

Minutes

REGULATORY AND AUDIT COMMITTEE

MINUTES OF THE MEETING OF THE REGULATORY AND AUDIT COMMITTEE HELD ON TUESDAY 3 JANUARY 2017 IN MEZZANINE ROOM 2, COUNTY HALL, AYLESBURY, COMMENCING AT 9.01 AM AND CONCLUDING AT 11.33 AM.

MEMBERS PRESENT

Mr W Chapple OBE
Mrs A Davies
Mr P Hardy
Mr D Martin (Chairman)
Mr R Scott
Mr A Stevens

OTHERS IN ATTENDANCE

Mrs S Ashmead, Assistant Chief Executive
Ms A Bulman, Service Director (ASC Operations)
Ms M Gibb, Head of Business Assurance
Mr A Isaacs, BU Finance Director
Ms M Moore, Statutory Complaints Officer
Ms K Reed, Corporate Complaints Manager
Mr R Schmidt, Head of Strategic Finance
Ms C Scholes, Complaints Officer
Mr T Slaughter, Executive, Grant Thornton Auditors
Mr K Wright, Committee and Governance Adviser

1 APOLOGIES FOR ABSENCE / CHANGES IN MEMBERSHIP

Apologies were received from Mr T Butcher.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 MINUTES

The minutes of the meeting held on 9th November 2016 were agreed and signed as a correct record.

4 ANNUAL REPORT - FEEDBACK AND COMPLAINTS

The Chairman welcomed Ms K Reed, Corporate Complaints Manager and Ms C Scholes, Complaints Officer to the meeting.

Ms Reed presented part 1 of the report, summarised a number of the key performance items and explained the following key points:

- The report covered all corporate complaints other than those in relation to social care.
- There had been a change from a 3 stage to a 2 stage process for complaints during the reporting period but it was too early to gauge the impact of this on the numbers being received.
- The report provided trend data for the past 3 years.
- There had been a drop in the number of compliments received in 2015/16 compared to the previous year and the service was looking at ways to understand and improve this.
- The report included information on enquiries where the complaints team had facilitated a reply. Enquiries were contacts from people who were unhappy with the service they had received but wanted to provide feedback rather than complain or where the contact was outside the jurisdiction of the complaints process.
- The complaints team would normally contact the person making an enquiry to check whether or not they wanted to make a formal complaint.
- Around 60% of stage 1 complaints were about Transport for Buckinghamshire (TfB) and this was consistent with previous years.
- The main area that people complained about was communication issues. The complaints team was working with individual service areas to help address this.

Ms Scholes went onto address part 2 of the report and explained that:

- Sixty complaints had been referred to the Local Government Ombudsmen (LGO), 5 of which had been upheld.
- The numbers being referred to the LGO varied each year sometimes because something new had been introduced or new issues had come to light that people were not happy about.
- There was an increasing trend in social care and special educational needs complaints going onto the final stage or to the LGO.
- Once a complaint had been considered by the LGO then it would be closed and not re-opened or reconsidered.

In response to a question about benchmarking complaints information with other Councils, Ms Reed explained that this was difficult to do given the differing complaints procedures each Council had in place. However the Service was in touch with other local authorities to share information and if it could be shown that comparator data was useful and reliable this would be included in future complaints reports.

Ms Reed explained that the corporate complaints team would ensure that they clearly differentiated between enquires and complaints in respect of Transport for Bucks (TfB).

There was a further discussion about providing more detail of TfB complaints in subsequent reports and whether the Cabinet Member for Transportation and an officer from TfB should attend the Committee during the discussion.

RESOLVED

The Committee NOTED the report and AGREED that further detail of TfB complaints be discussed in future and that the Cabinet Member for Transportation and a representative from TfB be present for the discussion.

5 FEEDBACK AND COMPLAINTS - ANNUAL REPORT - ADULT SOCIAL CARE

Ms K Reed summarised the report and explained that adult social care generally received more compliments than other areas of the Council.

Ms Reed informed the Committee that the majority of complaints were about the outcome of needs assessments and domiciliary care and came from older people or their representatives.

RESOLVED

The Committee NOTED the report

6 FEEDBACK AND COMPLAINTS - ANNUAL REPORT - CHILDREN'S SOCIAL CARE

The Chairman welcomed Ms M Moore to the meeting.

Ms Moore presented the report, summarised the performance information and informed the Committee of the following key points:

- There had been a fall in the number of statutory complaints and an increase in compliments.
- Enquiries, which were not classed as complaints were dealt with in the same way as in the corporate complaints process, with the complaints team facilitating a response.
- There were 6 complaints that had been progressed to stage 2 which was an extremely detailed, independent investigation. It was important to ensure that complaints were dealt with as fully and effectively as possible at stage 1 as complaints which escalated to stage 2 or 3 could take up to 12 months to complete.
- The majority of statutory complaints came from parents of children rather than children themselves and there was no overall theme. The main issues were disagreement with outcomes, quality, general conduct and failure to keep informed.
- There was a system in place to learn from complaints and the corporate team offered training to help officers provide a better quality response at stage 1. It was recognised that there had been some positive improvements in children's social care.

RESOLVED

The Committee NOTED the report

7 MANAGING VEXATIOUS AND PERSISTENT COMPLAINANTS

Ms Reed introduced the report and highlighted the following points:

- There had been an increase in the number of persistent complainants and so a policy was needed to help support officers manage these situations.
- The decision as to when someone was deemed to be a vexatious complainant would ultimately sit with the Monitoring Officer.

There was a further discussion amongst Members about:

- whether there should be one policy for vexatious complainants and a separate one for dealing with abuse.
- ensuring that the policy was shared widely with partners
- reviewing other public sector organisations' protocols to identify good practice in this area.
- ensuring it was made more explicit that the policy was also to help Members deal with vexatious and persistent complainants as well as helping staff.

RESOLVED

The Committee AGREED the policy and asked officers to consider the points raised.

8 BUSINESS ASSURANCE UPDATE AND AUDIT ACTION TRACKER

The Chairman welcomed Ms M Gibb, Head of Business Assurance (and Chief Internal Auditor) to the meeting to present the report.

Ms Gibb outlined the following key issues:

- The Assurance and Risk Strategy was being reviewed and would be brought to the next meeting in February.
- Internal Audit had finalised 5 reports since the last update and there were 2 reports at draft stage.
- The new Internal Audit Board had met in December for the first time and reviewed the internal audit plan. Members of the Committee would be able to have the notes of the Audit Board meetings if they wished.
- The Council was part of the London Audit Framework and as such was able to call on additional internal audit resources to provide specialist, flexible support to the in-house internal audit team.

- The policies and procedures for managing the Council's purchasing cards had been found to be working correctly on the sample that had been tested.
- A new audit had been added to the plan to provide assurance over whether the escalation processes within each business unit were working correctly so that any major risks or issues would be identified in good time and escalated from the Business Unit through to One Council Board and to Members. The audit would aim to identify where there might be any problems with the process.

RESOLVED

The Committee NOTED the report.

9 RISK MANAGEMENT GROUP UPDATE

Ms Gibb updated Members on the latest Risk Management Group meeting held on 29th November and made the following key points:

- The Group had looked at the risks around the Energy From Waste Contract and the mitigations. As a result of this, there had been a wider detailed briefing session held with Members to gain a better understanding of the risks relating to the contract.
- There was a detailed discussion on the HQ and Transport, Economy and Environment Business Unit risk registers which had been reviewed and updated to include information on the direction of travel of risks.
- The Group was told of the new risk management system which would be going live during January 2017.

RESOLVED

The Committee NOTED the report

10 FORWARD PLAN

Members noted the forward plan.

11 DATE AND TIME OF NEXT MEETING

The next meeting to be held on 8th February 2017 at 9am in the Large Dining Room, Judges Lodgings, Aylesbury.

12 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That the press and public be excluded for the following item which is exempt by virtue of Paragraph 3 of Part 1 of Schedule 12a of the Local Government Act 1972 because it contains information relating to the financial or business affairs of any particular person (including the authority holding that information)

13 BUSINESS ASSURANCE UPDATE - LIMITED ASSURANCE INTERNAL AUDIT REPORTS & FRAUD UPDATE (TO STATUTORY OFFICERS)

There was a discussion about limited assurance internal audit reports.

14 BUCKS CARE AUDIT

There was a discussion about the Buckinghamshire Care limited assurance audit.

CHAIRMAN