

# BRIGHTON & HOVE CITY COUNCIL

## OVERVIEW AND SCRUTINY ORGANISATION COMMITTEE

5.00PM – 19 JANUARY 2004

COMMITTEE ROOMS 2/3  
BRIGHTON TOWN HALL

### MINUTES

Present: Councillor Hamilton (Chair), Councillors Carden, Edmond-Smith, Meegan, K Norman, Pennington, Simson, G Theobald (Deputy Chair), Williams and Young.

By invitations: Councillors Gerry Kielty and Jack Hazelgrove

Also present; Brigid Day (Joint Head of Performance & Development); Abraham Ghebre-Ghiorghis (Head of Law); Ian Long (Director of Housing & City Support); Pam Montgomery (Assistant Director (Housing Management)); Valerie Pearce (Assistant Director (Customer Services)); Peter Sargent (Loans Technical Manager (Strategic Finance)); Jugal Sharma (Assistant Director (Housing)); Denise de Souza (Acting Director of Community Care); Ian Withers (Head of Audit (Internal Audit Services)); Mary van Beinum (Committee Administrator)

### PART ONE

### ACTION

#### 49. PROCEDURAL BUSINESS

##### 49A Declarations of Substitutes

49.1	<u>Substitute Councillor</u> Councillor Roy Pennington	<u>For Councillor</u> Councillor Kevin Allen
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##### 49B Declarations of Interest

49.2 The Chair declared a personal and prejudicial interest in item 53 as recipient of a small pension from East Sussex County Council.

49.3 The Deputy Chair declared a personal and prejudicial interest in item 53 with an interest in the Prudential Assurance Company

49.4 Both left the room and did not participate in the discussion on item 53. Councillor Bob Carden took the chair for item 53.

49.5 Councillor Bob Carden declared a personal and non-prejudicial interest in item 53 as he was in receipt of a small company pension from a firm making armament components.

49.6 Councillor Roy Pennington declared a personal and non-prejudicial interest in item 54 as representative of Brighton and Hove Council on the national adjudication authority which decides whether or not a parking offence has taken place.]

**49C Exclusion of Press and Public**

49.7 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in Section 100A(3) or 100 1 of the Local Government Act 1972.

49.8 **RESOLVED** - That the press and public be excluded from the meeting during consideration of none of the items on the agenda.

**50. MINUTES**

50.1 The Chair said a letter of concern about children's social services as agreed (paragraph 38.9 refers) was taken forward to Policy and Resources Committee on 10<sup>th</sup> December 2003. P&R resolved that the letter be noted and the issues raised be considered as part of the on going budget setting process.

50.2 **RESOLVED** - That the minutes of the OSOC meeting held on 17 November 2003 be approved and signed by the Chair.

**51. PERFORMANCE MONITORING: DISCUSSION WITH DIRECTOR OF HOUSING AND CITY SUPPORT AND EXECUTIVE COUNCILLORS**

**(A) Performance Report: Adult Social Care.**

51.1 The Director of Housing and City Support introduced item 51 including a performance report for Adult Social Care; Quarter 2 Best value report for Housing and City Support; a presentation on choice-based lettings; and Corporate complaints update (for reports see minute book). The Executive Councillors and Assistant Directors were present to answer questions and discuss performance.

51.2 The Director said the Annual assessment process showed Adult Social Care moving in the right direction and deemed to serve some people well, with promising prospects. Social Services overall provision had sustained its one-star rating. There were to be changes to the Social Services Inspectorate monitoring in future, with four reviews per year instead of one. The monitoring results are significant in that they represent 25% of this council's Comprehensive

performance Assessment score.

51.3 There had been significant improvements in the last 8-9 months; for example in delayed hospital transfers for which Brighton and Hove is now nationally one of the best performing local authorities. Also for the provision of daily living equipment (for which there was a changed indicator) there had been good progress, being further enhanced by a new joint equipment store.

51.4 The Departmental Action Plan and Team Plans now included areas where performance had not been assessed as moving in the right direction.

51.5 Answering a question about delayed hospital transfers Councillor Kielty as Chair of the Adult Social Care and Health Sub-Committee, gave further details of the steady decline in numbers of delays. This had stood in the high 70's during October and November 2003 and was now in the 20s. The preventative work being done to reduce the number of people going into hospital also should be taken into account in the improved performance, he said.

51.6 The Committee was pleased to see the indicators improving overall; looking at the department of health indicators published in November 2003 (p30 of the agenda refers), there were only two which showed a decline in performance compared with 13 improvements or no change. Members asked about the impact on the budget of the improved performance.

51.7 Replying the Director said the Annual Review letter did refer to finance pressures. Now that budgets are pooled the pressure is jointly met and risk shared between the Primary Care Trust and the local Authority. There was an issue of some unit costs for example for services for people with special needs; however there was positive feedback about the quality of service provision.

51.8 People were living longer. However this has led to people having more complex - for example Alzheimers-related - difficulties and needs. Providing good quality care was not cheap.

51.9 Members commented that the relatively small projected overspend as reported for Adult Social Care was encouraging.

51.10 **RESOLVED** - That the Committee note the report.

**(B) Quarter 2 Best Value Performance Report 2003/2004 for Housing and City Support.**

51.11 The Committee received a report on the Quarter 2 Best Value

Performance indicators relating to Housing and City Services. (For copy see minute book)

51.12 Members asked about PIs 76(iii) and 76(iv) relating to housing benefit fraud investigations and the apparent anomaly of a low performance score for few prosecutions and sanctions. The Assistant Director Valerie Pearce said there had been a particular effort in investigations this year including proactive work with government, inland revenue and other agencies. A hotline for suspicions had been introduced and allegations were now better prioritised before taking action. The council can prosecute claimants giving false information. Investigation results were expected to improve further in the next year.

51.13 Regarding the high production costs for colour copies of performance reports, Members asked if it were possible to reproduce colours in black and white.

**MvB/AB**

51.14 **RESOLVED** - That the Committee (1) note the Performance Indicator results achieved during the second quarter 2003/04 as detailed in the abridged Q2 Best Value Performance Report 2003/04.

- (2) note that the 2002/03 year end results have been audited by District Audit.
- (3) note the 2001/02 Quartile information. BVPI's that reflect cost and efficiency are compared with like authorities, in our case, other Unitary Authorities. Where the indicator represents quality of service we compare ourselves with all English Authorities.
- (4) note the 2002/03 Department of Health banding, for performance indicators that are also PAF's (DoH, Performance Assessment Framework).

### **(C) Choice-Based Lettings**

51.15 The Committee considered a presentation by the Assistant Director, Housing Strategy (for copy see minute book).

51.16 The Assistant Director, Housing Strategy gave details of the review of housing allocations policy. The existing system was very difficult to understand and administer and not meeting needs. The Council was a pilot in the new scheme called 'Homewire,' which was proving beneficial elsewhere.

51.17 Main advantages were a better service to tenants, including lower refusal rates, positive contribution to community cohesion,

reduced rent loss and lower repairs bills. In effect the process was being reversed in that properties are advertised and people choose from those available. Applicants are not penalised if they refuse offers. There are around 600 – 700 users each week and an anticipated additional 100 lettings in the year. Private sector landlords were now keen to join the new system.

51.18 The Committee acknowledged that the number of homeless applicants was among the highest in the Southeast and spoke in support of the scheme. Members discussed the availability of information on advertised properties.

51.19 Answering a question on provision for vulnerable people, the Assistant Director said many of the disadvantaged were young single men affected by drug addiction and/or mental illness. Highly vulnerable people could not sustain a tenancy; the council was now able to provide more resources and support in preparation for placement in suitable accommodation.

51.20 On behalf of the Committee the Chair thanked the Assistant Director for an informative presentation.

51.21 **RESOLVED** - That the Committee note the presentation.

#### **(D) Corporate Complaints Update**

51.22 The Committee considered a summary of complaints information about Housing and City Support for quarters 1,2 and 3 in the council year 2003/2004.

51.23 Asked a question about complaints on housing benefits, the Assistant Director told the meeting that Quarter One was a busy period when benefits were being uprated. As expected there were fewer complaints for Quarter Two than Quarter One. Quarter Three complaints were higher than Quarter Two though lower than Quarter One; this was because there were teething problems with a new computer system installed in September.

51.24 The Committee heard that the council received up to 7,000 items of mail per week relating to housing benefits; numbers of complaints need to be viewed in this context. Members asked if there was comparative information from other local authorities on complaints re Housing Benefit claims.

**MvB/BF**

51.25 Members were pleased at the detail of the complaints information, the fact there had had been no cases found of maladministration, and the marked reduction in numbers of complaints taken to stage 2.

51.26 Asked about the council's response to harassment allegations,

the Director said the council put a high priority on this and a new Public Safety Division addresses these issues. The staff could help and answer questions on individual cases. The council did what it could to alleviate and minimise difficult situations but individuals also needed to take responsibility.

51.27 The Assistant Director (Housing Management) told the meeting that the council had a policy on harassment and neighbours' disputes. Sometimes cases were clear-cut in which one family or individual was bearing the brunt of irritation or prejudice. When evidence had been collected and substantiated, cases could be taken to court, however victims and witnesses were sometimes reluctant to give evidence.

51.28 Referring to different questions on anti-social behaviour the Assistant Director said council officers could help in various ways for example by contacting tenants directly, or arranging for rubbish clearance if that was the issue.

51.29 **RESOLVED** - That the Committee note the report

**52. BEST VALUE REVIEW OF CARE AND SUPPORT FOR PEOPLE OF WORKING AGE.**

52.1 The Committee considered a report on progress made in relation to the Best Value Review of Care and Support for People of Working Age.(For copy see minute book)

52.2 The Joint Head of Performance (Housing and City Services) said all the action points of the best value review had been completed. There was improved integration between the council and the health organisations, including better information on services and better developed joint working between adult social care and housing.

52.3 There were no concerns to raise and the Committee said they appreciated the important work being done in this service area. On behalf of OSOC the Chair thanked the officers in Housing and City Support.

52.4 **RESOLVED** - That the Committee (1) note the contents of the report.

(2) confirm that the review has been substantially implemented and that for Best Value purposes the review is deemed complete. Any further reporting will be through the Adult Social Care Sub Committee, the Joint Commissioning Board, the Integrated Services Board and the Housing Committee.

**53. REQUEST FOR SCRUTINY; PENSION FUND INVESTMENT**

[Note; Councillor Bob Carden in the Chair for this item]

53.1 The Committee considered a request for scrutiny of policies concerning pension fund investment from Councillors Bill Randall and Keith Taylor together with a report of the Chief Finance Officer. (For copy see minute book.) OSOC noted that a similar request had been put forward by Councillor Pete West in 2002, when a scrutiny was not agreed.

53.2 Councillor Randall put forward reasons for his scrutiny request including concerns regarding pension investments in arms, tobacco, and countries with oppressive regimes, and monitoring of the council's pension investments.

53.3 The Committee asked a number of questions and felt there was a general expectation that public bodies would apply high ethical standards in their pension investment policies. However there was uncertainty about the definition of 'ethical,' and the complexity of applying criteria to companies.

53.4 The Head of Law advised the meeting that there were other ways to take forward the item if Members did not wish to establish a scrutiny review at this stage.

53.5 **RESOLVED** - That the Committee invite one or both Brighton and Hove members serving on the East Sussex County Council Pension fund Investment Panel and officers to provide information to the next OSOC meeting.

**MvB**

[Note: Councillor Hamilton and Council G Theobald declared personal and prejudicial interests in item 53, respectively being in receipt of a small company pension from East Sussex County Council and holding an interest in the Prudential Assurance Company. Councillor Carden declared a personal and non-prejudicial interest as he was in receipt of a small company pension from a firm making armament components.]

**54. LETTER RE PARKING FROM COUNCILLOR BOB CARDEN**

54.1 The Committee considered a letter from Councillor Bob Carden expressing concern about on-street parking matters.(For copy see minute book)

54.2 This was not a formal request for scrutiny but an opportunity to bring forward constituents' concerns. During discussion a number of points were raised. OSOC Members would send these to the committee administrator and an officer would be invited to speak

to the February 23<sup>rd</sup> OSOC meeting.

54.3 **RESOLVED** - That the Committee invite a technical officer to speak to the next meeting. **MvB**

[Note; Councillor Roy Pennington declared an personal and non-prejudicial interest in item 54 as representative of Brighton and Hove Council on the national adjudication authority which decides whether or not a parking offence has taken place.]

## **55. CORPORATE CREDIT CARDS**

55.1 The Committee considered a report of the Head of Internal Audit on corporate credit cards as requested at the previous meeting. (For copy see minute book.)

55.2 Answering questions, the Head of Internal Audit said he had looked at a recent month – in it, expenditure by corporate credit card on hospitality had amounted to 5%. Other examples included public transport (7%), conferences (Officers, 11%) and (Members, 3%) and marketing (21%). The largest expenditure category was paid for Members' residential communications services – amounting to 39%. Corporate credit cards were different from purchase cards which had been piloted but not pursued in 2001.

55.3 Transaction costs were low at £2 per month per cardholder. The cards particularly benefited staff such as European officers who travelled regularly, were not high on the pay scales and who would otherwise have to pay in advance themselves for accommodation and travel. Some local authorities gave cash advances but this involved personal risk.

55.4 The Head of Internal Audit gave details of the system of monitoring and control.

55.5 A vote to 'note' the report was carried with 8 members in favour. Councillors G Theobald and Williams abstained.

55.6 **RESOLVED** - That the contents of this report and in particular current use of corporate credit cards and adequacy of associated control, be noted.

## **56. MONTH 7 BUDGET FORECAST - REPORT TO 10th DECEMBER POLICY AND RESOURCES COMMITTEE**

56.1 The Committee considered a report informing the committee of the quarterly forecast for the general fund and housing revenue account budgets adjusted for month 7 data. (For copy see minute book.)

56.2 Members discussed home to school transport, off-street parking budget, and City Planning budget. The Month 8 figures were requested, for inclusion on the agenda for the next meeting. **MvB**

56.3 **RESOLVED** - that the report be noted.

**57. CAPITAL MONITORING – 2<sup>ND</sup> QUARTER, PERIOD ENDING 30 SEPTEMBER.**

57.1 The Committee considered a report informing members of the projected capital outturn for 2003/04 based on the second quarter ending 30<sup>th</sup> September 2003. (For copy see minute book.)

57.2 The Committee said that Appendix 1 needed to include more detail in the 'schemes' and 'explanatory' columns. Were the cost centres single items or combinations of items? What is included under Cost Centre G104 – Structural Maintenance? Under D301 the Committee asked why there was a low take-up of SRB funds. The Appendix 2 explanation of Portslade Community College extensions budget re-profiles seemed unclear and Committee asked for a breakdown of the negative £490,000 figure. The Committee Administrator would seek written answers to these questions.

**MvB**

57.3 OSOC agreed it would be helpful to have a finance officer at the meeting to give information on the capital programme queries being raised.

57.4 Members felt that the format of the report needed to be more detailed overall. Whilst there was some detail on re-profiles there was little on other capital expenditure.

57.5 **RESOLVED** - (1) That the report be noted

(2) That a finance officer be invited to a future meeting of OSOC to discuss the capital programme.

**58. PROGRESS ON CURRENT SCRUTINY REVIEWS**

58.1 The Committee considered a report on progress made on current scrutiny reviews. (For copy see minute book.)

58.2 **RESOLVED** - That the Committee (1) note the report.

(2) That guidance for senior officers in support of OSOC performance monitoring be confirmed as set out in section 7.

**59. ITEMS TO GO FORWARD TO COUNCIL**

59.1 There were none.

**60. ITEMS SCHEDULED FOR NEXT MEETING 23 FEBRUARY 2004**

60.1 Performance Monitoring: Environment

60.2 Audit Commission – Annual Audit Letter

60.3 Implementation of the Best Value improvement plans of:

- (1) Appearance
- (2) Waste Management
- (3) Grounds Maintenance
- (4) Leisure Facilities Management

60.4 Items as requested at this meeting: Parking, Pensions Investment

**PART TWO**

**61. ITEMS TO REMAIN EXEMPT FROM DISCLOSURE TO THE PRESS AND PUBLIC**

61.1 **RESOLVED** - That items 49 -61 remain exempt from disclosure to the press and public.

The meeting concluded at 8 pm

Signed

Chair

Dated this

day of

2004