

CORPORATE OVERVIEW AND SCRUTINY COMMITTEE REVISED AGENDA

7.30pm

**Thursday
20 November 2007**

**Havering Town Hall
Main Road, Romford**

Members 6: Quorum 3

COUNCILLORS:

**Robby Misir (C)
Robert Benham
Fred Osborne
Melvin Wallace**

**Ray Morgon (VC)
Linda Hawthorn**

For information about the meeting please contact:
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NOTES ABOUT THE MEETING

1. HEALTH AND SAFETY

The Council is committed to protecting the health and safety of everyone who attends meetings of its Committees.

At the beginning of the meeting, there will be an announcement about what you should do if there is an emergency during its course. **For your own safety and that of others at the meeting, please comply with any instructions given to you about evacuation of the building, or any other safety related matters.**

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3. CONDUCT AT THE MEETING

Although members of the public are welcome to attend meetings of the Committee, they have no right to speak at them. Seating for the public is, however, limited and the Council cannot guarantee that everyone who wants to be present in the meeting room can be accommodated. When it is known in advance that there is likely to be particular public interest in an item the Council will endeavour to provide an overspill room in which, by use of television links, members of the public will be able to see and hear most of the proceedings.

The Chairman of the meeting has discretion, however, to invite members of the public to ask questions or to respond to points raised by Members. Those who wish to do that may find it helpful to advise the Committee Officer before the meeting so that the Chairman is aware that someone wishes to ask a question.

PLEASE REMEMBER THAT THE CHAIRMAN MAY REQUIRE ANYONE WHO ACTS IN A DISRUPTIVE MANNER TO LEAVE THE MEETING AND THAT THE MEETING MAY BE ADJOURNED IF NECESSARY WHILE THAT IS ARRANGED.

If you need to leave the meeting before its end, please remember that others present have the right to listen to the proceedings without disruption. Please leave quietly and do not engage others in conversation until you have left the meeting room.

AGENDA ITEMS

1. CHAIRMAN'S ANNOUNCEMENTS

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

2. APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS
(if any) - receive.

3. DECLARATION OF INTERESTS

Members are invited to declare any interests in any of the items on the agenda at this point of the meeting. Members may still declare an interest in an item at any time prior to the consideration of the matter.

4. MINUTES

To approve as a correct record the minutes of the meeting held on 25 September, and of the special meetings held on 11 October and 12 November 2007 (*to follow*) and if so approved, authorise the Chairman to sign them.

5. AUDIT AND INSPECTION ANNUAL LETTERS 2004/05 and 2005/06

6. LOCAL GOVERNMENT OMBUDSMAN'S ANNUAL LETTER 2006/07

7. SCIMITAR HOUSE TOPIC GROUP

Cheryl Coppel
Chief Executive

**MINUTES OF A MEETING OF THE
CORPORATE OVERVIEW & SCRUTINY COMMITTEE
Havering Town Hall, Romford
Tuesday 25 September 2007 (6.30pm – 7.00pm)**

Present: Councillors Robby Misir (Chairman), Robert Benham and Linda Hawthorn

Councillor Melvin Wallace was in attendance.

An apology for absence was received from Councillor Fred Osborne

No Member declared an interest in the business considered.

The Chairman advised those present of action to be taken in the event of emergency evacuation of the Town Hall becoming necessary.

8 MINUTES

The minutes of the meetings of the Committee held on 19 June and the Special Meeting 23 July 2007 were agreed as a correct record and signed by the Chairman

9 LOCALISM AND STRENGTHENING LOCAL GOVERNMENT

The Committee received a report on localism and strengthening local government. It was reported that at Full Council on 18 July 2007 a motion was agreed regarding the Councils support of localism and the strengthening of local government which requested the relevant Overview & Scrutiny Committee to consider the proposals and report to Cabinet. The report gave details on the two Bills progressing through Parliament which had the potential to deliver on the localism agenda. These were the Local Government and Public Involvement in Health Bill and the Sustainable Communities Bill. Details of each Bill were provided to the Committee.

Members felt that not enough was known about the Bills and further reports were needed before the Committee was able to provide a response to Cabinet as requested by Full Council.

The Committee **NOTED** the report and requested further information on the Bills as they progressed through Parliament.

10 CAPITAL REPORTING

The Committee received a report regarding the capital programme, which advised the committee of the monitoring arrangements in place to monitor the capital programme to ensure that Council's objectives

Corporate Overview & Scrutiny Committee, 25 September 2007

were achieved. The report detailed key schemes plus exceptions where schemes were different to expected budget. The report enabled the Committee to monitor any slippage in actual expenditure compared to that forecast.

Members raised concerns over the difference in figures between the forecast and actual expenditure within the Children's Services – excluding schools Directorate. Officers agreed to provide further information on this to Members.

Members felt the format of the report was not yet clear enough and advised that further improvements be made particularly regarding the high level summary table and in highlighting the fact that capital schemes can run for more than a year, to ensure the information could be understood.

The Committee **NOTED** the report.

11 **PERFORMANCE INFORMATION**

The Committee considered the information relating to the Corporate Overview and Scrutiny Committee within the Period 3 Information Pack.

The Committee **RESOLVED:**

1. to remove Performance Information as a standing item on the agenda
2. to ask Members to speak directly to the relevant Director regarding specific concerns, or to request an item be put on the agenda prior to a meeting, if Members felt it would be of benefit to discuss the matter at a meeting.

**MINUTES OF A SPECIAL MEETING OF THE
CORPORATE OVERVIEW & SCRUTINY COMMITTEE
Havering Town Hall, Romford
Thursday 11 October 2007 (6.30pm – 8.05pm)**

Present: Councillors Robby Misir (Chairman), Robert Benham, +Wendy Brice-Thompson, +Barbara Matthews, Ray Morgon and Fred Osborne

Councillors June Alexander*, Clarence Barrett*, Keith Darvill and Gillian Ford* attended and Councillor Roger Ramsey was present at the invitation of the Chairman on behalf of the Committee.

Apologies for absence were received from Councillors Linda Hawthorn and Melvin Wallace. Councillors Michael White, Leader of the Council, and Steven Kelly, Cabinet Member for Sustainable Communities & Health, had been invited to attend the meeting but were unable to do so and apologised for their absence.

Councillor Roger Ramsey* declared a prejudicial interest in the business to be considered but remained at the meeting to respond to Members' questions.

* for part of the meeting

The Chairman advised those present of action to be taken in the event of emergency evacuation of the Town Hall becoming necessary.

12 SOCIAL SERVICES BUDGET

Councillor Roger Ramsey, Cabinet Member for Resources, having declared a prejudicial interest in compliance with paragraph 11 of the Members' Code of Conduct, was invited pursuant to section 21(13) of the Local Government Act 2000 to remain at the meeting in order to respond to Members' questions. Councillor Ramsey and certain chief officers also present left the meeting before the decision recorded in this minute was taken.

The Chairman had convened the meeting in order to consider a requisition of a decision of the Cabinet relating to the Adult Social Services Budget.

The Committee noted that, at its meeting on 19 September 2007, Cabinet had:

- 1 Agreed the investment of £5 million in Adult Social Care in 2007/08 and the virement of this amount from identified service budgets (as set out in Appendix 5 to the minutes of its meeting).**
- 2 Authorised the Chief Executive and Group Director, Finance and Commercial to adjust the budgets accordingly within the overall approved budget.**

Corporate Overview & Scrutiny Committee, 11 October 2007

- 3 Authorised the Chief Executive and Group Director, Finance and Commercial to reallocate any resources that become available to the priorities providing the investment, after consulting with the Leader of the Council and the Cabinet Member for Resources.**

The requisition, by Councillors Barbara Matthews and Keith Darvill, had cited the following grounds:

- 1. The Report is not clear on how the situation came about that merely six months after setting a budget there needed to be an additional £5m investment into Adult Services.**
- 2. The Report does not set out clearly which aspects of Adult services require additional investment.**
- 3. The figures contained within the body of the Report do not add up to £5m and Members require a precise breakdown for each service that is contributing.**
- 4. Members require a precise breakdown of which vacant posts have been frozen, and the length of time this 'freezing' will continue.**
- 5. Although Point No 12 within the report alludes to maintaining an adequate budget in the future, there is no indication as to what level of finance it is anticipated will be required despite being only five months away from setting the 2008/09 Council Tax**

The Committee had before it the report considered by the Cabinet and a supplementary report giving specific information in response to each of the five grounds of the requisition.

Members questioned the Cabinet Member for Resources and, subsequently, the Directors of Finance & Commercial and of Children's Services, the Head of StreetCare Services and the interim Head of Adult Services, on a number of aspects of the proposals set out in the two reports.

Information was on a number of issues, including:

- (a) the numbers assumed in the budget as compared to the current numbers over the key categories;
- (b) whether the savings assumed in the 2007/08 budget were being achieved;
- (c) what initiatives were assumed within the modernisation agenda, along with details of what had been delivered and what had not.

Members were advised that a full report was being prepared which would be considered by the Audit Committee.

Following discussion and debate, it was **RESOLVED (by 4 votes to 3, on the casting vote of the Chairman):**

That the requisition be not upheld

Corporate Overview & Scrutiny Committee, 11 October 2007

(Note: the voting was –

For upholding the requisition: Councillors Barbara Matthews, Ray Morgon and Fred Osborne; against: Councillors Robby Misir (and casting vote), Robert Benham and Wendy Brice-Thompson)



MEETING	DATE	ITEM
CORPORATE OVERVIEW & SCRUTINY COMMITTEE	20 November 2007	5

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: AUDIT AND INSPECTION ANNUAL LETTERS 2004/05 and 2005/06

SUMMARY

The 2004/05 Audit and Inspection Annual Letter was considered by Cabinet on 15 February 2006 and shared with members. It was subsequently considered by the Corporate Overview and Scrutiny Committee on 13 April 2006.

The letter recommends actions to be taken. To help members an Action Plan has been prepared. This reports progress on the actions contained within the Annual Letter and is attached as Appendix 1.

Your Committee last considered this Action Plan on 12 December 2006. This report updates the Action Plan on activities since then. It recommends that the Committee agrees that the Plan has been completed and need not be reported to the Committee any further.

The 2005/06 Audit and Inspection Annual Letter was considered by Cabinet on 18 April 2007 and shared with members. The letter recommends actions to be taken.

This report was presented to the September 2007 Audit Committee.

RECOMMENDATION

That the Committee note the contents of the 2004 / 05 Action Plan and the progress made to date.

That the Committee agrees that the 2004 / 05 Action Plan has been completed and need not be reported to the Audit Committee again.

That the Committee notes the contents of the 2005/06 Annual letter.

REPORT DETAIL

1.1 The Audit Commission's Annual Audit and Inspection Letter 2005 / 06 (attached as Appendix 2) summarises the significant issues that have arisen from audits and inspections in the last year. It includes information on the recent Comprehensive Performance Assessment (CPA).

1.2 The Letter is positive in tone and its headline main messages are:

- "The Council has progressed to a three star authority under the CPA framework and is improving well;
- We issued an unqualified opinion on the Council's 2005/06 accounts and an unqualified value for money conclusion; and,
- Improvements in service areas and the corporate centre have been recognised in recent inspection and review scores."

1.3 The report notes that:

"The Audit Commission's overall judgement is that Havering Council is improving well and we have classified Havering Council as three star in its current level of performance under the Comprehensive Performance Assessment.

Havering has a track record of service improvement and is making effective contributions to wider community outcomes. It has prioritised work in previously poorly performing services such as planning, housing and adult social services. All have shown improvements although the improvement in adult social services has been slower than that of other councils. The quality of children's social care services is improving well and excellent performance in education has been maintained."

1.4 It identifies action that needs to be taken by the Council:

- Implement appropriate actions to address the improvement areas highlighted in the corporate assessment;
- ensure there are appropriate systems and processes in place to generate robust information for all performance indicators; and,
- review adult social services to identify and address the barriers to securing improvements at a faster rate.

1.5 To take these forward;

- The improvement areas identified in the Corporate Assessment are being addressed;
- The Audit Commission Action Plan in respect of Data Quality is being implemented, and;
- The Action Plan in response to the recent CSCI inspection is being implemented, and addresses the key issues in Adult Social Services.

Financial Implications and risks:

The Annual Letter has significant implications for the continuing improvement of the Council's financial processes. A number of recommendations are ongoing and these continue the strong theme of continuous improvement contained in the previous Annual Letter and delivered through the Use of Resources Action Plan – a position statement on which is Appendix 3.

There should be no additional costs incurred as a result of the recommendations, which may however result in the reprioritisation of work.

Legal Implications and risks:

No direct legal implications arise from this report.

Human Resources Implications and risks:

HR will continue to support management in maintaining the improvement in sickness absence and developing organisational culture.

Equalities and Social Inclusion implications:

No direct Equalities and Social Inclusion implications arise from this report.

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CHERYL COPPELL
Chief Executive

Background Papers List

Report to Audit Committee 4 April 2006.

APPENDIX 1 - ANNUAL AUDIT & INSPECTION LETTER 2004/05 ACTION PLAN as at June 2007

Recommendation & Key Tasks	Lead Officer	Comments; including progress & Next Steps	Timescale
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Housing Management			
<ul style="list-style-type: none"> Ensure all offices comply with the requirements of DDA 	B. Kendler	Achieved. All District Housing Offices closed apart from Elm Park which is due to close on Friday 28 th July 2006. All housing offices are now DDA compliant.	Achieved
<ul style="list-style-type: none"> Provide greater clarity in response to domestic violence, and racial harassment. 	B. Kendler	Achieved	
<ul style="list-style-type: none"> Better information on welfare benefits 	B. Kendler	Achieved.	
<ul style="list-style-type: none"> Address inconsistencies in the provision of caretaking and grounds maintenance 	B. Kendler	Caretaking Review agreed by Cabinet in September 2005. Service Changes pending.	Achieved
<ul style="list-style-type: none"> Address inconsistencies in the treatment of waiting list, transfer list applicants and visiting new tenants 	B. Kendler	Achieved April 2005	
<ul style="list-style-type: none"> Improve tenant participation structures 	B. Kendler	Restructure of Tenant Participation agreed in December 2005 by Cabinet. Current structure was replaced from 3 rd April 2006.	Achieved
<ul style="list-style-type: none"> Reduce the number of temporary staff usage. 	B. Kendler	Progressing.	On-going
Supporting People			
<ul style="list-style-type: none"> Improve governance arrangements by: establishing action plans for the commissioning body and core strategy group which are formally monitored and reported on. 	B. Kendler	Action Plans have been discussed and are being drafted. To be rolled out at next meeting of relevant groups.	Achieved

<ul style="list-style-type: none"> Strengthen delivery arrangements by: establishing local and shared (with partners) performance indicators; working with the sub-regional group on the development of outcome measurements for service users; establishing an approach to needs analysis across the client groups in a systematic and regular (at least six-monthly manner); developing an approach to value for money that should incorporate cost and quality assessment (for both the grant and administrative costs); developing an approach to learning and benchmarking beyond the sub-regional group and from higher performers; and ensuring that all plans are SMART and have clear measurable outcomes. 	B. Kendler	<p>Performance Indicators and outcome measurements are the subject of a contract monitoring strategy being drafted currently, however some progress on this (particularly outcome measurement) will be dependent on publication of the mandatory outcome measures currently being piloted by CLG.</p> <p>Needs analysis refreshment is being addressed as part of the action plan attached to the new strategy currently being drafted.</p> <p>Value for Money approach being drafted currently.</p> <p>Benchmarking being addressed as part of VfM approach above and also being done sub-regionally. Learning from other authorities is ongoing and all policies and procedures currently being drafted are mindful of other Supporting People approaches.</p> <p>Workplan has been extensively revised to ensure it is SMART.</p>	Achieved
<ul style="list-style-type: none"> Strengthen access to information and knowledge of supporting People and service provision by: working with frontline service deliverers to ensure staff are kept fully informed and confident about Supporting People services; ensuring frontline service deliverers have access to the Supporting People directory, and; introducing regular monitoring of access arrangements to Supporting People at frontline services. 	B. Kendler	<p>A rolling programme of briefings has been drawn up to address knowledge across relevant personnel. Further exercise of mystery shopping to check knowledge levels will be carried out. Directory on website.</p>	Achieved
<ul style="list-style-type: none"> Improve management and monitoring arrangements 	B. Kendler	<p>Audit Commission Inspection report in draft form. We will comment by 31st July 2006</p>	Achieved

Adult Social Care			
• Improve performance on direct payment	P. Brennan	Now over 200 people receiving Direct Payments which is above Key Threshold indicators	Achieved
• Improve the number of service users who receive care reviews	P. Brennan	Improvements in numbers of people receiving reviews are being achieved. 60% to be achieved by March 07.	Achieved
• Monitor performance information	P. Brennan	Performance information is monitored monthly. Now an integrated Management Structure has been achieved, action as a result of monitoring is more robust. A mistake was made in the submission to CSCI of high-level performance information which has skewed one indicator. Systems are now in place to prevent such a problem recurring.	Achieved
• Ensure better budget setting and financial management in care provision	P. Brennan	Budget setting for 07/08 MTFS is now robust. Financial projections and monitoring now in place as of November 2006.	Achieved
• Improve recording of ethnicity	P. Brennan	Management action improving the situation.	Achieved
Accounts & Governance			
• Strengthen internal audit and disaster recovery arrangements	R.G/ M. Stringer	Internal Audit strategy and plan 06-07 agreed by Audit Committee. International Auditing Standards work completed and implemented. Report presented to Audit Committee on CIPFA compliance. Review of service delivery arrangements undertaken by Head of Service. Business Continuity Group is in place and project plan developed to deliver an approach to internal disaster recovery including IT. Draft Business Policy Strategy and Plan in place. Major Emergency Plan reviewed and launched.	Achieved
• Ensure further strengthening of the accounts closedown processes.	M. Stringer	Post closedown debrief 04-05 action plan produced and incorporated in closedown plan for 05-06. Closedown achieved for 05/06.	Achieved

Use of Resources / Financial Standing			
<ul style="list-style-type: none"> Ensure financial and performance information is more fully integrated. 	R. Greenwood J. Owen	Budget analysis being undertaken to assess key areas of spend and review against performance information / local budget books to assess performance / activity information.	Achieved
<ul style="list-style-type: none"> Ensure that appropriate management action is taken to manage personal social care budget and spending 	R. Jenkins	Budget analysis undertaken on a regular basis; monthly budget monitoring meetings with managers, weekly meetings with Finance, plus detailed action plan with timescales and actions identified, monthly meetings with members.	Achieved
<ul style="list-style-type: none"> Ensure Star Chamber & Commissioner Board explicitly confirm value for money improvements as part of achieving stronger monitoring and scrutiny. 	R. Greenwood J. Owen	This will be addressed as part of the corporate VFM strategy being formulated.	Achieved
<ul style="list-style-type: none"> Assist service areas to identify cost drivers and monitor them. 	M. Stringer / J. Owen	MTFS 07-08 completed. Clearer links between service plans and MTFS developed.	Achieved.
Customer Access to Services			
<ul style="list-style-type: none"> Establish baseline data to enable measurement of benefits and monitoring of published customer standards and targets. 	D. Champion	Customer Standards have been agreed and these are monitored through mystery shopping and a range of other methods to measure performance against targets	Achieved
Performance Information			
<ul style="list-style-type: none"> Further strengthen the Council's performance reporting quality assurance process. 	J. Owen	Steps have been taken to implement the recommendations in the BVPI audit report, including those covering the production of out-turn figures and the sign-off requirement by senior managers. Need to ensure that all HoS have QA arrangements in place.	Achieved

Education and Children Social Services			
<ul style="list-style-type: none"> Develop a wider range of preventative services to reduce the number of looked after children and children on the child protection list. 	R. Jenkins S. Allen	Part of CSCI Action Plan and ECM actions (e.g. development of schools; Children's Centres; CWD Review; Early Support Service) Local Safeguarding Children Board is established and its business plan is being finalised.	Achieved
<ul style="list-style-type: none"> Develop more opportunities to ensure the 'voice' of children and young people develop 	R. Jenkins S. Allen	Progressing through consultation of CYPP; development of Children's Trusts and Young Peoples Participation Board. Dialogue with young people has formed strategy for the voice of children and young people, which includes model to establish Participation Board as part of Children's trust.	Achieved
Capital Programme			
<ul style="list-style-type: none"> Ensure that robust business cases including fully costed option appraisals and whole life costings are consistently produced in all projects 	R. Greenwood	Overall project management arrangement reviewed with a toolkit approach. Forms have been reviewed. Project management toolkit will incorporate whole life costing, for which guidance is now being finalised. The Procurement Framework and Strategy has been refreshed to reflect whole life costings considerations and this is now covered in framework training as well as guidance in the Financial Framework on financial implications.	Achieved
<ul style="list-style-type: none"> Produce monitoring information to evaluate the effectiveness of all recovery actions and the associated costs 	J. Potter	Monitoring information is in place and recovery strategies being reviewed.	Achieved
<ul style="list-style-type: none"> Continue to improve income collection performance, taking into account the costs of various collection methods 	J. Potter	Targets being set for all areas and collection initiatives under constant review.	Achieved

Annual Audit and Inspection Letter

London Borough of Havering

The Audit Commission is an independent body responsible for ensuring that public money is spent economically, efficiently and effectively, to achieve high-quality local services for the public. Our remit covers around 11,000 bodies in England, which between them spend more than £180 billion of public money each year. Our work covers local government, health, housing, community safety and fire and rescue services.

As an independent watchdog, we provide important information on the quality of public services. As a driving force for improvement in those services, we provide practical recommendations and spread best practice. As an independent auditor, we ensure that public services are good value for money and that public money is properly spent.

Status of our reports

This report provides an overall summary of the Audit Commission's assessment of the Council, drawing on audit, inspection and performance assessment work and is prepared by your Relationship Manager.

In this report, the Commission summarises findings and conclusions from the statutory audit, which have previously been reported to you by your appointed auditor. Appointed auditors act separately from the Commission and, in meeting their statutory responsibilities, are required to exercise their professional judgement independently of the Commission (and the audited body). The findings and conclusions therefore remain those of the appointed auditor and should be considered within the context of the Statement of Responsibilities of Auditors and Audited Bodies issued by the Audit Commission.

Reports prepared by appointed auditors are:

- prepared in the context of the Statement of Responsibilities of Auditors and Audited Bodies issued by the Audit Commission; and
- addressed to members or officers and prepared for the sole use of the audited body; no responsibility is taken by auditors to any member or officer in their individual capacity, or to any third party.

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Our overall summary

- 1 This letter provides an overall summary of the Audit Commission's assessment of the Council. It draws on the findings and conclusions from the audit of the Council, from the Corporate Assessment and inspections that have been undertaken in the last year and from a wider analysis of the Council's performance and its improvement over the last year, as measured through the Comprehensive Performance Assessment (CPA) framework.
- 2 The letter is addressed to the Council, in particular it has been written for councillors, but is available as a public document for stakeholders, including members of the community served by the Council.
- 3 The main messages for the Council included in this report are:
 - the Council has progressed to a three star authority under the CPA framework and is improving well;
 - we issued an unqualified opinion on the Council's 2005/06 Accounts and an unqualified value for money conclusion; and
 - improvements in service areas and the corporate centre have been recognised in recent inspection and review scores.

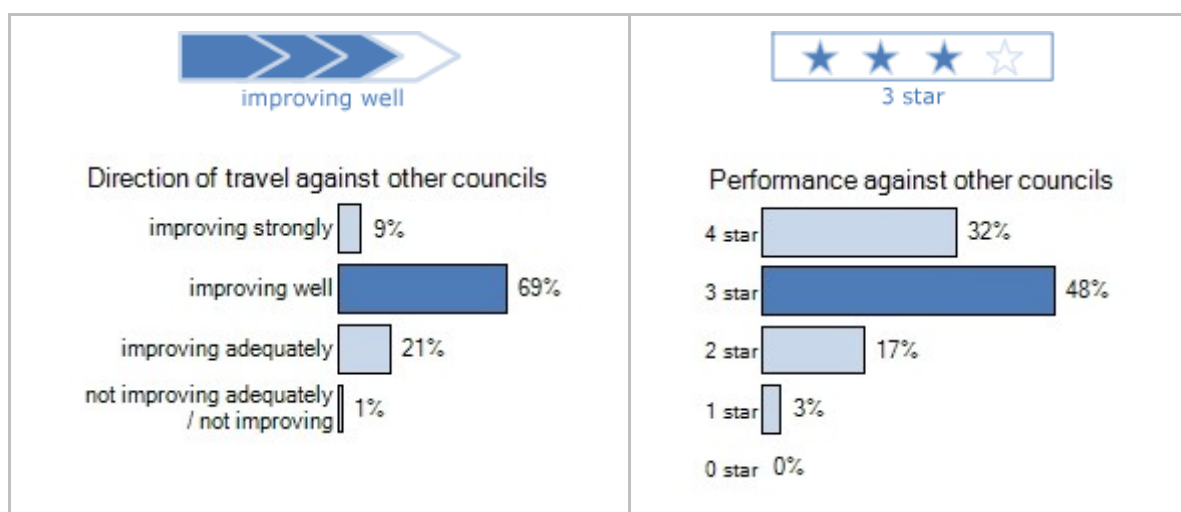
Action needed by the Council

- 4 The Council should:
 - implement appropriate actions to address the improvement areas highlighted in the Corporate Assessment;
 - ensure there are appropriate systems and processes in place to generate robust information for all performance indicators; and
 - review adult social services to identify and address the barriers to achieving service improvements at a faster rate.

How is Havering Council performing?

- 5 The Audit Commission's overall judgement is that Havering Council is improving well and we have classified Havering Council as three star in its current level of performance under the Comprehensive Performance Assessment. These assessments have been completed in all single tier and county councils with the following results.

Table 1



Source: Audit Commission

- 6 The detailed assessment for Havering Council is as follows.

Our overall assessment - the CPA scorecard

Table 2 CPA scorecard

Element	Assessment
Direction of Travel judgement	Improving well
Overall	3 star
Current performance	
Children and young people	3 out of 4
Social care (adults)	2 out of 4
Use of resources	3 out of 4

Element	Assessment
Housing	2 out of 4
Environment	3 out of 4
Culture	2 out of 4
Benefits	3 out of 4
Corporate assessment/capacity to improve	3 out of 4

(Note: 1=lowest, 4=highest)

The improvement since last year - our Direction of Travel report

- 7 Havering has a track record of service improvement and is making effective contributions to wider community outcomes. It has prioritised work in previously poorly performing services such as planning, housing and adult social services. All have shown improvements although the improvement in adult social services has been slower than that of other councils. The quality of children’s social care services is improving well and excellent performance in education has been maintained.
- 8 The Council shows improvement in serving its diverse communities but there is more to do. The Council has plans to address this. It has improved the accessibility of services, including services for ‘hard to reach’ groups. Resident satisfaction is improving. Overall spending remains low and service costs compare well to similar boroughs.
- 9 The Council has strengthened its systems and management processes and has robust plans to drive further improvements. It has successfully enhanced its capacity through effective partnership working, both locally through the strategic partnership and increasingly through working with other boroughs. It is developing its capacity further by improving Information Communications and Technology and exploring alternative delivery models.

Corporate Assessment

- 10 The Corporate Assessment, undertaken in October 2006, identified three key factors that are now embedded in the Council’s culture and have been fundamental to securing the significant improvements to service outcomes since the last assessment in 2002:
 - there is strong partnership working, both with the private, public and voluntary sector within the Borough and with other agencies at a pan-London level;

- effective performance management arrangements are in place and there is a visible cascade of corporate objectives into service, team and personal performance targets; and
 - there is a strong emphasis on achieving financial efficiency and value for money.
- 11 These arrangements have supported the delivery of improved outcomes. The Corporate Assessment also recommended further work in the following areas:
- the Council's approach to diversity should extend beyond the current focus on BME issues and incorporate other areas such as community cohesion;
 - a senior councillor should be identified to take lead responsibility for engagement with the health sector;
 - scrutiny processes should be reviewed to ensure they are aligned to corporate priorities; and
 - greater transparency and accountability is needed in the support and funding arrangements provided to the community and voluntary sectors.
- 12 The assessment concluded that Havering Council is performing well and it was awarded a score of three out of a possible four.

Service inspections

Supporting people

- 13 In March 2005, the Supporting People inspection assessed the service provided by the Council as zero-star with uncertain prospects for improvement. The service was therefore re-inspected in summer 2006. The re-inspection found that much progress had been made to address the weaknesses identified in the 2005 review. In particular:
- the service is now better aligned within the Sustainable Communities directorate and there is more joint working with adult services and other partners;
 - information on the service's availability is better publicised and there is improved user focus; and
 - there is a robust process for completing service reviews which has supported independent living while generating savings.
- 14 The progress made by the Council is reflected in the updated service assessment of one star with promising prospects for further improvement.

Other Inspectorates and Regulators

- 15 An important aspect of the role of the Relationship Manager is to work with other inspectorates and regulators who also review and report on the Council's performance. Relationship Managers share information and seek to provide 'joined up' regulation to the Council. During the last year the Council has received the following assessments from other inspectorates.

Benefit Fraud Inspectorate (BFI)

- 16 BFI assessed the Council as providing a good service. In January 2006, the Council implemented the Verification Framework (VF). The VF specifies minimum standards for the information, evidence and checks that must be obtained or performed prior to awarding, or continuing to award, benefit payments. During 2005/06, there was also a major exercise to recruit 25 new staff to the Benefits service. Despite these changes, the Council continued to meet three out of the six targets for the speed of processing claims and in the case of administering new claims, the turnaround time improved from 40 days in 2004/05 to 31 days. However, the BFI reported that performance on user focus requires improvement as only 44 per cent of appeals were heard within the four week target in 2005/06.

Ofsted/Commission for Social Care Inspection (CSCI)

Education and children's social care services

- 17 A Joint Area Review (JAR) of services for children and younger people was completed alongside the Council's Corporate Assessment. The JAR found that the Council is performing well in its provision of such services. Good outcomes are achieved, most notably in educational attainment, protecting vulnerable children and reducing anti-social behaviour. There is good partnership working through the Children and Young People's Strategic Partnership and a Children's Trust is being developed with Havering Primary Care Trust. The quality of children's social services is improving and the excellent performance in education has been sustained. Good value for money is already achieved and capacity exists to further improve outcomes, in particular, by more involvement of young people in the planning and design of service delivery.

Adult social care services

- 18 CSCI's Annual Performance Assessment found some service improvements have occurred during the year, including a reduction in the number of older people moving into residential care and increasing the provision of home care services. There is also better engagement with service users and carers in service planning. However, the pace of change and improvement is slower than that of similar councils and a number of internal targets have not been met. Performance on delayed transfer of care has deteriorated and the rising costs of intensive social care are not being addressed effectively. Performance management systems need to improve to ensure action plans deliver the desired outcomes and targets are more challenging.

Financial management and value for money

- 19 As your appointed auditor, I have reported separately to the Audit Committee on the issues arising from our 2005/06 audit and have provided:
- an unqualified opinion on your accounts and the Pension Fund;
 - an unqualified conclusion on your value for money (vfm) arrangements; and
 - a report on the 2005/06 Best Value Performance Plan confirming that the Plan has been audited and the content complies with statutory requirements.
- 20 The accounts were produced within the deadline and were subject to robust Member scrutiny. Our audit resulted in two non-trivial amendments, neither of which affected the net assets or net expenditure of the Council. The quality and timeliness of working papers had improved since last year. The Council will need adequate handover arrangements for the planned departure of key staff involved in the closedown process, to ensure that improvements in the accounts preparation processes continue.
- 21 The vfm conclusion is based on a review of performance and financial management criteria specified by the Audit Commission. The twelve specified criteria include, amongst other things, setting corporate objectives, robustness of performance information, budget monitoring arrangements and internal control. Our work to support the vfm conclusion did not identify any weaknesses in the Council's arrangements that would give rise to a qualification. We did find scope to strengthen existing arrangements by introducing a formal policy on data quality and ensuring that the Council continues to monitor internal audit's compliance with professional standards and delivery of the internal audit annual plan.
- 22 Our work on data quality included a sample of spot checks on reported performance information. Our review of eight performance indicators found that only one had been fairly stated. Four indicators required amendment, three of which affected significantly the reported performance. Due to weaknesses in the underlying information systems, the correct performance could not be calculated for a further three indicators. Our work demonstrated that a more proactive approach is required to ensure that all performance information generated by the Council is robust.
- 23 Our audit of the Council's grant claims found that improvements to the administration and preparation of grant claims and returns have been made. We have therefore been able to place more reliance on the Council's controls to reduce our audit testing.

- 24 The findings of the auditor are an important component of the CPA framework described above. In particular the Use of Resources score is derived from the assessments made by the auditor in the following areas.
- financial reporting (including the preparation of the accounts of the Council and the way these are presented to the public);
 - financial management (including how the financial management is integrated with strategy to support council priorities);
 - financial standing (including the strength of the Council's financial position);
 - internal control (including how effectively the Council maintains proper stewardship and control of its finances); and
 - value for money (including an assessment of how well the Council balances the costs and quality of its services).
- 25 For the purposes of the CPA we have assessed the Council's arrangements for use of resources in these five areas as follows.

Table 3

Element	Assessment
Financial reporting	3 out of 4
Financial management	3 out of 4
Financial standing	3 out of 4
Internal control	3 out of 4
Value for money	3 out of 4
Overall assessment of the Audit Commission	3 out of 4

(Note: 1=lowest, 4=highest)

- 26 The assessment of 3 represents an improvement on last year's score and the Council has strengthened its arrangements across all five elements. The key issues arising from the audit, as reflected in the above judgements, are as follows.
- the Council's approach to briefing members on local government accounts prior to approving the financial statements, its debt management strategy and the medium term financial strategy were all identified as notable practice;
 - historic overspends within children's social services are being addressed through more robust financial planning;

- the target level of general reserves is now supported by a risk assessment which is presented to Members; and
- anti-fraud arrangements have strengthened, the Council's whistleblowing policy has been communicated externally and registers of interests and gifts and hospitalities are now up-to-date.

27 Moving forward, to further strengthen existing arrangements, the Council needs to:

- communicate summary financial information in a format accessible to the public and other stakeholders;
- more clearly communicate key financial health indicators and the relationship between finance and activity data to Members;
- demonstrate and evaluate the impact from asset management benchmarking;
- extend robust internal governance and risk management arrangements to partnerships; and
- finalise and test business continuity plans.

28 The financial position for 2007/08 and beyond will be challenging. The Council will need to build on the improvements already secured to its financial management arrangements and ensure that the level of reserves remains appropriate to the risks that it faces.

Conclusion

- 29 This letter has been discussed and agreed with the Chief Executive. A copy of the letter will be presented at the Cabinet and Audit Committee meetings on 18 April 2007 and 24 April 2007 respectively.
- 30 The Council has taken a positive and constructive approach to our audit and inspection and I would like to take this opportunity to express my appreciation for the council's assistance and co-operation.
- 31 An update on the fees charged for audit and inspection work is provided at Appendix 1.

Availability of this letter

- 32 This letter will be published on the Audit Commission's website at www.audit-commission.gov.uk and also on the council's website.

Jon Hayes

Relationship Manager and District Auditor

Appendix 1 – Fee information

Table 4

Fee estimate	Plan 2005/06	Actual 2005/06
Accounts*	£205,000	£215,000
Use of resources	£137,000	£137,000
Total Code of Audit Practice fee	£342,000	£352,000
Inspection	£58,000	£58,000
Grant claim certification**	£195,000	£140,000
Voluntary improvement work (under section 35)	£0	£0
Total fee	£595,000	£550,000

*An additional fee of £10,000 had to be raised for further audit work required in documenting material systems that had not been covered by internal audit.

**Our audit of the 2005/06 grant claims is currently in progress. The planned outturn fee represents a reduction on the fee for 2004/05, which was £170,000.

- 1 The work reported in this Letter has been funded by an element of the fee covering 2005/06 and by an element of the fee covering 2006/07.



MEETING	DATE	ITEM
CORPORATE OVERVIEW & SCRUTINY COMMITTEE	20 NOVEMBER 2007	6

REPORT OF THE CHIEF EXECUTIVE

**SUBJECT: LOCAL GOVERNMENT OMBUDSMAN'S ANNUAL
LETTER 2006/07**

SUMMARY

Since 2003, the Local Government Ombudsman (the Ombudsman) has circulated an "Annual Letter" to inform Members' of his impression of the Council's handling of complaints that are referred to him, to provide statistical information and to enable him to draw attention to issues of particular concern.

At the request of the Adjudication & Review Committee, the Annual Letter for 2006/07, is appended. The Committee's attention is drawn to issues raised by the Ombudsman affecting the services scrutinised by the Committee.

RECOMMENDATIONS

- 1 That the content of the Annual Letter, and the officers' response, be noted.
- 2 That the Committee consider whether there are any points arising from this report which the Committee wishes to explore further or to comment upon.

Corporate O & S Committee, 20 November 2007

- 3 That the Committee note the need to improve the quality and level of contact with the public and the need to promote a more pro-active complaints handling process, especially when this involves Ombudsman investigations.
- 4 That the Committee's views be referred to the Adjudication & Review Committee.

REPORT DETAIL

- 1.1 The Annual Letter of the Ombudsman, received in June, is appended, together with the table of statistics referred to in it and some notes on methodology.
- 1.2 This report comments on the points raised by the Ombudsman in the Letter.

Complaints received

- 2.1 The Ombudsman notes that the format of his Annual Letter has been varied to that of last year and asks for any comments. He confirms that the letters will be published on the web, and observes that they will be shared with the Audit Commission – a clear indication of the manner in which the Ombudsman and Audit Commission are sharing information on performance. He comments on the Audit Commission's Corporate Assessment Report where the Council was deemed to be improving, however, he observes that this does not appear to correlate with the increase in complaints he has received. It should be noted however, that Homes in Havering are still "settling-in" and that problems are being addressed and procedures changed as they arise. Furthermore, the Audit Commission has recently completed its review of Homes in Havering and the outcome of this review could enhance their customer complaints handling process.
- 2.2 During 2006/07, the Ombudsman received 109 complaints – a considerable increase on 2005/06 (85) but 13 cases concern one issue. He comments that housing remains the largest single area of complaint, but that this covers all aspects of council housing, including repairs, transfers, homelessness and neighbour nuisance. The Committee should be aware that, although housing management

Corporate O & S Committee, 20 November 2007

processes have been delegated to Homes in Havering, the Council remains responsible for any shortcomings of that organisation and thus any maladministration by Homes in Havering, counts as maladministration by the Council.

- 2.3 The Ombudsman records that there was an increase in his “catch-all” “Other” category (7 to 19), and observes that in both anti-social behaviour and environmental health, there are instances where two complaints have been made by a single complainant.

Decisions on complaints

- 3.1 The Ombudsman refers to having made 110 decisions this year (88 last year) and acknowledges that there was insufficient evidence to warrant his involvement in 25 cases.
- 3.2 He states that in 16 cases he exercised his discretion to discontinue his investigations and that formal reports were issued in 14 cases (Maladministrations – 13 arose from the Langtons Registry Office complaint considered by Full Council in March 2007) and “local settlements”. These form a combined total of 29. It should be noted though that the Langtons case is quite exceptional – for a number of reasons – and that in real terms, the Council was dealing with only **one** issue (and that was quickly rectified and procedures put in place to ensure that it could not happen again). However, the nett effect was to skew the overall figures and give a distorted picture of administrative capability and failings in the borough.
- 3.3 The letter then evaluates these findings in greater detail looking at “Reports”, “Local Settlements” and “Other Findings”. Under this last category he reminds the Council that it had agreed to *“review its procedures and consult with other authorities about the issue of top up fees for residential care”* and comments that he would like to know the outcome of that review. At present it would appear that this review is still outstanding.
- 3.4 Concerning complaints falling within the remit of the Corporate OSC, the statistics are:
- **14** Maladministrations causing Injustice: One of these related to a brought forward complaint concerning a building in Essex Road. Although this was a planning matter, the Regulatory Services Committee (on the Chairman’s vote) rejected officers’ recommendations. The matter was therefore considered to be a Member issue rather than a service failure. The remaining 13 relate to the one incident in respect of Langtons Registry Office.

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Although there were only 13 complainants, the Ombudsman took the (for us) unusual step of requiring the Council to compensate each of the 193 couples, even though they were either unconcerned or even untraceable in a few cases. The settlement figure was £150 per couple, a sum amounting to almost £30,000.

- **1 Local Settlement** – no penalty: The Ombudsman accepted that the Council had rectified matters and that this was sufficient.
- **1 No Maladministration** – without investigation: The Council was advised that a resident had complained, but that the Ombudsman had satisfied himself that there was “no case to answer” and informed the Council of this.
- **6 Ombudsman’s discretion**: A general (and undefined) cover-all decision which permits the Ombudsman to “withdraw gracefully”. It is a decision which attracts no opprobrium, though on the other hand, it resolves nothing either.
- **2 Outside Jurisdiction**: Usually, that there were other remedies available for the complainant to use.
- **7 Prematures**: The complainant had not given the Council an adequate opportunity to address the problem and the Ombudsman was referring the matter back to the Council for it to be dealt with within the Council’s complaints procedure.

3.5 The total number of cases recorded within the Committee’s remit through the year was 32. This figure includes one case brought forward from 2005/06. One case was carried forward into 2007/08.

3.6 The average time in which the Council responded to the Ombudsman during the year was 35.7 days. There were four cases in excess of 50 days and the longest was 91 days (though this was complicated – and delayed – because of the involvement of another service)

The Council’s complaints procedure and handling of complaints

4.1 The Ombudsman notes that of all referrals to the Council as “premature complaints”, (31), eight went on to investigation, though he accepts that of these only one led to a local settlement and one remained open at the time of writing.

4.2 The Ombudsman concludes that the Council might wish to consider if there is any reason why so many people appear to approach his office before seeking redress through the Council’s complaints procedure – especially in respect of council tax matters. The Council has – through Overview and Scrutiny – undertaken such an investigation which has embraced this concern of the Ombudsman.

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With respect to the specific reference to council tax, that service has accepted that there were short-comings (due entirely to resource based issues which have been addressed) and procedures have been put in place to ensure that complaints handling – both Ombudsman and direct approaches – are given higher priority irrespective of other commitments and that issues are resolved at an earlier stage if at all possible.

- 4.3 The Corporate Overview & Scrutiny Committee may wish to give the Adjudication & Review Committee the benefit of its experience in Finance matters in order that the Council can become more effective at resolving problems at an early stage or, if necessary, of responding to Ombudsman enquiries with greater speed.

Training in complaint handling

- 5.1 The Ombudsman refers to the training programme and recommends the range and quality of it in the continuous changing environment of complaint management and handling.

Liaison with LGO

- 6.1. Response was asked for within 28 calendar days and he notes that, on average, the Council's response time has slipped from 26 days last year to 32. He notes that this is a retrograde step and points out the enormous discrepancies between responses in some cases to those in other service areas. He urges the Council to look at ways in which it could even out these swings. This has been addressed (see comments below).
- 6.2. The Ombudsman points out that his staff report "***generally good working relationships with (the Council's) officers and that the Council has generally responded positively to their enquiries.***" He hopes that this will continue in the future.

LGO developments

- 7.1. The Ombudsman announced that he is developing an Access and Advice service to improve first contact and provide a gateway to complainers and enquirers. He adds that the Local Government Bill may have an impact on his methods of working.

Corporate O & S Committee, 20 November 2007

- 7.2. He mentions recent special reports dealing with applications for 'phone masts and recommends that councils adopt simple approaches to resolving problems in this area and also one concerned with local partnerships and citizen redress.

Conclusions/general observations

- 8.1 The Ombudsman expresses his hopes that his comments will be helpful to the Council and asks for any comment or suggestion for future improvement to the letter.
- 8.2 He concludes by offering the services of either himself or a senior colleague to visit the Council to present the letter or discuss its contents with Councillors or staff.

Observations on the Letter

- 9.1 Discounting the Langtons 13, there was still an increase in complaints to the Ombudsman. This is due, in part, to complainants making greater use of his service either because they are computer literate (more complaints are initiated on line than was the case over the past two years), or that his service has a higher profile than before. Some complainants approach the Ombudsman because they feel the Council is not listening to them – though a review of the CRM database indicates that many people confuse “complaint” with advising the Council of a failure; such as paving that needs replacing or repairing. When it is not dealt with within a period they feel is appropriate, they go to the Ombudsman rather than returning to the Council to complain that it has not been rectified.
- 9.2 An Overview and Scrutiny Topic Group has recently reported on the Council's complaints procedure and made certain recommendations to Cabinet to improve the system. As and when changes are implemented, it may be possible to reduce the number of premature approaches to the Ombudsman simply by ensuring that procedures are in place to improve the advice given to people reporting a fault, at the time by asking them to come back to the Council if the problem has not been resolved within a given time-scale.
- 9.3 Although the tone of the Letter suggests that the Council is not performing as well as last year, it should be noted that in services where initial responses have been slow, action has been taken at managerial level to ensure faster turn-round. Where it has become apparent that Ombudsman requests are not receiving the

Corporate O & S Committee, 20 November 2007

appropriate level of priority, this is being vigorously challenged in order to make certain that response times are more frequently met by all of the services.

Financial Implications and Risks:

Any points arising from this report, which the Committee wishes to explore further or comment upon may have financial implications; depending on the nature of the action required. These will be determined as appropriate.

The Council is continuing to review and improve the quality of its complaints handling systems. This is an ongoing process and resource and reprioritisation issues will be considered as part of a forthcoming report, to be presented later this year.

In the meantime adjustments made within individual services to improve processes will need to be met from within existing resources.

Environmental Implications and Risks:

There are no environmental implications or risks arising from this report.

Equalities Implications and Risks:

There are no equalities implications or risks arising from this report.

Legal Implications and Risks:

There are no legal implications or risks arising from this report.

Background papers list

Ombudsman's Decisions by Ward
The Annual Letter is appended.

Contact Officer: Grant Söderberg, Committee Officer
Telephone: 01708 433091
Email: grant.soderberg@havaering.gov.uk

Corporate O & S Committee, 20 November 2007

**Cheryl Coppel
Chief Executive**

Background Papers:

Ombudsman's Decisions by Ward
Ombudsman's Annual Letter 2006/07

20 June 2007



The Commission for
Local Administration in England

Mrs Cheryl Coppel
Chief Executive
London Borough of Havering
Town Hall
Romford
Essex
RM1 3RD

Tony Redmond
Local Government Ombudsman

Peter MacMahon
Deputy Ombudsman

Our ref: RS/LP
(Please quote our reference when contacting us)

**If telephoning please contact Richard Shaw on 020 7217 4669
email address: r.shaw@lgo.org.uk**

Dear Mrs Coppel

Annual Letter 2006/07

I am writing to give you a summary of the complaints about your authority that my office has dealt with over the past year and to draw any lessons learned on your authority's performance and complaint-handling arrangements. I hope you find this letter a useful addition to other information you have on how people experience or perceive your services.

The format of the annual letter is slightly different to last year and is set out as a separate document attached. I would again very much welcome any comments you may have on the form and content of the letter.

We will publish all the annual letters on our website (www.lgo.org.uk) and share them with the Audit Commission, as we did last year. We will again wait for four weeks after this letter before doing so, to give you an opportunity to consider the letter first. If a letter is found to contain any material factual inaccuracy we will reissue it.

I would again be happy to consider requests for me or a senior colleague to visit the Council to present and discuss the letter with councillors or staff. We will do our best to meet the requests within the limits of the resources available to us.

/...

10th Floor Millbank Tower
Millbank London SW1P 4QP
Tel 020 7217 4620 Fax 020 7217 4621
DX 2376 Victoria 1
www.lgo.org.uk

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I am also arranging for a copy of this letter and its attachments to be sent to you electronically so that you can distribute it easily within the Council and post it on your website should you decide to do this.

Yours sincerely



Handwritten signature of Tony Redmond in black ink, written in a cursive style.

Tony Redmond



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
London Borough of Havering
for the year ended
31 March 2007**

The Local Government Ombudsman (LGO) investigates complaints by members of the public who consider that they have been caused injustice through administrative fault by local authorities and certain other bodies. The LGO also uses the findings from investigation work to help authorities provide better public services through initiatives such as special reports, training and annual letters.

Annual Letter 2006/07 - Introduction

The aim of the annual letter is to provide a summary of information on the complaints about your authority that we have received and try to draw any lessons learned about the authority's performance and complaint-handling arrangements. These might then be fed back into service improvement.

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

There are two attachments which form an integral part of this letter: statistical data covering a three year period and a note to help the interpretation of the statistics.

Complaints received

In 2006/2007 I received 109 complaints against your Council. This was about a quarter more than in the previous two years. As before, housing complaints were by far the most numerous. They increased by 50% to 42 and were 38% of the total number against the Council. Nationally, housing complaints are 21% of the total, so this is noticeably higher than the norm. Thirteen of the housing complaints were about repairs and another 13 concerned allocations. Other complaints related to managing tenancies and homelessness.

Our 'other' category covers a range of services. Complaints here have gone from 7 in 2004/05 to 19 last year. Six of these concerned the well publicised problem connected to weddings at the registry office at Langtons House, to which I refer below. A further five complaints related to anti-social behaviour and five more concerned environmental health issues. (In each of these areas, the numbers include two complaints made by a single complainant.) The other main areas of complaint were planning and transport and highways.

I note that the Audit Commission's most recent Corporate Assessment Report commented on a significant improvement in previously poorly performing areas such as planning, housing and social services. These improvements do not seem to correlate, however, with the level of complaints to me, particularly in relation to housing matters.

Decisions on complaints

General

I made 110 decisions on complaints against your Council last year. In 25 cases I found no or insufficient evidence of fault to warrant my involvement, and in another 16 cases I exercised my discretion not to pursue matters further. This was mostly because the level of injustice caused to the complainants did not justify further investigation. I was unable to consider a further nine complaints because they fell outside of my jurisdiction.

We use the term 'local settlement' to describe the outcome of a complaint where, during the course of our investigation, the Council takes, or agrees to take, some action which we consider is a satisfactory response to the complaint and the investigation does not need to be completed. These form a significant proportion of the complaints we determine. I issued formal reports in respect of 14 complaints against your Council in 2006/2007, and I concluded local settlements in 15 other cases.

/...

Reports

I issued a report finding maladministration causing injustice in respect of 13 complaints I received about the Council's registry service at Langtons House. The Council failed to renew a premises licence for wedding rooms. This cast doubt on the validity of 193 marriages conducted in 2004 and 2005. I found the failure to renew the licence was wholly avoidable. The Council eventually agreed to fund a test case in the High Court which established that the marriages were lawful. But I recommended it should pay £150 compensation, not just to the 13 complainants who had come to me, but to each of the 193 couples because they had been caused unnecessary distress and had been uncertain about their legal status for some time. The Council also agreed to make procedural changes to ensure that premises licences are renewed on time in future.

The other report I issued in 2006/2007 concerned a complaint about the Council's decision to grant planning permission for a block of flats. The complainant was a neighbouring resident who said the development had adversely affected her amenity. Planning consent was given after the Committee Chair used his casting vote. But I concluded that the Chair should not have taken part in the decision making in view of his prior involvement with the developer, and he should have stood down before the vote was taken. This breach of the Council's Protocol meant the decision was flawed. I could not say that the application would not have been approved in any case, but I considered the complainant had suffered some distress from what happened and had to take time and trouble in pursuing the matter. I recommended that the Council should pay the complainant £200 compensation and should consider periodically reminding councillors dealing with planning applications about their responsibilities.

Local settlements

I concluded 15 local settlements in 2006/2007. 12 of these were in housing cases, including six relating to allocations issues. The other three settlements involved adult care services, planning, and transport and highways complaints.

In a case involving a housing sales issue, I endorsed the Council's finding under its own complaints procedure that it had given wrong advice to the complainants about their Right to Buy. I agreed that the Council's offer of £1,000 compensation was not unreasonable in light of the distress caused by this. The other housing settlements involved a range of faults such as delays and failures in communications or record keeping.

The adult care case involved a complaint about the Council's decision that top up fees should be paid towards the residential care of an elderly man. They did this without proper consultation. The Council agreed to pay the full cost of the placement and refund the £2,870 fees already paid. It also agreed to review its practices in the light of the case.

Other findings

I am grateful to the Council for agreeing to review various aspects of its policies and procedures in response to my findings in 2006/2007. I am aware that the Council has already amended its procedures regarding the renewal of premises licences for marriages. The Council also said it would review its procedures and consult with other authorities about the issue of top up fees for residential care. So I should be grateful to know the outcome of that review. Eleven of the settlements involved the payment of compensation. Importantly, in addition to procedural changes and refunds, the Council gave its apologies.

/...

Your Council's complaints procedure and handling of complaints

I referred 31 complaints back to the Council in 2006/2007 as it had not had a reasonable opportunity to deal with them before I became involved. I note that in eight cases the complainant remained dissatisfied and resubmitted the complaint after the Council had considered matters. I found there was no maladministration in six of these cases but I concluded a local settlement in one case. The other re-submitted complaint is still under investigation.

The overall proportion of premature complaint decisions for your Council is close to the average for all authorities. But I note that 6 out of 10 public finance (council tax) complaints we received were considered as premature. So the Council may wish to consider if there is any reason for the number of people coming to me before the Council has dealt with their complaints about council tax matters.

Training in complaint handling

As part of our role to provide advice in good administrative practice, we offer training courses for all levels of local authority staff in complaints handling and investigation. The feedback from courses that have been delivered over the past two and a half years is very positive.

The range of courses we provide is expanding in response to demand and in addition to the generic Good Complaint Handling (identifying and processing complaints) and Effective Complaint Handling (investigation and resolution) we now offer these courses specifically for social services staff. We have also successfully piloted a course on reviewing complaints for social services review panel members. We can run open courses for groups of staff from smaller authorities and also customise courses to meet your Council's specific requirements.

All courses are presented by an experienced investigator so participants benefit from their knowledge and expertise of complaint handling.

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

Liaison with the Local Government Ombudsman

I ask for responses to my initial requests for information to be provided within 28 calendar days. On average, the Council's responses in 2006/2007 took over 32 days, which is longer than the average for the previous two years. I am aware that the Council has generally replied to me in a reasonable timescale. But there have been some wide fluctuations in performance. For instance, three housing responses took over 50 days, and three out of four transport responses took more than 40 days. It would help us in providing a prompt service to complainants if the Council could endeavour to meet our target response time more consistently.

I am pleased that my staff report generally good working relationships with your officers. I note that the Council has usually responded positively to our enquiries and has been willing to agree suitable settlements as appropriate. I hope that we can continue to work together to secure further improvements in complaint handling in future.

As you know, I seek to visit all councils in my jurisdiction periodically and I was pleased to meet with the Council's Management Board earlier this year to discuss issues raised by complaints. I found this meeting to be helpful and hope that Board members shared this sentiment.

LGO developments

I thought it would be helpful to update you on a project we are implementing to improve the first contact that people have with us as part of our customer focus initiative. We are developing a new Access and Advice Service that will provide a gateway to our services for all complainants and enquirers. It will be mainly telephone-based but will also deal with email, text and letter correspondence. As the project progresses we will keep you informed about developments and expected timescales.

Changes brought about by the Local Government Bill are also expected to impact on the way that we work and again we will keep you informed as relevant.

We have just issued a special report that draws on our experience of dealing with complaints about planning applications for phone masts considered under the prior approval system, which can be highly controversial. We recommend simple measures that councils can adopt to minimise the problems that can occur.

A further special report will be published in July focusing on the difficulties that can be encountered when complaints are received by local authorities about services delivered through a partnership. *Local partnerships and citizen redress* sets out our advice and guidance on how these problems can be overcome by adopting good governance arrangements that include an effective complaints protocol.

Conclusions and general observations

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 Council's services.

Tony Redmond
Local Government Ombudsman
10th Floor
Millbank Tower
Millbank
LONDON SW1P 4QP

June 2007

Enc: Statistical data
Note on interpretation of statistics
Leaflet on training courses (with posted copy only)

Complaints received by subject area	Adult care services	Benefits	Children and family services	Education	Housing	Other	Planning & building control	Public finance	Social Services - other	Transport and highways	Total
01/04/2006 - 31/03/2007	6	6	2	2	42	19	12	10	0	10	109
2005 / 2006	3	6	1	7	28	13	7	9	1	10	85
2004 / 2005	4	0	4	10	25	7	16	7	2	9	84

Note: these figures will include complaints that were made prematurely to the Ombudsman and which we referred back to the authority for consideration.

Decisions	MI reps	LS	M reps	NM reps	No mal	Omb disc	Outside jurisdiction	Premature complaints	Total excl premature	Total
01/04/2006 - 31/03/2007	14	15	0	0	25	16	9	31	79	110
2005 / 2006	0	12	0	0	20	7	20	29	59	88
2004 / 2005	2	10	0	0	25	11	9	18	57	75

See attached notes for an explanation of the headings in this table.

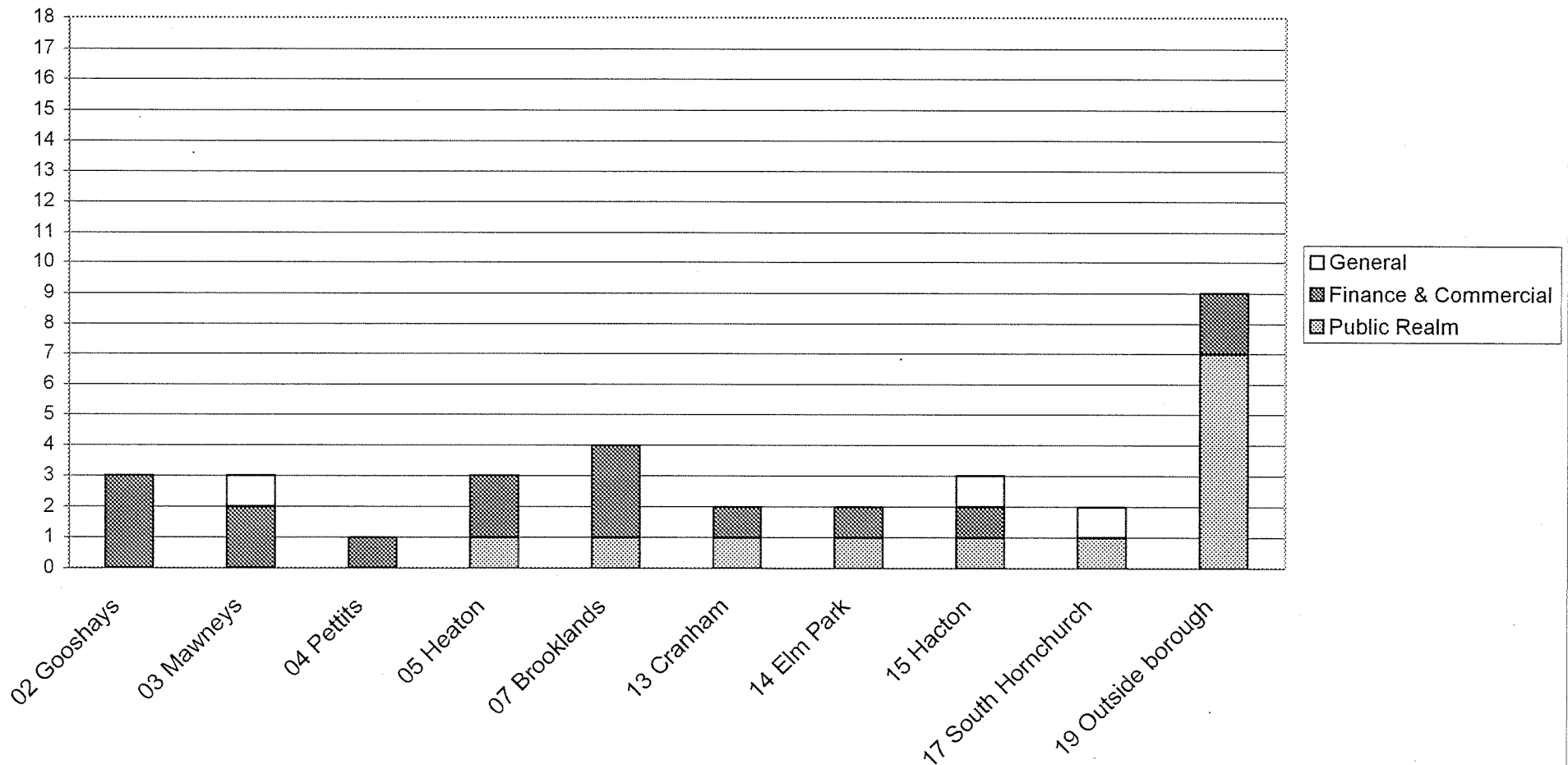
Average local authority response times 01/04/2006 to 31/03/2007

Response times	FIRST ENQUIRIES	
	No. of First Enquiries	Avg no. of days to respond
01/04/2006 - 31/03/2007	40	32.7
2005 / 2006	30	26.0
2004 / 2005	32	28.1

Types of authority	<= 28 days %	29 - 35 days %	>= 36 days %
District Councils	48.9	23.4	27.7
Unitary Authorities	30.4	37.0	32.6
Metropolitan Authorities	38.9	41.7	19.4
County Councils	47.1	32.3	20.6
London Boroughs	39.4	33.3	27.3
National Park Authorities	66.7	33.3	0.0

OMBUDSMAN DECISIONS by WARD

Cases within the remit of Corporate OSC to 31 March 2007.
Total referrals for the year: 32, including 1 brought forward from 2005/06
(The 13 Public Realm cases relate to one investigation)
9 cases are from complainants living outside the borough



As at 08/11/2007



MEETING	DATE	ITEM
CORPORATE OVERVIEW AND SCRUTINY COMMITTEE	20 November 2007	7

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: REPORT OF THE CORPORATE OVERVIEW AND SCRUTINY COMMITTEE – SCIMITAR HOUSE TOPIC GROUP

SUMMARY

This report contains the findings and recommendations that have emerged after the Topic Group scrutinised the topic adopted by the Committee in September 2007.

The environmental, equalities & social inclusion, financial, legal, HR implications and risks are addressed within the Topic Group's report.

RECOMMENDATION

That Members note the report of the Corporate Overview and Scrutiny Topic Group (attached) and concur that the topic Group has achieved its aim and no further action is required.

REPORT DETAIL

At its meeting on 26 September 2007, the Corporate Overview & Scrutiny Committee acknowledged that new topics should be chosen from their work programme. The first of these would be a review of the Scimitar House and centralising Council staff into central Romford.

Attached is a copy of the Topic Group's report. The report includes details of the research that it undertook in reaching the conclusions set out.

As the recommendation in the report is based on bringing this review to an end, there are no financial, legal and HR implications in the report.

Staff Contact: Paramjit Kaur
Overview & Scrutiny Officer

Telephone: 01708 432436

Cheryl Coppel
Chief Executive

Background Papers - None



REPORT OF THE CORPORATE OVERVIEW & SCRUTINY COMMITTEE SCIMITAR HOUSE TOPIC GROUP

1. BACKGROUND

1.1. At its meeting on 26 September 2007, the Corporate Overview & Scrutiny Committee approved the establishment of a Topic Group to examine the Scimitar House and relocation of the Council staff into Central Romford.

1.2. The following Members formed the Topic Group at its outset: Councillors Robby Misir (Chairman), Melvin Wallace and Linda Hawthorn . The Topic Group was supported by Ray Stephenson, Head of Land and Property Services, Garry Green, Property Strategy Manager and Andy Skeggs, Principal Architectural Adviser.

1.3. The Topic Group met on three occasions and reviewed the current position of Scimitar House and the staff capacity within Scimitar House and centralising majority of the Council staff into Romford Town centre.

2. THE SCOPE OF THE REVIEW

2.1. The Topic Group first met in September 2007 and confirmed that the scope of the Scrutiny was:

- **To scrutinise relocation of Council's staff into Romford Town Centre.**

GOOD PRACTICE

3.1 The Topic Group has sought examples of good practice to include in the review. To this end it has drawn upon a broad range of information sources in order to enhance its understanding of current strategies and innovative approaches to improve organisational performance and effectiveness as a way of improving customer services.

4. FINDINGS

4.1 It was noted that the Cabinet considered a report in July 2005 that contained a comprehensive review of the Council's office and related accommodation. The report noted that the Council's office portfolio was geographically fragmented and not meeting the needs of customers.

4.2 Members noted that the location of buildings within the Council's office portfolio had little relevance to current service needs and requirements but simply a representation of where buildings had been historically provided, usually for a different original use. Properties were managed locally by whatever service was in occupation.

4.3 Social Services was based in three different locations which were irrelevant to the needs of service users. The buildings were environmentally poor and staff dissatisfaction high. Education Services were located in 1950's redundant school at the north east boundary of the borough with extremely poor transport links and huge temperature variations within the building during different seasons. Housing Services had a main office in Harold Hill, together with area offices in Harold Hill, Romford, Collier Row and Elm Park. The properties were largely not fit for purpose and with technological changes in society the original function of these offices to collect rents was largely redundant.

4.4 Many buildings were in poor repair, and the cost of addressing the maintenance backlog high. Some buildings were occupied very inefficiently, some having very high running costs, and many not effectively meeting the needs of either service users or staff. By contrast, some buildings had a substantial disposal value if released for alternative uses.

4.5 The aim was to improve organisational performance and effectiveness as a way of improving customer services. The four main drivers were identified as:

- To centralise the Council's office accommodation within Romford Town Centre, including the Town Hall and Mercury House
- To create and maintain a high quality working environment for Customers, Council staff and Members;
- To use that accommodation much more efficiently;
- To minimise capital and revenue liabilities, and generate receipts, by disposing of outlying properties which become surplus.

4.6 The vision was that the overwhelming majority of the Council's office based staff would be working in Romford Town Centre. Also, that the Council would undertake an innovative and bold 'New Ways of Working' Project to fully test the benefits of flexibility and property efficiency with a view to this being a feature of future phases of the Strategy.

4.7 Members were informed of the following objectives that have been achieved:

- The Council now have entered leasing transactions in respect of office premises in Romford, office space adjoining the PASC and at CEME. The Council's organisational and staff development needs are now based at the single purpose designed premises at CEME, which is used as training centre for the Council staff.
- Consultation with housing tenants and leaseholders regarding the proposed relocation of Housing services to Central Romford.
- Majority of the Education and Social Services staff co-located in Scimitar House and Romford Town Centre.
- Housing Services have been relocated to Romford Town centre.
- Member noted that the vacated office spaces in poor condition have been sold and will be disposed (Marks Road/ Mawney Road, The Broadway, Upminster Court, Collier Row AHO, Elm Park AHO).
- The Whitworth Centre and Broxhill site have been agreed for alternative use in the LDF Review.
- Refurbishments at Mercury House and the Town Hall to new standards has been achieved.
- A new office standard has been adopted for all refurbished or new office accommodation , providing a high quality working environment with efficient space usage.
- The successful refurbishment of the 9th floor at Mercury House have set an example of maximising density and efficient use of space.

4.8 Members were informed that approximately 98 staff is currently working at Broxhill and Whitworth Centre. It is planned to transfer and relocate most of the staff during 2008.

5. CONCLUSIONS

Members were overall pleased with the information on the office property strategy and development of staff accommodation they received from the officers. Members recognised that there wasn't anything further they wished to scrutinise and it was decided to bring this review to an end.

6. RECOMMENDATIONS

It is recommended that Corporate Overview & Scrutiny Committee accept the recommendation of the Topic Group to bring this review to an end.

ACKNOWLEDGEMENTS

The Topic Group wishes to place on record their thanks for the very positive approach displayed by officers during this review.

This report is presented by the Scimitar House Topic Group of the Corporate Overview and Scrutiny Committee.

The following comments are submitted by members of staff:

Financial Implications and Risks:

Based on the recommendation in the report to bring this review to an end, there are no financial implications or risks.

Legal Implications and Risks:

Based on the recommendation in the report to bring this review to an end, there are no financial implications or risks.

Human Resources Implications and Risks:

Employees who were affected by the office moves and their trade union representatives were consulted by management and relocated in accordance within normal human resources procedures.

Environmental Implications and Risks:

There are none.

Equalities and Social Inclusion Implications and Risks:

There are none.

CORPORATE OVERVIEW AND SCRUTINY COMMITTEE SUPPLEMENTARY AGENDA

<u>7.30pm</u>	Tuesday 20 November 2007	Havering Town Hall Main Road, Romford
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8 EXCLUSION OF THE PUBLIC

To consider whether the public should now be excluded from the meeting on the grounds that it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public were present during the following item there would be disclosure to them of exempt information within the meaning of paragraph 3 of Schedule 12A to the Local Government Act 1972 which it is not in the public interest to publish; and, if it is decided to exclude the public on those grounds, Cabinet to resolve accordingly on the motion of the Chairman.

9 CHIEF EXECUTIVE'S REPORT CONTAINING EXEMPT INFORMATION

Cheryl Coppel
Chief Executive

Corporate Overview and Scrutiny Committee, 20 November 2007