

MEETING OF THE SCRUTINY COMMITTEE

TUESDAY, 12 JULY 2016 10.00 AM



GROUP MEMBERS PRESENT

Councillor Lynda Coutts
Councillor Phil Dilks
Councillor David Mapp
Councillor Bob Russell
Councillor Bob Sampson (Chairman)

Councillor Jacky Smith (Vice-Chairman)
Councillor Mrs Judy Smith
Councillor Mrs Brenda Sumner
Councillor Frank Turner

EXECUTIVE MEMBER

Councillor Nick Craft (Executive Member, Environment)

OFFICERS

Strategic Director (Tracey Blackwell)
Executive Manager, Commercial (Judith Davids)
Executive Manager, Environment (Ian Yates)
Executive Manager, Growth (Paul Thomas)
Performance and Projects Team Leader (Sam Pearson)
Community Engagement and Policy Development Officer (Carol Drury)
Principal Democracy Officer (Jo Toomey)

1. APOLOGIES

An apology for absence was received from Councillor Mrs Stokes.

2. DISCLOSURE OF INTERESTS

No pecuniary interests were disclosed however Councillor Dilks stated that he was a member of Lincolnshire County Council, which would be the subject of discussion under agenda item 5, which related to disabled facilities grants.

3. ACTION NOTES FROM THE MEETING HELD ON 22 MARCH 2016

The action notes of the meeting held on 22 March 2016 were noted.

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4. UPDATES FROM PREVIOUS MEETING

During discussion around complaints related to gas repairs and gas servicing at the meeting held on 22 March 2016, members requested that report number P&D24, which had previously been presented to the Committee, be re-circulated. This had been done and no additional comments had been raised in relation to the report.

5. DISABLED FACILITIES GRANTS

The Executive Manager, Environment presented report number ENV641, which related to funding arrangements for disabled facilities grants (DFGs) in 2016/17. He began by providing contextual information about the process to apply for a grant. The needs of an applicant would be assessed by Lincolnshire County Council, which would make recommendations about adaptations that needed making to a property to enable a person with a disability to continue to live there. Applicants were means tested to assess their ability to pay for the adaptations identified through the County Council's assessment. When an applicant was considered not to have sufficient means to pay for the adaptation a grant would be awarded to cover all or some of the required works.

Until 2016/17 funding for DFGs had been passed straight from the Department of Communities and Local Government to district councils, which had the statutory responsibility to make grants for adaptations. In previous years South Kesteven District Council had considered DFGs a priority, topping up the grant paid by central government to meet any shortfall. Since 2015, funding to support the statutory duty has been provided to local housing authorities through the Better Care Fund, which was a pooled budget paid to the top tier authority (in this instance, Lincolnshire County Council), with a requirement for the allocation to be cascaded down to district councils.

In 2015/16, the Council received a government allocation of £375,587 of DFG funding and this was topped up by the Council to £412,000. Funding for 2016/17 was combined with funding from the Social Capital Care Grant that had been discontinued. The DFG allocation from Government to South Kesteven District Council increased to £670,960. Instead of passporting the full amount to South Kesteven District Council, Lincolnshire County Council had determined that DFG funding would be maintained at 2015/16 levels, with the additional allocation across Lincolnshire being used to:

1. Facilitate the development of a Preventative Housing Strategy
2. Support one-off investment in the MOSAIC ICT platform
3. Provide a one-off contribution to the creation of a contingency sum

Members were advised of guidance provided by the Department of Communities and Local Government, which stated that it was for the district council as the responsible authority for disabled facilities grant to be paid the

full grant allocation and for any decisions on its uses to be made through the authority's own governance arrangements. Adversely the required steps for the approval of planned spending of the Better Care Fund required an alternative decision-making processes and included the Lincolnshire Health and Wellbeing Board, clinical commissioning groups in the county and Lincolnshire County Council. Proposals were then submitted to the Department of Health for sign-off. Members noted that the Department of Health had signed off Lincolnshire's plans with an unqualified agreement.

Officers from SKDC stated that they had indications of a backlog of approximately 70 to 80 DFG applications and suggested that the additional funding would be better spent supporting vulnerable residents and clearing that backlog.

Tony McGinty, the Consultant in Public Health from Lincolnshire County Council was invited to explain his perspective of the situation. The total size of the BCF in Lincolnshire was approximately £50m and the DFG component was one part of that. He explained that the spending arrangements for the Better Care Fund (BCF) required a local level agreement between the social services authority and clinical commissioning groups. He acknowledged that there were two parallel decision-making systems that were running alongside one another that were not consistent and explained that the process for signing-off BCF spend was prescribed by the Department of Health. The BCF agencies had produced a plan to spend the funding which had completed the prescribed process.

Mr. McGinty suggested that at this stage the Council could take a pragmatic view to look at how the funding could be used to support residents in the district and/or seek clarification from government about which decision-making process should take precedence in the local management of the fund. Mr. McGinty recognised that the standstill methodology used to determine the DFG allocation for district council's constituted a real terms funding. Partners had agreed to look again at the fact that inflation had not been factored into the calculation. He commented that in order to release funding that had been earmarked for the development of a Housing for Independence Strategy, Lincolnshire County Council had agreed to fund this work itself. He also referred to previous comments that had been made regarding a backlog in applications, stating that research was underway to establish whether there was a backlog in assessments and, if there was, the extent of that backlog.

Mr McGinty explained that it was hoped that an agreed spending plan would be in place in time for the 2017/18 budget round. The plan was already in the process of being developed, meaning the proposals highlighted in the Committee report were one-year commitments only.

In providing additional information around the contingency allocation, Mr. McGinty explained that one of the conditions of BCF funding required partners to meet certain targets around reducing the number of people admitted to

hospital or delayed in hospital for non-healthcare reasons. Failure to meet the targets could see the claw-back of up to 3% of Better Care Funding. To mitigate the potential impact of any claw-back, a sum was top sliced from all areas of the BCF allocation to create a contingency from which the repayment to government could be made.

The Strategic Director was invited to make comments. She stated that work was already underway to generate a specific action plan to help people live more successfully independently with early scoping work concentrating on working together more seamlessly and in a tailored way, giving residents more options and fast-track solutions that would help relieve pressure on other parts of the system. She underlined the fact that the Council had topped up the DFG spend for a number of years, which indicated that the need exceeded the grant that had already been provided and the increased funding provided from DCLG should have helped mitigate that.

Discussion was opened up to members to make comments and ask questions.

A number of comments were made in relation to the MOSAIC software system, which it was proposed would receive a total of £1m funding from the DFG allocation. In response to questions raised by the Committee, Mr. McGinty explained that the platform was a customer relationship management system that had been deployed by other Councils to help health and social care partners maintain a single view of their customers and track actions that related to their enquiries. Members noted that while the system had been deployed by other local authorities, a lot of work had been undertaken to produce a package bespoke to Lincolnshire. He added that considerable testing of the software had been undertaken with the rollout of the system anticipated to commence in October 2016 and run through to April/May 2017. Members queried the advantages the new platform would provide for customers and received the reply that the main improvement would relate to the customer's experience. Clarification was also provided that the MOSAIC system was a replacement for the existing core adults and children's social care systems, not a platform that specifically supported work around disabled facilities grants; consequently members challenged the appropriateness of using the DFG allocation to fund a core workstream of Lincolnshire County Council.

Members were also interested in the contingency allocation, with a number of members expressing a view that rather than planning to fail, the funding may provide greater benefit if used to support interventions that would prevent delayed discharge from hospitals or admission on non-medical grounds. Members were advised that the contingency allocation was a part of financial planning designed to mitigate the potential risk of being penalised for not meeting targets. It was also noted that the contingency sum and performance were reviewed in-year, with sums being released and reallocated to different projects.

Mr. McGinty informed members that processes related to disabled facilities

grants and the assessment of applicants had been reviewed in recent years which had demonstrated that cases could be progressed faster but highlighted the significant financial impact of bringing forward assessments for DFG-awarding bodies. A comment was made about the duty that sat with South Kesteven District Council to provide adaptations regardless of whether funding was available. Failure to provide an adaptation on the basis of lack of funding could make the decision challengeable.

Discussion turned to the strategy to support people living independently. It was recognised that the amalgamation of the DFG allocation within the BCF allocation reflected a need for more joined up working to unify housing, housing adaptation and social care interventions. Members queried whether the allocation was for the production of the strategy but were advised that the money would be used to fund interventions which might include, for example, placing housing options officers into discharge teams or funding any backlog.

Mr McGinty reiterated that those agencies with BCF funding believed they had followed the correct processes re-emphasising the unconditional sign-off of the spending plans by the Department of Health.

The general consensus amongst members was that any backlog should be addressed, with the additional funding being made available to fulfil grant applications and queried the impact on the proposed BCF spending plans should additional funding need releasing for this purpose. An indication was given that it was possible that contingency funding could be released to reduce the backlog and fulfil identified adaptations as that was the intended purpose of the funding. A comment was made by Mr. McGinty that a condition of the grant funding to district council was that it had to be spent on DFGs; any not spent would need to be returned to the Department of Communities and Local Government. Members' attention was brought to the advice of DCLG which indicated that once the total allocation for each district had been handed over, it was for them to determine how that allocation should be spent, which might mean using the full amount for disabled facilities grants or providing a sum to support projects such as those planned by Lincolnshire County Council.

Consideration was given to the decision-making process for approval of the BCF spending plans. While members noted that proposals were signed-off by the Health and Wellbeing Board which included one district council representative who acted on behalf of all authorities in the county, the report had not incorporated the specifics of the proposals, including the amount of money it was proposed should be passed onto districts or reallocated for other projects. Members also noted that at the time the broad proposal was considered, no detailed information had been provided from DCLG regarding the grant conditions. Some concern was expressed that the arrangements for developing plans for the BCF spend sat completely outside the Council's decision-making process and noted that there was no requirement within the process prescribed by the Department of Health to indicate whether district councils in the area had been consulted on or supported the proposals.

Members were keen that other district authorities in the county should be engaged in the conversations regarding the use of the DFG allocation. Reference was made to a meeting that would be held on the afternoon of 12 July 2016 at which actions to support people living independently would be discussed. Members suggested that the concerns about the way in which the allocation of DFG funding was handled should be raised as urgent business to get the support of the other district authorities.

Members of the Committee drew the debate to a conclusion and agreed that it wanted to make a strong recommendation that the full DFG allocation should be paid to the district council, which the committee agreed unanimously.

Recommendations

- 1. That Lincolnshire County Council should pay to South Kesteven District Council the full allocation of monies from the Department of Communities and Local Government for disabled facilities grants, bringing the total payment for 2016/17 to £670,960.***
- 2. That from 2017/18 onwards, discussions about what should be done with future funding should be undertaken on the basis of Lincolnshire County Council working with the district councils.***

The Chairman thanked Mr. McGinty for attending the meeting and addressing the committee

11:34-11:42 – The meeting was adjourned

6. YEAR END PERFORMANCE UPDATE 2015/16

The Performance and Projects Team Leader presented report number PPM003 which gave an overview of the district council's performance against corporate performance measures at the end of 2015/16. Of the 11 indicators against which performance was assessed, 6 had targets set against them while the remaining 5 were contextual and recorded for data only; these were indicators that fell outside the direct control of the district council but provided an indication of general progress.

Members were advised that overall the Council had performed well. One highlight to which members' attention was drawn related to the number of affordable homes delivered, which had exceeded the target of 100 by 60 units. A question was asked in relation to the amber classification given to the number of new homes built. Members were assured that performance in South Kesteven reflected the national picture and was not a result of having insufficient land allocated for housing development or planning permissions not being granted. Members noted that housing supply and demand issues would form a key part of the housing strategy, which was under development.

Members also queried whether the new homes that were being built were occupied and the turnaround time for searches on properties.

In response to a question on the methodology used to calculate footfall in the town centres, members were advised that a manual system had formally been deployed, physically counting the number of people at specific locations in the town centres. This methodology was being reconsidered as the data provided was liable to be influenced by external factors including weather and special events. Officers were looking at other ways of articulating the success of town centres using data that would be less liable to fluctuate.

Members were advised that following the adoption of the new Corporate Plan in June 2016, new measures would be introduced to monitor progress. Work was also underway with regard to the tolerances that determined the performance of an indicator as green, amber or red. It was hoped that going forward a corporate approach would be taken to tolerances so that if performance was within 5% of the target it would be classified as amber and within 15% it would be classified as red. Any exceptions in either performance or tolerances related to performance would be highlighted within the commentary provided to members.

7. WORK PROGRAMME

Two items had been referred to the Committee for addition to its work programme.

The first item, referred by the Governance and Audit Committee related to the Council's green waste scheme. It had asked the Committee to consider the following points:

- Process for renewals following some difficulties experienced by some users in renewing
- Reduced rate for customers paying by direct debit

The second item had been referred by the Resources PDG and related to Internal Drainage Boards. The Committee had been asked to look into the following areas:

- How do we ensure we get value for money from Internal Drainage Boards
- Role of representatives – how do they advocate the best interests of the Council?
- How can representatives most effectively represent the council

A member of the Committee also suggested a scrutiny exercise on the Council's complaints handling process.

8. REPRESENTATIVES ON OUTSIDE BODIES

Members were advised that the most up-to-date information on the activities of the Upper Witham Drainage Board was available on its website. The suggestion was made that the website address be included in the folder stored in the Members' Lounge, in which information provided by Councillors who represented the authority on outside bodies was stored.

A report had also been submitted via the Committee's Chairman from the Council's representative on the Lincolnshire Police and Crime Panel which summarised the two meetings of the Panel that were held in June 2016.

9. CLOSE OF MEETING

The meeting was closed at 12:16pm.