

MINUTES OF A MEETING OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE HELD ON 18 JULY 2023 FROM 7.00 PM TO 10.30 PM

Committee Members Present

Councillors: Alistair Neal (Chair), Andrew Mickleburgh (Vice-Chair), Andy Croy, Norman Jorgensen, Pauline Jorgensen, Alison Swaddle, Chris Johnson, Catherine Glover, Caroline Smith and Ian Pittock

Other Councillors Present

Councillors: Stephen Conway, Paul Fishwick and Ian Shenton

Officers Present

Michael Bateman, Complaints Officer - Children's Services
Rebecca Brooks, Senior Transport Planner
Neil Carr, Democratic and Electoral Services Specialist
Graham Ebers, Deputy Chief Executive and Director of Resources & Assets
Giorgio Framalocco, Director of Place & Growth
Rhian Hayes, Assistant Director, Economic Development & Growth
Daneet Penny, Customer Relations Officer
Sally Watkins, Chief Operating Officer
Jackie Whitney, Strategic Lead - Customer, Change, Digital & IT

13. APOLOGIES

Apologies for absence were submitted from Adrian Mather and Stuart Munro.

Ian Pittock attended the meeting as a substitute.

14. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 12 June 2023 were confirmed as a correct record and signed by the Chair.

15. DECLARATION OF INTEREST

There were no declarations of interest.

16. PUBLIC QUESTION TIME

There were no public questions.

17. MEMBER QUESTION TIME

There were no Member questions.

18. LEADER OF THE COUNCIL

Councillor Stephen Conway, Leader of the Council, attended the meeting to give a presentation (set out at Agenda pages 13 to 20) on the challenges and opportunities facing the Council over the next year. Graham Ebers, Deputy Chief Executive and Director of Resources and Assets, also attended the meeting to answer Member questions.

The presentation highlighted the following challenges facing the Council:

- an unprecedented financial position with spiralling inflation coupled with a Budget gap;

- the cost of living crisis, rising inflation and growing financial pressure on local communities;
- inconsistency in partnership relationships leading to missed opportunities for collaboration;
- an opportunity to improve governance, scrutiny (especially the “Overview” aspect of Overview and Scrutiny) and review.

Councillor Conway outlined the ongoing work to develop a new Community Vision for the Borough. This had involved a range of workshops with community representatives including Town and Parish Councils, the community and voluntary sector, NHS, Age UK, CLASP, Youth Council and Thames Valley Police. The workshops had developed themes relating to health and wellbeing, equality, inclusion and opportunity, environment and sustainability, community engagement, working with young people and the business community.

Some of the aims of the Community Vision were to empower residents, improve quality of life, reduce inequality, focus on outcomes and build deeper collaboration between partners across the Borough.

Councillor Conway concluded by highlighting the key next steps:

- continuing to provide a safe Budget position for WBC, now and in future years, whilst protecting the most vulnerable within the Borough;
- moving forwards with the Community Vision for the Borough, through co-production and community engagement;
- working in partnership with more organisations to drive better outcomes for the Borough.

In the ensuing discussion, Members raised the following points and questions:

How could the Overview and Scrutiny Committees support the development of policy? Councillor Conway commented that it would be useful if Scrutiny was more engaged in the early stages of policy development, providing “critical friend” challenge and support.

How was the impact of soaring inflation managed within contractual arrangements? Was the difference between projected and actual inflation levels an element in the Budget pressures facing the Council? Graham Ebers explained that there were different contractual arrangements depending on the type of contract. More traditional contracts, e.g. in Place and Growth would be linked to an index. There were also more variable contracts, e.g. in the care services where an understanding of the market was essential, i.e. ensuring that smaller providers were able to continue to operate. The impact of inflation over the past year had resulted in an £11m pressure in the Budget. This was much higher than in previous years.

The development of the proposed Community Vision could be considered as “pie in the sky” and an attempt to offload WBC responsibilities to partners. What tangible benefits would be delivered for residents of the Borough? Councillor Conway stated that the new approach was about working with partners rather than offloading onto partners. It was

about working collaboratively in order to deliver more with less resources. It was clear that the current financial challenges would continue into future years, so business as usual was not an option. The pooling and sharing of data could result in more targeted services and the leveraging in of additional resources and expertise.

What were the other impacts of soaring inflation, e.g. on the health and wellbeing of families and recruitment and retention challenges facing the Council and its suppliers/contractors? Councillor Conway noted the impact of the cost of living crisis on the demand for services. The £11m figure discussed earlier was much higher when the impact of additional service demands was factored in. As an example, WBC dealt with a higher proportion of SEND pupils than many councils. The location and capacity of schools in the Borough also created significant pressures on the Home to School Transport budget. Supplier failures in the construction and care sectors also impacted on the services provided by WBC.

Graham Ebers gave details of one of the complex financial issues facing the Council – the “Safety Valve” funding deal agreed between the Council and the Department for Education. Under the agreement, the Council agreed to reach a positive in-year balance on its Dedicated Schools Grant (DSG) account by 2028/29 and in each subsequent year. A number of local authorities were involved in the Safety Valve scheme. It was now a standing item on the Children’s Services Overview and Scrutiny Committee. Partnership working was ongoing with schools and other partners with the aim of bringing the DSG deficit under control.

When the 2023/24 Budget was set, in February 2023, what provision was included for inflation? It was confirmed that there was no single figure for inflation as the level differed in relation to different aspects of the Council’s operations, e.g. the annual pay award and different contractual uplifts. The net impact was estimated to be £11m.

What was the opportunity for improving Scrutiny “Overview”? Councillor Conway stated that there was an opportunity for more involvement of Scrutiny at the early stages of policy and service development. Constructive suggestions would be welcomed. The important role of Budget Scrutiny was also emphasised.

In relation to improved partnerships, was there a focus on improved working with Thames Valley Police? It was agreed that partnership working with the police could be improved and this would be an area for extra focus.

The presentation stated that the Council had received £3.1m to help purchase 17 new home for Ukrainian refugees. Was there a risk that the Government would seek to claw back some of this money? It was confirmed that the agreement with the Government stated that the £3.1m was allocated for the Council to use.

What was the budget for community engagement and partnership work and was there an expectation that this work would generate extra money for WBC? Councillor Conway stated that the budget for this work could be confirmed. In the meantime, the expectation was that enhanced partnerships would result in additional money through better targeting of existing resources and the generation of additional grants and extra sources of funding. Also, the sharing of data would lead to efficiencies and improved targeting. There were existing examples of effective partnerships, e.g. the Tenant and Landlord Improvement Panel (TLIP).

RESOLVED That:

- 1) Stephen Conway and Graham Ebers be thanked for attending the meeting to answer Member questions on the challenges facing the Council;
- 2) Councillor Conway's comments on the scope for improving the "Overview" function of Scrutiny be welcomed and be the subject of further discussions with the Chairs of the Overview and Scrutiny Committees;
- 3) work on the Children's Services "Safety Valve" agreement with the Department for Education be noted and be the subject of an all-Member briefing;
- 4) specific focus be given to improving partnership working with Thames Valley Police.

19. ANNUAL COMPLAINTS REPORT 2022/23

The Committee considered a report, set out at Agenda pages 21 to 34, which gave details of formal complaints received by the Council in 2022/23.

Jackie Whitney (Strategic Lead for Customer, Change, Digital & IT) and Daneet Penny (Corporate Complaints Officer) attended the meeting to introduce the report and answer Member questions. This was the first time that the complaints report had been submitted to the Committee. In previous years the report had been submitted to the Audit Committee.

The Council's formal complaints process contained three stages – stage 1 and stage 2 were internal investigations. Stage 3 was signposting to the relevant Ombudsman. The majority of complaints in 2022/23 were resolved early without recourse to the formal stage 1 process.

The report noted that, in May 2022, Housing Services began managing complaints in line with the Housing Ombudsman's new complaints handling code.

The report stated that 2022/23 saw a 28.2% increase in the number of formal complaints. This was linked to the introduction of the Housing Ombudsman's complaints handling code which removed the option of early resolution. Of the complaints received, 78% were resolved early without formal escalation to stage 1. Across all stages, 32.5% were upheld/partially upheld, 55% were not upheld and 12.5% were undetermined. The report included details of the number and type of complaints received in each of the Council's directorates

In the ensuing discussion, Members raised the following points and questions.

What constituted a complaint? It was explained that a service request, e.g. not cutting the grass, could become a service failure and a complaint if the service request was not responded to in a reasonable time.

Was there a time limit for each of the stages within the complaints process? It was confirmed that the aim was to achieve early resolution within five working days. For stage 1 the deadline for a response was 15 working days. For stage 2 the deadline was 20 working days. The majority of these deadlines were met. It was suggested that the next annual report include details of performance against the deadlines for each stage.

In relation to page 27 of the report – Customer Compliments – it was suggested that a balancing page of Customer Complaints be included in the next annual report.

Was there any benchmarking of the Council's performance in handling complaints? It was confirmed that benchmarking was carried out through looking at the Ombudsman annual reviews which compared different councils. It was noted that different councils used different stages in their procedures.

The report referred to staff training on the 3Cs – care, clarity and confidence. To date, 122 staff members had undertaken the training. The training had improved the quality of complaint responses, with fewer stage 2 escalations and higher customer satisfaction. Consideration was being given to introducing 3C principles into the corporate induction and annual staff appraisal processes. It was confirmed that a team of six quality assurance assessors was working across services to quality assess, advise on best practice and ensure that training was targeted in areas where pockets of dissatisfaction were identified.

The reports referred to “customers” rather than residents. What was the difference? It was confirmed that the term “customer” referred to the services provided and the way they were received. This issue had been discussed with focus groups as part of the development of the Customer Excellence Strategy – currently out to consultation.

With regard to the timeframe for each stage of the complaints process – was performance reviewed internally? It was confirmed that the corporate complaints team monitored performance against the deadlines and provided appropriate prompts and support to services.

What happened if customers did not escalate their complaint to the next stage? It was confirmed that if the customer did not escalate it was assumed that they were content. In these circumstances customers were sent a feedback survey to gauge satisfaction with the way the complaint was handled. Feedback from the satisfaction surveys was generally positive.

The report combined data for complaints received by email and post. Could this be split in future reports? It was confirmed that very few complaints were received by post. However, officers would look at splitting the data in future reports.

In relation to the charts on pages 24 and 25 of the report, this data would be more useful if presented as numbers rather than percentages, especially when looking at trends from year to year. Officers agreed to look at this when further reports were submitted to Members.

RESOLVED That:

- 1) Jackie Whitney and Daneet Penny be thanked for attending the meeting to present the complaints report and answer Member questions;
- 2) the Committee support the inclusion of data in future reports on response times for each of the complaint stages, with targets and actual performance;
- 3) the Committee support a further review of the term “customer” and possible alternatives, in the context of the emerging Customer Excellence Strategy;

- 4) the relevant Overview and Scrutiny Committees receive early sight of any updates to the WBC Complaints Policy;
- 5) future complaints reports include more detailed equality monitoring data.

20. BUS ENHANCED PARTNERSHIP AND SCHEME

The Committee considered a report, set out at Agenda pages 35 to 100, which gave details of the proposed Bus Enhanced Partnership and Scheme.

Paul Fishwick, Executive Member for Active Travel, Transport and Highways, attended the meeting to answer Member questions. Councillor Fishwick was supported by Giorgio Framallicco (Director of Place and Growth) and Rebecca Brooks (Community Transport Manager).

The report stated that the National Bus Strategy (2021) required all Local Transport Authorities to publish a Local Bus Service Improvement Plan (BSIP) and an agreed Enhanced Partnership (EP). An EP was a legal partnership agreement with bus operators agreed following the publication of the improvement plan.

The aim of the BSIP and the EP was to raise standards of local bus services and ensure that services met local needs. The Council had been unsuccessful in obtaining any BSIP grant funding, but had recently been awarded £400k for 2023/24. In order to receive the full BSIP funding the Council had to agree the Enhanced Partnership by the end of September 2023.

The EP had two components – the Enhanced Partnership Plan (EPP) and the Enhanced Partnership Scheme (EPS). The EPP sets out the Council's vision for local bus services with objectives for the improvement of local bus services. The EPS formed the basis for the Enhanced Partnership agreement and set out which party would deliver specific improvements by a target date.

The Committee was requested to review the Draft Enhanced Partnership Plan and Scheme. It was noted that any Member suggestions for enhanced services or facilities must be accompanied by a costed proposal.

In the ensuing discussion, Members raised the following points and questions.

It was confirmed that the Enhanced Partnership Forum included voting rights for the Council's Executive Member (Chair + 1 vote), WBC officers and bus operators within the scheme area.

If the Enhanced Partnership involved a legal agreement, was there an exit clause? It was confirmed that officers would review the supporting legislation to determine whether an exit clause could be included in the agreement. It was noted that any exit clause would have to be equal for both parties – WBC and the bus operators.

If a new bus operator started to run services in the area, would it be able to join the partnership? It was confirmed that if a new operator registered a route, they could become part of the partnership.

Para 1.4.5 of the report referred to the hospital shuttle Park and Ride bus which had the potential to be developed into a local bus service. How would this be communicated to

residents? It was confirmed that an update on this new service would be included in the Council's Travel and Traffic News.

In relation to the Broken Bow Park and Ride – will park and ride tickets be available? It was confirmed that tickets would be available for the journey to the hospital.

In relation to the proposed Bus Stop Audit – would this cover all bus stops or just the bus stops maintained by the Council? It was confirmed that the audit would cover all bus stops in the Borough, including those owned by Town and Parish Councils.

In relation to new technology, would it be possible to use technology to change priority for buses at roadworks? It was confirmed that it was not currently possible to change priorities at temporary traffic lights.

The report stated that the Council had committed funding to the plan up to 2026/27. What was the Council's commitment after that three year period? It was confirmed that the Council currently had no financial commitment after 2026/27. The legal agreement was enacted through the Enhanced Partnership Forum. Any actions and commitments after the initial three years would be the subject of discussion at the Forum. It was confirmed that all decisions made by the EP Forum were subject to any relevant approvals required by the Council's Constitution or any legislation, regulation or statutory guidance.

RESOLVED That:

- 1) Paul Fishwick, Giorgio Framalico and Rebecca Brooks be thanked for attending the meeting to present the report and answer Member questions;
- 2) progress on the delivery of the Bus Enhanced Partnership Plan and Scheme be the subject of an annual update to the appropriate Overview and Scrutiny Committee;
- 3) officers investigate the relevant legislation and consider the inclusion of an exit clause in the agreement as discussed by the Committee;
- 4) the report to the Executive, in September 2023, include clarification on the Council's control over any financial commitments made after the initial three year period set out in the Plan.

21. CONSIDERATION OF THE CURRENT EXECUTIVE AND IEMD FORWARD PROGRAMMES

The Committee considered a copy of the Executive and IEMD Forward Programmes, as set out on Agenda pages 101 to 114.

In the ensuing discussion, Members raised the following points.

- Proposals relating to changes to the litter bin emptying service would be submitted to the Executive after appropriate consultation;
- Officers to check if the Autism and Neurodiversity Strategy had been considered by the Health Overview and Scrutiny Committee – if not, the Strategy to be considered by HOSC;

- Provision of solar farms within the Climate Emergency Action Plan to be a standing item on the Climate Emergency Overview and Scrutiny Committee;
- Clarification be sought on the contents of the item relating to “Promotion of WBC Assets”;
- Clarification be sought that Members were receiving a regular copy of the Executive Forward Programme in line with the Council’s Constitution.

RESOLVED: That the Executive and IEMD Forward Programmes be noted, subject to the further clarification/information requested by Members.

22. O&S COMMITTEE WORK PROGRAMMES

The Committee considered its forward work programme and that of the Overview and Scrutiny Committees as set out on Agenda pages 115 to 140.

The report included details of the suggestions submitted by residents and Town and Parish Councils for inclusion in the Overview and Scrutiny Work Programmes.

In the ensuing discussion, Members made the following comments.

- 3G Facility at Laurel Park – this issue to be considered as part of a wider item on the Borough’s Sports Pitch Strategy.
- Suggested items relating to road safety, highways maintenance, potholes, etc. be referred to the Community and Corporate Overview and Scrutiny Committee.
- Members noted that an update report on estate infrastructure, following the 2020 Task and Finish Group report, would be submitted to the Overview and Scrutiny Management Committee on 11 September 2023.
- A report on WBC Staff recruitment and retention be added to the Management Committee’s forward work programme.
- Clarification be sought on the reporting line for the Council’s investment portfolio, i.e. what was currently reported to the Audit Committee and was there a potential role for Scrutiny.
- Following the successful attendance by Thames Water at Overview and Scrutiny, officers seek possible attendance by representatives from SSEN.
- Community and Corporate Overview and Scrutiny Committee consider the inclusion of an item on grass cutting performance in 2023.

RESOLVED: That the Overview and Scrutiny Forward Work Programmes for 2023/24, as amended, be approved.

23. ACTION TRACKER REPORT

The Committee considered the regular Action Tracker report.

RESOLVED: That the Action Tracker report be noted.