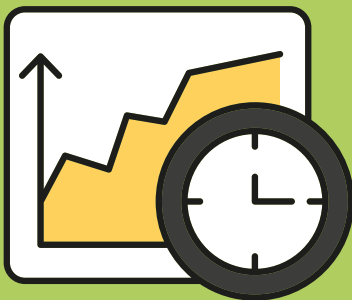


OVERVIEW & SCRUTINY ANNUAL REPORT 2023



Tendring
District Council



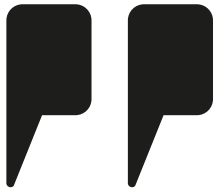
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Opening

This report sets out the review of 2022/23 for the Overview and Scrutiny function of the Council. As such it represents a comprehensive "Joint Report" from the Council's two Overview and Scrutiny Committees (OSCs). This approach has been in place for several years and has garnered widespread acclaim and appreciation from both the Chairmen and Members of the OSCs.

During 2022/23 a significant transformation took place in the OSCs approach to their crucial scrutiny function. This change was prompted by valuable guidance provided through a thorough review conducted by the Centre for Governance and Scrutiny (CFGs) in the period of 2021 to 2022. Notably, 2022/23 marked the initial implementation of a new operational framework for the OSCs, wherein their programmed formal meetings were established at a quarterly frequency. Concurrently, the substantive and essential enquires of the Committees were diligently carried out by dedicated Task and Finish groups of Councillors, ensuring comprehensive scrutiny throughout the entire year. By their nature, certain enquiries continued to be undertaken by the Committee as a whole.



Councillor Mark Stephenson

Chairman of the Resources and Services Overview and Scrutiny Committee 2022/23

"The Resources and Services Overview and Scrutiny Committee has undertaken several valuable enquiries in 2022/23. The Task and Finish groups (T&FG) for Planning Enforcement and Cyber Security are particularly noteworthy and I am grateful to the Chairmen of those Groups for their control of the respective enquiries and producing really powerful recommendations. The Committee itself too undertook extensive enquiries on the Budget for the Council in preparation for 2023/24 and on procurement/contract management (prompted by several examples that were explored with relevant Cabinet Members and Officers). The development of a social value policy for the Council is one element of that last enquiry that I look forward to the Committee's involvement in. On that note I would like to extend my personal thanks all Members (in the Administration and those on the Committee and its Task and Finish Groups) for their time and effort in pre-reading, attending briefings, participating in formal meetings and follow up activity. Together we have made scrutiny work at Tendring."



Chair Quotes

"The last year of Community Leadership Overview and Scrutiny Committee has been an interesting year as it was the first year that the Committee used Task and Finish groups to carry out the majority of its work. Unfortunately, it was difficult to get a full quota of Members to volunteer for each Task and Finish Group and as time moved on, we were unable to move ahead with several of the enquiries. We did, however, undertake a good piece of work around NHS dentistry, or lack thereof, in the District as a Committee. I would like to thank all the Members for their help as well as the Officers".



Councillor John Chittock

Chairman of the Community Leadership Overview and Scrutiny Committee 2022/23

Line Up

We have had some changes to the membership of both Overview and Scrutiny Committees for the year 2022/23.

While both Chairmen remained unchanged, Councillor Harris left the Resources & Services OSC to take his position of Chairman of the Council. He was replaced on that Committee by Councillor Skeels who left his role on the Community Leadership OSC to facilitate this change. Councillor Kanagasundaram King replaced Councillor Skeels on Community Leadership

Resources and Services Overview and Scrutiny Committee 2022/23

Councillor Mark Stephenson - Chairman
Councillor Gary Scott – Vice Chairman
Councillor Terry Allen
Councillor Chris Amos
Councillor Mick Barry
Councillor James Codling
Councillor Chris Griffiths
Councillor Pam Morrison
Councillor Mick Skeels

Community Leadership Overview and Scrutiny Committee 2022/23

Councillor John Chittock
Councillor Susan Honeywood
Councillor Paul Clifton
Councillor James Codling
Councillor Bill Davidson
Councillor Kanagasundaram King
Councillor Delyth Miles
Councillor Jayne Nash

With the changes ushered in by the elections to the Council on 4 May 2023, the new memberships to the Committees for the year 2023/24 are as follows:

Community Leadership Overview and Scrutiny Committee



Councillor Graham Steady

Councillor Terence Barrett

Councillor Bill Davidson

Councillor Carolyn Doyle

Councillor Tanya Ferguson

Councillor Susan Honeywood

Councillor Daniel Land

Councillor Lynda McWilliams

Councillor Ann Oxley

Chairman

Vice-Chairman

Committee Member

Committee Member

Committee Member

Committee Member

Committee Member

Committee Member

Committee Member

Resources and Services Overview and Scrutiny Committee



Councillor Paul Honeywood	Chairman
Councillor Mark Cossens	Vice-Chairman
Councillor Matthew Bensilum	Committee Member
Councillor James Codling	Committee Member
Councillor Chris Griffiths	Committee Member
Councillor Sarah Newton	Committee Member
Councillor Adrian Smith	Committee Member
Councillor Graham Steady	Committee Member
Councillor Bradley Thompson	Committee Member

Work Programme

Below is a very brief summary of the Work Programme approved by Council, or subsequently by the Committees, for 2022/23. The full Work Programme scope approved by Council on 12 July 2022 is available [here](#).

Community Leadership OSC

As a Committee:

- Dentistry (COMPLETED)
- Children electively home schooled (COMPLETED)
- Tendring-Colchester Borders Garden Community (COMPLETED IN 2023/24)

Task and Finish Groups:

- Jaywick, social issues, crime and deprivation, housing – a holistic view (NOT COMPLETED)
- Cost of living crisis – identifying gaps in local support (NOT COMPLETED)
- Out of school out of sight - provision for children unable to attend School (NOT COMPLETED)

Resources & Services OSC

As a Committee:

- Procurement and Contract Management (COMPLETED)
- Frinton Summer Theatre (COMPLETED)
- Financial Outturn 2021/22 (COMPLETED)
- Waste – preparing a summary position from previous enquiries (NOT COMPLETED)

As a Task and Finish Group:

- Beach Huts (COMPLETED)
- Cyber Security (COMPLETED)
- Planning Enforcement (COMPLETED)
- Customer Service (NOT COMPLETED)

The Committee also received an off-agenda briefing on progress with the Climate Change Action Plan activity (COMPLETED) and on the then proposed 3G pitch at Clacton Leisure Centre and the associated land swap of land at Vista Road, Clacton-on-Sea and at Jaywick Lane (COMPLETED).



Dentistry Enquiry

In December 2022 the Community Leadership OSC undertook a very informative special meeting of the Committee to specifically look at the NHS Dentistry provision within the District of Tendring.

The Committee was joined by representatives from some of our external partners:

The Committee was joined by some of our external partners:

- Lizzie Mapplebeck, Associate Director of Strategic Change, Suffolk and North East Essex Integrated Care Board
- Greg Brown, Senior Performance Improvement Manager, Suffolk and North East Essex Integrated Care Board
- Professor Nick Barker, Oracle Dental Group

The Committee was informed about the longstanding issues surrounding NHS dental access, which have been worsened by the COVID-19 pandemic. This has resulted in increased pressure on emergency care services, extreme measures taken by individuals to alleviate pain, and broader societal impacts such as increased demands on the healthcare system and reduced productivity. At the time of the Enquiry NHS England directly commissions dental services, with Integrated Care Boards (ICBs) commissioning and manage dental services locally from April 2023. The dental contract system has faced criticism, and a response by local Providers has sought to improve patient access, increase incentives for preventative dentistry, and prevent patients from having to pay privately for previously commissioned NHS dental care. The report presented local data on the Tendring District in Essex, which highlighted challenges in dental access, particularly for the district's aging population. The data

revealed unmet dental treatment needs and a decrease in the availability of NHS dental services during the pandemic. To address these challenges, various programs were planned, including increasing routine and urgent dental capacity, supporting care homes and healthcare professionals, prioritizing dental care for vulnerable groups like looked-after children, and improving dental health education. Efforts have also been made to enhance access information by auditing dental services more frequently and updating the Directory of Services to provide better information on dental practices accepting new and emergency patients.

Overall, the information presented emphasizes the long-standing issues with NHS dental access, the impact of the pandemic, ongoing reforms to the dental contract system, local oral health needs, and the implementation of programs aimed at improving dental access and care.

Planning Enforcement Enquiry

In March 2023, the Committee heard the results of its Planning Enforcement Task and Finish group which was tasked with conducting an enquiry into the Council's Planning Enforcement function, focusing on various aspects such as current powers, policies, procedures, data usage, effectiveness of approach, and case prioritization. The decision to investigate Planning Enforcement arose from concerns raised by multiple Councillors regarding its effectiveness in addressing a range of planning enforcement matters. The aims and objectives of the enquiry were established during the Task and Finish Group's inaugural meeting, and they evolved as the inquiry progressed.

The objectives of the enquiry were categorized into several areas. First, regarding current powers, the goal was to review the Council's full set of discretionary powers for planning enforcement and improve communication about these powers to stakeholders. Second, in terms of policies, the Council's

Planning Enforcement Policy and associated harm risk assessment were subject to review, with recommendations for necessary improvements. Third, the enquiry aimed to assess and enhance the effectiveness of procedures involved in handling enforcement complaints, including communication approaches and potential collaboration with third parties. Fourth, data interrogation was proposed to gain insights into the scale and nature of enforcement issues, leading to the development of a reporting framework. Fifth, the effectiveness of the planning enforcement approach would be evaluated through feedback from Councillors and interested parties, along with a review of available resources. Finally, the enquiry sought to assess the approach to prioritizing inspection and determine necessary improvements to the harm risk assessment and decision-making process within the Council.

From this the Committee put forward a robust set of recommendations to Cabinet that will be heard in June 2023.



Cyber Security Enquiry

As part of its work programme for 2022/23, the Resources and Services Overview and Scrutiny Committee established a Cyber Security Task and Finish Group to investigate and challenge the Council's cyber-security arrangements and preparedness.

It was acknowledged that providing Members with information to fulfil their council duties was important, although it was not a legal obligation. One of the Member concerns related to the legal context of ceasing the auto-forwarding of emails. From a legislative perspective, the General Data Protection Regulation (GDPR) requires personal data to be processed securely, which the Council couldn't demonstrate when emails were forwarded to personal accounts outside its control. The Information Commissioner's Office (ICO) guidance clarified that information relating to the official business of a public authority held in non-work personal email accounts may be subject to the Freedom of Information Act (FOIA).



At a Full Council meeting, Officers were tasked with exploring options for Member's email access. Four main options were presented:

- 1) Restrict access to Council-owned devices, which aligned with the original recommendation but some Members needed to use personal devices for quick email responses;
- 2) Issue Council-owned mobile phones to Members who requested them, meeting the need for quick responses but potentially incurring additional costs;
- 3) Allow Members to use personal devices with Council-installed software, but it could be unpopular, raise security concerns, and require additional IT resources;
- 4) Members continue using personal devices but access systems and emails via a web-based Member 'Portal,' increasing the risk of cyber-attacks and requiring additional cybersecurity resources.

The decision-making process considered factors such as Member requirements, user satisfaction, cost, data protection compliance, cybersecurity, information governance, resource complexity, and risk management.

Once again the outcome from this enquiry led to the Resources & Services OSC providing Cabinet and Council with a detailed list of recommendations.



Councillor Giancarlo Guglielmi

Deputy Leader of the Council 2022/23 and
Interim leader of the Council 10-23 May 2023



“As we draw the current Administration to a close, it is good to reflect on how this Council's Scrutiny function has developed. Following the visit by a team of the Centre for Governance and Scrutiny (CFGs) a report was prepared and circulated to everyone; the council commissioned CFGs to advise and support Members and Officers to review its Scrutiny function. We now have in place a new Cabinet/Scrutiny Protocol and have also set up several Task and Finish Groups which have proven to be very helpful to the running of the Council especially the work done on the Cyber Security topic, who came up with a solution to the ongoing Councillors Email Forwarding problem that was proposed and accepted by Full Council at its March meeting. I look forward to a continued improvement of the Council's Scrutiny role and build on the success achieved so far”.

