

CORPORATE RESOURCES OVERVIEW & SCRUTINY COMMITTEE
15 DECEMBER 2022

Minutes of the Corporate Resources Overview & Scrutiny Committee of Flintshire County Council held as a hybrid meeting on Thursday, 15 December 2022

PRESENT: Councillor Richard Jones (Chairman)

Councillors: Bill Crease, Chris Dolphin, Alasdair Ibbotson, Gina Maddison, Allan Marshall, Vicky Perfect, Kevin Rush, Sam Swash and Linda Thomas

SUBSTITUTES: Councillors: Rob Davies (for Jason Shallcross) and Glyn Banks (for Bernie Attridge)

ALSO PRESENT: Councillors Marion Bateman and Helen Brown attended as observers

CONTRIBUTORS: Councillor Ian Roberts (Leader and Cabinet Member for Education, Welsh Language, Culture and Leisure), Councillor Christine Jones (Deputy Leader of the Council and Cabinet Member for Social Services and Wellbeing), Councillor Dave Hughes (Deputy Leader and Cabinet Member for Streetscene and the Regional Transport Strategy), Councillor Paul Johnson (Cabinet Member for Finance, Inclusion & Resilient Communities), Councillor Billy Mullin (Cabinet Member for Governance and Corporate Services), Chief Executive, Chief Officer (Governance), Corporate Finance Manager, Strategic Finance Managers, Corporate Manager (Capital Programme and Assets), Corporate Manager (People and Organisational Development)

For minute number 58

John Gittins, H.M. Senior Coroner for North Wales East and Central

For minute number 59

Chief Officer (Social Services) and Senior Manager (Safeguarding and Commissioning)

For minute number 61

Customer Contact Service Manager

IN ATTENDANCE: Democratic Services Manager and team

52. DECLARATIONS OF INTEREST

None.

53. MINUTES

The minutes of the meeting held on 17 November 2022 were approved, as moved and seconded by Councillors Bill Crease and Linda Thomas, subject to re-wording of the Chair's comments on the joint-funded care item (minute 45).

RESOLVED:

That subject to the amendment, the minutes be approved as a correct record.

54. ACTION TRACKING

The Democratic Services Manager presented an update on actions arising from previous meetings and advised that a response to the query on joint-funded care packages had been circulated just prior to the meeting.

The recommendation was moved by Councillor Linda Thomas and seconded by Councillor Kevin Rush.

RESOLVED:

That the Committee notes the progress which has been made.

55. FORWARD WORK PROGRAMME

The Democratic Services Manager presented the current forward work programme for consideration and advised that the mid-year performance report would also be brought to the next meeting. He agreed to review the format of the document with regard to submission deadlines.

Following advice from the Chief Officer (Governance) on the Chair's request for a report on the Well Fed initiative, it was agreed that the Chair would liaise with officers and the Chair of the Community & Housing Overview & Scrutiny Committee to decide where this was best allocated.

On that basis, the recommendations were moved and seconded by Councillors Bill Crease and Kevin Rush.

RESOLVED:

- (a) That the Forward Work Programme be noted; and
- (b) That the Democratic Services Manager, in consultation with the Committee Chairman, be authorised to vary the Forward Work Programme between meetings, as the need arises.

56. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - TO CONSIDER THE EXCLUSION OF THE PRESS AND PUBLIC

Exclusion of the press and public was moved and seconded by Councillors Bill Crease and Vicky Perfect.

In response to a question from Councillor Alasdair Ibbotson, the Chief Officer (Governance) clarified that the entire item would need to be discussed in closed session due to the nature of the information contained in the report and appendix, and the potential for wider discussion on any further proposals.

RESOLVED:

That the press and public be excluded from the meeting as the following item was considered to be exempt by virtue of paragraph 15 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

57. BUDGET 2023/24 - STAGE 2

The Corporate Finance Manager introduced a report on the latest position for the Council Fund Revenue Budget 2023/24 following receipt of the Welsh Local Government Provisional Settlement (LGPS) and formal budget setting process.

Stage 1 of the budget process had established a robust baseline of cost pressures across portfolios which were shared at Member briefing sessions. As part of Stage 2, Overview & Scrutiny Committees were now being invited to rigorously review cost pressures contributing to the additional budget requirement in their respective portfolios together with options for portfolio cost reductions. Members were reminded that the latest position reported to Cabinet in November advised that remaining risks could potentially increase the additional budget requirement to around £32m. Given the scale of the potential budget gap, all services had been tasked with identifying options to manage their services with a reduced budget. As well as having oversight of budget reduction options for all portfolios, the Committee was invited to review solutions within Corporate Services and Assets and to identify any further areas of cost efficiency to be explored.

The Corporate Finance Manager advised that the indicative settlement for Flintshire was an increase of circa £19.5m (8.4%) which, although above the national average, was only likely to meet around 50% of the Council's cost pressures. The implications and the remaining risk areas were being reviewed to provide a verbal update to Cabinet on 20 December prior to formal reporting in January. An updated position will be reported to Corporate Resources Overview & Scrutiny Committee on 12 January alongside feedback from all Overview & Scrutiny sessions and would be open to all Members. Final budget proposals including the setting of council tax would follow in February.

The Chief Executive, Chief Officer (Governance), Corporate Finance Manager, Corporate Manager (People and Organisational Development) and Corporate Manager (Capital Programme and Assets) gave a detailed presentation covering the cost pressures within Corporate Services and Assets as follows:

- Purpose and Background
- Reminder of the Council's Budget Position
- Corporate Cost Pressures / Budget Reductions / Past Efficiencies:
 - Governance
 - People and Resources
 - Assets
 - Chief Executive
 - Central and Corporate
- Next Steps

Following the presentation, officers and Cabinet Members responded to questions and comments raised by the Committee. As requested by Councillor Alasdair Ibbotson, the Corporate Manager (Capital Programme and Assets) agreed to provide the Committee with further information on agricultural assets which had contributed towards the cost pressure.

Councillor Dave Hughes expressed his thanks to the Leader of the Council and the Chief Executive for their efforts in respect of the positive indicative settlement and suggested that the Committee may wish to do so formally, along with the Welsh Government (WG) Finance and Local Government Minister. He thanked the Corporate Finance Manager and his team for their valuable work.

Councillor Ian Roberts said that the outcome on the settlement was attributable to the efforts of all officers and Members across the Council. He gave assurance that work would continue with the Welsh Local Government Association to request a review of the funding formula.

The Chairman commented on the impact of consequential funding passported through from the UK Government to WG. He welcomed the improved settlement on which the Committee had made written representations and referred to the current consultation period.

It was clarified by the Corporate Finance Manager that despite the positive settlement, Flintshire's funding allocation per capita remained ranked 20th out of the 22 Welsh authorities.

Whilst the Chief Executive welcomed the provisional settlement, he reminded Members of the 2.4% indicative settlement figure for 2024/25 (as part of a three year settlement, this being year three).

The recommendations, which reflected the debate, were moved and seconded by Councillors Bill Crease and Chris Dolphin.

RESOLVED:

- (a) That having reviewed the Corporate Services and Assets cost pressures, comments on ICT Cyber Security be reported to Cabinet;
- (b) That having reviewed the Corporate Services and Assets options to reduce budgets, comments on Connects Centres be reported to Cabinet; and
- (c) That there are no areas of cost efficiency to be explored further.

At this point, there was a brief adjournment before the following items.

58. WORK OF THE CORONER'S OFFICE

The report of the Chief Officer (Governance) provided background to the role of the Coroner for North Wales (East and Central) and the work undertaken on behalf of councils in Conwy, Denbighshire, Wrexham and Flintshire.

The Chair invited John Gittins, H.M. Senior Coroner for North Wales East and Central to give his annual presentation including the following:

- History of the Coroner
- The North Wales (East and Central) (Coroner's District) Order 2012
- Independent Judicial Officer funded by local authorities
- A very privileged position
- Statistics 2021
- Support
- The Law / The Crossroads / Investigation / The Inquest
- Powers of Coroner - Schedule 5 / Consequences
- Prevention of future deaths
- Recent notable cases
- Ongoing matters
- The Court
- Other jobs and responsibilities

The presentation set out the wide range of powers and responsibilities held by the Coroner, accompanied by examples of cases which highlighted the need to balance humanity with the duty to investigate.

In response to questions, John Gittins provided clarification on a range of matters including his judicial role, the impact of publicised cases across the UK and cemetery provision.

Following discussion, the Democratic Services Manager agreed to share contact details for the Coroner's office with the Committee.

Councillor Paul Johnson suggested that the annual update on the work of the Coroner could be better accommodated in an informal workshop to which all Members could benefit. The suggestion was welcomed by John Gittins.

On behalf of the Committee, the Chairman thanked Mr. Gittins for his attendance and detailed presentation. He moved the suggestion for a workshop along with the recommendation in the report, and was seconded by Councillor Alasdair Ibbotson.

RESOLVED:

- (a) That the Committee thanks the Coroner for his work and receives further reports on an annual basis; and
- (b) That the annual presentation on the work of the Coroner be held in an all-Member workshop in future.

59. JOINT FUNDED CARE PACKAGES - UPDATE REPORT

The Chief Officer (Social Services) and Senior Manager (Safeguarding and Commissioning) presented an update on progress with the outstanding debt

with Betsi Cadwaladr University Health Board (BCUHB) in respect of the delivery of NHS Continuing Health Care (CHC) packages in Flintshire.

Work was continuing through agreed actions, escalations and meetings to resolve any delays in the processing of outstanding invoices raised by the Council for payment by BCUHB. As at 6 December 2022, £0.835m of CHC invoices were outstanding, some of which were due to be paid in the next few weeks. The remaining £0.441m were unresolved invoices to be taken forward for resolution through independent arbitration at the suggestion of the Executive Director of Finance for BCUHB. Since publication of the report, further progress had helped to reduce the amount of long-term debt to £0.251m.

In response to questions from Councillor Alasdair Ibbotson, the terms of the independent arbitration process were clarified by officers and Councillor Christine Jones spoke about her involvement and the reporting mechanism.

Councillor Paul Johnson welcomed the update and thanked Council officers and BCUHB colleagues for their joint efforts to reach this position.

On further updates, the Chief Officer (Social Services) suggested that the next report be brought in February 2023 to allow time for the arbitration process. It was agreed that the Chairman would liaise with the Democratic Services Manager to schedule accordingly.

The Chairman welcomed the progress made since the item was first raised. He asked that the next update indicate whether outstanding invoices were new or historical and that the list shared at the previous meeting be updated and circulated to show the latest position.

The Senior Manager provided a breakdown of the approximate dates and values of current outstanding invoices.

The recommendation was moved by Councillor Bill Crease and seconded by Councillor Sam Swash.

RESOLVED:

That the Committee notes the progress made on the proactive budget management of outstanding invoices raised by the Council for payment by Betsi Cadwaladr University Health Board.

60. REVENUE BUDGET MONITORING 2022/23 (MONTH 7)

The Strategic Finance Manager introduced the report on the 2022/23 month 7 position for the revenue budget monitoring for the Council Fund and Housing Revenue Account (HRA) prior to consideration by Cabinet.

On the Council Fund, the projected year-end position - without new actions to reduce cost pressures and/or improve the financial return on efficiency planning and cost control - was an operating deficit of £0.094m (excluding the impact of the pay award to be met from reserves), leaving a contingency reserve

balance of £4.055m at year-end after taking into account the impact of pay awards.

An update was given on eligibility for Welsh Government (WG) Hardship Funding claims and the current level of Covid-19 Emergency Reserves (as a safeguard against the continuing impacts of the pandemic). Significant movements across portfolios from month 6 were summarised including carry-forward requests in Housing & Communities. The tracking of in-year risks reported the impact of pay awards following confirmation of the teachers' pay award at 5%.

On the HRA, projected in-year expenditure of £3.321m higher than budget would leave a closing un-earmarked balance of £3.153m, which was above the recommended guidelines on spend.

On the Council Tax Reduction Scheme, Councillor Alasdair Ibbotson requested information on the scale of overpayments owed, together with the expected and actual recovery rates.

The recommendation was moved and seconded by Councillors Bill Crease and Linda Thomas.

RESOLVED:

That having considered the Revenue Budget Monitoring 2022/23 (Month 7) report, the Committee confirms that there are no specific issues to be raised with Cabinet.

61. PUBLIC SERVICES OMBUDSMAN FOR WALES (PSOW) ANNUAL LETTER 2021-22 AND COMPLAINTS AGAINST FLINTSHIRE COUNTY COUNCIL DURING THE FIRST HALF OF 2022-23

The Chief Officer (Governance) introduced the report to share the Public Services Ombudsman for Wales (PSOW) Annual Letter which summarised the Council's performance on complaints investigated during 2021-22.

The Customer Contact Service Manager said that the increase in new complaints made against the Council in 2021/22 reflected the trend nationally, the majority of which had been closed due to being out of jurisdiction, premature or closed after initial consideration by the PSOW. She highlighted the impact of duplicated complaints and advised that steps to encourage use of the Council's complaints procedure helped to reduce the number of premature complaints to the PSOW. An update was given on progress with the mandatory training programme and a review of the Managing Customer Contact Policy. An overview of complaints against Council services between 1 April to 30 September 2022 indicated a steady improvement in complaint performance across all portfolios.

On actions being taken to further improve complaints handling, Councillor Bill Crease welcomed the development of a toolkit for schools and elected Members on how to manage unacceptable behaviour on social media.

Councillor Alasdair Ibbotson suggested that future updates reflect the proportion of upheld complaints against the Wales average and that a breakdown be included to show complaints on perceived service failings and those relating to access to services/delayed responses. The Customer Contact Service Manager agreed to include more detail in future annual reports to the Committee.

In response to a request to show the number of complaints per capita for authorities across Wales, the Chairman referred to the appendix to the PSOW Letter which indicated that Flintshire had the second highest number of complaints per 1000 residents in 2021/22.

The Chairman commented on the number of complaints against the Council in comparison with the Welsh average, and the service receiving the most complaints received which reflected the national trend. On performance for the first half of 2022/23, he acknowledged that Planning, Environment & Economy was a front-line service and impacted by staffing issues but felt that response times to complaints should be monitored for improvement.

In responding to comments, the Customer Contact Service Manager highlighted the reduction in the number of Flintshire cases with PSOW intervention and the high percentage of complaints made to the PSOW which were closed at the assessment stage.

The recommendations, as amended, were moved and seconded by Councillors Bill Crease and Linda Thomas.

RESOLVED:

- (a) That the Committee notes the annual performance of the Council in respect of complaints made to the Public Services Ombudsman for Wales during 2021-22;
- (b) That the Committee notes the 2022-23 half year performance of the Council in respect of complaints made to services in line with its complaints procedure;
- (c) That the Committee supports the actions outlined in paragraph 1.15 to improve complaints handling across the Council; and
- (d) That the requested analysis data be shared with the Committee for future reports.

62. CONSULTATION ON THE FLINTSHIRE AND WREXHAM PUBLIC SERVICES BOARD (PSB) DRAFT WELL-BEING PLAN 2023-28

The Chief Executive presented the draft Flintshire and Wrexham Well-being Plan for 2023-28 which sets out the local well-being objectives and accompanying actions to be taken in collaboration with Public Services Board (PSB) partner organisations. Copies of the draft Plan were being shared with statutory consultees as part of the consultation period ending on 5 February 2023.

In highlighting the importance of the objectives to improve outcomes for all, Councillor Paul Johnson encouraged Members to participate in the consultation.

The Chairman suggested that the sentence under the heading 'Communities - prosperity and fairness' could be re-worded for clarity. He encouraged Members of the Committee to copy him in, if submitting comments via email to corporatebusiness@flintshire.gov.uk. Alternatively, Members were able to respond through the Democratic Services Manager.

The recommendation was moved and seconded by Councillors Bill Crease and Kevin Rush.

RESOLVED:

That the Committee notes the draft Flintshire and Wrexham Well-being Plan for 2023-28 and consultation period.

63. MEMBERS OF THE PRESS IN ATTENDANCE

None.

(The meeting started at 10am and ended at 2.15pm)

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Chairman