

MAIDSTONE BOROUGH COUNCIL

**MINUTES OF THE CORPORATE SERVICES OVERVIEW AND
SCRUTINY COMMITTEE MEETING HELD ON TUESDAY 2
AUGUST 2011**

PRESENT: Councillors Mrs Gooch (Chairman), Barned, English,
Mrs Gibson, Hogg, Paine (Vice-Chairman), Pickett and
de Wiggondene

37. The Committee to consider whether all items on the agenda should be web-cast.

That all items be web-cast.

38. Apologies.

Councillors Harwood and Mrs Wilson sent their apologies

39. Notification of Substitute Members.

Councillor English substituted for Councillor Harwood.

40. Notification of Visiting Members.

There were no disclosures.

41. Disclosures by Members and Officers:

There were no disclosures.

42. To consider whether any items should be taken in private because of the possible disclosure of exempt information.

Resolved: that all items be taken in public.

43. Minutes of the meeting held on 06 July 2011

Resolved: that the minutes of the meeting held on 6 July 2011 be agreed as a correct record of the meeting and duly signed by the Chairman.

44. Complaints Policy

Angela Woodhouse, Head of Change and Scrutiny was welcomed to the Meeting. Mrs Woodhouse was returning to update the Committee following the July meeting at which she had presented the Annual Review of Complaints 2010/11, along with her colleague Ellie Kershaw, Policy and Performance Officer.

Mrs Woodhouse was able to provide the Committee with an update in response to a number of Members' questions and recommendations by presenting the Committee the revised Complaints Policy. The Officer explained that it had been revised for a number of reasons; for staff, to clarify the approach that should be taken with complaints and to ensure the policy was focused on service improvement. Mrs Woodhouse advised Members that once the revised policy had been agreed by Cabinet, procedures would be revised and staff would receive training on how to deliver the policy.

The Committee was advised that since the last meeting a small focus group had been held which allowed customers to share their experience of the complaints process and provide suggestions on how it could be improved.

Whilst the policy had been shortened from 5 pages to 3 pages the Officer informed Members that a briefer document would be designed and made available to customers, in the form of a leaflet. The Committee questioned whether training would be mandatory for all staff. It was explained that it would begin with front-line staff and customer services. Members felt that it was important that those who had been with the organisation for a long period of time were given a refresher, where necessary, in this area. The Officer agreed that this would be possible and would be something that would have to be addressed with Heads of Service and Managers.

In response to Members' questions regarding residents not having the opportunity to speak to an Officer regarding their complaint as part of the process, the Officer explained that the complaint process was a 2 stage process. The Committee was assured that at the first stage the complainant would be able to contact the appropriate Head of Service. If the complainant was unhappy with the response received at stage 1 it would become a stage 2 complaint which would be dealt with by the Head of Legal Services. After this stage it could be progressed on to the Local Government Ombudsman by the complainant if they remained unhappy with how the complaint had been dealt with. Members felt that dependent on the nature of the complaint there were other bodies that may be consulted before the complaint reached the ombudsman such as the Planning Inspectorate and this should be highlighted to the customer. The Committee questioned the complaints policy in terms of accessibility. The Officer informed Members that efforts had been made to make it as easy as possible to make a complaint to the council; the policy outlined that complaints could be made by telephone or through an advocate and stage 2 complaints no longer needed to be made in writing.

Members were informed that any recommendations made would be taken to Cabinet the following week for approval. The Committee felt that Complaints was an area that would continue to develop and something that they would like to have continued input with. Finally Members asked that 'MEPs' be added to the section 7 to read: 'Complaints from Councillors, MPs and MEPs.'

It was resolved that:

- a) MEPs should be added to section 7. of the Complaints Policy to read 'Complaints from Councillors, MPs and MEPs';
- b) Staff Training should be extended to include long serving Officers as well as front-line customer services;
- c) Members should be advised by email when the updates were made to the website and the leaflet being designed for customers would be circulated electronically; and
- d) That the Committee should be updated on the implementation of the Complaints Policy in 6 months time.

45. 'The Council as a Business?' The Executive's Outlook

The Chairman welcomed Alison Broom, Chief Executive, Steve Goulette, Assistant Director Environment & Regulatory Services and David Edwards, Director of Change, Planning and the Environment.

The Committee was taken through a presentation which focused on the council's business planning, the medium term financial strategy, how cost centres were managed, services which generate or could capture income and commercial services. Mrs Broom advised that when identifying new areas that could trade and demand an income it was essential to prioritise and allow a period of planning and experimentation before planning too ambitiously as this would impact on the council's baseline budget. The Chief Executive identified particular projects in the Council's current business that were being addressed, these included the review of fees and charges, the local setting of planning application fees and the future governance of the Hazlitt Theatre. Human Resources was highlighted to the Committee as an area providing commercial opportunity with their experience and implementation of the Midland system. Mrs Broom explained that the current methodology used for identifying new opportunities began with the categorisation of all Council services as to whether they could be delivered in-house, shared or through partnership and trade. Research to establish experience and good practice would follow this along with consideration being given to the impact of competition with local employers or service providers. The Chief Executive advised that part of this process was establishing whether the Council should be abstracting from business that already exists or offering something new. The final area addressed in the presentation was the Council's finance information project, the aim of which was to deliver 'an enhanced recharge and budget management culture across the council supported by efficient processes.' It was explained that this would result in an improved budget management culture; the three main work streams of the project would be budget monitoring, recharges and the account code structure. A completion date of April 2012 was given.

Members questioned the Chief Executive on the Leader of the Council's outlook for the authority the previous year which was to describe the Council's future as that of a commissioning body. Mrs Broom explained

that the Council had limitations, there were statutory instruments in place and case law was used to help exemplify all decisions made. This put the authority in a position where, for example, the cost of market pitches could only be enough to cover costs. With regards to commissioning and commercial activity, Mrs Broom explained that both types of activity required different skills to those usually applied to regulatory services; a shift in attitude and approach would be required by the Council, Members and the public. Members questioned whether a commissioning route would impact on the Council's ability to generate an income. Mrs Broom explained that with the advent of Localism and the government's White Paper on Public Services there would be diversity in the way in which services were delivered. The Chief Executive told Members that one activity did not prevent the other but the Council did have to be very clear on what it was doing.

Members raised questions on the general power of competency in relation to the Public Services White Paper and the action the Council was taking in relation to this. Mrs Broom explained that the Local Government Act 2000 had introduced wellbeing powers but the legal environment had remained unchanged. In order to exploit these powers and to give them foundation the Council had used the Sustainable Community Strategy. The Chief Executive informed Members that the Council did not need the general power of competency to be responsive to the needs of the community and once the vision and ambition of the organisation was set, a way would be found to achieve this.

The Committee's questioning moved on to the Council's assets and areas that could provide an income. Members were interested in determining the executive's outlook on hiring out parks such as Mote Park for events and charging for venues such as the newly vacant Town Hall. Mrs Broom told Members that event management was something the Council had limited experience of other than Shakespeare and Proms in the Park. The Committee was told that this would be an area that their research could add value.

Some Members of the Committee raised questions surrounding parking and enforcement activity. Members were assured that parking enforcement was to ensure compliance and not to raise an income. Mr Goulette informed Members that the annual review into parking charges was taking place. It was agreed that Councillor Barned would undertake research in this area and report back to the Committee.

Members raised concerns regarding the public's perception of the council operating as a business and felt that there was a difference between being a business and being businesslike; with the latter being where emphasis should be placed. Members and Officers were in agreement that a business like culture should be fundamental to the council's approach.

Mr Edwards, Director of Change Planning and the Environment told the Committee that resources were required to adapt and change to provide services that residents want. The Director felt that there were opportunities to move forward and provide good value for money and the

resilience could be found within partnership arrangements. The Committee was informed that the first shared service had been borne out of another authority's need for expertise. The resilience of partnership arrangements was said to be the key to service delivery. Members questioned the issue of ownership when entering into partnership arrangements and the importance of this in order to maintain excellence. Officers informed Members that this was addressed at the formative stages of any partnership arrangement. Mrs Broom told Members that there was often a contrast in the cultures of authorities coming together to form partnership arrangements, she informed the Committee that cultural interfacing was important. Members questioned the partnership model suggesting that the arrangement was structured to reduce cost to each of the partners and would therefore reduce the scope for income generation. Mrs Broom explained that the current shared services; Legal, HR and Revenues and Benefits were 'transactional activities' and the economies of scale were there.

Members asked the Officers to identify areas that had potential to develop commercially, the waste strategy was said to be an area that offered opportunities as well as planning fees, HR and Revenues and Benefits. Mr Goulette identified the Crematorium and the Leisure Centre as two areas already generating an income and providing a local need. Mrs Broom highlighted consultancy and advice as areas to address, planning pre application advice helped eliminate legal challenges, saving money and time.

The Committee queried the way in which the organisation evaluated and sought to improve itself with 'value for money' no longer in existence. The Chief Executive informed Members that the authority was keen to be put forward for peer reviews and was open minded in this area.

Members praised the recent budget strategy training that has been arranged with Paul Riley and noted its value to the Committee as part of its ongoing responsibilities as the overarching Overview and Scrutiny Committee as well as its relevance to the review topic and the benefit of an increased understanding of this. The Committee felt that their engagement with the budget strategy at its most formative level would be of most benefit to them. Members felt that this could be achieved by appointing a smaller working group who would take on additional involvement and report back to the Committee as a whole.

It was resolved that:

- a) Councillor Pickett should investigate the Parking review and charges with Steve Goulette and report back to the Committee on his findings;
- b) The Committee should investigate event management on behalf of the authority and report back to the officer group on this area of research; and

- c) A budget strategy working group should be established; volunteers would be sought via email by the Scrutiny Officer.

Members raised questions on the power of general competency in relation to the Public Services White Paper and the action the council was taking in relation to this. Mrs Broom explained that the Local Government Act 2000 had introduced wellbeing powers but the legal environment had remained unchanged. In order to exploit these powers and to give them foundation the council had used the Sustainable Community Strategy. The Officer informed Members that the council did not need the power of competency do be responsive to the needs of the community and once the vision and ambition of the organisation was set, a way would be found to achieve this.

The Committee's questioning moved on to the council's assets and areas that could provide an income. Members were interested in determining the executive's outlook on hiring out parks such as Mote Park for events and charging for venues such as the newly vacant Town Hall. Mrs Broom told Members that event management was something the council had limited experience of other than Shakespeare and Proms in the Park. The Committee were told that this would be an area that they could research.

Some Members of the Committee raised questions surrounding parking and enforcement activity. Members were assured that parking enforcement was to ensure compliance and not to raise an income. Mr Goulette informed Members that the annual review into parking charges was taking place. It was agreed that Councillor Barned would undertake research in this area and report back to the Committee.

Members raised concerns regarding the public's perception of the council operating as a business and felt that there was a difference between being a business and being businesslike; with the latter being where emphasis should be placed.

Mr Edwards, Director of ^^^ told the Committee that resources were required to adapt and change to provide services that residents want. The Officer felt that there were opportunities to move forward and provide good value for money and the reliance could be found within partnership arrangements. The Committee were informed that the first shared service had been borne out of another authorities need for expertise. The reliance of partnership arrangements was said to be the key to service delivery. Members questioned the issue of ownership when entering into partnership arrangements and the importance of this in order to maintain excellence. Officers informed Members that this was addressed at the formative stages of any partnership arrangements. Mrs Broom told Members that there was often a contrast in the cultures of authorities coming together to form partnership arrangements, she informed the Committee that 'cultural interfacing' was important. Members questioned the model suggesting that the arrangement was structured to reduce cost to each of the partners and would therefore reduce the scope for income

generation. Mrs Broom explained that the current shared services, Legal, HR and Revenues and Benefits were 'transactional activities' and the economies of scale were there.

Members asked the Officers to identify areas that had potential to develop commercially, the waste strategy was said to be an area that offered opportunities, planning fees, HR and Revenues and Benefits.

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The Committee queried the way in which the organisation evaluated and improve itself with 'value for money' no longer in existence. The Chief Executive informed Members that the authority was keen to be put forward for peer reviews and was open minded in this area.

Members praised the recent budget strategy training that has been arranged with Paul Riley and noted it's value overall to the Committee as it had responsibility to scrutinise this. Members also noted it's relevance to the review topic and the benefit of an increased understanding of this. The Committee felt that their engagement with the budget strategy at its most formative level would be of most benefit to them. Members felt that this could be achieved by appointing a smaller working group who would take on this additional involvement and report back to the Committee as a whole.

It was resolved that:

Councillor Pickett should investigate Parking and report back to the Committee

The Committee should investigate event management on behalf of the authority and report back to the officer group on this area of research

A budget strategy working group should be established

46. 'The Council as a Business?' Staff/Councillor Survey interim report

The Committee discussed the interim report on the staff/Councillors survey. Members had designed a survey with the Scrutiny Officer to be circulated to all staff and Councillors which sought their ideas on efficiency and income generation. Members felt that there were definite possibilities to explore once all the responses had been received and collated. The Committee resolved that they would begin by categorising the suggestions. Individual Members of the Committee would then take ownership of a suggested efficiency or idea for income generation, undertake some research and report back to the Committee. Members discussed taking this forward with staff and Councillors at a workshop,

similar to the world café approach taken with the Strategic Plan Consultation.

The Committee discussed the meeting with Communications attended by Councillor Paine and Councillor English. Members were updated on the progress of this and the outcomes. They were informed that a press release had been sent out asking residents for their ideas to contribute to their exploration of the review topic 'The Council as a Business?' Members were also informed that Morrison's Supermarket, Lenham Farmer's Market and the Switch Café had been discussed as possible venues for the Committee to engage with residents on the review topic and seek their ideas and input. A further meeting would be arranged with Communications Team to decide how best to take this forward.

It was resolved that:

- a) Councillors Paine, Pickett and English would continue working on behalf of the Committee with the Communications team to explore community engagement and a meeting would be arranged by the Scrutiny Officer; and
- b) Once all the results from the staff/Councillor survey had been collated Members of the Committee would be assigned a topic to research, this is to be agreed at the September meeting.

47. Future Work Programme and Scrutiny Officer Update

The Committee reviewed their future work programme and the suggested topics from the Forward Plan.

The Scrutiny Officer updated Members on suggested expert witness Debbie Hague, Interim Commercial Services Director at Kent County Services. The Committee was informed that the witness was not prepared to give evidence in the public domain. Members discussed additional witnesses who they felt could be interviewed as part of the review topic.

Members were informed that they would be evaluating the first quarter Performance Monitoring Report. The Scrutiny Officer advised Members of a training session organised by the Policy and Performance Officer, Clare Wood that would aid their understanding of this area of their remit.

It was resolved that:

- a) Debbie Hague should be invited to attend an informal meeting with the Committee;
- b) Witnesses from the executive of another authority should be invited to attend to give an alternative perspective of a council operating as a business; and

- c) The Scrutiny Officer should arrange Members training for performance management.