

Scrutiny Board

Minutes - 22 March 2022

Attendance

Members of the Scrutiny Board

Cllr Paul Sweet (Chair)
Cllr Philip Bateman MBE
Cllr Val Evans (V)
Cllr Rita Potter
Cllr Wendy Thompson
Cllr Simon Bennett (Vice-Chair)
Cllr Jasbinder Dehar
Cllr John Reynolds
Cllr Susan Roberts MBE
Cllr Zee Russell
Cllr Ellis Turrell
Cllr Barbara McGarrity QN

In Attendance

Sarah Middleton - Chief Executive, Black Country Consortium Ltd
Professor Delma Dwight - Director of Black Country Economic Intelligence Unit, Black Country Consortium Ltd & Director of Midlands Engine Observatory
John Roseblade – Director for City Housing and Environment
Karen Beasley - Service Manager – Housing Strategy & Policy
Sarah Campbell – Customer Engagement Manager
Julia Cleary - Scrutiny and Systems Manager
Martin Stevens – Senior Governance Manager
Earl Piggott Smith – Scrutiny Officer

Part 1 – items open to the press and public

Item No. *Title*

- 1 **Apologies for absence**
Apologies for absence were received from Cllr Asha Mattu.
- 2 **Declarations of interest**
There were no declarations of interest.
- 3 **Minutes of the previous meetings**
Resolved: That the minutes of the previous meeting be approved as a correct record and signed by the Chair.

4 **Economic update and snapshot of the Black Country and City of Wolverhampton**

The Chair welcomed Sarah Middleton, Chief Executive, Black Country Consortium Ltd and Professor Delma Dwight, Director of Black Country Economic Intelligence Unit, Black Country Consortium Ltd & Director of Midlands Engine Observatory, to the meeting.

An overview was provided in relation to:

- the evidence led vision and economic intelligence
- the approach being taken
- an economic overview of Wolverhampton and the Black Country
- developing a Green Infrastructure
- developing a tree strategy
- Black Country Canal Strategy
- Black Country partnership support
- capital investments
- Black Country partnership support - Active Black Country
- Commonwealth Games

Scrutiny Board received a presentation regarding the above areas.

The Annual Economic Review Report set out the key measures of success in the Black Country Performance Management Framework. There were 12 strategic programmes covering the three themes of People, Place and Business and six priority areas for proposition development:

- High Value Manufacturing City;
- Black Country Business Competitiveness;
- Economic Capital;
- Black Country as Garden City;
- Skills for Business, Skills for Life;
- Connected Black Country.

There was a spatial approach which included an in-depth analysis of pipeline opportunities in 11 identified spatial zones. There was also a detailed programme of dashboards including:

- Overall Priority Pipeline;
- Growth Funds;
- Land Remediation Fund (WMCA);
- Broadband.

Priorities for the Black Country Consortium Economic Intelligence Unit included providing rigorous, best in class, economic analysis and place based compelling narrative; In-depth Labour Market Intelligence; Business Competitiveness – Growing our Business Base and Green transformation. Key achievements to date were a skills deep dive, sector action plans Geopark support, an iTree eco study and a canal strategy.

Comparative statistical information was provided in relation to economic performance in Wolverhampton in comparison with the Black Country. Sector risks relating to Covid-19 and Brexit were considered by the Board.

Board understood that the recovery plan included:

- Backing Black Country Businesses;
- Delivering Skills for Today and the Future;
- Nurturing Green Growth;
- Creating Vibrant, Safe and Healthy Places;
- Mobilising Devolution and Public Service Reform.

The Chair thanked the officers for the presentation and noted that there were some good figures where Wolverhampton appeared to be bucking the trend in some areas but that there were still some clear challenges remaining.

Board considered the Black Country Canal Strategy and the tender exercise that had been carried out and the proposals and plan. It was noted there had been a tender for some consultative support funded through the Local Enterprise Partnership and the Canal and River Trust and that an appointment had now been made. The project was now starting to get underway with a series of workshops to ensure that, from a grassroots point of view the different opportunities that the strategy would be able to provide were understood.

One of the approaches being advocated was to ensure that the heritage infrastructure was clearly recognised, and that consideration was given to the economic and health benefits that could be achieved. There was a young steering group in place, with health partners, local authorities, the Consortium and the Canal and River Trust. Board considered that there would be opportunities that might exist in Wolverhampton and that it was important for local groups to be consulted for their thoughts, visions, and experiences as this would make the strategy much stronger.

Board noted that there were some very challenging areas for the city and noted that there had been a rise in Universal Credit claimants in Wolverhampton and queried what the reasons for this might be.

Board considered the Tree Strategy and noted that there were some good figures in the presentation relating to the value of the urban forest. Board agreed the importance of the Tree Strategy but considered that it also pointed to more questions. Board welcomed the understanding of planting the right tree in the right place. Board noted the importance of green spaces as being therapeutic and important for people's wellbeing. Board agreed that to see green space was very important for children and for them to be able to have play areas in green space. Board considered that this could be highlighted more in the report.

Board was pleased to hear that apprenticeships were increasing but emphasised that industry and businesses were having a very difficult time with areas such as a construction struggling to get the raw materials they needed. It was agreed that additional sector analysis information would be shared with the Board after the meeting.

In relation to the Active Black Country Partnership, Board queried whether listings and rankings were still being kept as it would be useful to have a comparison with previous years as to the Wolverhampton statistics. Board considered that it was important to understand whether performance had improved so that we could develop our policies in the City in the best way possible. It was confirmed that additional information in relation to the tracking of the active life survey and performance monitoring could be provided and the figures circulated.

Board welcomed the progress being made in relation to the Commonwealth Games but queried whether the legacy aspect of the Commonwealth Games had already been mapped out and how the infrastructure would be used moving forwards. It was confirmed that in relation to the legacy ambitions for the Commonwealth Games that there was a framework in place that could be shared with the Board members. In relation to sports clubs, the Active Black Country Partnership did work with these clubs but was to a certain extent, constrained by the resources made available through Sport England. There had been more positive discussions with Sport England about the necessity for them to increase the level of investment across all Black Country local authorities because as there had been an under-investment in terms of trying to ensure this type of community-based infrastructure.

The Director of City Housing and Environment commented that the Local Authority Green Space Strategy was currently being refreshed and could be considered by the appropriate Scrutiny Panel it requested.

Resolved: That the presentation and update be noted and received.

5 **Quarter 2 Social Care, Public Health and Corporate Complaints Report 2021-2022**

The Customer Engagement Manager provided an overview of the Quarter Two Social Care, Public Health and Corporate Complaints report for the following areas:

- Corporate
- Children's and Education
- Adults and Public Health
- Ombudsman enquiries

In relation to Corporate Stage One Complaints, there had been 262 informal complaints, Board noted that service request enquiries were logged with the customer feedback team. This was in comparison to 287 received during 1 July 2020 to 30 September 2020. The Council had received 32 stage one corporate complaints compared to 73 received during 1 July 2020 to 30 September 2020; a decrease of 41 cases. Out of the 32 cases logged and investigated, 15 cases were upheld (at fault) and 17 not upheld (not at fault).

The highest figure of 13 complaints referred to Waste Management, followed jointly by Planning and Revenues and Benefits both receiving four cases. Learning from complaints was outlined in Appendix 4 and it was confirmed that the Complaints Team worked closely with services to improve complaint handling and to ensure appropriate remedies were put in place to achieve the best outcomes for customers.

If a customer remained dissatisfied, they could escalate to stage two of the complaints procedure. During this period the council had received five stage two corporate complaints compared to six cases for 1 July 2020 to 30 September 2020, which was a decrease of one case. Out of the five cases received, two cases were upheld (at fault) and three cases not upheld (not at fault).

In relation to Children's and Education Stage One Complaints, 25 informal complaints had been received during 1 July 2021 to 30 September 2021, which compared to nine informal complaints received during 1 July 2020 to 30 September 2020; an increase of 16 cases. The Council had received 11 stage one Children's and Education Services complaints compared to eight during 1 July 2020 to 30 September 2020, an increase of three cases. Out of the 11 cases received, Children and Young People in Care received the highest number of four cases, followed jointly by SEND and Fostering Team. In some cases, this had followed extensive but unsuccessful attempts to resolve some of those complaints informally.

No statutory stage two complaints were received during this period; which was in comparison to no complaint cases received during 1 April 2020 to 30 June 2020. The Council received five children's and education stage two complaints which were dealt with in accordance with the corporate complaints policy and procedure. This was in comparison to no cases received during 1 July 2020 to 30 September 2020. Out of the five cases received two cases were upheld and three cases were not upheld. During 1 July 2021 to 30 September 2021 no complaints escalated to a stage three panel during this period; this was in comparison to no stage three cases during 1 July 2020 to 30 September 2020.

No complaints were received for Public Health; which was in comparison to one complaint received during 1 July 2020 to 30 September 2020. The council received 17 informal complaints which were resolved at service level without going through the formal route. This was compared to 12 informal complaints received during 1 July 2020 to 30 September 2020, an increase of five cases. The council received 11 formal complaints compared to six during 1 July 2020 to 30 September 2020, representing an increase of five cases during this period. The highest figure of two cases referred to both MASH and West Locality Team. Out of the 11 complaint cases received, one case escalated to stage two under the corporate complaints policy and procedure.

The council had received eight Local Government and Social Care Ombudsman (LGSCO) assessment enquiries and five Housing Ombudsman (HO) assessment full enquiries. The council received one enquiry from the (LGSCO) for Adult Services and Communities as follows:

- Adult Services and Communities received one complaint in relation to the council's lack of prompt action when concerns were raised about carers; outcome upheld, maladministration and injustice; as outlined in the Ombudsman's report appropriate recommendations, remedies and learning have been carried out.

The council received one enquiry from the HO for Wolverhampton Homes as follows:

- One enquiry received in relation to the landlord's response to a request for redecoration; outcome customer has requested a review of the HO's decision; therefore the council is awaiting the HO's final report

Board understood that when a complaint was upheld (council at fault) and the findings of a subsequent investigation was for a financial remedy, change to policy or service delivery, that the Customer Feedback Team produced an action plan report. Recommendations within these reports were agreed with appropriate Heads of Service and shared with the relevant Service Manager to ensure appropriate remedies and changes were implemented. The Customer Feedback Team also attended regular quality assurance meetings for Adults Services, Children's Services and Waste Liaison Meetings to ensure that the learning from complaints was used to drive service improvements.

Board understood that the management of unreasonable complainant behaviour procedure had been active since February 2015. During this period, the Customer Feedback Team had managed a total of two cases in line with this procedure. The Customer Feedback Team had compiled mandatory corporate complaint training and children's complaint handling for council officers, which was available via the council's learning hub. The team was currently working with the Council's organisational development team and would be compiling an online training module for adult's complaint handling; which would be launched during 2021-2022.

Board noted that the Customer Feedback Team had received a total of 210 compliments (social care and corporate) for this period.

Board expressed some concern in relation to the time spent on resolving some of the complaints in relation to children's services as some of these might require prompt action. It was confirmed that if a safeguarding issue had been identified that this would be actioned appropriately and that in other cases, weekly reminders were sent out to services to make sure that they were proactively investigating the complaints.

Board also noted that there would always be a number of people who didn't, for whatever reason decide to make a complaint in the first place or couldn't get through on the phones, so the actual number of dissatisfied customers could be higher.

Board considered that it would be useful to have further details in relation to the two stage 2 complaints that were upheld.

Resolved: That the update be received and noted.

- 6 **Regulator of Social Housing Consumer Standards - Compliance Update 2022**
A report was submitted requesting Board to consider and provide comment and feedback in relation to the Council's Housing Strategy Landlord Services Team in relation to the progress made against the Consumer Standards set by the Regulator of Social Housing.

The report provided an oversight of the monitoring arrangements of the management of the Council's housing stock carried out by the Managing Agents, Wolverhampton Homes and three Tenant Management Organisations, and outlined the steps being taken by the Landlord Services Team to ensure the Council was able to respond to

increasing regulation and was prepared for inspection by the Regulator of Social Housing.

The management of the majority of the Council's housing stock was transferred to its newly formed Arms Length Management Organisation (ALMO), Wolverhampton Homes (WH) in 2005 for the delivery of the Decent Homes programme. The rest of the stock was managed by Tenant Management Organisations (TMOs). The management functions carried out by the managing agents was governed by the management agreements (Modular Management Agreements in the case of the TMOs) that existed between the Council and each managing agent. The next break clause in the management agreement between the Council and Wolverhampton Homes, who managed the majority of the Council's housing stock was in 2023 and the TMOs were reviewed annually.

Board considered that it was important to increase tenant involvement in the decision making processes. Board understood that there were HMOs that managed the properties but that they didn't actually get the money to manage the community and that it might be beneficial to hand over more resource to so the HMOs could have some additional autonomy. Board considered that actions did appear to be going in the right direction and that it would be useful to have an update on progress to a future meeting. It was confirmed that a new a new tenant scrutiny committee had been appointed and was due to start work at the beginning of April. Board welcomed this but emphasised the need to involve the tenants that were living in the properties.

Board considered that some of the issues were due to isolated houses and properties and issues like fencing disputes and noise issues. Board considered that it would be worthwhile knowing which properties did and did not fall under a specific organisation so that appropriate action could be taken.

Board queried why the report and actions had taken so long to come before councillors. It was stated that the report was completed in May 2021 and that the findings had been presented to the Council in July 2021. A Housing report had been considered by the scrutiny in September 2021 and since then the team had been working through the actions and working with Wolverhampton Homes to look improvements.

Board raised some concerns in relation to section 4.2 of the report:
The panel are also recommended to note the responsibilities of Councillors with regard to the Consumer Standards, in particular the requirements to:

- *Maintain an oversight of the housing stock*
- *Understand the performance of the managing agents*
- *Understand the compliance and legislative requirements*
- *Receive annual reports on performance and compliance*
- *Quarterly monitoring to Cabinet*

And to raise any concerns regarding performance or compliance with Housing Strategy.

Board questioned how this would be achieved with all 60 members of the Council as there was already a large reliance on the people who carried out the various roles in

the housing realm. It was noted that councillors already had a heavy involvement in housing matters which included applications for housing and matters relating to the standards that people were living in. Board was keen to understand how the points referred to in the report were going to be maintained and managed. Board noted that the report gave councillors a specific responsibility and considered that this needed to be made explicit to all new and existing councillors.

The Director for City Housing and Environment stated that the ultimate responsibility would be borne by the Cabinet and the Cabinet Member for Housing. Therefore, as part of the governance that was proposed and the monitoring and accountability there would be quarterly performance reports. These reports would be within the public domain and available for scrutiny to consider. These regular updates would not only provide information on progress against the plan but there was also a wide suite of performance indicators, which would be regularly monitored. One of the key areas the reporting would be looking at was the Council's relationship with Wolverhampton Homes and the TMOs.

Board considered that Housing was such an important area in the Council and for residents and that as a function of the Council some Board members considered that having a stand-alone director responsible for housing should be considered. Board also considered that the high number of working groups and subgroups could be detrimental to progress and requested that this be taken into consideration moving forwards.

Resolved: That the report be received.

7 **Annual Scrutiny Review 2020-2021**

The Scrutiny and Systems Manager presented the Annual Scrutiny Review to the Board. The Review highlighted some of the key achievements of the Scrutiny function over the 2020-2021 municipal year including details of the progress and outcomes from a selection of panel meetings.

Board considered that moving forward it would be beneficial to have more engagement with residents throughout the scrutiny function.

Resolved:

1. That Scrutiny Board endorse the Annual Scrutiny Review 2020-2021
2. Recommend the Annual Scrutiny Review 2020-2021 be received at Full Council on 6 April 2022.

8 **Work Planning**

Board considered the Work Programme.

Resolved: That the Work Programme be noted.