programme (i.e. those over £1m in 2016/17).

Table 10 – Major Capital Projects

2016/17 Capital Programme	Budget Report (February 2016)	Revised Budget	Spend to 31 August 2016	Spent to Date (Revised Budget)
	£m	£m	£m	%
Housing Regeneration Schemes (Kender, Excalibur, Heathside and Lethbridge)	2.9	5.1	1.5	29
School Places Programme	6.0	13.1	2.3	18
BSF - Sydenham	1.2	2.2	1.1	50
Other Schools Capital Works	1.5	3.9	1.2	31
Disabled Facilities / Private Sector Grants	1.3	1.7	0.4	24
Highways and Bridges (TfL)	2.0	4.9	0.4	8
Asset Management Programme	3.1	1.5	0.3	20
Highways and Bridges (LBL)	4.0	3.5	1.8	51
Acquisition – Hostels Programme	1.5	1.6	1.0	63
Property Acquisition – Lewisham Homes	4.0	3.0	0.0	0
Surrey Canal	0.6	1.0	0.7	70
Total Major Projects	28.1	41.5	10.7	26
Other Projects	15.0	9.3	2.2	24
Total Projects - GF	43.1	50.8	12.9	25

- 14.6 The main sources of financing the programme are grants and contributions and capital receipts from the sale of property assets. A total of £15.6m has been received so far this year, comprising £0.2m in respect of previous year's Housing stock transfers, £6.9m (net) from Housing Right to Buy sales, £1.6m from other sales and £6.9m of grants.

15. FINANCIAL IMPLICATIONS

- 15.1 This report concerns the financial forecasts for the 2016/17 financial year. However, there are no direct financial implications in noting these.

16. LEGAL IMPLICATIONS

- 16.1 The Council must act prudently in relation to the stewardship of Council taxpayers' funds. The Council must set and maintain a balanced budget.

17. CRIME AND DISORDER ACT IMPLICATIONS

- 17.1 There are no crime and disorder implications directly arising from this report.

18. EQUALITIES AND ENVIRONMENTAL IMPLICATIONS

- 18.1 There are no equalities or environmental implications directly arising from this report.

19. CONCLUSION

- 19.1 The council has continued to apply sound financial controls. However, the short and medium-term outlook remains difficult and continued strong management and fiscal discipline will be required to enable the council to meet its financial targets for 2016/17 and beyond.

BACKGROUND PAPERS AND APPENDICES

Short Title of Report	Date	Location	Contact
Financial Outturn for 2015/16	1 st May 2016 (M&C)	5 th Floor Laurence House	Selwyn Thompson
Financial Forecasts for 2016/17 – May 2016	13 th July 2016 (M&C)	5 th Floor Laurence House	Selwyn Thompson
2016/17 Budget	24 th February 2016 (Council)	5 th Floor Laurence House	David Austin

For further information on this report, please contact:

Selwyn Thompson, Head of Financial Services on 020 8314 6932

PROPOSED 2016/17 CAPITAL PROGRAMME - APPROVED TO LATEST BUDGET

	Total £000	Total £000
GENERAL FUND		
Approved Budget (month 2 2016)		71,579
New Schemes during the year		
Louise House and Library Works	108	
Coulgate Street – Public Realm Scheme	<u>102</u>	210
Approved variations on existing schemes		
<u>Additional Funding</u>		
Besson Street Development	658	
TfL Highways Programme	<u>922</u>	1,580
<u>Re- Phasing Budgets</u>		
School Places Programme	-4,078	
Catford Town Centre Regeneration	-8,000	
Asset Management Programme	-1,700	
Traveller Site	-1,088	
Schools Asset Management Programme (AMP)	-1,940	
Schools (AMP) – transfer to School minor capital works	-1,750	
Grove Park Street Improvements	-1,123	
ICT – Tech Refresh	-704	
Brookdale club freehold property purchase	-949	
Sydenham Park Footbridge	-465	
CPZ Programme	-500	
Education Catering Investment (UFSM)	<u>-222</u>	-22,519
Completed Projects		-4
Latest Budget		<u>50,846</u>

HOUSING REVENUE ACCOUNT

Approved Budget (month 2 2016)

85,693

Re-phasing Budgets

- Hostels Capital Programme	-66	
- Decent Homes Programme	-13,318	
- Housing Matters Programme	<u>-35,772</u>	-49,156

Latest Budget

36,537

Overall Budget

87,383

Major Projects over £2m	2016/17	2017/18	2018/19	2019/20	Total
	£m	£m	£m	£m	£m
GENERAL FUND					
BSF – Sydenham	2.2				2.2
Schools - Places Programme	13.1				13.1
Schools - Other Capital Works	3.9	2.9			6.8
Highways & Bridges - TfL	4.9				4.9
Highways & Bridges - LBL	3.5	4.0	3.5	3.5	14.5
Catford Town Centre Regeneration	0.7	4.0	4.0		8.7
Asset Management Programme	1.5	3.8	3.9		9.2
Kender and Excalibur Regeneration	3.0	1.1		1.5	5.6
Heathside & Lethbridge Regeneration	2.1	5.0			7.1
Lewisham Homes – Property Acquisition	3.0			9.0	12.0
Acquisition – Hostels Programme	1.6			0.8	2.4
Disabled Facilities Grant	1.0	0.7	0.7		2.4
Private Sector Grants and Loans	0.7	0.6	0.6		1.9
Other Schemes	9.6	6.0	1.1		17.9
	50.8	28.1	13.8	14.8	107.5
HOUSING REVENUE ACCOUNT					
Hostels Programme	0.4	0.4	0.4	0.4	1.6
Housing Matters Programme	14.7	40.8	34.1	4.5	94.1
Decent Homes Programme	21.5	36.4	33.3	35.1	126.3
	36.6	77.6	67.8	40.0	222.0
TOTAL PROGRAMME	87.4	105.7	81.6	54.8	329.5

Agenda Item 7

Public Accounts Select Committee		
Title	Select Committee work programme 2016-17	
Contributor	Scrutiny Manager	Item 7
Class	Part 1 (open)	26 October 2016

1. Purpose

- 1.1 To advise Committee members of the work programme for the 2016/17 municipal year, and to agree the agenda items for the next meeting.

2. Summary

- 2.1 In April, the committee drew up a draft work programme for the municipal year 2016/17.
- 2.2 The work programme can be reviewed at each Select Committee meeting to take account of changing priorities.

3. Recommendations

- 3.1 The Committee is asked to:
 - Note the work plan attached at **Appendix B** and discuss any issues arising from the programme;
 - Look at the items scheduled for the next meeting and clearly specify the information and analysis required, based on desired outcomes, so that officers are able to meet expectations;
 - Review all forthcoming key decisions, attached at **Appendix C**, and consider any items for further scrutiny.

4. Work programme

- 4.1 The work programme for 2016/17 was agreed at the 20 April 2016 meeting.
- 4.2 The Committee is asked to consider if any urgent issues have arisen that require scrutiny and if any existing items are no longer a priority and can be removed from the work programme. Before adding additional items, each item should be considered against agreed criteria. The flow chart attached at **Appendix A** may help Members decide if proposed additional items should be added to the work programme. The Committee's work programme needs to be achievable in terms of the amount of meeting time available. If the committee agrees to add additional item(s) because they are urgent and high priority, Members will need to consider which medium/low priority item(s) should be removed in order to create sufficient capacity for the new item(s).

5. The next meeting

The following reports are scheduled for the meeting on 30 November 2016:

Agenda item	Review type	Link to corporate priority	Priority
Income generation update	In-depth review	Inspiring efficiency, effectiveness and equity	High
Future asset rationalisation	Standard item	Inspiring efficiency, effectiveness and equity	Medium
Temporary accommodation – results of pan London study	Performance monitoring	Inspiring efficiency, effectiveness and equity	Medium
Asset management update	Standard item	Inspiring efficiency, effectiveness and equity	Medium
Local procurement report	Performance monitoring	Inspiring efficiency, effectiveness and equity	Medium

The Committee is asked to specify the information and analysis it would like to see in the reports for these items, based on the outcomes the committee would like to achieve, so that officers are clear on what they need to provide for the next meeting.

6. Date of next meeting

The date of the next meeting is Wednesday 30 November 2016.

7. Financial implications

There may be financial implications arising from some of the items on the work programme (especially reviews) and these will need to be considered when preparing those items/scoping those reviews.

8. Legal implications

In accordance with the Council's Constitution, all scrutiny select committees must devise and submit a work programme to the Business Panel at the start of each municipal year.

9. Equalities implications

The Equality Act 2010 brought together all previous equality legislation in England, Scotland and Wales. The Act included a new public sector equality duty, replacing the separate duties relating to race, disability and gender equality. The duty came into force on 6 April 2011. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

There may be equalities implications arising from items on the work programme and all activities undertaken by the Committee will need to give due consideration to this.

10. Crime and disorder implications

There may be crime and disorder implications arising from some of the items that will be included in the work programme (especially reviews) and these will need to be considered when preparing those items/scoping those reviews.

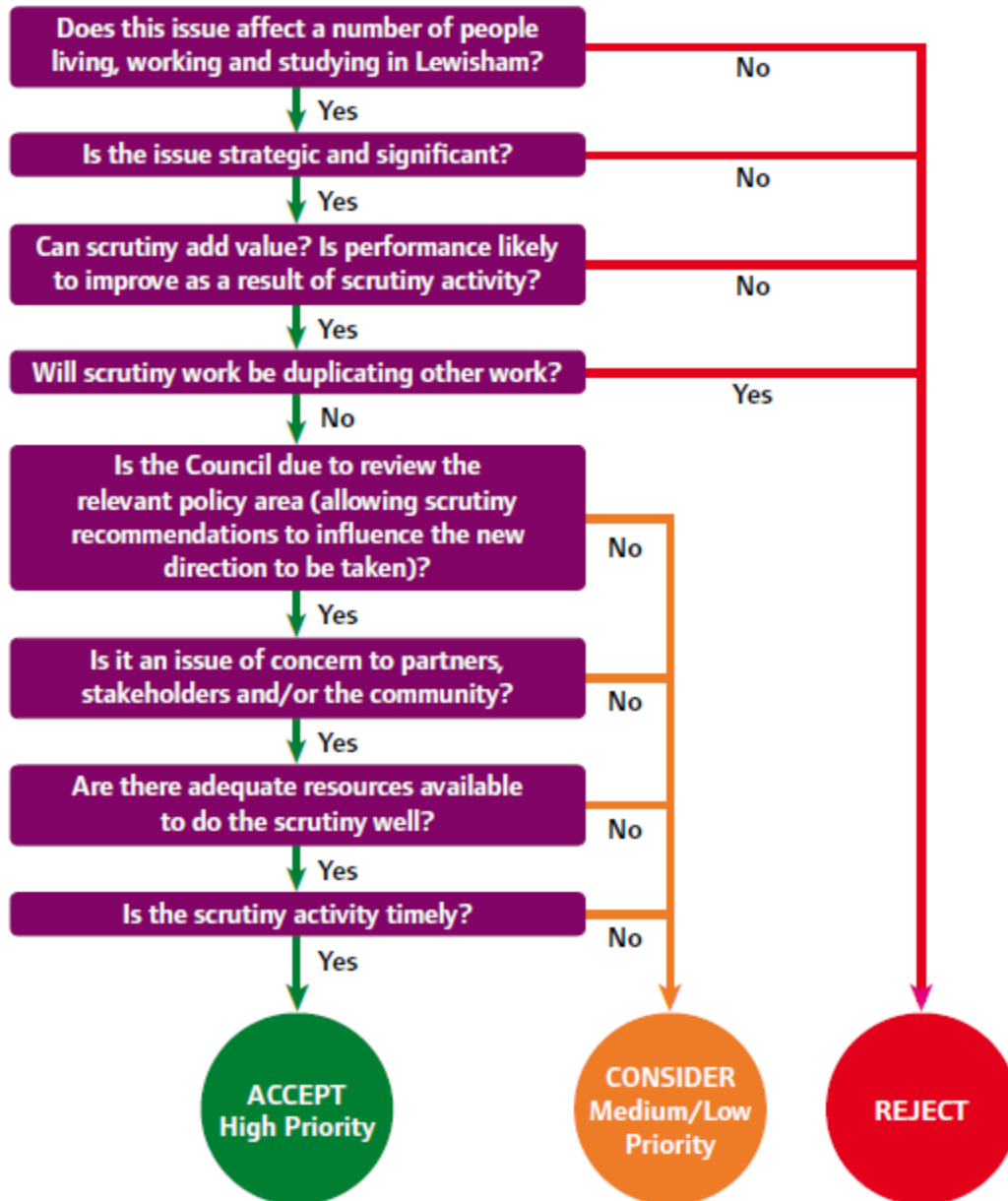
11. Background documents

Lewisham Council's Constitution
Centre for Public Scrutiny: The Good Scrutiny Guide

12. Appendices

Appendix A – Committee's terms of reference
Appendix B – Provisional work programme
Appendix C – Key decision plan

Scrutiny work programme – prioritisation process



Work Item	Type of review	Priority	Strategic Priority	Delivery deadline	20-Apr	01-Jun	05-Jul	22-Sep	26-Oct	30-Nov	25-Jan	15-Mar
Lewisham Future Programme	TBC	High	CP10	Ongoing	Item on-going	Item on-going	Item on-going	Item on-going SAVINGS	Item on-going	Item on-going	Item on-going	Item on-going
Election of Chair and Vice-Chair	Constitutional requirement	High	CP10	Apr	Item completed							
Select Committee Work Programme 16/17	Constitutional requirement	High	CP10	Ongoing	Item on-going							
Response to referral on work programme	Performance monitoring	Medium	CP10	Apr	Item completed RESPONSE							
Implementation of savings proposal 03 (creating an internal enforcement agency)	Performance monitoring	Medium	CP10	Apr	Item completed							
Shared Services	Performance monitoring	Medium	CP10	Apr	Item completed							
Final Outturn 2015/16	Standard item	High	CP10	Jun		Item completed						
Complaints and casework Review Update (request re savings proposal 13)	Performance monitoring	Medium	CP10	Jun		Item completed						
Report Back on Public Realm Contract Monitoring	Performance monitoring	Medium	CP10	Jul			Item on-going					
Medium Term Financial Strategy	Standard item	High	CP10	Jul			Item on-going					
Financial forecasts 2016/17	Standard item	High	CP10	Jul			Item on-going		Proposed timeframe		Proposed timeframe	
Management report	Performance monitoring	Medium	CP10	Jul			Item on-going		Proposed timeframe		Proposed timeframe	
Income Generation - update	Performance monitoring	Medium	CP10	Jul			Item on-going UPDATE			Proposed timeframe		
Annual complaints report	Performance monitoring	Medium	CP10	Oct					Proposed timeframe			
Mid-year Treasury Management Review	Standard item	High	CP10	Oct					Proposed timeframe			
Business rates consultation	Standard item	High	CP10	Sep				Item completed				
Future Asset Realisation	Performance Monitoring	Medium	CP10	Nov						Proposed timeframe		
Temporary Accomodation - results of Pan London Study	Performance monitoring	Medium	CP10	Nov						Proposed timeframe		
Asset management update	Standard item	Medium	CP10	Nov						Proposed timeframe		
Local procurement report	Performance Monitoring	Medium	CP10	Nov						Proposed timeframe		
Annual Budget 2016/17	Standard item	High	CP10	Jan							Proposed timeframe	
Audit Panel update	Constitutional Requirement	Higjh	CP10	Mar								Item added

	Item completed
	Item on-going
	Item outstanding
	Proposed timeframe
	Item added

Meetings					
1)	Wed	20 April	5)	Wed	26 October
2)	Wed	1 June	6)	Wed	30 November
3)	Tue	5 July	7)	Wed	25 January
4)	Thurs	22 September	8)	Wed	15 March

Shaping Our Future: Lewisham's Sustainable Community Strategy 2008-2020		
	Priority	
1	Ambitious and achieving	SCS 1
2	Safer	SCS 2
3	Empowered and responsible	SCS 3
4	Clean, green and liveable	SCS 4
5	Healthy, active and enjoyable	SCS 5
6	Dynamic and prosperous	SCS 6

Corporate Priorities		
	Priority	
1	Community Leadership	CP 1
2	Young people's achievement and involvement	CP 2
3	Clean, green and liveable	CP 3
4	Safety, security and a visible presence	CP 4
5	Strengthening the local economy	CP 5
6	Decent homes for all	CP 6
7	Protection of children	CP 7
8	Caring for adults and older people	CP 8
9	Active, healthy citizens	CP 9
10	Inspiring efficiency, effectiveness and equity	CP 10

FORWARD PLAN OF KEY DECISIONS

Forward Plan November 2016 - February 2017

This Forward Plan sets out the key decisions the Council expects to take during the next four months.

Anyone wishing to make representations on a decision should submit them in writing as soon as possible to the relevant contact officer (shown as number (7) in the key overleaf). Any representations made less than 3 days before the meeting should be sent to Kevin Flaherty, the Local Democracy Officer, at the Council Offices or kevin.flaherty@lewisham.gov.uk. However the deadline will be 4pm on the working day prior to the meeting.

A "key decision"* means an executive decision which is likely to:

- (a) result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates;
- (b) be significant in terms of its effects on communities living or working in an area comprising two or more wards.

FORWARD PLAN – KEY DECISIONS

Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
August 2016	Recommendations of the Broadway Theatre Working Group	19/10/16 Mayor and Cabinet	Aileen Buckton, Executive Director for Community Services and Councillor Chris Best, Cabinet Member for Health, Wellbeing and Older People		
August 2016	Deptford Reach Development	19/10/16 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Damien Egan, Cabinet Member Housing		
August 2016	Financial Forecasts 2016/17	19/10/16 Mayor and Cabinet	Janet Senior, Executive Director for Resources & Regeneration and Councillor Kevin Bonavia, Cabinet Member Resources		
August 2016	Heathside & Lethbridge Phase 5 Compulsory Purchase Order	19/10/16 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Damien Egan, Cabinet Member Housing		
August 2016	Heathside & Lethbridge Phase 6 Parts 1 & 2	19/10/16 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Damien Egan, Cabinet Member Housing		
August 2016	Private Rented Sector Discharge Policy	19/10/16 Mayor and Cabinet	Kevin Sheehan, Executive Director for		

FORWARD PLAN – KEY DECISIONS					
Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
			Customer Services and Councillor Damien Egan, Cabinet Member Housing		
August 2016	Treasury Management Mid-Year Update	19/10/16 Mayor and Cabinet	Janet Senior, Executive Director for Resources & Regeneration and Councillor Kevin Bonavia, Cabinet Member Resources		
August 2016	Update on action plan following Education Commission Report	19/10/16 Mayor and Cabinet	Sara Williams, Executive Director, Children and Young People and Councillor Paul Maslin, Cabinet Member for Children and Young People		
August 2016	Family Support Service Contract Award	19/10/16 Mayor and Cabinet (Contracts)	Sara Williams, Executive Director, Children and Young People and Councillor Paul Maslin, Cabinet Member for Children and Young People		
August 2016	Footways Contract Award	19/10/16 Mayor and Cabinet (Contracts)	Janet Senior, Executive Director for Resources & Regeneration and Councillor Alan Smith, Deputy Mayor		
September 2016	Supported Living Services to Adults with Learning Disabilities Call-Off contracts	19/10/16 Mayor and Cabinet (Contracts)	Aileen Buckton, Executive Director for Community Services and		

FORWARD PLAN – KEY DECISIONS

Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
			Councillor Chris Best, Cabinet Member for Health, Wellbeing and Older People		
September 2016	Children and Young People's Personalised Care and Support Preferred Provider Framework Contract Extension	19/10/16 Mayor and Cabinet (Contracts)	Sara Williams, Executive Director, Children and Young People and Councillor Paul Maslin, Cabinet Member for Children and Young People		
August 2016	Re-Procurement Managed Service Interpretation, Translation and Transcription Services Contract award	01/11/16 Overview and Scrutiny Business Panel	Janet Senior, Executive Director for Resources & Regeneration and Councillor Kevin Bonavia, Cabinet Member Resources		
May 2016	Annual Complaints Report	09/11/16 Mayor and Cabinet	Janet Senior, Executive Director for Resources & Regeneration and Councillor Joe Dromey, Cabinet Member Policy & Performance		
April 2016	Autistic Spectrum Housing	09/11/16 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Damien Egan, Cabinet Member Housing		
September 2016	Catford Regeneration Programme Update	09/11/16 Mayor and Cabinet	Janet Senior, Executive Director for Resources & Regeneration and		

FORWARD PLAN – KEY DECISIONS

Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
			Councillor Alan Smith, Deputy Mayor		
August 2016	Discretionary Rate Relief Review	09/11/16 Mayor and Cabinet	Aileen Buckton, Executive Director for Community Services and Councillor Kevin Bonavia, Cabinet Member Resources		
February 2016	Disposal of Copperas Street Depot Creekside	09/11/16 Mayor and Cabinet	Janet Senior, Executive Director for Resources & Regeneration and Councillor Alan Smith, Deputy Mayor		
	Lewisham Homes Business Plan and Articles	09/11/16 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Damien Egan, Cabinet Member Housing		
January 2016	New Bermondsey Housing Zone Bid Update	09/11/16 Mayor and Cabinet	Janet Senior, Executive Director for Resources & Regeneration and Councillor Alan Smith, Deputy Mayor		
	Private Rented Sector: Additional Licensing Scheme for Houses in Multiple Occupation above/below commercial premises	09/11/16 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Damien Egan, Cabinet Member Housing		
August 2016	Regionalising Adoption	09/11/16 Mayor and Cabinet	Sara Williams, Executive Director, Children and		

FORWARD PLAN – KEY DECISIONS

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			Young People and Councillor Paul Maslin, Cabinet Member for Children and Young People		
September 2016	Restoration and Re-Purposing of Buildings within Beckenham Place Park	09/11/16 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Rachel Onikosi, Cabinet Member Public Realm		
August 2016	Review of National Non Domestic Rates - Discretionary Discount Scheme for Businesses Accredited to Living Wage Foundation	09/11/16 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Kevin Bonavia, Cabinet Member Resources		
May 2016	Schools with License deficits	09/11/16 Mayor and Cabinet	Sara Williams, Executive Director, Children and Young People and Councillor Paul Maslin, Cabinet Member for Children and Young People		
August 2016	Carriageway Resurfacing Contract Award	09/11/16 Mayor and Cabinet (Contracts)	Janet Senior, Executive Director for Resources & Regeneration and Councillor Alan Smith, Deputy Mayor		
	Options for a new Enterprise Resource Planning solution for	09/11/16 Mayor and Cabinet	Janet Senior, Executive Director for Resources &		

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	Lewisham	(Contracts)	Regeneration and Councillor Kevin Bonavia, Cabinet Member Resources		
August 2016	Deptford High Street (North) Contract Award	22/11/16 Overview and Scrutiny Business Panel	Janet Senior, Executive Director for Resources & Regeneration and Councillor Alan Smith, Deputy Mayor		
August 2016	Consultant Appointment 2016 Schools Minor Works Contract	22/11/16 Overview and Scrutiny Education Business Panel	Sara Williams, Executive Director, Children and Young People and Councillor Paul Maslin, Cabinet Member for Children and Young People		
August 2016	Deptford Parish Council Petition and Community Governance Terms of Reference	23/11/16 Council	Kath Nicholson, Head of Law and Councillor Kevin Bonavia, Cabinet Member Resources		
May 2016	Main Grants Programme 2017-18 Appeals Against Proposals	30/11/16 Mayor and Cabinet (Contracts)	Aileen Buckton, Executive Director for Community Services and Councillor Joan Millbank, Cabinet Member Third Sector & Community		
	Air Quality Action Plan	07/12/16 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Rachel Onikosi, Cabinet Member		

FORWARD PLAN – KEY DECISIONS

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			Public Realm		
September 2016	Ashmead Primary School Expansion: Results of Consultation	07/12/16 Mayor and Cabinet	Sara Williams, Executive Director, Children and Young People and Councillor Paul Maslin, Cabinet Member for Children and Young People		
May 2016	2017-18 Council Tax Reduction Scheme	07/12/16 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Kevin Bonavia, Cabinet Member Resources		
	356 Stanstead Road - Property Acquisition	07/12/16 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Damien Egan, Cabinet Member Housing		
August 2016	The Wharves Deptford - Compulsory Purchase Order Resolution	07/12/16 Mayor and Cabinet	Janet Senior, Executive Director for Resources & Regeneration and Councillor Alan Smith, Deputy Mayor		
	Waste & Recycling Services Update	07/12/16 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Rachel Onikosi, Cabinet Member Public Realm		

FORWARD PLAN – KEY DECISIONS

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August 2016	Contract Extensions for Accommodation Based Services and Floating Support Service	07/12/16 Mayor and Cabinet (Contracts)	Aileen Buckton, Executive Director for Community Services and Councillor Chris Best, Cabinet Member for Health, Wellbeing and Older People		
	Managed Service Contract for the procurement of their agency workers	07/12/16 Mayor and Cabinet (Contracts)	Janet Senior, Executive Director for Resources & Regeneration and Councillor Kevin Bonavia, Cabinet Member Resources		
August 2016	Fusion Leisure Contract Variation	07/12/16 Mayor and Cabinet (Contracts)	Aileen Buckton, Executive Director for Community Services and Councillor Chris Best, Cabinet Member for Health, Wellbeing and Older People		
May 2016	Main Grants Programme 2017-18 Allocation of Funding	07/12/16 Mayor and Cabinet (Contracts)	Aileen Buckton, Executive Director for Community Services and Councillor Joan Millbank, Cabinet Member Third Sector & Community		
May 2016	Re-procurement of Existing Core Contract Adult Substance Misuse Services and Budget Setting for Substance Misuse Services	07/12/16 Mayor and Cabinet (Contracts)	Aileen Buckton, Executive Director for Community Services and Councillor Janet Daby, Cabinet Member Community Safety		

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August 2016	Prevention Inclusion and Public Health Commissioning Contract Award	07/12/16 Mayor and Cabinet (Contracts)	Aileen Buckton, Executive Director for Community Services and Councillor Chris Best, Cabinet Member for Health, Wellbeing and Older People		
August 2016	School Minor Works Programme 2017	07/12/16 Mayor and Cabinet (Contracts)	Sara Williams, Executive Director, Children and Young People and Councillor Paul Maslin, Cabinet Member for Children and Young People		
	2016 School Minor Works Contact Consultancy Appointment	13/12/16 Overview and Scrutiny Education Business Panel	Sara Williams, Executive Director, Children and Young People and Councillor Paul Maslin, Cabinet Member for Children and Young People		
September 2016	Lewisham Music Business Plan and Transfer Terms	11/01/17 Mayor and Cabinet	Sara Williams, Executive Director, Children and Young People and Councillor Paul Maslin, Cabinet Member for Children and Young People		
August 2016	Community Premises Management Contract Permission to Tender	11/01/17 Mayor and Cabinet (Contracts)	Aileen Buckton, Executive Director for Community Services and Councillor Joan Millbank, Cabinet Member Third		

FORWARD PLAN – KEY DECISIONS

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			Sector & Community		
May 2016	Council Tax Reduction Scheme 2017-18	18/01/17 Council	Kevin Sheehan, Executive Director for Customer Services and Councillor Kevin Bonavia, Cabinet Member Resources		
	Animal Welfare Charter	08/02/17 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Rachel Onikosi, Cabinet Member Public Realm		
	Budget Update	15/02/17 Mayor and Cabinet	Janet Senior, Executive Director for Resources & Regeneration and Councillor Kevin Bonavia, Cabinet Member Resources		
May 2016	Council Budget 2017-18	22/02/17 Council	Kevin Sheehan, Executive Director for Customer Services and Councillor Kevin Bonavia, Cabinet Member Resources		
August 2016	Community Premises Management Contract Award	19/04/17 Mayor and Cabinet (Contracts)	Aileen Buckton, Executive Director for Community Services and Councillor Joan Millbank, Cabinet Member Third Sector & Community		

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