

# Public Document Pack

**Mid Devon District Council**

## **Scrutiny Committee**

**Monday, 20 February 2023 at 2.15 pm**  
**Phoenix Chambers, Phoenix House, Tiverton**

**Next ordinary meeting**  
**Monday, 20 March 2023 at 2.15 pm**

**Please Note:** This meeting will take place at Phoenix House and members of the Public and Press are able to attend via Zoom. If you are intending to attend in person please contact the committee clerk in advance, in order that numbers of people can be appropriately managed in physical meeting rooms.

[Join the Zoom meeting here.](#)

Meeting ID: 832 1633 8633  
Passcode: 684239

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<https://us06web.zoom.us/skype/83216338633>

## **Membership**

Cllr S J Clist  
Cllr G Barnell  
Cllr E J Berry  
Cllr W Burke  
Cllr L J Cruwys  
Cllr Mrs S Griggs  
Cllr F W Letch  
Cllr Mrs E J Lloyd  
Cllr S Pugh  
Cllr R F Radford  
Cllr Mrs E J Slade  
Cllr B G J Warren

# AGENDA

*Members are reminded of the need to make declarations of interest prior to any discussion which may take place*

- 1      **Apologies and Substitute Members**  
To receive any apologies for absence and notices of appointment of substitute Members (if any).

- 2      **Declarations of Interest under the code of conduct**  
To record any interests on agenda matters.

- 3      **Public Question Time**  
To receive any questions relating to items on the agenda from members of the public and replies thereto.

Note: A maximum of 30 minutes is allowed for this item.

- 4      **Minutes of the previous meeting** (*Pages 5 - 10*)  
To consider whether to approve the minutes as a correct record of the meeting held on 16 January 2023 and the minutes of the meeting held on 13 February 2023 (to follow).

- 5      **Decisions of the Cabinet**  
To consider any decisions made by the Cabinet at its last meeting that have been called-in.

- 6      **Chairman's Announcements**  
To receive any announcements that the Chairman of Scrutiny Committee may wish to make.

- 7      **Establishment** (*Pages 11 - 20*)  
To receive the annual review of the Establishment

- 8      **Scrutiny Agenda Process** (*Pages 21 - 24*)  
To receive a report from the District Solicitor & Monitoring Officer.

- 9      **Work Programme** (*Pages 25 - 34*)  
To review the existing Work Plan and consider items for the committee's future consideration, taking account of:

- a) Any items within the Forward Plan for discussion at the next meeting;
- b) The update from the Policy Research Officer on existing projects and forthcoming matters;
- c) Suggestions of other work for the committee in 2022/23.

**Stephen Walford**  
Chief Executive  
Friday, 10 February 2023

## **Meeting Information**

From 7 May 2021, the law requires all councils to hold formal meetings in person. The Council will enable all people to continue to participate in meetings via Zoom.

If you want to ask a question or speak, email your full name to [Committee@middevon.gov.uk](mailto:Committee@middevon.gov.uk) by no later than 4pm on the day before the meeting. This will ensure that your name is on the list to speak and will help us ensure that you are not missed. Notification in this way will ensure the meeting runs as smoothly as possible.

Please note that a reasonable amount of hardcopies at the meeting will be available, however this is a limited number. If you are attending the meeting and would like a hardcopy of the agenda we encourage that you notify Member Services in advance of the meeting to ensure that a hardcopy is available. Otherwise, copies of the agenda can be found on our website.

If you would like a copy of the Agenda in another format (for example in large print) please contact Carole Oliphant on: [aseaman@middevon.gov.uk](mailto:aseaman@middevon.gov.uk)

Public Wi-Fi is available in all meeting rooms.

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## MID DEVON DISTRICT COUNCIL

**MINUTES** of a **MEETING** of the **SCRUTINY COMMITTEE** held on 16 January 2023 at 2.15 pm

### **Present**

#### **Councillors**

S J Clist (Chairman)  
G Barnell, L J Cruwys, Mrs S Griggs,  
Mrs E J Lloyd, Mrs E J Slade, J Buczkowski  
and B G J Warren

### **Apologies**

#### **Councillor(s)**

E J Berry, F W Letch, S Pugh, R F Radford and A Wilce

### **Also Present**

#### **Councillor(s)**

Mrs C P Daw and R L Stanley

### **Also Present**

#### **Officer(s):**

Stephen Walford (Chief Executive), Maria De Leburne (District Solicitor and Monitoring Officer), Andrew Jarrett (Deputy Chief Executive (S151)), Richard Marsh (Director of Place), Jill May (Director of Business Improvement and Operations), Andrew Busby (Corporate Manager for Property, Leisure and Climate Change), Paul Deal (Corporate Manager for Finance), Dean Emery (Corporate Manager for Revenues, Benefits and Recovery), Lisa Lewis (Corporate Manager for Business Transformation and Customer Engagement), Matthew Page (Corporate Manager for People, Governance and Waste), Angharad Williams (Development Management Manager), Jason Ball (Climate and Sustainability Specialist), Carole Oliphant (Member Services Officer) and Jessica Rowe (Member Services Apprentice)

## **62 APOLOGIES AND SUBSTITUTE MEMBERS (0.03.21)**

Apologies were received from Cllrs S Pugh, E J Berry and R F Radford.

Apologies were also received from Cllrs F W Letch and A Wilce who were substituted by Cllrs J Buczkowski and B G J Warren.

## **63 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (0.03.47)**

Members were reminded of the need to make declarations where appropriate

## **64 PUBLIC QUESTION TIME (0.03.57)**

Nick Quinn, a local resident asked:

My first questions concern Agenda Item 9: Complaints Update.

On page 10 of your papers, at paragraph 3.3, it is said that a new complaints system is being built and that input will be obtained from the Portfolio holder for Continuous Improvement and the Corporate Performance & Improvement Manager.

Q1. Is it intended to ask service users, or the public generally, what they would want to be included in a new complaints system?

Q2. Does the Council currently follow up on closed complaints, to find out whether the complainant was satisfied with the outcome, or the complaint process?

My final question concerns Agenda Item 10: Budget Update.

On page 27 of your papers, there are two tables: Capital Expenditure Summary and Capital Funding Summary.

In the Capital Funding Summary table, just above the General Fund Subtotals row, is a row called Borrowing 50 years - totalling £57.538M.

The table shows the 50 year borrowing amount for 2023/24 is £12.196M, which my children's children will still be paying off in 2073.

I should like to know what they will be getting for this long term loan. So my question is...

Q3. What is the £12.196M, of General Fund 50 year borrowing in 2023/24, being spent on?

The Chairman confirmed that the questions would be addressed when the item was discussed.

## 65 **MINUTES OF THE PREVIOUS MEETING (0.06.39)**

The minutes of the last meeting were approved as a correct record and duly **SIGNED** by the Chairman.

## 66 **DECISIONS OF THE CABINET (0.16.27)**

The Committee **NOTED** that none of the decisions made by the Cabinet on 3<sup>rd</sup> January 2022 had been called in.

## 67 **CHAIRMAN'S ANNOUNCEMENTS (0.16.44)**

The Chairman announced that two Member Services Officers were moving to other departments within the Council and he wished them well for the future.

## 68 **WHISTLEBLOWING 6 MONTH UPDATE (0.18.55)**

The Corporate Manager for People, Governance and Waste informed the meeting that there had been no whistleblowing instances during the previous 6 months

## 69 **MOTION 583 - PROTECT RIVERS AND SEAS (0.18.59)**

Representatives from South West Water Authority (SWWA) had been invited to attend and the following questions were put to them:

- The UK has the dirtiest rivers in Europe. Here in Mid Devon, in 2021, SWWA discharged sewage into local rivers and seas over 2,068 times, totalling over 20,853 hours of sewage discharge in just one year (monitoring was carried out on 53 of the 93 storm overflows). Last year, Ofwat opened an enforcement case with SWWA, after heightened concerns about its environmental performance which suggested it was not complying with its obligations. SWWA must have known this was the case before enforcement action was started, so why was SWWA not complying and therefore knowingly harming rivers and seas?
- What action has been taken so far as a result of this enforcement case? How much money are you investing and where will this go?
- The Environment Act has driven increased monitoring and reporting of storm overflows. Since this requirement, what has SWWA done to identify and reduce sewage spills and pollution? Can you give us the latest numbers on how many discharge events there have been?
- What other work is planned and in what timeframe?
- What are you doing to ensure your wastewater treatment works are operating as they should?
- What can you do to input to local authority planning processes, so that we can better assess whether existing treatment works have the capacity for new development? Do you have information available to be able to assess the impact of development on the number and duration of sewage discharges into local rivers? Will you be willing to share this information?
- How will SWWA and the Environment Agency be working together to monitor this work?
- How are you / how will you be keeping customers informed of your actions?

Mark Worsfold from South West Water Authority gave the following responses:

- Events were monitored via event duration monitors and the numbers of these had been increased to cover all storm over flows
- There was an open enforcement and criminal case and he could not respond to this question due to legal privilege
- Although unable to respond to the open enforcement case he confirmed £333m had been invested via Waterfit in 200 storm overflows
- Operational action had been taken to increase the number of monitors and increased maintenance activity. No of spills had been reduced by 75% for overflows in the bathing season
- The Waterfit program ran until 2025 and SWWA was preparing submissions to both the Environment Agency and OFWAT
- The Water Resources Management Plan looked at a series of actions and engagement with customers. The plan set out actions over 25 years and was currently open to public consultation
- There were continued reviews of treatment works including daily and weekly reports and an investment program
- SWWA were undertaking a number of tests for phosphates and nitrates. The Government set targets through the Environment ACT and required Water Authorities to reduce levels by up to 80%
- 45% of phosphate was from agricultural practices but this should reduce with new legislation for farmers

- Drainage and wastewater management plans set out the plans for new developments. There was currently a consultation on this which was open until the end of May
- SWWA and the Environment Agency had a close working relationship as they were the regulator
- SWWA were close to publishing real time information re storm overflows. When this goes live it would be available to view on their website.
- Environment Agency and Natural England had their own processes but there were no gaps in these highlighted by SWWA
- There would be a need in future to look at more solutions for grey water drainage, storage and distribution

In addition, the Director of Place confirmed that he was not aware of any specific request by SWWA to respond to the consultation on Drainage and Wastewater management plans but he would follow this up.

## 70 COMPLAINTS, COMMENTS AND COMPLIMENTS - UPDATE (1.08.18)

The Committee had before it, and **NOTED**, a \*report from the Corporate Manager for Business Transformation and Community Engagement providing an update on complaints.

The officer explained that the update followed on from the previous report presented to Scrutiny and that there has been a slight decline in some of the results. As a result of this she confirmed action being taken which included:

- Refresher training
- Replacement CRM system in the future
- Replacement complaints system in the future
- Housing Complaints would be reported to the Homes PDG

Consideration was given to:

- The ability for managers to spot check complaints would be investigated

In answer to public question asked the Corporate Manager for Business Transformation and Community Engagement stated:

- Policies and processes concerning complaints would not change but they would engage with a new CRM system
- Closed complaints were not currently followed up but this could be introduced with the new systems

Note: \*report previously circulated and attached to the minutes

## 71 BUDGET UPDATE (1.23.08)

The Committee had before it, and **NOTED**, the Budget update \*report, previously presented to the Cabinet on 3<sup>rd</sup> January 2023.

In response to public questions asked the Corporate Manager for Finance stated:



- As explained at Cabinet on 3/1/2023 the borrowing timeframe is usually aligned with the working life of an asset funded from that borrowing. Within those working draft papers the funding requirements for 3RDL had been included with the 50 year borrowing as the underlying assets financed were property. As highlighted, it was not appropriate to fund short term development investment through long term borrowing. Therefore, in this case, the term would be amended to align with the development timeframe and not the life of the asset.

The officer went on to explain that the budget gap was largely due to inflation of wages, fuel and energy costs and that progress was being made to close the gap through income generation rather than service cuts.

A new approach would be taken with Town and Parish Councils and there would be ongoing discussions with the S151 officer due to attend a number of Parish Council meetings in the future.

Consideration was given to:

- The budget was constantly reviewed and residents were consulted via residents surveys
- Annual settlements from Governments made it difficult to strategically plan budgets
- Provision had been made for impairment for 3RDL and had been agreed by the Council's external auditors
- There were ongoing discussions about the costs of the Leisure Centres against the benefit to residents and there was a work in progress to reduce costs through green initiatives and an increase in fees and charges
- The impact of vacancy management on service delivery could be scrutinised by way of quarterly reports

It was therefore **RESOLVED** that:

- Officers provide a report on a system of vacancy control that was transparent and inclusive of Members and the Scrutiny Committee. To include the projected targets for vacancy control and how it might be implemented

(Proposed by Cllr Barnell and seconded by Cllr B G J Warren)

AND:

- Officers to provide a report on the future funding of the Leisure Centres including the possibility of an inclusive budgeting exercise involving the electorate on the future funding of the leisure centres

(Proposed by Cllr G Barnell and seconded by Cllr Mrs E J Lloyd)

**Reason for the decisions:** To provide a steer for Council on budget proposals

Notes:

- \*report previously circulated and attached to the minutes

- Cllr J Buczkowski made a personal declaration as Chairman of Cullompton Town Council
- Cllr Mrs S Griggs made a personal declaration as Mayor of Tiverton Town Council
- Cllr B G J Warren made a personal declaration as Chairman of Willand Parish Council
- Cllr Mrs E J Slade left the meeting at 4.43pm

## 72 **WORK PROGRAMME (2.34.32)**

The Committee had before it, and **NOTED** the \*Forward Plan and the \*Scrutiny Work Plan.

Members discussed the 3 additional items as requested by a member of the committee to determine how the Scrutiny Committee would like to deal with them:

1. It was **RESOLVED** to request that the Leader attend a future meeting of the Scrutiny Committee to present the recent Cabinet review into 3RDL

(Proposed by Cllr G Barnell and seconded by Cllr B G J Warren)

2. It was **RESOLVED** that the item on Planning Policy and Procedures not be taken forward onto the Scrutiny Workplan after confirmation received from the Director of Place and the Development Management Manager that the Authority was able to determine planning applications for itself, it's officers and members and arm's length companies by virtue of the Town and Country Planning Act.

(Proposed by the Chairman)

### Note:

- Cllrs G Barnell, Mrs E J Lloyd and B G J Warren requested that their abstention from voting be recorded
3. The District Solicitor and Monitoring Officer explained to Members the process for requesting items be placed onto an agenda of the Scrutiny Committee and gave a brief overview of the Scrutiny Prioritisation flow chart previously provided during training of Members. It was **AGREED** that Members would be provided with the training material again along with a Scrutiny Proposal form in order that a firm proposal for an agenda item could be presented back to Committee

Note: \*Forward Plan and Work Plan previously circulated and attached to the minutes

(The meeting ended at 5.28 pm)

**CHAIRMAN**

## CABINET 7 FEBRUARY 2023

### ESTABLISHMENT

**Cabinet Member:** Clive Eginton, Deputy Leader and Cabinet Member for the Working Environment and Support Services

**Responsible Officer(s):** Matthew Page, Corporate Manager for People, Governance and Waste  
James Hamblin, Operations Manager Human Resources

**Reason for Report:** To give Members an update on both the Establishment of the Council together with its performance. This report should be read in conjunction with the functions of individual officers highlighted in the Constitution. This builds upon information shared in February 2022 and September 2022.

**RECOMMENDATION:** The Cabinet is asked to recommend to Council the contents of the below report.

**Financial Implications:** Financial risk will only occur where the structure of a service changes without adherence to allocated budgets.

**Budget and Policy Framework:** This report sits within the current budget and policy framework.

**Legal Implications:** In accordance with Article 14 of the Constitution.

**Risk Assessment:** If the Establishment is not appropriately managed and reviewed then service delivery may be put at risk.

**Equality Impact Assessment:** No equality issues are highlighted in this report.

**Relationship to Corporate Plan:** This report highlights the Establishment figures and, as such, supports our aim to reduce costs without affecting service quality and continuity.

**Impact on Climate Change:** No climate change issues are highlighted in this report.

#### 1.0 Introduction/Background

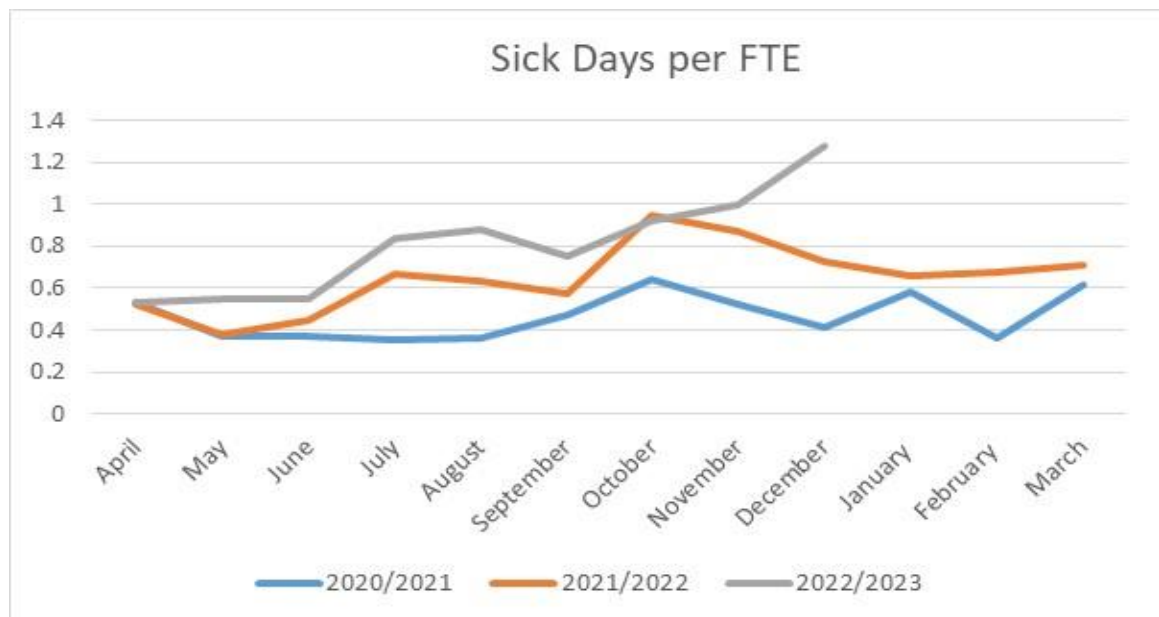
- 1.1 The purpose of this report is to provide an update on the performance of our workforce as we continue to move out of the COVID-19 pandemic and into Spring 2023.
- 1.2 These items include updates on the key Establishment indicators of sickness and agency expenditure, turnover and the impact of COVID-19 on our workforce.
- 1.3 Scrutiny of this data has been enhanced throughout 2022 as we developed the service quarterly performance review report and subsequent meeting. As outlined in the February 2022 Establishment Report, these meetings are attended by the Corporate Manager, Service Lead (if applicable), HR Business

Partner and Accountant. These meetings are also supported by monthly updates on workforce data provided at our Corporate Performance Meeting and shared with both the Corporate Management and Leadership teams.

## **2.0 Sickness Absence, Agency Expenditure and Establishment**

- 2.1 Last year (2021/2022) MDDC had an average of 7.82 sickness days per FTE. This compares to 5.58 sickness days that were lost per FTE in 2020/21 and 8.10 sickness days that were lost per FTE in 2019/2020. Within our current policy, the aim set for each employee is not to exceed 6 days of absence in a rolling 12 month period. It should be noted that there will be a difference between FTE and per employee statistics, however the statistics show a dip in sickness during the pandemic. See Graph 1.
- 2.2 Acknowledging absence levels since 2019, an updated policy and training for managers is due to be rolled out in 2023. However it should be noted that absence levels faced at the Council track closely with both local and national feedback on sickness absence levels. As predicted in the September 2022 Scrutiny Report, an increase in absence is unsurprising as the workforce have not been exposed to illnesses which have been suppressed over the last 2 years.
- 2.3 In house management training has been rolled out in 2022, with managers able to access both live and recorded sessions on the following: 'Managing Difficult Conversations', 'Managing Poor Performance' and 'Investigations, Disciplinaries and Grievances'. Feedback from the sessions has shown content has been well received with confidence in managers increasing as a result of the information provided. An underlying theme of all training provided in house is to encourage early intervention by managers.
- 2.4 In the first three quarters of this financial year we recorded 7.30 days sickness absence per FTE. As a result we are currently in line to see sickness absence levels this year in excess of 2019/2020. Projections would suggest we end 2022/2023 with approximately 9.73 days lost per FTE. Our sickness absence is usually less in the first two quarters of the financial year than in the last two due to the Autumn and Winter seasons and we are still seeing substantial employee absence due to COVID-19 and related infections (referenced in Section 4.0).
- 2.5 Wellbeing and supportive measures for employees have been highlighted throughout 2022, as we look to encourage employees to take positive action. A heavily discounted Leisure membership has been rolled out to employees at the Council (circa 50% of the public fees), as well as, a one off wellbeing day and there being increased communication regarding our Employee Assistance Programme. A review of our Wellbeing Ambassador initiative is due in 2023 as we look to provide clarity on the support we have in place for employees, alongside the existing mental health first aider scheme, Employee Assistance Programme and occupational health support.
- 2.6 The Council offered all staff under 50 a free voucher for a flu vaccination, acknowledging the current sickness levels and in order to prevent future sickness absence in the workforce. Despite regular advertisement of the benefit, uptake has been low to date.

- 2.7 Following the all staff survey in Autumn 2021 to gauge opinion and feedback on key organisational performance indicators including communication, leadership, development and wellbeing, the subsequent action plan is still in focus with the next round of all staff briefings due in early 2023. A further all staff survey is scheduled for Summer 2023.



Graph 1. Sickness at MDDC 2020 - 2023

- 2.8 In October 2022 a benefits survey was rolled out to employees at the Council. The aim was to understand what benefits employees currently value and understand, as well as, what benefits they would like the Council to consider in the future. As a result of the survey, a 'Benefits Overview' is being published in January 2023. This will highlight the existing benefits employees at the Council can already access and it will be used as part of our recruitment literature.
- 2.9 An ongoing challenge, further cemented by the impact of sickness absence levels, has been our access to temporary/agency workers. Costs of temporary/agency workers has been steadily increasing, as nationally we see high levels of employment against a backdrop of record high levels of vacancies.
- 2.10 During the first three quarters of 2022/23 the organisation spent £723,879.98 on agency workers. This compared to a total spend in 2021/22 of £823,288.55, £576,368.28 in 2020/21 and £534,378.49 in 2019/20. Projections using our existing figures would suggest we end 2022/2023 with approximately £965,173.31 in agency spend. Table 1 outlines agency spend since 2019.
- 2.11 There is an underlying theme within our agency make up, as we move away from 'lower cost/higher volume' agency workers (e.g. Waste and Recycling) to 'higher cost/lower volume' agency workers (e.g. Planning). The use of agency workers has been brought under further scrutiny as we continuously review our Establishment and seek to improve processes to allow for greater rigour and

challenge regarding staffing (e.g. the updated Vacancy Approval Process and Workforce Review Group rolled out in December 2022).

Year	Agency Spend	YOY Change (+/-)
2019/2020	£534,378.49	
2020/2021	£576,368.28	+7.56%
2021/2022	£823,288.55	+35.28%
2022/2023	£965,173.31*	+15.87%*

\*9 months data grossed up to 12 months

Table 1. Agency Spend 2019 - 2022

2.12 Table 2 compares the Establishment for the Council and the associated costs from 2019/2020 to 2022/2023. Costs for 2022/2023 will include the flat payment made to employees following the completion of Pay Award negotiations that was confirmed in November 2022. Work is already underway for the 2023/2024 Pay Award, with Unions expected to confirm their expectations at the end of January 2023. This comes against a backdrop of increased industrial action across sectors in the UK and ongoing negotiations highlighted within the media.

	2019/2020	2020/21	2021/22	2022/23*
Total number of employees /workers paid	718	697	728	698
Establishment FTE	422.11	422.79	426.43	431.02
Total Taxable Gross Pay	£11,170,336.78	£11,515,324.63	£12,197,334.88	£12,802,503.87*
Employers NI	£1,024,710.32	£1,038,135.28	£1,126,244.53	£1,288,737.39*
Employers Pension	£1,595,839.06	£1,832,713.73	£1,938,973.16	£2,103,271.45*

\*9 months data grossed up to 12 months

Table 2. Establishment 2019 - 2023

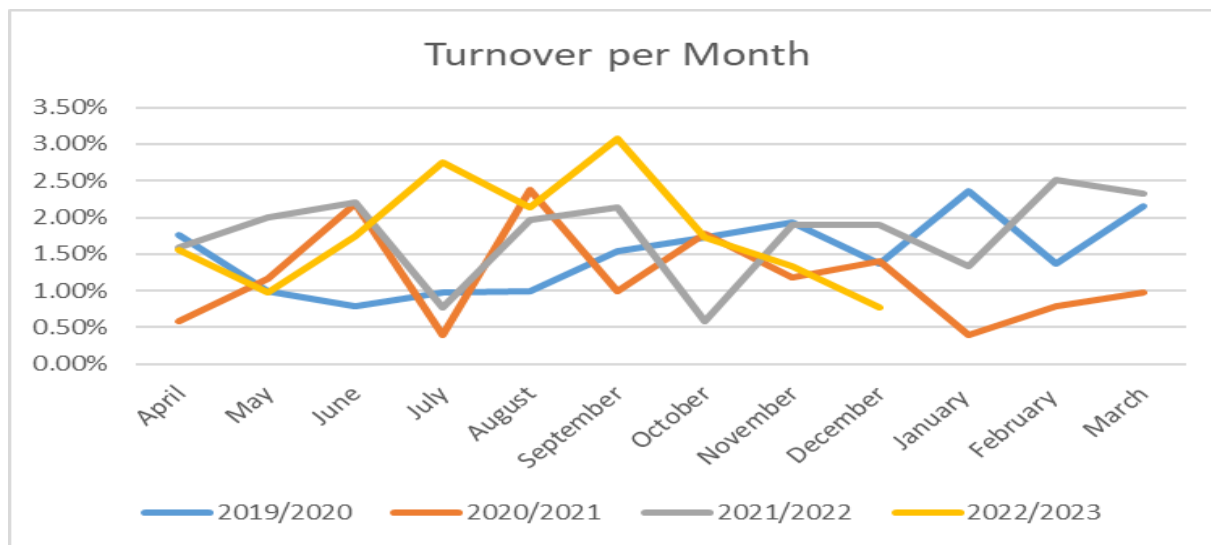
### 3.0 Turnover

3.1 Turnover for the first three financial quarters (1 April to 31 December 2022) stands at 16.07%. This compares to a turnover of 2021/22 in 21.25%, 14.23% in 2020/21 and 17.98% in 2019/20. Graph 2 highlights turnover per month since 2019 with estimates, based on current turnover, suggesting we end the current financial year with a turnover of 21.42%.

3.2 A full breakdown of all leavers and data collected during exit interviews for the last financial year is shown in Appendix 1. For those that completed the exit interview, career progression was cited as the main reason for leaving. Appendix 2 highlights the reasons for leaving during quarters 1 to 3 of 2022/2023.

3.3 A new exit interview format is launching in February 2023, with a focus on collating data in a more efficient and effective way. The new exit interview will allow for greater learning from those that are departing the Council and this, in turn, can help formulate more informed decision making and action planning.

- 3.4 Mid Devon, like other local authorities, has faced increasing challenges over turnover due to a number of different external factors. In terms of manual work the lack of supply of European workers has hit different industries hard which has had the result of increased competition for drivers, loaders and other types of worker amongst different sectors. In some sectors a movement towards 'contractor' work rather than 'employed' work has been supported by record levels of vacancies across the UK as workers attempt to earn more money in the current cost of living crisis.



Graph 2. Turnover at MDDC 2019 - 2023

- 3.5 These challenges have brought into sharp focus the need to consider our longer term employment offer for potential applicants. Key aspects include promoting our benefits (as will be seen with the 'Benefits Overview' document in January 2023) and encouraging greater flexible working where it is possible to do so (as has been seen in our roll out of hybrid working in 2022). Whilst delayed, the launch in 2023 of the skills review will allow for the Council to understand the skills and knowledge gaps within services and contribute to succession planning.
- 3.6 Apprenticeships across services are supporting the 'grow your own talent' initiative at the Council. The Council supported the 'KickStart' initiative in 2022, however this government scheme has subsequently come to a conclusion. The Council continues to maximise the apprenticeship levy by utilising this for both those joining the Council as an 'apprentice' and those currently employed by the Council but who are developing further skills/knowledge through training accessed via the levy.
- 3.7 In June 2022 the Council was awarded the Petroc Employer of the Year Award. This reflects the ongoing work with educational providers to ensure the Council is an employer of choice for those entering the workplace.
- 3.8 Our work around the Evolve learning and development project continues to develop. This round of Appraisal/PDR has been completed with a 94% response rate achieved. Guidance on the new appraisal process has been shared with our Leadership Team, Corporate Management Team and Service

Leads, as we extend the appraisal window this year due to significant events scheduled later this year (e.g. local elections).

#### **4.0 COVID-19**

- 4.1 The Council continued to enforce protective measures in line with the Government guidance. As these were phased out in 2022, employees returned to their 'normal' place of work. Feedback, as highlighted in the all staff survey, has been largely supportive of the communication and measures put in place to protect staff during the pandemic.
- 4.2 As is referenced within the sickness absence reporting in Section 2.0, COVID-19 does still significantly contribute to sickness absence. In December 2022, 92 days were lost due to COVID-19 accounting for 14.9% of all absence in the month. As responsibility for testing and the associated costs are held by the employee, the actual amount of sickness absence due to COVID-19 is likely to be higher.

#### **5.0 Conclusion and Recommendations**

- 5.1 There are a number of priorities which the Corporate Manager for People, Governance and Waste wants to focus on in terms of our Establishment performance.
- 5.2 It is vital that we continue to plan, review and scrutinise business continuity plans in the face of the challenges brought by the high levels of sickness absence. This should run in parallel with continued scrutiny of our Establishment through mechanisms such as the Workforce Review Group.
- 5.3 We continue to instil best employment practice and benefits, using the information obtained through the all staff survey action plan and findings from other surveys (e.g. Benefits Survey). We are committed to communicating with employees to keep them updated with business developments and changes.
- 5.4 We will review the skills analysis once completed to understand the gaps we have as an organisation and use this data to support long term succession planning at the Council. This needs to run in parallel with our focus on growing our own talent (e.g. apprenticeships) vs hiring talent vs developing existing talent.
- 5.5 As a result of the above our overarching long term focus is simplified as follows: Getting the right people, with the right skills, in the right roles, performing at the right level at the right time.

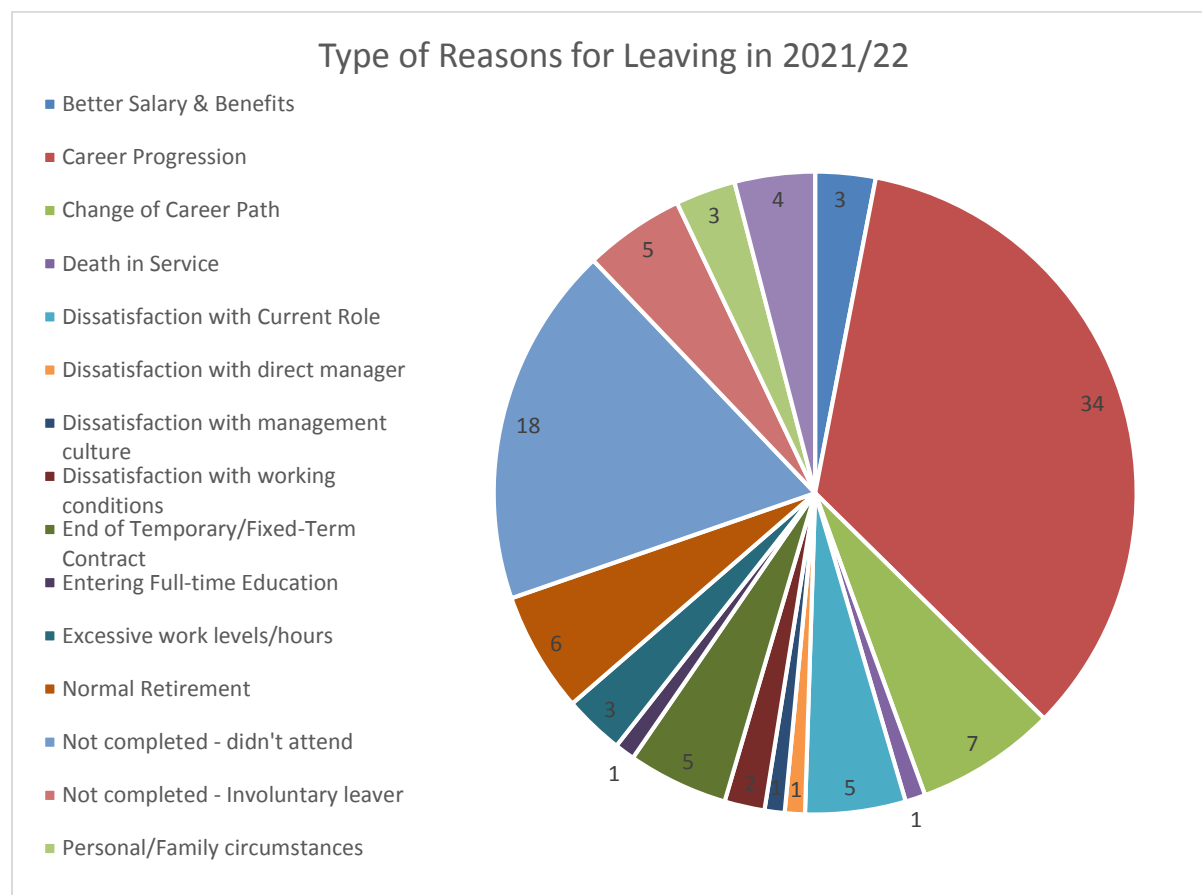
**Contact for more Information:** Matthew Page, Corporate Manager for People, Governance and Waste ([MPage@middevon.gov.uk](mailto:MPage@middevon.gov.uk)), James Hamblin, Operations Manager Human Resources ([JHamblin@middevon.gov.uk](mailto:JHamblin@middevon.gov.uk))

**Circulation of the Report:** The Cabinet Member has seen and approved the report. Cllr Clive Eginton Deputy Leader and Cabinet Member for the Working Environment and Support Services



**List of Background Papers:** Previous Establishment Reports taken to both Scrutiny and Cabinet in 2020, 2021 and 2022

## Appendix 1



Type of Reasons for Leaving 2021/22	
Better Salary & Benefits	3
Career Progression	34
Change of Career Path	7
Death in Service	1
Dissatisfaction with Current Role	5
Dissatisfaction with direct manager	1
Dissatisfaction with management culture	1
Dissatisfaction with working conditions	2
End of Temporary/Fixed-Term Contract	5
Entering Full-time Education	1
Excessive work levels/hours	3
Normal Retirement	6
Not completed - didn't attend	18
Not completed - Involuntary leaver	5
Personal/Family circumstances	3
Travel	4

## Appendix 2

### Quarter 1 to Quarter 3 2022 – Reasons for Leaving

Reason	Total	%
Better salary & benefits	1	1.19
Career Progression	19	22.62
Change of Career Path	2	2.38
Dissatisfaction with current role	2	2.38
Dissatisfaction with management culture	1	1.19
Dissatisfaction with working conditions	2	2.38
End of Temporary/Fixed Term contract	1	1.19
Excessive work levels/hours	2	2.38
Normal Retirement	3	3.57
Not completed - didn't attend	37	44.05
Not completed - didn't return from sick	1	1.19
Not completed - involuntary leaver	5	5.95
Other.	2	2.38
Personal/Family circumstances	6	7.14
<b>Grand Total</b>	<b>84</b>	<b>100</b>

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## **SCRUTINY COMMITTEE 20 FEBRUARY 2023**

### **REPORT ON ACCESS TO SCRUTINY**

**Responsible Officer:** District Solicitor and Monitoring Officer

**Reason for Report:** Requested by Scrutiny Committee

**Recommendation:** To note the contents of the report

**Financial Implications:** N/A

**Budget and Policy Framework:** N/A

**Legal Implications:** None

**Risk Assessment:** N/A

**Equality Impact Assessment:** N/A

**Impact on Climate Change:** N/A

#### **1.0 Background**

- 1.1 The District Solicitor and Monitoring Officer was asked at the previous Scrutiny Committee what was 'the rights of members to place items for discussion relating to Council business on the agenda of the Scrutiny Committee'.
- 1.2 A response was verbally provided to committee, however it was agreed that members would be provided again with the training material (the scrutiny proposal form, the flow chart for scrutiny prioritisation and the selection criteria) referred to by the District Solicitor and Monitoring Officer and then a report would be prepared for the next committee. I am aware that the training material was sent to all scrutiny committee members on the 17 January 2023.

#### **2.0 Constitution**

- 2.1 Article 7 – Overview and Scrutiny on page 20 of the Constitution sets out under 7.3 the committees specific functions which are:
- (a) Review and scrutinise the decisions made by and performance of the Cabinet and/or Committees and Council Officers in relation to individual decisions and over time;
  - (b) Review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
  - (c) Question members of the Cabinet and/or Committees and Chief Officers from the Council about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or project;

- (d) Make recommendations to the Cabinet and/or appropriate Committee and/or Council arising from the outcome of the scrutiny process;
- (e) Review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the Scrutiny Committee and local people about their activities and performance; and
- (f) Question and gather evidence from any person with a relevant knowledge, expertise or responsibility (with their consent).

2.2 Scrutiny Committee, Audit Committee, Standards Committee and Policy Development Group Procedure Rules are set out within the constitution starting on page 124. Under 3 Scrutiny Committee, the terms of reference are as below:

- a) the performance of all Scrutiny Committee functions as defined in Article 7 on behalf of the Council;
- (b) the appointment of such time limited working groups as it considers appropriate to fulfil those functions, subject to approval from the Programming Panel;
- (c) to receive reports from the Leader of the Council at its first meeting after each annual Council meeting on 'the state of the district', the Cabinet's priorities for the coming year and its performance in the previous year;
- (d) to approve its work programme in consultation with the Programming Panel;
- (e) to refer those matters which fall within the remit of the Scrutiny Committee, the Policy Development Groups or the Audit Committee, to the Programming Panel for allocation;
- (f) to review the system of referrals from Scrutiny Committee to the Cabinet to ensure that these are managed efficiently and do not exceed reasonable limits as set out in this Constitution;
- (g) to respond to reasonable requests from the Cabinet to develop or review policy not within the remit of any Policy Development Group;
- (h) in the event of reports to the Cabinet exceeding reasonable limits, or if the volume of such reports creates difficulty for the management of Cabinet business or jeopardises the efficient running of Council business, at the request of the Cabinet, to make decisions about the priority of referrals made.

2.3 In relation to Agenda Items for Scrutiny Committee again this is referred to within the constitution under page 127 point 13:

- (a) Any member of Scrutiny Committee or Policy Development Group shall be entitled to give notice to the Head of Paid Service that he/she wishes an item relevant to its functions to be included on the agenda for the next available meeting. On receipt of such a request the Head of Paid Service will ensure that it is included on the next reasonably available agenda.
- (b) Any Member of the Council who is not a member of the Scrutiny Committee shall be entitled to refer to that Committee any local government matter which is relevant to the functions of that Committee. On receipt of such

a request the Head of Paid Service will ensure that it is included on the next reasonably available agenda.

(c) Scrutiny Committee shall also respond, as soon as its work programme permits, to requests from the Council and, if it considers it appropriate, the Cabinet to review particular areas of Council activity. Where it does so, Scrutiny Committee shall report its findings and any recommendations back to the Cabinet and/or Council. The Council and/or the Cabinet shall consider the report of Scrutiny Committee within one month of it being submitted to the Head of Paid Service or at the next available meeting thereafter.

- 2.4 Any member of scrutiny committee as in 2.3 can request that an item relevant to its functions is put on the Agenda. However, it must be noted that this was subject to a process which was agreed with the previous Scrutiny Chairman. Each member of the scrutiny committee when they join is given training and a Flow Chart for Scrutiny Prioritisation and a Selection Criteria and a Scrutiny Proposal Form. These documents assist members when considering what to propose for the agenda. The proposal form would then be sent to the Scrutiny Officer.

**Contact for more Information:**  
[mdeleiburne@middevon.gov.uk](mailto:mdeleiburne@middevon.gov.uk)

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# MID DEVON DISTRICT COUNCIL – NOTIFICATION OF KEY DECISIONS

March 2023

The Forward Plan containing key Decisions is published 28 days prior to each Cabinet meeting

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
<b>Council Tax Base</b> To consider the Council Tax Base for 2023/24	Cabinet  Council	3 Jan 2023  22 Feb 2023	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Leader of the Council (Councillor Bob Deed)	Open
<b>Tiverton Town Centre Masterplan</b> To receive a draft copy of the Tiverton Town Centre Masterplan	Economy Policy Development Group  Cabinet	12 Jan 2023  7 Feb 2023	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Voids Management Policy</b> A review of the Voids Management Policy	Homes Policy Development Group  Cabinet	17 Jan 2023  7 Mar 2023	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Stuart Penny)	

Agenda Item 9

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Housing Assistance Policy</b> To consider a revised policy.	Homes Policy Development Group  Cabinet	17 Jan 2023  7 Feb 2023	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Stuart Penny)	Open
<b>The Council Tax Reduction Scheme &amp; Exceptional Hardship Policy</b> To receive a review of The Council Tax Reduction Scheme & Exceptional Hardship Policy	Community Policy Development Group  Cabinet	24 Jan 2023  7 Feb 2023	Dean Emery, Corporate Manager for Revenues, Benefits and Recovery	Leader of the Council (Councillor Bob Deed)	Open
<b>2023/24 – 2027/28 Procurement Strategy</b> To receive the refreshed Procurement Strategy.	Audit Committee  Cabinet	24 Jan 2023  7 Feb 2023	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Leader of the Council (Councillor Bob Deed)	Open
<b>Qtr. 3 Budget Monitoring</b>	Cabinet	7 Feb 2023	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Leader of the Council (Councillor Bob Deed)	Open
<b>2023/24 Capital Strategy &amp; Capital Programme</b>	Cabinet  Council	7 Feb 2023  22 Feb 2023	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Leader of the Council (Councillor Bob Deed)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>2023/24 Treasury Management Strategy</b>	Cabinet Council	7 Feb 2023 22 Feb 2023	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Leader of the Council (Councillor Bob Deed)	Open
<b>2023/24 Budget</b> To consider the 2023/24 Budget for the GF and HRA.	Cabinet Council	7 Feb 2023 22 Feb 2023	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Leader of the Council (Councillor Bob Deed)	Open
<b>Cullompton Town Centre Masterplan and Delivery Plan SPD</b> To consider the masterplan	Cabinet Council	7 Feb 2023 22 Feb 2023	Adrian Welsh, Strategic Manager for Growth, Economy and Delivery Tel: 01884 234398	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Schedule of Meetings 2023 - 2024</b> To consider the Schedule of Meetings for 2023/24	Cabinet Council	7 Feb 2023 22 Feb 2023	District Solicitor and Monitoring Officer	Cabinet for the Working Environment and Support Services (Councillor Clive Eginton)	Open
<b>East Cullompton (Culm Garden Village) Masterplan SPD</b>	Cabinet	7 Feb 2023	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Pay Policy</b> To consider the Pay Policy	Cabinet  Council	7 Feb 2023  22 Feb 2023	Matthew Page, Corporate Manager for People, Governance and Waste	Leader of the Council (Councillor Bob Deed)	Open
<b>Policy Framework</b> To consider the Policy Framework	Cabinet  Council	7 Feb 2023  22 Feb 2023	Stephen Walford, Chief Executive Tel: 01884 234201	Leader of the Council (Councillor Bob Deed)	Open
<b>National Non Domestic Rates (NNDR1)</b> To consider the NNDR1 for a recommendation to Council	Cabinet  Council	7 Feb 2023  22 Feb 2023	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Leader of the Council (Councillor Bob Deed)	
<b>Establishment</b> To receive the annual review of the Establishment	Cabinet  Scrutiny Committee  Council	7 Feb 2023  20 Feb 2023  22 Feb 2023	Matthew Page, Corporate Manager for People, Governance and Waste	Cabinet for the Working Environment and Support Services (Councillor Clive Eginton)	Open
<b>Shared Prosperity Fund and the Rural Prosperity Fund</b>	Cabinet	7 Feb 2023	Zoë Lentell, Economic Development Team Leader	Councillor Richard Chesterton	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Replacement Roofing 2023 – 2026, Award report</b>	Cabinet	7 Feb 2023	Mike Lowman, Building Services Operations Manager	Councillor Stuart Penny	
<b>2023/24 Council Tax Resolution</b>	Council	22 Feb 2023	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Leader of the Council (Councillor Bob Deed)	Open
<b>Local Authority Housing Fund</b>	Cabinet	7 Mar 2023	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Councillor Stuart Penny	
<b>Supply of PVC-u Windows, Doors and Shower Panels 2023 – 2026, Award report</b>	Cabinet	7 Mar 2023	Mike Lowman, Building Services Operations Manager	Councillor Stuart Penny	
<b>Provision of Cleaning Services 2023 – 2026, Award report</b>	Cabinet	7 Mar 2023	Mike Lowman, Building Services Operations Manager	Councillor Stuart Penny	
<b>Cullompton Town Centre Relief Road</b>	Cabinet	7 Mar 2023	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Resident Survey Results</b>	Cabinet	7 Mar 2023	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Councillor Bob Deed	
<b>Meeting Housing Needs SPD</b> To recommend a draft for consultation to the Cabinet	Cabinet	7 Mar 2023	Director of Place	Cabinet Member for Housing and Property Services (Councillor Stuart Penny)	Open
<b>Draft Non-Statutory Interim Planning Policy Statement: Climate Emergency (post consultation)</b>	Cabinet	7 Mar 2023	Tristan Peat, Forward Planning Team Leader		
<b>Housing Strategy update and annual review</b> To consider a review of the strategy.	Homes Policy Development Group  Cabinet	21 Mar 2023  4 Apr 2023	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Stuart Penny)	Open
<b>Asbestos Management Plan</b> To consider a revised plan.	Homes Policy Development Group  Cabinet	21 Mar 2023  4 Apr 2023	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Stuart Penny)	Open

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<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Communication and Engagement Strategy</b> Outlines interactions with customers and how communities will be informed and engaged.	Community Policy Development Group  Cabinet	28 Mar 2023  4 Apr 2023	Lisa Lewis, Corporate Manager for Business Transformation and Customer Engagement Tel: 01884 234981	Councillor Dennis Knowles	
<b>Town and Parish Charter</b> To approve a draft Town and Parish Charter for consultation.	Community Policy Development Group  Cabinet	28 Mar 2023  4 Apr 2023	Maria De Leiburne, District Solicitor and Monitoring Officer	Cabinet Member for Community Well Being (Councillor Dennis Knowles)	Open
<b>Post Hill Tiverton–Tender results and project award for 70 Council homes</b> To consider the outcome of the tender process.	Cabinet  Council	4 Apr 2023  26 Apr 2023	Andrew Busby, Corporate Manager for Property, Leisure and Climate Change Tel: 01884 234948	Cabinet Member for Housing and Property Services (Councillor Stuart Penny)	Part exempt
<b>Air Quality SPD</b>	Cabinet	4 Apr 2023	Tristan Peat, Forward Planning Team Leader		Open
<b>Crediton NHS Hub Phase 2</b> To consider a funding request.	Cabinet	4 Apr 2023	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Leader of the Council (Councillor Bob Deed)	Part exempt

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Tiverton EUE Area B masterplan</b>	Cabinet	4 Apr 2023	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Meeting Housing Needs SPD</b> To approve the draft SPD for consultation.	Cabinet	4 Apr 2023	Tristan Peat, Forward Planning Team Leader	Cabinet Member for Housing and Property Services (Councillor Stuart Penny)	Open
<b>106 Governance</b>	Cabinet	4 Apr 2023	Joanna Williams, Planning Obligations Monitoring Officer		Open



## SCRUTINY WORK PLAN 2022-2023 - 2022 TO 2023

Meeting Date	Agenda Item	Theme	Officer Responsible	Comments
<b>20th February 2023</b>				
7.02.23 20.02.23 22.02.23	<b>Establishment</b> To receive the annual review of the Establishment		Director of Business Improvement and Operations and Returning Officer  Corporate Manager for People, Governance and Waste	
20.02.23	<b>Participatory Budgeting</b> To receive the final report and recommendations, if any from the Participatory Budgeting spotlight review		Corporate Manager for Finance	
<b>20th March 2023 – Nothing yet planned</b>				
<b>17th April 2023</b>				
17.04.23	<b>Update on 3 Rivers Development Ltd Business Plan</b> To receive an update on the 3 Rivers Development Ltd Business Plan and if appropriate to make recommendations to Cabinet		Deputy Chief Executive (S151)	

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