

**MINUTES OF THE MEETING OF THE
OVERVIEW & SCRUTINY PANEL
HELD AT FOLLATON HOUSE, TOTNES ON
THURSDAY, 1 NOVEMBER 2018**

Panel Members in attendance:			
* Denotes attendance		∅ Denotes apology for absence	
*	Cllr K J Baldry	∅	Cllr E D Huntley
*	Cllr J P Birch	*	Cllr D W May
*	Cllr J I G Blackler	*	Cllr J T Pennington
∅	Cllr B F Cane	*	Cllr K Pringle
*	Cllr J P Green	*	Cllr M F Saltern (Chairman)
∅	Cllr J D Hawkins	*	Cllr P C Smerdon (Vice Chairman)
*	Cllr M J Hicks		

Other Members also in attendance:
Cllrs H D Bastone, I Bramble, J Brazil, D Brown, T R Holway, N A Hopwood, J A Pearce, R Rowe, R C Steer, R J Tucker, R J Vint, K R H Wingate and S A E Wright

Item No	Minute Ref No below refers	Officers in attendance and participating
All		Group Manager – Commercial Services; and Senior Specialist – Democratic Services
8	O&S.59/18	Group Manager – Support Services and Customer First and Commissioning Manager
9	O&S.60/18	Place Making Community Of Practice Lead
10	O&S.61/18	Monitoring Officer
11	O&S.62/18	Monitoring Officer
12	O&S.63/18	Group Manager – Business Development
14	O&S.65/18	Group Manager – Support Services and Customer First and Specialist – Performance and Intelligence

O&S.54/18 MINUTES

The minutes of the meeting of the Overview and Scrutiny Panel held on 4 October 2018 were confirmed as a correct record and signed by the Chairman.

O&S.55/18 DECLARATIONS OF INTEREST

Members and officers were invited to declare any interests in the items of business to be considered during the course of the meeting but there were none made.

O&S.56/18 URGENT BUSINESS

The Chairman informed that he had no items of urgent business to be raised at this meeting.

O&S.57/18 PUBLIC FORUM

In accordance with the Public Forum Procedure Rules, the Chairman informed that there were no questions that had been received for consideration during this agenda item.

O&S.58/18 EXECUTIVE FORWARD PLAN

The Panel was presented with the most recently published Executive Forward Plan and proceeded to make the following comments:

- (a) The Chairman informed that he had agreed that two additional items could be added to the Plan for consideration at the next Executive meeting that was scheduled to be held on 22 November 2018. These items were in relation to: the South West Mutual Bank and Heart of the South West Joint Committee Update. For clarity, the Chairman also confirmed that it was intended for these both to be considered as standalone agenda items at the Council meeting on 6 December 2018;
- (b) Officers gave assurances that the published agenda report on Public Conveniences would take into account the recent Central Government Budget announcement that business rates would no longer need to be paid;
- (c) With regard to the Council Tax Reduction New Scheme agenda item, the lead Executive Member advised that this matter was currently out to public consultation. As a consequence, the Member urged the wider membership to encourage their parishioners to take part in this consultation exercise.

O&S.59/18 CUSTOMER SATISFACTION ACTION PLAN

The Panel considered a report that detailed the draft Action Plan that sought to improve customer satisfaction across all Council services.

During his introduction, the lead Executive Member reaffirmed his wish that, once approved, the Customer Satisfaction Action Plan would become a standing agenda item at future meetings of the Executive. Also, the lead Member advised that the ambition would be to over achieve on the proposed targets and he highlighted the opportunity for the Panel to undertake detailed reviews into individual and collective elements of the Action Plan.

In the ensuing discussion, reference was made to:-

- (a) the proposed Customer Service Standards. Some Members expressed their concerns over the draft Service Standards. In particular, these Members felt that the telephone answer target of five minutes was an unacceptable target and should be revised to state '*as quickly as possible*'.

In light of the concerns, some Members were not willing to support the Standards as drafted and an amendment was therefore **PROPOSED** and **SECONDED** whereby Part 2 of the recommendation (i.e. that the proposed Customer Service Standards be supported) should be deleted.

Members proceeded to debate the amendment and a number expressed the view that, since these Standards were not permanently fixed (coupled with them being under constant review by the Executive), then they provided a target to work towards and therefore should be supported at this time.

When put to the vote, the amendment was declared **LOST**;

- (b) the Housing Benefits pilot project. At the invitation of the Chairman, the Group Manager – Support Services and Customer First provided an update on the success of the pilot project whereby trained Contact Centre staff had been moved to work within the Benefits Community Of Practice. It was noted that the key successes had included an improvement in customer waiting times and an overall reduction in telephone calls received by the Council. In welcoming the success of the pilot, an additional recommendation was **PROPOSED** and **SECONDED** as follows:-

'That the direction of travel in relation to the Housing Benefits / Contact Centre be endorsed.'

When put to the vote, this additional recommendation was declared **CARRIED**;

- (c) performance improvements. The Panel stated its recognition of the corporate emphasis that was being given to making Council-wide improvements in customer service;
- (d) the knock-on effects of improved customer service. In emphasising that the issue of customer service should not be looked at in isolation, a Member highlighted that the Council would begin to ascertain the real benefits if it properly costed (and compared) the average cost of dealing with an email against the average cost of dealing with a telephone call;
- (e) automated acknowledgements. Some Members were of the view that consideration should be given to extending the Council's automated acknowledgement processes to include customer telephone calls and emails that were sent direct to the Council.

It was then:

RECOMMENDED

That the Executive be **RECOMMENDED** that:

1. the proposed Customer Satisfaction Action Plan (as detailed in Section 5 of the presented agenda report) be endorsed;
2. the proposed Customer Service Standards (as detailed in Appendix B of the presented agenda report) be supported; and
3. the direction of travel in relation to the Housing Benefits / Contact Centre pilot be endorsed.

O&S.60/18 **TOWN CENTRES STRATEGY**

The Panel considered a report that set out whether and what the approach of the Council should be to the vitality of town centres.

In discussion, reference was made to:-

(a) two additional recommendations. Whilst welcoming the agenda report, two additional recommendations were **PROPOSED** as follows:-

1. *That there be a meeting of representatives of the Town Councils, their Neighbourhood Planning Groups, local Ward Members and Council Officers to consider and discuss the issues raised in the presented agenda report and to formulate, if possible, an agreed way forward; and*
2. *That Ivybridge Town Council be invited to set out how it anticipates this Council assisting it in meeting its aspirations set out in those parts of its Neighbourhood Plan relating to its town centre.*

Having been assured that part 2 of the proposal was already being undertaken, the proposer withdrew this recommendation. Part 1 of the proposal was subsequently **SECONDED** and, when put to the vote, was declared **CARRIED** and added to the substantive motion;

(b) 'Purple Tuesday'. Members highlighted the recent correspondence from Sarah Newton MP that sought support for the promotion of a new day dedicated to accessible shopping in the run up to Christmas 2018. It was noted that 'Purple Tuesday' would take place on Tuesday, 13 November and the aim would be to enable and encourage retailers across the country (and online) to introduce new measures to make the shopping experience more inclusive and accessible for disabled customers. A number of Members commended the intention of this Day and it was **PROPOSED** and **SECONDED** and when put to the vote declared **CARRIED** that:-

'The Panel formally expresses its support for 'Purple Tuesday'.

- (c) the Neighbourhood Planning process. By way of caution, a Member advised that the process followed to adopt a Neighbourhood Plan was very difficult in itself, however, it was her experience that the actual delivery of the Plan, one adopted, was proving to be even harder;
- (d) the Economic Development aspect of the role. Officers confirmed that the close linkages between Place Making and Economic Development were recognised and the lead officer advised that he did work closely with his colleagues in Business Development and Assets;
- (e) car parking charges and public conveniences. A Member expressed the view that, whilst an honourable intention to improve the vitality of town centres, this was hampered by the Council proposals around increasing car parking charges and installing pay on entry systems in its public conveniences.

It was then:

RESOLVED

1. That the Panel support the proposed way forward (as outlined in Section 5 of the presented agenda report), subject to an additional action being included as follows:

'That there be a meeting of representatives of the Town Councils, their Neighbourhood Planning Groups, local Ward Members and Council Officers to consider and discuss the issues raised in the presented agenda report and to formulate, if possible, an agreed way forward.'

2. That the Panel formally expresses its support for 'Purple Tuesday'.

O&S.61/18 OMBUDSMAN ANNUAL REVIEW LETTER 2018

The Panel considered a report that presented the Local Government Ombudsman's Annual Review Letter. The Letter outlined the details concerning Ombudsman complaints received against the Council for the period 1 April 2017 to 31 March 2018.

The lead Executive Member for Support Services introduced the report and, in highlighting the reduction in Ombudsman complaints during this period, felt this to be a positive result that indicated that the emphasis given by the Council to complaint handling was working.

In discussion, reference was made to:-

- (a) benchmarking information. The Panel debated the merits of obtaining benchmarking information to analyse how the Council compared against other similar local authorities. Such was the demographic of the South Hams population, that the overriding view was that any benefits that were gleaned from benchmarking would not justify the cost of the exercise;
- (b) the improved trend in performance. Panel Members echoed the views of the lead Executive Member and welcomed the performance improvements in complaint handling. In addition, Members were also assured that the Council was reviewing (and taking learning points) from each complaint received.

It was then:

RESOLVED

That the Ombudsman Annual Letter for 2018 (as outlined at Appendix A of the presented agenda report) has been reviewed with the overall improvement in complaint handling being welcomed.

O&S.62/18 REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) POLICY AND UPDATE

Consideration was given to a report that sought to:

- review and approve the Council's RIPA Policy;
- update Members on the use of RIPA; and
- report on training for Council officers.

In discussion, reference was made to:-

- (a) staff training on RIPA. In addition to a RIPA training session being arranged to take place at the end of November 2018, it was noted that a specific Senior Leadership Team session would be held during February 2019;
- (b) the reporting of RIPA activity to Members. The Panel recognised the need for Members to be updated of RIPA activity more regularly than just the annual report. It was therefore requested that, as part of the quarterly performance measures reporting process, RIPA activity (and referrals (if any)) be included.

It was then:

RESOLVED

1. That the Investigatory Powers Commissioner's Office (IPCO) report and recommendations (as attached at Appendix A of the presented agenda report) be welcomed;
2. That the Executive **RECOMMEND** to Council that the updated RIPA Policy (as attached at Appendix B of the presented agenda report) be approved;
3. That it be acknowledged that there have been no RIPA Authorisations since the annual update to the Panel on 24 August 2017; and
4. That the amendments to the RIPA Act 2000 (effective from 1 November 2018) be noted.

O&S.63/18 **GENERAL DATA PROTECTION REGULATION (GDPR) AND DATA PROTECTION POLICY UPDATE**

A report was considered that provided the Panel with an overview of the key requirements of the GDPR and outlined the approach that the Council had taken. In addition, the report also recommended the adoption of an updated policy for the Council.

In discussion, the following points were raised:-

- (a) It was noted that the initial concerns that had been raised over the potential impact on the Council of GDPR had proven to be unfounded;
- (b) The Panel received assurances that, with regard to the special protection for children's personal data requirements, this would be kept under constant review.

It was then:

RECOMMENDED

That the Executive **RECOMMEND** that Council:

1. approve the updated Data Protection Policy as detailed in Appendix A of the presented agenda report;
2. delegate approval of the related Codes of Practice and Protocol Documents (as summarised in Section 3 of the presented agenda report) to the Council's Data Protection Officer; and
3. note and support the approach and progress made towards GDPR readiness by the Information Governance Group.

O&S.64/18 MEMBER INDUCTION 2019: DRAFT PROGRAMME

A report was considered that presented the draft 2019 Member Induction Programme for the ultimate approval of the Panel.

In discussion, the following points were raised:-

- (a) A number of Members commended the Programme and thanked the lead officer for his efforts in putting it together;
- (b) The important role to be played by the Opposition Group Leader during the Induction Programme was recognised. Furthermore, some Members hoped that the new Council would see more Group Leader meetings scheduled into the Meeting Diary;
- (c) It was agreed that, prior to its publication, the Purdah timetable should be included in the Programme;
- (d) With regard to the proposed Joint South Hams / West Devon Member Sessions that were programmed, the majority of Members did feel it important for the new Councils to hold informal discussions following the local elections.

It was then:

RESOLVED

That the Draft Member Induction Programme for 2019 (as outlined at Appendix A of the presented agenda report) be approved.

O&S.65/18 Q2 2018/19 PERFORMANCE REPORT

Members considered a report that presented the performance information for Quarter 2 in 2018/19.

In discussion, reference was made to:-

- (i) the indicator related to the % of customer contact. The Panel asked that the merits of retaining this performance measure be given further consideration. In addition, some Members expressed their concerns over the Balanced Scorecard and the definitions that were applied in the key. Since the definitions could be applying a misleading picture, these Members felt that all aspects of the Balanced Scorecard should be reviewed. In his response, the lead Executive Member did express some sympathy with these comments;

- (ii) the Development Management Performance Measures. A detailed debate ensued on the measures and a number of concerns were raised. As a way forward, it was agreed that a 'Development Management Performance Review' would be given formal consideration at the joint meeting of the Panel and the Development Management Committee on 24 January 2019;
- (iii) the waste service. The Chairman of the Waste Working Group advised that he had been inundated with complaints relating to the waste service in recent months. In highlighting the reputational damage that had been caused, the Member informed that the Working Group was giving its full support to the improvement measures that were being put in place by officers.

It was then:

RESOLVED

1. That the performance levels against target communicated in the Balanced Scorecard and the performance figures supplied in the Background and the Exception report be noted; and
2. That all aspects of the Balanced Scorecard be reviewed.

O&S.66/18 TASK AND FINISH GROUP UPDATES

Since there were no active Task and Finish Groups at this time, there were no updates given to this Panel meeting.

O&S.67/18 ACTIONS ARISING / DECISIONS LOG

The contents of the latest version of the Log was presented for consideration.

In the subsequent discussion, reference was made to:-

- (a) accessing the latest performance dashboard information on Member IPads. The Chairman made reference to a recent email that had been sent to Members and confirmed that this matter had now been resolved;
- (b) the actions arising from the Code of Conduct Complaints Process. The Panel requested that an update on these actions should be sought from the lead officer;
- (c) the Metric Group. By way of an update, the Panel was advised that the compensatory offer still remained unsatisfactory (Minute O&S.36/18 refers). It was therefore agreed that, in the event of this matter remaining unresolved, then representatives from the organisation should be invited to attend the Panel meeting on 24 January 2019.

O&S.68/18 **DRAFT ANNUAL WORK PROGRAMME**

The Panel noted the contents of its latest Annual Work Programme and made the following comments, additions and amendments:-

- The Panel was reminded of the earlier request for the joint meeting with the Development Management Committee on 24 January 2019 to include an agenda item entitled: 'Development Management Performance Review'. As a result, the Panel also requested that its meeting on the afternoon of this date should revert back to a 2.00pm start time;
- The potential invitation for Metric Group Representative(s) to attend the Panel meeting on 24 January 2019 was formally noted; and
- Members agreed that the Quarter 3 Performance Measures should also be included on the agenda for the Panel meeting on 24 January 2019.

(Meeting started at 10.00 am and concluded at 11.50 am)

Chairman