

Public Accounts Select Committee Agenda

Wednesday, 20 December 2017

7.30 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, 20 December 2017.

Janet Senior, Acting Chief Executive
Tuesday, 12 December 2017

Councillor Maja Hilton (Chair)	
Councillor Chris Barnham (Vice-Chair)	
Councillor Paul Bell	
Councillor Brenda Dacres	
Councillor Amanda De Ryk	
Councillor Carl Handley	
Councillor Simon Hooks	
Councillor Mark Ingleby	
Councillor Roy Kennedy	
Councillor Sophie McGeevor	

MINUTES OF THE PUBLIC ACCOUNTS SELECT COMMITTEE

Thursday, 16 November 2017 at 7.30 pm

PRESENT: Councillors Maja Hilton (Chair), Brenda Dacres, Amanda De Ryk, Carl Handley, Simon Hooks, Mark Ingleby, Roy Kennedy and Kevin Bonavia

APOLOGIES: Councillors Chris Barnham and Paul Bell

ALSO PRESENT: Timothy Andrew (Scrutiny Manager), David Austin (Head of Corporate Resources), Robert Mellors (Finance Manager, Community Services and Adult Social Care), Barrie Neal (Head of Corporate Policy and Governance), Dave Richards (CYP Group Finance Manager), Janet Senior (Executive Director for Resources & Regeneration) and Selwyn Thompson (Head of Financial Services)

1. Minutes of the meeting held on 27 September 2017

- 1.1 **Resolved:** that the minutes of the meeting held on 27 September 2017 be agreed as an accurate record.

2. Declarations of interest

- 2.1 There were none.

3. Responses from Mayor and Cabinet

- 3.1 David Austin (Head of Corporate Resources), Janet Senior (Executive Director for Resources and Regeneration) and Selwyn Thompson (Head of Financial Services) responded to questions from the Committee, the following key points were noted:

- School balances were held for use by schools but they were treated as part of the Council's cash balances.
- The internal advert for the new procurement and commercial services post had been published.
- A meeting had been held with the Association of Public Service Excellence, further work would be carried out to determine how best the Council might make use of the organisation's services.

- 3.2 **Resolved:** that the response from Mayor and Cabinet be noted.

4. Lewisham Future Programme

- 4.1 David Austin introduced the report, the following key points were noted:

- The Council was on a journey of austerity, which began in 2010. This would last until 2020 and most likely it would continue into the mid-2020s because of the current direction being pursued by the Government.

- Not only was the financial position difficult, there was also a high level of uncertainty around policy, as noted in the medium term financial strategy in July.
- The potential uncertainties and pressures included: the Government's intention that local government should become self-financing; variations around the level of council tax funding and funding for adult social care as well as changes to the improved Better Care Fund and the risk of retrospective adjustments to the New Homes Bonus.
- Information was awaited about the plans for fair funding.
- There was a major programme of health and social care integration, which was liable to change rapidly.
- There were also restraints around borrowing, which might constrain some of what the Council could do.
- The ongoing welfare reforms and the roll out of universal credit also presented potential future issues.
- At the regional level there was the uncertainty around business rates pooling as well as the possible implications for London's economy of the UK's exit from the European Union as well as future changes to London's demographics.
- The savings target for 2018-19 was £22m and based on the projections in the medium term financial strategy the estimation was that £10m a year would be required after that.
- If savings were not made in one year, the Council had to use reserves to meet the gap, however – the savings still needed to be made in the following year.
- It was predicted that there would be a £13m overspend at the end of 2017-18 of which £7m was unachieved savings.
- Adding new savings proposals to an overspend and to unachieved savings was not feasible. The current plan was to consolidate the Council's position and to achieve the savings that had already been put forward in previous years.

4.2 David Austin, Janet Senior and Selwyn Thompson responded to questions from the Committee, the following key points were noted:

- The Council had used reserves to set a balanced budget for three years.
- There were a number of factors which would affect how long the Council could sustain itself whilst using reserves.
- The majority of the Council's existing reserves were allocated to specific commitments and projects. The Council should make it through next year using the reserves but beyond that it would become increasingly challenging.
- There might be difficult decisions to be made about the level of services that could be delivered.
- The current focus was on delivering the savings proposals that had been put forward and balancing the budget, however, the level of risks, uncertainties and pressures (as set out previously) remained and each could have a significant impact.
- Management attention remained focused on delivering savings.
- There were a number of reasons that savings proposals were not being achieved, in some instances savings proposals had been made but increases in demand had negated the saving, in other areas there were issues with capacity or changes required as a result of consultation.
- There were some savings which were technically complicated to achieve.

- Work was carried out with service group managers and directors to identify where there were significant obstacles to achieving savings.
- There was a rigorous process to challenge services on delivering savings however, some of the savings proposals had also been reversed because it was realised that they were unachievable.
- To date more than £160m of savings had been brought before members and £153m had been delivered. Some proposals had been rejected. A lot had been learnt through this process about the councillors' priorities.

4.3 Councillor Bonavia (Cabinet Member for Resources) also addressed the Committee. It was noted that: the Council was half the size it was in 2010. Also, in equivalent terms, the Council's general fund had been cut by 63% over the same period.

4.4 Janet Senior and Selwyn Thompson responded to questions about saving proposal I13 (more efficient and effective finance processes) the following key points were noted:

- The Council did not routinely write cheques for the delivery of services. Officers could not recall a time at which the Council had run out of supplies due to problems with the procurement system.
- The Council had been using Oracle for 20 years. The proposal was to use additional functionality to streamline service delivery.
- The new solutions would not be put in place until officers were assured that they would work effectively.
- Options were being explored for the processing of invoices through Oracle using 'Isupplier'. LB Havering was already using this system so it was proven to be effective.
- The roll out of additional Oracle services would require a cultural change to the way in which officers worked.
- The transformation approach being taken by the Council was an integrated programme, which considered use of assets, changes to ways of working and the use of technology as well as staffing, training and change management.

4.5 David Austin and Janet Senior responded to questions about savings proposal I14 (loss of the police officer secondment), the following key points were noted:

- Civil prosecutions would still be pursued by the Council. In order to pursue criminal cases the Council would need to work with the local police, however, the majority of work undertaken at present related to the civil rather than criminal cases.
- There were resources across London (such as the counter fraud hub) that the Council could make use of. In a number of instances, such as housing, the powers for prosecution lay with the Council rather than the police. These had to be purchased on a case by case basis.
- Information about fraud cases was shared with partner organisations.

4.6 **Resolved:** that the report be noted. The Committee also agreed to thank officers for their work.

5. Management report

5.1 Barrie Neal (Head of Corporate Policy and Governance) introduced the management report and directed members to areas for management

attention and the key sections of the report. In response to questions from the Committee, the following point was noted:

- Information would be available over time about the impact of the changes to waste and recycling services.

5.2 **Resolved:** that the report be noted.

6. Financial forecasts 2017-18

6.1 Selwyn Thompson introduced the report, the following key points were noted:

- The report presented the Council's financial position to September 2017, which was six months into the financial year.
- There was a significant budget pressure in children and young people's services.
- The costs of placements for looked after children were high as were salary related costs for children's social workers.
- There were pressures in adult services, environment and technology & change.
- The delay in the roll out of new arrangements for waste and recycling, as well as spending on fleet vehicles had created a budget pressure that should be managed down as the new arrangements and vehicles came in to service.
- It was hoped that savings could still be made from the expansion of the shared IT service.
- The Regeneration and Place division was overspending due to the underachievement of an income stream related to charges for utility companies for opening up highways.

6.2 Dave Richards (Group Finance Manager, Children and Young People), Janet Senior and Selwyn Thompson responded to questions from the Committee, the following key points were noted:

- There might be scope to increase the number of councils in the shared service but as the service became larger the governance arrangements might become more difficult. There might also be challenges for capacity and skills of the officers involved in the service.
- Lewisham was in an unusual position compared to other local authorities because majority of secondary schools in many other authorities had become academies. This was why Lewisham's figures for school deficits looked out of line with other authorities.
- Improved disaster recovery provisions were included in the new arrangements for IT. The new technology being used by the Council made the system more robust.
- The numbers of agency staff were being reduced because they were more expensive than full-time staff. Work was ongoing to recruit fulltime staff to vacant positions.
- The methodology used to set aside the risk provision in the budget was based on a regular review of pressures in directorate spending.
- An amount to fund budget pressures was also held corporately.

Resolved: that the report be noted.

7. Mid-year treasury management review

7.1 David Austin introduced the report, the following key points were noted:

- The current treasury strategy was compliant and no changes were proposed.
- The benchmarking information from the Council's advisors on its investments indicated that it was in line with the London average.
- Interest rates remained low, which meant securing return on investment was difficult.
- There was a variation in the Council's borrowing figures related to borrowing for Lewisham Homes to ease temporary accommodation pressures. Otherwise, the Council's borrowing was where it was expected to be.
- There had also be a restructuring of a LOBO (Lender Option, Borrower Option) loan.
- Fifty percent of the Council's borrowing was made up of public and private sources the other half was made up of borrowing for private finance initiatives.
- Some of the capital spending programme was behind schedule, in particular there had been some delay in spending housing revenue account capital funds. This money had been allocated so it would still be spent.
- Treasury management practices in local government were being reviewed by CIPFA (Chartered Institute of Public Finance and Accountancy), which set the prudential code, as well as by the Department for Communities and Local Government, which was carrying out a consultation that closed in December- on the reporting of treasury decisions.
- Some authorities had been challenged on the level of borrowing they had undertaken for commercial schemes.
- The European MiFID2 (the second Markets in Financial Instruments Directive) would also have a regulatory impact.
- The purpose of the directive was to clarify whether investors were retailers or professionals. The Council would default to a retail position, which would limit the products that could be accessed and create new burdens. Therefore, the Council would opt for professional status and officers were currently following the process for gaining approval.

7.2 David Austin and Janet Senior responded to questions from the Committee, the following key points were noted:

- Both budgets and reserves were means for the Council to spend.
- The treasury was the money that the Council held to back up spending through its budgets and reserves.
- The treasury was made up of investment of reserves and borrowing as well as the money that came in to the Council from council tax and revenue support grant from the government.
- The Council's cash balances could not evenly be equated with borrowing and investing because there was money held by the Council that had been committed and that which had been paid by suppliers.
- The Council adhered to the CIPFA financial code for investments, which prioritised investments in order of security, liquidity and return on investment.

- LOBO borrowing allowed lenders to vary the rates of interest being charged for loans, with options for borrowers to accept or reject the proposed revised rate of interest by repaying the entire loan.
- Some LOBOs had been referred to as 'toxic' because other variables had been built into the loans (including interest rates in derivatives). In some LOBOs lenders had exposed borrowers to the derivative risk. Lewisham did not have any loans with this higher level of risk built in.
- At the time they were taken out, LOBOs were the most effective mechanism for borrowing.
- Section 106 accounts were included in the treasury management accounts.
- Each PFI had a different effective interest rate.
- When the PFIs were set up, the Council received funding from the government towards the payment of the PFI interest in order to cover the capital costs.
- The revenue part of the PFI was met by funding allocated to schools from the schools budget but the Council also provided some funding to cover the remainder of the costs.
- It might appear as though schools were only paying for PFI running costs, but they were also paying capital costs.
- There were two loans to Lewisham Homes, which were being used for different purposes. Due to the rules around start aid, one loan had an added margin, the other did not.
- There had been some savings generated from better management of households in temporary accommodation, delivery of extra care schemes and building of new housing.
- The schools catering PFI in 1999 was focused on revenue expenditure. £4.5m was used to build kitchens in schools but the service element was larger.

7.3 **Resolved:** that the report be noted.

8. Select Committee work programme

8.1 The Committee discussed the work programme for the meeting on 20 December, the following key points were noted:

- Councillors sometimes had difficulty navigating the Council's website and contacting officers by telephone. It would be helpful if there was a section in the complaints report about the difficulties people faced contacting the Council.
- There would be a single meeting focus on household budgets – reviewing data about households on middle incomes and the challenges they face as well as the potential implications for income generation and Council policy.
- It was also agreed that items on PFIs and asset management would be considered at the meeting.

8.2 **Resolved:** that the report be noted and the work programme for the Committee meeting on 20 December be agreed.

9. Referrals to Mayor and Cabinet

9.1 There were none.

The meeting ended at 9.30 pm

Chair:

Date:

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Public Accounts Select Committee		
Title	Declaration of interests	
Contributor	Acting Chief Executive	Item 2
Class	Part 1 (open)	20 December 2017

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 Committee		
Title	Annual Complaints Report 2016-17		
Key decision	No	Item no	
Wards	All wards		
Contributors	Executive Director for Customer Services and Head of Public Services		
Class	Part 1	20 December 2017	

1 Executive Summary

- 1.1 This 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 received during 2016/17. There were a total of 5,743 complaints and enquiries received in 2016/17. This represents a 33% increase when compared to 2015/16.
- 1.2 This 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 82 complaints between 1 April 2016 and 31 March 2017, of which she upheld or partly upheld 41% The IA responded to 80% 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 2016/17, the LGO made decisions on a total of 38 cases, which is 5 more than last year – the figures are attached at Appendix 3.
- 1.5 The report summarises the progress made so far following the restructure of the Complaints and Casework function.

2 Purpose of Report

- 2.1 To provide information on complaints performance in 2016/17.

3. Recommendations

The Committee is recommended to:

- 3.1 Note the contents of the report.

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

The new complaints process has been introduced for 2017/18.

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 2016 and 31 March 2017 compared with performance over the same period in 2015/2016.

Table 1 – total volume of complaints and enquires by directorate

Directorate	Total Complaints and Enquiries		
	2015/16	2016/17	Variance
Children and Young People	219	295	+35%
Community Services	254	280	+10%
Customer Services	2,414	3,633	+50%
Lewisham Homes	905	824	-9%
Resources & Regeneration	516	711	+38%
Total	4,308	5,743	+33%

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

Directorate	Stage 1					Stage 2				
	2015/16	%	2016/17	%	Variance	2015/16	%	2016/17	%	Variance
CYP	80	81	134	77	+54	14	79	7	86	-7
Community Services	46	72	86	53	+40	4	75	2	0	-4
Customer Services	1,075	88	2,271	90	+1,196	100	58	63	80	-37
Lewisham Homes	451	90	339	96	-1,122	108	94	71	100	-37
Resources & Regeneration	135	63	299	75	+164	22	32	27	70	+5
Total	1,787	86	3,129	78	+1,342	248	73	170	67	-78

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

Directorate	MP			Mayor			Members		
	2015/16	2016/17	Variance	2015/16	2016/17	Variance	2015/16	2016/17	Variance
CYP	85 (82)	118 (24)	+33	8 (100)	1 (100)	-7	32 (88)	28 (32)	-4
Community Services	82 (35)	79 (48)	-3	44 (64)	17 (35)	-27	78(51)	69(52)	-9
Customer Services	767 (42)	808 (79)	+41	201 (52)	136 (82)	-65	271(60)	281 (81)	+10
Lewisham Homes	190 (44)	254 (79)	+64	29 (48)	47 (87)	+18	127 (87)	99 (96)	-28
Resources & Regeneration	121 (50)	136 (74)	+15	46 (44)	47 (73)	-4	192(71)	198 (89)	+6
Total	1,245 (45)	1,395 (61)	+150	328 (53)	243 (61)	-128	700 (68)	675 (70)	-25

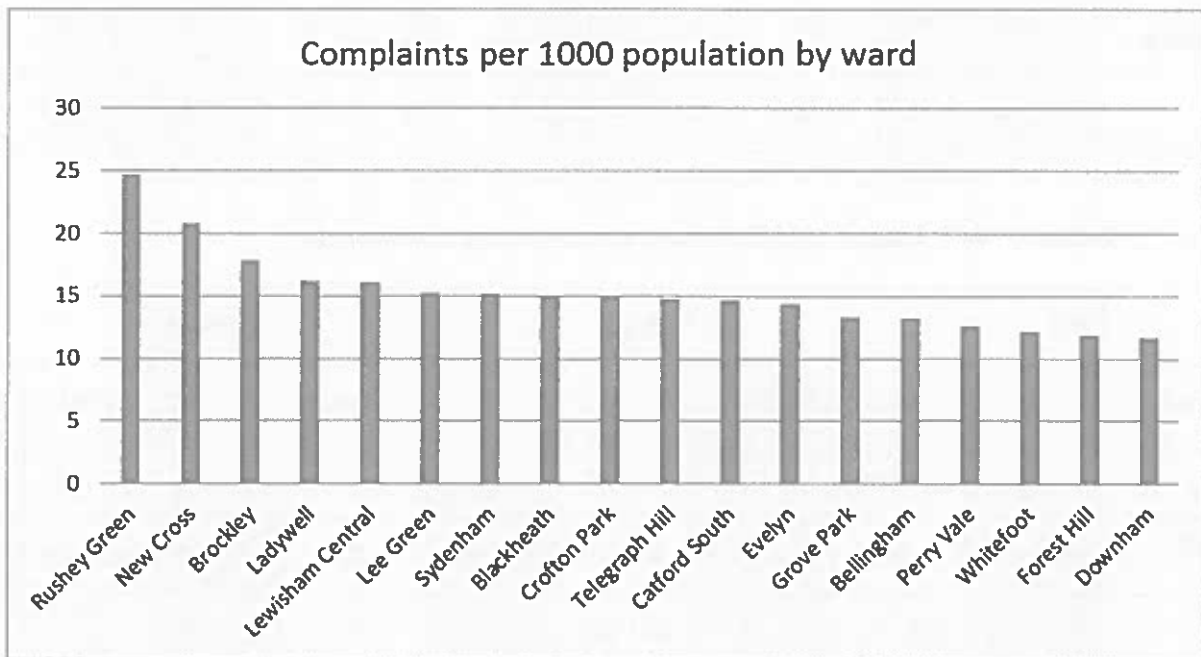
*figures in brackets denotes the percentage of cases dealt with within the specified targets

5.3 The total number of complaints and enquiries received in 2016/17 was 5,743 which was an increase of 1,435 cases (33%) on the previous year.

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 followed by New Cross Ward. The lowest number of complaints were received from 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 2015, 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	25
New Cross	21
Brockley	18
Ladywell	16
Lewisham Central	16
Lee Green	15
Sydenham	15
Blackheath	15
Crofton Park	15
Telegraph Hill	15
Catford South	15
Evelyn	14
Grove Park	13
Bellingham	13
Perry Vale	13
Whitefoot	12
Forest Hill	12
Downham	12

2016-2017

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 refuse and then housing (advice and reviews). In 2015/16 Highways was the top reason why customers complained, followed by Housing and Council Tax benefit (advice and reviews).

5.5.2 The second highest ward to receive complaints and enquiries was New Cross. The top reason why customers complained was Lewisham Homes (tenancy team), Housing (advice and reviews) and then Refuse.

5.5.3 The third highest ward to receive complaints and enquiries was Brockley with the top reason for complaints being Refuse, Housing (advice and reviews) and then Council Tax.

5.5.4 Downham received the lowest level of complaints and enquiries in both financial years.

5.6 Trends

5.6.1 On analysing the reasons for complaints, the top three issues identified for 2016-17 were as follows:

1. Highways
2. Housing Needs
3. Environment

5.6.2 This top 3 has changed from the previous year at which time Housing Benefit and Council Tax were in the top 3, along with Housing Needs and Highways.

The services with the top three issues have provided comments on what has generated complaints within their service area.

5.7 Highways

- 5.7.1 There has been an increase in complaints and queries about parking in 2016-17 in part due to the implementation of new CPZs, consultation on a proposed CPZ in Deptford South and its subsequent implementation, and on consultation and implementation of two batches of minor parking amendments Orders. These Orders contain multiple new or amended parking restrictions that cover the whole borough.
- 5.7.2 In addition, there has been significant correspondence in relation to large schemes, such as the new Streetscape scheme in Dartmouth Road.
- 5.7.3 There were many enquiries centred around the creation of and enforcement of the 20mph speed limit, and requests for traffic data that has been collected in the months following the implementation
- 5.7.4 Finally, there has been an extensive programme of road resurfacing this year and that has generated some correspondence, and complaints.
- 5.7.5 Highways are receiving increasing numbers of queries on the provision of electric vehicle charging points, and more requests from residents for measures to remove traffic, in particular HGVs from residential areas. This is set to continue during 2017-18.

5.8 Housing Needs.

- 5.8.1 Housing Needs, encompassing the Housing Options Centre and SHIP (Single Homeless Intervention and Prevention, Homesearch, etc) remains one of the top 3 areas generating the most complaints. The reasons have generally been the same as previous years-
- the decreasing amount of social housing, coupled with an increase in housing need resulting in all housing applicants waiting very long periods for an offer of housing
 - huge numbers of households in insecure temporary accommodation awaiting more permanent housing
 - the suitability and/or location of temporary accommodation
 - dissatisfaction with being placed out of Lewisham, or out of London as a whole due to the shortage of accommodation in borough
- 5.8.2 There has been a slight spike in the number of complaints and enquiries for the Allocations & Lettings Team relating to the online housing register application process (Homesearch). Customers find it hard to navigate the system to apply for the housing register. In addition, customers are finding Homesearch adverts difficult to understand, resulting in them not bidding for the most appropriate homes.
- 5.8.3 Housing Needs believe that the new Homeless Reduction Act (HRA) may potentially increase enquiries/complaints however, most of these will be dealt with under a statutory process. They anticipate that they will have a better idea of the impact of the HRA once it is live, at which time the department will adapt and review their ways of working around any issues that arise.

5.8.4 Another area that is also likely to cause complaints and enquiries is the increasing number of private sector offers being made in discharge of the Council's homeless duty. Applicants are disappointed when they do not receive an offer of social housing. Again, there is a statutory process to deal with suitability reviews but customers often approach their elected representative also to receive support with their case.

5.9 Environment

5.9.1 The main areas that generate complaints under Environment are waste services and cleansing (including, street sweeping abandoned vehicles and fly-tipping).

5.9.2 There has also been a slight increase in fly tipping complaints. Again, due to budget restraints, we cannot remove fly-tipping as quickly as we used to. The authority continues to pursue formal enforcement action and where appropriate, prosecutions are commenced against any individual or business carrying out fly tipping. However, officer resources are limited and therefore cases have to be prioritised. This can mean lower level fly-tips may not be investigated as quickly as we would like and in some cases a decision may have to be made that an investigation is unlikely to lead to evidence being located or that the case will not be in the public interest to take formal enforcement action on. In cases where any investigation is minimal, the Council will of course always remove the fly tipping if it is on an adopted highway for which it is responsible.

5.9.3 Although it falls outside the 2016-17 financial year, the service has received an increase in complaints about the waste service due to the major service change that was implemented at the beginning of October 2017. This was the introduction of fortnightly refuse collections and weekly food waste collections. Teething issues caused disruptions in collections across the borough, but these were/are being resolved as quickly as possible, and the number of complaints are now reducing.

5.10 Lewisham Homes

5.10.1 Lewisham Homes have reported the following for 2016-17:

- Complaints performance continued to improve during the year meeting the targets of 35 complaints or less per month and 90% responded to within the target time.
- Complaints about the repair service per month have halved from 26 in 2010/11 to 12 in 2016/17.
- Lewisham Homes overall performance has improved against the majority of its key performance indicators (20 out of 22), and that resident satisfaction has improved, particularly for homeowners.
- The decency level of the homes has increased from 41% in 2011 to 95% in March 2017.
- Lewisham Homes has spent £146m since 2011 delivering stock improvements and the Decent Homes programme. Despite no grant from the GLA this year, Lewisham Homes increased the decency level from 91% to 95% and will make all stock decent by April 2018.
- Work on kitchens, bathrooms and electrical rewire are now managed by the Lewisham Homes Repairs Service. They installed kitchens or bathrooms into 325 homes in 2016/17, the direct labour force who achieved 98% satisfaction from residents did a third.
- In 2016 Lewisham Homes achieved the Investors in People Gold Standard.

5.10.2 Their Business Plan achievements in 2016/17 include:

- Developing more customer focused services and more choices for resident engagement, particularly online
- Continuing conversations with residents by personal contact to find out views on services (The Big Conversation)
- Improved engagement with leaseholders to help steer service improvements
- Investment of £360,000 in environmental improvements
- Introducing a new enhanced sheltered housing support for older residents

5.11 Brockley PFI

5.11.1 RB3 report that they have performed well throughout the year. There were 699 items of correspondence and all of them were responded to within the ten working days target

5.11.2 RB3 received 57 complaints during the 2016/17 year, which is an increase of 1% comparing with the last year. 58% of complaints were related to housing management issues and 42% were regarding repairs. All of them were responded to within the required ten working days target.

5.11.3 Out of 85 stage 1 complaints, 11 escalated to stage 2 (13%) and 3 complaints escalated to stage 3 (4%). Brockley feel this is a reflection of how well they have performed in terms of 'getting it right first time' when responding to complaints.

5.11.4 RB3 report that satisfaction levels for resident participation have increased from 88% in 2015/16 to 96% in 2016/17.

5.11.5 To enable residents to feedback their ideas and suggestions about RB3's services, the PFI developed an online customer experience survey in 2016-17. RB3 will continue to monitor satisfaction levels using this tool, along with feedback from complaints and enquiries.

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 2016 to 31 March 2017.

6.2 The IA received 82 complaints during the year, nine less than in 2015/16. This breaks down to 55 (67%) about the Council/Regenter (down by five from last year); and 27 (33%) about Lewisham Homes (down by 5 from last year).

6.3 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 down from 35 to 27. The IA upheld 41% of the complaints she investigated, up from 37% in 2015/16

6.5 The IA responded to 80% of cases within the 30-day standard.

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
28 (6)	11 (4)	1 (1)	10 (6)	5 (1)	2710	82

6.7 Compensation

Compensation was awarded in 18 cases. The total amount of compensation paid was £13,699.80, of which £2,250 was for Lewisham Homes.

Table 7 - Amount of Compensation

	Up to and including £100	£100-£500	More than £500	TOTAL	
2016/17		7	6		£13,699.80
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

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, lead to an Ombudsman complaint and adds to the complainant's sense of grievance.
- 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.

6.9 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 2016/17

- 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 2017. A copy of the LGO's annual letter is attached at Appendix 2.
- 7.2 The enclosed tables present the number of complaints and enquiries received and the decisions made about the authority during the period. In 2016/17 a total of 136 complaints and enquiries were received, 27 less than 2015/16. Of the total received only 38 'detailed enquiries' were carried out of which 26 were upheld.
- 7.3 The top 3 highest number of complaints were received about:
- Housing - 36 (37 in 2015/16)
 - Education and Children's Services – 28 (37 in 2015/16)
 - Benefits and Tax – 27 (39 in 2015/16)
- 7.4 The LGO now provide 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 was one published report regarding Housing Benefits made against the Council during the year ending 31 March 2017.
- 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 2016/17

- 8.1 The Council implemented the casework review creating a new corporate complaints and casework team. Despite the disruption during this time, the team have managed to answer complaints and casework and maintain very good performance statistics.
- 8.2 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.
- 8.3 Following the recent restructure of the complaints teams Community Services have successfully maintained performance with their statutory complaints.
- 8.4 The CYP complaints team have had some challenges to overcome with retention of experienced complaints staff. They have a new manager in place and are now addressing some of the issues related to recent poor performance.
- Service specific bulletins continue to be produced for senior manager's 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.

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 new structure was put in place February 2017. It has taken approximately 6 months to train new staff and develop a fully functioning service

9.3 The new team faced a number of challenges

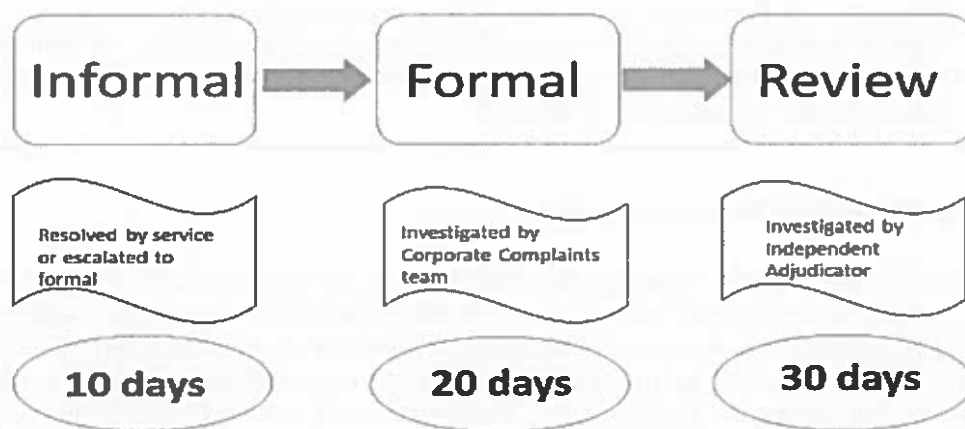
- The icasework system is out of date and in need of replacing
- There was a backlog of cases
- There were a number of outstanding investigations with the Local Government Ombudsman (LGO)
- New staff were recruited who needed training
- Existing staff who were recruited into the new team needed to upskill to deal with enquires about services they were unfamiliar with

9.4 The past 6 months have been spent addressing the above challenges.

- Officers have settled into their new roles and are confident dealing with a wider range of enquires
- We have successfully managed the LGO investigations and built up a strong relationship with our investigators. We have invited our local LGO investigator to a meeting in December 2017 to further strengthen this relationship.
- The new complaints and casework system is being implemented. The project has started and we anticipate the system to be functioning by April 2018.
- Despite the recent challenges the team have managed to answer the majority of casework and complaints on time maintaining a very good level of performance

9.5 The team have been focussing on working together and building a mature team with shared knowledge of the Council's functions and the processes for effectively dealing with complaints and casework. As a result, we have delayed implementing the new process and timescales for complaints. As we move into the new year, and with the introduction of the new complaints system we will now be working with services to introduce the new process.

9.6 The new process is shown below:



9.7 We have already consulted with some Heads of Service and have identified that the best approach to successfully implementing the changes will be achieved by transitioning services individually as opposed to a 'big bang' approach. With this in mind, the plan is to start with a few services in the new year and gradually implement the changes

9.8 The aim of the formal stage was to carry out a more detailed investigation of a complaint that had previously been undertaken. This change has already been implemented and caseworkers in the corporate team are successfully investigating complaints at this stage.

9.9 The team are also improving learning from complaints. This will be further improved as part of the next stage of the development of the team and issues and patterns escalated as appropriate.

9.10 Most of the changes have taken place post March 2017 so next year's report will pick up on the new arrangements in more detail.

9.11 The move away from contacting the Council's services by telephone will be carefully managed and will support the channel shift to quicker and effective resolution of customer contact. As this transition is primarily happening post March 2017 next year's report will pick this up in more detail.

9.12 Conclusion

Whilst the rise in the number of complaints is disappointing they still only represent a very small proportion of the millions of transactions the Council has with people living, working and learning in the borough. There can be no doubt that the savings the Council has been forced to make as a result of the government's programme of austerity will have been a significant reason for the increase. The Council will continue to use the complaints process to assist in the development of services and get feedback on the impact of changes.

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 note 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 whom 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/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.
- 11.2 There has been no major impact on the level of complaints since 2010 following the savings programme. There has been a general upwards trend in the number of complaints and casework received but this is not directly attributed to the savings programme.

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 that 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 whom 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 Georgina Chambers, Corporate Information Casework and Complaints manager on 020 8314 7956.

Review of Stage Three Complaints 2016-17 Lewisham Council and Regenter

Linzi Banks Independent Adjudicator
May 2017

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, Lewisham Homes and Regenter. She cannot question what actions these organisations have taken simply because someone does not agree with them. 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.

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Data tables Appendices 1 and 2

At a glance*

* Includes Lewisham Homes

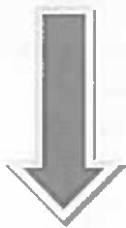
**82 complaints
received –
down from 91 in
2015/16**

**41% investigations upheld –
up from 37% in 2015/16**

24 recommendations to put things right

Significant changes on previous year (complaints received)

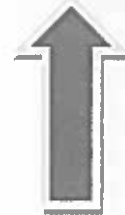
SEN



Repairs



Planning



Introduction

This report publishes the complaint statistics of the Independent Adjudicator (IA) for the London Borough of Lewisham and its partner, Regenter, for the year ending 31 March 2017. In publishing the statistics, available in a data table at the end of this report, I aim to highlight lessons learned about the authorities' performance and their complaint handling arrangements, so that these might then be fed back into service improvement.

I have written a separate report about Lewisham Homes, though the figures for all authorities are included and attached, and some crossover issues are mentioned.

The headline messages from this year's statistics are:

- I received 82 complaints – down from 91 last year – and comprising 55 about the Council and Regenter (a decrease of one) and 27 about Lewisham Homes (a decrease of eight).
- I upheld 41% of the complaints I investigated, up from 37% in 2015/16.

- The area most complained about was Customer Services (28 complaints).
- The biggest increase in complaints was in Resources and Regeneration (up from five to 11).

I know, however, that the numbers alone do not tell everything about the attitude towards complaints and how they are responded to.

Arguably, of more importance, is to understand the impact those complaints have on people, and to learn the lessons from those complaints to improve the experience for others.

In line with my previous practice, I publish information about the recommendations I make to put things right when people have suffered. I made 24 separate recommendations to remedy injustice. These recommendations include actions for the authorities to take to remedy injustice for individuals, and to prevent injustice for others by improving practice.

My investigations can also provide the authorities with the reassurance that they

have carried out a fair investigation of a complaint, and satisfactorily offered to put things right, before the person decided to come to me.

The IA is the final stage of the authorities' complaints process – the person affected must have gone through the other stages before coming to me for an independent review of the case. So, in relation to the many thousands of exchanges happening daily between the authorities and the people in their areas, the number of stage three complaints is a tiny proportion of those exchanges, and, indeed, of the number of complaints received (% of the xxx complaints and enquiries about the Council and its partners in 2016/17); however, each one represents a problem that was not put right locally, or an experience that drove the person to pursue their complaint with me. Attached to this report is a Digest of Cases giving examples of such problems and experiences.

Making a difference: remedying injustice

Experience suggests that the most effective and timely way to resolve a complaint is for it to be put right at the local level before the issue escalates to me.

However, my casework shows that a number of complaints are not resolved satisfactorily locally, leaving people to ask me for an independent review. I carried out 41 detailed investigations, and upheld 37% of these (15 in number).

I found fault in two planning complaints, two refuse/fly tipping complaints and two special educational needs (SEN) complaints. I upheld one complaint each in council tax, repairs, housing allocations, temporary accommodation, home improvement grants, building control, abandoned vehicles, adoption and the childminder register.

I class a complaint as upheld or partly upheld when I find some fault in the way the Council or Regenter has acted. This

includes complaints where these authorities have acknowledged fault in their local investigation and offered to take action to put it right, but the person still wanted an independent review by me.

Types of remedy

If I decide the Council or Regenter have acted with fault, and the fault caused an injustice, I will make recommendations to put things right to remedy the fault. My recommendations are designed to place people back in the position they were in before the fault happened.

So, for example, this year, I proposed that the Council's Building Control Officers should investigate, and take action on, an unauthorised conversion of one flat into two that was causing the complainant a nuisance; that Planning Officers should expedite enforcement action on an illegal women's hostel affecting the complainant's amenity, providing the complainant with plan of action, a tentative timescale for taking that action, and regular updates; and that

SEN Officers should ensure, as a matter of urgency, the return of a child to full time provision as soon as possible, noting that two years had been missed as a result of Council failings.

In many complaints, I will also recommend an apology if this has not already been given.

If the injustice cannot be remedied through a specific action, I may recommend a financial payment.

So, in one SEN complaint, I proposed the payment of £1000 where the impact of the Council's failings in responding to the child's special educational needs was particularly severe on the family; in another, I suggested £300; and, in an adoption case, where the Council had failed to explain clearly to the complainants their rights as potential adopters and the rights of the identified

child's foster carer, I felt that £9589.80 was due to cover costs that the complainants had unnecessarily incurred in getting ready for the adoption.

Improving services

I always consider whether the issues uncovered in an investigation may affect other local people in a similar manner, and whether I can make practical recommendations to avoid that happening. So, for example, this year, I recommended that the Council should:

- Tighten up its procedures for dealing with prior approval applications.
- Review and improve its procedures for dealing with home improvement grants.
- Take steps to ensure that its list of childminders on its website is always up to date.
- Amend its notice to remove and destroy a vehicle.

Complaint numbers and commentary

- Complaints about the Council and Regenter that were in my jurisdiction have gone down again this year from 42 to 37.
- The number of complaints about Resources and Regeneration went up by two (from five to seven), as did complaints about Regenter (from two to four).
- Children and Young People (CYP) complaints fell from eight to four.
- Customer Service complaints fell from 26 to 22.
- There were no complaints about Community Services that fell within my remit.

Though any increases are regrettable, I am not unduly concerned as the numbers are tiny, and they will invariably fluctuate from year to year. What I will say, however, is that I am most pleased with the decrease in CYP complaints – down from eight to four - and especially those about SEN (two).

The upheld rate for complaints has gone up this year – from 35 to 37 per cent - but I find no particular cause for this other than that it suggests that, rightly, the more complex cases are coming to me; the cases where there are serious failings; and the cases where those failings have had a significant impact on the complainant.

However, I bring the following to the attention of the Council and Regenter:

- In some complaints, there was no stage one or stage two response.
- In other complaints, these authorities had missed what I considered was obvious maladministration.
- In a number of complaints, I think that officers should have proposed a remedy, but they didn't.

All of the above justified my involvement, I believe, and, crucially, they justified an adverse finding. I hope to see a decrease in such findings, and, indeed, a decrease in the number of stage three complaints, with the introduction of the Council's new

complaints process and its much more robust approach.

Even before this approach was adopted, however, the number of stage three complaints fell again this year as I report. This is welcome given the significant changes in many Council services, mentioning, for example, the stricter priorities for responding to flytipping; and the introduction of a paid green waste service. That these changes might have resulted in complaints but did not is a positive sign, in my view.

Also, the decrease can be partly explained, I think, because, despite not proposing remedies in some complaints, officers did suggest them in others without any prompting by me, and I was, consequently, persuaded that there was no case for me to investigate.

So, for example, in a council tax complaint, officers gave an apology and offered to review what had gone wrong; and, in a complaint about a home improvement grant, the Council removed the charging order from the

complainant's property
and waived fees of £226.

In my view, these were
eminently responsive
remedies to the injustice
suffered.

Complaint handling: General

- The Council and Regenter generally met the five days timescale for responding to my enquiries, although there were exceptions and I was forced to chase.
- The replies to my enquiries were generally thorough, but in some instances, they lacked a chronology, or they lacked detail, or they were poorly written (as was the stage one and stage two response), and I felt that a meeting with officers was necessary to secure the information that I required to reach a view.
- In a number of cases, there was delay in implementing my proposed remedy, and this added to the complainant's sense of grievance (leading to an Ombudsman complaint on one occasion); it caused me time and trouble in chasing; and I was forced to seek the help of senior officers.

CYP

Last year, I reported serious concerns about CYP, not only in the way it handled complaints, but also in the way it dealt with SEN. I had continuing concerns this year:

- In a complaint about a care assessment, referred to me by the Local Government Ombudsman (LGO), I asked the service area why it had not been dealt with under the statutory process: this was something that the LGO asked too. In my view, the issues should have been investigated under that process: they were not for me or for the Corporate Complaints procedure.
- In a second complaint about a care assessment, I explained that the service area needed to be clear why the complainant wanted a stage three investigation before referring it to me; and that they could not simply skip stage three as they proposed, and refer the matter directly to the LGO, even if this was what the complainant wanted.

- In a third complaint about a care assessment, where there were inaccuracies in a report on the complainant's children and the assessments were poor, I felt that some matters should have been considered by Information Governance, and others should have been taken under the Children Act.
- In a complaint about education admissions, and referred to me by officers, I advised the service area that this type of complaint was not for me, but for the Office of the Schools Adjudicator and the LGO (who would also take the case if an appeal had been heard). I was concerned that the service area seemed not to know this.

In response to these issues, and to the concerns that I had identified previously in my annual review of 2015/16 including poor and late replies to my enquiries (which were continuing), senior managers asked to meet me. I was reassured that they were committed to better complaint reporting; better

complaint handling; a desire to understand where a complaint might sit – with Corporate Complaints or under the statutory process; and the continued reduction in SEN complaints, noting a willingness to settle such complaints and to suggest imaginative remedies.

eventual willingness to remedy the complaint (along with Lewisham Homes).

Temporary accommodation

In a complaint about temporary accommodation – a function that passed from the Council to Lewisham Homes in September 2016 – I found that valuable opportunities at stages one and two of the process had been missed by the Council to spot what had gone wrong and provide redress. More importantly, there were serious failings in responding to my enquiries, including delay; not providing sufficient information; the relevant officers failing to turn up to a meeting I had arranged to secure that information, so that I was forced to hold a second meeting; and, initially, a denial by the Council that it had any role whatsoever. I am highly critical of this, but I am pleased to report, that the Council showed an

My performance and comments

I have:

- Responded to 80% of all complaints about the Council and Regenter within 30 days, missing the target of 90% because, in eight cases, complaint handling by officers was poor; or the responses from these authorities were deficient; or further enquiries and meetings with officers were necessary; or the Council's computer system was down; or officers had asked me to hold despatch of my final decision letter. I hope that such issues will not reoccur this year.
- Had no decisions overturned on complaints referred to the LGO or Housing Ombudsman (HO).
- Met the Housing Ombudsman's representative to explain my role, as well as to understand the workings of the HO and the remedies they use.
- Met even more complainants than in previous years.
- Urged officers to spot opportunities to

remedy a complaint and to discuss such remedies with me, or seek guidance from publications issued by the LGO and Housing Ombudsman.

- Encouraged well written complaint replies and apologies.
- Continued with my quarterly digest of cases to inform officers of the kinds of complaints I uphold, the remedies I suggest and the lessons that can be learned.
- Continued with my regular newsletter for senior managers to highlight any concerns and suggested service improvements.
- Met officers from Lewisham Homes to discuss complaint handling as well as my role: providing an interim complaint report for officers to consider; and offering training on dealing with complaints, good letter writing and remedies.
- Responded to the increasing pressures that officers face in their day to day work, and especially in responding to my enquiries, by trying to reach a view on the information available already, or asking for

simple facts, or organising a meeting where this is quicker and easier.

I have referred above to the Council's new complaints process. I hope that it will lead to more robust complaint handling throughout the authority, including spotting opportunities for remedies, and a reduction in the number of complaints that are escalated. I also hope to see timely and thorough complaint responses. I hope to see too the prompt implementation of my remedies, with regular updates to me and to the complainant.

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

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

REVIEW OF STAGE THREE COMPLAINTS 2016 – 2017 - LEWISHAM COUNCIL AND REGENERATOR

Appendix 1

Total cases received/open and determined: 1/4/16 – 31/3/17

TOTAL CASES RECEIVED 1/4/16 – 31/3/17	NO. OF CASES CARRIED OVER FROM 2015/16	NO. OF CASES DETERMINED	NO. OF CASES WITHDRAWN/ OUTSIDE JURISDICTION	NO. OF CASES OPEN AS OF 31/3/17
*82	8	59	28	3

*Includes Lewisham Homes

Number of cases determined

TOTAL CASES DETERMINED	UPHELD IN FULL	UPHELD IN PART	NOT UPHELD
*59	11 (19%)	13 (22%)	35 (59%)

*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
47* (80%)	**10 (17%)	**2 (3%)

*Includes Lewisham Homes

**These complaints were particularly complex and required significant investigation. In six of them, complaint handling was poor, the responses from the Council and/or Lewisham Homes were deficient, and further enquiries were necessary sometimes more than once: in two, the IA was unable to despatch her decision letter on time because either the Council's computer system was down, or she had been asked to hold the letter pending an officer discussion with her.

Number of cases received: a comparison

The Council and Regenter	Lewisham Homes	Total cases received
55 (67%)	27 (33%)	*82

*Includes 28 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 (28)

Customer Services	Resources and Regeneration	Community Services	Children and Young People	Regenter	Lewisham Homes	TOTAL
28 (6)	11 (4)	1 (1)	10 (6)	5 (1)	27 (10)	82

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
Council Tax	9 (1)	9 (1)	
Repairs	7 (4)	1 (1)	6 (3)
Planning	6 (2)	6 (2)	
Leaseholders	5 (1)	3	2 (1)

Housing management	3 (1)		3 (1)
Housing allocations	3 (1)	3 (1)	
ASB	3 (1)		3 (1)
Refuse collection/flytipping	3 (2)	3 (2)	
SEN	2 (2)	2 (2)	
Benefits	2	2	
No Recourse to Public Funds	2	2	
Trees	2	2	
Temporary accommodation	2 (2)	1 (1)	1 (1)
Housing Improvement Grants	1 (1)	1 (1)	
Major Works	1 (1)		1 (1)
Building Control	1 (1)	1 (1)	
Parking permits	1 (1)		1 (1)
Abandoned vehicle	1 (1)	1 (1)	
Blue Badge	1	1	
Golf club closure	1	1	
Garages	1		1
Adoption	1 (1)	1 (1)	
Childminder register	1 (1)	1 (1)	
Total for all Council	59 (24)	41 (15)	18 (9)

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

Compensation awarded in nine cases including those against Lewisham Homes*

Up to and including £100	£101 - £500	£501 and above	TOTAL - COUNCIL/RB3	TOTAL INC LH
	£860	£10589.80	£11449.80	£13699.80**

**Lewisham Homes - four cases - £2250*

***In a further three cases – one about Lewisham Homes, one about the Council and a joint complaint against both authorities, the IA proposed compensation, but she was unable to determine the amount pending action by one or both of the authorities that would help her establish the level of injustice suffered and a fair and reasonable remedy in response.*

20 July 2017

By email

Barry Quirk
Chief Executive
London Borough of Lewisham

Dear Barry Quirk

Annual Review letter 2017

I write to you with our annual summary of statistics on the complaints made to the Local Government and Social Care Ombudsman (LGO) about your authority for the year ended 31 March 2017. The enclosed tables present the number of complaints and enquiries received about your authority and the decisions we made during the period. I hope this information will prove helpful in assessing your authority's performance in handling complaints.

The reporting year saw the retirement of Dr Jane Martin after completing her seven year tenure as Local Government Ombudsman. I was delighted to be appointed to the role of Ombudsman in January and look forward to working with you and colleagues across the local government sector in my new role.

You may notice the inclusion of the '*Social Care Ombudsman*' in our name and logo. You will be aware that since 2010 we have operated with jurisdiction over all registered adult social care providers, able to investigate complaints about care funded and arranged privately. The change is in response to frequent feedback from care providers who tell us that our current name is a real barrier to recognition within the social care sector. We hope this change will help to give this part of our jurisdiction the profile it deserves.

Complaint statistics

Last year, we provided for the first time statistics on how the complaints we upheld against your authority were remedied. This year's letter, again, includes a breakdown of upheld complaints 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.

We have chosen not to include a 'compliance rate' this year; this indicated a council's compliance with our recommendations to remedy a fault. From April 2016, we established a new mechanism for ensuring the recommendations we make to councils are implemented, where they are agreed to. This has meant the recommendations we make are more specific, and will often include a time-frame for completion. We will then follow up with a council and seek evidence that recommendations have been implemented. As a result of this new process, we plan to report a more sophisticated suite of information about compliance and service improvement in the future.

This is likely to be just one of several changes we will make to our annual letters and the way we present our data to you in the future. We surveyed councils earlier in the year to find out, amongst other things, how they use the data in annual letters and what data is the most useful; thank you to those officers who responded. The feedback will inform new work to

provide you, your officers and elected members, and members of the public, with more meaningful data that allows for more effective scrutiny and easier comparison with other councils. We will keep in touch with you as this work progresses.

I want to emphasise that the statistics in this letter 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. The aim of this is to be transparent and provide information that aids the scrutiny of local services.

During the year we issued one public report against your Council. This arose from a previous complaint where the Council had failed to properly deal with a request for an appeal against a benefits decision. The Council agreed to remedy the complaint by dealing with the appeal. However the Council did not do so and instead sent bailiffs to the complainant's home seeking payment of one alleged debt and sent confusing correspondence about another alleged debt. This resulted in a new complaint to my office. We issued a public report because of the seriousness of the Council failing to provide a remedy it had freely agreed to, compounded by its sending bailiffs. We were able to close the case when the Council provided evidence the recommendations had been complied with in full.

Unfortunately, there have been examples of poor complaint handling by your Council in the investigations we conducted this year, which is disappointing. In one instance, the Council maintained during our investigation that it was not at fault for failing to accept a homelessness application and for placing the complainant in a room smaller than the legal minimum for statutory overcrowding. Fault was accepted only after my Investigator spoke to a manager and sent a draft decision. As the facts were clear, this could have been done much sooner. Though the Council agreed a remedy, the complainant had to return to us two months later as the apology and financial payments had not been made. This is particularly concerning given it mirrors issues identified in the case we publicly reported, referred to above.

In other examples, my investigators have been required to contact your Council several times to get responses. There have also been instances of incomplete responses and two complaints gave cause for concern about the Council's handling of complaints under the statutory children's complaints procedure.

More positively, I am pleased to note the Council has responded constructively and promptly to our proposals to remedy two complaints about school transport. I hope to see more examples of this good practice during this year.

The statutory duty to report Ombudsman findings and recommendations

As you will no doubt be aware, there is duty under section 5(2) of the Local Government and Housing Act 1989 for your Monitoring Officer to prepare a formal report to the council where it appears that the authority, or any part of it, has acted or is likely to act in such a manner as to constitute maladministration or service failure, and where the LGO has conducted an investigation in relation to the matter.

This requirement applies to all Ombudsman complaint decisions, not just those that result in a public report. It is therefore a significant statutory duty that is triggered in most authorities every year following findings of fault by my office. I have received several enquiries from

authorities to ask how I expect this duty to be discharged. I thought it would therefore be useful for me to take this opportunity to comment on this responsibility.

I am conscious that authorities have adopted different approaches to respond proportionately to the issues raised in different Ombudsman investigations in a way that best reflects their own local circumstances. I am comfortable with, and supportive of, a flexible approach to how this duty is discharged. I do not seek to impose a proscriptive approach, as long as the Parliamentary intent is fulfilled in some meaningful way and the authority's performance in relation to Ombudsman investigations is properly communicated to elected members.

As a general guide I would suggest:

- Where my office has made findings of maladministration/fault in regard to routine mistakes and service failures, and the authority has agreed to remedy the complaint by implementing the recommendations made following an investigation, I feel that the duty is satisfactorily discharged if the Monitoring Officer makes a periodic report to the council summarising the findings on all upheld complaints over a specific period. In a small authority this may be adequately addressed through an annual report on complaints to members, for example.
- Where an investigation has wider implications for council policy or exposes a more significant finding of maladministration, perhaps because of the scale of the fault or injustice, or the number of people affected, I would expect the Monitoring Officer to consider whether the implications of that investigation should be individually reported to members.
- In the unlikely event that an authority is minded not to comply with my recommendations following a finding of maladministration, I would always expect the Monitoring Officer to report this to members under section five of the Act. This is an exceptional and unusual course of action for any authority to take and should be considered at the highest tier of the authority.

The duties set out above in relation to the Local Government and Housing Act 1989 are in addition to, not instead of, the pre-existing duties placed on all authorities in relation to Ombudsman reports under The Local Government Act 1974. Under those provisions, whenever my office issues a formal, public report to your authority you are obliged to lay that report before the council for consideration and respond within three months setting out the action that you have taken, or propose to take, in response to the report.

I know that most local authorities are familiar with these arrangements, but I happy to discuss this further with you or your Monitoring Officer if there is any doubt about how to discharge these duties in future.

Manual for Councils

We greatly value our relationships with council Complaints Officers, our single contact points at each authority. To support them in their roles, we have published a Manual for Councils, setting out in detail what we do and how we investigate the complaints we receive. When we surveyed Complaints Officers, we were pleased to hear that 73% reported they have found the manual useful.

The manual is a practical resource and reference point for all council staff, not just those working directly with us, and I encourage you to share it widely within your organisation. The manual can be found on our website www.lgo.org.uk/link-officers

Complaint handling training

Our training programme is one of the ways we use the outcomes of complaints to promote wider service improvements and learning. We delivered an ambitious programme of 75 courses during the year, training over 800 council staff and more 400 care provider staff. Post-course surveys showed a 92% increase in delegates' confidence in dealing with complaints. To find out more visit www.lgo.org.uk/training

Yours sincerely

A handwritten signature in black ink, appearing to read 'M King', with a horizontal line underneath the name.

Michael King
Local Government and Social Care Ombudsman for England
Chair, Commission for Local Administration in England

For further information on how to interpret our statistics, please visit our website:
<http://www.lgo.org.uk/information-centre/reports/annual-review-reports/interpreting-local-authority-statistics>

Complaints and enquiries received

Adult Care Services	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environment Services	Highways and Transport	Housing	Planning and Development	Other	Total
16	27	5	28	6	11	36	5	1	135

Decisions made

		Detailed Investigations			Complaints Remedied	
Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed After Initial Enquiries	Not Upheld	Upheld	Uphold Rate
7	4	60	31	12	26	68%
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.				by LGO		23
				Satisfactorily by Authority before LGO Involvement		1
				Total		140



	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
Refuse	46	48	54	58	79	52	29	70	56	64	57	76	35	56	50	60	37	30	957
Advice and Reviews	31	7	38	28	12	26	28	16	31	16	21	40	37	10	45	32	27	34	479
Housing and Council Tax Benefits	28	4	23	32	16	16	24	8	17	7	11	31	31	21	10	23	11	19	332
Council Tax	15	11	27	15	10	11	25	15	15	20	13	29	25	9	26	15	21	23	325
LH - Tenancy - Tenancy Team	7	15	17	1	4	2	37	2	7	1	11	9	44	10	10	16	29		222
Highways - Street Works	3	9	5	2	2	6	2	4	3	5	10	8	4	5	74	2	4	2	150
LH - Repairs - Responsive Repairs	3	14	15		4		28	5	1	2	5	7	28	8	5	6	13	1	145
Highways - Traffic Management Act	6	7	6	8	5	6	1	10	5	13	12	15	11	5	9	7	6	3	135
Street Services	8	7	4	11	8	12	5	5	9	3	9	10	11	5	6	1	10	7	131
Corporate Complaints	3	4	10	7	6	4	9	5	8	8	9	7	8	2	12	10	6	4	122
Green Space	9	6	5	6	11	5	1	1	6	6	3	2	5	7	7	4	11	8	103
Policy	4	8	6	5	8	1	5	4	3	4	7	5	4	4	12	6	8	3	97
Parking	2	8		3	4	1	2	5	4	4	4	13	7	2	11	3	3		76
LH - Service Improvement - Customer Relations Team	2	9	5				7	2	1		4	2	9	4		11	5		61
Casework Team (Customer Services)	3	3	5	3	3	1			2	8		3	5	3	5	2	2	3	51
Recycling	2	4	2	2	4	1	2	3	6	2	5		1	5	2	7	1	2	51
Rehousing Development	3	2	3	2	1	2	3	3	3		1	6	2	3	5	1	5	4	49
Environmental Enforcement	3	3	4	7	2	3	3	1	1		2		3	2	9		3		46
Private Sector Housing		1		10	2	5	2		1	2	3	1	5	2	3	1	2	4	44
Other service areas	2	3	3		3	6	2	1	2		3	4	3		2	3	1	5	43
Anti-social Behaviour	6	2	1	2	1	3	1			2	1	3	5		11		1	1	40
Education	1		2	1	2	1	5		2	3	1		3	3	2	1	2	4	33
Access																			
Single Homeless Intervention and Prevention	1	2	5	1	1	1	2	2		3	5	1			2	1	1	3	31

	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
Housing - Tenancy			14		1					13									28
Integrated neighbourhoods	1	1			3	1			2	4	2	2	1	1	5		1	3	27
LH - Major Works - Capital Programming		2	1		1			3		1	3	2	3	1	2	2	4		25
Children with disabilities	1	1		4	1	1	1	1	3		2		1		2	1	1	4	24
Library and Information Services	3	1		2		2	1	1			4		1	4	2	1		1	23
Complaints Team (CYP)	1	1		4		2	2		1		2	1		1	1	5	1		22
CSC Telephony		1	2	1	2	1	1	1		3		2	1	2	1	1		3	22
Development Control		2	1							6		4	1		7	1			22
LH - Tenancy - ASB			2	1	1		6				1		3	3	1	1	3		22
Property - Repairs			14							8									22
Housing - Customer services			10		4					5						2			21
LH - Repairs - Technical Team		2			1		2	1			1	1	3	6			4		21
LH - Tenancy - Occupancy	2	4					2				1	1	2	1	2	1	4		20
Highways - Transport Works	1		2	2	2		1			1	3	1	2	1	3		1		18
LH - Leasehold Services			2				4	1			3		1	1	1	3	2		18

	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
LH - Estate Services - Caretaking		1					1	4	1				3	3	2	1	1		17
MITIE			2										12		1		2		17
Housing Strategy		1		1						1			4		4	1	1	2	16
LH - MNE - Gas		4	2				3				1	1		1		2	2		16
Casework Team (Regeneration)			1	2	1		2		1		3	1		1	1	1			14
Executive Director's Office	1	2	2		2	1	1			1	1	1		1				1	14
Private Sector Leasing	2		2	3				1			1	1	1	2				1	14
Concessionary Awards Team	3	2	1	1			1					2				1	1	1	13
Customer Relations Team (Community Services)					1		2				4		4	1					12
Electoral Services			2	1	1	1		1				1	1			1		3	12
Lewisham Enforcement Services			1	1				1				3	1	1	1	2		1	12
Corporate Communication		1			1	1		2	1	1	1	1		1					11
Sport and Leisure		1		1	2			1			3				2			1	11
Street Lighting		2			2	1		2		2	1				1				11

	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
Insurance and Risk				2	2				1			2			1	2			10
LH - Estate Services - Grounds Maintenance		2	2				1						4				1		10
No Recourse	1				1	1				1		1			1		2	2	10
Business Regulatory Services	1			1	2	2						1				1	1		9
Community Safety			1		1										4	1			9
LH - Major Works - Construction Delivery		1					2						4	1		1			9
LH - MINE - Other											3		1	1			3		9
Breyer											2	3				2			8
Housing - Income										3									8
Lewisham Homes (DH)		3					1				1		2				1		8
Student and Pupil Services					2				2									1	8
Customer Relations Team			4							3									7
Family Support and Intervention						1		1		1		1					2		7

	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 - Maintenance Utilities							1						2	2	2				7
LH - Repairs - Contact Centre	2			1								1		2		1			7
LH - Repairs - Voids		1	1				1	1								3			7
AWLD Social work			1			1				1		1	1				1		6
Fleet					1	1						1					1	2	6
Health Intelligence			2									1			2	1			6
LH - Income Team - Patch 1		1									1	1				1	2		6
Referral and assessment			1												2		1		6
School Improvement							1				1		1		3				6
Asset Strategy & Development		1		1				1		1					1				5
Economic Development			1				1					1	1				1		5
Housing - Caretaking			3							2									5
LH - Customer Services		1	1				1									1	1		5
Looked after children			1			1	1						1		1				5

	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
Trading Standards					2	1	1					1							5
Events		1				1					1				1				4
Joint Commissioning											1		1		2				4
LH - Repairs - Disrepair	1	1					1					1							4
Registry Office										2	1						1		4
Resources - Leasehold services			3							1									4
Special Educational Needs									1				1				1		4
							1											1	4
Anti-Fraud and Corruption							1									2			3
LH - Estate Services - Bulk Waste Collection & Flytipping														1	1				3
Adaptations																	1		2
Adoption and support				1											1				2
Bereavement						1			1										2

	Beilingham	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
Business Rates										1					1				2
Community Mental Health Team				2															2
Community Sector									1						1				2
Early Years Service						1												1	2
Education Business Partnership															1	1			2
Finance and Property			1						1										2
Joint health & social care (Prevention)		1							1										2
LH - Health & Safety		1											1						2
LH - MNE - Lifts								1						1					2
LH - Resources - Community Involvement								1									1		2
LH - Resources - Finance		1						1											2
LH - Tenancy - Garage Team					1												1		2
Property Services	1																1		2
SCAT			1							1									2

	Beilingham	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
14-19																		1	1
Arts and Entertainment															1				1
Business Support Facilities Management Cashiers													1						1
Child protection and safeguarding								1											1
Corporate Technology	1																		1
CSC Face to Face				1															1
Day Opportunities and Support													1						1
Door 2 Door																		1	1
Education Psychologists and Learning Support (EPLSS) Emergency Planning																			1
Ewart Road Cop					1														1
Executive Directors' Office										1									1

	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 - Landscape Architects															1				1
Housing and Litigation										1									1
Housing Partnership and Development	1																		1
Leaving Care															1				1
LH - Resources - Law & Governance							1												1
LH - Service Improvement - Service Development Team					1														1
Licensing															1				1
London Pensions and Authority Contributions Performance											1								1
Personnel	1																		1
Placement and Procurement												1							1
Programme Management										1									1
Recruitment				1															1

	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
Revenues and Accounting							1												1
Road Safety												1							1
Social Care and Health												1							1
Technology Solutions Team									1										1
Urban Design, Conservation and Heritage								1											1
Youth Service										1									1
Grand Total	212	225	331	234	234	187	269	191	202	241	246	319	352	208	388	258	260	190	4547

PUBLIC ACCOUNTS SELECT COMMITTEE			
REPORT TITLE	Update on Private Finance Initiatives (PFI's)		
KEY DECISION	No	Item No.	5
WARD	N/A		
CONTRIBUTORS	Head of Financial Services		
CLASS	Part 1	Date	20 December 2017

1. EXECUTIVE SUMMARY

- 1.1 The Council has eight operational PFI schemes. This report provides summary information regarding those schemes and sets out the rationale and key financial considerations.

2. PURPOSE

- 2.1 The purpose of this report is to provide members of the Public Accounts Select Committee with an overview and update on the Council's existing PFI schemes and to engender a wider discussion at the committee.

3. RECOMMENDATION

- 3.1 The Public Accounts Select Committee is recommended to note the contents of this report concerning the Council's PFI schemes.

4. POLICY CONTEXT

- 4.1 Presenting financial information in a clear and meaningful format contributes directly to the council's tenth corporate priority: inspiring efficiency, effectiveness and equity.
- 4.2 The Council's PFI schemes directly contribute to the achievement of the Council's corporate priorities of Young People's achievement and involvement (School PFI schemes), Decent Homes for all (Brockley Housing PFI scheme), Active Healthy Citizens (Downham Lifestyles PFI) and Clean, Green and Liveable (Street Lighting PFI).

5. BACKGROUND TO PRIVATE FINANCE INITIATIVES

- 5.1 The Private Finance Initiative (PFI) schemes are a public-private partnership used to deliver capital investment. Typically, the private sector takes on responsibility for the design, build, financing and operation (DBFO) of a new asset, with the public sector agreeing to provide revenue funding over the life of the scheme. A key feature of PFI schemes is that an element of risk associated with each stage of delivery has been transferred from the public sector to the private sector. As there

are various aspects to PFI schemes, the private sector partner usually consists of a consortium of companies who are specialists in each area.

- 5.2 The key differences between a conventional public sector delivery of a new asset, and delivery through a PFI scheme are set out in the table below:

Public Sector conventional delivery	PFI scheme delivery
Public sector is purchaser of <i>assets</i>	Public sector is purchaser of <i>services</i>
Public sector generally designs or builds the asset to its own specification	Private sector consortium generally designs, builds, owns, operates and maintains <i>physical assets</i>
Public sector directly meets the costs of designing and building the asset, as those costs are incurred	Private consortium designs and builds the assets, and funds that work, in the expectation of recovering the cost over the life of the contract through on-going charges that the public sector will pay for the service over the life of the PFI scheme

- 5.3 As at 31 March 2016, across the UK there were 716 PFI and PF2¹ projects (686 operational) with a total capital value of £59.4 billion.

- 5.4 PFIs have long been criticised for being an expensive way to deliver assets with significant profits being generated for the private sector partners. At the 2017 Labour party conference, the Shadow Chancellor went so far as to suggest that a new Labour government would review all PFI contracts and, if necessary, bring them under government control. There is an argument, however, that the PFI has enabled the public sector to procure both a range and standard of new assets that would have been much more difficult to deliver under traditional procurement methods and limited capital budgets².

6. OVERVIEW OF LEWISHAM COUNCIL'S PFI SCHEMES

- 6.1 The Council has eight operational PFI schemes. Five of these are related to Schools, one to Housing (Brockley), one to Leisure (Downham) and one to Street Lighting. The table below is taken from the Council's Statement of Accounts and shows for each scheme: the start and end date; the total estimated cost; total PFI credits (grant income from government); and the net cost.

PFI Scheme	Brockley Housing	Downham Lifestyles	Grouped Schools	BSF 1	BSF 2	BSF 3	BSF 4	Street Lighting
Start of Contract	2007	2007	2007	2009	2011	2012	2012	2011
End of Contract	2027	2039	2036	2035	2037	2037	2038	2036
Total Estimated Cost	£285m	£76m	£226m	£240m	£85m	£118m	£223m	£95m
Total PFI Credits	£207m	£30m		£674m				£54m
Net PFI Cost	£78m	£46m		£218m				£41m

Note: BSF = Building Schools for the Future

¹ PF2 was a modification to PFI launched by the government in 2012

² Public Finance article 23 October 2017

Summary description of schemes

- 6.2 Brockley Housing: the provision of the housing management services, repairs and maintenance and Decent Homes standard refurbishment work to 1,845 leasehold and tenanted properties in the Brockley area.
- 6.3 Downham Lifestyles: the provision of the Downham Lifestyles Centre, providing health and leisure facilities.
- 6.4 Grouped Schools PFI: the rebuild and running of three schools (Greenvale special school, Forest Hill secondary school and Prendergast Ladywell school).
- 6.5 BSF 1: the rebuild and running of two secondary schools (Conisborough and Sedgehill).
- 6.6 BSF 2: the construction and running of Trinity school.
- 6.7 BSF 3: the rebuild and running of Deptford Green school.
- 6.8 BSF 4: the rebuild and running of two secondary schools (Bonus Pastor and Prendergast the Vale) and Drumbeat special needs school.
- 6.9 Street Lighting: a joint scheme with the London Borough of Croydon for the replacement and maintenance of street lighting columns.

7. FINANCING OF LEWISHAM COUNCIL'S PFI SCHEMES

- 7.1 As set out in section 5, in a PFI scheme the private sector is responsible for the upfront financing costs associated with delivering the new assets. The Council's contribution towards the scheme costs is through unitary charge payments which are made throughout the life of the scheme. The cost to the Council is also subsidised by the government through PFI credits which are grant payments made at a fixed rate throughout the life of each scheme.
- 7.2 The unitary charge payments include a fixed element and an element which is linked to inflation. This means the overall value of unitary charges increases each year by an amount linked to inflation. The total unitary charges paid by the Council amounted to £51,868k in 2016/17 (£51,087k in 2015/16); the breakdown of these charges by scheme is set out in the table below:

	Brockley housing	Downham Lifestyles	Grouped Schools	BSF 1	BSF 2	BSF 3	BSF 4	Street Lighting	Total
	£000	£000	£000	£000	£000	£000	£000	£000	£000
2016/17	14,821	2,349	7,310	8,634	2,957	4,221	7,912	3,664	51,868
2015/16	14,620	2,314	7,253	8,534	2,935	4,184	7,815	3,433	51,087

8. VALUE FOR MONEY OF PFI SCHEMES

8.1 As PFI's have evolved and both the public and private sectors have better understood the levels of risk transfer and the most effective ways to manage these, PFI contracts have been refined and standardised to provide the public sector with improved mechanisms to ensure better value for money. Combined with robust and proactive contract management by officers within the Council, the following provisions included within PFI's are designed to deliver value for money:

- Periodic benchmarking of costs.
- Regular liaison meetings between Council officers and private sector partners.
- A requirement for the private sector partners to support the Council in the continuous achievement of best value as defined by economy, efficiency and effectiveness including social value.
- A sharing of efficiencies achieved in procurement of e.g. insurance, financing and utilities.
- Contractual provision for deductions from unitary charge in the event of sub-standard service.

8.2 These provisions help the Council to ensure it is getting the best possible outcomes and value for money from its PFI schemes.

8.3 The Council actively monitors these contracts to ensure that all of the mechanisms identified above are appropriately applied and savings or efficiencies realised. Most recently, the Council has worked with CIPFA to undertake an efficiency review of a sample PFI scheme to see whether benefits could be realised. This review was based primarily on the Treasury guidance 'Making Savings in Operational PFI Contracts' and CIPFA's experience. The exercise has to date been able to deliver minor benefits across a range of areas within the contract and the review continues to explore whether further savings can be achieved. Officers will be able to discuss this in greater depth at the meeting.

9. FINANCIAL IMPLICATIONS

9.1 This report provides members of the Public Accounts Select Committee with an overview of the Council's PFI schemes. There are no direct financial implications in noting this report.

10. LEGAL IMPLICATIONS

10.1 There are no legal implications directly arising from this report.

11. CRIME AND DISORDER ACT IMPLICATIONS

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

12. EQUALITIES AND ENVIRONMENTAL IMPLICATIONS

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

13. CONCLUSION

- 13.1 The Council has eight active PFI schemes supporting service delivery across a range of service area. The Council works with its private sector partners to ensure these schemes continue to provide value for money.

BACKGROUND PAPERS AND REFERENCES

Lewisham Council Statement of Audited Accounts 2016/17
(see page 68 for note re PFI schemes)

<https://www.lewisham.gov.uk/mayorandcouncil/aboutthecouncil/finances/Documents/StatementofAccounts16-17AuditedV3.pdf>

Note on PFI's produced by Scrutiny Unit of House of Commons:

<https://www.parliament.uk/documents/upload/0807pfi.pdf>

HM Treasury: 2016 summary data on PFI's

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/579271/PFI_and_PF2_projects_2016_summary_data.pdf

Article in Public Finance magazine 23 October 2017

http://www.publicfinance.co.uk/feature/2017/10/saving-private-finance?utm_source=Adestra&utm_medium=email&utm_term=

For further information on this report, please contact Selwyn Thompson, Head of Financial Services on 020 8314 6932

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Public Accounts Select Committee		
Title	Household budgets	
Contributor	Head of Corporate Resources and Scrutiny Manager	Item 6
Class	Part 1 (open)	20 December 2017

Reasons for urgency and lateness

The report has not been available for five clear working days before the meeting and the Chair is asked to accept it as an urgent item. The report cannot wait until the next meeting because the Council's annual budget is due to be considered at that meeting. The report was not available for despatch on Tuesday 12 December due to officer commitments and workloads.

1. Purpose of paper

- 1.1 At its meeting on 19 April 2017, when agreeing on items for its 2017-18 work programme, the Committee decided to undertake a review into the pressures on household budgets in Lewisham.
- 1.2 The Committee discussed a scoping paper for a review at its meeting in July 2017. It also received an update on the work of the Poverty Commission from officers working for that group.
- 1.3 The Committee agreed that, in light of the Poverty Commission's comprehensive review of housing, employment and childcare for low income families, it would look at the pressures facing middle income households. Given the demands on the Committee's work programme, it was also agreed that the review would focus on a single meeting with primary focus given to analysis and review of existing data.
- 1.4 This report sets out information and analysis for the Committee to consider.

2 Recommendations

- 2.1 The Select Committee is asked to:
 - note the content of the report;
 - direct questions to officers in attendance at the meeting on 20 December.

3 Policy context

- 3.1 Lewisham has a sustainable communities strategy¹, which sets out a vision of a borough which is dynamic and prosperous - where people are part of vibrant communities and town centres, well connected to London and beyond. The content of this paper reflects this vision.
- 3.2 The content of this paper is also consistent with the Council's corporate priorities²:

¹ [Lewisham's Sustainable Communities Strategy](#)

² [Lewisham Council's Corporate Priorities](#)

- The Council is committed to strengthening the local economy by gaining resources to regenerate key localities and strengthening employment skills.
- It is a Council priority to protect children and to help working families with access to affordable childcare.
- There is an overarching Council priority to inspire efficiency, effectiveness and equity in the delivery of services.

4 Background

The global financial crisis and the cost of living

- 4.1 The global financial crisis in 2007/08 shook the foundations of Britain's banking sector and spilled over into the rest of the economy. This prompted the government to act in order to stabilise the country's financial industry.
- 4.2 As the government took emergency measures to stabilise Britain's banks, households began to reduce their spending. The Office for National Statistics (ONS) subsequently reported that by the end of 2008 total spending by households fell for the first time since 1968. Household spending then fell for a further two quarters, for the first time since the records began.
- 4.3 As the situation began to stabilise and uncertainty about jobs and the cost of living eased, the pressure on household budgets decreased. Nonetheless, Office for National Statistics figures³ show that over the last decade real earnings growth has been weak.
- 4.4 Furthermore, as highlighted during the discussion about Britain leaving the European Union at the Committee's meeting in April 2017, the country is entering into a period of uncertainty and the pressure on household budgets is likely to become an increasing issue of concern for Lewisham residents.

The Council's budget challenge

- 4.5 In the period following from the financial crisis, the government moved to reduce its spending and the requirement for borrowing. It drew on the resources of the public sector to make deep and sustained reductions in spending on services. The cuts to funding for local government have had a major impact on the way in which services are managed and delivered.
- 4.6 The Lewisham Future Programme is the Council's organisational approach to making the savings required by the Government. The Programme has enabled officers to identify a set of thematic and cross-cutting reviews, from which the Council targets its savings activities. Some examples of these include: smarter assessment arrangements and deeper integration of health and social care, incorporating public health; approaches to safeguarding and early intervention services; opportunities for asset rationalisation; a strategic review of income generation and the drive to make further reductions in management and corporate overheads.

³ Office for National Statistics- analysis of real earnings November 2017:
<https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours/articles/supplementaryanalysisofaverageweeklyearnings/latest>

4.7 The Council has committed to shielding frontline services from cuts, with the intention that the most vulnerable are protected from steep reductions in services. Nonetheless, the medium term financial strategy, considered by the select committee in July, highlighted that the Council was required to find savings of £33m in the two years to 2019/22 - £22m in 2018/19 and £11m in 2019/20. It was also noted that from 2010 to 2020 this would bring the total savings delivered (and required in the years to 2020) to £193m, of which £160m have been agreed with £153m delivered and £7m in the forecast overspend for 2017/18.

4.8 The Committee has noted in regular budget reports that there is an outlook for austerity until at least 2020/21. Yet, the level of cuts required by the Government is becoming increasingly difficult for the Council to deliver. In two of the past three years, the Council has used its reserves to balance its budget and at the end of each of these years directorate budgets have been overspent as officers find it more difficult to deliver savings and maintain services at the same time. In the budget report to Council in the spring of 2017 it was reported that:

‘...the Council cannot do all that it once did, nor meet all those expectations that might once have been met, for we are in a very different financial position than just a few years ago. Very severe financial constraints have been imposed on Council services with cuts to be made year on year on year...’
(Budget report 2017, p8)

The role of scrutiny

4.9 Scrutiny committees in Lewisham are proactive in their attempts to improve the lives and wellbeing of people in Lewisham. There are a number of reports and reviews, which are related to the issue of household budgets. Some examples are given below.

4.10 The Public Accounts Select Committee’s 2012 review of fairness in procurement, pay and employment practices at the Council drew on work carried out by fairness commissions at other councils. The Committee welcomed Lewisham’s efforts to ensure equality in the workforce. It also welcomed the Council’s support for paying employees the London living wage in Lewisham, both to direct employees of the Council and to employees paid by sub-contractors.

4.11 The Committee’s review was carried out over a series of evidence gathering sessions and feedback from the local community was also sought. The Committee recognised that public services were a significant employer in the Borough and it wanted to determine how the Council could make residents more aware of opportunities at the Council for the employment of local people – in particular on trainee and apprenticeship schemes.

4.12 The Sustainable Development Select Committee’s review of financial exclusion in Lewisham (also in 2012) sought to explore the problems experienced by people without access to financial products and services. Members were concerned about the impact of the recession on vulnerable households in Lewisham. The Committee sought to explore how residents could gain better access financial products and how they might be better supported to avoid getting into financial difficulty.

- 4.13 The Committee also found that there were increased pressures on those who are financially excluded, or likely to become excluded, including:
- Increased unemployment and lack of job opportunities
 - Increased costs of living
 - Increased rents, especially within the private rented sector
 - Rising energy bills
 - Changes to benefits system
- 4.14 The Committee took a range of evidence from partners, including support organisations and Lewisham’s credit union. Members recommended that a financial inclusion partnership be set up to bring together partners in Lewisham in order to avoid vulnerable households becoming financially excluded.
- 4.15 The Safer Stronger Communities Select Committee’s poverty review in 2016 took evidence from officers and external witnesses about the extent of poverty, and its impact, in Lewisham. The Committee’s resulting report and recommendations led the Council’s executive to set up a commission to explore the causes, and potential solutions, to the issue of poverty in the borough.

Lewisham’s Poverty Commission⁴

- 4.16 At the beginning of September 2016, Mayor and Cabinet considered a response to the recommendations of the Safer Stronger Communities Select Committee’s poverty review. The Mayor appointed Councillor Dromey as the cabinet lead for coordinating the Council’s efforts to tackle poverty. It also agreed the creation of a ‘poverty taskforce’ to develop a comprehensive poverty strategy for Lewisham.
- 4.17 Setting up the Lewisham Poverty Commission in February 2017, Councillor Dromey (Commission Chair), said that it would be ‘...looking to develop innovative policy responses that can make a real difference, even in these difficult times’.⁵ The Council has invited representatives of organisations with a special interest in poverty to work alongside councillors, in order to develop new policy approaches to tackling poverty in the borough.
- 4.18 The Commission held a series of meetings as well as engagement activities with local people. It submitted its final report to Lewisham’s full Council in November 2017⁶.

5 Household budgets

- 5.1 The Committee is interested to understand more about the pressures facing households on average incomes. It recognises the primary importance of households in poverty, however, it is also concerned about the impact of rising costs and stunted income growth on the ability of households to reach a decent standard of living. The demands on household budgets are illustrated by the work on the minimum income standard, which is compiled by the Joseph Rowntree Foundation.

⁴See: <http://councilmeetings.lewisham.gov.uk/documents/s43839/Poverty%20Review.pdf>

⁵ Poverty commission: <https://www.lewisham.gov.uk/news/Pages/New-poverty-commission-launched.aspx>

⁶ Tackling poverty in Lewisham: <https://www.lewisham.gov.uk/inmyarea/Pages/Tackling-poverty-in-Lewisham.aspx>

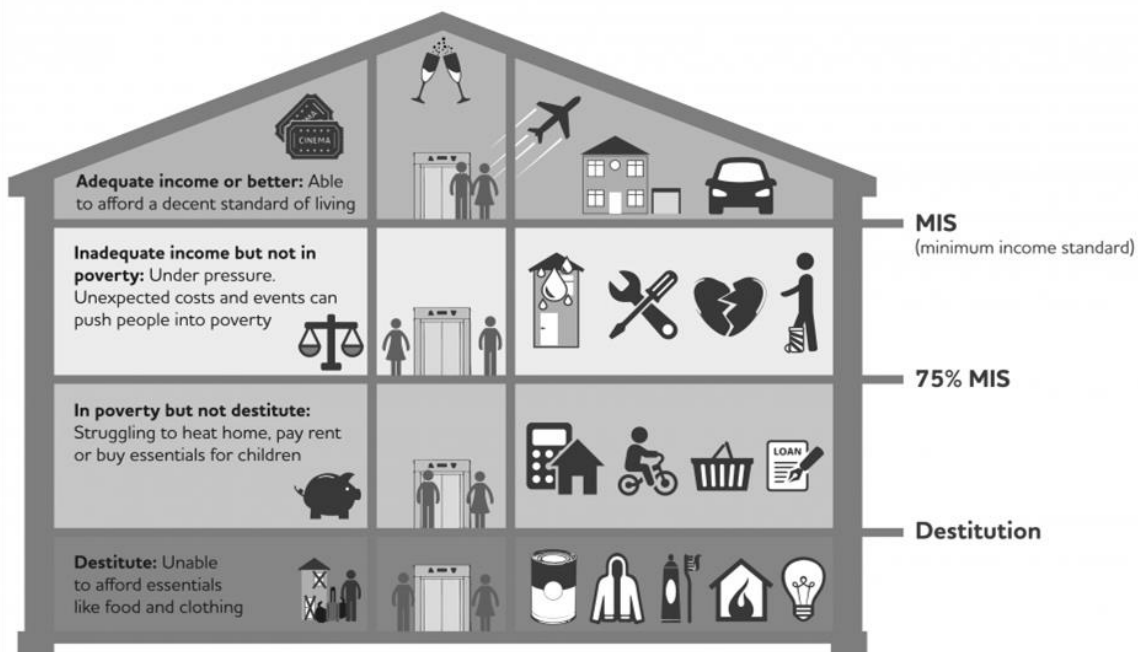
Minimum income standard

- 5.2 The Joseph Rowntree Foundation has carried out research to determine what people in the UK believe is a minimum acceptable standard of living⁷. Researchers ask groups of participants to determine what necessities households need to have in order to reach an acceptable minimum standard of living. The results of the assessment are challenged and refined by other groups until such point that there is consensus about what constitutes a minimum acceptable standard. ‘...a minimum is more than about survival alone. However, it covers needs not wants; necessities, not luxuries; items that the public think people need in order to be part of society.’ (Joseph Rowntree Foundation, 2016)
- 5.3 Participants in the research are split into four groups representing four different households:
- Lone parent household
 - Couple with young children
 - Couple without children
 - Retired couple
- 5.4 Groups are asked to comment on the decisions made by other groups until a consensus can be reached about what constitutes a minimum standard. The level of detail in the standard is high. Researchers have collected a range of household items and clothing and determined replacement cycles. Nutritionists assess the household requirements for food shopping and calculations have been made for the costs of services and activities.
- 5.5 Using the same methodology, the Trust for London has created a minimum income standard for London. The Trust’s London report sets out several key differences between the MIS in London and elsewhere in the UK. As might be anticipated, a significant difference in costs is due to the price of housing in London. There are also differences in the cost of childcare, transport and leisure activities.

The difference between poverty and minimum incomes

- 5.6 The minimum income standard and discussions about poverty are connected but people who fall below the standard are not always considered to be in poverty. The picture below illustrates how the minimum income standard and definitions of poverty are related.

⁷ JRF - Minimum income calculator- <https://www.jrf.org.uk/minimum-income-calculator-do-you-earn-enough-basic-standard-living>



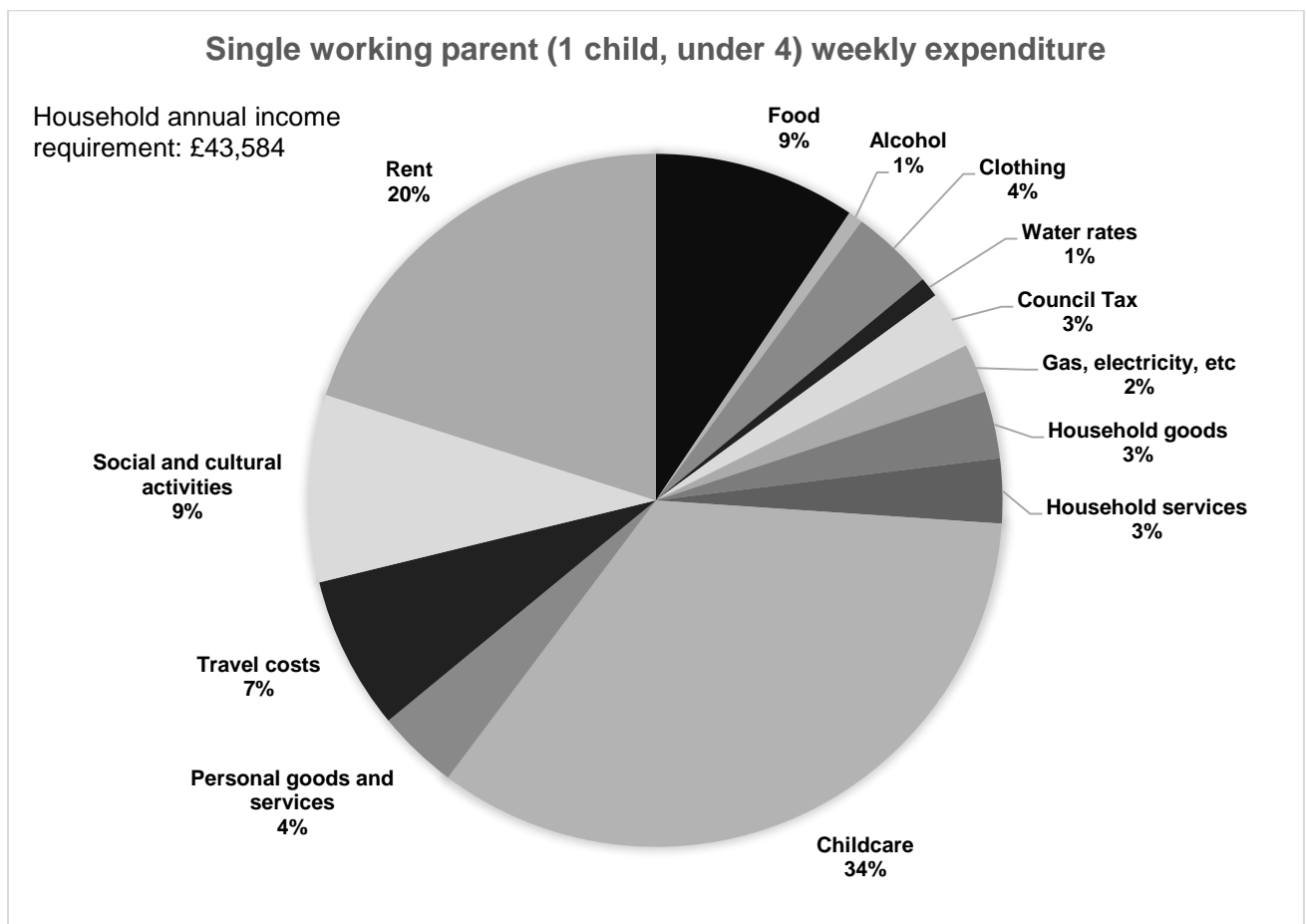
- 5.7 Lewisham’s Poverty Commission was tasked with agreeing a definition for poverty for the borough. It accepted the definition being used by the Joseph Rowntree Foundation: ‘When a person’s resources (mainly their material resources) are not sufficient to meet their minimum needs (including social participation).’⁸
- 5.8 The Joseph Rowntree Foundation and its partners have also developed a minimum income calculator⁹ to demonstrate the different levels of income households need in order to meet the minimum income standard. The calculator itemises household expenditure to indicate how much needs to be spent on various items in order to reach a minimum acceptable standard (as judged by participants in the research). Using the calculator, a set of household budgets have been created (below), based on the four key households used to develop the minimum income standard.
- 5.9 The cost of housing is a significant determining factor in the amount of disposable income that households have available. The minimum income calculator uses rental figures based on the minimum standard deemed acceptable for each of the example households defined by the research. It is also weighted for inner London but it calculates that accommodation for a single parent household in social housing would cost in the region of £130p/w and for a family with two children £150p/w. This can be compared with median rents in Lewisham:

Type of rental	Monthly cost	Weekly cost
Room	£650	£150
Studio	£850	£196
Two bedrooms	£1350	£312
Three bedrooms	£1600	£369

⁸ JRF, a definition of poverty, <https://www.jrf.org.uk/report/definition-poverty>

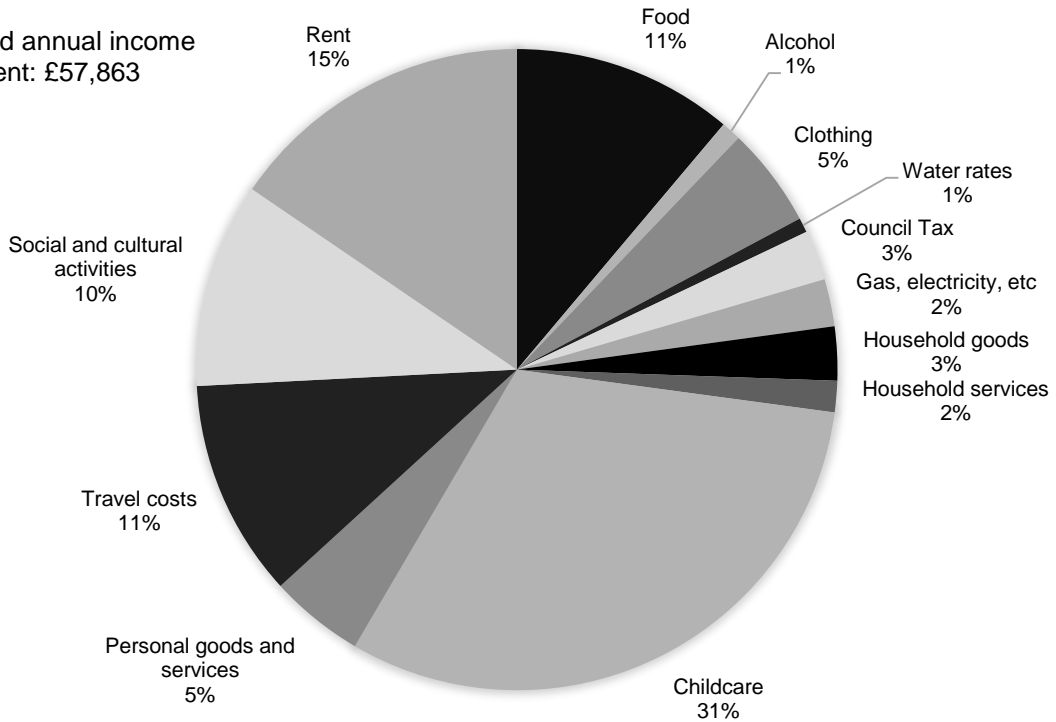
⁹ Minimum Income Calculator: <http://www.minimumincome.org.uk/>

5.10 The charts set out an approximate proportion of each of these households' income is spent on each of the key items as well as an approximation of the required level of household income for each of these household types:



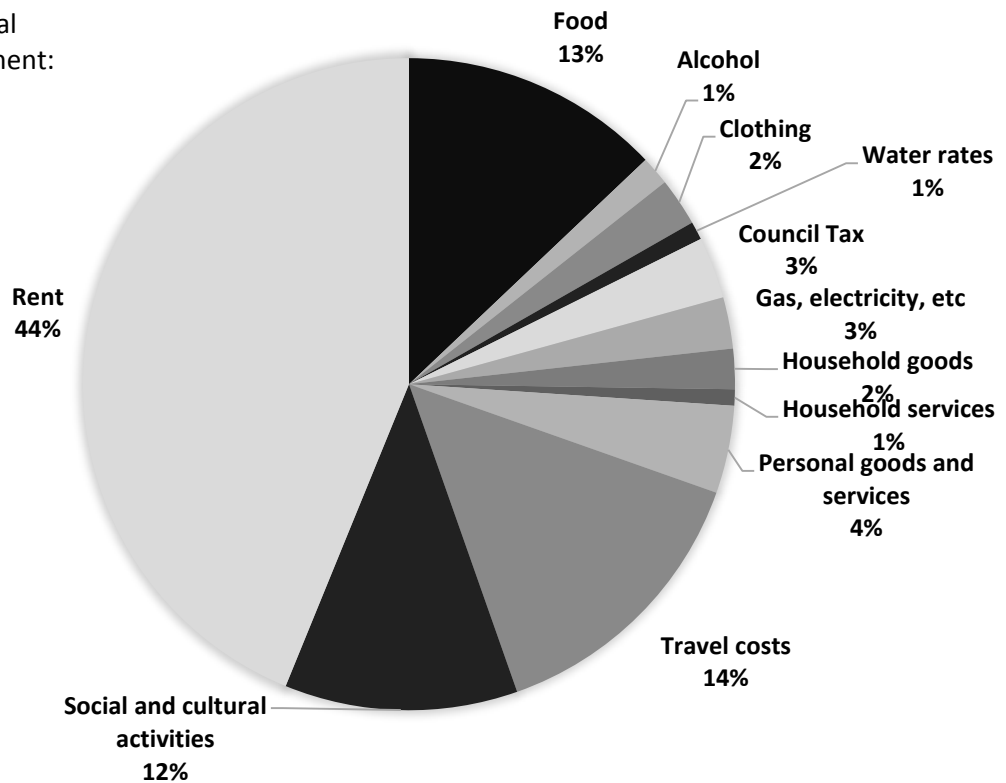
Couple with two children (one under four, one primary age) weekly expenditure

Household annual income requirement: £57,863



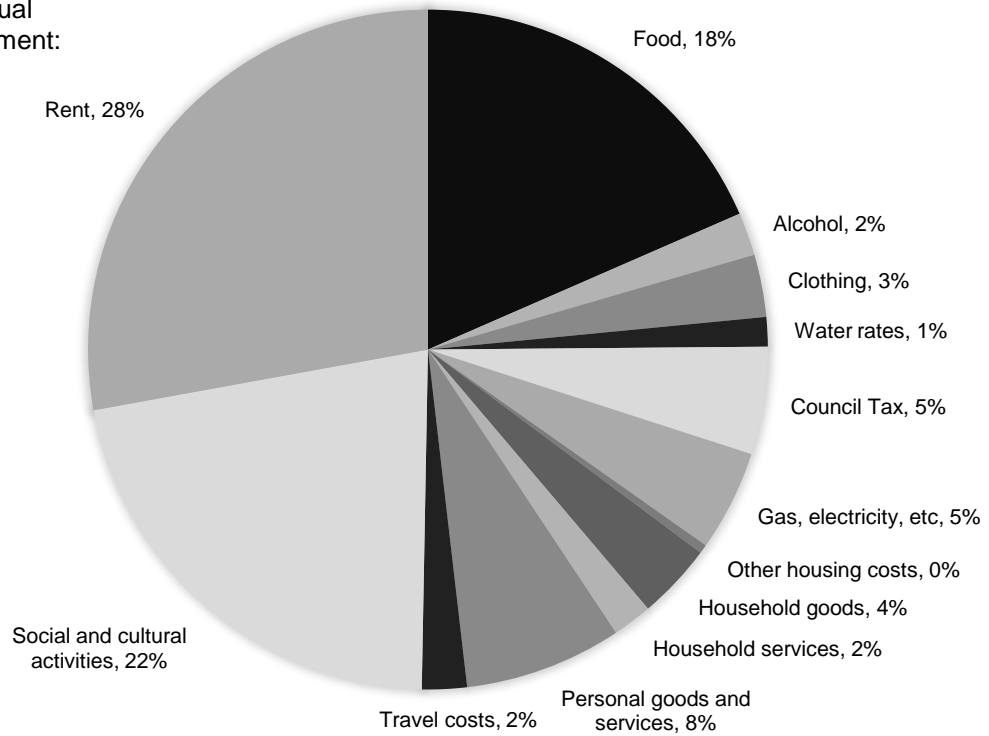
Working age couple without children weekly expenditure

Household annual income requirement: £42,944



Retired couple (no dependent children) weekly expenditure

Household annual
income requirement:
£27,070



Lewisham's households

5.11 In the 2011 census a question was asked about household composition, which provided a breakdown of the different household types in Lewisham:

Household composition

	Households	
	Lewisham Local Authority	
	count	%
All households	116,091	100.0
One person household	39,680	34.2
Aged 65 and over	9,994	8.6
Other	29,686	25.6
One family household	59,590	51.3
All aged 65 and over	3,134	2.7
Married or same-sex civil partnership couple	26,242	22.6
No children	7,985	6.9
Dependent children	14,152	12.2
All children non-dependent	4,105	3.5
Cohabiting couple	11,419	9.8
No children	6,755	5.8
Dependent children	4,200	3.6
All children non-dependent	464	0.4
Lone parent	18,795	16.2
Dependent children	13,301	11.5
All children non-dependent	5,494	4.7
Other household types	16,821	14.5
With dependent children	5,257	4.5
All full-time students	718	0.6
All aged 65 and over	307	0.3
Other	10,539	9.1

Source: ONS - 2011 Census (KS105EW)¹⁰

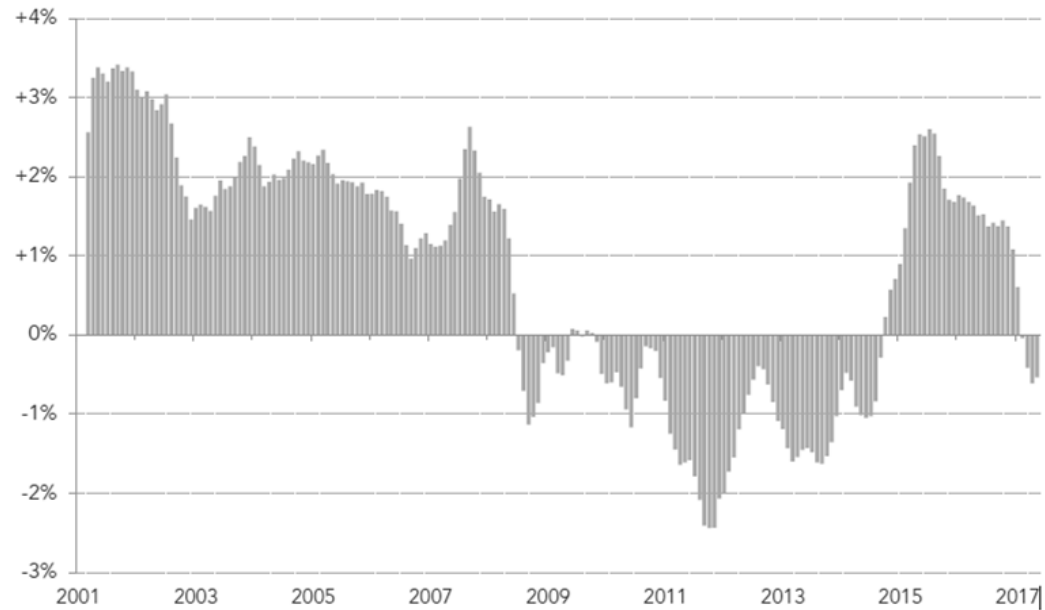
National household incomes

- 5.12 The following three graphs from the Resolution Foundation report on living standards in April 2017 show where and why the squeeze is being felt.
- 5.13 This first graph shows how the real-terms squeeze on incomes has returned in 2017. Average weekly earnings are no higher now than they were in 2005. The squeeze continues with inflation running at up to 1% above wage growth. And earnings are not forecast to return to pre- 2008 crises levels until well into the 2020s.

¹⁰ Nomis 2017: https://www.nomisweb.co.uk/reports/localarea?compare=1946157254#section_7_4

Figure 12: The earnings squeeze has returned in 2017

Growth in real-terms regular pay (CPIH-adjusted)

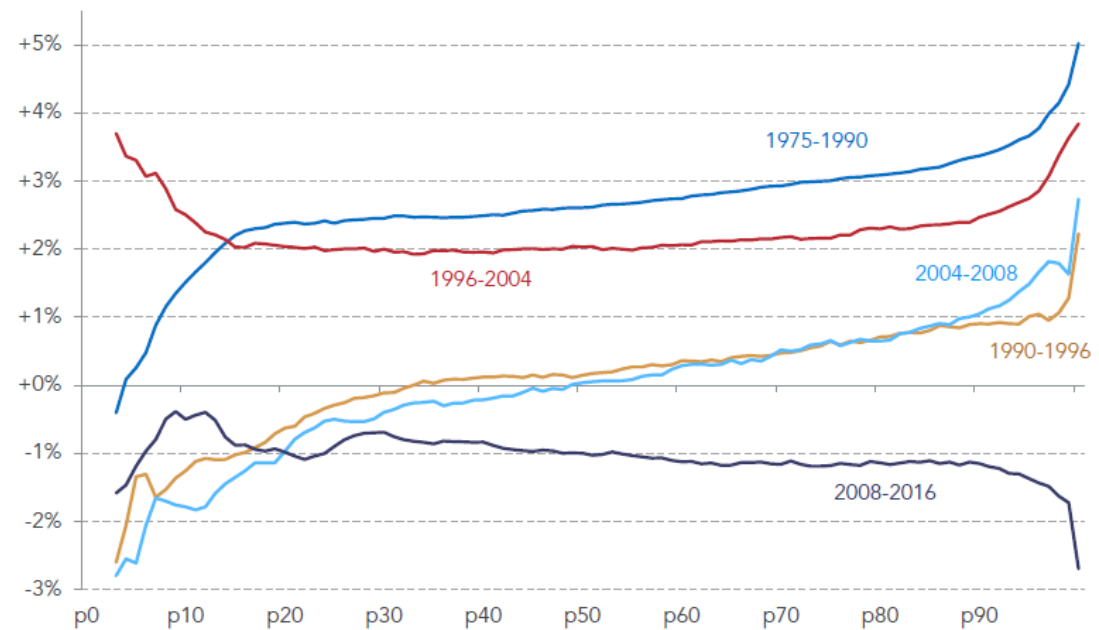


Source: ONS, Labour Market Statistics

5.14 This earnings squeeze is the most severe for the past 150 years, considerably more than the impact of the twentieth centuries recessions. Also different to previous recessions is how, with the exception of the very poorest and very richest, the impact has been relatively equally felt.

Figure 14: The post-crisis squeeze on wages has been relatively evenly felt

Average year-on-year growth in real-terms weekly pay (CPIH-adjusted)

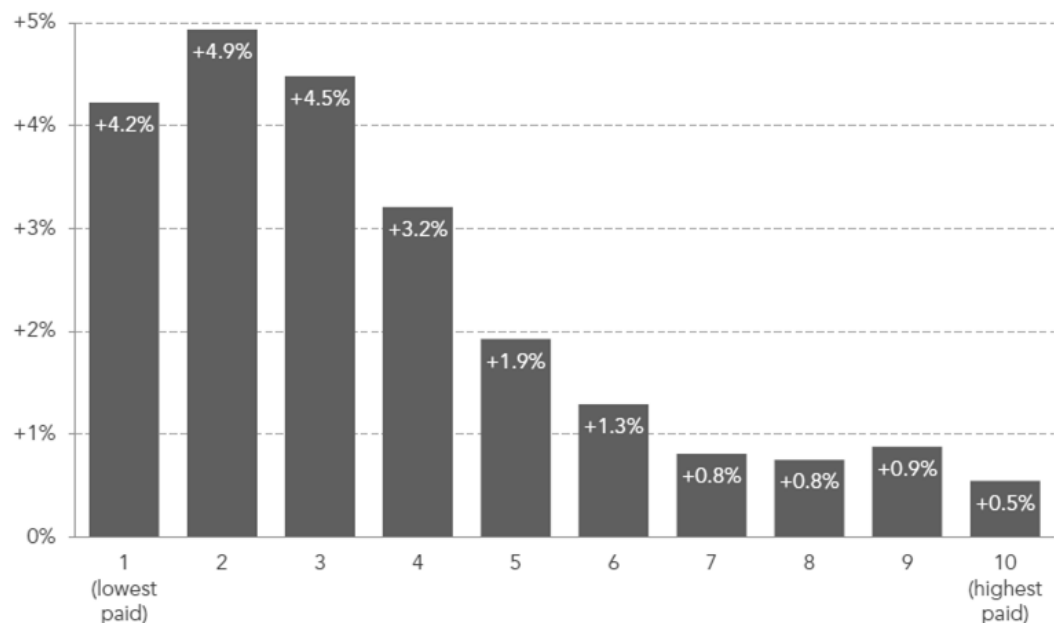


Sources: RF analysis of ONS, Annual Survey of Hours and Earnings & New Earnings Survey Panel Dataset

5.15 This difference is further shown by the distribution of wage growth by decile of the working population in the graph below. Wages have been protected for the lower earning portion of the workforce at the same time as welfare support or benefits (e.g. child tax credits) have been restricted for those earning more.

Figure 15: Annual growth in weekly pay was heavily skewed towards lower earners in April 2016

Average year-on-year growth in real-terms weekly pay by weekly earnings decile (CPIH-adjusted)



Sources: ONS, Annual Survey of Hours and Earnings

5.16 The NOMIS census information records the Lewisham average earnings by residence for a full time worker in November 2017 as follows, compared to London and the UK.

Gross Pay	Lewisham	London	UK
Weekly income	£633.3	£654.6	£552.2
Annual income	£32,932	£34,039	£28,740.4
Lewisham position v others	-	97%	115%

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Lambeth Council financial resilience strategy:

<https://moderngov.lambeth.gov.uk/documents/s65134/Financial%20Resilience%20Scoping%20Paper.pdf>

Minimum income calculator:

<http://www.minimumincome.org.uk/>

Office for National Statistics (ONS) – breakdown of family spending:

<https://www.ons.gov.uk/peoplepopulationandcommunity/personalandhouseholdfinances/expenditure/bulletins/familyspendingintheuk/financialyearendingmarch2016>

ONS- effect of the recession on household budgets:

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Public Accounts Select Committee		
Title	Select Committee work programme 2017-18	
Contributor	Scrutiny Manager	Item 7
Class	Part 1 (open)	20 December 2017

1. Purpose

- 1.1 To advise Committee members of the work programme for the 2017-18 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 2017-18.
- 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.
- give consideration to the report at **Appendix D**, which sets out the policy and legislative programme of the newly elected government.

4. Work programme

- 4.1 The work programme for 2017-18 was agreed at the 19 April 2017 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

5.1. The following reports are scheduled for the meeting on 6 February 2018:

Agenda item	Review type	Link to corporate priority	Priority
Annual budget 2018/19	Performance monitoring	Inspiring efficiency, effectiveness and equity	High

6. Financial implications

6.1. There are no financial implications arising from the implementation of the recommendations in this report. 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.

7. Legal implications

7.1. 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.

8. Equalities implications

8.1. 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.

8.2. 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.

8.3. 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.

Background documents

Lewisham Council's Constitution

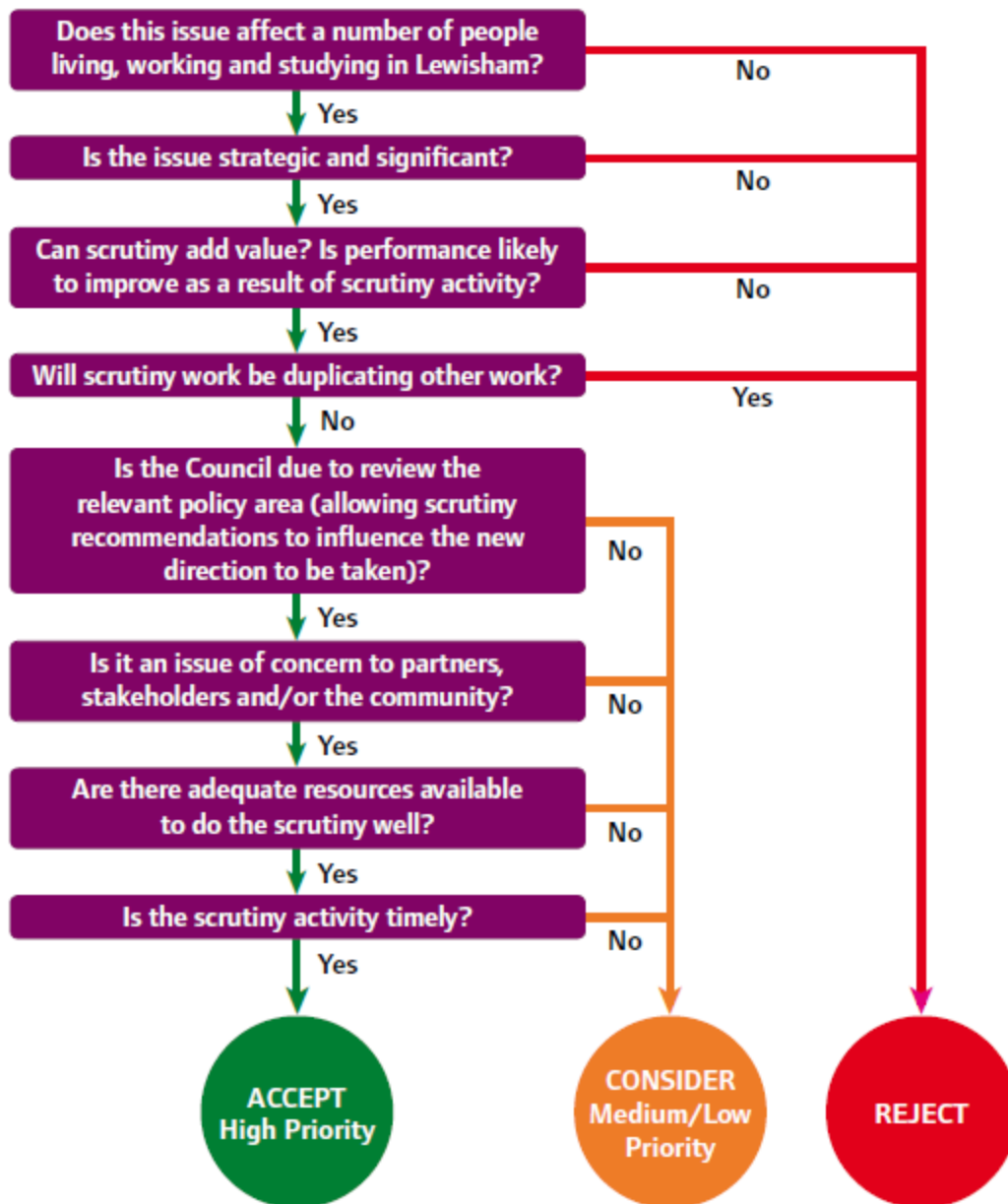
Appendices

Appendix A – Scrutiny work programme – prioritisation process

Appendix B – 2017-18 work plan

Appendix C – Key decision plan

Scrutiny work programme – prioritisation process



Public Accounts Select Committee Work Programme 2017/18

Programme of work

Work Item	Type of review	Priority	Strategic priority	Delivery deadline	19-Apr	28-Jun	13-Jul	27-Sep	16-Nov	20-Dec	06-Feb	21-Mar
Lewisham Future Programme	Performance monitoring	High	CP10	Ongoing					Savings			
Election of Chair and Vice-Chair	Constitutional requirement	High	CP10	Apr								
Select committee work programme 2017/18	Constitutional requirement	High	CP10	Ongoing								
Income generation and commercialisation	Performance monitoring	High	CP10	Mar								
Management report	Performance monitoring	Medium	CP10	Ongoing								
School budgets (Jointly with CYP select committee)	Performance monitoring	High	CP 2	Jun								
IT Strategy update	Standard item	High	CP10	Jul								
Final outturn 2016/17	Performance monitoring	Medium	CP10	Jun								
Medium term financial strategy	Standard item	Medium	CP10	Jul								
Financial forecasts 2017/18	Performance monitoring	High	CP10	Ongoing								
Mid-year treasury management review	Performance monitoring	Medium	CP10	Nov								
Cost pressures in adult and children's social care	Performance monitoring	High	CP10	Sep								
Communicating the Council's budget position	Policy development	High	CP10	Sep								
Household budgets review	Rapid review	High	CP10	Feb		Scope						
Private finance initiatives	Standard item	Medium	CP10	Dec								
Annual complaints report	Performance monitoring	Low	CP10	Dec								
Asset management update	Performance monitoring	Medium	CP10	Mar								
Annual budget 2018/19	Standard item	High	CP10	Jan								
Business rates consultation	Standard item	High	CP10	Tbc								
Audit panel update	Constitutional Requirement	Low	CP10	Mar								

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

Meetings						
1)	Wed	19 Apr		5)	Thu	16 Nov
2)	Wed	28 Jun		6)	Wed	20 Dec
3)	Thu	13 Jul		7)	Tue	6 Feb
4)	Wed	27 Sep		8)	Wed	21 Mar

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 January 2018 - April 2018

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
September 2017	Contract Awards for Support Services for Young People with Housing and Support Needs	19/12/17 Overview and Scrutiny Business Panel	Aileen Buckton, Executive Director for Community Services and Councillor Chris Best, Cabinet Member for Health, Wellbeing and Older People		
March 2017	Achilles Street Regeneration Proposals	10/01/18 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Damien Egan, Cabinet Member for Housing		
August 2017	Fostering Strategy	10/01/18 Mayor and Cabinet	Sara Williams, Executive Director, Children and Young People and Councillor Paul Maslin, Cabinet Member for Children and Young People		
October 2017	Wide Horizons refinancing	10/01/18 Mayor and Cabinet	Sara Williams, Executive Director, Children and Young People and Councillor Paul Maslin, Cabinet Member for Children and Young People		
November 2017	Working in the Private Rented Sector	10/01/18 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Damien Egan, Cabinet Member 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
			Housing		
October 2017	Disposal of the former Saville Centre	10/01/18 Mayor and Cabinet	Janet Senior, Acting Chief Executive and Executive Director for Resources & Regeneration and Councillor Alan Smith, Deputy Mayor		
November 2017	Annual Complaints Report	10/01/18 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Joe Dromey, Cabinet Member Policy & Performance		
September 2017	Council Tax Base	10/01/18 Mayor and Cabinet	Janet Senior, Acting Chief Executive and Executive Director for Resources & Regeneration and Councillor Kevin Bonavia, Cabinet Member Resources		
October 2017	Schools Minor Works Programme	10/01/18 Mayor and Cabinet	Sara Williams, Executive Director, Children and Young People and Councillor Paul Maslin, Cabinet Member for Children and Young People		
November 2017	New Homes Programme Update	10/01/18 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 for Housing		
December 2017	Business Rate Retention Pilot Pool 2018-19	10/01/18 Mayor and Cabinet	Janet Senior, Acting Chief Executive and Executive Director for Resources & Regeneration and Councillor Kevin Bonavia, Cabinet Member Resources		
December 2017	Review of National Non Domestic Rates Discretionary Discount Scheme for Businesses accredited to Living Wage Foundation	10/01/18 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Kevin Bonavia, Cabinet Member Resources		
November 2017	Planning Service Statement of Community Involvement	10/01/18 Mayor and Cabinet	Janet Senior, Acting Chief Executive and Executive Director for Resources & Regeneration and Councillor Alan Smith, Deputy Mayor		
December 2017	Planning Service Local Development Scheme	10/01/18 Mayor and Cabinet	Janet Senior, Acting Chief Executive and Executive Director for Resources & Regeneration and Councillor Alan Smith, Deputy Mayor		

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
December 2017	Planning Service Residential Extensions and Alterations SPD	10/01/18 Mayor and Cabinet	Janet Senior, Acting Chief Executive and Executive Director for Resources & Regeneration and Councillor Alan Smith, Deputy Mayor		
December 2017	Excalibur Regeneration Programme Parts 1 & 2	10/01/18 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Damien Egan, Cabinet Member for Housing		
December 2017	Decision to expand Addey and Stanhope School - Permission to Publish Revocation Proposal	10/01/18 Mayor and Cabinet	Sara Williams, Executive Director, Children and Young People and Councillor Paul Maslin, Cabinet Member for Children and Young People		
December 2017	London Councils Grants Programme	10/01/18 Mayor and Cabinet	Aileen Buckton, Executive Director for Community Services and Councillor Joan Millbank, Cabinet Member Third Sector & Community		
December 2017	Oracle Financials archiving	10/01/18 Mayor and Cabinet	Janet Senior, Acting Chief Executive and Executive Director for Resources & Regeneration and Councillor Kevin Bonavia, Cabinet Member		

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
			Resources		
November 2017	Contract award of new framework agreement for Personalised Care and Support in the Home"	10/01/18 Mayor and Cabinet (Contracts)	Aileen Buckton, Executive Director for Community Services and Councillor Chris Best, Cabinet Member for Health, Wellbeing and Older People		
November 2017	Equinox Mental Health Accomodation Based Service Contract Award	10/01/18 Mayor and Cabinet (Contracts)	Aileen Buckton, Executive Director for Community Services and Councillor Chris Best, Cabinet Member for Health, Wellbeing and Older People		
November 2017	Grove Park Streetscape Improvement - Contract award	10/01/18 Mayor and Cabinet (Contracts)	Janet Senior, Acting Chief Executive and Executive Director for Resources & Regeneration and Councillor Alan Smith, Deputy Mayor		
December 2017	Athena Violence Against Women and Girls Service Contract Extension	10/01/18 Mayor and Cabinet (Contracts)	Aileen Buckton, Executive Director for Community Services and Councillor Janet Daby, Cabinet Member Community Safety		
September 2017	Council Tax Base	17/01/18 Council	Janet Senior, Acting Chief Executive and 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
			Resources & Regeneration and Councillor Kevin Bonavia, Cabinet Member Resources		
November 2017	Council Tax Reduction Scheme 2018/19	17/01/18 Council	Kevin Sheehan, Executive Director for Customer Services and Councillor Kevin Bonavia, Cabinet Member Resources		
December 2017	Local Development Scheme	17/01/18 Council	Janet Senior, Acting Chief Executive and Executive Director for Resources & Regeneration and Councillor Alan Smith, Deputy Mayor		
December 2017	Neighbourhood Planning	17/01/18 Council	Janet Senior, Acting Chief Executive and Executive Director for Resources & Regeneration and Councillor Alan Smith, Deputy Mayor		
December 2017	Business Rate Retention Pilot Pool 2018-19	17/01/18 Council	Janet Senior, Acting Chief Executive and Executive Director for Resources & Regeneration and Councillor Kevin Bonavia, Cabinet Member Resources		

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
December 2017	Report of New Bermondsey Independent Inquiry Committee	17/01/18 Council	Sara Williams, Executive Director, Children and Young People and Councillor Chris Barnham		
December 2017	Council Budget 2018-19	07/02/18 Mayor and Cabinet	Janet Senior, Acting Chief Executive and Executive Director for Resources & Regeneration and Councillor Kevin Bonavia, Cabinet Member Resources		
September 2017	Review of Implementation of the Armed Forces Community Covenant	07/02/18 Mayor and Cabinet	Janet Senior, Acting Chief Executive and Executive Director for Resources & Regeneration and Councillor Damien Egan, Cabinet Member for Housing		
December 2017	School Admission Arrangements 2019-20	07/02/18 Mayor and Cabinet	Sara Williams, Executive Director, Children and Young People and Councillor Paul Maslin, Cabinet Member for Children and Young People		
September 2017	School Deficits	07/02/18 Mayor and Cabinet	Sara Williams, Executive Director, Children and Young People and Councillor Paul Maslin,		

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
			Cabinet Member for Children and Young People		
November 2017	New Homes Programme Update	07/02/18 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Damien Egan, Cabinet Member for Housing		
December 2017	Annual Pay Statement	07/02/18 Mayor and Cabinet	Janet Senior, Acting Chief Executive and Executive Director for Resources & Regeneration and Councillor Kevin Bonavia, Cabinet Member Resources		
December 2017	Development of Partnership Arrangements for Neighbourhood Community Teams	07/02/18 Mayor and Cabinet	Aileen Buckton, Executive Director for Community Services and Councillor Joan Millbank, Cabinet Member Third Sector & Community		
December 2017	Annual Budget Update	14/02/18 Mayor and Cabinet	Janet Senior, Acting Chief Executive and Executive Director for Resources & Regeneration and Councillor Kevin Bonavia, Cabinet Member Resources		

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
December 2017	Proposed Change of use and site access site adjacent to Ashmead School and 265 Lewisham Way	14/02/18 Mayor and Cabinet	Sara Williams, Executive Director, Children and Young People and Councillor Paul Maslin, Cabinet Member for Children and Young People		
September 2017	Contract Award and Approval to Proceed with 1 FE expansion at Ashmead School	14/02/18 Mayor and Cabinet (Contracts)	Sara Williams, Executive Director, Children and Young People and Councillor Paul Maslin, Cabinet Member for Children and Young People		
November 2017	Planning Service Statement of Community Involvement	21/02/18 Council	Janet Senior, Acting Chief Executive and Executive Director for Resources & Regeneration and Councillor Alan Smith, Deputy Mayor		
December 2017	Council Budget 2018-19	21/02/18 Council	Janet Senior, Acting Chief Executive and Executive Director for Resources & Regeneration and Councillor Kevin Bonavia, Cabinet Member Resources		
August 2017	Response to Consultation regarding changes to Targeted Short Breaks Provision	28/02/18 Mayor and Cabinet	Sara Williams, Executive Director, Children and Young People and Councillor Paul Maslin,		

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
			Cabinet Member for Children and Young People		
August 2017	School Improvement Partnership	28/02/18 Mayor and Cabinet	Sara Williams, Executive Director, Children and Young People and Councillor Paul Maslin, Cabinet Member for Children and Young People		
June 2017	Joint Strategic Depot Review	28/02/18 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Rachel Onikosi, Cabinet Member Public Realm		
October 2017	Update on Fire Safety in Lewisham	28/02/18 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Damien Egan, Cabinet Member for Housing		
November 2017	Private Sector Housing Assistance Policy	28/02/18 Mayor and Cabinet	Kevin Sheehan, Executive Director for Customer Services and Councillor Damien Egan, Cabinet Member for Housing		
December 2017	Catford Regeneration Programme Masterplan Brief	28/02/18 Mayor and Cabinet	Janet Senior, Acting Chief Executive and 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
			Resources & Regeneration and Councillor Alan Smith, Deputy Mayor		
September 2017	Agreed Syllabus Review and Syllabus Launch	21/03/18 Mayor and Cabinet	Sara Williams, Executive Director, Children and Young People and Councillor Paul Maslin, Cabinet Member for Children and Young People		
June 2017	Deptford Lounge & Tidemill Academy Facilities Management and Centre Management Contract Award	21/03/18 Mayor and Cabinet (Contracts)	Sara Williams, Executive Director, Children and Young People and Councillor Paul Maslin, Cabinet Member for Children and Young People		
December 2017	Contract Award for Additional Accommodation Units in Young Persons Pathway for Care Leavers	21/03/18 Mayor and Cabinet (Contracts)	Aileen Buckton, Executive Director for Community Services and Councillor Chris Best, Cabinet Member for Health, Wellbeing and Older People		

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

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