

Overview and Scrutiny Management Committee

MINUTES OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE MEETING HELD ON 12 SEPTEMBER 2024 AT KENNET ROOM - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

Present:

Cllr Graham Wright (Chairman), Cllr Gavin Grant, Cllr Ruth Hopkinson, Cllr Jon Hubbard, Cllr Tony Jackson, Cllr Johnny Kidney, Cllr Gordon King, Cllr Jerry Kunkler, Cllr Robert MacNaughton, Cllr Pip Ridout, Cllr Tom Rounds, Cllr Jonathon Seed and Cllr Ian Thorn (Substitute)

Also Present:

Cllr Richard Clewer, Cllr Jacqui Lay, Cllr Ashley O'Neill, Cllr Ian Blair-Pilling, Cllr Nick Botterill and Cllr Dominic Muns

49 **Apologies**

Apologies for absence were received from Councillors Tony Pickernell and Jo Trigg. Cllr Jo Trigg arranged for Councillor Ian Thorn to attend the meeting in her absence.

50 **Minutes of the Previous Meeting**

The minutes of the meeting held on 23 July 2024 were presented for consideration, it was;

Resolved:

To approve and sign as a true and correct record of the minutes of the meeting held on 23 July 2024.

51 **Declarations of Interest**

There were no declarations of interest.

52 **Chairman's Announcements**

The Chairman made the following announcements:

A) Scrutiny Review Actions

The Chairman noted that in July, the Vice-chair and Chairman had met with the Council's Corporate Leadership Team to review the council's approach to Overview and Scrutiny to discuss ideas for further improving its effectiveness. The discussion was constructive, and some new initiatives were discussed with the Chairs and Vice-chairs of the other select committees. These initiatives

included the following, which would be implemented during the next round of meetings:

- Attendees at select committees to be encouraged to, in general, provide reports over presentations.
- Shorter verbal introductions to reports at committee, to allow more time for questions and debate.
- Large committee reports to include an executive summary.
- The introduction of a standing agenda item titled, 'Executive Member updates', where Cabinet Members or Portfolio Holders present can update on recent activity within their portfolio.
- More post-decision scrutiny, with select committees review the impact and effectiveness of proposals they have previously scrutinised.
- Greater public promotion of scrutiny work, using the council's various communication channels.
- The development of a short Scrutiny Protocol document, setting out the roles and responsibilities of everyone involved in the process.

B) Financial Planning Task Group – Housing Revenue Account training session

The Chairman noted that on Tuesday 10 September, the Financial Planning Task Group received training regarding the Housing Revenue Account and that the session was also open to members of the Management Committee and Environment Select Committee.

The training covered, but was not limited to, what the HRA was and its governance, its 30-year business plan, the size and distribution of the housing stock, the types of tenancies, rents and tenures offered.

The Chairman thanked all those who attended as well as officers for delivering the training and for being on hand to answer any questions.

It was noted that the presentation and link to a recording of the session would be circulated shortly.

53 **Public Participation**

There were no questions or statements submitted by members of the public.

54 **Wiltshire Community Safety Partnership (WCSP)**

The Chairman noted that as reflected in Part 8 of Wiltshire Council's Constitution, which had recently been reviewed, Overview and Scrutiny had a statutory duty to scrutinise the performance of the partnerships under the provisions of the Police and Criminal Justice Act 2006. It was outlined that this was an annual requirement.

The Chairman noted that the Committee had been joined by Mark Cooper, Assistant Chief Constable of Wiltshire Police and Chair of the Wiltshire

Community Safety Partnership as well as Sarah Valdus, Director for Environment, and Jen Salter, Director for Families and Children.

Mark Cooper, Assistant Chief Constable of Wiltshire Police and Chair of the Wiltshire Community Safety Partnership (CSP) provided the Committee with a presentation, which included, but was not limited to, the following points:

- An overview of the CSP was provided, with it noted that it had been established under the Crime and Disorder Act 1998 to bring together responsible authorities to develop a strategy to tackle crime and disorder in an area.
- Detail was provided on the statutory responsibilities and requirements of the CSP as included within the report.
- The inter-relation of the CSP and Wiltshire's Safeguarding People Partnership (SVPP) was discussed.
- Headlines of the work conducted by the CSP was provided, including but not limited to work relating to Domestic Abuse, Exploitation, Safer Communities and Domestic Abuse Related Death Reviews.
- It was outlined that transformation work relating to the CSP was set to take place to make improvements, for example being able to meet more statutory requirements, increasing accountability and engagement from partner agencies.
- An overview of the proposed strategic objectives was provided.
- Detail of the CSP planning cycle was provided as well as a project timeline of the CSP transformation.

Leader of the Council, Councillor Richard Clewer commented that joined up work relating to public space protection orders and anti-social behaviour was clearly working and could be built on. Furthermore more, such actions were significantly reducing the time spent by Wiltshire Police and Wiltshire Council on problems.

Members of the Committee made the following comments with a discussion taking place on the relation of the CSP to the FACT programme with it noted that the programme had played a key part in informing group and wider priority areas with a review set to take place following a pilot of how such activities could translate to business as usual. A point was also raised about improving the community engagement of the CSP and how the Area Board system might be a possible mechanism for this. Additionally, the need for the CSP to consider rural areas was also highlighted.

Feedback was also provided that it would be positive to have a clear idea of the performance and outcomes of the CSP and that it would be positive to clearly be able to demonstrate the benefit of the work to residents. This prompted a suggestion that the CSP return to the Committee in the future to demonstrate progress, The need to take the CSP agenda out to the public was further re-emphasised.

The crossover of the CSP priorities and local group priorities was discussed as well as the benefit of mapping out a network to better understand how the local

priorities and voices fit and compliment those higher within the CSP governance structure. This prompted a point about the potential value of providing training to local communities, therefore increasing the ability of residents to escalate and report issues.

At the conclusion of discussion, it was,

Resolved:

The Overview and Scrutiny Management Committee agreed:

- a) **To note and welcome the briefing on the Wiltshire Community Safety Partnership, its objectives and its progress against these.**
- b) **In light of the gaps in delivery identified, to request a further report in 6 months' time providing an update on progress to address these.**

55 **Wiltshire Council Annual Complaints Report 2023-24**

The Chairman noted that on page 35 of the agenda pack was a report presenting the Council's Annual Complaints report for 2023-24. It was outlined that the report would also be considered by the Standards Committee on 3 October, as the committee that oversees the council's complaints handling arrangements.

Cllr Ashley O'Neill, Cabinet Member for Governance, IT, Broadband, Digital, and Staffing introduced the report with it noted that in comparison to neighbouring local authorities, Wiltshire Council had the lowest number of upheld complaints by the Ombudsman and was better than the national average. Furthermore, the five-year trend of the Council's complaints handling was on a positive downward trend.

Henry Powell, Democracy and Complaints Manager, provided the Committee with a presentation which included, but was not limited to, the following points:

- The Annual report covered 1 April 2023 to 31 March 2024 but excluded complaints about elected Members and complaints about the Police and Crime Commissioner.
- Detail was provided regarding service requests, which had decreased by 4% with it also noted that the number of complaints received by the Council had increased by 20%.
- Detail was provided regarding the complaints received by service area, with Education and Skills having received the most, however this was largely down to SEND and ECHP related matters.
- A breakdown of the service requests received was provided, with the amount received by Highways, Transport and Streetscene having increased by 46%.
- Further detail was provided regarding the percentage of complaints upheld by the Ombudsman, with it suggested that Wiltshire Council had a good level of customer service and overall complaint handling relative to other unitary councils nationally and in the southwest region.

- A breakdown of the response times for complaints was provided, with it noted that the percentage of stage one complaint responses provided on time had decreased to 59%, while the percentage of stage two complaint responses provided on time had increased to 92%.
- It was noted that from 21 October 2024 there would be less time to respond to complaints at both Stage one and two if agreed by Full Council, with the new timescales potentially being 10 working days shorter and that services were being made aware and prepared for the change.
- Actions for 2024/25 were outlined with detail provided on how improvements would be made.

Perry Holmes, Director for Legal and Governance commented that an improvement had been made by the Complaints Team and that though a valid point had been made about capacity and resource of teams, there was not a choice to respond to complaints and the whole Council had a responsibility. Therefore, Directors had been asked to identify where there had been increases, which could then be collated and reported to Select Committees.

Members of the Committee made the following comments with reference drawn in relation to the number of housing complaints to which clarity was provided by the Leader that there had been more complaints following the pandemic, there had been a national trend relating to housing complaints regarding mould and that the Council, was also being inspected which drove complaints up.

A point was made that it was unclear how residents would be able to place a complaint, however there was an awareness of officer time, and resources required to handle increased complaints. It was also suggested that it could be positive for the data to be simplified as there seemed to be a crossover between qualitative and quantitative data.

Reference was made to how previously there had been a Task Group investigating customer experience considering websites and apps, with it suggested that this could possibly be a useful mechanism to consider the complaints experience for residents.

At the conclusion of discussion, it was,

Resolved:

The Overview and Scrutiny Management Committee agreed:

- a) To note the Wiltshire Council Annual Complaints Report 2023-24, including the issues identified through complaints data and the reported actions in place to address these.**
- b) To note the actions to improve the council's complaints handling function over the next 12 months.**
- c) To ask the Select Committee Chairs and Vice-chairs to consider if the report raises service issues within their remit that require more in-depth scrutiny.**

56 **Final Report of the Stone Circle Governance Task Group**

The Chairman noted that on page 77 of our agenda, was the final report of the Stone Circle Governance Task Group. It was outlined that the task group was established 12 months ago to consider arrangements for scrutiny engagement on the council's activity regarding its wholly owned Stone Circle companies and to bring proposals back to Committee.

Cllr Ruth Hopkinson, Chair of the Task Group, introduced the report and outlined that this had been a difficult Task Group for a number of reasons including a lack of transparency regarding Stone Circle, inconsistencies in information as well as officers having concern about the Task Group crossing over into operational issues. It was outlined that without investigating some operational issues the Task Group could not have progressed, and officers were supportive of this. Furthermore, the purpose of the Task Group was to consider the future scrutiny arrangements for Stone Circle, which was included within the recommendations before the Committee.

Cllr Hopkinson further raised points that regarding Business Plans, it was difficult to scrutinise these as prior to 2024-2025 there wasn't an accompanying narrative. Furthermore, the need for Stone Circle to have a risk register was stressed to represent the level of risk that Stone Circle represents to the Council and that concerns were also raised that the original business case for setting up Stone Circle in 2018 needed to be considered in relation to today's environment. The need for the Council to have an exit plan was also raised, to protect the overall financial and reputational position of the Council should a need to withdraw arise.

Leader of the Council, Councillor Richard Clewer made the following comments including that Members were welcome to attend the Cabinet Shareholder's Group, which allowed for comment and engagement on the Stone Circle Group,

Members of the Committee made the following comments which included a discussion about the difference between scrutiny oversight and political oversight and how the minutes from the Cabinet Shareholder's Group should be made available to all Members as well as the method for doing so. The importance of this was also further emphasised, with it suggested that not all Members would understand what Stone Circle is and that there would be greater accountability if Members were to read the minutes. It was also suggested that it could be beneficial for a simple summary be sent out alongside the minutes to assist with understanding.

Further clarity was provided that the Cabinet Shareholder's Group had been set up to make sure performance and financial standing was in line with the business plan whilst also acting as an opportunity to hold the Directors to account.

At the conclusion of discussion, it was,

Resolved:

The Overview and Scrutiny Management Committee agreed:

- a) **To endorse recommendations 1 to 3, and to refer these to the Executive for response, with recommendation 2 amended to propose that Cabinet Shareholder Minutes be made available, rather than disseminated to, all members.**
- b) **To establish a task group under the Overview and Scrutiny Management Committee with the terms of reference set out in the report under recommendation 4, amended to replace the words “scrutinise the decisions of” with “scrutinise the activity of”.**
- c) **To review the terms and reference and effectiveness of the task group in 12 months’ time.**

The Chairman called the meeting to a break at 12.41pm and resumed the meeting at 12.46pm.

Cllr Tony Jackson left the meeting at 12.41pm.

57 Performance and Risk Report 2024/25 Quarter One

The Chairman noted that on page 87 of the agenda pack, was the quarter one update on performance against the stated missions in the Council’s Business Plan 2022-32. Additionally, the report would be considered by Cabinet next Tuesday.

Cllr Richard Clewer, Leader of the Council introduced the report and made the following points including that the reporting process was now into a well-established pattern, however there had been some quirks with some data now not being provided centrally as it had been, for example the change from single word Ofsted assessments. Attention was drawn to the total households in temporary accommodation which had fallen and was noted as a success.

Members of the Committee made the following comments with reference drawn to repeated referrals to Children’s Services having risen to 18.1%, which suggested that 1/5 coming out of social care would then be returning into social care, which suggested a challenge in thresholds. Clarity was provided on this matter that though this was up it was still within bands and that an audit had taken place which had not raised any issues with the threshold, though the Council was interested to understand why this continued to rise with a further audit of Q1 data set to take place.

Concern was raised regarding the percentage of NHS health checks undertaken being 35.2%, to which assurance was provided that the Council recognised that this was not good enough and the ICB would be attending the next Corporate Parenting Panel to discuss this issue. Issues with paediatrician availability were also cited. In addition, a discussion took place regarding the percentage of care-experienced 16–17-year-olds who are EET (57%) and how many of these young people had been offered jobs within Wiltshire Council

compared to the number interviewed. It was stated that a Virtual School Officer (VSO) had been appointed last month to further address performance, with it suggested that the data could be clearer as to how many of the young people wanted to work for Wiltshire Council and then successfully interviewed for a job.

Further clarity was provided in relation to how the number of working age adults in residential care was counted as well as the process for employees taking maternity leave and how the Council aimed to temporarily cover these roles if possible.

At the conclusion of discussion, it was,

Resolved:

The Overview and Scrutiny Management Committee agreed:

- a) **To note the performance against the selected measures mapped to the Council's strategic priorities.**
- b) **To note the progress in transitioning to the new Risk Management Policy.**
- c) **To ask that, where appropriate, written answers are provided to the specific questions raised.**

Cllr Jonathon Seed left the meeting at 1.00pm.

58 **Financial Year 2024/25 - Quarter One Revenue Budget Monitoring**

The Chairman noted that in agenda supplement 1, was a report setting out the first quarterly revenue budget monitoring forecast for the financial year 2024/25 based on the position at the end of June 2024. The report also provided an update on the Medium-Term Financial Strategy (MTFS) and budget gap for the financial year 2024/25 and beyond. The report was considered by Financial Planning Task Group on 8th September and would be considered by Cabinet on 17th September. A summary of the Task Group's discussions was provided in a report in the agenda pack.

Cllr Nick Botterill, Cabinet Member for Finance, Development Management and Strategic Planning stated that the quarter one position forecasted a net overspend for the year of £8.242million. It was stated that the Council had previously been in a similar position having predicted an overspend in the People area, which then had a favourable outturn in the end. It was also emphasised that though this projected overspend was not a desired outcome, management actions would be sought to close the overspend rather than using reserves.

Lizzie Watkin, Section 151 Officer stated that the within the report, paragraphs 126 onwards presented a Section 151 Officer commentary and set out positions of concern and risk. Further emphasis was made that the overspend was not a tolerable or acceptable position and meetings were set to take place with senior leadership to consider remedial actions, such as holding vacancies and

recruitment freezes. Concern was also raised regarding the Dedicated Schools Grant Area with further reporting set to take place on Safety Valve submissions.

The following comments were received by Members of the Committee including concern regarding the overspend, with questions asked as to whether the Leader and Chief Executive had questioned Adult Services regarding the overspend as well as how it was important for areas to run their own respective budgets. Assurance was provided that funding was not being taken from one area to fund another and that the Cabinet had been rigorous in investigating the budget. The need to understand the issue behind the overspend was stressed with further resource to be spend on diagnostics. The importance of questioning the assumptions within the base budget was also stressed as well as the need to understand the cause of different variances.

Further assurance was also provided by the Deputy Chief Executive and Corporate Director of Resources that a One Council approach was being taken to balance the budget whilst acknowledging that each area of the organisation needed to play their part and manage costs and controls in year.

Clarity was sought regarding who had the authority to make decisions regarding mitigations for the overspend, to which it was stated that this was dependent on each decision, with policy changes having to be taken to Cabinet whilst operational decisions could be made by Head of Services and Directors.

Concern was raised regarding holding vacancies, particularly in adult social care due to the inflated cost of bringing in support from the market to which assurance was given that there would be some exceptional areas for recruitment freezes dependent on context.

A discussion took place regarding the role and responsibility of the Financial Planning Task Group, as well as the balance between Select Committees and the Overview and Scrutiny Management Committee. It was suggested that a meeting with the Select Committee Chairmen, the Overview and Scrutiny Management Committee Chairman and Financial Planning Group Chairman take place. The Section 151 Officer also provided further guidance as to the opportunities for scrutiny during the budget setting process.

At the conclusion of discussion, it was,

Resolved:

The Overview and Scrutiny Management Committee agreed:

- a) **The proposed transfer of £2.237m to a new High Needs Sustainability Activity reserve.**
- b) **The current revenue budget is forecast to overspend by £8.284m by the end of the financial year.**
- c) **The current forecast savings delivery performance for the year.**
- d) **The forecast overspend on the HRA of £1.042m and the impact on the HRA reserve.**

- e) **The forecast overspend against Dedicated Schools Grant (DSG) budgets of £9.893m and the impact on the cumulative DSG deficit.**
- f) **The reported transfers from earmarked reserves.**

59 **Financial Year 2024/25 - Quarter One Capital Budget Monitoring**

The Chairman noted in agenda supplement 1, was a report setting out the first quarterly capital budget monitoring forecast for the financial year 2024/25 based on the position at the end of June 2024. The report included the movements from the original budget set by Full Council in February 2024 to the revised programme and sets out how the programme is forecast to be financed. The report was considered by Financial Planning Task Group on 8th September and would be considered by Cabinet on 17th September. A summary of the Task Group's discussions was provided in a report in the agenda pack.

Cllr Nick Botterill, Cabinet Member for Finance, Development Management and Strategic Planning stated that last year the Council spent £163million of capital spending and went into 2024/25 with an agreed capital budget of £255.667million. It was outlined that 9 months on, the Council was in a better position to adjust the programme with £65.750m reprogrammed into future years and £8.055million brought forward to accelerate projects. It was expected that the Council would not spend the £255.667million but would rather have an outturn nearer to £170-180million.

Cllr Botterill stated that the report highlighted how much further the Council would have to go to project spends and that work was being conducted on this as well as improvement in systems as covered in paragraph 9 of the report. It was stated that currently the Council had spent 13% of the capital budget, however this was down to the projection of the programmes with spending likely to be put into future years.

The following comments were received by Members of the Committee, including reference to the capital funding table within the report, which suggested that the total spend could be perceived to be £40-50million lighter. Clarity was provided on this matter including that this was not the case as there was a correlation with borrowing to grant funding schemes available. It was further noted that there would likely be further reprofiling once the Council had an idea of when commercial negotiations would take place, with the example of an environment project relating to phosphates cited. It was suggested that this strongly linked to treasury management regarding borrowing and that discussions were ongoing as to how forecasts fit with the budget.

At the conclusion of discussion, it was,

Resolved:

The Overview and Scrutiny Management Committee agreed to note the revised 2024/25 Capital Programme forecast as at quarter one of £225.721m and the capital spend as of 30 June 2024 of £24.877m.

60 **Management Committee Task Groups**

A report was received on the Task Groups and Panels established by the Management Committee.

Evolve Programme Task Group

Cllr Jon Hubbard, Task Group Chairman outlined that the Task Group had not met since the last meeting of the Overview and Scrutiny Management Committee, however a meeting would take place shortly.

Transformation Task Group

Cllr Chris Williams, Task Group Chairman outlined that the Task Group had made good progress after meeting on 31 July and that officers had had an open approach to scrutiny. It was noted that the focus of the Task Group on the difference made by transformation to the Wiltshire residents as well as the governance arrangements in place. One further meeting of the Task Group was set to take place.

At the conclusion of discussion, it was,

Resolved:

The Overview and Scrutiny Management Committee agreed to note the update on the Task Group activity provided and the Financial Planning Task Group's forward work programme.

61 **Forward Work Programme**

The Committee considered the forward work programmes for each select Committee, as well as updates from the Chairman for each Select Committee.

At the conclusion of discussion, it was,

Resolved:

The Overview and Scrutiny Management Committee agreed:

- a) **To note the updates on select committee activity and approve the Overview and Scrutiny Forward Work Programme.**
- b) **To add the Executive Response to the Final Report of the Stone Circle Governance Task Group to the OS Management Committee agenda for 27 November 2024.**

62 **Date of Next Meeting**

The date of the next meeting was confirmed as 27 November 2024.

63 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.30 am - 2.15 pm)

The Officer who has produced these minutes is Ben Fielding - Senior Democratic Services Officer of Democratic Services, direct line 01225 718656, e-mail benjamin.fielding@wiltshire.gov.uk

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