

DURHAM COUNTY COUNCIL

At a Meeting of **Special Corporate Overview and Scrutiny Management Board** held in Committee Room 2 - County Hall, Durham on **Friday 12 October 2018 at 9.30 am**

Present:

Councillor R Crute (Chairman)

Members of the Committee:

Councillors A Patterson (Vice-Chairman), E Adam, A Batey, D Boyes, M Clarke, P Jopling, H Liddle, L Maddison, J Makepeace, O Milburn, C Potts, L Pounder, J Rowlandson, M Simmons, H Smith, J Turnbull and R Manchester

1 Apologies for Absence

Apologies for absence were received from Councillors R Bell, K Hawley, C Martin, A Shield, F Tinsley and A Willis.

2 Substitute Members

Councillor R Manchester substituted for Councillor F Tinsley.

3 Minutes

The minutes of the meeting held on 14 September 2018 were confirmed as a correct record and signed by the Chairman, subject to the recording of Councillor E Adams apologies which had been submitted prior to the meeting.

Matters Arising

With regards to matters arising, the Head of Strategy confirmed the following;

Minute no. 5;

- Para 17, Councillor Martin queried the figures in paragraph 125 of the report and the Head of Corp Finance & Commercial Services had confirmed that the number of pubs should have read 151, and not 51.
- Para 20, With regards to the summary of discussion, the points referred to in the summing up had been verbally reported to the Deputy Leader and would be followed up with a written response.

Minute no. 6;

- Para 4, the Chairman had requested further information relating to gender equality with regards to redundancies since austerity had began in 2011.

She confirmed that 66% of the workforce were female and 33% male and redundancies were in line with 65% female and 35% male, however with regards to compulsory redundancies the figure was higher for females at 72%. This was equated to particular cohorts of service groupings being affected and in line with the gender mix of those groups.

- Para 5, Councillor Wilkes requested further information relating to the ethnicity of those affected by redundancy a figure could not be provided as the information had not been disclosed by the majority of those who had left the authority, although work to improve future recording was taking place.

Minute no. 10;

- Para 6, the Chairman had requested that the County Durham Plan workshops were discussed with the Chair and Vice Chair of the relevant Committees. This had been discussed with Councillor Batey, Chairman of the Economy and Enterprise Overview and Scrutiny Committee who confirmed that there was an event scheduled to take place in February and members comments from the 14th September meeting would be taken on board.

4 Declarations of Interest

There were no declarations of interest.

5 Regulation of Investigatory Powers Act 2000 - Annual Review of the Council's use of powers

The Board considered a report of the Head of Legal and Democratic Services which provided information about the Council's use of powers under the Regulation of Investigatory Powers Act 2000 ('RIPA') during the period 1 April 2017 until 31 March 2018 and to notify Members of the outcome of the Council's inspection by the Investigatory Powers Commissioner's Office (IPCO) (for copy see file of Minutes).

Councillor Clarke referred to the use of test purchasing of Hackney Carriage and Private Hire Vehicles, by the Licensing and Enforcement Team and queried whether the Council could use RIPA to protect themselves from potential allegations of entrapment. The Governance Solicitor confirmed that RIPA was permissive legislation for direct surveillance where a serious criminal offence, punishable by at least six months imprisonment, was suspected of taking place or for the use of Covert Human Intelligence Sources. The legislation was to be used with judicial approval to protect the Council from claims of a breach of Human Rights. .

Councillor Boyes queried use of RIPA in Durham compared with other authorities and the Governance Solicitor confirmed that the Council made average use.

The Chairman referred to the positive feedback in the report with regards to the Council's use of surveillance techniques and he complimented the work of the Head

of Legal and Democratic Services and her team which had led to the findings of the inspection.

Resolved:

- (i) That the annual report on the Council's use of powers under RIPA be received; and
- (ii) That the outcome and findings of the recent IPCO Inspection, and the measures being taken to implement the recommendations, be noted.

6 Quarter One 2018/19 Performance Management Report

The Board considered a report of the Director of Transformation and Partnerships which presented progress towards achieving the key outcomes of the Council's corporate performance framework by Altogether priority theme for the first quarter of the 2018/19 financial year (for copy see file of Minutes).

Councillor Adam, Chairman of Environment and Sustainable Communities, confirmed that he had attended a recent meeting which had confirmed that further investigation into fly-tipping would take place as 62% was found to consist of household waste.

The Head of Strategy referred to Mental Health Day on 10 October and highlighted the attendance management data contained in the report, with most sickness absence occurring due to symptoms of mental health and fatigue. The Head of People and Talent Management confirmed that of the 33.69% sickness relating to mental health and fatigue, 23% was not work related. Nevertheless, there were a lot of support mechanisms which staff could access. With regards to long term sickness, she confirmed that most employees returned to work within 6 months.

Councillor Boyes queried whether information could be provided with regards to the percentage of manual or clerical posts contained within the categories and whether musculo-skeletal issues were more prevalent in manual workers. The Head of People and Talent Management confirmed that more front line operatives suffered with musculo-skeletal issues but the Council initiated physiotherapy as early as possible to prevent long term conditions developing.

Councillor Jopling referred to mental health issues being more prevalent as people were not afraid to report it now and referred to recent campaigns addressing stigma. She added that there were triggers for episodes of depression and managers needed to be aware of the signs, in order to intervene early, for example performance issues may indicate a stress related condition. Councillor Jopling suggested a preventative approach, investigating triggers in the workplace and ensuring Managers were aware of early signs of mental health issues. Councillor Maddison referred to the Inspire Team and transformation arrangements which would hopefully include ways to identify issues with staff as early as possible.

Councillor Makepeace queried whether people on long term sickness, returned to work with six months because salary was decreased to half after six months. The Head of People and Talent Management confirmed that salary was halved after six

months, however, most people tended to return to work within three to five months which indicated that the Council's response and support mechanisms with regards to long term sickness absence were assisting in getting staff back to work.

In response to a question from Councillor Jopling, the Head of Strategy confirmed that an increase in FOI requests did not indicate dissatisfaction with service as they were requests for information held by the Council and not a source of customer feedback. The increase was perhaps due to people not previously being aware that they had the right to ask for this information. She further explained that the make up of requests was around one third from business, one third from the public and one third requests for information from the press. The complexity of requests challenged the Council to improve the way information was held.

Resolved:

- i) That the council's performance at quarter one be noted.
- ii) That the changes to the Council Plan outlined in the report be noted.

7 Customer Feedback Report Quarter 1, 2018/19

The Board considered a report of the Corporate Director of Resources, which presented for information the Members Customer Feedback: Complaints, Compliments and Suggestions report for quarter 1, 2018/19 (for copy see file of Minutes).

The Chairman referred to the number of complaints with regards to refuse and recycling collections and the Interim Customer Relations Manager confirmed that operatives had changed routes and were unfamiliar with assisted collections for vulnerable residents, and a number had been missed. The Chairman highlighted that it was not unusual for the service to receive the highest number of complaints and Councillor Jopling suggested that when considering the number of bin collections over the quarterly period, this was an extremely low percentage.

The Interim Customer Relations Manager noted the delayed bin collections in March and the Christmas period and it had been established that there had been an error with the online system, which gave details for householder's next bin collection. Online information had provided incorrect collection dates. The responsibility of updating the website lay with alternative staff covering bank holiday periods and the service were considering ways to prevent this problem repeating in future.

Councillor Makepeace referred to his own positive experience of contacting Customer Services due to a broken bin, which was replaced within two days. He was less satisfied that having experienced problems in his street due to high wind on a number of occasions and requesting glass recycling boxes be put inside the larger recycling bins in extreme weather, he had received no response.

Councillor Makepeace was also was dissatisfied with the Council's Policy of not crowning trees and referred to it being a matter of time before a serious accident occurred. Councillor Jopling also referred to a play area in Howden where a tree

had been damaged in the bad weather, it was cut back but the canopy had not been cropped and she requested that the Policy was reconsidered, especially when the safety of children was at risk. Councillor Maddison added that many complaints received were with regards to trees on public land and agreed that the Policy needed addressing.

The Chairman referred to Sheffield Tree Action Group which protested against the felling of trees, suggesting that there was an emerging theme but not necessarily always reduce or remove trees. The Interim Customer Services Manager confirmed that she would provide an update for Members at the next meeting.

Councillor Boyes referred to the information regarding Universal Credit and that 50% of those needing digital assistance did not have access to the internet yet only 30% did not own a device. Some of those who did own a device, owned smartphones. The Interim Customer Relations Manager confirmed that a lot of work was being done via Digital Durham and data confirmed that people who did have smartphones may not have data usage due to financial constraints. She referred to the free public wifi provision at various Council locations and that some people were unaware. Councillor Boyes agreed that some people may be unaware of where to access assistance and the Chairman reiterated the importance of providing customers with access to the internet, especially since Universal Credit could only be applied for online. He and another local member had ensured that part of their neighbourhood budget had been spent on community facilities, highlighting that the Council still had work to do to ensure access to services.

The Interim Customer Relations Manager confirmed that there was still a lot of work to do with regards to Universal Credit support, however she reminded the Committee that this was to be transferred to the Citizens Advice Bureau.

Councillor Patterson referred to the statistics in the report with regards to online transactions and suggested that age was a significant factor when considering the reason that people did not use this type of facility. In her own experience of using the system, she had not found it user friendly, the page timed out, and there was no facility to track issues reported or receive feedback at various stages.

Councillor Patterson referred to the complaint upheld by the Ombudsmen with regards to a care agency and had concerns that the Council had to procure agencies given the need for care beds.

In response to a question from Councillor Patterson, the Interim Customer Relations Manager confirmed that since the Customer Services Team had merged into one building in Crook staff were happy with the new, modern way of working, the excellent facilities, and the flexible working conditions.

Resolved:

That the content of the report be noted.