



**BROMSGROVE DISTRICT COUNCIL**

**MEETING OF THE SCRUTINY BOARD**

**THURSDAY 10TH JUNE 2010, AT 6.00 P.M.**

**COUNCIL CHAMBER, THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE**

MEMBERS: Councillors A. N. Blagg, R. J. Deeming, D. L. Pardoe,  
C. R. Scurrall, C. B. Taylor, C. J. Tidmarsh and Vacancy

**AGENDA**

1. Election of Chairman
2. Election of Vice-Chairman
3. To receive apologies for absence
4. Declarations of Interest and whipping arrangements
5. To confirm the accuracy of the minutes of the meeting of the Scrutiny Board held on 22nd April 2010 (Pages 1 - 6)
6. Draft Report of the Improving Residents' Satisfaction Task Group (Task Group Chairman: Councillor S. R. Colella) (Pages 7 - 44)
7. Call-In Procedure Review - Update Report (Pages 45 - 56)
8. Overview & Scrutiny proposal - Almshouses (Update Report) (Pages 57 - 62)
9. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman considers to be of so urgent a nature it cannot wait until the next meeting

K. DICKS  
Chief Executive

The Council House  
Burcot Lane  
BROMSGROVE  
Worcestershire  
B60 1AA

2nd June 2010

# Agenda Item 5

## BROMSGROVE DISTRICT COUNCIL

### MEETING OF THE SCRUTINY BOARD

THURSDAY, 22ND APRIL 2010 AT 6.00 P.M.

PRESENT: Councillors D. L. Pardoe (Chairman), C. B. Taylor (Vice-Chairman),  
S. R. Peters, C. R. Scurrall and C. J. Tidmarsh

Officers: Mrs. S. Hanley, Mr. J. Godwin, Ms. R. Dunne, Mr. M. Carr and  
Ms. A. Scarce

81/09 **APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor R. J. Deeming.

82/09 **DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS**

No declarations of interest or whipping arrangements were received.

83/09 **MINUTES**

The minutes of the meeting of the Scrutiny board held on 23rd March 2010 were submitted.

**RESOLVED** that the minutes be approved as a correct record.

84/09 **VERBAL UPDATE ON PROGRESS OF THE IMPROVING RESIDENTS' SATISFACTION TASK GROUP (TASK GROUP CHAIRMAN: COUNCILLORS. R. COLELLA)**

In the absence of the Chairman of the Improving Residents' Satisfaction Task Group, the Committee Services Officer reported that the draft recommendations had been discussed at a Task Group meeting on 13th April 2010. The meeting had been attended by the Portfolio Holders for Finance and Resources and One Community, who had contributed to the amendment of the draft recommendations. Members were informed that it was anticipated that the final report of the Task Group would be brought to the Scrutiny Board meeting on 15th June 2010.

85/09 **VERBAL UPDATE ON CHAIRMAN'S QUARTERLY MEETING WITH THE LEADER**

The Chairman advised that the following issues had been discussed at the Chairman's quarterly meeting with the Leader:

- The attendance of portfolio holders at task group and Board meetings.

- Pressure on officer time, particularly in respect of attendance at task group meetings. The Scrutiny Officer confirmed that this should be addressed as part of the planning of the new Work Programme.
- The Sports Development Programme as a possible scrutiny exercise. The Head of Leisure and Cultural Services agreed that this would be an interesting exercise for the Board to undertake and gave some background detail as to the funding the Council received and the level of flexibility, which may be less than Members would expect. The Head of Leisure and Cultural Services advised that it would be most appropriate for the Board to consider this investigation in September/October 2010, after the summer activity schemes had been completed. Members could then consider at that time whether it was appropriate to investigate the Sports Development Programme in more detail.
- Working with our partners and in particular the Local Strategic Partnership (LSP). The Scrutiny Officer advised Members that a report on Overview and Scrutiny would be presented to the LSP at its next meeting. This would provide the LSP with background information on the role of Overview and Scrutiny and assist in informing the Boards on key issues and the development of a relationship with the LSP. Members agreed that, as this relationship developed it may be appropriate for the Chairman of the Scrutiny Board to attend a future meeting should any relevant recommendation be presented. It would also provide tangible issues for the Board to consider scrutinising in the future.

86/09 **PRESENTATION - ENGAGING WITH YOUNG PEOPLE IN BROMSGROVE**

The Board received a presentation on Children and Young People including the Every Child Matters agenda, from the Senior Corporate Policy and Performance Officer. The presentation covered the following areas:

- Recent activities organised by the Council including U Decide
- Worcestershire Children & Young People's Plan
- Every Child Matters Agenda
- Every Child Matters Outcomes Framework, which included Stay Safe, Make a Positive Contribution, Be Healthy, Enjoy and Achieve and Achieve Economic Wellbeing
- Upcoming projects and events
- Working in partnership; particularly with the LSP

In response to the presentation, the Board discussed the following in detail:

- The future funding available for the U Decide project
- Diversionary sessions carried out on behalf of the Crime and Disorder Reduction Partnership (CDRP)
- Issues relating to CDRP and which may be more appropriately covered by the Joint Overview and Scrutiny Board
- The work carried out by the TRUNK
- Drug and alcohol related issues and teenage pregnancies
- National indicators relating to the Every Child Matters Outcomes Framework

- Corporate priorities

The Board discussed the inclusion of Children and Young People and Every Child Matters in the Scrutiny Board's Work Programme and the Scrutiny Officer suggested that the draft terms of reference could be "to review the work of the Worcestershire Children and Young People's Plan against the requirements of the Every Child Matters Agenda to identify areas where we are delivering well and areas which need further action".

Members were impressed with the services that the Council already provided for children and young people and suggested that this should receive greater promotion, through an article within Together Bromsgrove. It was also noted that many Members may not be aware of the wide range of services available. The Senior Corporate Policy and Performance Officer confirmed that she was investigating the use of a regular Member/staff briefing or newsletter which would provide information on forthcoming events and also look back at what had been achieved. The Senior Corporate Policy and Performance Officer agreed with Members that the Council should promote its achievements more in the future. Following this discussion it was

**RESOLVED** that Children and Young People be referred as a possible item for the Scrutiny Board's 2010/11 Work Programme.

87/09 **VERBAL UPDATE ON COUNTYWIDE FLOODING SCRUTINY TASK GROUP REVIEW**

The Chairman confirmed that he had been unable to meeting with the Head of Environmental Services and therefore had sent his apologies to the Countywide Flooding Scrutiny Task Group Review meeting, which had taken place on 22nd April 2010.

Members were concerned that this matter had been allowed to slip and it was confirmed that the Chairman had arranged to meet the Head of Environmental Services on 20th May 2010 and would update Members at the Scrutiny Board meeting to be held on 25th May 2010.

88/09 **CALL-IN PROCEDURE REVIEW**

The Board considered a report on the Annual Review of the Call In Procedure and discussed the Call In that the Scrutiny Board had considered in January 2010. The Constitution required the Scrutiny Board to review the Call in procedure annually. Members' attention was drawn to several inconsistencies within the procedure, the details of which are set out below:

17.1 stated that a Call In should only be used when Members of the Scrutiny Board have evidence that the Cabinet had not made the decision in accordance with article 13. However, it is not the Scrutiny Board that decides to call matters in, the Board considers matters that have been called in. A Call In could be made by any five Members of the Council or the Chairman of the Scrutiny Board and the Monitoring Officer considers whether the Call In is valid in the first instance (17.4).

17.1 detailed the criteria for a valid Call In. These were listed in article 13. Later on at 17.10 it stated that the Board could refer matters to full Council if it found that the decision was in conflict with the Council's Policy and Budgetary framework or was on a matter outside of the Cabinet's legal/constitutional remit. These criteria were not listed at 17.1 so Members would not be able to call it in on these grounds in the first instance. These seemed to be good grounds to call a decision in, and were usually part of a Council's call in criteria. An alternative wording for 17.1 could be:

"Decisions can be called in if they:

- Are not in line with Council policy
- Are not in accordance with the Council's budget
- Are not in accordance with the principles of decision-making set out in Article 13 of the Constitution"

17.7 stated that the Scrutiny Board can consider a Call In in such a manner as it considered appropriate. However, it is usually asked to consider it against the criteria given at 17.1.

At 17.9b and 17.4 it suggested that the Board can refer the decision back to Cabinet in a report which gives its reasons. It was not clear how, in practice, such a report would be prepared and agreed by the Board in time to go to Cabinet and would the "report" need to come from the Board. In practice, officers could prepare a report on behalf of the Monitoring Officer/Head of Service and/or the Cabinet could consider the minutes of the Board.

17.9c stated the decision should only be referred to Council when the Board recommends a change to the policy and budgetary framework. Otherwise Council could only refer the matter back to Cabinet. The Board should refer the decision back to Cabinet – i.e. to ask it to re-consider its decision.

At 17.10 these points should be included at 17.1 for consistency.

After lengthy discussion it was

**RESOLVED** that the Scrutiny Officer in consultation with Legal Services make the relevant amendments, in track changes, to the Call In procedure for further consideration by the Scrutiny Board at a future meeting.

## 89/09 **SCRUTINY RECOMMENDATION TRACKER**

The Board considered the latest Recommendation Tracker. The Scrutiny Officer advised that the aim of the new format was to provide Members with updates on outcomes to the recommendations in order to clarify which agreed recommendations had been implemented and what had been achieved.

Members were disappointed to note the response in respect of the Hot Food Takeaways Supplementary Planning Document. Officers confirmed that this would be reported to the Cabinet meeting on 28th April 2010 and after discussion Members agreed to await the outcome from that meeting before taking any further action, if appropriate.

The Board discussed, in detail, the Refuse and Recycling Value for Money recommendations and were disappointed that several of these appeared to be outstanding and felt that this was unacceptable. Officers reminded Members that this Task Group report was due to be reviewed in July 2010 and that this would give Members an opportunity to investigate matters in more detail. The Executive Director for Leisure, Environment and Community Services advised Members that she would contact the relevant Head of Service to provide an update on the issues raised.

90/09 **WORK PROGRAMME**

The Board noted the Work Programme and that the item in respect of the Rights of Residents Living in Almshouses had been deferred, whilst awaiting further clarification of the Council's role from Legal Services.

**RESOLVED** that the Work Programme be noted.

The meeting closed at 7.45 p.m.

Chairman

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## BROMSGROVE DISTRICT COUNCIL

### **SCRUTINY BOARD**

10th June 2010

#### **IMPROVING RESIDENTS' SATISFACTION TASK GROUP**

Relevant Portfolio Holder	Councillor R. Smith
Relevant Head of Service for Overview and Scrutiny	Claire Felton – Head of Legal, Equalities and Democratic Services
Task Group Chairman	Councillor S. R. Colella
Non-Key Decision	

#### **1. SUMMARY OF PROPOSALS**

- 1.1 To consider the findings and recommendations contained within the attached report relating to the scrutiny investigation undertaken by the Improving Residents' Satisfaction Task Group.

#### **2. RECOMMENDATIONS**

- 2.1 Members are requested to:

- (a) consider and approve the attached report and the recommendations contained within it; and
- (b) submit the attached report to the Cabinet for approval.

#### **3. BACKGROUND**

- 3.1 At the Meeting of the Scrutiny Board on 27th October 2009, it was decided a Task Group would be established to scrutinise improving residents' satisfaction with the Council and that Councillor S. R. Colella would be appointed as Chairman.
- 3.2 The full terms of reference were approved by the Scrutiny Board at its meeting held on 24th November 2009 when membership of the Task Group was also agreed. The full terms of reference are detailed in **Appendix 1** of the report.
- 3.3 The 'draft' recommendations were presented to the Corporate Management Team meeting on 1st June 2010 requesting comments and feedback.

#### **4. KEY ISSUES**

- 4.1 Overview and scrutiny is a key part of the Council's democratic decision making process and enabled non-executive Members of the Council to put forward recommendations for policy development, policy review and service improvement.

**SCRUTINY BOARD**

10th June 2010

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**5. FINANCIAL IMPLICATIONS**

- 5.1 The financial and resource implications of the recommendations are detailed in the Summary of Recommendations of the report (pages 6 – 9).

**6. LEGAL IMPLICATIONS**

- 6.1 There are no legal implications relating to this report.

**7. POLICY IMPLICATIONS**

- 7.1 Overview and Scrutiny recommendations that are agreed by the Cabinet and/or full Council will become Cabinet Decisions and Council policy.

**8. COUNCIL OBJECTIVES**

- 8.1 This report links to the Council's Objectives of Improvement and One Community.

**9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS**

- 9.1 The risk of not implementing the recommendations contained within the attached Scrutiny report is that this Council does not continue to improve the services for residents and in particular, customer service standards.

**10. CUSTOMER IMPLICATIONS**

- 10.1 If the recommendations were approved and implemented, residents living in Bromsgrove District would benefit from improved customer service, which would have an emphasis on customer satisfaction.

**11. EQUALITIES AND DIVERSITY IMPLICATIONS**

- 11.1 There are no implications directly relating to this report for the Council's Equalities and Diversity Policies.

**12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT**

- 12.1 There are no value for money implications directly relating to this report.

**13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY**

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13.1 None

**14. HUMAN RESOURCES IMPLICATIONS**

14.1 None for the purpose of this report.

**15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS**

15.1 None for the purpose of this report.

**16. COMMUNITY SAFETY IMPLICATIONS INCLUDING SECTION 17 OF CRIME AND DISORDER ACT 1998**

16.1 None for the purpose of this report.

**17. HEALTH INEQUALITIES IMPLICATIONS**

17.1 None for the purpose of this report.

**18. LESSONS LEARNT**

18.1 None for the purpose of this report.

**19. COMMUNITY AND STAKEHOLDER ENGAGEMENT**

19.1 Not relevant to this report.

**20. OTHERS CONSULTED ON THE REPORT**

Portfolio Holder	Yes
Chief Executive	Yes
Executive Director (S151 Officer)	Yes
Executive Director – Leisure, Cultural, Environmental and Community Services	Yes
Executive Director – Planning & Regeneration, Regulatory and Housing Services	Yes
Director of Policy, Performance and Partnerships	Yes

**BROMSGROVE DISTRICT COUNCIL**

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Head of Service	Yes
Head of Resources	Yes
Head of Legal, Equalities & Democratic Services	Yes
Corporate Procurement Team	No

**21. WARDS AFFECTED**

All wards

**22. APPENDICES**

Appendix A – Draft Improving Residents’ Satisfaction Task Group Report

**23. BACKGROUND PAPERS**

None

**24. KEY**

**AUTHOR OF REPORT**

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# Scrutiny Board

## Improving Residents' Satisfaction Task Group

**MAY 2010**

**SCRUTINY BOARD**

Supporting Officer: Amanda Scarce



**Bromsgrove**  
District Council

[www.bromsgrove.gov.uk](http://www.bromsgrove.gov.uk)



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## **FOREWORD**

It is pleasing to know that over 80% of respondents in the Place Survey thought that the district of Bromsgrove was a great place to live and 79% of 65s and over were satisfied with their home and neighbourhood.

It was also reassuring that the survey has recognised the positive role that the District Council plays in ensuring that Bromsgrove residents enjoy a quality of life that is amongst the highest in the County.

Although these facts are cause for celebration and no small degree of pride, the perception is that only 34% of respondents were satisfied with the way in which the Council ran things.

Therefore the Task Group had a clear aim to 'drill' down into these results and explore these perceptions with an ultimate goal to specifically look at improving residents' satisfaction with services provided by the Council and to recommend actions that are acceptable to Cabinet and that will assist in moving the Council towards an "excellent" status.

The results were supported by the report 'Mind the Gap: Frontiers of Performance in local Government (V)', an analysis based on the findings of the Place Survey. This report produced a "predicted" level of satisfaction with key outcomes given the circumstances of a local area. By comparing these predicted levels to actual perceptions, a "gap" score is calculated which shows whether perceptions are more or less positive than would be expected given local circumstances. In the Council's case the "gap" for the way in which it operated was -15%.

Providing efficient effective services to residents across the district is a primary Council priority and is continually evolving. Meeting customer expectation can only be achieved through continual improvement and self assessment if Bromsgrove District Council is to improve residents' perception and satisfaction levels. This is particularly important in the light of the new Comprehensive Area Assessment performance regime, which provides a new framework where, local public services are collectively held to account for delivering improved outcomes for local people.

One of the improvements in the Council's administration is the willingness to look inward to ensure how its services can be improved and using the recommendations within this report will no doubt improve public perception further.

**Councillor Steve Colella**  
**Chairman of the Improving Residents' Satisfaction Task Group**

## **EXECUTIVE SUMMARY**

The conclusions drawn from this extensive piece of research shows that improving residents' satisfaction is within the authority's gift but requires a strategic customer focused approach from all aspects of the Council's services and from both Members and officers. It is important for the Council to remember how far it has come in a short period of time. We are still suffering a "reputation hangover" from our past "poor" rating and from a range of difficult decisions we have had to take to help turn around the Council.

Having made most of the difficult decisions, the Council needs to continue its positive journey and start delivering more visible outcomes for our residents, combined with improved customer service and community engagement/communications. Diagrams 1 and 2 overleaf provide good examples of the interdependencies for delivering an improved reputation and increased satisfaction.

The report recommends a number of simple changes to how the Council promotes itself, but these must be supported by strategic service delivery that is more customer led, customer focused and delivers visible outcomes.

It also became clear that residents appreciate the direct interaction with Council staff, Portfolio Holders and Councillors. Being approachable and open gives added value to customer service and reflects the view that news travels fast, be it good or bad. Building a brand takes many years but it can instantly be destroyed.

Building pride in services begins with building pride with staff. Training, communication and enhancing identity are the main corner stones of the major high street retailers, something that is recommended for the Council to build on within this report.

From the investigations undertaken, it was clearly highlighted that the Council has not taken the opportunity to 'publicise' the work it already does in a more dynamic way. A prime example is recent tree works in the new cemetery and recognition of the excellent Sanders Park. Both examples of the highest professional management but to the passing resident they would be little or no recognition of the Council's role in them.

Street cleaning, sports events, grounds maintenance and litter collection are celebrated Council services all with high public interactions and along with its role within schools, Parish Councils and County Council partnerships demonstrate the involvement in the everyday life of the district's residents.

The Place Survey is a national indicator and as such is an important "yard stick". This should be underpinned with 'local' surveys of service delivery, for both internal and external customers. Knowing your customers and their needs is self perpetuating and leads to self improvement.

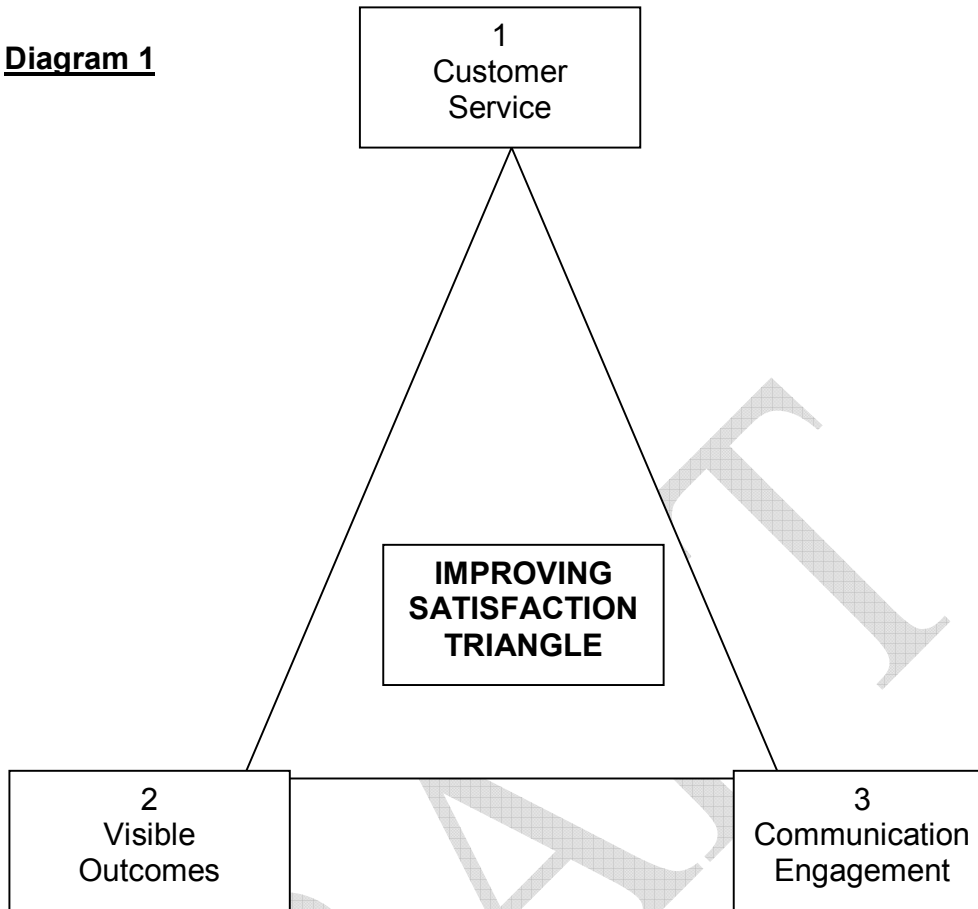
It is also clear that nothing in the recommendations adds significant costs to the Council's expenditure and much of the likely costs are embedded in current budgets. Working smarter is a primary requirement at a time of budget constraint whilst still recognising the importance of delivering excellent services.

Improving residents' satisfaction is not one person's responsibility but depends on every staff member of the Council recognising their role in service delivery, whether they are front line or back office support and how the Council communicates with its stakeholders.

Finally it is hoped that the recommendations made in this report are clear and achievable and will be universally embraced. It is clear that the first steps have been taken by the scrutiny of the Place Survey results and a willingness to look inward by Bromsgrove District Council.

DRAFT

**Diagram 1**



**1  
Customer Service**

**e.g.**

Customer First Parts 4, 5, 6 Training  
Customer Service Excellence Accreditation  
Project Management

**2  
Visible Outcomes**

**e.g.**

Railway Station development  
Town Centre re-development  
Car Parking  
Wide range of retail outlets

**3  
Communication/ Engagement**

**e.g.**

Published programme of engagement  
Re-launch of brand  
Older People's Service Directory  
Children & Young People magazine  
More out of town communications  
Value for Money Campaign  
Community groups engagement

## **Diagram 2**

The Task Group was provided with background information on key marketing principles and how applying those principles could help the Council satisfy residents. The area that the Task Group felt was of most interest to them was the 4P's which, was part of the scope of the complete marketing mix.

### **The "Marketing Mix"**

<b>Product</b> Managing products. Developing new products. Identifying products to customers (i.e. branding). Presenting products to customers (i.e. physical appearance).	<b>Place</b> Organising of products and their added value. Customer care/service. Organising actual delivery of product.
<b>Price</b> Determining product price levels. Incentives to buy products. Contractual arrangements.	<b>Promotion</b> Advertising and promoting products. PR and communications. Relationship marketing.

The interesting thing to note is that promotion is only one of the four Ps of the marketing mix. In order to market something well (and therefore improve our reputation and perception) we also need to ensure we price at the right level for our customers, produce a product that they want (based on customer engagement/market research) and place the product correctly. In local government speak, place is akin to customer access, ensuring we provide access channels or services in such a way that is best for our customer.

## **SUMMARY OF RECOMMENDATIONS**

### **PLACE SURVEY ANALYSIS**

The bi-annual Place Survey was used as the primary evidence to establish the Council's current standing in terms of meeting residents' expectations and how this is reflected in terms of satisfaction with Bromsgrove District Council's services.

#### **Recommendation 1**

That Cabinet understand that achieving a high level of satisfaction is a combination of visible outcomes, good customer service, regular and clear communication and public engagement and requires all aspects of the Council to be fully committed and working to the same outcomes.

#### **Financial Implications**

There are no financial implications arising from this.

#### **Resource Implications**

There are no resource implications arising from this.

#### **Recommendation 2**

That MORI be invited to present the findings of the Place Survey to Corporate Management Team, Officers and all Members to demonstrate what are the current perceptions of the Council's services, where they stand in relation to councils with similar demographic and geographic characteristics and where the Council should actually be.

#### **Financial Implications**

To be confirmed.

#### **Resource Implications**

No significant resource implications are envisaged.

## **THEORY AND BEST PRACTICE ON SATISFACTION**

The Task Group recognised the improvements that the Council had achieved in a relatively short space of time to turn around its overall performance. This achievement has been positively reflected in subsequent Comprehensive Area Assessment (CAA) reports, official recognition that the Council has come out of engagement and moved to "fair" council status.

A status of “excellence” requires a co-ordinated approach to the next level of service delivery. In many ways the Council is getting there already, however, from the research on the theory of marketing and building brands it was apparent to the Members of the Task Group that positive and regular communication played a vital role in both maintaining and improving residents’ satisfaction and raising the perception of the services delivered.

**Recommendation 3**

That a small corporate working group (officers) be set up to support the delivery of corporate communications in a standard style for the Council’s priority campaigns and develop closer working with the lead teams so that the Communications Team are more involved from the beginning of campaigns.

**Financial Implications**

There are no financial implications arising from this.

**Resource Implications**

Officer time will be required to support this working group.

**Recommendation 3(a)**

That the Council ensures it receives credit for its work through strict brand management and enforced brand and style guidelines.

**Financial Implications**

There are no financial implications arising from this.

**Resource Implications**

Officer time will be required to ensure this recommendation is carried through.

**Recommendation 4**

That internal communication is kept high on the agenda, particular in the light of the shared services and strict budget control. This should also include the regular communication of the Council’s achievements to staff.

**Financial Implications**

There are no financial implications arising from this.

**Resource Implications**

No significant resource implications are envisaged.

**Recommendation 4(a)**

That in order to improve residents’ satisfaction with the Council’s services regular newsletters be provided to Parish Councils and businesses and Portfolio Holders along with Officers playing a greater visible role in their area of customer interface.

**Financial Implications**

No significant financial implications are envisaged.

**Resource Implications**

Officer time will be required to support this.

**Recommendation 4(b)**

That a web design style is created that is user friendly and embraces the principles of writing in “plain English”.

**Financial Implications**

No significant financial implications are envisaged.

**Resource Implications**

Officer time will be required in order to implement this recommendation.

**LOCAL PRACTICE AND LOCAL ISSUES**

The Task Group looked at Streetscene and Community Services (the biggest department within the Council) and Customer Service, to identify measures that could be taken in order to enhance customer satisfaction.

It was again clear that the Council “under sells” its achievements and there are many quick and easy wins that can be done at little or no cost. Being proud of the every day services provided and letting the customer know who is behind them is the basis of good customer service, regularly demonstrated in the retail trade. From this point forward being satisfied with this and overall Council services becomes subliminal. Equally a bad experience in one service affects the overall perception of the Council, its staff and Members, even if they are totally unrelated.

**Recommendation 5**

That a review of the use of the Council’s crest and Building Pride logo be carried out in order to increase their usage and promote the message behind them throughout all Council departments and services.

**Financial Implications**

No significant financial implications are envisaged.

**Resource Implications**

Officer time will be required in order to implement this recommendation.

**Recommendation 6**

That the Communications Team work more closely with Cabinet, through the Communications Plan in order to identify any difficult decisions at an early stage in order to involve residents as soon as possible.

**Financial Implications**

There are no financial implications arising from this.

**Resource Implications**

Officer time will be required in order to implement this recommendation.

**Recommendation 7**

That the Council Aim for Excellence with Customer Service, to include Customer First parts 4, 5 and 6 and by providing the relevant training to all staff.

**Financial Implications**

The estimated cost of the award is £5,000.

**Resource Implications**

The new single management team will take account of this with the appointment of the new Head of Customer Service.

**Recommendation 7 (a)**

That the Director of Policy, Performance and Partnership and the new Head of Customer Service work together to co-ordinate detailed customer feedback on services from both external and internal customers, which will enable the Council to understand how they are doing, what they must do better, why particular services are not used or why customers may have stopped using the service.

**Financial Implications**

There are no significant financial implications arising from this.

**Resource Implications**

The new single management team will take account of this with the appointment of the new Head of Customer Service.

## **MEMBERSHIP OF THE TASK GROUP**

Membership of the Task Group was confirmed at the Scrutiny Board meeting held on 24th November 2009 and was made up of the following Councillors:

S. R. Colella (Chairman)  
Mrs. J. M. L. A. Griffiths  
D. Hancox  
Ms. H. J. Jones  
C. R. Scurrall  
C. J. Tidmarsh

The Task Group wishes to acknowledge the assistance received from the Director of Policy, Performance and Partnerships and his team, who have helped the Task Group from the start of the investigations and all the way through to the end of the investigation when this report was finalised.

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## **AIMS AND OBJECTIVES OF THE TASK GROUP**

At the meeting of the Scrutiny Board held on 27th October 2009, it was decided a Task Group would be established to scrutinise issues relating to improving residents' satisfaction with the Council. Councillor S. R. Colella was also appointed as Chairman of the Task Group at this meeting.

The Task Group's terms of reference were approved by the Board at its meeting held on 24th November 2009. The full terms of reference are attached at **Appendix 1**. The Task Group was given 4 months (from the date of its first meeting) to complete its work.

Following publication of the results of the Place Survey 2008/09 conducted on behalf of the Audit Commission and a key tool for measuring satisfaction and perception, it was apparent that although residents were satisfied with the local area, this was not the case when asked if they were satisfied with the Council.

The aim of the task group was therefore to improve residents' satisfaction with the Council.

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## INTRODUCTION

The aim of this Task Group was to identify ways in which the Council could achieve higher levels of satisfaction amongst local residents. Residents' should be the main Council priority and Members felt there was a need to investigate the underlying reasons why some residents appeared to be "dissatisfied" and recommend ways in which the Council can improve both residents' perception of council services and their satisfaction levels. This was felt particularly important in the light of the new Comprehensive Area Assessment (CAA) performance indications, which give greater focus and importance to these outputs.

### Witnesses

The Improving Residents' Satisfaction Task Group worked closely with the Director of Policy, Performance and Partnerships and the following officers provided the Task Group with information on specific areas; the Head of Leisure and Cultural Services, Communications and Customer First Manager, Marketing Officer, Senior Corporate Policy & Performance Officer.

Information was also provided by –

Ms. Fiona Narburgh, Head of Strategy and Communications (Wychavon District Council)

Mr. Peter John, Publisher (Stourbridge Division of Newsquest)

Mr. Bob Poston, Chairman (Rubery PACT)

### Research

Task Group Members were provided with the following documentation –

**Ipsos MORI Place Survey 2008/2009** carried out on behalf of the Audit Commission and a key tool for measuring satisfaction and perception.

**Wychavon District Council Communications Strategy 2009/10 and Campaign Strategies 2009/10.** As a neighbouring authority and with a similar demographic and geographical make-up, these documents were used as part of a benchmarking and comparison exercise.

**Selby District Council Communications Strategy 2009/11.** As a District Council with an excellent rating the Council have used Selby in the past for benchmarking our services and on this occasion were used as part of a comparison exercise.

**Bromsgrove District Council Communications Strategy Review 2009/10.** The Task Group compared the Council's Communications Strategy with that of excellent rated councils.

## Areas Covered

There were a total of five Task Group meetings. During the first meeting a schedule of work was devised and the scoping checklist was considered and the following areas of investigation were agreed:

- Place Survey Analysis (to include a literature search and comparative analysis with Wychavon District Council and Selby District Council and segment analysis by age and economic group)
- Theory and Best Practice on Satisfaction (including a review and comparison of communication strategies, theory on marketing and an overview of the Mosaic tool)
- Local Practice and Local Issues (Customer Service including improvements that could enhance customer satisfaction and Leisure and Cultural Services including enhancement of customer satisfaction)

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## **CHAPTER 1 - PLACE SURVEY ANALYSIS**

The Council's 2008/09 Place Survey results, published in June 2009, are highly mixed. For certain issues, such as reducing aspects of crime and anti-social behaviour, and general satisfaction with the area, the District has shown substantial improvements and it outperforms Worcestershire overall in several areas, such as health and community cohesion. However, there has been a general decline in satisfaction with the Council and with the services it offers, often putting current satisfaction ratings lower than the average for all Districts surveyed by Ipsos MORI.

Bromsgrove is a good place to live. It is relatively wealthy, mostly rural, has good transport links, good quality schools and a Council that is officially recognised as improving. The 2008/09 Place Survey results show that whilst 81.2% of residents are satisfied with their local area; over the last 3 years satisfaction with the Council has fallen from 51% (2006/07) to 34% (2008/09).

The 34% level of satisfaction is 12 percentage points lower than the district council average of 46%. This very low level of satisfaction is supported by a range of other disappointing measures, for example the percentage of residents who think the Council delivers value for money is 23%, compared to a district average of 36%, 31% feeling informed about council services, compared to a district average of 38%.

The Council should be concerned about these figures. Whilst the Council has done well to improve its Comprehensive Performance Assessment (CPA) rating from "poor" to "fair", CPA has now been replaced by Comprehensive Area Assessment (CAA). MORI believe that CAA represents "a fundamental shift in emphasis" away from output measure, to measure of outcome and perceptions, about how people feel about the place in which they live. Eighteen of the new National Indicators (NIs) are now perception or satisfaction indicators, measured through the Place Survey. If the Council aspires to excellence, then it must understand how to influence these measures.

In January 2010 Ipsos MORI published a further report, "Mind the Gap". The aim of this report was to look at the Place Survey results and apply some contextual information to give an estimate of how well a local authority should have done within the Place Survey; a ranking was then produced based on what percentages should have been achieved. Based on this information MORI say that the Council should have scored the following:

Satisfaction with the local area		
Actual score 81%	MORI 86%	Gap -5%
Satisfaction with the way the Council runs things		
Actual score 34%	MORI 49%	Gap -15%
Agreement that the Council offers value for money		
Actual score 24%	MORI 36%	Gap -12%

It is clear from these figures that residents do not relate their satisfaction with the area to anything which the Council does.

MORI does identify things we can do:

- **Local services really matter to a sense of place** (by local services, MORI invariably mean services provided by district councils).
- **Understand and target local priorities** (the Audit Commission scored the Council 3 out of 4 for prioritisation in the last Comprehensive Performance Assessment, which suggests the Council is doing well on this, but the MORI report also suggests that the Council look to use increasing numbers of measures which matter to its customers, rather than central government measures).
- **Communicate what councils are doing** and proactively seek views (MORI note that no councils rated well on communications are rated poorly overall. MORI also note that it must be “better communications that reach a much wider group”, which may be a particular problem in Bromsgrove District, given the local paper coverage across the District is fragmented. MORI also suggest that partnerships need to examine their respective communications and engagement programmes).
- **Parenting and respect** MORI note that focusing on young people and family/parental support seems to “yield particular dividends in resident satisfaction”. The Council was considering a young people’s equivalent to Together Bromsgrove, but the economic climate and expected reductions in revenue meant this budget bid was not successful.
- **Targeting individual neighbourhoods** (finally, the report identified that the Place Survey data was not sufficient for ward level analysis, but analysis at a sub-district level was possible and that this should be mapped. There are tools available for this analysis in the market). The mapping tool offered by MORI costs £3,000 and enables councils to overlay data on different areas and identify whether, for example, an area of low satisfaction has particularly low satisfaction with ASB, but higher levels of satisfaction with being informed, which would suggest a focus on the former.

The Council needs to understand what drives perception and satisfaction and focus on these. In the tightening financial climate this makes even more sense, as the ability to deliver new services will be reduced or severely hindered. MORI identify that many of the variations between levels of satisfaction with an area and with a council are beyond the Council’s control, for example, deprivation, ethnicity, how young the population is etc. Bromsgrove District has a noticeable

statistical anomaly in that its older people seem relatively less satisfied than neighbouring districts in Worcestershire.

There are drivers of perception over which the Council has direct control or some influence. These include: area satisfaction, crime and liveability (ASB, open spaces, waste collection, car parks), how the Council delivers services (customer service and equalities) and information to residents. MORI recommend a focus on “highly visible issues” and on information, rather than community engagement.

Despite the Council’s clear improvement in recent years, it has had a difficult recent past, both in terms of performance and Member/Member relations. The Council has also had a recent history of taking difficult political decisions, for example, increasing car parking charges, charging for green waste and closing the museum. It is inevitable that these “highly visible issues” will feed through into the satisfaction with the Council. These decisions have been important to re-align the budget to the Council priorities, but the Council has yet to deliver highly visible outcomes on our new priorities e.g. the town centre, train station or climate change etc.

Improved communications will help, but improving the Council’s satisfaction rating is more fundamental than improved communications. The Council needs a better story to communicate.

The Task Group therefore recommend the following:

**Recommendation 1**

That Cabinet understand that achieving a high level of satisfaction is a combination of visible outcomes, good customer service, regular, clear communication and public engagement and requires all aspects of the Council to be fully committed and working to the same outcomes.

**Financial Implications**

There are no financial implications arising from this.

**Resource Implications**

There are no resource implications arising from this.

**Recommendation 2**

That MORI be invited to present the findings of the Place Survey to Corporate Management Team, Officers and all Members to demonstrate what are the current perceptions of the Council’s services, where they stand in relation to councils with similar demographic and geographic characteristics and where the Council should actually be.

**Financial Implications**

To be confirmed.

**Resource Implications**

No significant resource implications are envisaged.

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## **CHAPTER 2 - THEORY AND BEST PRACTICE ON SATISFACTION**

Task Group Members requested a review and comparison of BDC's communications strategy with that of "excellent" councils, together with information on key marketing principles and how applying those principles could help BDC's objective of improving residents' satisfaction. Members also felt it would be useful to have an overview of the Mosaic Tool.

### **Communications Strategy Review**

Selby District Council (SDC) and Wychavon District Council (WDC) were ranked 'excellent' under CPA and since the new CAA scores were announced, Selby has still maintained its position in the top ranking. As a neighbouring authority and with a similar demographic and geographical make-up WDC provided a good benchmarking opportunity. As Ipsos MORI suggested a link between how informed residents were and a Council's subsequent CPA/CAA ranking, a comparison of the communications strategy with those of WDC and SDC was felt to be useful.

Whilst BDC's strategy mirrors a lot that WDC and SDC do, it appears that the basics are right using less resource. BDC's strategy was robust, covered a wide range of areas and subjects and boasted detailed operational action plans. WDC and SDC's strategic communications plans were shorter and less detailed, and did not contain action plans. The difference seemed to be that at those councils all communications are managed centrally, in a single strategic context. Operational tactics and actions come in a level down from that strategic context but are then passed back through the centralised communications for delivery to the customer. The management of communications at BDC was not the same, with several interlinked but autonomous departmental communications strategies in place. This fragmented approach still had a single impact and that was on the reputation and image of the Council. If the message is not delivered correctly it is seemed to be 'implausible' or even 'dishonest' putting the Council into further disrepute.

From both of these strategies there are some useful actions which can be implemented, for example:

- Targeted newsletters
- Reaching out to 'out of town' centres
- Design and create information stands and expand on road shows and community events.
- Promote and establish a standardised centralised communications strategy through a small CMT working group

Most importantly the creation of a consistent and timely communications strategy that all departments fed into and adhered to would be imperative to enhance the Council's reputation and so residents' satisfaction. This would become even

more prevalent as the Council moves forward with the Shared Services Agenda with Redditch Borough Council.

### Marketing Communications

From the information provided to the Task Group it was noticeable that the matter of improving satisfaction levels was a key marketing issue and National Indicators (NI) were obviously a key measure of the Council's success. The Council scored well and above national benchmarks on NIs, which means that addressing dissatisfaction with the Council's performance was not necessarily connected to improving actual performance but was more of a perception issue.

In terms of the Council's corporate profile, BDC worked to ensure the local press profile indicator (LPI - CCP12) was as positive as possible. The Council was overwhelmingly successful in this regard. Between April and December of 2009 less than 8% of actual press articles related to BDC were negative in nature, disregarding the almost universally negative letters pages (which were measured against a different NI). The majority of the 8% negative stories were politically motivated rather than actual service issues.

A measured strategic approach to wider consultation and public engagement would ensure more effective resource management and begin to breakdown difficult to reach audiences and dilute the suspicion that exists in certain quarters. This is achievable by utilising the wide variety of media channels, events and customer interfaces in conjunction with a more visible staff, CMT and Portfolio relationship with residents. A particularly strong message that came from witnesses was how important it was to see senior officers, staff and Portfolio Holders on the 'shop floor', 'front of house' or 'walking the floor'.

Co-ordinating marketing and communications around key decisions within Council plans at the earliest opportunity would alleviate and tackle the view that the Council tells the public what has happened rather than asking what should happen. Throughout the Task Group's work a clear message emerged. By simply informing residents or stakeholder what was going to happen results in wide spread misunderstanding and criticism. By explaining the issue in more detail and involving the residents or stakeholders at an early stage, gives them a greater understanding and acceptance of the decision making process. There are many benefits to be had from the Council bringing people in and working through disagreements and misconceptions early on, allowing them to understand how people feel and acting appropriately.

### Overview of the Mosaic Tool

The Task Group were provided with information on Mosaic Public Sector which is a classification system that provides a comprehensive, up-to-date and needs based view of society down to a household level, enabling policy decisions, communications and resources to be targeted and applied where most relevant or effective. Data comes from a wide range of public and private sources and is

updated annually, giving greater insight into the nature and needs of residents. It is also a widely used classification across the public sector, which allowed for residents to be viewed in the same way by different bodies, which will assist joined-up and partnership working.

In the Council Plan 2010-13 a high priority budget bid was successful, which will enable the Corporate Communications Team to purchase Mosaic for 1 year. In Mosaic, the Council will have access to a valuable tool for understanding the demographic of its district(s) which will have a positive effect on service delivery and public perception and satisfaction. It will assist in providing value for money through cost savings or channel shifts, as service development, communications and policy will be able to utilise up-to-date and segmented information, which will be crucial in implementing potential budget changes.

The Task Group therefore recommend the following:

**Recommendation 3**

That a small corporate working group (officers) be set up to support the delivery of corporate communications in a standard style for the Council's priority campaigns and develop closer working with the lead teams so that the Communications Team are more involved from the beginning of campaigns.

**Financial Implications**

There are no financial implications arising from this.

**Resource Implications**

Officer time will be required to support this group.

**Recommendation 3(a)**

That the Council ensures it receives credit for its work through strict brand management and enforced brand and style guidelines.

**Financial Implications**

There are no financial implications arising from this.

**Resource Implications**

Officer time will be required to ensure this recommendation is carried through.

**Recommendation 4**

That internal communication is kept high on the agenda, particular in the light of the shares services and strict budget control. This should also include the regular communication of the Council's achievements to staff.

**Financial Implications**

There are no financial implications arising from this.

**Resource Implications**

No significant resource implications are envisaged.

**Recommendation 4(a)**

That in order to improve residents' satisfaction with the Council's services regular newsletters be provided to Parish Councils and businesses and Portfolio Holders along with Officers playing a greater visible role in their area of customer interface.

**Financial Implications**

No significant financial implications are envisaged.

**Resource Implications**

Officer time will be required to support this.

**Recommendation 4(b)**

That a web design style is created that is user friendly and embraces the principals of writing in "plain English".

**Financial Implications**

No significant financial implications are envisaged.

**Resource Implications**

Officer time will be required in order to implement this recommendation.

### **CHAPTER 3 - LOCAL PRACTICE AND LOCAL ISSUES**

The Task Group looked at Streetscene and Community Services (the biggest department within the Council) and Customer Service to identify measures that could be taken in order to enhance customer satisfaction.

The Task Group was informed that the Council had previously been focused on moving from a “poor” to “fair” rating. This has meant that it had concentrated on corporate governance, systems, procedures and budget management, none of which were of particular interest to residents. It was expected that the Council would have these in place as a matter of course. In essence, 10 years of bad news had been compressed into 3 years. The Council was now progressing well and receiving positive feedback, had reached a period where it had the opportunity to build on that reputation and image because much of the bad news has now been dealt with. Although it is important for the Council to remember how far it had come in a short period of time, it must demonstrate continued forward motion and learn from the past. The Council was now “ahead of the game” in terms of its financial management with cost savings and efficiencies through the Worcestershire Enhanced Two Tier system (WETT) and Shared Services. A firm platform has been created from which to deliver a programme of visible changes that are likely to improve satisfaction, in the long term.

Taking the authority towards a status of excellence and improved customer satisfaction will require support and direction from a recognised customer service standard. This will include working towards the Customer Service Excellence award, which will drive a culture of excellence within the organisation and provide ongoing training, which will involve Customer First parts 4, 5 and 6.

From the information provided to the Task Group and from listening to various witnesses, it was apparent that the Council needs to interact more with residents. This could involve the production of an Engagement Planner which will include priorities, deliverables and budgetary requirements, and allow the authority to identify potential problems and engage with residents at an earlier stage in the decision making process. The Council could also be much clearer with residents as to how they can get involved. The Council will shortly be producing an Older People’s Services directory and should look at producing a similar directory or magazine for Children and Young People or make greater use of local media (radio and newspaper ‘wrap rounds’ etc) to cover current issues and provide relevant information for residents. It was also noted that face to face contact with residents’ was one of the most effective ways of changing perception, for example stalls in the high street and using the Bromsgrove District Housing Trust bus to take information out into the rural areas more frequently would be an excellent way of reaching the “wider audience”.

The current Communication Plan that is considered by the Corporate Management Team should be reviewed to take account of campaigns in the future which will then give a greater opportunity to plan in advance.

Members of the Task Group were advised that they should be cautious of surveys which asked questions about services provided as often people responded negatively even if they did not use the service. A good example of this related to the use of the Dolphin Centre, the Sport England Active Places survey showed a 55% satisfaction rate with people who used the services, which is higher than the Place Survey, as it was specific to people who used the facility and again when a survey was completed by the Dolphin Centre itself this increased to over 80%.

The Task Group recognised this as an excellent way of measuring customer (resident or user) satisfaction and recommends that a similar approach be adopted throughout the authority to measure the service delivery between both internal and external customers. Once measured this allows further enhancements to training or system appraisal.

It was felt that it would be appropriate for a piece of work to be carried out, across the authority, on understanding why people do not use some services in order to maximise attendance or use of services and improve satisfaction further. Members were also advised that residents in other areas of the district would, particularly in respect of leisure facilities, not always use facilities provided by BDC and therefore they may be commenting negatively on a survey for BDC about a service which BDC had not provided. It is therefore important that the authority recognises the need for localised survey and intelligence information.

The Task Group therefore recommend the following:

**Recommendation 5**

That a review of the use of the Council's crest and Building Pride logo be carried out in order to increase their usage and promote the message behind them throughout all Council departments and services.

**Financial Implications**

No significant financial implications are envisaged.

**Resource Implications**

Officer time will be required in order to implement this recommendation.

**Recommendation 6**

That the Communications Team work more closely with Cabinet, through the Communications Plan in order to identify any difficult decisions at an early stage in order to involve residents as soon as possible.

**Financial Implications**

There are no financial implications arising from this.

**Resource Implications**

Officer time will be required in order to implement this recommendation.

**Recommendation 7**

That the Council aim for Excellence with Customer Service, to include Customer First parts 4, 5 and 6 and by providing the relevant training to all staff.

**Financial Implications**

The estimated cost of the award is £5,000.

**Resource Implications**

The new single management team will take account of this with the appointment of the new Head of Customer Service.

**Recommendation 7 (a)**

That the Director of Policy, Performance and Partnerships and the new Head of Customer Service work together to co-ordinate detailed customer feedback on services from both external and internal customers, which will enable the Council to understand how they are doing, what they must do better, why particular services are not used or why customers may have stopped using the service.

**Financial Implications**

There are no significant financial implications arising from this.

**Resource Implications**

The new single management team will take account of this with the appointment of the new Head of Customer Service.

## **CONCLUSION**

The role of the Improving Residents' Satisfaction Task Group was:

- To carry out a scrutiny exercise to explore options to improve residents' perception of and satisfaction with the Council and the services it provides;
  - This was successfully achieved with a recommendation to enhance the reputation of the Council through wider public engagement and consultation with a particular emphasis on a corporate buy-in and re-building the 'pride' logo throughout the authority's services.
- To understand why there is a 15% gap in the satisfaction rate with the Council even when inflated for local circumstances;
  - It has been recognised that the Council has 'suffered' in the perception stakes because of the difficult decisions taken over the last 5 or 6 years.
- To consider whether the Council was concerned about the low level of satisfaction?
  - The recent changes to how the Council is measured against its peers mean that there is an absolute need for the authority to strive towards excellent status. Recent experience of a failing Council is still very clear and is still a regular reminder from its critics.
- If they are, produce a programme that delivers an improved satisfaction level in a way that the Council know will have an impact.
  - This will be through delegated duties to the CMT who will cascade the recommendations down through all levels of the Council and equally through all Portfolio Holders and Cabinet. An update will be reported back to the Task Group and Overview and Scrutiny Boards as part of the annual update.

## **Bibliography**

**1. Place Survey 2008/2009**

The Council has recently received the results of the national Place Survey, conducted on behalf of the Audit Commission and a key tool for measuring satisfaction and perception.

**2. Ipsos MORI Local People, Perceptions and Place (June 2009)**

This is a national report on the initial Place Survey results.

**3. The State of Worcestershire**

This is a more specific report by MORI on the results for the six districts and County Council in Worcestershire.

**4. Mind the Gap: Frontiers of Performance in Local Government V**

Analyses based on the findings of the 2008/09 Place Surveys. This report applied contextual information to give an estimate of where a local authority should be within the Place Survey; a ranking was then produced based on what percentages should have been achieved.

**5. Wychavon District Council Communications Strategy 2009/10**

**6. Wychavon District Council Campaign Strategies 2009/10**

As a neighbouring authority and with a similar demographic and geographical make-up, this was used as part of a benchmarking exercise.

**7. Selby District Council Communications Strategy 2009/11**

As a District Council with an excellent rating we have used Selby in the past for benchmarking our services.

**8. Bromsgrove District Council Communications Strategy Review 2009/10**

**IMPROVING RESIDENTS' SATISFACTION TASK GROUP**

**TERMS OF REFERENCE OF THE TASK GROUP**

The attached scrutiny exercise scoping checklist, which will act as the Improving Residents' Satisfaction Task Group's terms of reference, was approved by the Scrutiny Board, as follows:

- An understanding of the statistics behind the current levels of satisfaction
- An understanding of good practice in delivery and high levels of satisfaction
- Understand the causes of dissatisfaction for particular customer segments
- Identify solutions based on further research

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**OVERVIEW AND SCRUTINY EXERCISE SCOPING CHECKLIST**

This form is to assist Members to scope the overview and scrutiny exercise in a focused way and to identify the key issues it wishes to investigate.

- Topic: **Improving Residents' Satisfaction**

- Specific subject areas to be investigated:

- An understanding of the statistics behind the current levels of satisfaction
- An understanding of good practice in delivery and high levels of satisfaction
- Understand the causes of dissatisfaction for particular customer segments
- Identify solutions based on further research

- Possible key outcomes:

(i.e. please state what Members hope to achieve through this investigation):

- A set of recommendations based on the segments looked at that would identify priorities
- A possible corporate marketing plan
- A possible approach to be used continually
- To improve resident satisfaction over the medium term

- Should the relevant Portfolio Holder(s) be invited to give evidence? **YES**

- Which officers should be invited to give evidence?

(Please state name of officer and/or job title)

This would be dependent upon initial literature search and outcomes of investigation.

- Should any external witnesses be invited to give evidence?

**YES/NO\***

If so, who and from which organisations?

To be identified as the investigation progresses.

- What key documents/data/reports will be required?

Place Survey, Customer Panel, Focus Groups, National Comparative Statistics and Reports, Complaints system data, Ward data

- Is it anticipated that any site visits will be required? **YES/NO \***  
If so, where should members visit?

It may emerge through the literature search that a visit is relevant.

- Should a period of public consultation form part of the exercise? **YES**  
If so, on what should the public be consulted?

This will be done through the use of a focus group or similar resource.

(Please Note: A separate press release requesting general comments/suggestions from the public will be issued in the normal way at the beginning of the investigation.)

- Have other authorities carried out similar overview and scrutiny exercises? **NO**  
If so, which authorities?

- Will the investigation cross the District boundary?  
**YES/NO\***  
If so, should any other authorities be invited to participate?  
**YES/NO\***  
If yes, please state which authorities:

There may be some overlap with services provide at county level.

- Would it be appropriate to co-opt anyone on to the Task Group/Board whilst the Overview and Scrutiny exercise is being carried out? **NO**  
If so, who and from which organisations?

- What do you anticipate the timetable will be for the Overview and Scrutiny exercise?

It is anticipated that the investigation will take 4 months.

**WITNESSES**

The Task Group considered evidence from the following sources before making its recommendations:

**External Witnesses:**

- Ms. Fiona Narburgh Head of Strategy and Communications (Wychavon District Council)
- Mr. Peter John Publisher (Stourbridge Division of Newsquest)
- Mr. Bob Poston Chairman (Rubery PACT)

**Internal Witnesses:**

- Hugh Bennett Director Of Policy, Performance and Partnerships
- John Godwin Head of Leisure and Cultural Services
- Anne-Marie Darroch Communications and Customer First Manager

**Councillors:**

- G. N. Denaro Portfolio Holder for Finance and Resources
- R. Smith Portfolio Holder for One Community

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**This report can be provided  
in large print, braille, CD, audio tape  
and computer disc.**



**Bromsgrove**  
District Council  
[www.bromsgrove.gov.uk](http://www.bromsgrove.gov.uk)



**EQUALITY**  
FRAMEWORK  
FOR LOCAL  
GOVERNMENT  
ACHIEVING

**Legal, Equalities and Democratic Services**

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## BROMSGROVE DISTRICT COUNCIL

### **SCRUTINY BOARD**

10th June 2010

#### **CALL IN PROCEDURE REVIEW (Update)**

Relevant Portfolio Holder	Councillor G. N. Denaro – Portfolio Holder for Finance and Resources
Relevant Head of Service	Mrs. Claire Felton, Head of Legal, Equalities and Democratic Services
Non-Key Decision	

#### **1. SUMMARY OF PROPOSALS**

1.1 Leading on from consideration by Members of the Scrutiny Board of the Call-in procedure on 22 April, this report sets out the legal team’s comments on the points identified by Members together with details of suggested amendments that would have to be approved by Full Council as part of the next review of the Constitution.

#### **2. RECOMMENDATIONS**

2.1 That the points raised by the Scrutiny Board in relation to changes to the Call-in procedure be referred to the Monitoring Officer for consideration as part of the next review of the Council’s Constitution.

#### **3. BACKGROUND**

3.1 The Call-in procedure is set out in section 17 of the Overview and Scrutiny Procedure Rules (Part 8 of the Constitution). Members discussed and reviewed the current wording of section 17 when they considered the report on Call-ins at the Scrutiny Board meeting on 22 April. A number of inconsistencies and observations were identified by Members as minuted at 88/09. Members resolved that these points should be referred to the legal team for further advice.

#### **4. KEY ISSUES**

4.1 The Legal team have now had an opportunity to review the points identified by Members and would comments as follows:-

Issue raised by Members	Comment by Members	Response	Proposed Action
17.1 – Wording “when Members of the Scrutiny Board	This is technically incorrect as the ability to seek a	Members were correct to identify that any five	Officers would propose removal of the

**BROMSGROVE DISTRICT COUNCIL**

**SCRUTINY BOARD**

**10th June 2010**

have evidence”	call-in is not limited to Members of the Scrutiny Board.	members can issue a call-in	words “ of the Scrutiny Board”.
17.1 – Grounds for Call-in; 17.9c – Referral of certain matters to Council;17.10 – Grounds for referral to Council	Members identified a number of issues relating to the ability to call-in decisions generally under 17.1 and the exceptional circumstances defined in 17.10 which would trigger a referral of the call-in back to Council rather than Cabinet.	The aim of section 17.10 was to allow the Scrutiny Board where appropriate the option of referring a decision back to Council rather than Cabinet. This power would only arise where the decision itself should have been taken by Council rather than Cabinet. Hence the need to refer the decision back to Council. Officers agree that this point should also be reflected in the general criteria for a Call-in as set out in 17.1	Amend 17.1 to add an extra ground for triggering a Call-in i.e. that Cabinet did not have the power to make the decision in questions. This will then incorporate 17.10 into 17.1.  On the issue of a decision made by Cabinet outside the policy and budgetary framework, officer would advise that these decisions must be referred to Council who should have taken them in the first place; there is no ability to refer back to Cabinet.
17.7 – “ The Scrutiny Board will determine the Call-in in such	How does this link to the criteria at 17.1	For clarification, this section is more to do with the practicalities of	No action required.

**BROMSGROVE DISTRICT COUNCIL**

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**10th June 2010**

manner as it considered appropriate”.		holding meetings and the ability to hold extra ones than the points in relation to which any call-in would be considered	
17.9 b – “ require reconsideration of the decision setting out it’s reasons in a report”.	How would there be time for a report to be written if the item was urgent?	The wording needs to allow for two different possibilities. In the case of an urgent matter then Members are correct to point out that there would not be time to write a report. In that instance then the decision which was the subject matter of the call-in would have to go back to Cabinet based on the reasons recorded in the minutes of the Scrutiny meeting. Cabinet would also have available to it the report prepared for the Call-in meeting. There may be occasions when there is more time and the call-in process leads to a more drawn out investigation by the Board. In that instance there would be time and	Amend 17.9 to give clarification of this issue.

		it would be appropriate for the reasons to be set out in a report from the Board to Cabinet.	
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4.2 As requested officers have produced an updated draft of the Scrutiny Procedure Rules to cover the above changes which are shown as track changes (attached at Appendix 1). Members of the Scrutiny Board need to be aware that changes to the Constitution have to be approved by Full Council; it is not open to the Board to approve these changes itself. The Council's Constitution is reviewed on a regular basis and the Monitoring Officer is next due to draft a report covering updates to the Constitution in July 2010. Members may wish to consider making a recommendation that their comments on the Call-in provision and the officers comments in this report are included by the Monitoring Officer in the next review of the Constitution.

**5. FINANCIAL IMPLICATIONS**

5.1 There are no financial implications arising out of this report.

**6. LEGAL IMPLICATIONS**

6.1 The procedure for call-ins currently must comply with the legislative requirements of the Local Government Act 2000.

**7. POLICY IMPLICATIONS**

7.1 None except that as detailed above Members may wish to ask the Monitoring Officer to consider updating the Constitution.

**8. COUNCIL OBJECTIVES**

8.1 This report does not link directly to Council objectives. However, sound ethical governance is the foundation of the Council's ability to make lawful decisions and perform its functions.

**9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS**

9.1 None

**10. CUSTOMER IMPLICATIONS**

10.1 The Call-in process is one which can only be activated by elected Members. There are therefore no direct customer implications. The Council's constitution can be viewed by members of the public on line at the Council's website.

**11. EQUALITIES AND DIVERSITY IMPLICATIONS**

11.1 There are no Equalities and Diversity implications arising out of this report.

**12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT**

12.1 None for the purpose of this report.

**13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY**

13.1 None for the purpose of this report.

**14. HUMAN RESOURCES IMPLICATIONS**

14.1 None for the purpose of this report.

**15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS**

15.1 As referred to above the procedure for Call-ins must comply with the Local Government Act 2000. To make any changes to the Call-in procedure an amended version of the Overview and Scrutiny Procedure Rules will have to be approved by Full Council.

**16. COMMUNITY SAFETY IMPLICATIONS INCLUDING SECTION 17 OF CRIME AND DISORDER ACT 1998**

16.1 None

**17. HEALTH INEQUALITIES IMPLICATIONS**

17.1 None for the purpose of this report.

**18. LESSONS LEARNT**

18.1 None

**19. COMMUNITY AND STAKEHOLDER ENGAGEMENT**

**SCRUTINY BOARD**

10th June 2010

19.1 None for the purpose of this report.

**20. OTHERS CONSULTED ON THE REPORT**

Portfolio Holder	Yes
Chief Executive	No
Executive Director (S151 Officer)	No
Executive Director – Leisure, Cultural, Environmental and Community Services	No
Executive Director – Planning & Regeneration, Regulatory and Housing Services	No
Director of Policy, Performance and Partnerships	No
Head of Service	Yes
Head of Resources	No
Head of Legal, Equalities & Democratic Services	Yes
Corporate Procurement Team	No

**21. WARDS AFFECTED**

All wards

**22. APPENDICES**

Appendix 1 – Section 17 Part 8 of the Constitution: Procedure for Call-ins with track changes.

**23. BACKGROUND PAPERS**

23.1 Report of the Head of Legal Services on the Review of the Constitution dated 19th March 2008.

**SCRUTINY BOARD**

10th June 2010

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24. **KEY**

None

**AUTHOR OF REPORT**

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Section 17 Part 8 of the Constitution: Procedure for Call-Ins**17. Call-in**

17.1 Call-in should only be used in exceptional circumstances when members ~~of the Scrutiny Board~~ have evidence which suggests that the Cabinet did not take a decision in accordance with the principles of Decision Making in Article 13. Those principles are:-

- a. proportionality (i.e. the action must be proportionate to the proposed outcome);
- b. due consultation and the taking of professional advice from officers;
- c. respect for human rights;
- d. a presumption in favour of openness;
- e. clarity of aims and desired outcomes;
- f. due regard for the Council's environmental objectives;
- g. due regard for the Council's duties in relation to crime and disorder;
- h. —clear explanations of the options considered and the reasons for the decision reached.

l. —Additionally, Members may exercise their right to Call-in a decision if they have evidence which suggests that the Cabinet did not have the power to make the decision in question. This may be because the decision was one the Cabinet could not take in law, or which was reserved to Council or which was contrary to or not wholly in accordance with the Budget and Policy Framework.

17.2 When a decision is made by the Cabinet, or a key decision is made by an officer with delegated authority from the Cabinet, or under joint arrangements, the decision shall be published, including where possible by electronic means, and shall be available at the main offices of the Council normally within 3 working days of being made. All members of the Council will be sent copies of the records of all such decisions within the same timescale, by the person responsible for publishing the decision.

17.3 That decision (which may take the form of the minutes of a meeting of the Cabinet) will bear the date on which it is published and will specify that the

Section 17 Part 8 of the Constitution: Procedure for Call-Ins

decision will come into force, and may then be implemented, on the expiry of 5 working days after the publication of the decision, unless the decision is the subject of a valid request for call-in.

17.4 A valid request is required to initiate call-in a decision referred to at 17.3 above. The request must be in writing addressed to the Monitoring Officer on the approved form (at Appendix B) giving the reasons for the request for call-in and must be:-

- signed by the Chairman of Scrutiny Board;
- signed by any other 3 members of the Scrutiny Board;
- signed by any 5 members of the Council who are not members of the Cabinet

and in any case must:-

- state the reason(s) for the call-in; and
- be delivered to the Monitoring Officer by hand, post or email, within 5 clear working days of the publication of the decision.

The decision on whether the call-in is valid will be taken by the Monitoring Officer following consultation with the Chairman of Scrutiny Board. The final decision shall rest with the Monitoring Officer. If the Monitoring Officer decides the call-in is valid the Monitoring Officer will notify the Chief Executive, who will notify the decision-taker of the request for call-in.

17.5 Implementation of the decision which is the subject of the call-in will be suspended from the date of receipt of the request for call-in pending consideration by the Scrutiny Board.

17.6 The call-in will be considered by the Scrutiny Board at either:

- a. the next scheduled meeting of the Scrutiny Board; or
- b. a special meeting of the Scrutiny Board to be convened by the Chief Executive within 10 working days of receipt of the request to call-in, or such other date as may be agreed by the Chief Executive in consultation with the author of the call-in and the Chairman of Scrutiny Board.

17.7 The Scrutiny Board will determine the call-in in such manner as it considers appropriate but in any event expeditiously and within a

Section 17 Part 8 of the Constitution: Procedure for Call-Ins

- maximum of 20 working days from the date of the meeting at which the call-in is first considered by the Scrutiny Board. If more detailed evidence or consideration of the issues is required to determine the call-in, the Scrutiny Board may during that period hold one or more additional meetings to determine the call-in.
- 17.8 The Scrutiny Board may require the relevant Cabinet member with responsibility or another member of the Cabinet, if appropriate, to attend any meeting and explain the decision taken by Cabinet.
- 17.9 Having considered the decision subject to the call-in the Scrutiny Board will either:
- a. accept the decision without qualification or comment; or
  - b. require reconsideration of the decision setting out its reasons as recorded in the Minutes of the Call-in meeting or in a report of the Scrutiny Board; or
  - c. in exceptional circumstances refer the decision to the Council to consider whether the decision should be accepted without qualification or comment or reconsidered.
- 17.10 Exceptional circumstances referred to in paragraph 17.9c include, but are not limited to, decisions which the Scrutiny Board considers:-
- a. the Cabinet cannot in law take; or
  - b. is reserved to the Council; or
  - c. is contrary or not wholly in accordance with the Budget and Policy Framework.
- 17.11 If the Scrutiny Board accepts the decision without qualification or comment under paragraph 17.9a the decision may be implemented with immediate effect.
- 17.12 If the Scrutiny Board refers the decision to the Cabinet for reconsideration under paragraph 17.9b implementation of the decision is deferred pending the meeting of the Cabinet at which it is reconsidered.
- 17.13 If the Scrutiny Board refers the decision to the Council under paragraph 17.9c implementation of the decision is deferred pending the meeting of the Council at which it is considered. If the Council decides to request the

Section 17 Part 8 of the Constitution: Procedure for Call-Ins

Cabinet to reconsider the decision, implementation of the decision remains deferred until the Cabinet has reconsidered the matter.

- 17.14 Any report of the Scrutiny Board or Council pursuant to paragraph 17.9b or c will be submitted to the Cabinet which will consider that report within 10 working days and either:-
- a. confirm the decision without modification; or
  - b. confirm the decision with modification; or
  - c. rescind the decision and if considered appropriate take a new one.

In each case the Cabinet must give reasons for its decision. The decision taken by the Cabinet following consideration of the report of the Scrutiny Board or Council on the call-in is final.

- 17.15 The Chairman or Vice-Chairman of the Scrutiny Board may attend any meeting of the Cabinet at which a report of the Scrutiny Board is being considered and may speak but not vote.
- 17.16 Any decision may be called in only once in respect any decision.
- 17.17 The call-in procedure shall not apply where the decision being taken by the Cabinet is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the interest of either the Council or public. The record of the decision, and notice by which it is made public shall state whether in the opinion of the decision making person or body, the decision is an urgent one, and therefore not subject to call-in. The Chairman of the Scrutiny Board must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. In the absence of the Chairman of the Scrutiny Board, the Vice-Chairman's consent shall be required. In the absence of both, the Chief Executive or his/her nominees' consent shall be required. Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency
- 17.18 The operation of the provisions relating to call-in and urgency shall be monitored annually by the Scrutiny Board, and a report submitted to Council with proposals for review if necessary.

## BROMSGROVE DISTRICT COUNCIL

### **SCRUTINY BOARD**

10th June 2010

#### **SCRUTINY INVESTIGATION PROPOSAL – ALMSHOUSES (Update)**

Relevant Portfolio Holder	Councillor P. Whittaker – Portfolio Holder for Regulation, Strategic Housing and Climate Change
Responsible Head of Service for Overview & Scrutiny	Mrs. Claire Felton – Head of Legal, Equalities and Democratic Services
Non-Key Decision	

#### **1. SUMMARY OF PROPOSALS**

- 1.1 At the Scrutiny Board meeting held on 23rd March 2010, Members requested further information from the Legal Team as to the Council's legal responsibilities in respect of residents living in Almshouses.

#### **2. RECOMMENDATIONS**

- 2.1 That the content of this report be noted and the Board take no further action.

#### **3. BACKGROUND**

- 3.1 An Overview and Scrutiny Proposal Form relating to the rights of residents living in Almshouses, was completed by a member of the public, Mrs. J. E. Hopper and considered by the Scrutiny Board at its meeting on 23rd March 2010.
- 3.2 At that meeting Members discussed the number of almshouses within the district and queried the involvement the Council had with these almshouses, together with any legal implications arising from the Council's involvement. It was resolved that further information be requested from the Legal Team as to the Council's legal responsibilities, before considering the proposal further.

#### **4. KEY ISSUES**

- 4.1 The Legal Team have researched the legal status of Almshouses and the duties owed to residents by the Council. The legal position is that the Council do not have any statutory duties or responsibilities in relation to Almshouses. This is because they are governed by the Charity Act and not the Housing Act 2004, which is the legislation the Council would normally use if it was considering taking any enforcement action.
- 4.2 For clarification, Mrs. Hopper is not a tenant, but is a beneficiary of a charity. The charity is governed by the Charities Commission. As such she does

**SCRUTINY BOARD**

**10th June 2010**

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not have the rights or protection afforded by the Landlord and Tenant legislation.

4.3 When Mrs. Hopper was allocated the property she would have agreed to a Letter of Appointment which would have set out what she could expect from the trust as a resident of one of their properties. It may be appropriate for Mrs. Hooper to liaise with the Trustees, or alternatively to seek independent legal advice and/or contact the Charities Commission to establish what powers, if any, they have to assist in resolving this matter.

4.4 Officers have now provided the information requested to answer Members queries in relation to Almshouses. This has led to it being established that this is not a general issue over which the Council has responsibilities. Given the personal nature of Mrs Hopper's scrutiny request, it would appear that the issue has been explored as far as possible by the Board who do not have any remit to take on cases of this nature for individuals in the District. Accordingly, the Board is invited to take no further action.

**5. FINANCIAL IMPLICATIONS**

5.1 There are no financial implications directly relating to this report.

**6. LEGAL IMPLICATIONS**

6.1 There are no legal implications directly relating to this report.

**7. POLICY IMPLICATIONS**

7.1 There are no policy implications directly relating to this report.

**8. COUNCIL OBJECTIVES**

8.1 This report does not directly link to the Council Objectives.

**9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS**

9.1 There are no risk management issues directly relating to this report.

**10. CUSTOMER IMPLICATIONS**

10.1 For customers generally it has been established that the Council do not have any statutory responsibilities for Almshouses; officers will make sure

**SCRUTINY BOARD**

10th June 2010

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that a copy of this report is sent to Mrs Hopper so that she is aware of the outcome of her scrutiny request.

**11. EQUALITIES AND DIVERSITY IMPLICATIONS**

11.1 None

**12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT**

12.1 None for the purpose of this report.

**13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY**

13.1 None for the purpose of this report.

**14. HUMAN RESOURCES IMPLICATIONS**

14.1 None for the purpose of this report.

**15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS**

15.1 None for the purpose of this report.

**16. COMMUNITY SAFETY IMPLICATIONS INCLUDING SECTION 17 OF CRIME AND DISORDER ACT 1998**

16.1 None for the purpose of this report.

**17. HEALTH INEQUALITIES IMPLICATIONS**

17.1 None for the purpose of this report.

**18. LESSONS LEARNT**

18.1 N/a

**19. COMMUNITY AND STAKEHOLDER ENGAGEMENT**

19.1 None

**20. OTHERS CONSULTED ON THE REPORT**

**BROMSGROVE DISTRICT COUNCIL**

**SCRUTINY BOARD**

10th June 2010

Portfolio Holder	Yes
Chief Executive	No
Executive Director (S151 Officer)	No
Executive Director – Leisure, Cultural, Environmental and Community Services	No
Executive Director – Planning & Regeneration, Regulatory and Housing Services	No
Director of Policy, Performance and Partnerships	No
Head of Service	Yes
Head of Resources	No
Head of Legal, Equalities & Democratic Services	Yes
Corporate Procurement Team	No

**21. WARDS AFFECTED**

All wards

**22. APPENDICES**

None

**23. BACKGROUND PAPERS**

None

**24. KEY**

None

**BROMSGROVE DISTRICT COUNCIL**

**SCRUTINY BOARD**

10th June 2010

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