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## WEST DEVON OVERVIEW AND SCRUTINY COMMITTEE - TUESDAY, 27TH JANUARY, 2015

Agenda, Reports and Minutes for the meeting

### Agenda No    Item

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2.    **Reports**  
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# Agenda Item 1

## AGENDA – OVERVIEW & SCRUTINY COMMITTEE – 27<sup>th</sup> JANUARY 2015

### PART ONE - OPEN COMMITTEE

**1. Apologies for absence**

**2. Declarations of Interest**

Members are invited to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests they may have in any items to be considered at this meeting.

If Councillors have any questions relating to predetermination, bias or interests in items on this Agenda, then please contact the Monitoring Officer in advance of the meeting.

**3. Items Requiring Urgent Attention**

To consider those items which, in the opinion of the Chairman, should be considered by the Meeting as matters of urgency.

**4. Confirmation of Minutes**

Regular Meeting held on 14<sup>th</sup> October 2014 (previously circulated)  
Special Meeting held on 27<sup>th</sup> November 2014

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**5. T18 Update**

Report of Strategic Lead for Transformation Programme

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**6. Update on Locality and Commissioning Member Group**

Verbal update of Strategic Lead for Transformation Programme

**7. S106 Funds – update/review in terms of funds available**

Report of Business Support Manager

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**8. Housing Benefit Overpayment Process and Recovery**

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**9. Performance Indicators Q2 2014/15**

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**10. Work programme**

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**11. Regulation of Investigatory Powers Act 2000:  
Report on Inspection and Authorisation**

Members to note that there have been no requests to use the powers under RIPA during the last quarter

**PART TWO ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PUBLIC AND PRESS ON THE GROUNDS THAT EXEMPT INFORMATION IS LIKELY TO BE DISCLOSED (if any)**

If any, the Committee is recommended to pass the following resolution:-

**“RESOLVED** that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the Meeting the grounds that exempt information may be disclosed as defined in Part I of Schedule 12A to the Act”.

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## **STRATEGIC RISK ASSESSMENT**

### **Reports to Members**

Members will be aware of the requirement to take account of strategic risk in decision making. This note is designed to support Members consider strategic risks as part of the assessment of reports from officers.

There are an increasing number of issues that we have a statutory requirement to take into account which affect all aspects of the Council's policies and service delivery (e.g. Human Rights Act). There are also discretionary issues we choose to highlight in our reports (e.g. Financial Implications, and Impact on Council Priorities and Targets). Common Law duty requires Local Authorities to take into account all things they need to take into account! The Courts hearing Judicial Review applications make this their starting point in deciding whether any decision is reasonable.

Officers have a responsibility to assess the implications of recommendations to Members. Members should ensure that before making a decision they have undertaken a similar consideration relating to the risks associated with the report.

Examples of risk to be considered:-

#### **Statutory Requirement :**

- Equalities and Discrimination, particularly Race Equality. (Consider the impact on each of the following equality areas: Race, Religion and Belief, Gender, Sexual Orientation, Disability, Age)
- Human Rights
- Crime and Disorder
- Health and Safety
- Employment Legislation
- Data Protection
- Freedom of Information
- Corporate activity with an impact on Areas of Outstanding Natural Beauty, National Parks, Sites of Special Scientific Interest, and biodiversity

#### **Corporate Requirement :**

- Impact on Council's Reputation
- Impact on Priorities, Cross-Cutting themes, Targets and / or Commitments
- Impact on Standing Orders / Financial Regulations
- Impact on Council's Assets
- Financial Risks
- Compliance with National Policies and Guidance
- Impact on Sustainability

Members' attention is drawn to the Risk Assessment section within each report. Members are encouraged to consider whether the report has satisfactorily identified all likely negative impacts and mitigating action that will be taken. Members also need to consider the opportunities presented by actions, noting that any change entails an element of risk. The challenge is to effectively manage that risk.

## RISK SCORING MATRIX

Impact/Severity		Target impact	Stakeholder impact	Finance impact
1	Insignificant	Low impact on outcome & target achievement & service delivery	Low stakeholder concern	Low financial risk
2	Minor	Minor impact on outcome & target achievement & service delivery	Minor stakeholder concern	Minor financial risk
3	Moderate	Moderate outcome & target achievement & service delivery	Moderate stakeholder concern	Moderate financial risk
4	Serious	High impact on outcome & target achievement & service delivery	High stakeholder concern	High financial risk
5	Very serious	Very high impact on outcome & target achievement & service delivery	Very high stakeholder concern	Very high financial risk
Likelihood/Probability		Risk	Opportunity	
1	Very low	Negligible chance of occurrence; has not occurred	Possible opportunity yet to be investigated with low likelihood of success	
2	Low	Low chance of occurrence; has occurred infrequently but within internal control	Opportunity being investigated with low likelihood of success	
3	Medium	Equal chance of occurrence or non occurrence; could occur more than once and be difficult to control due to external influences	Opportunity may be achievable with careful management	
4	High	More likely to occur than not occur; has occurred more than once and difficult to control due to external influences	Good opportunity which may be realised	
5	Very high	Very high chance of occurrence but not a certainty; has occurred recently	Clear reliable opportunity with reasonable certainty of achievement	

**Risk score = Impact/Severity x Likelihood/Probability**

<b>Likelihood</b>	5	5	10	15	20	25
	4	4	8	12	16	20
	3	3	6	9	12	15
	2	2	4	6	8	10
	1	1	2	3	4	5
	0	1	2	3	4	5
<b>Impact</b>						

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<b>NAME OF COMMITTEE</b>	<b>Overview and Scrutiny</b>
<b>DATE</b>	<b>27 January 2015</b>
<b>REPORT TITLE</b>	<b>Transformation Programme Progress Report</b>
<b>REPORT OF</b>	<b>Strategic Lead for Transformation Programme</b>
<b>WARDS AFFECTED</b>	<b>All</b>

**Summary of report:** In order to ensure effective scrutiny of the T18 Transformation Programme this report sets out progress to date.

**Financial implications:** There are no financial implications arising directly from this report.

**RECOMMENDATIONS:**

That the Overview and Scrutiny Committee note progress to date on the Transformation Programme.

Officer contact: Tracy Winser, Strategic Lead for Transformation Programme

Email: [tracy.winsler@swdevon.gov.uk](mailto:tracy.winsler@swdevon.gov.uk) – Tel: 01803 861277

**1. BACKGROUND**

1.1 In December 2014 the Council agreed to a revised business plan for the T18 Programme which aims to deliver a new operating model in partnership with South Hams District Council which will ensure that both Councils can continue to deliver quality services for its customers and communities.

1.2 The Programme is structured with a number of workstreams and progress on these is set out below.

**2. WORKSTREAM PROGRESS**

**2.1 HR**

2.1.1 Recruitment for Phase 1b has begun for the middle management and lead specialist roles and the interviews will take place in February. The Group Managers have been appointed and the two external candidates will take up their positions at the beginning of March. The Executive Director (Head of Paid Service) will be in post from the

beginning of February and the remainder of Phase 1b recruitment will take place in March and April.

2.1.2 In order to facilitate this process the detailed organisational design will be published in February and this will include the locality officer posts.

2.1.3 The recruitment timeline remains as previously published.

## 2.2 **ICT**

2.2.1 There is a significant amount of work to do in this workstream over the next few months and timescales are tight, however we are currently on track against the plans. Highlights include:

- The network infrastructure to support the new accommodation has been delivered.
  - Work on data migration is on track to enable the new systems to be able to deliver the appropriate customer service.
  - Some officers have seen the Civica mobile product which we will be using and it is hoped that we will be able to demonstrate the product to Members and Staff soon.

## 2.3 **Accommodation**

2.3.1 The hot desk area at Kilworthy Park has been created and staff have been working in this area for some time. Feedback from those using this space has been positive.

2.3.2 The main focus for this workstream over the past few months has been at Follaton House where the second phase of the new office space is due to be delivered at the end of this month.

2.3.3 The next quarter will see the emphasis move to the identification of the accommodation hubs that will be required for staff to use as drop in opportunities in and around the borough.

## 2.4 **Customer**

2.4.1 The Customer Workstream relates to the engagement required with our customers to maximise the benefits of the future operating model. These benefits are both for the customer, in terms of improved customer service and greater access to on-line services and for the Authority through reduced costs.

2.4.2 Software to deliver Customer insight information has now been purchased to help us structure our customer access methodology and training in how to use this software has been undertaken.

2.4.3 The channel shift plan is under development and will be delivered in February. This plan will help us target cheaper forms of contact such as SMS and email to those people who want and can use it rather than trying to encourage all customers to use these types of contact.

## **2.5 Business Processes**

- 2.5.1 In order to reduce the number of staff required to deliver our services we need to review and re-engineer a large number of our existing processes.
- 2.5.2 This process is broken down into a number of 'sprints' when each type of activity is mapped and analysed in detail. These sprints are well under way and will continue until June 2015.
- 2.5.3 Some Support Services staff have been trained as trainers in the use of the document imaging software to ensure we are ready to deliver a paperless environment for when staff in phase 1b start working the new way.

## **2.6 Finance**

- 2.6.1 To date, £1.91 million of the original £4.85 million budget has been spent. The costs are split £0.74 million WDBC and £1.17 million SHDC.
- 2.6.2 **The profiled budget for Quarter 3 (Oct – Dec 2014) is £1.71million – therefore the spend of £1.91million is currently £0.20million higher than the profiled budget.** This is mainly due to timing of payments made to refurbishment contractors being slightly earlier than expected, along with the phase 1a redundancy costs being higher than originally anticipated.
- 2.6.3 Council approved a revised business plan in December 2014 which took account of both predicted increased savings and costs and future reports to Overview and Scrutiny will show the monitoring position against the updated business case. The overall programme is currently on target although individual elements are both underspent and overspent.
- 2.6.4 Our Councils have been successful in receiving Government Transformation challenge Award funding of £700,000 to assist in delivering the programme.

## **3. LEGAL IMPLICATIONS AND STATUTORY POWERS**

- 3.1 The Council has delegated to the Overview and Scrutiny Committee, the powers to scrutinise the T18 Programme and to provide a quality control function.

## **4. FINANCIAL IMPLICATIONS**

- 4.1 There are no financial implications arising directly from this report.

## **5. RISK MANAGEMENT**

- 5.1 A Programme of this size and complexity clearly brings a significant number of risks which have to be carefully managed. The Risk Management implications are shown at the end of this report in the Strategic Risks Template and the comprehensive Programme risks are reviewed every four weeks by the Transformation Programme Board.

## 6. OTHER CONSIDERATIONS

<b>Corporate priorities engaged:</b>	This report relates to the future delivery of the council's four corporate priorities during a period of increasing financial constraint
<b>Considerations of equality and human rights:</b>	This report updates Members on the opportunity for developing improved access to a range of council services and meeting a wide range of customer needs
<b>Biodiversity considerations:</b>	None
<b>Sustainability considerations:</b>	The emerging model is designed to ensure that both councils are sustainable in the medium term. Greater agile working linked to better use of technology should reduce the councils' carbon footprints
<b>Crime and disorder implications:</b>	None

## STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1.	Financial risk	Funding availability for initial investment to implement the Programme	5	2	10	↓	<ul style="list-style-type: none"> <li>Profile investment and the availability of resources in the context of a business plan</li> <li>Explore external funding opportunities</li> </ul>	Directors and Head of Finance and Audit
2.	Financial risk	Higher than anticipated costs and/or lower than anticipated savings arising from the Programme. Key variable risk is the cost of staff redundancies.	4	2	8	↓	<ul style="list-style-type: none"> <li>Proof of concept work has demonstrated high level business case</li> <li>Detailed business case in place before committing to implementation of the Programme</li> <li>Sensitivity analysis undertaken</li> <li>Ongoing monitoring of costs and savings within the Programme</li> <li>In recognition of uncertainty of some costs, introduce contingency sum into detailed business plan</li> </ul>	Directors and Section 151 Officer Audit
3.	Financial risk	Unexpected events leading to a delay in delivery which could include delays in recruitment or external cost pressures which divert funding from the Programme.	3	3	9	↔	<ul style="list-style-type: none"> <li>Use of unearmarked reserves to fund a delay in delivery of the programme. Each month of delay could cost between £50,000 at the start of the programme to £250,000 at the end (combined figure).</li> <li>Review the level of corporate priority of the Programme against any new cost pressure</li> </ul>	SMT
4.	Management risk	Management capacity to deliver the Programme	4	3	12	↑	<ul style="list-style-type: none"> <li>Programme identified as the key corporate priority</li> <li>Commission external support as required to ensure the Programme is delivered in line with the timetable</li> </ul>	SMT

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
5.	Management risk	Maintaining the shared vision for the Programme during a period of significant changes	4	3	12	↔	<ul style="list-style-type: none"> <li>Effective communication strategy to engage with Members, staff and other stakeholders embedded within the Programme</li> </ul>	Directors
6.	Management risk	Managing organisational transition to the new operating model, in particular reduction in customer satisfaction and/or drop in service standards	4	2	8	↔	<ul style="list-style-type: none"> <li>Create sufficient organisational capacity to achieve programme timeframes</li> <li>Managing ongoing individual service performance</li> </ul>	Directors
7.	Management risk	Loss of key staff during implementation of the Programme	4	4	16	↔	<ul style="list-style-type: none"> <li>Ensure effective transition plan in place</li> </ul>	Directors
8.	Political risk	Early interest from potential partner organisations to join Programme	3	3	9	↔	<ul style="list-style-type: none"> <li>New partners able to join Programme but based on SH/WD model and timelines, following assessment of risk to the Programme</li> <li>Create flexible model that enables new partners to join at different 'levels' of the model, provided there is no adverse impact on service delivery within SH/WD</li> </ul>	Directors
9.	Staffing risk	Officer capacity and retention of staff morale during significant corporate change	4	3	12	↔	<ul style="list-style-type: none"> <li>Effective communication strategy embedded as part of the Programme</li> <li>Maintain the pace of the change to ensure that key staff are not lost to the organisation</li> </ul>	Directors

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
10.	Staffing risk	Securing successful implementation of major cultural change in relation to the development of skills and approaches to working arrangements within the new operating model	4	2	8	↔	<ul style="list-style-type: none"> <li>• Support cultural change with a comprehensive corporate training and development programme and develop recruitment, induction, appraisal and performance management frameworks</li> <li>• Communication strategy embedded as a key element of the Programme</li> <li>• Procure external skills to respond to expertise or capacity gaps</li> <li>• Ensure new systems and processes are resilient and sustainable</li> </ul>	Directors  Directors
11.	Staffing risk	Potential Union/staff response to elements of the Programme	4	2	8	↔	<ul style="list-style-type: none"> <li>• Ongoing engagement with key staff stakeholder groups and develop corporate understanding of those issues which are essential to successful implementation of the Programme and therefore must be subject to change</li> <li>• Communicate potential staff benefits within the model such as developing skills and achieving better work/life balance through agile working</li> </ul>	Directors

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## WEST DEVON BOROUGH COUNCIL

<b>Name of Committee</b>	<b>Overview &amp; Scrutiny</b>
<b>Date</b>	<b>27 January 2015</b>
<b>Report Title</b>	<b>S106 Funds Update/Review In Terms Of Funds Available</b>
<b>Joint Report of</b>	<b>Business Support Manager and the Member Services Manager</b>
<b>Wards Affected</b>	<b>All</b>

**Summary of report:** To set out the current position in terms of s106 fund availability.

**Financial implications:** There are no financial implications arising directly from this report.

**RECOMMENDATIONS:**

That the Overview and Scrutiny Committee note the report.

**1. BACKGROUND**

1.1 Members requested that information be provided to advise them of the balance of s106 funds that were available to the Council to support projects.

**2. ISSUES FOR CONSIDERATION**

2.1 The Council keeps a record of s106 contributions that are available and this information is split into two sections – affordable housing and open space and recreation.

2.2 The appropriate information is set out in the appendices to this report.

**3. LEGAL IMPLICATIONS**

3.1 There are no legal implications arising from this report.

**4. FINANCIAL IMPLICATIONS**

4.1 There are no financial implications arising directly from this report.

**5. RISK MANAGEMENT**

5.1 The Risk Management implications are shown at the end of this report.

**6. OTHER CONSIDERATIONS**

<b>Corporate priorities engaged:</b>	All
<b>Considerations of equality and human rights:</b>	None
<b>Biodiversity considerations:</b>	None
<b>Sustainability considerations:</b>	None
<b>Crime and disorder implications:</b>	None

### STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating Management actions &	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1.		Loss of funds to support affordable housing and open space projects	3	2	6	↔	Relevant officers monitor s106 contributions to ensure funds are not lost	Senior Housing Strategy and Enabling Officer Countryside and Community Projects Officer

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S106 contributions towards Affordable Housing

app no	ward	Details	Amount expected	Amount received	Date received	Date To be spent by
00297/2013	Bere Ferrers	Maynard Pk, Bere Alston	£31,500			
00484/2014	Bere Ferrers	Bere Alston, reservoir	£13,125			2024
02017/2011	Bere Ferrers	Long Orchard	£8,400	£8,400		
01994/2011	Bere Ferrers	7 Drakes Park, Bere Alston	£12,000	£12,000	06.08.2013	2013
	<b>Bere Ferrers</b>		<b>£65,025</b>	<b>£20,400</b>		
02205/2011	Bridestowe	Belle vue, Bridestowe	£8,400	£7,875	19.11.14	
03113/2012	Bridestowe	6 and 8 Fore St, Bridestowe	£6,000	£3,000	02/07/2013	2023
01021/2013	Bridestowe	St Bridgets, Bridestowe	£13,125			
00465/2014	Bridestowe	Trescote 00465/2014	£7,837	£7,875	15.10.14	2024
02415/2012	Bridestowe	Brid Close, Bridestowe	£7,875			
00850/2014	Bridestowe	adj sewerage works, Bratton Clovelly				
	<b>Bridestowe</b>		<b>£43,237</b>	<b>£18,750</b>		
02413/2012	Buckland Monachorum	Hannaford, The Crescent, Crapstone	£8,400	£8,400	18/06/2012	2022
00404/2013	Buckland Monachorum	Blowiscombe Barton, Milton Combe	£7,837	£7,837	30/01/2014	2024
00364/2014	Buckland Monachorum	land at Dellcote, Crapstone	£6,000			
	<b>Buckland Monachorum</b>		<b>£22,237</b>	<b>£16,237</b>		
01055/2014	Exbourne	Holebrook Lane, Exbourne	£13,125			
01194/2013	Exbourne	land adj No. 1 The Villas Broadwoodkelly	tba			
	<b>Exbourne</b>		<b>£13,125.00</b>	<b>£0.00</b>		
	Hatherleigh	Old Post Office, Highampton	£6,000			
02485/2012	Hatherleigh	Tricity works, Hatherleigh	£6,000	£6,000	22.09.2014	
00760/2013	Hatherleigh	Hatherleigh Market	£100,000			
	<b>Hatherleigh</b>		<b>£112,000.00</b>	<b>£6,000.00</b>		
01995/2011	Milton Ford	Long Brook Barn, Milton Abbot	£8,400			
02118/2011	Milton Ford	Stony Croft, Lewdown	£8,400			
	<b>Milton Ford</b>		<b>£16,800</b>	<b>£0</b>		
02914/2012	North Tawton	Webbs Orchard, North Tawton	£39,375			
00956/2013	North Tawton	Park House	£7,875			

00956/2013	North Tawton	1 Park House, North Tawton	£7,875			
03199/2012	North Tawton	25 Essington Rd, North Tawton	£7,875			
	<b>North Tawton</b>		<b>£63,000</b>	<b>£0</b>		
00316/2013	Okehampton East	65 Exeter Rd, Okehampton	£7,875			
00191/2013	Okehampton East	Tanglewood	£15,750	£7,875	08.12.14	2024
	<b>Okehampton East</b>		<b>£23,625</b>	<b>£7,875</b>		
00861/2014	Okehampton West	land adj to 3 Kemply Rd	£12,000			
	<b>Okehampton West</b>		<b>£12,000</b>	<b>£0</b>		
01785/2011	South Tawton	Livaton Barns, S Tawton	£13,125			
	<b>South Tawton</b>		<b>£13,125</b>	<b>£0</b>		
00358/2010	Tamarside	Hurditch Barns	£25,000			
00627/2013	Tamarside	New Court, Lamerton	£13,125	£13,125	18/02/2014	
	<b>Tamarside</b>		<b>£38,125</b>	<b>£13,125</b>		
03076/2012	Tavistock North	68 Plymouth Road, Tavistock	£7,875			
02886/2012	Tavistock North	Lynares, Tavistock	£7,875			
02492/2011	Tavistock North	Maudlins Park, Tavistock	£6,000	£3,000		
			<b>£21,750</b>	<b>£3,000</b>		
00573/02985	Tavistock South	Milemead, Down Road	£13,125			
01608/2011	Tavistock South	Rising Hill, Down Rd, Tavistock	£8,400		2012	2022
02996/2012	Tavistock South	Middlefield, Chollacot	£7,837			
00573/2013	Tavistock South	Highlights	£13,125	£13,125	01/02/2014	2024
03134/2012	Tavistock South	Gajon House, Tavistock	£6,000			
00524/2013	Tavistock South	Burnside, Middlemoor	£7,837			
00216/2013	Tavistock South	Annan, Down Road	£14,812.50	£29,625	01/08/2014	
00440/2014	Tavistock South	72 Plym Crescent	£7,875			
	<b>Tavistock South</b>		<b>£79,011.50</b>	<b>£42,750</b>		
0407/2014	Tavistock South west	17 Maple Close, Tavistock	£7,837			
00692/2013	Tavistock South west	Brook Farm	£7,875	£7,875	awaiting confirmation	
	<b>Tavistock South west</b>		<b>£15,712</b>	<b>£7,875</b>		
00546/2013	Thrushel	Melcroft, Lifton	£7,875	£3,937.50	29.04.214	
01886/2011	Thrushel	Hannaford, The Crescent, Crapstone	£16,800	£8,400	19/09/2013	2023
01686/2011	Thrushel	engineers shop, Tintahy	£33,600			
	<b>Thrushel</b>		<b>£58,275</b>	<b>£12,337.50</b>		

£597,047.50 £148,349.50

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**Contributions towards Open Space, Sport, Recreation and Community projects etc**

App no	Ward	Details	Amount expected	Amount received	Amount committed/ spent	balance outstanding	receiving project	Date received	Date To be spent by
8011/2005/TAV	Bere Ferrers	Pentillie Road, Bere Alston	£30,375.00	£30,375.00	£31,382.00	-£1,007.00	Bere Alston Youth Centre; BARP Parish Hall; Community Plan; BFPC; Weit Quay Hub Club	Jun-09	Jun-14
11568/2008/OKE	Bridestowe	Bridestowe, Town Farm	£21,575.00	£21,575.00	£17,790.00	£3,785.00	Bridestowe Play park; Bridestowe Cricket Club	Oct-10	Oct-20
11712/2008/OKE	Lifton	Borough House, Fore St, Lifton	£1500 per dwelling (11 dwellings in outline)			£0.00			within 10 years of receipt by WDBC
12589/2009/OKE	Okehampton	Exeter Rd to rear of 12a-19.	£9,750.00			£0.00			10 years of receipt

11462/2008/OKE	Okehampton	65 Crediton Rd. For community facilities within to be determined by the Council. Also £7,452 for open space prior to occupation of 9th dwelling.	£23,760.00	£11,880.00		£11,880.00			5 years from receipt of final payment
12853/2009 (updated by deed of variation 00688/2010)	Okehampton	Land at Crediton Rd,	£50,000.00	£50,000.00		£50,000.00		Dec-11	
01015/2010	Okehampton	Land adjacent to 3 Kempley Rd	£3,750.00			£0.00			5 years from receipt of final payment

12594/2009/OKE	Spreyton	Provision and enhancement of existing community facilities within village of Spreyton (including the provision and enhancement of the existing equipped play area).	£12,000.00	£12,000.00		£12,000.00		Dec-12	5 years of receipt
7177/2005/TAV	Tavistock	Bishopsmead/Tiddybrook	£420,000.00	£420,000.00	£420,000.00	£0.00	Crowndale; Tavistock College; Tavistock Youth Café; Whitchurch Play Park; Whitchurch pre-school; Tavistock Meadows play equipment	Jul-09	Jul-14
11570/2008/TAV	Tavistock	Lower Brook, Brook Lane	£19,500.00	£19,500.00		£19,500.00		Oct-13	10 years from receipt
12705/2009TAV	Tavistock	Rockmount, Drake Rd - Solely for provision and maintenance of off site CFs in Tavistock	£7,500.00						

11366/2008/TAV	Tavistock	Former Tavistock Hockey Club	£23,250.00	£23,250.00		£23,250.00		28-Oct-13	10 years from receipt
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£588,580.00 £469,172.00 £119,408.00

<b>NAME OF COMMITTEE</b>	<b>Overview and Scrutiny Committee</b>
<b>DATE</b>	<b>27 January 2015</b>
<b>REPORT TITLE</b>	<b>Housing Benefit Overpayment Process and Recovery</b>
<b>Report of</b>	<b>Customer Service Manager</b>
<b>WARDS AFFECTED</b>	<b>All</b>

**Summary of report:**

This report explains how Housing Benefit Overpayments arise and the processes the Council goes through to recover the debts before they are presented for write off. This report has been produced at the request of Resources Committee on 7<sup>th</sup> October 2014.

**Financial implications:**

£487,269.31 of overpayments were created between 1<sup>st</sup> April and 21<sup>st</sup> November 2014. During this period £383,524.48 were recovered and £47,345.34 were written off. The amounts recovered and written off do not necessarily apply to this financial year. To put this into perspective, the write off amount accounts for 0.4% of the £11.2 million of benefits awarded during that period.

**RECOMMENDATIONS:**

The Overview and Scrutiny Committee resolve to note the report.

**Officer contact:** [kate.hamp@swdevon.gov.uk](mailto:kate.hamp@swdevon.gov.uk), 01803 861104

**1. BACKGROUND**

**How an overpayment is created**

- 1.1 Overpayments of housing benefit occur as a result of a financial change in the customer’s circumstances that the Council was not aware of. Housing benefit then continues to be paid using the incorrect information. Once the Council has the correct information, the claim is updated and this will generate an overpayment on our systems.
  
- 1.2 In all cases if officers believe that the customer would have been aware that the change would impact their benefit, the overpaid money can be recovered, so if their wages increase or they move house and don’t notify us, this would be classed as customer (claimant) error and would therefore be recoverable.

1.3 If the overpayment was created as the result of an error by the Council, either a processing error or a delay due to a backlog, then the overpayment can still be recovered depending on the circumstances. If it is considered that it is not in the Council's interests or is unfair to the customer to pursue then it is passed immediately for write off.

1.4 Examples where the Council would recover the overpayment are:

DWP benefits end and we do not get notification from DWP until after the change and the customer also fails to tell us.

Customer moves house and doesn't tell us. This would create an overpayment because the benefit is assessed not only on the customers income but also on the property they live in.

Change in wages and not notifying us.

1.5 Examples where the Council would not recover and therefore pass immediately for write off are:

If the overpayment is created as a result of the LA's error and it was considered unfair or not in the interests of the Council to pursue

If the overpayment is created as a result of an error by the DWP.

If the debt is over 6 years old and has had no recovery action made on it during that time we would look to write off the debt. We would only do this once all other avenues have been exhausted – this is in line with the Council's policy and guidelines.

1.6 Customers have the right of appeal and all requests are considered and any information looked at that is subsequently provided. The whole claim would be reviewed again to double check the overpayment was correct and take into account any extenuating circumstances that may have contributed to the overpayment. For example:

If they failed to tell us of an increase in income and their reason was because they didn't know they had to, we would look at their claim history and see how long they had been claiming benefit and if that seemed reasonable. If they had been claiming for a considerable length of time it would normally be assumed that they would have sufficient knowledge of the benefits system to know they needed to notify us.

1.7 A recent example of where the overpayment was customer error and the Council decided to write it off was a lady whose husband had died suddenly in May. She was awarded bereavement allowance (a DWP benefit) in July, backdated to May and failed to tell us because she had assumed that the DWP would. Her husband had always dealt with the family paperwork, she was new to the benefit

system and we considered that under those circumstances it was reasonable for us not to recover the overpayment but to write it off.

- 1.8 Each case is considered on its merits and officers try to recover wherever possible by making attachments to ongoing benefit, both DWP and housing benefit, by invoice and by recovering from other LA's if the customer has moved out of our area.

## **2. THE RECOVERY PROCESS**

- 2.1 If an overpayment is deemed recoverable an invoice is raised and sent to the customer. The customer is given the option of paying by website, internet or telephone banking, debit or credit cards and the Council offer to make arrangements to pay weekly or monthly to clear the outstanding balance depending on the customer's circumstances.

- 2.2 If no response is received within 28 days, a reminder is sent.

- 2.3 After another 28 days a final notice is sent. These are raised automatically by our systems.

- 2.4 At the final notice stage a list is produced which is looked at manually. The officer will make checks on the account and select the best course of action. These include:

An attachment of benefit – This depends on whether the customer is a current claimant and whether or not they already have attachment in force. Officers request the deduction from the DWP and they decide how much to deduct.

An attachment of earnings – This can be effective for those claimants now in paid employment.

The customer is visited in their own home by a Visiting Officer to assess case and discuss a payment plan.

The debt is passed to Ross and Roberts, working as Collection Agents.

Ongoing entitlement -If claimant goes back on to Housing Benefit officers can collect the outstanding debt by a deduction from the live benefit claim

If the claimant has moved out of area and is still claiming benefits, officers can request that their Local Authority collect the debt on our behalf.

County Court Judgement. The Council would only consider this if the debt is over £500.00.

High Court Enforcement (debt must be over £600 & have a CCJ). The Council would only consider this if the debt is over £600.

- 2.5 If a customer moves address officers use tracing software to locate customers.

- 2.6 When all avenues are exhausted the Council would consider whether the debt should be written off. Other scenarios when the debt would be written off is when the claimant has gone bankrupt, applied for a debt relief order, has a very small balance which is not cost effective to pursue or where the claimant is considered to be vulnerable.
- 2.7 Even after a debt has been written off, if that customer's circumstances change or new information comes to light, officers are able to write the debt back on to the system and collect the outstanding debt.
- 2.8 On average the team spend 22.5 hours per week (for both authorities combined) attempting to collect the outstanding Housing Benefit Overpayments. Depending on other workloads within the team officers would then carry out a review of debts that need might need putting forward for write off. Therefore the quarterly amounts on the report do not necessarily suggest peaks and troughs in overpayments created but rather the amount of time that has been spent on recovery and review.

### 3. LEGAL IMPLICATIONS AND STATUTORY POWERS

- 3.1 The Council has powers to recover overpayments of benefits under The Housing Benefit Regulations 2006 and The Housing Benefit (Persons who have attained the age for state pension credit) Regulations 2006.

### 4. FINANCIAL IMPLICATIONS

- 4.1 £487,269.31 of overpayments were created between 1<sup>st</sup> April and 21<sup>st</sup> November 2014. During this period £383,524.48 were recovered and £47,345.34 were written off. The amounts recovered and written off do not necessarily apply to this financial year. To put this into perspective, the write off amount accounts for 0.4% of the £11.2 million of benefits awarded during that period.

### 5. RISK MANAGEMENT

- 5.1 The Risk Management implications are shown at the end of this report in the Strategic Risks Template.

### 6. OTHER CONSIDERATIONS

<b>Corporate priorities engaged:</b>	Community Life, Economy
<b>Considerations of equality and human rights:</b>	Customer's individual circumstances are always taken onto account to ensure that vulnerable people are protected
<b>Biodiversity considerations:</b>	There are no biodiversity considerations to this report
<b>Sustainability considerations:</b>	There are no sustainability considerations to this report
<b>Crime and disorder implications:</b>	There are no crime and disorder considerations to this report.
<b>Background papers:</b>	Welfare Reform Act 2012
<b>Appendices attached:</b>	None



## STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1	Loss of income	Uncollected Housing Benefit Overpayments represent lost income to the Council	2	3	6	↑	All attempts are made to recover any recoverable debt. However, the financial climate does mean that debts are becoming increasingly hard to recover.	Customer Service Manager
2	Reputation	Any risk to reputation is managed carefully by prompt recovery of amounts due wherever possible.	3	2	6	↓	This risk is also mitigated by taking a balanced view and ensuring that resources are not expended on debts which are not cost effective to pursue	Customer Service Manager
3	Write Off	The obvious risk of debtors subsequently being able to pay a debt which has been written off is mitigated by the activity outlined in issues for consideration.	2	1	2	↔	Any individual debt exceeding £5,000 is referred to members for consideration prior to write-off which accords with Financial regulations.	S151 Officer

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Direction of travel symbols ↓ ↑ ↔

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<b>NAME OF COMMITTEE</b>	<b>Overview and Scrutiny Committee</b>
<b>DATE</b>	<b>27 January 2015</b>
<b>REPORT TITLE</b>	<b>Performance Report</b>
<b>Report of</b>	<b>Executive Director (Resources)</b>
<b>WARDS AFFECTED</b>	<b>All Wards</b>

**Summary of report:**

To provide Members with information on Key Performance Indicators at the end of quarter 2 for 2014-15. The information is set out with the Balanced Scorecard showing broad performance levels. Further information for those indicators at 'red' status is provided along with a standard information report giving background information and context to workload.

**Financial implications:**

There are no financial implications directly related to this report.

**RECOMMENDATIONS:**

1. That Members note the Key Performance Indicators for Quarter 2 and consider the action detailed to improve future performance.
2. That Members consider any appropriate action for Indicators at 'Red' status for two consecutive quarters as detailed in 2.4 of this report.

**Officer contact:**

**Tracy Winsor, Executive Director (Resources), 01803 861277**  
[Tracy.Winsor@swdevon.gov.uk](mailto:Tracy.Winsor@swdevon.gov.uk)

**1. BACKGROUND**

- 1.1 The current set of indicators came from a review of all performance indicators, which was undertaken by a Task and Finish Group in 2011/12. Since then changes have been made by both Members and Officers to ensure that the indicators are meaningful and useful.

**2. ISSUES FOR CONSIDERATION**

- 2.1 Appendix A contains the Balanced Scorecard Report to display the high level performance information.

- 2.2 Appendix B relates to data only performance indicators and is the background report that contains the information that sits behind the Balanced Scorecard for context.
- 2.3 The exception report towards the end of appendix B shows all indicators currently 'Red' and also the performance status for the last quarter along with the management response to explain the current level of performance.
- 2.4 There are three indicators that are 10% or more below target.

One of these has been red for two or more consecutive quarters, therefore requiring a minuted response of the action required:

- ICT & CS: Average call answer time

- 2.5 To assist Members with actions that may be required to address performance of the above, Appendix C provides a list of suggested responses. This list is not exhaustive and merely provides examples for reference.
- 2.6 As requested by Members, Appendix D shows the Balanced Scorecard for the same period at South Hams.

### 3. LEGAL IMPLICATIONS

- 3.1 Within the Constitution, the Overview and Scrutiny Panel oversees performance management at the authority to ensure that poor and deteriorating performance is addressed.

### 4. FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications directly related to this report.

### 5. RISK MANAGEMENT

- 5.1 The Risk Management implications are shown at the end of this report in the Strategic Risks Template.

### 6. OTHER IMPLICATIONS

<b>Corporate priorities engaged:</b>	Community; Economy; Environment; Housing
<b>Statutory powers:</b>	Local Government Act 2000
<b>Considerations of equality and human rights:</b>	There are no equality implications as a result of this report.
<b>Biodiversity considerations:</b>	There are no biodiversity implications as a result of this report.
<b>Sustainability considerations:</b>	There are no sustainability implications as a result of this report
<b>Crime and disorder</b>	There are no crime and disorder implications as a result of this report.

<b>implications:</b>	
<b>Background papers:</b>	
<b>Appendices attached:</b>	Appendix A – Balanced Scorecard Appendix B – Background and Exception Report Appendix C – Actions available to address performance

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
G11-05	Poor performance leading to poor service delivery and damage to Council's reputation	Failure to adequately monitor and report on Local Performance Indicators. Managers not accepting/paying lip service only to best practice and improvement initiatives or failure to engender an improvement and performance management culture will increase the risk to the Council and it's reputation.	3	2	6	↔	Performance monitored by senior management and actions taken to address poor performance and react to downward trends.	SMT
G11-06	Failure to effectively manage change	There will be a need to ensure that any change within the organisation (whether imposed internally or externally) is effectively managed.	4	2	8	↔	Review of improvements and management actions in response to failing performance should increase the effectiveness of change management within the organization. More visible responsiveness to failing performance should reduce the resistance to change making management easier.	SMT
CX1 1 - 03	Leadership & Management	Ineffective Leadership and management	2	1	2	↔	Emphasis placed on middle managers responding to operational issues and drive performance whilst Heads of Service monitor and take action when needed	CX & SMT



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## Appendix A - Corporate Balanced Scorecard 2014-15 Q2

West Devon Borough Council

### Community/Customer

Q1	Q2	
		<b>ES:</b> Car parking tickets sold (Yearly comparison)
	tbc	<b>ES:</b> Car parking season tickets sold (Yearly comparison)
		<b>ES:</b> Overall Recycling rate %
		<b>ES:</b> Residual waste per household
		<b>ICT &amp; CS:</b> Average Call Answer Time
		<b>ICT &amp; CS:</b> % of enquiries resolved at first point of contact

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### Financial

Q1	Q2	
	tbc	<b>Assets:</b> Employment estates Income (Cumulative)
	tbc	<b>PEC:</b> Total income collected: Pre-Apps, Apps, etc
	tbc	<b>ES:</b> Car parking Income
	tbc	<b>FA:</b> % invoices paid on time
		<b>ICT &amp; CS:</b> Council Tax Collection
		<b>ICT &amp; CS:</b> Non Domestic Rates Collected
		<b>T18:</b> Programme budget on track

### Processes

#### PEC

Q1				
				<b>PEC:</b> % of Applications determined within statutory time frame (Major/Minor/Other)

#### Environmental Health

Q1	Q2	
		<b>EH:</b> Time taken to process Disabled Facilities Grant (Fast track)
		<b>EH:</b> Avg Time to serve notice or close complaints

#### ICT & CS

Q1	Q2	
		<b>ICT &amp; CS:</b> Avg End to End time (New Claims)
		<b>ICT &amp; CS:</b> Avg End to End time (Change of circumstances)

### Performance

Q1	Q2	
		<b>EH:</b> % of nuisance complaints resolved at informal stage
		<b>CS:</b> Avg days sickness/FTE
		<b>T18:</b> Programme timescales on track

#### Key

	Below target performance
	Narrowly off target, be aware
	On or above target

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# Appendix B –Scrutiny Report – 2014-15 Q2 WD

## Information Report



Non-targeted (data-only) performance measures that will be reported every quarter to provide context and background information – not suitable for the Balanced Scorecard page as no targets applicable or relevant.

PI Code & Short Name	Managed By	2013/14 Total	July 2014	Aug 2014	Sept 2014	Q2 2014/15	2014/15 YTD	Comment (If Applicable)
		Value	Value	Value	Value	Value	Value	
<p><b>EH: Volume of nuisance complaints</b></p> <p>Number of nuisance complaints. The comments show the breakdown of unjustified and unjustified complaints.</p>	Ian Luscombe	-	Reported for Quarters			150	321	Of the total nuisance complaints <i>closed</i> by the council in Quarter 2, 150 out of 170 alleged nuisances were under our jurisdiction (EH officers often offer guidance and signposting in the other cases to provide a better customer service). 148 out of the 150 nuisances investigated were dealt with informally, saving time and money.
<p><b>EH: Average time taken for Disabled Facilities Grants (Fast track) (work days)</b></p> <p>The total time, from when the application was received until the works are completed. Only a small portion of this is under direct control of the Council.</p>	Drew Powell	-	Reported for Quarters			98	206	This figure relates to 8 Disabled Facilities Grant cases. The portion of this process under the Council's full control is performing well. Average time for this portion this period was <i>less than 1 working day</i> .

PI Code & Short Name	Managed By	2013/14 Total	July 2014	Aug 2014	Sept 2014	Q2 2014/15	2014/15 YTD	Comment (If Applicable)
		Value	Value	Value	Value	Value	Value	
<p><b>PEC: Active Applications (at end of month) Major/Minor/Other</b></p> <p>The total number of active applications which gives an overview of the workload for the Planning department.</p>	Justine Gosling	-	207	213	227	647	n/a as not measured as cumulative	Active Application numbers are slowly increasing owing to a relatively high number received and also the issues relating to staff turnover. Officers work hard to try and process applications as quickly as possible but the increase in applications received in the last quarter has meant the active number has increased.
<p><b>PEC: Compliments &amp; Complaints (Justified/Non-Justified split)</b></p> <p>Detailing the ratio between justified planning complaints (valid complaints about something we did wrong or omitted to do) and non-justified complaints.</p>	Malcolm Elliott	Compliment Just Non-Just	3 0 2	2 0 2	2 1 0	7 1 4	13 2 5	We continue to work on making our processes more customer focussed and to improve our communication methods and the information provided to our customers.
<p><b>PEC: Justified Complaint Type (Process: Statutory Procedure: Person: Communication)</b></p> <p>Breakdown of justified complaints – Process (Ps), Statutory Procedure (SP), Person (Pn) &amp; Communication (C).</p>	Malcolm Elliott	Ps S.P. Pn C	0 0 0 0	0 0 0 0	0 0 0 1	0 0 0 1	0 0 0 2	It is pleasing to see that a low number of justified complaints are received.
<p><b>PEC: Enforcement (Enforcement Action: Retrospective Planning Application: Remedial Action: No Breach Found)</b></p> <p>The number of enforcement cases resolved by specific action -</p>	Helen Smart	E.A. R.P.A. R.A. N.B.F.	1 6 0 15	1 2 0 16	1 1 0 10	3 9 0 41	4 17 0 60	Officers continue to investigate a high number of cases many of which are found to have not breaches. A number of very time consuming enforcement issues recently has taken up large amount of the enforcement teams time.

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PI Code & Short Name	Managed By	2013/14 Total	July 2014	Aug 2014	Sept 2014	Q2 2014/15	2014/15 YTD	Comment (If Applicable)
		Value	Value	Value	Value	Value	Value	

enforcement action (EA), retrospective planning application (RPA), remedial action (RA) or no breach found (NBF).								
<p><b>ES: PCNs: issued</b></p> <p>The number of Penalty Charge Notices issued. View in conjunction with those cancelled.</p>	Cathy Aubertin	1400	101	302	517	920	1590	PCNs issued have risen in this quarter due to new CEOs being appointed in August, this has meant that the service is being run more effectively.
<p><b>ES: PCNs cancelled</b></p> <p>The number of Penalty Charge Notices cancelled. View in conjunction with those issued.</p>	Cathy Aubertin	127	15	41	59	115	133	12.5% of PCNs issued were cancelled. This is an increase on previous quarter.
<p><b>ES: Car parking income (Cumulative)</b></p> <p>The <b>total</b> Income Collected by Car Parks (shown as a cumulative figure over the financial year).</p>	Cathy Aubertin	£838,000	n/a	n/a	n/a	n/a	n/a	The Council's budget monitoring reports report income received against income targets for the Council's income streams and therefore these figures are reported elsewhere on a quarterly basis.
<p><b>ICT &amp; CS: No. of benefit applications</b></p> <p>Total number of New Housing Benefit/Council Tax Benefit Claims calculated.</p>	Gill Bray	1080	91	75	21	187	407	New Claims only.

PI Code & Short Name	Managed By	2013/14 Total	July 2014	Aug 2014	Sept 2014	Q2 2014/15	2014/15 YTD	Comment (If Applicable)
		Value	Value	Value	Value	Value	Value	
<b>ICT &amp; CS: Preventing Homelessness</b>	Kate Hamp	271	20	15	21	56	107	To be reported annually from now on.
<b>ICT &amp; CS: Percentage of Council Tax Collected (cumulative)</b> The percentage of non-domestic rates due for the financial year which were received by the authority	Kate Hamp	97.69%	Reported for Quarters			56.85%	38.67%	There has been a slight reduction in the collection rate. One likely cause of this is that reminders are being issued throughout the month in order to spread the burden of calls to the Customer Services Team. In addition, an increasing number of ratepayers have been given instalment plans which run to March 2015 in accordance with newly introduced legislation. Changes to the Council Tax Reduction scheme will also have had an adverse affect on the collection rate.
<b>ICT &amp; CS: Percentage of Non-domestic Rates Collected</b> The percentage of non-domestic rates due for the financial year which were received by the authority	Kate Hamp	98.18%	Reported for Quarters			59.49%	49.9%	There has been a slight reduction in the collection rate. One likely cause of this is that reminders are being issued throughout the month in order to spread the burden of calls to the Customer Services Team. In addition, an increasing number of ratepayers have been given instalment plans which run to March 2015 in accordance with newly introduced legislation. Changes to the Council Tax Reduction scheme will also have had an adverse affect on the collection rate.
<b>All: Complaints received</b> Complaints logged against each Service per quarter. Highlights changes over time and the effects of initiatives.	-	261	Assets: 0 Corporate Services: 0 Environment Services: 20 Environmental Health: 3 Finance: 0 ICT & CS: 6 Planning, Economy & Community: 5			34	70	

PI Code & Short Name	Managed By	2013/14 Total	July 2014	Aug 2014	Sept 2014	Q2 2014/15	2014/15 YTD	Comment (If Applicable)
		Value	Value	Value	Value	Value	Value	



<b>All: Compliments received</b> Compliments logged against each Service per quarter. Highlights changes over time and the effects of initiatives.	-	110	Reported for Quarters	18	30	
<b>CS: Long term sickness (days)</b> Number of days lost due to long term sickness	Andy Wilson	215	Reported for Quarters	24	55	This is back to a fairly typical figure and is primarily due to one long term absence.
<b>CS: Short term sickness (days)</b> Number of days lost due to short term sickness	Andy Wilson	232.44	Reported for Quarters	71	163.58	This is a positive reduction from Q1.
<b>ICT &amp; CS: Top 5 call types</b>	Kate Hamp	-	1. Council Tax make a payment by phone 2. Council Tax set up a direct debit 3. Missed recycling and food collection 4. Missed refuse 5. Council Tax discount enquiry	-	-	Council Tax enquiries remain high in the second quarter of this year.
<b>ICT &amp; CS: Top 5 website views/trend</b>	Kate Hamp	-	1. Planning Application Search 2. Contact Us 3. Recycling and Waste 4. Council Tax 5. Your Council	-	-	Planning is traditionally a very popular area on the website. With the forthcoming addition of the 'Do It Online' tab it is hoped that other areas will also start to receive more views over the next quarter.
<b>ICT &amp; CS: % of customer contact through online interaction</b> Demonstrating channel shift	Kate Hamp	-	Reported for Quarters	17%	15.5%	The launch of the Do it Online section for WD has seen online form submissions increase across all sections. Most noticeably online PCN appeals have increased from 3pw to 14pw (average), something that was rarely used prior to the DOI section.
<b>ICT &amp; CS: Total number of transactions</b>	Kate Hamp	-	Reported for Quarters	4317	7595	Do It Online and to a lesser extent Open Registry, has been responsible for the increase in online

PI Code & Short Name	Managed By	2013/14 Total	July 2014	Aug 2014	Sept 2014	Q2 2014/15	2014/15 YTD	Comment (If Applicable)
		Value	Value	Value	Value	Value	Value	


								transactions.
<p><b>ICT &amp; CS: Average call answer time</b></p> <p>The average time in minutes for a call to be answered. This time shows as an average over each month</p>	Kate Hamp		3.09	3.01	2.16	2.48	2.00	<p>Despite successful implementation of key areas of the performance improvement plan established in Q1 a number of events have led to unprecedented call volumes during this quarter. At the start of August approx. 56000 letters went out to electors informing them of the changes to Individual Registration, poor wording on the letters issued by the Electoral Commission led to a large rise in call volumes (267 July and 1266 August). This coupled with long term sickness (up 2% on previous year) and the introduction of Benefits calls to CST with no additional resource (an increase of over 1000 calls on average each month) has meant that the average call answer time has increased.</p> <p>A number of things are being implemented to mitigate the risk of future peaks in call volumes including the addition of two Customer Service Officers, continued sickness monitoring and a request to senior management for a project group to be established to ensure that the future Election in May 2015 is approached in a planned manner.</p>
<p><b>ICT &amp; CS: % of calls resolved at first point of contact</b></p> <p>Percentage of calls which are resolved at initial contact with CST</p>	Kate Hamp		Reported for Quarters			70.58	74.09%	<p>Calls dealt with at first point of contact remain above target. Growth in this area is constrained by current processes and with the changes being introduced under the T18 programme should continue to rise steadily.</p>



# Exception Report

Code and Name	Managed by	Prev Status	Last Qtr	July 2014	Aug 2014	Sept 2014	Q2 2014/15		Action Response
			Q1	Value	Value	Value	Value	Target	
<p><b>ICT&amp;CS: Average Call Answer Time</b></p> <p>The average time in minutes for a call to be answered. This time shows as an average over each month.</p>	Kate Hamp		1.29	3.09	3.01	2.16	2.48	1	<p>Despite successful implementation of key areas of the performance improvement plan established in Q1 a number of events have led to unprecedented call volumes during this quarter. At the start of August approx. 56000 letters went out to electors informing them of the changes to Individual Registration, poor wording on the letters issued by the Electoral Commission led to a large rise in call volumes (267 July and 1266 August). This coupled with long term sickness (up 2% on previous year) and the introduction of Benefits calls to CST with no additional resource (an increase of over 1000 calls on average each month) has meant that the average call answer time has increased.</p> <p>A number of things are being implemented to mitigate the risk of future peaks in call volumes including the addition of two Customer Service Officers, continued sickness monitoring and a request to senior management for a project group to be established to ensure that the future Election in May 2015 is approached in a planned manner.</p>
<p><b>PEC: % of Applications determined within statutory time frame (Minor)</b></p>	Malcolm Elliott		58.7%	35	57.9	47.06	46.43	65	<p>West Devon has seen an extremely high turnover of staff leading to many agency staff to be employed to cover the basic Development Management function which inevitably impacts on service performance. Whilst staff turnover can be absorbed in the short term this is much less sustainable over longer periods. We have been employing agency staff for a long period of time to provide cover for the loss of permanent staff. We endeavour keep our customers up to date with the progress of applications and agree, where necessary, extensions of time to make decisions.</p> <p>I can ensure members that all officers make every effort to maintain a good level of service which is essential if confidence in our ability to continue to deliver a good</p>

PI Code & Short Name	Managed By	2013/14 Total	July 2014	Aug 2014	Sept 2014	Q2 2014/15	2014/15 YTD	Comment (If Applicable)
		Value	Value	Value	Value	Value	Value	

Code and Name	Managed by	Prev Status	Last Qtr	July 2014	Aug 2014	Sept 2014	Q2 2014/15		Action Response
			Q1	Value	Value	Value	Value	Target	
									planning service is to continue. Changes in work practices (such as validation) is helping to process work more effectively.
<b>PEC: % of Applications determined within statutory time frame (Other)</b>	Malcolm Elliott		84.42	64.29	72.41	60.47	65	80	As for Minor applications, the staffing position increases pressure of officers and impacts service performance. Changes in work practices are helping to process work more effectively to improve performance.



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**Responses from Scrutiny responding to 2 consecutive quarters at 'Red' status:**

	<b>Response</b>	<b>Result</b>	<b>Consequences for response (inc resourcing issues, etc)</b>
1	Agree with Action response	Trust that Middle Managers interpretation of situation and response will rectify falling performance over time	No additional resource above effort proposed by Middle manager
2	Query Action response	Agree with interpretation of situation but express concern over the level of the response	No additional resource above effort proposed by Middle manager.
3	Request further details on the action responses undertaken so far	Assessment of management responses taken so far and their effectiveness.	Middle manager resources required, will pull form operational management time. HoS resources also required. Response at Scrutiny could be sufficient.
4	Request report on ongoing issues	Deeper understanding of the causes of falling performance	Middle manager resources required for explaining actions, additional Business Development Team support for analysing data, where capacity allows.
5	Set up Task & Finish Group	T&F group organised with clear goals and timescales	Large resource requirement from both Cllrs and Officers. Longer lead time for results but useful for reframing goals of service area
6	Request Service Review	Systems review process becomes high priority and scheduled to commence as soon as current review schedule allows	Large resource requirement both in Business Development Team and service area undergoing review. Need for robust understanding of problem to be resolved. Longer lead time for results. Schedule agreed by SMT

Members should note that the additional resource requirements for options 3-6, especially options 5 & 6, will impact on service level and performance themselves so should only be undertaken when a clear need is identified.

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**OVERVIEW AND SCRUTINY COMMITTEE - ANNUAL WORK PROGRAMME 2014/15**

<b>2014</b>	<b>Agenda Items</b>	<b>Lead Officers/Members</b>
Tuesday 24 June	Community Safety Partnership – Annual Review	Ian Bollans
	Car Parking report (as requested at O&S March 2014)	Cathy Aubertin
	Annual Report	Kathy Trant
	CAB, CVS and Young Devon Annual Monitoring Report	Debbie Bird
	Community and Economy Grant Report 2013/14	Debbie Bird
	Update on Locality and Commissioning	Dan Bates/T&F Group
	Performance Indicators Quarter 4 2013/14	Darren Cole
Tuesday 14 October	Ombudsman Update and Annual Letter	Catherine Bowen/Tony Rose
	Performance Indicators Quarter 1	Darren Cole
	Update on T18	Tracy Winser
	Update report from CAB on reorganisation	Debbie Bird
	Update on Locality and Commissioning	Marion Playle
	Update on RIPA Policy	Catherine Bowen
<b>2015</b>		
Tuesday 27 January	Performance Indicators Quarter 2	Darren Cole
	S106 funds – update/review in terms of contracts expiring before money spent	Justine Gosling
	Process for dealing with Write Off funds	Kate Hamp
Tuesday 24 March	Performance Indicators Quarter 3	Darren Cole
	Review of protocol between Legal and Planning	Malcolm Elliott/Becky Fowlds
	Cllr Sanders re Health and Wellbeing Board	Cllr Sanders
	Affordable Housing – variations in contributions and to include information on TDC model	Liam Reading
	Attendance of CX of Healthwatch	Cllr Ewings
	Update on TAP Fund	Lisa Buckle
<b>STANDING AGENDA ITEMS</b>	<b>POSSIBLE AGENDA ITEMS 2014/15</b>	<i>Proposed changes to Grant Schemes (postponed for T18)</i>
<b>Health and Wellbeing</b>	<i>Post office changes</i>	
<b>Community Safety – annual item</b>	<i>Ambulance Trust</i>	
<b>T18</b>	<i>CCG</i>	
<b>Update from Rural Broadband Group</b>	<i>Street Pastors</i>	
<b>Locality and Commissioning</b>	<i>Role of Locality officers</i>	

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# Agenda Item 3

At a Meeting of the **OVERVIEW & SCRUTINY COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the 27<sup>th</sup> day of **JANUARY 2015** at **2.00 pm**.

**Present:**

Cllr M V L Ewings - Chairman	
Cllr D E Moyse – Vice-Chairman	
Cllr A Clish-Green	Cllr L J G Hockridge
Cllr D M Horn	Cllr J B Moody
Cllr D K A Sellis	Cllr J Sheldon
Cllr D Whitcomb	

Executive Director (Service Delivery and Commercial Development)  
Finance Community of Practice Lead  
Strategic Lead for Transformation Programme  
Natural Environment and Recreation Manager  
Senior Housing Strategy and Enabling Officer  
Customer Services Manager  
Member Services Manager

**Substitute:** Cllr P R Sanders substituted for Cllr C Hall

**In Attendance:** Cllr M J R Benson, Cllr W G Cann OBE, Cllr C R Musgrave and Cllr T G Pearce

**\*O&S 25 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllr C Hall for whom Cllr P R Sanders acted as substitute.

**\*O&S 26 DECLARATIONS OF INTEREST**

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

**\*O&S 27 CONFIRMATION OF MINUTES**

The Minutes of the meetings held on 14 October 2014 and 27 November 2014 were agreed and signed by the Chairman as a correct record.

**\*O&S 28 UPDATE ON TRANSFORMATION PROGRAMME T18**

The Strategic Lead for the Transformation Programme presented a report that set out progress to date of the T18 Transformation Programme, in order to ensure effective scrutiny. She reminded Members that a detailed report had been presented to Council in December 2014 that outlined the revised business case. She then took Members through the main sections of the presented report that updated the Committee on progress of the Programme.

During discussion, the following points were raised:

- Some Members were concerned at the impact of a paperless environment. The Strategic Lead confirmed that there was a separate project group looking at paperless environment and Member IT provision and the Locality Member Group were also looking at IT. The aim was to have IT devices in place in time for the new Council in May 2015;
- One Member stated that the Overview and Scrutiny Committee should receive detailed information on the financial position of the Transformation Programme. The Finance Community of Practice Lead advised that the financial monitoring information up to the end of November had been included in the detailed business case report to full Council in December. The Leader noted that para 2.6.3 of the presented report stated that future reports to Overview and Scrutiny would show the monitoring position against the updated business case;
- One Member asked if the Council was able to deal with the outcome from the work on channel shift. In response, the Strategic Lead stated that where there was an awareness through the Sprint work of additional demand then it could be dealt with;
- One Member asked if plain English could be used in the report as there was some terminology that was not straightforward. He asked for clarity on re-engineering of processes. In response, the Strategic Lead advised that there were a number of processes currently being reviewed by the staff who currently undertook them. Most of the savings for the Programme had arisen from the processes, not from IT, although IT would enable them.

It was then **RESOLVED** that the Overview and Scrutiny Committee note the progress to date on the Transformation Programme T18.

**\*O&S 29**

**UPDATE ON LOCALITY AND COMMISSIONING MEMBER GROUP**

The Strategic Lead for the Transformation Programme updated the Committee on the progress of the Locality and Commissioning Member Group. She explained that the Group had met earlier that day to assess proposals put forward in terms of what the Localities would look like. There would be ten Locality areas across the West Devon Borough and South Hams District and they would be loosely based on PCSO areas. It was accepted that to make a difference this model needed partners to work with the Council. Locality Officers would be attached to each of the areas, and there would be specialist officers who would spend some of their working week on strategic matters. Members of the Group had been broadly receptive to this proposal which was the starting point for further discussion. This way of working was new and it was expected that it would evolve. The proposals were within budget and the activity analysis had led to this level of resource. In future, it was hoped that Operations staff could also be utilised as a support resource.

During discussion the following points were raised:

- A number of Members were concerned at the reported cuts to numbers of PCSOs and whether this would result in the Locality Officers taking on PCSO responsibilities. Members asked if the PCSO boundaries were co-terminus with the Ward boundaries and other Members suggested that the PCSO boundaries should not be used as they could change;
- One Member was interested in knowing the criteria for the areas and whether it was based on geographical size or population for example;
- The Strategic Lead reminded Members that the Locality Model was based on expecting many residents to self serve but to help those who were not able to do so by responding to their needs in the locality. Research at Eastbourne had found that eight out of ten issues reported to the PCSOs were also reported to the Council. Work had been undertaken to split the issues so the area of responsibility was clearly defined. As every agency was faced with smaller budgets it would be more important to work together;
- Some Members noted that the Locality Officer model had worked in Eastbourne but this was a more rural area which would have different challenges. One Member also noted that it was likely that Devon County Council was going to lose its Locality Officers, which could increase the workload on the Council Locality Officers.

Following further discussion, it was agreed that a Single Topic Discussion Forum would be set up to enable a full discussion for all Members on this subject.

**\*O&S 30**

**S106 FUNDS UPDATE/REVIEW IN TERMS OF FUNDS AVAILABLE**

The Chairman introduced a report that had previously been requested by the Committee to outline the s106 funds available for projects.

The Natural Environment and Recreation Manager set out how the funds were secured and advised that in the future, 'Our Plan' would set the context for future infrastructure. The tables attached to the presented report had since been updated and would be circulated to Members of the Committee.

The Chairman queried why an 'expected to receive' column was not included. In reply, the Strategy and Enabling Officer responded that in terms of 'expected to receive dates', this was usually 50% due on commencement and 50% due on completion.

The Natural Environment and Recreation Manager added that it would be difficult to put forward a systematic way of knowing when every site had been started.

One Member stated that Members should work more closely with the Building Control Partnership as officers should not be expected to pick up everything that was going on. The responsibility sat with the Planning team but the Building Control officers would know the timeline. The Natural Environment and Recreation Manager welcomed the suggestion of collaboration with the Building Control Partnership however not every site was a relevant consideration for the Partnership. Another Member suggested that the property being rated for council tax would be another opportunity to collect data about the completion of that property.

The Chairman advised that the total of s106 funds was a significant amount and close monitoring should take place to ensure the available funds could be used to help communities. The Executive Director added that collection of money was on officers minds as monies were collected for a number of different things, often from the same client base, so synergies across all areas were being explored.

In response to a query regarding whether s106 responsibilities could be waived, the Strategy and Enabling Officer confirmed that some applications were accompanied by a viability assessment and the requirement for s106 funds could be waived if there was evidence to support that decision.

Finally, it was agreed that annual reports on S106 Funds should be presented to Overview and Scrutiny.

It was then **RESOLVED** that the report be noted.

**\*O&S 31**

**HOUSING BENEFIT OVERPAYMENT PROCESS AND RECOVERY**

The Customer Service Manager presented a report that had been requested by the Resources Committee to outline how Housing Benefit Overpayments arose and the processes that Council went through to recover the debts before they were presented for write off.

One Member noted the example in the presented report and suggested that a robust structure be put in place to ensure information was readily available to let people know when they should declare income and grants to the Council and when the DWP may do that on their behalf.

The Customer Service Manager advised that DWP errors were rare, and more often overpayments arose through local authority error. In addition, the amount of overpayment stated was not all lost to the Council as it would depend on how the overpayment was classified.

One Member asked if the T18 Programme would change the way the process currently worked. In response, the Customer Service Manager confirmed that the process would go through the Reengineering work.

She added that the most effective way to collect overpayments was by attaching to existing benefits.

The Executive Director explained that discussions had taken place and work was ongoing to involve staff in a project to look at generating income and more efficient ways of working. A report could be presented to a future meeting later in the calendar year.

One Member stated that it would be helpful to identify the classification of monies overpaid. Whilst officers would not be expected to assess every debt written off, perhaps a sample exercise could be undertaken to give the Committee an indication. In addition, a benchmark with other similar districts of the percentage amount written off would be helpful.

It was then **RESOLVED** that the report be noted.

**\*O&S 32 PERFORMANCE REPORT – PERFORMANCE INDICATORS (Q2 2014/15)**

The Chairman introduced a report that provided Members with information on Key Performance Indicators at the end of quarter 2 for 2014/15. The information was set out with the Balanced Scorecard showing broad performance levels. She advised Members that the only indicator at 'red status' was 'Average Call Answer Time', however, she asked that it be noted that many Members had concerns related to the Planning Department. She had raised this with the Executive Director who commented that the new rules relating to affordable housing s106 contributions would help to bring performance back on target as these applications required assessment of viability.

One Member noted that the number of Planning Enforcement Cases where 'no breach found' was high. He also noted the high number of Penalty Charge Notices issued and asked if we were creating demand.

Prior to the meeting, the Chairman had requested further information from the Customer Service Manager relating to Indicators within her area and the following points were circulated:

**ICT &CS: Percentage of Council Tax Collected (cumulative)**

- The collection rate for Council Tax is on target and currently only 0.31% down on last year's collection rate. At the end of December 2014, 85.02% of the total Council Tax has been collected.
- The collectable debt this financial year has increased by £1.5 million.

**ICT &CS: Percentage of Non-domestic Rates Collected (cumulative)**

- Again the collection rate for Business Rates was on target and although 1.97% below last years collection rate this could be explained by the

introduction of the option for businesses to spread their payments over 12 monthly instalments. Most large businesses had taken this option which would mean that a higher % would come in during February and March. Collection rate at the end of December was 85.58%

#### **ICT & CS: Average Call Answer Time**

- The average call answer time had been consistently over target for most of this financial year. Benefits calls had been moved into the contact centre however the Benefits team still provided a variable overflow facility to support the team.
- The introduction of the Council Tax Reduction scheme in April 2014 had seen an increase in Council Tax related calls, but most notably the calls had become more complex as officers discussed the reasons customers may be unable to pay, and explored options to access benefits or the exceptional hardship fund. This had significantly lengthened the average call time and increased the average wait time.
- Average call answer time had improved significantly in the 3<sup>rd</sup> quarter and had been under 2 minutes for the last quarter.
- The average answer time for switchboard calls was much lower, averaging between 35 and 40 seconds
- Customer Services were working with Elections to plan for the increased demand expected between now and May. A project plan had been produced and a paper would be going to the new Senior Leadership Team (SLT) requesting additional resource for this period.

The Chairman then noted the comments in relation to the expected increase in workload resulting from the forthcoming election. Another Member noted that the average call waiting time was not as effective a measure of performance as the longest call waiting time at peak hours. The Executive Director advised that customer services was a complex area and Members would always hear worst case scenarios from residents however the team were doing a brilliant job and everything possible would be done to adequately resource the team during busy periods.

One Member returned to the issue of planning and stated that officers needed Member support. Members could help by only referring applications to Committee when it was absolutely necessary. There was an issue with planning but it was being managed and it required everyone to work together.

Another Member stated that unless Members had the opportunity to bring applications to Committee then rural areas could lose out. The Chairman agreed with comments about the planning service and stated that a close eye was being kept on the team to offer support. One Member asked if exit interviews took place for temporary planning staff when they left as they may identify any issues.

It was then **RESOLVED** that:

- (i) The Key Performance Indicators for Q1 be noted and actions detailed considered to improve future performance;
- (ii) Members had considered appropriate action for Indicators at 'Red' status for two consecutive quarters and in respect of 'Average call answer time' Members agreed with the action response;
- (iii) Concerns had been noted about the planning service but Members accepted that SLT was dealing with this and wanted officers to know that they had Member support.

**\*O&S 33 DRAFT ANNUAL WORK PROGRAMME**

Members agreed the annual work programme with the addition of an annual report on s106 funds and a report later in the year in relation to write offs of housing benefit and their classification. In terms of the item listed for the next meeting on Health and Wellbeing, it was agreed that information be provided on the projects that benefited from funding. The District Council representative advised that the minutes from the Health and Wellbeing Board at Devon County Council were circulated for information.

**\*O&S 34 REGULATION OF INVESTIGATORY POWERS ACT 2000: REPORT ON INSPECTION AND AUTHORISATION**

As a standing item on the agenda, Members noted that there had been no requests to use the powers under RIPA during the last quarter.

(The meeting terminated at 4.30 pm)

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