REPORT TO:	SCRUTINY AND OVERVIEW COMMITTEE
	3ʳᵈ November 2015
AGENDA ITEM:	**6**
SUBJECT:	**STAGE 2: CABINET RESPONSES TO SCRUTINY RECOMMENDATIONS ARISING FROM:** **SCRUTINY & STRATEGIC OVERVIEW COMMITTEE MEETING ON 14ᵀᴴ APRIL 2015**
LEAD OFFICERS:	**Julie Belvir, Director of Legal and Democratic Services**
CABINET MEMBERS:	**N/A**

1   EXECUTIVE SUMMARY

At the Scrutiny and Strategic Overview Committee meeting on 14ᵗʰ April 2015, Members made recommendations to Cabinet.

These were presented to Cabinet at its 20ᵗʰ October 2015 meeting and relate to:

Minute number A31/15 – recommendations arising from the Local Action Mini Review: Royal Mail Delivery Services in Croydon. A copy of this minute is provided in **Appendix 1** attached to this report.

Minute Number A32/15 – recommendations relating to the Transparency Agenda. A copy of this minute is provided in **Appendix 2** attached to this report.

Minute Number A33/15 – recommendations relating to Data and Freedom of Information. A copy of this minute is provided in **Appendix 3** attached to this report.

The Cabinet responses to the scrutiny recommendations from the Scrutiny and Strategic Overview Committee items detailed above are attached as **Appendix 4** to this report.

2.   RECOMMENDATIONS

The Scrutiny and Overview Committee is invited to comment on the recommendations and to note the report.

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CONTACT OFFICER: Karen Martin, Members' Services Manager ext 62226

Appendices 1-4 are attached to this report

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A31/15   **LOCAL ACTION MINI REVIEW: ROYAL MAIL DELIVERY SERVICES IN CROYDON (Agenda Item 7)**

The Vice Chairman took the chair for this item. Councillor Fitzsimons introduced the local action mini review report with a presentation that is available online here.

A local action mini review is a method of allowing ward councillors to investigate and report to Scrutiny on a matter of pressing concern to their constituents. Councillor Fitzsimons stated that Royal Mail had been invited to the meeting but declined due to adhering to the politically restricted period in the lead up to the general election and thus not appearing in any political meetings during this time.

Councillor Fitzsimons stated that the review encompassed site visits, meeting senior Royal Management, meetings with Factory Lane staff, and a residents' survey which received over 550 responses.

It was clear that Royal Mail had not taken customers into account when deciding to move to the new site on Factory Lane. The new site was not accessible by public transport, requiring travel by car as the only practical way to get there. This issue was further exacerbated by a lack of parking facilities and limited bay parking on Factory Lane that added additional costs to customers. The issue of parking also affected staff – many had to park in residential streets, and most Royal Mail vans were stored in a leased section of Factory Lane Car Park where they were regularly vandalised due to the area being unsecured.

One outcome from the report was a commitment from Royal Mail to undertake a fresh Post-Implementation Review focussing on customers.

In response to questions from the Committee, Councillor Sean Fitzsimons provided the following information:
- It was in Royal Mail's economic interest to provide better collection facilities due to competition from private companies such as Doddle.
- Hopefully there would be no need for the Council to subsidise Royal Mail to encourage the creation of additional collection centres, however the Council could impose planning requirements within the New Addington redevelopment to require such provision.
- The Post Office fee for collection should be scrapped. It would be in the interests of the Post Office to do so since it would encourage more people to collect their parcels from their local Post Office and thus increase footfall. It would also reinvigorate the symbiotic relationship between the two organisations which used to exist when Royal Mail and the Post Office were one entity.

- Royal Mail staff highlighted the central Croydon Post Office as the most appropriate location for a town centre collection office. If this was not feasible, then a collection office should form part of the redevelopment of the old Addiscombe Lane site. The key consideration should be a position near a major train station or within the town centre.

RESOLVED – To approve the report and send it to Cabinet and Royal Mail with the following respective recommendations.

The Committee recommended to Cabinet that it:
- Negotiate leasing the entirety of Factory Lane Car Park to Royal Mail.
- Amend the parking bay restrictions on Factory Lane to enable a 10 minute relief period prior to charges applying.
- State its support for a Town Centre Collection Office and work with Royal Mail to identify and deliver it.
- Investigate how the Council's planning and economic development powers can help deliver a Town Centre Collection Office.
- Welcome Royal Mail's commitment to trialing new ways of meeting customer demands, such as extended opening hours and Sunday working, and to commit to working with Royal Mail on new initiatives.
- Engage and collaborate with Royal Mail and the Post Office on the Central Parade improvements at New Addington and look towards furnishing the Post Office for capacity to become a collection point for missed deliveries.

The Committee recommended to the Royal Mail that it:
- Upgrade security of the Factory Lane Car Park to ensure safety of the vehicles.
- Open a collection facility for customers within Croydon town centre or alternatively to utilise the central Croydon Post Office for such a service.
- Continue working with the Communications Workers Union and staff at Factory Lane to ensure that adequate resources are available to ensure that evening and Sunday opening hours remain.
- Review its first-time delivery strategy.
- It (Royall Mail) and the Post Office scrap the redelivery charge and establish free collection points across the Borough.
- Increase publicity of its alternative redelivery options to make sure all customers are aware of the service.

The Royal Mail and Cabinet are to be given the same timescale for a response to the recommendations.

A32/15   THE TRANSPARENCY AGENDA (Agenda Item 8)

Present for this item:
Councillor Simon Hall, Cabinet Member for Finance and Treasury
Gabriel Macgregor, Head of Corporate Law and Deputy Monitoring
Officer

Councillor Fitzsimons explained the background to this report. The issue
has been around for some time and became a Labour party manifesto
commitment. This report is testing the direction of travel.

The Cabinet Member for Finance and Treasury introduced this item. He
reported that Croydon needed to do more on issues such as the
corporate risk register, pension fund performance and prompt pre-
decision scrutiny. However he emphasised that the transparency
agenda was a journey and not a process, would not be completed
overnight and was work in progress. The Cabinet Member added that
Cabinet has an aim to continue to increase transparency and access to
information.

The Cabinet Member for Treasury and Finance answered a series of
questions and provided answers including:

Contracts
- Whilst the contracts relating to the construction of Bernard Weatherill
  House have not been published, a number of Cabinet reports have
  provided the financial implications, true cost and impact of the
  building.
- The Council had to respect confidentiality clauses in contracts with
  sub-contractors. However it was intended to bring more contracts
  back in-house and this would enable the Council to release more
  information. In the meantime the goal was to publish more
  information regarding contract KPIs[1] and financial impacts. This
  process would take time as such clauses can only be added to
  contracts as they come up for renewal.

Council Committees
- The Council is looking at ways to engage the public in more
  innovative ways and garnering feedback through methods such as
  My Account is important.
- In response to a challenge to "go paperless or do not go paperless,
  but do not mix and match", all appendices to committee reports
  should ideally be published with the agenda papers as well as online
  – if this is not happening that is a transition issue and not an intention
  to conceal information. Digital by Design will make this less of an
  issue in the future as all documents will be accessed via electronic
  means.

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[1] Key Performance Indicators

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- Clustering groups of questions during Cabinet meetings is not to stop issues being addressed, but aims to help the flow of the meetings.
- The Council is looking into taking public questions via online submissions. This will not be possible for the upcoming Council meeting but there is an ambition to implement this initiative following discussions with the minority group.

Council Website
- The new website is continuing to be developed to make navigation easier and issues revolving around information retention were being resolved
- Councillors' Register of Interests is published and is accessible online, although it is noted that the current location on the website is not ideal.
- Developing individual pages for Councillors was being considered. These would display a record of attendance at meetings and written questions asked at Full Council meetings. Such data is already recorded; the issue is to capture it into a readily accessible form, and display it one location.

Other matters
- Whilst there was no requirement for a formal Forward Plan there were plans to consider consolidating Access to Information notices into one accessible document. It was accepted that it would be helpful to provide Councillors with more information concerning key decisions that affected their wards.
- The removal of speaking rights for GLA members and MPs at Planning Committee was a concept mooted for the 2016/17 budget. There are no plans to implement such a policy any time soon.
- Measures have been taken to recoup the £5,000 from Croydon Community Consortium but no details are yet available. We are looking at different ways of engaging the 75,000 My Account users.
- About 6% of FOIs fall under the exempt category and if individuals are unhappy with the response there is an appeal process. The Council aims to put information in the public domain wherever possible
- The Committee asked whether information about Councillors and their activities, including easily accessing their register of interests, could be linked to Councilllors' questions, attendance record, and petitions presented. The Cabinet Member replied that as part of developing the ward budget process there is a proposal to provide Councillors with their own pages.

The Head of Corporate Law stated that new Access to Information Regulations had replaced the Forward Plan with a series of additional statutory notices. The requirements for key decision notices are:
(i)   expenditure of £1million or more, and
(ii)   a decision affecting two or more wards.

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The wording for point (ii) is a decision that has a "significant impact" – "detrimental impact" might be a more effective alternative phrasing to use.

The Head of Corporate Law stated that it should be possible for the Council to create a cumulative list of statutory notices and key decisions rather than individual notices as is current practice. She added that the Legal department does not deal with the wording of responses to Freedom of Information (FOI) requests. If the authority cannot provide answers to specific FOI questions, then assistance as to how such information can be obtained should be proffered.

The Head of Corporate Law acknowledged that the wording explaining to the public why items are listed as Part B could be revisited, taking on board concerns from the Committee that the wording is currently a legal definition.

The Forward Plan and key decisions were discussed. Key decisions appear to fixate on monetary values and documents like the Asset Strategy and Education Estates Strategy were not caught by the definition of "key decisions". Ward Members were not told what is happening in their ward with Education Officers being the worst at providing advance information.

In considering its conclusions and resolutions, the Committee discussed which constitutional model for local government (committee system or cabinet model) was the most effective in delivering transparency. The discussion revealed a wide spectrum of opinion within the Committee but no formal resolutions were made.

CONCLUSIONS –

Committee concluded that the current webpages are not user friendly or transparent in terms of recording what Councillors do and recording details of meetings they have attended.

RESOLVED – To recommend to Cabinet that:
- Further and continuing transfer of council reports into the public domain (Part A) is encouraged.
- The wording for Part B (confidential or exempt matters) is revisited in order to provide a 'plain English' definition
- Ward Members are properly notified about Key Decisions that affect their ward.
- The following information is recorded and made publically available: Members attendance at council meetings, details of written questions asked at Full Council meetings and petitions recorded under their name at Full Council.
- Every Member is provided with their own page on the Croydon website.

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A33/15   DATA AND FREEDOM OF INFORMATION (Agenda Item 9)

Present for this item:
Councillor Simon Hall, Cabinet Member for Finance and Treasury
Graham Cadle, Assistant Chief Executive, Customer and Transformation
Hayley Lewis, Head of Customer Communications and Engagement
Nick Roberts, Head of Information Communication Technology Client Unit
Tom Steel, Web Manager

Officers present introduced the item with a presentation that is available online here. During the presentation it was reported that:

- Progress had been made since the Scrutiny Recommendations in 2011 regarding Freedom of Information (FOI). This included completion of the new Council website and My Account, both with open source technology.
- There was commitment to make information available as cheaply and easily as possible. This requires less use of PDFs and more reliance on "open standards" of formatting.
- Currently there is no legal requirement for an FOI requester to be identified; this creates challenges to follow up or clarify requests.
- There are two work-streams to develop information access: one to improve access to information currently available to the public and two, formatting information currently unavailable.
- "Hack days" were being organised, where we provide open data to the public to use and help development.
- A number of possible data sets for prioritisation were suggested and the Committee was encouraged to submit their own ideas.
- The risks to the project included financial pressures and the need for more resources. There is also concern regarding which data sets to publish – this may require experimentation and trial by error to see which data is popular.
- The Committee was encouraged to deliver their views on the priorities going forward with the project.
- Committee Members were encouraged to meet with the FOI team to experience the pressures within the department.

In response to questions from the Committee, the Assistant Chief Executive, Customer and Transformation, stated councillors wishing to access specific data sets should contact him direct.

The Assistant Chief Executive also informed the Committee that whilst a move away from using PDF documents on the website was possible it may not be the best solution and therefore should be subject to further detailed consideration.

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In response to questions from the Committee, the Head of Information Communication Technology Client Unit informed Members that:

- The Government Data Service code is available although it is not necessarily easily integrated within Croydon's own system.
- A problem has been identified with regard to the statutory need to archive committee documents for six years. However the problem is not primarily a technological one but a cultural one. The officer culture is to make reference to documents within reports by providing a web link. The report is then archived for six years by law but the link, which sits outside the officer's control, can be severed resulting in a loss of data.

In response to questions from the Committee, the Head of Customer Communications and Engagement, stated:

- The web company Croydon is currently partnered with, TSO Williams Lee, is very competent and also delivers central government websites.
- Feedback regarding the new website was needed and Members of the Committee were encouraged to send comments to the Head of Customer Communications and Engagement and the Web Manager. Committee Members would also be invited to test the new engagement platform.

In response to questions from the Committee, the Web Manager stated that there was an intention to use Open Standards, meaning different versions of documents would be accessible no matter what software the user has. For example, whilst Microsoft Excel is commonly used within the Council, this software is difficult to use when creating an App. Open Standards will alleviate such problems.

The Cabinet Member for Finance and Treasury stated that using My Account to communicate with residents was being actively investigated. This could be used to warn residents of disruption to refuse collection, or alerting them to committee meetings held in their area, for example.

Councillor Benn left the meeting at 9.05pm.

RESOLVED –

- To note that, whilst still early in the process, the contents of the report were positive.
- To ask Cabinet to note that a significant amount of work on the Croydon website is required.
- To welcome the trial of releasing data sets.
- To ask Cabinet to consider the development of an action plan to deliver the proposed next steps stated within the final two slides of the presentation made at the meeting. Namely:
  a) Develop single repository and simple customer journey for data to be provided and found/searched appropriately

b) Provision of data in cases where same FOI requests are received regularly (NNDR)

c) Detail timeline for provision of FOI, member reports and member questions and answers, tenders and financial spend data in non pdf format

d) Develop options appraisals with costs for priority work-streams for new data provision (including potential for pilot of env info from within MyAccount/ mobile app

e) Develop proposal with costs and timeline for running a hack day – engaging local developers to shape event and determine how to make most successful

f) Develop a set of data principles to determine data requirements and how these will be managed – ensuring all future technology implementations are considered to meet this and specifically ensuring part of Data Analytics approach/project

g) Talk to other councils, e.g. Leeds (with Leeds Data Mill) to learn what worked (and didn't) for them

h) Officers to work with members to confirm level and type of information provided about their roles and duties

- To recommend the following additional data sets for prioritisation:
  a) Road traffic data
  b) Election data
  c) Pot holes
  d) Litter
  e) School Term dates
  f) Accident information
  g) Local police team
  h) Local health team

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SCRUTINY RECOMMENDATION	DEPARTMENT AND CABINET MEMBER RESPONDING	ACCEPT/ REJECT RECOMMENDATIONS (inc. reasons for rejection)	IDENTIFIED OFFICER	ANY FINANCIAL IMPLICATIONS	TIMETABLE FOR IMPLEMENTATION OF RECOMMENDATIONS IF ACCEPTED (ie Action Plan)	DATE OF SCRUTINY MEETING TO REPORT BACK
The Scrutiny and Strategic Overview Committee at its meeting on 14 April 2015 resolved to make recommendations to the Royal Mail and to Cabinet.						
The recommendations to Cabinet (Minute number A31/15 - Local Action Mini Review: Royal Mail Delivery Services in Croydon) were for: 1. Cabinet to negotiate leasing the entirety of Factory Lane Car Park to Royal Mail	**Cllr Hall**	**ACCEPT** :Officers to contact Royal Mail to fully investigate any opportunities to let further space	Richard Simpson	Any negotiation will be based on ensuring this is cost neutral for the Council		Scrutiny and Overview Committee 3 November 2015
2. Cabinet to amend the parking bay restrictions on Factory Lane to enable a 15 minute relief period prior to charges applying	**Cllr Bee**	**REJECT** – Officers and cabinet member have undertaken a review across the borough regarding parking tariffs and simplifying the payment mechanism for users	Steve Iles	Nil		Scrutiny and Overview Committee 3 November 2015
3. Cabinet to state its support for a Town Centre Collection Office and work with Royal Mail to identify and deliver it	**Cllr Butler**	**AGREE** – We will work with Royal Mail to help explore options on sites.	Colm Lacey			Scrutiny and Overview Committee 3 November 2015
4. Cabinet to	**Cllr Butler**	**REJECT** – The clear	Colm Lacey			Scrutiny and Overview

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consider how the planning process and its economic development team could help deliver a Town Centre Collection Office		priority for planning obligations is affordable housing, health and education provision.				Committee 3 November 2015
5. Cabinet to welcome Royal Mail's commitment to trialing new ways of meeting customer demands, such as extended opening hours and Sunday working, and to commit to working with Royal Mail on new initiatives	**Cllr Hall**	**AGREE** – We will include this in the specific work we are currently progressing with Royal Mail around improving Basic Digital Skills to local residents.	Graham Cadle			Scrutiny and Overview Committee 3 November 2015
6. Cabinet to collaborate with Royal Mail on the Central Parade improvements at New Addington and look towards furnishing the Post Office with capacity to become a collection point for missed deliveries.	**Cllr Butler**	**AGREE** – will be picked up as part of the New Addington Regeneration project.	Stephen Tate			Scrutiny and Overview Committee 3 November 2015

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The Scrutiny and Strategic Overview Committee at its meeting on 14 April 2015 resolved (The Transparency Agenda - Minute number A32/15) to recommend to Cabinet that:						
1. Further and continuing transfer of council reports into the public domain (Part A) is encouraged	**Cllr Hall**	**ACCEPT**: The Council is committed to ensuring openness and transparency accordingly the number of confidential or Part B items has considerably reduced so that they are only produced in exceptional circumstances.	Julie Belvir	None anticipated	Continuing vigilance to ensure that the majority of the Council reports continue to be in the public domain	Scrutiny and Overview Committee 3 November 2015
2. The wording for Part B (confidential or exempt matters) is revisited in order to provide a 'plain English' definition	**Cllr Hall**	**ACCEPT**: The wording is being revised as requested.	Julie Belvir	None anticipated	Wording to be completed for the cycle of meetings in November 2015	Scrutiny and Overview Committee 3 November 2015
3. Ward Members are properly notified about Key Decisions that affect their ward.	**Cllr Hall**	**ACCEPT**: The Council complies with the statutory requirements in respect of Key Decisions and goes further in that all Councillors are e mailed with the Key Decisions and so able to consider whether or not to exercise the right to Call in matters for scrutiny.	Julie Belvir	None anticipated	This requirement is being met and will be kept under review.	Scrutiny and Overview Committee 3 November 2015
4. The following information is recorded and made publically available:	**Cllr Hall**	**REJECT**: This information is available in the public domain and there are insufficient resources to	Julie Belvir	None anticipated	N/A	Scrutiny and Overview Committee

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Members attendance at council meetings, details of written questions asked at Full Council meetings and petitions recorded under their name at Full Council.		provide this as an additional discretionary service.				3 November 2015
5. Every Member is provided with their own page on the Croydon website.	**Cllr Hall**	This is already in place. The pages are being linked to the Community Ward Budget pages	Graham Cadle	None	Work in progress	Scrutiny and Overview Committee 3 November 2015
The Scrutiny and Strategic Overview Committee at its meeting on 14 April 2015 made a number of recommendations (Data and Freedom of Information - Minute number A33/15) and resolved:						
1. To ask Cabinet to note that a significant amount of work on the Croydon website is required.		**AGREED**	Graham Cadle	Within current budgets	Work in progress	Scrutiny and Overview Committee 3 November 2015
2. To ask Cabinet to consider the development of an action plan to deliver the proposed next steps stated within the presentation made at the meeting, namely: a) Develop single		**AGREED:** items a) to h) are being worked through with officers and Members to ensure we understand the need and to detail any potential costs which will then need to be considered as part of the councils overall budget position and forecast. Progress has already been made in	Graham Cadle	Please see prev column	It is planned to have an initial proposal for consideration in late October.	Scrutiny and Overview Committee 3 November 2015

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repository and simple customer journey for data to be provided and found/searched appropriately b) Provision of data in cases where same FOI requests are received regularly (NNDR) c) Detail timeline for provision of FOI, member reports and member questions and answers, tenders and financial spend data in non pdf format d) Develop options appraisals with costs for priority work-streams for new data provision (including potential for pilot of env info from within Myaccount/ mobile app e) Develop proposal with costs and timeline for running a hack day – engaging local		respect of item b) where a number of FOI responses are already provided, g) where we now have detail of what a number of other councils have done and h) where an officer/member group has now been set up (Constitution Working Group). We are also having conversations with local tech companies to understand how they may be involved.				

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developers to shape event and determine how to make most successful f) Develop a set of data principles to determine data requirements and how these will be managed – ensuring all future technology implementations are considered to meet this and specifically ensuring part of Data Analytics approach/project g) Talk to other councils, e.g. Leeds (with Leeds Data Mill) to learn what worked (and didn't) for them h) Officers to work with members to confirm level and type of information provided about their roles and duties		(h) ACCEPT: There are definitions included within the constitution in respect of the role of Members. It is intended to add this item to the work plan for the cross party Constitution Working Group for consideration.	Julie Belvir	None anticipated	Dependent on a decision of the Full Council in respect of any amendments to the Constitution	

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