

MINUTES of a **MEETING** of the **SCRUTINY COMMITTEE** held on 15 December 2025 at 5.00 pm

Present

Councillors

L G J Kennedy (Chair)
G Westcott (Vice-Chair), C Adcock,
A Cuddy, G Czapiewski, M Farrell,
C Harrower, B Holdman, L Knight,
J Poynton and R Roberts

Apologies

Councillors

D Broom and E Buczkowski

Also Present

Officers

Maria De Leburne (Director of Legal, People & Governance (Monitoring Officer)) and Lisa Lewis (Head of Digital Transformation & Customer Engagement) and Sarah Lees (Democratic Services Officer)

Councillors

Online

G DuChesne, S Keable and D Wulff

Officer Online

Dr Stephen Carr (Corporate Performance and Improvement Manager)

55 APOLOGIES AND SUBSTITUTE MEMBERS

Apologies were received from Cllr D Broom and Cllr E Buczkowski who was substituted by Cllr B Holdman.

56 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT

No interests were declared under this item.

57 PUBLIC QUESTION TIME

The following questions were received from members of the public:

Councillor Barry Warren – Chairman of Willand Parish Council.

My questions relate to item 8 on your agenda.

Recently, in my position as Parish Council Chair, it was necessary to make a formal complaint against a lack of enforcement of planning conditions and also an officer discharging a condition which was blatantly flawed.

The Complaints Policy states that “Stage 1 will be to refer the complaint to the relevant service manager or Housing Complaints Officer. If the customer/tenant is still unhappy with the response, Stage 2 will result in a further investigation by an alternative officer or more senior officer as appropriate.”

The Stage 1 complaint was dealt with by the officer that was the subject of the complaint. This is contrary to policy.

Under Section 6 of the policy it states:

“....respond to all complaints and include in our response:
an apology
confirmation of whether the complaint was upheld or not.”

The only words that could be considered an apology in the response were –“I am sorry you felt you had to make a complaint.”

Part of the complaint was considered to be upheld but no apology was offered for the officer not having done his job with care and due diligence.

Question 1

What is there in the report which brings such a breach of policy to the attention of members of Committee?

The Stage 2 complaint was dealt with by the original officer’s manager whose first mention of an apology was – “I am sorry that you remain dissatisfied and felt that you had to escalate your complaint.” Explanations and excuses were given for policy not being followed.

The officer did later state: “I would apologise that this breeched the council’s investigations procedure.”

Question 2

The explanations given tend to show that there is a mind set to keep complaints within a department when policy allows ‘external’ involvement. Is there a lesson to be learned here or a training need identified?

Question 3

How do the decisions made on complaints within a department feed into the system to be able to be shown in figures in a report such as presented to Committee?

Question 4

Rather than just note a report, will the Scrutiny Committee undertake some work to satisfy themselves and the public that policies are being correctly followed and relevant information being recorded and presented?

The Chair stated that written replies to the questions would be provided within the next ten working days.

58 MINUTES OF THE PREVIOUS MEETING

The minutes of meeting held on 20 October 2025 were approved as a correct record and **SIGNED** by the Chair.

In approving the minutes a brief discussion took place regarding the future involvement of South West Water (SWW) in Scrutiny Committee discussions. It was confirmed that SWW were happy to attend a future meeting when there was something to update the Committee on. At the present time they felt that all questions asked at the March 2025 Scrutiny Committee had been answered. In the meantime it was noted that both Cllr A Stirling and Cllr D Wulff would be meeting with SWW onsite at the Tiverton Sewerage Treatment Works and would be reporting back to colleagues in the near future.

59 CHAIR'S ANNOUNCEMENTS

The Chair had no announcements to make.

60 DECISIONS OF THE CABINET

The Committee **NOTED** that none of the decisions made by the Cabinet on 4th November and 2nd December 2025 had been called in.

61 INTERIM CORPORATE PERFORMANCE REPORT TO QUARTER 2 (00:17:00)

The Committee had before it, and **NOTED**, a report * from the Head of People, Governance & Waste and the Corporate Performance & Improvement Manager providing Members with an update on performance against the Corporate Plan 2024-2028 and service performance measures for Quarter 2 (2025/2026).

Discussion took place regarding:

- Electric charging points and the factors which slowed down installation.
- The numbers of net zero MMC (Modern Methods of Construction) properties being built and whether it was possible to get an indication as to how things were going rather than just whether or not the Council was achieving its target? It was explained that a further 51 completions were expected in quarter four. The process for setting targets was explained in terms of their being different processes. Some targets were set as fixed thresholds. Other targets are often a figure to achieve by year end, and a linear progression is assumed in year. For some performance indicators, profiled targets can be calculated.
- There had been 17 new subscribers to 'Let's Talk Mid Devon' in the year to date. This was felt to be quite a low number. It was explained that there were obvious benefits to residents subscribing to this particular platform in terms of providing contact details for the future and pushing out communications but having to subscribe was felt to be a barrier to some people engaging. Therefore this requirement had been removed meaning a fewer new

subscribers. Conversely it had meant the number of people engaging with the platform had increased dramatically.

- There had been a slight increase in responses to the Resident Survey. This platform had also hosted the consultation in relation to the Local Government Review (LGR).
- A further and deeper analysis of the 'Let's Talk Mid Devon' platform by the Scrutiny Committee was felt to be necessary and it was **AGREED** that this become an agenda item for a future meeting.
- Figures in relation to Agency Spend. It was confirmed that council-wide agency spend, broken down by department, was reviewed by senior officers monthly by the Corporate Performance Meeting.

Note: * Report previously circulated.

62 ANNUAL REPORT OF COMPLAINTS AND COMPLIMENTS (00:27:00)

The Committee had before it, and **NOTED**, a report * from the Corporate Manager for Business Transformation & Customer Engagement providing the annual report on the customer feedback received in relation to compliments, comments and complaints.

The following was highlighted in the report:

- The biggest service areas receiving feedback were Leisure, Recycling, Council Tax and Benefits. From a complaints point of view, most were about recycling and rubbish followed by Leisure and Council Tax and Benefits. Leisure received the most compliments, followed by recycling and rubbish. Waste had high rates of upheld complaints which indicated that some kind of corrective measure was necessary, however, this was the service which all residents of the district received meaning comparatively these numbers would always be high. In comparison, Council Tax, Benefits and Planning had lower rates of upheld complaints, which suggested that many of those complaints related to decisions that were bound by policy rather than service delivery.
- With regard to key performance indicators acknowledgement of complaints was underperforming. The target was 85% for responding within five days and the Council was currently running at an average of approximately 74%. However, for the resolution of complaints within target time scales, the Council was at or above our target.
- Most compliments the Council received related to staff conduct and service delivery exceeding expectations. Positive feedback was always relayed back to specific staff members.
- Understanding what the Council did well in, in comparison to what people feel unhappy about was often a useful measure.
- There were 10 referrals to the Ombudsman in 2024/2025, four were closed after initial inquiry, four incorrectly registered, meaning only two of those ten were actually investigated by the Ombudsman. In only one of those two cases was the complaint upheld. The Council was committed to dealing with complaints promptly, fairly and as transparently as it possibly could.
- Under the new Code of Complaints, qualitative and quantitative work would need to be undertaken, therefore, analysis of how the Council dealt with the complaints, what the complaints were about and what decisions were taken and how follow on recommendations were monitored would be undertaken.

Additional training in this area would also be undertaken next year for those staff involved.

- The Council's website pages would be changed, providing more information about how to report complaints and compliments.
- The Council was bench marked in a similar position to neighbouring authorities in terms of complaints referred to the Ombudsman.
- All customer feedback was taken seriously and this was a continuous improvement piece.

Discussion took place regarding:

- Complaints in relation to housing need and homelessness and an acknowledgement that these were critical areas needing a 'lessons learnt' exercise where possible.
- The provision of training for staff dealing with complaints early next year was confirmed.
- Complaints in relation to Anti-Social Behaviour (ASB) and how these were dealt with. It was acknowledged that this was a complex process, involving different service areas.
- It was felt to be remarkable that numbers of complaints were so low in the area of Waste given the high frequency of 'touch point' opportunities.
- It was pleasing to see that staff sickness levels had reduced.
- The need for the Scrutiny Committee to have an interim report. The Clerk would liaise with the Head of Service regarding timetabling something into the Scrutiny Work programme at an appropriate time in the next 6 - 8 months.
- Unless the public reported ASB the Police were constrained in terms of what they could do. The Chair stated that he would be bringing a Motion to Council regarding this issue. Cllr G Czapiewski also stated that as the Councillor Advocate on the Police and Crime Panel for Devon and Cornwall he would also lobby for more information in relation to ASB.
- It was also noted that there were regular updates from the Police at the Community, People & Equalities Policy Development Group.

Note: * Report previously circulated.

63 WORK PROGRAMME (00:53:00)

The Committee had before it the Cabinet Forward Plan *, the Scrutiny Committee Work Programme and a topic suggestion form from Cllr Gordon Czapiewski in relation to void properties.

At the beginning of the meeting consideration was given to the Work Programme, reference was made to the concerns about the role of Scrutiny on Local Government Reorganisation (LGR) and could LGR be put on the Scrutiny work programme for future meetings.

The following was **AGREED** to be added to the Scrutiny Work Programme:

- A review of the Local Government Reorganisation (LGR) process moving forwards once more detail was known in the spring of next year.
- A review of the 'Lets Talk Mid Devon' platform and customer engagement.

- A review of the 'Compliments and Complaints' position in 6 – 8 months time.
- Housing Voids – more detail was requested in order to understand the complex nature of this area. A request was made for information or a breakdown by ward if this was at all possible. It was felt that it would be better to have this issue come to the Scrutiny Committee rather than refer it to the Homes Policy Development Group.

(The meeting ended at 6.00 pm)

CHAIR