

DURHAM COUNTY COUNCIL

At a Meeting of **Corporate Overview and Scrutiny Management Board** held in Council Chamber, County Hall, Durham on **Monday 25 October 2021 at 9.30 am**

Present:

Councillor C Martin (Chair)

Members of the Committee:

Councillors E Adam, B Avery, A Batey, R Charlton-Lainé, J Charlton, B Coult, R Crute, D Freeman, C Hood, L Hovvels, J Howey, P Jopling, C Lines (Vice-Chair), R Manchester, B Moist, A Surtees and M Wilson

Apologies:

Apologies for absence were received from Councillors J Cosslett, J Elmer, O Gunn, A Jackson, C Marshall, K Shaw and M Stead

1 Apologies for Absence

Apologies for absence were received from Councillors O Gunn, A Jackson, C Marshall and K Shaw

2 Substitute Members

Councillor E Waldock for Councillor O Gunn,
Councillor J Miller for Councillor K Shaw and;
Councillor M McKeown for Councillor C Marshall

3 Minutes of the meeting held on 2 September 2021

The minutes of the meeting held on 2 September 2021 were confirmed as a correct record and signed by the Chair.

4 Declarations of Interest

There were no declarations of interest.

5 Report on the Council's use of powers under the Regulation of Investigatory Powers Act 2000 - Q1 and Q2 2021/22

The Board considered a report of the Head of Legal and Democratic Services which provided an update on the Council's use of powers under the Regulation of Investigatory Powers Act 2000 ('RIPA') during the period 1 April 2021 and 30 June 2021 (quarter 1) and 1 July 2021 and 30 September 2021 (quarter 2) to ensure that it is being used consistently with the Council's policy and that the policy remained fit for purpose (For copy see file of Minutes).

Resolved:

- (i) That the quarterly update for the period covering quarter 1 and 2 2021/22 be noted
- (ii) That the powers are being used consistently with the Council's policy and that the policy remains fit for purpose.

6 Medium Term Financial Plan (12) 2022/23 to 2025/26

The Board considered a report of the Corporate Director Resources (Interim) which provided an update on the current forecast position for the 2022/23 budget and the Medium-Term Financial Plan (MTFP(12), 2022/23 to 2025/26 (for copy see file of Minutes).

The Head of Corporate Finance and Commercial Services provided a detailed presentation of the report highlighting the ongoing period of significant uncertainty faced by local government brought about by a combination of the ongoing impact of the pandemic, the council's inherent low tax raising capacity due to the county's low tax base and significant pressures in social care and waste services alongside other unfunded pressures arising from pay and price inflation.

Councillor Crute thanked the Head of Corporate Finance and Commercial Services and his team for the report and noted the stark reality of how impacts to funding and the increased cost of living was putting financial strain on many families within the county. He made reference to the proposed government changes to Universal Credit and asked whether it was known how many people in County Durham this would affect and how the council would be able to support them, should the £20 uplift be removed. He therefore asked whether it would be possible to have a report on this brought back to a future meeting for the Board to consider in more depth.

Councillor Surtees questioned why a three-year settlement would be more beneficial than a one year as she felt it was important to outline to scrutiny the reasons why this added the uncertainty in the council's planning. In

addition, she asked for some clarification regarding commissioned services and the impact of National Living Wage increases on such. In response the Head of Corporate Finance and Commercial Services advised that it was of fundamental importance to local councils to know what future challenges were going to be in terms of funding and spending and with one-year settlements this made this extremely difficult and added to uncertainty regarding core budgets. With regards to the question relating to commissioned services, he advised that NLW percentage uplift would be applied to forecast fee uplifts for commissioned services but particularly adult social care. It would be crucial to ensure that any NLW increases were passed over to eligible employees.

Councillor Jopling commented that the £4.5 million expected shortfall was both staggering and worrying and asked whether this was a given or whether there were other factors at play. The Head of Corporate Finance and Commercial Services advised that the plan was reviewed continuously but also prudently, however whilst he hoped that he was wrong and the shortfall would be less, it was likely that the figures stated were a fair assumption. He noted that there were various factors which could impact on this including the Adult Social Care precept, however it was enormously challenging whatever the situation.

Councillor Adam thanked officers for the comprehensive and detailed report and shared their frustration and concerns regarding uncertainties around funding. He asked whether Section 31 grants would continue and were there any contingencies in place if they were stopped. In response the Head of Corporate Finance and Commercial Services explained that section 31 grants had been granted by government to recover lost inflation uplift on business rates. He added he fully expected to receive grants for 2022/23 as it was assumed business rates would again be capped however if this was not the case it would be included in the £16 million loss of government grants forecasted currently.

Moving on to page 29 of the report, Councillor Crute asked whether the £4.5 million transfer of base budget from Adults to Children's services was a permanent measure as it would appear to make sense to alleviate increasing pressures within Adult services. The Head of Corporate Finance and Commercial Services advised that it was a permanent transfer, however it would not have been agreed if it was felt to have placed continuing pressure on this service.

Councillor McKeon noted that rising inflation would have knock on effects for costs of construction materials and this could impact upon services delivered by Neighbourhoods. She asked how much this was taken into consideration and what the consequences of these increase in costs could be. The Head of Corporate Finance and Commercial Services explained that a 1.5% increase

was built in for inflation. As cash limited budgets were in operation, services were expected to manage within that. If a sustained increase was seen this would need to be reflected in budget planning.

Councillor Coult queried as to why pathology services were now provided by Newcastle RVI rather than by a hospital in County Durham. The Head of Corporate Finance and Commercial Services responded to say he would refer the question to the Head of Legal and Democratic Services.

Councillor McKeon raised a query about Section 106 funding and whether the impact of increased building costs and inflation was being factored into planning permissions. In response the Head of Corporate Finance and Commercial Services advised that services would always seek to maximise Section 106 contributions where possible. Arrangements for Section 106 contributions were fixed however it was acknowledged that funding for schemes often come in some years after a planning application and costs associated can be higher or lower.

Resolved:

That the content of the report be noted and comments made by the Board be fed back to Cabinet for their consideration.

7 Resources - Quarter One, June 2021 Forecast of Revenue and Capital Outturn 2021/22

The Board considered a report of the Corporate Director of Resources (Interim) which provided details of the forecast revenue and capital outturn budget position for the Resources service grouping, highlighting major variances in comparison with the budget on the position to the end of June 2021 (for copy see file of Minutes).

Resolved:

That the content of the report be noted.

8 Quarter One, 2021/2 Performance Management

The Board considered a report of the Corporate Director Resources (Interim) which presented an overview of progress towards achieving the key outcomes of the council's corporate performance framework and highlighted key messages to inform strategic priorities and work programmes for Quarter 1, April to June 2021 (for copy see file of Minutes).

The Corporate Scrutiny and Strategy Manager advised that performance had already been reported via the thematic committees however the report provided details of performance relating to:

- More and Better Jobs
- Long and Independent Lives
- Connected Communities
- An Excellent Council and;
- The impact of COVID-19

The report further provided details of the overall position and direction of travel in relation to quarter one performance and the actions being taken in service areas to address areas of underperformance including the significant economic and well-being changes because of the pandemic.

Councillor Jopling in referencing performance relating to free school meals asked what the council were doing to reach the 5,000 approx. children who were eligible for but were not, claiming free school meals. In response the Corporate Scrutiny and Strategy Manager advised that a scrutiny review had been undertaken on this subject and it was probably timely that an update was brought back to committee. Cllr Jopling also queried the rise in numbers of looked after children. The Corporate Scrutiny and Strategy Manager stated there was a steady increase in the numbers of looked after children and would ask the service area for an analysis of reasons why this was so.

Councillor McKeon left the meeting.

Councillor Surtees asked in relation to More and Better Jobs, what was meant by experimental employment rates and whether this could be rephrased to make it more understandable to any member of the public reading the report. The Corporate Scrutiny and Strategy Manager explained that this was taken from ONS methodology, derived from annual population survey and the labour force survey, however agreed that this could be amended as suggested.

Councillor Coult asked whether it was known how many homes in County Durham were currently empty and by how much this figure fluctuated year on year. It was noted that this information was not available but could be provided following the meeting.

With reference to paragraph 96 of the report, Councillor Charlton-Lainé noted the impact of the UEFA Euro 2020 football tournament on statutory referrals related to domestic abuse. The Corporate Scrutiny and Strategy Manager advised that scrutiny had previously looked at campaigns available to help those suffering domestic abuse, however noted that unfortunately it was

common to see referrals around Christmas time and large sporting events where alcohol consumption was higher.

Councillor Adam in referring to paragraph 117 of the report noted that the Safer and Stronger Communities Overview and Scrutiny Committee had included the issue of nuisance motorcycles and quad bikes and asked whether this would be a focused piece of work. He suggested it would need looking at in details and queried whether the partners to be consulted included social and private landlords. He also asked if Neighbourhood Wardens have the powers and resources to support the police in dealing with the issue. The Corporate Scrutiny and Strategy Manager advised that this would be a focused piece of work and he would respond after the meeting with details of neighbourhood warden powers and the inclusion of social and private landlords as consultees.

Councillor Hovvels in referring to Connected Communities and paragraph 16 of the cover report, added that she did believe there to be an acceptance of crime, leading to a lack of public confidence and reporting and suggested that this should be explored further by scrutiny. The Corporate Scrutiny and Strategy Manager indicated that he could compare the crime reports with the national crime survey to identify any reasons for the lack of public confidence in reporting crime.

Councillor Howey referred to vacancy rates in hospitality and the Corporate Scrutiny and Strategy Manager agreed to consider including data on this in future reports.

Further discussion ensued regarding crime reporting and anti-social behaviour, noting that low level crime was a serious issue across many of the county's divisions and local councillors found it hard at times to get the support required from their local policing teams. It was also noted that further information regarding arson suppression would be discussed at the next meeting of the Safer and Stronger Communities Overview and Scrutiny Committee. Councillor Miller asked what activities were classed as anti-social behaviour. The Corporate Scrutiny and Strategy Manager agreed to circulate a list of what was defined as anti-social behaviour and which activities were the responsibility of the police to deal with and what fell to the council.

Councillor Freeman moving on to paragraph 154 of the report asked whether there was a set offer to staff under the new hybrid working model and with less staff in offices, what implications this had for the office estate. In responding to the question, the Corporate Scrutiny and Strategy Manager noted that staff had been returning to offices on a gradual and phased basis from the middle of September 2021. Desk ratios under the hybrid model and taking into account social distancing were based on 5.5 staff to every 10 working in the office/ home per day. Councillor Martin noted that the review

into the council's headquarters picked up this point within the cabinet report and the wider feasibility of the office estate.

Resolved:

That the content of the report be noted.

9 Quarter One, 2021/22 Customer Feedback

The Board considered a report of the Corporate Director Resources (Interim) which provide an overview of information collected from the council's customers to describe their experiences of using our services over the last 12 months, to the period ending 30 June 2021, compared to the same period in the previous year (for copy see file of Minutes).

The Head of Digital and Customer Services went on to provide a summary of the range of feedback received, noting that throughout the 12 months ending 30 June 2021, almost 1.6 million contacts were made through the customer services team. Telephone contact remained the most frequently used channel for contacting the council, however, during the first quarter of the financial year, 22,000 more residents signed up for an online account, taking the number of residents who can engage with the council through this channel to 225,000.

Councillor R Crute left the meeting at this point.

It was explained that since the start of the pandemic, there had been a steady increase in the number of service requests received, 75% of which were processed during the 12 months ending 30 June 2021 were assessed against a performance standard. Of these, the standard was met in 59% of cases, slightly lower than recorded for the same period the previous year.

The Head of Digital and Customer Services went on to provide detail regarding feedback received, noting that of the feedback received 79% of customers were satisfied with the level of service they received, a reduction of 4% on the same period in the previous year. The increased levels of dissatisfaction were mainly linked to customers not being informed of progress, not explaining the reasons for the decisions made and taking too long to complete tasks and respond. It was however important to note that the ongoing response to the pandemic and increased demand had led to extended service delivery times over the reporting period.

Further details were provided regarding corporate complaints received during the period, noting that the increase in complaints coincided with increased service requests over the same period. During the same period the

Ombudsman delivered decisions relating to 79 complaints, of which 19 were upheld.

Councillor Surtees commented that the report was excellent, however felt that that it would be useful to know whether lower performance in service delivery percentages were because of the covid pandemic. The Head of Digital and Customer Services noted that this this was the case, that an increase in service demand had led to increased service requests.

Councillor Hood in referring to appendix 5, page 159 of the report asked whether there was a reason for the 20% drop in satisfaction on year-on-year figures relating to Warm Homes. The Head of Digital and Customer Services responded to say that she would pick up this query with the service and circulate the response following the meeting.

Resolved:

That the content of the report be noted.

10 Annual Statutory Representations 2020/21 report

The Board considered a report of the Corporate Director of Adult and Health Services which provided an overview of statutory representations relating to adult social care services for the period 1 April 2020 – 31 March 2021 (for copy see file of Minutes).

The Service Manager Operational Support went on to present the report highlighting that analysis of performance had identified key messages for 2020/21 including, a decrease in the number of complaints investigated from 81 in 2019/20 to 75 in 2020/21. There was also a reduction in the number of complaints that the council declined during 2020/21.

Moving on, further details were reported with regards to complaints types, noting that complaints relating to Finance more than doubled during the period. In addition, a new category of COVID-19 related complaint, was added in March 2020, and was the highest reason for a making a compliant with the DCC AHS service area.

It was also noted that the service had received 66 compliments about adult social care services during 2020/21, a significant decrease on the previous performance year.

Councillor Avery asked whether any information could be provided regarding telephone arrangements for GP surgeries as he had received many complaints from residents of the Ferryhill area regarding waiting times for

accessing GP and NHS telephone services. The Service Manager advised that she would raise this with CCG colleagues.

Councillor Jopling commented that the Adults, Wellbeing and Health Overview and Scrutiny Committee were looking into this issue separately.

Resolved:

That the content of the report be noted.

11 Notice of Key Decisions

The Board considered a report of the Head of Legal and Democratic Services which listed key decisions which were scheduled to be considered by the Executive.

The Corporate Scrutiny and Strategy Manager advised that new to the plan were the following:

- Newcastle Airport - Shareholder Loan Guarantee
- MTFP (12) - Details of Provisional Finance Settlement
- Bishop Auckland Asset Strategy

Resolved:

That the content of the report be noted.

12 Information Update from the Chairs of the Overview and Scrutiny Committees

The Board considered a report of the Corporate Director Resources (Interim) which presented for information an update on overview and scrutiny activity from September 2021 – October 2021 (for copy see file of Minutes).

Resolved:

That the content of the report be noted.