



Brighton & Hove  
City Council

# Overview & Scrutiny

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| Title:   | <b>Overview &amp; Scrutiny Commission</b>   |
| Date:    | <b>20 July 2010</b>   |
| Time:    | <b>4.00pm</b>   |
| Venue    | <b>Council Chamber, Hove Town Hall</b>  |
| Members: | <b>Councillors:</b><br>Mitchell (Chairman), Pidgeon (Deputy Chairman), Bennett, Cobb, Elgood, Kennedy, Morgan, Older, Peltzer Dunn, Wakefield-Jarrett and Meadows |
| Contact: | <b>Tom Hook</b><br><b>Head of Overview &amp; Scrutiny</b><br>29-1110<br>tom.hook@brighton-hove.gov.uk   |

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For further details and general enquiries about this meeting contact Mary van Beinum, Overview & Scrutiny Support Officer, (29-1062, email [mary.vanbeinum@brighton-hove.gov.uk](mailto:mary.vanbeinum@brighton-hove.gov.uk)) or email [scrutiny@brighton-hove.gov.uk](mailto:scrutiny@brighton-hove.gov.uk)

Date of Publication - Monday, 12 July 2010



## Agenda Item 12

### A. Declaration of Substitutes

Where a Member of the Commission is unable to attend a meeting for whatever reason, a substitute Member (who is not a Cabinet Member) may attend and speak and vote in their place for that meeting. Substitutes are not allowed on Scrutiny Select Committees or Scrutiny Panels.

The substitute Member shall be a Member of the Council drawn from the same political group as the Member who is unable to attend the meeting, and must not already be a Member of the Commission. The substitute Member must declare themselves as a substitute, and be minuted as such, at the beginning of the meeting or as soon as they arrive.

### B. Declarations of Interest

- (1) To seek declarations of any personal or personal & prejudicial interests under Part 2 of the Code of Conduct for Members in relation to matters on the Agenda. Members who do declare such interests are required to clearly describe the nature of the interest.
- (2) A Member of the Overview and Scrutiny Commission, an Overview and Scrutiny Committee or a Select Committee has a prejudicial interest in any business at meeting of that Committee where –
  - (a) that business relates to a decision made (whether implemented or not) or action taken by the Executive or another of the Council's committees, sub-committees, joint committees or joint sub-committees; and
  - (b) at the time the decision was made or action was taken the Member was
    - (i) a Member of the Executive or that committee, sub-committee, joint committee or joint sub-committee and
    - (ii) was present when the decision was made or action taken.
- (3) If the interest is a prejudicial interest, the Code requires the Member concerned:-
  - (a) to leave the room or chamber where the meeting takes place while the item in respect of which the declaration is made is under consideration. [There are three exceptions to this rule which are set out at paragraph (4) below].
  - (b) not to exercise executive functions in relation to that business and
  - (c) not to seek improperly to influence a decision about that business.
- (4) The circumstances in which a Member who has declared a prejudicial interest is permitted to remain while the item in respect of which the interest has been declared is under consideration are:-

(a) for the purpose of making representations, answering questions or giving evidence relating to the item, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise, BUT the Member must leave immediately after he/she has made the representations, answered the questions, or given the evidence,

(b) if the Member has obtained a dispensation from the Standards Committee, or

(c) if the Member is the Leader or a Cabinet Member and has been required to attend before an Overview and Scrutiny Committee or Sub-Committee to answer questions.

#### C. Declaration of party whip

To seek declarations of the existence and nature of any party whip in relation to any matter on the Agenda as set out at paragraph 8 of the Overview and Scrutiny Ways of Working.

#### D. Exclusion of press and public

To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

*NOTE: Any item appearing in Part 2 of the Agenda states in its heading the category under which the information disclosed in the report is confidential and therefore not available to the public.*

*A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.*

**BRIGHTON & HOVE CITY COUNCIL**  
**OVERVIEW & SCRUTINY COMMISSION**  
**4.00PM 8 JUNE 2010**  
**COUNCIL CHAMBER, HOVE TOWN HALL**  
**MINUTES**

**Present:** Councillors Mitchell (Chairman); Pidgeon (Deputy Chairman), Bennett, Cobb, Elgood, Kennedy, Meadows, Morgan, Peltzer Dunn and Wakefield-Jarrett

**PART ONE**

**1. PROCEDURAL BUSINESS**

The Chairman welcomed to the meeting Councillor Amy Kennedy as a new Member of OSC and Councillor Denise Cobb who had formerly served on OSC.

**1.1 Declarations of Substitutes**

There were none.

**1.2 Declarations of Interests**

There were none.

**1.3 Declaration of Party Whip**

There were none.

**1.4 Exclusion of Press and Public**

In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in section 100I (1) of the said Act.

**RESOLVED:** That the press and public be not excluded from the meeting.

## **2. MINUTES OF THE MEETING HELD ON 27 APRIL 2010**

**2.1 RESOLVED:** that the minutes of the meeting held on 27 April 2010 be agreed and signed by the Chairman.

## **3. CHAIRMAN'S COMMUNICATIONS**

3.1 There were none.

## **4. PUBLIC QUESTIONS/LETTERS FROM COUNCILLORS/REFERRALS FROM COMMITTEES/NOTICES OF MOTIONS REFERRED FROM COUNCIL**

4.1 There were none.

## **5. CREATING A COUNCIL THE CITY DESERVES**

5.1 The Chief Executive John Barradell introduced the report on Creating a Council the City Deserves and answered questions together with the Director of Strategy and Governance, Alex Bailey and Assistant Director of Human Resources, Charlotte Thomas. There would be further reports to Cabinet on 22 July and 16 September.

5.2 A theoretical example of the commissioning cycle was circulated to show the stages in the process and public and Member involvement.

5.3 The Chief Executive gave the background to the proposals aimed at achieving financial savings to achieve a balanced budget at a time of increasing service demands, based on a better understanding of customers' needs and closer working with partners. Alignment between partners would be a key factor.

5.4 Something was wrong when residents thought the City was a great place to live but only 45% were satisfied with the council. There had to be greater efficiency and integration of services at lower costs; he had consistently outlined his views on the merits of the commissioning model since the end of 2009, he said. Underlying issues would not change; and grants cuts would have to be dealt with.

5.5 The Director of Strategy and Governance outlined the steps in the commissioning cycle plus the stages where overview and scrutiny would have greatest impact; at pre-commissioning - to be involved in the needs analysis and service design; and in performance evaluation.

5.5 The Chief Executive told the Commission of the importance of residents having a say and a voice throughout commissioning. He said services would be more open to overview and scrutiny than at present.

5.6 Answering a question on the service areas of the Delivery Units, the Chief Executive said these were based on services that naturally belong together and were not necessarily intended to be of the same size. He told the meeting that the proposals were still at a consultative stage and were likely to change, taking into account feedback including from staff.



5.7 In reply to further queries the Chief Executive gave reasons for maintaining an internal finance unit in addition to the external-facing resources units. The overall approach; analysing need in the City and how it was to be delivered; would not be affected by a change in governance arrangements, he said.

5.8 He stated that reorganisation was to be cost-neutral. The new senior positions would require considerable skills and attributes and would carry significant responsibilities. It was important to attract the best candidates. Benchmarked against other local authorities in Southern England, the advertised salaries had been set around the median point.

5.9 The Assistant Director of Human Resources explained the process used by independent experts to determine salary levels. Four factors had been used: benchmarking; job evaluation processing taking into account accountability, autonomy and impact; the market for high-level commissioners working in partnerships – an area of scarce skills; and a consideration of existing circumstances in Brighton & Hove.

5.10 The Council already had a training programme for officers working on commissioning. Some officers had achieved Masters in Commissioning. Further work was in progress to develop a programme of support for colleagues in these new roles.

5.11 The Director of Strategy and Governance also stressed the importance of building capacity in new ways of working and collecting intelligence on good practice. Two pilots in the summer would capture learning and Wiki Tools would be developed. Partners were working on Joint Commissioning together

5.12 Outlined co-production (Appendix 2 paragraph 5.2 refers) the Director pointed out there would social returns on investment, taking into account whole life costs.

5.13 As regards citizen engagement in awarding contracts, the Director of Strategy and Governance gave an example of tenant input into the bid evaluation stage of the housing repairs contract. Commercial confidentiality can be maintained by separating contractual information from financial information.

5.14 The needs analysis of some service areas including crime and disorder were already well-known; some areas did not yet have robust needs analysis.

5.15 Asked how the anticipated pre- and post- scrutiny would compare with the current overview and scrutiny function, the Director of Strategy and Governance said O&S would be broader, across partners. He described this change as a spread of the democratic mandate. An individual commissioner could establish a work programme of commissioning over 24 or 36 months, clarifying the key moments in the process.

5.16 This meant that Overview and Scrutiny meeting cycles could be adapted to allow for timely test and challenge. Potentially a suitable scrutiny function might comprise more time-limited panels, according to the Director of Strategy and Governance.

5.17 On the expected timescales and transition to introduce intelligent commissioning the Chief Executive said two pilots; on domestic violence and alcohol and substance misuse; would run over the summer using existing business plans. Needs analyses in these areas would start in the early Autumn ready for implementation in the next financial year.

5.18 The Chief Executive highlighted the commitment by all the Council's public sector partners and the current capacity building for the Community and Voluntary Sector funded by the Local Strategic Partnership. Quality assurance would be via performance concordats.

5.19 Asked about current expertise, and flexibility and creativity to provide services differently the Chief Executive acknowledged a balance would be required between aspirations and basic needs. Service providers expected scrutiny from Members and Scrutiny Panels would ensure that aspirations were addressed at the pre-commissioning stage.

5.20 Regarding the role of non-Executive Councillors the Chief Executive said the perspective of Ward Councillors would be even more important than at present. Ward Members would have input into needs analyses and would be able to scrutinise service plans prior to their being delivered.

5.21 The Chief Executive answered further detailed questions: the use of the Community Engagement Framework that has been agreed with partners; a structure 'fit for purpose;' and performance monitoring.

5.22 The Chairman referred to the inability of small organisations to compete with larger ones, the process for agreeing joint budgets, different governance arrangements of other organisations, retaining expertise within the Council, training of commissioners and tight timescales.

5.23 Members of OSC would shortly be sent draft copies of the points made by Members at this meeting for comment (below). The final version would form the basis of a letter from OSC Chairman to the Chief Executive.

**5.24 RESOLVED;** (1) that the report be noted

(2) That the comments below form the basis of a letter from the Overview and Scrutiny Commission Chairman to the Chief Executive.

#### **A. On the Intelligent Commissioning Cycle**

1. OSC believes that scrutiny involvement throughout the Intelligent Commissioning cycle is vital both during pre-decision and during review.
2. As a matter of course scrutiny should be invited to comment upon needs assessments once finalised. (1B in the table circulated).
3. Plans for service design should also then be brought back to scrutiny. (1C).
4. Consideration should be given to the role of scrutiny during performance management (2C).
5. Scrutiny would also expect a role during the evaluation process (3B).
6. At the 'Going Live' stage OSC would like to see a clearer picture of how Members and the public are expected to be involved.

7. At Pre-commissioning stage OSC would like greater detail on the planned links with the 'Evaluation' (B3).
8. 'On-going citizen engagement' the contracting exercise needs to ensure that contractual information is separated from financial information. (2B).
9. What opportunity for O&S will there be at the transition stage? (2D)

### **B. On the Proposed Organisational Model Design**

1. The size of the delivery units differs greatly, and whilst this may not be problematic some of the alignments within them seem to split linked services e.g. Housing Management is itself a massive undertaking, will the social inclusion element of this unit lose out, also elements of community sit within this unit, whilst the DAAT will be with Public Protection.
2. Thought needs to be given as to how citizens and Councillors relate to the new structures.
3. Consideration should be given to the separation of democratic and legal services.

### **C. General Comments and Questions**

1. Support for the use of a needs assessment to help channel investment to agreed priorities. However there should be a clear aspirational element to this, not merely solving problems.
2. The salary levels of the Strategic Directors caused considerable concern amongst members. There was a clear feeling that these were unacceptably high at a time of austerity.
3. Equalities and sustainability need to be built in as an integral part of the new structure from the beginning. Key cross-cutting issues such as these need to be the responsibility of a named Strategic Director.
4. Timescales for introducing the changes seem to be tight.
5. 'Decommissioning' a service can mean 'no service'. We need to be reassured about providing services during the transition stage, bearing in mind that they are based on an understanding of need.
6. We need to be sure that all our public sector partners are in agreement with the proposals especially at a time when budgets are stretched.
7. Our public sector partners should be prepared for a higher level of scrutiny.
8. Joint appointments with partners need to be an integral part of the new system.
9. Ultimately the different governance models operated by public sector within the city need to be able to dovetail to make this system work.
10. Budgets between partners need closer alignment to deliver a needs based service delivery model.
11. Clear mechanisms need to be put in place to ensure that if services are provided by external bodies quality remains high.

12. In providing services there has to be flexibility to allow for service providers to use their imagination and expertise, to do things differently.
13. Employment of consultants to both to develop and within the new system should be limited.
14. The rationale for both a Strategic Director of Resources and a Director of Finance was questioned and why this had been altered between iterations of the proposals.
15. In linking up more closely with partners it will be necessary to remain adaptable to changes that may arise from new national policies.
16. In using the Community Engagement Framework and engaging citizens in needs analysis for example, the Council will have to take account of the type and validity of representation of groups and organisations.
17. The GP-led Health Centre scrutiny review found that small organisations are unable to compete with large ones in tendering for contracts etc. The council needs to help develop local organisations whether third or business sector to be able to compete to deliver services under the new model.
18. Support for resident/community run services needs to be prioritised.
19. Existing expertise must not be lost from the council during the restructure.
20. Training for officers and members will be required to support the new ways of working.
21. How will the budget-setting process work, in the context of expected reductions?
22. Any system introduced should work under different governance arrangements e.g. the committee system
23. All information on Intelligent Commissioning should be in jargon-free clear English!

## **6. SINGLE EQUALITY SCHEME UPDATE**

6.1 The Head of Communities and Equality distributed the Council's Single Equality Scheme and related leaflets. More copies were available including in different formats such as Braille, on request. As this was an area of changing legislation, Members asked that addendum slips be provided with future copies of the printed Scheme.

6.2 The Head of Communities and Equality updated the Commission on the effects of works on Equalities Impact Assessments, engagement with Communities of Interest and the launch of the City's Equalities and Human Rights Charter.

6.3 It was clarified that a revised version of the Single Equality Scheme was planned for January 2012 (report paragraph 1.3 refers). The Council placement of 4th overall in the national Stonewall index was based on achievements January – December 2009. The next Stonewall announcement would be in January 2011.

6.4 Preventing violent extremism was especially valuable in the community. Asked about the future, the Head of Communities and Equality said that when the outreach worker post comes to an end it is hoped that any projects which have been supported will be able to attract other funding to ensure their continuation.

6.5 Members noted areas of good progress including Glenwood Lodge and were pleased at the accessible staff bus on route 11X.

6.6 There was concern at the number (19) of Blue Badges that had been stolen in a 6-month period; and a question as to possible measures that could help reduce this.

6.7 Members noted in the workforce profile, the small proportions of staff aged less than 24 and over 65 and asked for more information on the age range distribution, in the context of major initiatives in the City such as the Apprenticeship Strategy.

6.8 Members raised a point about disabled access to cafes in parks for buggies and wheelchairs.

6.9 Members wished to ensure that polling stations were as fully accessible as possible and at item 9 on this agenda asked for an officer report.

6.10 **RESOLVED;** (1) That Overview and Scrutiny Commission note the ongoing work to reduce inequality across the city and progress made so far against the objectives set out in the Single Equality Scheme Action Plan.

(2) That the officers be asked to provide further information as minuted above.

## 7. STAFF DISABILITIES SCRUTINY REVIEW

7.1 Councillor David Watkins, Chairman of the Staff Disabilities Scrutiny Panel thanked colleagues Councillors Ian Davey, Steve Harmer-Strange and Mo Marsh who had worked on the scrutiny review.

7.2 He introduced the report and described the recommendations which he pointed out were timely from the point of view of working with Partners in line with the intelligent commissioning model.

7.3 Getting information from individual officers in 'one-to-one' meetings with Panel members had been an important part of this particular scrutiny because some disabilities and their effects can remain 'hidden.' This approach would be valuable for other reviews as well, he said.

7.4 Councillor Watkins had addressed a meeting of the Disabled Workers' Forum and said the Forum would be 'key' in progressing scrutiny recommendations. He was keen to track and monitor the outcome of the review.

7.5 Members questioned the apparent reduction in the number of Council staff with disabilities as set out in the workforce profile in the Single Equalities Scheme report elsewhere on this agenda and asked for this trend to be monitored.

7.6 It was agreed that minor adjustments can be a major advantage and that Recommendation 6 would be strengthened by the addition of an extra clause 'sought and' after the words 'the needs of disabled staff are'

7.7 The recommendations, including on training, were welcomed

**RESOLVED** to (1) That the scrutiny panel's report be endorsed.

- (2) That the report's recommendations be referred to the council's Executive and to the appropriate partner organisations.
- (3) That monitoring of outcomes of agreed recommendations, be added to the Commission's work plan.

## **8. UPDATE ON OVERVIEW AND SCRUTINY COMMITTEES - ECSOSC**

8.1 Councillor Warren Morgan, Chairman of Environment and Community Safety Overview and Scrutiny Committee (ECSOSC) gave a progress report on the Committee which he pointed out was attempting to scrutinise forthcoming key decisions.

8.2 The next meeting, on 21 June would received three Panel reports for approval; 20mph speed zones/limits; support services for victims of sexual violence and the Winter Service Plan.

8.3 The 13 September meeting would include a detailed consideration of the Local Transport Plan (3)

8.4 Councillor Morgan referred to the protocol between the Community Safety Forum and ECSOSC; ECSOSC had recently asked for specific items to be added to the CSF agenda.

8.5 It was suggested that ECSOSC, like ASCHOSC, could ask for a list of 'non-key' decisions to scrutinise if the Forward Plan did not include key decisions within ECSOSC's remit. Additionally, intelligent commissioning should involve scrutiny at an earlier, needs analysis, stage.

8.6 The update was noted.

## **9. GENERAL SCRUTINY UPDATE**

9.1 The Head of Overview and Scrutiny introduced the report on the general update. A scrutiny newsletter was being developed. As regards scrutiny panels, the September meeting would receive an item on possible subjects for in-depth scrutiny; there would be two final year University students on work experience to support these starting in January 2011.

9.2 Some members had questions about procedures in Brighton & Hove for conducting the May 2010 General Election. There was a query about how the count was conducted. Other issues raised were: disabled access at polling stations; safety of counting staff at night-time; distribution of polling cards for every resident; coverage by the electoral register of every address.

9.3 Members agreed to request a report for the September meeting so that potential gaps identified, if any, could be addressed before the 2011 local election.

9.4 **RESOLVED;** that an officer report as minuted above be requested for September meeting.

**10. OVERVIEW AND SCRUTINY COMMISSION WORK PLAN**

10.1 The draft work plan was noted.

**11. ITEMS TO BE REFERRED TO CABINET MEMBER, CABINET OR FULL COUNCIL**

11.1 It was noted that the staff disabilities scrutiny review would be referred to the Council's Executive. The Single Equality Scheme update was to be considered by Cabinet on 17 June.

The meeting concluded at 6.35pm

Signed

Chair

Dated this

day of





# OVERVIEW & SCRUTINY ORGANISATION COMMISSION

## Agenda Item 17

Brighton & Hove City Council

|                         |   |  |                     |
|-------------------------|---|--|---------------------|
| <b>Subject:</b>         | <b>Targeted Budget Management (TBM)<br/>Provisional Outturn 2009/10</b> |  |                     |
| <b>Date of Meeting:</b> | <b>Cabinet 17 June 2010<br/>OSC 20 July 2010</b>                        |  |                     |
| <b>Report of:</b>       | <b>Director of Finance &amp; Resources</b>                              |  |                     |
| <b>Contact Officer:</b> | <b>Name:</b>  | <b>Patrick Rice</b>                      | <b>Tel: 29-1333</b> |
|                         | <b>E-mail:</b>  | <b>Patrick.rice@brighton-hove.gov.uk</b> |                     |
| <b>Key Decision:</b>    | <b>Yes</b>  | <b>Forward Plan No: CAB14964</b>         |                     |
| <b>Wards Affected:</b>  | <b>All</b>  |  |                     |

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report sets out the provisional outturn position (Month 12) on the revenue and capital budgets for the financial year 2009/10.

#### 2. RECOMMENDATIONS:

That OSC note the report and extract from 17 June Cabinet minutes attached as Appendix 9.

- 2.1 That Cabinet notes the provisional outturn position for the General Fund, which is an underspend of £0.235 million.
- 2.2 That Cabinet notes the provisional outturn for the Section 75 Partnerships and Housing Revenue Account (HRA) for 2009/10.
- 2.3 That Cabinet approves the contributions to reserves as set out in paragraph 3.4.
- 2.4 That Cabinet notes the provisional outturn position on the capital programme.
- 2.5 That Cabinet approves the following changes to the capital programme:
- (i) The budget reprofiling as set out in Appendix 5;
  - (ii) The carry forward of slippage into the 2010/11 capital programme, to meet on-going commitments on these schemes as set out in Appendix 6;
  - (iii) The new scheme as set out in Appendix 8.

#### 3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The table below shows the provisional outturn position for council controlled budgets within the General Fund and the outturn on NHS managed S75 Partnership Services.
- 3.2 The provisional outturn shows that the council is managing within its available resources despite significant in-year pressures relating to looked after children, the economic downturn, the adverse weather and Adult Social Care placements. A number of directorate budgets were under pressure during the year but the forecast position has improved since month 9, reflecting recovery actions and spending constraints. The council's overall position is supported by significant underspends on Centrally Managed Budgets including savings due to the pay award being lower than forecast and the risk provision held to offset in year pressures. More detailed explanation of the variances below can be found in Appendix 1.

| Forecast<br>Variance<br>Month 9<br>£'000 | Directorate                      | 2009/10<br>Budget<br>Month 12<br>£'000 | Forecast<br>Outturn<br>Month 12<br>£'000 | Forecast<br>Variance<br>Month 12<br>£'000 | Forecast<br>Variance<br>Month 12<br>% |
|--|----------------------------------|--|--|---|---------------------------------------|
| 729                                      | Adult Social Care                | 38,110                                 | 38,930                                   | 820                                       | 2.2%                                  |
| 79                                       | S75 Learning Disability Services | 23,710                                 | 23,754                                   | 44  | 0.2%                                  |
| 1,948                                    | Children & Young People's Trust  | 49,540                                 | 51,498                                   | 1,958                                     | 4.0%                                  |
| (144)                                    | Finance & Resources              | 16,582                                 | 16,301                                   | (281)                                     | -1.7%                                 |
| 44                                       | Strategy & Governance            | 14,503                                 | 14,637                                   | 134                                       | 0.9%                                  |
| 1,032                                    | Environment                      | 31,506                                 | 32,715                                   | 1,209                                     | 3.8%                                  |
| 353                                      | Housing, Culture & Enterprise    | 15,407                                 | 15,771                                   | 364                                       | 2.4%                                  |
| 4,041                                    | Sub Total                        | 189,358                                | 193,606                                  | 4,248                                     | 2.2%                                  |
| (3,975)                                  | Centrally Managed Budgets        | 1,496                                  | (2,987)                                  | (4,483)                                   | -299.7%                               |
| 66                                       | Total Council Controlled Budgets | 190,854                                | 190,619                                  | (235)                                     | -0.1%                                 |
| 493                                      | NHS Trust managed S75 Servs      | 13,486                                 | 13,486                                   | -   | 0.0%                                  |
| 559                                      | Total Overall Position           | 204,340                                | 204,105                                  | (235)                                     | -0.1%                                 |

- 3.3 The Total Council Controlled Budgets line in the above table represents the total current forecast in respect of the council's General Fund. This includes all directorate budgets, centrally managed budgets and council-managed Section 75 services. The NHS Trust-managed Section 75 Services line represents those services for which local NHS Trusts act as the Host Provider under Section 75 Agreements. Services are managed by Sussex Partnership Trust and South Downs Health Trust and include health and social care services for Adult Mental Health, Older People Mental Health, Substance Misuse, AIDS/HIV, Intermediate Care and Community Equipment.

- 3.4 Cabinet approval is sought for the following contributions to reserves:

Connexions/Prospects Pension Reserve

It is proposed to make a contribution of £0.108 million to a new Connexions/Prospects Pension Reserve Account. This is in respect of a commitment made by the Authority to contribute a one-third share to fully fund the past service liabilities of Sussex Careers staff that have elected to transfer their pension benefits to Prospects, the actual cost is not yet known as the Council is currently awaiting information from the London Pension Fund in order to progress this issue.

### Land Charges Reserve

The impact that the Environmental Information Regulations has on the ability of the service to charge for disclosure of certain pieces of information is still being assessed. There is a possibility of legal action for the recovery of personal search fees from local authorities and so it is considered prudent to set aside a sum for such an eventuality of £0.220 million.

### Contribution to a Bereavement Services Grounds Maintenance Reserve

It is proposed to utilise part of the underspend in the Customer Services division to make a contribution to a reserve of £0.075 million, to fund one-off costs associated with the maintenance and upkeep of cemeteries.

3.5 The forecast outturn on the HRA is as follows:

| Forecast<br>Variance<br>Month 9<br>£'000 |                                | 2009/10<br>Budget<br>Month 12<br>£'000 | Forecast<br>Outturn<br>Month 12<br>£'000 | Forecast<br>Variance<br>Month 12<br>£'000 | Variance<br>Month 12<br>% |
|--|--------------------------------|--|--|---|---------------------------|
|  | <b>Housing Revenue Account</b> |  |  |   |                           |
| 321                                      | Expenditure                    | 47,949                                 | 48,024                                   | 75  | 0.2%                      |
| 15                                       | Income                         | (47,949)                               | (47,744)                                 | 205                                       | 0.4%                      |
| 336                                      | Total                          | -                                      | 280                                      | 280                                       |                           |

Detailed analysis of the HRA provisional outturn is also provided in Appendix 1 and in the HRA 2009/10 Outturn report.

### **Corporate Critical Budgets**

3.6 Targeted Budget Management (TBM) is based on the principles that effective financial monitoring of all budgets is important. However, there are a small number of budgets with the potential to have a material impact on the council's overall financial position. These are significant budgets where demand or activity is difficult to predict with certainty and where relatively small changes in demand can have significant financial implications for the council's budget strategy. These therefore undergo more frequent, timely and detailed analysis. Set out below is the forecast outturn position on the corporate critical budgets.

| Forecast<br>Variance<br>Month 9<br>£'000 |                                  | 2009/10<br>Budget<br>Month 12<br>£'000 | Forecast<br>Outturn<br>Month 12<br>£'000 | Forecast<br>Variance<br>Month 12<br>£'000 | Forecast<br>Variance<br>Month 12<br>% |
|--|----------------------------------|--|--|---|---------------------------------------|
|  | <b>Corporate Critical</b>        |  |  |   |                                       |
| 1,140                                    | Child Agency & In House          | 18,114                                 | 19,326                                   | 1,212                                     | 6.7%                                  |
| 1,002                                    | Sustainable Transport            | (659)                                  | 132                                      | 791                                       | 120.0%                                |
| (300)                                    | Housing Benefits                 | (807)                                  | (1,431)                                  | (624)                                     | 77.3%                                 |
| (400)                                    | Concessionary Fares              | 7,345                                  | 6,805                                    | (540)                                     | -7.4%                                 |
| 952                                      | Community Care                   | 23,108                                 | 24,155                                   | 1,047                                     | 4.5%                                  |
| 79                                       | Section 75 Learning Disabilities | 23,710                                 | 23,754                                   | 44  | 0.2%                                  |
| 2,473                                    | Total Council Controlled         | 70,811                                 | 72,741                                   | 1,930                                     | 2.7%                                  |
| 493                                      | S75 NHS & Community Care         | 13,486                                 | 13,486                                   | -   | 0.0%                                  |
| 2,966                                    | Total Corporate Criticals        | 84,297                                 | 86,227                                   | 1,930                                     | 2.3%                                  |

## **Annual Efficiency Savings**

- 3.7 The Comprehensive Spending Review 2007 assumed that, nationally, local authorities will deliver 3% cash releasing gains year-on-year. Progress made by authorities will be reported via the National Indicator NI 179 which measures Value for Money gains since the start of the 2008/09 financial year.
- 3.8 The national requirement to produce 3% cash releasing gains is reflected in the Medium Term Financial Strategy. Appendix 2 to this report summarises the efficiency savings agreed as part of the 2009/10 budget process and the end of year progress against their achievement. Variances to the agreed efficiencies are included in the directorate forecasts.

## **Capital Budget 2009/10**

- 3.9 This part of the report provides Members with details of the capital programme provisional outturn for 2009/10, which highlights any programme slippage and budget changes and seeks approval for carry forwards (re-profiling) to the 2010/11 programme. Appendix 4 to this report shows the proposed changes to the budget, resulting in a final 2009/10 capital programme budget of £72.294 million.

## **Budget Re-profiling**

- 3.10 Delays have been identified in some projects due to factors outside of our control. Appendix 5 provides details of the reasons and asks Members to agree to the re-profiling of the budget, which in most cases will result in the resources being moved from this year's capital programme to the next.

## **Capital Slippage**

- 3.11 Project managers have identified that the net slippage on the capital programme amounts to £3.858 million of which £0.749 million is devolved to schools leaving a net balance of £3.109 million, or 4.30% of the amended budget. Appendix 6 details the significant projects where there is slippage that has not been previously reported.

## **Capital Receipts**

- 3.12 Capital receipts are used to support the capital programme. For 2009/10 capital receipts (excluding 'right to buy' sales) totalled £1.038 million. Major receipts included the long leasehold disposal of part of the Wellsbourne Centre site, the lease restructure for the Brighton Marina and the licence fee in respect of the Community Stadium.
- 3.13 The level of sales of council homes through 'right to buy' has been severely affected by the current market conditions in house prices generally and the higher cost and availability of mortgages in the current economic climate. The Government receive 75% of the proceeds of 'right to buy sales'; the remaining 25% is retained by the council and used to fund the capital programme. The net receipts for 'right to buy' sales in 2009/10 is £0.234 million.

## **Comments by the Director of Finance & Resources**

- 3.14 The provisional outturn position on the revenue budget shows a small improvement since month 9. Every effort was made at the time that the budget

for 2010/11 was set to ensure the 2009/10 forecasts were as accurate as possible. These took into account the impact of anticipated in-year savings, and the outturn position has shown this process to have been robust. The impact of the adverse weather on the overall outturn position was significant. Since it took place towards the end of the financial year there was limited scope to deliver further savings in-year to offset the additional expenditure and lost income.

- 3.15 Given national economic climate directorates will need to maintain control and downward pressure on costs in 2010/11 and deliver the objectives set out in the corporate value for money programme. Financial recovery plans will be prepared for the ongoing consequences of the outturn position on the new financial year and these will be reported in the Target Budget Management report for month 4 at Cabinet in September. While a substantial proportion of the pressures were incorporated into the overall budget plans for 2010/11 it is expected that there will continue to be significant financial risks in relation to social care budgets, particularly for children's services.

#### **4. CONSULTATION**

- 4.1 No specific consultation was undertaken in relation to this report.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 5.1 The financial implications are covered in the main body of the report.

##### Legal Implications:

- 5.2 In reaching its decisions in relation to its budget, the Council needs to have regard to a number of general points. It must provide the services, which, statutorily, it is obliged to provide. Where there is power to provide services, rather than a duty, it has discretion to provide such services. It must observe its other legal duties, such as the duty to achieve best value and comply with the Human Rights Act 1998. It must act in accordance with its general fiduciary duties to its Council Tax payers to act with financial prudence. Finally, it must bear in mind the reserve powers of the Secretary of State under the Local Government Act 1999 to limit Council Tax & precepts.

*Lawyer consulted:*

*Oliver Dixon*

*Date: 26/05/10*

##### Equalities Implications:

- 5.3 There are no direct equalities implications arising from this report.

##### Sustainability Implications:

- 5.4 There are no direct sustainability implications arising from this report.

##### Crime & Disorder Implications:

- 5.5 There are no direct crime & disorder implications arising from this report.

##### Risk & Opportunity Management Implications:

- 5.6 The council's revenue budget and Medium Term Financial Strategy contain risk provisions to accommodate emergency spending, even out cash flow

movements and/or meet exceptional items. The council maintains a working balance of £9 million to mitigate these risks as recommended by the Audit Commission and Chartered Institute of Public Finance & Accountancy (CIPFA). The council also maintains other general and earmarked reserves and contingencies to cover specific project or contractual risks and commitments.

Corporate / Citywide Implications:

- 5.7 The Council's financial position impacts on levels of Council Tax and service levels and therefore has citywide implications.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 The forecast outturn position on council controlled budgets is an underspend of £0.235 million, any underspend will be added to unallocated general reserves unless approval is given to allocate funds to specific reserves or contingencies.

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 Budget monitoring is a key element of good financial management, which is necessary in order for the council to maintain financial stability and operate effectively.
- 7.2 The capital budget changes are necessary to maintain effective financial management.

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. Directorate Revenue Outturn Forecasts
2. Achievement of Efficiency Savings
3. Corporate Critical Budgets Activity Data
4. Capital Outturn Summary
5. Proposed Capital Budget Re-profile Requests
6. Proposed Capital Slippage
7. Capital Outturn Variances
8. New Capital Schemes
9. Extract from 17 June Cabinet

**Documents in Members' Rooms**

None.

**Background Documents**

None.

**Adult Social Care**

| Forecast<br>Variance<br>Month 9<br>£'000 | <b>Division</b>   | 2009/10<br>Budget<br>Month 12<br>£'000 | Forecast<br>Outturn<br>Month 12<br>£'000 | Forecast<br>Variance<br>Month 12<br>£'000 | Forecast<br>Variance<br>Month 12<br>% |
|--|-------------------|--|--|---|---------------------------------------|
| 729                                      | Adult Social Care | 38,110                                 | 38,930                                   | 820                                       | 2.2%                                  |
| 729                                      | Total             | 38,110                                 | 38,930                                   | 820                                       | 2.2%                                  |

**Explanation of Key Variances**

The overspend of £0.820 million is after the delivery of a financial recovery plan of £0.532 million on community care to deal with the significant pressures being experienced, in particular growth in home care and residential care for people with physical disabilities.

The overspend has increased by £0.091 million (0.2% of budget) since TBM9, due mainly to planned reductions in Community Care spend not materialising.

Strategies and associated management actions put in place during the year have helped to offset in year pressures and reduced the overspend. Actions included:

- Ensuring appropriate funding streams are used to meet the costs of complex need cases and Disabled Living Allowance /Independent Living Fund are maximised.
- Robust application of Fair Access to Care Services criteria;
- Maximising benefits and ensuring that attendance allowance and other benefits are used to purchase domiciliary and other 'low level' requirements;
- At review, ensuring that Fair Access to Care Services criteria is applied and care repackaged to ensure new services are fully utilised (e.g. Community Solutions/Telecare etc.);
- Operating a vacancy control system and controls over agency staff costs.

## Children &amp; Young People's Trust

| Forecast<br>Variance | Division                    | 2009/10<br>Budget | Forecast<br>Outturn | Forecast<br>Variance | Forecast<br>Variance |
|----------------------|-----------------------------|-------------------|---------------------|----------------------|----------------------|
| Month 9              |                             | Month 12          | Month 12            | Month 12             | Month 12             |
| £'000                |                             | £'000             | £'000               | £'000                | %                    |
| (726)                | Director                    | 695               | (86)                | (781)                | -112.4%              |
| 1,585                | Area Integrated Working     | 30,698            | 32,350              | 1,652                | 5.4%                 |
| 138                  | Learning , Schools & Skills | 5,083             | 4,993               | (90)                 | 1.8%                 |
| 903                  | Commissioning & Governance  | 13,064            | 14,241              | 1,177                | 9.0%                 |
| 1,948                | Total                       | 49,540            | 51,498              | 1,958                | 4.0%                 |

## Explanation of Key Variances

**Director** (£0.781 million underspend) - this budget area relates to the staffing budget of the Director, Assistant Directors and administration support teams. This budget area underspend mainly related to unallocated budget to offset the overall Directorate position, in particular the decision to switch £0.682 million from Dedicated Schools Grant (DSG) funding of Area Based Grant (ABG) areas in view of the size of the directorate overspend.

**Area Integrated Working** (£1.652 million overspend), this branch leads on the development of integrated area working, including early intervention and prevention. Area working includes the Youth Service, Children's Centres, Education Psychology Service (EPS), Education Welfare Service (EWS), frontline social work teams; Leaving Care team and the Fostering Service.

Area Social Work Teams overspent by £0.062 million due mainly to agency/sessional staff and transport costs. Legal fees are included within this division and these overspent by £0.912 million. Legal expenses increased due to changes in the law by the Public Law Outline (PLO). This was due to several factors, primarily the significant increase in the number of children being referred for care proceedings in line with the national trend. In addition, Court Fees have been increased by the Ministry of Justice and Court issue fees have increased from £175 to over £4,000 per fully contested case.

The other main overspend within this branch is £0.446 million on Preventative Payments. This relates to the ongoing costs relating to homeless families, payments to 'friends & relatives' carers and provisions.

The forecast reflects the requested contribution to a Connexions/Prospects Pension Reserve Account as explained in the main body of the report.

**Learning, Schools & Skills** (£0.090 million underspend), this branch has responsibility for disability and educational agency placements, school admissions and transport, school funding including Schools Forum and Healthy Schools. The AD also leads on involving schools in the next phase of development of the Children and Young People's Trust. The main area of overspend related to Home School Transport



## Item 17 Appendix 1

£0.138 million offset by underspends on disability agency placements £0.087million, and other areas £0.141 million.

**Commissioning & Governance** (£1.177 million overspend), this branch is involved in taking the lead on ensuring best outcomes for Children in Care and also leads on behalf of the Children and Young People's Trust and Brighton & Hove PCT on the commissioning of services for children, young people and their families. In addition the branch is responsible for the budget for individual placements for children and developing the new Children and Young People's Plan which will drive the next phase of the CYPT. More information on the corporate critical overspend can be found in Appendix 3. There has been a significant and sustained increase in activity in terms of referrals to social care (at times up to 61%) following Baby P and the Laming recommendations. This has resulted in a 33% increase in the number of children with a child protection plan and a 12% increase in the number of looked after children from July 2008 to June 2009. The main area of overspend in this area related to Independent Foster Agency Placements of £1.110million.

A plan was put into place during the financial year to address the overspend and included a number of short, medium and longer term actions.

In summary the actions included:

- Realignment of existing prevention provision to target families most at risk
- Review of placements for Looked After Children on an agreed cycle
- Targeted recruitment of in-house foster carers
- Review use of mother and baby placements
- Review of contracted services and application of VFM approach
- Develop proposals for permanency planning
- Review of costs relating to court proceedings/use of experts and ISW's

It is difficult to quantify the effect the actions outlined above have had on the outturn position, although the financial impact will be greater in 2010/11 as the full year implications are realised.

## Finance &amp; Resources

| Forecast<br>Variance<br>Month 9<br>£'000 | Division          | 2009/10<br>Budget<br>Month 12<br>£'000 | Forecast<br>Outturn<br>Month 12<br>£'000 | Forecast<br>Variance<br>Month 12<br>£'000 | Forecast<br>Variance<br>Month 12<br>% |
|--|-------------------|--|--|---|---------------------------------------|
| (214)                                    | Finance           | 5,194                                  | 5,032                                    | (162)                                     | -3.1%                                 |
| (191)                                    | ICT               | 5,644                                  | 5,277                                    | (367)                                     | -6.5%                                 |
| (217)                                    | Customer Services | 3,544                                  | 3,293                                    | (251)                                     | -7.1%                                 |
| 478                                      | Property & Design | 2,200                                  | 2,699                                    | 499                                       | 22.7%                                 |
| (144)                                    | Total             | 16,582                                 | 16,301                                   | (281)                                     | -1.7%                                 |

## Explanation of Key Variances

Finance underspent due to a reduction in external audit fees resulting from productivity improvements within the Internal Audit service which now undertakes work previously conducted by external audit and higher than normal levels of staff turnover and associated vacancy management actions that were in place to assist the overall financial position.

ICT underspent due to one-off savings on licence agreements and staff turnover/vacancy management. The underspend improved in the last quarter due to increased cost recovery and savings on software costs.

The main pressure in Customer Services related to a shortfall in income on land charges and Bereavement Services of £0.110 million. The shortfall on land charges of £0.080 million is due to the downturn in the housing market and the competition from private sector search companies. These pressures were offset by the corporate critical Housing Benefit budget which was £0.624 million under budget. Additional subsidy was received as local authority errors were held below the government threshold and therefore attracted additional subsidy. Further subsidy was also received following the audit of the 2008/09 final subsidy claim. The outturn on Housing Benefits is very difficult to predict accurately due to the significant value of transactions (circa. £170 million) as a small change in performance can have a significant impact on the net outturn. Savings were also generated on salary budgets within Revenues & Benefits.

The Customer Services outturn includes contributions to a grounds maintenance reserve in Bereavement Services and a Land Charges reserve, which are explained in more detail in the main body of the report.

Property & Design had a shortfall against commercial rent income of £0.400 million. The main loss is due to rent/lease renewals being on lower terms than expected due to the economic downturn; overall there has also been a slight increase in the number of voids. Income on this budget is particularly sensitive to the current market conditions and is being monitored very closely. Various measures are in place to manage and minimise the existing pressure, such as aggressive marketing, offering small businesses the option to pay rent in monthly instalments rather than quarterly, and negotiating short term lets to minimise voids. The shortfall against budget would have been approximately double without such action.

## Strategy & Governance

| Forecast |                           | 2009/10  | 2009/10  | 2009/10  | 2009/10  |
|----------|---------------------------|----------|----------|----------|----------|
| Variance | Division                  | Budget   | Outturn  | Variance | Variance |
| Month 9  |                           | Month 12 | Month 12 | Month 12 | Month 12 |
| £'000    |                           | £'000    | £'000    | £'000    | %        |
| (30)     | Improvement & Organ Devel | 1,646    | 1,571    | (75)     | -4.6%    |
| 0        | Legal & Democratic Servs  | 3,157    | 3,131    | (26)     | -0.8%    |
| 0        | Policy Unit               | 3,618    | 3,633    | 15       | 0.4%     |
| (80)     | Human Resources           | 4,921    | 4,793    | (128)    | -1.3%    |
| 40       | Executive Office          | 574      | 650      | 76       | 13.2%    |
| 114      | Communications            | 587      | 859      | 272      | 46.3%    |
| 44       | Total                     | 14,503   | 14,637   | 134      | 1.4%     |

### Explanation of Key Variances

The key financial pressures in Strategy & Governance relate to the Communications budget. Partly these have arisen from shortfalls in income generation and cost recovery. In addition work has been carried out to unify the council's identity and ensure greater consistency and effectiveness of the council's engagement with residents that should have long term benefits for the city. A Value for Money review of communications has been undertaken and proposals developed to ensure more savings can be made in this area from 2010/11.

Actions were taken elsewhere in the Directorate to offset this overspend during 2009/10, carefully monitoring all budget areas, minimising cost and increasing all available income where possible to try and achieve breakeven. The recharging of appropriate costs of supporting project work by Human Resources has contributed to this.

## Environment

| Forecast<br>Variance<br>Month 9<br>£'000 | Division              | 2009/10<br>Budget<br>Month 12<br>£'000 | Forecast<br>Outturn<br>Month 12<br>£'000 | Forecast<br>Variance<br>Month 12<br>£'000 | Forecast<br>Variance<br>Month 12<br>% |
|--|-----------------------|--|--|---|---------------------------------------|
| (1)                                      | City Services         | 21,973                                 | 22,133                                   | 160                                       | 0.7%                                  |
| (188)                                    | Sport & Leisure       | 1,999                                  | 1,864                                    | (135)                                     | -6.8%                                 |
| 1,002                                    | Sustainable Transport | (659)                                  | 132                                      | 791                                       | 120.0%                                |
| (85)                                     | Public Safety         | 5,441                                  | 5,334                                    | (107)                                     | -2.0%                                 |
| 304                                      | City Planning         | 2,752                                  | 3,252                                    | 500                                       | 18.2%                                 |
| 1,032                                    | Total                 | 31,506                                 | 32,715                                   | 1,209                                     | 3.8%                                  |

### Explanation of Key Variances

City Services is £0.160 million over budget due to additional costs resulting from the adverse winter weather.

Sport & Leisure underspent due to additional income and efficiency measures within the service.

The total forecast for Sustainable Transport is an overspend of £0.791 million, an improvement of £0.211 million since month 9. The variance is analysed as below:

- Penalty charge income fell short of budget by £0.412 million; there were 11% fewer tickets issued than for the previous year.
- Income from all on-street and off-street parking and permit income came in under target by £0.651 million. Permit income exceeded budget, as did the newly refurbished London Road Car Park. The Lanes Car Park exceeded targets for the latter part of the year, post refurbishment, despite the poor weather, but came in over budget for the year due to the reduced capacity at the start of the year. All other off street car parks came in slightly better than budget. On street parking revenue was hit hard by the extreme weather in December and January, and the lack of take up for the new Preston park scheme.
- A reduction in the level of expenditure on supplies and services led to an underspend against budget of £0.207 million.

The Public Safety underspend of £0.107 million is due to vacancy management savings and underspends on associated work in Trading Standards.

The City Planning overspend of £0.500 million is partly due to the loss of Housing and Planning Delivery Grant which was not confirmed until late in the financial year and a reduction in income from planning fees even though the number of planning applications remained comparatively high. Other pressures included additional staff costs in Development Control and the cost of supporting planning appeals.

## Housing, Culture &amp; Enterprise

| Forecast<br>Variance<br>Month 9<br>£'000 | Division                      | 2009/10<br>Budget<br>Month 12<br>£'000 | Forecast<br>Outturn<br>Month 12<br>£'000 | Forecast<br>Variance<br>Month 12<br>£'000 | Forecast<br>Variance<br>Month 12<br>% |
|--|-------------------------------|--|--|---|---------------------------------------|
| 190                                      | Tourism & Venues              | 1,713                                  | 1,960                                    | 247                                       | 14.4%                                 |
| -  | Libraries & Information Servs | 3,036                                  | 2,973                                    | (63)                                      | -2.1%                                 |
| 229                                      | Royal Pavilion & Museums      | 2,223                                  | 2,520                                    | 297                                       | 13.4%                                 |
| (66)                                     | Culture & Economy             | 3,136                                  | 2,995                                    | (141)                                     | -4.5%                                 |
|  | Major Projects & Regeneration | 611                                    | 604                                      | (7)                                       | -1.1%                                 |
| -  | Housing Strategy              | 4,688                                  | 4,719                                    | 31  | 0.7%                                  |
| 353                                      | Total                         | 15,407                                 | 15,771                                   | 364                                       | 2.4%                                  |

## Explanation of Key Variances

The Directorate instigated management action to attempt to contain the forecast overspend and progress towards a balanced position. This included tight control on filling vacant posts, spending only on essential items of supplies and services and tight accountability.

Tourism and Venues overspend increased from £0.190 million to £0.247 million mainly due to entertainment shortfalls, which totalled £0.189 million for the year. The adverse weather conditions contributed to this, with a reduced footfall for Holiday on Ice and a consequent reduction in income. There was also a business rates revaluation which led to overspends of £0.050 million. Venues are to put tighter controls on the casual staff budget and maximise recharges to promoters.

Libraries and Information Services achieved underspends of £0.063m compared to an on target position at month 9. This was due mainly to underspends in supplies and services and a small overachievement of income.

Royal Pavilion and Museums overspend increased from £0.229 million to £0.297 million, mostly due to continuing income underachievement. Overall, income at the Royal Pavilion and Museums was £0.386 million below target, an element of this related to two periods of severe winter weather when visitors were unable to make visits due to, for example, lack of public transport and treacherous road and pavement conditions. Furthermore the heating failed in the Royal Pavilion and was forced to close for 5 days. However, even when open, visitor numbers were down considerably with the weather conditions. Together with energy pressures of £0.125 million these pressures were partly offset by vacancy management and other efficiencies within the service. Additional actions included retail product introduction and driving up profit margins; introduction of events to compensate for losses on corporate functions and weddings.

Culture and Economy increased its underspend from £0.066 million to £0.141 million mainly due to increased income and vacancy management within Supported Employment.

## Centrally Managed Budgets

| Forecast<br>Variance<br>Month 9<br>£'000 | Division                | 2009/10<br>Budget<br>Month 12<br>£'000 | Forecast<br>Outturn<br>Month 12<br>£'000 | Forecast<br>Variance<br>Month 12<br>£'000 | Forecast<br>Variance<br>Month 12<br>% |
|--|-------------------------|--|--|---|---------------------------------------|
| (300)                                    | Bulk Insurance Premia   | 2,827                                  | 2,330                                    | (497)                                     | -17.6%                                |
| (400)                                    | Concessionary Fares     | 7,345                                  | 6,805                                    | (540)                                     | -7.4%                                 |
| -  | Area Based Grant        | (13,954)                               | (13,954)                                 | -   | 0.0%                                  |
| (400)                                    | Capital Financing Costs | 3,994                                  | 3,396                                    | (598)                                     | -15.0%                                |
| -  | Levies & Precepts       | 195                                    | 195                                      | -   | 0.0%                                  |
| (2,875)                                  | Other Corporate Items   | 1,089                                  | (1,759)                                  | (2,848)                                   | -261.5%                               |
| (3,975)                                  | Total                   | 1,496                                  | (2,987)                                  | (4,483)                                   | -299.7%                               |

## Explanation of Key Variances

The outturn on Bulk Insurance Premia is an underspend of £0.497 million due in the main to the number and size of insurance claims during the year being less than anticipated. £0.100 million of the improved position relates to a contingency no longer needed for a policy excess on a large personal injury claim.

The concessionary fares underspend is due in the main to a sustained reduction in journey numbers to those originally budgeted for.

The underspend on Financing Costs is due to the council repaying debt primarily to reduce the council's exposure to investment risk, this has resulted in a net saving to the council. The position has improved in the last quarter due to higher than forecast investment income earned by our Cash Managers in March, and a higher value of cash flow investments than forecast in the last part of the year.

Under 'Other Corporate Items', the main variance is a saving of £1.275 million due to the pay award being confirmed at 1%, which is lower than the 2% included in the budget. The 2009/10 budget also included a contingency provision of £0.750 million which was used to offset general in-year pressures relating to social care demand and the economic situation.

## Section 75 Partnerships

| Forecast<br>Variance<br>Month 9<br>£'000 | Division                    | 2009/10<br>Budget<br>Month 12<br>£'000 | Forecast<br>Outturn<br>Month 12<br>£'000 | Forecast<br>Variance<br>Month 12<br>£'000 | Forecast<br>Variance<br>Month 12<br>% |
|--|-----------------------------|--|--|---|---------------------------------------|
| 79                                       | Council managed S75 Servs   | 23,710                                 | 23,754                                   | 44  | 0.2%                                  |
| 493                                      | NHS Trust managed S75 Servs | 13,486                                 | 13,486                                   | -   | 0.0%                                  |
| 572                                      | Total S75                   | 37,196                                 | 37,240                                   | 44  | 0.1%                                  |

## Explanation of Key Variances

Council managed S75 services (Learning Disabilities) delivered within 0.1% of budget and achieved £1.781million against the financial recovery plan of £1.971million for 2009/10. Further savings of £0.146 million were achieved across both in-house and community care budgets through expenditure control.

NHS Trust managed S75 services overspent by £0.527 million which has been balanced by contributions as set out below:

- Sussex Partnership Foundation Trust (SPFT) – Mental Health & Substance Misuse overspent by £0.450 million due to increases in the number and cost of residential placements in Adult Mental Health.
- South Downs Health Trust (SDHT) – overspent by £0.077 million, due to a staffing pressure on intermediate care services.

Generally, the S75 Partnership Agreements require the Integrated Service Providers (Sussex Partnership Foundation Trust and South Downs Health Trust) to manage in-year cost pressures and carry this risk, subject to any agreement by the partners to vary risk-sharing provisions within the agreements. However, in practice, overspends can arise for a combination of unplanned provider and/or commissioning reasons and therefore overspends often need to be resolved jointly by commissioners and the providers.

For 2009/10 the Sussex Partnership Foundation Trust overspend of £0.450 million has been met from the one-off application of a Joint Commissioning Pot held for the development of mental health services (agreed by Joint Commissioning Board). South Downs Health Trust have been requested to fund the overspend against the services through the overall pooled budget.

## Housing Revenue Account (HRA)

| Forecast<br>Variance<br>Month 9 |                                    | 2009/10<br>Budget<br>Month 12 | Forecast<br>Outturn<br>Month 12 | Forecast<br>Variance<br>Month 12 | Forecast<br>Variance<br>Month 12 |
|---------------------------------|------------------------------------|-------------------------------|---------------------------------|----------------------------------|----------------------------------|
| £'000                           | <b>Housing Revenue Account</b>     | £'000                         | £'000                           | £'000                            | %                                |
| (398)                           | Employees                          | 9,320                         | 9,021                           | (299)                            | -3.2%                            |
| 187                             | Premises – Repair                  | 12,565                        | 12,730                          | 165                              | 1.3%                             |
| 55                              | Premises – Other                   | 3,055                         | 3,048                           | (7)                              | -0.2%                            |
| 47                              | Transport & Supplies               | 2,099                         | 1,832                           | (267)                            | -12.7%                           |
| (69)                            | Support Services                   | 2,251                         | 2,185                           | (66)                             | -2.9%                            |
| 140                             | Revenue contribution to<br>capital | 3,220                         | 3,390                           | 170                              | 5.3%                             |
| (742)                           | Capital Financing Costs            | 4,356                         | 3,580                           | (776)                            | -17.8%                           |
| 1,101                           | Subsidy Payable                    | 11,083                        | 12,238                          | 1,155                            | 10.4%                            |
| 321                             | Net Expenditure                    | 47,949                        | 48,024                          | 75                               | 0.2%                             |
| (11)                            | Dwelling Rents (net)               | (41,168)                      | (41,172)                        | (4)                              | 0.0%                             |
| 5                               | Other rent                         | (1,222)                       | (1,204)                         | 18                               | 1.5%                             |
| 94                              | Service Charges                    | (3,861)                       | (3,676)                         | 185                              | 4.8%                             |
| (51)                            | Supporting People                  | (564)                         | (525)                           | 39                               | 6.9%                             |
| (22)                            | Other recharges & interest         | (1,134)                       | (1,167)                         | (33)                             | -2.9%                            |
| 15                              | Net Income                         | (47,949)                      | (47,744)                        | 205                              | 0.4%                             |
| <b>336</b>                      | <b>Total</b>                       | <b>-</b>                      | <b>280</b>                      | <b>280</b>                       |                                  |

## Explanation of Key Variances

The provisional outturn shows an overspend of £0.280 million, a reduction in spend by £0.056 million compared to the Month 9 forecast.

Employees underspent by £0.299 million due to the pay award being lower than anticipated and vacancy management.

Premises - Repairs shows an overspend of £0.165 million, an decrease of £0.022 million compared to month 9. This includes the following variances:-

- Responsive Repairs has overspent by £0.630 million, an increase of £0.233 million compared to month 9. It was previously reported that this overspend was mainly due to high levels of expenditure during the early part of the year relating to additional works not in the base contract, such as damp proofing, being undertaken. During the winter months there was an increased level of works made necessary by the extreme weather.
- This overspend has been partly mitigated by the delay in implementing new service contracts (£0.203 million, now programmed to be implemented during 2010), efficiencies realised in the decorations contract (£0.102 million) and an underspend of £0.075 million on the programmed works budget.

Transport & Supplies has underspent by £0.267 million compared to a forecast overspend of £0.047 million at month 9. This includes the following variances:-



## Item 17 Appendix 1

- A reduction of £0.132 million in the contribution towards the provision for bad debt following an improvement in rent collection and arrears.
- An underspend of £0.050 million on payments relating to Bed and Breakfast accommodation due to improved processes ensuring Housing Benefit is claimed.
- The balance of the underspend is due to various efficiencies across housing management office expenditure.

Revenue Contributions to Capital, overspent by £0.170 million. This was made up of £0.140 million relating to 6 major voids approved at TMT/Cabinet on 29 June 2009 and £0.030 million relating to fire risk works that have been accounted for in the capital programme.

It was previously reported that the current economic situation has led to a change in the corporate policy towards Treasury management. In order to substantially reduce the exposure to risk the council has prematurely repaid some £57 million of debt. This early repayment has also benefited the council by reducing capital financing costs of which the HRA has seen a reduction of £0.759 million, (i.e. £0.776 million capital financing costs underspend net of £0.017 million interest reduction shown under Income). However, for the HRA, due to the complexities of the subsidy system, there is also an increase of £1.155 million Housing Subsidy payable to central government resulting in a net overspend of £0.396 million. The council will continue to monitor the financial markets and, when there are signs that the markets are returning to a more stable and secure outlook, these interim measures will be withdrawn and new borrowing will be raised.

Service Charges under achievement of income has increased to £0.185 million compared to £0.094 million in month 9. This increase is mainly due to an underachievement of leaseholder charges following lower than anticipated charges being levied.



## ACHIEVEMENT OF THE EFFICIENCY SAVINGS 2009/10

|  | Budget<br>£'000 | Outturn<br>£'000 | Variance<br>£'000 | Explanation  |
|--|-----------------|------------------|-------------------|--|
| <b>Adult Social Care &amp; Housing</b> |                 |                  |                   |  |
| Adult Social Care                      | (1,063)         | (843)            | 220               | Limited savings possible from better procurement of supported housing options  |
| <b>Sub-Total</b>                       | <b>(1,063)</b>  | <b>(843)</b>     | <b>220</b>        |  |
| <b>CYPT</b>                            |                 |                  |                   |  |
| Directorate Restructure                | (540)           | (325)            | 215               | The underachievement relates to IFA's and in-house foster placements which did not continue the expected downward trend of the previous year following the impact of Baby P and the Laming Report. |
| Central Area and Schools Support       | (50)            | (50)             | 0                 |  |
| Specialist Services                    | (450)           | 0                | 450               | The underachievement relates to IFA's and in-house foster placements which did not continue the expected downward trend of the previous year following the impact of Baby P and the Laming Report. |
| <b>Sub-Total</b>                       | <b>(1,040)</b>  | <b>(375)</b>     | <b>665</b>        |  |
| <b>Finance &amp; Resources</b>         |                 |                  |                   |  |
| Finance                                | (192)           | (192)            | 0                 |  |
| ICT                                    | (350)           | (350)            | 0                 |  |
| Customer Services                      | (575)           | (540)            | 35                | Shortfall in Life Events income generation   |
| Property & Design                      | (115)           | (115)            | 0                 |  |
| <b>Sub-Total</b>                       | <b>(1,232)</b>  | <b>(1,197)</b>   | <b>35</b>         |  |
| <b>Strategy &amp; Governance</b>       |                 |                  |                   |  |
| Director                               | (8)             | (8)              | 0                 |  |
| Improvement & Organ Devel              | (28)            | (28)             | 0                 |  |
| Legal & Democratic Services            | (36)            | (36)             | 0                 |  |
| Executive Office                       | (10)            | (10)             | 0                 |  |
| Human Resources                        | (53)            | (53)             | 0                 |  |
| <b>Sub-Total</b>                       | <b>(135)</b>    | <b>(135)</b>     | <b>0</b>          |  |
| <b>Environment</b>                     |                 |                  |                   |  |
| City Services                          | (1,660)         | (1,660)          | 0                 |  |
| Leisure                                |                 |                  | 0                 |  |
| Sustainable Transport                  | (50)            | (50)             | 0                 |  |
| Public Safety                          |                 |                  | 0                 |  |
| City Planning                          |                 |                  | 0                 |  |
| <b>Sub-Total</b>                       | <b>(1,710)</b>  | <b>(1,710)</b>   | <b>0</b>          |  |
| <b>Culture &amp; Enterprise</b>        |                 |                  |                   |  |
| Libraries & Information services       | (20)            | (20)             | 0                 |  |
| Royal Pavilion & Museums               | (56)            | (56)             | 0                 |  |
| Tourism                                | (10)            | (10)             | 0                 |  |
| Economic Development & Regeneration    | (138)           | (138)            | 0                 |  |
| Major Projects and Venues              | (15)            | (15)             | 0                 |  |
| Housing Strategy                       | (145)           | (236)            | (91)              |  |
| <b>Sub-Total</b>                       | <b>(384)</b>    | <b>(475)</b>     | <b>(91)</b>       |  |

## PROGRESS AGAINST THE ACHIEVEMENT OF THE 2009/10 EFFICIENCY SAVINGS

|   | Budget<br>£'000 | Forecast<br>£'000 | Variance<br>£'000 |  |
|---|-----------------|-------------------|-------------------|--|
| <b>Section 75 : Learning Disabilities</b>                 |                 |                   |                   |  |
| Council Lead Learning Disabilities                        | (800)           | (518)             | 282               |  |
| <b>Sub-Total</b>  | <b>(800)</b>    | <b>(518)</b>      | <b>282</b>        |  |
| <b>Health Led Section 75 arrangements</b>                 |                 |                   |                   |  |
| Intermediate Care   | (63)            | (63)              | 0                 |  |
| <b>Sub-Total</b>  | <b>(63)</b>     | <b>(63)</b>       | <b>0</b>          |  |
| <b>Total</b>  | <b>(6,427)</b>  | <b>(5,316)</b>    | <b>1,111</b>      |  |
| <b>Housing Revenue Account</b>                            |                 |                   |                   |  |
| Employees   | (94)            | (94)              | 0                 |  |
| Supplies & Services                                       | (45)            | (45)              | 0                 |  |
| Repairs -Responsive/Empty Properties/service contracts    | (181)           | 381               | 562               | Saving not achieved due to additional works not in the base contract and increased works during the winter months. The new contract commenced 1 April 2010 will reduce the cost of responsive repairs. |
| Repairs - Gas Servicing savings under supplies & services | (198)           | (198)             | 0                 |  |
| Repairs - Gardening Older People                          | (20)            | (30)              | (10)              | Efficient procurement of gardening contract has achieved more than anticipated savings   |
| Support Services  | (63)            | (63)              | 0                 |  |
| <b>Total</b>  | <b>(601)</b>    | <b>(49)</b>       | <b>552</b>        |  |

## KEY ACTIVITY DATA SUPPORTING CORPORATE CRITICAL BUDGETS FORECAST

|   | Activity Indicator | Unit Cost Indicator | BUDGET   |                           |             | FORECAST |                           |             | VARIANCE |                           |             |
|---|--------------------|---------------------|----------|---------------------------|-------------|----------|---------------------------|-------------|----------|---------------------------|-------------|
|   |                    |                     | Activity | Unit Cost/<br>Income<br>£ | Budget<br>£ | Activity | Unit Cost/<br>Income<br>£ | Budget<br>£ | Activity | Unit Cost/<br>Income<br>£ | Budget<br>£ |
| <b>Child Agency &amp; In-house Placements</b> |                    |                     |          |                           |             |          |                           |             |          |                           |             |
| Disability Agency                             | Number of children | Cost per week       | 9.00     | 1,893.30                  | 888,500     | 8.03     | 2,036.03                  | 852,500     | (1.0)    | 143                       | (36,000)    |
| Disability Respite                            |                    |                     | n/a      | n/a                       | 157,000     | n/a      | n/a                       | 112,000     |          |                           | (45,000)    |
| Independent Foster Agency (IFA)               | Number of children | Cost per week       | 96.00    | 946.20                    | 4,736,400   | 133.47   | 840.09                    | 5,846,600   | 37.5     | (106)                     | 1,110,200   |
| Residential Agency                            | Number of children | Cost per week       | 42.00    | 2,419.09                  | 5,297,800   | 36.08    | 2,658.30                  | 5,001,100   | (5.9)    | 239                       | (296,700)   |
| Secure Accommodation                          | Number of children | Cost per week       | 2.00     | 4,088.77                  | 426,400     | 3.44     | 4,150.05                  | 744,400     | 1.4      | 61                        | 318,000     |
| In-House Placements                           | Number of children | Cost per week       | 401.00   | 268.32                    | 5,610,400   | 377.60   | 289.50                    | 5,700,100   | (23.4)   | 21                        | 89,700      |
| Leaving Care Accommodation                    | Number of children | Cost per week       | 43.50    | 404.15                    | 916,700     | 59.04    | 278.02                    | 855,900     | 15.5     | (126)                     | (60,800)    |
| Leaving Care Ex Asylum Seekers                | Number of children | Cost per week       | 16.00    | 133.65                    | 111,500     | 32.48    | 144.01                    | 243,900     | 16.5     | 10                        | 132,400     |
| Educational Agency (DSG)                      | Number of children | Cost per week       | 121.00   | 616.82                    | 3,891,700   | 95.00    | 697.06                    | 3,452,942   | (26.0)   | 80                        | (438,758)   |
|   |                    |                     |          |                           |             |          |                           |             |          |                           | 773,042     |
| <b>Community Care</b>                         |                    |                     |          |                           |             |          |                           |             |          |                           |             |
| NHScc Older People                            | No. WTE Clients    | Cost per week       | 1,705    | 201                       | 17,913,000  | 1,738    | 199                       | 18,025,000  | 33.0     | (3)                       | 112,000     |
| NHScc Physical Disabilities                   | No. WTE Clients    | Cost per week       | 469      | 197                       | 4,828,000   | 487      | 207                       | 5,253,000   | 18.2     | 9                         | 425,000     |
| NHScc No Recourse to Public Funds MH          | No. WTE Clients    | Cost per week       | 40       | 174                       | 367,000     | 94       | 180                       | 877,000     | 53.1     | 6                         | 510,000     |
|   |                    |                     |          |                           |             |          |                           |             |          |                           | 1,047,000   |
| <b>Section 75 Learning Disabilities</b>       |                    |                     |          |                           |             |          |                           |             |          |                           |             |
| S75 NHScc Learning Disabilities               | No. WTE Clients    | Cost per week       | 682      | 581                       | 20,617,000  | 673      | 588                       | 20,635,000  | (8.6)    | 7                         | 18,000      |
| <b>S75 NHS &amp; Community Care Act</b>       |                    |                     |          |                           |             |          |                           |             |          |                           |             |
| S75 NHScc Adult Mental Health                 | No. WTE Clients    | Cost per week       | 235      | 260                       | 3,184,000   | 300      | 241                       | 3,773,000   | 65.2     | (19)                      | 589,000     |
| S75 NHScc Older People Mental Health          | No. WTE Clients    | Cost per week       | 483      | 262                       | 6,608,000   | 523      | 243                       | 6,635,000   | 40.3     | (19)                      | 27,000      |
| S75 NHScc Substance Misuse                    | No. WTE Clients    | Cost per week       | 5        | 390                       | 104,000     | 4        | 495                       | 104,000     | (1.1)    | 105                       | 0           |
| S75 NHScc HIV                                 | No. WTE Clients    | Cost per week       | 26       | 154                       | 210,000     | 31       | 113                       | 183,000     | 4.7      | (40)                      | (27,000)    |
|   |                    |                     |          |                           |             |          |                           |             |          |                           | 589,000     |



## CAPITAL PROVISIONAL OUTTURN REPORT 2009/10

|                                 | 2009-10<br>Budget | Budget<br>Reprofiles | Amended<br>Budget | 2009-10<br>Outturn | 2009-10<br>Slippage | 2009-10<br>(Savings) /<br>Overspends |
|---------------------------------|-------------------|----------------------|-------------------|--------------------|---------------------|--------------------------------------|
| <b>Directorate</b>              | £'000             | £'000                | £'000             | £'000              | £'000               | £'000                                |
| Strategy & Governance           | 821               |                      | 821               | 517                | 304                 | -                                    |
| Culture & Enterprise            | 1,168             | (61)                 | 1,107             | 966                | 141                 | -                                    |
| Finance & Resources             | 4,210             |                      | 4,210             | 3,673              | 483                 | (54)                                 |
| Adult Social Care & Housing     | 11,349            |                      | 11,349            | 11,216             | 133                 | -                                    |
| Housing Revenue Account (HRA)   | 17,620            | (429)                | 17,191            | 16,820             | 296                 | (75)                                 |
| Children & Young People's Trust | 21,529            | (1,127)              | 20,402            | 19,858             | 1,076               | 532                                  |
| Environment                     | 17,951            | (737)                | 17,214            | 15,943             | 1,425               | 154                                  |
| <b>Total Council Budgets</b>    | <b>74,648</b>     | <b>(2,354)</b>       | <b>72,294</b>     | <b>68,993</b>      | <b>3,858</b>        | <b>557</b>                           |





## Summary of reprofiles of budget due to factors outside the Council's control

| Schemes  | 2009/10<br>Budget<br>£'000 | 2010/11<br>Budget<br>£'000 | Total<br>Changes<br>£'000 |
|--|----------------------------|----------------------------|---------------------------|
| <b>Culture &amp; Enterprise</b>                  |                            |                            |                           |
| Detailed Reprofiles in appendix 4 (over £50,000) | (61)                       | 61                         | -                         |
| <b>Children &amp; Young People's Trust</b>       |                            |                            |                           |
| Detailed Reprofiles in appendix 4 (over £50,000) | (1,127)                    | 1,127                      | -                         |
| <b>Adult Social Care &amp; Housing (HRA)</b>     |                            |                            |                           |
| Detailed Reprofiles in appendix 4 (over £50,000) | (429)                      | 429                        | -                         |
| <b>Environment</b>                               |                            |                            |                           |
| Detailed Reprofiles in appendix 4 (over £50,000) | (737)                      | 737                        | -                         |
| <b>Total Changes to Budgets</b>                  | <b>(2,354)</b>             | <b>2,354</b>               | <b>-</b>                  |

### Detailed explanations of the reprofiles

#### Culture & Enterprise

|  |                           |
|--|---------------------------|
| Directorate: Cultural Services               | Approved Budget: £230,840 |
| Project Title: New Historical Records Office | Revised Budget: £169,840  |
|  | Variation: £(61,000)      |

The new Historic Records Office project known as The Keep was unsuccessful in gaining Heritage Lottery Grant. The project team have explored alternative options to deliver the project with less resources and this has lengthened the development stage into 2010/11. A report is due to be presented to Cabinet on 22nd July 2010 that will update on the progress of the project including the stage D design and the business plan for the ongoing operation of the facility.

|                               |                             |
|-------------------------------|-----------------------------|
| Directorate: CYPT             | Approved Budget: £6,056,000 |
| Project Title: Falmer Academy | Revised Budget: £4,929,290  |
|                               | Variation: £(1,126,710)     |

The original capital expenditure forecast was based on approval of the Final Business Case (FBC) by Partnerships for Schools (PfS) in late October 2009 leading to an effective start on site on 25th November 2009.

The FBC approval process also involved approval of the inter-related Main Works Design and Build Contract, the Development Agreement and the Long Lease Agreement. Due to the extensive, detailed involvement of legal representatives, the Academy Trust, the Contractor and PfS, the timescale for completion of this documentation extended and PfS approval was not issued until 4th January 2010.

Although a nominal start on site was achieved on 25th November 2009, significant early orders and full Contractor mobilisation could not be authorised pending receipt of formal approval which led to an effective start of site operations on 25th January 2010. Subsequently, the early progress of the work was severely affected by the exceptionally inclement winter weather which impacted on deliveries to site and the early groundworks and concreting operations.

The Contractor has made all possible efforts to mitigate these initial delays by re-sequencing the Works and focussing on critical path activities. Although the overall project progress is currently slightly behind the agreed Contract programme, all of the critical path activity start dates have been achieved and it is anticipated that the programme delays will shortly be retrieved.

## Environment

|                          |                           |
|--------------------------|---------------------------|
| Directorate: Environment | Approved Budget: £930,000 |
| Project Title: CIVITAS   | Revised Budget: £643,330  |
|                          | Variation: £(286,670)     |

The budget reported against is the budget set out in the original CIVITAS bid document, accepted by Cabinet in October 2008. In September 2009 the council was given the opportunity to revise the bid based on better information regarding specific requirements at project and programme level. As of yet this revised bid has been informally, but not formally accepted by the European Commission. Until such a time as the reprofiled budget is formally accepted by the European Commission, the council is obliged to report against original budgets, even though these are recognised as being out of date. It is also important to note that the CIVITAS funding year is different to the council financial year (ending in September rather than March), allowing flexibility over fund profiling. The project timetable has not been affected by the apparent slippage, and the CIVITAS programme will still be delivered within its allotted 4 year lifecycle.

|   |                           |
|---|---------------------------|
| Directorate: Environment                  | Approved Budget: £450,000 |
| Project Title: Refuse Vehicle Replacement | Revised Budget: £0        |
|   | Variation: £(450,000)     |

The vehicles were ordered on 21st January, with a lead time of six weeks from the contractor. However a delay in the manufacture of bin lifts at the Terberg plant in Holland meant that the lifts were unable to be fitted causing the delay.

## Adult Social Care and Housing

### HRA Capital Schemes

|   |                           |
|---|---------------------------|
| Directorate: Housing (HRA)                | Approved Budget: £145,000 |
| Project Title: Building Elements & Design | Revised Budget: £95,000   |
|   | Variation: £(50,000)      |

The requirement for the digitisation of building plans/information is still ongoing. The staff member who was in charge of this project left our employment, and due to a department restructure there was a delay in the recruitment of their replacement. We are now in the process of recruiting a Health and Safety Manager to continue with this project. Unfortunately this has meant that our full financial resource was not expended during 2009/10 and will continue into 2010/11.

|                                   |                           |
|-----------------------------------|---------------------------|
| Directorate: Housing (HRA)        | Approved Budget: £200,000 |
| Project Title: ICT Capital Budget | Revised Budget: £80,000   |
|                                   | Variation: £(120,000)     |

The Housing ICT Capital budget for 2009/10 included ICT setup costs associated with the 10 year Repairs & Maintenance contract. There was an assumption that the new Housing Repairs 'Supercentre' building in Moulsecoomb would be commissioned during 2009/10. Although planning permission has been successfully obtained there have been delays experienced in negotiating the lease meaning the building did not become available and the associated ICT costs need to be re-profiled into 2010/11.

The majority of costs relate to the ICT infrastructure required for the building including telephone infrastructure, communications lines and equipment. The building is now due to be commissioned during the summer/autumn of 2010.

|  |                           |
|--|---------------------------|
| Directorate: Housing (HRA)                           | Approved Budget: £331,800 |
| Project Title: Procurement of Long Term Arrangements | Revised Budget: £196,800  |
|  | Variation: £(135,000)     |

There are two main aspects relating to this re-profile request;

The Council has five service contracts that are in the procurement preparation stage. Work is progressing on the procurement of these contracts but is still ongoing due to complexities of the specifications and contract types. Finalisation of the contracts will be in 2010/11 and therefore legal-procurement and consultancy costs will be incurred in 2010/11.

Although planning has been successfully obtained, there has been delays experienced in negotiating the lease for the super-centre building at Mouslecoomb. The knock on effect of this delay has meant that some of the costs which would have been incurred

in the last quarter of 2009/10 will now be required in the first and second quarters of 2010/11.

---

|  |                           |
|--|---------------------------|
| Directorate: Housing (HRA)                     | Approved Budget: £527,400 |
| Project Title: Conversion of Shared Facilities | Revised Budget: £403,400  |
|  | Variation: £(124,000)     |

---

The budget for conversion of shared facilities, which are properties currently without their own bathrooms or WC's, was approved in July 2009 with £0.508 million allocated to 2009-10. This allocation was based on the assumption that the works would receive planning and other permissions, and the properties themselves would be available for the works to commence and be completed within the financial year.

Both the planning and delivery phases of the project were delayed substantially by some of the blocks of flats involved becoming unavailable for a variety of reasons, including squatting, for several months. The project costs have been reviewed and amended to reflect the anticipated cost required to deliver this project.

## Summary of Slippage from 2009/10 to 2010/11

|  | 2009/10<br>Budget<br>£'000 | 2010/11<br>Budget<br>£'000 | Total<br>Changes<br>£'000 |
|--|----------------------------|----------------------------|---------------------------|
| <b>Slippage Summary</b>                      |                            |                            |                           |
| <b>Strategy &amp; Governance</b>             |                            |                            |                           |
| Slippage over £50,000 (previously reported)  | (279)                      | 279                        | -                         |
| Interplan                                    | (25)                       | 25                         | -                         |
| <b>Total Strategy &amp; Governance</b>       | <b>(304)</b>               | <b>304</b>                 | -                         |
| <b>Culture &amp; Enterprise</b>              |                            |                            |                           |
| Slippage over £50,000 (detailed in appendix) | -                          | -                          | -                         |
| Royal Pavilion Toilet Facilities             | (32)                       | 32                         | -                         |
| Contact Centre, Ticket & Web Build           | (20)                       | 20                         | -                         |
| Brighton Centre Redevelopment                | (40)                       | 40                         | -                         |
| Economic Development Schemes                 | (20)                       | 20                         | -                         |
| Projects & Venues (Major projects) schemes   | (24)                       | 24                         | -                         |
| Library Management System                    | (5)                        | 5                          | -                         |
| <b>Total Culture &amp; Enterprise</b>        | <b>(141)</b>               | <b>141</b>                 | -                         |
| <b>Finance &amp; Resources</b>               |                            |                            |                           |
| Slippage over £50,000 (detailed in appendix) | (103)                      | 103                        | -                         |
| Slippage over £50,000 (previously reported)  | (165)                      | (165)                      | -                         |
| Electronic Document Records Management       | (15)                       | 15                         | -                         |
| Corporate GIS                                | (33)                       | 33                         | -                         |
| Other ICT schemes                            | (17)                       | 17                         | -                         |
| Replacement of Financial Information System  | (20)                       | 20                         | -                         |
| Statutory DDA works                          | (35)                       | 35                         | -                         |
| Asset Management Fund                        | (20)                       | 20                         | -                         |
| New England House                            | (31)                       | 31                         | -                         |
| Madeira Lift                                 | (31)                       | 31                         | -                         |
| Other Planned Maintenance Schemes            | (13)                       | 13                         | -                         |
| <b>Total Finance &amp; Resources</b>         | <b>(483)</b>               | <b>483</b>                 | -                         |
| <b>Adult Social Care &amp; Housing</b>       |                            |                            |                           |
| Slippage over £50,000 (detailed in appendix) | (96)                       | 96                         | -                         |
| Places for change programme                  | (20)                       | 20                         | -                         |
| Other Adult Social care Schemes              | (17)                       | 17                         | -                         |
| <b>Total Adult Social Care &amp; Housing</b> | <b>(133)</b>               | <b>133</b>                 | -                         |
| <b>Adult Social Care &amp; Housing (HRA)</b> |                            |                            |                           |
| Slippage over £50,000 (detailed in appendix) | (270)                      | 270                        | -                         |
| Mechanical & Electrical Works                | (21)                       | 21                         | -                         |
| Door Entry Systems                           | (5)                        | 5                          | -                         |
| <b>Total HRA</b>                             | <b>(296)</b>               | <b>296</b>                 | -                         |

|  |                |              |          |
|--|----------------|--------------|----------|
| <b>Environment</b>                               |                |              |          |
| Slippage over £50,000 (detailed in appendix)     | (597)          | 597          | -        |
| Slippage over £50,000 (previously reported)      | (828)          | 828          | -        |
| <b>Total Environment</b>                         | <b>(1,425)</b> | <b>1,425</b> | <b>-</b> |
| <b>Children &amp; Young People's Trust</b>       |                |              |          |
| Slippage over £50,000 (detailed in appendix)     | (151)          | 151          | -        |
| Slippage over £50,000 (previously reported)      | (805)          | 805          | -        |
| Children's Centres Phase 3                       | (17)           | 17           | -        |
| Extended Schools Childcare                       | (32)           | 32           | -        |
| Capital Learning Fund                            | (19)           | 19           | -        |
| NDS Modernisation                                | (9)            | 9            | -        |
| Children's Social Service                        | (43)           | 43           | -        |
| <b>Total Children &amp; Young People's Trust</b> | <b>(1,076)</b> | <b>1,076</b> | <b>-</b> |
| <b>Total Changes to Budgets</b>                  | <b>(3,858)</b> | <b>3,858</b> | <b>-</b> |

#### Details of slippage of £50,000 or more

|   |                           |
|---|---------------------------|
| Directorate: CYPT                             | Approved Budget: £732,690 |
| Project Title: Sure Start Grant – Early Years | Revised Budget: £581,560  |
|   | Variation: £(151,130)     |

This Sure Start grant funding is in relation to a number of projects and the delays have been due to several factors;

- a service provider not being available to take over a project when planned resulting in a delay in equipping the building (for security issues)
- a contractor being appointed later than anticipated due to the initial tenders being in excess of the original budget and renegotiations being necessary; as well as asbestos being found in the building which had to be removed before the building work could start.

The grant funding was allocated for the three year period 2008/9, 2009/10 and 2010/11 and all of the projects will all be completed within the allowed timescale. It will not be necessary to provide alternative service provision. It is within the terms and conditions of the grant to carry forward the funding to 2010/11.

|                                  |                           |
|----------------------------------|---------------------------|
| Directorate: Finance & Resources | Approved Budget: £153,100 |
| Project Title: Legionella Works  | Revised Budget: £ 50,100  |
|                                  | Variation: £(103,000)     |

The contract involves work on several properties. Delays to this year's programme have been caused by a variety of factors, including; access issues at various sites and waiting for landlord's consent, reliance on external partners to carryout proceeding services and changes made to the programme due to unforeseen works and additional sites being added. The overall work is scheduled to be completed early in the new financial year.

### **Adult Social Care and Housing**

---

|  |                             |
|--|-----------------------------|
| Directorate: Adult Social Care & Housing   | Approved Budget: £9,743,310 |
| Project Title: BEST Private Sector Housing | Revised Budget: £9,647,450  |
|  | Variation: £(95,860)        |

---

1% of the BEST capital budget for 2009/10 was not spent. This was due to a small delay on the delivery of larger scale heating installation in a number of houses in multiple occupations delivered through the HMO Energy Innovation Grant Scheme. Expenditure under this grant scheme is dependent upon completion of works by individual applicants following approval of applications for housing renewal assistance. Completion was expected in March 2010, however due to small delays, was actually delivered in early May 2010. The funding for this project comes in the form of a grant which can be carried over. The project timetable was delayed by two months with completion of the project made in early May 2010

### **HRA Capital Schemes**

---

|  |                           |
|--|---------------------------|
| Directorate: Adult Social care & Housing (HRA) | Approved Budget: £368,400 |
| Project Title: St James House Car Park         | Revised Budget: £53,400   |
|  | Slippage: £(270,000)      |
|  | Underspend £(45,000)      |

---

The costs incurred for the proposed St James house car park improvement work during 2009/10 have been for consultative surveys and proposals to overcome structural and boiler problems at St James House car park.

The progress on this project has been delayed due to two main contributing factors which are;

- 1) The need to replace the existing communal gas boiler which has meant exploring options to re-site the boiler and run the flue-dilution through the car park with the intention of carrying out both the boiler and car-park work at the same time. Finding an appropriate solution and location of the new boiler has and is continuing to be problematic.
- 2) The remedial work to the car-park is far more extensive than originally anticipated and we are seeking further structural survey information to assess accurately the work requirement and update the costs of the car park works.

## Item 17 Appendix 6

It is anticipated that proposals for both the boiler replacement and the car park works will be prepared by mid-summer 2010.

The resources of £0.270 million will be carried forward to the 2010/11 HRA Capital programme and added to £0.335 million budget already in the 2010/11 programme for St James House Car Park. The remainder of the variation is an underspend.

### Environment

---

|                                   |                           |
|-----------------------------------|---------------------------|
| Directorate: Environment          | Approved Budget: £253,000 |
| Project Title: Volks Railway Shed | Revised Budget: £8,130    |
|                                   | Variation: £(244,870)     |

---

Only a small proportion of the budget has been spent so far as a final scheme has not yet been confirmed. It is proving difficult to develop a proposal which is financially viable due to the variety of constraints of this seafront site and the requirements of Heritage Railway.

---

|   |                           |
|---|---------------------------|
| Directorate: Environment                              | Approved Budget: £166,900 |
| Project Title: Horsedean Travellers Site Improvements | Revised Budget: £107,890  |
|   | Variation: £(59,010)      |

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The delays in completing refurbishment work at the transit site were beyond the council's control in that contractors failed to complete the scheduled works in the agreed timescales.

The transit site reopening has been delayed by several months resulting in us being unable to provide transit pitches for travellers visiting the city.

---

|  |                             |
|--|-----------------------------|
| Directorate: Environment                           | Approved Budget: £1,308,930 |
| Project Title: King Alfred – Health & Safety Works | Revised Budget: £1,015,930  |
|  | Variation: £(293,000)       |

---

Cabinet agreed on 11 June 2009 an additional allocation of £0.641 million on top of the existing 2009/10 budget of £0.718 million making a total budget of £1.359 million for the urgent King Alfred Health & Safety works. Cabinet also agreed on 11 February 2010 to reprofile £0.050 million into 2010/11 thus providing a total budget of £1.309 million.

The spend in 2009/10 was £1.016 million leaving a variance of £(0.293) million to be carried forward to 2010/11 in order to complete the Health and Safety urgent works. The scope of the Health and Safety works continues to develop as further requirements are identified. The £0.293 million will fund work that has been identified towards the end of 2009/10 which will need to be carried out during 2010/11.



**Explanations of overspends (and underspends) of over £50,000**

**Environment**

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|   |                           |
|---|---------------------------|
| Directorate: Environment                  | Approved Budget: £586,000 |
| Project Title: Cycling Demonstration City | Overspend: £192,110       |

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The project was a first for the UK in terms of design and required a number of innovative design changes which were not able to be paid within that financial years grant claim. The project has now been completed bar a couple of minor amendments following the Stage Three Safety Audit. This will be met from the capital budget in 2010-11.

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|  |                             |
|--|-----------------------------|
| Directorate: Environment               | Approved Budget: £1,007,020 |
| Project Title: Communal Bins Extension | Underspend: £452,296        |

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The underspend within the Communal Bins Extension is due to the overall efficiency of the procurement of Communal Bins.

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|   |                           |
|---|---------------------------|
| Directorate: Environment                  | Approved Budget: £300,000 |
| Project Title: Controlled Parking Schemes | Overspend: £52,641        |

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Spend is dependent on whether an area takes up the offer of a parking scheme - this is not known until the relevant consultation has taken place. It is also dependent on how large an area opts for a scheme, as the bigger the scheme, the greater initial expenditure on consultation and implementation, including signing, lining and provision of Pay & Display machines. The expenditure for 2009-10 is greater than forecast because at the request of members, the consultation for all schemes in 2010-11 were extended to include additional areas/groups of roads. The original budget allocated was £0.640 million but this was re-profiled in 2010-11 with an estimate of £0.300 million expenditure. Actual expenditure has been £0.353 million

The project timetable has not been affected; although larger areas have been consulted and some minor re-consultation of particular roads has taken place, this has all been done within the agreed timetable. Parking scheme consultations take up to 2 years from start to finish.

Any overspend will be calculated into the payback period from income generated by new parking schemes, over a period of 7 years.

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|  |                             |
|--|-----------------------------|
| Directorate: Environment                   | Approved Budget: £2,570,000 |
| Project Title: Falmer Infrastructure Works | Overspend: £336,860         |

---

This project is SEEDA funded over three years. Works started on site in autumn 2009 and are progressing well. As a result of this, the spend is ahead of the original cost profile. Also, in early March 2010, SEEDA requested that we increase the spend in 2009/10 by an additional £0.137 million to assist with their budgets. Additionally,

Southern Water costs were incurred due to unforeseen water mains requiring diversion due to these works.

Works are still on schedule to be completed by the end of 2010 and will then enter a 12 months maintenance period. This work is SEEDA funded and is cost neutral to the council as any overspend will be funded by the Community Stadium Limited as laid down in an Agreement with them.

## **Adult Social Care and Housing**

### **HRA Capital Schemes**

|  |   |
|--|---|
| Directorate: Housing (HRA)                   | Approved Budget: £326,500                     |
| Project Title: Mechanical & Electrical Works | Underspend: £(139,120)<br>Slippage: £(21,400) |

In December 2009 £0.390 million was reprofiled to 2010/11 to carry out the medium rise surveys enabling the council to utilise cost efficient rates through the 10 year partnering contract. In addition works had been identified to three properties which will be incorporated in to the new 10 year partnering contract along with any future work deemed necessary as a result of the surveys. The increased value for money in the new contract has led to the underspend of £0.100 million. The additional £0.040 million under spend is due to the final costs of a particular project being lower than forecast.

|  |                          |
|--|--------------------------|
| Directorate: Housing (HRA)                           | Approved Budget: £73,000 |
| Project Title: Empty properties – Technical Services | Overspend: £208,593      |

The cost of rectification works are not currently covered by the limited income from rechargeable repairs. Further issues have been identified around works requested above the lettable standard that were having a financial impact on the average cost per empty property.

|  |                             |
|--|-----------------------------|
| Directorate: Housing (HRA)                     | Approved Budget: £2,772,780 |
| Project Title: Kitchen & Bathroom Replacements | Underspend: £(281,601)      |

The request for additional funding to increase our percentage of properties meeting the decent homes standard during the third quarter of 2009/10 was a success in terms of more properties now meeting the standard.

A decision was made to move the remainder of the decent homes work into 2010/11, where improved value for money could be delivered through the new Repairs & Refurbishment Partnership.

|   |                           |
|---|---------------------------|
| Directorate: Housing (HRA)                                  | Approved Budget: £261,400 |
| Project Title: Minor Capital Works - Planned<br>Maintenance | Overspend: £77,186        |

## Item 17 Appendix 7

The reason for the £0.077 million overspend is that there were some projects added to the minor capital works programme after it had been approved. These were all necessary, legitimate, urgent or works of a H&S nature.

These projects included:

- Hazelholt –the sub-division of the ex scheme managers flat (No 24) into two 2 one bed flats.
- Jasmine Ct - the extension of flat 10 to use a redundant communal bathroom converting the flat from a bed sit into a 1 bed flat
- Dangerous walls - there were three walls which were condemned as dangerous by a structural engineer, these walls had to be made safe.
- Litigation - following some court decisions BHCC was required to undertake some repair works and make restitution to residents.

### Finance & Resources

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|                                   |                           |
|-----------------------------------|---------------------------|
| Directorate: Finance & Resources  | Approved Budget: £100,000 |
| Project Title: Mortuary Extension | Underspend: £(53,698)     |

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All works have now been completed, measured and valued. The total value of additional works has been less than initial estimates suggested. The contract retention sums have been agreed and paid.

### Children & Young People's Trust

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|                                     |                             |
|-------------------------------------|-----------------------------|
| Directorate: CYPT                   | Approved Budget: £3,675,000 |
| Project Title: Primary Capital Fund | Overspend: £65,173          |

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At 3rd Quarter a request was made to reprofile £0.122 million to 2010/2011 due to delays in the ground on a project and also the poor weather conditions in January 2010. In the 4th Quarter of the year we were informed that grant funding of £0.055 million had not been obtained for elements of the projects at Balfour Junior and Davidgor Infant School which resulted in unforeseen expenditure against this code.

This year's overspend of £0.065 million will be funded from the budget available for the Primary Capital Programme in 2010/2011.

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|                                      |                             |
|--------------------------------------|-----------------------------|
| Directorate: CYPT                    | Approved Budget: £1,837,520 |
| Project Title: Targeted Capital Fund | Overspend: £469,273         |

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At 3rd Quarter it was reported that due to good progress on the major project at Longhill School the cash flow forecast suggested an overspend of £0.440 million. This initial assessment proved to be correct and the final outturn figure for the year was an overspend of £0.469 million.

## **Item 17 Appendix 7**

The Targeted Capital Fund in 2010/2011 has a budget of £6 million with a large element allocated to the Longhill School project. We will fund this year's overspend of £0.469 million from this budget.

## NEW CAPITAL SCHEME APPROVALS

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Directorate: Environment

Budget: £1,437,000

Project Title: Refuse and other vehicles

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In the Capital Resources & Capital Investment Programme for 2010/11 Budget Council agreed, subject to further information being presented on the project, to fund refuse and other vehicles for Environment from unsupported borrowing. The vehicles to be replaced are currently leased and the savings generated on lease costs can fund the repayment of the unsupported borrowing.

The details of the vehicles are shown below:

### Purchase of 7 Refuse Collection Vehicles - £1.05m

The refuse fleet needs to be replaced over a period of four years. Three new vehicles were purchased last financial year and another 7 are need for this financial year. The environmental impact of the vehicles have been considered and as well as health and safety and practical requirements. The vehicles will have Euro 5 standard engines which will reduce the emissions for Co2, PM10's and NoX, significantly. They will be able to run on 30% biodiesel as well as standard diesel and they will be more fuel efficient. The vehicles will also have specially designed panels along their sides which will allow the council to place and replace posters very easily

### Purchase of 3 mechanical sweepers and 3 caged tippers - £0.297m

The street cleansing fleet needs replacement over a period of 3 years commencing this year.

Again, the vehicles will be more fuel efficient and emissions for Co2, PM10's and NoX will be less than the current vehicles.

### Purchase of 3 electric vans - £0.090m

It is proposed that electric vehicles are purchased for lighter duties where the technology is more advanced and reliable and are used in areas where vehicles are not so critical to the delivery of frontline services to residents. The vans are 3 of 8 vehicles used by team leaders and managers to supervise the recycling, cleaning and refuse service across the city



**DRAFT EXTRACT FROM THE PROCEEDINGS OF CABINET HELD ON THE 17  
JUNE 2010**

**CABINET**

**4.00PM 17 JUNE 2010**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**DRAFT MINUTES**

**Present:** Councillors Mears (Chairman), Alford, Brown, Caulfield, Fallon-Khan, Simson, Smith, G Theobald and Young

**Also in attendance:** Councillors Mitchell (Opposition Spokesperson), Kitcat (Opposition Spokesperson) and Watkins (Opposition Spokesperson)

**Other Members present:** Councillors Bennett, Davis, Kemble and Oxley

- 28. TARGETED BUDGET MANAGEMENT (TBM) PROVISIONAL OUTTURN 2009/10**
- 28.1 The Cabinet considered a report of the Director of Finance & Resources concerning the provisional outturn position (Month 12) on the revenue and capital budgets for the financial year 2009/10.
- 28.2 In response to calls from Councillor Mitchell to replace the Volks Railway sheds, Councillor Theobald explained that the options proposed by the architects were not financially viable within the challenging budget conditions, but that they would look again at the possibility of providing something within budget constraints.
- 28.3 The Chairman added that the council would make every effort to find a practical solution within the available budget.
- 28.4 Councillor Smith reported that significant physical improvements had been made in the area between the two piers and that work was continuing to move along towards Black Rock. It was hoped that by establishing new partnerships further improvements could be realised.
- 28.5 Councillor Simson reported that the Horsdean Traveller Transit site was now fully operational and that only a small number of vacant pitches remained. She thanked officers for efforts made to achieve this.
- 28.6 Councillor Mears added that she was very impressed with the Horsdean site and stated that all Members were aware of the current budget pressures.

28.7 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:

- (1) That the provisional outturn position for the General Fund, which is an underspend of £0.235 million, be noted.
- (2) That the provisional outturn for the Section 75 Partnerships and Housing Revenue Account (HRA) for 2009/10 be noted.
- (3) That the contributions to reserves as set out in paragraph 3.4 be approved.
- (4) That the provisional outturn position on the capital programme be noted.
- (5) That the following changes to the capital programme be approved:
  - (i) The budget reprofiling as set out in Appendix 5;
  - (ii) The carry forward of slippage into the 2010/11 capital programme, to meet on-going commitments on these schemes as set out in Appendix 6;
  - (iii) The new scheme as set out in Appendix 8.



|   |                |                                  |                     |
|---|----------------|----------------------------------|---------------------|
| <b>OVERVIEW AND SCRUTINY COMMISSION</b> |                | <b>Agenda Item 18</b>            |                     |
|   |                | Brighton & Hove City Council     |                     |
| <b>Subject:</b>                         |                | <b>Annual Complaints Report</b>  |                     |
| <b>Date of Meeting:</b>                 |                | <b>20 July 2010</b>              |                     |
| <b>Report of:</b>                       |                | <b>Monitoring Officer</b>        |                     |
| <b>Contact Officer:</b>                 | <b>Name:</b>   | <b>Brian Foley</b>               | <b>Tel: 29-3109</b> |
|   | <b>E-mail:</b> | brian.foley@brighton-hove.gov.uk |                     |
| <b>Wards Affected:</b>                  | All            |                                  |                     |

**FOR GENERAL RELEASE**

**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 This report gives information about complaints received by Brighton and Hove City Council during 2009/10.
- 1.2 The report shows how complaint levels have changed over the year and highlights complaint activity in the services people have most complained about.
- 1.3 The report describes some of the actions taken to improve services and reduce the levels of complaints.

**2. RECOMMENDATIONS:**

- 2.1 It is recommended that Overview and Scrutiny Commission note the report.
- 2.2 Overview and Scrutiny may wish to use the information contained within the report to look at specific service areas in more detail over the forthcoming year.

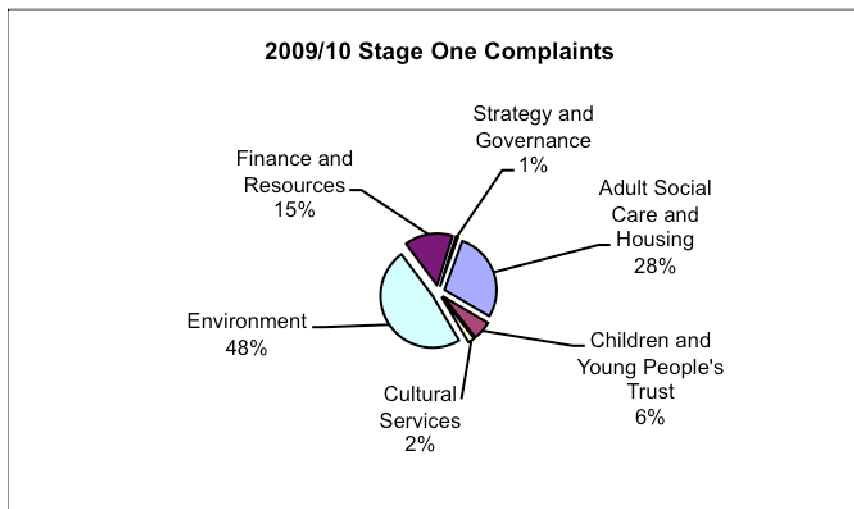
**3. RELEVANT BACKGROUND INFORMATION**

- 3.1 The Council uses three main complaints process.
  - Corporate complaints account for the great majority of complaints. BHCC has a two stage process which then leads to the Local Government Ombudsman (LGO).
    - Stage One complaints are investigated and replied to by Service Managers.
    - Stage Two complaints are investigated by Standards and Complaints Officers.
  - Adult Social Care is a statutory single stage process leading to Ombudsman.

- The designated Adult Social Care Complaints Manager liaises with the complainant and Services Managers to identify the best way to resolve the complaint.
- Children’s Social Care is a statutory three stage process leading to Ombudsman.
  - Stage One complaints are investigated and replied to by Service Managers
  - The designated Children’s Social Care Complaints Manager administers Stage Two investigations carried out by an Independent Investigator.
  - Stage Three is an Independent Review Panel.

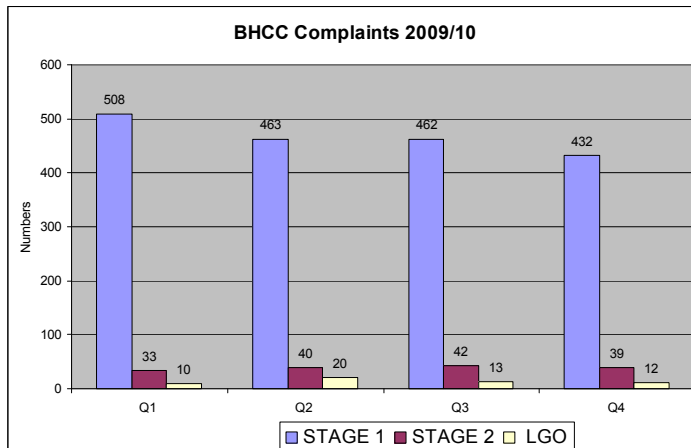
3.2 There were 1865 Stage One complaints in 2009/10; this compares favourably to previous years where there were 1988 in 2008/09, and 2157 in 2007/08.

3.3 The pie chart below shows the relative split between directorates for stage one complaints. Environment accounts for very nearly half of the complaints received, but this is a large directorate where the focus is almost entirely about delivery of services to the public.



3.4 The chart below shows that the number of Stage One complaints has reduced steadily over the over the course of the year from 508 in Q1 to 432 in Q4. Additional charts throughout the report show how the levels of complaints about key services have changed over the year.

3.5 Paragraphs 3.6 and 3.7 list the services that have had the greatest effect on the overall complaint numbers. Later paragraphs explain what is happening within those services to affect the level of complaints.



3.6 The services which have had the greatest impact on the reduction are:

- Adult Social Care: 34(Q1) to 22(Q4) =-8
- City Clean: 152(Q1) to 87(Q4) =-65
- City Parks: 23(Q1) to 5(Q4) =-18
- Revenues: 58(Q1) to 49(Q4) =-9

3.7 The overall reduction has been offset by increases in some services:

- Housing Management: 36(Q1) to 45(Q4) =+9
- Repairs and Maintenance: 40(Q1) to 55(Q4) =+15
- Housing Strategy: 14(Q1) to 20(Q4) =+6
- Housing Benefits: 14(Q1) to 18(Q4) =+4

3.8 Services where there has been no consistent pattern to the change in complaint levels:

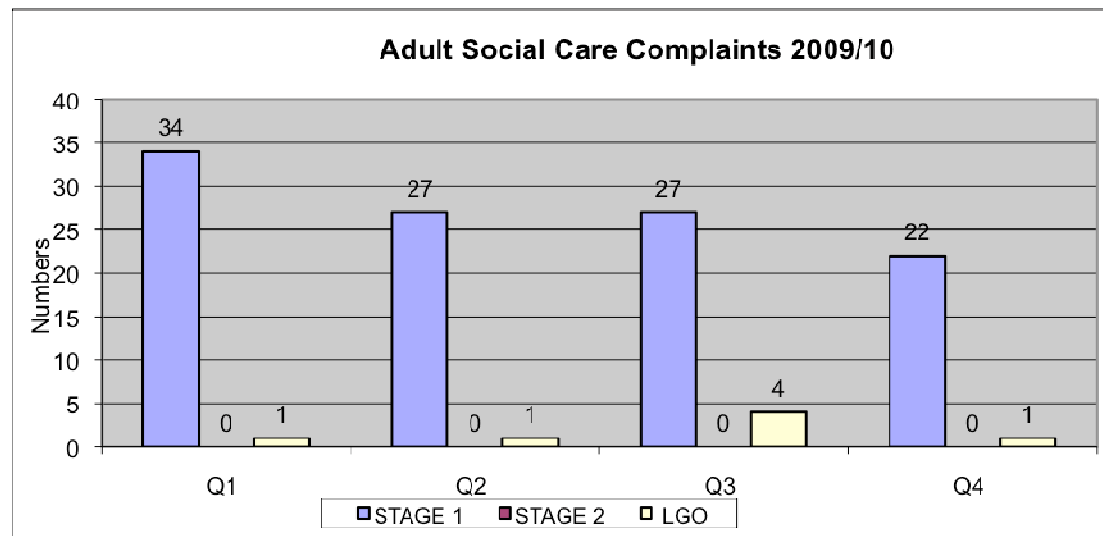
- Children's Social Care
- City Planning
- Sustainable Transport

3.9 There are other services where the numbers of complaints are so few that it is difficult to make a realistic comment. These would include, for example:

- Public Safety
- Sport and Leisure
- Life events
- Property and design
- Culture
- Strategy and Governance

## Services with Reducing Complaint Levels

### Adult Social Care



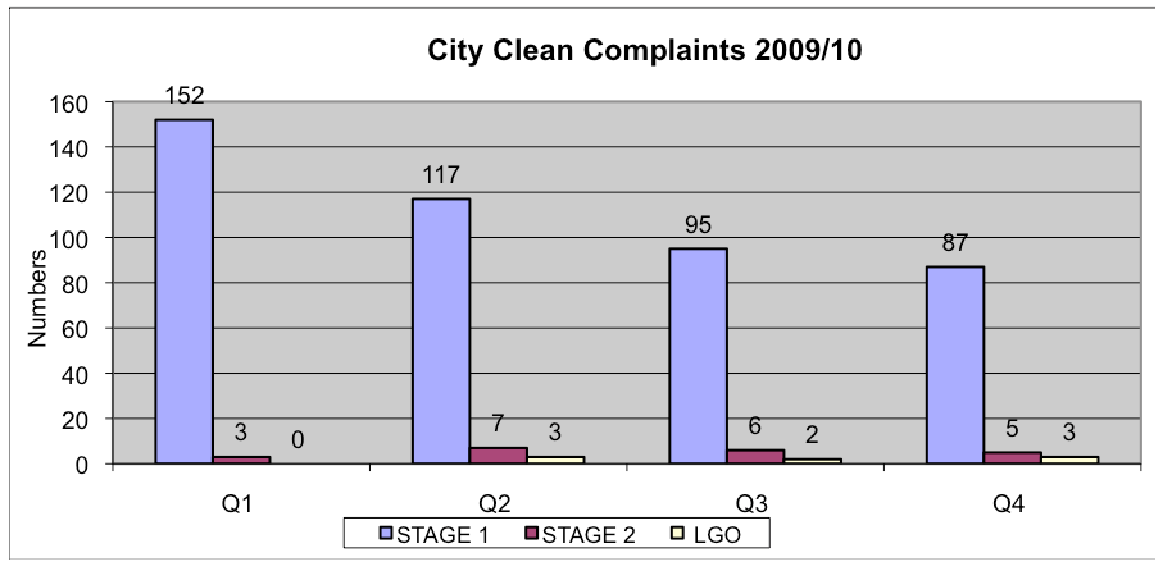
3.10 In April 2009 a new statutory complaints procedure was introduced called Listening, Responding, Improving. This requires the manager dealing with the complaint to agree with the customer how the complaint will be investigated and what will be done to resolve the matter. The emphasis is on seeking a resolution rather than apportioning blame. An essential feature of the process is that the respondent discusses with their manager what learning outcomes there have been and how those lessons may be incorporated into service improvements. The respondent also shares with the customer what learning has taken place.

3.11 There is no Stage Two. But customers/service users can go to the Ombudsman if they are not happy with the outcome. Adult Social Care have built a good relationship with the Ombudsman who views them as being helpful and willing to resolve complaints.

3.12 The services areas which receive the greatest complaints are:

- In House Home Care, which remains consistent through the year (17)
- Hospital Social Workers, complaints have reduced greatly (13)
- Older people's respite/residential care complaints have reduced (13)
- OT Adaptations have increased (11)

## City Clean



3.13 There has been a noticeable reduction in complaints after Q1. The main issue of complaints in that quarter were missed recycling and missed waste collections. At that time people who wished to report missed collections were unable to get through to the call centre, leading to additional secondary complaints.

3.14 The new collection rounds have now become familiar to crews. The contact centre has been re-organised and call times have greatly improved. Staff have been designated to deal with complaints and there are now weekly review meetings with the Assistant Director.

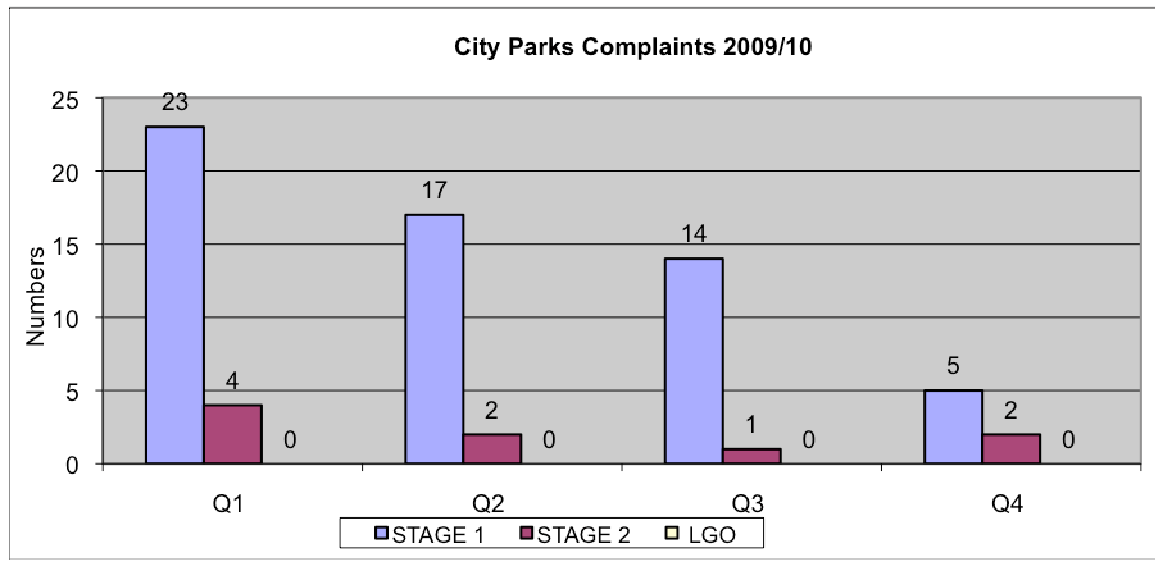
3.15 City Clean intend to introduce a personalised approach to attending to customer complaints with an emphasis on visits rather than letters.

3.16 City Clean are planning to make information more readily accessible so that customers do not have to rely solely on telephoning call centre advisors.

3.17 The level of Stage Two complaints seems unnecessarily high and it is anticipated that the proportion of people who are dissatisfied with the response to their complaints will reduce as City Clean take a more personalised approach to problem solving.

3.18 The ombudsman has been critical of the time it has taken to respond to issues they have raised about City Clean.

## City Parks



3.19 In Q1 complaints were about arboriculture and the allotment service.

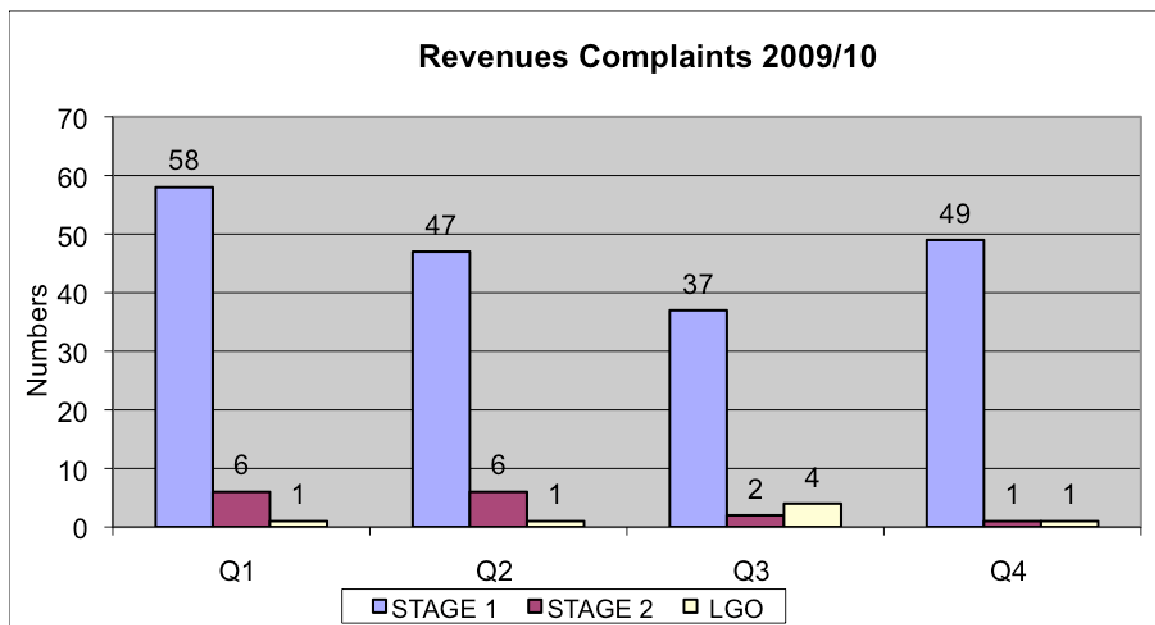
3.20 For arboriculture the complaints were mostly about delays in carrying out work.

3.21 There were no complaints about the allotment service in Q4.

3.22 There have been many compliments about the wild flowers that are being grown along the Lewes Road.

3.23 There have been no complaints referred to the Ombudsman.

## Revenues



3.24 There has been an overall reduction in complaints about Revenues over the year despite an increase in Q4.

3.25 The greatest number of complaints are about the actions of bailiffs (26) and what the public view as unwarranted legal action (36). Very few complaints about Revenues are upheld. This is also reflected in the findings of Stage two and Ombudsman investigations.

3.26 However the Ombudsman did issue a report about a case that began in 2008 where the council issued bankruptcy proceedings. BHCC procedures did require that a check be made to see if the person was vulnerable, but the procedure did not require a check with Adult Social Care. That procedure was changed in October 2008 before the Ombudsman’s investigation was concluded. The council paid the complaint £250 for the failure in the procedure.

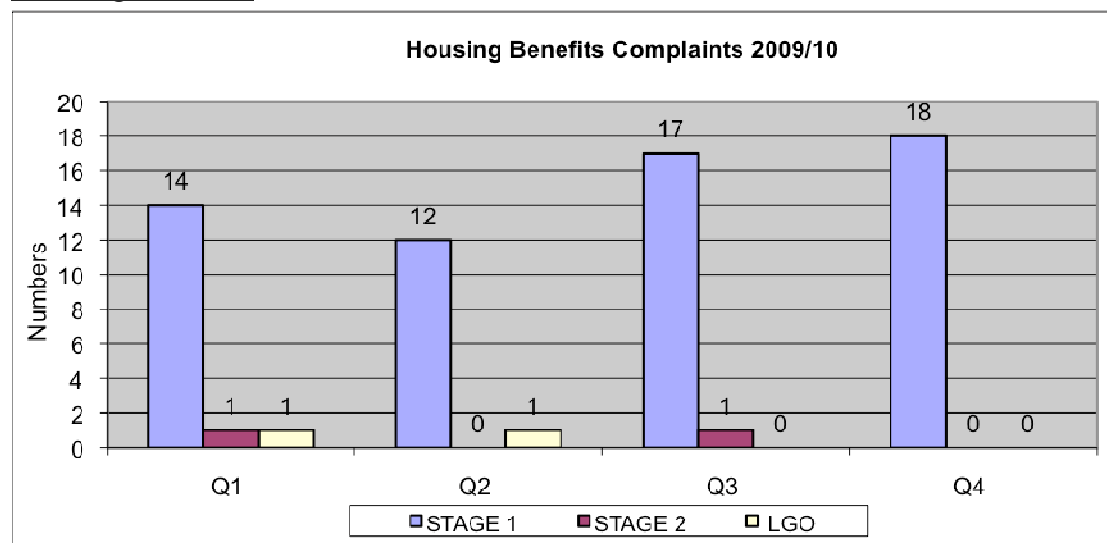
3.27 There have been 16 complaints about staff conduct. But this should be understood in the context that explaining unpopular decisions can be difficult both to communicate and to hear. There is generally a lack of evidence in support of allegations against staff but where the complaint has been upheld additional personal training has been provided.

3.28 Other significant areas of complaint concern incorrect assessments and overpayments (32) and delays in making payments. Whilst there are increasing demands being placed on the service the level of complaints regarding these issues have not increased.

3.29 Complaints about people being able to speak to officers on the telephone appear to be reducing following the introduction of a new telephony system.

## Services with Increasing Complaint Levels

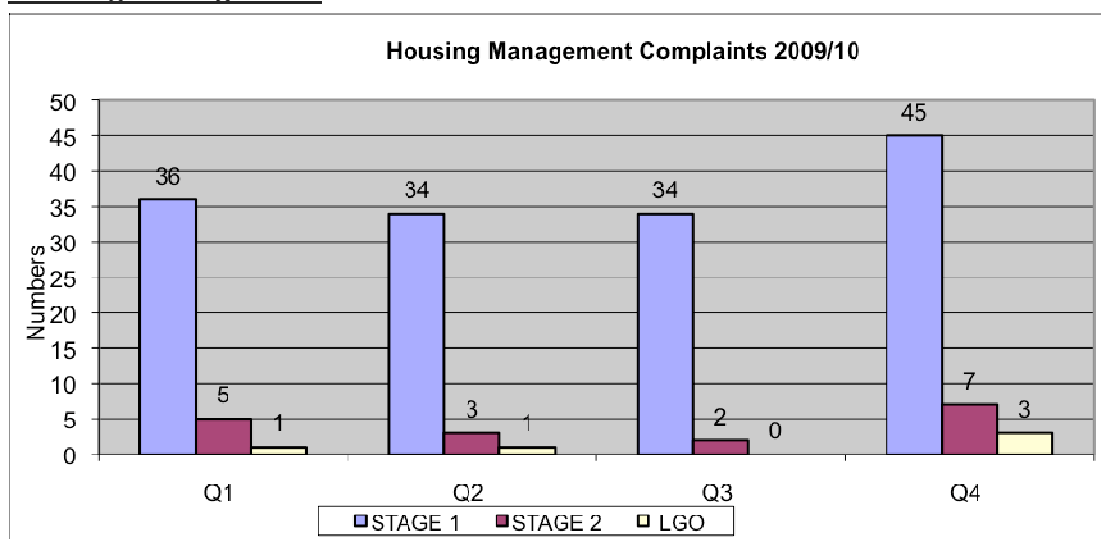
### Housing Benefits



3.41 Until Q2 complaints about the Housing Benefits section had consistently decreased. However, over the last half year the level of claimants has increased by 50% and we are seeing a corresponding increase in the level of complaints.

3.42 The issues of complaint that have increased are associated with that increased demand place on the benefits service. These include: Delay in processing time (11), Poor communication (6), Poor customer service (4), Incorrect advice (4), incorrect assessments (17) and allegations of unwarranted action (5).

### Housing Management



3.30 Stage One complaint levels in Q4 increased by about a third. The main service areas contributing to the increase are council owned car parks and garages (32), and complaints that Anti-social behaviour not being dealt with to the satisfaction of the complainant (23).

3.31 Housing have introduced a pilot scheme for improving the way anti-social behaviour is responded to. In Q3 there were no complaints about the handling of ASB cases. However, in Q4 the level of complaints returned to a similar level as in previous quarters.

3.32 Complaints about the car parks and garages are mostly dealt with successfully at Stage One, but this is clearly an emotive subject for residents and their visitors.

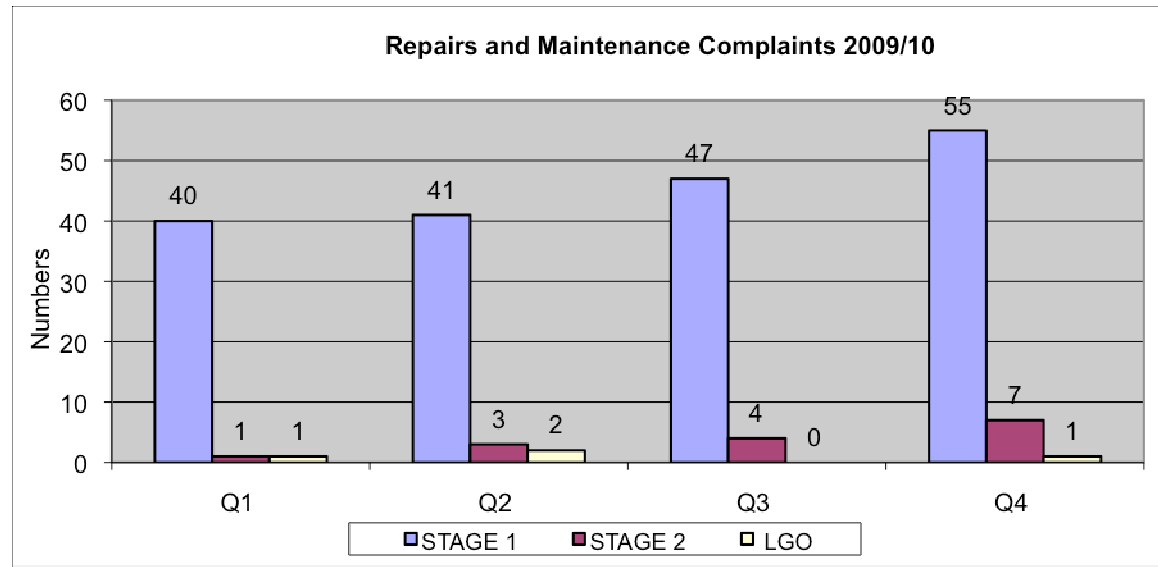
3.33 There is a general sense of dissatisfaction for some tenants that they are unable to successfully bid for properties they would like to move to (16). The ability to meet residents' wishes is very much affected by the availability of stock.



3.34 There does however appear to be a recurrent theme that residents are unhappy with staff and find them unhelpful. (23)

3.35 The way neighbour disputes and anti-social behaviour are dealt with and banding issues appear as Stage Two complaints.

### Repairs and Maintenance

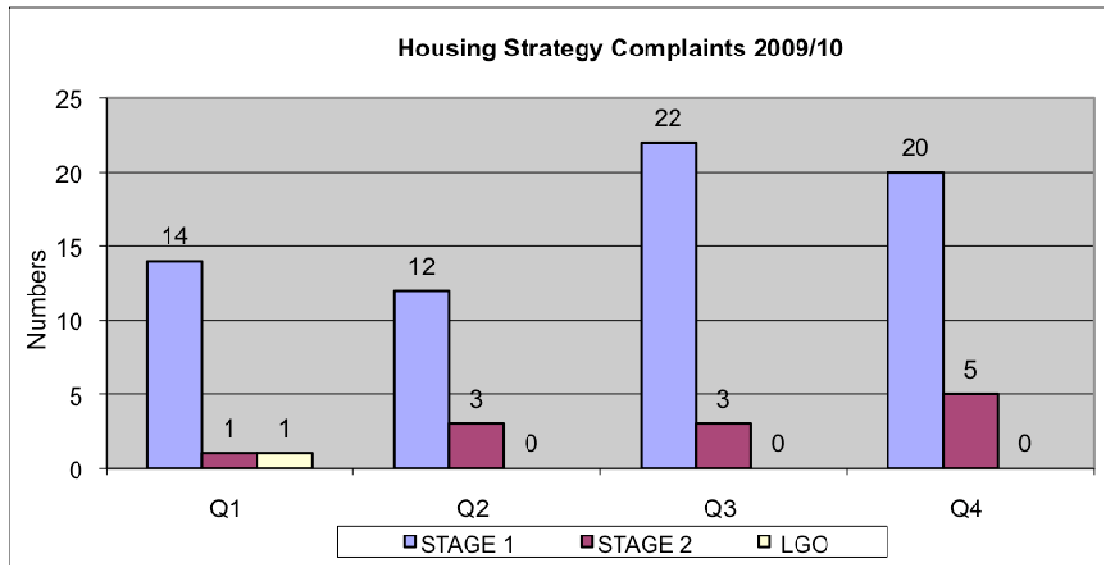


3.36 Complaints about Repairs and Maintenance increased by more than a third in Q4 compared to Q1 and Q2. The main issue of complaint continues to be delay in carrying out repairs (74).

3.37 It is probable that staff were focussing on transferring their work to the BHCC/Mears Partnership during the last half of the year and this had a knock on effect on the quality of work.

3.38 The increase in Stage Two complaints also suggests that managers were not fully addressing issues raised at Stage One.

## Housing Strategy

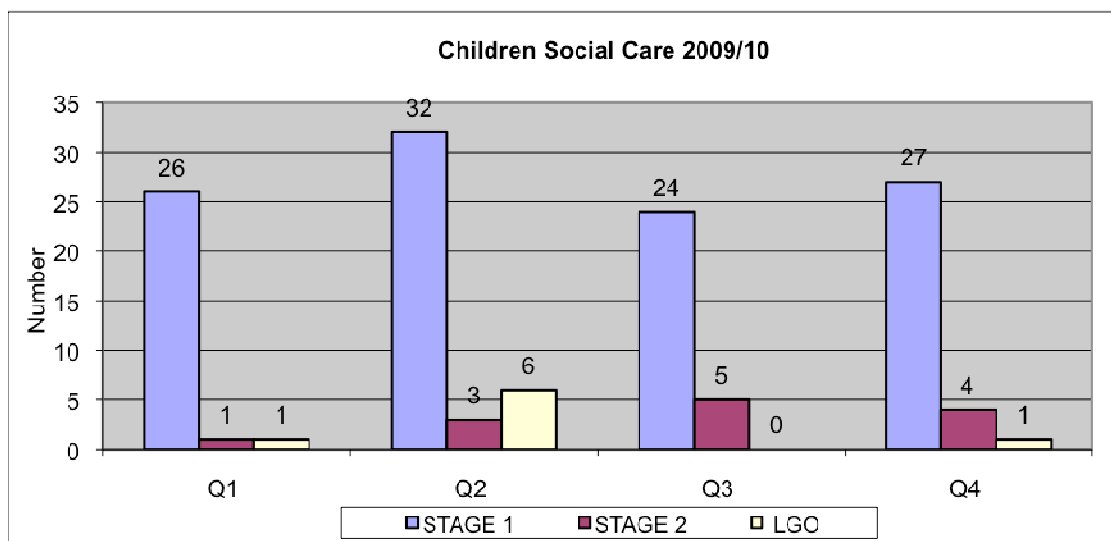


3.39 The primary issues of complaint this service deals with are private sector residents who are unable to successfully bid for properties, or who feel there has been an unnecessary delay in housing them.

3.40 As in Housing Management residents are often unhappy with the response they receive from the Team Leaders and seek a further investigation.

### **Services with no clear overall trend in complaint levels**

## Children's Social Care



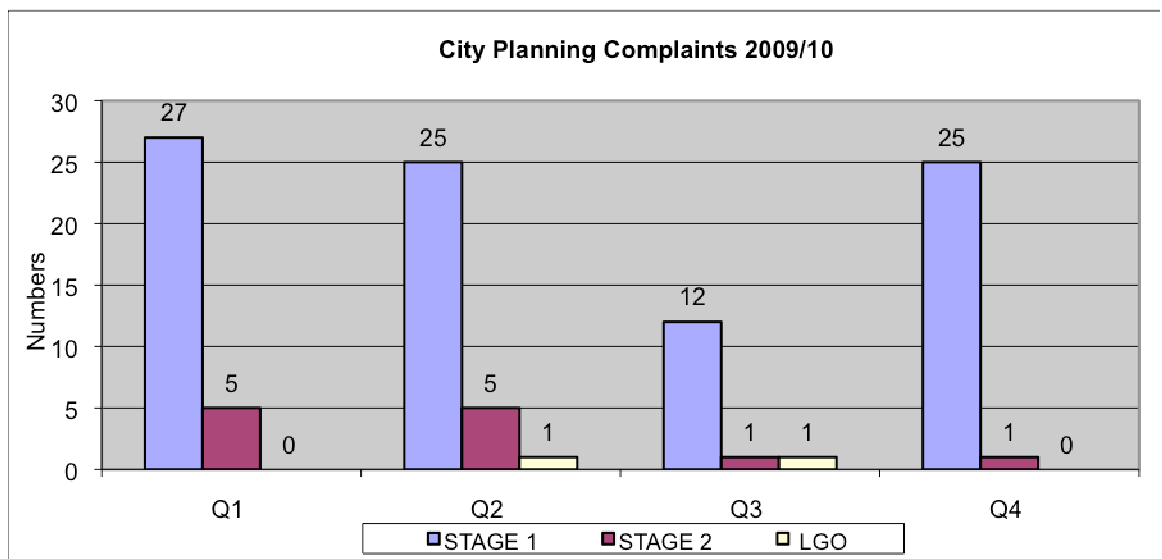
3.43 The level of complaints has remained fairly consistent over the year. It is generally accepted that there is under reporting of complaints from children and young people. The Youth Advisory Participation Manager and Complaints Manager are setting up a series of workshops with looked after young people to find out how the service can be made more accessible.

3.44 In the region of 5% of the complaints received are from young people.

3.45 Complaints about the work of social workers have to be viewed in the primary focus of the work is the child. The concerns of adults are therefore secondary and there is often a sense that adults dislike the 'interference' of social workers.

3.46 Often complaints contain multiple issues. The most common are; disagree with decision (90), staff attitude (63) or unhappy with the social worker (25).

### City Planning

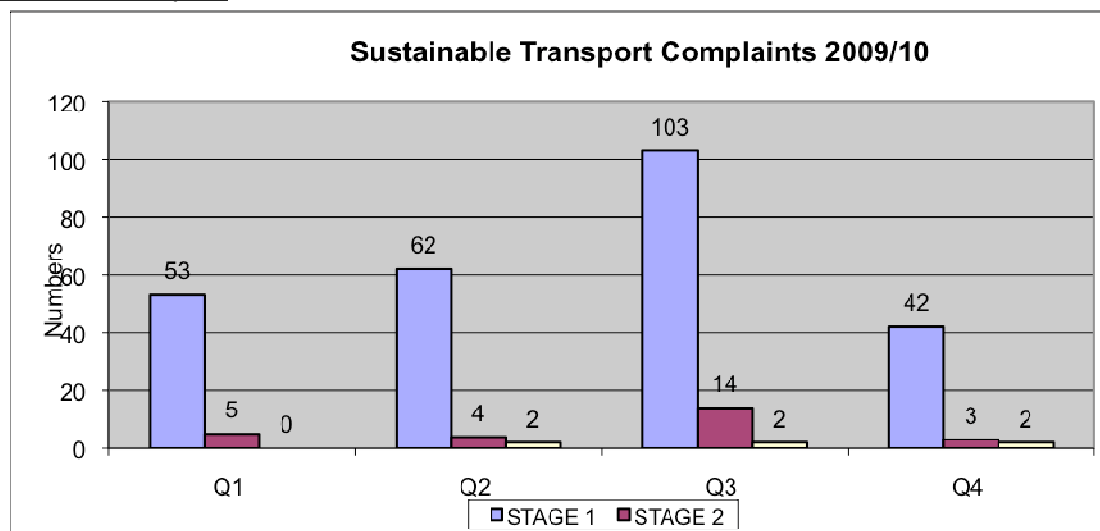


3.47 Complaint levels have been fairly consistent throughout the year except in Q3 where they dropped by half.

3.48 The main issue of complaint is that applicants disagree with the planning decision (17). Generally, this is not a matter that can be investigated under the complaints process. It is a decision of the Planning Committee and for some people there may be the opportunity to refer the matter to the planning inspectorate.

3.49 Last year Development Control were receiving large numbers of complaints that the service could not be accessed. A restructuring of the service has brought a considerable improvement for customers.

### Sustainable Transport



3.50 The Sustainable Transport Team have had a very high volume of complaints in Q3. More than half relate to consultation work for parking zones (69 in total, 48 in Q3). Twelve of those complaints were then escalated to Stage Two.

3.51 There is a fairly consistent background level of complaints the Parking Teams deal with which include actions of enforcement officers (15), administration of the Penalty Charge Notices (12), and staff conduct (8).

3.52 Complaints about the effect of severe weather were not recorded as formal complaints and were reviewed by a specific Overview and Scrutiny Committee.

### Ombudsman's Annual Report

3.53 The Ombudsman's Annual Report is included in Appendix 1 to this report and gives details of each of the local settlements agreed by the council.

3.54 The LGO received 101 complaints and enquires about BHCC during 2009/10 and referred 67 for investigation. Of these there were the following:

|   |    |
|---|----|
| Maladministration with Injustice Reports: | 1  |
| Local Settlements:                        | 17 |
| No Maladministration:                     | 32 |

|                                    |    |
|------------------------------------|----|
| Ombudsman's discretion (to close): | 10 |
| Outside jurisdiction:              | 7  |

3.55 The Ombudsman has reported that often the substantive responses he receives from BHCC are speedy; however there have been a number of occasions where the response has taken an inordinately long time.

3.56 This has caused our average reply time to be 32.3 days rather than not more than 28 days. This information is summarised in Appendix 2.

#### **4. CONSULTATION**

4.1 There has been no consultation.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

5.1 There are no direct financial implications arising from the recommendations of this report. The costs associated with complaints processes are managed within Directorate budgets.

Finance Officer consulted: Anne Silley                      Date 9 July 2010

##### Legal Implications:

5.2 There are no direct legal implications in this report for information.

##### Equalities Implications:

5.3 There are no equalities implications

##### Sustainability Implications:

5.4 There are no sustainability implications

##### Crime & Disorder Implications:

5.5 There are no crime and disorder implications

##### Risk and Opportunity Management Implications:

5.6 There are no Risk and Opportunity Management Implications

##### Corporate / Citywide Implications:

5.7 There are no Corporate or Citywide implications

## **SUPPORTING DOCUMENTATION**

### **Appendices**

1. The 2009/10 Annual Return to Standards for England
2. Summary of LGO information

### **Documents In Members' Rooms**

1. None

### **Background Documents**

1. None

**The Local Government Ombudsman's  
Annual Review**

**Brighton & Hove City Council**

**for the year ended  
31 March 2010**

Local Government Ombudsmen (LGOs) provide a free, independent and impartial service. We consider complaints about the administrative actions of councils and some other authorities. We cannot question what a council has done simply because someone does not agree with it. If we find something has gone wrong, such as poor service, service failure, delay or bad advice, and that a person has suffered as a result, we aim to get it put right by recommending a suitable remedy. We also use the findings from investigation work to help authorities provide better public services through initiatives such as special reports, training and annual reviews.

# Contents of Annual Review

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# Section 1: Complaints about Brighton & Hove City Council 2009/10

## Introduction

This annual review provides a summary of the complaints we have dealt with about Brighton & Hove City Council. We have included comments on the authority's performance and complaint-handling arrangements, where possible, so they can assist with your service improvement.

I hope that the review will be a useful addition to other information your authority holds on how people experience or perceive your services.

Two appendices form an integral part of this review: statistical data for 2009/10 and a note to help the interpretation of the statistics.

## Enquiries and complaints received

We received 99 enquiries and complaints about the Council during the year. This is a reduction of around a third since last year. We sent 21 complaints to the Council to be dealt with under its complaints procedure. And in 12 cases we gave advice to the enquirer. The remaining 66 complaints were passed to our investigation team.

Thirteen of the cases passed for investigation were about housing, including housing allocations, homelessness, repairs and tenancy management. Of the 10 education complaints passed for investigation, eight were about school admissions and two were about special educational needs. Most categories of complaint saw a reduction compared with last year, but notable exceptions were those about adult care services, local taxation and waste management.

## Complaint outcomes

During the year we decided 67 complaints and in almost half of them we decided there was no or insufficient evidence of maladministration. In 10 cases we exercised discretion not to continue the investigation, in most cases because we felt the injustice was insufficient. Seven complaints fell outside our jurisdiction.

## Reports

When we complete an investigation, we generally issue a report. This year I issued one report on a complaint where the Council had taken bankruptcy proceedings to recover council tax arrears against a person with mental health issues. The Council's procedures required special consideration to be given to cases involving vulnerable people but at the time did not require any check to be made with adult care services. Checks are now made and if one had been made in this case the Council would have found that the complainant was known to its adult care service. If that had happened, it is possible that the bankruptcy action would not have proceeded but I could not be certain about that. So there was maladministration by the Council which caused an injustice to the complainant in terms of uncertainty as to whether the outcome might have been different. I recommended that the Council should pay the complainant compensation of £250 and to apologise for the failure in the procedure. The Council agreed to implement my recommendations.

## **Local settlements**

A 'local settlement' is a complaint where, during the course of our investigation, a council takes or agrees to take some action that we consider to be a satisfactory response to the complaint. In 2009/10, 26.9% of all complaints the Ombudsmen decided and which were within our jurisdiction were local settlements. For your Council 28.3% of the complaints within jurisdiction that we decided were local settlements.

### ***Adult care services***

Three complaints about adult care services resulted in local settlements. In one, the Council apologised and acknowledged it should have been more proactive in involving a disabled person's parents in a safeguarding investigation. Two other cases related to issues with co-operation and communication between the Council and local NHS trusts when implementing care arrangements. The problems were largely historical and procedural changes had been made to improve co-operation between the bodies, but the Council agreed to apologise for past problems. It implemented further steps to improve the care arrangements in one case and paid £250 compensation in that case and £200 in the other.

### ***Housing***

There were also three local settlements on complaints about housing. In the first, a new member of staff had failed to recognise the need for a homelessness assessment but the Council swiftly agreed to carry out a reassessment and reviewed the supervision arrangements for new staff. It paid £100 compensation and was able to provide accommodation to the complainant during the course of the investigation. In the second, the Council accepted there had been delay in arranging for the removal of asbestos from the complainant's home and agreed to increase its offer of compensation to £200. And in the third, the Council delayed in referring an insurance claim to the contractors who had installed a shower and so it agreed to pay £100 compensation.

### ***Public finance including local taxation***

Two complaints about council tax resulted in local settlements. In one, the Council agreed to credit the complainant's council tax account with a sum to remedy the injustice caused by its failure to allow him more time to rectify a bank error which had cancelled a standing order. In the other case the Council had issued a refund to the complainant's ex partner despite saying it would not do this without both parties' consent. The Council responded very quickly to this investigation and agreed to pay £200 compensation.

### ***Planning and building control***

The Council agreed to settle one complaint about a lack of information about a summer sports event by paying £50 compensation for the complainant's time and trouble in making the complaint. The Council had not properly responded to the complainant's concerns and it was only in response to our enquiries that it provided an adequate explanation and gave assurances that there would in future be discussions with planning and noise teams for events like this.

### ***Transport and highways***

Two complaints resulted in local settlements. One happened very swiftly when the Council agreed to reconsider an application for a parking permit that had been incorrectly completed by the complainant's GP. In the other case the Council's response to a complaint about parking problems had been unnecessarily delayed and I felt that although the eventual response was reasonable, the Council should pay £50 compensation for the delay.

## **Waste management**

There were six local settlements of complaints about waste collection. In two complaints the service department took over 10 weeks to reply to our enquiries and although the substantive response to these complaints was reasonable the Council agreed to pay £75 for the unreasonable delay one complainant had experienced while pursuing the complaint.

Another complaint was settled by the Council's contractors agreeing a plan for enforcement action to address bins being left in the street. One complaint was settled by the Council agreeing to move a communal refuse bin to a more convenient location and another by the Council repairing communal bins. The remaining complaint was settled by the Council apologising for the delay in providing recycling facilities and providing a reasonable explanation for the delay.

## **Liaison with the Local Government Ombudsman**

My investigators have commented on very prompt responses to some enquiries and local settlement proposals but it has taken much longer to obtain information relating to some complaints about waste collection. One of my investigators discussed this with the link officer and I understand that the contractor has drawn up a plan to improve complaint handling. I hope this will result in improvements and a swifter response to our enquiries in the future. These delays appear to be the reason why the Council took an average of 32.3 days to reply to our enquiries in the 46 cases where we made written enquiries. This is higher than the figure for last year when the average response time was 28 days, in accordance with the target timescale we set.

Officers from the Council attended our training event for link officers in May 2009 and workshops on the new adult care services complaints procedure which we held in July 2009 and March this year. I hope they found these events useful and informative.

## **Training in complaint handling**

I would like to take this opportunity to remind the Council that part of our role is to provide advice and guidance about good administrative practice. We offer training courses for all levels of local authority staff in complaints handling and investigation. All courses are presented by experienced investigators. They give participants the opportunity to practise the skills needed to deal with complaints positively and efficiently. We can also provide customised courses to help authorities to deal with particular issues and occasional open courses for individuals from different authorities.

I have enclosed some information on the full range of courses available together with contact details for enquiries and bookings.

## **Conclusions**

I welcome this opportunity to give you my reflections about the complaints my office has dealt with over the past year. I hope that you find the information and assessment provided useful when seeking improvements to your authority's services.

**Tony Redmond  
Local Government Ombudsman  
Millbank Tower  
Millbank  
London  
SW1P 4QP**

**June 2010**



## Section 2: LGO developments

### Introduction

This annual review also provides an opportunity to bring councils up to date on developments in the LGO and to seek feedback.

### New schools complaints service launched

In April 2010 we launched the first pilot phase of a complaints service extending our jurisdiction to consider parent and pupil complaints about state schools in four local authority areas. This power was introduced by the Apprenticeships, Skills, Children and Learning Act 2009.

The first phase involves schools in **Barking and Dagenham, Cambridgeshire, Medway and Sefton**. The Secretary of State no longer considers complaints about schools in these areas. In September the schools in a further 10 local authority areas are set to join the pilot phase.

We are working closely with colleagues in the pilot areas and their schools, including providing training and information sessions, to shape the design and delivery of the new service. It is intended that by September 2011 our jurisdiction will cover all state schools in England.

A new team in each office now deals with all complaints about children's services and education on behalf of the Ombudsman. Arrangements for cooperation with Ofsted on related work areas have been agreed.

For further information see the new schools pages on our website at [www.lgo.org.uk/schools/](http://www.lgo.org.uk/schools/)

### Adult social care: new powers from October

The Health Act 2009 extended the Ombudsmen's powers to investigate complaints about privately arranged and funded adult social care. These powers come into effect from 1 October 2010 (or when the Care Quality Commission has re-registered all adult care providers undertaking regulated activity). Provision of care that is arranged by an individual and funded from direct payments comes within this new jurisdiction.

Each Ombudsman has set up a team to deal with all adult social care complaints on their behalf. We expect that many complaints from people who have arranged and funded their care will involve the actions of both the local authority and the care provider. We are developing information-sharing agreements with the Care Quality Commission and with councils in their roles as adult safeguarding leads and service commissioners.

### Council first

We introduced our Council first procedure in April last year. With some exceptions, we require complainants to go through all stages of a council's own complaints procedure before we will consider the complaint. It aims to build on the improved handling of complaints by councils.

We are going to research the views of people whose complaints have been referred to councils as premature. We are also still keen to hear from councils about how the procedure is working, particularly on the exception categories. Details of the categories of complaint that are normally treated as exceptions are on our website at [www.lgo.org.uk/guide-for-advisers/council-response](http://www.lgo.org.uk/guide-for-advisers/council-response)

## **Training in complaint handling**

Demand for our training in complaint handling has remained high, with 118 courses delivered over the year to 53 different authorities. Our core Effective Complaint Handling course is still the most popular – we ran some of these as open courses for groups of staff from different authorities. These are designed to assist those authorities that wish to train small numbers of staff and give them an opportunity to share ideas and experience with other authorities.

The new Effective Complaint Handling in Adult Social Care course, driven by the introduction of the new statutory complaints arrangements in health and adult social care in April 2009, was also popular. It accounted for just over a third of bookings.

Over the next year we intend to carry out a thorough review of local authority training needs to ensure that the programme continues to deliver learning outcomes that improve complaint handling by councils.

## **Statements of reasons**

Last year we consulted councils on our broad proposals for introducing statements of reasons on the individual decisions of an Ombudsman following the investigation of a complaint. We received very supportive and constructive feedback on the proposals, which aim to provide greater transparency and increase understanding of our work. Since then we have been carrying out more detailed work, including our new powers. We intend to introduce the new arrangements in the near future.

## **Delivering public value**

We hope this information gives you an insight into the major changes happening within the LGO, many of which will have a direct impact on your authority. We will keep you up to date through LGO Link as each development progresses, but if there is anything you wish to discuss in the meantime please let me know.

Mindful of the current economic climate, financial stringencies and our public accountability, we are determined to continue to increase the efficiency, cost-effectiveness and public value of our work.

**Tony Redmond**  
**Local Government Ombudsman**  
**Millbank Tower**  
**Millbank**  
**London**  
**SW1P 4QP**

**June 2010**

# Appendix 1: Notes to assist interpretation of the statistics 2009/10

## Table 1. LGO Advice Team: Enquiries and complaints received

This information shows the number of enquiries and complaints received by the LGO, broken down by service area and in total. It also shows how these were dealt with, as follows.

**Premature complaints:** The LGO does not normally consider a complaint unless a council has first had an opportunity to deal with that complaint itself. So if someone complains to the LGO without having taken the matter up with a council, the LGO will either refer it back to the council as a 'premature complaint' to see if the council can itself resolve the matter, or give advice to the enquirer that their complaint is premature.

**Advice given:** These are enquiries where the LGO Advice Team has given advice on why the LGO would not be able to consider the complaint, other than the complaint is premature. For example, the complaint may clearly be outside the LGO's jurisdiction.

**Forwarded to the investigative team (resubmitted premature and new):** These are new cases forwarded to the Investigative Team for further consideration and cases where the complainant has resubmitted their complaint to the LGO after it has been put to the council.

## Table 2. Investigative Team: Decisions

This information records the number of decisions made by the LGO Investigative Team, broken down by outcome, within the period given. **This number will not be the same as the number of complaints forwarded from the LGO Advice Team** because some complaints decided in 2009/10 will already have been in hand at the beginning of the year, and some forwarded to the Investigative Team during 2009/10 will still be in hand at the end of the year. Below we set out a key explaining the outcome categories.

**MI reps:** where the LGO has concluded an investigation and issued a formal report finding maladministration causing injustice.

**LS (local settlements):** decisions by letter discontinuing our investigation because action has been agreed by the authority and accepted by the LGO as a satisfactory outcome for the complainant.

**M reps:** where the LGO has concluded an investigation and issued a formal report finding maladministration but causing no injustice to the complainant.

**NM reps:** where the LGO has concluded an investigation and issued a formal report finding no maladministration by the council.

**No mal:** decisions by letter discontinuing an investigation because we have found no, or insufficient, evidence of maladministration.

**Omb disc:** decisions by letter discontinuing an investigation in which we have exercised the LGO's general discretion not to pursue the complaint. This can be for a variety of reasons, but the most common is that we have found no or insufficient injustice to warrant pursuing the matter further.

**Outside jurisdiction:** these are cases which were outside the LGO's jurisdiction.

### **Table 3. Response times**

These figures record the average time the council takes to respond to our first enquiries on a complaint. We measure this in calendar days from the date we send our letter/fax/email to the date that we receive a substantive response from the council. The council's figures may differ somewhat, since they are likely to be recorded from the date the council receives our letter until the despatch of its response.

### **Table 4. Average local authority response times 2009/10**

This table gives comparative figures for average response times by authorities in England, by type of authority, within three time bands.





**LGO Advice Team**

| <b>Enquiries and complaints received</b>                | <b>Adult care services</b> | <b>Children and family services</b> | <b>Education</b> | <b>Housing</b> | <b>Benefits</b> | <b>Public Finance inc. Local Taxation</b> | <b>Planning and building control</b> | <b>Transport and highways</b> | <b>Other</b> | <b>Total</b> |
|---|----------------------------|-------------------------------------|------------------|----------------|-----------------|---|--------------------------------------|-------------------------------|--------------|--------------|
| Formal/informal premature complaints                    | 1                          | 1                                   | 0                | 9              | 1               | 1   | 1                                    | 5                             | 4            | 23           |
| Advice given  | 0                          | 1                                   | 0                | 1              | 0               | 1   | 1                                    | 3                             | 5            | 12           |
| Forwarded to investigative team (resubmitted premature) | 3                          | 0                                   | 0                | 3              | 2               | 2   | 3                                    | 0                             | 2            | 15           |
| Forwarded to investigative team (new)                   | 5                          | 0                                   | 10               | 10             | 2               | 5   | 3                                    | 7                             | 9            | 51           |
| <b>Total</b>  | 9                          | 2                                   | 10               | 23             | 5               | 9   | 8                                    | 15                            | 20           | 101          |

**Investigative Team**

| <b>Decisions</b> | <b>MI reps</b> | <b>LS</b> | <b>M reps</b> | <b>NM reps</b> | <b>No mal</b> | <b>Omb disc</b> | <b>Outside jurisdiction</b> | <b>Total</b> |
|------------------|----------------|-----------|---------------|----------------|---------------|-----------------|-----------------------------|--------------|
| 2009 / 2010      | 1              | 17        | 0             | 0              | 32            | 10              | 7                           | 67           |

Average local authority resp times 01/04/2009 to 31/03/2010

| Response times         | FIRST ENQUIRIES        |                            |
|------------------------|------------------------|----------------------------|
|                        | No. of First Enquiries | Avg no. of days to respond |
| 1/04/2009 / 31/03/2010 | 46                     | 32.3                       |
| 2008 / 2009            | 42                     | 28.0                       |
| 2007 / 2008            | 42                     | 28.7                       |

| Types of authority         | <= 28 days % | 29 - 35 days % | > = 36 days % |
|----------------------------|--------------|----------------|---------------|
| District Councils          | 61           | 22             | 17            |
| Unitary Authorities        | 68           | 26             | 6             |
| Metropolitan Authorities   | 70           | 22             | 8             |
| County Councils            | 58           | 32             | 10            |
| London Boroughs            | 52           | 36             | 12            |
| National Parks Authorities | 60           | 20             | 20            |

# OVERVIEW AND SCRUTINY COMMISSION

## Agenda Item 19

Brighton & Hove City Council

|                         |   |  |                     |
|-------------------------|---|--|---------------------|
| <b>Subject:</b>         | <b>Community Engagement Framework Progress Report</b> |  |                     |
| <b>Date of Meeting:</b> | <b>20 July 2010</b>                                   |  |                     |
| <b>Report of:</b>       | <b>Director of Strategy and Governance</b>            |  |                     |
| <b>Contact Officer:</b> | <b>Name:</b>  | <b>Angie Greany</b>  | <b>Tel:</b> 29-5053 |
|                         | <b>E-mail:</b>  | <a href="mailto:Angie.greany@brighton-hove.gov.uk">Angie.greany@brighton-hove.gov.uk</a> |                     |
| <b>Wards Affected:</b>  | All   |  |                     |

### FOR GENERAL RELEASE/ EXEMPTIONS

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 The Community Engagement Framework underpins efforts to improve public sector relationships with the communities they serve by establishing a common understanding of and commitment to community engagement across members of the Brighton and Hove Strategic Partnership (BHSP).
- 1.2 The Framework sets clear standards that BHSP members are signed up to and identifies priority actions to support delivery of its aims. It provides the policy framework to support delivery of the Duty to Involve and engagement in Intelligent Commissioning, and forms the basis of the Local Area Agreement Delivery Plan for NI 4, the % of people who feel able to influence decisions.
- 1.3 The Overview and Scrutiny Commission (OSC) agreed in October 2008 to play a role in monitoring public sector adherence to the Community Engagement Framework.
- 1.4 This report provides an update on progress of the implementation of the Community Engagement Framework and associated actions and makes recommendations to support the practical role of OSC in monitoring. The report relates specifically to activity designed to improve the coordination and quality of engagement practice. It flags up some of the learning resulting from this implementation, as well as highlighting some emerging positive activity.

#### 2. RECOMMENDATIONS:

- (1) OSC considers the learning and risks identified during the first phase of implementation of the Framework and associated actions.

- (2) OSC supports the proposal for it to take a proactive role in receiving progress reports and addressing poor practice (paragraphs 7.4 and 7.5)

### **3. BACKGROUND INFORMATION**

- 3.1 The Framework was developed in response to research which highlighted the need for a better understanding of different types of engagement, better coordination of activity on the ground, and skills development to improve the quality of engagement practice.
- 3.2 It recognises that improving this area of work will impact our ability to intelligently inform service improvements, achieve value for money and improve relationships and reputation with communities and partners.
- 3.3 The Framework was adopted by all members of the Brighton and Hove Strategic Partnership (BHSP) in November 2008. BHSP has delegated responsibility for overseeing the Community Engagement Framework to the Stronger Communities Partnership (SCP), which has responsibility to lead, develop and support active community engagement in strategic planning and decision making processes in the city.
- 3.4 A BHCC Local Engagement Officers Working Group has been established to oversee the Strengthening Communities Review of engagement activity in the city, which was an action in the Community Engagement Framework. The Review will lead efforts to improve engagement practice within BHCC in line with the Framework and to support moves towards Intelligent Commissioning. It will link with the Stronger Communities Partnership to ensure activity is complementary.
- 3.5 There are 29 actions set out in the Framework. The SCP has recently undertaken a review of its work plan and has prioritised activity for the current year. *A summary of the priorities is available in appendix 1. A short update on progress of actions not referenced in this report is available in appendix 2.*

### **4. FRAMEWORK IMPLEMENTATION**

- 4.1 A post was created to support the council and its partners in efforts to embed the Framework and deliver the associated actions. This Community Engagement Improvement Officer post is for two years and will finish in March 2011. The role is focussed on providing advice and guidance to officers and staff from all sectors tasked with planning

engagement activity; supporting the SCP to oversee implementation; and supporting delivery of actions.

## **5. IMPLEMENTATION OF FRAMEWORK ACTIONS**

### **5.1 Learning and Development**

5.2 Improving the quality of engagement practice was a major theme identified during consultation on the Community Engagement Framework. A key action therefore, is the development of cross sector training opportunities.

5.3 An e-learning programme has been launched for BHCC staff. The programme provides a simple introduction to community engagement.

5.4 Confidential 'Face Your Fear' workshop sessions were held for council staff tasked with planning consultation or engagement initiatives, jointly run by the Communities Team and the Analysis and Research Team.

5.5 A community engagement training programme has been commissioned and is currently being piloted for staff within BHCC.

5.6 A networking event was held for managers from public and third sector organisations with strategic responsibility for community engagement. The aim was to bring staff together to share information and identify opportunities for joining up.

### **5.7 Outcomes from learning activities**

5.8 There is a great deal that is very positive about the outcomes of the learning activity, which have so far been very well attended, suggesting that this is an area of work which people want to improve.

5.9 The e-learning programme has received positive feedback and is currently being discussed for inclusion within inductions of all new staff. Efforts are also underway to open access for partner organisations to the BHCC e-learning management system.

5.10 The Face Your Fear sessions presented an opportunity for staff to raise confidentially specific issues or concerns about activity they were involved in. Some are outlined here to highlight the need for ongoing support to implement the Framework and its associated actions. Examples included:

- Information collected, such as customer satisfaction information or equalities monitoring information which is not shared or analysed.
- Consultation processes implemented before sufficient work has been undertaken to clarify the scope, purpose and aims of the initiative.
- Staff with no training in research or community work asked to gather feedback (in one case from a vulnerable client group) on the quality of a service for contract monitoring purposes.
- Multiple consultations planned with a specific community or client group on related topics, without apparent exploration of the potential to join activities up.
- Consultation activity planned without background research to establish what is already known and what organisations, networks or structures already exist that might greatly enhance the quality of outcomes.

## 5.11 Risks

5.12 While it is possible that these examples are exceptions to the rule, they do highlight the following risks:

- Information is gathered, but not analysed, shared or understood, representing an inefficient use of time for officers, and of people who give that information, and also not making use of potentially good intelligence
- Inappropriate approaches used to gather feedback, compromising the quality of that feedback
- Poor quality information gathered which compromises reviews, contract monitoring and commissioning processes
- Ethical concerns around inappropriate or insensitive engagement of vulnerable people
- Lack of training or support leaving workers feeling unsupported or out of their depth in potentially sensitive situations
- Focus on information gathering rather than dialogue, leaving service users feeling frustrated that their views are not being heard or understood
- Services are not improved in ways that might prove beneficial
- Service users and communities question the ability of the organisation to coordinate activity and learn from existing intelligence, impacting on the reputation of the organisation

5.13 The Community Engagement Training course has only recently been commissioned and one course run. It is therefore too early to draw conclusions or provide comprehensive feedback. However evaluation from the first session was extremely positive. All three pilot courses are full, suggesting that there is an appetite for training in this area.

5.15 The Network event was attended by 52 representatives from public and third sector organisations. Participants stressed the need to continue to encourage skills development within organisations and also to improve collaboration and coordination of activity.

### **5.16 The Consultation Portal**

5.17 In February 2009 TMT approved a paper which agreed to a revised system for research and consultation guidance; to communicate this process to staff in their Directorates; and to implement a city wide electronic consultation portal.

5.18 The Portal has been implemented to assist drives to improve the coordination of consultation activity in the city, and to support better practice through the quality control of consultation processes.

5.19 The Portal itself provides a virtual facility to store consultation proposals, and consultation reports which are searchable by date, theme, topic and organisation by all in the city. A wide variety of surveys and document consultations can be designed and completed on line and analysis supported via the system.

5.20 A basic training programme introducing the portal, its features and how to use some of the more immediate features (posting details of a consultation event, compiling basic surveys) is being run approximately every two weeks by the Analysis & performance team in the council and is open to all member organisations of the LSP and its subsidiaries

5.21 The revised system for research and consultation guidance has been supported by a Research Guidance Panel which meets to review BHCC consultation proposals, providing quality control.

5.22 The panel specifically addressed the issues raised in 5.11 and 5.12 offering a broad range of practical and professional advice and assistance to BHCC staff and external researchers

### **5.23 Issues arising**

5.24 There is a great deal of interest and commitment across the city to support use of the Portal. However, there are also inherent issues around ensuring that staff within BHCC are encouraged and supported to use the system, particularly while the system is relatively new and unknown

5.25 Ensuring teams are aware of the Portal and that they then know how to use it requires intensive work and resources. Inevitably, it will also take time.

- 5.26 There is a sense, however, that the Research Guidance Panel has not been able to fulfil the role that was intended. The advice of the Panel has not always been taken up – for a variety of reasons, including lack of time or resources – but equally Panel members are volunteers to the process and have struggled to stay on top of the number of proposals they have been asked to comment on.
- 5.27 The outcome of this is that consultation activity is still undertaken, with and without the knowledge of the Panel that does not meet standards of practice set out in the Community Engagement Framework.
- 5.28 Historically, issues about poor practice in engagement are brought to the SCP via community representatives on that Partnership. The Partnership has attempted to address issues either through dialogue at Partnership meetings or by following up with appropriate officers or representatives, but this is dependent on a willingness of teams or organisations to respond.
- 5.29 Discussions are underway to refocus the Research Guidance Panel to concentrate on promoting the Consultation Portal and to share detail of consultations across the Partnership. There is also a potential role to encourage cross-sector participation on local engagement activity, supporting good practice. A meeting is planned with cross sector representatives from the SCP.

### **5.30 The Get Involved Campaign**

- 5.31 The Get Involved Campaign was launched in November 2009 with aims to raise awareness of and celebrate the huge range of opportunities that exist in the city for people to get involved: in their community; in local decision making; in democratic processes; by voting and by taking part in consultation activities.
- 5.32 The campaign launch was organised by a cross sector steering group led by Democratic Services within BHCC and is accompanied by a Get Involved website ([www.getinvolvedinthecity.org.uk](http://www.getinvolvedinthecity.org.uk)) designed to bring together into one online space information about the range of opportunities to 'get involved'.
- 5.33 While there was much to learn from the launch event, including the need to focus more on engaging with communities 'where they are at', there was a great deal that was very positive. The campaign has provided a practical vehicle through which organisations can start to work more collaboratively, and many have noted the positive impact of greater partnership working.
- 5.34 The group supporting the Get Involved campaign is working closely with representatives from the Take Part Advisory group to plan future activities. Take Part is a £180,000 programme of activity to support



citizen involvement in local decision making and governance. The programme is currently in its second and final year.

## **6. INTEREST FROM OTHER AREAS**

6.1 There is evidence that other areas are looking to Brighton and Hove as leaders in the field of engagement and empowerment and there has been a great deal of interest in the Community Engagement Framework and associated activity, particularly the Get Involved campaign and website:

- A case study was produced by IDeA on the Community Engagement Framework to support their publication 'the Ideal Empowering Authority: an illustrated Framework'.
- Presentation and discussion with representatives from Cumbria County Council and Copeland District Council on the Community Engagement Framework and Get Involved website
- Presentation and discussion with a network of community engagement officers from Hastings on the Community Engagement Framework
- Interest from the London Regional Empowerment Network in producing a case study on the Get Involved campaign – a draft has been produced.
- Numerous approaches for examples of good practice in engagement and empowerment activity from other authorities and networks.
- Invitation to speak to a network of Engagement Officers from East Sussex on the Community Engagement Framework
- A presentation to the South East Regional Empowerment Partnership by a local activist on her experience of being involved in Brighton and Hove
- Local invitations to speak to groups and networks on the Framework and / or Get Involved related activities, such as democratic engagement or how the council works.

## **7. Conclusions and Next Steps**

7.1 A great deal of ground has been covered since the adoption of the Community Engagement Framework and feedback has been extremely positive.

7.2 There has been a positive willingness from teams across the authority and partners to work towards improving practice and coordination, and an encouraging take up of the support and advice being offered.

7.3 This focus on providing support, advice and guidance and a willingness to develop learning opportunities in response to the issues being raised is one we are keen to continue.

- 7.4 However, there is a need to address poor practice where it is persistent and has an adverse affect on the reputation of the council or wider public sector. We are therefore also keen to employ constructively the Scrutiny Function role to monitor adherence to the Community Engagement Framework (as set out in the section of the Framework on implementation and monitoring).
- 7.5 The central recommendation is that OSC receives annual updates on progress on the implementation of the Framework, which can highlight areas of concern, or flag up specific poor practice.

## **8. CONSULTATION**

- 8.1 Extensive consultation was undertaken to support development of the Community Engagement Framework during 2008. The Brighton and Hove Strategic Partnership drove the development of the Framework and delegated responsibility for the day to day process to a cross sector steering group comprised of representatives from each organisation on the LSP plus representatives from each of the BHCC Directorates.
- 8.2 A copy of the consultation report can be accessed via <http://www.brighton-hove.gov.uk/index.cfm?request=c1218794>

## **9. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 9.1 The Public Service Board has allocated a block of LPSA2 reward grant funding relating to Stronger Communities of £170k in 2009/10 and £370k in 2010/11. Within this amount is a £20k allocation for both years in respect of the Community Engagement Framework.

New commitments against 2010/11 allocations are currently under review. For 2011/12 it is assumed that there will be no further funding for the project or the Community Engagement Improvement Officer post.

There is additionally a recurring fixed budget of £90k within the in respect of the SCP secretariat, which funds a programme of activities to support community and voluntary sector involvement, representation and influence in citywide strategic planning and decision making.

### Legal Implications:

- 9.2 The recommendations in section 2 of this report fall within the powers of the Overview & Scrutiny Commission.

#### Equalities Implications:

- 9.3 An Equalities Impact Assessment was undertaken on the Community Engagement Framework. A basic principle of the CEF is to reduce or remove barriers to engagement and to increase opportunities to enable engagement. The CEF aims to reduce / minimise the negative impacts or results of community engagement activity, by seeking to improve co-ordination of activity; develop the skills, knowledge and experience of engagement workers; and implement actions to encourage 'deeper and wider' engagement within the city.

#### Sustainability Implications:

- 9.4 The Community Engagement Framework aims and standards encourage good practice to support the building of sustainable communities. Good community engagement contributes to effective, sustainable use of land and resources and supports principles of social justice and equity. Individual projects supported through engagement processes will frequently have a direct impact on the environment and will encourage access to services and support.

#### Crime & Disorder Implications:

- 9.5 Not applicable

#### Risk and Opportunity Management Implications:

- 9.6 The central risk to The Community Engagement Framework is that the aims and standards are not embedded within organisation practice before resources to support its implementation end in March 2011.

#### Corporate / Citywide Implications:

- 9.7 The Community Engagement supports many aspects of corporate and citywide strategies including the Sustainable Community Strategy, council's corporate plan and more recent developments around 'A council the city deserves'. Stronger community engagement helps build trust and relationships with communities, involves more people in decision making, improves quality of life and will help build the reputation of the council and wider public sector.

### **SUPPORTING DOCUMENTATION**

#### Appendices:

1. Summary of Stronger Communities Partnership priorities for the Community Engagement Framework
2. Update on progress of Community Engagement Framework actions

## Documents In Members' Rooms

- 1.
- 2.

## Background Documents

1. Community Engagement Framework
- 2.

## Agenda Item 19 Appendix 1

### Stronger Communities Partnership Prioritisation of Community Engagement Framework Actions

#### PRIORITY Area 1

|  |   |  |
|--|---|--|
| Develop a partnership funding strategy that recognises the role of community and voluntary sector in enabling engagement (relates to Stronger Communities Review and long term funding for CD and SCP) <b>NI 4/7</b> | Development of a Communications Plan for the SCP and CEF<br><br><b>NI 4</b> | Communications Task Group established<br><br><b>NI 4</b> |
|--|---|--|

#### PRIORITY Area 2

|  |   |  |
|--|---|--|
| <b>NEW!</b><br>Skills Audit of SC Partnership <ul style="list-style-type: none"> <li>- skills of members of SCP</li> <li>- what engagement are SC partners doing?</li> </ul> | Training and development programme – ongoing development<br><br><b>NI 4/6/7</b> | <b>NEW!</b><br><br>Get Involved! campaign – exit strategy<br><br><b>NI 4/6/7</b> |
| Community Buildings Task Group established<br><br><b>NI 6/7</b>  | Build better understanding about representation<br><br><b>NI 4/6/7</b>          |  |

#### PRIORITY Area 3

|  |  |  |
|--|--|--|
| Develop Community Workers Network to share information and learning<br><br><b>NI 4</b>     | Community Engagement champions identified within BHCC (& other public sector)<br><br><b>NI 4/7</b> | Asset Transfer Strategy – strategy development for management of assets inc. transfer<br><br><b>NI 6/7</b> |
| Support awareness raising within public bodies around equalities issues<br><br><b>NI 4</b> |  |  |

**PRIORITY Area 4**

|   |  |  |
|---|--|--|
| <p>Develop a policy on how services will be coordinated within neighbourhoods – NOT SC Partnership led</p> <p style="text-align: right;"><b>NI 4/7</b></p>  | <p>Common policy for supporting community representatives working collaboratively with service providers</p> <p style="text-align: right;"><b>NI 4/6/7</b></p> | <p>Recognise and resource new or alternative engagement approaches and support representation of new communities</p> <p style="text-align: right;"><b>NI 4/6/7</b></p>               |
| <p>Promotion of the Community Mark</p>  | <p>Explore potential for communications hub for public bodies through which they coordinate communication with residents</p>                                   | <p>Establish review and evaluation process that all partners are signed up to that allows all partners to learn from good practice</p> <p style="text-align: right;"><b>NI 4</b></p> |
| <p>Searchable database of consultations (Consultation portal is live but promotion, training and development needed to ensure it is used effectively)</p> <p style="text-align: right;"><b>NI 4</b></p> |  |  |

NB – There are 29 actions in the Framework, but some have been grouped where they addressed related themes

### Community Engagement Framework Actions Update

The SCP has established a sub group, the Community Engagement Framework (CEF) Group to undertake detailed work to plan activity and oversee delivery of the CEF and associated actions.

The main report addresses in detail the following areas of work which reflect actions in the Framework:

- ❖ Learning and Development
- ❖ Get Involved Campaign
- ❖ Get Involved Website
- ❖ The Consultation Portal

In addition, the following activity is underway:

#### **Strengthening Communities Review**

- ❖ This was an action in the Framework and is being led by the Communities and Equality Team. The Review will undertake a mapping of current engagement activity and will make recommendations for the commissioning of future Stronger Communities activity. This includes community development and activity to support community and voluntary sector involvement, representation and influence in strategic decision-making processes
- ❖ As part of the review, two independent evaluations are underway to assess the value and impact of discrete aspects of Stronger Communities activity

#### **Reward and Recognition**

- ❖ A task group has been established to develop guidance on the reward and recognition of service users and community representatives who give their time to engage in processes to improve the quality of services or input to local and strategic planning and decision making.
- ❖ Research has been undertaken looking at what happens in other areas
- ❖ A draft guidance document has been produced.
- ❖ A discussion is planned at the next CEF Group meeting to agree a consultation process and produce a plan

#### **Asset Transfer Policy Development**

- ❖ Building on learning from a workshop to discuss issues around the management of assets in the city and potential for asset transfer, a set of 'Policy Principles' have been developed to help guide BHCC through applications for transfer
- ❖ Work is also underway to clarify roles and support available for organisations responsible for managing buildings and community spaces
- ❖ The Communities and Equality Team and Property and Design Team are working collaboratively to support an application for the transfer of a local community space.

### **Network for Community Workers**

- ❖ Two Community Workers Networking events have been held over the course of the year with the aim of bringing front line community workers together to share information and encourage greater collaborative working.

### **Good practice case studies**

- ❖ A number of case studies have been written, summaries of which have been used on the e-learning programme and which are available from the Communities and Equality Team

### **Training for community representatives**

- ❖ Funding has been obtained from Take Part Brighton and Hove to develop training for community representatives in the role of local councillors. The training will be developed in partnership between BHCC Democratic Services and local community training providers.

### **Widening Engagement**

- ❖ The CEF group has created a budget to support local events, projects and activities that will encourage 'wider engagement'. So far, they have supported the Federation of Disabled Peoples Disability Summit.

### **Communications Plan**

- ❖ The SCP has established a Communications Sub Group to lead on the development of a communications plan to promote the SCP, The Community Engagement Framework and opportunities to get involved, in support of the Get Involved campaign



|                         |  |              |  |
|-------------------------|--|--------------|--|
| <b>Subject:</b>         | <b>Dual Diagnosis Scrutiny Review: Six Month Implementation Report</b> |              |  |
| <b>Date of Meeting:</b> | <b>20 July 2010</b>  |              |  |
| <b>Report of:</b>       | <b>The Director of Strategy and Governance</b>                         |              |  |
| <b>Contact Officer:</b> | Name: Giles Rossington   | Tel: 29-1038 |  |
|                         | E-mail: Giles.rossington@brighton-hove.gov.uk                          |              |  |
| <b>Wards Affected:</b>  | All  |              |  |

## FOR GENERAL RELEASE

### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 The scrutiny panel set up to examine issues relating to city residents with a 'dual diagnosis' (i.e. people with co-existing severe and long-lasting mental health problems *and* significant substance misuse issues) reported to the Overview & Scrutiny Commission (OSC) on 21 April 2009.
- 1.2 OSC endorsed the report and referred it to the council's executive. The report was considered at the 09 July 2009 Cabinet meeting. Cabinet endorsed all the report recommendations in principle, and passed them on to the city Working Age Mental Health (WAMH) Commissioning Strategy Group for detailed consideration. The WAMH Commissioning Strategy Group is a partnership group responsible for revising the city WAMH strategy and is therefore in a position to consider and (potentially) to implement the Dual Diagnosis report recommendations.
- 1.3 The revision of the WAMH commissioning strategy is an ongoing piece of work. However, the group has provided an interim implementation report for OSC members. This is included as **Appendix 1** to this report.

### 2. RECOMMENDATIONS:

- 2.1 That members:
  - (1) Note the contents of this report and its appendix;

- (2) Consider whether to request a further implementation update in six months' time.

### **3. BACKGROUND INFORMATION**

- 3.1 The term 'Dual Diagnosis' is typically used to refer to people who have a co-existing severe and long-lasting mental health problem coupled with significant substance misuse issues. For many, but not all, people with a dual diagnosis, this is likely to mean a diagnosis of schizophrenia/bi-polar disorder *plus* an addiction to opiates *plus* problematic use of a wide range of other drugs *and* alcohol.
- 3.2 People with a dual diagnosis are likely to be amongst the most vulnerable people in the local community. They are also likely to be amongst the most challenging. Many people with a dual diagnosis may well be homeless/rough sleepers. They are also very likely to be in regular contact with the justice system and to have physical health problems.
- 3.3 Treatment/support for both aspects of a dual diagnosis is typically complicated by the co-morbidity – e.g. abstinence programmes for substance misuse typically require a good deal of self awareness and self-discipline from users, but these are qualities which are often impaired by severe mental illness. This means that effective services for people with a dual diagnosis have to be designed with the condition in mind, and may have to be very specialised.
- 3.4 The Scrutiny panel made a series of recommendations – to the council's Housing Strategy department, to NHS Brighton & Hove, to the Sussex Partnership NHS Foundation Trust and to other partners. Since all these partners are members of the working group revising the city Working Age Mental Health Commissioning Strategy (which includes most commissioning for dual diagnosis services), Cabinet decided to refer the Scrutiny report to this group. Once the city WAMH commissioning strategy has been revised, the results (including progress in implementing the dual diagnosis report recommendations) will be reported back to Cabinet. An interim report on implementation of the dual diagnosis report recommendations is included as **Appendix 1** to this report.

### **4. CONSULTATION**

- 4.1 This report has been compiled following informal consultation with the Working Age Mental Health Strategic Commissioning Group.

## **5. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

5.1 None to this report for information.

### Legal Implications:

5.2

### Equalities Implications:

5.3 None to this report.

### Sustainability Implications:

5.4 None to this report.

### Crime & Disorder Implications:

5.5 None to this report.

### Risk and Opportunity Management Implications:

5.6 None to this report.

### Corporate / Citywide Implications:

5.7 None to this report.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Information provided by the Working Age Mental Health Strategic Commissioning Group

### **Documents in Members' Rooms:**

None

### **Background Documents:**

1. Scrutiny Panel report on Dual Diagnosis

## Appendix 1

| No. | Recommendation  | Response  |
|-----|---|---|
| 1.  | <b>Supported Housing</b>  |   |
| a.  | Consideration should be given to the feasibility of commissioning temporary supported housing provision to be used to accommodate people with a dual diagnosis in between their discharge from residential psychiatric treatment and the allocation of appropriate longer term housing. Bed and Breakfast accommodation should only be considered as a last resort. | As part of the consultation on the Supporting People strategy the partnership is exploring the feasibility of short term dual diagnosis supported accommodation   |
| b.  | Consideration should be given to the feasibility of commissioning a residential assessment facility to be used to house people with a suspected dual diagnosis for a period long enough to ensure a thorough assessment of their mental health and other needs.   | B&HCC are working with SPFT to commission new services for people with complex needs including substance misuse and mental health. It is anticipated that this will not be specifically time limited but will still work with people within a recovery model. |
| c.  | Consideration should be given to commissioning long term supported housing for people with a dual diagnosis who refuse treatment for their condition(s).  |   |

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| d. | <p>BHCC Housing Strategy and SPFT should seek to agree a protocol requiring statutory providers of mental health services to notify the council's Housing Strategy department when a client has been admitted to residential mental health care (subject to client's consent). This would enable the Housing Strategy department to assess the risk of an individual being unable to access suitable housing on their discharge from hospital and take appropriate action.</p> | <p>The Housing Options department has agreed to develop a Frequently Asked Questions designed for acute services staff to identify the correct pathways and options for individuals with housing needs who have been admitted to acute services. This will include signposting to the SPFT Placement Officer at Bartholomew House. Accommodation needs are logged on admission and passed to the Discharge Coordinator who facilitates the completion of Housing Options involvement. This protocol will be included as part of SPFT's Dual Diagnosis strategy with a tick box section in the new risk assessment documentation. The recent ImPower report (commissioned by BHCC with DoH money and significant input from SPFT) about working age mental health residential provision indicated that a housing strategy with BHCC needs to be created around these issues and the need to approach a re-ablement model for moving patients through towards independent living. This could include the needs of dual diagnosis patients. This is something the local authority / PCT/ SPT are looking at in terms of changing the focus for commissioning residential provision.</p> <p>SPFT and the Mental Health Commissioners have agreed that all admissions will have an assessment of their use of substances. This is included in the re-draft of the Dual Diagnosis Policy.</p> |
| e. | <p>Consideration to be given to establishing a 'dual diagnosis pathway' to ensure individuals can be appropriately housed as quickly and efficiently as possible.</p>  | <p>SPFT are engaged in reviewing the Brighton and Hove mental health accommodation pathway as part of the PCT Transforming Mental Health Services strategy review workstreams.</p> <p>Consideration is being given to the provision for a dual diagnosis pathway similar to the banded support available for other mental health service users: this would involve tiered support from floating support, medium and</p>   |

|           |  |   |
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|           |  | <p>higher level provision in the city.</p> <p>SPFT and Brighton Housing Trust (BHT) are working together to build a full spectrum of services which includes Dual Diagnosis.</p> <p>A Dual Diagnosis pathway will be included in SPFT's final Dual Diagnosis strategy document.</p> |
| f.        | The West Pier project represents an effective model for supported housing suitable for (some people) with a dual diagnosis. Serious consideration should be given to providing more such facilities in the city. | This will be considered as part of the review of Supporting People services in the city. This review began in April and will conclude in July with new or remodelled services being commissioned from April 2011.   |
| <b>2.</b> | <b>Women's Services</b>  |   |
| a.        | Any future needs assessments must address the important issue of the potential under-representation of women, and must introduce measures to ameliorate this problem.  | A working group has been set up with the Women's Network, Independent Provider, PCT, and Supporting People. This group is looking at gaps in provision and potential equality impacts.  |
| b.        | Local solutions will be found to ensure that an appropriate range of services are available.   |   |
| <b>3.</b> | <b>Children and Young People</b>   |   |
| a.        | The integrated services for dual diagnosis offered by the CYPT are studied by agencies responsible for co-working to provide adult dual diagnosis  | The Commissioning Team within the CYPT and SPFT are working together with the young people's substance misuse treatment team to ensure a streamlined and effective dual diagnosis service is provided.  |

|    |  |  |
|----|--|--|
|    | <p>services. Where agencies are unable to formally integrate, or feel there would be no value in such a move, they should set out clearly how their services are to be effectively integrated on a less formal basis.</p>  |  |
| b. | <p>Serious and immediate consideration should be given to introducing a 'transitional' service for young people with a dual diagnosis (perhaps covering ages from 14-25). If it is not possible to introduce such a service locally, then service providers must demonstrate they have made the progression from children's to adults services as smooth as possible, preserving where feasible a high degree of continuity of care.</p> | <p>A transitional team (TAPAS) have been developed and are now operational within the targeted youth support services across the city and a specialist post working with LGBT young people. This covers the age range of 14 - 25.</p>  |
| c. | <p>Serious consideration needs to be given to the growing problem of problematic use of alcohol by children and young people (including those who have or are likely to develop a dual diagnosis). It is evident that better support and treatment services are required.</p>  | <p>Various early identification methods have been put in place across the city with a clear remit for brief interventions. So now social care teams, integrated youth support services and hostels all screen young people regularly for drugs and alcohol use. A brief intervention service specifically attached to alcohol has been developed and operational working with 16 plus. A specialist alcohol post sits within RUOK? (the young people's substance misuse treatment service) and has put effective pathways in place with the Anti-social behaviour team and A &amp; E. The young peoples treatment service has a CAMH's nurse who provides a specific package of care and within SPFT the revised care planning processes clearly identify's substance and alcohol use as part of their initial assessment.</p> |

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| d. | <p>The development of a 'pathway' to encourage A&amp;E staff to refer young people attending A&amp;E with apparent substance or alcohol problems should be welcomed. There may need to be targets for referrals to ensure the pathway is used as efficiently as possible.</p>   | <p>An effective care pathway has been in place for over a year between the A and E team and RUOK?, the Young peoples substance misuse treatment service. Developments are now in place to establish a clear pathway with the ambulance service.</p>  |
| e. | <p>Public Health education encouraging abstinence/ sensible drug and alcohol use is vital to reducing the incidence of dual diagnosis in the long term. Effective funding for this service must be put in place. Public Health education encouraging mental wellness is equally important.</p>  | <p>The Public Health Team commissions a health promotion alcohol post and substance misuse post. One day a week is dedicated to young people. These posts are hosted by CRI and work alongside young people providing services to implement evidence based health promotion approach. The Healthy Schools Teams within the CYPT work across all schools to improve and develop the curriculum.</p> <p>The BHCC Corporate team are now in the process of agreeing a media and communications strategy across teenage pregnancy and substance use (legal and illegal) based within a social marketing approach.</p>  |
| f. | <p>Dual diagnosis can have a profound and ongoing impact upon families of people with co-morbidity of mental health and substance misuse issues. It is vital that appropriate support services are available for families and that every effort is taken to identify those in need of such support. Therefore, a protocol should be developed whereby a formal assessment of the support needs of families is undertaken whenever someone is diagnosed with a dual diagnosis.</p> | <p>Work has begun on this area with the introduction of workshops as part of parenting programmes raising the awareness of mental health and substances. Schools now have counselling services available and the TAPAS teams work to support families within services at an early stage than previously available. Social care teams have clear pathways into mental health and substance misuse treatment services where a dual care plan package would be available.</p> <p>Alongside this, the CYPT are implementing across services a comprehensive assessment framework, (CAF) which again will work with young people and families at an earlier stage in meeting their joint needs.</p> |



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| <b>4.</b> | <b>Integrated Working and Care Plans</b>  |  |
| a.        | Consideration should be given to adopting an integrated approach to the assessment of people with dual diagnosis problems. Such assessments must be outcome focussed.   | All individuals will have their substance use assessed at referral within the comprehensive assessment process. This is part of the formal contract between the SPFT and NHS Brighton & Hove. The Dual Diagnosis strategy being produced by SPFT includes clear reference to an integrated approach to service user assessment, care and treatment. The newly introduced HONOS assessment is an outcome-focussed tool. |
| b.        | A single integrated care plan may not be possible nor desirable, but co-working in devising, maintaining and using care plans is essential. Whilst good working has clearly been done in this area, a care plan with clearly expressed 'move on' plans, which can be accessed by housing support services (and other providers) is a necessary next step in the integration of support services for dual diagnosis. | Service users with a dual diagnosis have care plans that reflect the complexity of their needs and will include reference to other services involved in the care with named people. This is illustrated by the type of work currently being carried out by the Transition Team with the patients currently at Davigdor Lodge.  |
| <b>5.</b> | <b>Funding</b>  |  |
| a.        | Better provision for alcohol related problems, both in terms of treatment and Public Health is a priority, and urgent consideration should be given by commissioners of health and social care of   | Alcohol services have been expanded to include a brief interventions alcohol service. This is provided by the CRI (Crime Reductions Initiative) organisation at both A&E and within primary care settings and works collaboratively with the statutory alcohol service providers as well as other  |

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|           | developing these services to meet local need.  | health and social care agencies.<br>Existing Supporting People funded drug services have been remodelled to give equal priority to people whose primary need is alcohol related.   |
| b.        | Commissioners must agree on a level (or levels) of care housing support appropriate for people with a dual diagnosis, and ensure there is sufficient funding available for city supported housing providers to deliver this level of care.   | An outline business case is being presented to the JCB this year which includes supported housing needed for dual diagnosis (or complex needs), both short term and longer term housing options.   |
| <b>6.</b> | <b>Treatment and Support</b>   |  |
| a.        | The provision of detoxification facilities for city residents be reconsidered, with a view to providing more timely access to these services, particularly in light of growing alcohol and drug dependency problems in Brighton & Hove.  | Access issues were explored in comprehensive review of Tier 4 services (in-patient detoxification and residential rehabilitation services) in Feb 2010, with an action plan forthcoming.   |
| b.        | Treatments need to be readily available at short notice, so the chance for effective intervention is not lost for clients who may not be consistently willing to present for treatment. Future needs assessments should focus on the accessibility as well as the provision of services. | Service Users are invited to describe their experience to the CQC at each monitoring visit. This is reported to the managers and the Mental Health Act Committee. Patients' rights and provision of information has been the subject of significant work in the past year and SPFT are monitoring progress against the National Patients Survey reports. |
| c.        | SPFT examines its policies relating to detaining   |  |

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|           | people under a section of the Mental Health Act, in order to ensure the inevitably distressing experience of 'sectioning' people is as risk free as possible for patients (as well as families and carers), and that maximum possible therapeutic benefit is extracted from the process                              |   |
| d.        | Service users should be central to the development of dual diagnosis services. Commissioners should ensure that service providers take account of the views of service users when designing services and training staff, and can demonstrate how these views have been incorporated into strategies, protocols, etc. | Service users are identified members of and represented at the Brighton & Hove Dual Diagnosis Steering Group, which is chaired by the Dual Diagnosis Nurse Consultant. SPFT's dual diagnosis strategy is based on the DoH's "Developing a Capable Dual Diagnosis Strategy" which highlights the need for a service user-led outcomes framework. All Supporting People services are assessed against the Quality Assessment Framework which holds active service user involvement in strategic development as basic good practice expected from all providers. |
| <b>7.</b> | <b>Data Collection and Systems</b>   |   |
| a.        | A new strategic needs assessment for dual diagnosis services in Brighton & Hove is undertaken as a matter of urgency.  | A comprehensive strategic needs assessment of mental health was conducted in December 2007. This included specific sections on drug misuse, alcohol misuse and dual diagnosis.  |



Proposed CTEOSC Work Programme for 2010

| 30 September 2010  | 25 November 2010  | 26 January 2011  | 31 March 2011   |
|--|---|--|---|
| <ul style="list-style-type: none"> <li>• <b>Presentation from Dome and Festival</b> (Andrew Comben)</li> <li>• <b>Legibility Study</b> (Paula Murray)</li> <li>• <b>Marathon – feedback. Also to look at plans for making it more sustainable</b></li> <li>• <b>Making events more sustainable – moving towards BS 8901</b></li> <li>• <b>Leisure contracts feedback</b></li> <li>• <b>Local Economic Assessment (from CMM)</b></li> </ul> | <ul style="list-style-type: none"> <li>• <b>Natural History Collection &amp; the Booth Museum (from Dec 2009)</b></li> <li>• <b>Report back from Future of Museums workshop</b></li> <li>• <b>Marketing &amp; the use of council premises (?)</b></li> <li>• <b>LAA update</b></li> <li>• <b>Social Enterprise Strategy Update - to include support offered to co-ops (Paula Murray)</b></li> <li>• <b>Business case for culture – to include information on budget (Paula Murray)</b></li> <li>• <b>Scrutiny panel – Cultural Provision for Children report</b></li> </ul> | <p>Budget report (meeting moved from CTEOSC 3 February 2011)</p> <p>CTEOSC comments to be fed into single scrutiny response to budget proposals sent to Cabinet for consideration.</p> | <ul style="list-style-type: none"> <li>• <b>Update from Environmental Industries Panel report (Paula Murray)</b></li> <li>• <b>Marketing and the use of Council premises and venues</b></li> <li>• <b>Golf Courses – Mytime Active</b></li> </ul> |

- Workshop – **Leisure Contracts** July and report back in September
- Workshop – **Future of Museums** (Janita Bagshawe) Sept/Oct and report back in November

Other possible items suggested:

1. **Music venues – barriers (Cllr Turton – possible workshop)**
2. **Leisure management contract – work shop in July 2010**
3. **County Cricket Ground – update on development**
4. **Knowledge economy – Cllr Davis**



Overview and Scrutiny Commission Work Plan 2010 - 2011

| Issue   | Overview & Scrutiny Activity   | Outcome & Monitoring/Dates  |
|---|--|---|
| <b>26 January 2010</b>                                  |  |   |
| Recommendations on budget proposals from O&S Committees | OSC to report to 11 February Cabinet.  | Comments and minutes of all O&S budget meetings to be forwarded to 11 February Cabinet.                             |
| Third Sector Recovery Plan                              | Pre-decision. Commenting on draft plan.  | Commission comment and queries to be taken forward in the development of the Plan.                                  |
| Health Inequalities Referral from Audit Committee       | OSC asked to agree to refer to ASCHOSC.  | Report referred to ASCHOSC for further consideration.   |
| CAA –One Place Assessment                               | Results of the CAA process. Sets context for scrutiny prioritisation and working with the LSP. | Overview and Scrutiny Committees to take account of the CAA report and action plan when developing work programmes. |
| Good Governance; Report of the Audit Commission         | To note report of Audit Commission and proposed action in response.                            | Specific areas to be brought to OSC for monitoring as necessary.  |
| OSC Work Plan   | To be agreed at a future date.   | A new draft annual plan to be reported to a future meeting. More public involvement to be encouraged.               |
| Call-in Request for Hangleton Bottom                    | To consider call-in request.   | That the decision be not referred back to the CMM.  |

| <b>16 March 2010</b>                   |   |   |
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| Targeted Budget Management Month Nine  | Ongoing budget monitoring.                  | Replies to questions from Acting Assistant Director, Financial Services.                            |
| Council's Forward Plan                 | Report as requested at OSC 20 October 2009. | Recommendations made to progress development of the Forward Plan.                                   |
| Process to prioritise Scrutiny reviews | For agreement.                              | Process agreed for scrutiny panel annual work programme.  |
| Budget Scrutiny Feedback               | To consider budget scrutiny process.        | Improved process welcomed and request for early information to be available for the 2011/12 budget. |

| <b>27 April 2010</b>                         |  |   |
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| Street Access Scrutiny Panel Report          | OSC to endorse the report.                     | Agreed. Referred to Executive.  |
| Dignity at Work scrutiny panel report        | OSC to endorse the report.                     | Agreed. Passed to Governance Committee and referred to Executive.               |
| Mandatory Development for Planning Committee | For approval to refer to Governance Committee. | General support for the idea. Comments to be forwarded to Governance Committee. |



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| Volunteering Strategy | For O&S Comment.  | Endorsed the strategy and made comments. Strategy scheduled to go to Cabinet. |
| Referral from HOSC    | To determine whether or not to establish a Select Committee on alcohol-related hospital admissions. | Agreed to establish a Select Committee to report back to OSC.                 |
| ASCHOSC Update        | O&S Committee Chairs to update OSC on their work-programme and key issues.                          | Noted work of the ASCHOSC.  |

### 8 June 2010

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| Creating a Council the City Deserves     | OSC to comment.                                   | Chairman to write to the Chief Executive on behalf of OSC   |
| Equalities 6-monthly update              | Regular update.                                   | Questions on staff profile for older and younger workers, stolen Blue Badges and disabled access to park cafes and polling stations |
| Staff Disabilities Scrutiny Panel report | OSC to consider the report to endorse.            | Report referred to Cabinet for response   |
| ECSOSC Update                            | Chair to provide update on work of the Committee. | Suggestions for agreeing subjects for scrutiny  |
| General Scrutiny Update                  | For noting and comment.                           | Officer report on election processes requested for September meeting  |

| <b>20 July 2010</b>                        |  |  |
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| Targeted Budget Management Outturn 2009/10 | Ongoing budget monitoring.   |  |
| Climate Change Scrutiny Panel Report       | OSC to consider the report for approval.   |  |
| Community Engagement Framework Update      | OSC has a role in monitoring the Community Engagement Framework. First update. . |  |
| Annual complaints report                   | Provides background information which can be used to focus future scrutiny work. |  |
| CTEOSC Update                              | CTEOSC Chairman to provide update on the work of the Committee.                  |  |
| Dual Diagnosis Monitoring                  | Monitoring implementation to scrutiny panel recommendations.                     |  |

| <b>7 September 2010</b>          |   |  |
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| Election Processes               | Presentation – Members to decide whether further work required. |  |
| Strengthening Communities Review | Pre-decision input required.                                    |  |
| Section 106 Agreements           | Seeking Members input into strategic approach.                  |  |

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| Targeted Budget Management First Quarter | Ongoing budget monitoring.                    |  |
| Annual Scrutiny Panel Work Programme     | To agree priority list of panels for 2011/12. |  |

**19 October 2010**

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| Discussion with the LSP Chairman               | Part of Scrutiny/LSP protocol                                    |  |
| Feedback from Partnership Development Workshop | Chance for OSC to contribute to Partnership development Workshop |  |
| CYPOSC Update                                  | Chairman to provide update on the work of the Committee.         |  |
| Business Tax ???                               |  |  |

**30 November 2010 - Meeting Cancelled**

**14 December 2010 Moved from 30 November 2010 to enable scrutiny of budget proposals**

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| Targeted Budget Management Second Quarter | Ongoing budget monitoring. |  |
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| Draft budget strategy following cabinet |  |  |
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| <b>1 February 2011 (Moved from 11 January 2011 )</b> |  |  |
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| Equalities Review – 6-monthly update |  |  |
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| <b>1 March 2011 – Meeting Cancelled</b> |  |  |
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| <b>5 April 2011</b> |  |  |
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| Targeted Budget Management Third Quarter | Ongoing budget monitoring. |  |
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| Monitoring Staff Disabilities scrutiny review |  |  |
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