

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Overview and Scrutiny Committee held at the
Council Offices, Gloucester Road, Tewkesbury on Tuesday, 24 October 2023
commencing at 4:30 pm**

Present:

Vice Chair in the Chair

Councillor C L J Carter

and Councillors:

H J Bowman, P A Godwin, C E Mills, G M Porter, E C Skelt, P N Workman and I Yates

OS.33 ANNOUNCEMENTS

- 33.1 In the absence of the Chair, the Vice-Chair took the Chair for the meeting.
- 33.2 The evacuation procedure, as noted on the Agenda, was advised to those present.

OS.34 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

- 34.1 Apologies for absence were received from Councillors N D Adcock, C Agg, T J Budge, M Dimond-Brown (Chair), G C Madle, H C McLain and M J Williams. There were no substitutes for the meeting.

OS.35 DECLARATIONS OF INTEREST

- 35.1 The Committee's attention was drawn to the Tewkesbury Borough Code of Conduct which was adopted by the Council on 24 January 2023 and took effect on 1 February 2023.
- 35.2 There were no declarations made on this occasion.

OS.36 MINUTES

- 36.1 The Minutes of the meeting held on 12 September 2023, copies of which had been circulated, were approved as a correct record and signed by the Chair.

OS.37 OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2023/24 AND ACTION LIST

- 37.1 Attention was drawn to the Overview and Scrutiny Committee Work Programme, circulated at Pages No. 24-31, and the action list setting out the outstanding actions arising from meetings of the Overview and Scrutiny Committee between 17 January 2023 and 11 July 2023, circulated at Pages No. 28-34. Members were asked to consider the Work Programme and action list.
- 37.2 The Director: Corporate Resources advised that the Communications Strategy, currently listed in the pending items section of the Work Programme, would be brought to the next meeting on 5 December 2023. As it stood, the Agenda for the meetings in January and February 2023 were quite light so Officers would look to see what else could potentially come forward to those meetings. It was noted that

the Leader of the Council and the Chair of the Overview and Scrutiny Committee had been looking at a potential piece of work around the cost of living and the scope for that was currently being determined; other work flows may also come forward in due course. A Member noted that Community Safety/Aston Project Presentation had been in the pending items section since June 2022 and asked when this would come to the Committee. In response, the Director: Corporate Resources undertook to speak to the relevant Officer following the meeting to establish a date for that.

37.3 In terms of the action list, the Director: Corporate Resources indicated that five of the 34 actions remained outstanding; those actions relating to evaluation of the Grange Field project, work the Business Transformation Team was doing on the Report It system in line with Ubico in-cab technology, the Police and Crime Commissioner presentation to Members, the sweeper schedule being made available to Members and the update on what was planned for workforce development. It was noted that contact had been made with the Office of the Police and Crime Commissioner so a date for the Member briefing would be confirmed shortly.

37.4 Accordingly, it was

RESOLVED That the Overview and Scrutiny Committee Work Programme 2023/24 and the action list be **NOTED**.

OS.38 HAVE YOUR SAY (4CS) ANNUAL REPORT

38.1 Attention was drawn to the report of the Head of Service: Audit and Governance / Communications and Customer Experience Manager, circulated at Pages No. 46-64, which provided a summary of the compliments, comments, concerns and complaints (4Cs) which made up the Council's Have Your Say approach, received during 2022/23. Members were asked to consider the annual report to provide assurance that complaints were managed effectively.

38.2 The Associate Director: Transformation explained that the Have Your Say approach was introduced in 2021 and incorporated the four C's – compliments, comments, concerns and complaints. The framework was built on the Council's digital platform, Liberty Create, which ensured feedback was captured in a standard way and that responses were timely. Compliments, comments and concerns were not supported by a statutory framework so these were aligned with the customer care standards which required a response within five working days. In terms of the amount of compliments received in 2022/23, this remained on par with 2021/22 but had increased significantly since the system had been introduced. These figures did not capture the full picture as some service areas did not log compliments on the system so that was something which would be considered when the process was reviewed next year. Comments had increased by over 40%, from 340 in 2021/22 to 483 in 2022/23, which indicated that more people were using the system to feedback to the Council on issues which did not necessarily sit under the formal complaints/concerns process but were important to residents. During 2021/22, 196 concerns had been received which was a 14% increase compared with the previous year; the benefit to the customer was that they received a quicker response than formal complaints – concerns typically covered things such as repeat missed bins or progress of planning applications. The number of formal complaints had reduced since the system was introduced and this was particularly evident in terms of waste and recycling with a 58% reduction of complaints in that area since the launch.

- 38.3 The Director: Corporate Resources advised that formal complaints sat within the Audit and Governance team and, unlike the other three C's, there was a statutory process in place to deal with them. Page No. 56 of the report showed that 110 formal complaints had been made to the authority in 2021/22, of which 34 were found to be justified and 72% had been responded to within the required timescale of 20 working days against a target of 90%; however, it was pleasing to note that the current outturn was 95% which was positive compared to last year's annual outturn. A breakdown of complaints by service area was set out at Page No. 57 of the report and it was no surprise that the highest number of complaints related to frontline services with 30 complaints in respect of waste and recycling, 27 in relation to planning and 29 regarding revenues and benefits. Page No. 58 of the report illustrated the nature of complaints along with an indication of how many complaints had been answered on time. It was noted that the response rate within planning and revenues and benefits were much improved in the current financial year. Of the 110 complaints received, only 19 had gone to stage two - where the customer was unhappy with the original response – and only three of those were found to be justified. Page No. 59 of the report showed how Tewkesbury Borough Council was performing against other authorities and, overall, the complaints report was positive given the number of customer transactions. If complainants remained dissatisfied after the second stage of the formal complaints procedure, they could escalate their complaint to the Local Government and Social Care Ombudsman (LGSCO) and the Council's annual review letter from the LGSCO was included at Pages No. 62-64 of the report; this showed that a single complaint had been made which was subsequently upheld by the LGSCO.
- 38.4 A Member asked what was covered by 'failure to provide a service' and was advised that this mainly related to missed bins or planning matters where customers felt they had not received the service they should have. Another Member queried who decided whether complaints were justified and was advised that was down to the investigating officer; as set out at Page No. 59 of the report, complaints could currently be partially justified, although the LGSCO was recommending in its latest consultation that this be removed going forward so that complaints were either justified or not. Another Member was surprised how few of the total amount of complaints were justified and he asked why that was the case. In response, the Corporate Officer advised that complaints about missed bin collections often turned out to be due to bins not being put out.
- 38.5 A Member pointed out that residents often raised concerns via their Ward Councillor and she asked if this was captured in any way. In response, the Associate Director: Transformation advised that Members could log any of the 4C's on behalf of customers, for instance, via the Report It system which was very intuitive and easy to use, or they could reach out to Officers to support them through that. When replying to complaints, Officers considered whether the Ward Member had been engaged as part of the response. Another Member felt that list of comparators at Page No. 59 was helpful but he would have liked to have seen other local authorities in the area, such as Cheltenham Borough Council, Cotswold District Council, Stroud District Council and Wychavon District Council, included within the results. The Director: Corporate Resources advised that these results were provided through the LG Inform benchmarking tool and the local authorities mentioned had not logged data through that system to participate in the benchmarking exercise; nevertheless, all local authorities must publish complaints as part of their performance framework so that data could be sourced from elsewhere for inclusion in future reports. With regard to Page No. 60 of the report, a Member noted that the lessons learnt section contained examples of lessons learnt by revenues and benefits and waste and recycling but there was nothing in respect of planning which was the third area with complaints. The Director: Corporate Resources undertook to circulate these details following the meeting. He explained that work had been done by the Audit and Governance team at the request of the

Overview and Scrutiny Committee to give assurance that lessons learnt from complaints were being deployed and he was happy to share this with Members to give a flavour of what the audit covered. He noted that in-cab technology was due to soft launch this week which would reduce the number of complaints relating to the waste service going forward. The Associate Director: Transformation confirmed this would give access to live data reported by Ubico and the system would automatically inform the customer services system as to why bins had been missed, for example, if they were contaminated, and photographs would be uploaded which would help to reduce any disagreement between the customer and Ubico. The new technology would improve the customer experience and would help to save time for both Ubico and Customer Services. In response to a query, confirmation was provided that images would be shared between customers and Ubico. A Member asked when customers would be able to access the new citizen access portal which would allow them to access revenue and benefits accounts to update their own records and the Director: Corporate Resources advised that the first phase was online billing whereby customers could sign up to receive their Council Tax bill online – this had been soft launched and would be promoted over the coming months once it was successfully up and running. The other module which had been purchased would allow customers to change their address, direct debit details etc. which it was hoped would reduce the amount of calls to the team and therefore the number of complaints – this would be included in the performance tracker going forward. A Member asked whether planning could be included in the next audit and was advised there were no plans for the Internal Audit team to look at complaints as there was satisfactory assurance these were being dealt with and lessons were being learnt. He suggested there may be merit in including more detail on planning complaints in the next annual report.

- 38.6 A Member asked whether any feedback had been received regarding ease of use of the online system for reporting the 4Cs and was advised that, although there had been no official feedback, there had been an increase in the number of comments and concerns reported which was not an option available previously so it was being successfully used. The back office system sent an alert to the relevant Officer reminding them to respond which meant it was easier to ensure these were not missed. She indicated that she could engage the Citizen's Panel to gain assurance the system was effective. The Director: Corporate Resources indicated that the Advice and Information Centre in Brockworth, and other Parish Councils, would assist any residents who were struggling to use the system and he urged Members to report any negative comments to Officers in order for any issues to be addressed.
- 38.7 A Member raised concern that residents often suggested their complaints had not been responded to and asked if it was possible for Members to be provided with an overview of complaints in their Wards for the last six months. In response, the Associate Director: Transformation advised that Officers were encouraged to engage with Ward Members on any Ward specific issues; the Business Transformation Team had ambitions to create a Councillor portal which would include Ward specific information including complaints, planning applications etc; whilst that work was scheduled, it was not a priority currently. Another Member indicated that she had not been contacted about any complaints in her Ward since becoming a Councillor in May and she asked if Officers could investigate why those emails were not being received. The Director: Corporate Resources clarified there was an expectation that Ward Members would be notified about any Ward specific matters but Members would not be made aware of every complaint from a resident in their Ward – he undertook to work with the relevant Officers to identify the complaints they would expect to be escalated and establish whether the Ward Members had been notified in those instances.

- 38.8 It was
RESOLVED That the annual report on the Council's compliments, comments, concerns and complaints be **NOTED**.

OS.39 GLOUCESTERSHIRE HEALTH OVERVIEW AND SCRUTINY COMMITTEE UPDATE

- 39.1 Attention was drawn to the report from the Council's representative on the Gloucestershire Health Overview and Scrutiny Committee, circulated at Page No. 65, which gave an update on matters discussed at the last meeting held on 10 October 2023.
- 39.2 In the absence of the Council's representative, the Chair advised that a response would be sought to any questions and circulated following the meeting. A Member indicated that a local resident had stated that other parts of England had psychology units for children with cancer and Gloucestershire was the only one in the country which did not so she asked whether this was correct and if anything was being done to address it. Another Member noted that the update stated that there were too many out of area placements in relation to adult and child mental health and he asked why that was the case and if anything was being done to rectify that.
- 39.3 It was
RESOLVED That the Gloucestershire Health Overview and Scrutiny Committee update be **NOTED**.

OS.40 SEPARATE BUSINESS

- 40.1 The Chair proposed, and it was
RESOLVED: That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely discussion of exempt information as defined in Part 1 of Schedule 12A of the Act.

OS.41 LEISURE CENTRE CONTRACT MONITORING

(Exempt – Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 – Information relating to the financial or business affairs of any particular person (including the authority holding that information))

- 41.1 Members considered the performance of Places for People Leisure Management in its operation of Tewkesbury Leisure Centre and noted the positive progress made in relation to returning to the original contract terms and conditions post pandemic.

The meeting closed at 5:50 pm

Overview and Scrutiny Committee Action List – 24 October 2023

AGENDA ITEM	TITLE	ACTION	COMMENTS	CONTACT OFFICER	ACTION COMPLETE Yes / No (IF NO MUST INCLUDE TARGET DATE)
5.	Overview and Scrutiny Committee Work Programme 2022/23	Communications Strategy to be moved from pending items to 5 December 2023.	Work Programme updated.	Democratic Services Officer	Yes
		Scope of cost of living item to be determined and added to the Work Programme if appropriate.	Chair in discussion with the Leader.	Director: Corporate Services	
		Officers to consider whether additional items could be brought forward to the meeting on 16 January 2024 and 13 February 2024.		Director: Corporate Resources	
		Date to be determined for Community Safety/Aston Project item currently in pending.	Aston Project presentation arranged for 16 January 2024 and Work Programme updated.	Democratic Services Officer	

Overview and Scrutiny Committee Action List – 24 October 2023

AGENDA ITEM	TITLE	ACTION	COMMENTS	CONTACT OFFICER	ACTION COMPLETE Yes / No (IF NO MUST INCLUDE TARGET DATE)
6.	Have Your Say (4Cs) Annual Report	Page No. 59 – data to be included for other local authorities in the area in future reports (Cheltenham Borough Council, Cotswold District Council, Stroud District Council and Wychavon District Council specifically mentioned).		Director: Corporate Resources	
		Page No. 60 – Lessons Learnt – Details in relation to the audit, with specific details regarding planning which was not referenced in the report, to be circulated to Members.		Director: Corporate Resources	
		More detail on planning complaints to be included in the next annual report.		Director: Corporate Resources	
		Citizens' Panel to be engaged to test whether the system for reporting comments and concerns was working effectively for customers i.e. was it easy to use.		Associate Director: Transformation	

Overview and Scrutiny Committee Action List – 24 October 2023

AGENDA ITEM	TITLE	ACTION	COMMENTS	CONTACT OFFICER	ACTION COMPLETE Yes / No (IF NO MUST INCLUDE TARGET DATE)
		Identify complaints which would be expected to be escalated to Ward Members to establish whether the Ward Member had been notified.	Concern raised by Cllr Skelt that she had not been notified of any complaints in her Ward.	Director: Corporate Resources	
7.	Gloucestershire Health Overview and Scrutiny Committee Update	Response to be sought as to whether it is correct that Gloucestershire is the only county in England which does not have a psychology unit for children with cancer and, if so, what is being done to address that.	Raised by Cllr Mills	Cllr Madle via Democratic Services Officer	
		Response to be sought as to why there are too many out of area placements in relation to adult and child mental health and what is being done to rectify that.	Raised by Cllr Workman	Cllr Madle via Democratic Services Officer	
9.	Tewkesbury Leisure Centre – Monitoring Contract	Engagement plan for community van to be drawn up and communicated to Members, Parish Council and community groups.		Director: Corporate Services	