

Public Document Pack

Mid Devon District Council

Scrutiny Committee

Monday, 18 April 2016 at 2.00 pm
Exe Room, Phoenix House

Next ordinary meeting
Monday, 23 May 2016 at 2.00 pm

Those attending are advised that this meeting will be recorded

Membership

Cllr F J Rosamond
Cllr Mrs H Bainbridge
Cllr Mrs C P Daw
Cllr Mrs S Griggs
Cllr T G Hughes
Cllr Mrs J Roach
Cllr T W Snow
Cllr N A Way
Cllr Mrs G Doe
Cllr R M Deed
Cllr Mrs A R Berry
Cllr R Evans

A G E N D A

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 **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.
- 3 **MEMBER FORUM**
An opportunity for non-Cabinet Members to raise issues.
- 4 **MINUTES OF THE PREVIOUS MEETING** (*Pages 5 - 10*)
To approve as a correct record the Minutes of the last meeting of this

Committee (attached).

The Committee is reminded that only those members of the Committee present at the previous meeting should vote and, in doing so, should be influenced only by seeking to ensure that the minutes are an accurate record.

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 **CABINET MEMBER FOR THE WORKING ENVIRONMENT AND SUPPORT SERVICES** (*Pages 11 - 18*)

The Cabinet Member for the Working Environment and Support Services will update the Committee regarding areas covered by this remit.

8 **RIPA UPDATE** (*Pages 19 - 20*)

To receive a six-monthly update from the Legal Services Manager regarding RIPA.

9 **COMMUNICATIONS WORKING GROUP SIX-MONTHLY REVIEW** (*Pages 21 - 24*)

The Head of Customer Services will update the Committee regarding the Communications Working Group report and progress to date.

10 **COUNCIL WEBSITE** (*Pages 25 - 26*)

At the request of the Committee to receive a report from the Head of Customer Services regarding the Councils website.

11 **CHAIRMAN'S ANNUAL REPORT** (*Pages 27 - 30*)

To receive the Chairman's draft annual report on the work of the Group since May 2015, which will be submitted to Council on 27 April 2016.

12 **IDENTIFICATION OF ITEMS FOR THE NEXT MEETING**

Members are asked to note that the following items are already identified in the work programme for the next meeting:

Note: - this item is limited to 10 minutes. There should be no discussion on items raised.

Tiverton Pannier Market
Digitalisation for Members
Review of Planning Committee Procedures

Stephen Walford
Chief Executive
Friday, 8 April 2016

Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chairman. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairman or the Member Services Officer in attendance so that all those present may be made aware that is happening.

Members of the public may also use other forms of social media to report on proceedings at this meeting.

Members of the public are welcome to attend the meeting and listen to discussion. Lift access the first floor of the building is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available. There is time set aside at the beginning of the meeting to allow the public to ask questions.

An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, or

If you would like a copy of the Agenda in another format (for example in large print) please contact Julia Stuckey on:

Tel: 01884 234209

E-Mail: jstuckey@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 21 March 2016 at 2.00 pm

Present

Councillors

F J Rosamond (Chairman)
Mrs H Bainbridge, Mrs C P Daw, R M Deed,
Mrs G Doe, R Evans, Mrs S Griggs,
T G Hughes, J L Smith, T W Snow and
N A Way

Apologies

Councillor(s)

Mrs A R Berry and Mrs J Roach

Also Present

Councillor(s)

Mrs B M Hull and R F Radford

Also Present

Officer(s):

Stephen Walford (Chief Executive), Nick Sanderson (Head of Housing and Property Services), Stuart Noyce (Waste and Transport Manager), Catherine Yandle (Internal Audit Team Leader) and Julia Stuckey (Member Services Officer)

142 **APOLOGIES AND SUBSTITUTE MEMBERS**

Apologies were received from Cllr Mrs R Berry and from Cllr Mrs J Roach who was substituted by Cllr J L Smith.

143 **PUBLIC QUESTION TIME**

There were no questions from the members of the public present.

144 **MEMBER FORUM**

There were no issues raised under this item.

145 **MINUTES OF THE PREVIOUS MEETING**

Subject to the changing of the word 'constitution' to 'constituency' on page 9 paragraph 6 the minutes of the last meeting were approved as a correct record and **SIGNED** by the Chairman.

146 **DECISIONS OF THE CABINET**

The Committee **NOTED** that none of the decisions made by the Cabinet at its last meeting had been called in.

147 CHAIRMAN'S ANNOUNCEMENTS

The Chairman informed the Group that as Cllr Mrs J B Binks had left the Committee there was a vacancy on the Partnership Working Group. It was **AGREED** that Cllr R Evans would join the Group.

The Chairman also informed the Committee of the contents of a letter that he had received from Mel Stride MP, in which he thanked the Committee for making him welcome at the previous meeting and offered to attend again, provide information requested or raise any issues if required.

148 Q & A WITH THE CHIEF EXECUTIVE

The Chairman welcomed the Chief Executive (CE) to the meeting.

The Chief Executive explained that he had been in post for five weeks and in that time he had been establishing 'the lie of the land' from both a technical perspective and from how functions were discharged, looked at competency and performance and had discussions with Heads of Service. From an organisational point of view he had looked to see if the right things were being done and was forming judgements regarding where the organisation was. He explained that in due course he would reflect on this to make recommendations for different directions of travel.

The CE informed the Committee that since he had started in post he had been lobbied by officers, Members and local organisations and that he was taking this information on board. He had not yet finalised those judgements but was already working on a report for this Committee regarding planning enforcement and considered that the authority would benefit from improving communications. In the last few weeks he had met with people from the private and public sectors and what had become apparent during these discussions was that fact that whilst each organisation had its own organisational priorities everyone was clear that they loved the area and wanted to take it forward to preserve and enhance it. The message seemed to be that Mid Devon was a great place to live and work and that this should be built on and not sacrificed along the way.

Discussion took place regarding:

- Management Team and a recent redundancy:- the CE confirmed that on a temporary basis the IT service would sit under another Head of Service but that he was looking at the overall structure of Management Team for the future;
- Implications of the budget: - The CE explained that revisions to the Local Government Settlement had meant that the authority was not as badly off as expected, but that savings would still need to be made. He reminded the Committee that local authorities had until October to decide whether or not to accept the four year financial settlement. He anticipated changes to the New Homes Bonus and Business Rates, both of which were under consultation at the current time. Indications were that local authorities would get to keep Business Rates, but he said that the 'devil would be in the detail' and it seemed unlikely that this authority would get to keep the whole amount.

Regarding the New Homes Bonus he anticipated that it would reduce, but he would update Members as soon as anything was known.

- Removal of Business Rates for small businesses: - the CE explained that if Business Rate income was devolved and then reduced there would be less to be distributed and that the government needed to ensure that there was an effective mechanism in place to share this. The Local Government Association (LGA) had been tasked to find a formula to suit all. Areas of concern for this authority were historical rate re-evaluations and back dated appeals, which had to be funded by MDDC. The CE stated that there had to be gains from local growth in order for it to be worth local authorities promoting it.
- Staffing:- The CE agreed that staffing levels in some services were at a level whereby officers were working as fast as they could to do the 'day job' but there was no room for establishing better ways of working or to put procedures in place to free up staff for other duties. Areas such as planning performance agreements could prove beneficial in the long run but staff needed the time to implement them. Capacity could also affect the work of other services, such as backlogs in legal work.
- Improving the local economy: - the CE explained that in the past councils had not taken the business community into consideration enough and that devolved business rates would make this an important area.

The Chairman thanked the Chief Executive for his time.

149 **PERFORMANCE AND RISK (00:38:00)**

The Committee had before it and **NOTED** a report * from the Head of Communities and Governance providing Members with an update on performance against the Corporate Plan and local service targets for 2015-16 as well as providing an update on the key business risks.

The Audit Team Leader outlined the contents of the report. Information regarding complaints could not be verified and required further investigation. It was **AGREED** that this information would be presented to the May meeting of this Committee.

Discussion took place regarding:

- IT systems being implemented and the perceived lack of follow up support for users;
- Levels of sickness and reporting methods;
- The number of empty homes in the district and the reasons why they could be empty;
- Improvements from last year to performance regarding food premises inspections but further improvements were still needed;
- The Leisure Service not meeting income performance targets;

- Work that was being undertaken with the Town Centre Manager to look at empty premises above shops and whether they could be brought into use for housing;
- The need for a named Head of Service to be identified as responsible for each risk.

Note: - Report previously circulated and attached to Minutes.

150 **POLICY FOR THE REMOVAL OF GYPSIES AND TRAVELLERS FROM LAND (01:06:37)**

At the request of the Committee, the Head of Housing and Property Services, presented a briefing paper * regarding the removal of gypsies and travellers from land.

The officer explained that the purpose of the briefing paper was to inform Members of the processes and responsibilities for the eviction of Gypsies and Travellers from private land where permission from the owners had not been given.

He explained that the Council recognised and accepted the rights of travellers/gypsies and also those people on whose land unauthorised camping took place. Gypsies and travellers were protected from discrimination by the Equality Act 2010 and the Human Rights Act 1998, together with all ethnic groups who had a particular culture, language or values.

The officer went on to say that there was no policy or protocol in place regarding this matter and that the officer that used to handle Gypsy and Traveller liaison had not been replaced when he left the authority. The officer considered that some coordination could help to ease the situation, for example the waste service should collect domestic waste from the site which may help reduce the cost of cleaning the site afterwards.

Discussion took place regarding:

- The benefits of having an identified officer responsible for coordination;
- Devon County Council's involvement with those living on the sites, when children are involved, for educational purposes;
- The need for dialogue with the Police;
- The importance of communication with partners;
- Pitches being provided on the Tiverton and Cullompton urban extension sites.

It was **RECOMMENDED** that the Managing the Environment Policy Development Group consider a policy and procedures document on unauthorised encampments and facilities available within the District for Gypsies and travellers.

(Proposed by the Chairman)

Note: - * Briefing paper previously circulated and attached to Minutes.

151 **WASTE UPDATE (01:24:00)**

At the request of the Committee the Waste and Transport Manager presented a report * from the Head of Finance detailing the roll out of phase 2 of the new recycling scheme and its performance during the first months of operation.

The Officer outlined the contents of the report, which provided details of the roll out of containers for recycling and the delivery of food waste caddies. Performance data was included in the report which showed positive results. The officer also explained that targets had been met for the sale of garden waste permits and that the target for next year was likely to be met, now that the gardening season was starting.

Discussion took place regarding:

- Cardboard, which would be accepted if it was beside the bin;
- Waste from dustbins had to be contained in sacks;
- Total waste arisings had reduced due to the separate collection of garden waste;
- Garden waste and kitchen waste were being collected on the same vehicle at the current time but this would change when DCC implemented new contracts in 2017;
- Textiles put out for collection needed to be kept dry;
- Dog waste could be put in normal litter bins and the 'just bin it' campaign encouraged this;
- Plans to revise the scheme for the emptying of dog waste and litter bins would be revised in the autumn.

The Chairman thanked the officer for his report and congratulated the team on a successful implementation that delivered on time and within budget.

Note: - * Report previously circulated and attached to Minutes.

152 **IDENTIFICATION OF ITEMS FOR THE NEXT MEETING**

Cabinet Member for the Working Environment
Council Website
RIPA update
Communications Working Group update
Planning Enforcement update

(The meeting ended at 4.00 pm)

CHAIRMAN

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SCRUTINY COMMITTEE BRIEFING PAPER FROM THE CABINET MEMBER FOR THE WORKING ENVIRONMENT AND SUPPORT SERVICES

Electoral Services

- Planning for 5 May Police and Crime Commissioner Election
- Planning for 23 June EU Referendum
- Met 100% of Electoral Commission Performance Standards for Electoral Registration and Elections in 2015-16
- 98% response to annual electoral registration canvass of properties

Member Services

Ongoing support to Members

- Member Services continues to support Members with any issue that is within their remit, even if it only to signpost the member to the appropriate officer. Members have also been supported in the use of their iPads.

Ongoing Committee work

- Ongoing work in terms of Committee meetings.
- Provision of support and assistance to the Independent Remuneration Panel (IRP) on their fundamental review of Members Allowances.
- Working Groups including efficiencies, partnership working and edible food waste.

Member Development

- Member Services continue to support the development of Members; Personal Development Plan interviews are taking place, if any particular themes arise from the interviews, training sessions will be put in place. The team reports to the Member Development Group which consists of 5 Members and includes the Group Leaders.
- Members briefings are also organised when appropriate.

Civic support

- Ongoing support to the Chairman of the Council, organising his diary and his attendance at civic events in Mid Devon and other districts.

Legal Services

Activities in the Legal team at present include;

- Assisting Property Services in Premier Inn development, consolidating all legal interests in Town Hall site, agreeing leases for retail premises and industrial units and purchase of land on Eastern Urban extension for affordable housing;
- Providing Planning Service with representation at Public Inquiries, successful prosecution of slaughter man running an illegal abattoir

- Representing the Council in numerous Housing cases involving antisocial behaviour, hoarding and drug dealing.

Public Health Update – Key actions/events

- Early November 2015 – appointment of Public Health Officer
- Arranged health checks with Waste and Recycling workforce. To be completed on site in early March by staff from Devon Doctors Service.
- Provided feedback on the Corporate Plan and liaised with Devon County Public Health who also provided comment.
- Met with ECO Stars project provider and provided further leads for recruitment to the scheme. Review of scheme due end of March – currently liaising with Devon County PH and their counterparts in Devon County with the view to expanding the scheme Devon-wide.
- Attended South West Fuel Poverty Forum in February – liaising with National Energy Action to provide a stand in the Phoenix House Library to promote the Central heating fund and Cosy Devon Scheme in early March.
- Community and Voluntary Services Fund – currently small amounts of funding have been provided to 6 organisations. The criteria are based around public health outcomes with all applicants to date supporting emotional health and resilience. A further two applications are in the pipeline. Also a program to roll out a mental health toolkit is being considered.
- MDDC public health plan – a presentation to the Community Well Being PDG was provided to introduce some of the key issues that could form part of the plan. A consultation process will be held throughout Feb/March to finalise the plan.
- Ongoing engagement with Leisure Centres around data analysis and marketing. Will be looking at how we target groups of highest deprivation.

Customer services

Statistics for 1 April 15 to 31 December 15

Visitors to our offices = 38,404

Number seen in 15 minutes = 95%

Phone call answered- call centre = 93,053

% answered = 90%

Number of emails to customer first = 23,439

Emails responded to in 5 working days = 98%

Payments to our offices = 39,632

Electronic payments = 11,658

Payments over the phone = 23,117

This equates to Customer Services staff dealing with 217,645 transactions in a nine month period. In addition to this, the team deal with post, Freedom of Information (FOI) requests, media requests, complaints, on line applications and social media, so never a dull moment and ever increasing communication channels.

Crediton

Customer Service staff ceased to operate in market Chambers from 1 April 16. Information was provided to customers on how to make payments and all other enquiries in the run up to the office closing.

A fortnightly surgery will be provided to ensure there is still a face to face presence for those unable to contact us using other channels.

Tiverton

Due to recent reductions in staff in Communications and the closure of our office in Crediton more work will be handled in Tiverton over the phone, on line and in person.

We have just had the busiest period for the front line teams as housing, housing benefits and council tax issue their annual bills/statements to customers during March.

The teams in Tiverton and Crediton have coped very well with the introduction of the new garden waste scheme covering enquiries and administration of the permits. Over 6,000 were sold and issued to customers and the teams responded to enquiries as customers got used to the scheme. Work is still continuing with waste and ICT to ensure customers can renew their permits after 12 months. Further to this a flyer went out with the Council Tax bills reminding households of the garden waste scheme and this has generated a number of new permit sales.

The call centre deal with enquiries for elections, covering registration and the many varied enquiries that arise when there is an election.

Admin team

Have had a busy year administering the garden waste scheme, as staff are trained to help across all the customer service teams they also assisted with calls and reception, and have helped with Building Control scanning.

Communications

The Communications & Reputation Managers post has been made redundant, the duties are now shared with customer services and the Chief Executives Executive Assistant. There will also be a full time communications officer dealing with media and the web site.

Work on development of the website has continued, recently parish councils have received training on how to use the new website.

Looking forward we need to develop and improve our use of social media. The customer service team log all contacts from the media and send responses once the story has been approved by the relevant head of service.

Freedom of Information (FOI)

The administration of FOI moved to Customer services in 2015, this ensures all FOI requests are logged and monitored to ensure they are responded to on time. Further work is needed to publish data sets.

Revenues

Collections rates on target to meet this years PI's

1 April 15 to 31 December 15

Council tax collections = 83.4%

NDR collection = 80.59%

The Revenues team have a development programme and are working on implementation of e-billing, use of SMS (text messaging) and improving on line transactions to allow customers to contact us at times to suit them for things like change of address, direct debit requests and discount applications.

Complaints

In 2015 we introduced a new recording and monitoring system, work is continuing on developing reports.

Number of complaints 1 April 15 to 31 December 15

Complaints 200

Compliments 170

Comments 92

Human Resources (HR)/Payroll

HR is under increasing pressure due to the high number of reorganisations and restructures which have taken place due to financial constraints and managers being required to make savings. Consultations need to be conducted with all affected staff over a thirty day period and information needs to be shared, views collated and HR then works with the manager to respond to these comments. Once the reorganisations/restructures are finished there is a great deal of work to be done with issuing new contracts, sorting out possible redeployments and amending organisational charts, management responsibilities and associated areas such as Etarmis (flexi system). HR has had to provide particular support to the Planning area this year due to a high number of maternity leave requests and the subsequent backfilling of roles in an increasingly competitive market.

In Payroll there has been a change of personnel with the resignation of the Payroll Manager. The role was filled via an agency as there was some discussion given to partnership working with North Devon but this has not materialised and the role of Payroll Manager has now just been filled permanently. Work now needs to progress with the training of the new Payroll Manager as a system administrator as well as Payroll Manager for the HR/Payroll IT system.

For the next twelve months concentration will need to be on the job evaluation – is it fit for purpose. What can replace it?

The appraisal system is currently being reviewed.

There will also be a requirement to produce statistics on gender breakdown in respect of pay commencing 2017.

Next year is likely to be hard with a 1% pay rise on the table which will be wiped out by increased national insurance contributions. This will have a knock on effect in respect of recruitment which is already problematic in some areas of the Council.

Links with the Trade Union

The Head of HR and Development along with the previous Chief Executive held a monthly meeting with the recognised trade union Unison. The new Chief Executive has indicated that he would wish to continue these meetings.

The meetings are informal but they do allow a free exchange of views and thus enable a greater understanding on the part of the union as to why actions are taken but also from the senior management view a greater understanding of concerns of staff. The meetings have helped in the past to deal with matters before they become larger issues.

Learning and Development (L&D)

There have been some significant changes to the L&D team in the last few months with the Training Manager and Training Officer both leaving the Council. However, a new Learning and Development Manager has now started in post.

There was a further reduction in the training budget in 2015/16 to £90,000 General Fund. Training plans that had been produced clearly showed that this wasn't sufficient to meet the Continuing Professional Development (CPD) and Health and Safety training requirements for the coming year so decisions were made early in the financial year to fund some training from alternative budgets.

In order to 'save' some money both training officers delivered some training in-house. They delivered 2 x Personal Safety @ Work workshops and WRAP training (externally), 3 Myers-Briggs Type Indicators (MBTI) workshops, 3 Team Development Days and WRAP (Workshop to Raise Awareness of Prevent – Prevent is the Prevention of terrorism) training. This saved us in the region of £7000 and earned us £500 (Delivering WRAP externally to 2 schools). The introduction of a Health & Safety Manager also allowed us to save in the region of £4000 in delivering Fire Warden and Manual Handling Training.

We continue to make use of free, quality training resources where we can and offered Mental Health Awareness Training and Team Leader Training via The Skills Network.

The coaching programme has continued to be a great success with over 75 colleagues who have benefited from the service. Currently we have 10 qualified

coaches who now manage themselves (supported by Head of HR and Development) following the departure of the Training Manager.

The overall focus of the year was Wellbeing of staff. An area considered crucial with the increasing workloads and reduction in staffing levels. Well-being and stress management are within an employer's overall 'duty of care' to its staff and are a major factor in performance and productivity. With that in mind we provided training for all Managers and staff on Stress Management and Mindfulness. We also ran a themed week during November (Stress Awareness Week) where we offered various stress relieving treatments including Head Massage, Reiki, Laughter Yoga and Reflexology. The week was so well received we have been asked if it would be possible for someone to come to Phoenix House on a regular basis to provide short treatments to staff (funded by themselves).

We had 8 colleagues graduate from the Chartered Management Institute (CMI) Level 5 Diploma programme this year. We have continued to run a level 3 programme this year which has been well supported. However, on review we don't feel that the CMI is necessarily flexible enough to deliver what we need from a Management Training Programme. With this in mind we have asked Crisp Professional Development to pull together a bespoke programme which we intend to roll out to all members of Management in 2016-17. They are delivering a pilot programme to the new Leisure MT starting in April.

Health & Safety

The service covers all Health & Safety all aspects of MDDC's services and activities. It ensures that the council complies with all current and emerging health, safety and welfare legislation by monitoring each services adherence to the legislation and approved codes of practise. The service also gives support to other services by carrying out reviews aimed at developing action plans to improve the health & safety within the workplace and share best practice wherever possible. It also supports the development of each service team by delivering specific health & safety training.

The service has to ensure MDDC's obligations under the Health & Safety at Works Act 1974 are implemented and monitored. It achieves this by making sure the general statutory requirements such as adherence to the Regulatory Reform (Fire Safety) Order 2005 and the more specialised Approved Codes of Practice for each service area are being met

The service has to ensure that MDDC is complying with all of its, legal requirements under the relevant legislation. It also has to support each service in minimising the impact of Civil Litigation by ensuring the initial risk assessments are of a high quality and accidents and incidents are investigated with the objective of creating a strong defence against litigation and also learning from them to reduce the potential for future claims.

Focus areas for 2015-16 were;

All Sites and Services

A review of current performance across the council has been carried out in the following areas and services; resulting in the development of either new or improved

action and training plans to ensure that MDDC is complying with the following regulations and service specific approved codes of practise

Regulations

- Fire Evacuation Plans (Regulatory Reform (Fire Safety) Order 2005)
- First Aid Provisions (Health and Safety (First Aid) Regulations 1981) amended 2013
- Emergency Response Procedures (Management of Health & Safety Regulations 1999 section 8)
- Risk Assessments (Management of Health & Safety Regulations 1999 section 3)

The key areas for improvement were identified as being compliance to Fire Safety, First Aid provision in Phoenix House and Lone Working for employees working out of hours

High Risk Services

Due to the nature of the work the following areas were prioritised for Health and Safety Inspections. These have resulted in the Health & Safety Officer supporting the services in creating action plans aimed at resolving the issues highlighted.

- Street Scene
- Green Spaces
- Building Maintenance
- Leisure

Training

A reduction on the cost of training has been achieved by developing in-house training for the following,

- Fire warden
- Manual Handling
- Risk assessment
- Level 2 Awards in Health & Safety in the Workplace

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**SCRUTINY COMMITTEE
REGULATION OF INVESTIGATORY POWERS ACT (RIPA) UPDATE**

In the 2015/16 financial year there have been zero RIPA cases.

On 30 November 2015, Scrutiny asked for a RIPA progress report (based on the recommendations in the Office of Surveillance Commissioners report) to come back to Scrutiny Committee with the six monthly update.

The recommendations and actions are as follows;

Recommendation	Action/Comment
Amend central record of authorisations	Completed
Ensure future training addresses weaknesses set out in report	In progress. Extensive training has been carried out, most recently in May 2015. Covert Human Intelligence Sources (CHIS) training is being organised to be provided to a small number of officers in July . The training need should however reflect that the Council rarely undertakes RIPA activities in recent years and having not authorised a RIPA in over 2 years.
Appoint a Senior Responsible Officer (SRO) and RIPA Co-ordinating Officer (RCO)	Completed. Amy Tregellas is SRO and Simon Johnson is RCO.
Raise RIPA awareness within the Council.	Completed - Awareness training has been undertaken by staff in relevant departments. Ongoing - general awareness articles to be included in the Link.
Amend the RIPA policy	Completed. Approved by Community Well Being (CWB) PDG and Cabinet in October 2015.
Ensure elected members have regular reports	Completed. Policy is scheduled to be reviewed annually and number of cases where RIPA is used is reported every 6 months (as above).

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Scrutiny briefing paper- Communications working group update March 2016

The last update on the recommendations from the communications working group was provided to Scrutiny in October 2015. Responses were provided to the items raised on:

- Access to information
- Internal communication
- External communication

The only issues taken forward are noted in the minute below.

Minute from the last update

Communications Working Group

Members indicated that they were still not receiving responses to some emails. The Head of Customer Services reminded them that the Chief Executive had asked that such instances be reported directly to him so that he could investigate.

Members also raised the issue that they were not always informed when an email that they had been sent had been acted upon. The Head of Customer Services would report this to Management Team.

[The Executive Assistant to the Chief Executive is not aware of any incidents provided to the Chief Executive in the past 6 months.](#)

With recent changes to staffing in Communications, and Stephen Walford joining the Council as the new Chief Executive, I would suggest that no further updates are provided in relation to this working group. The findings to date can be fed into any further discussions and help to inform any future changes.

Please continue to report any issues with internal communications to the relevant Head of Service or the Chief Executive.

In addition, regular monthly updates are now circulated to all Members detailing key issues being dealt with by the Council. These will continue to be circulated following each informal Cabinet/Management Team meeting for Members' information.

Liz Reeves

Head of Customer Services

Previous update provided.

Update October 2015.

1. Access to information

Clarification is urgently needed in relation to the information that Councillors can have access to. When this has been obtained then there is a need to ensure that everyone within the organisation is familiar with the Councillors right to know.

Members can have whatever they need for their job, but must have signed all relevant policies i.e data protection, information security etc.

2. Communication, internal

a) All Members should receive notification of planned council house estate visits at the beginning of the calendar year. The Housing department to check with the Member Services meetings diary before doing this.

Done.

b) Training to be provided to all Members who would like it on the effective use of Outlook to aid meeting management and email correspondence.

Training is offered to all Members at induction – outlook calendars on the ipad

c) Members to receive a response to an email query within 5 working days, if this is not achievable then an acknowledgement to be sent indicating how long it will take to provide a response.

The Chief Executive explained that receiving a response to an email from an Officer within 5 days was an aspiration but could not be guaranteed due to Officer work load. He informed the Committee that they should report specific incidents to him if they had a continued problem;

Only one issues reported to Kevin in this period.

d) Investigations to be made into the possibility of acquiring the 'Doodle' system to help in setting up Member meetings.

In place and used when necessary but only works if everyone responds (system for arranging bookings – allows Members to select meeting dates against their availability.

e) Management team to provide an update on a six monthly basis as to who is responsible for what in each service area.

This was done in WIS

f) Group Leaders to be reminded that they need to feed back to their Group Members.

Done

g) Consideration to be given to replacing Group Leaders meetings with more regular meetings with the Chief Executive to include all Members.

The Chief Executive now holds two annual Q & A sessions with Members and had agreed to meet Groups on further occasions if required;
This has been happening with the next briefing scheduled for 24 September

h) Cabinet Members must ensure that Ward Members are informed of significant events/meetings in their wards.

Reminded

3. Communication, external

a) More publicity is needed when meetings are held in other areas (e.g. the Cabinet meetings in Crediton and Cullompton).

Acknowledged we do need to do more publicity

b) Members attending Outside Body meetings must provide feedback to the wider membership (e.g. the minutes of the meeting will suffice if necessary) even if those Outside Bodies are not meeting.

Members have been reminded

c) Outside Body attendance figures to be reported before the allocation of seats at each Annual Meeting in May.

This can only be done if we are given the information

d) Constitution Working Group to consider amending the Constitution to state that Public Questions should be answered during Public Question Time so that if the public want to ask a supplementary question they can.

Up to the chairman of the meeting

e) Members themselves should give consideration to the Council's reputation through their own behaviour and actions, particularly at meetings where the public are present e.g. Planning Committee.

f) The Council must ensure that all public notices display up to date and accurate information.

Not practical, best effort will be made, however if Members are aware of an issue we will deal with it

4. General Issues

a) There should be something on the front of an agenda to say when confidential information is attached.

This should be resolved now because of modern.gov, the agenda pack will say that it is private on the top, instead of public, and all of the pages will state that they are restricted in a clear watermark. The app only allows access to the private papers to those with a log-in.

b) Confidential reports should be marked more clearly (consider water marking each page).

This should be resolved now because of modern.gov. see above.

c) The Constitution Working Group be asked to look at the problems associated with verbal reports and consider whether (except in extreme circumstances) all reports to committees and working groups should be in writing and issued with the agenda, in order to give Members time to consider the reports prior to any discussion.

There will be a need for verbal updates when appropriate, discussions are recorded in the minutes and no decisions are taken on these.

d) There should be a policy whereby incorrect statements in the press are always corrected.

This is not always possible or the best solution in all cases.

e) Queries from the press should be responded to in a timely fashion.

Contacts from the press are sent to the relevant service area as soon as they are received, responses are co-ordinated by Communications or Customer Services and responded to within deadlines whenever possible.

f) Good news stories should be more proactively promoted.

Discussed every week at Management team as a permanent item on the agenda.

g) Consideration should be given to setting up a review of the how the Council interacts with the press.

Patrick Phelvin to attend September SOF to explain his role and take questions.

The Chief Executive and the Leader had met with the editor of the Gazette. The Chief Executive considered that the Council had a good relationship with the local paper.

Scrutiny Briefing paper on MDDC Website

April 2016

Background

The MDDC website was a hosted website provided by a company called Goss. The content of the website has always been the responsibility of MDDC staff and each service had a nominated officer to update their pages. The technical requirements were completed by an officer in ICT.

In 2014 it was agreed that we would move away from a hosted website and develop our own “open Source” website using Umbraco as the platform for this. A project group was set up to design and develop the templates and completely revamp the content and look of the website. When the website project ended a new web group was set up to manage the content and continued development of the site.

The number of web contributors was reduced from 30 plus (on the old Goss website) to 8-10 staff who update all the content for all services, this ensures the content style remains the same and reduces the need for continued refresher training for staff who rarely update the website. The new web group meet regularly to discuss development and new ideas. It is essential that the website is up to date and continues to develop as technology and customer expectations change.

New website

The new website went live over phased stages in 2014 and all content including parish websites are now on the Umbraco website.

The new website is mobile rendered, this means it will resize the content to fit into the screen of mobile devices, it has improved accessibility, reduced content and has been designed on “top tasks” approach to make it simpler to use.

On line forms are available to make applications, report issues and make payments.

Development work is still in progress to make the website more interactive by embedding more on line transactions, and where possible to make these transactions fully self- service removing the need for officer intervention.

There is a facility to rate the website on each page and this feedback is used to help improve the content of the website.

News features are provided at the top and bottom of the front page and updated regularly.

Quality assurance

We have added software called Siteimprove to enable better management and maintenance of the website. This tool is capable of reporting errors in all content including downloadable items such as broken links, misspellings and non-compliant words/terms. Siteimprove also ensures the website is compliant to WCAG 2.0 standards for accessibility.

Analytics

Currently, it is not possible to collect and report analytical data for the website until training has been received and time allocated to use an appropriate tool. Google Analytics has been selected for this purpose as it is free to use, however due to budget restraints, training will not be available until the new financial year.

Once training has been received and an analytics tool is in use and now that all the content has been moved from the Goss site to the new website, we will be able to get meaningful stats to understand how well the website is being used, most popular pages, on line forms and use this data to make continued improvements.

Parish websites

Templates were developed by ICT for the Parish and Town Council's to use to set up their own website. In January training was provided for parish clerks who wanted to take up the offer of the free templates, the training was run over 3 days and 21 parishes attended. The continued maintenance of the content and management of the parish website will be their own responsibility.

Feedback from the training:

Thank you all very much for the website training session which I attended earlier in January. Your time and help was much appreciated as has been Richard's continued support.

We have been on the case and transferred some information and are redrafting some to bring it all a bit more up to date and in keeping with the new website template and style. We're hoping to get it done asap but have to fit it in around other commitments of course. Am looking forward to getting Stoodleigh live – it will be more user friendly (for uploading and users), simpler, easier to read and up to date!

Register of interest details are now available on our website for all Members that have returned the form. Going forward we are developing an on line register of interest which should make this simpler and quicker. If there are any parishes who would like to pilot these new on line forms, please get in touch.

Looking forward

- Increasing the user interaction and enriching the content by embedding mapping, videos and photo galleries
- Increasing the number of online forms to encourage channel shift – reducing the number of calls being directed to the call centre by enabling customers to self-serve
- Continue to review the size of the website keeping it concise where possible, making use of the newly anticipated features of the next version of Umbraco
- Will continue with 'top-task' approach but driven by the analytical data we receive

Scrutiny Annual Report

18 April 2016

In reviewing the last year how would we recognise successful scrutiny?

- Has it influenced outcomes through policy development review, performance review and by internal and external challenge?
- Has it influenced process through informed debate, Member involvement and public involvement?
- Has it implemented the four principles of good scrutiny: - providing a critical friend challenge to the Cabinet as well as external agencies and holding the Executive to account?
- Reflected the voice and concerns of the public?
- Taken the lead on behalf of the public?

This represents a challenging agenda for a committee which meets but monthly and whilst well supported by our Member Services colleague, Julia Stuckey, and the professional contribution of officers, is unable to call upon the resources of a dedicated Scrutiny Officer. Regrettably a proposal to deploy an intern from Exeter University failed to attract any interest. Much therefore depends on the enthusiasm and integrity of Scrutiny Committee Members and its effectiveness on their capacity to act in a non-party political way. It is therefore encouraging to report that the Committee made determined strides to achieve the above agenda and had a full and busy year.

A noticeable feature is the respect which Members of the Cabinet demonstrate when they are held to account on their portfolio and the vigour with which they are challenged by Members – similarly replicated when officers are challenged. However it is important that such dialogue is conducted with mutual respect and understanding of different roles.

Apart from these regular interrogation of members of the Cabinet on the effective performance of their portfolios, the Committee has directed attention to the following:

- Staff survey outcomes to assess the morale and well being of staff, coupled with staff sickness
- Conservation and Listed Building issues, particularly in respect of Cullompton
- Progress towards Digital Transformation to generate efficiencies in working methods and a concern that there should be a concomitant recognition of the needs of those members of the public unfamiliar with digital methods. There was also regard for its impact on Town and Parish Councils and the technical and financial support available to them.

- An update on Economic Development , a key objective of the Council – an opportunity to commend the raised profile of MDDC in encouraging business development of Tiverton Town Centre and the District as a whole and raising the profile across the South West
- A timely presentation on Safeguarding of Children and vulnerable adults which indicated the active concerns of MDDC but identified an absence of effective coordination machinery countrywide.
- Planning issues were uppermost on Members minds representing public concern, particularly the impact on local communities of Anaerobic Digesters. A request is to be made to the Environment Agency for MDDC to lead into the environmental permit regime and that it should take a lead in the coordination of all the agencies involved including the Environmental Health Service, Devon County Council, Public Health England and the Driver Vehicle Standards Agency. The Scope of important planning conditions to be reviewed to develop best practice for future application. There was also a call for a report regarding the enforcement Services delays in enforcement and plans to rectify this.
- A call for the update of the Town and Parish Charter and circulation to all Members.
- Links with local business and the new role of Tiverton Town Centre Manager to identify and address business needs and plans for the future. Regular information on the Pannier Market to be provided.
- Reassurance was sought on the implementation of RIPA (Regulations of Investigatory Powers Act) with MDDC and ongoing reassurance of its use, however now deployed exceptionally and under magistrate direction.
- Concern for people in low paid employment or self-employed with no hope of buying their own home and the diminishing quantity of social housing was raised with the Minister responsible to little effect unfortunately. A second letter has been sent at the Committees request.

External Representations

The Committee invited and subsequently interrogated important representatives in the public sector who contribute to the community in Mid Devon.

- We welcomed both MP's – a first – in Neil Parish and Mel Stride who responded to members questions previously submitted and also to subsequent questions. A number of issues raised were taken back and answers sought e.g. Superfast Broadband.
- The Committee received an extensive report from the Police and Crime Commissioner, Tony Hogg, on the day prior to his appearance at the House of Commons to challenge the Police funding mechanism. With declining finance he explained the pressure facing the force including growing issues

such as mental health and domestic violence, child sexual exploitation, fraud and drugs. He also floated the concept of a referendum to address the funding issue as an alternative to the potential loss of 12-1300 jobs.

- The Committee were also able to question John Finn Managing Director of the Eastern Division of the Local Clinical Commissioning Group, a discussion once again dominated by resources or the absence thereof, but importantly he offered to bring subsequent sessions all the partners engaged in the wellbeing of the community – Public Health, NHS and Social Care – as a recognition that good involves a multi-agency approach.

Task and Finish Group

The investigatory work of Scrutiny is often addressed via a task and finish groups and 2 groups have been established to examine key aspects of MDDC's business planning, namely reviewing efficiencies and partnership working. I appreciate the extra time that Members donate to this activity, the report of the former to be published shortly.

Call-in

Call in is in one sense the 'nuclear button' which should only be used rarely and when the Executive is out of line with expected behaviour and needs to be hauled back from an ill-conceived action. It has been used twice this year – to challenge the Premier Inn proposed adaption to the multi-story car park which had not been flagged up as a key decision – a challenge not supported by the Committee. Secondly, concerns that car park charges in long stay car parks were contrary to the economic development priority of the Corporate Plan which the committee supported but fell at the Cabinet meeting. Although neither 'call in' succeeded within its own terms its potential use serves as a reminder that Scrutiny can both work with and equally hold the executive to account – part of the checks and balances of the Constitution.

In conclusion I hope the above demonstrates the efforts made by the Scrutiny Committee to adhere to the 4 principles and to achieve value to the community. Its agenda is determined by Members bringing forward issues of interest and concern from their contact with the public. I would like to thank Members of the Committee for their commitment, officers for their professionalism and especially Julia Stuckey who works tirelessly to keep the process on track.

Frank Rosamond
Chairman

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