

West Devon Overview and Scrutiny Committee



West Devon
Borough
Council

Title:	Agenda														
Date:	Tuesday, 6th October, 2020														
Time:	2.00 pm														
Venue:	Via Skype														
Full Members:	<p>Chairman Cllr Ewings</p> <p>Vice Chairman Cllr Kimber</p> <p><i>Members:</i></p> <table> <tr> <td>Cllr Bolton</td><td>Cllr Moyse</td></tr> <tr> <td>Cllr Coulson</td><td>Cllr Musgrave</td></tr> <tr> <td>Cllr Crozier</td><td>Cllr Ratcliffe</td></tr> <tr> <td>Cllr Daniel</td><td>Cllr Southcott</td></tr> <tr> <td>Cllr Heyworth</td><td>Cllr Spettigue</td></tr> <tr> <td>Cllr Hipsey</td><td>Cllr Wood</td></tr> <tr> <td>Cllr Kemp</td><td></td></tr> </table>	Cllr Bolton	Cllr Moyse	Cllr Coulson	Cllr Musgrave	Cllr Crozier	Cllr Ratcliffe	Cllr Daniel	Cllr Southcott	Cllr Heyworth	Cllr Spettigue	Cllr Hipsey	Cllr Wood	Cllr Kemp	
Cllr Bolton	Cllr Moyse														
Cllr Coulson	Cllr Musgrave														
Cllr Crozier	Cllr Ratcliffe														
Cllr Daniel	Cllr Southcott														
Cllr Heyworth	Cllr Spettigue														
Cllr Hipsey	Cllr Wood														
Cllr Kemp															
Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.														
Committee administrator:	Democratic.Services@swdevon.gov.uk														

1. Apologies for Absence

2. Confirmation of Minutes

1 - 6

Minutes from Meeting held on 1 September 2020

3. Declarations of Interest

Members are invited to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests they may have in any items to be considered at this meeting.

If Councillors have any questions relating to predetermination, bias or interests in items on this Agenda, then please contact the Monitoring Officer in advance of the meeting.

4. Items Requiring Urgent Attention

To consider those items which, in the opinion of the Chairman, should be considered by the Meeting as matters of urgency

5. Public Forum

7 - 8

A period of up to 15 minutes is available to deal with issues raised by the public.

6. Hub Committee Forward Plan

9 - 12

If any Member seeks further clarity, or wishes to raise issues regarding any future Hub Committee agenda item, please contact Democratic Services before **5.00pm on Thursday 1 October 2020** to ensure that the lead officer(s) are aware of this request in advance of the meeting.

7. A386 Transport Infrastructure - Verbal Update from the Director of Place & Enterprise

8. Future IT Project Update

13 - 20

9. Ombudsman Annual Review Letter 2020

21 - 32

10. Verbal Update from the Rural Broadband Working Group

11. Verbal Update from the Financial Stability Review Group

12. Joint Local Plan - Verbal Update

13. Task and Finish Group Updates (if any)

- (a) Engagement & Consultation; and
- (b) Localities & Clusters;

- | | |
|---|----------------|
| 14. Annual Work Programme | 33 - 34 |
|
 | |
| 15. Members Learning and Development opportunities arising from this meeting | |

This document can be made available in large print, Braille, tape format, other languages or alternative format upon request. Please contact the Committee section on 01822 813662 or email darryl.white@swdevon.gov.uk

This page is intentionally left blank

Agenda Item 2

At a Meeting of the **OVERVIEW & SCRUTINY COMMITTEE** held **REMOTELY via SKYPE** on **TUESDAY** the **1st** day of **SEPTEMBER 2020** at **2.00pm**.

Present: Cllr M Ewings – Chairman
Cllr P Kimber – Vice-Chairman

Cllr A Coulson	Cllr P Crozier
Cllr L Daniel	Cllr N Heyworth
Cllr S Hipsey	Cllr C Kemp
Cllr D Moyse	Cllr R Musgrave
Cllr B Ratcliffe	Cllr T Southcott
Cllr J Spettigue	

Strategic Leadership Team
Democratic Services Manager

Also in Attendance: Cllrs R Cheadle, C Edmonds, N Jory, T Leech, C Mott and T Pearce

- *O&S 13 APOLOGIES FOR ABSENCE**
Apologies for absence for this meeting were received from Cllrs T Bolton and L Wood.
- *O&S 14 CONFIRMATION OF MINUTES**
The minutes of the Meeting of the Overview and Scrutiny Committee held on 4 August 2020 were confirmed by the Meeting as a true and correct record.
- *O&S 15 DECLARATIONS OF INTEREST**
Members and officers were invited to declare any interests in the items of business to be considered during the course of this meeting but there were none made.
- *O&S 16 PUBLIC FORUM**
The Chairman informed that no formal requests had been received in accordance with the Overview and Scrutiny Procedure Rules.
- *O&S 17 HUB COMMITTEE FORWARD PLAN**
Whilst no prior requests had been received for updates on any future Hub Committee agenda items at this meeting, the Chairman asked whether the Hub Committee would be monitoring any trends relating to write-offs as the

impact of the COVID-19 pandemic continued to be realised. In reply, the lead Hub Committee Member advised that write-off reports would continue to be presented on a quarterly basis at the moment and he gave an assurance that he was closely analysing any upward trends.

O&S 18 AMENDED BUDGET 2020/21

A report was considered that sought to recommend to the Hub Committee five options (as set out below) in order to produce an Amended Revenue Budget for 2020-21:

- To use the 3rd tranche of COVID-19 funding that had been received from Central Government (£89,000);
- To use the New Burdens Government Grant funding received for the administration of the Business Rates Grants (£130,000);
- To utilise the 2019/20 Statement of Accounts underspend (£133,000);
- To allocate the uncommitted New Homes Bonus from 2020/21 to further fund the Revenue Base Budget (£69,000); and
- To reduce the Capital Budget for the remedial works to the Tavistock Viaduct from £100,000 to £20,000 (£80,000).

In discussion, particular reference was made to:-

- (a) the effectiveness of the recent Member Budget Setting Workshop. A number of Members thanked officers for arranging the recent Workshop and felt that it had been an excellent session;
- (b) the remedial works to the Tavistock Viaduct. When questioned, the Section 151 Officer confirmed that, following a Condition Survey being undertaken on the Viaduct, the initially proposed extensive repair works would not now be required during 2020/21 and the capital budget can be limited to further vegetation clearance and some drainage improvements;
- (c) the Town Centre support initiative. With regard to the initiative, the meeting acknowledged that there was a need to consult with all of the town councils (including Chagford) that were located within the Borough.

It was then:

RECOMMENDED

That the Committee **RECOMMEND** that the Hub Committee **RECOMMEND** to Council that:

1. the five options totalling £501,000 (as summarised in the detailed minutes above) be approved in order to produce an Amended Revenue Budget for 2020-21;

2. it be noted that the future capacity of Reserves (as set out in Sections 5.8 and 5.9 of the presented agenda report) may have to be called upon to meet any future financial challenges and/or additional requirements; and
3. £70,000 be used from the Business Rates Retention Earmarked Reserve to fund the Town Centre Support Initiative that is set out in Section 6 of the presented agenda report.

O&S 19 CORONAVIRUS (COVID-19) RECOVERY AND RENEWAL PLAN DEVELOPMENT UPDATE

The Committee considered a report that summarised what continued to be a highly effective response to the challenges of the COVID-19 Pandemic. The report also detailed key recovery actions that had already been completed or underway and proposals to develop and implement the first iteration of the Council's medium and long term recovery and renewal plans.

In discussion, the following points were raised:-

- (a) In thanking the lead officers, Members acknowledged that the outcomes arising from the recent Workshops had been reflected in the latest version of the Recovery and Renewal Action Plan; and
- (b) The meeting emphasised the importance of local residents and businesses in the Borough having appropriate access to Superfast Broadband provision. In acknowledging the community leadership role to be played by the Council in this respect, it was felt that this should be a key objective in the Recovery and Renewal Action Plan.

It was then:

RECOMMENDED

That the Committee **RECOMMEND** to the Hub Committee to:

1. note the Council's continuing response to the Coronavirus (COVID-19) Pandemic;
2. note the outputs arising from the recent Member Workshops (as set out in Appendix 1 of the presented agenda report);
3. note the progress on the development of the Recovery and Renewal Action Plan ('the Plan') as detailed in Appendix 1 of the presented agenda report;
4. delegate authority to the Group Leaders, in consultation with the Chairman of the Overview and Scrutiny Committee, to nominate Members to serve on the Task and Finish Groups (as outlined at Section 8.4 of the presented agenda report);
5. take into account the conclusions of the Overview and Scrutiny Committee on the Plan; and

6. request that a further update on progress against the development and delivery of the Plan be brought back to the Overview and Scrutiny Committee at its meeting to be held on 10 November 2020.

O&S 20 TASK AND FINISH GROUP / WORKING GROUP UPDATES

The Chairman reminded the Committee that they were currently no Task and Finish Group reviews being carried out. However, a meeting of the Rural Broadband Working Group had recently been held and the lead Hub Committee Member was invited to provide an update.

(i) Rural Broadband Working Group

The lead Hub Committee Member highlighted that there was now a Central Government grant available (£1,500 per property) towards enabling Superfast provision for any homes and businesses that were currently not planned to be in receipt of such connectivity (amounting to 2,378 in the Borough). In addition, neighbouring properties were able to pool their monies together to enable for clusters of currently excluded homes and businesses to be in receipt of Superfast provision.

In the ensuing discussion, the following points were raised:

- (a) Whilst it was recognised that this would still not fully resolve the issue for all homes and businesses in the Borough (and community expectations should not be unduly raised), it should nonetheless be considered as a positive news story that could enable provision for a number of those highlighted 2,378 homes and businesses in the Borough;
- (b) The lead Hub Committee Member agreed to produce a Briefing Note that all Members could then disseminate to their local town and parish councils in order to raise awareness of the Grant;
- (c) It was noted that the Working Group and Connecting Devon and Somerset representatives were currently looking to identify suitable clusters of properties before then working in partnership with them to facilitate their Grant applications.

O&S 21 DRAFT ANNUAL WORK PROGRAMME 2020/21

The Committee considered the latest version of its draft Annual Work Programme for 2020/21 and, in discussion, the following update was made:

- In the event of the Hub Committee approving each of the recommendations arising from the draft Recovery and Renewal Plan (Minute O&S 19 above refers), it was acknowledged that the Work Programme would be updated to include a further Plan update at the Panel meeting to be held on 10 November 2020.

O&S 22 MEMBER LEARNING AND DEVELOPMENT OPPORTUNITIES ARISING FROM THIS MEETING

The Chairman advised the Meeting that a 2021/22 Draft Budget Setting Workshop would be arranged to be held in the upcoming months. Once the details had been confirmed, all Members would be encouraged to attend this important session.

(The meeting terminated at 3.00 pm)

Chairman

This page is intentionally left blank

PUBLIC FORUM PROCEDURES

(a) General

Members of the public may raise issues and ask questions at meetings of the Overview and Scrutiny Committee. This session will last for up to fifteen minutes at the beginning of each meeting, with any individual speaker having a maximum of three minutes to address the Committee.

(b) Notice of Questions

An issue or question may only be raised by a member of the public provided that they have given written notice (which may be by electronic mail) to Darryl White (darryl.white@swdevon.gov.uk) by 5.00pm on the Thursday, prior to the relevant meeting.

(c) Scope of Questions

An issue may be rejected by the Monitoring Officer if:

- it relates to a matter within the functions of the Planning and Licensing Committee;
- it is not about a matter for which the local authority has a responsibility or which affects the district;
- it is offensive, frivolous or defamatory;
- it is substantially the same as a question which has previously been put in the past six months; or
- it requires the disclosure of confidential or exempt information.

This page is intentionally left blank

WEST DEVON BOROUGH COUNCIL: HUB COMMITTEE FORWARD PLAN

This is the provisional forward plan for at least four months starting October 2020. It provides an indicative date for matters to be considered by the Hub Committee. Where possible, the Hub Committee will keep to the dates shown in the plan. However, it may be necessary for some items to be rescheduled and other items added.

The forward plan is published to publicise consultation dates and enable dialogue between the Hub Committee and all Councillors, the public, and other stakeholders. It will also assist the Council's Overview and Scrutiny Committee in planning their contribution to policy development and holding the Hub Committee to account.

The Plan is published on the Council's website (www.westdevon.gov.uk)

The Hub Committee consists of nine Councillors. Each has responsibility for a particular area of the Council's work.

Leader – Cllr Neil Jory

Deputy Leader – Cllr Lois Samuel

Lead Member for Environment – Cllr Caroline Mott

Lead Member for Health and Wellbeing – Cllr Tony Leech

Lead Member for Enterprise – Cllr Ric Cheadle

Lead Member for Communities – Cllr Terry Pearce

Lead Member for Customer First – Cllr Jeff Moody

Lead Member for Resources and Performance – Cllr Chris Edmonds

Lead Member for Homes – Cllr Debo Sellis

Further information on the workings of the Hub Committee, including latest information on agenda items, can be obtained by contacting the Democratic Services Section by e-mail to democratic.services@westdevon.gov.uk

All items listed in this Forward Plan will be discussed in public at the relevant meeting, unless otherwise indicated

Portfolio Area	Report Title and Summary	Lead Member / Officer	Documents to be considered in making decision	Date of Meeting	Consultees and means of consultation
Council	Title: Capital Budget Monitoring Quarter 1 and Quarter 2 Purpose of report: The report advises Members of the progress on individual schemes within the approved capital programme for 2020/21, including an assessment of their financial position	Cllr Edmonds / Lisa Buckle	Report of S151 Officer	20 October 2020	
Council	Medium Term Financial Strategy for the five years 2021/22 to 2025/26 Purpose of the report: To set the strategic intention for all of the different strands of funding available to the Council. This brings together all known factors affecting the Council's financial position and its financial sustainability, to provide a long term financial forecast.	Cllr Jory / Lisa Buckle	Report of S151 Officer	20 October 2020	
Strategy	Title: Housing Strategy 2021-2026 Purpose of report: To see Hub approval of the Housing strategy priorities (based on the outputs from September 2020 Member workshops) and the timeline and process for adoption of the Council's Housing Strategy by April 2021.	Cllr Sellis / Issy Blake	Report of Head of Housing, Revenue and Benefits	20 October 2020	
Homes	Title: Springhill update Purpose: To provide Members with an update on Springhill	Cllr Sellis / Dan Field	Report of Senior Specialist (Assets)	20 October 2020	

Portfolio Area	Report Title and Summary	Lead Member / Officer	Documents to be considered in making decision	Date of Meeting	Consultees and means of consultation
Council	Title: Write Off Report for Quarter 1 Purpose of report: The Council is responsible for the collection of: Housing Rents, Sundry Debts including Housing Benefit Overpayments, Council Tax and National Non-Domestic Rates. The report informs members of the debt written off for these revenue streams.	Cllr Edmonds / Lisa Buckle	Report of S151 Officer	1 December 2020	
Council Page 11	Title: Revenue Budget Monitoring up to October 2020 Purpose of report: A revenue budget monitoring report to monitor income and expenditure variations against the approved revenue budget for 2020/21 up to October 2020	Cllr Edmonds / Lisa Buckle	Report of S151 Officer	1 December 2020	
Council	Title: Council Tax Reduction Scheme Purpose: To agree a proposal for the Scheme to be subject to a public consultation exercise.	Cllr Sellis / Issy Blake	Report of the Head of Housing, Revenues and Benefits	1 December 2020	
Strategy	Title: To present for consideration the final draft Housing Strategy Purpose: To present the final draft housing strategy and to seek approval to commence stakeholder consultation	Cllr Sellis / Issy Blake	Report of the Head of Housing, Revenues and Benefits	1 December 2020	

Portfolio Area	Report Title and Summary	Lead Member / Officer	Documents to be considered in making decision	Date of Meeting	Consultees and means of consultation
Strategy	Title: Recovery and Renewal Plan Purpose: Update on the development and delivery of the Recovery and Renewal Plan	Cllr Jory / Drew Powell	Report of the Director for Governance and Assurance	1 December 2020	

Report to: **Overview and Scrutiny Committee**

Date: **6th October 2020**

Title: **Future IT Project Update**

Portfolio Area: **Resources and Performance – Cllr C Edmonds**

Wards Affected: **All**

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken:

Author: **Kate Hamp** Role: **Senior Project Specialist**

Contact: **kate.hamp@swdevon.gov.uk**

RECOMMENDATION:

That the Overview and Scrutiny Committee notes the progress of the Future IT project and the evaluation of risks.

1. Executive summary

- 1.1 The contract for the Councils' current core operating systems for handling customer interactions expires on 31st January 2021.
- 1.2 The Future IT Project was set up to procure, install and implement replacement software before this date ensuring that the Council was equipped with a modern platform capable of delivering a fast and effective customer experience.
- 1.3 This report sets out to update Members on the progress made by Officers following the decision to award the contract in February 2020.

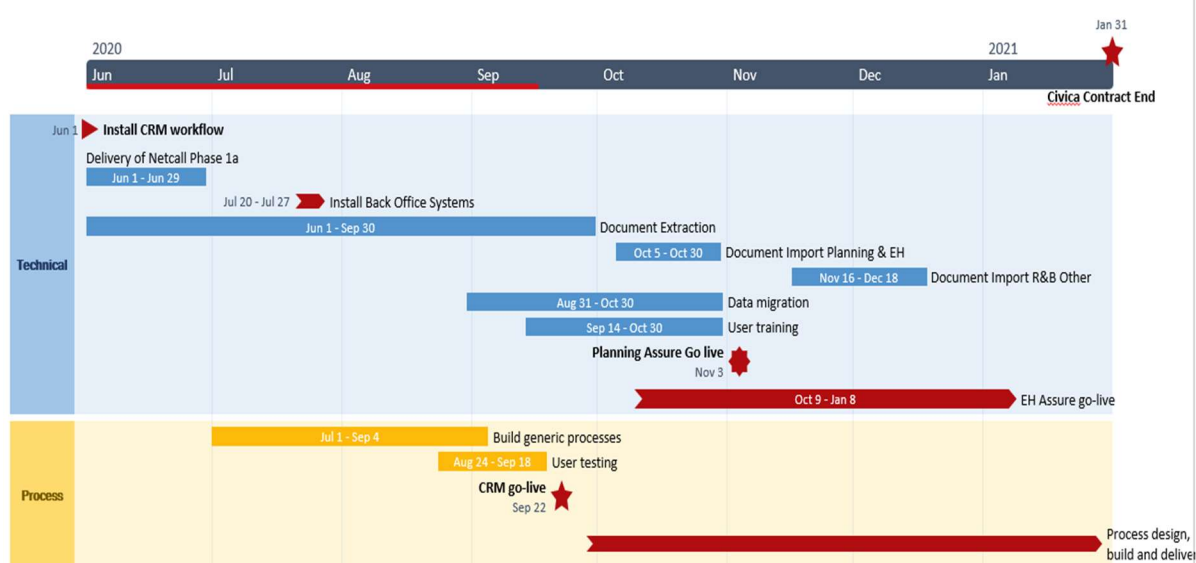
2. Background

- 2.1 The systems currently being used (Civica W2 and APP) have been in operation since 2015, with the contract term expiring at the end of January 2021.
- 2.2 Civica W2 handles the majority of customer interaction with the Council and stores all electronic records and documents.
- 2.3 Civica APP provides the principal software for managing all work relating to Development Management and Environmental Health.

- 2.4 On 28th January 2020 a decision was made by Hub Committee to award the contract for delivering a low-code customer relationship management system to Netcall Ltd.
- 2.5 In March 2020 a delegated decision was made by the Strategic Director of Customer Service Delivery in consultation with the Lead Member for Resources and Performance and the Leader of the Council to award the contract for the principal systems for Development Management and Environmental Health, as well as a Council wide document management system, to Northgate Public Services.
- 2.6 A Joint Working Group, consisting of 5 elected members from each Council with officer support from the Head of IT Practice and Head of Strategy & Projects was formed to oversee the project and make recommendations if required. The Joint Working Group have met on 3 occasions since the last committee report.
- 2.7 The Joint Working Group is chaired for West Devon by Cllr Edmonds with Cllr Cheadle, Cllr Kimber, Cllr Moody and Cllr Southcott .They are joined by five Members from South Hams District Council.
- 2.8 The Group has met on three occasions to overview the work of the Group and considered:-
- Project Risks scoring
 - The proposal to award the contract to Northgate prior to contract award
 - Early customer access proposals
 - Project highlight reports including budget and staff resourcing

3. Outcomes/outputs

- 3.1 A timeline showing the milestones of the Future IT Project



Netcall Low-code Platform

- 3.2 The Netcall Low-code platform was installed in May 2020.
- 3.3 The Business Development Team underwent extensive training to enable them to create a system from scratch to our own specification.
- 3.4 The flexibility of the platform allowed the team to create and deliver a standalone system for successfully managing the Council's Discretionary Business Grant Scheme.
- 3.5 During the first phase of development Netcall delivered integrations with some of the Council's core systems including Adelante payments, our Gazatteer (LLPG), Gov Notify, Whitespace (Waste) and our telephony system.
- 3.6 A second phase of development has just commenced which will see further functionality and integrations added.
- 3.7 A small number of simple, generic processes have been created, tested and rolled out to the Contact Centre and to the website. These processes went live to the public on 24th September 2020.
- 3.8 Further development cycles will continue over the next 12 months, building processes and releasing to the live environment. The order of these processes will be prioritised on the volume of use and the requirement to replace those processes currently held in Civica systems.
- 3.9 The delivery of the Council's COVID-19 response, including the time spent developing and administering the Discretionary Business Grant scheme, has had an impact on the delivery of this part of the project. The team are currently working hard to recover time lost to supporting the business through this time. This risk is outlined in more detail in Section 4.4.

Northgate Assure – Development Management and Environmental Health

- 3.10 The Northgate Assure product is made up of 2 bespoke systems designed to manage Development Management and Environmental Health cases. These systems were installed in July 2020.
- 3.11 The training of system administrators both in IT and Case Management has taken place to enable the system to be configured to the Council's requirements. This configuration work, which includes the creation of document templates, will continue throughout October.
- 3.12 Extensive work has been undertaken mapping the data in Civica APP over to data tables in Assure. A first data test load took place on 18th September, the results of which have been analysed to identify any errors prior to the next data test load.
- 3.13 Both systems now will undergo extensive testing for both internal and customer facing interfaces.
- 3.14 Assure Environmental Health is scheduled to go-live in several stages beginning on 9th October 2020 with Licensing and continuing through to early 2021. During these stages both Assure and APP will be used in tandem.

- 3.15 Assure Development Management is scheduled to go-live on 3rd November 2020 in a 'big-bang' approach. From this date all planning applications will be managed within Assure and customers will be able to use the Assure public access search to find planning applications.
- 3.16 This part of the project remains on track although still carries the highest risks due to the volume of data and documents being migrated and the business requirement to keep system downtime to a minimum.

Northgate Document Management

- 3.17 The migration to the new document management system requires the extraction of documents from Civica W2 and the import to Northgate Information@work.
- 3.18 Work on the extraction of the documents began in April 2020. To date all Planning applications, Environmental Health documents and most of the Revenues and Benefits documents have been extracted from Civica W2. This work is on track to be completed as scheduled.
- 3.19 In the build up to go-live, test imports are run to ensure that the documents are correctly indexed within the new filing systems.
- 3.20 Planning documents are due to go-live in tandem with the Assure system on 3rd November.
- 3.21 EH documents will map across in conjunction with the modules as they go-live.
- 3.22 Revenues and Benefits and all other corporate filing will go-live in December 2020

Impact on the customer

- 3.23 The delivery of this project will ultimately improve the customer experience, however the transition to the new systems will necessitate some changes for our customers and will require some system downtime.
- 3.24 When possible weekends will be used for system downtime to minimise the impact on performance and delivery of services.
- 3.25 Any system downtime which will impact customer facing processes will be communicated in advance on our website and social media.
- 3.26 Town and Parish Councils / Planning agents will receive advance warning of the move to a new Public Planning search as well as details of the change.
- 3.27 Other projects have been scoped to ensure that we don't change processes during other major service changes.
- 3.28 All new processes will be designed with the customer experience in mind, making transactions quick and easy, providing meaningful updates where appropriate.
- 3.29 New processes will all be tested thoroughly and feedback used to finely tune before they go-live.

4. Options available and consideration of risk

- 4.1 The delivery of this project is time critical in light of the requirement to replace multiple core Council systems before the end of the current Civica contract and hence carries considerable risk.
- 4.2 Delivery of this large and complex project has continued throughout the nationwide impact of the COVID-19 pandemic.
- 4.3 Risks have been carefully managed throughout this project and continue to be regularly reviewed and updated. Risks have been shared and discussed with the Member Joint Working Group.
- 4.4 A summary of the key risks and mitigations are detailed below:

Description of risk	Mitigations
Business as usual performance levels drop due to hours lost to training, testing and system downtime.	<ul style="list-style-type: none">• System downtime to be minimised where possible by utilising weekends for final data load prior to go-live.• Ensure work is as up to date as possible prior to any system downtime / end-user training.• Secondment of key officers into the project team to ensure dedicated effort• Identify areas of high risk and create recovery plan, securing additional resource to catch up lost time if required.• Keep the Business Managers regularly updated on resource implications
Document and data migrations into new system take longer than planned	<ul style="list-style-type: none">• The large data migrations for Development Management and Environmental Health have been scheduled to be completed several months before the Civica contract ends.• Multiple cuts planned to ensure that issues are identified early
Insufficient resource in business to support project – risk increased due to unpredictability of resourcing COVID-19 response	<ul style="list-style-type: none">• The choice of a low-code platform running in parallel allows go-live to be staggered around business demands• Secondment of key team members into the project to maintain a stable core team• Keep the Business Managers regularly updated on resource implications
Coronavirus will impact ability to deliver project – possibility of second wave	<ul style="list-style-type: none">• Project is being delivered by staff and suppliers working remotely.• Remote working decreases risk of multiple members of the team being unavailable at the same time.• Key dates have been brought forward as early as possible to avoid overrun due to staff absence• Shared risk register with suppliers

Development cycles take longer than planned and as a result not all processes are transferred from W2 to the new platform before the end of the Civica contract	<ul style="list-style-type: none"> • Prioritise processes that are high volume and therefore have the most impact • Deliver simple processes that work ahead of complex integrations. Being able to build processes and integrations in house will enable enhancements to be carried out at a later date • Much pre-work mapping processes has already been completed allowing the team to focus on building the process
--	---

5. Proposed Way Forward

- 5.1 For the Joint Working Group to continue to meet throughout the delivery of the systems to provide assurance that the progress is on track and risks continue to be managed.
- 5.2 For the predicted impact on business performance and steps to recovery to be regularly communicated to Members.
- 5.3 Where appropriate, service changes and delays to be effectively communicated to customers.
- 5.4 A further update will be provided to the Overview and Scrutiny Committee in January 2021.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		<p>The Future IT Project is managed using PRINCE2 project methodology and governed by a Project Board who meet once a month.</p> <p>Executive Lead – Steve Mullineaux Project Manager – Kate Hamp Project Assurance – Neil Hawke Technical Lead – Mike Ward Senior User – Sarah Moody Customer Representative – Jim Davis</p> <p>Member engagement is made through the Future IT Joint Working Group.</p> <p>The procurement of IT systems has been undertaken through a government established framework.</p>
Financial implications to include reference		The project remains on track and within the agreed budget

to value for money		
Risk		<p>The key risks are detailed in section 4.4</p> <p>A detailed risk register containing all risks relating to the project is available on request.</p>
Supporting Corporate Strategy		The Future IT project directly supports the Efficient and Effective Council corporate strategy theme. It will deliver an enhanced customer experience and more efficient processing of cases.
Climate Change - Carbon / Biodiversity Impact		<p>The Council have decided to procure a cloud hosted solution (Netcall). This means that there will not be the requirement to house the system on Council servers (although clearly it will need to be hosted on remote servers)</p> <p>Hosting on cloud servers will mean that upgrades and support to the system will be carried out remotely without the requirement for the supplier to visit the site, reducing unnecessary travel.</p> <p>The system will also ensure that the Council continues to support its staff working from remote locations and not having to travel in to the office to work, contributing to the continuing reduction in carbon from commuting.</p>
Comprehensive Impact Assessment Implications		
Equality and Diversity		Any system must meet accessibility standards and have been considered through the supplier demonstrations.
Safeguarding		There are no safeguarding issues within this report
Community Safety, Crime and Disorder		None
Health, Safety and Wellbeing		None
Other implications		Data Governance – full system security and data protection requirements are set out in the contract and will be managed by the councils Data Protection Officer (Director of Governance and Assurance)

Supporting Information

Appendices: None

Background Papers:

28 January 2020 Hub Committee agenda and minutes;
Future IT PID; and
Future IT Business Case.

This page is intentionally left blank

Report to: **Overview and Scrutiny Committee**

Date: **6 October 2020**

Title: **Ombudsman Annual Review Letter 2020**

Portfolio Area: **Cllr Jeffrey Moody**
Customer Improvement

Wards Affected: **All**

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken:

Author: **Neil Hawke** Role: **Head of Strategy**

Contact: Neil.Hawke@swdevon.gov.uk **01803 861323**

RECOMMENDATIONS

That the Committee:

- 1. Review the Ombudsman's Annual Letter for 2020 (attached at Appendix A & B); and**
- 2. Note the steps set out to ensure that the Council continues to address complaints fairly and in line with best practice.**

1. Executive summary

- 1.1 The Local Government and Social Care Ombudsman (LGCSO) looks at complaints about councils where the complainant considers that the Council has not sufficiently addressed their concerns
- 1.2 This report sets out the LGCSO's Annual Review Letter regarding complaints that they have considered during the period 1st April 2019 to 31st March 2020.
- 1.3 During this period, the Ombudsman received six complaints about West Devon Borough Council, of which four were put forward for investigation. Following detailed investigation, one of those complaints was upheld by the Ombudsman.
- 1.4 Members are requested to review the Ombudsman's Annual Letter 2020 and consider what lessons have been learnt (or can be learnt) from the outcome of complaints.

2. Background

- 2.1 The Local Government and Social Care Ombudsman conducts independent, impartial and fair investigations into complaints

that faults or service failure have led to an injustice. Where they find fault, they make recommendations to provide a remedy. Where evidence supports it, they can also recommend changes to policy and practice to address wider systemic failures.

- 2.2 The Ombudsman will only consider complaints where they have first been through the Councils internal complaints procedure. This is to allow the Council an opportunity to consider and respond to the complaint and where required, to offer a suitable remedy.
- 2.3 Once considered by the Ombudsman, a complainant cannot appeal against the Ombudsman's decision, but complaints may be reviewed if new information is presented to the Ombudsman.
- 2.4 The Ombudsman's Annual Review Letter 2020 is attached at Appendix A. More details on the complaints are included in Appendix B. This information is published on the Ombudsman website along with anonymised details of the complaints and findings.
- 2.5 The Ombudsman publishes data on:
 - a. The number of complaints and enquiries received
 - b. Decision
 - c. Reason for the decision and where a complaint is upheld, any suggested remedy

3. Outcomes/outputs

- 3.1 In the Annual Letter, the Ombudsman provides a breakdown of investigations that he has upheld in order to show the number of cases where the Ombudsman's recommendations have remedied the fault, and to also show where the Council had already offered a satisfactory remedy during its own investigation of the complaint.
- 3.2 Where the Ombudsman finds that the Council has acted with fault, and that fault has caused injustice to the complainant, he will make recommendations to the Council to put things right. This can include:
 - a. Asking the Council to make an apology (if it has not already done so)
 - b. Reinstating a service
 - c. Making a decision on something under the correct grounds
 - d. Reviewing existing policy
 - e. Providing information
- 3.3 If an injustice cannot be remedied through remedial action, the Ombudsman may recommend a financial payment.
- 3.4 The following table shows the number of complaints received and decided by the Ombudsman for the last five years. The difference in numbers received and the number of complaints decided is due to those being returned to complainants by the Ombudsman or investigations being incomplete at the end of the year.

Year	Number of complaints received	Number of complaints decided
2019/20	6	8
2018/19	10	8
2017/18	12	11

2016/17	5	7
2015/16	8	7

- 3.5 While it is unlikely that the Council will find itself in a position where no complaints are referred to the Ombudsman, It is encouraging to see that the number of complaints received by the Ombudsman has reduced from the previous year.
- 3.6 Of the six complaints received by the Ombudsman during this period, two were not considered as the Council had not been provided with an opportunity to consider them first. A further two were closed after initial enquiries by the Ombudsman. Four complaints were therefore investigated by the Ombudsman.
- 3.7 A summary of the complaints received is set out in Appendix B to this report.
- 3.8 To put the numbers of complaints considered by the Ombudsman in to context, the following table sets out the total number of complaints received by the Council in the same period 1 April 2019 to 31 March 2020

	Number of complaints received
Stage 1 Complaints (Considered by service)	159
Stage 2 Complaints (considered by a Head of Service where the customer considers that Stage 1 has not addressed their concerns)	22
Ombudsman Complaints (Where the complainant considers that our Stage 2 investigation has not addressed their concerns)	6

- 3.9 Of the 159 complaints received at Stage 1, 85 of them related to Waste and Recycling, 21 related to Development Management and 14 Council Tax. The rest were split across other Council departments. 22 complainants considered that our initial investigation had not sufficiently addressed their concerns and therefore asked for them to be reconsidered under Stage 2 of our complaints process.
- 3.10 Compared to similar authorities, the number of complaints about West Devon Borough Council upheld by the LGCSO is below average. The Ombudsman upheld 25% of complaints about West Devon compared to an average of 45% for similar authorities.
- 3.11 The Ombudsman did however find that the Council failed to satisfactorily remedy one upheld complaint prior to their consideration of the matter.
- 3.12 The Council agreed remedies to the complaint with the Local Government Ombudsman and these have been delivered.
- 3.13 Efficient management of all complaints is important for the Council in order to ensure lessons are learnt and service improvements can be implemented. During the 2019/20 year, the following steps were taken to improve the customer

experience and hopefully reduce the number of complaints received.

3.13.1 Implemented a screening of all complaints received within 1 working day

Rather than pushing all complaints through the formal process (which allows 30 days), we now carry out a screen of complaints and attempt to make telephone contact with the complainant in order to resolve their concerns without progressing through the formal process. This has meant that 40% of the complaints received were resolved in seven days or less.

3.13.2 Ensured we focus resource on improving the customer experience

The Council have appointed a Customer Improvement Manager to ensure we consider all aspects of customer satisfaction and that we learn from complaints received. The Customer Improvement Manager provides regular Customer Satisfaction updates to the Overview and Scrutiny Committee (the last being February 2020). The Council has also recently refocused one of its Case Managers to ensure that our Website is accessible and easy to use.

3.14 In the coming months we will be reviewing our complaints process with a view to further increasing the number of complaints that are resolved under seven days and also reducing the number of complaints that are escalated to Stage 2 of the complaints process. In a significant majority of cases, our Stage 2 complaints find that the Stage 1 complaint was correctly undertaken and so this is unnecessary reworking.

3.15 We will also consider which staff undertake complaint handling. Currently the management of complaints at both Stage 1 and Stage 2 is dispersed across the organisation. It may be the case that centralising some of the complaint handling is a more efficient way of processing and resolving complaints.

4. Proposed Way Forward

- 5.1 Committee is recommended to note the content of the Local Government Ombudsman Annual Review Letter as set out in Appendix A to this report.
- 5.2 Note the high level actions to improve the customer experience as set out in 3.13
- 5.3 Members are also requested to note the proposed future actions as set out in 3.14 and 3.15

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		The Local Government & Social Care Ombudsman is governed by the Local Government Act 1974 and is responsible for considering complaints against

		<p>local authorities which the complainant considers have not been resolved locally by the Council.</p> <p>The Overview and Scrutiny Committee is responsible for having an overview of complaints handling and for an overview of Ombudsman complaints, and the Ombudsman Annual Review letter is an important part of that process.</p> <p>The decisions in respect of each case are provided to the relevant service in order that any recommendations made by the Ombudsman are acted upon and lessons learnt can be implemented.</p>
Financial implications to include reference to value for money		<p>There are resource implications in officer time spent dealing with complaints in both the initial stages under our own policy as well as the resources in supporting an Ombudsman complaint. The Council does not have a dedicated Complaints Officer and it is therefore not possible to quantify this time.</p> <p>Good complaints management which we learn from mistakes is important in ensuring that the Council is efficient and provides value for money in the future by not making the same mistakes again.</p> <p>Where it is necessary to settle a complaint by the payment of compensation (or the Council has already offered a settlement) payment is made out of the current year's revenue budget for the service in question.</p> <p>The Ombudsman made a recommendation that £500 settlement be made to one upheld complaint during the 2019/20 year.</p>
Risk		<p>It is important that the Council is aware of the number and type of complaints made to the Ombudsman together with the outcomes and lessons learnt.</p> <p>Whilst it is not possible to eliminate complaints, it is possible to manage complaints efficiently and learn from the outcomes of these complaints to mitigate the risk of recurrence and deliver service improvement.</p>
Supporting Corporate Strategy		Efficient and Effective Council
Climate Change - Carbon / Biodiversity Impact		There are no direct impacts

Comprehensive Impact Assessment Implications		
Equality and Diversity		<p>This has been considered in the Complaints policy and within the individual complaints where relevant.</p> <p>No complaints have been received regarding Equality and Diversity.</p>
Safeguarding		None
Community Safety, Crime and Disorder		None
Health, Safety and Wellbeing		None
Other implications		None

Supporting Information

Appendices:

Appendix A – Ombudsman Annual Review Letter 2020; and
Appendix B – Ombudsman 2019/20 Statistics

Local Government & Social Care OMBUDSMAN

22 July 2020

By email

Mr Bates
Chief Executive
West Devon Borough Council

Dear Mr Bates

Annual Review letter 2020

I write to you with our annual summary of statistics on the decisions made by the Local Government and Social Care Ombudsman about your authority for the year ending 31 March 2020. Given the exceptional pressures under which local authorities have been working over recent months, I thought carefully about whether it was still appropriate to send you this annual update. However, now, more than ever, I believe that it is essential that the public experience of local services is at the heart of our thinking. So, I hope that this feedback, which provides unique insight into the lived experience of your Council's services, will be useful as you continue to deal with the current situation and plan for the future.

Complaint statistics

This year, we continue to place our focus on the outcomes of complaints and what can be learned from them. We want to provide you with the most insightful information we can and have made several changes over recent years to improve the data we capture and report. We focus our statistics on these three key areas:

Complaints upheld - We uphold complaints when we find some form of fault in an authority's actions, including where the authority accepted fault before we investigated. A focus on how often things go wrong, rather than simple volumes of complaints provides a clearer indicator of performance.

Compliance with recommendations - We recommend ways for authorities to put things right when faults have caused injustice. Our recommendations try to put people back in the position they were before the fault and we monitor authorities to ensure they comply with our recommendations. Failure to comply with our recommendations is rare. An authority with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.

Satisfactory remedies provided by the authority - We want to encourage the early resolution of complaints and to credit authorities that have a positive and open approach to

resolving complaints. We recognise cases where an authority has taken steps to put things right before the complaint came to us. The authority upheld the complaint and we agreed with how it offered to put things right.

Finally, we compare the three key annual statistics for your authority with similar types of authorities to work out an average level of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

This data will be uploaded to our interactive map, [Your council's performance](#), along with a copy of this letter on 29 July 2020, and our Review of Local Government Complaints. For further information on how to interpret our statistics, please visit our [website](#).

Resources to help you get it right

There are a range of resources available that can support you to place the learning from complaints, about your authority and others, at the heart of your system of corporate governance. [Your council's performance](#) launched last year and puts our data and information about councils in one place. Again, the emphasis is on learning, not numbers. You can find the decisions we have made, public reports we have issued, and the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

I would encourage you to share the tool with colleagues and elected members; the information can provide valuable insights into service areas, early warning signs of problems and is a key source of information for governance, audit, risk and scrutiny functions.

Earlier this year, we held our link officer seminars in London, Bristol, Leeds and Birmingham. Attended by 178 delegates from 143 local authorities, we focused on maximising the impact of complaints, making sure the right person is involved with complaints at the right time, and how to overcome common challenges.

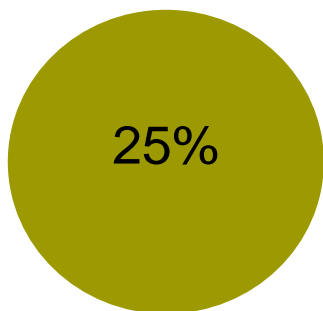
We have a well-established and successful training programme supporting local authorities and independent care providers to help improve local complaint handling. During the year, we delivered 118 courses, training more than 1,400 people. This is 47 more courses than we delivered last year and included more training to adult social care providers than ever before. To find out more visit www.lgo.org.uk/training.

Yours sincerely,



Michael King
Local Government and Social Care Ombudsman
Chair, Commission for Local Administration in England

Complaints upheld



25% of complaints we investigated were upheld.

This compares to an average of **45%** in similar authorities.

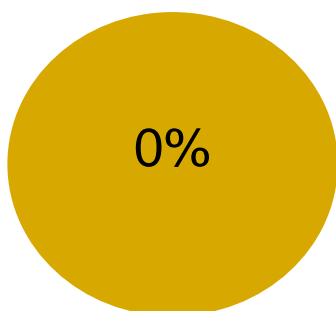
1
upheld decision

Statistics are based on a total of 4 detailed investigations for the period between 1 April 2019 to 31 March 2020

Compliance with Ombudsman recommendations

No recommendations were due for compliance in this period

Satisfactory remedies provided by the authority



In **0%** of upheld cases we found the authority had provided a satisfactory remedy before the complaint reached the Ombudsman.

This compares to an average of **20%** in similar authorities.

0
satisfactory remedy decisions

Statistics are based on a total of 4 detailed investigations for the period between 1 April 2019 to 31 March 2020

This page is intentionally left blank

Appendix B - Ombudsman Annual Letter 2019/20 - Statistics

Reference	Authority	Category	Decided	Decision	Decison Reason	Remedy	Service improvement recommendations
18012640	West Devon Borough Council	Housing	15/05/19	Not Upheld	No maladministration		
18015854	West Devon Borough Council	Planning & Development	04/02/20	Upheld	Maladministration and Injustice	Financial redress: Avoidable distress/time and trouble,Procedure or policy change/review,Provide services	The Council should:a) complete a review of how this case was handled, assessing how it could have acted differently to use its enforcement powers to greater effect.
18019737	West Devon Borough Council	Environmental Services & Public Protection & Regulation	22/10/19	Not Upheld	No Maladministration		
19002501	West Devon Borough Council	Highways & Transport	20/06/19	Closed after initial enquiries	S26(1) Not an admin function of authority		
19004891	West Devon Borough Council	Environmental Services & Public Protection & Regulation	05/08/19	Referred back for local resolution	Premature Decision - referred to BinJ		
19008086	West Devon Borough Council	Planning & Development	23/03/20	Not Upheld	No maladministration		
19009272	West Devon Borough Council	Benefits & Tax	24/10/19	Referred back for local resolution	Premature Decision - referred to BinJ		
19016827	West Devon Borough Council	Benefits & Tax	10/03/20	Closed after initial enquiries	Not warranted by alleged injustice		

This page is intentionally left blank

OVERVIEW AND SCRUTINY COMMITTEE

DRAFT ANNUAL WORK PROGRAMME – 2020/21

Date of Meeting	Report	Lead Officer
10 November 2020	Task and Finish Group Updates: (a) Engagement & Consultation; and (b) Localities & Clusters	Neil Hawke Sarah Moody
	Hub Committee Forward Plan	Janice Young
	Update from the Financial Stability Review Group (<i>standing agenda item</i>)	Lisa Buckle
	Update from the Rural Broadband Working Group (<i>standing agenda item</i>)	Steve Mullineaux
	Community Safety Partnership – Annual Report	Louisa Daley
	Draft Recovery and Renewal Plan Update	Drew Powell
	Regulation of Investigatory Powers Act (RIPA) 2000 Report	Neil Hawke
	Locality Service – Annual Report	Sarah Moody
	Safeguarding – Annual Update	Louisa Daley
09 January 2021	Task and Finish Group Updates (if any)	
	Hub Committee Forward Plan	Janice Young
	Update from the Financial Stability Review Group (<i>standing agenda item</i>)	Lisa Buckle
	Update from the Rural Broadband Working Group (<i>standing agenda item</i>)	Steve Mullineaux
	Draft Budget Proposals 2021/22	Lisa Buckle
2 March 2021	Task and Finish Group Updates (if any)	
	Hub Committee Forward Plan	Janice Young
	Fusion Leisure – Annual Report and Presentation	Jon Parkinson
	Update from the Financial Stability Review Group (<i>standing agenda item</i>)	Lisa Buckle
	Update from the Rural Broadband Working Group (<i>standing agenda item</i>)	Steve Mullineaux
13 April 2021	Task and Finish Group Updates (if any)	
	Hub Committee Forward Plan	Janice Young
	Update from the Financial Stability Review Group (<i>standing agenda item</i>)	Lisa Buckle
	Update from the Rural Broadband Working Group (<i>standing agenda item</i>)	Steve Mullineaux

Future Item(s) to be programmed:

- Peer Review Action Plan: Progress Update;
- Planning Enforcement: Verbal Update (*Hub Committee request*); and
- IT Platform Project Update.