

## **Overview and Scrutiny Committee**

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Held at Member's Lounge - Ryedale House, Malton, North Yorkshire YO17 7HH  
on Thursday 6 August 2009

### **Present**

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Councillors Andrews, Clark, Cottam, Cussons (Vice-Chair) and Mrs Shields (Chairman)

### **In Attendance**

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Audrey Adnitt, Paul Cresswell, Phil Long, Louise Sandall and Clare Slater

### **Minutes**

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10      **Apologies for Absence**

Apologies were received from Councillors Jackson, Windress and Mrs Wilford.

11      **Minutes of the meeting of the Overview & Scrutiny Committee held on 2 July 2009**

The minutes of the meeting of the Overview & Scrutiny Committee held on 2 July 2009 were presented.

**Resolved**

That the minutes of the meeting of the Overview and Scrutiny Committee held on 2 July 2009 be accepted as a correct record.

12      **Urgent Business**

The Chairman reported that there were two items to be dealt with as a matter of urgency by virtue of Section 100(B)(4)(b).

13      **Declarations of Interest**

No Declarations of Interest were received.

14      **Matters Referred for Decision in Relation to Call In**

No items were called in.

15      **Presentation from North Yorkshire County Council - Attendance Management Policy**

A presentation was given by the Assistant Chief Executive (Human Resources and Organisational Development) Justine Brooksbank from North Yorkshire County Council and County Councillor Carl Les regarding Improving Health and Attendance, and the attendance management policy, which had been adopted by North Yorkshire County Council for the last three years. A copy of the policy was appended to the agenda. Following questions, the Chair thanked Ms Brooksbank and Councillor Les for attending and for the very informative and useful presentation.

The Corporate Director (s151) asked Members for their initial thoughts on North Yorkshire County Council's policy. Members were of the opinion that further information would be required and further exploration of the policy, and preliminary consultations with staff and Unison would prove useful.

### **Resolved**

That following some further analysis, and initial consultations with staff and Unison the Head of Organisational Development provide a report to a future meeting.

## **16 Annual Report**

The Head of Transformation presented the draft Ryedale District Council Annual Report for 2008-09 to the Committee.

The Council adopted the previous Corporate Plan in February 2006 for the period 2006-2009. The document attached at Annex A was presented to Members as the Annual Report for 2008-09.

Members were advised that the Annual Report concluded the reporting in relation to the Corporate Plan for 2006-2009. It also presented a summary of the ambitions of the Council and the clear strategic direction. This Annual Report was a vital element of the Councils' Strategic Performance Management and contained the following information:

- A profile of Ryedale today
- Our vision and mission
- A year in the life of Ryedale as presented in the media
- Our Council priorities for 2009-13
- Achievement against the six priorities of the Corporate Plan 2006-09
- A summary of the New Performance Framework for public services
- National Indicators by Aim
- The summary statement of accounts
- Community Engagement opportunities and outcomes
- Workforce monitoring data
- Progress in achieving 'One Council for Everyone'

- Useful Contacts

The report was discussed in detail, and Members congratulated the Head of Transformation on a very fine document. Concerns were raised that the document may be rather too detailed and some potential inaccuracies in the content were pointed out. Although it was understood that a full report was required, it was suggested that a brief executive summary might be more appropriate for the public and website.

### **Resolved**

That the Committee agree the format of the Annual Report and subject to checking potential amendments the content.

**NB.** Councillor Andrews requested that his abstention be recorded.

## **17 Scrutiny of Crime and Disorder**

The Council Solicitor submitted a report (previously circulated) to the Constitution Review Working Party in order to inform the Committee of the introduction of legislative changes, which place a requirement on the Council to create or designate a crime and disorder committee to scrutinise crime and disorder matters.

Members were advised that the new duties were to be allocated to the Overview and Scrutiny Committee and training would be available shortly. This would then be an agenda item at a future meeting.

### **Resolved**

That the report be received.

## **18 Customer Complaints Monitoring**

The Customer Services and Benefits Manager submitted a report (previously circulated) in order to inform Members of the number and type of complaints received under the Council's complaints procedure for the period April to June 2009.

The report included complaints monitored under individual service complaints systems and a summary of customer feedback to Community Leisure Ltd (CLL) for the period April to June 2009 together with action taken where appropriate.

Councillor Clark requested further information on the timescales involved in sending a reply following the receipt of a complaint.

### **Resolved**

That the report be noted.

## **19 Local Government Ombudsman Annual Review 2008-09**

The Corporate Director (s151) presented a report on behalf of the Council Solicitor (previously circulated) in order to provide information about the complaints made against Ryedale District Council, which were dealt with by the Local Government Ombudsman in 2008/2009.

It also supplied the Local Government Ombudsman's (LGO) reflections on complaints dealt with by her office during the period, and updated Members on the new 'Council First' procedure for complaints, which came into effect on 1 April 2009.

The Ombudsman had received a total of 11 enquiries and complaints about this Council during 2008/2009. Two complaints were determined to be premature and needed to be considered by the Council first. 9 complaints were forwarded to the investigation team, 7 about Planning and Building Control, 1 about public finance (including local taxation) and 1 about benefits.

Ten complaints were determined during the year. Five decisions were taken by the Coventry officer of the LGO to avoid a conflict of interest with the York LGO Office. The remaining five complaints were determined in York.

There was no finding of maladministration by the Council in six cases while the Council agreed to settle the remaining complaints as a local settlement in the cases concerning a mobile telephone mast.

No public reports were issued against the Council during the year, and the Ombudsman commented that overall the number of complaints made against the Council was small. Members commented on the improvement that had been made in the last year, regarding the average response time to first enquiries, this had reduced from 50 days to 24.3 days, and Members congratulated the Council Solicitor and his team on this improvement.

### **Resolved**

That the Local Government Ombudsman's Annual Review 2008/2009 be received, and the further developments to the Ombudsman Service noted.

20 **Joint Flooding Scrutiny Project - Final Report**

The Corporate Director (s151) presented the Joint County and District Council Flood Scrutiny Group Final Report, a copy of which was appended to the report.

The County Council, in conjunction with Borough and District Councils and various other partners, had produced the report. The Committee welcomed the document, which gave some excellent background information, and provided information on individual authority's responsibilities.

**Resolved**

That the report be noted.

21 **OVERVIEW & SCRUTINY ACTING AS AUDIT COMMITTEE**

22 **Partnership Governance Toolkit**

The Head of Transformation submitted a report (previously circulated), which presented Members with the draft partnership governance toolkit.

The Partnership Governance Toolkit was required to deliver the Annual Governance Action Plan and to evidence a systematic approach to the development and review of partnerships in which the Council was engaged.

The review of current partnerships and process for assessing potential partnership working would support the delivery of the Councils strategic objective – To develop the leadership, capacity and capability to deliver future improvements.

The toolkit outlined the approach to be applied when the Council was considering joining or introducing new partnerships and also reviewing existing arrangements. It provided a basis for examining the key issues that required consideration, to ensure that any potential problems identified in relation to partnership working were confronted, assessed, overcome and avoided in the future. The draft Partnership Governance Toolkit was attached at annex A.

An audit of all the Councils involvement in partnerships was currently being undertaken.

Following a detailed discussion it was;

**Resolved**

- a. That the toolkit be adopted as the basis for reviewing all existing partnerships in which the Council was engaged.
- b. That the toolkit be adopted as the protocol to be followed when considering entering into any new partnership arrangements.

**23 Service Risk Register - Organisational Development**

The Head of Organisational Development submitted a report (previously circulated) in order to present the service risk register for those services within the Organisational Development team.

Service Risk Registers were originally established from work undertaken by the Audit Partnership in conjunction with Service Unit Managers, however since the management restructure the number of registers had been reduced and were now the responsibility of the Heads of Service and their managers. These registers had not yet been subject to Member review.

Annex A outlined the Service Risk Register for the Head of Organisational Development, and was presented to the Committee in order to highlight changes to risks and work undertaken to mitigate those risks.

The Committee thanked the Head of Organisational Development for the report, and it was requested that future information provided from the covalent system be printed in colour, in order to make to data easier to interpret. It was also suggested that Members would find some further training on the covalent system beneficial.

**Resolved**

That the report be received.

**24 Service Risk Register - Environment**

The Head of Environment submitted a report (previously circulated) in order to present the service risk register for those services within the Environment team.

Service Risk Registers were originally established from work undertaken by the Audit Partnership in conjunction with Service Unit Managers, however

since the management restructure the number of registers had been reduced and were now the responsibility of the Heads of Service and their managers. These registers had not yet been subject to Member review.

Annex A outlined the Service Risk Register for the Head of Environment, and was presented to the Committee in order to highlight changes to risks and work undertaken to mitigate those risks.

**Resolved**

That the report be received.

**25 Decisions from Other Committees**

Lists of Decisions from the following Committees were submitted:

Community Services held on 23 July 2009  
Policy & Resources held on 30 July 2009

Councillor Andrews referred to the Policy and Resources Committee decisions in particular that relating to the Capital Programme and the Milton Rooms project proposals. Councillor Andrews expressed concern about the need for fundraising, and advised that he would be raising the issue at the next Council meeting.

**Resolved**

That the lists of decisions of the Community Services Committee held on the 23 July 2009 and the Policy & Resources Committee held on the 30 July 2009 be received.

**26 Any other items which the Chairman decides are urgent**

Councillor Clark advised that the minutes of the meeting of the Overview & Scrutiny Committee held on the 22 June 2009, had been omitted from the agenda. The minutes were distributed to the Committee for their information and duly approved.

The Committee also expressed concerns following the receipt of the Analysis of Revenue Accounts for Repairs and Maintenance Budget 2008-09. Following a debate, it was proposed by Councillor Clark and seconded by Councillor Andrews that a working party be formed, in order to further scrutinise the information received. Upon being put to the vote, the proposal was lost.

