



Mike Rowan
Head of Legal and
Democratic Services

MEETING : CORPORATE BUSINESS SCRUTINY COMMITTEE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : TUESDAY 12 JULY 2016
TIME : 7.00 PM

PLEASE NOTE TIME AND VENUE

MEMBERS OF THE COMMITTEE:

Councillor M Allen (Chairman).
Councillors R Brunton, K Brush, M Casey, B Deering, J Kaye
(Vice-Chairman), P Phillips, M Pope, M Stevenson and J Wyllie.

Substitutes:

Conservative Group: Councillors D Andrews, I Devonshire,
R Henson, D Oldridge, R Standley and
C Woodward.

*(Note: Substitution arrangements must be notified by the absent Member
to Democratic Services 24 hours before the meeting).*

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DISCLOSABLE PECUNIARY INTERESTS

1. A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:
 - must not participate in any discussion of the matter at the meeting;
 - must not participate in any vote taken on the matter at the meeting;
 - must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
 - if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
 - must leave the room while any discussion or voting takes place.
2. A DPI is an interest of a Member or their partner (which means spouse or civil partner, a person with whom they are living as husband or wife, or a person with whom they are living as if they were civil partners) within the descriptions as defined in the Localism Act 2011.
3. The Authority may grant a Member dispensation, but only in limited circumstances, to enable him/her to participate and vote on a matter in which they have a DPI.
4. It is a criminal offence to:
 - fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register;
 - fail to notify the Monitoring Officer, within 28 days, of a DPI that is not on the register that a Member disclosed to a meeting;
 - participate in any discussion or vote on a matter in which a Member has a DPI;
 - knowingly or recklessly provide information that is false or misleading in notifying the Monitoring Officer of a DPI or in disclosing such interest to a meeting.

(Note: The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.)

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AGENDA:

1. Apologies

To receive apologies for absence.

2. Minutes – 31 May 2016

To confirm the Minutes of the meeting of the Committee held on Tuesday 31 May 2016.

3. Chairman's Announcements

4. Declarations of Interest

To receive any Member(s)' Declaration(s) of Interest and Party Whip arrangements.

5. Review of Comments, Compliments and Complaints 1 April 2015 to 31 March 2016 (Pages 5 – 18).

6. Data Protection Annual Review (Pages 19 – 34).

7. Community Lettings Policy (Pages 35 – 46).

8. Work Programme (Pages 47 – 54).

9. Urgent Business

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

EAST HERTS COUNCIL

CORPORATE BUSINESS SCRUTINY COMMITTEE – 12 JULY 2016

REPORT BY PORTFOLIO HOLDER FOR DEVELOPMENT MANAGEMENT AND COUNCIL SUPPORT

REVIEW OF COMMENTS, COMPLIMENTS AND COMPLAINTS 1 APRIL 2015 TO 31 MARCH 2016

WARD(S) AFFECTED: ALL

Purpose/Summary of Report:

- To provide a summary of comments, compliments and complaints received between April 2015 and March 2016.
- To highlight the key issues, remedial action and learning arising from the comments, compliments and complaints.
- To note the updated Corporate Complaints Procedure.

RECOMMENDATION FOR CORPORATE BUSINESS SCRUTINY:

That:

(A)	The report and actions in respect of 'Comments, Compliments and Complaints' be scrutinised; and
(B)	The Executive be advised of any recommendations.

1.0 **Background**

- 1.1 The Council implemented the current Corporate Comments, Compliments and Complaints system (3Cs) in January 2009.
- 1.2 On 14 July 2009, Corporate Business Scrutiny Committee resolved to receive an annual analysis of the 3Cs managed by the Council.
- 1.3 Following the implementation of the Regulator's Code in April 2014, the Corporate Complaints Procedure has been reviewed to ensure clear and accessible complaints and appeals processes for the Council and others, regulated by local authorities.

- 1.4 The Council's Freedom of Information IT system, *Infreemation*, has been used to record Complaints since April 2014.
- 1.5 The Council continues to receive a very low number of formal complaints, 76 recorded in 2015/16. As a comparison the Council received 400,000 telephone calls in 2015.
- 1.6 Comments and Compliments were recorded separately to ensure there was disparity between the three types of contact.

2.0 Report

2.1 Revisions from previous year

There were no revisions to the previous year's method.

2.2 Performance

The Council's performance 1 April 2015 to 31 March 2016 is summarised in the chart below:

Performance Indicator	Performance 1 April 2015 – 31 March 2016 (2014/15 figures in brackets)
Total complaints recorded	76 (95) Broken down into: Customer and Community Services - 30 (36) Internal Services/Financial and Support services – 16 (24) Neighbourhood Services - 30 (35)
EHPI 5.1, % of complaints resolved in 14 days or less 2015/16 Target = 70% or higher	77.6% (77.9%) broken down into:- Customer and Community Services – 100% (93.3%) Internal Services/Financial and Support services – 93.8% (83.3%) Neighbourhood Services – 46.7% (64.3%)

<p>EHPI 5.2a, % of complaints about the Council and its services that are upheld: 1st Stage 2015/16 Target = 30% or less</p>	<p>24.6% (35.3%) 16 out of 65 upheld at Stage 1 (28/79) broken down into: Customer and Community Services – 40% (34.6%) Internal Services/Financial Services – 30.8% (68.2%) Neighbourhood Services – 7.4% (12.9%)</p>
<p>EHPI 5.2b, % of complaints about the Council and its services that are upheld: 2nd Stage – appeal 2015/16 Target = 25% or less</p>	<p>18.2% (31.25%) 2 out of 11 upheld at stage 2 (5/16) broken down into: Customer and Community Services – 40% (33.3%) Internal Services/Financial Services 0% (50%) Neighbourhood Services – 0% (27.3%)</p>
<p>EHPI 5.4, % of complaints to the Local Government Ombudsman that are upheld 2015/16 Target = 0%</p>	<p>0% 10 (6) Complaints received by the Local Government Ombudsman. None were upheld.</p>

- 2.3 Neighbourhood Services did not meet the target for the percentage of complaints resolved within 14 working days (EHPI 5.1). The nature of cases varied within Neighbourhood Services but many were complex cases which made it difficult to resolve within the working period. A particularly complex identical complaint was made by 6 different residents and this contributed heavily to the results. As a whole, the Council met its 5.1 target.
- 2.4 Customer and Community Services did not meet the 5.2a target and this was largely due to complaints regarding missed bin collections which were found in the resident's favour. Financial Services marginally missed this 30% target. As a whole, again, the Council sat within its target.
- 2.5 Although some complaints took longer to resolve than the 14 working day period within Neighbourhood Services, the number that were upheld at both stage 1 and 2 were well within desired targets. At stage 2, the target was missed within the Customer &

Community Services, failing to achieve the 25% target. As a Council though, the Complaints at Stage 2 was within set targets.

2.6 There were 10 complaints that were escalated to the Local Government Ombudsman, which is an increase on the previous year, however none of these were upheld.

2.7 Volumes

The volumes of comments, compliments and complaints recorded are shown below. Stage 2 complaints have all been subject to an initial complaint at stage 1.

2014/15 figures are in brackets

	April – June (Q1)	July – Sept (Q2)	Oct – Dec (Q3)	Jan – March (Q4)	Total
Comments	11 (0)	11 (0)	15 (0)	3 (1)	40 (1)
Compliments	0 (0)	2 (6)	1(0)	3 (1)	6 (7)
Complaints Stage 1	10 (15)	22 (34)	20 (20)	13 (10)	65 (79)
Complaints Stage 2	1 (2)	1 (7)	7(4)	2(3)	11(16)
Total 3Cs logged	22 (17)	36 (47)	43 (24)	21 (15)	122 (103)

2.8 There has been a significant increase in the number of comments reported to the Council from the previous year number. This reflects an improvement in the level of understanding of the new 3C's procedure with staff. The number of compliments about the Council remained relatively consistent with the previous year.

2.9 The number of Stage One complaints the Council received this year decreased by 17.2% over the previous year. Stage Two complaints also fell year on year (by 31.3%).

2.10 Source of Complaints

The chart, **Essential Reference Paper 'B'**, shows that customers prefer to raise complaints by e-mail (72%) and letter (18%). There has been a shift in complaints coming in via email, rising from 57% in 2013/14 to 72% this year with letters declining from 29% to 18% over the same period.

2.11 Action taken following 3Cs

Improvement actions in response to issues raised in 2015/16 are shown in **Essential Reference Paper 'C and D'**. The key areas of upheld complaints came from issues relating to Contractors.

2.12 Local Government Ombudsman

From April 2013 The Local Government Ombudsman (LGO) has been publishing all the decisions on complaints on its website. This is an important step in increasing transparency and accountability.

There was an increase in the number of complaints that were taken to the Local Government Ombudsman in the 2015/16 period. None of the complaints were upheld.

2.13 Actions Completed 2015/2016

Action	Outcome
Successful integration into the new version of Infreemation	The new version addresses many of the system error issues that were present in the old system. The reporting tool has more advanced functionality enabling a more efficient method of analysing information.
Continued refinement of 3C's procedure	Improved procedural documentation has been published on the staff intranet. Dedicated 3C's champions are responsible for recording and responding to complaints / compliments / comments. Infreemation is now a well - established reporting tool for complaints. Compliments and comments are logged in MS Outlook.

2.14 Actions 2016/2017

Action	Outcome
Management Restructure	A review of the 3C's champions will take place following the management restructure to ensure each service has a dedicated champion.
Infreemation review	A further review of how infreemation works for the Council needs to be conducted to ensure it is still fit for purpose.
Review of customer contact information	A review of other systems used by the Council e.g. 'Mayrise' (used by Environmental Services to record service requests and complaints). The review is to eliminate any duplication on complaint reporting and ensure that customer dissatisfaction is reported accurately.

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

None.

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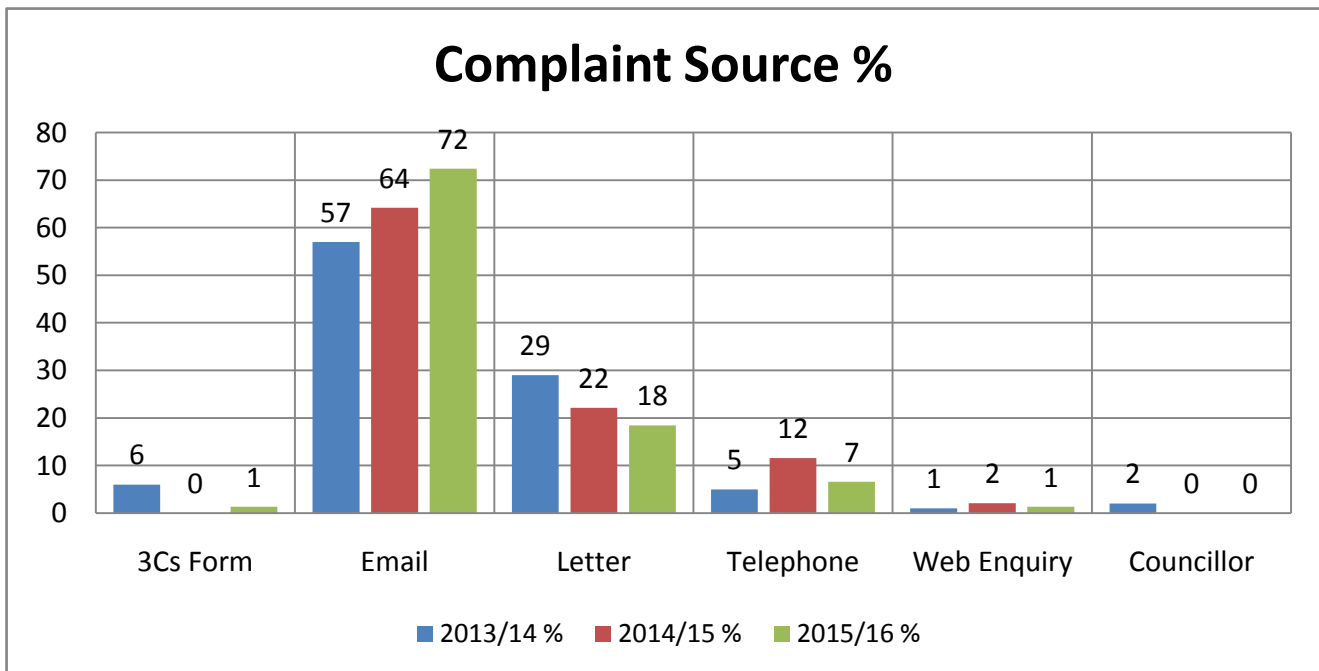
ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS:

<p>Contribution to the Council's Corporate Priorities/ Objectives (delete as appropriate):</p>	<p>Priority 1 – Improve the health and wellbeing of our communities</p> <p>Priority 2 – Enhance the quality of people's lives</p> <p>Priority 3 – Enable a flourishing local economy</p>
<p>Consultation:</p>	<p>CMT endorsed the integration of 3Cs monitoring within the 'health check' management process on 30 June 2009.</p> <p>Leadership Team considered the report 3rd May 2016</p> <p>On-going operation of the 3Cs procedure includes the involvement of feedback champions from all Services.</p>
<p>Legal:</p>	<p>There is no legal requirement to operate a complaint system. However, the legal consequence of not addressing a complaint through the council's complaint procedure could be significant. Best practice indicates that if complaints are dealt with at an early stage, this reduces an escalation of the complaint, potentially to a legal claim.</p>
<p>Financial:</p>	<p>There are no capital or revenue costs associated with this report. However, claims for damages and compensation could be significant should the 3Cs procedure not be followed to rectify any issues as soon as they arise in a professional and timely manner.</p>
<p>Human Resource:</p>	<p>Each frontline service has a member of staff who is knowledgeable about the 3Cs procedure and administrates compliments, comments and complaints on the database on behalf of the service (3Cs champions).</p>
<p>Risk Management:</p>	<p>There are no specific risk management issues related to this report but investigation of complaints will help to address any risk management issues identified in the complaint</p>

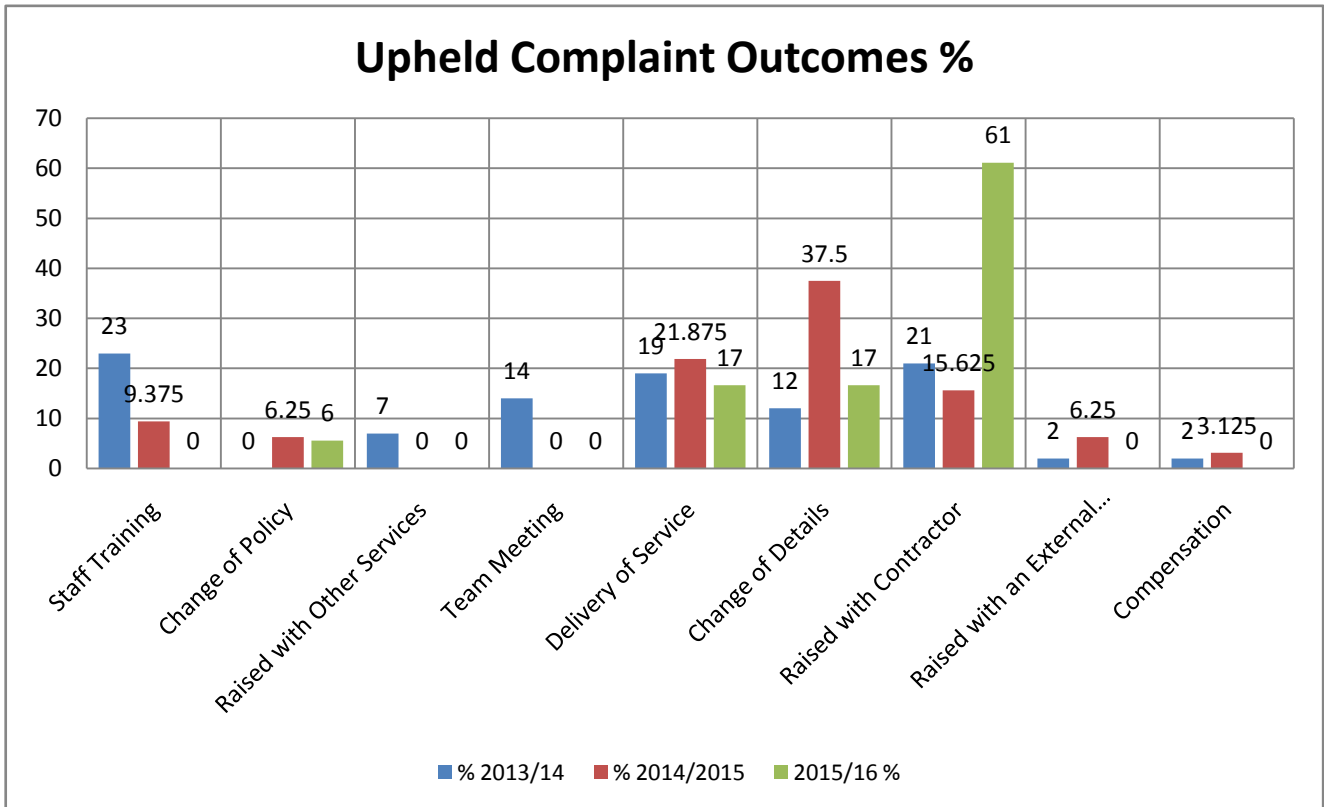
Health and wellbeing – issues and impacts:	There are no specific health and wellbeing issues related to this report but investigation of complaints will help to address any health and wellbeing issues identified in the complaint
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ESSENTIAL REFERENCE PAPER 'B'



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ESSENTIAL REFERENCE PAPER 'C'



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ESSENTIAL REFERENCE PAPER 'D'

Department	Customer and Community Services	Outcome
COM 208 - Environmental Grounds	Damage to grass verge	Arranged with Contractors to fix damage
COM 198 - Environmental Grounds	Stage 2: Large shrubs and trees on EHC land adjacent to property	Mapping error with regard to Land Ownership, Council originally accepted no responsibility for issue but a mapping error some 15 years ago was realised and Council agreed to manage the Trees which the subject of the complaint
COM 215 - Environmental Waste	Strangers looking through bins in Walkern with no announcement and rudeness by officer	Raised with Contractors who were undertaking some sampling work, on the Councils behalf, in what residents were putting in their bins
COM 229- Environmental Waste	Non collection of blue lidded black wheeled bin	Raised issues with Contractors coming to an agreement on where to present bins in future
COM 239- Environmental Waste	Non collection of Black wheeled refuse bin.	Raised issues with Contractors coming to an agreement on where to present bins in future
COM 266- Environmental Waste	Refuse Collections during rush hour	Raised issues with Contractors to see if can work a better route for this street at a more manageable time of day
COM 238- Environmental Waste	Bin not returned to the boundary after collections	Raised issues with Contractors and agreed that bins are returned to the correct place following collection
COM 256- Environmental Waste	Stage 2: Non collection of black wheeled refuse bin	Raised issues with Contractors but also suggested to resident an alternative method of presenting their bins on boundary
COM 243- Environmental Waste	Non collection of Brown wheeled bin	Raised issues with Contractors, coming to an agreement on where to present bins in future
COM 269- Environmental Waste	Non collection of black domestic bin on boundary	Raised issues with Contractors and apology issued to the customer
COM 270 - Environmental Grounds	Damage caused by a refuse HGV to the verge kerb.	Arranged with Contractors to fix damage with liaison from HCC
COM 231- Environmental Waste	Non collection of Brown wheeled bin	Raised issues with Contractors and agreed with the resident an alternative method of identifying bins and collections

Department	Internal and Financial Services	Outcome
COM171 Business Rates	Business rate delay in reply	Error with EH records which was updated and apology offered
COM184 Revenues	Council Tax Discounts	Agreed to work to a compromise with a customer who was pleading to be exempt of paying council tax on a property damaged and inhabitable by fire
COM173 benefits	Housing Benefit	Admitted that there had been some errors in the handling of the claim but could not accept call handling charges as requested by customer
COM213 Benefits	Housing Benefits	Apologised for the delay in getting back to the customer
Department	Internal and Financial Services	Outcome
COM193 Housing	Housing Options	A review of the communication between staff and resident and a discussion around the need to be impartial to all parties with regard to conduct
COM233 Planning	Land rear of 45-49 Hoddesdon Road	Agreed that there needed to be greater consultation with Council's engineer regarding Flood Risk Assessment but ultimately, this did not affect the final outcome. All of the other elements of the complaint were not upheld.

EAST HERTS COUNCIL

CORPORATE BUSINESS SCRUTINY COMMITTEE – 12 JULY 2016

REPORT BY HEAD OF LEGAL AND DEMOCRATIC SERVICES

DATA PROTECTION ANNUAL REVIEW

WARD(S) AFFECTED: ALL

Purpose/Summary of Report:

- To update the Committee on the Shared Internal Audit Service (SIAS) Report (**Essential Reference Paper 'B'**).
- To invite the Committee to comment on the current Data Protection status to date.
- To invite the Committee to agree that future scrutiny and monitoring of the council Data Protection risks would be best conducted through Covalent (the councils' performance management system).

RECOMMENDATIONS FOR CORPORATE BUSINESS SCRUTINY:

That:

(A)	The actions and developments in regard to data protection compliance be noted;
(B)	The Executive be advised of any recommendations regarding the Council's data protection compliance; and
(C)	The ongoing scrutiny and oversight of data protection compliance via the quarterly healthcheck and use of the Covalent system be agreed.

1.0 Background

1.1 Corporate Management Team (CMT) adopted an Information Security Framework and priorities for Data Protection (DP) policy development and implementation 25 Sept 2012.

1.2 Governance structures were agreed at Corporate Business Scrutiny (CBS) Committee 19 March 2013, including an annual

update in their governance role (strategic oversight) of the Council's DP compliance arrangements.

1.3 Data protection breaches occur in the best run organisations. The primary purposes of implementing DP compliance are:

- To ensure DP risks are prioritised and managed.
- To equip Officers and Members with the tools they need to promote DP compliance in the course of their work.

1.4 In the unfortunate event of a reportable breach, to demonstrate that the Council had policies and guidance in place that, had they been observed, would have obviated the breach or at least mitigated its severity.

2.0 Report

2.1 **Reviews and Risk Assessments**

2.1.1 All services undertook DP reviews of key processes in 2013/14. In 2014/2015 this was incorporated into the service planning process, supported by the Digital Media and Information (DMI) team. In 2015/2016 this process was streamlined to allow services to certify compliance for their processes that remained unchanged, allowing them to focus on those areas that had changed and to conduct full compliance reviews on new processes. The streamlined review process was well received.

2.1.2 The DP review within the Service Planning process:

- Enabled services to understand their key DP risks within the context of their developing service.
- Equipped services to embed the management of DP risks into their day to day processes.
- Enabled the DMI team to identify continuing trends in DP risks that would benefit from corporate measures.
- Enabled the DMI team to better support services by creating a formal structure for DP reviews that required a positive action to sign off, rather than a "silence is assumed compliance" approach.

2.2 Corporate Risks

2.2.1 Three corporate risks were identified and reported to CBS in 2014, and continue to be monitored as such:

- Application of the document retention and disposal policies
- Use of 'fair processing notices' (privacy notices)
- Data sharing

2.2.2 Significant work was undertaken in 2014/2015 to improve understanding of Fair Processing Notices and Data Sharing.

2.2.3 This work has continued, with a review of Fair Processing Notices in use on different forms, and with support for new forms and processes requiring collection of personal data (e.g. Forever Active East Herts project).

2.2.4 Data Sharing agreements have also been reviewed, with both the Housing and Community Safety teams seeking advice and assistance, and the Shared Anti-Fraud Service (SAFS) project relying on a thorough analysis of Data Sharing risks and responsibilities, and drafting of robust agreements and procedures.

2.2.5 Council wide training was undertaken in 2014/2015. This training is due to be refreshed in 2016/2017, but ad-hoc training has also been delivered throughout 2015/2016.

2.2.6 Document Retention and Disposal has been addressed with a number of teams, both those exploring new systems and software, and those looking to reduce storage needs. This is an ongoing area of support for services.

2.3 Key Information Technology (IT) Risks

2.3.1 Previous reviews highlighted four key areas of risk associated with use of IT equipment:

- Increasing use of portable devices by staff and Members.
- Growth in home working.
- Possible conflict between flexibility for users and requirements for high security around sensitive data on the network.

- Use of non-secure email.

2.3.2 Continued developments in the Council IT infrastructure and IT strategy have steadily reduced the risks on the first three of these to manageable levels, with the hosted desktop environment and carefully designed security profiles being key improvements.

2.3.3 The risks surrounding non-secure email remain, but these are considered acceptable, having been addressed in training. The hosted desktop environment has contributed to the reduction in risk, allowing staff to access their work emails within the council network, using the VMware application from any PC, laptop, tablet or smart device.

2.3.4 The Shared IT Service continue to deliver secure and robust technology, with a high level of awareness of the need to accommodate data security at both the strategic level and operational level.

2.4 Policy Development and Training

2.4.1 There is a continued need to ensure that Data Protection and Data Security are included in policy drafting schedules. Both the Shared IT Service, and the HR service are keenly aware of this, and have worked to.

2.4.2 DP continues to form part of the induction programme and has been given a renewed focus, with specific attention given to the training available on the staff intranet, and to the need to take personal responsibility and speak to the DMI team if staff have any concerns at all.

2.4.3 “Bob’s Business”, a training package developed by the Department for Business Innovation and Skills continues to serve as the prime training tool for Data Protection and Data Security awareness. A full rollout of training took place in 2015/2016, which will be refreshed in 2017.

2.5 Member Guidance

2.5.1 DP guidance was issued to Members following the 2015 elections.

2.5.2 Further DP training has been undertaken with Members at HR and Licensing Committees.

2.5.3 There has been ad-hoc advice given to Members on request, and Members are encouraged to contact the data protection officer should they require assistance in such matters.

2.6 Service Based Risks

2.6.1 A number of local risks continue to be identified in the annual Data Protection Risk Assessments.

2.6.2 With the exception of the three corporate level risks, none of the individual issues identified in the Action Plan are regarded as significant. Additionally, in many service areas DP awareness and compliance continues to be very good with the number of ad-hoc DP enquiries from staff seeking advice from the data protection Officer increasing.

2.6.3 The corporate restructure, and introduction of new service groupings and new Heads of Service may present challenges from a Data Protection perspective, as processes and procedures may be reviewed and changed, however the previous year's risk assessments should be viewed as tools to be used in shaping any new processes.

2.6.4 Given the directions from senior management observed to date, and the level of shared oversight the new leadership structure has introduced, it is not considered that the restructure presents a significant risk. The consolidated Leadership Team structure, with more frequent meetings than the previous structure, instead offers a more robust platform for ensuring Data Protection compliance, and a more open forum for sharing good practice.

2.6.4 Engagement and commitment from current Heads of Service continues to be excellent, with a number of managers within the services regularly contributing to the risk assessment process. This approach, with Heads of Service asking operational managers to inform the risk reviews illustrates the manner in which services are embedding DP consideration throughout their processes, from the strategic to the operational level.

2.6.5 Some service level risks (particularly those that involve advising customers of their DP rights and the way in which their data will be handled) continue to be addressed through content reviews (e.g. the recent audit of documents/forms on the website).

2.6.6 The council Digital Transformation/Delivery programme is

expected to offer further opportunity to embed robust Data Protection protocols into systems and processes, further reducing Service level risks

2.7 Recorded DP Breaches in 2015/2016

- 2.7.1 The Council works hard to ensure that all staff quickly identify and address any breach of DP, no matter how small with a focus of ensuring improvements in process and training to continue to reduce the potential for breaches. It is a reality that all organisations have data breaches. It is a huge strength that we recognise and act proactively. The Council does not view any breach as acceptable but it is right to understand that mistakes inevitably occur, and to have in place measures to respond with when they do so.
- 2.7.2 Three breaches occurred in 2015/2016.
- 2.7.3 An Email from Revenues and Benefits was sent to the wrong person, when a “.com” suffix in their email address was mistakenly replaced with a “.co.uk” suffix. The majority of the information contained within the email was public, although some matters regarding use of an address and the tenancy of the customer’s parents were considered to be personal.
- 2.7.4 The customer was unhappy with the council’s investigation into the matter, and referred the case to the Information Commissioner’s Office (ICO) as a complaint. The ICO investigated the case, but found that the council’s handling of the matter had been appropriate, and that no further action or recommendations were required. This is considered a validation of the council’s Data Protection policies, training, and response to breaches.
- 2.7.5 A letter was sent to a customer from Revenues and Benefits, which contained a number of pages from a second customer’s letter. The information contained some references to bank accounts. On investigation, it was found that the information did not present any significant risk of banking fraud or identity theft. The customer reported the matter directly to the ICO, who conducted an investigation. The ICO found that a minor breach of Data Protection had occurred, but that the council procedures and response to the breach had been appropriate. The ICO did not consider that any further action or advice was required, again, validating the council’s policies, training and response.

- 2.7.6 An email was sent from Housing Advice to a customer, containing details of a risk of homelessness and Social Services referral of a second customer. The information contained a full name, as well as the name and contact telephone number of one of the social workers.

On investigation it became clear that there had been a minor breach of Data Protection, but that the customer details released were not sufficient to allow the receiving customer to identify or locate the subject customer. The release of professional contact details of the social worker was unfortunate in the circumstances, but not a breach of Data Protection given the context of the information.

The customer was extremely unhappy with the incident, but did not pursue the matter with the ICO.

- 2.7.7 The low number of incidents in 2015/2016, and the ICO's continued satisfaction with the council's responses, as well as our policies and procedures, is testament to the work that the Heads of Services and senior managers have undertaken to ensure that Data Protection awareness is part of the day to operation of their individual teams.

2.8 Other Actions

- 2.8.1 The Shared Internal Audit Service (SIAS) conducted an Audit of the council Data Protection governance and arrangements. The audit report returned a level of Substantial Assurance, with no improvement recommendations. A copy of the report is attached as E RTP.
- 2.8.2 The new EU General Data Protection Regulations (GDPR) were consulted on and drafted through 2015/2016. These were adopted in April 2016 and will apply from May 2018. The decision taken at the EU Referendum in June 2016, to leave the EU, means that the council will not be bound by the GDPR, but it remains to be seen if any UK specific legislation will be introduced that replicates the effects of the GDPR. The council has already reviewed current states of compliance against guidance published by the ICO, and expects little difficulty in maintaining compliance with any similar legislation.

The implications of the decision to leave the EU on other Data

Protection frameworks, such as the EU/US Safe Shield framework are yet to be clarified. The council will monitor any risks arising from this and make appropriate recommendations to those services impacted by such frameworks.

2.9 Reporting and Scrutiny

- 2.10 It is proposed that the ongoing scrutiny and oversight of the council Data Protection compliance be conducted solely through the existing risk management process.
- 2.11 Current arrangements are that an annual report be made to Corporate Business Scrutiny.
- 2.12 While an annual report is a useful summary tool, it is a retrospective mechanism, looking back over the entire previous year's performance. The quarterly updates are visible to all Members on Covalent, the council's performance management system, and risk reports to the Executive (via the Healthcheck) and to Audit and Governance Committee, These allow for issues to be identified and addressed much more quickly and are seen as a logical progression in the mainstreaming of Data Protection as a corporate risk issue, reducing the bureaucratic overhead while increasing scrutiny and oversight.

3.0 Implications/Consultations

- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

None.

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Contact Officer: Mike Rowan, Head of Legal and Democratic Services, Extn: 2170. mike.rowan@eastherts.gov.uk

Report Author: Mike Rowan, Head of Legal and Democratic Services, Extn: 2170. mike.rowan@eastherts.gov.uk

ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS:

Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate):</i>	Priority 3 - Enable a flourishing local economy. Working with others, to have achieved the right infrastructure for our businesses and communities.
Consultation:	<i>Heads of Service have been invited to comment where the report contains details of their service</i>
Legal:	<i>None (excepting where lack of compliance carries risk of action by the ICO)</i>
Financial:	<i>None (excepting where lack of compliance carries risk of fine by the ICO)</i>
Human Resource:	<i>None</i>
Risk Management:	<i>None (excepting where lack of compliance carries risk of action by the ICO)</i>
Health and wellbeing – issues and impacts:	<i>None</i>

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Final Internal Audit Report

East Herts Council Data Protection

December 2015

Issued to: Neil Sloper – Head of Information,
Customer and Parking Services
Alasdair McWilliams – Digital Media and
Information Manager
Neil Prior – Information Officer

Copied to: Adele Taylor – Director of Finance and
Support Services
Chris Gibson – Head of Governance and
Risk Management
Audit Committee Members
Finance Portfolio Holder

Report Status: Final

Reference: E3208/15/001

**Overall
Assurance:** Substantial

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1 EXECUTIVE SUMMARY

Introduction

- 1.1 Internal Audit provides the Council with an independent and objective opinion on the organisation's governance arrangements, encompassing internal control and risk management, through the completion of an annual risk-based internal audit plan. This audit derives from the approved 2015/16 Internal Audit Plan for East Herts Council (EHC).
- 1.2 The Data Protection Act 1998 (DPA) regulates information relating to living individuals who can be identified from that information (referred to as personal data) either as it stands on its own or when combined with other information that is also available. This applies to both electronic and paper based information.
- 1.3 The DPA has eight principles which, in summary, require personal data to be:
1. processed fairly and lawfully;
 2. obtained and processed only for one or more specified lawful purposes;
 3. adequate, relevant and not excessive in relation to the specified purpose(s);
 4. kept accurate and up to date;
 5. retained for no longer than necessary in relation to the specified purpose(s);
 6. processed in accordance with the rights of the individual (data subject);
 7. kept safe and secure;
 8. not transferred outside the EEA unless adequately protected.
- 1.4 The purpose of this audit was to assess the appropriateness and effectiveness of internal controls that are in place in relation to data protection and to evaluate compliance with them across service areas in order to provide assurance that EHC is able to meet the statutory responsibilities under the DPA.
- 1.5 The audit scope of data protection can be broken down into six potential areas as described by the Information Commissioner's Office (ICO). This was discussed with the Head of Information, Customer and Parking Services to determine the specific two areas of focus for this audit as follows:
- 1.6 **Governance Arrangements**
- formally highlighted risks in corporate and service risk registers, accountability in job descriptions and organisational management structures, policies, procedures and other controls that are in place to support compliance with the DPA.
- 1.7 **Security of Personal Data**
- organisational and technical measures that are in place (excluding network security which is under the remit and responsibility of the ICT Shared Service with Stevenage Borough Council) and how they are complied with to ensure there is adequate security for personal data held in manual or electronic form, including ownership, physical security and in respect of third party contracts.

Audit Opinion

- 1.8 Based on the work performed during this audit, we can provide overall **Substantial Assurance** that there are effective controls in operation for those elements of the risk management processes covered by this review. These are detailed in the Assurance by Risk Area Table in Section 2 below.
- 1.9 For definitions of the assurance levels, please see Appendix A.
- 1.10 Our findings and opinions in respect of each of the two Risk Areas covered by this audit are summarised as follows:

Governance Arrangements

- 1.10.1 It is evident from our findings that, over the past two years, EHC have looked to strengthen the governance structure around Data Protection compliance. This includes having a clear formalised framework confirming roles and ownership of Data Protection risks at senior management level with the Chief Executive designated as the Senior Information Risk Owner. As part of this framework, independent scrutiny and assurance is provided by the Corporate Business Scrutiny Committee.
- 1.10.2 A risk driven action plan formally captures both: key corporate risks; and Data Protection risks identified within service areas with relevant actions or recommendations to address them. This has been in place since 2013 and is providing an appropriate mechanism for helping manage and monitor the Data Protection risks from both an operational and strategic perspective. The Head of Information, Customer and Parking Services is responsible for completing an annual DP review and provides a report to the Corporate Business Scrutiny Committee to update them on the implementation of the Council's Data Protection action plan.
- 1.10.3 Service areas are required by the Information Management Team to review their risks annually and actively confirm they have not changed or revised them as necessary. We see this as good practice to help service areas consider and take responsibility for managing their Data Protection risks as part of normal operations.
- 1.10.4 During our audit we have also seen evidence of new / revised Data Protection policies being agreed and active promotion and support for Data Protection compliance across the Council by the Information Management Team.

Security of Personal Data

- 1.10.5 A Data Management Review of the ICT Shared Service was carried out by SIAS in 2014 and provided substantial assurance with one 'merits attention' recommendation around the finalisation of draft policies and procedures.
- 1.10.6 On the basis that it covered roles and responsibilities, the security of data and data management policies, we have placed reliance on the work we did in respect of the Data Management Review and have not repeated any of the fieldwork or testing for the purposes of our current Data Protection audit.

Summary of Recommendations

1.11 We have not made any recommendations as a result of our audit.

Annual Governance Statement

1.12 This report provides good levels of assurance to support the Annual Governance Statement.

2. ASSURANCE BY RISK AREA

2.1 Our specific objectives in undertaking this work, as per the Terms of Reference, were to provide the Council with assurance on the adequacy and effectiveness of internal controls, processes and records in place to mitigate risks in the following areas:

Risk Area	None	Limited	Moderate	Substantial	Full
Governance Arrangements					
Security of Personal Data (as per Data Management Review audit report - 2014)					
Overall					

2.2 For definitions of the assurance levels, please see Appendix A.

Levels of assurance	
Full Assurance	There is a sound system of control designed to achieve the system objectives and manage the risks to achieving those objectives. No weaknesses have been identified.
Substantial Assurance	Whilst there is a largely sound system of control, there are some minor weaknesses, which may put a limited number of the system objectives at risk.
Moderate Assurance	Whilst there is basically a sound system of control, there are some areas of weakness, which may put some of the system objectives at risk.
Limited Assurance	There are significant weaknesses in key control areas, which put the system objectives at risk.
No Assurance	Control is weak, leaving the system open to material error or abuse.

Priority of recommendations	
High	There is a fundamental weakness, which presents material risk to the objectives and requires urgent attention by management.
Medium	There is a significant weakness, whose impact or frequency presents a risk which needs to be addressed by management.
Merits Attention	There is no significant weakness, but the finding merits attention by management.

EAST HERTS COUNCIL

CORPORATE BUSINESS SCRUTINY COMMITTEE – 12 JULY 2016

COMMUNITY LETTINGS POLICY

REPORT BY THE HEAD OF STRATEGIC FINANCE AND PROPERTY

WARD (S) AFFECTED: All

Purpose/Summary of Report:

- To set out the options for consideration in formulating a community lettings policy.
- To demonstrate transparency in documenting the subsidies provided to community groups who lease land and buildings from the council.

RECOMMENDATIONS FOR CORPORATE BUSINESS SCRUTINY:	
(A)	Community lettings leases be recognised, as detailed in paragraph 2.6, in order to comply with the Local Government Transparency Code 2015;
(B)	The Executive be requested to consider the future policy direction of the community lettings policy, as detailed in paragraph 2.11.

1.0 BACKGROUND

1.1 This policy has been developed as part of the review of the Asset Management Plan with the aim of documenting community lettings in a way which demonstrates transparency and complies with best practice.

1.2 The Asset Management Plan includes the following description of community lettings:

“These assets utilise council land and buildings to deliver benefits to the community through Voluntary and Community Services (VCS) organisations. These assets are subject to leases which are subsidised by the council in order to realise the benefits for the

community provided by VCS organisations.”

- 1.3 The Local Government Transparency Code 2015 requires the council to “ensure local people can now see and access data covering use of assets”, in particular “ensuring that local people are able to scrutinise how well their local authority manages its assets”.
- 1.4 The Local Government Transparency Code 2015 requires the council to publish details annually of all grants to voluntary, community and social enterprise organisations. For each identified grant, the following information must be published as a minimum:
- date the grant was awarded
 - time period for which the grant has been given
 - local authority department which awarded the grant
 - beneficiary
 - beneficiary’s registration number (e.g. charity or company registration number)
 - summary of the purpose of the grant
 - amount

2.0 REPORT

- 2.1 The current community lettings leases are documented in **Essential Reference Paper ‘B’** and are also included as an appendix to the Asset Management Plan.
- 2.2 A number of the council’s properties are leased to VCS groups who are charged a low rent on a historic basis. It is recognised that VCS groups perform a valuable function within the community and contribute to the corporate priorities of the council.
- 2.3 The leases granted to VCS groups are leases to which the Landlord and Tenant Act 1954 (the Act) apply. The lease terms have a range of expiry dates from within the current year to 40 years. The lease terms include provision for periodic rent reviews to take place.
- 2.4 The council must also comply with the requirements of the Act which prescribes the grounds on which the Council can terminate the lease should it wish to do so.
- 2.5 The prescribed grounds set out in section 30 of the Act are:
- a) Breach of repairing obligations
 - b) Persistent delay in paying rent
 - c) Other substantial breaches

- d) Suitable alternative accommodation
- e) Possession required for letting or disposing of the property as a whole
- f) Landlord intends to demolish or reconstruct the premises or a substantial part of the premises
- g) Landlord's intention to occupy the premises

The Act provides that the tenant is entitled to compensation if the tenancy is terminated on grounds e, f or g.

- 2.6 In order to comply with the Local Government Transparency Code, the Council should as minimum recognise each community lettings lease as a grant to the lessor, subject to the disclosure requirements of grants set out in paragraph 1.4, equivalent to the difference between market rent and the rent amount in the lease.
- 2.7 The Executive may also wish to consider the basis on which these leases continue and an annual review of this policy will take place from 2016/17 onwards to facilitate this.
- 2.8 The council has a number of options to consider in the future development of this policy. Four options are set out below:
 - 2.8.1 Establish the current market rent for each of the community lettings and recognise the difference between market rent and the rent amount in the lease as a grant to the lessor.
 - 2.8.2 Introduce a market rent policy which moves each lease to a market rent as the lease comes up for renewal.
 - 2.8.3 Introduce a market rent policy as each lease comes up for renewal with a temporary, phased grant relief scheme, e.g. 80% grant in year 1 reducing by 25% each subsequent year over a four year period.
 - 2.8.4 Introduce a market rent policy as each lease comes up for renewal alongside establishing a grant application process, subject to a maximum rent discount of, for example, 80%.
- 2.9 As the rents currently charged to VCS groups as community lettings are historically low a move towards charging full market rent would result in substantial increases in rent for these organisations. A period of consultation would be required as this is a new policy proposal, including consultation through Corporate Business Scrutiny.
- 2.10 Such an increase could be mitigated through the development of a relief grant scheme as described above. An illustration of how such a

scheme could operate is shown in **Essential Reference Paper 'C'**.

- 2.11 The recommendation from officers is the fourth option described above; introduce a market rent policy as each lease comes up for renewal alongside establishing a grant application process, subject to a maximum rent discount of, for example, 80%. This will ensure that the council complies with its legal obligations.
- 2.12 Similar schemes are already in operation in neighbouring districts. Broxbourne Borough Council offer up to 50% rent relief on council owned properties for sports clubs, voluntary bodies, and charities which must be applied for on an annual basis. Welwyn Hatfield Borough Council introduced a scheme which provides voluntary and community groups a phased rent relief period if their rent increased by either a multiple of 5 or more than £10k on renewal of a lease. The rent relief offered is 80% in year 1, reducing by 25% each year so that no relief is offered by the fifth year.
- 2.13 The proposed criteria for the policy to be implemented in East Herts will be based on a tiered approach. Once a VCS group have demonstrated that they meet the criteria to qualify for stage one of the rent relief grant they may then apply for either or both tiers of relief grant at stage two if applicable.
- 2.14 The tiered stages of rent relief grant are outlined below:
- Stage One: Contribution to East Herts Council Corporate Priorities (50% rent relief).
 - The VCS Group will be asked to provide evidence of how their activities contribute to the achievement of our Corporate Priorities.
 - There will be an assessment of the income of the VCS group, taking into account any other grants received, supported by submission of annual accounts.
 - The VCS Group will be asked to provide evidence of the number of members living in East Herts who benefit from their activities and any restrictions they place on membership of their group (e.g. specific age).
 - Stage Two (Part A): Demonstrates “added value” of their activities (15% rent relief).
 - The VCS Group will be asked to demonstrate how the grant

would generate benefits beyond the monetary value of the grant. For example, where a VCS Group provides a service that reduces costs or improves outcomes for the public sector or where the VCS Group can demonstrate long term benefits of their provision.

- Stage Two (Part B): Status of VCS Group (15% relief).
- The VCS Group will be asked to provide evidence that they are a registered charity, Community Interest Company or an affiliated sports club or voluntary group.

2.15 Following approval of the Community Lettings Policy an application process and form will be developed and implemented to facilitate the award of rent relief grants within the policy.

2.16 The timetable for considering the Community Lettings Policy is detailed below.

2.16.1 Corporate Management Team consideration: 15 Dec 2015

2.16.2 Asset Management Member/Officer group: 18 Dec 2015

2.16.3 Asset Management Member/Officer group: 20 April 2016

2.16.4 Pre-Executive: 30 June 2016

2.16.5 Corporate Business Scrutiny: 12 July 2016

2.16.6 Executive: 19 July 2016

2.17 There is a risk associated with increasing rents to VCS groups that some VCS groups would struggle to survive financially which may result in them closing. This risk has not been quantified although the market rate for each site would be assessed on an individual basis. Some sites will have limited market value whilst others offer scope for alternative uses with a corresponding market rent.

3.0 IMPLICATIONS/CONSULTATIONS

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Contact Member: Councillor Geoff Williamson – Executive Member for Finance and Support Services
geoffrey.williamson@eastherts.gov.uk

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ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS:

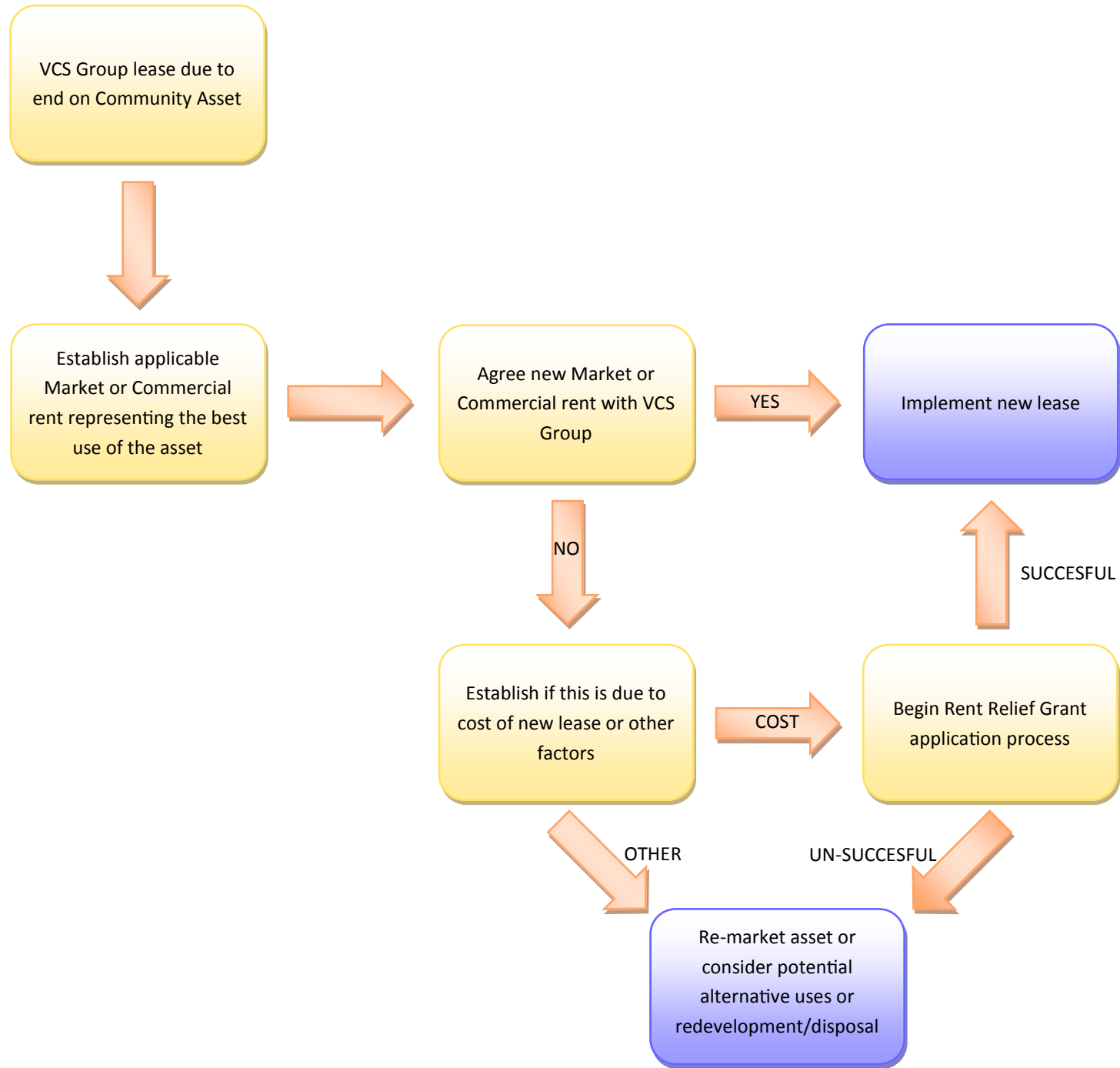
Contribution to the Council's Corporate Priorities/ Objectives (<i>delete as appropriate</i>):	<p>Priority 1 – Improve the health and wellbeing of our communities</p> <p>Priority 2 – Enhance the quality of people's lives</p> <p>Priority 3 – Enable a flourishing local economy</p> <p>This report sets out how a Community Lettings Policy will demonstrate transparency in the discounts awarded to Voluntary and Community Services organisations.</p>
Consultation:	Discussions have taken place with the Director, the Asset Management Working Group and the Portfolio Holder for Finance and Support Services.
Legal:	No specific implications arise from this report.
Financial:	Financial implications are included in the body of the report.
Human Resource:	No specific implications arise from this report.
Risk Management:	There are reputational risks to the Council if the Local Government Transparency Code 2015 is not implemented. This policy seeks to ensure Community Lettings are compliant.
Health and wellbeing – issues and impacts:	No specific implications arise from this report.

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ASSET NO	ASSET	CORPORATE PRIORITY	REASON FOR HOLDING	CONDITION OF ANY BUILDINGS	SITE AREA	GROSS INTERNAL AREA	DESCRIPTION AND COMMENT
585	Land for Scout Hut, Heathrow, Bishop's Stortford	1 & 2	Residue of ownership provides community facility	N/A	0.3 acres	N/A	Community facility on ground lease
21	Scout building, Thorley Lane, Bishop's Stortford	1 & 2	Currently providing community facility due for review at end of lease in 2015	Satisfactory	0.25 acres	N/A	Community facility to be reviewed towards end of lease (2016) to fulfil potential
568	ATC Hut, Waytemore Road, Bishop's Stortford	1 & 2	Residue of ownership provides community facility	N/A	0.11 acres	N/A	Community facility on ground lease
40	Parsonage Community Hall Parsonage Lane, Bishop's Stortford	1 & 2	Community facility within open space	N/A	0.31 acres	N/A	Community facility on long ground lease on open space
572	Thorley Manor Residents Ass, Friedberg Avenue, Bishop's Stortford	1 & 2	Community facility adj open space	N/A	0.90 acres	N/A	Community facility on long ground lease adj to open space
570	Bishop's Stortford Community Football Club, Friedberg Avenue, Thorley	1 & 2	Community facility within open space	Satisfactory	5.4 acres (clubhouse and open space)	140 sqm	Football changing rooms with shared use of open space for pitches. Lease currently under review with Engagement and Partnership Team
182	Bowling Green & Pavilion, Pegs Lane, Hertford	1 & 2	Part of larger ownership providing community facility	Good	0.4 acres	120 sqm	Club facility with public use reserved adj to Wallfields Council offices - Lease extended until 2017
97	Bowling Club, Hartham Common, Hertford	1 & 2	Community facility within open space	Good	0.6 acres (clubhouse and green)	50 sqm	Small club building on public open space - under review
97	Tennis Club, Hartham Common, Hertford	1 & 2	Community facility within open space	Satisfactory	0.9 acres	45 sqm	Club facility on public open space
97	Canoe Club, Hartham Common Hertford	1 & 2	Community facility within open space	Satisfactory	0.04 acres	100 sqm	Club facility on public open space
202	Land for Scout Hut, Watermill Lane, Hertford	1 & 2	Community facility adj to open space	N/A	0.25 acres	N/A	Community facility adj. to public open space - site under review
792	Scouts at Keynton Court, Hertford	1 & 2	Residue of ownership provides community facility	N/A	0.17 acres	N/A	Community facility in housing estate - asset to be reviewed
894	WRVS, Baker Street, Hertford	1 & 2	Residue of ownership provides community facility	N/A	0.4 acres	N/A	Long ground lease for community service
893	Red Cross, Baker Street, Hertford	1 & 2	Residue of ownership provides community facility	N/A	0.13 acres	N/A	Long ground lease for community service
208	Hertford Football Club, West Street, Hertford	1 & 2	Community facility adj public amenity area	N/A	7.5 acres	N/A	Long ground lease granted 2014 for football and ancillary use
349	Bowling Club, Brookfield, Aston	1 & 2	Residue of ownership provides community facility	N/A	0.32 acres	N/A	Community use on ground lease
504	Open space r/o High Street, Stanstead Abbots	1 & 2	Residue of ownership provides community facility	N/A	0.80 acres	N/A	Community facility in Green Belt
864	Scout and TA Huts, Broadmeads Ware	1 & 2	Residue of ownership provides community facility	N/A	0.7 acres	N/A	Community facilities under review to rationalise use of site
314	Scout hut Lower Bourne Gardens, Ware	1 & 2	Community facility adj to open space	N/A	0.3 acres	N/A	Community facility site adjacent to public open space
309	Bowling pavilion, The Priory, Ware	1 & 2	Community facility	Good	1.82 acres	100 sqm	Club facility with public use reserved
252	82 Park Road, Ware	1 & 2	Acquired after rationalising nearby ownerships to accommodate community facility	Good	0.14 acres	147 sqm	Community facility lease due to be reviewed

KEY:
Action is underway or imminent
Under review but not imminent maybe awaiting other actions.
No action planned during this period - asset fulfilling requirement

ASSET NO	ASSET	CORPORATE PRIORITY	REASON FOR HOLDING	CONDITION OF ANY BUILDINGS	SITE AREA	GROSS INTERNAL AREA	DESCRIPTION AND COMMENT
916	Land for Scout Building, Reedings Way, Sawbridgeworth	1 & 2	Residue of ownership provides community facility	N/A	0.45 acres	N/A	New ground lease for provision of scout building
541	Land at Kingham Road, Babbs Green	1 & 2	Residue of ownership provides community facility	N/A	9 acres	N/A	Due to be leased to Parish Council as Play area
439	Land at Tanners Way, Hunsdon	1 & 2	Residue of ownership provides community facility	N/A	2.2 acres	N/A	Leased to Parish council as play and recreation area
504	Land at rear of High Street, Stanstead Abbots	1 & 2	Residue of ownership provides community facility	N/A	0.52 acres	N/A	Leased to Parish council as play and recreation area
	Land for Scout Building, Mount Pleasant, Hertford Heath	1 & 2	Community facility adjacent to amenity woodland	N/A	0.46 acres	N/A	Lease to scout group



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EAST HERTS COUNCIL

CORPORATE BUSINESS SCRUTINY COMMITTEE – 12 JULY 2016

REPORT BY CHAIRMAN OF CORPORATE BUSINESS SCRUTINY COMMITTEE

SCRUTINY WORK PROGRAMME

WARD(S) AFFECTED: ALL

Purpose/Summary of Report:

- To review and determine Corporate Business Scrutiny (CBS) Committee's future work programme.

RECOMMENDATION FOR DECISION: That	
(A)	The work programme detailed in this report be agreed.

1.0 Background

1.1 Items previously required, identified or suggested for the CBS work programme are set out in **Essential Reference Paper 'B'**.

2.0 Report

2.1 The draft agenda for 2016/17 meetings of Corporate Business Scrutiny Committee is shown in **Essential Reference Paper 'B'**. The timing of some items shown may have to change depending on availability of essential data (eg from central government).

2.2 In consultation with the Committee Chairman, the Executive Member for economic development has asked for the 'Wenta' review to come to CBS at an earlier date than first scheduled. This is to allow for scrutiny's response to be taken into account when making decisions for the 2017/18 year. It will now come to CBS on 29 November 2016 (rather than 11 April 2017).

2.3 Members are asked whether there are any additional topics they wish to put forward for inclusion on any future agenda.

2.4 Members are also asked whether they wish to extend an invitation to one or more of the Executive Members to attend a particular meeting or for a specific agenda item.

2.5 Members are asked whether there is any training relevant to scrutiny or to the function/remit of CBS as a Committee which they would like to have arranged. This could be done as a separate session open to all scrutiny members or as an item on a future CBS agenda (as appropriate).

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

None.

Contact Member: Chairman of Corporate Business Scrutiny Committee. mike.allen@eastherts.gov.uk

Contact Officer: Mike Rowan – Head of Legal and Democratic Services, Extn: 2170.
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Report Author: Marian Langley – Scrutiny Officer, Extn: 1612.
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ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS:

<p>Contribution to the Council's Corporate Priorities/ Objectives:</p> <p>2016/17 wording</p>	<p>Priority 1 – Improve the health and wellbeing of our communities</p> <p>Priority 2 – Enhance the quality of people's lives</p> <p>Priority 3 – Enable a flourishing local economy</p> <p>Effective use of the scrutiny process contributes to the Council's ability to meet one or more of its corporate objectives.</p>
<p>Consultation:</p>	<p>Potential topics for scrutiny are always invited from the Executive and all Members and the public are asked through an annual item in the 'council tax' edition of LINK magazine which is delivered to every household. Members of each scrutiny committee are consulted at every meeting as their work programme is a standing item on the agenda.</p>
<p>Legal:</p>	<p>According to the Council's constitution, the scrutiny committees are responsible for the setting of their own work programme in consultation with the Executive and in doing so they shall take into account wishes of members on that committee who are not members of the largest political group on the Council.</p>
<p>Financial:</p>	<p>Any additional meetings and every task and finish group has resource needs linked to officer support activity and time for officers from the services to make the required input.</p>
<p>Human Resource:</p>	<p>None.</p>
<p>Risk Management:</p>	<p>Matters which may benefit from scrutiny may be overlooked. The selection of inappropriate topics for review would risk inefficient use of resources. Where this involved partners, it could risk damaging the reputation of the council and relations with partners.</p>
<p>Health and wellbeing – issues and impacts:</p>	<p>The broad remit of scrutiny is to review topics which are of concern to the public, many of which have an indirect impact on the general wellbeing of residents of East Herts.</p> <p>The Health and Wellbeing Scrutiny Committee is set up to specifically focus in on issues and topics which have a</p>

	direct and immediate impact on the health and wellbeing of all those who live, work or study in the district.
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Corporate Business Committee Work Programme DRAFT 2016/17

2016/17				
meeting	date	topic	Contact officer/lead	Next Exec
Meeting 3 in 16/17	30 August 2016 Report deadline 17 August	Work Programme	Scrutiny Officer	06 September 2016
		Annual Governance Statement 2015/16 and action plan 2016/17	Head of Strategic Finance	
		Corporate Annual Report 2015/16 (full year progress report, including PI out-turns)	Lead Officer – Corporate Planning	
		Possible: Model of Service Delivery TBC	Being led by Director assigned Transformation and Channel Shift	
		Member Briefing/Familiarization with new report format that follows	Head of Communications, Strategy and Policy	
		NEW STYLE REPORT: Quarter 1 Performance Report (April-June 2016) + 1 month (July 2016)	Lead Officer - Performance	
Meeting 4 in 16/17	11 October 2016 Report deadline 28 September	Work Programme	Scrutiny Officer	25 October 2016
		NEW STYLE REPORT: Mid-year Corporate Strategic Plan Progress Report (2016/17)	Lead Officer – Corporate Planning	
		Some of this meeting/evening might be replaced by a Budget preparation Member training event – open to ALL Members.		

Essential Reference Paper 'B'

Meeting 5 in 16/17	29 November 2016 Report deadline 16 November	Work Programme	Scrutiny Officer	06 December 2016
		Council Tax Support Scheme 2017/18 (for recommendation)	Head of Shared Service	
		4 year Corporate Strategic Plan (2017/18 to 2020/21)	Timing of this item TBC	
		Update on the Eastern Plateau funding for local businesses	Economic Development Manager	
		NEW STYLE REPORT: Quarter 2 Performance Report (Aug - Oct 2016)	Lead Officer - Performance	
		Review of the Wentra 'MyIncubator' Centre at HRC 	Exec Member for economic development and lead officers <i>("To be useful in deciding how to take forward the Wentra contract from April 2017, we really need Scrutiny views towards the end of this calendar year")</i>	
Meeting 6 in 16/17 JOINT	17 January 2017	BUDGET REPORT(S)	Titles TBC	07 February 2017
Meeting 7 in 16/17 JOINT	14 February 2017	2017/18 – 2020/21 Service Plans	Bring to JOINT (rather than delay for next CBS)	04 April 2017
		NEW STYLE Q3 Performance Report (Nov - Dec 2016)		
Meeting 8 in 16/17	11 April 2017 Report deadline 29 March	Asset Management Plan	Head of Strategic Finance	XX
		?		
		?		
		?		
		Work programme – evaluation of 2016/17 and planning for 2017/18	Scrutiny Officer	

The CfPS four principles of good public scrutiny:

- *provides ‘critical friend’ challenge to executive policy-makers and decision-makers*
- *enables the voice and concerns of the public and its communities*
- *is carried out by ‘independent-minded governors’ who lead and own the scrutiny role*
- *drives improvement in public services*

Corporate
Business
Scrutiny

1. To develop policy options and to review and scrutinise the policies of the Council relating to Communications, Corporate Performance and Risk Management, Local Strategic Partnership, Customer Service, Finance, Information and Communications Technology, Democratic Services, Member Support, Facilities Management, Asset Management, Legal, Revenues and Procurement.
2. To consider the budget setting proposals and strategies of the Council.
3. To make recommendations to the Executive on matters within the remit of the Committee.
4. To take evidence from interested groups and individuals and make recommendations to the Executive and Council for policy change on matters within the remit of the Committee.
5. To consider issues referred by the Executive, including modifications to the Constitution, or members of the Committee and where the views of outsiders may contribute, take evidence and report to the Executive and Council on matters within the remit of the Committee.
6. To consider any item referred to the Committee by any Member of the Council who is not a member of this Committee and decide whether that item should be pursued on matters within the remit of the Committee.
7. To appoint annually Standing Panels as may be determined, which shall be given a brief to consider a specified service area relating to matters within the remit of the Committee and report back to the Committee on a regular basis as determined by the Committee.
8. To consider, should it choose to do so, any item within the remit of the Committee to be considered by the Executive (except items of urgent business). The relevant report to the Executive shall consider any report and recommendations on the item submitted by the Scrutiny Committee.

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