



STRATEGIC LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE

Tuesday,
6 January 2009
10.00 a.m.

Council Chamber,
Council Offices,
Spennymoor

AGENDA and REPORTS



**This document is also available in other languages,
large print and audio format upon request**

العربية (Arabic)

إذا أردت المعلومات بلغة أخرى أو بطريقة أخرى، نرجو أن تطلب ذلك منا.

বাংলা (Bengali)

যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

(中文 (繁體字)) (Cantonese)

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

हिन्दी (Hindi)

यदि आपको सूचना किसी अन्य भाषा या अन्य रूप में चाहिये तो कृपया हमसे कहे

polski (Polish)

Jeżeli chcieliby Państwo uzyskać informacje w innym języku lub w innym formacie, prosimy dać nam znać.

ਪੰਜਾਬੀ (Punjabi)

ਜੇ ਇਹ ਜਾਣਕਾਰੀ ਤੁਹਾਨੂੰ ਕਿਸੇ ਹੋਰ ਭਾਸ਼ਾ ਵਿਚ ਜਾਂ ਕਿਸੇ ਹੋਰ ਰੂਪ ਵਿਚ ਚਾਹੀਦੀ, ਤਾਂ ਇਹ ਸਾਥੋਂ ਮੰਗ ਲਓ।

Español (Spanish)

Póngase en contacto con nosotros si desea recibir información en otro idioma o formato.

اردو (Urdu)

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھیے۔

AGENDA

1. APOLOGIES

2. DECLARATIONS OF INTEREST

To notify the Chairman of any items that appear later in the agenda in which you may have an interest.

3. MINUTES

To confirm as a correct record the Minutes of the meeting held on 18th November 2008. (Pages 1 - 4)

4. EQUALITY AND DIVERSITY - CORPORATE EQUALITY PLAN - PROGRESS UPDATE

Report of Head of Organisational Development. (Pages 5 - 10)

5. WORK PROGRAMME

Report of Chairman of the Committee. (Pages 11 - 14)

6. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

Members are respectfully requested to give the Chief Executive notice of items they would wish to raise under the heading not later than 12 noon on the day preceding the meeting, in order that consultation may take place with the Chairman who will determine whether the item will be accepted.

**B. Allen
Chief Executive**

**Council Offices
SPENNYMOOR
22nd December 2008**

Councillor A. Gray (Chairman)
Councillor B.F. Avery J.P (Vice Chairman)

Councillors D.R. Brown, V. Chapman, D. Farry, T.F. Forrest, Mrs. J. Gray, B. Haigh, T. Hogan and B.M. Ord.

ACCESS TO INFORMATION

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Item 3

SEDGEFIELD BOROUGH COUNCIL STRATEGIC LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE

Council Chamber,
Council Offices,
Spennymoor

Tuesday,
18 November 2008

Time: 10.00 a.m.

Present: Councillor A. Gray (Chairman) and
Councillors B.F. Avery J.P, D.R. Brown, V. Chapman, T.F. Forrest,
B. Haigh, T. Hogan and B.M. Ord

In

Attendance: Councillors J.E. Higgin, J.G. Huntington, Mrs. E.M. Paylor and T. Ward

Apologies: Councillors D. Farry and Mrs. J. Gray

SL.14/08 DECLARATIONS OF INTEREST
No declarations of interest were received.

SL.15/08 MINUTES
The Minutes of the meeting held on 7th October, 2008 were confirmed as a correct record and signed by the Chairman. (For copy see file of Minutes).

**SL.16/08 HALF YEARLY REPORT ON COMPLAINTS RECEIVED BY
CORPORATE COMPLAINTS STAFF**
Consideration was given to a report of the Chief Executive outlining complaints/issues received by the Corporate Customer Relations staff in the Chief Executives Department in the period 1st April, 2008 to 30th September, 2008. (For copy see file of Minutes).

Members were reminded that the Borough Council had adopted a revised Complaints Policy aimed at providing residents and other users of the Borough services with the opportunity to comment on/criticise those services or service delivery.

It was reported that the number of complaints/issues dealt with by Corporate Complaints staff had increased from 195 in the first six months of 2007/08 to 278 in the same period in 2008/09. This was an increase of 83 complaints (42%). 47 of these issues were, however, requests for service/advice and not complaints. Also the number of justified complaints had only risen from 11 to 14.

50% of the issues related to services provided by the Housing Department with 10 of the justified complaints relating to the maintenance service. The main reason for the justified complaints was work not being carried out within the timescale.

Two complaints were made against Customer Services with one relating to the telephone system being justified. Intermittent problems had been experienced with callers being cut off when incoming calls were at high levels. This had since been resolved by the supplier of the system.

13 complaints were made against the Benefits, Council Tax and Business Rates services with one relating to Council Tax being justified. This was a case of human error where an incorrect date had been input into the Council Tax system which had caused recovery action to be instigated for a debt which did not exist.

There were four complaints regarding Development Control with one being found to be justified. This involved a delay in responding to a letter relating a particular development. Staff had been reminded to respond to all correspondence within 10 days.

Refuse Collection had seen a slight increase in the number of complaints with one being found to be justified. This was an oversight in not responding to an enquiry.

It was pointed out that there were no complaints made relating to any of the six strands of the Equity and Diversity Standard for Local Government.

The Committee was informed that whilst the number of issues being received by the Corporate Complaints staff had increased it was still below the peak of 561 complaints received in the first six months of 2005/06.

The Corporate Complaints staff aimed to respond to 100% of complaints and enquiries within 10 working days and achieved 100% in the first half of the current year compared with 97.5% in the first half of 2007/08. It was noted that procedures had been changed to ensure that all complaints received at least a holding response if it was not possible to fully resolve the complaint within target. 73% of issues were, however, responded to within one working day.

Members were reminded that if complainants were not satisfied after they had exhausted the Borough's Complaints Procedure they were advised that they had the right to complain to the Local Government Ombudsman. In the first six months of 2007/08, 14 cases were investigated and decided by the Ombudsman. The Borough was found not guilty of maladministration in any of these cases.

Reference was made to the Ombudsman's Annual Letter 2007/08. It was explained that each year the Ombudsman sent an Annual Letter outlining her reflections on the complaints received against the Council. A copy of the letter was attached to the report.

It was noted that the number of complaints received had reduced from 27 to 13. 23 cases were decided by the Ombudsman with none being found to be maladministration and 7 settled locally.

It was pointed out that the Ombudsman had commended the Borough Council for the way in which the local settlements complaints were dealt with during the course of the investigation.

The letter stated that the seven local settlements had previously been considered by the Borough Council through its Complaints Procedure. It was noted, however, that 3 of the 7 cases had not actually been through the Complaints Procedure and of the remaining 4 cases, 3 had been investigated and settlements offered by the Borough which the complainants did not accept. The final complaint had been investigated by the Borough and no maladministration found but the complainant had not been formally notified.

The Borough's response time to the initial enquiries from the Ombudsman were disappointing. It was noted, however, that there was an improvement compared to 2006/07.

It was explained that when responding to the Ombudsman the Council aimed to give a comprehensive response and not send off information/documentation in a piecemeal fashion. It was noted that there was often a lot of documents/files to be read and assimilated which would often be very time-consuming.

In order to ensure that response times improved, departments were being reminded to ensure that comments on the Ombudsman's initial enquiries were provided together with files/other documentation as soon as possible but no later than ten working days after receipt. It was also pointed out that in future all initial enquiries would receive a formal written response.

Members queried whether delays in responding to Ombudsman's enquiries were as a result of other departments not providing information/documentation on time.

In response it was explained that Corporate Complaints staff had a duty to reply to the Ombudsman. However, in general enquiries were very complex and time-consuming. Also Corporate Complaints staff were required to deal with current complaints which had to be dealt with immediately.

Concerns were also raised in relation to complaints made against Housing Maintenance. Members were reminded that the main reason for the complaint was work not being carried out within timescales and did not relate to the quality of work.

AGREED : That the half year report for 2008/09 be received.

SL.17/08

PERFORMANCE UPDATE REPORT - QUARTER 2 2008/09 (START APRIL 2008 - END SEPTEMBER 2008)

Consideration was given to a report measuring performance against the values and governance element of the Corporate Plan covering the period 1st April, 2008 to 30th September, 2008. (For copy see file of Minutes).

The report provided data on 21 Performance Indicators of which four were key to the Council's aims and objectives.

Of the 21 Performance Indicators, 14 had demonstrated improved performance against 2007/08 actual outturn and 4 were performing at a worse level. 12 Indicators were projected to achieve 2008/09 targets and 6 were off target.

Reference was made to **XBV012 – Number of Working Days/Shifts Lost to the Local Authority Due to Sickness Absence**. It was explained that the Council's Sickness Policy had been amended. It was anticipated that changes to a phased return implemented in November should reduce the overall outturn slightly in the medium term. Targeted action was also been taken in conjunction with departmental management teams.

With regard to **CPG01 – Corporate Employee Turnover (Voluntary)** – it was noted that turnover remained low despite Local Government Re-organisation.

It was explained that the figure in relation to **CPG04 – Calls to Main Switchboard answered within 30 seconds (Council HQ)** – was not available due to a server failure. The figures were, however, provided for a 3 month period.

Reference was made to **CPG07 – Response or Holding Response to Letters within 10 working days across the Authority**. It was reported that Council Tax received the highest volume of mail in the building. Staff illness had resulted in priority being given to recovery of Council Tax in year which was a Best Value PI and key to the Borough's objectives. This meant that their performance against this Indicator had reduced the authority-wide figure.

It was noted that this was a local PI and to divert resources from the collection of Council Tax was not an option. Additional staff had been recruited and further improvements were expected throughout the year.

AGREED : That the information be noted.

SL.18/08

WORK PROGRAMME

Consideration was given to a report of the Chairman of the Committee setting out the Committee's current work programme for consideration and review. (For copy see file of Minutes).

AGREED : That the Committee's Work Programme as outlined in the report be agreed.

ACCESS TO INFORMATION

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Item 4

REPORT TO STRATEGIC LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE

REPORT OF HEAD OF ORGANISATIONAL DEVELOPMENT

6th January 2009

STRATEGIC LEADERSHIP PORTFOLIO

EQUALITY AND DIVERSITY – CORPORATE EQUALITY PLAN PROGRESS UPDATE

1. SUMMARY

- 1.1 This report sets out the progress made to date against the Corporate Equality Plan (CEP). The CEP is a key document in ensuring the Council drives forward the equalities agenda and has recently been updated in accordance with legislative requirements.
- 1.2 The CEP provides the overarching framework to steer the Council towards Level 4 of the Equality Standard for Local Government (ESLG) and to address actions relating to disability, race and gender equality. The CEP supports the Council's Equality and Diversity Policy and incorporates the race, disability and gender equality schemes.

2. RECOMMENDATIONS

It is recommended that:

- 2.1 Strategic Leadership Overview and Scrutiny Committee considers the progress made to date.
- 2.2 The revised CEP, associated schemes and action plan are approved.

3. CORPORATE EQUALITY PLAN

3.1 Background

The Council has set a challenging target to achieve Level 4 of ESLG by February 2009 leaving a positive legacy for the Borough in terms of equality and diversity. The CEP is a prerequisite for achieving this and is key to strengthening and formalising corporate commitment to equalities which will be carried forward to the new Council.

- 3.2 The CEP sets out:
- Equality issues in Sedgefield Borough
 - The strategic framework
 - The Equality Standard for Local Government
 - Impact Needs Requirements Assessment Programme
 - Race, Disability and Gender Equality
 - Action to date
 - Implementation and monitoring arrangements
 - CEP Action Plan
- 3.3 **Race Equality**
The Council's Race Equality Scheme is contained within the CEP and sets out how the Council will action its general duty under the Race Relations (Amendment) Act 2000 to eliminate unlawful racial discrimination, promote equal opportunities and promote good relations between people from different racial backgrounds.
- 3.4 This is the Council's fourth revision to its Race Equality Scheme (RES) and builds upon the work already carried out in this area.
- 3.5 **Disability Equality**
This third version of the Disability Equality Scheme (DES) focuses on how the Council will action its general duty under the Disability Discrimination Act (1995 and 2004) which makes it unlawful for a public body to discriminate against people with disabilities by treating them less favourably in employment, in the provision of services and in certain aspects of education.
- 3.6 **Gender Equality**
This third version of the Gender Equality Scheme (GES) sets out how the Council will fulfil its general duty under the Equality Act 2006 to have due regard to the need to eliminate unlawful discrimination and to promote equality of opportunity between men and women.
- 3.7 **Progress to Date**
Equality Standard for Local Government (ESLG)
Significant progress has been made to embed and mainstream the equality agenda across the Council. The Council achieved level 3 of the ESLG in June 2008 as verified through external validation and has set a target to achieve Level 4 of ESLG by February 2009. The action plan contained within the CEP details how this will be achieved. Whereas level 3 needs to be externally assessed, level 4 is self declared once a self assessment process has taken place and evidence is provided to substantiate a claim.
- 3.8 In order to produce the self assessment documentation, a sub group has been established and the remit of this group is to:
- Finalise the self assessment report and monitor progress against it
 - Co-ordinate departmental responses, evidence and actions to be completed prior to a claim for level 4

- Ensure the self assessment report receives critical and peer challenge

3.9 **Corporate Equality Plan (CEP) Action Plan Leadership and Corporate Commitment**

Following assessment and consultation the CEP and associated action plan have been revised and re-published. Recommendations from the assessors report have been used to inform the action plan. The incorporated Race, Disability and Gender Equality Schemes have been updated and revised in accordance with legislative requirements.

- 3.10 All transition projects have been impact assessed in line with the re-prioritisation programme of impact assessment as part of Local Government Reorganisation (LGR).
- 3.11 Work is underway to self assess progress against targets set at level 3 of the ESG utilising monitoring information where available.
- ### 3.12 **Community Engagement and Accountability**
- Consultation with communities continues through the impact assessment process and established mechanisms for consultation such as the LSP and the Borough's access to services group. Work will continue within the new Council to ensure consultation mechanisms are robust and reach all representative communities and groups within the Borough.
- 3.13 'Inform' and other media are being used to promote positive publicity on equality issues. Articles have included the Council's achievement of the Equality Mark (level 3), 'Escape to Safety' project at Woodham Community Technology College, 'Sedgefield Awards for Sensational Youth', young women in sport initiatives, intergeneration project work with Age Concern, disability gymnastics and the Chinese cultural festival at Locomotion.
- 3.14 A consistent approach has been developed for communicating to people with all types of disabilities such 'Browse Aloud' for the web site and talking newspapers. A corporate publication 'First Contact' provides staff guidance in dealing with customers specific needs. Translation and interpretation services are available.
- 3.15 Partnership working with other public bodies, in particular the Durham Equality and Diversity Partnership (DEDP), has enabled joint consultation events and improved information sharing.
- ### 3.16 **Service Delivery and Customer Care**
- The Council has commenced monitoring of equality issues with external contractors and partners delivering services on behalf of the Council.
- 3.17 The Corporate Complaints Policy is monitored for equality issues. The bi-annual report to Strategic Leadership Overview and Scrutiny highlights the fact that no complaints were received covering the six strands of equality.

- 3.18 In order to monitor the take up of services by race, gender and disability some equality statistics have been compiled across service delivery areas. Monitoring will be developed further via the Customer Relationship Management (CRM) system within the new Council.
- 3.19 Gender, race and homophobic related incidents are reported and mapped via the hate crime reduction group and the information is analysed to inform service delivery.
- 3.20 **Employment and Training**
Employment data is regularly analysed for trends and results used to inform equality targets such as steps to improve the under representation of men and women and people with disabilities within specific parts of the workforce. Data is reported via BVPI targets.
- 3.21 **Future Issues**
The forthcoming Single Equality Bill is due before Parliament in the next session and will become law during 2009. This new legislation will have a major impact upon public sector duties and monitoring of external contacts within the public sector.

4. RESOURCE IMPLICATIONS

Human Resources

- 4.1 The CEP Action Plan details the specific resource implications and the officers responsible for delivering the aims of the plan. It is expected that this can be met from existing staffing resources.

Financial Resources

- 4.2 The financial implications set out in the CEP Action Plan can be met from the remaining Equality and Diversity revenue budget 2008/9.

5. CONSULTATION

- 5.1 The CEP has been subject to consultation via a number of organisations including County Durham and Darlington Race Equality Council, Gay Advice Durham and Darlington and the Borough's Access to Services Group as well as other officers within the Borough Council.
- 5.2 In July 2008, the Council took part in a countywide event to consult and further understand issues around economic migrant workers and the impact upon the public sector.
- 5.3 Consultation has been limited due to LGR and because the action plan will only run until March 2009.
- 5.4 The action plan will be monitored through the Corporate Equality and Diversity Group.

6. OTHER MATERIAL CONSIDERATIONS

6.1 Links to Corporate Ambitions/Values

The contents of the equalities plans and schemes referred to this report contribute directly towards ensuring Council services are provided in an open, accessible, equitable, fair and responsive way. The outcomes of the plans will contribute towards tackling disadvantage and promoting social inclusion of minority groups.

6.2 Risk Management

The following risks have been identified via a STORM risk assessment and details of the mitigating action are set out in the Equality and Diversity Risk Management Action Plan (Reference OD 4):

- ❑ Non-compliance with statutory duties
- ❑ Non-compliance with the legislative framework
- ❑ Failure to achieve targets set out in the corporate plan
- ❑ Risk of challenge from minority groups
- ❑ Adverse inspection by Audit Commission

6.3 Health and Safety

No additional implications have been identified.

6.4 Equality and Diversity

The Council has a key strategic role to play with respect to equality and diversity and is committed to promoting equality of access to employment opportunities and appropriate use of its services and facilities regardless of race, gender, disability, age, sexual orientation or religious or philosophical belief.

The CEP, DES, RES and GES are an essential part of a Corporate Equalities Framework designed to firmly embed equality issues within the culture and day-to-day activities of the Council.

6.5 Legal and Constitutional

The Council has a moral and social duty to recognise that discrimination does not take place whether within the workplace or in the wider community. However, the CEP will (importantly) enable the Council to meet the requirements of current and future legislation including, Race Relations Act (1976) plus amendments (2000, 2003), Employment Equality (Age) Regulations 2006, Employment Equality (Religion or Belief) Regulations 2003 and Employment Equality (Sexual Orientation) Regulations 2003.

The DES, RES and GES are legislative documents and set out how the Council will meet its duties arising from the Disability Discrimination Act (1995) and

amendment 2003, Race Relations Act (1976) and amendment 2000 and 2003 and the Equality Act 2006.

No other material considerations have been identified.

Contact Officer: Helen Darby
Telephone No: (01388) 816166 ext 4436
Email Address: hdarby@sedgefield.gov.uk

Ward(s): All wards are affected

Background Papers

The Equality Standard for Local Government – Guidance Document
Sedgefield Borough Corporate Equality Plan

Item 5

STRATEGIC LEADERSHIP OVERVIEW & SCRUTINY COMMITTEE

6TH JANUARY 2009

REPORT OF CHAIRMAN OF THE COMMITTEE

WORK PROGRAMME

SUMMARY

This report sets out the Committee's current Work Programme for consideration and review.

RECOMMENDATIONS

1. That the Committee's Work Programme be reviewed.

DETAIL

1. In accordance with Overview & Scrutiny Procedure Rule 8 of the Council's Constitution, Overview & Scrutiny Committees are responsible for setting their own work programme.
2. Each Overview & Scrutiny Committee should agree a realistic, achievable and considered work programme on the understanding that, from time to time, more urgent or immediate issues may require scrutiny. Issues may, for example, be raised by Cabinet reports, Members' constituency business or be referred to Scrutiny by Cabinet in advance of a Cabinet decision.
3. The current Work Programme for this Committee is appended to the report which details:-
 - Scrutiny Reviews currently being undertaken.
 - Scrutiny review topics held in reserve for future investigation.
 - A schedule of items to be considered by the Committee for the period to 31st March 2009.
4. **Scrutiny Review**
The Committee should aim to undertake a small number of high quality reviews that will make a real difference to the work of the Authority, rather than high numbers of reviews on more minor issues. Overview & Scrutiny Committees should normally aim to undertake two reviews concurrently. Any additional review topics that have been agreed by Members will be placed on a reserve list and as one review is completed the Committee will decide on which review should be undertaken next.

A workshop was held for Overview & Scrutiny Members on 20th February 2008 to discuss the role of the Committees within the period leading to the establishment of a new Unitary Council in April 2009. One element of the

workshop was to consider a number of options for undertaking scrutiny reviews within this period. Members supported undertaking a State of the Borough Review, which would look at achievements within each of the Council's ambitions. The Review would provide a benchmark for future assessment, highlight areas for improvement and make recommendations to the new council where appropriate.

It was proposed that Overview & Scrutiny Committees establish Review Groups to examine each of the Council's ambitions as follows:-

Committee	Review Groups
Healthy Borough with Strong Communities O&S Cttee	<ul style="list-style-type: none">• Healthy Borough Review Group• Strong Communities Review Group
Prosperous and Attractive Borough O&S Cttee	<ul style="list-style-type: none">• Prosperous Borough Review Group• Attractive Borough Review Group

The final reports from each of these reviews would be combined to form a single State of the Borough report.

5. Business for Future Meetings

The Committees Work Programme for the period leading to the establishment of a new Unitary Council in April 2009 is attached for consideration.

Members are requested to review the Committee's Work Programme and identify, where necessary, issues that they feel should be investigated by the Committee. The Work Programme will need to be carefully managed to ensure that the most important issues are considered in the limited time available.

It will not always be possible to anticipate all reports which will need to be considered by an Overview & Scrutiny Committee and therefore a flexible approach will need to be taken to work programming.

6 FINANCIAL IMPLICATIONS

None associated with this report.

7 CONSULTATION

Contact Officers: Jonathan Slee
Telephone No: (01388) 816166 ext 4362
Email Address: jslee@sedgefield.gov.uk

Ward(s): Not ward specific
Background Papers None

STRATEGIC LEADERSHIP OVERVIEW & SCRUTINY COMMITTEE

WORK PROGRAMME

Ongoing Reviews

- *No reviews currently ongoing*

Future Reviews

The following review topics have been identified by the Committee for future review. As one review is completed Members will decide which review should be undertaken next.

- *No reviews identified*

ANTICIPATED ITEMS

10 February 2009

- No items identified

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