



Resources and Public Realm Scrutiny Committee

Tuesday 7 November 2023 at 6.00 pm

Conference Hall - Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ

Please note this will be held as a physical meeting which all Committee members will be required to attend in person.

The meeting will be open for the press and public to attend or alternatively can be followed via the live webcast. The link to follow proceedings via the live webcast is available [HERE](#)

Membership:

Members

Councillors:

Conneely (Chair)
Long (Vice-Chair)
Aden
Ahmadi Moghaddam
Akram
S Butt
Georgiou
Miller
Mitchell
J. Patel
Shah

Substitute Members

Councillors:

Afzal, Begum, Collymore, Ethapemi, Fraser, Molloy,
Rajan-Seelan, Ketan Sheth and Smith

Councillors:

Kansagra & Maurice
Lorber & Matin

For further information contact: Natalie Connor, Governance Officer
Tel: 020 8937 1506 ; Email: Natalie.Connor@brent.gov.uk

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Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect of expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences** - Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

(a) Anybody of which you are a member or in a position of general control or management, and:

- To which you are appointed by the council;
- which exercises functions of a public nature;
- which is directed is to charitable purposes;
- whose principal purposes include the influence of public opinion or policy (including a political party or trade union).

(b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who is the subject of a registrable personal interest.

Agenda

Introductions, if appropriate.

Item	Page
1 Apologies for absence and clarification of alternate members	
2 Declarations of interests	
Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary or personal interests in the items on this agenda and to specify the item(s) to which they relate.	
3 Deputations (if any)	
To hear any deputations received from members of the public in accordance with Standing Order 67.	
4 Minutes of the previous meeting	1 - 10
To approve the minutes of the previous meeting held on Wednesday 6 September 2023 as a correct record.	
5 Matters arising (if any)	
To consider any matters arising from the minutes of the previous meeting.	
6 Annual Complaints Report 2022-23	11 - 120
This report provides the Scrutiny Committee with a breakdown of complaints received by department and the top 5 issues of complaint for those respective departments. The report also provides a breakdown of the number of complaints that have been upheld, not upheld, partly upheld, rejected or withdrawn for each department along with a correlation between the root causes and their issue types and outcomes of complaints.	
The report also includes the Annual Complaints report (approved by Cabinet on 16 October 23) detailing complaint's performance for the period 1 April 2022 to 31 March 2023 and also focussing on the nature of complaints and the learning they provide to inform Brent's future approach to service improvement.	
7 Q2 Financial Report	121 - 172

This report sets out the financial forecast for the General Fund revenue budget, the Housing Revenue Account, the Dedicated Schools Grant and the Capital Programme, as at Quarter 2 2023/24.

Members are asked to note that the report was considered and approved by Cabinet on 16 October 2023.

8 Scrutiny Progress Update - Recommendations Tracker 173 - 200

The purpose of this report is to present the Scrutiny Recommendations Tracker to the Resources and Public Realm Scrutiny Committee.

9 Scrutiny Work Programme 23/24 201 - 208

To provide an update on any changes to the Resources and Public Realm Scrutiny Committee's work programme.

10 Any other urgent business

Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or her representative before the meeting in accordance with Standing Order 60.

Date of the next meeting: Wednesday 24 January 2024



- Please remember to set your mobile phone to silent during the meeting.
- The meeting room is accessible by lift and seats will be provided for members of the public. Alternatively, it will be possible to follow proceedings via the live webcast [HERE](#)



MINUTES OF THE RESOURCES AND PUBLIC REALM SCRUTINY COMMITTEE Held in the Conference Hall, Brent Civic Centre on Wednesday 6 September 2023 at 6.00 pm

PRESENT: Councillor Conneely (Chair), Councillor Long (Vice-Chair) and Councillors Ahmadi Moghaddam, Akram, S Butt, Georgiou, Miller and J. Patel.

Also Present: Councillor Donnelly-Jackson, Cabinet Member for Customers, Communities & Culture and Councillor Farah, Cabinet Member for Safer Communities & Public Protection.

1. Apologies for absence and clarification of alternate members

Apologies for absence were received from Councillors Aden, Councillor Shah and Councillor Mitchell.

2. Declarations of interests

None.

3. Deputations

None.

4. Minutes of the previous meeting

It was **RESOLVED** that the minutes of the previous meeting held on Wednesday 19 July 2023 be approved as a correct record.

5. Matters Arising (if any)

None.

6. Establishment of Budget Scrutiny Task Group

Councillor Conneely presented a report from the Head of Strategy & Partnerships that outlined the arrangements of the establishment of a Budget Scrutiny Task Group to consider the Cabinet's budget proposals for 2024/25 and 2025/26. The Committee was advised that the task group would be made up of Members from both the Community & Wellbeing Scrutiny Committee and Resources & Public Realm Scrutiny Committee. The task group would undertake a series of meetings to examine the Council's budget proposals whilst considering key priority areas. Comments and draft recommendations from the Task Group were expected to be considered by the Resources & Public Realm Scrutiny Committee in January 2024, subsequently a report from the Committee would then be presented to Cabinet for consideration in February 2024; to coincide with the report from the Corporate Director of Finance and Resources on the final budget proposals.

The Committee agreed to note the recommendations as follows:

- (1) That a Budget Scrutiny Task Group be established with members to be confirmed at the Committee meeting on 6 September 2023.
- (2) The Terms of Reference for the group will be to:
 - (2.1) Consider the Cabinet's budget proposals for 2023/25 and 2025/26.
 - (2.2) Receive evidence from Cabinet Members, senior departmental officers and any other relevant stakeholders.
- (3) Agree a draft report to comment on the budget proposals for submission to the Resources & Public Realm Scrutiny Committee for ratification and submission to Cabinet.

7. Community Engagement Framework

Councillor Conneely welcomed Councillor Donnelly-Jackson, Cabinet Member for Customers, Communities & Culture, to introduce a report from the Corporate Director of Communities and Regeneration that provided an update on the development of the Council's Community Engagement Framework (CEF). Zahur Khan, Corporate Director of Communities & Regeneration highlighted that the framework was in its infancy, however he was keen to use the meeting as an opportunity to seek the Committee's views to support the development of the CEF with the overall aim of creating a framework that would achieve a consistent approach, using best practice to maximise engagement with the community and all stakeholders.

In the ensuing discussion the Committee raised the following points:

- The Committee queried how co-production and co-design techniques were being incorporated to support the development of the CEF. In response the Committee was advised that in recognition of including the community on the journey of the development of the CEF it was paramount that the progression of the framework took an inclusive approach. The Council were working with independent advisors to support the co- design element to ensure a process that invited maximum engagement with community groups, officers, and residents. The element of co- production related to how the agreed plans would be taken forward to implementation. It was felt that prioritising community engagement in the initial stages of designing the CEF would see greater success at the implementation stages.
- The Committee acknowledged that the CEF was in its early stages of development, however required clarity from officers that they had a clear vision going forward of what needed to happen to enact effective community practice. Officers advised that once the framework was in place, they would be in a better position to create a detailed action plan and planned to bring together a network of community organisations and stakeholders to support driving the framework forwards.
- Following a Committee query in relation to how the new CEF would support a revised approach to Brent Connects meetings, the Committee was advised that officers recognised that at present Brent Connects meetings were not

achieving an optimum level of engagement and effectiveness, however it was hoped that the creation of a new CEF would provide an opportunity to make delivery improvements to Brent Connects meetings that could include a mix of face to face and online meetings. Additionally, it was hoped that increased officer presence that included a member of CMT being present at each meeting would add weight to the process and increase public engagement. As well as the proposed delivery changes to Brent Connects meetings, officers advised that there were plans to improve the tracking of the discussions and actions agreed at the meetings with the introduction of an action log being published online after meetings to support residents in seeing the value of the process.

- The Committee welcomed a revision in the way that Brent Connects meetings were delivered and queried if as part of the changes, consideration could be given to the different geographical areas that Brent Connects meetings were divided in to. Particular attention was drawn to the Wembley Brent Connects area that was felt to be too large, as so many wards were included. It was felt that given that a number of issues were unique to specific wards, that strong consideration should be given to re-examining the size and groupings of the Brent Connects areas. As well as this the Committee felt that residents needed to be better informed that meetings were taking place and that they could attend a Brent Connects meeting that may not be in their Ward, if there was a topic being discussed that was relevant to them; additionally, it was felt more consideration should be given to accessibility requirements to ensure no groups were excluded. In response the Committee was advised that there was no current plan to change the geographical Brent Connects areas, however, it was acknowledged that more should be done to promote Brent Connects meetings and that residents could attend meetings beyond their specific ward. Councillor Donnelly-Jackson, Cabinet Member for Customers, Communities & Culture advised that accessibility and inclusivity remained a high priority, it was noted that there was information provided on leaflets produced that stated that if the information was required in a different format, this could be made available; however it was acknowledged that there was more that could be done to support improved accessibility and this was accepted as an action to take forward.
- Following a further Committee query into how Brent Connects meetings were promoted, and how community participation could be improved further, the Committee heard that Brent Connects meetings were currently promoted via flyers, social media, Ward Councillors and the Your Brent magazine. To enhance further meaningful public participation, it was suggested that Chairs and Vice Chairs of Brent Connects should actively seek feedback from residents to explore what they would like to see on the agenda.
- The Committee felt that the Your Brent magazine could be improved as an engagement tool, as concerns were raised that the magazine was not consistently distributed to every resident. Officers advised that this would be raised with the Comms team.
- The Committee sought clarity as to why Kingston's CEF had been chosen to share with the Committee as an example of best practice, in response the Committee was advised that Kingston's CEF had been chosen as one example of good practice that provided a good visual model to the Committee to demonstrate how Brent intended to move forwards in the development of the CEF. Officers clarified that further examples of good practice would be

- sought from the LGA to gain as broad an understanding as possible into what should be included in an effective impactful CEF.
- The Committee required clarity in relation to the themes identified so far, following officers' engagement with residents and groups. The Committee was advised that the data gathered from recent engagement was not available yet, however once analysis had been completed, the findings would support shaping the principles of the CEF.
 - The Committee raised concerns that the list of community organisations that were consulted within the report was limited and did not represent a diverse enough cross section of the community, additionally, it was questioned why the two neighbourhood forums had not been included as statutory consultees. In response to the concerns raised, officers advised that the Council held a much larger list of community organisation, the 10 groups identified in the report were included as a small representation of some of the groups that would be consulted with.
 - The Committee felt strongly that relationships between key community organisations and thematic leads should be nurtured to maintain positive links between the Council and community to support the effective co-design and co-production of the CEF moving forward.
 - The Committee required clarity in relation to whether officers felt that outsourcing some of the community engagement work to acquire information to support the development of the CEF offered good value for money and if the outsourced company had adequate knowledge of the borough to ensure that engagement was correctly targeted and maximised. Officers advised that it was felt to be an appropriate and efficient use of funds as good quality independent feedback would be delivered to support identifying the next steps in the development of the CEF.
 - Following a Committee query in relation to how officers planned to engage with some of the traditionally harder to reach cohorts and new communities to Brent, the Committee was advised that officers were utilising the already established relationships between officers and specific groups, In addition to this it was hoped that Councillors would be able to support and promote within their wards and share any community links they had.
 - The Committee highlighted how important they felt it was that existing links with mutual aid groups and community champions were utilised effectively throughout the CEF development process.
 - In response to a Committee query regarding what officers hoped to achieve with the reformed CEF, the Committee heard that the Council wanted to gain a clearer governance structure outlining the expectations residents could expect, it was hoped that through greater consistency and communication an effective CEF would be produced that would support all future community work and affect positive outcomes within the community.
 - The Committee requested that if there were specific areas of improvement identified by the independent consultant, it would be helpful if these could be shared at a future Members Session.
 - The Committee enquired what plans were in place to monitor the impact of the CEF. Officers advised that once the framework was embedded in practice, a monitoring tool would be implemented to assess positive impact and respond appropriately to any areas that required improvement.

In closing the discussion, the Chair thanked officers and Committee Members for their contributions towards the scrutiny on the item before summarising the outcome of the discussions and additional actions, which were **AGREED** as follows:

Suggestions for Improvement

- (1) Revisit the current format of Brent Connects meetings; this should include a review of how agendas can be co-designed and driven by residents. Additionally, how the Council can address the gaps in engagement caused by the current geographical boundaries of Brent Connects areas. For instance, residents being assigned to areas which do not necessarily reflect what they consider their neighbourhoods.
- (2) The following groups should be included in the Community Engagement Framework consultation and engagement activities –
 - Carers, including young carers
 - Young people
 - Brazilian communities
 - Goan communities
 - Any other emerging communities identified
 - Neighbourhood Forums
 - Trade Unions (in line with HR compliance)
 - Businesses
- (3) Undertake a member survey to engage Councillors on the development of the Framework, including stakeholders the Council should be engaging as part of the work.
- (4) Pending the results of the survey, explore delivering a workshop to engage Councillors on the development of the Framework, including stakeholders the Council should be engaging as part of this work.
- (5) Work with departments to make improvements to Brent's online consultation platform and to the general approach to consultations –
 - Where residents are clearly informed of the timescales related to the initiatives/policies/strategies they are being consulted on and;
 - Where consultation feedback/results are made readily available to residents/partners in one central place.
- (6) Liaise with the Local Government Association (LGA) and other relevant external bodies to identify good practice to inform the upcoming Community Engagement Framework.
- (7) As far as possible, review Council documents (including the new Community Engagement Framework) for jargon and update accordingly.

Information Requests

- (1) Provide further detail on where 'Your Brent' magazine fits in to the Community Engagement Framework, and what specific reviews of the magazine will take place as part of the development of the new framework.
- (2) Provide detailed information on the emerging communities in Brent; to include, who are they, how are they currently being engaged with and what challenges there are in engaging these communities.

8. Planning Enforcement

Councillor Farah, Cabinet Member for Safer Communities and Public Protection introduced a report from the Corporate Director of Communities and Regeneration that outlined the planning enforcement process as carried out in Brent and detailed how this area of work was resourced. The Committee heard that Brent's Planning Enforcement performance was consistently good and rated within the top 3 nationally, despite this the Planning Enforcement Team continued to seek ways to continue to improve the service.

Following the information heard the Committee raised the following points for discussion:

- Committee Member's shared that they were often contacted from constituents who had raised Planning Enforcement issues and subsequently felt they had not been listened to as they did not receive adequate communication from the Council, therefore the Committee required clarity on the number complaints received, specifically, in relation to the lack of communication following an initial planning enforcement complaint. In response the Committee was advised that very few complaints of this nature were received, where they were received, they were resolved promptly by the Head of Planning and Development Services.
- The Committee felt it was important to manage residents' expectations when they raised a possible planning enforcement issue and queried with officers how clear the process was to residents from the point that a complaint was reported. In response the Committee was advised that once a complaint was received a letter of acknowledgement would be sent out within 7 days to the complainant acknowledging receipt of the complaint with an explanation on the back of the letter that advised of what would happen next. The Committee heard that it was difficult to provide complainants with an exact timescale as there was several factors that could affect the speed and escalation of a complaint, namely the quality of the evidence provided at the point of making the complaint. If good quality evidence was provided and officers felt that there was a breach, officers would aim to complete a visit within 2 weeks. Once a site visit has been completed officers would notify the complainant to update them as to whether the Council were able to take action.
- The Committee noted that not all complaints received progressed to action being taken, as some complaints did not constitute a breach and where there were breaches identified, due to limited resources within the team, only the highest priority cases were likely to be progressed.

- Officers recognised the reputational risk that could be expected if residents felt their reports were not being acknowledged and in turn appreciated the need for improved communication to support residents understanding and expectations of planning enforcement in Brent; with improved guidelines and threshold information available to support residents in managing their expectations of the service.
- The Committee required clarity on the communication Ward Councillors could expect if a breach was identified in their wards. Officers advised that due to GDPR considerations it was not always possible to include Councillor's in emails that updated the progress of a case, unless they were included in correspondence at the initial stages, or the report had been submitted via the Member Enquiry System. Officers recommended that if residents were concerned about lack of communication, they could contact their specific case officer and if no response was received, they could contact the Head of Planning Enforcement to request an update.
- The Committee queried if the initial acknowledgement letter sent to complainants who had reported a suspected breach clearly communicated the next stages of the process, as it was felt that this information would support residents in managing their expectations of the service. Officers advised that there was clear guidance provided on the acknowledgement letter, however the document was due for review and in line with the revised general information for residents in relation to the work of the Planning Enforcement service. It would be updated to provide more detail and clarity for residents, including approximate timescales so that residents would know if and when it was appropriate to escalate their concerns.
- The Committee queried how the Cabinet Member for Safer Communities & Public Protection was kept updated with enforcement issues, in response the Committee was advised that Tim Rolt, Enforcement Team Manager regularly met with Councillor Farah in his capacity as Cabinet Member for Safer Communities & Public Protection to update him on cases where direct action had been taken as well as providing him with a data update. The Committee queried if it was possible to receive a breakdown of how many enforcement complaints and notices were issued per ward, including information on types of breaches. It was felt this information could assist more targeted comms campaigns specific to areas where certain breaches were more prevalent. In response officers advised that a new database was currently being procured, once this was in place it would be easier to extract the data requested to support both Ward Councillors in understanding the issues in their wards and to provide targeted comms.
- In terms of prevention, the Committee felt that it may be useful to feature successful prosecutions and direct actions in the Your Brent magazine and Brent Council website to act as both a deterrent and to reassure residents that the Council would take action where proven breaches had been identified.
- The Committee recognised that the cumulative cuts made from central government to Council budgets had undoubtedly had an operational impact on the Planning Enforcement service, despite this the Committee felt the team were managing well with the limited resources available, however queried if a reduction in the backlog of work could be supported by the introduction of an apprenticeship scheme within the service or job sharing opportunities to assist in covering sickness and leave. In response the Committee was advised that it was possible to re-deploy staff if necessary, however this was not an option

that had been fully explored yet, additionally, the Planning Development Team were able to support in signing off cases when needed. An apprenticeship would be welcomed by the department; however, it was acknowledged that funding would need to be sought to provide this.

- The Committee required clarity on cases where after a period of time any breach of use of land or buildings that had not been challenged by enforcement action could be granted as established use. The Committee was advised that once an enforcement notice was issued, the land/building could not be recognised as established use regardless of the time taken to enforce any remedial action, therefore even if cases were caught in a backlog, once the notice had been issued it would remain until the breach had been remedied and established use could not be claimed.
- The Committee were concerned that there was no scope to carry out visits to address complaints in relation to construction issues, it was felt this was a key concern for many residents, particularly in wards identified for large scale regeneration as these issues could continue over years. In response the Committee was advised that throughout the planning process conditions were often added via a Construction Management Plan in order to mitigate concerns identified in the planning phase. If there were felt to be breaches in relation to the Construction Management Plan, concerns should be reported to better placed Council departments such as the Highways Enforcement Team and the Noise Team who could provide a more effective response to the concerns raised.
- The Committee recognised that construction related issues were better placed with the Highways Enforcement Team and the Noise Team, however felt that this information should be clearly communicated to residents and Councillors as they were unlikely to be aware of the different reporting mechanisms available to them across the Council.
- The Committee queried how other enforcement agencies within the Council could also help to alleviate the pressure from Planning Enforcement where appropriate. The Committee was advised that Planning Enforcement liaised closely with housing colleagues, the ASB team and Noise team to support successful resolutions and share resources effectively. The Committee were further advised that a strategy would be proposed to Cabinet in relation to using the digital strategy more effectively within the Council to support enhanced information sharing between departments, whilst being mindful of data protections in place.
- The Committee required clarity in relation to Planning Enforcement's consideration of conservation areas in the context of the climate crisis, in response officers acknowledged the close connection between climate change and conservation and advised that work was being actively undertaken to explore how to integrate energy saving measures within conservation areas.

At this stage in proceedings, the Committee agreed to apply the guillotine procedure under Standing Order 62(c) in order to extend the meeting for a period of 15 minutes and enable the remaining business on the agenda to be completed.

As the Committee had no further questions for officers, the Chair thanked the Planning Enforcement team for attending the Committee and for the effective work that had taken place within Brent, before moving on to summarise the outcome of

the discussion and the additional actions identified, which were **AGREED** as follows:

Suggestions for Improvement

- (1) Where possible, include benchmarking data to accompany figures/statistics provided in all future scrutiny committee reports. In the absence of benchmarking data, provide context behind figures/data provided in reports e.g., percentages.
- (2) To avoid unnecessary back and forth dialogue between officers and residents, improve communications around the standard of evidence required to proceed with planning breach complaints. This should include public education, and improvements to the planning enforcement webpage including the reporting mechanism.
- (3) Review the effectiveness of the Planning Enforcement Investigation Guide to better manage residents' expectations of the planning enforcement process (e.g., providing clarity on planning enforcement timescales).
- (4) Undertake an audit to determine the wards with the highest amount of planning breach complaints, and the wards with the highest amount of enforcement activity. This intelligence should be used to develop a targeted strategy to prevent planning breaches e.g., targeted planning education and/or communications campaigns etc. The Audit should also categorise the types of breaches receiving enforcement notices.
- (5) Explore additional ways to increase staffing capacity in the Planning Enforcement team to address backlogs.

Information Requests

- (1) Provide a copy of the Planning Enforcement Investigation Guide.
- (2) Provide a breakdown of –
 - Planning breach complaints by ward.
 - Enforcement activity by ward.
 - Types of breaches that have received enforcement notices by ward.
- (3) Provide planning enforcement timescales.
- (4) Provide information on the training provided to planning enforcement staff in Brent.

9. Scrutiny Progress Update – Recommendations Tracker

The Committee was invited to consider the progress and updates provided in relation to the Resources & Public Realm Scrutiny recommendation and information request tracker. The Committee noted that there were a number of outstanding items that were due to be responded to by the November 2023 meeting and looked forward to receiving those responses.

10. **Scrutiny Work Programme**

The Committee noted there were no changes to the work plan since the last Committee meeting. The Committee noted that it was a live document and in addition to the agreed items, additional items may be added as and when necessary, when brought to the Committee's attention.


11. **Any Other Urgent Business**

None.

Date of the next meeting: Wednesday 7 November 2023

The meeting closed at 9.11pm

COUNCILLOR RITA CONNEELY
Chair

 Brent	Resources & Public Realm Scrutiny Committee 7 November 2023
	Report from the Corporate Director of Governance
	Lead Cabinet Member Deputy Leader, Cabinet Member for Finance, Resources & Reform (Councillor Shama Tatler)

Complaints Annual Report 2022 – 2023

Wards Affected:	All
Key or Non-Key Decision:	Not Applicable
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
List of Appendices:	Two Appendix 1: Correlation between root cause, issue types and outcomes of complaints by department. Appendix 2: Annual Complaints Report 2022 – 2023 with accompanying appendices. Appendix 2a: Adult Social Care Complaints Appendix 2b: Children & Young People Complaints Appendix 2c: Self-Assessment Housing Ombudsman Appendix 2d(i): Damp and Mould Self Assessment Appendix 2d(ii) Damp and Mould Leaflet Appendix 2e: Benchmarking Data
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Mariza Barros Complaints and Casework Manager Brent Council 0208 937 1381

1.0 Executive Summary

1.1 This report provides a breakdown of complaints received by department and the top 5 issues of complaint for those respective departments. The report also provides a breakdown of the number of complaints that have been upheld, not upheld, partly upheld, rejected or withdrawn for each department.

- 1.2 Appendix 1 provides a correlation between the root causes and their issue types and outcomes of complaints.
- 1.3 The annual complaints report in Appendix 2 sets out complaint's performance in Brent Council for the period 1 April 2022 to 31 March 2023 and focuses on the nature of complaints and the learning they provide to inform Brent's future approach to service improvement.
- 1.4 Complaints concerning Adult Social Care (ASC) and Children's Social Care are governed by separate statutory complaint procedures and individual summary reports have been provided for these services in Appendices A and B respectively as part of the Annual Complaints Report 2022-23.
- 1.5 The annual complaints report also contains the Council's self-assessment against the Housing Ombudsman's Complaint Handling Code and Damp and Mould Spotlight Report in Appendix C and D respectively.
- 1.6 A comparison of the Council's performance with other London boroughs provided by the Local Government and Social Care Ombudsman has been provided as part of the annual complaints report in Appendix E.

2.0 Recommendation(s)

- 2.1 Scrutiny is asked to note Brent's performance in managing and resolving complaints.
- 2.2 Scrutiny is asked to note, and review Brent's self-assessment against the Housing Ombudsman's Complaint Handling Code and Damp and Mould Spotlight Report.

3.0 Detail

3.1 Contribution to Borough Plan Priorities & Strategic Context

- 3.1.1 Complaints provide important learning points for the Council and allow us to inform the Council's priorities in many different ways. Through these learning points, we can make changes to achieve and further our priorities and move forward together. Complaints provide an opportunity for the Council to understand issues and put things right, also ensuring that they do not reoccur.
- 3.1.2 Complaints are wide ranging and dealt with across the Council. Owing to this, they touch upon all the priorities within the Borough Plan as detailed below:
 - *The Best Start in Life* - Being able to deal with concerns at crucial stages of people's lives allows them to get the best start in life. Assisting our looked after children and children with special educational needs with issues that they may have, and providing advocacy to bring these issues forward to the Council will ensure that they are provided with the necessary support in life.

- *Thriving Communities* - Providing our residents with a route to complain and provide feedback not only encourages resident engagement but allows us to make improvements and inform change. In turn, by addressing their concerns and developing solutions that will benefit them, communities are given the opportunity to thrive.
- *A Cleaner, Greener Future* - The Council receive a number of complaints regarding environmental issues, which are reviewed and help us target specific areas. This also allows the Council to evaluate services that are being provided to ensure they meet our aspirations for a cleaner, greener future.
- *Healthier Brent* – Complaints regarding leisure services and our parks allow the Council to investigate and develop more initiatives to improve the health and wellbeing of our residents and those that visit Brent. During our complaints process we also signpost to relevant services that can assist our complainants, such as Mental Health services.
- *Prosperity and Stability in Brent* – Analysis of complaints received about housing needs is fundamental in terms of providing the tools and initiatives to support, empower and equip residents, and ensure long term stability.

3.1.3 Complaints feed into some of the current strategies, priorities and plans set out for Brent, such as the Equality Strategy 2019 – 2023 to ensure residents and service users are provided with access to the complaints procedure and that we use equalities data to concentrate on providing support to individual needs and in line with the Public Sector Equalities Duty (PSED). The Digital Strategy 2022-2026 also plays a pivotal role in looking at how users are accessing our services and how they are logging complaints. We are making it easier for users to log complaint casework, view the history of what they have logged, and access everything in one place.

3.1.4 During discussion with Lead Members on 25 September 2023, one councillor asked for more information on what constitutes a service failure when looking at root cause classifications. Service failure sub-categories include delay in service, service not provided, service provided but not as agreed and third party failure. Overall, the service issues that fall within this category and what these comprise are wide and far reaching, and for this reason deeper analysis may mean that numbers are so few as to be of any meaningful use. However, a breakdown has been provided in Appendix 1. Councillors are encouraged to discuss the issues with their service leads to gain a clearer understanding of the types of service issues that tend to arise within their portfolio areas.

3.2 Background

3.2.1 Scrutiny Committee have asked for a cover report on the themes and issues resulting from complaints. They have requested a breakdown by department of the key issues and the outcomes of complaints that are investigated by the Council.

3.2.2 Breakdown of complaints received by department and issue type

A breakdown has been provided of the top 5 issues where available for each department. The Councils commissioned services' complaint issues have been incorporated in the overall data.

Adult Social Care received 157 Stage 1 complaints. The top 5 issues were:

- Care package assessments/reviews – 21
- Hospital discharge – 20
- Complex care – 18
- Duty Team – 17
- Social worker/officer – 16

In Communities, there was one Stage 1 complaint made. This issue related to:

- Prevent – 1

The Customer Access department received 404 Stage 1 complaints. The top 5 issues were:

- Council Tax - 297
- Libraries – 32
- Benefits – 19
- Debt recovery - 10
- Housing benefits – 8

Environment and Leisure received a total of 85 Stage 1 complaints. The top 5 issues were:

- Environments and Leisure were Parking and lighting – 22
- Bin collection – 10
- Highways and Infrastructure – 8
- Anti-social behaviour – 7
- Parks – 4

Executive and Member Services received a total of 3 Stage 1 complaints. These were:

- Complaints service – 2
- Electoral Service – 1

The Finance department received a total of 10 Stage 1 Complaints. The top 5 Issues were:

- Insurance – 3
- Invoices – 3
- Payments – 2
- Payroll – 1
- Accounts payable -1

The Housing department received a total of 1010 Stage 1 complaints. The top 5 issues were:

- Repairs – 384

- Homelessness applications – 107
- Wates – 87
- Communal repair and cleaning – 68
- Housing customer care – 52

The HR department received one Stage 1 complaint. This issue was:

- Brent recruitment – 1

The Integrated and Improved Outcomes department received a total of 173 Stage 1 complaints. The top 5 issues were:

- Brent family front door, multi-agency safeguarding hub and no recourse to public funds - 30
- SEND Specialist Services - 19
- East Locality teams - 21
- Looked after children - 17
- Care planning – 14

The legal department received a total of 4 Stage 1 complaints. This issue was:

- Brent legal service – 4

The Property and Assets department received a total of 12 Stage 1 complaints. The top 5 issues were:

- Access and facilities (Brent Civic Centre) – 5
- The residential property team – 2
- Development management - 2
- Residential Construction (new homes) - 1
- Commercial property – 1

Regeneration, growth and employment received a total of 30 Stage 1 complaints. The top 5 issues were:

- Planning -11
- South Kilburn Estates Regeneration – 8
- Customer service - 4
- inadequate investigation or analysis – 2
- Delays and lack of action – 2

The Safeguarding Partnerships and Strategy department received a total of 26 Stage 1 complaints. The top 5 issues were:

- School admissions - 10
- Commissioning - 8
- Child protection – 3
- Quality assurance - 1
- Business support -1

Transformation received a total of 4 Stage 1 complaints. These issues were:

- Poor customer service at the Hubs - 1
- FOI -1
- i4b and FWH - 1

- Information Governance – 1

3.2.3 Service areas use the information gathered from complaints to make service improvements. Once a complaint has been investigated any corrective actions that arise from the complaint are recorded on the Council's case management system to be tracked and monitored to completion. Officers are asked to upload any evidence so that it is readily available and can be retrieved when requested.

3.2.4 Section 3.2.17 in the Annual Complaints Report provides some examples of learning from complaints and improvements that have been implemented as a result.

3.2.5 Breakdown of Stage 1 complaint outcomes by Department

There are several outcomes to a complaint. A definition has been provided below for each outcome:

- *Upheld*
If substantive evidence is found to support the complaint, then the complaint should be recorded as upheld.
- *Not upheld*
If there is no evidence to support any aspects of a complaint made, the complaint should be recorded as not upheld.
- *Partly upheld*
If a complaint is made about several issues and one or more, but not all, are upheld then the complaint should be recorded as partially upheld.
- *Withdrawn*
Sometimes people choose not to pursue their complaint. This may be because the issues have since been resolved, for personal reasons or because of a change in circumstances.
- *Rejected*
Complaints may be rejected if the issues are currently being dealt with through court proceedings, a safeguarding investigation is ongoing or if it has been more than 12 months since the issue occurred.

Department	Complaint Withdrawn / Not pursued	Not Upheld	Partly Upheld	Rejected	Upheld	Total
Adult Social Care	1	54	66	5	31	157
Communities		1				1
Customer Access	19	239	68	14	64	404
Environment and Leisure	6	38	23	4	14	85
Executive Member Services	1	1	1			3
Finance			1	2	7	10
Housing	52	469	101	99	289	1010
HR			1			1
Integration & Improved Outcomes	3	69	68	7	26	173
Legal		3	1			4
Property & Assets		8	4			12
Public Health		8	4		4	16
Regeneration, Growth & Employment	6	17	4		3	30
Safeguarding Partnership & Strategy	1	16	3		6	26
Transformation			1		3	4
Total	89	923	346	131	447	1936

3.2.6 The table above shows the breakdown of Stage 1 complaint outcomes by department type.

3.2.7 A breakdown of the departments which received the highest amount of stage 1 complaints and their uphold rate is provided below:

- The Housing department which received 1010 Stage 1 complaints. Of these 1010 complaints, 390 cases were upheld which presents a 37% uphold rate.
- Customer access received 404 Stage 1 complaints: Out of these 404 complaints, 132 were upheld or partly upheld which presents a 68% uphold rate.
- Integration and Improved Outcomes received 173 Stage 1 complaints. Out of these 173, 94 were upheld or partly upheld which presents a 68% uphold rate.
- In Adult Social Care, there were a total of 157 Stage 1 complaints received. Out of these 157 complaints, 97 were upheld or partly upheld which presents a 66% uphold rate.
- Environment and leisure received 85 Stage 1 complaints. Out of these 85 complaints, 37 were upheld which presents a 23% uphold rate.

3.2.8 Although the Housing department and the Environment and Leisure department receive a high number of stage 1 complaints, the uphold rate is relatively low at 37% and 23% respectively which is under the 50% mark.

3.2.9 Breakdown of Stage 2 complaint outcomes by Department

Department	Complaint Withdrawn / Not pursued	Not Upheld	Partly Upheld	Rejected	Upheld	Total
Adult Social Care	1	6	10		1	19
Communities					1	1
Customer Access		11	8	2	1	22
Environment and Leisure		17	7	1	1	27
Executive Member Services		1				1
Finance			1			1
Housing	3	45	56	1	47	155
Integration & Improved Outcomes		5	19		2	26
Legal			2			2
Property & Assets		5				5
Regeneration, Growth & Employment		9	2		1	12
Safeguarding Partnership & Strategy		2				2
Transformation		1				1
Total	4	102	105	4	54	274

3.2.10 The table above shows the breakdown of Stage 2 complaints outcomes by department type.

3.2.11 The departments where the highest number of Stage 2 cases were upheld are:

- In the Housing Department, 56% of Stage 2 complaints were upheld.
- In Integration & Improved Outcomes, 19% of Stage 2 complaints were upheld.
- In Adult Social Care, 10% of Stage 2 complaints were upheld.
- In Customer Access, 8% of Stage 2 complaints were upheld.
- In Environment and Leisure, 7% of Stage 2 complaints were upheld.

3.2.12 Complaints at stage 2 are investigated independently of the service area by the Complaints team. This provides independence, transparency and fairness. The stage 2 investigation is a consideration review of the adequacy of the

stage 1 response as well as any new and relevant information not previously considered.

3.2.13 Breakdown of Stage 3 complaint outcomes by department

Department	Not Upheld	Partly Upheld	Total
Integration & Improved Outcomes	1	4	5

3.2.14 The table above shows the breakdown of Stage 3 complaint outcomes by department. As only Children’s statutory complaints have three stages, the data is limited to the Children and Young people directorate.

3.2.15 Integration & Improved Outcomes received five Stage 3 complaints; 80% of the cases were partly upheld.

3.2.16 Usually complaints that are escalated to the final stage are likely to be upheld or partly upheld due to the number of points of complaint. Even if only one complaint point is upheld the overall complaint outcome will be partly upheld.

4.0 Stakeholder and ward member consultation and engagement

4.1 The report was discussed at Cabinet and is on the agenda for scrutiny committee.

5.0 Financial Considerations

5.1 The details provided in the Annual Complaints Report 2022-23 (Appendix 2) on compensation payments in sections 3.2.10 - 3.2.13 and throughout the report reflect the monetary impact of not getting things right the first time as an organisation and the need to improve the customer experience thus minimising the financial penalties incurred by the Council.

5.2 The total number of cases where compensation was awarded/offered has decreased by 16% when compared to 2021/22. However, the amount of compensation awarded/offered for each case has increased by £156.

5.3 The total compensation awarded/offered in 2022/23 was £165,827 (263 cases), which is similar to the previous year. The cost implications and budgetary impacts to the Council are being continuously monitored.

6.0 Legal Considerations

6.1 Complaints concerning Adult Social Care and Children’s Social Care fall under separate statutory complaint procedures. It is a legal requirement to produce annual reports for these areas and these are included as part of the complaints annual report in appendices A and B with reference to the statutory frameworks for the management of these statutory complaints.

- 6.2 The Local Government and Social Care Ombudsman (LGSCO) or the Housing Ombudsman is the final stage in the complaints process, where an individual has complained to the council and remains dissatisfied with the outcome.
- 6.3 The LGSCO can investigate allegations of maladministration in connection with the exercise of a local authorities' administrative function, allegations regarding a failure in a service which it is the local authorities function to provide, an allegation or an apparent failure to provide such a service pursuant to the Local Government Act 1974 as amended.
- 6.4 The Housing Ombudsman investigate complaints and resolve disputes involving the tenants and leaseholders of social landlords (housing associations and local authorities), as well as for voluntary members (private landlords and letting agents). Under the Social Housing Regulation Act the Housing Ombudsman has gained considerable new powers and, following approval by the Secretary of State of a revised Scheme, is now able to order a landlord to evaluate a particular policy or practice to prevent service failure being repeated. Previously, these types of orders would have only been recommendations, which the landlord was not duty bound to act upon. The expanded authority enables the Ombudsman to require landlords to go beyond the scope of individual complaints and seek to address any wider issues.

7.0 Equality, Diversity & Inclusion (EDI) Considerations

- 7.1 Under Section 149 of the Equality Act 2010, the Council has a duty when exercising their functions to have 'due regard' to the need:
- (a) to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited under the Act;
 - (b) advance equality of opportunity; and
 - (c) foster good relations between those who share a "protected characteristic" and those who do not.
- 7.2 This is the Public Sector Equality Duty (PSED). The 'protected characteristics' are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, sex, and sexual orientation.
- 7.3 Although there have been no equality implications identified as a result of this report, the Council is improving the complaints system so that equalities data is captured, and data analysis can be used to identify issues that may disproportionately affect different equality groups.

8.0 Climate Change and Environmental Considerations

Not applicable

9.0 Human Resources/Property Considerations (if appropriate)

Not applicable

10.0 Communication Considerations

- 10.1 The government have introduced a 'Make Things Right' advertising campaign in relation to social housing complaints. The Housing Ombudsman as well as the Local Government and Social Care Ombudsman issue spotlight reports to address thematic issues.
- 10.2 The Council continues to advertise its complaints policy on the Council's website and in correspondence with residents.

Report sign off:

Debra Norman
Corporate Director of Governance

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Appendix 1 - Correlation between root cause, issues types and outcomes of complaints by department

Department, Root Cause and Issue types	Outcomes					Grand Total
	Complaint Withdrawn / Not pursued	Not Upheld	Partly Upheld	Rejected	Upheld	
Adult Social Care	1	54	66	5	31	157
Communication		31	36	4	8	79
Care Needs Assessment or Package		5	5	2		12
Complex Care - Other		6	4	1		11
Duty Team		2	6		1	9
Social worker/ Officer		4	2		2	8
ASC Mental Health		2	4		1	7
Hospital Discharge Service			3		1	4
Rehab & Reablement Service		2	1			3
Community Equipment		1	1		1	3
Access and Information - Other		1	2			3
Duty Team - Other		1	2			3
Hospital Discharge Team		2				2
Communication		1	1			2
Social worker/Officer		1		1		2
Hospital Discharge - Other			1		1	2
Supported Living - Other					1	1
Care Package			1			1
Residential - Other		1				1
Learning Disability Services			1			1
Lack of action		1				1
My Needs Assessment Or Care Package - Supported Living			1			1
Learning Disability			1			1
Care Assesor		1				1
Policy / Procedures		2	4		3	9
Complex Care - Other		1	1		1	3
Hospital Discharge - Other		1	1			2
Social worker/ Officer					1	1
Partnerships - Other			1			1
Care Package Review - Homecare			1			1
Hospital Discharge Service					1	1
Service Failure	1	21	26	1	20	69
Supported Living - Other		1	6	1	3	11
Residential - Other			1		4	5
Social worker/ Officer			5			5
Duty Team		1	1		3	5
Hospital Discharge - Other	1	1	2		1	5
Care Home / Residential Service		1	2		1	4
Hospital Discharge Service		4				4

Department, Root Cause and Issue types	Complaint Withdrawn / Not pursued	Not Upheld	Partly Upheld	Rejected	Upheld	Grand Total
Complex Care - Other		2	1		1	4
Community Equipment					3	3
Care Package Review - Care Home/Residential		2	1			3
Client Invoices			1		1	2
Care Package Review - Supported Living			2			2
Rehab & Reablement Service		2				2
ASC Mental Health			2			2
Access and Information - Other		2				2
Learning Disability Services		2				2
Occupational Therapist			1			1
Residential Care		1				1
My Needs Assessment Or Care Package - Homecare			1			1
Partnerships - Other		1				1
Care Needs Assessment or Package		1				1
Provider Payments					1	1
Care Package					1	1
Mental Health - Other					1	1
Customer Access	19	246	72	14	68	419
Communication	6	41	15	1	24	87
Council Tax - Other		6	2	1	5	14
Council Tax - Enforcement Action		9	3		1	13
Council Tax - Payments, Refunds & Direct Debits		4	1		3	8
Benefits Assessment		4			1	5
Contact Centre - Staff Attitude	1		1		3	5
Libraries – Staff Conduct		2	1		1	4
Customer Access Contact Centre - Other	2	1	1			4
Libraries - Poor Customer Service			1		2	3
Libraries – Noise		1			1	2
Libraries - Other		2				2
Council Tax - Discounts/Exemptions		1			1	2
Local Welfare Assistance - DHP's		1			1	2
Accessing My Account	1				1	2
Business Rates - Direct Debits			1			1
Council Tax - Call Waiting Time		1				1
Independent Travel - Other			1			1
Blue Badge - Service Delay			1			1
Libraries – Poor website navigation		1				1
Council Tax - Poor Customer Experience		1				1
Housing Benefits - Other		1				1
Business Rates - Account		1				1
Benefits -Incorrect Advice Given					1	1
Contact Centre Call Waiting Times	1					1

Department, Root Cause and Issue types	Complaint Withdrawn / Not pursued	Not Upheld	Partly Upheld	Rejected	Upheld	Grand Total
Benefits - Staff Attitude		1				1
Overpayments - Recovery					1	1
Births, Marriages & Deaths		1				1
Report Misuse			1			1
Local Welfare Assistance - Other					1	1
Customer Service Centre - Long Waiting Times					1	1
Poor Customer Service			1			1
Debt Recovery - Customer Service		1				1
Third Party Issue	1					1
Debt Recovery - Payments		1				1
Freedom Pass - Other		1				1
Policy / Procedures	8	173	33	2	14	230
Council Tax - Enforcement Action		61	19		8	88
Council Tax - Other	2	72	7	1	3	85
Council Tax - Discounts/Exemptions		15				15
Council Tax - Payments, Refunds & Direct Debits		7	1			8
Libraries - Other		3	1		1	5
Council Tax - Poor Customer Experience		4	1			5
Housing Benefits - Other	1	2				3
Council Tax - Energy Rebate payment		2				2
Client Affairs - Assessments	1	1				2
Freedom Pass - Assessment			1			1
My Account - Other	1					1
Council Tax - Banding		1				1
Business Rates - Account		1				1
Sports - Other			1			1
Libraries – Noise		1				1
Births, Marriages & Deaths		1				1
Contact Centre - Incorrect information / knowledge					1	1
Local Welfare Assistance - Other		1				1
Local Welfare Assistance - DHP's	1					1
Benefits - Delay In Assessment			1			1
Local Welfare Assistance - Welfare Reforms	1					1
Customer Access Operations - Other					1	1
Other			1			1
Debt Recovery - Invoicing / Billing				1		1
Benefits Assessment	1					1
Debt Recovery - Recovery		1				1
Service Failure	5	32	24	11	30	102
Council Tax - Enforcement Action		8	2	4	4	18
Council Tax - Payments, Refunds & Direct Debits	1	5	1		5	12
Council Tax - Other		1	6	3	1	11

Department, Root Cause and Issue types	Complaint Withdrawn / Not pursued	Not Upheld	Partly Upheld	Rejected	Upheld	Grand Total
Council Tax - Poor Customer Experience			1		6	7
Benefits - Delay In Assessment	1	4	1	1		7
Council Tax - Discounts/Exemptions		1	1		4	6
Libraries – Noise		1			3	4
Housing Benefits - Other			1	1	2	4
Libraries – Environment		1	2			3
Libraries – Staff Conduct		2				2
Benefits Assessment	1			1		2
Customer Service Centre - Staff Attitude		2				2
Libraries - Poor Customer Service		2				2
Debt Recovery - Other		1	1			2
Third Party Issue	1				1	2
Libraries – Availability of Stock			2			2
Financial Assessment			1			1
Libraries - Poor Quality Of Service information provided			1			1
Customer Service Centre - Long Waiting Times			1			1
Benefits -Incorrect Advice Given				1		1
Local Welfare Assistance - Other	1					1
Hubs - Poor Customer Service					1	1
Libraries - Other					1	1
Debt Recovery - Customer Service					1	1
Libraries – Poor Event Delivery			1			1
Debt Recovery - Invoicing / Billing					1	1
Debt Recovery - Account Enquiries		1				1
Libraries – IT equipment		1				1
Overpayments - Recovery		1				1
Libraries – Netloan		1				1
Client Affairs - Other			1			1
Debt Recovery - Payments			1			1
Environment and Leisure	5	36	17	4	11	73
Communication	3	9	8		4	24
Parking & lighting team - parking enforcement		2				2
HS&P – Traffic Enforcement	1				1	2
Community Group			2			2
HS&P - Parking Enforcement	1	1				2
Street Cleaning			1			1
Parking & lighting team - trees			1			1
Community safety team - other		1				1
Environmental enforcement team - Waste on private land	1					1
Parks - Playgrounds & Play Areas					1	1
Highways & Infrastructure - Other		1				1
Parking & lighting team - other					1	1

Department, Root Cause and Issue types	Complaint Withdrawn / Not pursued	Not Upheld	Partly Upheld	Rejected	Upheld	Grand Total
Highways & Infrastructure Team - Crossings & Road Safety			1			1
Parking & lighting team - permits					1	1
HS&P - Other	1					1
Parks - allotments holders day to day issues	1					1
ASB - other			1			1
Sports - Car Park			1			1
Cemeteries - poor customer experience	1					1
Environmental enforcement team - staff attitude			1			1
Licensing Query	1					1
Policy / Procedures		12	2	1	1	16
HS&P - Disabled Bay	2					2
Highways Management - Kerbs (Drop Kerb Application)	1			1		2
HS&P - Permits					1	1
Parks - Playgrounds & Play Areas	1					1
Parking & lighting team - permits	1					1
Environmental enforcement team - Waste on private land	1					1
HS&P - Enforcement (Tow Away)	1					1
Food Safety Query			1			1
Parking & lighting team - parking enforcement	1					1
Highways & Infrastructure - Other	1					1
Parking & lighting team - trees	1					1
Bins – commercial / trade			1			1
Community safety team - other	1					1
Community Group	1					1
Service Failure	2	15	7	3	6	33
Bins - not returned / not returned properly	1	1	1		1	3
Parking & lighting team - bailiff action	2					2
Anti Social Behaviour	1			1		2
Bins – damage to property	1	1				2
Bins - missed	1				1	2
ASB - Neighbour Disputes	1					1
HS&P - Parking Enforcement					1	1
Highways & Infrastructure Team - Disabled Bays (Bays On Public Roads)				1		1
Bins – commercial / trade			1			1
ASB - other	1					1
ASB - Noise Nuisance				1		1
ASB - Noise Nuisance Enforcement	1					1
Bins – Litter bin (full, damaged, missing etc.)			1			1
Highways & Infrastructure Team - Kerbs (Drop Kerb Application)	1					1
Parking & lighting team - trees					1	1
Licensing Query	1					1
Parks - General Information	1					1

Department, Root Cause and Issue types	Complaint Withdrawn / Not pursued	Not Upheld	Partly Upheld	Rejected	Upheld	Grand Total
Parking & lighting team - enforcement (tow away)					1	1
Public Realm - other			1			1
Trading Standards Query		1				1
Poor Customer Service			1			1
Cemeteries - Ground Maintenance	1					1
Sports - Poor customer service			1			1
Flytipping					1	1
Weeds		1				1
Food Safety Query	1					1
Highways & Infrastructure Team - Blocked Drains, Leaks & Floods		1				1
Executive Member Services	1	2	1	3		7
Communication			1			1
Complaints Service - Other			1			1
Policy / Procedures	1	1				2
Electoral Service - Voter registration	1					1
Complaints Service - Does not agree with the final review outcome		1				1
Service Failure		1		3		4
Complaints Service - Other		1		3		4
Finance			1	2	7	10
Communication			1	1	3	5
Payments - Other			1			1
Finance - Accounts Payable					1	1
Payroll - Other					1	1
Insurance - Other				1		1
Invoices - Other					1	1
Policy / Procedures				1		1
Insurance - Other				1		1
Service Failure					4	4
Invoices - Other					2	2
Payments - Other					1	1
Insurance - Other					1	1
Housing	52	472	101	99	290	1014
Communication	25	73	38	22	30	188
Homelessness application - family	8	12	5		2	27
Homelessness application - single person	8	9	4	1		22
Housing Customer - Other		6	3	6	4	19
Application for social housing waiting list		9	4			13
Complaints about Wates		1			11	12
Other	1	7		1	2	11
Repairs To My Property (Including Inspections)	3	4	1	2	1	11
Estate Services	1	2	2	2	1	8

Department, Root Cause and Issue types	Complaint Withdrawn / Not pursued	Not Upheld	Partly Upheld	Rejected	Upheld	Grand Total
Arrears		4	3			7
Housing Enforcement - Other		1	1	4		6
Banding	3		2			5
Communal Repair		3		1		4
Complaints about PS Staff		1	1		2	4
Anti - Social Behaviour		2	2			4
Outstanding Repairs - Other		2		1		3
Poor Customer Service			2		1	3
Tenancy issues			2		1	3
Leasehold Enquiries			2		1	3
Issues with Private Sector accommodation offer		3				3
Officer conduct				2	1	3
Lettings process		1			1	2
Offers of accommodation		1	1			2
Temporary Accommodation or Bed & Breakfast		1		1		2
Bidding		1			1	2
Parking		2				2
Planned Maintenance Of My Property	1				1	2
Payment / Arrears				1		1
Bedroom Entitlement			1			1
Contractor		1				1
Rent Refund			1			1
Application			1			1
Policy / Procedures	4	41	3	4	1	53
Other		7				7
Housing Customer - Other		5		1		6
Homelessness application - family	1	5				6
Anti - Social Behaviour		5				5
Offers of accommodation		2		1		3
Application for social housing waiting list		3				3
Decision		2				2
Banding	1	1				2
Bedroom Entitlement		1	1			2
Contractor		1				1
Complaints about Wates					1	1
My Personal & Household Details			1			1
Communal Repair		1				1
Parking		1				1
Gas Safety		1				1
My New Home		1				1
Temporary Accommodation or Bed & Breakfast	1					1
Billing		1				1

Department, Root Cause and Issue types	Complaint Withdrawn / Not pursued	Not Upheld	Partly Upheld	Rejected	Upheld	Grand Total
Rent Refund			1			1
Outstanding Repairs - Other		1				1
Communal Cleaning				1		1
Payment / Arrears		1				1
Housing Enforcement - Other				1		1
Issues with Private Sector accommodation offer	1					1
Arrears		1				1
Grants & Adaptations		1				1
Service Failure	23	358	60	73	259	773
Repairs To My Property (Including Inspections)	3	150	1	19	68	241
Outstanding Repairs - Other		62	1	13	55	131
Complaints about Wates		7	1	10	56	74
Communal Repair		35	1	10	14	60
Housing Customer - Other	2	14	10	2	13	41
Anti - Social Behaviour	1	17	11	2	4	35
Homelessness application - single person	11	8	7	2	2	30
Estate Services	1	10	7		10	28
Homelessness application - family	1	8	5	1	7	22
Poor Customer Service		5	1	1	6	13
Other		4	1	1	1	7
Temporary Accommodation or Bed & Breakfast		4	1	1		6
Rent Refund	2	1			3	6
Leasehold Enquiries		3	1	1	1	6
Banding	1	1	1	2	1	6
Planned Maintenance Of My Property		2			3	5
Gas Safety		4	1			5
Parking		1	1	2		4
Offers of accommodation		2	1	1		4
Asbestos Safety		1			3	4
Tenancy issues		2	1	1		4
Complaints about Oakray		2			2	4
Bidding			2	1	1	4
Issues with Private Sector accommodation offer	1	3				4
Application for social housing waiting list		2	2			4
Officer conduct			2		1	3
Application		3				3
Fire Safety		1			2	3
My New Home				1	2	3
Housing Enforcement - Other		2				2
Contractor					2	2
Lettings process				1	1	2
Damp and/or mould		1				1

Department, Root Cause and Issue types	Complaint Withdrawn / Not pursued	Not Upheld	Partly Upheld	Rejected	Upheld	Grand Total
Billing					1	1
Electrical Safety		1				1
Bedroom Entitlement				1		1
Complaints about PS Staff		1				1
Communal Cleaning			1			1
Grants & Adaptations - Other		1				1
Integration & Improved Outcomes	3	69	69	4	26	171
Communication	2	40	37		13	92
BFFD/MASH/NRPF - Quality of Service		6	3		2	11
Care Planning - Leaving Care		3	7			10
East Locality Teams - Social Workers		4	2			6
East Locality - Other		4	1			5
BFFD/MASH/NRPF - Advice given	1	2	2			5
West Locality Teams - Social Workers		4			1	5
BFFD/MASH/NRPF - Timeliness of service			2		2	4
West Locality - Other		2	1			3
Looked after Children - Leaving Care		1	2			3
Care Package		1	2			3
Young people in care - Corporate Parenting					3	3
Looked after Children - Social Workers		1	2			3
CYP LAC & Permanency - Other		1	1		1	3
Children & Young People With Disabilities		1	1			2
Looked after Children - Corporate Parenting			2			2
East Locality Teams - Family Social Work		1	1			2
West Locality Teams - Family Social Work		2				2
Child Protection Conference		1	1			2
SEND Specialist Services - Communication issues			1		1	2
CYP CWD - Other		2				2
Input form service		1	1			2
CYP Family Solutions - Other					2	2
SEND Specialist Services - report for EHCP			1			1
SEND Specialist Services - Quality of service			1			1
Young people in care - Personal Advisors		1				1
SEND Specialist Services - Assessment			1			1
BFFD/MASH/NRPF - Referral decisions					1	1
CYP Troubled Families - Other	1					1
Looked After Child - Other			1			1
Social Workers		1				1
Accelerated Support - Other			1			1
Virtual School - Service delayed or not provided		1				1
Policy / Procedures		8	2		1	11
SEND Specialist Services - Advice given		3				3


Department, Root Cause and Issue types	Complaint Withdrawn / Not pursued	Not Upheld	Partly Upheld	Rejected	Upheld	Grand Total
East Locality Teams - Assessment		2				2
CYP LAC & Permanency - Other			1			1
Care Planning - Leaving Care		1				1
West Locality Teams - Family Social Work		1				1
SEND Specialist Services - Quality of service					1	1
Input form service			1			1
BFFD/MASH/NRPF - Referral decisions		1				1
Service Failure	1	21	30	4	12	68
Care Package		1	4		3	8
CYP CWD - Other		3	1		1	5
SEND Specialist Services - report for EHCP		2	3			5
BFFD/MASH/NRPF - Quality of Service			1	1	2	4
BFFD/MASH/NRPF - Referral decisions		2	1			3
Looked after Children - Corporate Parenting		1	1	1		3
CYP LAC & Permanency - Other		1	1		1	3
Accelerated Support - Other			2			2
Looked after Children - Social Workers			2			2
Looked after Children - Placements			2			2
SEND Specialist Services - Advice given		2				2
Transitions Service		2				2
Care Planning - Leaving Care			2			2
East Locality - Other	1			1		2
Child Protection Conference			1			1
Fostering & Adoption - Other		1				1
West Locality - Other			1			1
CYP Family Solutions - Other		1				1
BFFD/MASH/NRPF - Advice given			1			1
West Locality Teams - Family Social Work			1			1
Social Workers		1				1
Young people in care - Corporate Parenting			1			1
East Locality Teams - Social Workers					1	1
SEND Specialist Services - Query response			1			1
Looked After Child - Other		1				1
Early Years Service (Age 0 To 5) - Nursery Education Grants		1				1
Care Planning - other				1		1
SEND Specialist Services - Assessment			1			1
Short Breaks / Respite					1	1
East Locality Teams - Assessment					1	1
Children & Young People With Disabilities - Assessments			1			1
East Locality Teams - CIN meetings & family conferences			1			1
SEND Specialist Services - Quality of service					1	1
East Locality Teams - Family Social Work		1				1

Department, Root Cause and Issue types	Complaint Withdrawn / Not pursued	Not Upheld	Partly Upheld	Rejected	Upheld	Grand Total
Young People In Care - Other			1			1
CYP Troubled Families - Other		1				1
Direct Payments					1	1
Legal		3	1			4
Policy / Procedures		1				1
Legal Team - Brent Legal Service		1				1
Service Failure		2	1			3
Legal Team - Brent Legal Service		2	1			3
Property & Assets		8	4			12
Communication			2			2
Residential property team - Other			1			1
Development management - poor customer service			1			1
Policy / Procedures		3				3
Access & Facilities - Brent Civic Centre		1				1
Commercial Property - Other		1				1
Acquisitions & Disposals residential valuations, CPOs, i4B, leases, loft/basement/garden sales)		1				1
Service Failure		5	2			7
Access & Facilities - Brent Civic Centre		3	1			4
Residential Construction (new Council homes)		1				1
Residential property team - Other		1				1
Development management - Other			1			1
Public Health		8	4		4	16
Communication		2	1		1	4
Libraries – Staff Conduct			1			1
Libraries – Poor website navigation		1				1
Libraries – Noise		1				1
Libraries - Poor Customer Service					1	1
Policy / Procedures		1	1		1	3
Libraries - Other		1			1	2
Sports - Other			1			1
Service Failure		5	2		2	9
Libraries – Staff Conduct		2				2
Libraries – Noise		1			1	2
Libraries - Poor Quality Of Service information provided			1			1
Libraries - Poor Customer Service		1				1
Libraries – Environment		1				1
Libraries – Availability of Stock			1			1
Libraries - Other					1	1
Regeneration, Growth & Employment		6	17	4	3	30
Communication	2	2			1	5
Planning Enforcement - Other	1				1	2

Department, Root Cause and Issue types	Complaint Withdrawn / Not pursued	Not Upheld	Partly Upheld	Rejected	Upheld	Grand Total
Other Planning matters	1	1				2
Other		1				1
Policy / Procedures	2	6	1			9
South Kilburn Estates Regeneration	1	2	1			4
Other Planning matters	1	1				2
Delays to taking action		1				1
Inadequate Investigation or Analysis		1				1
Planning Enforcement - poor customer service		1				1
Service Failure	2	9	3		2	16
Poor Customer Service			2		2	4
South Kilburn Estates Regeneration		4				4
Other Planning matters	1	3				4
Other		1				1
Regeneration - Other		1				1
Inadequate Investigation or Analysis			1			1
Lack of action	1					1
Safeguarding Partnership & Strategy	1	16	3		6	26
Communication		5			2	7
CYP Commissioning - Other		2			1	3
School Admissions - In Year Admissions		1				1
Independent Reviewing Officer - Reports & Records		1				1
Child Protection - Reports & Records					1	1
CYP School Admissions - Other		1				1
Policy / Procedures		2	1			3
Child Protection - CP Conferences			1			1
School Admissions - School Transport		1				1
CYP Commissioning - Other		1				1
Service Failure	1	9	2		4	16
School Admissions - Child out of school		3				3
School Admissions - Free School Meals		1			1	2
School Admissions - In Year Admissions		2				2
CYP Commissioning - Other	1		1			2
Commissioning - 3rd party contractor issues					1	1
CYP Business Support - Service not up to standard					1	1
Commissioning - Poor customer service			1			1
Child Protection - LADO		1				1
School Admissions - Transfer Admissions					1	1
Quality Assurance - Other		1				1
Gordon Brown Centre - Care Provided		1				1
Transformation			1		3	4
Communication					1	1

Department, Root Cause and Issue types	Complaint Withdrawn / Not pursued	Not Upheld	Partly Upheld	Rejected	Upheld	Grand Total
Hubs - Poor Customer Service					1	1
Service Failure			1		2	3
FOI - Other					1	1
Information Governance - Other			1			1
i4B/FWH - Other					1	1
Strategy & Partnerships		1				1
Communication		1				1
Prevent		1				1
HR			1			1
Communication			1			1
HR Team - Brent Recruitment Complaint			1			1
Grand Total	88	924	341	131	445	1929

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 Brent	Cabinet 16 October 2023
	Report from the Corporate Director of Governance
	Lead Member – Deputy Leader & Cabinet Member for Finance, Resources & Reform (Councillor Tatler)
Complaints Annual Report 2022 – 2023	

Wards Affected:	All
Key or Non-Key Decision:	Non-Key Decision
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
List of Appendices:	Five Appendix A: Adult Social Care Complaints Appendix B: Children’s Social Care Complaints Appendix C: Assessment against the Housing Ombudsman Complaint Handling Code Appendix D: Assessment against the Housing Ombudsman Damp and Mould Spotlight Report Appendix E: Local Government and Social Care Ombudsman Performance comparison with other London Boroughs
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Mariza Barros Complaints and Casework Manager 020 8937 1381 mariza.barros@brent.gov.uk

1.0 Executive Summary

- 1.1 This annual report sets out complaints performance in Brent Council for the period 1 April 2022 to 31 March 2023 and focuses on the nature of complaints and the learning they provide to inform Brent’s future approach to service improvement.

- 1.2 Complaints concerning Adult Social Care (ASC) and Children's Social Care are governed by separate statutory complaint procedures and individual summary reports have been provided for these services in **Appendices A and B** respectively.
- 1.3 The report also contains the Council's self-assessment against the Housing Ombudsman's Complaint Handling Code and Damp and Mould Spotlight Report in Appendix C and D respectively.
- 1.4 A comparison of the Council's performance with other London boroughs provided by the Local Government and Social Care Ombudsman has been provided in Appendix E.

2.0 Recommendation(s)

- 2.1 Cabinet is asked to note Brent's performance in managing and resolving complaints.
- 2.2 Cabinet is asked to note, and review Brent's self-assessment against the Housing Ombudsman's Complaint Handling Code and Damp and Mould Spotlight Report.
- 2.3 Cabinet is asked to approve to progress the report to the relevant Scrutiny Committees.

3.0 Detail

3.1 Cabinet Member Foreword

- 3.1.1 Complaints provide important learning points for the Council and allow us to inform the Council's priorities in many different ways. Through these learning points, we can make changes to achieve and further our priorities and move forward together. Complaints provide an opportunity for the Council to understand issues and put things right, also ensuring that they do not reoccur.
- 3.1.2 Complaints are wide ranging and dealt with across the Council. Owing to this, they touch upon all the priorities within the Borough Plan as detailed below:
- *The Best Start in Life* - Being able to deal with concerns at crucial stages of people's lives allows them to get the best start in life. Assisting our looked after children and children with special educational needs with issues that they may have, and providing advocacy to bring these issues forward to the Council will ensure that they are provided with the necessary support in life.
 - *Thriving Communities* - Providing our residents with a route to complain and provide feedback not only encourages resident engagement but allows us to make improvements and inform change. In turn, by addressing their concerns and developing solutions that will benefit them, communities are given the opportunity to thrive.
 - *A Cleaner, Greener Future* - The Council receive a number of complaints regarding environmental issues, which are reviewed and help us target specific areas. This also allows the Council to evaluate services that are

being provided to ensure they meet our aspirations for a cleaner, greener future.

- *Healthier Brent* – Complaints regarding leisure services and our parks allow the Council to investigate and develop more initiatives to improve the health and wellbeing of our residents and those that visit Brent. During our complaints process we also signpost to relevant services that can assist our complainants, such as Mental Health services.
- *Prosperity and Stability in Brent* – Analysis of complaints received about housing needs is fundamental in terms of providing the tools and initiatives to support, empower and equip residents, and ensure long term stability.

3.1.3 Complaints feed into some of the current strategies, priorities and plans set out for Brent, such as the Equality Strategy 2019 – 2023 to ensure residents and service users are provided with access to the complaints procedure and that we use equalities data to concentrate on providing support to individual needs and in line with the Public Sector Equalities Duty (PSED). The Digital Strategy 2022-2026 also play a pivotal role when looking at how users are accessing our services and how they are logging complaints. We are making it easier for users to log complaint casework, view the history of what they have logged, and access everything in one place.

3.1.4 During discussion at the PCG meeting held on 25 September 2023, one councillor asked for more information on what constitutes a service failure when looking at root cause classifications. Service failure sub-categories include delay in service, service not provided, service provided but not as agreed and third party failure. Overall, the service issues that fall within this category and what these comprise are wide and far reaching, and for this reason deeper analysis may mean that numbers are so few as to be of any meaningful use. However, councillors are encouraged to discuss this with their service leads to gain a clearer understanding of the types of service issues that tend to arise within their portfolio areas.

3.2 Background

3.2.1 The Council has three different processes for managing complaints:

- a two stage corporate complaints process;
- a two part Adult statutory complaints process; and
- a three stage Children's statutory complaints process.

3.2.2 The complaints data and information provided in this report is based on information recorded on the Resident Feedback and Complaints (RFC) system.

3.2.3 Brent Council has a clear, corporate commitment to customer experience. The organisation is committed to a new 'Brent promise' which sets out what Brent residents should expect from staff, including service standards in relation to complaints. The aim is for the organisation to be sensitive to customer needs, prioritise communication and provide clear and current information.

3.2.4 In this context, the Council prioritises customer complaints to ensure that these are dealt with appropriately and efficiently. The central Complaints Team

monitors the numbers of complaints received and the quality and timeliness of responses. The Team works closely with Service Areas to ensure that corrective actions are put in place and learning from complaints is built into service design. There is a strong commitment to improve responses and reduce the number of complaints.

3.2.5 The key headlines from complaints performance in 2022/23 are as follows:

- Housing repairs, Council Tax and homeless applications are the top three concerns for customers.
- The number of Brent Stage 1 complaints (corporate & statutory) have increased by 22% (up by 339 complaints) (↑ red).
- The number of Brent Stage 2 complaints (corporate & statutory) have increased by 9% (up by 22 cases) (↑ red).
- There were 22 Local Government & Social Care Ombudsman (LGSCO) cases upheld against Brent in 2022/23, which is the same as last year (-- amber).
- There were 8 Housing Ombudsman cases determined in 2022/23. There were 11 findings of which 8 were maladministration findings. This provides a 73% maladministration rate. However, there were no severe maladministration findings or Complaint Handling Failure Orders issued.
- The total number of cases where compensation was offered or awarded has decreased by 16% (down by 51 cases) compared to last year, the total amount of compensation paid by Brent has also decreased, with this year the compensation dropping by 1% compared with the previous year – a decrease of £1,673. (↓ green).
- Statutory and corporate performance across stage 1 complaints has improved compared to 2021/22, with an 8% point increase in corporate complaints and a 14 percentage point rise in statutory complaints responded to on time. Stage 2 complaint timeliness has increased significantly with corporate stage 2 complaints rising to 98% completed on time and statutory stage 2 complaints with 72% responded to on time. (↑ green).

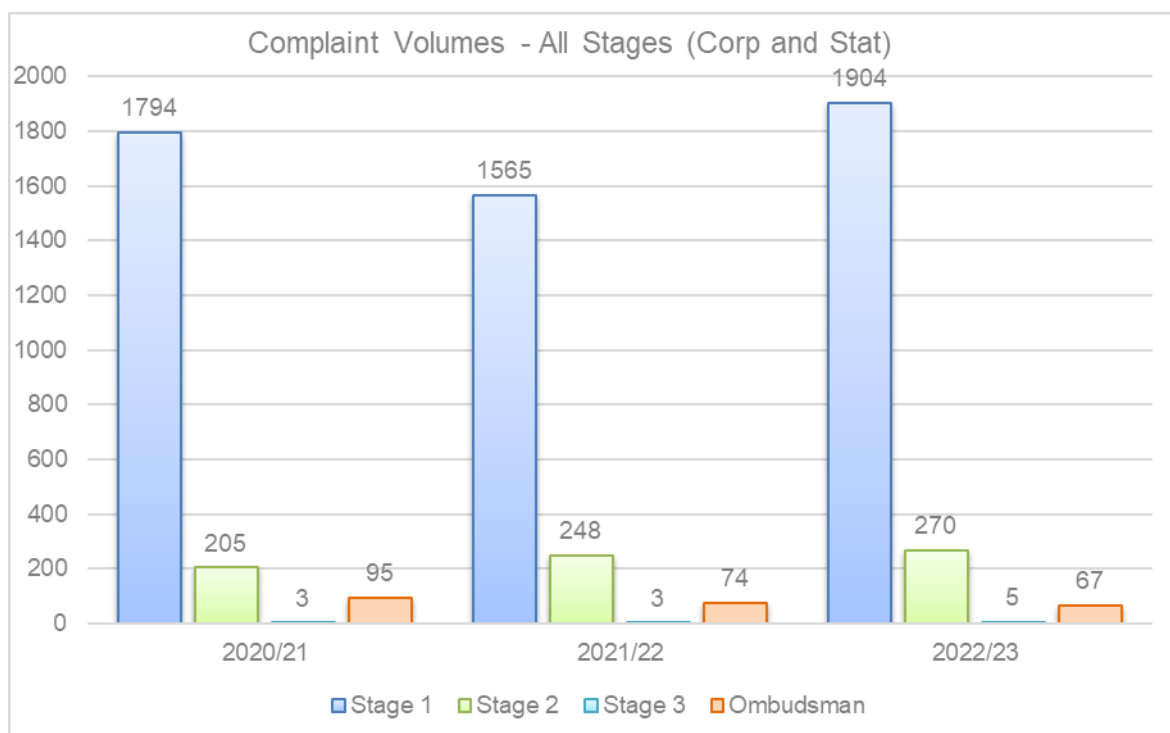
Volume of Complaints received

3.2.6 The chart below shows the volume of corporate and statutory complaints received at Stage 1, Stage 2 and Stage 3 over the past 3 years. The key points to note are that:

- In 2022/23 Brent received 1,904 Stage 1 complaints (corporate and statutory). This is an increase of 339 complaints compared to the previous year.
- Stage 2 complaints (corporate & statutory) have increased from 248 cases in 2021/22 to 270 cases during 2022/23. An increase of 22 compared with the last year.
- There were five Stage 3 Review Panels convened during 2022/23, which is an increase of two compared to the number of panels convened in 2021/22.

3.2.7 The majority of complaints for 2022/23 relate to the housing service, which is expected given the nature of the service and the number of properties managed

by Brent Council. Of the 1,904 stage 1 complaints received in 2022/23, 997 related to the Housing department. This is 239 more complaints compared to the previous year 2021/22.



Timeliness of Complaints

3.2.8 The table below shows the percentage of complaints closed on time. The overall timeliness of complaint responses has increased across the board, with improvement in both stage 1 and stage 2 corporate and statutory complaints. The dip in performance in 2021/22 related to a restructure that took place and an increase in long-term staff sickness. At the time, there was also a shortage of independent investigators available to investigate children’s statutory complaints meaning that the majority of statutory complaints were not responded to on time. The restructure has now been embedded and is working well. In addition the Council has also commissioned an external company on a spot purchase basis to assist with CYP statutory investigations. The result of this has been a significant improvement as illustrated by the performance figures below.

Year	Brent - % of Cases Closed on Time			
	Stage 1 - Corporate	Stage 1 - Statutory	Stage 2 - Corporate	Stage 2 - Statutory
2020-21	89%	67%	75%	50%
2021-22	88%	71%	68%	25%
2022-23	96%	85%	98%	72%

Complaint Outcomes

- 3.2.9 The percentage of cases upheld or partly upheld during the corporate complaints process has decreased by 7 and 8 percentage points at stage 1 and stage 2 respectively. The percentage of complaints that the Council upheld or partly upheld during the statutory complaints process has increased at stage 1 (4 percentage points) and at stage 2 from 64% to 75% in 2022/23. This shows that the Council is willing to accept when things have gone wrong, and there has been more ownership and acceptance in statutory cases. CYP complaints data is being analysed so that systemic themes can be addressed.

Year	Brent - % of Cases Upheld or Partly Upheld			
	Stage 1 - Corporate	Stage 1 - Statutory	Stage 2 - Corporate	Stage 2 - Statutory
2020-21	48%	59%	62%	58%
2021-22	47%	57%	51%	64%
2022-23	39%	61%	58%	75%

Compensation

- 3.2.10 The table below shows the total amount of compensation paid in Brent at all stages of the corporate and statutory process, including Ombudsmen cases. Compensation can be offered at any stage of the complaints process, however during the Ombudsman stage the Ombudsman can make recommendations and award compensation. The total number of cases where compensation was awarded/offered has decreased by 16% (49 cases) compared to last year, however the amount of compensation awarded/offered for each case has increased by £156 (29%). This is mainly due to the increased cost of living and cost of services and products to be reimbursed. The Council needs to balance the effect the failures have had on the complainants in the current climate. There are always some cases for which a high level of compensation has been paid out and these inflate the amount of compensation awarded/offered overall.
- 3.2.11 Compensation can be awarded/offered for time and trouble, distress, as goodwill, or in the form of a refund, reimbursement, or the offset/waiving of arrears. The increase in compensation awarded/offered shows that the Council is proactively offering remedies including compensation where it is warranted. Offering remedies earlier on in the process can prevent the need to offer higher levels of compensation at a later stage. There is no direct correlation between the amount of compensation awarded/offered one year compared to compensation awarded/offered in another as each complaint is unique and compensation is awarded/offered under different circumstances.
- 3.2.12 The majority of compensation in 2022/23 was offered at stage 2 of the Council's complaints process with £107,889 offered in total. At stage 1, £35,493 was offered, £3,000 at stage 3 which only relates to children's statutory procedures and £19,445 awarded at the Ombudsman stage. The highest amount of compensation paid out for a case was £7,087 which related to a Housing Benefit

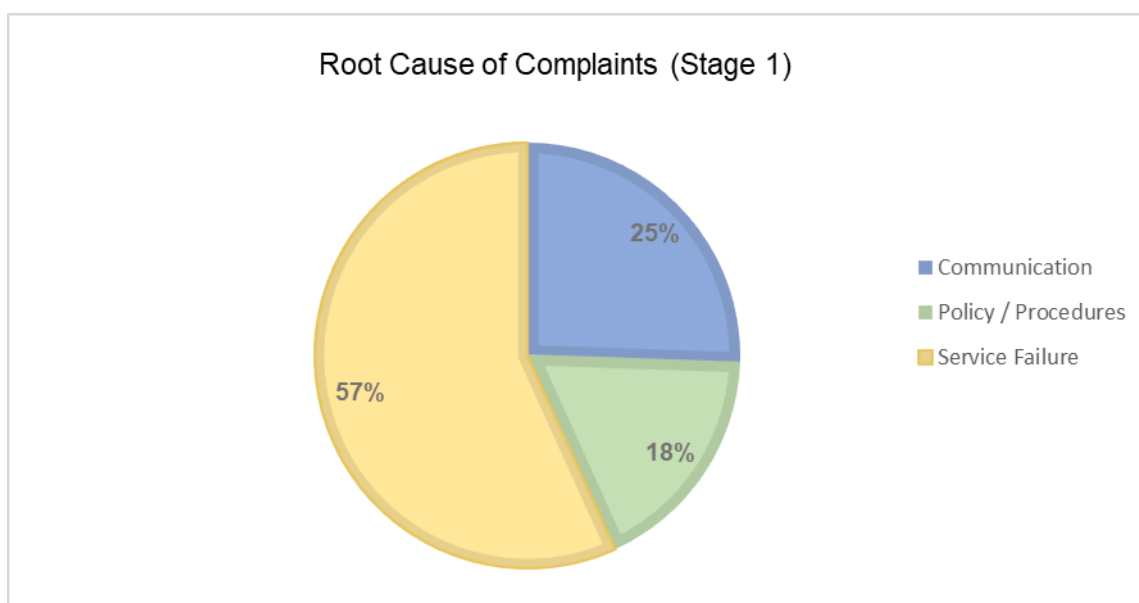
landlord payment. Compensation was awarded in 263 cases, a reduction of 51 cases compared to the previous year, however the amount awarded was higher on average per case.

3.2.13 The Housing department accounted for 66% of all the compensation awarded/offered (£109,724), which was paid out in 184 cases.

Year	All Brent		
	Cases	Total Comp.	Avg / Case
2020-21	167	£101,030	£605
2021-22	314	£167,500	£533
2022-23	263	£165,827	£631

Root Cause of complaints

3.2.14 The Council categorises root causes of complaints as follows: Service failure; Communication; and Policy/procedures. In 2022/23, 57% of complaints closed were categorised as service failure. Communication issues accounted for 25% of complaints and dissatisfaction with policy/ procedure accounted for 18% of all complaints closed.



3.2.15 Housing repairs, Council Tax and Homelessness applications were the top three concerns for customers. The Housing Management service carry out on average 36,000 repairs per annum, therefore there will always be a correlation between the number of repairs carried out and the number of complaints received.

3.2.16 This year a number of complaints received related to Council Tax, mainly as a result of the increasing pressures of the cost of living and residents unable to keep up with payments. The Council also received a higher number of

complaints relating to Homeless applications, which also relates to the cost of living and the pressure on social housing.

Service Improvements implemented

3.2.17 As a result of complaints received by Brent Council, many service improvements have been implemented. These improvements include:

- The Highways Management Service making changes to the Vehicle Crossover Policy to make it clearer in relation to the hardstanding and 'soft' landscaping required for approval.
- The Housing and Neighbourhoods service introducing monthly meetings to review learning from complaints and ensure these are implemented.
- The Housing Needs Service refining their policies and procedures to make clear when an incentive landlord payment is being made and when a deposit contribution is being made.
- The Housing Needs service also changing the wording on some of its letters to make it clear when the service will close a case or make a decision on the limited information they had received.
- The Children and Young People department implementing protocols such as case restriction on Mosaic records to prevent decisions on high profile cases being made without senior management approval.
- All future inspections undertaken by the Revenues team for benefits claims being carried out in-person (as opposed to virtually) to help ensure that the property being inspected is indeed the property to which a claim refers. Further, when the official classification of a property is in question or is likely to be amended (and they have legal recourse to do so), Revenues will also consider contacting the landlord (if appropriate) to further verify information submitted by a Housing Benefit claimant.
- With regards to Housing Applications submitted to panel, if the panel rejects a referral based on a lack of sufficient information, the relevant Housing Officer is now tasked with bringing the case back to panel, with more comprehensive documentation, for further consideration within a month.
- The ASC service agreeing a memorandum of understanding with the Central North West London NHS Trust which makes a commitment to work together on complaints to provide an integrated response. This means in future they will provide joint responses where possible in s.117 aftercare cases.
- Improvements made with regards to the way in which the Safeguarding Board communicates and updates families during its investigations.

Local Government & Social Care Ombudsman (LGSCO) Decisions and Learning Points

3.2.18 The Local Government and Social Care Ombudsman provides an Annual Review report every year which focusses on the Council's performance in relation to complaints that have been referred to it.

3.2.19 In summary:

- The number of referrals made to the Ombudsman for Brent has remained the consistent at 99 referrals compared with 95 last year. The borough with

the highest number of referrals in 2022/23 was Lambeth at 204, and the lowest was City of London with 7.

- The LGSCO decided to do a detailed investigation into a lower number of referred complaints at Brent compared to last year where 33 detailed investigations were carried out. In 2022/23, 29 cases were investigated out of the 99 referred.
- Brent's upheld rate at 76% has increased from last year, when the upheld rate was 67%. However, this is likely due to a change in process by the Ombudsman this year, which has led them to be selective on investigations that they take on, meaning that they are finding more fault. Brent was joint 14th lowest with Sutton and Bromley out of all London boroughs on this performance indicator. Richmond Upon Thames and Barking and Dagenham had the highest uphold rates with 91% of cases requiring a detailed investigation upheld.
- Of the 29 investigations completed for Brent:
 - seven complaints were not upheld;
 - twelve were upheld with further recommendations; and
 - the remaining ten were upheld, but the Council had already implemented its own recommendations which had been accepted by the LGSCO as a suitable remedy, or there were no further recommendations made by the Ombudsman.
- Compliance with the Ombudsman's recommendations remains at 100%.

LGSCO Volumes and Outcomes

- 3.2.20 There were 99 enquiries and complaints referred to the Ombudsman in 2022/23 which is consistent with the 95 enquiries made the previous year. In the same period the LGSCO made decisions on 94 cases which is 24 less, and a decrease of 20% compared to the previous year. Of the 94 cases decided in 2022/23 only 29 cases required a detailed investigation, 22 cases of which were upheld and 7 cases not upheld.
- 3.2.21 Categories of cases not taken forward for investigation include: 'advice given'; 'referred back for local resolution'; 'incomplete or invalid'; and 'closed after initial enquiries'.
- 3.2.22 The pandemic had an impact on the LGSCO's activity over the last two years which makes it difficult to assess trends. The Ombudsman have also explained that this year they have become more selective about the complaints they look at in detail, prioritising where it is in the public interest to investigate. It has meant that changes in uphold rates this year are not solely down to the nature of the cases referred to them. They are less likely to carry out investigations on 'borderline' issues, so they are naturally finding a higher proportion of fault overall. The table below shows a 3-year comparison of LGSCO outcomes of Brent Council cases:

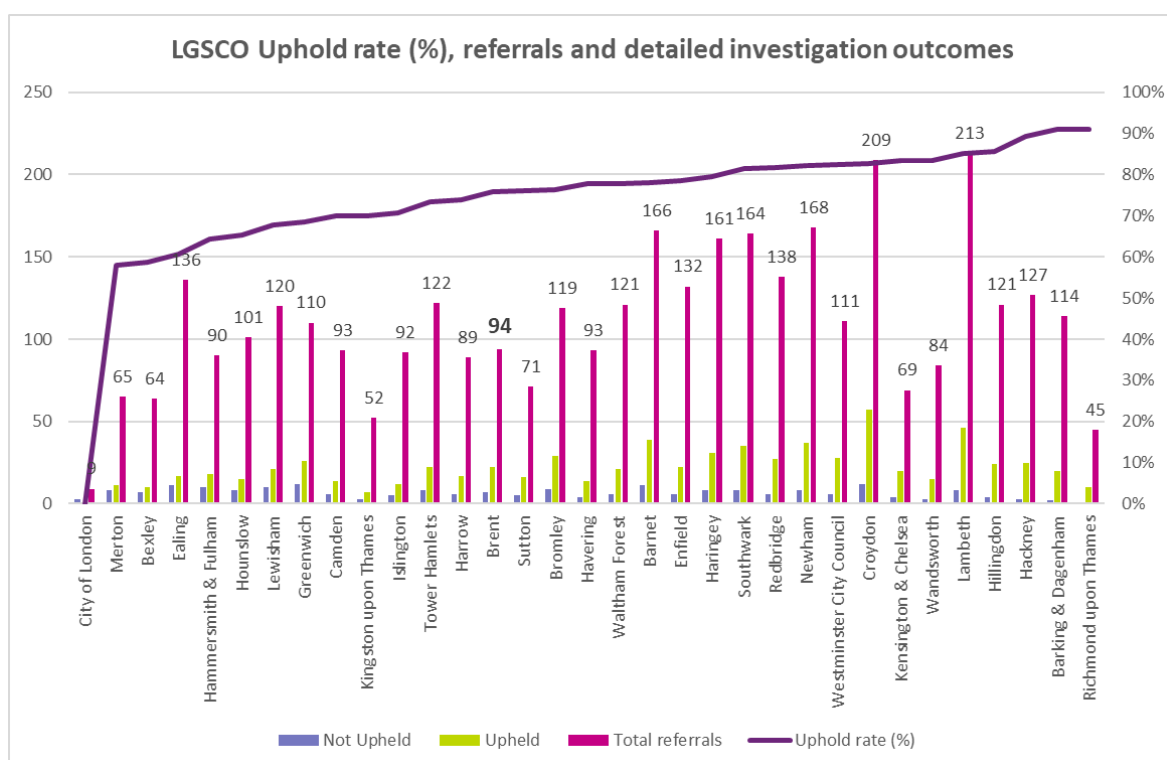
Year	LGSCO Outcomes						Total
	Not upheld	Upheld	Advice given	Referred back for local resolution	Invalid or incomplete	Closed after initial enquiries	
2020 - 21	1	12	3	35	1	25	77
2021 - 22	11	22	8	39	7	31	118
2022 - 23	7	22	6	25	5	29	94

3.2.23 In comparison with other London boroughs in 2022/23, Brent fares as follows:

- Top at providing a satisfactory remedy before the complaint reached the Ombudsman in 41% of cases which is more than any other London borough
- 13th joint highest in number of detailed investigations undertaken
- 13th joint highest in number of LGSCO upheld cases
- 15th joint lowest in number of referrals to the LGSCO
- 14th joint lowest LGSCO uphold rate (76%) in 2022/23.

3.2.24 The table below shows the Ombudsman uphold rate, cases referred to the Ombudsman and number of cases upheld and not upheld in 2022/23 compared with all London boroughs. Of the 29 detailed investigations undertaken by the LGSCO, 22 cases were upheld for Brent. This provides a uphold rate of 76% which compares favourably with other London boroughs and puts Brent in joint 14th place.

3.2.25 A performance comparison of all the LGSCO categories with other London boroughs has been provided in Appendix E.



LGSCO Upheld Cases

3.2.26 There were 22 cases upheld against Brent in 2022/23 in the following services:

- Housing - 9
- Adult Care Services – 6
- Education & Children Services – 2
- Benefits and Tax – 2
- Planning and Development - 1
- Environmental Services & Public Protection & Regulation – 1
- Corporate and Other Services - 1

3.2.27 Brent came joint top out of all London councils for upheld cases where a satisfactory remedy had already been provided before the complaint reached the Ombudsman. Of the 22 cases which were upheld during 2022/23, the Council had already offered a satisfactory resolution to the complaint before it reached the Ombudsman on nine occasions. This equates to 41% of our total upheld cases and is above the London average of 15%. This suggests that when issues are identified through the complaints process, corrective actions are effectively carried out to rectify issues or compensate where necessary. For these nine cases, the Ombudsman confirmed no further action was required and just upheld the complaint because the Council had identified some fault and also upheld the complaint.

3.2.28 The Ombudsman recommended a specific remedy in relation to 12 upheld cases. The Ombudsman was satisfied that the Council had successfully implemented its recommendations to remedy these complaints, achieving a 100% compliance rate.

3.2.29 This is an encouraging outcome and shows that the Council is complying with remedies set by the Ombudsman.

3.2.30 A brief summary of the cases upheld by the LGSCO for each area has been provided below.

Adult Care Services

3.2.31 Six complaints were upheld within this category for 2022/23. Three of which were corporate complaints, and the other three statutory. Topics covered: meeting care needs; Disabled Facilities Grant (DFG); appointed Deputyship and withdrawal of funds; delays in finding a nursing home placement; OT attitude and assessment and a Safeguarding Adults Review (SAR). The Ombudsman offered additional compensation and remedies in two cases.

Housing

3.2.32 Complaints concerning Housing Management are referred to the Housing Ombudsman. Nine complaints relating to other housing services were upheld after being passed to the LGSCO, which is an increase of 5 cases compared to last year.

- 3.2.33 In three out of the nine cases upheld, a remedy had already been provided during the Council's complaints process and therefore the Ombudsman did not take any action and upheld the case. In the other 6 cases, the Ombudsman asked the Council to offer an apology for the failures in the case, provide financial remedy and/or provide training or guidance. The majority of cases upheld related to housing needs.
- 3.2.34 Case one - referred to a homeless applicant being referred to another borough because of his local connection there. The Ombudsman found fault because, although they told him informally, the Housing Needs Service did not formally notify the homeless applicant of their decision to refer his case to another borough (and therefore did not notify him of his right to request a review of this decision).
- 3.2.35 Case two - related to a homeless family whose Locata priority was not assessed independently of their homeless application. In this case the family was entitled to priority on Locata due to overcrowding even though the homeless duty was discharged and they were therefore not entitled to any priority due to homelessness. There was also delay in processing the application.
- 3.2.36 Case three - The complainant was a homeless applicant with a six bedroom need. The Housing Needs Service awarded her band A priority for permanent accommodation, which she successfully secured in June 2021. The Ombudsman found, above and beyond awarding band A, the Housing Needs Service should also have made efforts to secure suitable temporary accommodation after the homelessness decision review process found her accommodation to be unsuitable. The Ombudsman therefore awarded compensation for this.
- 3.2.37 Case four - The complainant was a homeless applicant whose request for interim accommodation due to her having nowhere to stay was overlooked for a period of time. The issue was complicated insofar as when the complaint was eventually offered interim accommodation, she declined it. The Ombudsman highlighted that the issue of interim accommodation should have been considered from the outset of the complainant's homeless application, and it was likely that it should have been offered from the outset, and therefore increased the compensation award.
- 3.2.38 Case five - The Housing Needs Service was at fault for twice closing this complainant's homeless application too quickly and without informing her that they would be doing so. There were also delays in progressing the application when it was being assessed. The Ombudsman broadly agreed with the conclusions reached under the Council's complaints procedure but decided a higher level of compensation was appropriate.
- 3.2.39 Case six - The Ombudsman took on this case without it going through the Council's complaints procedure. This complaint is about the Council not properly considering whether the complainant needs a two-bedroom property and stating that the complainant may be removed from the Housing Register if he does not accept a property within six months. There were some issues with how the Council considered the request for a two-bedroom property but that did not affect

the outcome. The Council delayed notifying the complainant of decisions and did not properly explain the process.

Planning and Development

- 3.2.40 One case was upheld under this category. The complainant said the Council failed to properly handle his requests for advice relating to the development of his property. The Ombudsman did not investigate the complaint because there was not enough evidence of fault in the pre-application advice the Council provided, and they were satisfied with the actions the Council had already taken in respect of the refund of the £120 fee.

Education and Children's

- 3.2.41 Two cases were upheld. Of the cases upheld, one concerned the Council's Education Welfare Officer. The complainant's daughter was absent from school for long periods of time due to her illness. The complainant states the EWO failed to consider medical evidence submitted and wrongly took actions against the parents. The Ombudsman partly agreed with the outcome of the stage 2 response and made further recommendations including compensation for the loss of education provisions.
- 3.2.42 The other upheld complaint related to the Council's delay in making payment arrangements for a British Sign Language interpreter which led to the interpreter withdrawing services provided to the complainant's daughter. The Ombudsman found fault because this led to the daughter not receiving all the educational provision specified in her Education, Health and Care plan.

Environmental Services & Public Protection & Regulation

- 3.2.43 One complaint was upheld under this category. The complainant was unhappy that the refuse crew were not adhering to the complainant's request of where she would like her bins placed. The complainant was not registered for assisted bin collection. Veolia were agreeing to the complainant's suggestions but not adhering to them. Some refuse collections were also missed. Veolia were asked to comply with policy and not the complainant's request as they were raising her expectations on what could be achieved. The complainant was advised she would also have to adhere to the policy on waste collection. £300 was offered for missed collections and time and trouble. The Ombudsman endorsed this decision.

Benefits and Tax

- 3.2.44 Two Benefits and Council Tax complaints were upheld. The first complaint related to Council Tax. The Council sent incorrect information to a different Council and did not tell the complainant she shouldn't pay Council Tax. She was wrongly charged Council Tax by the other Council. The Ombudsman was satisfied with the compensation offered and suggested service improvements.
- 3.2.45 The other complaint also related to Council Tax, this time on an empty property however the landlord disputed this and stated that the tenants were liable for the

Council Tax. The complainant was unhappy with the amount of compensation offered at stage 2. The Ombudsman did not investigate this complaint as they deemed the Council had provided a fair remedy.

Corporate and Other Services

3.2.46 The Ombudsman did not investigate this complaint about incorrect use of pronouns as they were satisfied with the Council's response.

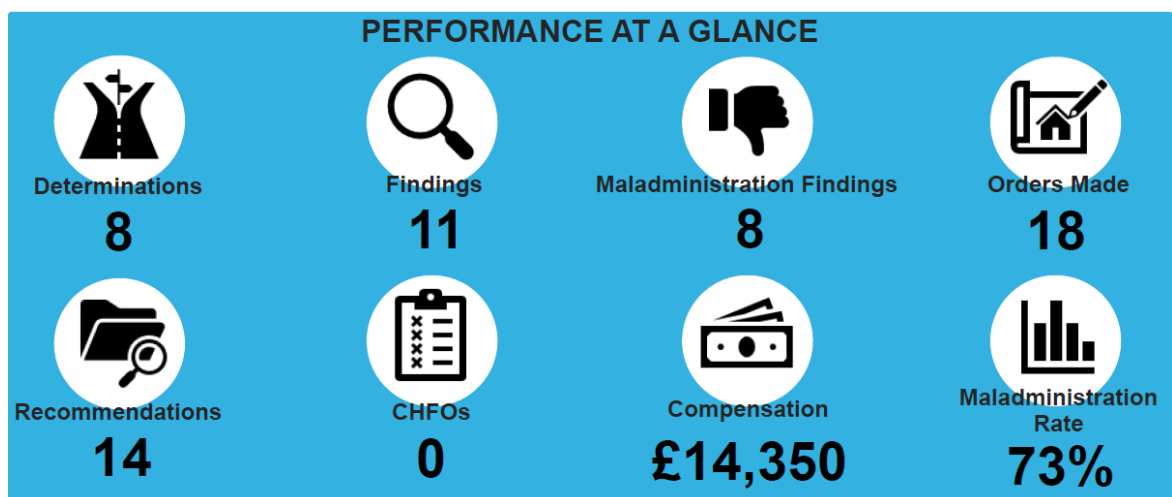
LGSCO Compensation

3.2.47 In 2022/23, the LGSCO asked the Council to pay an additional £14,200 in compensation across ten cases. This is £21,578 more than the previous year 2021/22 where £35,778 was paid in compensation over fifteen cases.

3.2.48 A total of £7,500 compensation was awarded in one of the Education and Children’s cases for the loss of education provision. In another case £2,250 was awarded. In this case the Housing Needs Service awarded the complainant band A priority for permanent accommodation, which she successfully secured in June 2021. The Ombudsman found, above and beyond awarding band A, the Housing Needs Service should also have made efforts to secure suitable temporary accommodation after the homelessness decision review process found her accommodation to be unsuitable and therefore awarded the compensation. In the other cases that were awarded compensation, five related to Housing, two related to Adult Care Services and one related to Education and Children’s. Compensation awarded in these cases was under £1,000.

Housing Ombudsman (HO) Decision & Learning Points

3.2.49 The Housing Ombudsman provided its annual report on 1 August 2023. The information provided below has therefore been taken from this report.



3.2.50 The maladministration rate is 30% higher than the previous year. This is mainly due to the increased awareness of the Housing Ombudsman, publication of their spotlight reports and the government’s ‘Make Things Right’ advertising campaign. The introduction of Awaab’s Law, in memory of Awaab Ishak who tragically lost his life due to conditions in his social home has also encouraged

tenants to raise issues with landlords and then escalate to the Housing Ombudsman if they are not satisfied with the action taken.

3.2.51 Recent changes in legislation around consumer standards for social housing has also improved access to complaints for tenants and leaseholders. The focus is on creating a culture of accountability; where tenants voices are heard and listened to. The Social Housing Regulator and Ombudsman expect Local Governments to actively campaign to provide access and encouragement to tenants to complain when they are dissatisfied. This should be noted as it is expected to drive up complaints, which should be welcomed as a sign of tenant engagement and participation, and an opportunity to learn what is important to residents and how to put things right.

3.2.52 Brent Council performed similarly when compared to landlords of similar size and type. And although the maladministration rate is high, there were no cases of severe maladministration or Complaint Handling Failure Orders issued.

3.2.53 In terms of the recommendations and orders, many of these had already been agreed during the Council's own complaints process and the Ombudsman had asked the Council to complete these if we hadn't done so already. The same can be said for the compensation where the Council had already agreed to pay compensation but the Ombudsman increased the compensation amount and included the total figure awarded during the complaint process rather than the additional amount ordered or recommended. The Housing Ombudsman asked the Council to pay an additional £3,800 on top of what had already been offered by the Council.

3.2.54 The table below provides a breakdown of the areas of complaints which were received by the Housing Ombudsman in 2022/23.

Complaint Decision	Severe Maladministration	Maladministration	Service failure	Mediation	Redress	No Maladministration	Outside Jurisdiction	Withdrawn	Total
Property Condition	0	4	0	0	1	1	0	0	6
Anti-social behaviour	0	0	2	0	1	0	0	0	3
Complaints Handling	0	2	0	0	0	0	0	0	2
TOTAL	0	6	2	0	2	1	0	0	11

3.2.55 The cases related to the following sub-categories:

- Responsive repairs – leaks / damp / mould
- Responsive repairs - general

- Noise
- 3.2.56 The Council complied with all of the Housing Ombudsman’s orders, achieving a 100% compliance rate.
- 3.2.57 The Council use the learning from complaints to inform decisions on areas of improvement within the Housing Management Service. The Council also carry out an annual self-assessment against the Housing Ombudsman’s Complaint Handling Code to ensure compliance with the Code. A copy of the self-assessment has been provided in Appendix C.
- 3.2.58 The Housing Ombudsman has released a series of reports in which they have put the spotlight on issues identified through the complaints they have investigated and resolved. The Damp and Mould spotlight report contained a number of recommendations for landlords. The Council have therefore self-assessed against these recommendations and provide a copy of the results in Appendix D. The Council are also undertaking a self-assessment against the latest Housing Ombudsman spotlight report on Knowledge and Information Management.

Compliments

- 3.2.59 In 2022/23 there were 72 compliments logged on the system for the Council. This is 3 more than last year. Customers can send feedback to the Complaints team or to service areas directly. Some of the compliments have been provided below:

Housing Needs

“Although, my case is now closed, and my family has been rehoused in a 2-bed property. I wanted to take the time to thank you for your support and help during the process, especially the occasions you took the time to telephone call me - it may seem small but greatly appreciated your consideration to be treated with respect and dignity at such a distressing time for my family. Sometimes, it can feel inhumane, and degrading when accessing council services, systems in place not being properly designed to support families and vulnerable children.”

Libraries

“Hi! I had the pleasure of dropping into the Ealing Road Library last weekend. Really enjoyed the experience! Very clean, well organized and attended very well by two extremely talented and helpful professionals, had the pleasure of conversing with xxxxx and xxxxxxx. Both were very kind, a tremendous asset.”

Out of Hours Emergency Contact Centre

“I’d like to provide some positive feedback and I’d love for this to be passed on to the call handler who dealt with my query ... my house got burgled and I was advised to get my locks changed. The call handler who answered the call dealt with my query quickly, professionally and with so much empathy. Being burgled feels violating and calling asking for help was difficult but she was very supportive and understanding and I’m so glad that she answered the call when I needed it.

I'm hoping that you're able to find this call handler and thank her on my behalf. Please tell her that she was a bright light during one of my darkest hours this year. Please also tell her I said thank you."

CYP - Localities

"I would like to express my gratitude to xxxxxxxx the social worker, for his excellent work commitment to me, my family and the school. xxxxxxxx went above and beyond the call of duty to ensure my son and the family felt safe and secure. I wish all social workers could work with xxxxxx level of respect and compassion while maintaining their professionalism."

Complaints Team

"Many thanks for your e-mail and helping us get to the resolution. Both my mum and I would like to thank you for your compassion in dealing with this and showing care towards my elderly mum. Brent Council is lucky to have someone like you who genuinely care for its citizens."

ASC Urgent Care

"I just wanted to email you to let you know that in all my time working in care I have never come across a social worker so caring and invested like xxxxx. She goes above and beyond to support us with challenging clients, she's responsive and efficient and checks in to ensure all is well with managing her client... xxxxxxx is a gem! And xxxxxxx really appreciate all her efforts she's made to support us. We cannot thank her enough for everything she has done."

4.0 Stakeholder and ward member consultation and engagement

4.1 This report will be discussed at Cabinet and the relevant scrutiny committees.

5.0 Financial Considerations

5.1 The details provided on compensation payments in sections 3.2.10 - 3.2.13 and throughout this report reflect the monetary impact of not getting things right the first time as an organisation and the need to improve the customer experience thus minimising the financial penalties incurred by the Council.

5.2 The total number of cases where compensation was awarded/offered has decreased by 16% when compared to 2021/22. However the amount of compensation awarded/offered for each case has increased by £156.

5.3 The total compensation awarded/offered and paid in 2022/23 was £165,827 (263 cases), which is similar to the previous year. The costs implications and budgetary impacts to the Council are being continuously monitored.

6.0 Legal Considerations

6.1 Complaints concerning Adult Social Care and Children's Social Care fall under separate statutory complaint procedures. It is a legal requirement to produce annual reports for these areas and these are included in appendices A and B

with reference to the statutory frameworks for the management of these statutory complaints.

- 6.2 The LGSCO is the final stage in the complaints process, where an individual has complained to the council and remains dissatisfied with the outcome. The LGSCO can investigate allegations of maladministration in connection with the exercise of a local authorities' administrative function, allegations regarding a failure in a service which it is the local authorities function to provide, an allegation or an apparent failure to provide such a service pursuant to the Local Government Act 1974 as amended.

7.0 Equality, Diversity & Inclusion (EDI) Considerations

- 7.1 Under Section 149 of the Equality Act 2010, the Council has a duty when exercising their functions to have 'due regard' to the need:

- (a) to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited under the Act;
- (b) advance equality of opportunity; and
- (c) foster good relations between those who share a "protected characteristic" and those who do not.

- 7.2 This is the Public Sector Equality Duty (PSED). The 'protected characteristics' are: age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, sex, and sexual orientation.

- 7.3 Although there have been no equality implications identified as a result of this report, the Council is improving the complaints system so that equalities data is captured and data analysis can be used to identify issues that may disproportionately affect different equality groups.

8.0 Climate Change and Environmental Considerations

- 8.1 Not applicable

9.0 Human Resources/Property Considerations (if appropriate)

- 9.1 Not applicable

10.0 Communication Considerations

- 10.1 The government have introduced a 'Make Things Right' advertising campaign in relation to social housing complaints. The Housing Ombudsman as well as the Local Government and Social Care Ombudsman issue spotlight reports to address thematic issues.

- 10.2 The Council continues to advertise it's complaints policy on the Council's website and in correspondence with residents.

Report sign off:

Debra Norman
Corporate Director of Governance

Complaints Annual Report 2022 – 2023

Appendix A – Adult Social Care Statutory Complaints

1. Summary

- 1.1 This report provides an overview of complaints made about Brent Adult Social Care (ASC) services during 2022–2023, as required under The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009, the Health and Social Care Community Health & Standards Act 2003 and the Local Authority Social Services Complaints (England) Regulations 2006.

2. Statutory Complaints Process

- 2.1 The Department of Health defines a complaint as, *“an expression of dissatisfaction or disquiet about the actions, decisions or apparent failings of a Council’s adult social care provision which requires a response”*.
- 2.2 Anyone who has received a service, is currently receiving a service or is seeking a service from the Council can make a complaint. This includes anyone affected by decisions the Council makes about social care, including a service provided by an external provider acting on behalf of the Council. In such a case, they can complain directly to the provider or to the Council. External providers are required to have their own complaints procedures and must comply with them. They are also required to share information on complaints and outcomes with the Council.
- 2.3 There is only one stage in the statutory process, which the Council has interpreted as a provisional response (stage 1) and a final decision (stage 2). All complaints made to the Council are logged and acknowledged on our internal complaints database. The Council will try to resolve the provisional complaint as soon as possible, and within 25 working days. If delays are anticipated, the complainant is consulted and informed appropriately. All responses, regardless of whether a timescale has been agreed with the complainant or not, must be completed within six months of receiving the complaint.
- 2.4 The Head of Service should sign all provisional complaint responses and if complainants are still unhappy, they will be given the opportunity to have their complaint reviewed by the Director, Adult Social Care or the Corporate Director, Adult Social Care and Health. In some cases, complaints may need to be passed to the Safeguarding leads as appropriate and the complaints process suspended in order to allow the safeguarding process to be completed. In cases where the complaint relates to several organisations, a single organisation will act as the lead and co-ordinate a joint response to the complainant. The final complaint response must set out the Council’s standard paragraph advising of the complainant’s right to approach the Local Government & Social Care Ombudsman (LGSCO) should they remain dissatisfied.

3. Headlines

3.1 The Adult Social Care department underwent a restructure in March 2022, which resulted in a change to the names of some of the service areas. For the purpose of this report that data has been amalgamated and represents the new service area names; Access, Information and Long Term Support, Commissioning Contracting and Market Management, Intermediate Care and Principal Occupational Therapist, Learning Disability and Mental Health, and Safeguarding and Principal Social Worker. More details about the services the individual areas provide is included in section 5.2 of this report.

3.2 The main performance headlines from ASC complaints are as follows:

- 113 complaints were received at the initial stage of the complaints process in 2022/23, an increase of 53% on 2021/22.
- The highest volume service areas for first stage complaints are as follows – Access, Information and Long Term Support (35%), Intermediate Care and Principal Occupational Therapist (28%), Learning Disability and Mental Health (22%), Commissioning, Contracting and Market Management (13%).
- 62% of provisional responses were upheld or partly upheld.
- 61% of stage 2 cases were upheld or partially upheld.
- 84% of stage 1 complaints were responded to on time and all stage 2 cases were responded to within the stipulated timescales.

4. ASC Service Users

4.1 In order to provide some context in relation to complaints submitted, ASC received 5689 contacts from individuals during this time. 2605 contacts were made through Brent Customer Services (BCS) and the Duty Team in 2022/23. Of those, ASC assessed 937 service users for homecare services and 220 service users were assessed for residential / nursing services. 381 contacts were made through the Mental Health Team, 23 through the EDT Team and 2680 individuals received section 5 hospital discharge assessments.

5. Complaints Received

5.1 In 2022/2023, ASC received 113 stage 1 statutory complaints compared to 74 the previous year, showing a rise of 53% and a year on year increase.

5.2 Statutory complaints largely related to a service users' care needs assessment or the provision of social care needs through either homecare services or residential care. Anyone can approach the Council and is entitled to receive a care needs assessment. The three main areas where ASC received complaints were Access, Information and Long Term Support, Intermediate Care and Principal Occupational Therapist and Learning Disability and Mental Health. The figures across these areas and details of the services they provide are as follows:

- **Access, Information and Long Term Support:**

- 5.3 This service is the 'front door' to Adult Social Care services. They are the first point of contact for all residents and health professionals who require ASC input.
- 5.4 The service provides information and advice, guidance and signposting to universal service and assessment (as required) to establish whether a person meets the Care Act eligibility for statutory ASC support. The service works with individuals, families and carers to identify need and provide support as required.
- 5.5 The adult social care service will monitor and review services to ensure the right level of support is provided. Long-term support also comprises Direct services, and includes building-based day opportunities, virtual support and outreach. The service also delivers supported living accommodation and residents using these services are encouraged and supported to maintain their independence, and to live a full and active life.
- 5.6 The service received 35% of all statutory complaints made to ASC, an increase on last year (31% in 2021/2022). This Team handles the more complex support cases and have to manage service users' and families' expectations about the package of care they are entitled to. The complaints that are received by the Team relate to disagreements with the decisions around care packages / assessments, delays in receiving an assessment and complaints concerning communication from social workers. The service users and their families will often have a higher expectation of the services they should receive than the Council can provide. The Council has to consider value for money, as well as the needs of the service user when providing services. These are complex and often sensitive matters and can lead to understandable disputes between the parties involved. There has been a concerted effort to improve complaint handling throughout the service and develop a more robust working relationship with the Complaints Service in order to help reduce the number of complaints.

- **Commissioning Contracting and Market Management:**

- 5.7 Commissioning with ASC is divided in to three thematic areas:
 - community and prevention
 - supported living/extra care and other accommodation
 - residential and nursing.
- 5.8 Each team leads on shaping the market to ensure the Council can meet the needs of the Adult Social Care population. They ensure we are able to prevent dependency by working with the voluntary sector who can offer preventative services that delay the need for ASC intervention.
- 5.9 Commissioning will broker home care services, supported living, extra care and residential and nursing services and ensure appropriate services are available to ASC to meet the assessed needs of individuals who do require an ASC intervention.

- 5.10 They will oversee and manage all aspects of contract management and quality assurance, working alongside other stakeholders such as CQC/Health watch to ensure the highest levels of care and support are delivered.
- 5.11 This service is also forward facing for all care and support providers in Brent. Ensuring they have responsible officers who can provide ongoing support and help with managing the strategic relationship between the Council and provider market.
- 5.12 Complaints relating to these services accounted for 13% of all complaints received by ASC, which is a decrease on last year (22% in 2021/2022). Overall, 15 complaints were received for this service area in 2022/23. There is an erroneous perception that the Council receives a high level of complaints about its home care providers. During Covid, complaints relating to the service were particularly high given the pressures on Care Homes during this period. The reduction in complaints reflects the ease on pressure nonetheless, the Complaints Service continue to work with the service on practice improvements as seen through the stage 2 responses. The Council works closely with its home care providers to resolve problems at this early stage. Concerns can be raised directly with the Commissioning Team who will resolve such matters directly with the provider, but service users are also made aware of the Council's complaints process if they wish for their concerns to be investigated by the Council.
- ***Intermediate Care and Principal Occupational Therapist:***
- 5.13 This service includes our Hospital Social Work, Home First, Reablement, Sensory and Occupational Therapist Teams. The Hospital Social Work Team will work with the hospitals to ensure vulnerable Brent residents have a safe discharge home or to the most appropriate interim setting and for those who have non-complex needs, they may be supported by the short-term Home first service. Following discharge from hospital, the individuals will receive an assessment to establish the eligibility of their social care needs or review of existing care plan.
- 5.14 The Reablement Service offers intervention to those in need of support in regaining confidence or/and skills to enable them to live as independent as possible.
- 5.15 Occupational Therapists will assess individuals and, in some cases, will provide equipment that allows the person to be safe in their environment as well as promoting their independence.
- 5.16 The Sensory Team holds the visually impaired register so will register the person and work with them to permit them to live as independent as possible.
- 5.17 Occupational Therapists are a valued profession to the service, therefore, through the Principal Occupational Therapist Office we make sure our staff have the right skills and competences to fulfil their role.
- 5.18 Of the 113 cases received at Stage 1 for ASC, this service received 32 complaints (28% of all complaints received by ASC). This service has been changed from Urgent Care as it now includes cases related to Occupational Therapy which previously fell within Complex Care (now Access, Information and Long Term Support).

- ***Learning Disability and Mental Health:***

- 5.19 This service comprises of the Learning Disability Team (LDT), The Mental Health Team (MHT), the SMART Team and the Emergency Duty Team. The LDT and MHT Teams are co-located with Health Teams (CNWL) and they work in partnership to meet the social care needs of residents and to review and support their carers to enable residents to continue to reside in the community. There is a Mental Health Hospital Discharge Team who focus on those people who are inpatients and need care and support in order to return safely to reside in the community.
- 5.20 The Teams' work with individuals who are diagnosed with a mental health condition or a learning disability and whom have eligible social care needs in accordance with the Care Act 2014, to enable them to gain skills, employment, independent, supportive living accommodation, or residential care (as appropriate). Individuals are supported to live as independently as possible, and the Teams ensure they are safe and cared for with dignity and respect.
- 5.21 The Approved Mental Health Practitioner's (AMPH'S) service is managed as part of the Adult Social Care Mental Health Team for those people who are in crisis and require an assessment under the Mental Health Act due to the risk that they pose to themselves or others as a consequence of a breakdown of their mental health.
- 5.22 The Emergency Duty Team Out of Hours is staffed by qualified AMHP's to cover the hours that Brent Council is closed (Evenings, Weekends, nights and bank holidays). The service provides emergency response to crisis situations and safeguards children, young people and adults.
- 5.23 A multi-disciplinary SMART Team also sits in this service. The Team work with individuals who are vulnerable to exploitation, risk, have mental health and substance misuse issues but who struggle to engage with statutory services and require an assertive outreach approach in order to achieve positive outcomes.
- 5.24 This service accounts for 22% of all complaints received by ASC. In previous years, cases relating to the Learning Disability and Mental Health Service were split between ASC CNWL and ASC Partnerships and Integration, which is why there is a noticeable increase this year.

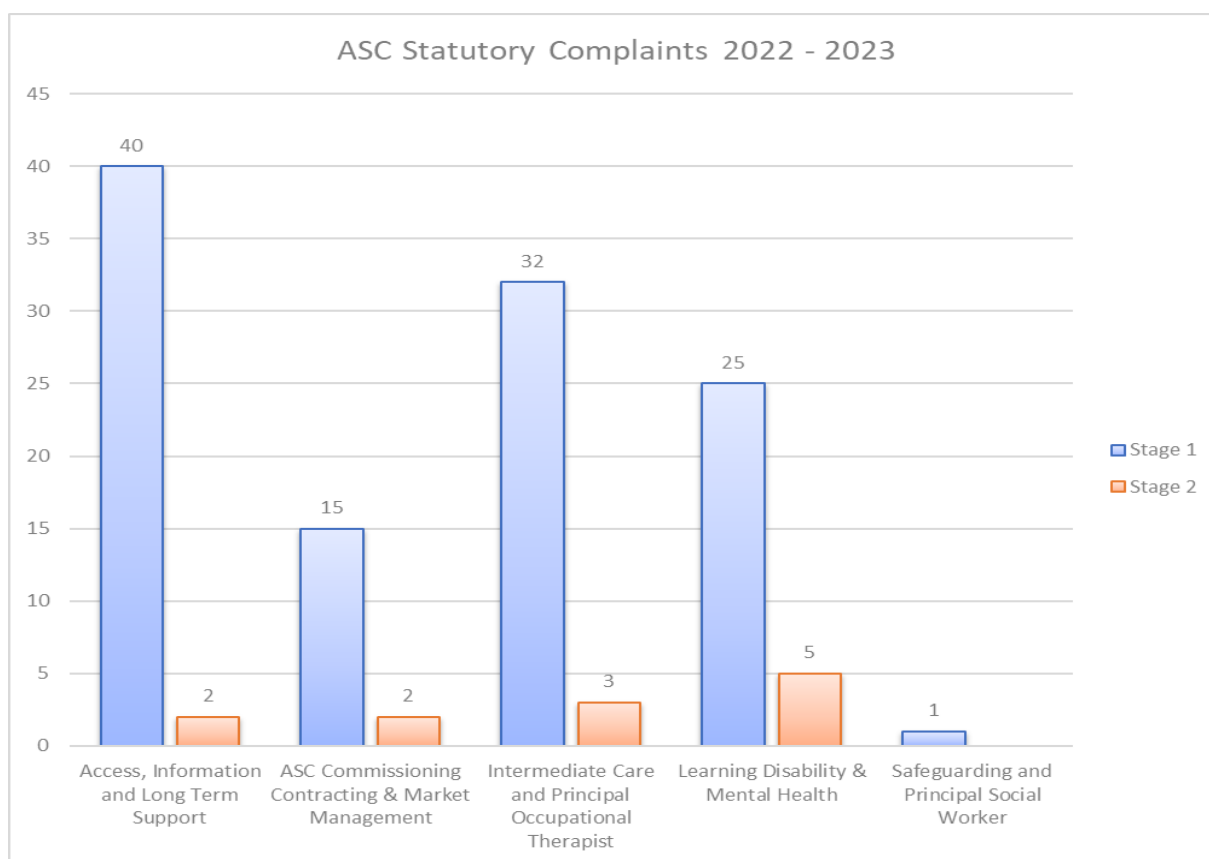
- ***Safeguarding and Principal Social Worker:***

- 5.25 This service includes the Safeguarding Team, the Deprivation of Liberty Team and the Principal Social Worker. They safeguard and promote the wellbeing of adults at risk from abuse and neglect and unlawful deprivation of liberty. The safeguarding of adults is everyone's business; therefore, we ensure all ASC staff and partners have the right skills and competences to fulfil their safeguarding responsibilities.
- 5.26 Social workers are integral to the delivery of adult social care therefore, through the Principal Social Worker office we ensure they have the right skills and competences to fulfil their role by providing ongoing support and training to staff.

5.27 This service rarely receives complaints because issues of safeguarding are usually reviewed within the service areas in which customers are provided support. The one case received related to a Doctor from a GP practice who made a safeguarding referral regarding one of their patients. The Safeguarding Team closed their enquiries however the complainant was not happy about this so requested a complaint investigation.

5.28 When complaints are received, they are directed to the Complaints Service for triaging. The Team will receive complaints by email, online through the web form or My Account, telephone and by letter. Brent Customer Services will also refer complainants to the Complaints Service. The ASC complaint legislation is explicit that the Council must receive complaints by any means. The ASC complaints process should be easy for all to access, and therefore the Team have provided a telephone number on the website especially for ASC clients. Staff within the Complaints Service will assist complainants as necessary, and if required will assist them in obtaining an advocate.

5.29 The chart below shows the number of ASC statutory complaints received in 2022/23. Of the 113 statutory complaints received, 12 were escalated to the final review stage, which is two more than the previous year 2021/22.



5.30 The escalation rate for statutory complaints is 11% compared to 13.5% in 2021/22. This is an improvement and reflects the work being carried out to resolve concerns at the provisional stage. Outcomes from these cases are discussed later in the report. ASC actively tries to resolve concerns however despite this, the more complex cases do escalate. The Learning Disability and Mental Health service received the highest

number of escalations to stage 2, with 5 out of 25 complaints being escalated (20%).

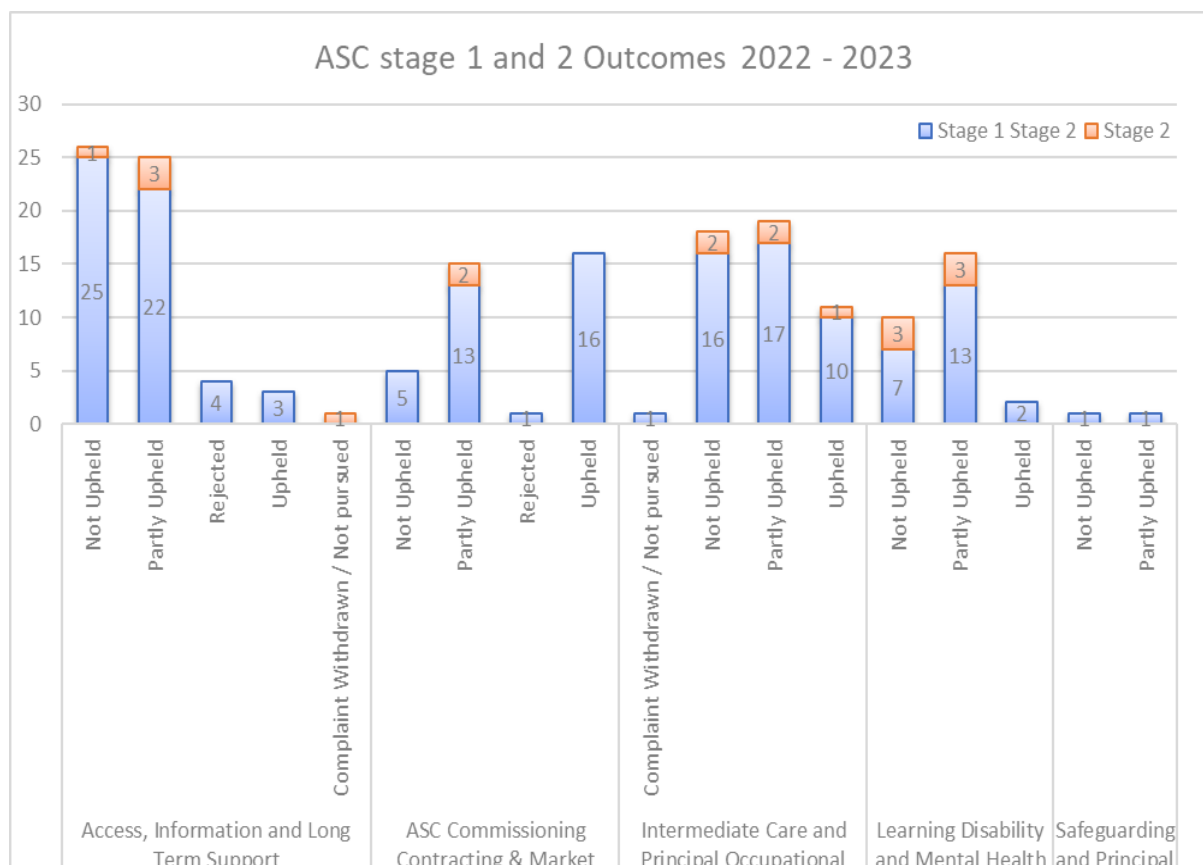
5.31 The Complaints Service continues to work with the ASC Director and their Management Team to ensure complaints are proactively dealt with. The Complaints Service held quarterly complaint training sessions for ASC managers and staff throughout the year and also attended DMT meetings to explain the complaint process and present complaint data and feedback. This has strengthened the working relationship between the service areas and led to an increase in officers requesting advice from the Complaints Service on the quality of their responses. Due to staff turnover, we have run these sessions more frequently to ensure responses remain of a good standard and are circulated in a timely manner.

6. Nature / Reasons for Complaints

6.1 We record root causes of complaints at stage 1. In 2022/23, root cause of complaints about communication accounted for 50% of all complaints received. This was mainly due to the complainant not being kept informed or updated. The other main area was service failure accounting for 44% which mainly related the service not being up to standard, whilst the remaining 6% of cases related to policy or procedure.

7. Complaint Outcomes

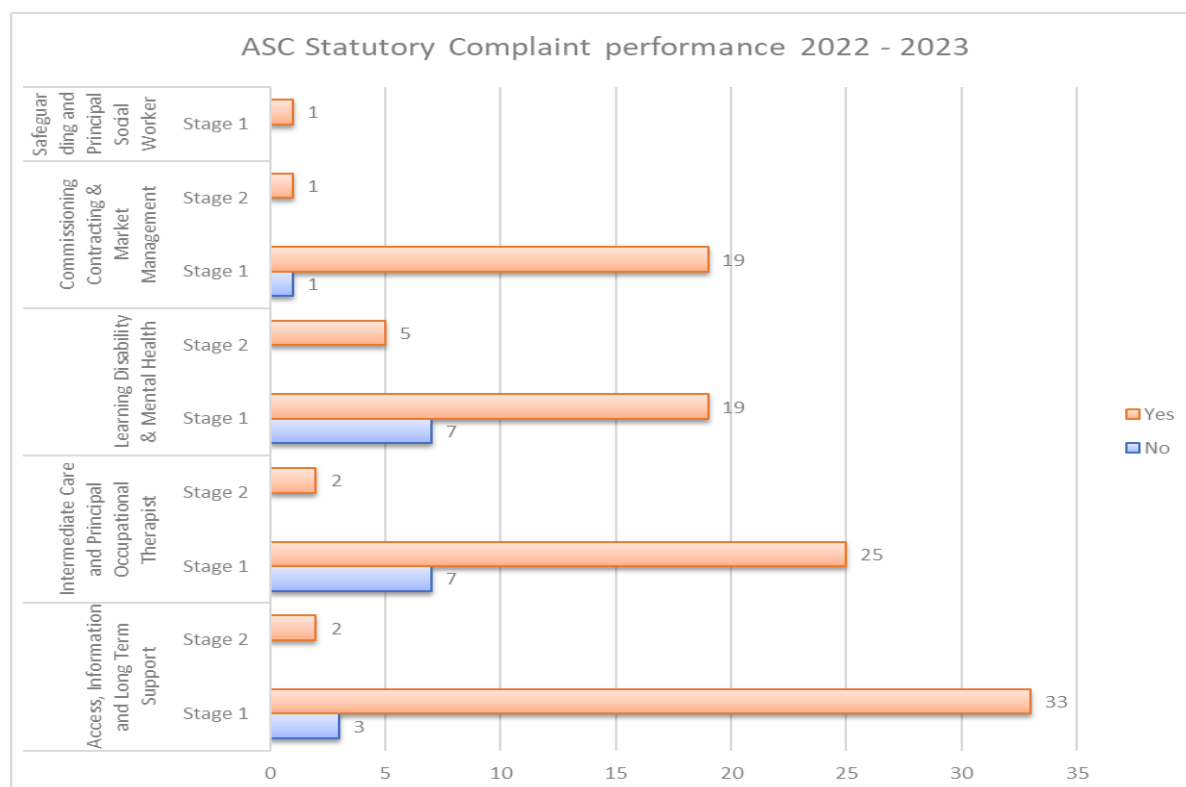
7.1 The chart below shows the outcome of statutory complaints at stage 1 and final review stage:



- 7.2 Complaints received at the provisional stage shows that some fault (upheld or partly upheld) by the Council was found in 62% of cases - this compares to 53% in 2021/22. The Council welcomes feedback from service users, and outcomes from complaints feed into service improvements.
- 7.3 At the final review stage, some fault was found in 61% of cases, this is slightly more than 2021/22 where 55% of complaints were either upheld or partly upheld.
- 7.4 Complaints of a complex nature and which involve a number of teams more often than not are typically escalated to the final review stage. The Complaints Service continues to work with ASC to review the accuracy and quality of stage 1 responses (where they have moved up to the final stage), and report the findings to the ASC Management Team in order to implement strategies to reduce the number of escalations.
- 7.5 The Complaints Service continues to work with managers in ASC to ensure the quality of complaint investigations and responses provided to the complainant address all issues raised. The Complaints Service are also working to ensure that the different departments within ASC are better coordinated when dealing with complaints about services that crossover the various teams by providing advice and regular complaints training.
- 7.6 Some service improvements identified at the final review stage have been included in point 14 - Learning from Complaints.

8. Timeliness of Responses

- 8.1 The chart below shows complaint response times across the various ASC service areas in 2022/23:



8.2 In 2022/23, 115 stage 1 statutory complaints were due, which is an increase of 49 complaints compared to 2021/22. Nevertheless, ASC responded to 84% of all stage 1 complaints within timescales, an increase of 7 percentage points on the same period for the preceding year. Stage 2 response times have also improved with all cases responded to on time providing a 100% performance rate on the ten cases that were investigated compared to 4 out of 9 cases responded to on time the previous year.

9. Compensation

ASC	Amount
Stage 1 / Provisional	£900
Stage 2 / Final	£1,350
Ombudsman	£1,200
Total	£3,450

9.1 ASC paid a total of £3,450 in compensation for the year 2022/23, comprising seven cases, £1,700 - two cases less than the preceding year. Compensation at stage 1 was paid out in one case. At stage 2, four complainants were awarded compensation and in one of those cases, the Ombudsman also offered additional compensation of £500. There were a further two cases which escalated to Ombudsman stage where the Ombudsman recommended the Council pay £200 and £500 compensation respectively. The compensation at stage 1 was awarded in recognition of the period in which the complainant's brother was not made subject to a Deprivation of Liberty Safeguard. At stage two, the highest amount paid was £750 for the time and trouble in pursuing the complaint and delay in responding to it.

9.2 All compensation awarded by the Council is in accordance with the Local Government and Social Care Ombudsman, Remedies Guidance.

10. Local Government and Social Care Ombudsman Decisions in 2021/22

10.1 The Local Government and Social Care Ombudsman (LGSCO) Received 14 complaints (corporate and statutory) and enquiries regarding Adult Social Care, which is three more than the previous year. In total, 94 decisions were made by the LGSCO in 2022/23 of which 13 related to ASC, comparable to the previous year where 12 decisions related to ASC. The LGSCO's decisions included referring three cases back to the Council for local resolution as the Council's complaints process had not been completed. One case was closed by the Ombudsman as there was insufficient information to proceed and another case was closed after initial enquiries as there was no worthwhile outcome achievable by investigation. Detailed investigations were carried out in 8 cases. Of those, 6 were upheld (one more than in 2021/22) and 2 were not upheld. Three of the cases upheld were statutory cases and a summary for them has been provided in section 10.3. The other three cases were corporate cases and a summary has been provided in the Annual Complaints cover report.

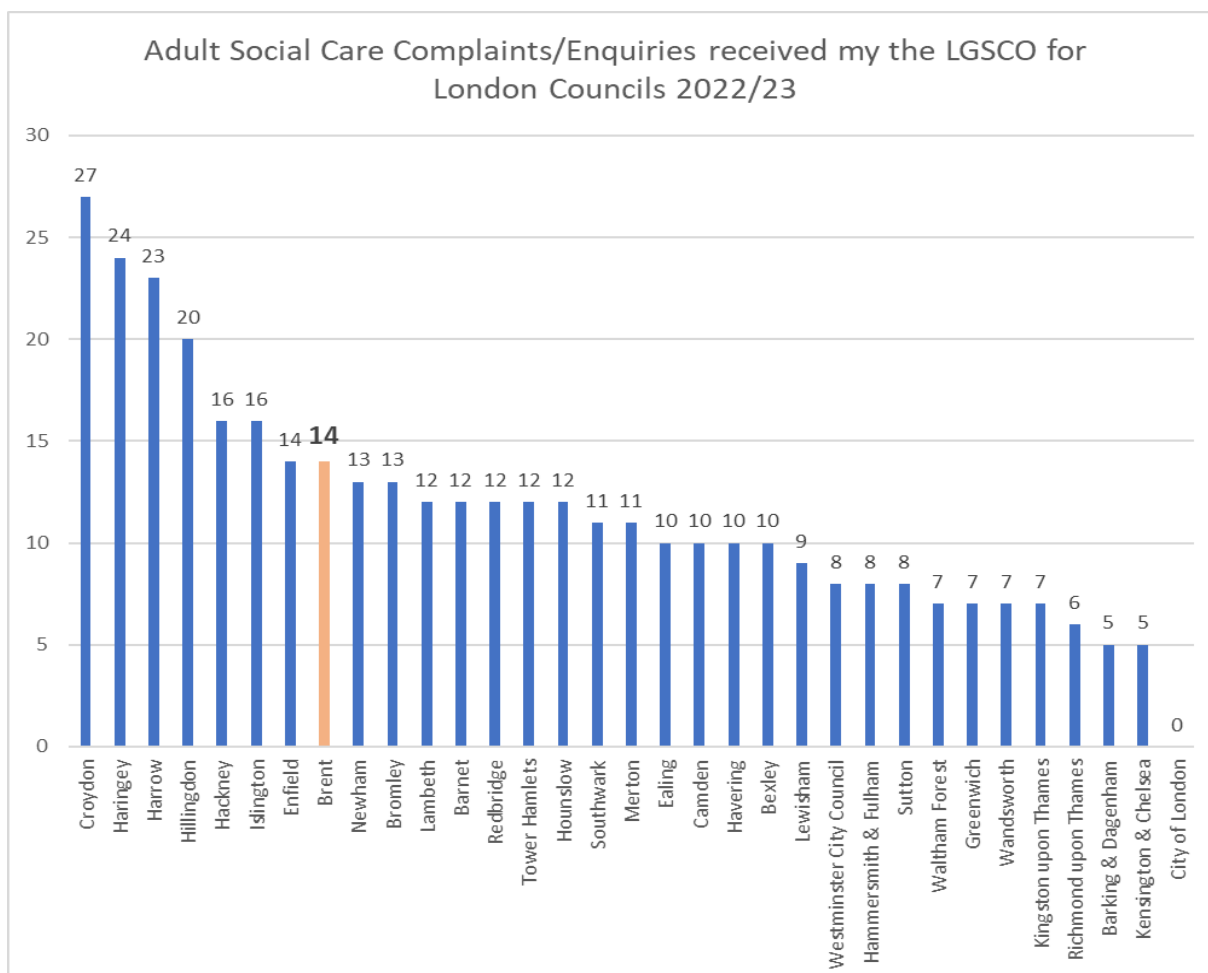
10.2 The uphold rate to the LGSCO for ASC cases is 75%, which is slightly more than the previous year at 71%.

10.3 A summary of the complaints upheld by the LGSCO is provided below:

- A complaint related to the Council's failure to meet care needs. The Ombudsman found that the Council did not fail to meet the complainant's father's care needs however it caused avoidable distress by failing to respond to the complainants request for a new social worker.
- Another complaint related to the delays in finding an appropriate nursing home placement. The Ombudsman found that the Council's response to the complaint was unclear and cause unnecessary frustrations to the complainant.
- The Ombudsman received a complaint relating to adaptations to the complainant's father's home. The complainant raised concerns about the OT and their attitude. They also complained that the equipment provided following an OT assessment was not suitable. The complainant raised issues with the Ombudsman that were not raised at stage 2 such as delays in 24-hour support and issues of DFG referral which were investigated by the Ombudsman. The Ombudsman upheld this and recommended several remedies.

11. Benchmarking Data

11.1 Brent Council belongs to the North West London Social Care Complaint Managers Group. Unfortunately, many Councils have not yet completed their Complaints Annual Report or are reluctant to share their data. The graph below shows data provided by the LGSCO with regards to the number of Adult Social Care complaints/enquiries received for each London borough.



11.2 The graph includes corporate as well as statutory complaints. In terms of complaints/enquiries received by the Ombudsman in relation to ASC, Brent has a higher number of complaint/enquiries referred compared with other Councils. However, this is almost half of the number of complaints/enquiries Croydon had and only three higher than last year. The figures provided do not necessarily mean that the complaint/enquiries were warranted.

12. Customer Feedback and Engagement

12.1 The majority of customer contact with the Complaints Service is reactive in that the Team responds to direct contact from customers and their representatives when they report a problem. Through this initial contact, the Team, in conjunction with ASC managers, has been able to resolve a number of complaints at an early stage of contact e.g. delayed OT assessments / care assessments, identifying resolutions to invoicing / billing queries that could have progressed to formal complaints.

13. Compliments

13.1 Customers and their representatives are encouraged to tell the Council if they are satisfied with their care or to highlight good service. People are able to send feedback to the Complaints Service or ASC directly. In 2022/23, ASC and the Complaints Service received 40 compliments about ASC compared to 16 the previous year. The Complaints Service Team is working with ASC to ensure they capture all compliments directly received by the service. Below are examples of compliments that staff in ASC have received:

- *Commissioning Team*

“Good morning xxxxxx, I write on behalf of my siblings to say a big, big thank you for all you did for our mom xxxxxxx, to be able to move to xxxx nursing home. xxxxx, your professionalism, empathy, care, love, encouragement, help and support is unique. It shows you really and truly love your job. We cannot thank you enough. It is only God who will repay you for all you did for xxxx. Remain blessed.”

- *Learning Disabilities and Mental Health Services*

“Couldn't help appreciating how much of a help I've got from you today. I've had to deal with many public civil servants but never in my 22 years in this country have I experienced the devotion, dedication, untiring, resolute and attention to details in the service you provided before. I salute your indefatigable service-oriented willing to help is. I stand humbled. Have a nice weekend and see you again on Tuesday.”

- *Access, Information and Long Term Support*

“I would just like to say write a big THANK YOU to xxxxx for her support in the final that Mrs xxxx has now signed her Tenancy for xxxxxxxx , In my darkest of this procedure she lifted me up with positive words If there is a employer of the month year please consider her

I know i will be in touch again with Adult social care , but thank you again for your support and information ,I see light at the end of the tunnel.”

- *Intermediate Care and Principal Occupational Therapist*

“I am emailing you today to let you know how pleased my family and I are at the care and support received from your social worker xxxx xxxx.

Following my dads accident in July when he broke his shoulder and after discharge from hospital he needed home care. This was obviously an upsetting time for us as a family and my father who was losing part of his independence. xxxx was in touch with us throughout and on his first visit to my dads home I was touched by his empathy and compassion, he had patience with my dad and answered all of his questions. He liaised with me right up til this week.

An effective care package was put in place through a good agency and dad got first class care, when this needed to be extended xxxx dealt with it seamlessly and towards the end he supported me to set up a further two weeks paid for by ourselves. Please pass on our thanks and gratitude to xxxx.”

- *Safeguarding and Principal Social Worker*

“I wanted to say thank you for your analysis of the case you presented yesterday and your attention to detail. I appreciated that you gave us clear professional judgements in this sad and concerning case.

I believe the vast majority of Safeguarding professionals come to work wanting to do a good job and it's up to the safeguarding board and our reviews to establish what prevents that happening.”

14. Learning from Complaints

14.1 Feedback from adults who experience social care services offers important insights into what we do well and what we can improve on. Brent ASC considers the learning from complaints and compliments as an integral part of our Quality Assurance process. Dependant on the learning points identified, we operate several different methods for developing and sharing improvement to our practice across the services. These may include, but are not limited to, the following:

- Development of new guidance and practice updates
- Practice updated disseminated in supervision, team meetings or learning forums
- Provision of training
- Integration within the case file audit process from 2021/22 the key areas of learning included the following: A need to improve aspects of communication between officers and people with social care experience
- A need to review and refresh the safeguarding adults' processes, guidance, forms and letters.
- Direct discussion with those professionals involved with the individual complaints Interactive learning sessions via Brent's internal Continuous Professional Development forums as part of the Skills Academy.

14.1 Teams across Adult Social Care regularly receive comments and feedback from residents and / or carers and generally these issues tend to be resolved directly by frontline operational staff.

- 14.2 Learning from the lived-experiences of residents using services can help identify where services, policies and procedures can be improved; helps to ensure that senior managers are informed of issues that are important to residents and, improves communications and strengthens relationships.
- 14.3 Part of Adult Social Care's commitment through the Skills Academy, is to support staff to receive training to develop skills in ensuring that information provided to residents is clear and feedback is timely. This compliments the Council's Customer Promise regarding expectations that customer care should continue to be communicated in a timely, polite and respectful manner. We have planned learning events that will be held six monthly, in which themes and outcomes from complaints are shared with teams and reflections of the learning is discussed at a team level. This learning will also contribute to training plans and development of best practice and quality in Adult Social Care.
- 14.4 Professional standards, such as the quality of the processes and procedures around social work activity, and delays in service are also the subject of complaints. When raised, managers have taken the opportunity to look for ways to improve services, which has been reinforced by the department's refresh of its Operational Guidance. The Operational Guidance sets a clear commitment to always aim to assess residents in a timely manner including the need to review care & support plans and clarify whether the current service can continue to meet those needs on an annual basis.
- 14.5 Adult Social Care have developed processes for learning from complaints, and these continue to develop within the department to support best practice and improve resident experiences. The information and themes captured from these processes are used in a number of ways, such as dissemination of themes to managers, to improve systems and procedures and to inform measurement of performance, quality control and quality improvements.
- 14.6 Some of the service improvements that have been implemented by ASC as a result of complaint outcomes include:
- All teams are undertaking random monthly audit of files to ensure better record keeping. The Monthly Case File Audit report is shared with the Principal Social Worker so that identified strengths and learning are incorporated into training.
 - Through the New Ways of Working project, the service has identified the need to strengthen communications sent via emails. Generic email addresses are created for teams. This will facilitate swift communication and prompt responses.
 - A schedule of training has been provided to all ASC staff via monthly newsletters which included complaints handling, report writing and MCA and DoLs training.
 - Quarterly commissioning meetings have been set up with all service managers and their teams to provide more robust site monitoring by the commissioning team.
 - The Statutory Complaints Manager attends regular DMTs to ensure themes and emerging issues are addressed.

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Complaints Annual Report 2022 – 2023

Appendix B – Children’s Social Care Statutory Complaints

1. Purpose of report

- 1.1 This report provides an overview of statutory complaints made about Brent Council Children’s Social Care Services during 2022-2023 as required under The Children Act 1989 Representation Procedure (England) Regulations 2006.
- 1.2 This report provides information about all statutory complaints made during the twelve months between 1 April 2022 and 31 March 2023 under the complaints and representations procedures.

2. Statutory Complaints Process

- 2.1 The purpose of the Children’s Act 1989 and Representation Procedure (England) Regulations 2006 is to ensure local authorities have a formal complaint handling procedure in place for children and young people who wish to make a representation or complaint about social care.
- 2.2 It is helpful to be clear on what constitutes a complaint. The guidance “Getting the best from Complaints” produced by the Department for Education and Skills (DfES) provides advice for local authorities on implementing the Children Act 1989 complaints procedure for children and young people. It defines a complaint as: **‘A complaint may be generally defined as an expression of dissatisfaction or disquiet in relation to an individual child or young person, which requires a response.’**
- 2.3 **Who Can Make a Complaint?**

Section 26(3) and section 24D of the Children Act, 1989 and section 3(1) of the Adoption and Children Act, 2002 require Councils to consider complaints made by:

- any child or young person (or their parent or someone who has parental responsibility for them) who is being looked after by the local authority, or is not looked after by them but is in need
- any local authority foster carer (including those caring for children placed through independent fostering agencies)
- children leaving care
- special guardians
- a child or young person (or parent of his) to whom a Special Guardian order is in force
- any person who has applied for an assessment under section 14F (3) or (4)
- any child or young person who may be adopted, their parents and guardians
- persons wishing to adopt a child
- any other person to whom arrangements for the provision of adoption services extend
- adopted persons, their parents, natural parents, and former guardians

- such other person as the local authority considers has sufficient interest in the child or young person's welfare to warrant his representations being considered by them.

2.4 The Council will accept complaints received through any medium, through contact with the Complaints Service, phone, email, online complaint form, by post or in person.

2.5 The regulations set out three stages:

- **Stage 1: Local Resolution** – this is the most important stage of the complaint procedure. The department and external contractors provide services on behalf of the Council and are expected to resolve as many complaints as possible at this initial stage. The statutory social care complaints procedure requires complaints to be responded to within 10 working days. However, Heads of Service can request an extension of a further 10 working days where a complaint is considered complex or there is a need for a number of external organisations to be consulted. They will need to consult with the Complaints Service before an extension can be applied and also inform the complainant of the new timescale.
- **Stage 2: Independent Investigation** – this stage is triggered when the complainant is dissatisfied with the response at Stage 1. As a first step, the Complaints Service will consider mediation to resolve ongoing concerns at the end of the Stage 1 process, and before commencing the Stage 2 process. If a complaint does progress to Stage 2, this requires an investigation by an “Independent Officer”, a person external to the service and usually independent of the Council. In addition, the Council is also required to appoint an “Independent Person” who is independent of the Council and not related to any members or officers of the Council. The purpose of the ‘Independent Person’ is to represent the complainant in the process. The Stage 2 investigation report is then considered by the Director, and an adjudication letter is provided to the complainant to confirm whether they agree with the report and the steps to be taken to address any recommendations. Stage 2 complaints which fall within the statutory process must be dealt with in 25 working days. Where it is not possible to complete the investigation within this timeframe, an extension can be applied up to a maximum of 65 working days.
- **Stage 3: Review Panel** – where complainants are dissatisfied with the result of a Stage 2 investigation and wish to continue with their complaint about statutory social service functions, the Council is required to establish a Complaint Review Panel. The Panel consists of three independent panellists who have no connection to the Council; a Chair who is appointed by the Complaints Service and is also separate from the Council. The Chair consults with the Complaints Service on the selection of the other two panel members. The Panel undertakes an investigation and makes recommendations via a panel report. This will then be adjudicated by the Corporate Director for Children and Young People (CYP) who makes the final decision on the complaint.

2.6 If the Complainant remains unhappy with the outcome of their complaint, they have the right to refer their concerns to the Local Government and Social Care Ombudsman (LGSCO). The LGSCO will carry out their own investigation requesting information from both parties and provide an outcome with any recommendations if appropriate.

3. Headlines

3.1 The main performance headlines from Children’s Social Care are as follows:

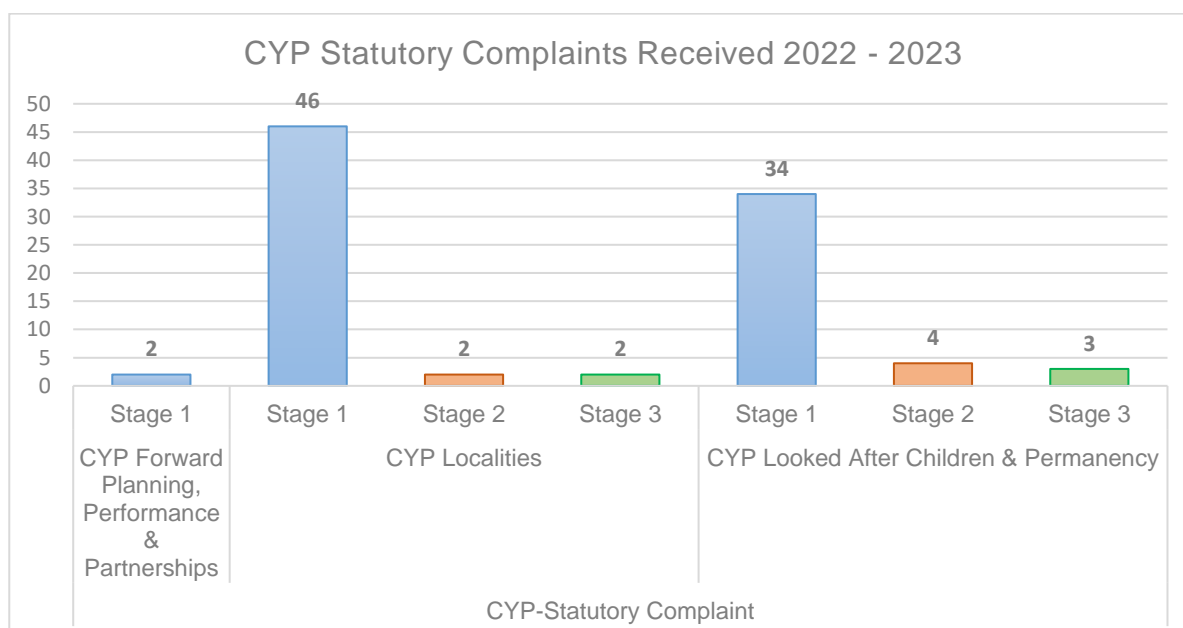
- Stage 1 statutory complaint numbers increased by 9% in 2022/23
- The department received 82 statutory stage 1 complaints in 2022/23
- There was a 7% escalation rate to stage 2 for statutory complaints - 10% less than the previous year
- 85% of stage 1 statutory complaints were responded to within target in 2022/23, against a target of 100% (compared with 63% in 2021/22)
- £13,800 was paid in compensation for the period 2022/23 on fifteen cases, an increase from £900 paid in the previous year.

4. Children’s Social Care Service Users

To put some context to the volume of complaints received in 2022/2023, Children’s Social Care received a total of 4,712 referrals and completed 3,680 Child & Family Assessments. As of 31 March 2023, the Council had 3,001 open Children in Need cases and 362 children were the subject of a Child Protection Plan. There were 319 Looked After Children and the Council had 498 care leavers aged 18-25 in receipt of services.

5. Complaints Received

5.1 Brent Council CYP received a total of 82 stage 1 statutory complaints in 2022/23, an increase of 9% from last year (7 complaints). There were six stage 2 requests received and five stage 3 panels convened.



- 5.2 The number of complaints received at stage 1 for Looked After Children and Permanency increased by 42% (10 complaints) from 2021/22. The number of stage 1 complaints received for Localities remained the same with 46 complaints received in 2022/23. Forward Planning, Performance and Partnerships received 2 complaints whereas last year they received 4. This is a decrease of 50%.
- 5.3 The Localities Service accounted for 46 complaints, 56% of the total number of stage 1 complaints received. These are split between East Localities, West Localities, Children with Disabilities and Multi-agency Safeguarding Hub (MASH)/Family Front door/ Families with no recourse to public funds (NRPF). These complaints concerned the communication and attitude of social workers, reports and records, and information contained within assessments.
- 5.4 The number of complaints received for East Localities was 6 and West Localities 3. These teams are involved with public law child protection cases as well as dealing with families going through private law proceedings where there is often parental conflict, and one parent can be unhappy with decisions made by social workers.
- 5.5 The Children with Disabilities team received 16 complaints in 2022/23. These cases commonly related to communication and information contained within records and reports. The Family Front Door/MASH/NRPF team received 21 stage 1 complaints, these generally concerned unhappiness with social worker assigned and process following a referral to Brent Family Front Door (BFFD).
- 5.6 Looked after Children accounted for 34 complaints, 41% of the total number of stage 1 complaints received. This is a notable increase compared to 2021/22 where 24 stage 1 complaints were recorded. The complaints received are split between Care Planning, Young People in Care, Fostering and Adoption and Kinship. Cases within Looked After Children are typically raised by the young person themselves so the Complaints Service will give the option of an advocate to help them navigate the complaints process, should this be required. Awareness of the complaint process amongst service users has got better so this does need to be taken into consideration when looking at the increased levels of complaints.
- 5.7 The Council received 6 Stage 2 requests in 2022/23, compared to 13 in 2021/22. This is a decrease of 54% and shows that improvements have been made to address concerns at the first stage resulting in less escalations.
- 5.8 Under the children's statutory procedure, a complainant has a right for their complaint to be heard by an Independent Review Panel at Stage 3. In 2022/23 the Council received 4 requests for Stage 3 panels, and 5 panels were held during the year. A summary of the complaints that resulted in a Stage 3 Panel has been provided at point 10.3.

6. Profile of complainants and method of contact

- 6.1 When complaints are received, they are directed to the Complaints Service for triaging. Of all the statutory children's stage 1 complaints received, the team received 76% by email, 22% by self-service online, and 2% by telephone. The number of complaints received via email remain the same compared to last year. There also hasn't been much change in the percentage of complaints received by telephone and

the online portal. The complaint legislation explicitly states that the Council must receive children's statutory complaints by any means.

- 6.2 The varied method of contact demonstrates that this is happening. Whilst the team has provided a telephone number on the web site, especially for children's social care complaints, email appears to be the preferred mode of delivery for complainants. There are three options to log complaints online through the customer portal: anonymously, unregistered or registered. The portal allows complainants to log and monitor the progress of their complaints all in one place.
- 6.3 The Council has limited information about the ages of complainants. The majority of complaints received in relation to Localities are raised by parents regarding their children, however the majority of complaints received by the Looked after Children service are raised by the young person themselves. Although the new system currently does not record equalities information, work is being done to ensure it can capture this data going forward. The Complaints Service will continue to record equalities information where available.

7. Nature / Reasons for Complaints

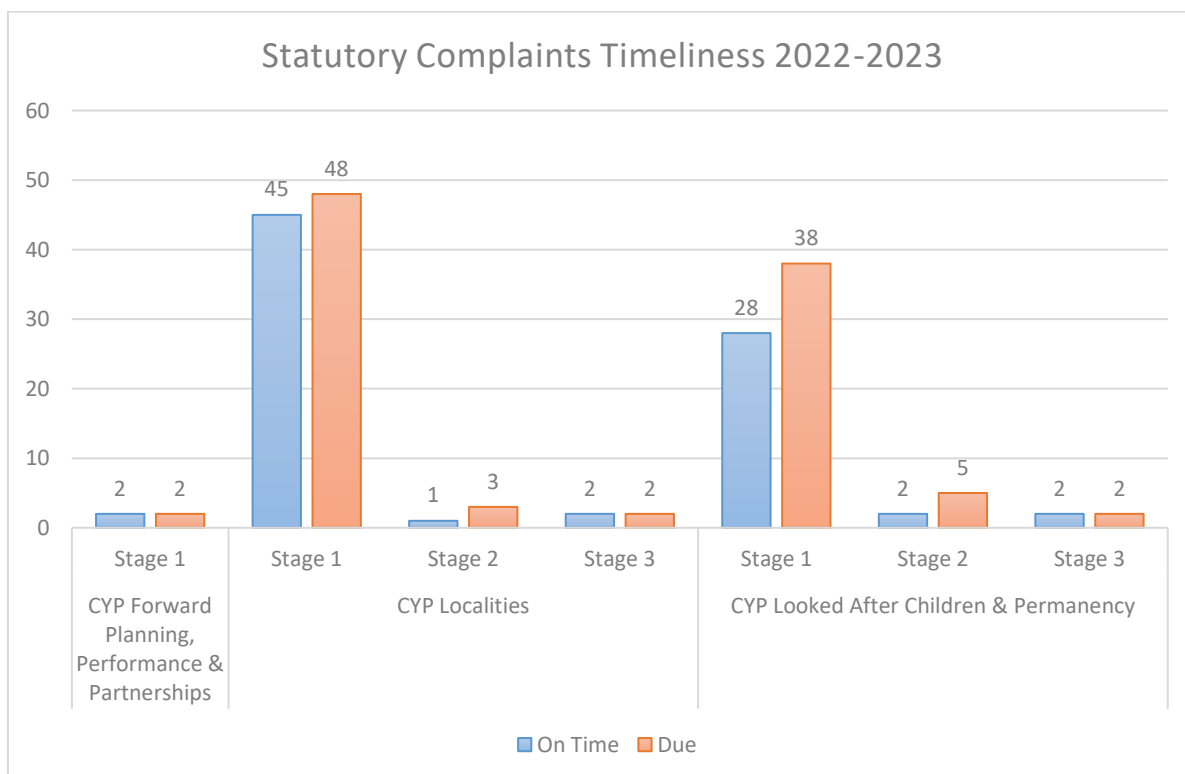
- 7.1 The main reason for complaints received in 2022/23 related to communication which remains a familiar theme from last year. Complaint root causes are categorised in three main categories: Communication, Service Failure and Policy and Procedure. In 2022/23 just over half (53%) of the stage 1 complaints closed were categorised under the category communication. Service failure accounted for 42% of cases and policy and procedure for 4%. Complaints concerning communication generally related to complainants not feeling they were kept informed or updated on key issues, with 54% of cases being upheld or partly upheld as a result. The Service continue to make improvements on how they communicate with service users to manage expectations.
- 7.2 Numerous complaints also concerned social workers' conduct or attitudes. Families may not always agree with the Council's decision, but Children's Social Care has a legal obligation to assist and act in the child's best interests. As a result, complaints are usually directed at specific social workers who frequently have to walk a difficult line between parents who are at odds. Complaints against social workers are most frequently made when one parent disagrees with a decision and accuses the social worker of siding with the other parent. In the majority of cases where staff conduct was identified as a root cause, the complaint was not upheld.
- 7.3 Complaints concerning parents who are in a conflict situation, with regards to access and care of their children, are on the rise. Usually this has been where the partners disagree about the care the child or children are receiving from the other parent. Some feel that the Child and Family Assessment or court reports are not completed in an impartial way and that the social worker has failed to communicate with them at an early enough stage in proceedings. This has been a problem for social workers trying to find a balanced approach through these relationships.
- 7.4 The Complaints Service provide complaints handling training to relevant staff members within CYP and attend team and management meetings to discuss key themes and learning from complaints.

7.5 Examples of the types of root causes of complaints that arise are listed below: -

- **Alleged poor staff attitude** - much of the work of Localities staff involves them taking actions in connection with highly sensitive child protection or child in need issues, which parents or carers may often disagree with. There have been a number of comments about social workers where the family member perceives a bias, leading to complaints about the alleged impartiality of assessments.
- **Service failure** - on completion of a Child and Family Assessment, or reports to the ICPC, social workers had not kept all the interested parties updated with the completed assessment and reports. In addition to this, not all parties agree to the information within reports which has been recorded as 'not up to standard.'
- **Looked After Children** - the main area of complaints related to leaving care. Most of the root causes are recorded as customers not being kept informed. This suggests the need for more awareness around time scales and procedures which need to be made clearer to customers.

8. Timeliness of Responses

8.1 The Council responded to 82% of all children’s statutory complaints within the appropriate timescales. This is an increase of 26 percentage points compared to the previous year. Although an improvement on the previous year, there is still work to be done to get to the Council’s target of 100%.

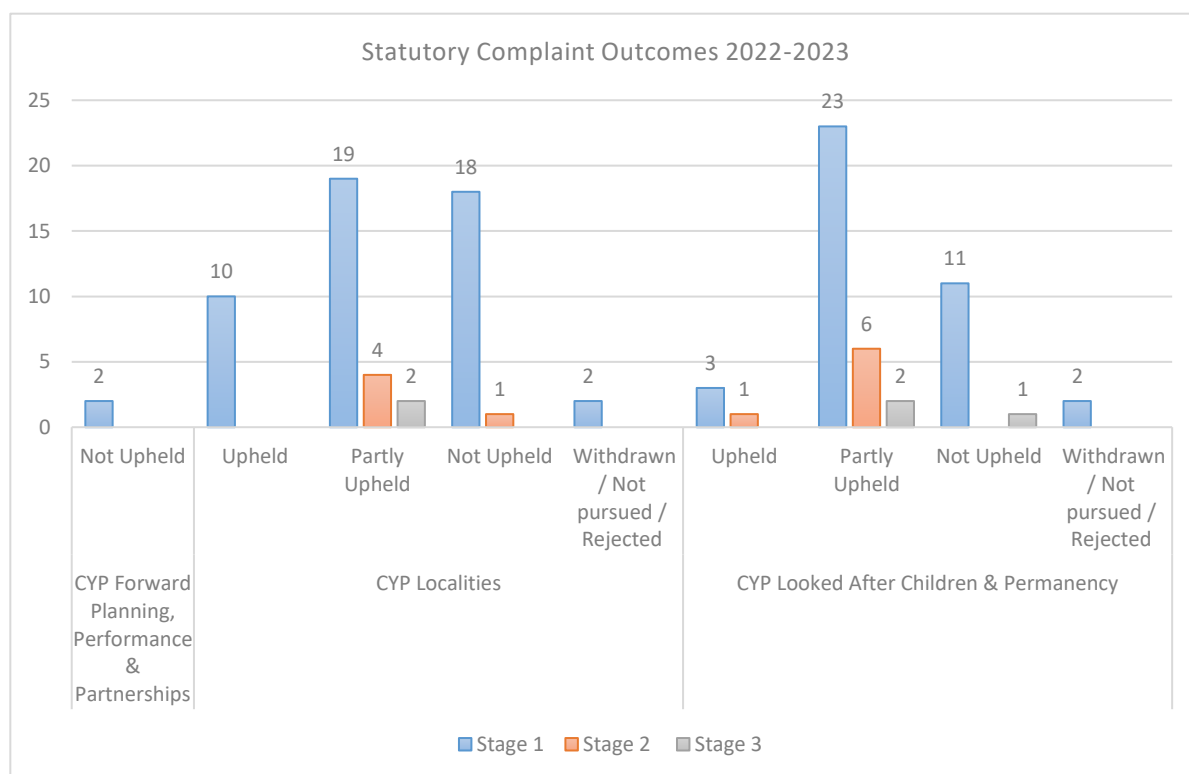


8.2 It is important to note that the statutory children’s complaint legislation allows the Complaints Service to extend the target deadline by 10 working days in complex cases.

8.3 The performance rate at stage 1 was 85%, with 75 out of 88 complaints responded to on time, whereas the performance rate for stage 2 complaints increased on last year with 3 out of 8 cases responded to on time, which is still below the required standard. This was due to the difficulties in finding independent investigators to carry out stage 2 investigations. The Council has now commissioned a company to carry out complaint investigations to prevent similar occurrences in addition to using the North West London pool of investigators.

9. Complaint Outcomes

9.1 There are four possible outcomes for complaints: withdrawn/not pursued/rejected, not upheld, partly upheld and upheld. The chart below shows the outcomes of statutory complaints at stage 1, stage 2 and stage 3 in 2022/23 as recorded on the Council’s case management system.



9.2 The key findings are:

- Of the 90 cases closed at stage 1 during 2022/23, the Council found some merit in 61% of complaints, with 55 complaints either upheld or partly upheld. A ‘Not Upheld’ outcome was decided in 31 cases at stage 1 and 4 cases were either withdrawn, not pursued or rejected. Service areas continue to show a willingness to admit errors or mistakes and to remedy concerns raised.

- The Council closed 12 stage 2 statutory complaints during 2022/23. One complaint was not upheld (9% of complaints). The majority of complaints at stage 2 were upheld or partly upheld which accounted for 91% of complaints closed in 2022/23. This is slightly higher than the amount of complaints upheld or partly upheld at stage 2 last year.
- In 2022/23 five stage 3 panels were completed, one was not upheld and the other 4 were partly upheld. The upheld cases at all stages account for 65% of all cases closed during this period which is comparable to last year.

10. Analysis and Learning from Complaints

10.1 Lessons learnt from complaints can help shape and improve services and the customer experience. There is a commitment within CYP for managers and staff to use this learning to improve outcomes for service users.

10.2 Detailed below is a summary of the cases escalated to stage 2 and where a detailed investigation was undertaken. It also includes any learning points and service improvements identified as a result of the complaint. The Council wishes to learn from its complaints and improve the service it provides.

- Localities had 5 stage 2 investigations in 2022/23. The general theme around these complaints concerned interactions with social workers including poor communication and delays. One complaint concerned recording of meetings. The recommendations that resulted from these complaints included:
 - Sharing of learning points from complaints
 - Review literature for families undergoing assessment and review child protection processes
 - Introduce a revised policy on digital recording
- Looked after Children and Permanency had seven stage 2 investigations – These cases concerned children who were in foster care or placement. Recommendations included:
 - The Council to come to a view as to how they address the issue of asylum seeking children and ensuring age assessments are completed in a timely manner to ensure children/young people are put into accommodation and education promptly.
 - Social workers to ensure that they make thorough and detailed recordings of significant events within the case records and escalate such matters, as required.

10.3 There were five stage 3 review panel adjudications during the year:

- Case 1: The complainant raised various concerns relating to the involvement of Early Help and his children, and not being told he was subject to a section 47 child protection investigation. In total, there were 26 complaints considered as part of the investigation. The Panel did not change any of the outcomes and were happy with the stage 2 investigation. However they did make some recommendations which have since been implemented and an offer of compensation.

- Case 2: This concerned two Looked After Children who felt they were not supported during their time in care and had raised concerns about a foster carer but felt the matter was not properly investigated. As part of this investigation, 5 complaints were considered. The Panel amended 3 of the outcomes to upheld. Further recommendations were made and an offer of compensation to both children.
- Case 3: This case was made by a father of a child under a Special Guardianship Order. The complainant was concerned about the welfare of the child and lack of confidence in the social work team. As part of the investigation, 3 complaints were considered. The Panel amended 2 of the outcomes; one from partly upheld to upheld and the other from not upheld to partly upheld. An apology was sent to the complainant. Further recommendations were made and an offer of compensation.
- Case 4: This case related to a number of asylum-seeking children. The complainant raised concerns about the timeliness of the age assessment, suitable accommodation and appropriate educational provisions. The stage 2 investigation reviewed 17 complaints of which 16 were upheld and one no finding. The Panel agreed to these outcomes however made further recommendations which included constructing a Practice Guidance document and ensuring appropriate staff training around asylum-seeking (putative) children.
- Case 5: This case related to a Child Protection Plan put in place following concerns raised by the school and was investigated by the Police. The complainant raised issues regarding a breach in timescales for the ICPC and the conduct of social workers, including misinformation in the reports. The stage 2 investigation reviewed 20 complaints. 18 of the complaints were not upheld and there were no findings for the remaining two complaints. The Panel changed the outcome of one of the complaints to upheld as the complaint point related to delays in logging a complaint for which compensation was offered in the stage 2 adjudication. Additional recommendations were made by the Panel.

10.4 The Children and Young People's department has recently relaunched a Practice Framework which sets out the way in which social work professionals are expected to work collaboratively and constructively with families. A new set of 'Practice Promises' were also launched in February 2022, setting out standards and expectations of what families can expect to receive. A round of case audit activity took place from April-July 2022 which measured current practice against these 'Practice Promises' to ensure that standards were being consistently met or exceeded.

11. Local Government and Social Care Ombudsman (LGSCO) Decisions in 2022/23

11.1 There were nine corporate and statutory Education & Children's Services complaints escalated in 2022/23 which is five less than the previous year 2021/22. The LGSCO made decisions on eleven cases during 2022/23 of which seven were closed after initial enquiries were made, one was referred back to the Council for local resolution, two were upheld and one was not upheld. In summary, from the 11 cases decided, fault was found in two of the cases, which provides a 18% uphold rate. This an

improvement on last year where the uphold rate was 23% (eight cases upheld out of 18 decided).

11.2 Both of the cases upheld fall under the corporate complaints process so are summarised in the covering Annual Complaints Report.

12. Compensation

12.1 Children’s Social Care awarded a total of £13,800 in compensation in 2022/23 across fifteen cases. This is a significant increase of £12,900 from 2021/22, where six cases were awarded compensation. This breaks down as follows:

- £3,050 was offered in three cases at stage 1 of the statutory complaint procedure. The compensation was paid for lack of provision, and time and trouble. In one case £2,500 was awarded at mediation stage for various errors that had occurred.
- A total of £7,750 was paid out at stage 2 across nine cases. In seven of these cases, compensation was paid due to a failure or delay in providing a service. In two cases compensation was paid due to time and trouble or distress caused.
- Compensation of £3,000 was awarded at stage 3 of the statutory complaints process in three cases. Compensation was offered in two cases for delay or failure to provide a service and in one case compensation was offered for time and trouble.
- The Ombudsman did not instruct the Council to pay any compensation in 2022/23.

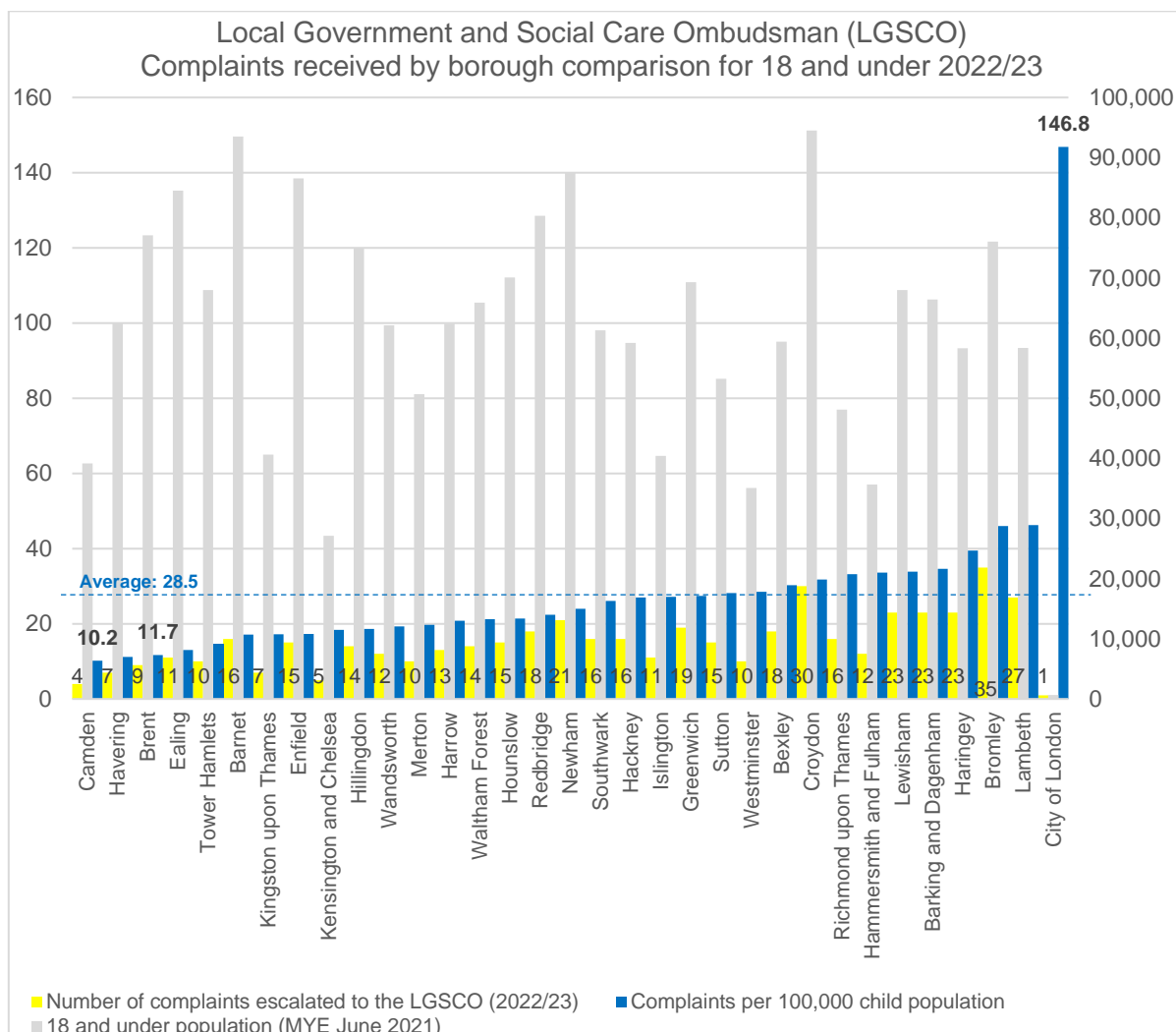
Children’s Social Care	Amount
Stage 1	£3,050
Stage 2	£7,750
Stage 3	£3,000
Ombudsman	£0
Total	£13,800

13. Benchmarking

13.1 Brent Council belongs to the North West London Social Care Complaint Managers Group. The majority of Councils have not yet done completed their Annual Complaints report or have chosen not to share data. Comparative data has therefore been provided below on Education and Children’s services cases that were received by the LGSCO during 2022/23. Data from the Office of National Statistics was also used to illustrate the number of complaints received relative to size of population of children within each borough. The average for all London Councils is 28.5 per 100,000 population whereas Brent is 11.7.

13.2 This means that Brent Council is performing better than average for complaints received by the LGSCO when compared to its projected population in 2021 of children 18 and under. There were 9 complaints escalated to the LGSCO in relation to Education and Children’s Services in 2022/23 which is five less than the number of complaints referred in 2021/22, even though the Ombudsman have confirmed that

complaints about Children’s services are on the increase. The estimated population for children 18 and under within Brent for mid-year 2021 was 77,113. When factoring complaints received per 100,000 children population this is a good rate and third lowest out of all London boroughs.



14. Compliments

14.1 The Service doesn’t just learn from complaints. Positive feedback can also provide useful insights. In the period covered by this report, the Children and Young People department logged 16 compliments on the Council’s complaints and compliments database, which is 15 less compliments logged than the previous year. Managers are encouraged to log all compliments they receive. Below are examples of some of the compliments received in 2022/23.

- **NRPF Team**

“This is to formally express our profound gratitude for your inestimable support and help Sir. My self, xxxx, xxxx and xxxxx want to use this opportunity to say a big thank you to you, the management and the entire NRPF team of the Brent Council. It has been a great privilege knowing you and working with you. We really appreciate everyday, every week, every month and years of our journey with you. More importantly, we have benefited without measure from your wealth of

*experience, high level of professionalism and very high sense of duty of care. May the good Lord bless your team and families.
Thank you so much and God bless you.”*

- **Localities – Referral and assessment team**

“I would like to thank you and your team for all your support to my family. Specially (xxxxx xxxxxx) he was excellently supportive throughout our difficult time he is a good person and honest . I would like to request you to recognise him for his professional support towards a family that really needed. We are really thankful for the support we got.”

- **Localities - East Locality Long Term Team**

“I would like to take this opportunity to commend a member of your team. xxxxxx xxxxxx was my allocated social worker, she stepped into my life and as far as I was concerned turned it upside down as she put me straight onto child protection. My first thought was “who does this woman think she is???... I hate her! Today I cannot even find the words to explain how grateful I am. xxxx is a force to be reckoned with. She knows her job and she does it well, she cares and this is genuine, my children adore her, anytime I engaged with her I always had her undivided attention and her insight was second to none. xxxxx had a way of lifting my spirits and reassuring me at the hardest of times and definitely made me feel like she went above and beyond for my family. I could toot her horn all day but really I just wanted to let you know you have a brilliant member of staff on your team, and I am grateful to her.”

- **Inclusion – SEND team**

“I just wanted to say thank you for your support with the situation at xxxxxx xxxxxx. With your help, we were able to raise key points which meant the xxxxx had to investigate. The investigation is pending but we have received an email from his teacher stating they will revert back to last years timetable. Your help behind the scenes was much appreciated. The situation has caused our family an additional stress and we were struggling with the situation. We had approached many professionals who did not act, but you listened and supported us and helped resolve the situation in a short space of time. I know my mum was extremely grateful that you were able to give her the time and listen to her over the phone. She said you were very calming and gave her strength to continue addressing the situation. We cannot thank you enough and are grateful that people like you still exists in the world to make lives better.”

- **Localities – East Locality Long Term Team**

*“I would like to express my gratitude to xxxx xxxx the social worker, for his excellent work commitment to me, my family and the school. xxxx xxxxx went above and beyond the call of duty to ensure my son and the family felt safe and secure.
I wish all social workers could work with xxxxx xxxxxxxx level of respect and compassion while maintaining their professionalism.”*

- **LAC and permanency – Fostering Support and assessment team**

“I thought you might want to know. Your SW xxxxx is an absolute STAR!!! She called xxxxx at 7pm (UK time) to check-in and make sure that we’re all alright. And all is going well by the way, better than expected.”

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Appendix C – Self-Assessment Form against the Housing Ombudsman Complaint Handling Code

This self-assessment form should be completed by the complaints officer and discussed at the landlord’s governing body annually. Evidence should be included to support all statements with additional commentary as necessary. Explanations must also be provided where a mandatory ‘must’ requirement is not met to set out the rationale for the alternative approach adopted and why this delivers a better outcome.

Section 1 - Definition of a complaint

Mandatory ‘must’ requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
1.2	A complaint must be defined as: <i>‘an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.’</i>	Yes	The definition in the Complaints Policy reads: “A complaint is defined as an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual or several individuals.” The reference to residents has been removed as anyone can make a complaint, not just residents.
1.3	The resident does not have to use the word ‘complaint’ for it to be treated as such. A complaint that is submitted via a third party or representative must still be handled in line with the landlord’s complaints policy.	Yes	Residents do not have to use the word complaint for it to be treated as one. As per the policy and definition above, a complaint could be made about the following: <ul style="list-style-type: none"> • Delay in taking action without good reason • Failure to provide a service • Mistakes in the way a decision was taken • Not following the law or the Council’s own rules • Broken promises • Giving incorrect or misleading information • Bias or discrimination • Rude, unhelpful or inappropriate behaviour by staff • Poor communication Complaint training provided to staff also reiterates that residents do not have to use the word ‘complaint’ for it to be treated as such.

1.6	... if further enquiries are needed to resolve the matter, or if the resident requests it, the issue must be logged as a complaint.	Yes	If the Council cannot immediately resolve the complaint or the resident requests for a complaint to be logged within valid reason, the issue is logged as a complaint.
1.7	A landlord must accept a complaint unless there is a valid reason not to do so.	Yes	The Council accepts all complaints unless there is a valid reason not to including where it falls within Appendix 1 of the Complaints Policy.
1.8	A complaints policy must clearly set out the circumstances in which a matter will not be considered, and these circumstances should be fair and reasonable to residents.	Yes	The Complaints Policy clearly outlines what can and cannot be considered under the Council's complaints process. The circumstances are fair and reasonable and in line with the Housing Ombudsman guidance.
1.9	If a landlord decides not to accept a complaint, a detailed explanation must be provided to the resident setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman.	Yes	If a complaint is not to be considered, the resident will still receive a response containing the detailed reasons why the complaint cannot be considered and the response will include escalation rights.

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
1.4	Landlords should recognise the difference between a service request , where a resident may be unhappy with a situation that they wish to have rectified, and a complaint about the service they have/have not received.	Yes	The Council recognises the difference between a complaint and a service request. It mentions in its Complaints Policy, "Some issues do not fall within the category of a complaint and are more appropriately dealt with as a service request. This can include instances where a customer is 'complaining' about a problem that the Council has not created, such as neighbour noise nuisance. The same can be true for a 'complaint' received to report a repair request. These are requests to the Council for appropriate action to be taken."
1.5	Survey feedback may not necessarily need to be treated as a complaint, though, where possible, the person completing the survey should be made aware of how they can pursue their dissatisfaction as a complaint if they wish to.	Yes	We will include this in our Tenant Satisfaction Measures (TSM) surveys, currently they are being undertaken by phone or in person so we can confirm that residents know how to complain. We will ask the teams undertaking transactional surveys to also confirm the process for making complaints.

Section 2 - Accessibility and awareness

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
2.1	Landlords must make it easy for residents to complain by providing different channels through which residents can make a complaint such as in person, over the telephone, in writing, by email and digitally. While the Ombudsman recognises that it may not be feasible for a landlord to use all of the potential channels, there must be more than one route of access into the complaints system.	Yes	Complaints can be raised via email, in person, by telephone or using the online form or portal. They can also be submitted via a Councillor or directly to officers if the resident asks for an issue to be processed through the complaints process. We accept all forms including verbal, written or online.
2.3	Landlords must make their complaint policy available in a clear and accessible format for all residents. This will detail the number of stages involved, what will happen at each stage and the timeframes for responding.	Yes	The Complaints Policy is available in a clear and accessible format for all residents. The policy contains stages, what will happen, and timeframes.
2.4	Landlord websites, if they exist, must include information on how to raise a complaint. The complaints policy and process must be easy to find on the website.	Yes	The Council's website has a dedicated complaints page which is easy to find on the Council's website and through its search function.
2.5	Landlords must comply with the Equality Act 2010 and may need to adapt normal policies, procedures, or processes to accommodate an individual's needs. Landlords must satisfy themselves that their policy sets out how they will respond to reasonable adjustments requests in line with the Equality Act and that complaints handlers have had appropriate training to deal with such requests.	Yes	The Council is committed to ensure that all residents can access its services and are not disadvantaged in any way. Below are some of the adjustments that can be offered: <ul style="list-style-type: none"> • use of email or telephone in preference to hard copy letters • use of plain English or Easy Read service on our website • communication through a representative or intermediary • rest or comfort breaks in meetings. • provision of information in appropriate alternative formats (eg. large print, Braille, coloured paper etc.) • provision of auxiliary aids

			<p>The Equality Act 2010 introduced the Public Sector Equality Duty (PSED) which the Council considers when carrying out day-to-day functions, crafting policies and delivering services. All staff undertake equality and diversity training, which is part of the Council's essential training programme. The Council's Equalities Strategy Lead officer is currently undertaking an overarching piece of work which is reviewing accessibility to the Council – not just in terms of physical access but also looking at how residents and customers are able to interact with us and access services/support based on, for example, our use of language in corporate materials. Our Equalities Strategy, due for circulation next year alongside our Borough Plan, will set out a detailed approach on how we aim to remove inequalities and build a better, stronger, more inclusive Brent.</p>
2.6	<p>Landlords must publicise the complaints policy and process, the Complaint Handling Code and the Housing Ombudsman Scheme in leaflets, posters, newsletters, online and as part of regular correspondence with residents.</p>	Yes	<p>The Complaints Policy, the Housing Ombudsman scheme, a copy of the Council's self-assessment of the code and the Code itself are all publicised on the Council's complaints page. Our final review complaints also signpost residents to the Housing Ombudsman should they remain dissatisfied. The Housing Management Service will include in regular correspondence (leaflets, posters, newsletters) details of the Housing Ombudsman and Complaints Handling Code as well as the Complaints Policy. The Housing Management Service will also be providing information on notice boards, at Resident Associations and will do a run on email signatures for short periods across the year promoting the complaints process.</p>
2.7	<p>Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.</p>	Yes	<p>The Council provides residents with contact information for the Ombudsman in complaint responses, online and in correspondence where appropriate.</p>
2.8	<p>Landlords must provide early advice to residents regarding their right to access the Housing Ombudsman Service throughout their complaint, not only when the landlord's complaints process is exhausted.</p>	Yes	<p>Details for the Housing Ombudsman and LGSCO are available on the Council's webpages and a direct link to the Ombudsmen pages is also provided. The Complaints Policy details a complainant's right to access the Housing Ombudsman Service throughout their complaint.</p>

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
2.2	Where a landlord has set up channels to communicate with its residents via social media, then it should expect to receive complaints via those channels. Policies should contain details of the steps that will be taken when a complaint is received via social media and how confidentiality and privacy will be maintained.	Yes	Where a complaint is received through social media, the complainant will be contacted through direct message to supply details so that the complaint can be logged on the Council's CRM system and be investigated. Details of the process is included in the Complaints Policy.

Section 3 - Complaint handling personnel

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
3.1	Landlords must have a person or team assigned to take responsibility for complaint handling to ensure complaints receive the necessary attention, and that these are reported to the governing body. This Code will refer to that person or team as the "complaints officer".	Yes	The Housing Management service have a dedicated support team and a Complaints Officer managing complaints. In addition, our principal repairs contractor has a dedicated complaints officer and we have weekly complaints meetings to address lessons learnt from complaints and work on next steps. The Council also have a corporate complaints team that monitor and track all complaints received by the Council. The corporate complaints team compile complaint reports to Cabinet on a yearly basis.
3.2	...the complaint handler appointed must have appropriate complaint handling skills and no conflicts of interest.	Yes	The Corporate Complaints Team have relevant training in handling complaints and are independent of the service area.

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
3.3	<p>Complaint handlers should:</p> <ul style="list-style-type: none"> • be able to act sensitively and fairly • be trained to handle complaints and deal with distressed and upset residents • have access to staff at all levels to facilitate quick resolution of complaints • have the authority and autonomy to act to resolve disputes quickly and fairly. 	Yes	All complaint handlers receive training on dealing with complaints and complainants. They have autonomy to resolve complaints and approve compensations payments at low level. There is also direct access to senior staff to facilitate quick resolution.

Section 4 - Complaint handling principles

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
4.1	<p>Any decision to try and resolve a concern must be taken in agreement with the resident and a landlord's audit trail/records should be able to demonstrate this. Landlords must ensure that efforts to resolve a resident's concerns do not obstruct access to the complaints procedure or result in any unreasonable delay. It is not appropriate to have extra named stages (such as 'stage 0' or 'pre-complaint stage') as this causes unnecessary confusion for residents. When a complaint is made, it must be acknowledged and logged at stage one of the complaints procedure within five days of receipt.</p>	Yes	If the Council feels that a complaint can be resolved at first point of contact, the resident will be asked whether they are in agreement for the service to take action. They will be told in writing that after the action is taken, if they are still dissatisfied they can progress their complaint through the Council's complaint procedure. All complaints at stage 1 and 2 are logged and acknowledged within five working days providing timescales and named officer contact details.

4.2	Within the complaint acknowledgement, landlords must set out their understanding of the complaint and the outcomes the resident is seeking. If any aspect of the complaint is unclear, the resident must be asked for clarification and the full definition agreed between both parties.	Yes	Complaint acknowledgements include a brief summary of the area of complaint and officers dealing with the complaint will promptly contact the complainant to request clarification if any aspect of their complaint is unclear or should the outcome the resident is seeking also not be clear.
4.6	A complaint investigation must be conducted in an impartial manner.	Yes	All complaints are investigated in an impartial manner. Accordingly, any complaints relating to a particular officer will be investigated and responded to by their line manager or a more senior manager. At stage 2 the corporate complaints team investigate complaints to ensure impartiality. These requirements are also stated in the policy and in complaints training to staff.
4.7	The complaint handler must: <ul style="list-style-type: none"> • deal with complaints on their merits • act independently and have an open mind • take measures to address any actual or perceived conflict of interest • consider all information and evidence carefully • keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter. 	Yes	All complaint handlers receive relevant training on complaints handling to conform to the points listed. There is also guidance on the Council's intranet pages to reinforce these points to officers. Annual Data Protection training is also a mandatory training requirement for all officers.
4.11	Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication	Yes	The Council considers any reasonable arrangements agreed by the resident relating to frequency and method of communication and adheres to those methods.
4.12	The resident, and if applicable any staff member who is the subject of the complaint, must also be given a fair chance to: <ul style="list-style-type: none"> • set out their position • comment on any adverse findings before a final decision is made. 	Yes	Where a complaint is made and a staff member or resident is subject of the complaint, they will be given the opportunity to provide their account of events and provide any comments before a decision is made and a final response is issued. Of course this will be in accordance with any GDPR limitations.
4.13	A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint	Yes	Escalation timescales are contained within the Council's Complaints Policy.

4.14	A landlord must not unreasonably refuse to escalate a complaint through all stages of the complaints procedure and must have clear and valid reasons for taking that course of action. Reasons for declining to escalate a complaint must be clearly set out in a landlord's complaints policy and must be the same as the reasons for not accepting a complaint.	Yes	The Council does not refuse to escalate a complaint through its complaints procedure unless there is a valid reason. Reasons why a complaint may not be escalated is stipulated in the Council's Complaints Policy.
4.15	A full record must be kept of the complaint, any review and the outcomes at each stage. This must include the original complaint and the date received, all correspondence with the resident, correspondence with other parties and any reports or surveys prepared.	Yes	All records of the complaint are logged on the Council's case management system. This includes dates, complaints and responses, relevant correspondence and documentation, any compensation and corrective actions/service improvements and outcomes. Corrective actions and service improvements are separately monitored by the service to ensure actions are carried out. We also record issue types and root causes of complaints.
4.18	Landlords must have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives when pursuing a complaint.	Yes	The Council's Vexatious Complaints Policy provides procedures on how to manage unacceptable behaviour from residents and/or their representatives when pursuing a complaint.

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
4.3	Landlords should manage residents' expectations from the outset, being clear where a desired outcome is unreasonable or unrealistic	Yes	The Council always tries to be explicitly clear at the start of the complaint process as to what outcomes are within scope and what may not be achievable.
4.4	A complaint should be resolved at the earliest possible opportunity, having assessed what evidence is needed to fully consider the issues, what outcome would resolve the matter for the resident and whether there are any urgent actions required.	Yes	We do our best to resolve a complaint at the first point of contact. We consider the issues and after full consideration will propose a reasonable solution. Any immediate actions will be taken as soon as possible.
4.5	Landlords should give residents the opportunity to have a representative deal with their complaint on their behalf, and to be represented or accompanied at any meeting with the landlord where this is reasonable.	Yes	The Council accept complaints from advocates, a representative or family member as long as consent from the complainant has been provided. Where reasonable they are also able to attend any meetings.
4.8	Where a key issue of a complaint relates to the parties' legal obligations landlords should clearly set out their understanding of the obligations of both parties.	Yes	The Council will clearly set out its understanding of the obligation of both parties and refer to any relevant legislation where available and incorporate legal advice if appropriate.

4.9	Communication with the resident should not generally identify individual members of staff or contractors.	Yes	When communicating with customers, we provide names of officers or contractors only when necessary so that the complainant has a named officer and contact details should they wish to discuss their case. Complaint responses will only mention individual officer names when necessary and where they have had direct involvement with the complainant.
4.10	Landlords should keep residents regularly updated about the progress of the investigation.	Yes	Where reasonable, officers will keep residents updated with the progress of their investigation. Complainants are informed in advance on the rare occasions when there will be a delay in responding.
4.16	Landlords should seek feedback from residents in relation to the landlord's complaint handling as part of the drive to encourage a positive complaint and learning culture.	Yes	We have Tenant Satisfaction Measures (TSM) surveys in place. We carry out post inspections in relation to some repairs so that feedback can be provided. We also ask at the end of every response for complainants to let us know if they have any remaining concerns.
4.17	Landlords should recognise the impact that being complained about can have on future service delivery. Landlords should ensure that staff are supported and engaged in the complaints process, including the learning that can be gained	Yes	Stage 2 complaint responses and Ombudsman decisions are circulated across the service so that learning can be gained. Staff are also supported and provided with complaints training and assistance on completing corrective actions or service improvements.
4.19	Any restrictions placed on a resident's contact due to unacceptable behaviour should be appropriate to their needs and should demonstrate regard for the provisions of the Equality Act 2010.	Yes	Restrictions placed following unacceptable behaviour and managed through the Vexatious Complaints Policy consider the Equality Act 2010 and impact on individual complainants. Only necessary restrictions are applied relating to specific issues. We always allow residents in these circumstances to access Council services more generally. We also have review periods for restrictions.

Section 5 - Complaint stages

Mandatory 'must' requirements

Stage 1

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.1	Landlords must respond to the complaint <u>within 10 working days</u> of the complaint being logged. Exceptionally, landlords may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason.	Yes	The Council aims to respond to all Housing Management complaints within 10 working days, where possible. There will be circumstances in which this is not possible, in which case the 20 working day timescale will be applied. Complainants will be advised of the likely response timescale in acknowledgements.
5.5	A complaint response must be sent to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue, are completed. Outstanding actions must still be tracked and actioned expeditiously with regular updates provided to the resident.	Yes	A complaint response is provided once an investigation has been completed and no later than the maximum timescale outlined in the Complaints Policy. Any actions required following the investigation will be logged with a timescale and tracked until completion.
5.6	Landlords must address all points raised in the complaint and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.	Yes	The Council addresses all points raised in the complaint, clearly providing reasons for decisions and referencing any relevant law/good practice.
5.8	Landlords must confirm the following in writing to the resident at the completion of stage one in clear, plain language: <ul style="list-style-type: none"> • the complaint stage • the decision on the complaint • the reasons for any decisions made • the details of any remedy offered to put things right • details of any outstanding actions • details of how to escalate the matter to stage two if the resident is not satisfied with the answer 	Yes	The Council follows the points provided in all Stage 1 complaint responses. The Council has a template available for officers to use so that all the points are addressed.

Stage 2

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.9	If all or part of the complaint is not resolved to the resident's satisfaction at stage one it must be progressed to stage two of the landlord's procedure, unless an exclusion ground now applies. In instances where a landlord declines to escalate a complaint it must clearly communicate in writing its reasons for not escalating as well as the resident's right to approach the Ombudsman about its decision.	Yes	All stage 1 complaints inform complainants that if they remain dissatisfied, they can escalate their complaint and details are provided of how they can do this. Where an exclusion ground applies, the complainant will still receive a formal response explaining the reasons as to why we will not escalate and be provided with the Ombudsman details should they wish to escalate.
5.10	On receipt of the escalation request, landlords must set out their understanding of issues outstanding and the outcomes the resident is seeking. If any aspect of the complaint is unclear, the resident must be asked for clarification and the full definition agreed between both parties.	Yes	As part of the investigation the officer will ask for clarification or further details to establish any outstanding issues and desired outcomes if required.
5.11	Landlords must only escalate a complaint to stage two once it has completed stage one and at the request of the resident.	Yes	Complaints are only escalated to stage 2 once a stage 1 response has been issued and at the request of the complainant. But we reserve the right to take it straight to the final stage if we think that is the best way forward in a particular case.
5.12	The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one.	Yes	All stage 2 responses are investigated by the Corporate Complaints team who are independent of the service area and officer who has responded at stage 1. Corporate directors or the Chief Executive review and sign off stage 2 complaints. If they are unavailable due to leave, this is delegated to a director to approve and sign off.
5.13	Landlords must respond to the stage two complaint within 20 working days of the complaint being escalated. Exceptionally, landlords may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason.	Yes	The Council aims to respond to all stage 2 Housing Management complaints within 20 working days, where possible. There will be circumstances in which this is not possible, in which case the 30 working day timescale will be applied. Complainants will be advised of the likely response timescale in acknowledgements.

5.16	<p>Landlords must confirm the following in writing to the resident at the completion of stage two in clear, plain language:</p> <ul style="list-style-type: none"> • the complaint stage • the complaint definition • the decision on the complaint • the reasons for any decisions made • the details of any remedy offered to put things right • details of any outstanding actions <p>and</p> <ul style="list-style-type: none"> • if the landlord has a third stage, details of how to escalate the matter to stage three • if this was the final stage, details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied. 	Yes	At the completion of a stage 2 investigation, a response is issued which includes the points stated. The response includes a summary of the complaint, a chronology of any relevant events, the decision and reasons for it. It also includes any actions and learning with timescales for implementation and a reasonable remedy which may include compensation.
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Stage 3

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.17	Two stage landlord complaint procedures are ideal. This ensures that the complaint process is not unduly long. If landlords strongly believe a third stage is necessary, they must set out their reasons for this as part of their self-assessment. A process with more than three stages is not acceptable under any circumstances.	Yes	The Council operates a two stage complaint process.
5.20	<p>Landlords must confirm the following in writing to the resident at the completion of stage three in clear, plain language:</p> <ul style="list-style-type: none"> • the complaint stage • the complaint definition • the decision on the complaint • the reasons for any decisions made • the details of any remedy offered to put things right • details of any outstanding actions • details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied 	N/A	The Council operates a two stage process.

Best practice 'should' requirements

Stage

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.2	If an extension beyond 20 working days is required to enable the landlord to respond to the complaint fully, this should be agreed by both parties.	Yes	Where the Council requires more time to investigate the issues and provide a response, this is agreed with the resident.
5.3	Where agreement over an extension period cannot be reached, landlords should provide the Housing Ombudsman's contact details so the resident can challenge the landlord's plan for responding and/or the proposed timeliness of a landlord's response.	Yes	If the resident is unhappy with the extension period and we are unable to agree a timescale, Ombudsman details will be provided and the Council will continue with its investigation and provide a response as soon as possible.
5.4	Where the problem is a recurring issue, the landlord should consider any older reports as part of the background to the complaint if this will help to resolve the issue for the resident.	Yes	Where there is a recurring issue, the Council will review the relevant history and provide a remedy on all available evidence.
5.7	Where residents raise additional complaints during the investigation, these should be incorporated into the stage one response if they are relevant and the stage one response has not been issued. Where the stage one response has been issued, or it would unreasonably delay the response, the complaint should be logged as a new complaint.	Yes	Where additional complaints are raised during the investigation, these will be incorporated if relevant and if the response has not yet been issued. If the issues require significant time to be looked into and would delay the response, a new complaint will be logged or new timescale will be agreed with both parties.

Stage 2

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.14	If an extension beyond 10 working days is required to enable the landlord to respond to the complaint fully, this should be agreed by both parties.	Yes	If any extension is required to respond to the complaint fully, this is agreed by both parties.
5.15	Where agreement over an extension period cannot be reached, landlords should provide the Housing Ombudsman's contact details so the resident can challenge the landlord's plan for responding and/or the proposed timeliness of a landlord's response	Yes	Where an agreement cannot be reached, Ombudsman details will be provided and the Council will continue with its investigation and provide a response as soon as possible.

Stage 3

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.18	Complaints should only go to a third stage if the resident has actively requested a third stage review of their complaint. Where a third stage is in place and has been requested, landlords must respond to the stage three complaint within 20 working days of the complaint being escalated. Additional time will only be justified if related to convening a panel. An explanation and a date for when the stage three response will be received should be provided to the resident.	N/A	The Council operates a two stage process.
5.19	Where agreement over an extension period cannot be reached, landlords should provide the Housing Ombudsman's contact details so the resident can challenge the landlord's plan for responding and/or the proposed timeliness of a landlord's response.	N/A	The Council operates a two stage process.

Section 6 - Putting things right

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
6.1	Effective dispute resolution requires a process designed to resolve complaints. Where something has gone wrong a landlord must acknowledge this and set out the actions it has already taken, or intends to take, to put things right.	Yes	The Council will always try to resolve the issues as soon as possible. If the Council is at fault, it will accept fault, offer an apology and provide a plan of action to put things right if the issues have not yet been resolved.
6.2	Any remedy offered must reflect the extent of any service failures and the level of detriment caused to the resident as a result. A landlord must carefully manage the expectations of residents and not promise anything that cannot be delivered or would cause unfairness to other residents.	Yes	The Council follows the remedy guidance provided by the Housing Ombudsman. All remedies are considered on their own merit and in line with published guidelines. The Council will try its best to manage expectations of what can and cannot be delivered.
6.5	The remedy offer must clearly set out what will happen and by when, in agreement with the resident where appropriate. Any remedy proposed must be followed through to completion.	Yes	Any actions to be taken to remedy fault will be explained and clear timescales will be provided. Corrective actions will be monitored and tracked to completion.
6.6	In awarding compensation, a landlord must consider whether any statutory payments are due, if any quantifiable losses have been incurred, the time and trouble a resident has been put to as well as any distress and inconvenience caused.	Yes	The Council follows the Housing Ombudsman guidance on compensation and considers payments that are required by law, any refunds/losses, time/trouble, distress and inconvenience.

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
6.3	Landlords should look beyond the circumstances of the individual complaint and consider whether anything needs to be 'put right' in terms of process or systems to the benefit of all residents.	Yes	The Council will always try to learn lessons from complaints and implement any service improvements to benefit residents.
6.7	In some cases, a resident may have a legal entitlement to redress. The landlord should still offer a resolution where possible, obtaining legal advice as to how any offer of resolution should be worded.	Yes	The Council does liaise with its legal department where there may be a legal entitlement to redress so that a reasonable offer of redress is provided.

Section 7 - Continuous learning and improvement

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
7.2	Accountability and transparency are integral to a positive complaint handling culture. Landlords must report back on wider learning and improvements from complaints in their annual report and more frequently to their residents, staff and scrutiny panels.	Yes	<p>Learning from complaints is included in the Council's Annual Complaints Report which goes to Cabinet and is considered at scrutiny committees. If some of the recommendations include training needs or reminders to staff, senior managers will communicate this. Residents are informed in complaints responses of any service improvements that will be implemented as a result of their complaint.</p> <p>Under the new tenant engagement strategy and model there is a clear commitment to respect for resident feedback and how this is not only implemented in the service but positive change is communicated back to the resident. Examples include: A tenant and leasehold led review of complaint responses min once per year, include learning from trends in our complaints in tenant targeted comms and when reviewing policies use complaints as a form of insight.</p> <p>To effectively embed a culture of respect for resident feedback, the service responsible for engagement will carry out training and briefings with individual teams and a quality management system will be linked to the new strategy to measure impact and identify gaps in practice.</p>

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
7.3	A member of the governing body should be appointed to have lead responsibility for complaints to support a positive complaint handling culture. This role will be responsible for ensuring the governing body receives regular information on complaints that provides insight to the governing body on the landlord's complaint handling performance.	Yes	The Deputy Leader has complaints within their portfolio. Complaints are reported quarterly to the Council's Management Team (CMT) and annually to Cabinet, Policy Co-ordination Group (PCG) and Scrutiny.
7.4	<p>As a minimum, governing bodies should receive:</p> <ul style="list-style-type: none"> • Regular updates on the volume, categories and outcome of complaints, alongside complaint handling performance including compliance with the Ombudsman's orders • Regular reviews of issues and trends arising from complaint handling, • The annual performance report produced by the Ombudsman, where applicable • Individual complaint outcomes where necessary, including where the Ombudsman made findings of severe maladministration or referrals to regulatory bodies. The implementation of management responses should be tracked to ensure they are delivered to agreed timescales. The annual self-assessment against the Complaint Handling Code for scrutiny and challenge. 	Yes	<p>Information relating to complaints is provided quarterly to CMT which includes: Volumes, Performance, Outcomes, Compensation, Root Causes, and Ombudsman Cases.</p> <p>All Ombudsman decisions are circulated to Corporate Directors, Directors, Heads of Service and officers involved with the complaint when the decision is received. The upheld Final Decisions are also circulated to the Chief Executive, the Leader, and Deputy Leader as portfolio holder. A summary of the upheld cases are also included in the Council's annual report. The self-assessment the Council undertakes in relation to the Housing Ombudsman Code will be included in the Council's annual complaints report if there have been any significant changes.</p>

7.5	Any themes or trends should be assessed by senior management to identify potential systemic issues, serious risks or policies and procedures that require revision. They should also be used to inform staff and contractor training.	Yes	Themes and trends are highlighted to senior management and corrective actions are issued to service areas to complete. Any learning is passed to officers and contractors and service improvements are implemented such as change in policy, etc.
7.6	Landlords should have a standard objective in relation to complaint handling for all employees that reflects the need to: <ul style="list-style-type: none"> • have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments • take collective responsibility for any shortfalls identified through complaints rather than blaming others • act within the Professional Standards for engaging with complaints as set by the Chartered Institute of Housing. 	Yes	The Council works collaboratively with teams across departments to achieve a joined up approach to complaints. Council services collectively take responsibility and identify solutions to make things right.

Section 8 - Self-assessment and compliance

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
8.1	Landlords must carry out an annual self-assessment against the Code to ensure their complaint handling remains in line with its requirements.	Yes	The Council carries out a self-assessment of the code on a yearly basis.
8.2	Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures.	Yes	The Council will carry out a self-assessment if there have been significant changes.
8.3	Following each self-assessment, a landlord must: <ul style="list-style-type: none"> • report the outcome of their self-assessment to their governing body. In the case of local authorities, self-assessment outcomes should be reported to elected members • publish the outcome of their assessment on their website if they have one, or otherwise make accessible to residents • include the self-assessment in their annual report section on complaints handling performance 	Yes	The outcome of the self-assessment is reported to elected members. It is also published on the Council's website and included in the Annual Report.

Appendix D - Damp and Mould Self-Assessment

Spotlight on: Damp and Mould

Chapter 1: From reactive to proactive

1. Landlords should adopt a zero-tolerance approach to damp and mould interventions. Landlords should review their current strategy and consider whether their approach will achieve this.

A revised damp and mould procedure has been developed and confirms our zero-tolerance approach to damp and mould and sets out our current strategy for achieving this. Our aim is to ensure every tenant feels confident in how they can take steps to prevent damp and mould and they have trust in us as a landlord to resolve damp and mould issues as a priority.

Our procedure is underpinned by a comprehensive approach to identifying and tackling damp and mould and outlines all relevant channels and interventions we have in place, this includes;

- *Investing in training for both technical and non-technical staff to raise the competence of our workforce and their ability to identify damp and mould*
- *Home visits, specifically tenancy audits which include a full inspection of a home and use of our contractors who carry out responsive repairs to report any issues they identify*
- *Utilising the expertise of the local authorities private housing team to carry out independent inspections of 10% of homes each year*
- *Using data to identify homes that could be more susceptible to damp and mould including energy efficiency, stock condition surveys and the life-cycle of major works required*
- *Maintaining contact with all tenants who have experienced damp and mould to ensure they feel supported to report any re-occurrence.*
- *Collaborating with NHS practitioners to revise the advice on how to better manage moisture within homes and the publication of a new look damp and mould leaflet*
- *Attending a live radio show called 'Brent Health Matters' on The Beat 103.6FM and sharing the things we are doing to help residents tackle issues around damp and mould in their homes, providing advice on how residents can positively influence and improve the spread of mould and what to do if they are suffering with mould.*

2. Landlords should consider whether they require an overall framework, or policy, to address damp and mould which would cover each area where the landlord may be required to act. This would include any proactive interventions, its approach to diagnosis, actions it considers appropriate in different circumstances, effective communication and aftercare.

The response in question 1 sets out our position for taking a proactive approach to intervening for damp and mould.

If a concern is identified, a qualified surveyor from the Housing Property Service will inspect the property. We can prioritise and carry out an inspection within 48 hours if we are provided with photographic evidence and the issue is deemed as severe and within 28 days if it is deemed to be minor issue such as a small patch of mould, this is in line with NHS advice.

The policy also sets out the support and care provided for tenants during this time. The Housing Officer will be responsible for carrying out an assessment of the tenant and household members and any lifestyle factors they may need support with. An example of this is if the home is cold or the tenant is struggling to pay utility bills then a referral to the Brent Hub will be carried out and our outreach service Green Doctors who provide independent advice on staying warm and saving money will assist. The Council also operates the resident support fund which officers in housing can fast track applications for tenants for if they are experiencing financial hardship.

(see D8 9259 Damp and mould Leaflet - Karen Luke D8). We carry out post inspection of all damp and mould remedial works to confirm works have been carried out as specified. We also provide literature in the form of an advice sheet that provides useful information on how to manage moisture within our residents' homes. All work orders related to D&M carry a tagged code to enable us to have 100% visibility of all D&M jobs completed.

Leaks in homes, particularly leaks that occur over a long period and are unreported contribute to damp and mould within a home. We have strengthened our forced entry procedure to ensure we are able to resolve leaks as quickly as possible even if there is no engagement from the tenant. This is proved an effective intervention and there have been over 200 forced entry warnings issues and five forced entries carried out in the past 12 months. All successfully led to entry being gained.

3. Landlords should review the accessibility and use of their systems for reporting repairs and making complaints to 'find their silence'.

We have a wide range of channels to report damp and mould, in order to make the service as accessible as possible. These include;

- *Telephone to the in-house call centre*
- *Online portal My Account*
- *Dedicated email address for damp and mould dampandmould@brent.gov.uk*
- *Five hubs across the borough for those who need face to face support to report issues*
- *Elected members who can advocate on behalf of tenants and report issues where required*
- *Translation services*

The Council's website and portal My Account, which allows tenants to report all types of repairs including damp and mould has been assessed for accessibility. This has been carried out by companies such as The Shaw Trust, THco and All Able. All recommendations to improve accessibility have been implemented and key features of these platforms includes options for audio, larger font and translation services where required.

The Council has also produced standard accessibility guidance to help officers produce information that is accessible to all, this includes guidance on written communication, face to face and telephone.

Officers carrying out visits and inspections know how to contact interpreting services, this can include video interpretation for a British Sign Language Interpreter.

4. Landlords should identify opportunities for extending the scope of their diagnosis within buildings, for example by examining neighbouring properties, to ensure the response early on is as effective as possible.

We have reviewed the need to upgrade existing trickle and timer operated mechanical extraction and decided that a humidistat fan will be the best way to automatically manage excess levels of moisture within homes, this is regardless of the condition of the existing fan because we acknowledge that fans are an integral part of managing moisture and a 'smart' fan will be more effective.

We also review and consider inherent building defects in similar archetypes and neighbouring properties. We arrange inspections where there are multiple issues within a block, this approach is to confirm that there are no residents 'suffering in silence' and unaware that we are here to assist with any defects that they are living with.

We carried out a review of the data held on our systems relating to historical reports of damp and mould. The information gathered created a list of 880 properties that had reported suffering from damp and mould over the last seven years. We contacted all residents by various media such as letters, emails and text messages and requested the opportunity to visit and carry out a follow up inspection to those still suffering from damp and mould in their homes. We prioritised inspections based on photographic evidence and have implemented a programme of remedial works to eradicate the presence of damp and mould in our residents' homes.

5. Landlords should implement a data driven, risk-based approach with respect to damp and mould. This will reduce over reliance on residents to report issues, help landlords identify hidden issues and support landlords to anticipate and prioritise interventions before a complaint or disrepair claim is made.

We are committed to using the information we hold to proactively identify re-occurring cases of damp, mould or condensation or properties that could be more susceptible to these issues. This could include the energy efficiency of a building, stock condition and when major works are due to be carried out such as windows and roofs.

We have recently concluded a pilot utilising smart technology to better enable us to effectively combat damp and mould in our residents' homes. We worked with Vericon Systems and Bosch to install IOT (Internet of Things) smart sensors that detect high levels of condensation within homes and data on air flow and a sensor linked to the boiler. This information is sent to an online portal and flags and emails an alert when homes exceed safe parameters, and the conditions are likely to cause mould related issues. A surveyor will then contact the resident to discuss and provide advice on how to better manage moisture issues within their home. We have now taken the bold decision to install sensors in to all current and future void properties as part of the void lettable standard.

When we identify trends within a block or similar archetypes such as street properties, we will contact residents and will investigate issues that residents may be suffering from – door knocking with Technical and Tenancy colleagues. Low and high users of the repairs service are also highlighted by our data team, and tenancy audits are arranged.

We are now installing the sensors as part of our voids refurbishment. We are also considering a potential change in our tenancy agreements, to facilitate the use of sensors in residents' homes.

6. Where properties are identified for future disposal or are within an area marked for regeneration, landlords should proactively satisfy themselves that residents do not receive a poorer standard of service or lower living conditions, that steps are taken to avoid homes degrading to an unacceptable condition and that they regularly engage and communicate with these residents.

We will always look to maximise the income from our housing stock and this may mean reviewing empty homes such as those on regeneration sites for various types of short term relet including temporary decants. If we highlight potential decant property within a regeneration scheme, we will carry out a cost analysis to determine the viability, If it is not viable to return the property to a lettable standard we will not do so.

When we have confirmed the viability of a property within a regeneration scheme, we have an enhanced lettable standard for viable properties. This includes full decoration and carpets and the same overall zero-tolerance approach to damp and mould, the specification mentioned above is for all homes owned and let/managed by Brent as a minimum standard.

Before a property is considered for Temporary Accommodation, Emergency Accommodation or decant we thoroughly inspect and carry out any repairs required to meet the Housing Health and Safety Rating System (HHSRS) and our own Lettable standard.

7. Landlords should avoid taking actions that solely place the onus on the resident. They should evaluate what mitigations they can put in place to support residents in cases where structural interventions are not appropriate and satisfy themselves they are taking all reasonable steps.

As a landlord it is our responsibility to keep the homes we manage safe and well maintained. We adhere to Housing Ombudsman advice, tackling damp and mould at the earliest opportunity and proactively. When we identify or receive a report of damp and mould, we will have a qualified surveyor attend the property to carry out a thorough inspection.

We recruit qualified surveyors and prioritise their ongoing professional development to ensure knowledge and skills are kept up to date and reflective of best practice.

If the home is confirmed to be affected by damp and mould following an inspection, we will then:

- *Upgrade any existing extractor fans to humidity-controlled extractor fans*
- *Carry out a three stage mould treatment in the property and;*
- *Follow up with full redecoration of any affected rooms.*

These works will take place whilst tenants remain in their home. There may be occasions where tenants are offered a temporary decant e.g. due to vulnerability, this would need to be agreed by the Brent Housing Management Panel.

As stated, the Housing Officer will be responsible for carrying out an assessment of the tenant and household members and any lifestyle factors they may need support with and can contribute to damp and mould growth e.g. heating the home.

All the surveying team have had further training on the causation and treatment of D&M, as well as contractors. We have also implemented training around Building Regs, HHSRS and the difference between masking D&M or eradicating it, using correct treatments, ventilation and in-depth diagnosis.

8. Together with residents, landlords should review the information, materials and support provided to residents to ensure that these strike the right tone and are effective in helping residents to avoid damp and mould in their properties.

The materials that have been produced to date to support our approach to damp and mould have enabled us to act quickly to contact tenants. The tenant engagement team however have committed to hosting a focus group with tenants who have been impacted by damp and mould to review the materials and their experience of the process so we as a landlord can make improvements and strike the right tone.

This review will be completed by October 2023.

9. Landlords should be more transparent with residents involved in mutual exchanges and make the most of every opportunity to identify and address damp and mould, including visits and void periods.

When a resident contacts the council to request a mutual exchange a health and safety visit is arranged by the tenancy officer and a surveyor is invited to carry out a HHSRS inspection. The surveyor will address any repairs required that fall with the council's responsibility and any repairs that are deemed to be residents damage will be listed and the resident will be required to complete these repairs before the mutual exchange is signed off. The HHSRS survey will highlight all repairs that are required to satisfy us that a property is fit for habitation.

10. Landlords should ensure their strategy for delivering net zero carbon homes considers and plans for how they can identify and respond to potential unintended consequences around damp and mould.

Our standard specification includes eradicating mould issues and improving airflow, where we improve thermal efficiency, we will also educate residents on how best to use and manage energy consumption and moisture management as a direct result of the improvements we deliver.

If there is a fundamental building fabric failure within a home such as a failed damp-proof course or damp proof membrane, we have consulted with residents and taken the decision to rehouse, this can be a temporary or permanent move and will consider the disruption and timeframe to complete works.

We have identified a mixture of period as built or converted street properties and medium height blocks. These homes will benefit from a programme of works to increase their energy performance to a C rating. This will be achieved by installing external, internal or cavity

insulation and loft insulation, we will also be upgrading or installing mechanical ventilation and renewing more efficient windows.

Chapter 2: From inferring blame to taking responsibility

11. Landlords should review, alongside residents, their initial response to reports of damp and mould to ensure they avoid automatically apportioning blame or using language that leaves residents feeling blamed.

As a landlord it is important to us that tenants do not feel blamed for damp and mould in their home. We recognise damp and mould is a complex issue and there are many contributing factors. Our priority, once it is identified, is to act swiftly to treat the problem no matter how it was caused and then work with the tenant to explore and understand contributing factors both structure and non-structural. As mentioned this can include offering support.

There will be instances where knowledge and education play a part, but this will be made clear in the advice given when communicating with residents.

Officers are trained to ensure they are empathetic and respectful to the tenant when discussing or communicating with them about damp and mould. The tenant experience focus group will give us more in-depth insight in the how successfully this is being implemented and we are committed to continuing to learn from tenants.

We have also introduced a 2-stage review of written responses to tenants to ensure that when advice is offered, in a response, it is done very sensitively and appropriate language is used.

12. Landlords should consider their current approach to record keeping and satisfy themselves it is sufficiently accurate and robust. We would encourage landlords to go further and consider whether their record keeping systems and processes support a risk-based approach to damp and mould.

We record all interactions with residents on our CRM system, this includes all communication, specifications and works orders. We communicate in various forms to make sure residents receive important information relating to damp and mould surveys, this can be by email, text message and hard copy letters.

All damp related service requests and/or inspections and follow-on works are recorded by inspection type and a prefix of 'Damp and Mould' is included in job description. All inspections or work orders that include an element of damp and mould are monitored and tracked and require a physical post inspection on completion of works. We run weekly reports that include every single instance of damp and mould and discuss at weekly meetings with our repairs contract provider.

We deliver a rolling programme of stock condition surveys that consider the Housing Health and Safety Rating System (HHSRS), all HHSRS failures are recorded and fed back to the repairs team. This will result in a works order being raised to remedy the failure, or an inspection being arranged for a surveyor to visit to investigate further if is a category 1 failure.

13. Landlords should ensure that their responses to reports of damp and mould are timely and reflect the urgency of the issue.

We will visit all homes where there has been a report of damp and mould. We aim to visit a home within 28 days, this can be brought forward if it is a severe case, in order to determine the severity we will ask for photographs to be provided so we can carry out a desktop assessment.

We have the resource to arrange an inspection at our resident's convenience and can scale up this resource to meet the demand. We are conscious that there are many residents suffering from damp and mould that we may have failed in the past, this is why we have reached out to almost 900 residents and requested clarification if they are still suffering from damp and mould in their homes. We will be piloting a patch-based surveying approach to improve ownership and relationships with key stakeholders, this will also include a buddy system whereby we always have cover for patches where a patch surveyor is absent. This will go live when we have brought all surveyors up to the required level on all aspects of surveying, including void, disrepair, damp diagnosis and structural surveys. This is envisaged to go live on Monday 4th December 2023.

14. Landlords should review the number of missed appointments in relation to damp and mould cases and, depending on the outcome of any review, consider what steps may be required to reduce them.

Residents are awarded £100 compensation if a contractor fails to attend a confirmed appointment. If a resident fails to provide access for a confirmed appointment our contractor will contact the resident and attempt to gain access up to a maximum of 3 attempts. If access is not provided, we will liaise with colleagues in Tenancy Services and will seek an injunction. We work closely with colleagues in review the data we hold to identify vulnerable residents and residents that may have a preferred language other than English.

We meet our current service provider on a weekly basis and missed appointments are discussed and measures have been put in place such as prefix to all works order descriptions to advise of works and post inspection requirement on completion of works.

15. Landlords should ensure that their staff, whether in-house or contractors, have the ability to identify and report early signs of damp and mould.

We have delivered in-house training for Brent Surveyors and Contract Supervisors on a number of key areas such as;

- *HQN - An introduction to HHSRS inspections for Repairs Surveyors*
- *Mould Growth Solutions training on the causes and remedial works for damp and mould*
- *Tool box talks for our repairs contractor operatives regarding how to diagnose mould within homes and the correct eradication process.*
- *Housing Quality Network (HQN) delivered Understanding the new safety regime — the Building Safety Act and Social Housing Regulation Bill*

We regularly review best practice and changes to legislation and provide the required training when required.

16. Landlords should take steps to identify and resolve any skills gaps they may have, ensuring their staff and contractors have appropriate expertise to properly diagnose and respond to reports of damp and mould.

We have taken the actions listed above in 14 but are also supporting staff to become qualified in their field. In 2022 the Council commissioned the Housing Quality Network to deliver damp and mould training for non-technical staff which was attended by 74 staff members all of whom come into contact with residents and or carry out home visits. These included; housing officers, contact centre operatives and front line managers. The purpose of this training was to upskill officers to identify damp and mould in residents home and the consequences on residents quality of life if not addressed. This training set out the expectation for all officers in contact with residents to ensure they report concerns if damp and mould is highlighted in any form of communication with residents or physically seen in the property. This training will form part of an annual refresh and be rolled out to all relevant officers each year.

17. Landlords should ensure that they clearly and regularly communicate with their residents regarding actions taken or otherwise to resolve reports of damp and mould. Landlords should review and update any associated processes and policies accordingly.

We have provided clear guidance to our repairs team and repairs contractor regarding the requirements and action required if damp and mould is found within a resident's home.

We communicate with residents throughout the journey from the initial scheduling of an appointment and during a surveying visit through to the contractor making an appointment to carry our remedial works. This includes sharing knowledge on how to manage moisture within the home to avoid an issue such as condensation-based damp and mould returning on completion of repairs. We share information such as the importance of not blocking ventilation points and making sure fans are not switched off and the reason why.

18. Landlords must ensure there is effective internal communication between their teams and departments and ensure that one individual or team has overall responsibility for ensuring complaints or reports are resolved, including follow up or aftercare.

The Property Services Resolution team deliver this service, the Resolution Team Manager is tasked with ensuring that actions included in a complaint resolution are tracked and that agreed deadlines are met. The information is collated by the Resolution Team and the complaint file is updated This information has been shared with residents, staff and Councillors.

19. Landlords should ensure that their complaints policy is effective and in line with the Complaint Handling Code, with clear compensation and redress guidance. Remedies should be commensurate to the distress and inconvenience caused to the resident, whilst recognising that each case is individual and should be considered on its own merits.

There is a dedicated resolution team in place who deliver this service and they will always follow the Complaints Handling Code. Brent Council's complaints policy is also inline with the

Code and the Council follows the remedies guidance from the Housing Ombudsman when considering compensation and redress.

On an annual basis we work closely with the corporate complaints team to complete the self-assessment against the complaints handling code to ensure we are compliant and in keeping with the requirement of the housing ombudsman.

Our complaints service also offer regular feedback on stage 2 complaints and or cases that have escalated to the ombudsman to managers in the service in order to learn from complaints.

Chapter 3: From disrepair claims to resolution

20. Landlords need to ensure they can identify complex cases at an early stage and have a strategy for keeping residents informed and effective resolution.

Please refer to point 13 above.

21. Landlords should identify where an independent, mutually agreed and suitably qualified surveyor should be used, share the outcomes of all surveys and inspections with residents to help them understand the findings and be clear on next steps. Landlords should then act on accepted survey recommendations in a timely manner.

We work closely with several consultancies though the Fusion21 Framework and always deliver works where recommendations have been provided. We explain the outcome of the independent inspection and the recommended course of action, what this entails, and what the expectation is on completion of works.

We have shared reports with residents when there has been a challenge relating to the cause of damp or mould and will continue to do so. When we appoint a consultant, the outcome is impartial and independent and if there is a requirement to carry out remedial works we will always act on those recommendations and share the outcome with our resident.

22. Where extensive works may be required, landlords should consider the individual circumstances of the household, including any vulnerabilities, and whether or not it is appropriate to move resident(s) out of their home at an early stage.

Our procedure outlines this position clearly stating...

If the home is confirmed to be affected by damp and mould following an inspection, we will then:

- *Upgrade any existing extractor fans to humidity-controlled extractor fans*
- *Carry out a three stage mould treatment in the property and;*
- *Follow up with full redecoration of any affected rooms.*

These works will normally take place whilst tenants remain in their home. There may be occasions where tenants are offered a temporary decant e.g. due to vulnerability, this would need to be agreed by the Brent Housing Management Panel. Note a panel meeting can be called at any time if an urgent response is required.

Tenants who live in homes where there are repeated or serious cases of damp, mould or condensation and extensive structural works are required will be considered for either a temporary or permanent decant depending on the length of time works are likely to take. This in line with the Housing Allocations Scheme.

The dedicated patch housing officer will support any household who is decanted due to damp, mould or condensation.

23. Landlords should promote the benefits of their complaints process and the Ombudsman to their residents as an appropriate and effective route to resolving disputes.

There is a dedicated resolution team in place who investigate and resolve complaints and they follow the Complaints Handling Code.

When a complaint is identified outside of the 'official system', we ask for it to be logged and inform residents of the need to create an escalation pathway for the complaint to go through the Council's complaints process.

As part of the resident engagement strategy, we encourage our surveyors to promote feedback whether it is a compliment or a complaint as there is always opportunity to learn and staff are all aware of our complaints policy and can advise residents how express dissatisfaction.

The complaints process is advertised Via the council's website, by word of mouth through officers and via focus groups and residents associations.

24. Landlords should continue to use the complaints procedure when the pre-action protocol has commenced and until legal proceedings have been issued to maximise the opportunities to resolve disputes outside of court. Landlords should ensure their approach is consistent with our jurisdiction guidance and their legal and complaint teams work together effectively where an issue is being pursued through the complaints process and protocol.

This procedure has been shared with colleagues and where possible we will always separate the elements correctly and deal with complaints alongside disrepair complaints.

We do not differ in our approach to dealing with damp and mould whether it is because we have received a pre-action protocol, or a resident has contacted us to advise they are suffering from damp and mould.

Our complaint team and legal team are kept informed of any action taken and responses sent out and works are tracked through to completion and then post inspected to confirm we have resolved all of our residents concerns.

Chapter 4: From a complaints to a learning culture

25. Landlords should consider how best to share learning from complaints and the positive impact of changes made as a result within the organisation and externally. Systems should allow the landlord to analyse their complaints data effectively and identify themes, trends and learning opportunities.

In conjunction with our damp and mould programme, which has been running since April of this year, we have rolled out a robust leak process which has shown collaboration in place

between Brent Surveyors, Contractors, our Housing Officers and an external Security contractor, in order to resolve uncontrollable leaks.

Even in situations where multiple dwellings are affected, and access is required to multiple flats in order to trace and remedy.

After a tentative start, we are now hitting 100% success rate, which in turn is resolving leaks, heading off potential complaints and disrepair cases at source as well as making important savings on the extraordinary costs and heartache involved in resolving these in a more protracted way. We have attached a Journey Map which describes the protocol in detail.

This is now part of the contractor's induction for new staff, as well as members of the property services team.

This approach has not changed and has seen circa 200 leaks that could have escalated if not for the robust leak process that has been rolled out to all escape of water instances. This not only improves our residents experience but saves on future litigation costs and enabling us to channel that budget to our residents' homes and not legal costs.

Our quarterly service area meetings create the opportunity to share learning with the wider team. In addition, positive good news stories in relation to complaints management/handling are shared. We have a localised system of tracking trends. This is shared with our principal contractors monthly so any flagged areas can be promptly addressed.

Our repairs provider has arranged and delivered TPAS customer service training got their trade operatives and back officer support, this was highlighted following a complaint around an operatives behaviour.

The Leak/Asbestos Process was introduced following a review of a complaint received from 10 Dickens Court, the complaint centred on the time taken to affect a repair because of delays caused by suspected asbestos in an access panel. The new process has help cut down on the bureaucracy of the standard asbestos process which was having an impact on the timely resolution of repairs and subsequent complaint.

26. Landlords should ensure they treat residents reporting damp and mould with respect and empathy. The distress and inconvenience experienced by residents in this area is some of the most profound we have seen, and this needs to be reflected in the tone and approach of the complaint handling.

We have completed a review project on Housing Management complaints and provided criteria to assess complaint responses on, which included tone and empathy. This was shared with officers within Housing management and provided the individual officers with our assessment of their responses so that improvements could be made.

Officers working on Complaints drafts are provided with weekly bite size training to ensure that all areas identified as falling short of expectations are addressed. Going forward, it will be linked to performance.

Once a damp and mould complaint is reported, an urgent inspection is arranged to assess the situation. If children or elderly are identified in the affected property, a dedicated officer is assigned to the case to help to track the process to completion, ensuring that regular phone calls and visits (if required) are made to the resident to keep them updated.

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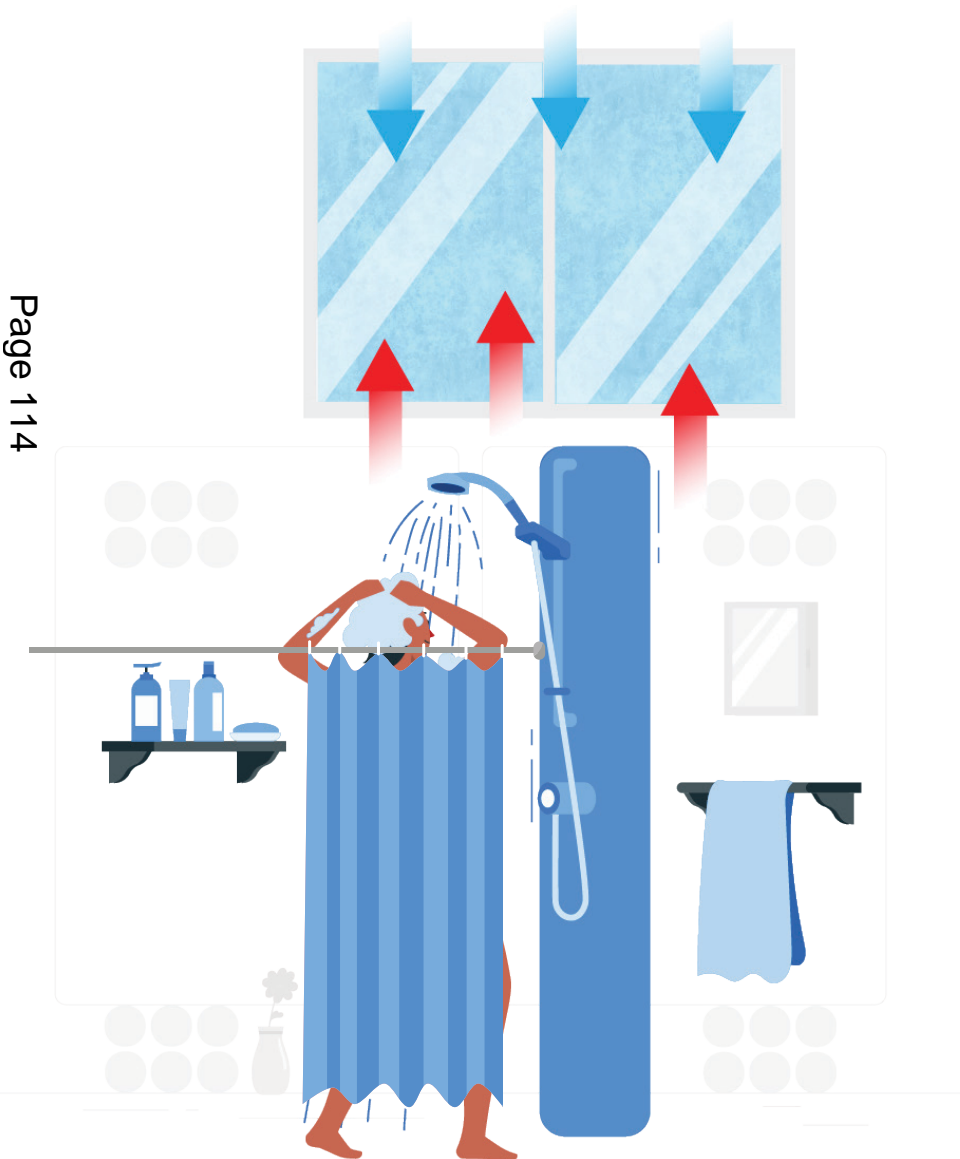
What to do about

damp, mould and condensation in your home



What is condensation?

If condensation has nowhere to escape, it will cling to your household surfaces as damp, and could lead to the growth of mould.



Page 114

Is mould dangerous?

If mould gets onto your skin, or if you inhale it into your lungs, it can cause an allergic reaction. This can appear as a runny nose, sore throat or skin rash.

In some cases, it can lead to something even more serious like stopping you being able to breathe properly.

Babies, small children, people with underlying conditions such as asthma, and elderly people are most at risk.



How to prevent mould

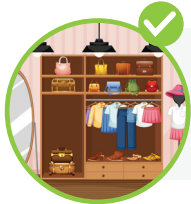
What to do



Use extractor fans or cooker hoods if you have them



Use a dehumidifier where condensation occurs



Where possible, position wardrobes and move furniture against internal walls



Remove mould growth with a fungicidal wash



Open windows regularly, especially your kitchen and bathroom for half an hour after you've used it



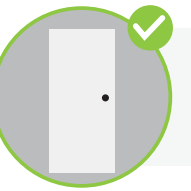
Dry washing outside on a line if possible



Keep your home as warm as possible by keeping the heating on, even if at a low heat



Dry wet clothes in the bathroom with the door closed and the window open or a fan on



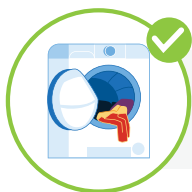
Close the kitchen and bathroom doors when these rooms are in use



Wipe dry condensation from windows and walls



Wash mildewed clothes and shampoo carpets.

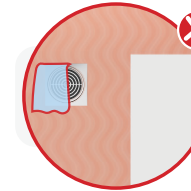


If possible, use a tumble dryer to dry your clothes

What not to do



Don't use paraffin and flueless bottled gas heaters



Don't block air vents



Don't fill cupboards to bursting point, allow the air to flow



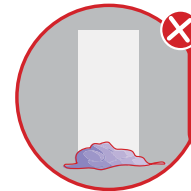
Don't draught-proof a room where there is a cooker or a fuel-burning heater, like a gas fire



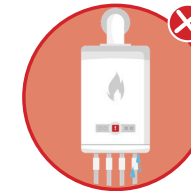
Don't place furniture or heavy curtains in front of radiators



Don't dry washing on radiators



Don't draught-proof rooms where there is condensation or mould



Don't let your boiler go unserviced. Get it checked annually.

Remember:

1. Open your windows regularly to air out your home
2. Keep your home warm

Contact us:

If you are a council tenant or tenant in the private rented sector and are doing all the actions in this leaflet on a regular basis in order to clean and prevent the growth of mould, but you are still having issues with mould in your home, you can contact the council.

Private rental tenants with issues regarding damp and mould should report the matter to the landlord. If the landlord fails to respond within 28 days, you can report it to Brent Council's Private Housing Team who will support with enforcement action:
www.brent.gov.uk/reportarepair

If you are a council tenant and have issues with damp and mould in your home after taking all the actions in this leaflet, you can report it to:
dampandmould@brent.gov.uk

How we will help you:

- We will act on all reports of damp and mould made to us within 28 days.
- Your health and safety are paramount, and we are here to support you.
- We will look into what is causing mould in your home and work with you on a plan to fix it as quickly as possible.
- For council tenants, our surveyors will upgrade humidity-control appliances, remove mould and redecorate affected areas, as needed.

i

If you are a housing association tenant experiencing damp and mould, you must contact your housing association provider.



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Appendix E – LGSCO Comparison with other London Authorities

Authority Name	Population (estimated)*	Referrals to LGSCO	Detailed Investigations	Upheld	Uphold Rate	Remedy Rate
Barking and Dagenham	218,534	106	22	20	91%	20%
Barnet	388,639	154	50	39	78%	8%
Bexley	246,543	63	17	10	59%	0%
Brent	338,918	99 (Joint 15 th lowest)	29 (Joint 13 th highest)	22 (Joint 13 th highest)	76% (Joint 14 th lowest)	41% (Top)
Bromley	329,830	124	38	29	76%	3%
Camden	210,390	95	20	14	70%	0%
City of London	8,618	7	3	0	0%	
Croydon	390,506	198	69	57	83%	16%
Ealing	366,127	127	28	17	61%	12%
Enfield	329,601	129	28	22	79%	14%
Greenwich	289,254	92	38	26	68%	15%
Hackney	259,956	128	28	25	89%	32%
Hammersmith and Fulham	183,295	88	28	18	64%	28%
Haringey	264,130	167	39	31	79%	10%
Harrow	260,987	95	23	17	74%	12%
Havering	262,022	91	18	14	78%	14%
Hillingdon	304,792	122	28	24	86%	8%
Hounslow	287,940	103	23	15	65%	13%
Islington	216,767	98	17	12	71%	17%
Kensington and Chelsea	143,940	69	24	20	83%	10%
Kingston upon Thames	167,845	62	10	7	70%	14%
Lambeth	317,498	204	54	46	85%	13%
Lewisham	299,810	120	31	21	68%	14%
Merton	215,324	60	19	11	58%	27%
Newham	350,626	156	45	37	82%	11%
Redbridge	309,836	134	33	27	82%	22%
Richmond upon Thames	195,232	51	11	10	91%	40%
Southwark	306,374	154	43	35	81%	9%
Sutton	209,517	67	21	16	76%	19%
Tower Hamlets	312,273	118	30	22	73%	5%
Waltham Forest	278,050	121	27	21	78%	19%
Wandsworth	328,367	92	18	15	83%	13%
Westminster	205,087	106	23	12	82%	21%

Key: Outer London Inner London

*As per the Office of National Statistics' Mid-Year Estimates June 2021

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 Brent	Resources & Public Realm Scrutiny Committee 7 November 2023
	Report from the Corporate Director of Finance and Resources
	Lead Cabinet Member Deputy Leader, Cabinet Member for Finance, Resources & Reform (Councillor Shama Tatler)
Quarter 2 Financial Report 2023/24	

Wards Affected:	All
Key or Non-Key Decision:	Not Applicable
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
List of Appendices:	Two: Appendix A: Savings Delivery Tracker 2023/24 Appendix B: Prudential Indicators
Background Papers:	N/A
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Minesh Patel, Corporate Director of Finance & Resources Tel: 020 8937 4043 Email: Minesh.Patel@Brent.gov.uk Rav Jassar, Deputy Director of Finance Tel: 020 8937 1731 Email: Ravinder.Jassar@Brent.gov.uk

1.0 Executive Summary

- 1.1 This report sets out the financial forecast for the General Fund revenue budget, the Housing Revenue Account, the Dedicated Schools Grant and the Capital Programme, as at Quarter 2 2023/24.

- 1.2 The Council's revised General Fund revenue budget for 2023/24 is £291.2m. The revised budget includes planned revenue savings in-year of £13.5m and the status of these are set out in Appendix A. There is a forecast overspend of £13.4m against the revised revenue budget at Quarter 2. If sustained until the year end, this would require a transfer from unallocated reserves. Equally, any overspending not dealt with in 2023/24 would, potentially, carry

over into 2024/25 thereby increasing the requirement for further savings in that year whilst at the same time providing reduced scope to draw on the Council's reserves.

1.3 The seriousness of the Council's financial position cannot be understated. The scale of the financial challenge for 2023/24 and 2024/25 is such that, in addition to work currently underway to implement savings in 2023/24 and to identify new savings proposals for 2024/25 and 2025/26, the Council will need to implement further measures to control expenditure in order to address the underlying issue that the Council's net expenditure is significantly greater than available sources of in year funding. Further details on these measures are set out below.

1.4 The tables below show the forecast position against budget for the General Fund, Dedicated Schools Grant and Housing Revenue Account. Further detail on each area is contained within section three of this report.

	Budget	Forecast	Overspend / (Underspend)
	£m	£m	£m
Care, Health and Wellbeing	124.2	124.2	0.0
Children and Young People	63.0	63.5	0.5
Communities and Regeneration	7.2	7.2	0.0
Governance	13.8	13.6	(0.2)
Finance and Resources	11.7	11.7	0.0
Resident Services	71.3	84.4	13.1
Subtotal Service Area Budgets	291.2	304.6	13.4
Central Budgets	67.3	67.3	0.0
Total Budget Requirement	358.5	371.9	13.4
Funding	(358.5)	(358.5)	0.0
Grand Total General Fund Budgets	0.0	13.4	13.4
DSG Funded Activity	0.0	1.4	1.4
Housing Revenue Account (HRA)	0.0	0.0	0.0
Net Total	0.0	14.8	14.8

**DSG and HRA budgets have been presented as net figures in the table above. Gross income and expenditure budgets for the DSG and HRA are shown below.*

DSG gross income and expenditure			
	Budget	Forecast	Overspend / (Underspend)
	£m	£m	£m
DSG			
Income	(220.8)	(220.8)	0.0
Expenditure	220.8	222.2	1.4
Total	0.0	1.4	1.4

HRA gross income and expenditure			
	Budget	Forecast	Overspend / (Underspend)
	£m	£m	£m
HRA			
Income	(61.2)	(61.2)	0.0
Expenditure	61.2	61.2	0.0
Total	0.0	0.0	0.0

- 1.5 The table below shows the current forecast against the revised budget for the Capital Programme for 2023/24. Further detail is contained within section four of this report.

Directorate	Original Budget	Revised Budget	Current Forecast	FY Variance	
	£m	£m	£m	£m (Underspend) / Overspend	£m (Slippage) / Brought Forward
Corporate Landlord	10.3	14.5	15.0	0.5	0.0
Housing GF	82.3	159.9	155.3	(4.1)	(0.5)
Housing HRA	157.0	135.4	138.3	2.5	0.4
PRS I4B	0.0	0.0	0.0	0.0	0.0
Public Realm	25.5	35.8	35.5	0.1	(0.4)
Regeneration	74.1	9.9	8.2	0.1	(1.8)
Schools	35.1	19.6	14.5	(0.9)	(4.2)
South Kilburn	27.0	28.1	28.1	0.0	0.0
St Raphael's	31.7	0.8	0.8	0.0	0.0
Total	443.0	404.0	395.7	(1.8)	(6.5)

Current economic environment

- 1.6 The current economic environment is volatile and uncertain with high inflation, particularly affecting energy costs, rising interest rates and war in Ukraine, precipitating the cost-of-living crisis. CPI Inflation was 6.7% in August 2023, which is the lowest it has been since February 2022, although still significantly

above the Bank of England's target of 2%. Inflation is expected to continue to fall, estimated to reach 5% by the end of 2023 before falling further towards the 2% target in 2024. As at September 2023, the Bank of England has frozen interest rates at 5.25% after 14 consecutive increases. Despite this freeze, there may be further increases in 2023, particularly as much of the UK economy has remained resilient despite higher inflation and interest rates. These factors create a challenging environment for the Council to plan its future resourcing requirements.

Medium Term Financial Strategy update

- 1.7 The Council budget for 2023/24 approved by Council on 23 February 2023, including new savings proposals of £18m to be delivered between 2023/24 (£14.5m) and 2024/25 (£3.5m). An update to the MTFS was considered by Cabinet in July 2023, where it was estimated that the budget gap between 2024/25 and 2025/26 was £8m.
- 1.8 The MTFS is currently being updated based on the latest information available to the Council on expenditure pressures. The outcome of this work will be reported to the Cabinet in November 2023 as part of the draft 2024/25 budget.

Maintaining Financial Control

- 1.9 Local government is facing the most challenging financial environment for many decades. Many councils are overspending and depleting their reserves; most are experiencing the adverse effects of high inflation, high interest rates and significant increases in demand due to demographic changes. Some are even declaring bankruptcy by issuing s114 notices. Concerns about future levels of government funding are widespread. Against this backdrop, Brent has maintained a strong position in terms of financial resilience and sustainability with a good track record of delivering savings and balancing the overall budget. However, the position for 2023/24 has worsened significantly and the current forecast will require the Council to take urgent actions in the short and medium term to maintain financial control.
- 1.10 A number of immediate and medium term actions are being taken to mitigate these pressures in order to maintain financial control over the current budget position, this includes taking a Council wide approach. Officers have implemented a Budget Assurance Panel to provide additional oversight and scrutiny of its financial position, including in-year budget pressures and issues, mitigating actions and the delivery of agreed savings.
- 1.11 The main cause of the forecast overspend is within the Housing Service, where high levels of demand due to a rise in homelessness and reduction in supply of suitable accommodation are expected to result in an overspend of over £13m. Section 3.8 of this reports sets out the Council's strategy in dealing with the significant increase in costs of providing temporary accommodation for those homeless people to whom the Council owe a legal duty. While Brent is not in the financial situation of those Council's that have recently issued, or threatened

to issue, a Section 114 notice (legally required when the council cannot balance its budget, unlike the NHS and other parts of the public sector councils are not allowed to carry a deficit) all efforts must be focussed on positively changing the financial position.

- 1.12 In addition to these actions and the additional oversight provided by the Budget Assurance Panel, further measures are considered necessary to prevent the situation worsening. These will include, but are not limited to, controls on new spending decisions, limits on new recruitment, reduction in the use of agency workers, bringing forward in year savings and other mitigations to reduce expenditure. These sensible, proactive and prudent measures will provide more assurance over the Council's spending decisions and reduce the risk that the budget position deteriorates further. These measures will remain in place until the end of the financial year, and updates provided to the Cabinet in future forecast reports and budget reports.

2.0 Recommendation(s)

- 2.1 That the Resources & Public Realm Scrutiny Committee note the overall financial position and the actions being taken to manage the issues arising.
- 2.2 That the Resources & Public Realm Scrutiny Committee note the savings delivery tracker in Appendix A.
- 2.3 That the Resources & Public Realm Scrutiny Committee note the Prudential Indicators set out in Appendix B.
- 2.4 That the Resources & Public Realm Scrutiny Committee note the virements set out in section 3.9.10 of this report.
- 2.5 That the Resources & Public Realm Scrutiny Committee note the new loan facilities of up to £2.31m to be made available to First Wave Housing for the Refugee Housing Programme as set out in section 4.5.2.

3.0 Detail

3.1 Care, Health and Wellbeing

Care, Health and Wellbeing	Budget (£m)	Forecast (£m)	Overspend / (Underspend) (£m)
Adult Social Care	100.6	100.6	0.0
Public Health	23.6	23.6	0.0
Integrated Health Partnerships	0.0	0.0	0.0
Total	124.2	124.2	0.0

Summary

- 3.3.1 Care, Health and Wellbeing are forecast to break even this financial year. The budget for 2023/24 includes a savings target of £4.3m and assumes an additional growth budget of £15.3m. This budget has been set accordingly, based on assumptions around future demographic and inflationary trends.
- 3.3.2 There are increasing pressures around staffing recruitment and retention particularly in Adult Social Care. There is on-going work within the service to reduce the use of agency staff and retain more experienced and qualified members of staff.
- 3.3.3 There is increased pressure on the ASC budget as a result of rising costs and client numbers for supported living, nursing and residential care.
- 3.3.4 The weekly average cost of Nursing Care has increased by 5% to £1,072pw with client numbers currently 10% higher than this time last year.
- 3.3.5 On average Residential care weekly costs appear stable, at present, with a 2% increase. However, residential dementia care costs have increased by 8% to £790pw. With client numbers also on the rise, as we have seen an increase of 6% since this time last year.
- 3.3.6 Client numbers for supported living has increased by 10% against this time last year, with an average weekly cost increase of 6% to £967.
- 3.3.7 Whilst there are ongoing pressures within ASC relating to expenditure on agency staff, homecare, Nursing, Residential care, and LD supported living ASC is forecasting a breakeven position for Q2 as the additional growth allocation will mitigate any additional costs as a result of underlying pressures.

Risks and uncertainties

- 3.3.8 There are a number of risks and uncertainties within the service that could affect the assumptions made and the overall forecast outturn for Care, Health and Wellbeing 2023/24.
- 3.3.9 As is the case in other service areas, Public Health contracts are likely to be affected by the rising levels of inflation. The majority of public health services are commissioned from the NHS where national Agenda for Change pay awards have significantly outstripped uplifts in the public health grant, even before the resolution of current industrial disputes. However, for 2023/24 the costs are anticipated to be contained within the main Public Health grant.
- 3.3.10 Within Adult Social Care, demographic and inflationary pressures, spends on agency staff, as well as uncertain implications of the introduced fair cost of care and social care reforms, all pose financial risks to the service's budgets.

- 3.3.11 Whilst the planned social care charging reforms have been delayed from October 2023 to October 2025, the sector must still work to ensure sustainable rates for care are paid with fair cost of care funding from the Government continuing for the next two years.
- 3.3.12 The demand for social care services and complexity of care needs are also ever-increasing resulting in higher costs. Whilst there are some reductions in costs due to less Residential and Nursing placement following the COVID-19 outbreaks, there are still ongoing pressures as the demand for homecare and supported living continue to rise.
- 3.3.13 The cost-of-living crisis and the steep rise in inflation, heating and fuel costs are likely to have an impact on spot placement requests from providers who are looking to recover all of the additional costs they are incurring. For 2023/24, the Adult Social Care budget was increased and was allocated a growth budget of £15.3m to meet projected demographic growth demand and inflationary increases. Due to continued rises in inflation this creates additional risk and uncertainty, and care package budgets are therefore being monitored closely whilst any placement fee increase requests from providers are also being reviewed in detail.
- 3.3.14 It has now been confirmed that Brent will continue to receive Hospital Discharge Funding from the government this financial year of £3.54m. The fund is designed to increase capacity in post-discharge care and support improved discharge performance, patient safety, experience and outcomes. This grant funds 9 schemes related to the LA Direct DHSC Funding of £1.9m. Whilst the NWL ICB DHSC Funding of £1.7m funds 6 additional schemes, a fortnightly return is submitted to the DHSC to monitor spends on this grant.

Savings and Slippages

- 3.3.15 A savings target for 2023/24 of £4.3m is planned to be delivered across a number of services within the department including, homecare, reablement, staffing, learning disability and mental health placements. The department will need to manage any risk of slippage as stated earlier.

Summary of Key Assumptions

Key Assumption	Downside if worse	Upside if better	Mitigations
The Adult Social Care providers' costs will increase to the anticipated level in line with inflationary assumptions.	A 1% increase on the cost of care packages could result in a £0.7m pressure.	A 1% decrease on the cost of care packages could result in a £0.7m reduction in anticipated costs.	The Council is working closely with the service providers and provides robust challenge of individual package costs based on evidence as part of placement reviews.
Client numbers and unit costs stay within the forecast range	Additional budget pressures should there be clients beyond those predicted in the forecast	Client numbers falling below those forecasted would reduce costs	The Council are monitoring both client numbers and package costs for each service. This should allow for early identification of pressures so mitigating actions can be taken.

3.4 Children and Young People (CYP) (General Fund)

CYP Department	Budget (£m)	Forecast (£m)	Overspend / (Underspend) (£m)
Central Management	0.8	0.8	0.0
Early Help	4.9	4.9	0.0
Inclusion	2.8	2.8	0.0
Localities	21.1	21.6	0.5
Looked After Children and Permanency	7.2	7.2	0.0
Forward Planning, Performance & Partnerships	24.3	24.3	0.0
Safeguarding and Quality Assurance	1.9	1.9	0.0
Setting and School Effectiveness	0.0	0.0	0.0
Total	63.0	63.5	0.5

Summary

- 3.4.1 The Children and Young People department at this stage is forecasting a £0.5m overspend at the end of Quarter 2.
- 3.4.2 The forecast overspend is largely due to demand and price increases for placements and care packages in the Localities Service. Also, due to the volatility of demand led budgets and the use of agency social work staff, ongoing mitigating actions are being undertaken to control spend and these include:
- A monthly panel to review the stepdown arrangements from residential placements to foster placements and/or semi-independent placements for young people aged 16+, and measures to move 21+ semi-independent placements into independent living arrangements. To date, £0.657m has been saved as a result of five step downs from residential care to semi-independent placements and two residential placements have also been moved to less expensive placements.
 - A number of actions are in place to address the workforce pressures across the service, including working in collaboration with our neighbouring local authorities on effective and targeted recruitment and retention activity. Compliance with the London Pledge to ensure that agency worker rates are kept to the agreed cap which is closely monitored at Director level. A weekly Establishment Board has been created to scrutinise all agency recruitment, and corresponding activity to achieve permanency through conversations with agency staff to convert to permanent roles. A workforce development plan is in place with metrics linked to savings and reductions in agency spend. This has resulted in a net 2.6% reduction across agency spend in the Localities and Looked after Children and Permanency services compared to last year.
- 3.4.3 The Localities service which includes the Children with Disabilities (CWD) demand led care packages budgets i.e. Direct Payments, Care at Home, Residential and Day Services has seen the number of supported clients rising by 8% since 2022/23 and is reflecting a forecast pressure of £0.5m. Care packages are also seeing significant price increases, including 5% increases in Care at Home and 9.25% in Direct Payments and the pressure is also partly due to a £0.115m slippage against the savings target CYP03 to reduce the care packages for families receiving support from the 0-25 children and young people with disabilities teams. The Localities and the Looked After Children and Permanency services are also reliant on the need to use agency social workers to cover vacant positions.
- 3.4.4 The Forward Planning, Performance and Partnership service demand led budgets have seen the following increases in this financial year:

- On average, a 12% increase in residential placement prices, although numbers have remained fairly stable this year. There has also been a 4% increase in the number of CYP placed in independent fostering agencies (IFAs).
- The semi-independent provision supporting care leavers budget, has seen an overall 10% increase in numbers compared to 2022/23 and prices have increased typically by around 7%. Approximately 50% of this increase is due to the number of Unaccompanied Asylum-Seeking Children (UASC) who as care leavers need to be accommodated until the Home Office make an asylum determination. Currently around 35% of the care leavers in semi-independent provision are UASC. There have been well publicised national issues with the slowness of the asylum decision making process. The FPPP forecast is also dependent on income from the Home Office for UASC and leaving care grants c£3.5m, and c£0.5m of contributions from health and housing benefits income.

Risks and Uncertainties

- 3.4.5 The main risks and uncertainties impacting on the CYP department are national trends and, research collated by the Association of Directors of Childrens Services (ADCS) in August 2023 has shown that pressures in children's services spending have seen significant increases i.e., a 41% rise comparing the 2021/22 overall children's services spend to 2009. With pressures mainly arising from rising needs and complexities, lack of sufficiency of placements and rising costs. These are similar issues faced by Brent where there are pressures arising from the impact of inflation resulting in providers increasing costs significantly and the impacts of the cost-of-living crisis on care leavers and vulnerable families and increasing demand for services.
- 3.4.6 Recruitment and retention of skilled and experienced social work staff remains a risk in Localities and Looked After Children, and Permanency (LAC&P) services with agency staff occupying over 50% of the workforce in some teams.
- 3.4.7 The volatility surrounding the placements budget for looked after children (LAC) is a key challenge. If demand for residential placements continue to increase, this will increase the pressure as an individual high cost residential or secure placement can cost over £0.3m per annum. Ofsted are strengthening their reviews of children's Residential Homes and there is a risk that this could lead to a reduction in the number of homes, causing higher demand for the rest of the homes and higher costs for local authorities competing for the same places. In response Brent has been successful in a DfE bid to build and run a children's home which will help to manage costs and improve placement sufficiency. The home is expected to be operational in 2024/25. Brent is also joining a pan-London vehicle to ensure greater sufficiency of secure welfare residential placements which will be operational in 2025.

- 3.4.8 There is the risk of additional cost pressures being passed on to local authorities from semi-independent provisions due to the DfE introducing mandatory national standards from April 2023, which will be overseen by an Ofsted-led registration and inspection regime. The average weekly cost for semi-independent accommodation is c£906 per week for a looked after child and £787 per week for Care Leavers, and there is a risk that the weekly cost of both could increase. It is expected that additional funding will be made available, however the risk remains that the funding may not be sufficient to cover the increase in costs expected.
- 3.4.9 The Children with Disabilities budget within the Localities service funds the care costs for children with Education, Care and Health Plans (EHCPs). There remains a risk that further increases in EHCPs would put additional pressure on the care packages budgets in this area and impact on staffing costs. The annual growth of EHCPs comparing July 2023 to July 2022 shows an increase of 8%. Brent is part of the DfE's Delivering Better Value (DBV) in SEND programme to support the Brent's Management Plan action to manage the rising demand for EHCPs.
- 3.4.10 The CYP forecast position is also dependent on estimated income from the Home Office for (UASC) and Care leavers of c£3.5m and overall health contributions from the Integrated care Board (ICB) of £1.7m. There is a risk that, without effective joint operating agreements, health contributions could reduce, increasing the pressure against the CWD and placement budgets.

Savings and Slippages

- 3.4.11 The department has a £0.84m savings target to deliver across the department. The savings are mainly from reductions in care packages of £0.36m, staffing efficiencies of £0.36m, and £0.12m arising from contract savings and a reduction in the training budget. The department is on track to deliver most of the savings, however, there is a risk of slippage against CYP03 of £0.115m against a savings target of £0.365m as reviews required to deliver the savings are gradually being undertaken of the Resource Allocation System (RAS).

Summary of Key Assumptions

Key Assumption	Downside if worse	Upside if better	Mitigations
LAC and Care Leaver placements forecast assumes numbers of 819 and unit costs reflect current trends.	An increase in the number of high cost residential or secure placements would place additional pressure on the budget. e.g., an increase by 4 placements in year could cause an additional in-year pressure of c£0.6m (and £1.2m per annum).	Increased step-down arrangements result in falling number of residential placements. A single stepdown from a residential placement to a semi-independent placement could reduce expenditure by c£0.1m in-year.	Ongoing review of packages for best outcomes and focus on stepdown arrangements to support children to transition from residential to foster and/or semi-independent placements. Supporting the transition of care leavers to their own tenancies, to improve outcomes and independence. Innovative support and partnering with Health for CYP Mental Health and Wellbeing, among other preventative measures.
Health contributions for CYP placements and Children with Disabilities (CWD) packages will be lower than the 2022/23 levels.	The spend will not be mitigated by these contributions in proportion to the overall demand.	It will assist in mitigating overall net spend.	Maximising joint funding approaches with health to ensure contributions to placement costs where applicable. Targeted activity across ICS to ensure consistency in Continuing Health Care funding.

Mix of social work staff and caseloads in the Localities and LAC & Permanency service to include the use of agency staff.	If increases of 15% during the year, there could be up to £0.7m additional spend on agency social work staff to manage the pressure.	There would be a reduction in the use of agency staff and the reduced caseloads could be attractive to social workers seeking permanent roles.	Continued management action to monitor caseloads across the service and review and manage social work resources.
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3.5 Communities and Regeneration

Communities and Regeneration	Budget (£m)	Forecast (£m)	Overspend / (Underspend) (£m)
Communities	4.5	4.2	(0.3)
Communities and Regeneration Directorate	0.3	0.3	0.0
Regeneration	2.4	2.7	0.3
Total	7.2	7.2	0.0

Summary

- 3.5.1 The Communities and Regeneration department is currently forecasting to break even in 2023/24.

Risks and uncertainties

Regeneration

- 3.5.2 Regeneration is currently forecasting an overspend of £0.3m for the financial year. The current economic climate has caused a decline in the income generated within the department, with Building Control and Planning and Development Services being the areas most affected by this.
- 3.5.3 Within Planning and Development Services, Application and Pre-Application fee income has seen a decline in recent years. This reduction in income is not exclusive to Brent and has been the case across the country. Fee increases have been proposed by the Department for Levelling Up, Housing and Communities, and these increases are expected to be implemented in January. This has been included within the forecast, with a decline in demand also factored into the forecast in the latter months of the financial year. The service are expecting to overspend by £0.1m this financial year.

- 3.5.4 Rising interest rates and material costs are likely to cause cancellation or the scaling back of some developments, which will cause a decline in income in Building Control. This decline in income is being exacerbated by increased competition from private inspectors, which has resulted in a drop in the council's market share. Health and Safety Executive (HSE) high-rise building regulations will be introduced in October 2023, which will mean a switch to a cost recovery basis. The service are currently forecasting an overspend position of £0.7m, however £0.1m of departmental smoothing reserves will be utilised to partially offset this.
- 3.5.5 A line by line review of the Regeneration budget has identified that the service has not budgeted for the total cost of administering the total cost of the Community Infrastructure Levy (CIL). In addition, Community Infrastructure Levy activity this year is unusually high, which increases costs for administration. Together this is forecast to generate an additional £0.25m, which partially offsets the overspend elsewhere in Regeneration.

Communities

- 3.5.6 Communities Service is currently forecasting a break even position. However, there is a risk within Strategy and Partnerships of £0.1m due to a contract dispute with a third sector partner. This relates to a historic contract and will not affect future years. Budgets are being reviewed and mitigating actions are being explored should this risk materialise.
- 3.5.7 The council is forecasting an increase in asylum seekers living within the borough, in part as a result of the Home Office's confirmed plans of increasing the number of asylum seekers in Brent through "hotel optimisation". As a result, there will be additional pressure within the Communities service and in other services, such as Children & Young People, Housing and legal services to meet the costs of supporting the asylum seekers. In the current climate these pressures are expected to continue into the next year.
- 3.5.8 In addition, Communities has identified small underspends of £0.1m across the directorate that will be used to offset the overspend in Regeneration.

Savings and Slippages

- 3.5.9 A £0.33m saving is planned to be delivered from the Communities and Regeneration departmental budget in 2023/24, predominantly through changes to staffing structures. Delays with a supplier have resulted in a slippage of £50k on a saving which was to be achieved through efficiencies generated by the use of technology and automation. Mitigations are currently being explored to ensure a break-even position The rest of the savings are on track to be delivered.

Summary of Key Assumptions

Key Assumption	Downside if worse	Upside if better	Mitigations
Pre-Application and Application Fee increases will be introduced in January 2024 and demand will decline thereafter	The proposed fee increase has been included within the income forecasts. If there is a delay to the introduction of this increase, the service will overspend further, and even more so if the demand still declines.	Higher income volumes will generate additional revenue for the Council	Continuous monitoring of the fee income to identify budgetary pressures as early as possible.
Strategy and Partnerships contract dispute with a third sector partner over historic contract payments	Payment has been built into the forecast on a worst-case scenario basis.	If the potential payment is no longer needed, the funds will be available to other programmes or relieve pressures elsewhere within the directorate	Budgets are being reviewed and spending plans will be adjusted to absorb the overspend

3.6 Governance

Governance	Budget (£m)	Forecast (£m)	Overspend / (Underspend) (£m)
Legal Services	4.8	4.7	(0.1)
HR Services	3.8	3.7	(0.1)
Executive & Membership	4.1	4.1	0.0
Procurement	1.1	1.1	0.0
Total	13.8	13.6	(0.2)

Summary

3.6.1 The Governance department is forecasting an underspend of £175k for 2023/24, which is due to the following reasons:

- Legal Services are forecasting a £65k underspend due to a higher level of income anticipated to be received than budgeted. A £110k underspend is attributable to an early achievement of 2024/25 savings by the Human Resources service (£70k) and the Executive and Membership service (£40k).
- Executive and Membership are forecasting an underspend of £50k due to reduced number of councillors netted off by £10k overspend for additional training & conference costs.

Risks and uncertainties

3.6.2 There are no materials risks identified for this department at present.

Savings and Slippages

3.6.3 A £0.35m saving is planned to be delivered from the department's budget in 2023/24, predominantly through internal restructures and service transformations. This saving is on track and there is currently no slippage anticipated.

3.6.4 There is an additional digital saving of £75k to be achieved by the Governance department in 2023/24 that is currently on track. This is anticipated to be achieved with an introduction of a HR chatbot and moving one of the Legal systems from on-premise to cloud.

3.7 Finance and Resources

Finance and Resources	Budget (£m)	Forecast (£m)	Overspend / (Underspend) (£m)
Finance	7.1	7.1	0.0
Audit & Investigations	1.1	1.1	0.0
Shared Technology Services	0.0	0.0	0.0
Property & Assets	3.5	3.5	0.0
Total	11.7	11.7	0.0

Summary

3.7.1 Finance and Resources are currently forecasting a break-even position for 2023/24.

3.7.2 Within Property & Assets there is an anticipated £0.2m pressure due to income lost from expired leases and vacant property. However, this is currently offset by additional income generated from Car Parking fees within Facilities Management.

Risks and Uncertainties

3.7.3 Property & Assets are working to find new tenants to replace expired leases and vacant property to increase their income forecast. The service is actively marketing these properties and working with agents where appropriate.

3.7.4 Commercial Property are currently dealing with a dilapidation claim on a property for which they have vacated and broken the lease on. The claim is currently being reviewed, but could be in the region of £0.5 - £0.9m. Once the dispute is resolved it is anticipated that this cost will be covered by a central contingency which has been held for these types of issues.

Savings and Slippages

3.7.5 A total of £1.1m of savings are planned through reductions in staffing, digital transformation, security service transformation, rationalising soft FM services and other departmental efficiencies. The department is on track to deliver these savings.

3.8 Resident Services

Resident Services	Budget (£m)	Forecast (£m)	Overspend /(Underspend) (£m)
Resident Services Directorate	0.3	0.3	0.0
Customer Services	15.3	15.3	0.0
Housing	3.2	16.3	13.1
Environment and Leisure	41.1	41.1	0.0
Transformation	11.4	11.4	0.0
Total	71.3	84.4	13.1

Summary

3.8.1 Resident Services is forecasting an overspend of £13.1, which is directly attributable to the high level of pressures on the Housing Service. All other service areas are forecast to achieve a break even position. The department is taking a number of actions to support Brent residents and businesses to mitigate the impact of the cost-of-living crisis.

Risks and uncertainties

Housing

- 3.8.2 The forecast overspend of £13.1m is made up of a £4.5m overspend in the cost of providing temporary accommodation and a £8.6m loss of housing benefit subsidy from the Department of Work and Pensions as a result of type of accommodation being used to house those that are homeless.

Temporary Accommodation – increase in demand and reduction in supply

- 3.8.3 The increase in demand for Bed & Breakfast, Annexes and Emergency Homeless Lets (EHL) is expected to result in a £4.5m pressure against the current 2023/24 budget. An extremely high level of demand for housing services is a national issue, but is particularly acute in London. The Housing Needs Service in Brent has seen a 22% increase in a number of homelessness presentations when compared to the same time last year. Other London boroughs are experiencing a similar increase in demand, with a 20% increase in presentations on average. The total number of households in Temporary Accommodation in Brent has increased by 14% and the number of families in Bed and Breakfast hotels has seen a 322% increase. Whilst the COVID-19 pandemic, associated lockdowns and the ban on Private Rented Sector (PRS) evictions may have been a factor in this growth, demand for homelessness services continues to grow. As at the end of July 2023, the total number of homeless households living in B&B and Annexe accommodation has risen to 553, broken down between 324 families and 229 single people. If demand continues at the same rate, the service will receive a total of 7,700 applications this financial year, an average of 148 applications every week, which is the highest it has ever been.
- 3.8.4 Once the Council accepts that a household is eligible as homeless, as defined by legislation, the Relief Duty to take reasonable steps to help the applicant secure that accommodation becomes available for at least six months is triggered. If the applicant is also deemed to be in priority need, as defined by legislation, there is an immediate statutory duty to secure suitable interim accommodation, pending further enquiries into the application.
- 3.8.5 As these issues are London wide, the availability of B&B and Annexe accommodation is severely restricted across the capital, with many Councils being forced to book rooms in commercial hotels to meet statutory duties. This lack of availability of accommodation is resulting in having to use expensive providers and at times outside of Brent, which also causes significant financial pressures to the families placed there due to additional travel costs for children at schools in Brent.
- 3.8.6 London Councils commissioned Savills and the London School of Economics (LSE) to produce a report on the Supply of PRS (Private Rented Sector) Accommodation in London. The report has found that London's PRS is affected by multiple factors driving a reduction in the availability of properties

for rent. The report highlights that demand for housing is continuing to increase while supply is reducing across the whole market. It has found that greater reliance on the PRS to house lower income households and increasingly limited housing benefits are making accommodation less affordable and available. Currently it appears to be supply side factors notably taxation, interest rate changes and uncertainties about future regulation that are reducing availability at the lower end of the PRS.

- 3.8.7 The researchers also investigated affordability for the 300,000 London households reliant on Local Housing Allowance (LHA) to meet their housing costs. Eligible households receive LHA as part of their housing benefit or universal credit payment if they have a private landlord, and the government has frozen LHA rates since April 2020. In the face of fast-rising rents, the decision to keep LHA rates frozen has significantly reduced the number of properties affordable in London under LHA. Between January and March this year, only 2.3 per cent of London listings on a major online property portal were affordable in 2022/23 to those using the benefit to pay their rent – falling from 18.9 per cent in 2020/21.
- 3.8.8 Brent is one of 10 member boroughs of Capital Letters, which is a company established to enable a collaborative approach to procuring PRS properties across London, to help meet the demand for affordable housing from homeless families. The current PRS market conditions have also had a significant detrimental impact on Capital Letters performance in securing suitable PRS properties for member boroughs. There was a 53% reduction in PRS properties let through Capital Letters from 2021/22 to 2022/23. If the 2023/24 procurement continues at the same rate, the decrease will be 72%.
- 3.8.9 As well as procuring PRS properties through Capital Letters, the housing service operates a Find Your Home scheme, to encourage homeless households to find their own affordable PRS property, which the service will then assist them to secure by paying the owner a financial incentive in lieu of a deposit and first month's rent. There was a 35% reduction in PRS properties let through Find Your Home and internal procurement from 2021/22 to 2022/23. If the 2023/24 procurement continues at the same rate, the decrease will be 64%.
- 3.8.10 The supply of settled TA properties, leased from private owners and used to move families out of B&B and Annexe accommodation has also contracted. This is due to fewer new properties being procured under Private Sector Leasing (PSL) schemes, and owners not renewing the lease for existing stock, when the lease ends.

Housing Benefit Subsidy loss

- 3.8.11 The type of accommodation provided as TA also has a bearing on entitlement to housing benefit subsidy for the payments made. Where a family occupies more than one room in a hotel and those rooms are not connected only one room will be eligible for subsidy. Depending on whether the accommodation is self-contained (exclusive use of a kitchen, bathroom and toilet) or non-self-

contain (one or more facilities is shared), there is a cap on the subsidy entitlement based on the applicable Local Housing Allowance (LHA). Payments above the LHA cap are ineligible for HB subsidy.

- 3.8.12 The loss of subsidy cost is forecast to rise to £8.6m in 2023/24 (from £3.7m in 2022/23) as rents increase but the LHA remains unchanged at its current level. Benefits paid to those living in TA is limited to 90% of the 2011 LHA rates which, particularly since the pandemic, is significantly less than rents being charged by most private sector landlords today. A percentage of the Housing Benefits subsidy received from DWP when compared to the total amount paid to residents is forecast to reduce by 14% when compared to the average over the last three years (67% versus a 81% average).
- 3.8.13 A programme of works has been designed to focus on containing the projected overspend. A number of workstreams covering affordability of Temporary Accommodation and new and alternative supply have been set up. Some progress has already been made to move some of the most expensive cases or those with the highest subsidy loss to alternative arrangements that aim to reduce costs to the Housing Needs service and associated overall subsidy losses, however it is too early to quantify the impact of these actions at this stage.

Environment and Leisure

- 3.8.14 Within Brent Transport services, rising demand linked to the increase in the EHCPs (Educational, Health and Care Plans), as well as prices on taxi routes could put pressure on the budget. The impact on the budgets this financial year will become clearer once pupil numbers become known this month. Brent continues to monitor the demand projections for the year and mitigations in place to reduce the impact.
- 3.8.15 Within Leisure, reductions in income could cause financial pressures if demand for services is lower than anticipated. The income levels are being closely monitored and income maximisation strategies are being put in place. Higher utility costs for leisure centres also mean that a risk of provider failure is increasing. Supporting operators by subsidising their operating costs would create budgetary pressures for the Council and closing sites would also have a significant impact on both communities and income levels. The Council is working closely with the leisure providers to ensure continuity of the affordable service.
- 3.8.16 Volatilities in the energy market are being closely monitored against the budgetary assumptions but this is one of the risk areas for the service. Energy costs are currently forecast to be lower than initially feared earlier in the year and are expected to be contained within the budget growth allowed within the MTFS.
- 3.8.17 In addition, new contractual arrangements for a number of key services within the Environmental Services and Leisure department, such as parking and waste management, commenced in 2023/24, which creates further

uncertainties that could materialise in financial pressures until the contracts are fully embedded. New contracts are being closely monitored and performance measured in order to identify any potential issues and develop mitigation plans in a timely manner. No financial pressures against the budgetary assumptions have been identified to date.

Supporting residents

- 3.8.18 Following the government's Council Tax Energy Rebate scheme in 2022/23, under which the Council delivered £15m of support with energy bills for 90,000 households, a further £0.9m of support has been provided in the first two quarters of 2023/24 through the Energy Bills Support Scheme Alternative Funding and Alternative Fuel Payments Alternative Funding schemes. This has been delivered to households who were ineligible for support with their energy bill costs through their domestic electricity supply.
- 3.8.19 A Household Support Fund (HSF) grant has been awarded by the government to support residents through the cost of living and winter costs. The total grant allocated for 2023/24 is £5.6m. This is anticipated to be utilised in full to support households receiving free school meals for holiday period, 0-4 year old children whose parents or guardians are on Housing Benefits, food banks, careers in Brent, Housing Benefits residents who did not qualify for any government help, as well as reactive food support through supermarket vouchers. The Council has already spent £1.5m to provide support to 11,207 households. Further activities for supporting residents claiming Housing Benefits only, Disabled residents receiving Housing Benefits, Young Carers is planned are planned for October/November. There are further plans to support Food banks, Charities and voluntary organisations to support our residents with financial, food and fuel support. Further payments for holiday vouchers for school children for an additional six weeks is still to be awarded of the total allocation, £2m of the HSF has been made available for the Resident Support Fund (RSF) for reactive support through RSF applications.
- 3.8.20 While these measures are much needed by Brent households and businesses, the Council has taken additional steps to provide more support to residents and businesses. The Council's RSF, which is a discretionary support fund, has been in place since August 2020 to provide help with the cost of living. This can include, but is not limited to, household bills, arrears in rent, mortgage, council tax, food, fuel, digital equipment and emergency funds. The RSF for 2023/24 is estimated to support 5,000 households with a total of £5m, of which £3m is the Council's investment and £2m of the HSF reactive support fund. This fund has already supported 2073 applications that were accepted and a total of £1.4m has been awarded to residents. High volumes of applications are expected in the winter months and the Council will be working collaboratively to support residents who may have difficulty in making payments.
- 3.8.21 In addition, £1m has been made available in the form of the Family Food Fund. So far 236 applications have been received out of which 196 have been

provided with support of £64.8k. The take up is expected to increase as the schools have opened in September.

- 3.8.22 The Council has foregone around £32m of Council Tax revenue in 2023/24 to fund the Council Tax Reduction Scheme (CTRS), supporting around 26-27,000 households in the borough. In addition to this, the Council is reducing Council Tax bills for CTRS households by up to £25, funded by Central Government’s Council Tax Support Fund. Any remaining allocation from this fund will be used to support vulnerable households through the RSF.

Savings and Slippages

- 3.8.23 A £4m saving is planned to be delivered from the department’s budgets in 2023/24. The main savings are expected from the services transformation, restructures and digital projects. There is a risk that a £1.2m saving allocated against the Brent Transport Services will slip against the original timeline, however it is anticipated that this will be managed by the department through one-off measures.

- 3.8.24 In addition, there is a £300k digital saving allocated against this department that is currently on track. This is anticipated to be achieved through processes automation, licenses and technology efficiencies and a back office review.

Summary of Key Assumptions

Key Assumption	Downside if worse	Upside if better	Mitigations
Rent collection rates for the Housing Needs service will not fall below the anticipated level.	A 5% worsening in the collection rate will cost £0.9m.	A 5% improvement in the collection rate will recover £0.9m.	Collection rates are being closely monitored and investigations into the drivers for the movements in the collection rates are ongoing.
SEN Transport spend is within budget and expected client numbers.	Every additional child requiring transport via taxis costs the Council an average of £10,102 per annum.	Reduction in the growth requirement for future years.	The service is monitored as part of the shared service with Harrow. Client numbers can therefore be planned for. A strategic review of this service is taking

			place to look for efficiencies.
Energy costs stay within the expected forecast.	Additional pressures on reserves.	Reduced pressure on the Council's reserves.	The service is working closely with the contractors to build projections and mitigate impacts.

3.9 Central items

Collection Fund – Council Tax

- 3.9.1 The net collectible amount for Council Tax for 2023/24 (after exemptions, discounts and Council Tax Support) at 31st August 2023 is £202.5m. As at the end of August 2023, the amount collected was 45.4%, an increase of 0.4% when compared to the in-year target, but 0.8% lower than the amount collected in the same period of 2022/23 (46.2%). However, the collection in the first two quarters of 2022/23 included some payments from the Council Tax energy rebate scheme which are not present in the 2023/24 collection data.
- 3.9.2 Collection of Council Tax remains 1.7% up on the equivalent period of 2021/22 (43.7%). This suggests that collection rates are still slowly recovering from the COVID-19 pandemic, but this recovery may be being impacted by the ongoing cost of living crisis. Work will be carried out in Q3 to review the collection data and determine what the long term forecast is. This will lead into the decision required for the Council Tax Base report to General Purposes Committee in December 2023 on whether to increase the long term collection rate back to the pre-pandemic target of 97.5%. The results of the review and the decision taken will have a direct impact on the resources available to the General Fund in 2024/25 and future years.

Collection Fund – Business Rates

- 3.9.3 The budgeted net collectable amount for Business Rates (NNDR) for 2023/24 is £125.5m (after exemptions, reliefs and discounts). This was based on the forecast used for the NNDR1 form in January 2023 and has increased by 11% from £112.8m in 2022/23. This increase has been caused by the revaluation of all non-domestic properties at 1st April 2023 (the first revaluation since 2017), which has resulted in an increase to the overall rateable value of Brent's non-domestic properties from £312m to £370m (19% increase). The increase to the net collectable amount has been partially offset in 2023/24 by transitional reliefs applied to some properties to defer the increase in rates because of the revaluation.
- 3.9.4 The actual net collectable amount for NNDR at 30th April 2023 is £122.0m, a decrease of £3.5m from the budget in January. However, adjustments to this

may occur during the year due to increases or reductions in the number of non-domestic properties and successful appeals against rateable values.

- 3.9.5 The decrease to the net collectable amount for NNDR does not directly affect the General Fund as the overall resources that the Council receives from the Business Rates retention system are determined in the Local Government Finance Settlement. However, where the actual income to the Collection Fund is different to the budget, Brent's share of the resulting surplus or deficit estimated in January is distributed to/from the General Fund in the following financial year.
- 3.9.6 As at the end of August 2023, the amount collected was 46.8%, which is only 0.1% lower than the collection in the equivalent period in 2019/20, the last year before the COVID-19 pandemic. The amount collected in the same period in 2022/23 was 44.0% and in 2021/22 the collection was 34.7%. This increase suggests that collection of Business Rates is recovering from the COVID-19 pandemic.
- 3.9.7 However, there are currently a number of factors present in the economy, which could have a negative affect on the ability of businesses to pay their Business Rates, such as energy costs, high inflation and the reduction in consumer spending power as a result of the cost of living crisis. During Q3, work will be undertaken to review the NNDR collection rates and determine if the future trend is one of continued growth, or if the aforementioned economic factors will result in a new drop in collection rates.

Pay Award

- 3.9.8 The current financial environment is putting considerable upward pressure on pay. As of the time of dispatch of this report, the pay award for 2023/24 has not been formally agreed. However, on 23 February 2023, the National Employers agreed unanimously to make a full and final offer, which for Outer London consists of an increase of the highest of 3.88%, or £1,925, plus the Outer London Weighting. In absolute terms, this is similar to the pay award for 2022/23, but broadly equates to an average 5.8% increase in pay (6.5% in 2022/23), ranging from 9.4% at the lowest level of pay to 4.3% at the highest level of pay. This is estimated to cost £8.5m in 2023/24. Provision has been made for this in the Council's budget for 2023/24, so it is not anticipated at this time that further management action will be required to mitigate this pressure.

Savings

- 3.9.9 The 2023/24 budget, agreed at Full Council on 23 February 2023, included an £18m savings target, of which £4.5m was deferred to 2024/25. Appendix A sets out the progress in delivery against this savings target and any mitigating actions. Of the savings for 2023/24, at Quarter 2 84% of these are on track to be delivered. The remaining savings have been flagged as at risk, however mitigating actions are being implemented to deliver these savings targets.

Virements

3.9.10 The table below shows the virements which have been entered to adjust the budgets at Corporate Directorate level during 2023/24.

	2023/24 Opening Budget	In-year growth	Transfer of functions between services	Technical Adjustments	2023/24 In- Year Budget at 31.07.2023
	£m	£m	£m	£m	£m
Adult Social Care and Health	122.0	1.2	0.1	1.0	124.2
Children and Young People	62.1	0.0	0.0	0.9	63.0
Communities and Regeneration	5.2	1.8	0.0	0.1	7.2
Resident Services	69.2	2.4	0.1	(0.4)	71.3
Governance	13.6	0.3	(0.2)	0.1	13.8
Finance and Resources	11.7	0.4	0.0	(0.5)	11.7
Central Items	(283.8)	(6.1)	0.0	(1.3)	(291.2)
Total Budget	0.0	0.0	0.0	0.0	0.0

3.9.11 In-year growth items are budget movements from the Central Items budget to Departmental budgets which were not actioned at the start of the financial year.

3.9.12 Transfers of functions between services are budget movements between Corporate Directorates, which occur when a department is moved from one service to the other. The virement ensures that the department and the related budget remain together.

3.9.13 Technical adjustments are budget movements resulting from either events which are provided for in the MTFs, but only confirmed during the year (e.g. pay award), or budget movements resulting from changes to processes (e.g. centralisation of budgets).

3.9.14 The table above includes the following technical adjustments added between May and July 2023:

- Replacing the 2022/23 Borough Plan budget with the agreed budget for 2023/24
- Allocation of savings from August 2022 Voluntary Redundancy Scheme to service areas
- Adjustments to allocation of savings agreed in the February budget report
- Centralisation of budgets due to changes to processes
- Other adjustments to budgets agreed between services

3.10 Dedicated Schools Grant (DSG)

Funding Blocks	Overall DSG Funding 2022/23	Forecast Expenditure	Overspend/ (Underspend)
	£m	£m	£m
Schools Block	119.5	119.5	0.0
High Needs Block	74.7	76.1	1.4
Early Years Block	24.5	24.5	0.0
Central Block	2.1	2.1	0.0
Total DSG	220.8	222.2	1.4

Summary

- 3.10.1 The DSG forecast reflects a deficit of £1.4m, against grant funds of £220.8m for 2023/24, due to pressures from the High Needs (HN) Block.
- 3.10.2 As reported in Quarter 1, the forecast assumes that the other funding blocks will achieve a balanced budget by the end of the financial year. This position is likely to change over the next two quarters, as more information becomes available. For example, the forecast for the Early Years (EY) Block is likely to change following payments to childcare providers for the autumn term, as this would determine if there has been an increase in the number of hours for early years' provision from September 2023. The actual cost of payments for the first two quarters would inform a better projection for Quarter 3 & Quarter 4.
- 3.10.3 Although the HN Block allocation increased by £7m in 2023/24, the number of children with Education, Health, and Care plans (EHCPs) has continued to rise, therefore adding continued pressure against the HN Block from growing demand. The HN budget, excluding the proportion allocated to academies, is £74.7m. This allocation includes a £1.2m transfer from the Schools Block. The HN Block funding is expected to be adjusted for a recoupment of funds for school place funding for Brent pupils in other local authority areas and for a place funding repayment from other local authorities, following a recent import/export review by the DfE in July 2023.
- 3.10.4 The cumulative DSG deficit brought forward from 2022/23 is £13.8m. This includes an in-year surplus of £1.3m achieved in 2022/23. This surplus is held in a separate usable reserve to support the DSG budgets in this financial year. The £15.1m deficit carried forward has been disclosed as an earmarked unusable reserve in line with Department for Education (DfE) regulations (the School and Early Years Finance (England) Regulations 2021). The regulations state that the deficit must be carried forward and held separately from in-year surpluses, to be funded from future years' funding and/or recovery plans agreed with the DfE. The forecast deficit on the HN block will increase the DSG deficit to £15.2m by the end of this financial year.

Forecast

- 3.10.5 The £1.4m deficit against the HN Block is an increase from the break-even position reported in Quarter 1. This is mainly due to an increase in the forecast spend on top-up funding to in-borough mainstream schools and academies. The pressure against the budget set for this area is equivalent to an additional 329 pupils at an average cost of £9k.
- 3.10.6 The growth in EHCPs is a London and national trend whereby the number of children assessed as meeting the threshold for support continues to increase. However, the HN funding has not increased in line with the growth in overall pupil numbers creating financial pressures. At the end of July 2023, there were 3363 EHCPs, which represents a growth of 8% compared to July 2022 (3122) and a 14% increase compared to the March 2022/23 outturn of 2959 EHCPs.
- 3.10.7 The forecast position is due to the following pressures:
- £2.1m forecast pressures against top-up funding paid to in-borough academies and mainstream schools which includes funding to be recouped from other local authorities for their children placed in Brent schools. The pressure is due to an increased number of pupils with special educational needs placed within the borough.
 - The pressure is further offset by a £0.8m forecast underspend against SEN Services and support being provided for inclusion services. This forecast is likely to change by year end as it is subject to the actual number of pupils excluded from mainstream schools during the year, following enrolments from September 2023.
- 3.10.8 The Council has a Deficit Recovery Management Plan in place with longer-term actions to recover the cumulative deficit. A task group led by the Corporate Director of Children and Young People (CYP) is in place to coordinate and monitor these actions. Some of these actions to reduce costs include developing Alternative Provision education in the borough, increasing the amount of special provision within the borough, particularly for secondary phase pupils and 16–25-year-old SEND students. A combination of these longer-term recovery actions and anticipated funding increases is expected to achieve a reduction in the deficit.
- 3.10.9 In 2022/23 Brent participated in the DfE programme called Delivering Better Value (DBV) in SEND, to provide dedicated support and funding to help local authorities reform their high needs systems. The first phase of the programme included a comprehensive diagnostic to identify root cause cost drivers and mitigating solutions or reforms and support in developing a quality assured Management Plan and the opportunity to bid for a £1m grant to deliver the actions in the Management Plan. Brent was successful and will receive the £1m funding over two financial years i.e., 2023/24 and 2024/25. The DBV programme will not address the historic deficit, however the current

Management Plan and efficiencies identified from the programme may allow funds to be released to address historic deficits.

Risk and Uncertainties

- 3.10.10 A balanced budget was set for the HN Block but there remains a risk that the number of children and young people with Education Health and Care Plans (EHCPs) will continue to grow. The growth in EHCPs is a national and London wide trend whereby the number of children assessed as meeting the threshold for support continues to increase, however the HN Block funding has not increased in line with continued growth. Over the years, this has created financial pressures with a majority of authorities holding deficit balances. The HN Block received a 10% increase in funding for 2023/24 however the risk remains that this increase may not be sufficient to cover the costs of further increases in EHCP numbers and increases from providers for high inflationary costs.
- 3.10.11 The statutory override set out in the School and Early Years Finance (England) Regulations 2021 which requires local authorities to either carry forward any cumulative DSG deficit to set against the DSG in the next funding period or carry forward some or all the deficit to the funding period is due to come to an end in 2025/26. There remains the risk that the local authority would then be required to absorb any accumulated deficit from the DSG by using General Fund balances.

3.11 HRA

HRA gross income and expenditure			
	Budget	Forecast	Overspend/ (Underspend)
	£m	£m	£m
HRA			
Income	(61.2)	(61.2)	0.0
Expenditure	61.2	61.2	0.0
Total	0.0	0.0	0.0

Forecast

- 3.11.1 The budgets for the Housing Management function are contained within the ring-fenced Housing Revenue Account (HRA), which has a balanced budget for 2023/24.
- 3.11.2 The HRA is forecasting a break-even position for 2023/24, with budget pressures of £0.3m due to service charge refunds being mitigated by keeping staffing vacancies. There are a number of other risks and uncertainties in this fund that could pose financial pressures.

Risks and uncertainties

- 3.11.3 High levels of uncertainty around inflation and rising interest rates pose a financial risk to the HRA. This has an impact on the cost of materials and repairs, as well as the cost of new build contracts. Energy cost increases are to be passed on to tenants and leaseholders resulting in an increased risk of non-collection. In addition, an increase in service requests relating to damp and mould is likely to put additional pressures on budgets.
- 3.11.4 Other pressures involve the capital programme as there is no new government funding having been made available to meet environmental priorities and requirements such as carbon reduction works to homes.
- 3.11.5 The government has limited social housing rent increases to 7%, which means that the increased costs experienced by the HRA cannot be fully met by rent inflation. The HRA needs to modify service delivery and achieve considerable additional savings in order to close the gap between rental income and the cost of service delivery. In addition, the cost-of-living crisis is likely to further impact rent collection rates and consequently result in increased rent arrears.
- 3.11.6 These risks are being continuously monitored and reflected in the HRA Business Plan and the Council's Medium Term Financial Strategy.

4.0 Capital Programme

4.1 Capital Summary

- 4.1.1 The table below sets out the Capital Programme current forecast to the revised budget position for 2023/24.

Directorate	Original Budget	Revised Budget	Current Forecast	FY Variance	
	£m	£m	£m	£m (Underspend)/ Overspend	£m (Slippage)/ Brought Forward
Corporate Landlord	10.3	14.5	15.0	0.5	0.0
Housing GF	82.3	159.9	155.3	(4.1)	(0.5)
Housing HRA	157.0	135.4	138.3	2.5	0.4
PRS I4B	0.0	0.0	0.0	0.0	0.0
Public Realm	25.5	35.8	35.5	0.1	(0.4)
Regeneration	74.1	9.9	8.2	0.1	(1.8)
Schools	35.1	19.6	14.5	(0.9)	(4.2)
South Kilburn	27.0	28.1	28.1	0.0	0.0
St Raphael's	31.7	0.8	0.8	0.0	0.0
Total	443.0	404.0	395.7	(1.8)	(6.5)

4.1.2 The assessment of RAAC across Council owned assets is a key risk for the Capital Programme. The Council is not aware of the presence of RAAC in any maintained schools within the Borough and is taking a proactive approach of assessing other Council assets for the presence of RAAC.

4.2 Corporate Landlord

4.2.1 Corporate Landlord has a forecast of £15.0m versus a revised budget of £14.5m for 23/24. This variance is driven by an accelerated spend of £0.4m on the Civic Centre Development and an overspend of £0.2m on Public Sector Decarbonisation Scheme associated with higher than expected commissioning costs. This is offset by smaller underspends in a number of projects including Flexible Working Equipment, Willesden Green Library Development, and the Central and North West London College loan totalling £0.1m.

Risk and Uncertainties

4.2.2 With regards to the Central and North West London College loan, there are discussions taking place with the DfE to establish whether the Council will continue to be the lender following the classification change of Colleges to be included within the public sector. For Civic Centre Development there is a risk that the project may be delayed but this is being mitigated against through close monitoring of subcontractors. There is also a risk that the Public Sector

Decarbonisation Scheme overspends by £0.2m if costs are higher than expected. Another issue involves insufficient resources available to ensure that work can be commissioned quickly from Brent IT and Shared Services leading to delivery delays. Timescales are being agreed in advance and escalation to Heads of Service is being carried out when timescales are not met.

4.3 Housing General Fund

4.3.1 Housing General Fund is forecasting to spend £4.6m below the current year budget. This position is due to a combination of slippage at Edgware Road, £5.3m and Bridge Park, £0.5m and genuine overspends at Stonebridge £1.1m. Edgware Road is forecasting slippage for the current year due to delay in getting onsite relative to the original target. Bridge Park slipped £0.5m, while management continue to explore the delivery and financing options. The Stonebridge Housing Development is reporting a current year overspend of £1.1m and an overall overspend of £1.7m. The cause is due to design changes and unforeseen regulatory works.

4.4 Housing HRA

4.4.1 The HRA is forecasting to spend £2.9m ahead of the current year profile. This is made up of £2.5m in genuine overspends together with accelerated spend totaling £0.4m. Frontenac is forecast to overspend £0.3m; due to unforeseen external works to balconies and post award changes. Gloucester Close is forecasting an overall overspend of £0.1m; due to unforeseen additional works. Mason Court and Hindhurst Close are collectively forecasting an overspend of £1.0m; due to contractor claims (re Covid and inflation). Tower Blocks - Kilburn Square is reporting an overall overspend of £0.4m. Aneurin Bevan Court is reporting a significant variance, £1.1m overall; this mostly due to the omission of on-costs from the original budget but also includes payment in respect of a loss and expense claim from the contractor. Longley Avenue is forecasting an overspend of £0.2m; the project was put on hold due to a dispute over part of the land; this dispute has been settled in our favour. Sycamore grove is showing underspend of £0.2m as the scheme will no longer proceed due to viability challenges.

Risk and Uncertainties – Housing

4.4.2 Cost inflation is reportedly slowing, which should see a consequential slowing of tender price inflation, although any benefit from slowing inflation may be offset by cost pressures due to environmental and safety regulations. Viability challenges are set to continue given the current high interest rate environment. The Council in the last year has had to pause significant development schemes and further schemes in the New Council Homes Programme may need to be paused throughout the year. The Council is also experiencing significant supply pressures for Temporary Accommodation as set out in section 3.8 One of the options to mitigate the pressure is to increase the supply of temporary accommodation through a new acquisition programme.

4.5 PRS I4B and First Wave Housing

4.5.1 During 2022/23, I4B drew down a £40m loan facility for the acquisition of properties as part of the private rented sector programme. Over 2022/23 I4B made acquisitions totaling £13.7m therefore, the company has £26.3m of their loan facility remaining. I4B are forecasting to spend £2.5m of the drawdown loan in 2023/24. This forecast spend is to cover currently known pipeline acquisitions. Acquisitions by the company have slowed on account of an adverse prevailing market.

Risk and Uncertainties

4.5.2 Whilst inflation is reportedly slowing, it is not certain the Bank of England will drop interest rates, which remain relatively high and make the financing of acquisitions more challenging. First Wave Housing, the Council's other wholly owned housing company, has applied for funding from the GLA's Refugee Housing Programme alongside a wider Council bid. This is for the planned purchase of six larger homes (four beds+) to house Ukrainian and Afghan refugees. If the bid is approved, acquisitions would be 50% grant funded, and the remaining 50% would need to be funded through new borrowing from the Council. For the six properties the funding requirement is expected to be circa £2.31m. I4B is also working closely with the Council on activities to support the temporary accommodation pressure. Depending on the scale of the project, a further loan may be required by the company to acquire more properties.

4.6 St Raphael's

4.6.1 The St Raphael's project is forecasting to spend to budget. The budget of £0.8m is for planning and design spend for all phases and for the minor improvement works that will not require planning consent (formal application). Plans for further works will be firmed up in future subject to viability. The Council is now working towards the delivery of the first tranche of Estate improvement works, set to commence this financial year.

Risk and Uncertainties

4.6.2 The development works on the infill masterplan are currently on pause. The Council remains committed to exploring alternative delivery and financing options however these remain significantly challenging.

4.7 Public Realm

4.7.1 The Public Realm revised budget for the year is £35.8m with a latest forecast of £35.5m. The variance of £0.3m sits within the Public Realm Capital Programme Board where there are 135 projects with a revised budget. There are numerous projects which are forecasted as higher/lower than the revised budgets. The projects with higher forecasts than budget include the following; Highways has brought forward £1m of budget in order to use contractors to

complete works in the summer of 2023. This is with approval to bring forward two schemes (the longest two) on the 2023/24 Principal Roads programme and 10 locations for major footway reconstruction for an early start ahead of formal Cabinet approval of the 2023/24 Highway Capital Maintenance Programme in September. Lamp Column electric chargers are forecasting £400k higher than budget however a grant claim has been submitted to the Department for Transport to cover these additional costs. RLS vehicle programme is forecasting £159k of spend to be brought forward as part of the the waste collection vehicle purchases, however the overall programme forecast is in line with the overall budget. A key projects where the forecast is lower than budget includes S106 Hostile Vehicle Mitigation (HVM) which is forecasting slippage of £658k which is constantly under review by the service as works are based on security works assessments and the need to carry out works. Pitch Improvements are forecasting slippage of £386k due to delays with irrigation and Thames Water works. Healthy Streets and Parking have re-profiled £185k on Roe Green Kingsbury. Parks and Capital are currently forecasting a £234k underspend on several projects which are winding down. Gladstone Park Tennis Court is currently forecast a (£60k) underspend as this project is also close to completion. There is c(£300k) in some Healthy Streets and Landscaping projects where re-profiling has occurred but overall budget spend still being forecast.

Risk and Uncertainties

- 4.7.2 The reduction in grant funding for TFL has resulted in a smaller scope of works to deliver the Local Implementation Plan – The TfL submission for grant claims was submitted to maximum level in August. The long-term programme is being developed in recognition of this reduced level of funding to ensure we maximise the impact of the funding received.

4.8 Regeneration

- 4.8.1 Regeneration is currently forecasting an underspend of £1.7m (£9.9m revised budget and forecast of £8.2m). £1.8m of this variance is due to the Picture Palace project being delayed. This project which is set to deliver a new community hub has been delayed due to planning issues and viability challenges, however it has now been granted full funding of CIL and an updated schedule of works is being produced.

Risk and Uncertainties

- 4.8.2 The Wembley Housing Zones project is expected to experience a viability pressure when updating the project plans to meet potential fire safety regulations. Work is already underway with the contractor, Wates, to reduce the impact of any changes required. The Morland Garden project is experiencing significant viability challenges whilst also being subject to a significant delay in the project delivery timescales dependent on the outcome of the public inquiry in relation to the stopping up order.

4.9 Schools

4.9.1 The Schools Board is forecasting an underspend £5.1m for the financial year. £3.2m of this underspend is due to SEND projects which although currently forecasting in line with programme life budget, slippage in FY 23/24 has occurred. This is due to delays in ARP procurement, a detailed ongoing site review of St Gregs , prolongation of London Road SEND due to Thames Water sewer build over requirements and TVS and Woodfield moving to Post-16 at Airco Close. Brent Childrens Home is a new budget this financial year and the forecast is the more up to date view. This project has a £1.1m profiling underspend in FY23/24. The forecast is based on a property that has been identified as a workable solution but is currently being reviewed by planning and legal pre a potential Council purchase. However, until a unit is purchased then this forecast will be volatile. The remaining underspend is driven by an updated Devolved Formula Capital Projects submitted by Schools reducing the expenditure and minor underspends on the Schools Asset Management Programme and Roe Green kitchen project.

Risk and Uncertainties

4.9.2 There are many schools involved in the Additional Resource Provision of the SEND programme which may not be able to progress once full feasibility studies and structural surveys are completed so the programme could see volatility in the location of the provision.

4.10 South Kilburn

4.10.1 The South Kilburn programme has a budget of £28.1m of which the current forecast is spend to budget.

Risk and Uncertainties

4.10.2 Viability is a key challenge for the remaining developments within the South Kilburn programme. The Single Delivery Partner approach is being explored to help provide certainty for the programme and provide economies of scale for the delivery partner.

4.11 Treasury Management Prudential Indicators

4.11.1 In line with the 2021 Prudential Code, a review of the prudential indicators for the authority will now take place quarterly rather than solely through the Treasury Management updates throughout the year. A performance of the treasury and capital activities against these indicators can be found in Appendix B.

5.0 Stakeholder and ward member consultation and engagement

5.1 There are no direct considerations arising out of this report.

6.0 Financial Considerations

6.1 The proposed loan of £2m to First Wave Housing Ltd would be financed by Council borrowing in accordance with its treasury management strategy. It is anticipated that the interest rate charged to First Wave Housing would be set in reference to PWLB rates at the time of First Wave Housing drawdowns.

6.2 The Council would be providing the loan to First Wave Housing Ltd for the provision of homes under the Greater London Authority Refugee Housing Programme. The Council considers this to be a loan for service delivery to a third party so this will be reported in the Council's capital expenditure programme.

7.0 Legal Considerations

7.1 There are no legal considerations arising out of this report.

8.0 Equality, Diversity & Inclusion (EDI) Considerations

8.1 There are no EDI considerations arising out of this report.

9.0 Climate Change and Environmental Considerations

9.1 There are no climate change or environmental considerations arising out of this report.

10.0 Human Resources/Property Considerations (if appropriate)

10.1 There are no HR or property considerations arising out this report.

11.0 Communication Considerations

11.1 There are no direct communication considerations arising out of this report.

Report sign off:

Minesh Patel

Corporate Director of Finance and Resources

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MTFS Savings Delivery Tracker 2023/24

Department	Index	Reference	2023/24 savings (£000)	2024/25 deferred savings (£000)	Total Savings (£000)	Description	RAG Status	Comments / Mitigating Actions
Care, Health and Wellbeing	2023-24 AH01	Homecare Reductions	1,200		1,200	Post Covid increases in homecare, driven by increased need and hospital discharge, introduce new reablement service and reduce double handed care packages to manage demand and increase independence	Green	Saving on track to be delivered
Care, Health and Wellbeing	2023-24 AH02	Not in-sourcing Reablement	1,300		1,300	Commission a reablement service through the market, which will deliver the same benefit for residents and for demand, but will cost substantially less to deliver than bringing the service in house	Green	Saving already achieved
Care, Health and Wellbeing	2023-24 AH03	Reduction in cost of Learning Disability Placements	600		600	Proposal to support more people with a Learning Disability to live as independently as possible and to continue to reduce Residential Placements	Amber	Potential delays in fully delivering the savings in 23/24, mitigating items to be identified if this materialises
Care, Health and Wellbeing	2023-24 AH04	Extra Care Void Saving	250		250	Reduce the number of care home placements, reversing the increase driven by health during Covid, re-focusing on extra care placements filling voids and new extra care schemes as alternatives that promote more independence	Green	Saving on track to be delivered
Care, Health and Wellbeing	2023-24 AH05	Mental Health Placements	470		470	Working closely with housing and secondary MH services to improve the recovery pathway post Covid, in particular reducing supported living placements and increased access to General Needs accommodation	Green	Saving on track to be delivered
Care, Health and Wellbeing	2023-24 AH06	Reductions in Staffing	270		270	Deliver the plan to increase the number of permanent staff in a very challenging recruitment market and reduce the Adult Social Care agency staffing	Green	Saving on track to be delivered via vacancy factors across the service

Department	Index	Reference	2023/24 savings (£000)	2024/25 deferred savings (£000)	Total Savings (£000)	Description	RAG Status	Comments / Mitigating Actions
Care, Health and Wellbeing	2023-24 AH07	Digital / Transformation Savings	175		175	ASC - online forms, single view dashboards, integration of applications with Mosaic, assistive technology. Electronic document management. Direct payments automation and reduction in overpayments; and potential for increased alignment with CYP DP team. Automation of manual case review processes.	Green	Saving on track to be delivered
Sub Total			4,265	0	4,265			
Children & Young People	2023-24 CYP01	Early Help	240		240	Savings proposals will be a combination of establishment savings achieved by deleting posts and reducing some commissioned services.	Green	Savings on track to be delivered
Children & Young People	2023-24 CYP02	Inclusion and Virtual School	80		80	Reducing the Supporting Young People Contract, ('Connexions').	Green	Savings on track to be delivered
Children & Young People	2023-24 CYP03	Localities - Care Packages reduction	365		365	Care package reductions for families receiving support from the 0-25 children and young people with disabilities teams	Amber	Work underway to ensure that savings will be on track to be delivered a risk of slippage is anticipated.
Children & Young People	2023-24 CYP05	Looked after Children and Permanency		510	510	Review of agency worker usage and implementation of a vacancy factor	Green	Work underway to ensure that savings will be on track to be delivered.
Children & Young People	2023-24 CYP06	Forward Planning Performance & Partnerships		860	860	Proposed savings will be made through the commissioning of placements for Looked After Children and Care Leavers	Green	Work underway to ensure that savings will be on track to be delivered.
Children & Young People	2023-24 CYP07	Safeguarding and Quality Assurance	121		121	Savings will be made through the management of vacant posts and a reduction of the CYP training budget.	Green	Work underway to ensure that savings will be on track to be delivered.
Children & Young People	2023-24 CYP08	Setting and School Effectiveness	34		34	Proposed savings will be made by a reduction in staffing costs within the core school effectiveness team.	Green	Savings on track to be delivered
Children & Young People	2023-24 CYP09	Digital / Transformation Savings		200	200	Admin - case management, RPA, Mosaic enhancement (alerts), electronic document management,	Green	Work underway to ensure that savings will be on track to be delivered.

Department	Index	Reference	2023/24 savings (£000)	2024/25 deferred savings (£000)	Total Savings (£000)	Description	RAG Status	Comments / Mitigating Actions
						removing manual processes and excel. Schools admissions chatbots/virtual agents. Direct payments automation and reduction in overpayments; potential for increased alignment with ASC DP team. CAMS dashboard.		
Sub Total			840	1,570	2,410			
Communities & Regeneration	2023-24 CR01	Planning Service Staff		205	205	Reduce planning staff by 5% (3.5 FTE) achieved by natural turnover/deletion of vacant posts. Would impact ability to provide planning service and policy framework.	Green	Savings on track to be delivered
Communities & Regeneration	2023-24 CR02	Brent Works / Brent Start	35		35	Proposal to combine advisors across both Brent Start and Brent Works via turnover / vacancy management	Green	Savings on track to be delivered
Communities & Regeneration	2023-24 CR03	Brent Start Programme Leader	24		24	Proposal to merge a position with another programme to delete this provision in Brent Start via vacancy management	Green	Savings on track to be delivered
Communities & Regeneration	2023-24 CR04	Regeneration Capitalisation		75	75	Opportunity for further capitalisation for 4 years, whilst Wembley housing zone schemes are built	Green	Savings on track to be delivered
Communities & Regeneration	2023-24 CR05	Town Centre managers	68		68	Reduction of one Town Centre manager.	Green	Savings on track to be delivered
Communities & Regeneration	2023-24 CR06	Strategy & Engagement restructure	55		55	Reduction in IAG Contract. Non appointment of new posts identified in the new structure	Green	Savings on track to be delivered
Communities & Regeneration	2023-24 CR07	Communications restructure	100		100	Reduce the number of Communications Account Managers in the corporate communications team from five to three	Green	Savings on track to be delivered
Communities & Regeneration	2023-24 CR08	Digital / Transformation Savings	50		50	Automation, chatbot, virtual agents. Dashboards for contract monitoring and demand management.	Green	Delays with a supplier will result in a slippage. Mitigating actions need to be identified.

Department	Index	Reference	2023/24 savings (£000)	2024/25 deferred savings (£000)	Total Savings (£000)	Description	RAG Status	Comments / Mitigating Actions
						Any changes to structures, alignment and commissioned services from Employment and Skills OBR. IoT e.g. potholes, better tech for field officers (Powerapps) to increase efficiency.		
Sub Total			332	280	612			
Resident Services	2023-24 RS01	Removal of first class envelopes from the Civic Centre	64		64	Removal of first class envelopes from Civic Centre to reduce postage spends. First class postage will remain available in the Post Room but only for those requiring first class postage	Green	Savings on track to be delivered
Resident Services	2023-24 RS02	Staffing Changes	86		86	Staffing changes across the Improvement & Performance Team and the Digital Post Room teams. Duties to be covered by existing staff once re-evaluation of JD's and staff consultation has been carried out	Green	Savings on track to be delivered
Resident Services	2023-24 RS03	IEG and Resilience contract reduction & Staffing reductions due to systems automation	262		262	Reduction in the usage of the Resilience contract and creation of in house applications to replace IEG	Green	Savings on track to be delivered
Resident Services	2023-24 RS04	Online diary and reporting system and booking citizenship ceremonies	11		11	Online diary and reporting system equivalent to current product bought in house use of corporate. Online booking Citizenship ceremonies incorporating facility for payment for private ceremonies	Green	Savings on track to be delivered
Resident Services	2023-24 RS05	Staff reorganisation	210		210	Staff reorganisation in the Revenue & Debt team	Green	Savings on track to be delivered
Resident Services	2023-24 RS06	Reduction in licensing, corporate printing,	418		418	• Reduction in licensing spend through applications rationalisation	Green	Savings on track to be delivered

Department	Index	Reference	2023/24 savings (£000)	2024/25 deferred savings (£000)	Total Savings (£000)	Description	RAG Status	Comments / Mitigating Actions
		supplies and services, delivery of ICT roadmap, staffing				<ul style="list-style-type: none"> Reduction in corporate printing spend through continued move to digital options Reduction in ICT and Transformation supplies and services spend Reduction in Brent's contribution to the shared ICT service through realisation of savings through delivery of roadmap projects Reduction in staffing in Transformation service 		
Resident Services	2023-24 RS07	Digital / Transformation Savings	300		300	Online forms, chatbot/virtual agent, RPA, further reduction in print, aligning systems	Green	Savings on track to be delivered
Resident Services	2023-24 RS08	Libraries stock	62		62	Reduction in Libraries stock budget	Green	Savings on track to be delivered
Resident Services	2023-24 RS09	Increase Council Owned Temporary Accommodation Portfolio	350		350	Build a new Temporary Accommodation scheme of up to 100 units (similar to Anansi House), providing better quality and more affordable accommodation for people who would otherwise be in private sector nightly paid accommodation	Amber	New accommodation will not be available until 2024 so one-off mitigations in year will need to be identified
Resident Services	2023-24 RS11	Increase portfolio of Council Managed Temporary Accommodation (TA)	86		86	Transfer HALS TA portfolio from Notting Hill Genesis (NHG) to Brent Direct Leasing (BDL)	Green	Saving is no longer deliverable in the original form, however mitigating actions have been identified to deliver the saving in an alternative way through reducing other costs within the Temporary Accommodation portfolio
Resident Services	2023-24 RS12	Street Light Dimming	60		60	Proposal for Street Light Dimming. Identify areas where lighting levels can be reduced to secure energy cost savings	Green	Savings on track to be delivered
Resident Services	2023-24 RS13	Waste disposal – Education and	250		250	Reduction in residual waste stream in order to secure increased recycling	Green	Savings on track to be delivered

Department	Index	Reference	2023/24 savings (£000)	2024/25 deferred savings (£000)	Total Savings (£000)	Description	RAG Status	Comments / Mitigating Actions
		outreach insourcing				rates and reduced waste disposal payments to WLWA		
Resident Services	2023-24 RS14	Review Payments to WLWA	100		100	This proposal seeks to recover any over-payment of waste disposal charges made by Brent that may be retained by WLWA and held as reserves by that organisation.	Green	Savings on track to be delivered
Resident Services	2023-24 RS15	Increased use of Proceeds Of Crime Act	300		300	Subsidise Regulatory Services area with use of POCA income	Green	Savings on track to be delivered
Resident Services	2023-24 RS16	RLS related - Environmental Services Review	150		150	Environmental Services review staff structures as part of RLS Phase 2 review	Green	Savings on track to be delivered
Resident Services	2023-24 RS17	RLS related - Review of BTS	1,200		1,200	Detailed service review, route optimisation and alternative means of transport	Amber	The review is underway, however it is not anticipated that the saving will be realised in 2023/24 so one-off mitigations in year will need to be identified
Resident Services	2023-24 RS18	RLS Related - Negotiate RLS cost reduction		200	200	Potential to reduce cost as part of RLS competitive dialogue tendering approach	Green	Savings on track to be delivered
Resident Services	2023-24 RS19	RLS related - Rationalisation of Environmental service budgets	130		130	A rationalisation of the budgets within Environmental Services has taken place in anticipation of the savings required for the RLS project.	Green	Savings on track to be delivered
Sub Total			4,039	200	4,239			
Finance & Resources	2023-24 FR01	Reduction in staffing	252		252	Savings will be made from the creation of a centralised Oracle support function in IT, a proportion of Head of Finance management oversight of master data and systems control is no longer required	Green	Saving on track to be delivered
Finance & Resources	2023-24 FR02	Digital / Transformation Savings	250		250	Digital Transformation will enable automation of transactional activity across the whole of the Finance	Green	Saving on track to be delivered

Department	Index	Reference	2023/24 savings (£000)	2024/25 deferred savings (£000)	Total Savings (£000)	Description	RAG Status	Comments / Mitigating Actions
						function and improvements in management self serve as a result of Oracle Cloud enhancements which will deliver savings		
Finance & Resources	2023-24 FR03	External support for Internal Audit activity	23		23	Reduce use of external support to internal audit service	Green	Saving on track to be delivered
Finance & Resources	2023-24 FR04	Civic Centre Office Let		680	680	Lease further floors of the Civic Centre to external organisations / tenants to generate revenue	Green	Saving on track to be delivered
Finance & Resources	2023-24 FR05	Increase car park/EVCP charge	100		100	Considered feasible to increase civic centre parking charge and also charging rate for EVCP provision without impacting demand.	Green	Saving on track to be delivered
Finance & Resources	2023-24 FR06	Security Service Transformation	300		300	Service transformation to be implemented following the detailed review of security provision across all Brent's operational buildings after staff TUPE'D across from the previous out-sourced provider in summer 2021	Green	Saving on track to be delivered
Finance & Resources	2023-24 FR07	Rationalise soft FM service	150		150	Rationalising soft FM services (cleaning) to meet reduced portfolio demand	Green	Saving on track to be delivered
Finance & Resources	2023-24 FR08	Commercial Staffing Review	50		50	Review capitalisation of staffing costs and replace interims with permanent staff	Green	Saving on track to be delivered
Sub Total			1,125	680	1,805			
Governance	2023-24 GOV01	Reduction in staffing via restructure	89		89	Proposed savings to be made from reduction in posts and more efficient allocation of tasks	Green	Savings on track to be delivered
Governance	2023-24 GOV02	Restructures in HR	85		85	This saving would introduce a new model for advisory support in HR and reduce the number of advisory posts in HR by one in 2023/24 and by one in 2023/24.	Green	Savings on track to be delivered
Governance	2023-24 GOV03	Reduce Corporate	40		40	Reduction in budget held by HR for Corporate training	Green	Savings on track to be delivered

Department	Index	Reference	2023/24 savings (£000)	2024/25 deferred savings (£000)	Total Savings (£000)	Description	RAG Status	Comments / Mitigating Actions
		Learning and Development Budget						
Governance	2023-24 GOV04	Administrative and Miscellaneous Efficiencies	12		12	Increased advert via LinkedIn for recruitment advertising - reduction in publications	Green	Savings on track to be delivered
Governance	2023-24 GOV05	Increase income target for recoverable legal work costs	30		30	S106 and other third party income increase	Green	Savings on track to be delivered
Governance	2023-24 GOV06	Reduce Legal Fees Budget	50		50	Reduce the provision in the legal budget for payment of court fees and the costs of advice and representation by barristers in cases brought by or against the council	Green	Savings on track to be delivered
Governance	2023-24 GOV07	Cessation of DX Postal service	3		3	This savings would involve discontinuing use of the legal document exchange service through which documents for the court, barristers chambers and solicitors firms are currently sometimes despatched	Green	Savings on track to be delivered
Governance	2023-24 GOV08	Miscellaneous expenses reduction	19		19	Miscellaneous expenses reduction. This saving would remove a budget utilised for unplanned overhead expenses	Green	Savings on track to be delivered
Governance	2023-24 GOV09	Administrative and Miscellaneous Efficiencies	22		22	This proposal concerns aligning salary budgets with the establishment	Green	Savings on track to be delivered
Governance	2023-24 GOV10	Procurement restructure		50	50	Review structure of the Procurement team with overall impact leading to a reduction in the establishment by 1 FTE	Green	Savings on track to be delivered

Department	Index	Reference	2023/24 savings (£000)	2024/25 deferred savings (£000)	Total Savings (£000)	Description	RAG Status	Comments / Mitigating Actions
Governance	2023-24 GOV11	Digital / Transformation Savings		75	75	Electronic document management, further implementation of DocuSign, sharing documents with external parties via M365, chatbots for routine HR and Legal queries	Green	Savings on track to be delivered
Sub Total			350	125	475			
Corporate	2023-24 CORP1	Digital / Transformation Savings	600		600	Commissioning, Performance and Communications review	Green	Saving on track to be delivered
Corporate	2023-24 CORP4	Procurement savings	449	51	500	To be managed by the Commissioning and Procurement Board. All contracts on pipeline will come to the board to review contract specifications in order to deliver savings	Green	Saving on track to be delivered
Corporate	2023-24 CORP5	CMT Savings	200		200	Savings from June 2022 CMT Restructure	Green	Saving already achieved
Corporate	2023-24 CORP6	RLS related - Environment department saving	1,300		1,300	A rationalisation of the budgets within Environment has taken place in anticipation of the savings required for the RLS project.	Green	Saving already achieved
Corporate	2023-24 AH08	Technical Adjustment - recurring grant funding		1,500	1,500	Recognition of grants not previously budgeted for in the MTFS.	Green	Saving on track to be delivered
Sub Total			2,549	1,551	4,100			
Grand Total			13,500	4,406	17,906			

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Appendix B

Legislative Update

In December 2021, CIPFA published its revised Prudential Code and Treasury Management Code of Practice following concerns around the commercial activity undertaken by several local authorities and the affordability of borrowing plans.

The Code required authorities to not borrow to invest primarily for financial return and all capital expenditure undertaken must be related to the functions of the authority. The Council has not undertaken any activities to invest for a yield or have any commercial plans within the capital programme.

The code required the Prudential Indicators (which are approved as part of the Council's Treasury Management Strategy) to be reported quarterly (from semi-annually) as part of the financial updates. The code permitted this reporting to be implemented by the 2023/24 financial year so this appendix will be a recurring addition to the quarterly financial reports.

Prudential Indicators

The Council has a significant borrowing requirement and balance and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of risk remains central to the Council's treasury management strategy.

(a) Capital Financing Requirement (CFR)

The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement. This is the amount of the Capital Programme that is funded by borrowing. The Council's maximum external borrowing requirement for 2023/24 is shown in the table below. The indicator is set to ensure that the level of proposed capital expenditure remains within sustainable limits and, in particular, to consider the impact on Council tax and in the case of the HRA, housing rent levels.

	2023/24 Forecast	2024/25 Budget	2025/26 Budget	2026/27 Budget	2027/28 Budget
	£m	£m	£m	£m	£m
Opening CFR	1,146.4	1,435.3	1,726.0	1,869.7	1,899.3
Capital Expenditure	406.6	477.0	200.7	65.8	42.2
External Resources	(56.5)	(80.2)	(12.2)	-	-
Internal Resources	(43.5)	(86.4)	(22.6)	(11.4)	(6.3)
MRP	(17.4)	(19.7)	(22.2)	(24.7)	(27.4)
Closing CFR	1,435.3	1,726.0	1,869.7	1,899.3	1,907.8

(b) Gross Debt and the Capital Financing Requirement

In order to ensure that over the medium term, debt will only be for a capital purpose, the Council should ensure that debt does not, except in the short term, exceed the total of capital financing requirement in the preceding year plus the estimates of any additional capital financing requirement for the current and next two financial years. This is a key indicator of prudence. The table below shows that the Council expects to comply with this recommendation during 2023/24.

Debt	2023/24	Q2 2023/24
	Forecast	Actual
	£m	£m
Borrowing	833.3	747.2
PFI liabilities	17.1	18.8
Other	7.7	7.7
Total Debt	858.0	773.6
Capital Financing Requirement	1,435.3	1,435.3
Compliance	Yes	Yes

(c) Liability Benchmark

The liability benchmark is an important tool to help establish whether the Council is likely to be a long-term borrower or long-term investor in the future, and so shape its strategic focus and decision making. The liability benchmark itself represents an estimate of the cumulative amount of external borrowing the Council must hold to fund its current capital and revenue plans while keeping treasury investments at the minimum level required to manage day-to-day cash flow.

	31/03/24	31/03/2025	31/03/26
	Forecast	Forecast	Forecast
	£m	£m	£m
Loans CFR	1,435.3	1,726.0	1,869.7
Less Balance sheet resources	(438.2)	(438.2)	(438.2)
Net Loan requirement	997.1	1,287.8	1,431.5
Plus Liquidity Allowance	20.0	20.0	20.0
Liability Benchmark	1,017.1	1,307.8	1,451.5

(d) Authorised limit and Operational Boundary for External Debt

The Operational Boundary for External Debt is based on the Council's estimate of most likely i.e. prudent, but not worst case scenario for external debt. It links directly to the Council's estimates of capital expenditure, the capital financing requirement and cash flow requirements and is a key management tool for in-year monitoring.

Other long-term liabilities comprise finance leases, Private Finance Initiative contracts and other liabilities that are not borrowing but form part of the Council's debt.

The Authorised Limit for External Debt is the affordable borrowing limit determined in compliance with the Local Government Act 2003. It is the maximum amount of debt that the Council can legally owe. The authorised limit provides headroom over and above the operational boundary for unusual cash movements.

	2023/24 Operational Boundary	2023/24 Authorised Limit	Q2 2023/24 Actual external debt	Compliance
	£m	£m	£m	
Borrowing	1,500.0	1,700.0	747.2	Yes
Other Long-term liabilities	-	-	34.5	
Total	1,500.0	1,700.0	781.7	

The Corporate Director for Finance and Resources confirms that there were no breaches to the Authorised Limit and the Operational Boundary during Q1 of 2023/24.

(e) Upper Limits on one-year revenue impact of a 1% movement in interest rates

This indicator is set to control the Council's exposure to interest rate risk. The impact of a change in interest rates is calculated on the assumption that maturing loans and investment will be replaced at current rates.

	2023/24 Approved Limits £m	Q2 2023/24 Actual £m
Upper limit on one-year revenue impact of a 1% rise in interest rates	5.0	1.4
Compliance with limits:		Yes
Upper limit on one-year revenue impact of a 1% fall in interest rates	(5.0)	(1.4)
Compliance with limits:		Yes

(f) Maturity Structure of Fixed Rate Borrowing

This indicator is to limit large concentrations of fixed rate debt needing to be replaced at times of uncertainty over interest rates. The Council uses the option date as the maturity date for its LOBO loans.

Maturity Structure of Fixed Rate Borrowing	Upper Limit	Lower Limit	Actual Fixed Rate Borrowing at Q2 2023/24	% of Fixed Rate Borrowing at Q2 2023/24	Compliance with set limits?
	%	%	£m	%	Yes / No
Under 12 months	40%	0%	47.0	6%	Yes
12 months and within 24 months	40%	0%	-	0%	Yes
24 months and within 5 years	40%	0%	-	0%	Yes
5 years and within 10 years	60%	0%	4.5	1%	Yes
10 years and within 20 years	75%	0%	209.6	28%	Yes
20 years and within 30 years	75%	0%	126.3	17%	Yes
30 years and within 40 years	75%	0%	199.3	27%	Yes
Over 40 years	75%	0%	160.5	21%	Yes
			747.2	100%	

(g) Ratio of Financing Costs to Net Revenue Stream

This is an indicator of affordability and highlights the revenue implications of existing and proposed capital expenditure by identifying the proportion of the revenue budget required to meet financing costs, net of investment income.

Ratio of Financing Costs to Net Revenue Stream	31/03/24 Estimate
Financing costs	33.1
Proportion of net revenue stream (%)	5.1%

(h) Upper Limit for Total Principal Sums invested over 364 Days

The purpose of this limit is to contain exposure to the possibility of loss that may arise as a result of the Council having to seek early repayment of the sums invested.

Upper Limit for Total Principal Sums Invested Over 364 Days	2023/24 Approved £m	Q2 2023/24 Actual £m
Limit on principal invested beyond a year	50	0

(i) Security

The Council has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average credit rating of its investment portfolio. This is calculated by applying a score to each investment (AAA=1, AA+=2, etc) and taking the arithmetic average, weighted by the size of each investment. Unrated investments are assigned a score based on their perceived risk.

Credit Risk Indicator	2023/24 Target	Q2 2023/24 Actual
Portfolio average credit rating	A	A+

(j) Liquidity

The Council has adopted a voluntary measure of its exposure to liquidity risk by monitoring the amount of cash available to meet unexpected payments within a rolling three-month period, without additional borrowing.

Liquidity Risk Indicator	2023/24 Target £m	Q2 2023/24 Actual £m
Total cash available within 3 months	20	112.5

(k) Investment Forecast

This indicator demonstrates the Council's investment exposure broken down by category.

Total investment exposure	2023/24 Forecast	2023/24 Actual
	£m	£m
Treasury management investments	30.0	112.5
Service investments: Loans	172.1	272.7
Commercial investments: Property	20.7	14.1
TOTAL INVESTMENTS	222.8	405.9
Commitments to lend	11.3	26.6
TOTAL EXPOSURE	234.1	432.6

Treasury management investments are higher than originally forecast due to the holding of additional short-term investments to allow for more flexible timing around long-term borrowing needs in light of the elevated interest rate environment.

(l) Investment Funding

This indicator demonstrates the amount of exposure to borrowing as a result of investments made for service purposes. These investments are the loans to the Council's subsidiaries i4B Holdings Ltd and First Wave Housing Ltd.

Investments funded by borrowing	2023/24 Forecast	2023/24 Actual
	£m	£m
Service investments: Loans	172.1	272.7
Total funded by borrowing	172.1	272.7

(m) Investment Rate of Return


This indicator demonstrates the rate of return obtained from the different investment categories.

Investments rate of return	2023/24 Budget	2023/24 Actual
Treasury management investments	3.10%	5.08%
Service investments: Loans	3.90%	3.11%
Commercial investments: Property	15%	21%

(n) Other Investment Indicators

Indicator	2023/24 Forecast	2023/24 Actual
Debt to net service expenditure ratio	2.18	2.16
Commercial income as a % of net service expenditure ratio	0.94%	0.96%

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	<p align="center">Resources and Public Realm Scrutiny Committee 7 November 2023</p>
	<p align="center">Report from the Interim Director of Communities</p>
<p>Scrutiny Recommendations Tracker</p>	

Wards Affected:	All
Key or Non-Key Decision:	Non-Key Decision
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
List of Appendices:	One Appendix A – Recommendations Scrutiny Tracker
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	<p>Jason Sigba, Strategy Lead – Scrutiny, Strategy and Partnerships Jason.Sigba@brent.gov.uk</p> <p>Janet Latinwo, Head of Strategy & Partnerships Janet.Latinwo@brent.gov.uk</p> <p>Kibibi Octave, Interim Director of Communities Kibibi.Octave@brent.gov.uk</p>

1.0 Executive Summary

1.1 The purpose of this report is to present the Scrutiny Recommendations Tracker to the Resources and Public Realm Scrutiny Committee.

2.0 Recommendation(s)

2.1 That the progress of the previous recommendations, suggestions for improvement, and information requests of the Committee be noted (Appendix A).

3.0 Detail

3.1 Contribution to Borough Plan Priorities & Strategic Context

3.1.1 Borough Plan 2023-2027 – all strategic priorities.

3.2 Background

3.2.1 The Recommendations Tracker tabled at the 7 November 2023 meeting relates to the current 2023 – 2024 municipal year. Although it also contains three updates from the 2022-2023 municipal year; two updates from the 15 December 2022 meeting on the item related to the Integrated Street Cleansing, Waste Collections and Winter Maintenance Services Contract Procurement Programme, and another from the 24 January 2023 meeting on the item relating to Budget Scrutiny.

3.2.2 In accordance with Part 4 of the Brent Council Constitution (Standing Orders of Committees), Brent Council scrutiny committees may make recommendations to the Full Council or the Cabinet with respect to any functions which are the responsibility of the Executive, or of any functions which are not the responsibility of the Executive, or on matters which affect the borough or its inhabitants.

3.2.3 The Resources and Public Realm Scrutiny Committee may not make executive decisions. Scrutiny recommendations therefore require consideration and decision by the appropriate decision maker; the Cabinet or Full Council for policy and budgetary decisions.

3.2.4 The Scrutiny Recommendations Tracker (attached in Appendix A) provides a summary of scrutiny recommendations made in order to track executive decisions and any implementation progress. It also includes suggestions for improvement and information requests, as captured in the minutes of the committee meetings.

3.2.5 Recommendations are removed from the tracker when they have been rejected or when implemented successfully and the review date has passed. This is the same for suggestions of improvement and information requests.

4.0 Procedure for Recommendations from Scrutiny Committees

4.1 Where scrutiny committees make recommendations to the Cabinet, these will be referred to the Cabinet requesting an Executive Response and the issue will be published on the Council's Forward Plan. This will instigate the preparation of a report to Cabinet and the necessary consideration of the response.

4.2 Where scrutiny committees develop reports or recommendations to Full Council (e.g. in the case of policy and budgetary decisions), the same process will be followed, with a report to Cabinet to agree an Executive Response, and thereafter, a report to Full Council for consideration of the scrutiny report and recommendations along with the Cabinet's response.

4.3 Where scrutiny committees have powers under their terms of reference to make reports or recommendations to external decision makers (e.g. NHS bodies), the relevant external decision maker shall be notified in writing, providing them with a copy of the Committee's report and recommendations, and requesting a response.

4.4 Once the Executive Response has been agreed, the scrutiny committee shall receive a report to receive the response and the Committee may review implementation of the Executive's decisions after such a period as these may reasonably be implemented (review date).

5.0 Stakeholder and ward member consultation and engagement

5.1 None for the purposes of this report.

6.0 Financial Considerations

6.1 There are no financial considerations for the purposes of this report.

7.0 Legal Considerations

7.1 Section 9F, Part 1A of the Local Government Act 2000, *Overview and scrutiny committees: functions*, requires that Executive arrangements by a local authority must ensure that its overview and scrutiny committees have the power to make reports or recommendations to the authority or the executive with respect to the discharge of any functions which are or are not the responsibility of the executive, or on matters which affect the Authority's area or the inhabitants of that area.

7.2 Section 9FE, *Duty of authority or executive to respond to overview and scrutiny committee*, requires that the authority or executive;-
(a) consider the report or recommendations,
(b) respond to the overview and scrutiny committee indicating what (if any) action the authority, or the executive, proposes to take,
(c) if the overview and scrutiny committee has published the report or recommendations, publish the response, within two months beginning with the date on which the authority or executive received the report or recommendations.

8.0 Equality, Diversity & Inclusion (EDI) Considerations

8.1 There are no Equality, Diversity & Inclusion considerations for the purposes of this report.

9.0 Climate Change and Environmental Considerations

9.1 There are no climate change and environmental considerations for the purposes of this report.

10.0 Communication Considerations

10.1 There are no communication considerations for the purposes of this report.

Report sign off:

Kibibi Octave

Interim Director of Communities

Appendix A

Resources and Public Realm Scrutiny Committee (RPRSC) Scrutiny Tracker 2023-24

These tables are to track the progress of scrutiny recommendations to Cabinet, suggestions for improvement, and information requests made by the Resources and Public Realm Scrutiny Committee, with details provided by the relevant lead departments. It is a standing item on the Committee's agendas, so that the Committee can keep track of the recommendations, suggestions for improvement and information requests it has made, alongside the related decisions made and implementation status. The tracker lists the recommendations, suggestions for improvement and information requests made by the Committee throughout a municipal year and any recommendations not fully implemented from previous years.

The tracker documents the scrutiny recommendations made to Cabinet, the dates when they were made, the decision maker who can make each decision in respect of the recommendations, the date the decision was made and the actual decision taken. The executive decision taken may be the same as the scrutiny recommendation (e.g. the recommendation was "agreed") or it may be a different decision, which should be clarified here. The tracker also asks if the respective executive decisions have been implemented and this should be updated accordingly throughout the year.

Scrutiny Task Group report recommendations should be included here but referenced collectively (e.g. the name of the scrutiny inquiry and date of the agreement of the scrutiny report and recommendations by the scrutiny committee, along with the respective dates when the decision maker(s) considered and responded to the report and recommendations. The Committee should generally review the implementation of scrutiny task group report recommendations separately with stand-alone agenda items at relevant junctures – e.g. the Executive Response to a scrutiny report and after six months or a year, or upon expected implementation of the agreed recommendation of report. The "Expected Implementation Date" should provide an indication of a suitable time for review.

Key:

Date of scrutiny committee meeting - For each table, the date of the scrutiny committee meeting when the recommendation was made is provided in the subtitle header.

Subject – this is the item title on the Committee's agenda; the subject being considered.

Scrutiny Recommendation – This is the text of the scrutiny recommendation as it appears on the minutes – **in bold**.

Decision Maker – the decision maker for the recommendation, (**in bold**), e.g. the Cabinet (for Council executive decisions), Full Council (for Council policy and budgetary decisions), or an NHS executive body for recommendations to the NHS. In brackets, (date), the date on which the Executive Response was made.

Executive Response – The response of the decision maker (e.g. Cabinet decision) for the recommendation. This should be the executive decision as recorded in the minutes. The Executive Response should provide details of what, if anything, the executive will do in response to the scrutiny recommendation. Ideally, the Executive Response will include a decision to either agree/reject/or amend the scrutiny recommendation and where the scrutiny recommendation is rejected, provide an explanation of why. In brackets, provide the date of Cabinet/executive meeting that considered the scrutiny recommendation and made the decision.

Department – the Council directorate (and/or external agencies) that are responsible for implementation of the agreed executive decision/response. Also provided, for reference only, the relevant Cabinet Member and Corporate Director.

Implementation Status – This is the progress of any implementation of the agreed Executive Response against key milestones. This may cross reference to any specific actions and deadlines that may be provided in the Executive Response. This should be as specific and quantifiable as possible. This should also provide, as far as possible, any evidenced outcomes or improvements resulting from implementation.

Review Date - This is the expected date when the agreed Executive Response should be fully implemented and when the scrutiny committee may usefully review the implementation and any evidenced outcomes (e.g. service improvements). (Note: this is the implementation of the agreed Executive Response, which may not be the same as the scrutiny recommendation).

Recommendations to Cabinet from RPRSC

Subject	Scrutiny Recommendation	Cabinet Member, Lead Officer, and Department	Executive Response	Review date
24 Jan 2023 – Budget Scrutiny Task Group Findings 2023/24	Borough Plan Alignment: The Council more clearly demonstrates how public money is being spent in line with the democratically agreed strategic priorities for the borough.	Cllr Muhammed Butt – Leader of the Council Cllr Shama Tatler - Deputy Leader and Cabinet Member for Finance, Resources & Reform Minesh Patel – Corporate Director, Finance & Resources	Response received on 27/10/23: This recommendation has been noted by the Cabinet and future reports will articulate how the budget aligns with the Borough Plan and any other applicable strategies. As members of the committee will have seen, the report template brought to Cabinet has also been refreshed – incorporating new elements around our Climate Emergency strategy.	07/11/23
	Proposal Categorisations: Each budget proposal is categorised as one of: Cut; Income generation; Service transformation; Efficiency; or Investment for transparency purposes. This language should also be used in Council communications in order for residents to distinguish between the proposals which are cuts/service reductions, those which are investments, and those which are efficiencies/service transformation.	Cllr Muhammed Butt – Leader of the Council Cllr Shama Tatler - Deputy Leader and Cabinet Member for Finance, Resources & Reform Minesh Patel – Corporate Director, Finance & Resources	Response received on 27/10/23: Each year we publish hundreds of pages in budget analysis, including full Equalities Impact Assessments on each and every proposal. We will always take on feedback that helps maximise transparency and demystify the budget in any way we can. In this year’s budget proposals, we will set out the categorisation of each proposal and the nature of what it entails.	07/11/23
	Income Generation: <ul style="list-style-type: none"> • Increase parking fees/charges to a more comparable rate charged by surrounding boroughs to secure safe movement of traffic and adequate parking and; • Utilise our parks to generate additional income – as part of this process, the Council should draw 	Cllr Muhammed Butt – Leader of the Council Cllr Shama Tatler - Deputy Leader and Cabinet Member for Finance, Resources & Reform	Response received on 27/10/23: Parking The Council recently awarded new Parking Services contracts for Traffic and Civil Enforcement and Cashless Parking (Permits and Pay by Phone) services which commenced on 4th July 2023. The new contracts focus on improving operational	07/11/23

<p>comparisons with other local authorities to learn from good practice.</p>	<p>Minesh Patel – Corporate Director, Finance & Resources</p>	<p>performance and efficiencies and improving the customer experience. It is anticipated that the new contracts will also result in savings that will be taken into consideration as part of the Councils medium term financial planning. There are various charges made by the service; Penalty Charge Notice charges are set under legislation but there is scope to review charges for permits, on-street and car park tariffs and suspensions. The Healthy Streets and Parking service intend to carry out a benchmarking exercise by December 2023 and consider reviewing charges.</p> <p>Parks The Parks team will undertake a benchmarking exercise across London boroughs to compare charges for events; whilst gaining a more in depth understanding of the range of opportunities that exist in other boroughs to allow us to understand how we could open our parks to more interested groups and organisations.</p>	
<p>Additional Financial Support for Residents:</p> <ul style="list-style-type: none"> • Increase funding and review the eligibility criteria for both the Council Tax Support scheme and the Resident Support Fund, should the financial modelling process allow and; • Explore options to provide additional support to children to tackle food poverty, such as extending universal free school meals provision. 	<p>Cllr Muhammed Butt – Leader of the Council</p> <p>Cllr Shama Tatler - Deputy Leader and Cabinet Member for Finance, Resources & Reform</p> <p>Minesh Patel – Corporate Director, Finance & Resources</p>	<p>Response received on 27/10/23: The 2023/24 budget agreed by Full Council in February 2023 provided a further £3m for the Resident Support Fund and £1m for the new Family Food Fund to support families experiencing food poverty. We will continue calling on the government to increase the funding available for all schemes aimed at providing additional financial support for residents.</p>	<p>07/11/23</p>
<p>Additional Advice & Support for our Voluntary Sector partners:</p>	<p>Cllr Muhammed Butt – Leader of the Council</p>	<p>Response received on 27/10/23: Of the 4 VCS Contracts held in Strategy and Partnerships (Healthwatch, Voluntary Sector</p>	<p>07/11/23</p>

	<p>To assist in building voluntary sector resilience, develop:</p> <ul style="list-style-type: none"> • An approach to increase the value of the commissioned contracts offered to the VCS to help them navigate the current volatile economic environment. The Council could also use this as an opportunity to tighten and improve its contract monitoring process to ensure further robustness and transparency in achieving outcomes. • A collaborative strategy with the VCS to enable these organisations to identify and secure new income streams. This should also include scope for increased opportunities to make joint bids for grant funding. • A transparent policy for distributing Council community assets to our voluntary partners in need of space. Specifically, offering capped peppercorn rents to the sector to expand their operations. 	<p>Cllr Shama Tatler - Deputy Leader and Cabinet Member for Finance, Resources & Reform</p> <p>Minesh Patel – Corporate Director, Finance & Resources</p>	<p>Infrastructure, Independent Complaints and Advocacy and Independent Advice and Guidance) 3 were uplifted through the 2022 procurement exercise to reflect current need and inflationary pressures.</p> <p>Improvements are being made to the contract monitoring process to share impact and outcomes more widely.</p> <p>The Council already works closely with VCS organisations through Thematic Leads Networks which provides a structure that seeks to improve collaboration. The Council works very closely with CVS Brent on Income Generation for the Sector. One example is the Council Leading a community event to support organisations to access a new Mayor of London Fund called London Go. We will continue to support VCS organisation to collaborate and access funding.</p> <p>The priorities for the new Property Strategy will seek to include opportunities for partnership working with CVS groups that can demonstrate sustainable links to promoting Social Value in line with Brent's strategic priorities. To manage expectations, there will not be a blanket policy providing Council property at peppercorn rents as this will lead the Council taking fiscal responsibility for each tenant's operating costs, which is unsustainable, especially in an economy with high inflation and energy prices.</p>	
	<p>Equal Access for All Residents:</p> <ul style="list-style-type: none"> • The proposed automated services (e.g. chat bots) are tested by residents ahead of implementation, especially by those who have 	<p>Cllr Muhammed Butt – Leader of the Council</p> <p>Cllr Shama Tatler - Deputy Leader and</p>	<p>Response received on 27/10/23:</p> <p>The approach set out in Brent's digital strategy 2023-26 is to provide improved digital access for those who want to transact online while</p>	<p>07/11/23</p>

	<p>accessibility needs to ensure that all residents have equal access to services and;</p> <ul style="list-style-type: none"> • Additional advice and support is provided to disabled residents and those cohorts of residents with other access needs (e.g. literacy needs/English not a first language etc.) to navigate digital-form filling so they can maximise the benefits/grants they are eligible for and entitled to. 	<p>Cabinet Member for Finance, Resources & Reform</p> <p>Minesh Patel – Corporate Director, Finance & Resources</p>	<p>also making sure support is available both by phone and in person for those who need it.</p> <p>All of our digital solutions, including chat bots, involve extensive user testing and these are an additional access channel, they are not replacing more traditional channels. We provide face to face support for residents who need it via our network of Brent Hubs and via our digital champions and digital inclusion is a key strand of our digital programme.</p>	
	<p>Improving Equality Impact Assessments (EIAs):</p> <ul style="list-style-type: none"> • Include an evidence base/rationale section in the EIA for each proposal where it has been deemed that there are no potential or likely impact on service users and employees with protected characteristics (e.g. how the Council arrived at such decisions) and; • Undertake a cumulative equality impact assessment of the budget decisions since 2018 to understand fully the medium and long-term impacts of its financial decisions. It is recommended a cumulative EqIA is completed during financial year 2023/24 and is included in the final budget report 2024/25. 	<p>Cllr Muhammed Butt – Leader of the Council</p> <p>Cllr Shama Tatler - Deputy Leader and Cabinet Member for Finance, Resources & Reform</p> <p>Minesh Patel – Corporate Director, Finance & Resources</p>	<p>Response received on 27/10/23:</p> <p>We welcome the suggestion for improving the EIA Template to capture their evidence where no impact is declared.</p> <p>The request for a cumulative equality assessment spanning the last 5 years will require a significant officer resource that is not available in the current iteration of the Equalities team.</p> <p>We will keep this recommendation under review, should resource or capacity within the wider team become available to support the request.</p> <p>In light of the constrained resources and publicised spending controls, we would ask that the Committee reconsider a more flexible timeframe and welcome any other ongoing suggestions to improve Equality Impact Assessments in any way we can.</p> <p>As always each proposal will include an individual Equality Impact Assessment.</p>	07/11/23
	<p>Increased Collaboration:</p>	<p>Cllr Muhammed Butt – Leader of the Council</p>	<p>Response received on 27/10/23:</p> <p>We are actively engaged with local partners – both statutory and providers – in driving</p>	07/11/23

<p>To ensure a holistic approach to residents' care, specifically 'those with complex needs':</p> <ul style="list-style-type: none"> • Establish a collaborative mechanism between the Council, NHS, and other relevant stakeholders to agree discharges/step down plans. If possible, this should be considered as part of the review process currently taking place with Central and North West London NHS Foundation Trust (CNWL) in the Integrated Care Partnership and; • Leverage sufficient financial contributions from the NHS (and other relevant anchor institutions) to improve the Health & Social Care function in Brent. 	<p>Cllr Shama Tatler - Deputy Leader and Cabinet Member for Finance, Resources & Reform</p> <p>Minesh Patel – Corporate Director, Finance & Resources</p>	<p>continuous improvement in care and support for Brent residents.</p> <p>Our Corporate Director is the co-chair of the Brent Integrated Care Partnership (ICP) and actively represents social care in local integrated developmental work. Additionally, each member of the department's management team is engaged in at least one of the ICP's workstreams. This gives us a strong social care voice in the ICP.</p> <p>We are represented by a Head of Service at the Health and Wellbeing Executive monthly meeting as chaired by the ICB, and at the Inclusion Strategic Board.</p> <p>Health and social care work teams work closely together to ensure the Winter Funds and the Better Care Fund are allocated to improve the system flow and better outcomes for residents.</p> <p>Beyond the borough, we also seek to learn from regional support bodies like London ADASS and are active contributors to its various workstreams.</p>	
<p>Lobbying: Work closely with neighbouring local authorities, London Councils, and the Local Government Association (LGA) to seek:</p> <ul style="list-style-type: none"> • Additional funding in the Dedicated Schools Grant (DSG), notably the High Needs Block of the DSG which is currently in deficit. Although the Task Group is pleased with the activity 5 undertaken to manage the deficit and despite the fact that the Council will see increased funding 	<p>Cllr Muhammed Butt – Leader of the Council</p> <p>Cllr Shama Tatler - Deputy Leader and Cabinet Member for Finance, Resources & Reform</p> <p>Minesh Patel – Corporate Director, Finance & Resources</p>	<p>Response received on 27/10/23: Much of this work is ongoing and iterative. Members will have noted that in the May 2023 local elections, the political leadership of the LGA changed. Members of the Cabinet participate in a variety of LGA Boards and London Councils committees – unashamedly with the aim of advancing the needs of Brent Council.</p> <p>DSG</p>	<p>07/11/23</p>

	<p>from central government, there is still a need for additional financial support to meet rising demand.</p> <ul style="list-style-type: none"> • Powers to levy proportionate charges on parked motorcycles/mopeds. If successful, this would enable the Council to expand the parking permit system in the borough to include other forms of vehicles. • Local Government funding reform, including reform of regressive taxes such as Council Tax. • Changes to gambling legislation and regulations that enable local authorities to generate additional income from gambling licensing fees. This money could then be used to reinvest in vital Council services. • The introduction of ‘Short Term Letting’ legislation that will allow local authorities to establish licensing schemes for ‘Air B&B’ accommodation in their respective boroughs. This would enable the Council to generate additional income from ‘Air B&B’ businesses in Brent that could then be reinvested back into services for the benefit of residents. 		<p>The DfE currently have 3 programmes running to support local authorities in deficit to understand the cost drivers of the deficits as this is a national challenge.</p> <p>This includes the safety valve programme for local authorities with very severe deficits, the Delivering Better Value (DBV) in SEND programme for less severe deficits and an ESFA programme to work with local authorities at risk of going into a deficit.</p> <p>Brent is part of the DBV programme with 54 other councils and Brent has been successful in receiving a £1million grant to support delivery of the actions against the Management Plan in place to recover the deficit.</p> <p>The learning gathered from the programme will provide two-way intelligence to government regarding the pressures and this has also enabled the increase in the funding for the next few years e.g. The 2022 Autumn Statement increased core funding to schools by £2 billion nationally for the next two financial years 2023/24 and 2024/25 of which £0.4 million is allocated to the HNB. For Brent, the means that the initial funding announcement for the HNB for 2023/24 was increased from a proposed 5% increase to a 10% increase.</p> <p>Parking Motorcycles are considered efficient users of road and parking space and, in general, produce less carbon and pollutant emissions than most motor vehicles. As such, the council has not considered introducing a new permit</p>	
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			<p>for motorcycles and they can park for free in pay and display bays, resident and shared use bays and council run car parks.</p> <p>Historically, it was not practical to issue these permits as the majority of permits were paper based and a paper permit would be difficult to display on a motorcycle. Now that the majority of permits are issued digitally (virtual permits), it is feasible to consider introducing charges. The introduction of motorcycle permits has recently been introduced by City of Westminster Council, Lewisham Council and Kensington and Chelsea. It is proposed to undertake a benchmarking review, and if the review supports the introduction of a motorcycle permit, a report to Cabinet with a recommendation to undertake a public consultation would be made in 2024.</p> <p>Funding Reforms</p> <p>The Cabinet continues to lobby the government through multiple channels, including through our Members of Parliament, the Mayor of London and through our GLA member.</p> <p>We work hand in glove with London Councils, the LGA and other organisations that are interested in the reform of local government resources.</p> <p>Gambling Licensing</p> <p>Brent Council is legally obliged to set its gambling licensing fees in accordance with The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007.</p>	
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			<p>These Regulations provide discretion for the Council to set its fees at varying levels subject to statutory maximum amounts. In our case, Brent's fees are already set at the maximum amounts, often higher than other London boroughs who have chosen not taken the same approach to us. Unless new legislation prescribes otherwise, we cannot apply any further fee increases.</p> <p>It should also be noted we are seeing a decline in the number of new applications for gambling licences. This would limit the scope to increase gambling fee revenue which is currently circa £60K. If greater income was achieved, this is likely to be commensurate with an increase of processing costs which would be needed to cover the Licensing team costs.</p> <p>Short-Term Letting Licensing Short-Term Letting' legislation is not anticipated in the foreseeable future. The government launched a review into short-term tourist accommodation last year, however we have had no further update.</p> <p>The Scottish government set out legislation requiring all local authorities in the country to establish a licensing scheme for Airbnb type accommodation by October 2022, however there are currently no plans to do something similar in England.</p> <p>If it were to be implemented in England, it is likely to run like our licensing schemes for HMOs, however it is difficult at this stage to estimate what the market is like in Brent and therefore what the revenue might be. In</p>	
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			addition, if it was to be run like HMO licensing, it cannot be profit making and will only be allowed to cover the costs of running the scheme.	
	<p>Phased Reduction to Care Packages Provision:</p> <p>Utilise a proportion of the additional funding from the Local Government Finance Settlement to enable the Council to defer a proportion of the savings in proposal CYP03 to financial year 24/25. This is to ensure changes in provision are implemented in a phased way.</p>	<p>Cllr Muhammed Butt – Leader of the Council</p> <p>Cllr Shama Tatler - Deputy Leader and Cabinet Member for Finance, Resources & Reform</p> <p>Minesh Patel – Corporate Director, Finance & Resources</p>	<p>Response received on 27/10/23:</p> <p>This was actioned in final budget agreed by Full Council in February 2023.</p>	07/11/23
	<p>Review Areas of Focus for Town Centre Management Function:</p> <p>The Task Group recommend reviewing the areas of focus for the town centre management function, whereby resource can be balanced against need; and work duplication prevented.</p>	<p>Cllr Muhammed Butt – Leader of the Council</p> <p>Cllr Shama Tatler - Deputy Leader and Cabinet Member for Finance, Resources & Reform</p> <p>Minesh Patel – Corporate Director, Finance & Resources</p>	<p>Response received on 27/10/23:</p> <p>A review of which town centres are supported with reduced resources is ongoing.</p>	07/11/23
	<p>Mitigate the impact of reducing the library stock budget:</p> <p>Explore external options to leverage additional resources for our most vulnerable residents, such as the promotion of schemes (e.g. Letterbox Club run by BookTrust) offering free books to vulnerable and disadvantaged children. This could help offset the impact of the proposal on disadvantaged residents and children; and could</p>	<p>Cllr Muhammed Butt – Leader of the Council</p> <p>Cllr Shama Tatler - Deputy Leader and Cabinet Member for Finance, Resources & Reform</p>	<p>Response received on 27/10/23:</p> <p>Brent Libraries work closely and often with external partners i.e. Booktrust, National Literacy Trust and Arts Council England, etc, to enable the service to target the most vulnerable children, young people and their families, and adults. The libraries team will continue to explore with funders, and other potential external funding partners, additional initiatives to help mitigate the reduced stock</p>	07/11/23

	assist with ensuring children in Brent have equal access to a broad range of reading material.	Minesh Patel – Corporate Director, Finance & Resources	budget. Libraries will also look for ways to improve how it works across the Council to ensure a more cohesive approach to service delivery with regards to supporting primary literacy. If members know of any other institutions or organisations which could support the work of the Brent Libraries team, please get in touch.	
	<p>Mitigate the impact of reducing the Corporate Learning and Training budget:</p> <p>Be guided by staff satisfaction surveys when deciding what training courses to discontinue as part of the reduction to the Corporate Learning and Training budget (proposal GOV03).</p>	<p>Cllr Muhammed Butt – Leader of the Council</p> <p>Cllr Shama Tatler - Deputy Leader and Cabinet Member for Finance, Resources & Reform</p> <p>Minesh Patel – Corporate Director, Finance & Resources</p>	<p>Response received on 27/10/23:</p> <p>Learning and Development programmes run by the Council are guided by requirements that are either legal duties (e.g. Health and Safety) or as a result of the outcomes of our performance management scheme to ensure individual employees have the opportunity to develop. We also run several bespoke programmes each year aimed at upskilling managers and continue to make more use of internal training where possible.</p> <p>All programmes and courses are subject to rigorous review by those who attend. Where the programmes and courses do not meet the required need, they are no longer offered. The reduction in the budget will be mitigated by improved procurement and redefining learning objectives, in light of employee feedback.</p>	07/11/23
19 July 2023– Budget Update - Medium Term	Continue to lobby central government for additional 'levelling up' investment in Brent to offset the impact of future budget proposals.	<p>Cllr Muhammed Butt – Leader of the Council</p> <p>Cllr Shama Tatler - Deputy Leader and Cabinet Member for Finance, Resources & Reform</p>	<p>Response received on 27/10/23:</p> <p>At a select committee hearing earlier this year, the Mayor of London said "levelling up adds little value to London communities".</p> <p>The London has warned of "levelling down" in the capital after the government's White Paper excluded our city from the levelling up fund for</p>	07/11/23

Financial Strategy		Minesh Patel – Corporate Director, Finance & Resources	<p>research and development, education, and arts and culture.</p> <p>The Levelling Up Fund awarded £1.7bn to projects in October 2021 and another £2.1bn in January 2023.</p> <p>The Mayor of London said:</p> <p>"For the levelling up rounds one and two, we received four per cent in round one and seven per cent in round two," he said.</p> <p>"We aren't seeing the benefits of the levelling up of our people or places."</p> <p>The process and time needed for bid applications to be completed was also criticised by the mayor as he told MPs it cost on average £45,000 per bid.</p> <p>He said London placed 49 bids, costing an estimated £2.2m, "for the privilege of having a begging bowl".</p> <p>In response, the Secretary of State said: "Not everything by be decided in the local town hall or by the local Mayor".</p> <p>In summary, we will unapologetically use every forum, channel and medium to call upon the government to reform funding for local government – and begin to redress the 13 years of austerity.</p>	
	Invite the scrutiny chairs to informal cabinet meetings (as appropriate) when budget challenges/complexities (and any other relevant matters) arise.	Cllr Muhammed Butt – Leader of the Council Cllr Shama Tatler - Deputy Leader and	Response received on 27/10/23: This will be actioned across the course of the budget scrutiny process.	07/11/23

		<p>Cabinet Member for Finance, Resources & Reform</p> <p>Alex Freeman – Head of the Leader’s Office, Executive & Member Services</p>		
6 Sept 2023– Planning Enforcement	Work more closely with London Councils to identify effective ways of collecting/collating planning enforcement performance data from all London authorities; and to identify practical solutions to common challenges (e.g. backlogs).	<p>Cllr Harbi Farah- Cabinet Member for Safer Communities and Public Protection</p> <p>Zahur Khan – Corporate Director, Communities & Regeneration</p>	<p>Response received on 27/10/23:</p> <p>This action is ongoing through our regular engagement with London Councils officials and partners in our neighbouring boroughs. It is well reported that planning enforcement across the country is in a state of crisis, with almost 90% of authorities reporting a backlog of cases. In a Royal Town Planning Institute (RTPI) survey, a further 70% of local authorities have reported struggling to recruit career grade enforcement officers (including Brent) and 80% of respondents reported that there were not enough officers to carry out the basic function of enforcement.</p> <p>The survey also reported that 96% of respondents said they would benefit from a central government pot that they could use to fund direction action.</p> <p>Unfortunately, the common challenges have a golden thread across the country, too much demand and not enough resource to respond.</p> <p>As the committee will be aware Brent Council issues more planning enforcement notices than almost every other council in the country. Such is the volume of enforcement notices issued, that there are specialist enforcement appeal agencies, which advertise their services to defend homeowners and</p>	07/11/23

			<p>developers who have fallen foul of our robust planning system.</p> <p>According to publicly available data from the Department for Levelling Up, Housing and Communities, Brent Council issued 111 enforcement notices in 2021/22. We will always work closely with people to help them with the planning applications process, but when landlords and businesses unfairly break the rules and create an unfair environment for everyone else, our enforcement team will take action.</p> <p>Tragically though, as the RTPI highlight in their report, the failure of the planning enforcement sector means the failure of the planning system as a whole. I'm sure members of the committee will join me in saying, it's time for the government to enforce some action of its own.</p>	
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Suggestions for improvement from RPRSC to Council departments/partners

Meeting date and agenda item	Suggestions for improvement	Council Department/External Partner	Response / Status
19 July 2023– Shared Service Performance & Cyber Security	Involve the Committee in testing the Council's cyber-resilience plans.	Minesh Patel – Corporate Director, Finance & Resources	<p>Response received on 24/08/23: We will be conducting a cyber exercise later in the year which we will include members to participate or oversee. Learning and outcomes will be shared.</p> <p>Updated response received on 12/09/23: A new emergency planning officer has been appointed and we are scheduling the exercise to be conducted in the coming months, we will include members in the exercise.</p>

	Deliver bespoke (in-person) cyber security training to all members in addition to the standard yearly training provided.	Minesh Patel – Corporate Director, Finance & Resources	<p>Response received on 24/08/23: We will carry out specific members development sessions and bespoke face to face training on Cyber Security, including responsibilities that members have to carry out for their roles.</p> <p>Additional response received on 13/09/23: October is the Cyber security awareness month as such we are planning a raft of communications activities. One of the items within the plan will be to conduct cyber security training for members.</p>
	Improve internal and external communications, sharing more widely good practice studies relating to the Council's cyber security activities.	Minesh Patel – Corporate Director, Finance & Resources	<p>Response received on 24/08/23: Where able to we will share learning with staff to ensure that that they are educated on cyber issues.</p> <p>Updated response received on 13/09/23: All staff are trained on cyber security and regular communications on best practice high lighting the importance of cyber security will be carried out.</p> <p>Communications and news articles shared with staff will include some of the case studies that other sectors and councils have experienced regarding cyber.</p>
6 Sept 2023– Community Engagement Framework	Revisit the current format of Brent Connects meetings; this should include a review of how agendas can be co-designed and driven by residents. Additionally, how the Council can address the gaps in engagement caused by the current geographical boundaries of Brent Connects areas. For instance, residents being assigned to areas which do not necessarily reflect what they consider their neighbourhoods.	Amira Nassr – Head of Strategy & Partnerships, Communities & Regeneration	<p>Response received on 26/10/23: A refresh of the Brent Connects meeting was undertaken in July.</p> <p>An outcome from the refresh enables residents to co-design the agendas and marketing of future meetings. This discussion topic will be tabled on each Brent Connects meeting agenda in January/February.</p> <p>Additionally, we have enhanced the awareness raising of the meetings through improved publicity by creating localised flyers focusing on specific BC area issues to inspire residents' interest, engagement, and participation.</p> <p>We are guided by the Brent Connect areas as set by the Council re the geographical boundaries. Engagement will continue using various methodologies inclusive of, outreach community engagement, utilisation of community champions, councillors, and social media platforms.</p> <p>It is recognised, that due to the geographical boundaries, residents may feel it more appropriate to attend Brent Connects that reflect their considered</p>

			neighbourhoods. Residents can attend a Brent Connects meeting of their choice.
	<p>As an initial list, include the following groups in consultation and engagement activities:</p> <ul style="list-style-type: none"> a. Carers, including young carers b. Young people c. Brazilian communities d. Goan communities e. Any other emerging communities identified f. Neighbourhood forums g. Trade Unions (in line with HR compliance) h. Businesses 	Amira Nassr – Head of Strategy & Partnerships, Communities & Regeneration	<p>Response received on 26/10/23: A range of stakeholders have already been engaged with.</p> <p>The recommendation is accepted, and further consultation meetings will (and since the meeting has been) be arranged with the community groups identified by the committee.</p> <p>Trade Unions will be invited to partake in the consultation review meeting which will be led by the commissioned consultant. The consultation meeting date is yet to be confirmed.</p>
	Undertake a member survey to engage councillors on the development of the Framework, including stakeholders the Council should be engaging as part of this work.	Amira Nassr – Head of Strategy & Partnerships, Communities & Regeneration	<p>Response received on 26/10/23: In response to the recommendation made, a survey was developed and completed by Cllrs. The survey was extended for a further few days as no responses had been received.</p> <p>The survey was constructed on Microsoft forms and shared with Cllrs via the Members' Bulletin and WhatsApp. There were reminders send via WhatsApp and the deadline extended (over the initial two weeks). Only two Members responded. Their responses reflected the views of other participants.</p> <p>Responses were analysed using a miro board and excel software. During the overall process it became clear that two versions of the framework were needed: a public version setting out the principles and pledges, and an internal version that served as a toolkit/guide to support staff in strengthening their practice.</p>

<p>Pending the results of the survey suggested above, explore delivering a workshop to engage councillors on the development of the Framework, including stakeholders the Council should be engaging as part of this work.</p>	<p>Amira Nassr – Head of Strategy & Partnerships, Communities & Regeneration</p>	<p>Response received on 26/10/23: Due to the lack of responses received to the survey it is proposed that an additional session with Members is held. We can do this on the actual framework alongside sending it to those who participated in the interviews. Both sets of feedback can be shared at the residents focus group.</p>
<p>Work with departments to make improvements to Brent's online consultation platform and to the general approach to consultations:</p> <p>a. Where residents are clearly informed of the timescales related to the initiatives/policies/strategies they are being consulted on and;</p> <p>b. Where consultation feedback/results are made readily available to residents/partners in one central place.</p>	<p>Amira Nassr – Head of Strategy & Partnerships, Communities & Regeneration</p>	<p>Response received on 26/10/23: A review of the consultation platform was carried out in 2022 in collaboration with internal services.</p> <p>The platform informs residents on the timescale of the related initiative/policy or strategy being consulted on.</p> <p>It is recognised that a more robust and consistent method to access feedback and share finding on consultations is required.</p> <p>Guidance will be created and shared with internal departments to encourage a consistent survey/consultation feedback approach cross-council. This will include attendance by the Community Engagement Team at departmental team meetings to share good practice, creation of a feedback consultation page for residents, and utilisation of the internal comms platform to promote the good practice feedback consultation model.</p>
<p>Liaise with the Local Government Association (LGA) and other relevant external bodies to identify good practice to inform the upcoming Community Engagement Framework.</p>	<p>Amira Nassr – Head of Strategy & Partnerships, Communities & Regeneration</p>	<p>Response received on 26/10/23: Other Councils have been looked at to understand their approach to a CE Framework.</p> <p>Contact has been made with the LGA who have shared some examples of good community engagement. These have been shared with the consultant and will inform how we best approach and enact our own CEF moving forward and will be incorporated.</p>
<p>As far as possible, review Council documents (including the new Community Engagement Framework) for jargon and update accordingly.</p>	<p>Amira Nassr – Head of Strategy & Partnerships, Communities & Regeneration</p>	<p>Response received on 26/10/23: A review of the framework document will be undertaken to remove jargon from the Community Engagement Framework content will be undertaken prior to approval and launch.</p> <p>We will explore the feasibility of reviewing all documents but will ensure future refreshed or new documents are free from jargon.</p>







6 Sept 2023– Planning Enforcement	Where possible, include benchmarking data to accompany figures/statistics provided in all future scrutiny committee reports. In the absence of benchmarking data, provide context behind figures/data provided in reports e.g. percentages.	Gerry Ansell – Head of Planning and Development, Communities & Regeneration	Response received on 24/10/23: Yes we will do this where possible.
	To avoid unnecessary back and forth dialogue between officers and residents, improve communications around the standard of evidence required to proceed with planning breach complaints. This should include public education, and improvements to the planning enforcement webpage including the reporting mechanism.	Gerry Ansell – Head of Planning and Development, Communities & Regeneration	Response received on 24/10/23: Yes we will look into this, and report back to the Committee by February 2024. However the evidence required will depend on the nature of the particular case that is under investigation. We can standardise it as much as we can – our existing acknowledgment letter goes some way in addressing this issue. An example copy is attached.  CompAcknLetter - revised temp.pdf
	Review the effectiveness of the Planning Enforcement Investigation Guide to better manage residents' expectations of the planning enforcement process (e.g. providing clarity on planning enforcement timescales).	Gerry Ansell – Head of Planning and Development, Communities & Regeneration	Response received on 24/10/23: Yes we will look into this, and report back to the Committee by February 2024. An example of the guide is also included in the attachment.  CompAcknLetter - revised temp.pdf
	Undertake an audit to determine the wards with the highest amount of planning breach complaints, and the wards with the highest amount of enforcement activity. This intelligence should be used to develop a targeted strategy to prevent planning breaches e.g. targeted planning education and/or communications campaigns etc. The Audit should also categorise	Gerry Ansell – Head of Planning and Development, Communities & Regeneration	Response received on 24/10/23: We will look to do this but are currently waiting for our new software to be introduced. Currently scheduled for April 2024.


	the types of breaches receiving enforcement notices.		
	Explore additional ways to increase staffing capacity in the Planning Enforcement team to address backlogs.	Gerry Ansell – Head of Planning and Development, Communities & Regeneration	Response received on 24/10/23: We will look at any potential funding opportunities. Under current financial conditions this looks extremely unlikely.

Information requests from RPRSC to Council departments/partners


Meeting date and agenda item	Information requests	Council Department/External Partner	Responses / Status
15 Dec 2022 – Redefining Local Services: Update on the Integrated Street Cleansing, Waste Collections and Winter Maintenance Services Contract Procurement Programme	Provide information to local councillors on the new zone classifications outlined in the report once these have been finalised by March 2023.	Chris Whyte – Director of Environment & Leisure, Resident Services	<p>Response received on 11/07/23:</p> <p>The new intelligence-led street cleansing regime went live as planned on 3 July, supported by new operational arrangements which are being managed and monitored jointly by Veolia and our Neighbourhood Management team on a daily basis as the new service beds in, and as part of the regular weekly Contract Management Board going forward.</p> <p>These new operational arrangements are based on prescribed land use categories matched with an historical understanding of operational need. These operational arrangements will be reviewed on an ongoing basis and will be open to revision when it's clear that might be needed to sort a sustained problem at any location, and if the overall level of resource can accommodate that revision.</p> <p>Members can support this overall process by encouraging the public to report any cleanliness issues that might arise. That will help our overall awareness and help build the data underpinning our intelligence-led approach.</p> <p>Further information will be provided to the Scrutiny Committee in September when we will be able to provide a full update on how the new arrangements have been working. We would welcome Scrutiny providing strategic challenge,</p>

			<p>supporting development by reviewing performance over time and by validating the overall approach to 'intelligent cleansing'.</p> <p>Updated response received on 30/10/23: The new intelligence-led street cleansing service implemented since July 2023 has been working well. Demand for Rapid Response Team (RRT) work comes from four sources:</p> <ul style="list-style-type: none"> • Hot Spots – proactive work from Veolia to tackle issues before they become complaints. A review meeting is held every two weeks between Neighbourhood Managers and Veolia to ensure the hot spot list remains relevant - existing hot spots are reviewed for their ongoing inclusion and new sites are added as required. • Proactive work from Veolia to tackle issues as they are out and about in the borough – such as fly tip removal, etc. • Issues reported by Neighbourhood Managers. • Fix My Street reports from residents and Councillors which are triaged to Veolia who will visit the section of street reported and clean with a RRT. <p>We encourage residents and members to report litter as usual using 'Fix My Street' using the following link: https://report.brent.gov.uk</p> <p>The cleansing contract therefore now has a flexible and more prioritised approach to cleansing which is less reliant on fixed schedules and focuses more on local conditions and solving problems.</p> <p>A new performance hub for the contract has been established and is now fully staffed. It is now in the process of collating service data and creating a comprehensive dashboard for the new service which we can share with Scrutiny Committee members as soon as this has been finalised later this year.</p>
<p>15 Dec 2022 – Redefining Local Services: Update on the</p>	<p>Provide additional information on the small percentage of residents who will be impacted by the proposed changes to the eligibility criteria in the bulky</p>	<p>Chris Whyte – Director of Environment & Leisure, Resident Services</p>	<p>Response received on 30/10/2023: Based on sampling undertaken, less than 5% of residents will be impacted by the proposed changes to the eligibility criteria in the bulky waste free collection policy from April 2024.</p>

Integrated Street Cleansing, Waste Collections and Winter Maintenance Services Contract Procurement Programme	<p>waste free collection policy from April 2024.</p> <p><i>**this additional request was made at a later Committee meeting on 22 February 2023.</i></p>		
19 July 2023– Budget Update - Medium Term Financial Strategy	<p>Provide analysis of savings made since 2018, specifically a breakdown of the savings made which equate to service reductions.</p>	<p>Minesh Patel – Corporate Director, Finance & Resources</p>	<p>Response received on 24/08/23: This recommendation is accepted and will be shared with the Committee in November 2023.</p> <p>Updated response received on 27/10/23:</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> Analysis of budget Appendix A 2018-19 savings 2018-2023 R</div> <div style="text-align: center;"> Savings.pdf</div> <div style="text-align: center;"> Appendix B 2019-20 Savings.pdf</div> <div style="text-align: center;"> Appendix C 2020-21 Savings.pdf</div> </div> <div style="display: flex; justify-content: space-around; align-items: center; margin-top: 10px;"> <div style="text-align: center;"> Appendix D 2021-22 Savings.pdf</div> <div style="text-align: center;"> Appendix E 2022-23 Savings.pdf</div> </div>
19 July 2023– Shared Service Performance & Cyber Security	<p>Provide RAG rated version of the Brent Cyber Security Strategy 2022-2026: Implementation Plan for the Committee to understand progress made so far.</p>	<p>Minesh Patel – Corporate Director, Finance & Resources</p>	<p>Response received on 24/08/23: We will provide an update with the RAG status by the end of September 2023.</p> <p>Updated response received on 05/10/23: RAG rated version of the Brent Cyber Security Strategy 2022-2026: Implementation Plan provided to committee members on 5/10/23.</p>
	<p>Provide further detail on how the Council is ensuring third party suppliers are adhering to Brent's cyber security strategy and requirements. This should be inclusive of the findings from</p>	<p>Minesh Patel – Corporate Director, Finance & Resources</p>	<p>Response received on 24/08/23: We have developed a third-party assurance framework and security board who will oversee deployment and actions coming out of the framework, an assessment report will be shared with the Committee in six months' time.</p>

	the third-party supplier survey currently underway.		
6 Sept 2023– Community Engagement Framework	Provide further detail on where 'Your Brent' magazine fits into the Community Engagement Framework, and what specific reviews of the magazine will take place as part of the development of the new framework.	Amira Nassr – Head of Strategy & Partnerships, Communities & Regeneration	<p>Response received on 26/10/23: Brent Magazine will be used to advertise the launch of the Community Engagement Framework. The promotional material will aim to build a common understanding by our residents on how we can improve engagement by setting principles and standards.</p> <p>The magazine will continue to be reviewed to ensure the external messaging and participation opportunities are advertised correctly to encourage greater cross-borough resident engagement and sharing of information.</p>
	Provide detailed information on the emerging communities in Brent (e.g. who they are, and how are they currently being engaged etc).	Amira Nassr – Head of Strategy & Partnerships, Communities & Regeneration	<p>Response received on 26/10/23: An initial analysis of 2021 census data related to country of birth has been published on the council's open data site. This identifies the borough's largest communities and provides summary data on change.</p> <p>A second analysis is planned to identify communities who have seen significant change in their populations since 2011. This will make use of new data recently released and will include information on some of the borough's smaller communities. This in turn will provide an evidence-based approach to community engagement.</p> <p>Lack of trust has been the most consistent factor when engaging with communities. Relationship building with key community champions will aid to develop healthy and stable relationships to rebuild the trust between the council and the communities.</p>
6 Sept 2023– Planning Enforcement	Provide a copy of the Planning Enforcement Investigation Guide.	Gerry Ansell – Head of Planning and Development, Communities & Regeneration	<p>Response received on 24/10/23: See attached (it's on 2nd and 3rd page of the letter):</p> <p> PDF</p> <p>CompAcknLetter - revised temp.pdf</p>

	Provide a breakdown of: 1. Planning breach complaints by ward and; 2. Types of breaches that have received enforcement notices by ward	Gerry Ansell – Head of Planning and Development, Communities & Regeneration	Response received on 24/10/23: Need to await for new software to be installed. This is scheduled for April 2024.
	Provide planning enforcement timescales.	Gerry Ansell – Head of Planning and Development, Communities & Regeneration	Response received on 24/10/23: We will need to review this and find away of recording it on our new database. We shall aim to close cases within 8 weeks if no evidence of breach. If evidence of breach, direction will be made on where we are going with the case. A site visit if one is required, is to take place within one month.
	Provide information on the training provided to planning enforcement staff in Brent.	Gerry Ansell – Head of Planning and Development, Communities & Regeneration	Response received on 24/10/23: All staff are professionally trained. They also go on external training once or twice a year as required for CPD. They also attend internal training course to ensure compliance with corporate standards.

 <p>Brent</p>	<p align="center">Resources and Public Realm Scrutiny Committee 7 November 2023</p>
	<p align="center">Report from the Interim Director of Communities</p>
<p>Resources and Public Realm Scrutiny Committee Work Programme 2023/24.</p>	

Wards Affected:	All
Key or Non-Key Decision:	Not Applicable
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
List of Appendices:	One Appendix A – Committee Work Programme 2023/24
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	<p>Jason Sigba, Strategy Lead – Scrutiny, Strategy and Partnerships Jason.Sigba@brent.gov.uk</p> <p>Janet Latinwo, Head of Strategy & Partnerships Janet.Latinwo@brent.gov.uk</p> <p>Kibibi Octave, Interim Director of Communities Kibibi.Octave@brent.gov.uk</p>

1.0 Executive Summary

1.1 To provide an update on the changes to the Resources and Public Realm Scrutiny Committee's work programme.

2.0 Recommendation(s)

2.1 That committee members note the report and the changes to the work programme within.

3.0 Detail

3.1 Contribution to Borough Plan Priorities & Strategic Context

3.1.1 Borough Plan 2023-2027 – all strategic priorities

3.2 Background

3.2.1 The work programme sets out the items which the Resources and Public Realm Scrutiny Committee will consider during the municipal year.

3.2.2 The work programme of a scrutiny committee is intended to be a flexible, living document that can adapt and change according to the needs of a committee. The changes set out are reflective of this.

3.2.3 The agenda of the 7 November 2023 meeting has been updated to include an additional item on the Council's Quarter 2 financial performance. Additionally, the item on the Safer Brent Partnership Annual Report 2022-23 has been removed from the agenda and postponed to the 24 January 2024 meeting.

4.0 Stakeholder and ward member consultation and engagement

4.1 Ward members are regularly informed about the Committee's work programme in the Chair's report to Full Council. There is ongoing consultation with other relevant stakeholders.

5.0 Financial Considerations

5.1 There are no financial implications arising from this report. However, budget and financial issues are addressed in the 'Financial Considerations' section of any reports to the Committee, requested as part of its work programme.

6.0 Legal Considerations

6.1 There are no legal implications arising from this report. However, legal implications are addressed in the 'Legal Considerations' section of any reports to the Committee, requested as part of its work programme.

7.0 Equality, Diversity & Inclusion (EDI) Considerations

7.1 There are no Equality, Diversity & Inclusion considerations for the purposes of this report.

8.0 Climate Change and Environmental Considerations

8.1 There are no climate change and environmental considerations for the purposes of this report.

9.0 Communication Considerations

9.1 There are no communication considerations for the purposes of this report.

Report sign off:

Kibibi Octave

Interim Director of Communities

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Appendix A

Resources and Public Realm Scrutiny Committee Work Programme 2023-2024

19 July 2023

Agenda Item	Cabinet Member/Non-Executive Member	Chief Executive/Corporate Director	External Organisations
Committee Work Programme 2023/24	Cllr Muhammed Butt, Leader of the Council	Kim Wright, Chief Executive Zahur Khan, Corporate Director – Communities and Regeneration	
Budget 2023/24 Update	Cllr Mili Patel, Deputy Leader and Cabinet Member for Finance, Resources and Reform	Minesh Patel, Corporate Director – Finance and Resources	
IT Shared Services and Cyber Security	Cllr Mili Patel, Deputy Leader and Cabinet Member for Finance, Resources and Reform	Minesh Patel, Corporate Director – Finance and Resources	

6 September 2023

Agenda Item	Cabinet Member/Non-Executive Member	Chief Executive/Corporate Director	External Organisations
Establishment of Budget Scrutiny Task Group	Cllr Rita Conneely, Chair of Resources and Public Realm Committee	Zahur Khan, Corporate Director – Communities and Regeneration	
Planning Enforcement	Cllr Harbi Farah, Cabinet Member for Safer Communities and Public Protection	Zahur Khan, Corporate Director – Communities and Regeneration	

Community Engagement Framework	Cllr Fleur Donnelly-Jackson, Cabinet Member for Customers, Communities, and Culture	Zahur Khan, Corporate Director – Communities and Regeneration	
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7 November 2023

Agenda Item	Cabinet Member/Non-Executive Member	Chief Executive/Corporate Director	External Organisations
Complaints Annual Report 2022/23	Cllr Shama Tatler, Deputy Leader and Cabinet Member for Finance, Resources and Reform	Debra Norman, Corporate Director – Governance	
Budget 2023/24 Update: Q2 Financial Report	Cllr Shama Tatler, Deputy Leader and Cabinet Member for Finance, Resources and Reform	Minesh Patel, Corporate Director – Finance and Resources	
Safer Brent Partnership Annual Report 2022-23	Cllr Harbi Farah, Cabinet Member for Safer Communities and Public Protection	Zahur Khan, Corporate Director – Communities and Regeneration	

24 January 2024

Agenda Item	Cabinet Member/Non-Executive Member	Chief Executive/Corporate Director	External Organisations
Draft Property Strategy/Asset Review Findings	Cllr Mili Patel, Deputy Leader and Cabinet Member for Finance, Resources and Reform	Minesh Patel, Corporate Director – Finance and Resources	
Budget Scrutiny Task Group Findings	Cllr Rita Conneely, Chair of Resources and Public Realm Committee	Zahur Khan, Corporate Director – Communities and Regeneration	

Safer Brent Partnership Annual Report 2022-23	Cllr Harbi Farah, Cabinet Member for Safer Communities and Public Protection	Zahur Khan, Corporate Director – Communities and Regeneration	Will Lexton-Jones, Detective Superintendent - Brent Neighbourhoods, Metropolitan Police
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27 February 2024

Agenda Item	Cabinet Member/Non-Executive Member	Chief Executive/Corporate Director	External Organisations
Climate Action	Cllr Krupa Sheth, Cabinet Member for Environment, Infrastructure and Climate Action	Peter Gadsdon, Corporate Director – Resident Services	
Regeneration in Brent	Cllr Shama Tatler, Cabinet Member for Regeneration, Planning, and Growth	Zahur Khan, Corporate Director – Communities and Regeneration	

23 April 2024

Agenda Item	Cabinet Member/Non-Executive Member	Chief Executive/Corporate Director	External Organisations
Budget 2023/24 Update	Cllr Mili Patel, Deputy Leader and Cabinet Member for Finance, Resources and Reform	Minesh Patel, Corporate Director – Finance and Resources	
Contracts Mobilisation	Cllr Krupa Sheth, Cabinet Member for Environment, Infrastructure and Climate Action	Peter Gadsdon, Corporate Director – Resident Services	

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