

BRECKLAND COUNCIL

At a Meeting of the

OVERVIEW AND SCRUTINY COMMISSION

**Held on Thursday, 25 January 2018 at 2.00 pm in the
Anglia Room, The Conference Suite, Elizabeth House, Walpole Loke, Dereham**

PRESENT

Councillor E. Gould (Chairman)	Mr R.G. Kybird
Mr P. M. M. Dimoglou	Mrs S.M. Matthews
Mr R. F. W. Brame	Mr R. R. Richmond
Mr D. M. Crawford	Mrs L.S. Turner
Mr T. J. Jermy	Mr P. S. Wilkinson (Substitute Member)
Mr A.P. Joel	

Also Present

Mr H. E. J. Clarke	Mr P.J. Duigan
Mr J. Newton	Mrs T. Hewett
Mr S. H. Chapman-Allen	Mrs J. Hollis
Mr P.D. Claussen	Mr F.J. Sharpe
Mr M. S. Robinson	Mrs A. M. Webb
Mr P. R. W. Darby	

In Attendance

Rob Walker	- Executive Director Place
Jon Berry	- Head of Development Management
Alex Chrusciak	- Director of Planning and Building Control
Stephen James	- Communities Manager
Stephen Ottewell	- Director Capita Planning & Building Control
Greg Pearson	- Corporate Improvement and Performance Manager
Dylan Powles	- Customer Services Manager
Riana Rudland	- Breckland Place Manager
Sarah Simpson	- Environmental Awareness Co-ordinator
Mark Stinson	- Executive Manager Governance (Deputy Monitoring Officer)
Leanne Neave	- Democratic Services Officer
Julie Britton	- Democratic Services Officer

The order of the agenda was changed

1/18 MINUTES (AGENDA ITEM 1)

The minutes of the meeting held on 14 December 2017 were confirmed as a correct record and signed by the Chairman.

2/18 APOLOGIES AND SUBSTITUTES (AGENDA ITEM 2)

Apologies had been received from Councillors Oliver and Nairn. Councillor Wilkinson attended as a substitute member.

3/18 URGENT BUSINESS (AGENDA ITEM 3)

None.

4/18 DECLARATION OF INTERESTS (AGENDA ITEM 4)

None.

Action By

Action By

5/18 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)

Councillors Sharpe, Darby, Clarke, Duigan, Claussen, Hollis, Newton, Robinson, T Hewett, Webb, S Chapman-Allen.

6/18 CAPITA UPDATE (AGENDA ITEM 6)

Mark Dally, Regional Manager for Capita, was joined by Jon Berry, Head of Development Management, Steve Ottewell, National Director and Alex Chrusciak, Director of Planning & Building Control for Breckland.

A presentation was provided, and Members were reminded that a Service Improvement Plan highlighted a number of areas including responsiveness to Members, engagement with applicants, engagement with key stakeholders and the working relationship between officers.

Councillor Wilkinson was pleased to report that an issue previously raised in relation to Parish Councils not being informed of S106 monies had now improved and he passed on this thanks to all concerned. Councillor Turner felt that District Councillors should also be kept informed.

The Chairman raised a concern in relation to staff retention. The structure chart showed Capita Breckland was fully staffed and she asked how these officers could be retained. The Director of Planning & Building Control for Breckland advised that nationally the Capita pay scheme was very competitive but a need to increase career flexibility was required as had been highlighted in exit interviews. Staff had felt that there was little flexibility to their working patterns to allow cover for school hours; therefore, a request had been submitted for IT improvements to enable remote working.

The Chairman felt that the telephone call-back system should be included in the IT upgrade as she was concerned that two working days was too long for residents to wait. The Director of Planning & Building Control for Breckland advised that the call-back system had been introduced to respond to general advice calls. For specific planning applications the IT upgrade would allow Officers to take calls wherever they were. The amount of calls received and the time taken to call back would be monitored.

Councillor Jermy stated that at a previous meeting Capita had been challenged on its Key Performance Indicators (KPI's). New KPI's had now been highlighted and he asked if Capita was confident that these KPI's would allow the Commission the ability to scrutinise performance adequately in the future. The Executive Director for Place advised that Capita was in the process of creating a new Business Plan and KPI's would form part of that. The aim was to measure customer satisfaction based on quality of service rather than quantity.

The Chairman proposed that as part of the Quarterly Performance report the targets for Capita should be reported to the Commission as well as the performance against them. The Executive Director for Place

confirmed that this could be provided.

A discussion then took place in relation to the Agents Forum and training for Parish Councils. It was felt that more training was needed covering the basics of Planning due to the fact that Parish Councillors changed quite frequently.

Councillor T Hewett raised a number of questions including the generic email address for Members to use and the complaints procedure as it appeared the emphasis was on having a better complaints process as opposed to reducing the number of complaints received. It was confirmed that the Members' contact was the Head of Development Management, Mr Jon Berry, who could be called for advice; the generic email address had been set up so that in his absence Members were still able to make contact with the team. It was further confirmed that by its very nature, Planning attracted complaints as the service often had to make decisions where there were competing interests. The process however was to deal more effectively with legitimate administrative complaints with a view to reducing those received.

The Chairman mentioned a previous discussion regarding the number of applications received by Breckland Council officers for sign off on the determination date. The Head of Development Management highlighted the new target - applications would be handed to Officers 4 to 5 days prior to the determination date; this target was achievable for minor applications.

Another matter discussed was in relation to planning enforcement particularly in relation to protected trees. Members were advised that planning enforcement was a reactive service and there was a dedicated resource for the protection of trees.

Following further discussion, it was agreed that the Executive Member responsible for Planning should be asked to attend an Overview & Scrutiny Commission meeting in 6 months followed by the Capita Team 6 months after that.

7/18 QUARTER 3 2017-18 PERFORMANCE OVERVIEW REPORT
(AGENDA ITEM 7)

The Deputy Leader and Executive Member for Strategy, Governance and Transformation, Councillor Sam Chapman-Allen presented the report.

The report identified areas of success, including recycling/composting levels, missed collections; LA error rate; and Council Tax/business rates receipts. Areas requiring improvement included customer contact statistics, staff turnover and complaints upheld.

The Chairman queried if the average wait in seconds was for the Contact Centre or all phones including Capita. The Executive Member confirmed it was the Contact Centre; there was no facility to monitor calls taken by Capita.

The Executive Member for People and Information, Councillor Alison

Action By

<2>
Leanne
Neave,
Teresa
Smith
<3> Alex
Chrusciak

Action By

Webb expressed concern with figures being red for some time. However, measures were in place for continuous improvement. The aim was for the Quarter Four Performance report to show as amber and green.

The Chairman queried if the Contact Centre had an issue with staff retention. The Deputy Leader confirmed that there had been many individuals on fixed term contracts due to the Service Review. It had been agreed in November that the centres in some of the market towns would close and the staff would return to Elizabeth House.

Councillor Jermy was encouraged by Councillor Webb's comments. He pointed out that there needed to be a strong stance taken as the commission had seen over the last year continuous red for the Contact Centre with a variety of reasons given for call abandonment. The service that impacted residents the most was the quality of the Contact Centre.

Councillor Dimoglou echoed Councillor Jermy's comments stating the Contact Centre had had reduced success since 2015. He felt training days and sickness were not justifiable reasons for call waiting times and questioned what steps were being taken.

The Executive Member, Councillor Webb advised that staff from the satellite offices were being brought back to Elizabeth House to answer calls and help the team. She advised temporary agency staff could not be employed as they were not sufficiently trained.

The Deputy Leader extended an invitation to members to visit the contact centre to witness the work they do.

The number of options given when residents called the Council was discussed and Dylan Powles, Customer Services Manager, advised that these were in place to ensure the calls were directed to the appropriate officer. In a recent survey 90% of callers confirmed they had no issue with using the number options.

8/18 BRIEFING ON GENERAL DATA PROTECTION REGULATIONS (AGENDA ITEM 8)

The Executive Manager for Governance gave an update on the Council's preparation for the EU's General Data Protection Regulation (GDPR) that would apply from 25 May 2018. The new law would bring a 21st century approach to data protection. It expanded the rights of individuals to control how their personal information was collected and processed, and placed a range of new obligations on organisations to be more accountable for data protection.

Core obligations in relation to individuals' rights had been enhanced and extended in a number of important areas including the right to be forgotten, to have personal data erased; the right to correct inaccurate personal data and the right to object to processing.

GDPR compliance was not just a matter of ticking a few boxes; the Regulation demanded that compliance could be demonstrated which involved taking a risk-based approach to data protection, ensuring

Action By

appropriate policies and procedures were in place as well as building a workplace culture of data privacy and security.

Without the appropriate compliance framework in place organisations could face significant fines of up to 20 million euros or 4% of global turnover as well as reputational damage.

There was a great deal of work to be done prior to May 2018. An internal Officer Working Group had already been set up, and to assist Members, training had been arranged on 28 March 2018 due to the importance of this matter.

A Member asked if it was correct that any Town or Parish Member could become an official Data Protection Officer (DPO) or whether it should be the Clerk. The Executive Manager for Governance explained that this very question had been raised at national level and the response had been that there was nothing to prevent a Clerk from being the DPO; however, it was not recommended. He informed Members that there was an advisory organisation offering a Data Protection service for a small fee and that the Information Commissioner's Office had established a helpline for small organisations.

Councillor Turner advised that their Clerk was not going to become the DPO for Shipdham Parish and encouraged all Members to attend the training courses and to share the cost of an independent DPO.

Councillor Sharpe said that one of his smaller parishes was proposing to do nothing and was hoping to become exempt from the Act. He asked what the penalty would be if it failed to comply. The Executive Manager for Governance advised that all Parish and Town Councils were currently obliged to adhere to the Data Protection Act 1998 but after 25 May 2018 any organisation could potentially be fined if it was not GDPR compliant. It was difficult to advise at this stage as it depended on the circumstances and the organisation; however, Elizabeth Denham, the Information Commissioner, had recognised that the scale of the task, and did not intend to take a hard line on 25 May. It was however, very important for all organisations to make proper plans and to prepare now for GDPR implementation.

The Chairman felt that this was a massive task ahead for all concerned.

9/18 SERCO CONTRACT UPDATE (AGENDA ITEM 9)

Mr Mike Boulton, Managing Director and Mr David Pennicard, Operations Director from Serco provided Members with a detailed presentation. The Chairman then invited questions.

Councillor Turner mentioned and praised the Serco 360 pilot scheme but questioned why there was a real issue with litter across the District and asked if Serco were working with partners to change people's behaviour regarding litter.

The Serco 360 scheme promoted the 'culture' that everyone was responsible for and have a role to play in maintaining the quality of the local environment. Staff could report any properties where they had concerns of the wellbeing of the household as part of the commitment to

Action By

safeguarding. An extra set of eyes and ears across the waste/recycling services to log environmental issues (flytipping, potholes, graffiti, litter etc).

Mr Boulton advised that Serco viewed this issue as requiring two solutions, education and enforcement. As an organisation they had invested in an education bus that visited schools and focussed on target areas such as recycling. The Organisation believed enforcement was important and the issue of fines for littering and fly tipping worked.

Councillor Crawford requested a copy of the presentation to be sent to Members. He expressed concern that litter was not being picked up prior to the grass being cut.

Councillor Wilkinson agreed with Serco's comments regarding enforcement. He further agreed the 360 pilot was a good idea especially for reporting issues such as potholes that could be made directly to Norfolk County Council Highways. An issue he had recognised was grass verges being cut outside people's houses and not being cleared from the adjoining pathway.

Councillor Jermy queried how Serco ensured the satisfaction survey was a fair representation across the district. Mr Boulton advised it was conducted by an independent survey specialist. The brief was to get a statistically sound representation of the calls, once a particular level of male, female, age specific calls were reached they closed that group base down.

Councillor Brame commented that there was a big issue with road cleansing and grass verge cutting. Some areas had vehicles parked at all times so was never tended to. He queried if there was a mechanism in place whereby Serco could advise the Parish Council as to the date they intended to clean and the vehicle owners could be advised and the area kept vehicle free. Mr Boulton agreed that this was a valid point that he would discuss with Officers.

Councillor Dimoglou expressed his thanks to Serco for their good service relating to flytipping. He queried if the 360 service carried an additional charge to Breckland Council. Mr Boulton confirmed that the concept was utilising the drivers time using in-cab equipment whilst on their round so did not envisage a charge. In the future there could be an additional cost dependant on what they were being requested to do but the scheme was not set up with an extra charge. Members were informed of a smartphone app enabling residents to report environmental issues such as fly-tipping.

Councillor Jermy asked if Serco had a policy for employing apprentices. Mr Boulton confirmed that they did - any new bid for tenders included a commitment that 5% of employees were apprentices.

Councillor Newton asked for Serco's opinion on modern equipment for cleansing. Mr Boulton advised mechanical equipment was unreliable. Their view was in areas such as Breckland foot patrol was most effective.

Councillor Newton highlighted inconsistencies in cleansing certain

Action By

areas. Mr Boulton advised that the Towns were the priority and each area was zoned and suggested that if Councillors knew of certain problem areas to discuss these with Officers with a view of enhancing the service in those areas.

Councillor Darby raised an issue with fallen leaves not being cleared away and was advised to speak to Sarah Simpson with his concerns.

The Chairman thanked Serco for their presentation.

10/18 UNSIGHTLY SITES UPDATE (AGENDA ITEM 10)

The Executive Director of Place provided Members with the progress to date on this matter. He asked Members to contact Steve James, the Communities Manager, outside of this meeting if they had any further questions.

All owners had been contacted since the previous meeting. Some cases were very straightforward but some were involved in a legal process and were quite complex. In terms of delivery, 49 sites had been identified, and out of that 49, 12 had been scored as priority sites of which 7 had already seen positive results. Works had commenced on 14 of the non-priority sites and noticeable improvements had been made either by way of actual works or by written responses from the owners.

The Chairman reminded Members of a suggestion that had been made at a previous meeting about setting a Team up from the O&SC to discuss each site in question; obviously this had not come about and she was unsure how this should be progressed. The Executive Director of Place suggested that the Chairman and Councillor Jermy be invited in future when such matters were discussed. The Communities Manager would be asked to arrange a meeting and invites would be sent accordingly.

Councillor Jermy felt that it was important to keep Ward Members informed of any progress and any actions taken. The Executive Director of Place agreed that Ward Member engagement was important. Procedures would be put in place and where appropriate press releases would be issued.

Councillor Richmond asked if any Council Tax had to be paid on empty properties. Members were informed that it would depend on the circumstances and how long the property had been empty. However, this question would be taken back to Officers at the Anglia Revenues Partnership.

Members would be kept informed of all progress in future.

11/18 TASK AND FINISH GROUPS (AGENDA ITEM 11)

1. Flagship Housing Task & Finish Group

Councillor Turner be appointed as a member of this Group.

2. Public Works Loan Board Task & Finish Group

Action By

Councillor Kybird to replace Councillor Dimoglou as Chairman.

The necessary arrangements would be made with relevant Officers to prepare the Terms of Reference and set up the first meeting.

12/18 OUTSIDE BODY FEEDBACK (STANDING ITEM) (AGENDA ITEM 12)

Councillor Wilkinson provided Members with an update on the hospital discharge pilot scheme/transfer of care from hospital to home.

In December 2017 the Norfolk & Norwich University Hospital had taken on the funding of the pilot scheme from the five District Councils in order to maintain the momentum of the initiative until the end of the current financial year by which time it was hoped that more sustainable funding could be secured.

Councillor Wilkinson said that he would be speaking to the Portfolio Holder concerned to ask if Breckland Council could once again fund this scheme until further funding was made available.

He would like to see it continued as since the pilot started it had saved 385 bed days over 17 weeks leading to a saving of £77,000 and it was estimated that over the course of a year the scheme could lead to a saving of £330,690. The pilot had halved the average length of stay in older people's beds and the overall length of patient stay in hospital had been reduced by 42%.

On a slightly different matter, the volume of calls to the ambulance service had increased dramatically over the Christmas and New Year period with no complaints received.

Members raised concerns with the potential closure of a number of health schemes in Breckland.

Councillor Matthews mentioned a pilot scheme in Swaffham run by Norfolk County Council that was trying to bring together all parts of the local care and support market, from nursing homes to voluntary organisations. She also mentioned a number of residential homes that had NHS beds available that were not being used. Councillor Wilkinson was asked to look into this matter.

13/18 SCRUTINY CALL-INS (STANDING ITEM) (AGENDA ITEM 13)

None.

14/18 COUNCILLOR CALL FOR ACTION (STANDING ITEM) (AGENDA ITEM 14)

None.

15/18 WORK PROGRAMME (AGENDA ITEM 15)

The topics listed for the next meeting were discussed and the Key Decision Plan was noted.

Action By

16/18 NEXT MEETING (AGENDA ITEM 16)

The arrangements for the next meeting on Thursday, 8 March 2018 at 2pm in the Anglia Room were noted.

It was further noted that the pre-meeting would commence at 1.15pm.

The meeting closed at 5.25 pm

CHAIRMAN